

Washington State Register

OCTOBER 18, 1995

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filed not later than October 4, 1995

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DENNIS W. COOPER
Code Reviser

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(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of October 1995 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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Chief Assistant Code Reviser

1995 - 1996

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in--	File no later than 12:00 NOON--			Count 20 days from--	For hearing on or after
95-20	Sep 6	Sep 20	Oct 4	Oct 18	Nov 7
95-21	Sep 20	Oct 4	Oct 18	Nov 1	Nov 21
95-22	Oct 4	Oct 18	Nov 1	Nov 15	Dec 5
95-23	Oct 25	Nov 8	Nov 22	Dec 6	Dec 26
95-24	Nov 8	Nov 22	Dec 6	Dec 20	Jan 9, 1996
96-01	Nov 22	Dec 6	Dec 20, 1995	Jan 3, 1996	Jan 23
96-02	Dec 6	Dec 20, 1995	Jan 3, 1996	Jan 17	Feb 6
96-03	Dec 27, 1995	Jan 10, 1996	Jan 24	Feb 7	Feb 27

¹All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

²A 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.

³At 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.

STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION (Required by 39 U.S.C. 3685)

The WASHINGTON STATE REGISTER (ISSN 0164-6389), is published twice each month by the Statute Law Committee, Office of the Code Reviser, Legislative Building, P.O. Box 40552, Olympia, Washington 98504-0552. The filing date of this report was September 28, 1995. The 1995 annual subscription price is \$175 for 24 issues. The general business offices of the publisher are located in the Legislative Building, Olympia, Washington 98504-0552.

The editor is Kerry S. Radcliff, Code Reviser's Office, Legislative Building, P.O. Box 40552, Olympia, Washington 98504-0552. There is no managing editor. The owner is the Statute Law Committee, State of Washington, Legislative Building, P.O. Box 40552, Olympia, Washington 98504-0552.

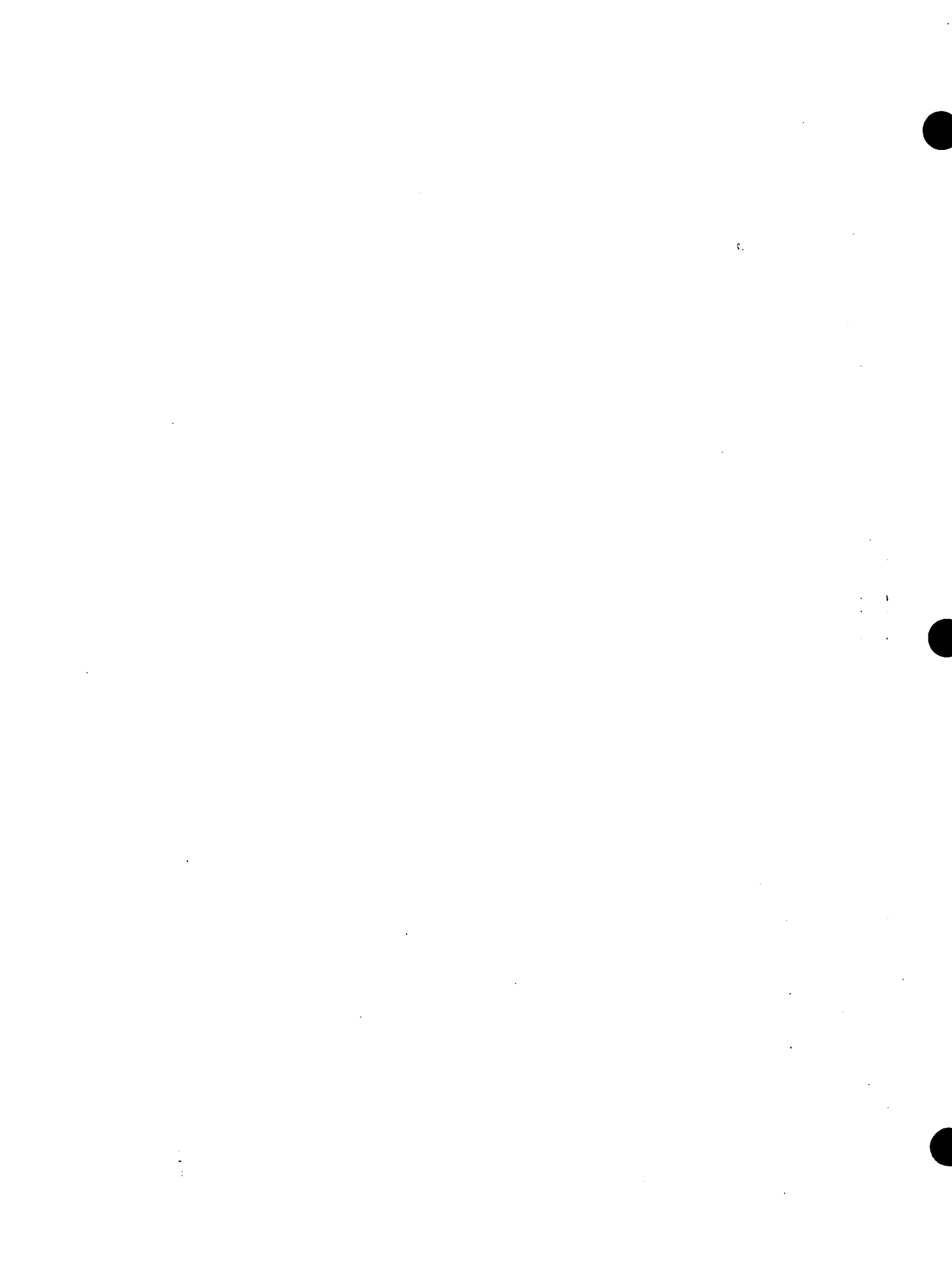
There are no known bondholders, mortgagees, or other security holders.

The extent and nature of the circulation is as follows:

	Average no. copies each issue during preceding 12 months	Actual no. copies of single issue published nearest to filing date
Total no. copies printing	1000	1000
Paid circulation		
Sales through dealers & carriers, street vendors, & counter sales	85	85
Paid mail subscriptions	546	579
Total paid circulation	631	664
Free distribution by mail	48	48
Free distribution outside the mail	29	29
Total free distribution	77	77
Total distribution	708	741
Copies not distributed		
Office use, leftover, unaccounted, spoiled after printing	292	259
Returns from news agents	0	0
Total	1000	1000
Percent paid circulation	89.12%	89.61%

I certify that the statements made by me are correct and complete.

Kerry S. Radcliff
Editor



WSR 95-20-006**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed September 22, 1995, 10:50 a.m.]

Subject of Possible Rule Making: Amend WAC 308-56A-030, 308-93-070, 308-94-030, and 308-96A-035 to rescind collection of vehicle/vessel owner Social Security numbers as additional owner identification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.10.040, 46.12.030, 46.16.040, 88.02.100, 88.02.050, and 88.02.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department has determined that at the present time, collection of the owner's Social Security number is not required for additional identification purposes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The rule-making process to amend the above rules to rescind the collection of Social Security numbers as additional owner identification adequately provides notice for public information and participation.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jack L. Lince, Contracts Manager, Vehicle Services Division, P.O. Box 2957, Olympia, WA 98507-2957, phone (360) 902-3773, FAX (360) 664-0831, TDD (360) 664-8885. All written and oral comments are requested by October 27, 1995.

September 21, 1995
James Wadsworth
Assistant Director

WSR 95-20-008**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Public Assistance)

[Filed September 22, 1995, 11:35 a.m.]

Subject of Possible Rule Making: WAC 388-255-1200, Additional requirements for telephone eligibility requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is needed to assure that all clients applying for additional requirements for telephones make use of all resources available to help them secure and maintain telephone service and to conserve additional requirements spending.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: An informational copy of the materials are sent to the Washington State Utilities and Transportation Commission.

Process for Developing New Rule: Agency study, internal (management) and external (field staff) review process whereby draft material is distributed for review and

comment. All comments are taken into consideration before the final rule is issued.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kay Hanvey-Smithson, Division of Income Assistance, Adult and Emergency Services, P.O. Box 45400, Olympia, WA 98504-5400, phone (360) 438-8316. Please contact me by October 20, 1995, to set up an informal meeting or provide input.

September 22, 1995
Jeanette Sevedge-App
Acting Chief
Office of Vendor Services

WSR 95-20-033**PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON**

[Filed September 28, 1995, 10:40 a.m.]

Subject of Possible Rule Making: Amending chapter 478-120 WAC, Student conduct code for the University of Washington, and chapter 478-124 WAC, General conduct code for the University of Washington.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130, 28B.10.900, 28B.10.901, 28B.10.902, 28B.10.903.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The state hazing law (SSB 5075) requires the University of Washington to adopt rules for students and others that provide sanctions for conduct defined as hazing. The proposed rules will be included in the student conduct code and general conduct code because the hazing law applies to all segments of the University of Washington community. In addition, the federal Campus Security Act (20 USC 1092) requires the inclusion of a clear statement in campus disciplinary procedures regarding rights afforded to the accuser and the accused in allegations of sexual offenses.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be directed to Rebecca Goodwin Deardorff, Administrative Procedures Officer, University of Washington, 4014 University Way N.E., Seattle, WA 98105-6203, FAX (206) 543-0786.

September 26, 1995
Rebecca Goodwin Deardorff
Administrative Procedures Officer

WSR 95-20-035**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD**

[Filed September 28, 1995, 11:10 a.m.]

Subject of Possible Rule Making: Designation of limited authority to approve uncontested or unopposed applications for liquor licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Section 1, chapter 232, Laws of 1995, RCW 66.08.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Required by chapter 232, Laws of 1995 in order to authorize staff to approve of uncontested or unopposed applications for liquor licenses.

Process for Developing New Rule: Normal rule-making process once emergency rule is adopted.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting David Goyette, Assistant Director, Regulatory Services, Washington State Liquor Control Board, P.O. Box 43098, Olympia, WA 98504-3098, phone (360) 753-2724, FAX (360) 753-2710, by November 15, 1995.

September 27, 1995

Mike Murphy
Member of the Board

WSR 95-20-036

PREPROPOSAL STATEMENT OF INQUIRY PUBLIC EMPLOYMENT RELATIONS COMMISSION

[Filed September 28, 1995, 12:48 p.m.]

Subject of Possible Rule Making: Administrative, housekeeping, representation case processing and statutory conformance changes to chapters 391-08, 391-25, 391-35, 391-45, 391-55, 391-65, and 391-95 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.58.050, 41.59.110, 41.56.090, 28B.52.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Proposed rule changes will address administrative issues such as the number of copies and the use of "FAX" for the filing of documents, requirements for appeal briefs, and the confidentiality of mediation. Housekeeping issues include topics such as gender-neutral language, updating the addresses of agency offices, adopting emergency rules on a permanent basis, and conforming rules to statutory changes. Representation case processing rule changes will primarily incorporate current agency procedures and standards into a rule format.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mark S. Downing, Rules Coordinator, P.O. Box 40919, Olympia, WA 98504-0919, phone (360) 753-2955, FAX (360) 586-7091.

September 28, 1995

Marvin L. Schurke
Executive Director

WSR 95-20-057

PREPROPOSAL STATEMENT OF INTENT DEPARTMENT OF AGRICULTURE

[Filed October 3, 1995, 8:35 a.m.]

Subject of Possible Rule Making: Prohibited noxious weed seeds.

Specific Statutory Authority for New Rule: Chapter 15.49 RCW.

Reasons Why the New Rule is Needed: To prevent contamination of timothy seed with white cockle and bladder campion.

Goals of New Rule: To prevent timothy seed contamination by adding white cockle and bladder campion to the list of prohibited noxious weed seeds.

Process for Developing New Rule: Negotiated rule making.

How Interested Parties can Participate in Formulation of the New Rule: Kittitas County Noxious Weed Control Board, Mr. Dirk Veleke, 507 Nanum, Room 10, Ellensburg, WA 98926, (509) 962-7007; or Washington Seed Council, Mr. Les Clemons, Chairman, Arnold Thomas Seed Service, P.O. Box 426, Lowden, WA 99360, (509) 529-4580.

October 2, 1995

K. Diane Dolstad
Assistant Director

WSR 95-20-063

PREPROPOSAL STATEMENT OF INQUIRY LOTTERY COMMISSION

[Filed October 3, 1995, 12:21 p.m.]

Subject of Possible Rule Making: Amendments to limited off-premises sales permit and payment of prizes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The lottery is considering amending WAC 315-04-220 and 315-06-120 at the January 5, 1996, commission meeting. The proposed amendment for WAC 315-04-220 will clarify which party has responsibility for the costs associated with limited off-premises sales permits. The proposed amendment to WAC 315-06-120 will clarify the necessity to submit a Social Security number to claim a prize.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jeffrey Burkhardt, Rules Coordinator, at (360) 586-6583, FAX (360) 586-6586, P.O. Box 43000, Olympia, WA 98504, with any comments or questions regarding this statement of intent.

September 22, 1995

Evelyn P. Yenson
Director

WSR 95-20-068
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed October 3, 1995, 4:30 p.m.]

Subject of Possible Rule Making: Amending WAC 230-20-325, 230-20-335, 230-25-040, and 230-25-220, to reflect change in maximum raffle ticket price from \$5 to \$25.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.0277, 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Statutory change passed during the 1995 legislative session.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. On November 17, 1995, Embassy Suites Hotel, 20610 44th Avenue West, Lynnwood, at 10:00 a.m., Michael Aoki-Kramer; and on January 12, 1996, Silverdale on the Bay, West Coast Hotel, 3037 Bucklin Hill Road, Silverdale, at 10:00 a.m., Michael Aoki-Kramer.

October 3, 1995
Michael R. Aoki-Kramer
Rules and Policy Coordinator

WSR 95-20-073
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

(Board of Pharmacy)

[Filed October 4, 1995, 9:17 a.m.]

Subject of Possible Rule Making: Creating a Level B pharmacy assist roster, WAC 246-901-065. This rule will allow the Board of Pharmacy to track all employees who work in a pharmacy in order to better protect the public.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.64.005.

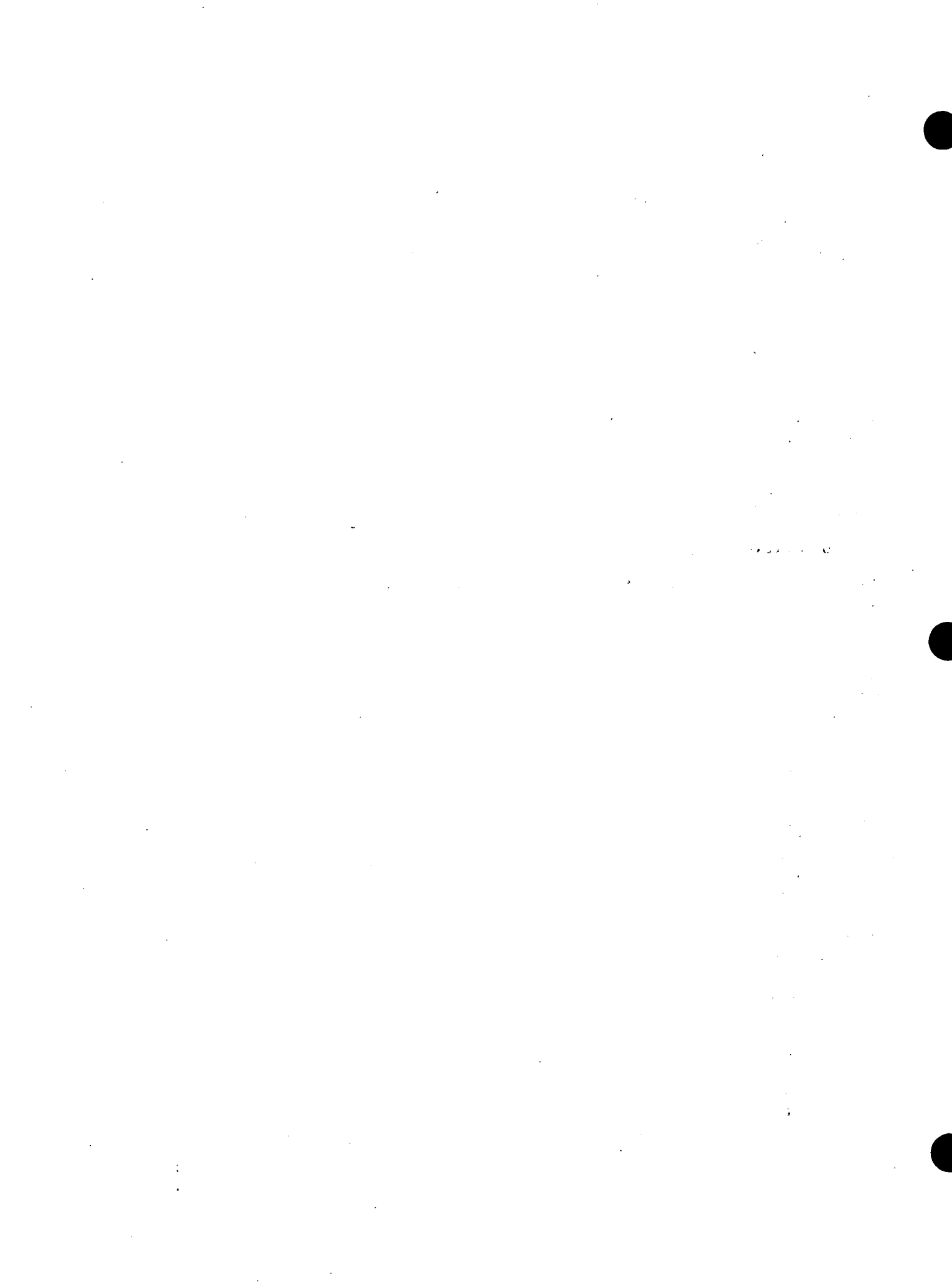
Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To allow the board knowledge of all pharmacy employees to better protect the safety of the public.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The board will use board meetings and mailings to involve the public in the development of the rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Donald H. Williams, 1300 S.E. Quince, P.O. Box 47863, Olympia, WA 98504-7863, (360) 753-6834, FAX (360) 586-4359, board meetings.

September 26, 1995
Donald H. Williams
Executive Director



WSR 95-18-081
PROPOSED RULES
SOUTHWEST AIR POLLUTION
CONTROL AUTHORITY

[Filed September 5, 1995, 10:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-17-016.

Title of Rule: Southwest Air Pollution Control Authority 493 VOC Area Source Rules.

Purpose: To establish rules that will lead to VOC emission reductions for the Vancouver Ozone Maintenance Plan determined to be necessary in order to obtain EPA approval on redesignating the Vancouver area as an attainment area. It assists in preserving the Portland/Vancouver area's current air quality by offsetting increased air pollution associated with future population growth.

Statutory Authority for Adoption: Chapter 70.94 RCW. Statute Being Implemented: RCW 70.94.141.

Summary: Regulation rules have been proposed to reduce VOC emission from various sources in order to get the Vancouver area redesignated to an attainment area.

Reasons Supporting Proposal: Adoption of these measures will support Vancouver's application to EPA for redesignation to a "clean air community." Adoption of these rules will also produce commonality between Vancouver and Portland's portion of the Ozone Maintenance Plan.

Name of Agency Personnel Responsible for Drafting: Jennifer E. Brown, Vancouver, (360) 574-3058; Implementation: Paul T. Mairose, Vancouver, (360) 574-3058; and Enforcement: Robert D. Elliott, Vancouver, (360) 574-3058.

Name of Proponent: Southwest Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed VOC area source rules are a part of Vancouver's Ozone Maintenance Plan for the redesignation of the Vancouver air quality maintenance area to attainment status for ozone. These rules will reduce the emissions of Volatile Organic Compounds (VOCs) in the categories of motor vehicle refinishing, consumer products, spray paints, and architectural coating.

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

ECONOMIC ANALYSIS COMPLIANCE DOCUMENT
SMALL BUSINESS ECONOMIC IMPACT
STATEMENT

SECTION 1: INTRODUCTION

1.1 Overview

The Southwest Air Pollution Control Authority (SWAPCA) is proposing VOC Area Source Rules, SWAPCA 493, to support the measures established in the Vancouver Ozone Maintenance Plan to preserve the Portland/Vancouver area's current air quality by offsetting increased air pollution associated with future population growth. The purpose of this report is to examine the potential economic impacts of the proposed rules on businesses in accordance with the

requirements of the Regulatory Fairness Act (RFA) and the Economic Policy Act.

1.2 Description of the Proposed VOC Area Source Rules

The proposed VOC Area Source Rules would establish limits for the amount of volatile organic compounds (VOCs) that can be used in paints and household products available in the Vancouver Air Quality Maintenance Area (AQMA). The proposal would also require the use of higher efficiency spray guns and spray gun cleaning equipment in most automotive repainting activities.

SECTION 2: REQUIREMENTS OF THE REGULATORY FAIRNESS ACT AND THE ECONOMIC POLICY ACT

2.1 Regulatory Fairness Act

The Regulatory Fairness Act requires state agencies to take a number of steps in determining the extent of regulatory impacts on small business and developing approaches for mitigating disproportionate impacts on small business. Based on the requirements contained in the Regulatory Fairness Act and implementation guidelines, the following steps must be performed:

- * Analyze whether the regulatory action has an economic impact on 20 percent of all businesses or 10 percent of the businesses in one industry (defined as any 3-digit Standard Industrial Classification code (SIC)).
- * If there are impacts on 20 percent of all businesses or on 10 percent of all businesses in one industry, then a Small Business Economic Impact Statement (SBEIS) must be prepared. The SBEIS must include the following elements:
 - A brief description of the reporting, record keeping, and other compliance requirements of the regulation;
 - A description of the kinds of professional services needed by a small business in order to comply;
 - An analysis of the costs of compliance, including costs of equipment, supplies, labor and increased administrative costs, based on existing data;
 - A comparison, to the greatest extent possible, of the cost of compliance for small versus large businesses (small businesses are defined as those with 50 employees or less, while large businesses are defined as those in the top 10 percent of business in an industry);
 - The basis of the cost comparison for small versus large businesses must be either (1) cost per employee, (2) cost per hour of labor, (3) cost per \$100 of sales, or (4) any combination of these measures.
- * If there are disproportionate impacts on small businesses, the impacts must be mitigated by adjusting reporting and record keeping requirements; establishing performance rather than design

standards; or exempting small businesses from any or all regulatory requirements, or other measures, to the extent allowable and feasible under the law.

2.2 Need for a Small Business Economic Impact Statement

To determine the need for a SBEIS, SWAPCA must establish whether 20 percent of all businesses or 10 percent of businesses in one industry (at a three-digit level of specificity) are affected by the proposed rule.

The following are the industries as described by SIC codes that can be reasonably expected to be subject to the VOC area source rules.

- 284 Soap, detergents, and cleaning preparations; perfumes, cosmetics and other toilet preparations
- 285 Paints, varnishes, lacquers, enamels, and allied products
- 289 Miscellaneous chemical products
- 753 Automotive Repair Shops (only 7532 Automotive Body Shops applies)

SWAPCA has concluded that there are several three digit SIC industries where more than 10 percent of the businesses in the category will potentially be impacted. Consequently, the threshold for preparing an SBEIS has been met and economic impacts on small businesses must be analyzed.

2.3 Economic Policy Act

The Economic Policy Act (chapter 43.21H RCW) requires state agencies to give appropriate consideration to economic values when writing rules. The Economic Policy Act does not specify methods for assessing economic impacts and is not limited to small businesses.

SECTION 3: DESCRIPTION OF COMPLIANCE REQUIREMENTS

3.1 Compliance Requirements

The proposed rules establish VOC limits and record-keeping requirements in four main categories as follows: Motor vehicle refinishing, consumer products, spray paints, and architectural coatings. The VOC limits established by these rules is technologically feasible and in fact most products are available today and are being sold in California, Texas and New York. These proposed rules were modelled after the rules adopted by these states and are exactly the same as the rules developed and adopted by the Oregon Department of Environmental Quality for the Portland Air Quality Maintenance Area. Also, federal rules are expected to the [be] adopted by EPA sometime in the near future.

3.2 Professional Services

The proposed VOC Area Source Rules do not require the retention of professional services.

SECTION 4: ECONOMIC ANALYSIS OF VOC AREA SOURCE RULES

4.1 Introduction of Economic Analysis

The VOC Area Source Rules apply to a broad range of consumer and painting products, and professional painting activities. Taken as a whole, the fiscal impact of reducing 1 ton of Volatile Organic Compounds from the air as

required by these measures has been estimated to vary from a cost of about \$13,000 to an approximate net savings of \$9,000. Estimates include costs for the development of new formulations, many of which are now available.

Motor Vehicle Refinishing: Cost projections for rules are based on "Alternative Control Techniques Document: Automobile Refinishing" produced by the U.S. EPA in April 1994. The proposed regulation is expected to reduce emissions from this source category by 40%, which in terms of 1992's emission would eliminate 95 tons of VOCs per year.

Consumer Products: SWAPCA estimates adoption of this portion of the proposal will reduce annual VOC emission to the Vancouver airshed by 65 tons. In the development of the California Consumer Products regulations, the California Air Resources Board (CARB) estimated costs of their related regulations to vary from a net savings to a cost of \$3,400 per ton of VOC eliminated. Because the proposed SWAPCA Consumer Products rules avoid the technology forcing components of the CARB rule, costs will be lower.

Spray Paint: SWAPCA spray paint rules are closely modeled after regulations currently proposed by CARB for the state of California. The SWAPCA proposal is expected to reduce emissions of VOCs by 10 tons per year within the Vancouver Air Quality Maintenance Area (AQMA). Assuming that costs of complying with the regulations will be the same for both the Vancouver area and California, this regulation is estimated to cost between \$5,700 to \$6,400 per ton of reduced VOC emissions to the atmosphere.

Architectural Coatings: Proposed regulations are expected to reduce emissions from Architectural Coatings, Industrial Maintenance Coatings and Traffic Markings by approximately 19%. Based on 1992 emissions, this would remove 200 tons of VOC per year from the Vancouver airshed.

Compliance with the proposed regulations can be achieved either by substituting an existing compliant coating for a noncompliant coating, or reformulating a noncompliant coating to meet the new limit. Substitution is often the more economical approach as it avoids research and development costs associated with reformulation. A 1984 CARB market survey suggests that the option of substitution is feasible for many manufacturers. For coatings that would be reformulated, CARB estimated in 1989 the cost of complying with their more restrictive Suggested Control Measure (SCM) varies from a cost of \$12,800 to a savings of \$8,600 per ton of VOC not emitted to the atmosphere.

4.2 Affects on General Public

Motor Vehicle Refinishing: Without considering the purchase and use of high volume low pressure (HVLP) spray guns, these rules would produce an overall savings of \$4.2 million per year if applied on a national level.¹ HVLP spray technology is generally considered to produce additional (but unquantifiable) net savings by reducing the amount of paint used. These savings may be captured by the refinishing or insurance industries, or passed to the public in the form of lower costs for auto insurance premiums and repair.

Automotive hobbyists painting more than 2 vehicles per year would be required to purchase an HVLP spray gun and a

spray gun cleaner. Purchase of this equipment would cost an estimated \$1,425 per user. In the worst case, a hobbyist who paints 3 vehicles per year would not recover the equipment costs through material savings due to low rate of use. For such a person, first year costs of the program would be very close to the full cost of the equipment. The number of hobbyist painters in the Vancouver AQMA is unknown.

Consumer Products: During Phase II of the California consumer products rules, CARB estimated costs of reformulation would be passed on to the consumer in the form of price increases ranging from \$0.01 to \$0.60 per unit of product. This estimate included costs for meeting more restrictive VOC limits than are in the proposed rules. More recently, the Chemical Specialties Manufacturers Association estimated the costs for nonpersonal care products distributed nationally would rise less than one percent as a result of the SWAPCA regulation.²

Spray Paint: CARB estimated the costs of their closely related regulation in two ways. In one analysis, it was estimated the rule would increase manufacturers' sales prices by an average of \$0.04 to \$0.34 per can. Consumer costs would be higher following the addition of distribution and retail mark-ups. In a separate analysis, CARB compared the cost of spray paint within the San Francisco Bay area where spray paint is regulated to an area where it is unregulated. Using this method, CARB found spray paint in the regulated area to be 6% more expensive on average. Products at the low end of the price range were most dramatically affected, however, and reflected much greater price increases.

Architectural Coatings: Based on the 1984 survey and a comparison of costs to cover a fixed area per year, CARB estimated the Suggested Control Measure would affect the price of paint between a \$1.10 per gallon increase and a \$3.60 per gallon price reduction. This comparison applies to cases involving reformulation of existing coatings.³ The results of the estimate seem to reflect the "high solids" content common to many lower-VOC coatings. Because reformulated coatings often contain more solids, a gallon can typically cover a larger area.

4.3 Affect on Small Business

Motor Vehicle Refinishing: Paint distributors would need to be trained to provide necessary advice to their customers. Total cost is estimated to be \$80,000 on a national, annualized basis.

Approximately 75 auto body shops are located in the Vancouver AQMA. Many would be subject to costs of purchasing gun cleaning equipment (plus its maintenance) and retraining. Gun cleaners cost approximately \$1,000 each, and require maintenance of an additional 4%. However, compared to manual cleaning, these cleaners use about 7 ounces less solvent per use producing a net savings of \$1.23 million on a national, annualized basis. Body shops would realize significant additional savings through the purchase of less paint resulting from the use of more efficient HVLP spray guns.

Individual painters traditionally provide their own painting equipment. Full-time professional automotive painters are

estimated to need an average of 6 HVLP guns to accommodate various types of paint. The typical full-time painter would be expected to have separate spray guns for color coats, clear coats, whites, metallics, primers, and small or "detail" areas. The painter who previously had no guns complying with the regulation is estimated to be subject to approximately \$2300 in nonrecurring charges.⁴

Consumer Products: In the development of a more restrictive family of consumer product regulations between 1989 and 1991, CARB evaluated the impact rules would have on the Return of Owner's Equity (ROE). CARB concluded that small businesses engaged in the manufacture, distribution and sale of consumer products would probably not be affected by the regulation.⁵ Comments regarding consumer products cited under the Large Business section also apply.

Spray Paint: Aerosol paint manufacturers range from very small companies to large nationwide corporations. Impacts to individual companies vary widely, and are related more to the type of their products than company size, and this assessment applies to both large and small manufacturers. CARB surveyed spray paint manufacturers and reported that costs to individual companies is expected to vary from \$0 to \$3.6 million annually when amortized over a 10 year period.⁶ CARB further estimated that applying their regulation to the whole state of California would have a total annual cost of \$12 to \$13 million, also based on a ten year amortization. Costs for the proposed regulation are expected to be lower in rough proportion to the population of the Vancouver AQMA.

California investigators additionally calculated costs to businesses in the form of Return of Owner's Equity (ROE). Assuming that no cost increases could be recovered through higher consumer prices, CARB determined the regulation would decrease ROE between 8.5% and 0%, with an overall average ROE decrease of 3%.

Architectural Coatings: Smaller paint manufacturers frequently rely more heavily than major manufacturers on solvent based products to serve specialized high performance niche markets. This segment of the industry would be the most likely to encounter the costs of reformulation cited above.

Painting contractors may also be affected by any paint price increases, or modification of work activities that may result from differing characteristics (such as increased drying time) of coating reformulated to lower VOC levels.

4.4 Affect on Large Business

Motor Vehicle Refinishing: Coating manufacturers will incur costs for process modifications and training. If regulations were applied on a national scale, process modification costs would approximate \$430,000 per year to provide pumping and mixing equipment to process high-solids coatings. Training costs are estimated at \$60,000 per year. Both estimates are based on an annualized period of 10 years at 7% interest.

Consumer Products: In the 1990 phase of the California regulations, CARB identified significant costs associated with the reformulation of products to meet VOC limits. These are costs for: 1) research and development, 2)

efficacy testing, 3) stability testing, 4) safety testing, and 5) label modification.⁷ Assuming that reformulated products could be marketed nationally, CARB estimated their more stringent rule would cost as much as \$3,400/ton of reduced VOC emissions. This factor and the anticipated reduction of 65 tons per year establish an upper limit for the cost of the proposed Consumer Products regulations. CARB estimated that these costs would be passed on to the consumer and reflected in increased retail prices of \$0.01 and \$0.23 per individual product.

Spray Paint: The economic effects of the proposed spray paint regulation for large businesses is expected to vary as is described under the Small Business section above.

Architectural Coatings: Large paint manufacturers typically emphasize the sale of water-based coatings to a mass market. Because water-based coatings contain lower amounts of VOC, this segment of the industry would be less frequently affected than small manufacturers by the costs of substitution or reformulation.

4.5 Affect on State Agencies and Local Governments (except SWAPCA)

Motor Vehicle Refinishing: Local public agencies operating motor vehicle refinishing facilities would be subject to the same costs and benefits cited under the Small Business category entry for both body shops and painters.

Consumer Products: No significant effects on government agencies are expected.

Spray Paint: No significant effects on government agencies are expected.

Architectural Coatings: A water-based traffic marking which meets the 150 g/l limit of the proposed regulation presently costs 20% more than the existing product. This increased cost may be partially offset by the increased longevity of the lower VOC product. Use of water-based products also requires the use of modified application equipment to work with waterborne paints. The cost of such new equipment ranges from approximately \$150,000 to \$280,000 per unit. However, it is understood that each public agency that conducts traffic marking operations in the Vancouver AQMA has acquired, or is in the process of acquiring suitable equipment in anticipation of federal paint regulations.

4.6 Affect on SWAPCA

These regulations are modelled on what SWAPCA expects EPA to require nationally in the future. Adoption of federal rules will generally eliminate the need to enforce state/local rules, since noncomplying products would not be made or offered for sale in the entire country.

Because these rules are expected to be temporary, it would be inefficient to fund their implementation with a short-lived permit fee program. The rules will not generate revenue. Instead, SWAPCA intends to use existing staff and funding to perform technical assistance, enforcement, regulation, community notification, and evaluation of applications for variance.

SWAPCA is proposing an automatic review of these "area source" rules after the adoption of EPA regulations. If it is determined that federal rules are inadequate and state rules

need to be retained, SWAPCA's reconsideration could include other measures to provide program support.

4.7 Assumptions

General: VOC reductions for the Vancouver airshed are estimated on the basis of Emission Inventory data for 1992.

Motor Vehicle Refinishing: Costs are presented on a national scale and are based on an annualized period of 10 years at 7% interest unless otherwise noted. Because VOC reductions resulting from the use of HVLP cannot be reliably determined, this analysis credits no VOC reductions from their use. Costs of HVLP guns, however, are included.

Consumer Products: For the purpose of this assessment, the effects of the SWAPCA rules are assumed to be the same as estimated for the Oregon rules and California regulations. Actually, SWAPCA and Oregon rules avoid the most restrictive (and potentially technology forcing) future VOC limits adopted in California.

Spray Paint: Effects of the proposed regulation are assumed to be the same as estimated for the anticipated California state-wide rule.

Architectural Coatings: Unless otherwise noted, this impact assessment assumes costs of complying with the proposed SWAPCA/Oregon regulation will be the same as estimated costs for the Suggested Control Measure (SCM) developed by CARB. In fact, the Oregon proposed limits are more restrictive than the SCM in only three product categories (Roof Coatings, Clear Shellacs, and Traffic Marking Paints), while the SCM is more restrictive in a minimum of nineteen product categories.

- 1 U.S. EPA "Alternative Control Techniques Document: Automobile Refinishing," publication EPA 453/R-94-031, Table 5-1: Calculation based on costs of "Option 1" column less \$780 cited for Surface Preparation.
- 2 Telecon. Nordberg, Dave, Oregon DEQ with Ziman, Barry, SCSMA, February 3, 1995. Costs of regulation.
- 3 ARB-CAPCOA Suggested Control Measure for Architectural Coatings, Technical Support Document, State of California, July 1989.
- 4 Telecon. Nordberg, Dave, Oregon DEQ with Nelson, Don T&T Sales Inc. January 30, 1995. Costs of regulation.
- 5 State of California Air Resources Board Stationary Source Division, "Proposed Amendments to the State-wide...Consumer Products - Phase II," October 1991.
- 6 California EPA, Air Resources Board "Initial Statement of Reasons for a Proposed...Aerosol Coating Products..." released February 3, 1995.
- 7 State of California Air Resources Board Stationary Source Division, "Proposed Regulation to Reduce Volatile...Consumer Products," Staff Report, August 1990.

SECTION 5: MITIGATING FACTORS IN THE VOC AREA SOURCE RULES

5.1 Mitigation Required by the Regulatory Fairness Act

Because the proposed VOC Area Source rules do not appear to disproportionately impact small businesses, SWAPCA is not required to develop provisions that mitigate those impacts.

APPENDIX A

Questions to be Answered to Reveal Potential Justification for Differing from Federal Requirements

1. Are there federal requirements that are applicable to this situation? If so, exactly what are they?

Yes. This proposal offers measures to reduce VOC emissions in the Vancouver AQMA as part of the Vancouver Ozone Maintenance Plan, which is required by the Clean Air Act for redesignation to attainment status.

Individual area source rules were selected because future federal rules are expected in the same area. Each rule is equally or less restrictive than its anticipated federal counterpart with certain exceptions:

- * Federal Architectural Coatings rules are expected to allow an initial two-year exemption for smaller manufacturers.
- * Federal Architectural Coatings rules are expected to allow VOC standards to be exceeded with the payment of an "exceedance fee."
- * Federal Motor Vehicle Refinishing rules are not expected to require HVLP spray guns or gun cleaning equipment.
- * Federal rules for Refinishing, Spray Paint, and Architectural Coatings are not expected to include requirements that commercial applicators use products which comply. (Focus will be on manufacturers; because requirements are nationwide, only complying products will be available.)

2. Are the applicable federal requirements performance based, technology based, or both with the most stringent controlling?

Requirements of the Clean Air Act for redesignation to attainment are performance based.

3. Do the applicable federal requirements specifically address the issues that are of concern in Washington? Was data or information that would reasonably reflect Washington's concern and situation considered in the federal process that established the federal requirements?

Because the requirements are performance based, preparation of a Maintenance Plan allows strategies to be developed locally to best meet the needs of the affected area.

4. Will the proposed requirement improve the ability of the regulated community to comply in a cost effective way by clarifying confusing or potentially conflicting requirements (within or cross-media), increasing certainty, or preventing or reducing the need for costly retrofit to meet more stringent requirements later?

No. Measures contained in this proposal generally affect products and activities which have been unregulated.

5. Is there a timing issue which might justify changing the time frame for implementation of federal requirements?

Yes. Redesignation to attainment requires the Ozone Maintenance Plan to address the future ten-year period. Delay of rule adoption would move the Maintenance Plan farther into the future in a period of ever increasing growth-related pollution. In turn, this would require the adoption of increasingly aggressive pollution control measures. Prompt initiation of the plan allows more modest control measures to be used.

Federal versions of rules contained in this proposal are currently scheduled to be finalized between March 1996 and March 1997, however, completion by the scheduled dates is not assured.

6. Will the proposed requirements assist in establishing and maintaining a reasonable margin for accommodation of uncertainty and future growth?

Yes. The Ozone Maintenance Plan provides a margin for increased industrial growth to address a potential impediment to the Portland area's future economic vitality. To accommodate uncertainty, the Ozone Maintenance Plan is designed to maintain ozone ambient air quality standards at a 95% level of confidence.

7. Does the proposed requirement establish or maintain reasonable equity in the requirements for various sources? (level the playing field)

Yes. Strategies within the Ozone Maintenance Plan were approved by the SWAPCA Technical Advisory Committee and address a wide variety of activities. They include an increased focus on nonindustrial "area" sources of pollution which have previously gone unregulated. Rules in this proposal represent moderate measures applied to a broad range of such area sources.

8. Would others face increased costs if a more stringent rule is not enacted?

Potentially. If these rules are not adopted and the Ozone Maintenance Plan is inadequate to achieve redesignation, new and expanding industries must install the most costly level of pollution controls which exist as a means to reduce the area's VOC and NOx emissions. Also, failure to develop an adequate Maintenance Plan would increase the risk of future violation of the ozone standard which would elevate the AQMA to a more stringent level of nonattainment. This potential "bump-up" would increase control costs to industry and increase the risk of sanctions on federal highway funds.

9. Does the proposed requirement include procedural requirements, reporting or monitoring requirements that are different from applicable federal requirements? If so, why? What is the "compelling reason" for different procedural, reporting or monitoring requirements?

No. The proposed rules represent normal procedural measures. Individual rules, however, include some provisions which are not expected in the federal rules

now being developed. These measures require commercial users of regulated products to use only products which comply with VOC standards for Motor Vehicle Refinishing, Spray Paint, and Architectural Coatings. These user requirements are necessary to diminish availability of readily available noncomplying products through the border of the regulated area. Such requirements are unnecessary for regulations adopted on a national scale.

10. Is demonstrated technology available to comply with the proposed requirement?

Yes. Area Source regulations are currently in effect in other regions of the country.

11. Will the proposed requirement contribute to the prevention of pollution or address a potential problem and represent a more cost effective environmental gain?

Yes. Motor Vehicle Refinishing rules require equipment which will reduce the amount of paint and clean-up solvent needed for refinishing. Material costs, hazardous waste disposal costs, and VOC emissions will be reduced as a result.

Other rules of this proposal have a potential for incrementally preventing pollution and reducing hazardous waste disposal costs by lowering the average consumption of solvents used in regulated products.

A copy of the statement may be obtained by writing to Jennifer E. Brown, Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, phone (360) 574-3058, or FAX (360) 576-0925.

Hearing Location: Southwest Air Pollution Control Authority, 1308 N.E. 134th Street, Vancouver, WA 98685, on December 19, 1995, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by December 1, 1995, TDD (360) 574-3058, or (360) 574-3058 (voice).

Submit Written Comments to: Jennifer E. Brown, FAX (360) 576-0925, by December 1, 1995.

Date of Intended Adoption: December 19, 1995.

September 1, 1995
Robert D. Elliott
Executive Director

NEW SECTION

SWAPCA 493-100 - Consumer Products

SWAPCA 493-100-010 Applicability

(1) SWAPCA 493-100-010 through 493-100-070 apply to any manufacturer, distributor or retailer of consumer products for sale or use in the Vancouver Air Quality Maintenance Area (AQMA).

NEW SECTION

SWAPCA 493-100-020 Definitions

As used in SWAPCA 493-100:

(1) "Aerosol product" means a pressurized spray system that dispenses product ingredients by means of propellant or

mechanically induced force. This does not include pump sprays.

(2) "Agricultural use" means the use of any pesticide or method or device for the control of pests in connection with the commercial production, storage, or processing of any animal or plant crop. This does not include the sale or use of pesticides in properly labeled packages or containers which are intended for home use, use in structural pest control, industrial use, or institutional use. The following terms are for purposes of this section only:

(a) Home use means use in a household or its immediate environment.

(b) Structural pest control means a use requiring a license.

(c) Industrial use means use for or in a manufacturing, mining, or chemical process, or use in the operation of factories, processing plants, and similar sites.

(d) Institutional use means use within the confines of, or on property necessary for the operation of buildings such as hospitals, schools, libraries, auditoriums, and office complexes.

(3) "Air freshener" means any consumer product including, but not limited to sprays, wicks, powders, and crystals, designed for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air. This does not include products that are used on the human body, products that function primarily as cleaning products, or disinfectant products claiming to deodorize by killing germs on surfaces. It does include spray disinfectants and other products that are expressly represented for use as air fresheners. To determine whether a product is an air freshener, all verbal and visual representations regarding product use on the label and packaging, and in the product's literature and advertising may be considered. The presence of and representations about a product's fragrance and ability to deodorize (resulting from surface application) shall not constitute a claim of air freshening.

(4) "All other forms" means all consumer product forms for which no form-specific VOC standard is specified under SWAPCA 493-100-030(1). Unless specified otherwise by the applicable VOC standard, this includes, but is not limited to, solids, liquids, wicks, powders, crystals, and cloth or paper wipes (towelettes).

(5) "Antiperspirant" means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to be used to reduce perspiration in the human axilla by at least 20% in at least 50% of a target population.

(6) "ASTM" means the American Society for Testing and Materials.

(7) "Automotive windshield washer fluid" means any liquid designed for use in a motor vehicle windshield washer fluid system either as an anti-freeze or for the purpose of cleaning, washing, or wetting the windshield(s). This does not include any fluid which is placed in the washer fluid system of a motor vehicle prior to the time of initial sale.

(8) "Bait station insecticide" means a container enclosing an insecticidal bait, where the bait is designed to be ingested by insects and is composed of solid material feeding stimulants with less than 5.0% active ingredients.

(9) "Bathroom and tile cleaner" means a product designed to clean tile or surfaces in bathrooms. This does

not include products specifically designed to clean toilet bowls or toilet tanks.

(10) "Carburetor-choke cleaner" means a product designed to remove dirt and other contaminants from a carburetor. This does not include products designed to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor.

(11) "Charcoal lighter material" means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. This does not include:

- (a) Electrical starters and probes,
- (b) Metallic cylinders using paper tinder,
- (c) Natural gas, and
- (d) Propane.

(12) "Complying consumer product" means a consumer product which complies with the VOC content limits in SWAPCA 493-100-030.

(13) "Construction and panel adhesive" means any one-component household adhesive sold in containers of one gallon or less, having gap filling capabilities, and which distributes stress throughout the bonded area resulting in reduction or elimination of mechanical fasteners.

(14) "Consumer" means any person who purchases or acquires any consumer product for personal, family, household, or institutional use. Persons acquiring a consumer product for resale are not considered consumers of that product.

(15) "Consumer product" means any chemically formulated product, or article, held by any person, the use, consumption, storage, disposal, or destruction of which may result in the release of volatile organic compounds, and which is included in the product categories listed in SWAPCA 493-100-030(1). This does not include fuels, fuel additives, motor vehicles, non-road vehicles, non-road engines, architectural coatings or aerosol spray paint.

(16) "Contact adhesive" means any household adhesive that:

- (a) Is nitrile-based, or contains polychloro-butadiene (neoprene, chloroprene, bayprene), or latex;
- (b) When applied to two substrates, forms an instantaneous, non-repositionable bond;
- (c) When dried to touch, exhibits a minimum 30-minute bonding range; and,
- (d) Bonds only to itself without the need of reactivation by solvents or heat.

(17) "Container" or "Packaging" means the part or parts of the consumer or institutional product which serve only to contain, enclose, incorporate, deliver, dispense, wrap, or store the chemically formulated substance or mixture of substances which is solely responsible for accomplishing the purposes for which the product was designed or intended. This includes any article onto or into which the principal display panel is incorporated, etched, printed, or attached.

(18) "Cooking spray aerosols" means any aerosol product designed either to reduce sticking in or on cooking and baking surfaces or to be applied on food, or both.

(19) "Crawling bug insecticide" means any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods, including, but not limited to, mites, silverfish, or spiders. This does not

include products designed to be used exclusively on humans or animals.

(20) "Deodorant" means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to be used to minimize odor in the human axilla by retarding the growth of bacteria which cause the decomposition of perspiration.

(21) "Device" means any instrument or contrivance (other than a fire-arm) which is designed for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life (other than humans and other than bacteria, viruses, or other micro-organism on or in living humans or other living animals), but not including equipment used for the application of pesticides for which the pesticides are sold separately.

(22) "Distributor" means any person who sells or supplies a consumer product for the purposes of resale or distribution in commerce. "Distributor" includes activities of a self-distributing retailer related to the distribution of products to individual retail outlets. "Distributor" does not include manufacturers except for a manufacturer who sells or supplies consumer products directly to a retail outlet. "Distributor" does not include consumers.

(23) "Double-phase aerosol air freshener" means an aerosol air freshener with the contents in two or more distinct phases that require the product container be shaken before use to mix the phases, producing an emulsion.

(24) "Dusting aid" means a product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone-based coating. This does not include products which consist entirely of compressed gases for use in electronic or other specialty applications.

(25) "Exempt compounds" means compounds of carbon specifically excluded from the definition of VOC.

(26) "Exempt VOCs" means VOCs exempted from SWAPCA 493-100-030(1) under SWAPCA 493-100-030(3).

(27) "Engine degreaser" means a cleaning product designed to remove grease, grime, oil, and other contaminants from the external surfaces of engines and other mechanical parts.

(28) "Fabric protectant" means a product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of water into the fabric's fibers. This does not include silicone-based products whose function is to provide water repellency, or products designed for use solely on fabrics which are labeled "for dry clean only" and sold in containers of ten fluid ounces or less.

(29) "Flea and tick insecticide" means any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs. This does not include products that are designed to be used exclusively on humans or animals and their bedding.

(30) "Flexible flooring material" means asphalt, cork, linoleum, no-wax, rubber seamless vinyl, and vinyl composite flooring.

(31) "Floor polish or wax" means a wax, polish, or any other product designed to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished. This does not include spray buff products, products designed solely for the purpose of

cleaning floors, floor finish strippers, products designed for unfinished wood floors, or coatings subject to architectural and industrial maintenance coating regulations.

(32) "Flying bug insecticide" means any insecticide product that is designed for use against flying insects or other flying arthropods, including, but not limited to, flies, mosquitoes, moths, or gnats. This does not include wasp and hornet insecticide, or products that are designed to be used exclusively on humans or animals.

(33) "Fragrance" means a substance or complex mixture of aroma chemicals, natural essential oils, and other functional components with a combined vapor pressure not in excess of 2mm mercury at 20° Celsius (C), which is added to a consumer product to impart an odor or scent or to counteract a objectionable odor.

(34) "Furniture maintenance product" means a wax, polish, conditioner, or any other product designed for the purpose of polishing, protecting, or enhancing finished wood surfaces other than floors. This does not include dusting aids, products designed solely for the purpose of cleaning, and products designed to leave a permanent finish such as stains, sanding sealers, and lacquers.

(35) "Gel" means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.

(36) "General purpose adhesive" means any non-aerosol household adhesive designed for use on a variety of substrates, not including contact adhesives or construction and panel adhesives.

(37) "General purpose cleaner" means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. This includes products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces. This does not include non-water-based degreasers.

(38) "Glass cleaner" means a cleaning product designed primarily for cleaning surfaces made of glass. This does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment, or photocopying machines.

(39) "Hairspray" means a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure which will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time.

(40) "Hair mousse" means a hairstyling foam designed to facilitate styling of a coiffure and provide limited holding power.

(41) "Hair styling gel" means a high viscosity, often gelatinous product that contains a resin and is designed for application to hair to aid in styling and sculpting of the hair coiffure.

(42) "High volatility organic compound or "HVOC" means any volatile organic compound that exerts a vapor pressure greater than 80 millimeters mercury when measured at 20°C.

(43) "Household adhesive" means any household product that is used to bond one surface to another by attachment. This does not include products used on humans and animals, adhesive tape, contact paper, wallpaper, shelf liners, two part resorcinol resin based adhesive, or any other

product with an adhesive incorporated onto or in an inert substrate.

(44) "Household product" means any consumer product that is primarily designed to be used in or in the vicinity of living quarters or residences that are occupied or intended for habitation.

(45) "Initial sale" means the bargain, sale, transfer, or delivery with intent to pass an interest therein, other than a lien, of a motor vehicle which has not been previously registered or licensed in Washington or elsewhere; and such a bargain, sale, transfer, or delivery, accompanied by registration or licensing of said vehicle in Washington or elsewhere, shall constitute the first sale of said vehicle, irrespective of where such bargain, sale, transfer, or delivery occurred.

(46) "Insecticide" means a pesticide product that is designed for use against insects or other arthropods, but excluding products that are:

(a) For agricultural use;

(b) For use in maintaining building structures; or

(c) Restricted materials that require a permit for use and possession.

(47) "Insecticide fogger" means any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.

(48) "Institutional product" means a consumer product that is designed for use in the maintenance or operation of an establishment that manufactures, transports, or sells goods or commodities, or provides services for profit; or is engaged in the nonprofit promotion of a particular public, educational, or charitable cause. Establishments include, but are not limited to, government agencies, factories, schools, hospitals, sanitariums, prisons, restaurants, hotels, stores, automobile service and parts centers, health clubs, theaters, or transportation companies. Institutional products do not include household products and products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.

(49) "Label" means any written, printed, or graphic matter affixed to, applied to, attached to, provided with, accompanying literature, blown into, formed, molded into, embossed on, or appearing upon any consumer product or consumer product package, for purposes of branding, identifying, or giving information with respect to the product or to the contents of the package.

(50) "Laundry prewash" means a product that is designed for application to a fabric prior to laundering and that supplements or contributes to the effectiveness of laundry detergents or provides specialized performance.

(51) "Laundry starch product" means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. This includes, but is not limited to, fabric finish, sizing, and starch.

(52) "Lawn and garden insecticide" means an insecticide product designed primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods.

(53) "Liquid" means a substance or mixture of substances which is capable of flow as determined under ASTM

D-4359-90. This does not include powders or other materials that are composed entirely of solid particles.

(54) "Manufacturer" means the company, firm or establishment which is listed on the product container or package. If the product container or package lists two companies, firms or establishments, the manufacturer is the party which the product was "manufactured for" or "distributed by", as noted on the product container or package. If the product container or package does not list a company, firm or establishment, the manufacturer is the party who imported, produced, packaged or assembled the product.

(55) "Nail polish" means any clear or colored coating designed for application to the fingernails or toenails and including, but not limited to, lacquers, enamels, acrylics, base coats, and top coats.

(56) "Nail polish remover" means a product designed to remove nail polish and coatings from fingernails or toenails.

(57) "Non-aerosol product" means any product that is not dispensed by a pressurized spray system.

(58) "Noncomplying consumer product" means a consumer product which does not comply with the VOC content limits in SWAPCA 493-100-030.

(59) "Nonresilient flooring" means flooring of a mineral content which is not flexible, including but not limited to, terrazzo, marble, slate, granite, brick, stone, ceramic tile, and concrete.

(60) "Oven cleaner" means any product designed to clean or remove dried food deposits from oven walls.

(61) "Percent-by-weight" means the total weight of VOC less exempt VOCs, expressed as a percentage of the total net weight of the product exclusive of the container or package as calculated according to the following equation:

$$\text{Percent-By-Weight} = \frac{(B - C) \times 100}{A}$$

Where:

A = net weight of unit (excluding container and packaging)

B = weight of VOCs, per unit

C = weight of VOCs, exempted under SWAPCA 493-100-030(3), per unit

(62) "Pesticide" means any substance or mixture of substances labeled, designed, or intended for use in preventing, destroying, repelling, or mitigating any pest, or any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator, providing that the term pesticide will not include any substance, mixture of substances, or device which the U.S. Environmental Protection Agency does not consider to be a pesticide.

(63) "Principal display panel or panels" means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown, or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the principal display panel shall pertain to all such principal display panels.

(64) "Product category" means the applicable category which best describes the product as listed in this rule.

(65) "Product form" means the applicable form which most accurately describes the product's dispensing form,

including aerosol products, gels, liquids, pump sprays, and solids.

(66) "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a co-solvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.

(67) "Pump spray" means a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger, or other actuator.

(68) "Restricted materials" means any pesticides established for restricted use under Section 3(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 United States Code § 136, *et seq.*

(69) "Retailer" means any person who sells, supplies, or offers consumer products for sale directly to consumers.

(70) "Retail outlet" means any establishment at which consumer products are sold, supplied, or offered for sale directly to consumers.

(71) "Single-phase aerosol air freshener" means an aerosol air freshener with the liquid contents in a single homogeneous phase and which does not require that the product container be shaken before use.

(72) "Shaving cream" means an aerosol product which dispenses a foam lather intended for use with a blade, cartridge razor, or other wet shaving system in the removal of facial or other body hair.

(73) "Solid" means a substance or mixture of substances which, either whole or subdivided (such as the particles comprising a powder), is not capable of flow as determined under ASTM D-4359-90.

(74) "Spray buff product" means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.

(75) "Subsequent sale" means the bargain, sale, transfer, or delivery, with intent to pass an interest therein, other than alien, of a motor vehicle which has been registered or licensed outside of the Vancouver AQMA, except when such vehicle is not required under law to be registered or licensed in Washington or elsewhere; and any such bargain, sale, transfer, or delivery of a motor vehicle after same has been registered or licensed shall constitute a subsequent sale, irrespective of where bargain, sale, transfer, or delivery occurred.

(76) "SWAPCA" means the Southwest Air Pollution Control Authority.

(77) "Usage directions" means the text or graphics on the product's label or accompanying literature which describes to the user the manner and quantity in which the product is to be employed.

(78) "Vancouver Air Quality Maintenance Area" or "Vancouver AQMA" is the Washington portion of the Portland-Vancouver Interstate Nonattainment Area for Ozone as defined in the Vancouver portion of the Washington State State Implementation Plan. The Vancouver AQMA includes the southern portion of Clark County, Washington.

(79) "Volatile Organic Compound" or "VOC" means those compounds of carbon defined in SWAPCA 400-030(86). For purposes of determining compliance with VOC content limits, VOC shall be measured by an applicable method identified in SWAPCA 493-100-070.

PROPOSED

(80) "Wasp and hornet insecticide" means any insecticide product that is designed for use against wasps, hornets, yellow jackets, or bees by allowing the user to spray a high-volume directed stream or burst from a safe distance at the intended pest or its hiding place.

(81) "Wax" means a material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics). Wax includes, but is not limited to, substances derived from the secretions of plants and animals such as carnauba wax and beeswax, substances of a mineral origin such as ozocerite and paraffin, and synthetic polymers such as polyethylene.

(82) "Wood floor wax" means wax-based products for use solely on wood floors.

Reviser's note: The spelling 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.

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.

NEW SECTION

SWAPCA 493-100-030 Consumer Product Standards and Exemptions

(1) General Requirements. Where required by SWAPCA 493-100-040, consumer products shall not exceed the VOC content limits in Table A or high volatility organic compound (HVOC) content limits in Table B, as modified by the special conditions and exemptions in SWAPCA 492-100-030(2) and SWAPCA 493-100-030(3).

Table A

CONSUMER PRODUCT VOC CONTENT LIMITS

<u>Product Category</u>	<u>Percent-by-weight VOC</u>
Air Fresheners	
Single-phase Aerosols	70
Double-phase Aerosols	30
Liquids & Pump Sprays	18
Solids & Gels	3
Automotive Windshield Washer Fluids	23.5
Bathroom & Tile Cleaners	
Aerosols	7
All Other Forms	5
Carburetor-Choke Cleaners	75
Charcoal Lighter Material	See SWAPCA 493-100-030 (2)(c)
Cooking Spray Aerosols	18
Dusting Aids	
Aerosol	35
All Other Forms	7
Engine Degreasers	75
Fabric Protectants	75
Floor Polishes & Waxes	

Products for Flexible Flooring	7
Products for Nonresilient Flooring	10
Wood Floor Wax	90
Furniture Maintenance Products	
Aerosols	25
General Purpose Cleaners	10
Glass Cleaners	
Aerosols	12
All other forms	8
Hairsprays	80
Hair Mousses	16
Hair Styling Gels	6
Household Adhesives	
Aerosol	75
Contact	80
Construction and Panel	40
General Purpose	10
Insecticides	
Crawling Bug	40
Flea and Tick	25
Flying Bug	35
Foggers	45
Lawn and Garden	20
Laundry Prewash	
Aerosols & Solids	22
All Other Forms	5
Laundry Starch Products	5
Nail Polish Removers	75
Oven Cleaners	
Aerosols & Pump Sprays	8
Liquids	5
Shaving Creams	5

Table B

ANTIPERSPIRANT/DEODORANT HVOC CONTENT LIMITS

<u>Product Category</u>	<u>Percent-by-weight HVOC</u>
Antiperspirants	
Aerosols	60
Non-aerosols	0
Deodorants	
Aerosols	20
Non-aerosols	0

(2) Special conditions. The following conditions shall apply to products subject to VOC or HVOC limits under SWAPCA 493-100-030(1):

(a) For consumer products for which the usage directions specifically state that the product should be diluted prior to use, the limits specified in SWAPCA 493-10-030(1) shall apply to the product only after the minimum recommended dilution has taken place. For purposes of SWAPCA 493-100-030 (2)(a), the usage directions shall not include recommendations for incidental use of a concentrated

product to deal with limited special applications such as hard-to-remove soils or stains.

(b) Notwithstanding the definition of product category in SWAPCA 493-100-020, if anywhere on a consumer product or in any promotion of the product, any representation is made that the product may be used as, or is suitable for use as a consumer product for which a lower VOC standard is specified in SWAPCA 493-100-030(1), then the lowest VOC standard shall apply. This requirement does not apply to general purpose cleaners or antiperspirants.

(c) The requirements for charcoal lighter materials are as follow:

(A) Where required by SWAPCA 493-100-040, charcoal lighter material emissions shall not exceed an average of 0.020 pounds of VOC per start when used in accordance with the directions on the label of the product.

(B) Compliance with this subsection shall be demonstrated by:

(i) Testing in accordance with procedures specified in SWAPCA 493-100-070; or

(ii) Certification of charcoal lighter materials by Executive Order of the California Air Resources Board (CARB), unless the CARB certification is revoked.

(C) Charcoal lighter material labels and accompanying literature shall clearly show usage directions for the product. For liquid charcoal lighter materials, the directions shall accurately reflect the required quantity of charcoal lighter material per pound of charcoal for that product that was used in determining compliance with this subsection.

(3) Exempt VOCs. The requirements of section (1) of this rule shall not apply to:

(a) Fragrances or colorants up to a combined level of 2.0% VOC by weight contained in any consumer product.

(b) VOCs of products subject to section (1) Table A of this rule that:

(A) Contain more than 12 carbon atoms per molecule, and for which the vapor pressure is unknown;

(B) Have a vapor pressure of 0.1 mm Hg or less at 20°C; or

(C) Have a melting point higher than 20°C and do not sublime (e.g. do not change directly from a solid into a gas without melting), if the vapor pressure is unknown.

(c) VOCs of products subject to SWAPCA 493-100-030(1) Table B that:

(A) Contain more than 10 carbon atoms per molecule, and for which the vapor pressure is unknown; or

(B) Has a vapor pressure of 2 mm Hg or less at 20°C.

(d) Air fresheners and insecticides containing at least 98% paradichlorobenzene.

(e) Adhesives sold in containers of one fluid ounce or less combined net weight.

(f) Bait station insecticides.

(g) Air fresheners that are comprised entirely of fragrance and compounds which are not defined as VOC under SWAPCA 493-100-020 or exempted under subsection (b) of this section.

(h) Products for which an innovative product exemption has been approved under SWAPCA 493-100-050 provided the manufacturer complies with the terms and conditions of such approval and the approval has not been revoked.

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.

SWAPCA 493-100-040 Requirements for Manufacture and Sale of Consumer Products

(1) Manufacturers. Except as provided in SWAPCA 493-100-040(4), any person who manufactures consumer products after July 1, 1996 which are sold, offered for sale, supplied or distributed, directly or indirectly, for retail sale within the Vancouver AQMA shall:

(a) Manufacture complying consumer products for products marketed in the Vancouver AQMA;

(b) Clearly display on each consumer product container or package, the date on which the product was manufactured, or a code indicating such date;

(c) If a noncomplying product is manufactured, provide written notification to all distributors supplied with products in that product category that:

(A) Allows identification of complying consumer products and noncomplying consumer products in the product category; and

(B) Informs distributors that noncomplying consumer products shall not be distributed, directly or indirectly, to retail outlets in the Vancouver AQMA; and

(d) Notify direct purchasers of products manufactured for sale within the Vancouver AQMA upon determining that any noncomplying consumer products have been supplied in violation of this rule.

(2) Distributors. Except as provided in SWAPCA 493-100-040(4), any distributor of consumer products manufactured after July 1, 1996 which are sold, offered for sale, supplied or distributed, directly or indirectly, to a retail outlet within the Vancouver AQMA shall:

(a) Ensure that any consumer products identified by the manufacturer as noncomplying consumer products are not distributed directly to retail outlets in the Vancouver AQMA;

(b) Provide any information about a consumer product supplied by a manufacturer under SWAPCA 494-100-040 (1)(c) of this rule to any other distributor to whom the consumer product is sold, supplied or distributed for subsequent distribution to a retail outlet in the Vancouver AQMA; and

(c) Notify direct purchasers of products distributed for sale within the Vancouver AQMA upon determining that any noncomplying consumer products have been supplied in violation of this rule.

(3) Retailers.

(a) Except as provided in SWAPCA 493-100-040(4), no retailer shall knowingly sell within the Vancouver AQMA any noncomplying consumer product manufactured after July 1, 1996.

(b) Upon notification by SWAPCA, a manufacturer, or a distributor that any noncomplying consumer products have been supplied, a retailer shall remove noncomplying products from consumer-accessible areas of retail outlets within the Vancouver AQMA.

(4) Exceptions.

(a) For consumer products that are registered under the Federal Insecticide, Fungicide, and Rodenticide Act, (FIFRA);

PROPOSED

7 United States Code, § 136 *et seq.*), this rule applies to consumer products manufactured after January 1, 1997.

(b) For consumer products which have been granted a compliance extension under SWAPCA 493-500-020, this rule applies to consumer products manufactured after the date specified in the compliance extension order.

(c) This rule does not apply to automotive windshield washer fluids that are contained in motor vehicles at the time of initial sale, or at the time of subsequent sale of vehicles registered or licensed outside of the Vancouver AQMA.

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.

SWAPCA 493-100-050 Innovative Products

(1) SWAPCA shall exempt a consumer product from the requirements of SWAPCA 493-100-030 if a manufacturer demonstrates that, due to some characteristic of the product formulation, design, delivery system, or other factors, the use of the product will result in equal or less VOC emissions as compared to:

(a) The VOC emissions from a representative consumer product which complies with the VOC standards specified in 493-100-030(1); or

(b) The calculated VOC emissions from a representative noncomplying consumer product, if the product had been reformulated to comply with the VOC standards specified in 493-100-030(1).

(2) Determination of calculated emissions.

(a) Except as provided in subsection (b) of this section, determination of VOC emissions made pursuant to subsection (1)(b) of this rule shall be calculated using the following:

$$E_R = E_{NC} \times \frac{VOC_{STD}}{VOC_{NC}}$$

Where: E_R = The VOC emissions from the representative noncomplying consumer product, had it been reformulated.

E_{NC} = The VOC emissions from the representative noncomplying consumer product in its current formation.

VOC_{STD} = The VOC standard specified in 493-100-030.

VOC_{NC} = The VOC content of the noncomplying consumer product in its current formulation.

(b) If a manufacturer demonstrates that this equation yields inaccurate results due to some characteristics of the product formulation or other factors, an alternative method which accurately calculates emissions may be used upon approval of SWAPCA.

(3) For the purposes of this rule, a representative consumer product is one which:

(a) Is subject to the same VOC limit in 493-100-030(1) as the innovative product;

(b) Is of the same product form, unless the innovative product uses a form which was nonexistent in the product category on the date of application under SWAPCA 493-100-050(4); and

(c) Has at least similar efficacy as other consumer products in the same category based on generally accepted tests for that category.

(4) A manufacturer shall apply in writing to SWAPCA for any exemption claimed under this rule. Information claimed by the applicant as confidential or otherwise exempt from disclosure shall be submitted in accordance with SWAPCA 493-500-030. The application shall include:

(a) The supporting documentation that demonstrates the actual emissions from the innovative product, including the physical test methods used to generate the data and, if necessary, the consumer testing undertaken to document product use;

(b) Any information necessary to enable SWAPCA to establish enforceable conditions for granting the exemption including the VOC content of the innovative product; and

(c) Test methods for determining VOC content.

(5) Within 30 days of receipt of the exemption application SWAPCA shall determine whether an application is complete.

(6) SWAPCA shall within 90 days after an application has been deemed complete, determine whether, under what conditions, and to what extent, an exemption from the requirements of 493-100-030(1) shall be approved. The applicant and SWAPCA may mutually agree to extend the period for making a determination, and additional supporting documentation may be submitted by the applicant before the determination is reached. SWAPCA shall notify the applicant in writing of the determination and the terms and conditions established under SWAPCA 493-100-050(7).

(7) In approving an innovative product exemption, SWAPCA shall establish terms and conditions which allow the emission limitations established under SWAPCA 493-100-050(1) rule to be enforced. Such terms and conditions may include, but are not limited to, the VOC content of the innovative product, dispensing rates, application rates, and any other parameters determined by SWAPCA to be necessary. SWAPCA shall also specify the test methods for determining conformance to the conditions established. The test methods shall include criteria for reproducibility, accuracy, sampling, and laboratory procedures.

(8) Notwithstanding SWAPCA 493-100-050(6), if a product has been granted an Innovative Product exemption by the California Air Resources Board (CARB), that product shall be granted an exemption under this rule provided:

(a) The CARB Innovative Product exemption is valid as of February 20, 1995;

(b) The manufacturer submits to SWAPCA an Executive Order relating to Innovative Products granted by CARB under Section 94511, Title 17, California Code of Regulations, together with information required by SWAPCA 493-100-050(4) prior to the applicable compliance date;

(c) The manufacturer complies with the terms and conditions established in the CARB Innovative Product exemption; and

(d) The manufacturer notifies SWAPCA in writing within 30 days of any changes in the terms and conditions of the exemption.

PROPOSED

(9) For any product for which an exemption has been approved pursuant to SWAPCA 493-100-050, the manufacturer shall notify SWAPCA in writing within 30 days prior to any change in the product's formulation or directions for use, and shall also notify SWAPCA within 30 days if the manufacturer learns of any information which would alter the emissions estimates submitted to SWAPCA in support of the exemption application.

(10) If VOC standards are lowered for a product category through adoption of subsequent regulations, all innovative product exemptions granted for products in the product category, except as provided in this section, shall have no force and effect as of the effective date of the modified VOC standard. This section shall not apply to those innovative products which have VOC emissions less than the appropriate new VOC standard, and for which a written notification of the product's VOC emissions compared to the appropriate new VOC standard has been submitted to and approved by SWAPCA at least 60 days before the effective date of such standard.

(11) If SWAPCA believes that a consumer product for which an exemption has been granted no longer meets the criteria for an innovative product specified in SWAPCA 493-100-050(1), SWAPCA may modify or revoke the exemption as necessary to ensure that the product will meet these criteria. SWAPCA shall notify the applicant in writing if an exemption is modified or revoked under this section.

SWAPCA 493-100-060 Recordkeeping and Reporting Requirements

(1) Recordkeeping

(a) Manufacturers subject to SWAPCA 493-100-040 shall maintain the following records for at least 2 years after a product is sold, offered for sale, supplied or distributed by the manufacturer, directly or indirectly, to a retail outlet in the Vancouver AQMA:

(1) Records, based upon testing or chemical composition records as set forth in SWAPCA 493-100-070, which document the VOC content of consumer products;

(2) Records used in determining compliance of charcoal lighter materials with SWAPCA 493-100-030 including, but not limited to, emission testing results, physical property data, and formulation data;

(3) An explanation of any code indicating the date of manufacture of any consumer products other than consumer products registered under the Federal Insecticide, Fungicide, and Rodenticide Act, (FIFRA; 7 United States Code, § 136 *et seq.*);

(4) Documentation of information provided to distributors under SWAPCA 493-100-040 (1)(c);

(5) Information used to substantiate an application for an innovative product exemption under SWAPCA 493-100-050;

(6) Information used to substantiate an application for a compliance extension SWAPCA 493-500-020;

(b) Distributors shall maintain documentation of information provided to them under SWAPCA 493-100-040 (1)(c) and 493-100-040 (2)(b) for at least 2 years after a product is no longer sold, offered for sale, supplied or distributed by the distributor, directly or indirectly, to a retail outlet in the Vancouver AQMA.

(2) Reporting. Following request and within a reasonable period of time, records specified in SWAPCA 493-100-060(1) shall be made available to SWAPCA.

(3) Product Registration. Manufacturers subject to SWAPCA 493-100-040 shall submit product registration information to SWAPCA.

(a) At a minimum, product registration information shall include the following:

(1) Manufacturer's name, address and telephone number;

(2) A complete list, by product category, of names, trademarks or other identifiers of the manufacturer's products subject to SWAPCA 493-100-030;

(3) Identification of complying and noncomplying products or a statement that only complying products are manufactured; and

(4) The dated signature of an authorized representative of the manufacturer.

(b) Product registration information shall be submitted by the later of:

(1) July 1, 1996;

(2) January 1, 1997 for consumer products registered under the Federal Insecticide, Fungicide, and Rodenticide Act, (FIFRA; 7 United States Code, § 136 *et seq.*); or

(3) For products introduced by previously unregistered manufacturers, the date products subject to SWAPCA 493-100-030 are initially sold, supplied or distributed, directly or indirectly, to a retail outlet in the Vancouver AQMA.

(c) Product registration information shall be updated and resubmitted:

(1) Upon introduction by the manufacturer of a new noncomplying product since the last registration information submittal; and

(2) Within a reasonable period of time following request by SWAPCA.

(4) Exemption from disclosure. If a person claims that any records or information, as defined in RCW 70.94.205 "Confidentiality of Records and Information", is confidential or otherwise exempt from disclosure, in whole or in part, the person shall comply with the procedures in SWAPCA 493-500-030.

SWAPCA 493-100-070 Inspection and Testing Requirements

(1) The owner or operator of a facility subject to SWAPCA 493-100-010 through 493-100-070 shall, at any reasonable time, make the facility available for inspection by SWAPCA.

(2) Upon request of SWAPCA, any person subject to SWAPCA 493-100-010 through 493-100-070 shall furnish samples of consumer products selected by SWAPCA from available stock for testing by SWAPCA to determine compliance with SWAPCA 493-100-030.

(3) Testing to determine compliance with SWAPCA 493-100-030 shall be performed using one or more of the following methods:

(a) Method 24-24A, 40 CFR Part 60 (July 1, 1994);

(b) Method 18, Federal Register 48, no 202, October 18, 1983;

(c) Method 1400, NIOSH Manual of Analytical Methods, Volume 1, February 1984;

(d) EPA Method 8240 "GC/MS Method for Volatile Organics," September 1986;

(e) For charcoal lighter materials, the procedures specified in the South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (February 28, 1991) or other methods which are approved by SWAPCA and are shown to provide equivalent results;

(f) Calculation of the VOC content from records of amounts of constituents used to manufacture the product and the chemical compositions of the individual product constituents; or

(g) Alternative methods which are shown to accurately determine the concentration of volatile organic compounds (VOCs) in a subject product or its emissions upon approval of SWAPCA.

(4) If a method specified in SWAPCA 493-100-070(3) to measure VOC also measures exempt compounds, the exempt compounds may be excluded from the VOC content if the amount of such compounds is accurately quantified. SWAPCA may require a manufacturer to provide methods and results demonstrating, to the satisfaction of SWAPCA, the amount of exempt compounds in the product or the product's emissions.

(5) Testing to determine whether a product is a liquid or solid shall be performed using ASTM D4359-90 (May 25, 1990), which is incorporated by reference herein.

(6) Testing to determine distillation points of petroleum distillate-based charcoal lighter materials shall be performed using ASTM D86-90 (September 28, 1990), which is incorporated by reference herein.

NEW SECTION

SWAPCA 493-200 - Spray Paints

SWAPCA 493-200-010 Applicability

(1) SWAPCA 493-200-010 through 493-200-060 apply to any manufacturer, distributor, retailer or commercial applicator of spray paint for sale or use in the Vancouver AQMA.

NEW SECTION

SWAPCA 493-200-020 Definitions

As used in SWAPCA 493-200:

(1) "Adhesive" means a product used to bond one surface to another.

(2) "Anti-Static Spray" means a product used to prevent or inhibit the accumulation of static electricity.

(3) "Art Fixative or Sealant" means a clear coating, including art varnish, workable art fixative, and ceramic coating, which is designed and labeled exclusively for application to paintings, pencil, chalk, or pastel drawings, ceramic art pieces, or other closely related art uses, to provide a final protective coating or to fix preliminary stages of art work while providing a workable surface for subsequent revisions.

(4) "ASTM" means the American Society for Testing and Materials.

(5) "Auto Body Primer" means an automotive primer or primer surfacer coating designed and labeled exclusively to be applied to a vehicle body substrate for the purpose of corrosion resistance and building a repair area which can be sanded to a smooth condition after drying.

(6) "Automotive Bumper and Trim Product" means a product, including adhesion promoters and chip sealants, designed and labeled exclusively to repair and refinish automotive bumpers and plastic trim parts.

(7) "Automotive Underbody Coating" means a flexible coating which contains asphalt or rubber and is labeled exclusively for use on the underbody of motor vehicles to resist rust, abrasion and vibration, and to deaden sound.

(8) "Aviation Propeller Coating" means a coating designed and labeled exclusively to provide abrasion resistance and corrosion protection for aircraft propellers.

(9) "Aviation or Marine Primer" means a coating designed and labeled exclusively to meet federal specification TT-P-1757.

(10) "Belt Dressing" means a product applied on auto fan belts, water pump belting, power transmission belting, industrial equipment belting, or farm machinery belting to prevent slipping, and to extend belt life.

(11) "Cleaner" means a product designed and labeled primarily to remove soil or other contaminants from surfaces.

(12) "Clear Coating" means a coating which is colorless, containing resins but no pigments, except flattening agents, and is designed and labeled to form a transparent or translucent forming ingredients, including pigments and resins.

(14) "Complying Spray Paint" means a spray paint which complies with the VOC content limits in SWAPCA 493-100-020.

(15) "Consumer" means any person who purchases or acquires any spray paint for personal, family, or household use. Persons acquiring a spray paint product for resale are not considered consumers of that product.

(16) "Commercial Applicator" means any person who purchases, acquires, applies, or contracts for the application of spray paint for commercial, industrial or institutional uses, or any person who applies spray paint in the course of an activity from which compensation is derived.

(17) "Corrosion Resistant Brass, Bronze, or Copper Coating" means a clear coating formulated and labeled exclusively to prevent tarnish and corrosion of uncoated brass, bronze or copper metal surfaces.

(18) "Distributor" means any person who sells or supplies spray paint for the purposes of resale or distribution in commerce. "Distributor" includes activities of a self-distributing retailer related to the distribution of products to individual retail outlets. "Distributor" does not include manufacturers except for a manufacturer who sells or supplies spray paint products directly to a retail outlet. "Distributor" does not include consumers.

(19) "Dye" means a product containing no resins which is used to color a surface or object without building a film.

(20) "Electrical Coating" means a coating designed and labeled to be used exclusively to coat electrical components such as electric motor windings to provide electrical insulation or corrosion protection.

(21) "Enamel" means a coating which cures by chemical cross-linking of its base resin and is not resolvable in its original solvent.

(22) "Engine Paint" means a coating designed and labeled exclusively as such, which is used exclusively to coat engines and their components.

(23) "Environmental Protection Agency" or "EPA" means the United States Environmental Protection Agency.

(24) "Exact Match Finish, Automotive" means a topcoat which meets all of the following criteria:

(a) The product is designed and labeled exclusively to exactly match the color of an original, factory-applied automotive coating during the touch-up of automobile finishes;

(b) The product is labeled with the original equipment manufacturer's name for which it was formulated; and

(c) The product is labeled with one of the following:

(1) The original equipment manufacturer's (OEM) color code;

(2) The color name; or

(3) Other designation identifying the specific OEM color to the purchaser.

(d) Notwithstanding subsections (a) through (c) of this section, automotive clear coatings designed and labeled exclusively for use over automotive exact match finishes to replicate the original factory applied finish shall be considered to be automotive exact match finishes.

(25) "Exact Match Finish, Engine Paint" means a coating which meets all of the following criteria:

(a) The product is designed and labeled exclusively to exactly match the color of an original, factory-applied engine paint;

(b) the product is labeled with the original equipment manufacturer's name for which it was formulated; and

(c) the product is labeled with one of the following:

(1) The OEM color code;

(2) The color name; or

(3) Other designation identifying the specific OEM color to the purchaser.

(26) "Exact Match Finish, Industrial" means a coating which meets all of the following criteria:

(a) The product is designed and labeled exclusively to exactly match the color of an original, factory-applied industrial coating during the touch-up of manufactured products;

(b) The product is labeled with the original equipment manufacturer's name for which it was formulated; and

(c) The product is labeled with one of the following:

(1) The OEM color code;

(2) The color name; or

(3) Other designation identifying the specific OEM color to the purchaser.

(27) "Exempt compounds" means compounds of carbon specifically excluded from the definition of VOC.

(28) "Flat Paint Product" means a coating which, when fully dry, registers specular gloss less than or equal to 15 on an 85° gloss meter, or less than or equal to 5 on a 60° gloss meter, or which is labeled as a flat coating.

(29) "Flatting Agent" means a compound added to a coating to reduce the gloss of the coating without adding color to the coating.

(30) "Floral Spray" means a coating designed and labeled exclusively for use on fresh flowers, dried flowers, or other items in a floral arrangement for the purpose of coloring, preserving or protecting their appearance.

(31) "Fluorescent Coating" means a coating labeled as such which converts absorbed incident light energy into emitted light of a different hue.

(32) "Glass Coating" means a coating designed and labeled exclusively to be applied to glass or other transparent material, to create a soft, translucent light effect, or to create a tinted or darkened color while retaining transparency.

(33) "Ground/Traffic Marking Coating" means a coating designed and labeled exclusively to be applied to dirt, gravel, grass, concrete, asphalt, warehouse floors, or parking lots. Such coatings must be in a container equipped with a valve and sprayhead designed to direct the spray downward when the can is held in an inverted position.

(34) "High Temperature Coating" means a coating, excluding engine paint, which is designed and labeled exclusively for use on substrates which will, in normal use, be subjected to temperatures in excess of 400 degrees Fahrenheit.

(35) "Hobby/Model/Craft Coating" means a coating which is designed and labeled exclusively for hobby applications and is sold in aerosol containers of 6 ounces in weight or less.

(36) "Ink" means a fluid or viscous substance used in the printing industry to produce letters, symbols or illustrations, but not to coat an entire surface.

(37) "Lacquer" means a thermoplastic film-forming finish dissolved in organic solvent, which dries primarily by solvent evaporation, and is resolvable in its original solvent.

(38) "Layout Fluid" or "Toolmaker's Ink" means a coating designed and labeled exclusively to be sprayed on metal, glass or plastic, to provide a glare-free surface on which to scribe designs, patterns or engineering guide lines prior to shaping the piece.

(39) "Leather Preservative" means a leather treatment material applied exclusively to clean, condition or preserve leather.

(40) "Lubricant" means a substance such as oil, petroleum distillates, grease, graphite, silicone, lithium, etc., that is applied to surfaces to reduce friction, heat, or wear when applied between surfaces.

(41) "Manufacturer" means the company, firm or establishment which is listed on the product container or package. If the product container or package lists two companies, firms or establishments, the manufacturer is the party which the product was "manufactured for" or "distributed by", as noted on the product container or package.

(42) "Marine Spar Varnish" means a coating designed and labeled to be exclusively used as a protective sealant for marine wood products.

(43) "Maskant" means a coating applied directly to a component to protect surfaces during chemical milling, anodizing, aging, bonding, plating, etching, or other chemical operations.

(44) "Metallic Coating" means a topcoat which contains at least 0.5 percent by weight elemental metallic pigment in the formulation, including propellant, and is labeled as "metallic", or with the name of a specific metallic finish such as "gold", "silver", or "bronze".

(45) "Mold Release" means a coating applied to molds to prevent products from sticking to mold surfaces.

(46) "Multi-Component Kit" means a spray paint system which requires the application of more than one component, (e.g. foundation coat and top coat), where both components are sold together in one package.

(47) "Noncomplying spray paint" means a spray paint which does not comply with the VOC content limits in SWAPCA 493-200-030.

(48) "Non-Flat Paint Product" means a coating which, when fully dry, registers a specular gloss greater than 15 on an 85° gloss meter or greater than 5 on a 60° gloss meter.

(49) "Photograph Coating" means a coating designed and labeled exclusively to be applied to finished photographs to allow corrective retouching, protection of the image, changes in gloss level, or to cover fingerprints.

(50) "Pleasure Craft" means privately owned boats used for noncommercial purposes.

(51) "Pleasure Craft Finish Primer/Surfacers/Undercoat" means any coating designed and labeled exclusively to be applied before the application of a pleasure craft topcoat for the purpose of corrosion resistance and adhesion of a topcoat, and which promotes a uniform surface by filling in surface imperfections.

(52) "Pleasure Craft Topcoat" means a coating designed and labeled exclusively to be applied to a pleasure craft as a final coat above the water line and above and below the water line when stored out of water. This category does not include clear coatings.

(53) "Primer" means a coating labeled as such, which is designed to be applied to a surface to promote a bond between that surface and subsequent coats.

(54) "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a cosolvent, to expel a liquid or other material from a container.

(55) "Retailer" means any person who sells, supplies, or offers spray paint for sale directly to consumers or commercial applicators.

(56) "Retail Outlet" means any establishment where spray paints are sold, supplied, or offered for sale directly to consumers or commercial applicators.

(57) "Rust Converter" means a product which is designed and labeled exclusively to convert rust to an inert material, and which has a minimum acid content of 0.5 percent by weight, and which has a maximum coating solids content of 0.5 percent by weight.

(58) "Shellac Sealer" means a clear or pigmented coating formulated solely with the resinous secretion of the lac beetle (*Laccifer lacca*), thinned with alcohol, and formulated to dry by evaporation without a chemical reaction.

(59) "Slip-Resistant Coating" means a coating designed and labeled exclusively as such which is formulated with synthetic grit, and used as a safety coating.

(60) "Spatter Coating/Multicolor Coating" means a coating labeled exclusively as such in which spots, globules, or spatters of contrasting colors appear on or within the surface of a contrasting or similar background.

(61) "Spray Paint" means a pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground traffic/marketing applications.

(62) "Spray Paint Category" means the applicable category which best describes a spray paint listed in SWAPCA 493-200-030.

(63) "Stain" means a coating labeled as such which is designed and labeled to change the color of a surface without concealing the surface from view.

(64) "SWAPCA" means the Southwest Air Pollution Control Authority.

(65) "Topcoat" means a coating applied over any coating, for the purpose of appearance, identification, or protection.

(66) "Vancouver Air Quality Maintenance Area" or "Vancouver AQMA" is the Vancouver portion of the Portland-Vancouver Interstate Nonattainment Area for Ozone as defined in the Washington State Implementation Plan. The Vancouver AQMA includes the southern portion of Clark County, Washington.

(67) "Vinyl/Fabric/Polycarbonate Coating" means a coating designed and labeled exclusively to coat vinyl, fabric, or polycarbonate substrates.

(68) "Volatile Organic Compound" or "VOC" means those compounds of carbon defined in SWAPCA 400-030(89). For purposes of determining compliance with VOC content limits, VOC shall be measured by an applicable method identified in SWAPCA 493-200-060.

(69) "VOC Content" means the ratio of the weight of VOC to the total weight of the product contents expressed as follows:

$$\text{VOC Content} = \frac{W_{\text{VOC}}}{W_{\text{TOTAL}}} \times 100$$

Where:

W_{VOC} = the weight of volatile organic compounds; and

W_{total} = the total weight of the product's contents.

(70) "Webbing/Veiling Coating" means a spray product designed and labeled exclusively to produce a stranded or spider-webbed decorative effect.

(71) "Weld-Through Primer" means a coating designed and labeled exclusively to provide a bridging or conducting effect to provide corrosion protection following welding.

(72) "Wood Stain" means a coating which is formulated to change the color of a wood surface without concealing the surface from view.

(73) "Wood Touch-Up/Repair/Restoration Coatings" mean coatings designed and labeled exclusively to provide an exact color or sheen match on finished wood products.

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.

SWAPCA 493-200-030 Spray Paint Standards and Exemptions

(1) General Requirements. Where required by SWAPCA 493-200-040, spray paint shall not exceed the VOC content limits in Table C, as modified by the special conditions and exemptions in SWAPCA 493-200-030(2) and SWAPCA 493-200-030(3).

Table C

SPRAY PAINT VOC CONTENT LIMITS

<u>Spray Paint Category</u>	<u>VOC Content (Percent-by-weight)</u>
General Coatings	
Clear Coating	67.0
Flat Paint Products	60.0
Fluorescent Coatings	75.0
Lacquer Coating Products	80.0
Metallic Coating	80.0
Non-Flat Paint Products	65.0
Primer	60.0
Specialty Coatings	
Art Fixative or Sealant	95.0
Auto Body Primer	80.0
Automotive Bumper and Trim Products	95.0
Aviation or Marine Primer	80.0
Aviation Propeller Coating	84.0
Corrosion Resistant Brass, Bronze, or Copper Coatings	92.0
Exact Match Finish	
Engine Enamel	80.0
Automotive	88.0
Industrial	88.0
Floral Spray	95.0
Glass Coating	95.0
Ground Traffic Marking Coating	66.0
High Temperature Coating	80.0*
Hobby/Model/Craft Coating	
Enamel	80.0
Lacquer	88.0
Clear or Metallic	95.0
Marine Spar Varnish	85.0
Photograph Coating	95.0
Pleasure Craft Finish Primer	75.0
Surfacer or Undercoater	
Pleasure Craft Topcoat	80.0
Shellac Sealer	
Clear	88.0
Pigmented	75.0
Slip-Resistant Coating	80.0
Spatter/Multicolor Coating	80.0
Vinyl/Fabric/Polycarbonate Coating	95.0
Webbing/Veil Coating	90.0
Weld-Through Primer	75.0
Wood Stains	95.0
Wood Touch-Up, Repair, or Restoration Coatings	95.0

*The VOC limit for High Temperature Coatings shall be 88.0% until July 1, 1999, after which the 80.0% limit shall apply.

(2) Special Conditions. The following conditions shall apply to spray paint subject to VOC content limits under SWAPCA 493-200-030(1):

(a) The total weight of VOC contained in a multi-component kit shall not exceed the total weight of VOC that

would be allowed in the multi-component kit had each component product met the applicable VOC standards.

(1) Except as provided in SWAPCA 493-200-030 (2)(b)(B) if anywhere on the principal display panel of any spray paint or in any promotion of the product, any representation is made that the product may be used as, or is suitable for use as a spray paint for which a lower VOC standard is specified in SWAPCA 493-200-030(1), then the lower VOC standard shall apply.

(2) If a spray paint is subject to both a general coating limit and a specialty coating limit under SWAPCA 493-200-030(1), and the product meets all the criteria of the applicable specialty coating category as specified in SWAPCA 493-200-020, then the specialty coating limit shall apply instead of the general coating limit.

(3) Exemption. SWAPCA 493-200-030(1) shall not apply to aerosol lubricants, mold releases, automotive underbody coating, electrical coatings, cleaners, belt dressings, anti-static sprays, layout fluids and removers, adhesives, maskants, rust converters, dyes, inks, leather preservatives, or spray paint assembled by adding bulk paint to aerosol containers of propellant and solvent used for minor finish repairs during the original manufacture of products.

SWAPCA 493-200-040 Requirements for Manufacture, Sale and Use of Spray Paint

(1) Manufacturers. Except as provided in SWAPCA 493-200-040(6), any person who manufactures spray paint after July 1, 1996 which is sold, offered for sale, supplied or distributed, directly or indirectly, to a retail outlet in the Vancouver AQMA shall:

(a) Manufacture complying spray paint for spray paint marketed in the Vancouver AQMA;

(b) Clearly display the following information on each product container such that it is readily observable upon hand-held inspection without removing or disassembling any portion of the product container or packaging:

- (1) The maximum VOC content of the spray paint, expressed as a percentage by weight;
- (2) The spray paint category as defined in SWAPCA 493-200-020, or an abbreviation of the spray paint category; and
- (3) The date on which the product was manufactured, or a code indicating such date; and

(c) Notify direct purchasers of products manufactured for sale within the Vancouver AQMA upon determining that any noncomplying spray paint has been supplied in violation of this rule.

(2) Distributors. Except as provided in SWAPCA 493-200-040(6), any distributor of spray paint manufactured after July 1, 1996 which is sold, offered for sale, supplied or distributed to a retail outlet within the Vancouver AQMA shall:

(a) Distribute to the Vancouver AQMA only spray paints are labeled as required under subsection SWAPCA 493-200-040 (1)(b);

PROPOSED

(b) Distribute to the Vancouver AQMA only spray paints labeled with VOC contents that meet the VOC limits specified in SWAPCA 493-200-030; and

(c) Notify direct purchasers of products distributed for sale within the Vancouver AQMA upon determining that any noncomplying spray paint has been supplied in violation of this rule.

(3) Retailers.

(a) Except as provided in SWAPCA 493-200-040(6), no retailer shall knowingly sell within the Vancouver AQMA any noncomplying spray paint manufactured after July 1, 1996.

(b) Upon notification by SWAPCA, a manufacturer, or a distributor that any noncomplying spray paint has been supplied, a retailer shall remove noncomplying spray paint from consumer-accessible areas of retail outlets within the Vancouver AQMA.

(4) Commercial Applicators. Except as provided in SWAPCA 493-200-040(6), no commercial applicator shall, within the Vancouver AQMA, knowingly use or contract for the use of any noncomplying spray paint manufactured after July 1, 1996.

(5) Label Alteration. No person shall remove, alter, conceal or deface the information required in SWAPCA 493-200-040 (1)(b) prior to final sale of the product.

(6) Exception. For spray paint which has been granted a compliance extension under SWAPCA 493-500-020, SWAPCA 493-200-040 applies to spray paint manufactured after the date specified in the compliance extension.

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.

SWAPCA 493-200-050 Recordkeeping and Reporting Requirements

(1) Recordkeeping. Manufacturers subject to SWAPCA 493-200-040 shall maintain the following records for at least 2 years after a product is sold, offered for sale, supplied or distributed by the manufacturer, directly or indirectly, to a retail outlet in the Vancouver AQMA:

(a) VOC content records of spray paint based methods provided in SWAPCA 493-200-060;

(b) An explanation of any code indicating the date of manufacture of any spray paint; and

(c) Information used to substantiate an application for a compliance extension SWAPCA 493-500-020;

(2) Reporting. Following request and within a reasonable period of time, records specified in SWAPCA 493-200-050(1) shall be made available to SWAPCA.

(3) Exemption from disclosure. If a person claims that any Records or Information, as defined in RCW 70.94.205 "Confidentiality of records and information", is confidential or otherwise exempt from disclosure, in whole or in part, the person shall comply with the procedures specified in SWAPCA 493-500-030.

SWAPCA 493-200-060 Inspection and Testing Requirements

(1) The owner or operator of a facility subject to SWAPCA 493-200-010 through 493-200-060 shall, at any reasonable time, make the facility available for inspection by SWAPCA.

(2) Upon request of SWAPCA, any person subject to SWAPCA 493-200-010 through 493-200-060 shall furnish samples of spray paint products selected by SWAPCA from available stock for testing by SWAPCA to determine compliance with SWAPCA 493-200-030.

(3) Except as provided in SWAPCA 493-200-060(5), testing to determine compliance with SWAPCA 493-200-030 shall be performed using:

(a) VOC Content. The VOC content shall be determined by:

- (1) The procedures set forth in Bay Area Air Quality Management District Manual of Procedures, Volume III, Laboratory Procedures, Method 35, "Determination of Volatile Organic Compounds (VOC) in Solvent Based Aerosol Paints," as amended January 19, 1994, and, for water-containing spray paints, by ASTM D 5325-92, "Standard Test Method for Determination of Weight Percent Volatile Content of Water-Borne Aerosol Paints", November 15, 1992; or
- (2) Calculation of VOC content from records of amounts of constituents used to manufacture the product and the chemical compositions of the individual product constituents.

(b) Exempt Compounds. If a method specified in subsection (a) of this section to measure VOC also measures exempt compounds, the exempt compounds may be excluded from the VOC content if the amount of such compounds is accurately quantified. SWAPCA may require a manufacturer to provide methods and results demonstrating, to the satisfaction of SWAPCA, the amount of exempt compounds in the spray paint or the spray paint's emissions.

(4) Except as provided in Section (5) of this rule, testing to establish the spray paint category as defined in SWAPCA 493-200-020 shall be performed using:

(a) Metal Content. The metal content of metallic aerosol coating products shall be determined by South Coast Air Quality Management District Test Method 311 (SCAQMD "Laboratory Methods of Analysis for Enforcement Samples" manual), June 1, 1991, after removal of the propellant following the procedure in ASTM Method 5325-92, "Standard Test Method for Determination of Weight Percent Volatile Content of Water-Borne Aerosol Paints", November 15, 1992.

(b) Specular Gloss. Specular gloss of flat and non-flat coatings shall be determined by ASTM Method D 523-89, March 31, 1989.

(c) Acid Content. The acid content of rust converters shall be determined by ASTM Method D-1613-85, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates used in Paint, Varnish, Lacquer, and Related Products", May 31, 1985, after removal of the propellant following the procedure in ASTM Method D-5325-92, "Standard Test Method for Determination of Weight Percent

(c) Acid Content. The acid content of rust converters shall be determined by ASTM Method D-1613-85, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates used in Paint, Varnish, Lacquer, and Related Products", May 31, 1985, after removal of the propellant following the procedure in ASTM Method D-5325-92, "Standard Test Method for Determination of Weight Percent

Volatile Content of Water-Borne Aerosol Paints", November 15, 1992.

(5) Alternative test methods which are shown to accurately determine the VOC content, exempt compounds, metal content, specular gloss, or acid content in a spray paint may also be used if approved in writing by EPA and SWAPCA.

NEW SECTION

SWAPCA 493-300 - Architectural Coatings

SWAPCA 493-300-010 Applicability

(1) SWAPCA 493-300 applies to any manufacturer, distributor, retailer, or commercial applicator of architectural coatings for sale or use in the Vancouver AQMA.

SWAPCA 493-300-020 Definitions

As used in SWAPCA 493-300:

- (1) "AAMA" means the American Architectural Manufacturers Association.
- (2) "Alkali Resistant Primers" mean high performance primers formulated to resist reaction with alkaline materials including, but not limited to, lime, cement, and soap.
- (3) "Antenna Coatings" mean coatings formulated and recommended for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals.
- (4) "Anti-Fouling Coatings" mean high performance coatings formulated and recommended for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms, including, but not limited to, coatings registered with the EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC § 136, et seq.) and nontoxic foul-release coatings.
- (5) "Anti-Graffiti Coatings" mean clear or opaque high performance coatings specifically labelled as anti-graffiti coatings and both formulated and recommended for application to graffiti-prone surfaces to deter adhesion of graffiti and to facilitate graffiti removal.
- (6) "Appurtenance" means an accessory to a stationary structure, whether installed or detached at the proximate site of installation, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating, air conditioning, or other fixed mechanical equipment or large stationary tools; lamp posts; partitions; piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks and fire escapes; and window screens.
- (7) "Architectural Coatings" means coatings formulated and recommended for field application to stationary structures and their appurtenances, to portable buildings, to pavements, or to curbs.
- (8) "ASTM" means the American Society for Testing and Materials.
- (9) "Below-Ground Wood Preservatives" mean coatings formulated and recommended to protect below-ground wood from decay or insect attack which are registered with the

U.S. EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC § 136, et seq.).

(10) "Bituminous Coatings and Mastics" mean coatings and mastics formulated and recommended for roofing, pavement sealing, or waterproofing that incorporate bitumens as a principal component. Bitumens are black or brownish materials which are soluble in carbon disulfide, which consist mainly of hydrocarbons, and which are obtained from natural deposits or as residues from the distillation of crude petroleum or low grades of coal. Bitumens include asphalt, tar, pitch and asphaltite.

(11) "Bond Breakers" means coatings formulated and recommended for application to concrete to prevent the formation of a bond to a subsequently placed concrete layer.

(12) "Chalkboard Resurfacers" mean coatings formulated and recommended for application to chalkboards to restore a suitable surface for writing with chalk.

(13) "Clear Coating" means a coating that when dry allows light to pass so the substrate may be distinctly seen.

(14) "Clear & Semitransparent Stains" mean transparent or translucent coatings formulated and recommended for application to wood-based substrates to impart a desired color without completely concealing the surface or its natural texture or grain pattern.

(15) "Clear & Semitransparent Wood Preservatives" mean coatings formulated and recommended to protect exposed wood from decay or insect attack, registered with the EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC § 136, et seq.), that may change the color of the substrate but do not completely conceal the substrate.

(16) "Clear Waterproofing Sealers & Treatments" mean coatings which are formulated and recommended for application to porous substrates for the primary purpose of preventing the penetration of water and which do not alter the surface appearance or texture.

(17) "Coating Category" means the applicable category which best describes the coating as listed in this rule.

(18) "Colorant" means a concentrated pigment dispersion of water, solvent, or binder that is added to an architectural coating or tint base after the coating or tint base has been shipped from its place of manufacture.

(19) "Commercial Applicator" means any person who purchases, hires, acquires, applies or contracts for the application of architectural coatings for commercial, industrial or institutional uses, or any person who applies architectural coatings for compensation.

(20) "Complying Architectural Coating" means a coating which complies with the VOC content limits of SWAPCA 493-300-030.

(21) "Concrete Curing Compounds" mean coatings formulated and recommended for application to recently cast concrete to retard the evaporation of water.

(22) "Concrete Protective Coatings" mean high build coatings formulated and recommended for application in a single coat over concrete, plaster, or other cementitious surface. These coatings are formulated to be primerless, one-coat systems which can be applied over form release compounds or uncured concrete. These coatings prevent spalling of concrete in freezing temperatures by providing long term protection from water and chloride ion intrusion.

(23) "Distributor" means any person who sells or supplies architectural coating for the purposes of resale or distribution in commerce. "Distributor" includes activities of a self-distributing retailer related to the distribution of products to individual retail outlets. "Distributor" does not include manufacturers except for a manufacturer who sells or supplies products directly to a retail outlet. "Distributor" does not include consumers.

(24) "Dry Fog Coatings" mean coatings formulated and recommended only for circumstances in which overspray droplets are desired to dry before contacting incidental surfaces in the vicinity of a surface coating activity.

(25) "Environmental Protection Agency", or "EPA" means the United States Environmental Protection Agency.

(26) "Exempt compounds" mean compounds of carbon excluded from the definition of VOC.

(27) "Exterior Coatings" mean coatings formulated and recommended for use in conditions exposed to the weather.

(28) "Extreme High Durability Coatings" mean air dry flouropolymer based coatings formulated and recommended for the protection of architectural subsections and which meet the weathering requirements of AAMA 605.2-1985 Section 7.9.

(29) "Fire-Retardant/Resistive Coatings" mean clear or opaque coatings formulated and recommended to retard ignition and flame spread, or to delay melting or structural weakening due to high heat, and which are fire-tested and rated by a certified laboratory for use in bringing buildings or construction materials into compliance with building code requirements applicable to the place of use.

(30) "Flat Coatings" mean coatings which register gloss less than 15 on an 85 degree meter and less than 5 on a 60 degree meter according to ASTM Method D 523, Standard Test Method for Specular Gloss.

(31) "Floor Coatings" mean coatings formulated and recommended for application to flooring, including, but not limited to, decks, porches, and steps, and which have a high degree of abrasion resistance.

(32) "Flow Coatings" mean coating materials formulated and recommended to maintain the protective coating systems present on utility transformers.

(33) "Form-Release Compounds" mean coatings formulated and recommended for application to concrete forms to prevent formation of a bond between the form and concrete cast within.

(34) "Graphic Arts Coatings" or "Sign Paints" mean coatings formulated and recommended for hand-application either on-site or in-shop by artists using brush or roller techniques to indoor or outdoor signs (excluding structural components) and murals, including lettering enamels, poster colors, and copy blockers.

(35) "Heat Reactive Coatings" mean high performance phenolic based coatings requiring a minimum temperature of 191° Celsius (C) [375° Fahrenheit (F)] to 204° C (400° F) to obtain complete polymerization or cure. These coatings are formulated and recommended for commercial and industrial use to protect substrates from degradation and maintain product purity in which one or more of the following extreme conditions exist:

(a) Continuous or repeated immersion exposure to 90 to 98% sulfuric acid or oleum;

(b) Continuous or repeated immersion exposure to strong organic solvents;

(c) Continuous or repeated immersion exposure to petroleum processing at high temperatures and pressures; or,

(d) Continuous or repeated immersion exposure to food or pharmaceutical products which may or may not require high temperature sterilization.

(36) "High Temperature Coatings" mean high performance coatings formulated and recommended for application to substrates exposed continuously or intermittently to temperatures above 201° C (394° F).

(37) "Impacted Immersion Coatings" mean high performance maintenance coatings formulated and recommended for application to steel structures subject to immersion in turbulent, debris-laden water. These coatings are specifically resistant to high-energy impact damage caused by floating ice or debris.

(38) "Industrial Maintenance Coatings" mean high performance architectural coatings including primers, sealers, undercoaters, intermediate coats, and topcoats formulated and recommended for application to substrates exposed to one or more of the following extreme environmental conditions:

(a) Immersion in water, wastewater or chemical solutions (aqueous and nonaqueous solutions), or chronic exposure of interior surfaces to moisture condensation;

(b) Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, chemical mixtures or solutions;

(c) Repeated exposure to temperatures above 120° C (248° F);

(d) Frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial solvents, cleansers, or scouring agents; or

(e) Exterior exposure of metal structures and structural components.

(39) "Interior Coatings" mean coatings formulated and recommended for use in conditions not exposed to natural weathering.

(40) "Interior Clear Wood Sealers" mean low viscosity coatings formulated and recommended for sealing and preparing porous wood by penetrating the wood and creating a uniform and smooth substrate for a finish coat of paint or varnish.

(41) "Lacquers" mean clear or opaque wood finishes, including lacquer sanding sealers, formulated with cellulosic or synthetic resins to cure by evaporation without chemical reaction, and to provide a solid, protective film.

(42) "Lacquer Stains" mean interior semitransparent stains formulated and recommended specifically for use in conjunction with clear lacquer finishes and lacquer sanding sealers.

(43) "Manufacturer" means the company, firm or establishment which is listed on the coating container. If the container lists two companies, firms or establishments, the manufacturer is the party which the coating was "manufactured for" or "distributed by", as noted on the product.

(44) "Magnesite Cement Coatings" mean coatings formulated and recommended for application to magnesite cement decking to protect against water erosion.

(45) "Mastic Texture Coatings" mean coatings formulated and recommended for concealing holes, minor cracks, or

surface irregularities, and which are applied in a single coat of at least 10 mils (0.010 inches) dry film thickness.

(46) "Metallic Pigmented Coatings" mean non-bituminous coatings containing at least 0.4 pounds of metallic pigment per gallon (0.048 kilograms per liter) of coating, including but not limited to zinc pigment.

(47) "Multi-Color Coatings" mean coatings that exhibit more than one color when applied and which are packaged in a single container.

(48) "Noncomplying Architectural Coating" means a coating which does not comply with the VOC content limits of SWAPCA 493-300-030.

(49) "Nonferrous Metal Lacquers & Surface Protectants" mean clear coatings formulated and recommended for application to ornamental architectural surfaces of bronze, stainless steel, copper, brass or anodized aluminum to prevent oxidation, corrosion, or surface degradation.

(50) "Non-Flat Coatings" mean coatings that register a gloss of 15 or greater on an 85 degree gloss meter, or 5 or greater on a 60 degree gloss meter.

(51) "Not Otherwise Specified" or "N.O.S." means not otherwise specified as a coating category.

(52) "Nuclear Power Plant Coatings" mean any protective coating formulated and recommended to seal porous surfaces such as steel or concrete that otherwise would be subject to intrusion by radioactive materials. These coatings must be resistant to service-life cumulative radiation exposure as determined by ASTM D 4082-83, relatively easy to decontaminate as determined by ASTM D 4256-83, and resistant to various chemicals to which the coatings are likely to be exposed as determined by ASTM D 3912-80. General protective requirements are outlined by the Department of Energy, formerly U.S. Atomic Energy Commission, Regulatory Guide 1.54).

(53) "Opaque Coating" means a coating producing a dry film that does not allow light to pass, so the substrate is concealed from view.

(54) "Opaque Stains" mean coatings labeled as stains that are recommended to hide a surface but not conceal its texture.

(55) "Opaque Waterproofing Sealers & Treatments" mean coatings with pigments that are formulated and recommended for application to porous substrates for the primary purpose of preventing the penetration of water and which alter the surface appearance and texture.

(56) "Opaque Wood Preservatives" mean coatings formulated and recommended to protect wood from decay or insect attack, and that are not classified as clear, semi-transparent, or below-ground wood preservatives, and are registered with the EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136 et seq.).

(57) "Other Surfaces" mean paved parking areas (both publicly and privately owned), airport runways, airport taxiways, driveways, sidewalks, bikepaths and curbs.

(58) "Post-Consumer Coating" means a leftover architectural coating collected as a waste product from previous users that is employed as a raw material in the manufacture of a recycled coating product for reentry to the marketplace.

(59) "Pre-treatment Wash Primers" mean primers which contain a minimum of 0.5 percent acid by weight, and that are applied directly to bare metal surfaces in thin films to

provide corrosion resistance, and to promote adhesion of subsequent topcoats.

(60) "Primers" mean coatings formulated and recommended for application directly to substrates to provide a firm bond between the substrate and subsequent coats.

(61) "Public Streets & Highways" mean publicly owned surfaces used primarily for vehicular traffic such as streets, roads, and highways.

(62) "Quick-Dry Enamels" mean non-flat coatings that:

(a) Are capable of being applied directly from the container under normal conditions, with ambient temperatures between 19° Celsius (C) [60° Fahrenheit (F)] and 27°C (80°F); and

(b) When tested in accordance with ASTM Method D 1640, Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature, are set to touch in two hours or less, are tack free in four hours or less, and dry hard in eight hours or less by the mechanical method.

(63) "Quick-Dry Primers, Sealers, and Undercoaters" mean primers, sealers and undercoaters which are dry to touch in one-half hour, and can be recoated in two hours, when tested in accordance with ASTM D 1640, Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature.

(64) "Recycled Coating Product" means an architectural coating that contains post-consumer coating.

(65) "Repair and Maintenance Thermoplastic Coatings" mean industrial maintenance coatings with a primary resin of vinyl or chlorinated rubber which are formulated and recommended solely for the repair of existing coatings that also have a primary resin of vinyl or chlorinated rubber without the full removal of the existing coating system.

(66) "Retailer" means any person who sells, supplies, or offers architectural coatings for sale directly to consumers or commercial applicators.

(67) "Retail Outlet" means any establishment where architectural coatings are sold, supplied, or offered for sale directly to consumers or commercial applicators.

(68) "Roof Coatings" mean non-bituminous and non-thermoplastic rubber coatings formulated and recommended for application to exterior roofs for the primary purpose of preventing penetration of the substrate by water, or reflecting heat and reflecting ultraviolet radiation.

(69) "Rust Preventive Coatings" mean coatings formulated and recommended for use in preventing the corrosion of ferrous metal surfaces.

(70) "Sanding Sealers" mean clear wood coatings formulated and recommended for application to bare wood to seal the wood and to provide a coating that can be sanded to create a smooth surface.

(71) "Sealers" means coatings formulated and recommended for application to substrates for one or more of the following purposes: to prevent subsequent coatings from being absorbed by the substrate; to prevent harm to subsequent coatings from materials in the substrate; to block stains, odors, or efflorescence; to seal water, smoke or fire damage; or to condition chalky surfaces.

(72) "Shellacs" mean clear or opaque coatings formulated solely with the resinous secretions of the lac beetle (*lacifer lacca*), that are soluble in alcohol, and dry by evaporation without chemical reaction.

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(73) "Solicit" means to require for use or to specify, by written or oral contract.

(74) "SWAPCA" means the Southwest Air Pollution Control Authority.

(75) "Swimming Pool Coatings" mean coatings formulated and recommended to coat the interior of swimming pools and to resist swimming pool chemicals.

(76) "Thermoplastic Rubber Coatings & Mastics" mean coatings and mastics formulated and recommended for application to roofing and other structural surfaces which incorporate no less than 40% thermoplastic rubbers by weight of the total resin solids and may also contain other ingredients, including, but not limited to, fillers, pigments, and modifying resins.

(77) "Tint Base" means an architectural coating to which colorants are added after the coating has been shipped from its place of manufacture.

(78) "Topcoat" means a coating applied over any coating, for the purpose of appearance, identification, or protection.

(79) "Traffic Marking Paints" mean coatings formulated and recommended to be used for marking or striping streets, highways and other traffic surfaces including, but not limited to, curbs, berms, driveways, parking lots and airport runways.

(80) "Undercoaters" mean coatings formulated and recommended to provide a smooth surface for subsequent coats.

(81) "Vancouver Air Quality Maintenance Area" or "Vancouver AQMA" is the Washington portion of the Portland-Vancouver Interstate Nonattainment Area for Ozone as defined in the Washington State Implementation Plan. (The Vancouver AQMA includes the southern portion of Clark County, Washington.)

(82) "Varnishes" mean clear or semitransparent coatings which are not lacquers or shellacs, and which are formulated to provide a durable, solid protective film. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the finish.

(83) "Volatile Organic Compound" or "VOC" means compounds of carbon defined in SWAPCA 400-030(86). For purposes of determining compliance with VOC content limits, VOC shall be measured by an applicable method identified in SWAPCA 493-300-060.

(84) "VOC Content" means the weight of VOCs contained in a volume of architectural coating. For products listed in SWAPCA 493-300-030(1) Table D, VOC content shall be determined on a "VOC Per Liter - Less Water Basis" or "VOC Per Gallon - Less Water Basis".

(85) "VOC Per Liter or Gallon - Less Water Basis" means the weight of VOCs per combined volume of VOC and coating solids at the maximum thinning level recommended by the manufacturer, less water, less exempt compounds, and before the addition of colorants added to tint bases, and shall be calculated as follows:

$$\text{VOC Content} = W_{\text{VOC}}(V_M - V_{\text{H}_2\text{O}} - V_{\text{EC}})$$

Where: W_{VOC} = weight of VOCs not consumed during curing, in grams or in pounds.

V_M = volume of material prior to curing, in liters or in gallons.
 $V_{\text{H}_2\text{O}}$ = volume of water not consumed during curing, in liters or in gallons.
 V_{EC} = volume of exempt compounds not consumed during curing, in liters or in gallons.

Reviser's note: The spelling 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.

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.

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.

SWAPCA 493-300-030 Standards

(1) Where required by SWAPCA 493-300-040, architectural coatings shall not exceed the VOC content limits listed in Table D on a "VOC Per Liter or Gallon - Less Water Basis" as modified by the special conditions and exemptions in SWAPCA 493-300-030(2) and SWAPCA 493-300-030(3).

Table D
ARCHITECTURAL COATING VOC CONTENT
LIMITS
VOC PER LITER or GALLON - LESS WATER
BASIS

Coating Category	VOC	
	(g/l)	(lb/gal)
Alkali Resistant Primers	550	4.58
Antenna Coatings	500	4.16
Anti-Fouling Coatings	450	3.75
Anti-Graffiti Coating	600	5.00
Bituminous Coatings and Mastics	500	4.16
Bond Breakers	600	5.00
Chalkboard Resurfacers	450	3.75
Concrete Curing Compounds	350	2.91
Concrete Protective Coatings	400	3.33
Dry Fog Coatings	400	3.33
Extreme High Durability Coatings	800	6.66
Fire-Retardant/Resistive Coatings		
Clear	850	7.08
Opaque	450	3.75
Flat Coatings - N.O.S.		
Exterior	250	2.08
Interior	250	2.08
Floor Coatings	400	3.33
Flow Coatings	650	5.41
Form-Release Compounds	450	3.75
Graphic Arts Coatings or Sign Paints	500	4.16
Heat Reactive Coatings	420	3.5
High Temperature Coatings	650	5.41

Impacted Immersion Coatings	780	6.50
Industrial Maintenance Coatings	450	3.75
Lacquers	680	5.66
Lacquer Stains	780	6.50
Magnesite Cement Coatings	600	5.00
Mastic Texture Coatings	300	2.50
Metallic Pigmented Coatings	500	4.16
Multi-Color Coatings	580	4.83
Nonferrous Metal Lacquers & Surface Protectants	870	7.25
Non-Flat Coatings - N.O.S:		
Exterior	380	3.16
Interior	380	3.16
Nuclear Power Plant Coatings	450	3.75
Pretreatment Wash Primers	780	6.50
Primers and Undercoaters - N.O.S.	350	2.91
Quick-Dry Coatings		
Enamels	450	3.75
Primers, Sealers and Undercoaters	450	3.75
Repair and Maintenance Thermoplastic Coatings	650	5.41
Roof Coatings	250	2.08
Rust Preventive Coatings	400	3.33
Sanding Sealers - (other than lacquer)	550	4.58
Sealers - (including interior clear wood sealers)	400	3.33
Shellacs:		
Clear	650	5.41
Opaque	550	4.58
Stains & Wood Preservatives:		
Below Ground Wood Preservatives	550	4.58
Clear & Semitransparent	550	4.58
Opaque	350	2.91
Swimming Pool Coatings	850	7.08
Thermoplastic Rubber Coatings & Mastics	550	4.58
Traffic Marking Paints		
Public Streets & Highways	150*	1.25
Other Surfaces	250	2.08
Varnishes	450	3.75
Waterproofing Sealers & Treatments:		
Clear	600	5.00
Opaque	400	3.33

*Prior to Jan. 1, 1997, a VOC content limit of 250 grams per liter (2.08 lbs/gallon) applies to Traffic Marking Paints for Public Streets & Highways.

(2) Special Conditions. The following conditions shall apply to architectural coatings subject to VOC content limits under SWAPCA 493-300-030(1):

(a) Notwithstanding the definition of coating category in SWAPCA 493-300-020, if anywhere on the coating container, or in any promotion of an architectural coating, any representation is made that the coating may be used as, or is suitable for use as a coating for which a lower VOC limit is specified in SWAPCA 493-300-030(1), then the lower VOC limit shall apply. This requirement shall not apply to:

- (1) High-Temperature Coatings, which may be represented as metallic pigmented coatings for use consistent with the High Temperature Coating definition;

- (2) Lacquer, which may be recommended for use as sanding sealers in conjunction with clear lacquer topcoats;
- (3) Metallic Pigmented Coatings, which may be recommended for use as primers, sealers, undercoaters roof coatings, or industrial maintenance coatings;
- (4) Shellacs;
- (5) Fire Retardant/Resistive Coatings;
- (6) Sanding sealers which may be represented as quick dry sealers; and,
- (7) Varnish, which may be recommended for use as a floor coating.

(b) VOC Content of Recycled Coating Products.

- (1) For coatings manufactured domestically containing post-consumer coating, compliance with the VOC limits of Table D of this rule shall be determined by the adjusted VOC content at the maximum thinning recommended by the manufacturer using the following equation:

$$VOC_{ADJUSTED} = VOC_{ACTUAL} \times [1 - (Recycled\%/100)]$$

Where:

VOC_{ADJUSTED} = The adjusted VOC content of a recycled coating product expressed as grams VOC per liter or pounds per gallon, less water.

VOC_{ACTUAL} = The VOC content of the recycled coating product as determined by procedures specified in SWAPCA 493-300-060(3) with the exception that VOCs in colorants of post-consumer coatings shall not be excluded from the VOC determination.

Recycled % = The volume percent of the recycled coating product that is post-consumer coating as determined by SWAPCA 493-300-030 (2)(b)(B).

- (2) The percent recycled shall be determined using the following equation:

$$Recycled\% = VOL_{POST-CONS} \times 100 / (VOL_{POST-CONS} + VOL_{VIRGIN})$$

Where:

VOL_{POST-CONS} = The volume of post-consumer coating per gallon used in the production of a recycled coating product.

VOL_{VIRGIN} = The volume of virgin coating materials used in the production of a recycled coating product.

- (3) Exemptions. SWAPCA 493-300-030(1) shall not apply to:

(a) Colorants added to tint bases by a retailer or commercial applicator.

(b) Coatings that are sold in containers with a volume of not more than one quart (32 fluid ounce or 0.95 liter) or in non-refillable aerosol containers.

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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.

SWAPCA 493-300-040 Requirements for Manufacture, Sale and Use of Architectural Coating

(1) **Manufacturers.** Except as provided in SWAPCA 493-300-040(6), any person who manufactures architectural coatings after July 1, 1996 which are sold, offered for sale, supplied or distributed, directly or indirectly, to a retail outlet in the Vancouver AQMA shall:

(a) Manufacture complying architectural coatings for architectural coatings marketed in the Vancouver AQMA;

(b) Clearly display the following information on each product container such that it is readily observable upon hand-held inspection without removing or disassembling any portion of the product container or packaging:

- (1) The date on which the product was manufactured, or a code indicating such date;
- (2) The maximum VOC content of the coating, at the maximum thinning recommended by the manufacturer, expressed as grams of VOC per liter or pounds VOC per gallon of coating, less water and exempt compounds, or distinguishing markings that identify the product's VOC content as described above, through reference to printed information that accompanies the product through distribution and is displayed at the point of sale;
- (3) A statement of the manufacturer's maximum recommended thinning with diluents other than water, and, if thinning of the coating prior to use under normal environmental and application conditions is not necessary, a statement indicating the product is not to be thinned under normal circumstances; and
- (4) For containers of recycled coating products, the phrase "CONTAINS NOT LESS THAN ____ PERCENT POST-CONSUMER COATING" where the percent, by volume, of the recycled coating is inserted before the word "percent".

(c) Notify direct purchasers of products manufactured for sale within the Vancouver AQMA upon determining that any noncomplying architectural coatings have been supplied in violation of SWAPCA 493-300-040.

(2) **Distributors.** Except as provided in SWAPCA 493-300-040(6), any distributor of architectural coating manufactured after July 1, 1996 which is sold, offered for sale, supplied or distributed to a retail outlet within the Vancouver AQMA shall:

(a) Ensure that architectural coatings are labeled as required under subsection (1)(b) of SWAPCA 493-300-040;

(b) Ensure that the VOC content indicated under SWAPCA 493-300-040 (1)(b)(B) does not exceed the VOC standard specified in SWAPCA 493-300-030; and

(c) Notify direct purchasers of products distributed for sale within the Vancouver AQMA upon determining that any noncomplying architectural coatings have been supplied in violation of SWAPCA 493-300-040.

(3) **Retailers.**

(a) Except as provided in SWAPCA 493-300-040(6), no retailer shall knowingly sell within the Vancouver AQMA any noncomplying architectural coating manufactured after July 1, 1996.

(b) Upon notification by SWAPCA, a manufacturer, or a distributor that any noncomplying architectural coating has been supplied, a retailer shall remove noncomplying architectural coatings from consumer-accessible areas of retail outlets within the Vancouver AQMA.

(4) **Commercial Applicators.** Except as provided in SWAPCA 493-300-040(6):

(a) No commercial applicator shall, within the Vancouver AQMA, knowingly use or contract for the use of any noncomplying architectural coating manufactured after July 1, 1996;

(b) No commercial applicator shall, within the Vancouver AQMA, knowingly use any noncomplying architectural coating manufactured after July 1, 1996 in a manner inconsistent with the coating category for which the product is formulated and recommended;

(c) All VOC-containing materials shall be stored in closed containers when not being accessed, filled, emptied, maintained, repaired or otherwise used.

(d) It is recommended that architectural coatings be applied under the conditions and with the application techniques recommended by the coating's manufacturer.

(5) **Label Alteration.** No person shall remove, alter, conceal or deface the information required in SWAPCA 493-300-040 (1)(b) prior to final sale of the product.

(6) **Exceptions.**

(a) **Traffic marking paints seasonal requirements.**

- (1) Traffic marking paints which exceed the VOC content limits of SWAPCA 493-300-030(1) may be manufactured, distributed to retail outlets, offered for sale to commercial applicators, and sold to commercial applicators within the Vancouver AQMA if purchasers are provided with written information indicating that the product shall not be applied within the Vancouver AQMA during the period June 1 through August 31, and the labeling requirements of SWAPCA 493-300-040 (1)(b)(A) and (B) are maintained.
- (2) Traffic marking paints which exceed the VOC limits of SWAPCA 493-300-030(1) may be purchased by commercial applicators for use within the Vancouver AQMA provided they shall not be applied during the period June 1 through August 31.

(b) For architectural coatings which have been granted a compliance extension under SWAPCA 493-500-020, this rule applies to coatings manufactured after the date specified in the compliance extension.

SWAPCA 493-300-050 Recordkeeping and Reporting Requirements

(1) **Recordkeeping.** Manufacturers subject to SWAPCA 493-300-040 shall maintain the following records for at least 2 years after an architectural coating is sold, offered for sale, supplied or distributed by the manufacturer, directly or indirectly, to a retail outlet in the Vancouver AQMA:

- (a) VOC content records of architectural coatings based on methods provided in SWAPCA 493-300-060;
- (b) An explanation of any code indicating the date of manufacture of any architectural coating; and
- (c) Information used to substantiate an application for a compliance extension under SWAPCA 493-500-020.

(2) Reporting. Following request and within a reasonable period of time, records specified in SWAPCA 493-300-050(1) shall be made available to SWAPCA.

(3) Exemption from disclosure. If a person claims that any Records of Information, as defined in RCW 70.94.205 "Confidentiality of records and information", is confidential or otherwise exempt from disclosure, in whole or in part, the person shall comply with the procedures specified in SWAPCA 493-500-030.

SWAPCA 493-300-060 Inspection and Testing Requirements

(1) The owner or operator of a facility subject to SWAPCA 493-300-010 through 493-300-060 shall, at any reasonable time, make the facility available for inspection by SWAPCA.

(2) Upon request of SWAPCA, any person subject to SWAPCA 493-300-010 through 493-300-060 shall furnish samples of architectural coatings selected by SWAPCA from available stock for testing by SWAPCA to determine compliance with SWAPCA 493-300-030.

(3) Except as provided in SWAPCA 493-300-060(4), testing to determine compliance with SWAPCA 493-300-030 shall be performed using:

(a) VOC Content. The VOC content of an architectural coating shall be determined by:

(1) Procedures set forth in EPA Test Method 24 (40 CRF 60, Appendix A, July 1, 1994); or

(2) Calculation of VOC content from records of amounts of constituents used to manufacture the product and the chemical compositions of the individual product constituents.

(b) Exempt Compounds. If the method specified in SWAPCA 493-300-060 (3)(a)(A) also measures compounds excluded from the definition of VOCs, those compounds may be excluded from the VOC content if the amount of such compounds can be accurately quantified. SWAPCA may require a manufacturer to provide conclusive evidence (such as production records, formulation data and test results) demonstrating, to the satisfaction of SWAPCA, the amount of exempt compounds in the architectural coating or the coating's emissions.

(c) Specular gloss of flat and non-flat coatings shall be determined by ASTM Method D 523-89, March 31, 1989.

(4) Alternative test methods which are shown to accurately determine the VOC content of architectural coatings may also be used if approved in writing by EPA and SWAPCA.

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

SWAPCA 493-400 - Motor Vehicle Refinishing

SWAPCA 493-400-010 Applicability

SWAPCA 493-400 applies to any person:

(1) Who sells, offers for sale, distributes or manufactures motor vehicle refinishing coatings for sale in Vancouver AQMA, or

(2) Who owns, leases, operates or controls a motor vehicle refinishing facility in the Vancouver AQMA.

SWAPCA 493-400-020 Definitions

As used in SWAPCA 493-400:

(1) "Aerosol Spray" coating means a pre-mixed coating supplied in pressurized containers of 16 ounces or less.

(2) "Anti-glare/Safety Coating" means a coating formulated to minimize light reflection to interior areas of a vehicle and which shows a reflectance of 25 or less on a 60 degree gloss meter.

(3) "Basecoat" means a pigmented topcoat which is the first topcoat applied as a part of a multistage topcoat system.

(4) "Basecoat/Clearcoat Topcoat System" means a topcoat system composed of a basecoat portion and a clearcoat portion. The VOC content of a basecoat/clearcoat topcoat system shall be calculated according to the following formula:

$$VOC_{bc/cc} = \frac{VOC_{bc} + 2 VOC_{cc}}{3}$$

Where: $VOC_{bc/cc}$ = the composite VOC content, less water and less exempt compounds to be used for compliance determination under the basecoat/clearcoat topcoat system coating category.

VOC_{bc} = the VOC content of any given basecoat as prepared for use, less water and less exempt compounds.

$2VOC_{cc}$ = twice the VOC content of any given clearcoat as prepared for use, less water and less exempt compounds.

(5) "Bright Metal Trim Repair Coating" means a coating applied directly to chrome-plated metal surfaces for the purposes of appearance.

(6) "Clearcoat" means a topcoat which contains no pigments or only transparent pigments and which is the final topcoat applied as a part of a multistage topcoat system.

(7) "Elastomeric Materials" mean coatings which are specifically formulated and applied over coated or uncoated flexible plastic substrates for the purpose of adhesion.

(8) "Exempt compounds" means compounds of carbon excluded from the definition of VOC.

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(9) "Graphic Design Application" means the application of logos, letters, numbers, or artistic representations such as murals, landscapes, and portraits.

(10) "High Volume, Low Pressure Spray", or "HVLV" means equipment used to apply coatings with a spray device which operates at a nozzle air pressure between 0.1 and 10 pounds per square inch gravity (psig).

(11) "Impact Resistant Coating" means any coating applied to a rocker panel for the purpose of chip resistance to road debris.

(12) "Manufacturer" means the company, firm or establishment which is listed on the coating container. If the container lists two companies, firms or establishments, the manufacturer is the party which the coating was "manufactured for" or "distributed by", as noted on the product.

(13) "Midcoat" means a semi-transparent topcoat which is the middle topcoat applied as part of a three-stage topcoat system.

(14) "Motor Vehicle" means a any self-propelled vehicle required to be licensed pursuant to chapter 46.16 RCW.

(15) "Motor Vehicle Refinishing" means the application of surface coating to on-road motor vehicles or non-road motor vehicles, or their existing parts and components, except Original Equipment Manufacturer (OEM) coatings applied at manufacturing plants.

(16) "Motor Vehicle Refinishing Coating" means any coating designed for, or represented by the manufacturer as being suitable for motor vehicle refinishing.

(17) "Motor Vehicle Refinishing Facility" means a location at which motor vehicle refinishing is performed.

(18) "Multi-Color Coating" means a coating which is packaged in a single container that exhibits more than one color when applied, and is used to protect surfaces of vehicle cargo areas.

(19) "Multistage Topcoat System" means any basecoat/clearcoat topcoat system or any three-stage topcoat system manufactured as a system, and used as specified by the manufacturer.

(20) "Non-Road Motor Vehicle" means any motor vehicle other than an on-road motor vehicle. "Non-Road Motor Vehicle" includes, but is not limited to, fixed load vehicles, farm tractors, farm trailers, all-terrain vehicles, and golf carts.

(21) "On-Road Motor Vehicle" means any motor vehicle which is required to be registered under RCW 46.16 or exempt from registration under RCW 46.04. "On-Road Motor Vehicle" includes, but is not limited to: passenger cars, trucks, vans, motorcycles, mopeds, motor homes, truck tractors, buses, tow vehicles, trailers other than farm trailers, and camper shells.

(22) "Person" means the federal government, any state, individual, public or private corporation, political subdivision, governmental agency, municipality, partnership, association, firm, trust, estate, or any other legal entity whatsoever.

(23) "Portland-Vancouver Interstate AWMA" is the interstate nonattainment area for ozone as defined in the Washington and Oregon State Implementation Plans. The Interstate area includes, Clackamas, Washington and Multnomah counties in Oregon and southern portion of Clark County in Washington.

(24) "Precoat Coating" means a coating applied to bare metal primarily to deactivate the surface for corrosion resistance to a subsequent water-base primer.

(25) "Pretreatment Wash Primer" means a coating which contains at least 0.5% acid, by weight, which is used to provide surface etching and is applied directly to bare metal surfaces to promote corrosion resistance and adhesion.

(26) "Primer" means a coating applied for purposes of corrosion resistance or adhesion of subsequent coatings.

(27) "Primer Sealer" means a coating applied prior to the application of a topcoat for the purpose of color uniformity, or to promote the ability of a underlying coating to resist penetration by the topcoat.

(28) "Primer Surfacer" means a coating applied for the purpose of corrosion resistance or adhesion, and which promotes a uniform surface by filling in surface imperfections.

(29) "Public Highway" means every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

(30) "Rocker Panel" means the panel area of a motor vehicle which is no more than 10 inches from the bottom of a door, quarter panel, of fender.

(31) "Rubberized Asphaltic Underbody Coating" means a coating applied to the wheel wells, the inside of door panels or fenders, the underside of a trunk or hood, of the underside of the motor vehicle itself for the purpose of sound deadening or protection.

(32) "Specialty Coating" means any of the following coatings when used in accordance with each coating's specialized design purpose: adhesion promoters, uniform finish blenders, elastomeric materials, impact-resistant coatings, anti-glare safety coatings, rubberized asphaltic underbody coatings, water hold-out coatings, weld-through coatings, bright metal trim repair coatings, and surface appearance additives.

(33) "Spot Repairs" mean motor vehicle refinishing repairs in which the damaged area to be repaired is limited to only a portion of any given panel so that an entire panel need not be repaired.

(34) "Stencil Coating" means an ink or a pigmented coating which is rolled or brushed onto a template or a stamp in order to add identifying letters, symbols, or numbers to motor vehicles, mobile equipment, or their parts and components.

(35) "Surface Appearance Additive" means gloss control additives, fish-eye eliminators, retarders, and other additives designed to achieve the surface appearance of the original equipment specifications.

(36) "SWAPCA" means the Southwest Air Pollution Control Authority.

(37) "Three-Stage Coating System" means a topcoat system composed of a basecoat portion, a midcoat portion, and a transparent clearcoat portion. For compliance purposes, the VOC content of a three-stage coating system shall be calculated according to the following formula:

$$\text{VOC}_{3\text{-stage}} = \frac{\text{VOC}_{bc} + \text{VOC}_{mc} + 2 \text{VOC}_{cc}}{4}$$

- Where: $VOC_{3-stage}$ = the composite VOC content, less water and less exempt compounds in the three-stage coating system.
- VOC_{bc} = the VOC content of any given basecoat as prepared for use, less water and less exempt compounds.
- VOC_{mc} = the VOC content of any given midcoat as prepared for use, less water and less exempt compounds.
- $2VOC_{cc}$ = twice the VOC content, as prepared for application, of any given clearcoat.

(38) "Topcoat" means a coating applied over any coating, for the purpose of appearance, identification, or protection.

(39) "Touch-up Coating" means a coating applied by brush or non-refillable aerosol can to cover minor surface damage and dispensed in containers of no more than 8 ounces.

(40) "Uniform Finish Blender" means a coating which is applied in spot repairs for the purpose of blending a paint overspray area of a repaired topcoat to match the appearance of an adjacent existing topcoat.

(41) "Vancouver Air Quality Maintenance Area" or "Vancouver AQMA" is the Washington portion of the Portland-Vancouver Interstate Nonattainment Area for Ozone as defined in the Washington State Implementation Plan. The Vancouver AQMA includes the southern portion of Clark County, Washington.

(42) "Vehicle" means any device in, upon or by which any person or property is or may be transported or drawn upon a public highway and includes vehicles that are propelled or powered by any means.

(43) "Volatile Organic Compound" or "VOC" means those compounds of carbon defined in SWAPCA 400-030(89). For purposes of determining compliance with VOC content limits, VOC shall be measured by an applicable method identified in SWAPCA 493-400-060.

(44) "Water Hold-Out Coating" means a coating applied to the interior cavity areas of doors, quarterpanels, and rocker panels for the purpose of corrosion resistance to prolonged water exposure.

(45) "Weld-Through Coating" means a coating applied to metal immediately prior to welding to provide corrosion resistance.

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.

SWAPCA 493-400-030 Coating Standards and Exemptions

(1) Where required by SWAPCA 493-400-040 and 493-400-050, motor vehicle refinishing coatings shall not exceed the VOC content limitations in Table E when prepared in

accordance with the manufacturer's instructions, except as provided in SWAPCA 493-400-030(2).

**Table E
VOC Content Limits of Motor Vehicle Refinishing Coatings**

<u>Coating Type</u>	<u>VOC Content Limits*</u> (lbs/gal)
Pretreatment Wash Primer	6.5
Precoat	6.5
Primer	4.8
Primer Surfacer	4.8
Primer Sealer	4.6
Topcoat	5.0
Basecoat/Clearcoat Topcoat System	5.0
Three-Stage Coating System	5.2
Multi-Color Coating	5.7
Specialty Coating	7.0

VOC content is determined as prepared for use in accordance with manufacturer's instructions, and shall be calculated by the following equation:

$$\text{Pounds of VOC per gallon} = \frac{W_{voc}}{V_m - V_w - V_{ec}}$$

- Where: W_{voc} = Weight of VOC in pounds, or the weight of all volatile compounds less the weight of water, less the weight of exempt compounds;
- V_m = Volume of material in gallons;
- V_w = Volume of water in gallons;
- V_{ec} = Volume of exempt compounds, in gallons.

[Note: * VOC emission limits are expressed as pounds of VOC per gallon of coating excluding the volume of water and exempt compounds.]

(2) Exemptions. The VOC content limits in SWAPCA 493-400-030(1) shall not apply to:

- (a) Coatings supplied in aerosol spray cans;
- (b) Touch-up coatings;
- (c) Stencil coatings;
- (d) Coatings used for graphic design applications.

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.

SWAPCA 493-400-040 Requirements for Manufacture and Sale of Coatings

(1) Manufacture. Any person who manufactures motor vehicle refinishing coatings for sale within Clark County, Washington after July 1, 1996 shall:

- (a) Provide written instructions for preparation of the product; and

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(b) Designate in writing the VOC content of these products as prepared for use in accordance with the manufacturer's instructions.

(2) Shipment to the Vancouver AQMA. Except as provided in SWAPCA 493-400-040(4), no person shall knowingly sell, ship or provide a motor vehicle refinishing coating after July 1, 1996 for use within the Vancouver AQMA unless the VOC content of the product as designated by the manufacturer complies with the VOC content limits in SWAPCA 493-400-030 when prepared in accordance with the manufacturer's instructions.

(3) Sale within Clark County, Washington. Except as provided in SWAPCA 493-400-040(4), no person shall sell motor vehicle refinishing coatings after July 1, 1996 within Clark County, Washington unless the VOC content of the product as designated by the manufacturer complies with the VOC content limits in SWAPCA 493-400-030 when prepared in accordance with the manufacturer's instructions.

(4) Sale for use outside the Portland-Vancouver Interstate AQMA. Motor vehicle refinishing coatings which do not comply with the VOC limitations of SWAPCA 493-400-030 may be sold for shipment to the Vancouver AQMA, or sold within Clark County, Washington if:

(a) The product is to be used outside the boundary of the Portland-Vancouver Interstate AQMA; and

(b) The purchaser provides written certification to the seller in the manner described by SWAPCA 493-400-040(5) that the product is to be used outside of the Portland-Vancouver Interstate AQMA.

(5) Purchase Certifications. When required by SWAPCA 493-400-040(4), certifications of intended use shall at a minimum contain the following information:

- (a) Purchaser's name and address;
- (b) Date of Purchase;
- (c) Name of coating or coating system purchased;
- (d) Type of coating;
- (e) Quantity of coating purchased;
- (f) Address of location where the coating will be used;
- (g) A statement certifying that the coating will not be used within the Portland-Vancouver Interstate AQMA to the best of the purchaser's knowledge; and
- (h) Purchaser's signature.

SWAPCA 493-400-050 Requirements for Motor Vehicle Refinishing in Vancouver AQMA

Except as provided in SWAPCA 493-400-050(3), persons performing motor vehicle refinishing of on-road motor vehicles within the Vancouver AQMA shall:

(1) After July 1, 1996:

(a) Use motor vehicle refinishing coatings which are identified by the manufacturer as complying with the VOC limits established in SWAPCA 493-400-030; and

(b) Prepare and apply the coatings in accordance with the manufacturer's instructions; and

(2) After June 1, 1997:

(a) Clean any spray equipment, including paint lines, in a device which:

- (1) Minimizes solvent evaporation during the cleaning, rinsing, and draining operations;

- (2) Recirculates solvent during the cleaning operation so the solvent is reused; and
- (3) Collects spent solvent to be available for proper disposal or recycling; and

(b) Apply motor vehicle refinishing coatings by one of the following methods:

- (1) High Volume Low Pressure spray equipment, operated and maintained in accordance with the manufacturer's recommendations;
- (2) Electrostatic application equipment, operated and maintained in accordance with the manufacturer's recommendations;
- (3) Dip coat application;
- (4) Flow coat application;
- (5) Brush coat application;
- (6) Roll coat application;
- (7) Hand-held aerosol cans; or
- (8) Any other coating application method which can be demonstrated to effectively control VOC emissions, and which has been approved in writing by SWAPCA.

(3) This rule shall not apply to any person who performs motor vehicle refinishing without compensation, and who performs refinishing on two or fewer on-road motor vehicles, or portions thereof, in any calendar year.

SWAPCA 493-400-060 Recordkeeping and Reporting Requirements

(1) Recordkeeping.

(a) Manufacturers of motor vehicle refinishing coatings sold in Vancouver AQMA shall maintain records which demonstrate that the VOC content designated under SWAPCA 493-400-040(1) is true and accurate. These records shall be maintained for at least two (2) years after a manufacturer's sale of a product for use in Vancouver AQMA, and may include, but are not limited to, product formulation data and test results using test methods specified in SWAPCA 493-400-060.

(b) Persons who sell motor vehicle refinishing coatings within the Vancouver AQMA shall maintain records for at least 2 years which are sufficient to allow a determination of compliance with SWAPCA 493-400-040 (3) and (4). These records shall include, but are not limited to, purchase certifications and sales information specifying the coating identification, quantity sold, and date of sale.

(c) Persons who perform motor vehicle refinishing of on-road motor vehicles within the Vancouver AQMA shall maintain records for at least 2 years which are sufficient to allow determination of compliance with SWAPCA 493-400-050. These records shall include, but are not limited to, manufacturers' instructions for preparation of coatings used and purchase information specifying the coating identification, quantity purchased and date of purchase.

(2) Reporting. Following request and within a reasonable period of time, records specified in SWAPCA 493-400-060(1) shall be made available to SWAPCA.

(3) Exemption from disclosure. If a person claims that any Records or Information, as defined in RCW 70.94.205 "Confidentiality of records and information", is confidential or otherwise exempt from disclosure, in whole or in part, the

person shall comply with the procedures specified in SWAPCA 493-500-030.

SWAPCA 493-400-060 Inspection and Testing Requirements

(1) The owner or operator of any facility subject to SWAPCA 493-400 shall, at any reasonable time, make the facility available for inspection by SWAPCA.

(2) Upon request of SWAPCA, any person subject to SWAPCA 493-400 shall furnish samples of motor vehicle refinishing coatings selected by SWAPCA from available stock for testing by SWAPCA to determine compliance with SWAPCA 493-400-030.

(3) Testing conducted under this rule shall be in accordance with EPA Method 24 or Method 25 as described in CFR Title 40 Part 60 (July 1, 1994), or by other methods approved by SWAPCA and EPA.

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

SWAPCA 493-500 - Area Source Common Provisions

SWAPCA 493-500-010 Applicability

SWAPCA 493-500 applies to all sections of SWAPCA 493-100 through SWAPCA 493-400.

SWAPCA 493-500-020 Compliance Extensions

Any manufacturer, as defined in SWAPCA 493-100-020, who cannot comply with the requirements specified in SWAPCA 493-100 to 493-400 by the applicable compliance date because of conditions specified in SWAPCA 493-500-020(4) may apply in writing to SWAPCA for a compliance extension of up to 3 years in renewable 1 year increments.

(1) A manufacturer shall apply in writing to SWAPCA for any compliance extension under SWAPCA 493-500-020. Information claimed by the applicant as confidential or otherwise exempt from disclosure shall be submitted in accordance with SWAPCA 493-500-030. The application shall include:

(a) An explanation of the specific grounds addressing each subsection under SWAPCA 493-500-020(4) on which the compliance extension is sought;

(b) The requested terms and conditions;

(c) The specific method(s) by which compliance with the requested terms and conditions will be achieved;

(d) Any interim measures which may be taken during the period of the compliance extension to limit the amount of emissions in excess of the rule limits; and

(e) If applicable, any compliance extension, alternate control requirement or variance order granted by another local, state or federal air pollution control agency.

(2) Within 30 days of receipt of the compliance extension application, SWAPCA shall determine whether an application is complete.

(3) Within 90 days after an application has been deemed complete, SWAPCA shall determine whether, under what

conditions, and to what extent, a compliance extension shall be approved. The applicant and SWAPCA may mutually agree to extend the period for making a determination, and additional supporting documentation may be submitted by the applicant before the determination is reached.

(4) In considering whether to approve a compliance extension, SWAPCA shall consider the following:

(a) Conditions beyond the control of the applicant;

(b) Special circumstances which render strict compliance unreasonable, burdensome or impractical due to special physical conditions or cause;

(c) Strict compliance would result in substantial curtailment or closing down of a business, plant, or operation; or

(d) No other alternative facility or method of handling is yet available.

(5) Any compliance extension order shall specify terms and conditions, including a date by which final compliance shall be achieved. The final compliance date shall not exceed 3 years after the applicable compliance date. A compliance extension shall be granted in 1 year increments which may be renewed until the final compliance date upon a showing by the manufacturer that any increments of progress and other terms and conditions in the order have been met.

(6) SWAPCA shall notify the applicant in writing of the determination under SWAPCA 493-500-020(3) of this rule and the terms and conditions established under SWAPCA 493-500-020(5).

(7) Notwithstanding SWAPCA 493-500-020(4), if, prior to the applicable compliance date, a manufacturer, as defined in SWAPCA 493-100-020, submits to SWAPCA a variance order granted by CARB which is valid as of February 20, 1995, the manufacturer shall be granted a 1 year extension from the applicable compliance date. Such compliance extensions may be revoked by SWAPCA if SWAPCA believes that the manufacturer is not in compliance with the terms and conditions of the CARB variance order.

(8) For any product for which a compliance extension has been approved pursuant to this rule, the manufacturer shall notify SWAPCA in writing within 30 days if the manufacturer learns that information submitted to SWAPCA under this rule has changed in a manner which could modify the basis of SWAPCA's approval.

(9) If SWAPCA believes that a product for which a compliance extension has been granted no longer meets the criteria for a compliance extension specified in SWAPCA 493-500, SWAPCA may modify or revoke the extension as necessary to ensure that the product will meet these criteria. SWAPCA shall notify the applicant in writing if a compliance extension is modified or revoked under this section.

SWAPCA 493-500-030 Exemption from Disclosure to the Public

(1) If a person claims that any records or information, as defined in RCW 70.94.205, is confidential or otherwise exempt from disclosure, in whole or in part, the person shall comply with the following procedures:

(a) The records or information shall be clearly marked with a request for exemption from disclosure. For a multi-page writing, each page shall be so marked.

(b) For records or information that contains both exempt and non-exempt material, the proposed exempt material shall be clearly distinguishable from the non-exempt material. If possible, the exempt material shall be arranged so that it is placed on separate pages from the non-exempt material.

(2) For records or information to be considered exempt from disclosure as a "trade secret," it shall meet all of the following criteria:

(a) The information shall not be patented;

(b) It shall be known only to a limited number of individuals within a commercial concern who have made efforts to maintain the secrecy of the information;

(c) It shall be information which derives actual or potential economic value from not being disclosed to other persons; and

(d) It shall give its users the chance to obtain a business advantage over competitors not having the information.

SWAPCA 493-500-040 Future Review

Within a reasonable period of time following adoption by the United States Environmental Protection Agency of regulations intended to reduce VOC emissions from one or more products subject to SWAPCA 493-100 through SWAPCA 493-400, SWAPCA shall provide the following information to the SWAPCA Board of Directors:

(1) A comparison of the federal regulation with SWAPCA 493-100 through 493-400;

(2) An estimate of the change in emissions which would occur from repeal of provisions in SWAPCA 493-100 through 493-400 applicable to such product or products;

(3) An assessment of the effect of eliminating or modifying the provisions of SWAPCA 493-100 through 493-400 on the State Implementation Plan adopted for Redesignation/Ozone Maintenance Plan, including any need for substitute measures; and

(4) A recommendation regarding amendment to eliminate such provisions and, if applicable, a schedule for amendment.

WSR 95-19-077
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed September 18, 1995, 3:53 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 94-16-021.

Title of Rule: Licensing standards for staffed residential homes for children, amending WAC 388-73-014, 388-73-058, 388-73-074, 388-73-076, and 388-73-146 of chapter 388-73 WAC; and adding twenty-two new sections.

Purpose: Creates a new category of licensed care for facilities that are smaller than group homes but may not meet the statutory definition of a foster family home.

Statutory Authority for Adoption: Chapter 74.15 RCW.

Statute Being Implemented: Chapter 74.15 RCW.

Summary: The proposed rules would provide health, fire, staffing, and program standards for a new category of care.

Reasons Supporting Proposal: Providers feel that it is unnecessarily burdensome for them to have to meet requirements for group homes which are generally larger.

Name of Agency Personnel Responsible for Drafting and Implementation: Barry Fibel, Olympia, 753-0204; and Enforcement: Rosalyn Oreskovich, Olympia, 586-4031.

Name of Proponent: Division of Children and Family Services, 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: The rules will provide simpler requirements for small residential programs that largely care for special needs children. The rules will eliminate the need for these facilities to meet the same requirements as group care facilities. The anticipated effect of these rules is that residential beds for special needs children would be more available.

Proposal Changes the Following Existing Rules: WAC 388-73-014, 388-73-058, 388-73-074, 388-73-076, and 388-73-146 are amended. These are rules that apply to most licensed child care programs. They cover social services, care of infants, earning and allowances, etc. They are revised to indicate that they also apply to the new category of care.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The facilities to which this revision applies represents an insignificant portion of their industrial group.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: OB-2 Auditorium, 1115 Washington Street S.E., Olympia, WA 98504, on November 7, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Office of Vendor Services by October 24, 1995, TDD (360) 753-4542.

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, 98504, Identify WAC Numbers, FAX (360) 586-8487, by October 31, 1995.

Date of Intended Adoption: November 8, 1995.

September 18, 1995

Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-014 Persons and organizations subject to licensing. Persons and organizations operating the following types of facilities are subject to licensing under chapter 74.15 RCW and RCW 74.08.044:

(1) "Group care facility for children" means an agency maintained and operated for the care of a group of children on a twenty-four-hour basis;

(2) "Child-placing agency" means an agency placing children for temporary care, continued care, or for adoption;

(3) "Maternity service" means an agency providing or arranging for care or services to expectant mothers regardless of age, before or during confinement, or providing care as needed to mothers and their infants after confinement. See WAC 388-73-702;

(4) "Day care facility" means an agency regularly providing care for children for periods of less than twenty-four hours. Separate requirements are adopted for the following subcategories of day care facilities:

(a) A "mini-day care program" means a day care facility 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 children are placed; or

(b) A "day treatment program" means an agency providing care, supervision, and appropriate therapeutic and educational services during part of the twenty-four-hour day for a group of persons under eighteen years of age and the persons are unable to adjust to full-time regular or special school programs or full-time family living because of:

- (i) Disruptive behavior;
- (ii) Family stress;
- (iii) Learning disabilities; or
- (iv) Other serious emotional or social handicaps.

(5) "Foster family home" means a person or persons regularly providing care on a twenty-four-hour basis to one or more, but not more than four, children, expectant mothers, or developmentally disabled persons in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or developmentally disabled person is placed;

(6) "Large foster family home" means a foster family home with at least two adult residents in the home providing care on a twenty-four-hour basis to five or six children or developmentally disabled persons;

(7) "Crisis residential center" means an agency operating under contract with the department to provide temporary, protective care to children in a semisecure residential facility in the performance of duties specified and in the manner provided in RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036. Separate requirements are adopted for the following subcategories of crisis residential centers:

(a) A regional crisis residential center is a structured group care facility whose primary and exclusive functions are those of a crisis residential center;

(b) A group care facility functioning partially or exclusively as a crisis residential center;

(c) A foster family home functioning either partially or exclusively as a crisis residential center and has been designated as a crisis residential center by the department.

(8) A "facility for severely and multiply-handicapped children" means a group care facility providing residential care to a group of nonambulatory children whose severe, disabling, multiple physical, and/or mental handicaps will require intensive personal care, and may require skilled health care, physical therapy, or other forms of therapy;

(9) "Staffed residential home for children or expectant mothers" means a home providing twenty-four-hour care for less than seven children or expectant mothers. The home

employs staff to care for children and may or may not be a family residence.

AMENDATORY SECTION (Amending Order 2081, filed 2/29/84)

WAC 388-73-058 Earnings, allowances, personal belongings. (1) Except for crisis residential centers, juvenile detention facilities staffed residential home for children, and foster family homes, full-time child care providers shall give each child a regular allowance based on ~~((his or her))~~ age, needs, and ability to handle money.

(2) Group care facilities shall account for allowances given and for children's earnings, if any, in a ledger or other appropriate record maintained for this purpose.

(3) When a person is discharged, ~~((he or she shall be permitted))~~ the licensee shall permit the person to take ((his or her)) personal belongings and all of ((his or her)) the person's money, or be fully informed about the transfer of ((his or her)) the person's money to another facility.

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-074 Social service staff. (1) Each child-placing agency, day treatment program, maternity service staffed residential home for children, and group care facility, except for juvenile detention facilities, shall provide or arrange for social services by persons at least one of whom has a master's degree in social work or closely allied field.

(2) Social service staff not having a master's degree in social work shall have a bachelor's degree in social work or closely allied field and shall receive face-to-face supervision by a person having a master's degree in social work or closely allied field for a minimum of one hour for each twenty hours of paid employment.

(3) When social services are provided by an agency other than the licensee, there shall be a written agreement detailing the scope of service to be provided. Any such agreement must meet the requirements of this section.

(4) The licensee shall provide the following minimum ratios of full-time social service staff providing direct services to persons under care ((shall be provided)):

Day treatment program	1 to 15
Group care facilities	1 to 25
Child-placing agency	1 to 25
Maternity services	1 to 25
Regional and other group care crisis residential centers	1 to 5

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-076 Social study—Treatment plans. Except for juvenile detention facilities, the social service staff of each child-placing agency, day treatment program, maternity service staffed residential home for children, and group care facility shall:

(1) Develop or assemble from appropriate sources a written diagnostic social study on each child and expectant mother accepted for care. Except in the case of persons accepted for emergency care, the study shall serve as the basis of the person's admission to care. In such case, the

PROPOSED

study shall be completed within thirty days after admission if the person remains in care. The study shall contain in addition to the minimum information recorded as required by WAC 388-73-054 the following information:

(a) Child's school records, when possible. Where children attend school away from the facility, records mean grade placement, reports, and correspondence with schools. Where the facility has a school on the grounds, records shall mean transcripts and other records normally kept by a school.

(b) Copies of psychological or psychiatric evaluations, if any, of the child or expectant mother.

(c) A narrative description of the background of the child and his or her family, the child's interrelationships and the problems and behaviors necessitating care away from own home, previous placement history, if any, and an evaluation as to need for the particular services and type of care the licensee will provide. For American Indian children, see WAC 388-73-044.

(2) Develop and implement a written treatment plan for each person accepted for care. Such plan shall outline the agency's treatment goals and methods of work with the individual and his or her family. The plan shall be updated at least quarterly to show progress toward achievement of goals and shall identify impediments to the return of the child to his or her own home, the home of relatives, or placement for adoption and steps taken or to be taken to overcome those impediments. No person shall be admitted to nor retained in an agency's program where the person cannot be served effectively by the program or where the person can be served more appropriately by another available program.

(3) Whenever the treatment plan indicates the child may return to his or her own home, ~~((the agency shall))~~ provide or arrange for services to child's parents. Where geographical or other conditions prevent the licensee from working directly with child's parents or another agency is already providing appropriate services, the licensee shall enter into an agreement with the agency for joint planning and exchange of reports toward the end of reuniting the family, or shall make arrangements with another appropriate agency toward that end.

(4) Whenever the treatment plan indicates the child will not be able to return to his or her own home, ~~((the agency shall))~~ move expeditiously to develop a plan for permanence for the child. The permanent placement for the child shall be made in a family able to meet the child's physical, emotional, and cultural needs.

(5) Ensure agency records ~~((shall))~~ include a running account of the treatment received by the child and others involved in the treatment plan including but not limited to group treatment, individual counseling, etc., whether delivered by the agency or a contracted source. The file shall be updated no less frequently than once per thirty days.

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92).

WAC 388-73-146 Care of younger or severely and multiply-handicapped children. This section is applicable only to mini-day care programs, group care facilities, and facilities for severely and multiply-handicapped children.

(1) A licensee shall not accept a child under one month of age for day care.

(2) Facilities licensed to care for thirteen or more children shall provide separate, safe play areas for children under one year of age or children not walking. Children under one year of age shall be cared for in rooms or areas separate from older children, as approved by the department with not more than eight such children to a room or area and with handwashing facilities in each such room or area or convenient thereto.

(3) Diaper changing. The provider shall ensure:

(a) Diaper-changing areas shall be sanitized between use for different children or protected by a moisture impervious (or not absorbent) disposable covering discarded after each use;

(b) Disposable towels or clean reusable towels having been laundered between children shall be used for cleaning children;

(c) Personnel shall wash hands before and after diapering each child;

(d) Diaper-changing areas shall be separate from food preparation areas and shall be adjacent to a handwashing sink; and

(e) The designated changing area shall be impervious to moisture and washable.

(4) Except for foster family homes, the provider shall use disposable diapers, a commercial diaper service, or reusable diapers supplied by the child's family. Soiled diapers shall be placed without rinsing into separate, cleanable, covered containers provided with waterproof liners prior to transport to laundry, parent, or acceptable disposal. Soiled diapers shall be removed from the facility at least daily. Diaper-changing procedures shall be posted at the changing areas.

(5) The agency shall initiate the child's toilet training when readiness is indicated by the child and in consultation with the child's parents or placement agency. Potty chairs, when in use, shall be located on washable, impervious surfaces.

(6) When the agency formula feeds infants under one year of age, the infants shall be on a formula feeding schedule agreed upon by the child's parent or parents, guardian, the placement agency, and the licensee. When the agency formula feeds severely and multiply-handicapped children, the children shall be on a schedule agreed upon by the children's physician and the facility's dietitian (see WAC 388-73-144(8)).

(a) Feedings prepared on the premises of the facility.

(i) Any child's formula provided by the parent or parents, guardian, placement agency, or licensee shall be in a ready-to-feed strength or require no preparation other than dilution with water at the day care facility.

(ii) If the container in which the feeding was purchased does not include a sanitized bottle and nipple, the agency shall transfer ready-to-feed formula from the bulk container to the bottle and nipple feeding unit in a sanitary manner in an area separate from diapering areas.

(iii) The agency shall refrigerate filled bottles if bottles are not used immediately and the contents shall be discarded if bottles are not used within twelve hours.

(iv) If bottles and nipples are reused by the facility, the agency shall sanitize the bottles and nipples.

(v) When more than one bottle-fed child is in care, the agency shall label the bottles with the child's name and date prepared. The agency shall pour milk for children requiring bottles but no longer on formula from the original container into sanitized, labeled bottles. The agency shall use sanitized nipples only on the bottles.

(b) Feedings brought to the child care facility.

(i) When the parent brings bottles into the facility, the bottles shall have a label showing the child's name.

(ii) The agency shall refrigerate bottles immediately upon their arrival at the facility and the agency shall discard the bottle contents if not used within twelve hours.

(c) Bottles shall not be propped. The agency shall provide semisolid foods for infants at between four and five months of age, upon consultation with the parent or placement agency, and/or with a physician when indicated. Infants too young or unable to sit in high chairs shall be held by the care giver in a semisitting position for all feedings unless medically contraindicated. Infants six months of age or over showing a preference for holding their own bottles may do so provided an adult remains in the room and within observation range. The agency shall take bottles from the child when the child finishes feeding or when the bottle is empty. See also WAC 388-73-144.

(7) Cribs.

(a)(i) Providers shall furnish single level infant cribs made of wood, metal, or approved plastic with secure latching devices. Such infant cribs shall also have no more than two and three-eighths inches space between vertical slats when used for infants under six months of age.

(ii) For infants, providers may use cribs not meeting the spacing requirement provided crib bumpers or other effective methods are used to prevent the infant's body from slipping between the slats.

(b) Infants' crib mattresses shall be:

(i) Snug fitting to prevent the infant or severely and multiply-handicapped child being caught between the mattress and crib side rails; and

(ii) Waterproof and easily sanitized.

(8) Children's activities.

(a) The facility shall provide infants and severely and multiply-handicapped children opportunities for:

(i) Exercise;

(ii) Large and small muscle development;

(iii) Crawling and exploring;

(iv) Sensory stimulation;

(v) Social interaction; and

(vi) Development of communication and self-help skills.

(b) The facility shall provide safe and suitable toys and equipment for the care of infants and severely and multiply-handicapped children.

(9) The licensee shall prohibit smoking in a foster home caring for infants and/or medically fragile children and in a motor vehicle when the licensee transports such children. The licensee may permit smoking outdoors on the premises away from the building, where the child is not present.

(10) Nursing consultation.

(a) Except for facilities caring for severely and multiply-handicapped children requiring a registered nurse on staff or under contract, facilities licensed for the care of four or more infants shall arrange for regular consultation to include at

least one monthly on-site visit by a registered nurse trained or experienced in the care of young children.

(b) In collaboration with the agency's administrative staff, the nurse shall advise the agency on the:

(i) Operation of the infant care program; and

(ii) Implementation of the child health program.

(c) The agency's written agreement with the registered nurse shall be available in the facility.

(d) The agency shall document the nurse's on-site visits.

(e) The nurse's name and telephone number shall be posted or otherwise available in the agency.

NEW SECTION

WAC 388-73-351 Staffed residential homes for children or expectant mothers. The rules in WAC 388-73-351 through 388-73-399 apply only to licensing staffed residential homes.

NEW SECTION

WAC 388-73-353 Agency affiliation. A staffed residential home for children or expectant mothers shall only operate under the auspices of and/or contract with a licensed child placing agency or the department. The agency shall provide social services as required under WAC 388-73-074 and 388-73-076.

NEW SECTION

WAC 388-73-355 Function of staffed residential home for children or expectant mothers. A staffed residential child care home shall normally serve children who:

(1) Need foster care but may not ordinarily adjust to the close, personal relationships normally found in a foster family home; or

(2) Are emotionally disturbed or physically or mentally handicapped, or medically fragile, or whose behavior is inappropriate for foster family care.

(3) The home, through its own program or by arrangement with appropriate community resources, shall provide the necessary specialized services required by the group which the facility services.

NEW SECTION

WAC 388-73-357 Capacity. (1) A staffed residential home for children or expectant mothers shall be licensed for the care of not more than six children.

(2) A staffed residential home for children or expectant mothers having only one staff on duty shall not care for more than four children. An additional staff person shall be required to care for more than four children.

(3) A staffed residential home for children or expectant mothers shall not be licensed for more than three expectant or parenting mothers.

(4) A staffed residential home for children or expectant mothers shall not be licensed for more than two children under two years of age, except for a home caring for expectant or parenting mothers.

(5) A staffed residential home for children or expectant mothers shall not be licensed for the care of more than three

persons experiencing mental or physical handicaps of such severity as to require nursing care, and then only if the:

(a) Licensee provides staff who are qualified by training related to the administration of the required medical procedures and relevant experience to provide proper care; and

(b) The person's treatment is under the supervision of a physician.

(6) A staffed residential home for children or expectant mothers may be licensed for the care of more than two nonambulatory persons whether that condition is due to age or physical or mental impairment if it is in compliance with WAC 388-73-371 through 388-73-395.

NEW SECTION

WAC 388-73-361 Required positions. A staffed residential home for children or expectant mothers shall provide staff in accordance with the following requirements:

(1) A director responsible for the general management and administration of the agency's program. This person shall:

(a) Be twenty-five years of age or older;

(b) Possess an ability to understand the role of the agency in meeting the needs of children;

(c) Work with representatives of appropriate agencies;

(d) Have:

(i) A bachelor's degree in a social science or closely allied field and two years successful, full-time experience working in a group care facility for children; or

(ii) A minimum of five years' successful, full-time experience:

(A) Working in a group care facility for children in an administrative or child care capacity; or

(B) As a foster parent with a letter of recommendation from the licensing agency and/or supervising agency.

(e) Have a year's successful experience working with children in the age group and with same problems as the population in care or have training (e.g., a college course or multiple workshops) on working with children with the specific problems, unless another staff member has the experience or training;

(f) The director, or a person meeting the same qualifications, shall be on the premises during daytime hours when children are in care; and

(g) Be responsible for the administration of the agency including supervision of the staff, program planning, and overseeing the implementation of the plan of care or treatment for each child in care.

(2) Child care staff whose primary duties are the care, supervision, and guidance of children. Such staff shall be at least eighteen years of age. Staff under twenty-one years of age shall be under the immediate supervision of staff at least twenty-one years of age.

(a) During the nighttime hours there shall be at least one awake child care staff member on duty. (The requirement for an awake staff may be waived when there are fewer than three children in care and these children do not require intensive supervision due to behavioral or medical problems.)

The director and support and maintenance staff may serve as child care staff, if qualified, when not involved in other duties, provided the required number of child care staff is maintained.

(b) When only one child care staff is on duty, a second person shall be on call and available to respond within one half-hour.

(3) The agency shall have relief staff to enable all staff to have the equivalent of two days a week off.

NEW SECTION

WAC 388-73-363 Nursing services. (1) A staffed residential home for children or expectant mothers home having as its major purpose the care of chronically ill or severely handicapped children shall make arrangements for regular nursing consultation, including regular visits (not less frequent than monthly) or as prescribed in the contract and the individual child's treatment plan, by a registered nurse currently licensed in the state of Washington.

(2) The nurse's name, address, and telephone number shall be readily available. The nurse shall assist the agency in implementing a program which provides for periodic health supervision of all children and for follow-up care of special health needs as identified by the child's physician or noted by agency personnel.

(3) The nurse shall advise and assist nonmedical personnel in maintaining child health records, meeting daily health needs and caring for children with minor illnesses and injuries.

NEW SECTION

WAC 388-73-365 Required rooms, areas, and equipment. The facility shall provide rooms of sufficient size and properly equipped to accommodate the number of children served and their special needs. The facility shall provide the following rooms or areas:

(1) Bedrooms (per WAC 388-73-106), except that bedrooms housing children requiring medical equipment shall have additional space for that equipment.

(2) Living room. There shall be at least one comfortable furnished living room.

(3) Dining area. A dining room area shall be provided with sufficient capacity to accommodate the group comfortably and furnished appropriate.

(4) Staff quarters. Room for staff on night supervision shall be separate from but in proximity to the sleeping rooms of the children.

(5) Recreation area. The agency shall provide at least one separate indoor area, sufficient in size and location, for recreational and informal education activities. This may be a dual purpose room.

(6) Office. The agency shall provide a room or area that can be used as an administrative office.

(7) Visiting area. The agency shall provide space where privacy can be achieved for the use of visitors.

(8) Some area/rooms may have multiple uses (e.g., dining room and recreation area, visiting area, and living room).

NEW SECTION

WAC 388-73-367 Staffed residential homes for children or expectant mothers—Services to person under care. (1)(a) A staffed residential child care home shall provide or arrange for such care and supervision as the age

and physical condition of the persons under care require and shall include transportation and the teaching of social and living skills.

(b) The facility shall provide opportunities for play and recreation. Staff shall encourage persons in care to participate in community and culturally relevant activities in accord with the person's capacity for such experience.

(2) The agency shall submit a:

(a) Written program description for departmental approval including a list of services to be provided to the residents and their families and how and by whom these services will be provided; and

(b) Schedule of typical daily activities for persons in care.

NEW SECTION

WAC 388-73-369 Fire safety—Staffed residential child care home for children or expectant mothers. (1) A staffed residential home for children or expectant mothers shall comply with the fire safety requirements in WAC 388-73-310.

(2) A staffed residential home for children or expectant mothers caring for more than two nonambulatory children shall comply with the fire safety requirements in WAC 388-73-371 through 388-73-395.

(3) A home caring for six children shall comply with the applicable sections of the Uniform Building Code.

NEW SECTION

WAC 388-73-371 Location of care. (1) The licensee shall ensure that care in a staffed residential home for children or expectant mothers caring for more than two nonambulatory children shall be provided on one floor which is at ground level.

(2) Floors located more than four feet above or below grade level shall not be used for child care.

NEW SECTION

WAC 388-73-373 Occupancy separations. (1) Hazardous area shall be separated from the staffed residential home for children or expectant mothers facility by at least a one-hour fire-resistive occupancy separation.

(2) Hazardous areas include rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible material, or painting operation.

(3) A fire-resistive separation shall not be required where the food preparation kitchen contains only a domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors.

NEW SECTION

WAC 388-73-375 Exits. (1) At least one exit door shall be of the pivoted or side-hinged swinging type. Other exit doors may be sliding doors.

(2) Each facility used for child care purposes shall be provided with two exits, located at opposite ends of the building or floor.

NEW SECTION

WAC 388-73-377 Windows. (1) Every sleeping or napping room shall have at least one operable window for emergency rescue with the exception of sleeping or napping rooms having doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

(2) All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor. A stationary platform may be used to attain the forty-four inch sill height.

(3) Bars, grilles, grates, or similar devices may be installed on emergency escape or rescue window or doors, provided the devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort.

NEW SECTION

WAC 388-73-379 Sprinklers. The requirement for one of the two exits may be deleted if a residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d and the remaining exit is a door.

NEW SECTION

WAC 388-73-381 Accessibility of exits. (1) Exit doors and rescue windows shall be easily openable to the full open position.

(2) Exit doors and rescue windows shall be openable from the inside without having to use a key. Night latches, dead bolts, security chains, manually operated edge or surface mounted flush bolts and surface bolts shall not be used. The locking arrangement on outside exit doors should be such that they will automatically unlock when the doorknob is turned from the inside.

(3) Obstructions shall not be placed in corridors, aisles, doorways, exit doors, stairways, ramps, or rescue windows.

(4) No space which is accessible only by ladder, folding stairs, or trap doors shall be used for staffed residential homes for children or expectant mothers.

(5) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency. The opening device shall be readily accessible to the staff.

(6) Every closet door latch shall be such that children can open the door from the inside of the closet.

(7) Barriers to exiting shall be restricted to gates or other approved devices that are easily openable and do not delay exiting.

NEW SECTION

WAC 388-73-383 Single station smoke detectors. (1) Smoke detectors shall be located in all sleeping and napping rooms in and at a point centrally located in the corridor or area giving access to each separate sleeping or napping area.

(2) Where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that

of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and in the adjacent room.

(3) Detectors shall sound an alarm audible in all sleeping and napping areas of the facility in which they are located. The minimum acceptable audibility level is sixty decibels.

(4) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(5) Smoke detectors may be solely battery operated when installed in existing buildings or buildings without commercial power.

(6) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

NEW SECTION

WAC 388-73-385 Fire extinguishers. (1) The licensee shall provide: At least one approved two A, ten B:C rated fire extinguisher. Such extinguisher(s) shall be located in the area of the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet. Where the travel distance exceeds seventy-five feet, an additional extinguisher(s) shall be required.

Approved two A, ten B:C rated means a fire extinguisher with an Underwriters Laboratory label on the nameplate classifying the extinguisher as two A, ten B:C rated. These extinguishers are usually multi-purpose five-pound dry chemical units.

(2) Fire extinguishers shall be operationally ready for use at all times.

(3) Fire extinguishers shall be kept on a shelf or mounted in a bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(4) Fire extinguishers shall receive yearly maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of:

- (a) Mechanical parts;
- (b) Extinguishing agent; and
- (c) Expelling means.

(5) New fire extinguishers need not receive an additional certification test during the first year.

NEW SECTION

WAC 388-73-387 Fire prevention. (1) The licensee shall request the local fire department to visit the child care home to assist care givers in meeting all necessary fire safety requirements and become familiar with the home.

(2) The licensee shall assure that furnace rooms are maintained free of lint, grease, and rubbish accumulations and are suitably isolated, enclosed, or protected.

(3) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and should be removed from the building or stored in closed, metal containers.

(4) All waste generated shall be removed daily from the building and disposed of in a safe manner outside the building. All containers used for the disposal of waste material be of noncombustible materials with tops. Electrical motors shall be kept dust-free.

(5) Open-flame devices capable of igniting clothing shall not be left on, unattended or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(6) All electrical circuits, devices and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multi-plug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(7) House numbers shall be clearly visible from the street or road fronting the property and contrast with their background. Where the home is not clearly visible from the road, the address shall be posted at the head of the driveway.

(8) Fireplaces, woodstoves, and all other similar devices must be installed and approved according to the rules that were in effect at the time of installation as evidenced by a local building permit. Such devices shall be properly maintained and shall be cleaned and certified at least once a year or as recommended by the manufacturer.

NEW SECTION

WAC 388-73-389 Sprinkler system maintenance. Sprinkler systems, if installed, shall be tested and certified yearly by a Washington state licensed fire sprinkler contractor.

NEW SECTION

WAC 388-73-391 Fire evacuation plan. The licensee shall develop a written fire evacuation plan. The evacuation plan shall include an evacuation floor plan, identifying exit doors and windows, that should be posted at each exit door. The licensee shall ensure the plan includes the:

- (1) Action to take by the person discovering a fire;
- (2) Methods for sounding an alarm on the premises;
- (3) Action to take for evacuation of the building, assuring accountability of the children; and
- (4) Action to take pending arrival of the fire department.

NEW SECTION

WAC 388-73-393 Fire evacuation drill. The licensee shall:

- (1) Conduct a fire evacuation drill at least once each month; and
- (2) Maintain a written record on the premises indicating the date, time, and other required entries on the form.

NEW SECTION

WAC 388-73-395 Staff fire safety training. (1) The licensee and each employee or assistant shall be familiar with all elements of the fire evacuation plan and shall be capable of:

- (a) Operating fire extinguishers installed on the premises;
- (b) Testing smoke detectors (single station types); and
- (c) Conducting frequent inspections of the home to identify fire hazards and take action to correct any hazards noted during the inspection.
- (2) The licensee shall conduct such inspections on at least a monthly basis and keep records on the premises.

WSR 95-20-001
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
 [Filed September 20, 1995, 2:52 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Definitions relating to broker-dealer registration.

Purpose: To remove language inadvertently included in the definition of "OTC non-NASDAQ equity securities" in WAC 460-20B-020(4).

Statutory Authority for Adoption: RCW 21.20.450.

Statute Being Implemented: RCW 21.20.450.

Summary: The definition of "OTC non-NASDAQ equity securities" in WAC 460-20B-020(4) expressly includes NASDAQ Small-Cap equity securities and equity securities quoted on the NASD's OTC Bulletin Board. The inclusion of NASDAQ Small-Cap equity securities in this definition was inadvertent. The proposed rule would eliminate NASDAQ Small-Cap equity securities from the definition of "OTC non-NASDAQ equity securities."

Name of Agency Personnel Responsible for Drafting: Suzanne Sarason, 210 11th Street S.W., 3rd Floor West, (360) 902-8767; **Implementation:** John L. Bley, 210 11th Street S.W., 3rd Floor West, (360) 902-8707; and **Enforcement:** Deborah R. Bortner, 210 11th Street S.W., 3rd Floor West, (360) 902-8760.

Name of Proponent: Department of Financial Institutions, Securities Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule would eliminate the words "NASDAQ Small-Cap equity securities" which were inadvertently added to the definition of "OTC non-NASDAQ equity securities" in WAC 460-20B-020(4). The term "OTC non-NASDAQ equity securities" is used in the description of fraudulent practices of broker-dealers in WAC 460-20B-008(6), in the description of dishonest and unethical practices by broker-dealers in WAC 460-20B-060 (21) and (23), and in the description of dishonest and unethical practices by salespersons in WAC 460-22B-090(17). The effect of the proposed change would be to reduce the scope of those descriptions.

Proposal Changes the Following Existing Rules: The proposed change would eliminate NASDAQ Small-Cap equity securities from the definition of OTC non-NASDAQ equity securities in WAC 460-20B-020(4).

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business

economic impact statement is not required because the proposed rule does not impose costs on business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Executive Conference Room, General Administration Building, 3rd Floor West, 210 11th Street S.W., Olympia, WA 98504, on November 7, 1995, at 10 a.m.

Assistance for Persons with Disabilities: Contact Darlene Bamer by November 2, 1995, TDD (360) 664-8126, or (360) 902-8760.

Submit Written Comments to: FAX (360) 586-5068, by November 6, 1995.

Date of Intended Adoption: November 9, 1995.

September 15, 1995

John L. Bley

Director

AMENDATORY SECTION (Amending WSR 95-16-026, filed 7/21/95, effective 8/21/95)

WAC 460-20B-020 Definitions. For the purposes of this chapter and chapters 460-21B, 460-22B, and 460-23B WAC:

(1) "Central Registration Depository" ("CRD") shall mean the national registration system operated by the National Association of Securities Dealers, Inc. pursuant to a contract with the North American Securities Administrators Association.

(2) "Balance sheet" shall mean a balance sheet prepared in accordance with generally accepted accounting principles.

(3) "Branch office," for the purpose of this chapter, shall mean any office, residence or other place or location in this state where the business of a registered broker-dealer is conducted and which is owned or controlled by, or operated directly or indirectly for the benefit of, the registered broker-dealer, and where the business of a broker-dealer is conducted by a principal, salesperson, or salespersons for such registered broker-dealer, except that the following are not considered branch offices:

(a) Any location identified in a telephone directory line listing or on a business card or letterhead, which listing, card, or letterhead also sets forth the address and telephone number of the office from which persons conducting business from the location are directly supervised;

(b) Any location referred to, in an advertisement by a broker-dealer, by its local telephone number or local post office box provided that such reference may not include the street address of the location and that such reference also sets forth the address and telephone number of the office from which persons conducting business at the location are directly supervised;

(c) Any location identified by address in a broker-dealer's sales literature, provided that the sales literature also sets forth the address and telephone number of the office from which persons conducting business at the location are directly supervised; or

(d) The principal office of the broker-dealer.

(4) "OTC non-NASDAQ equity securities" shall mean equity securities not traded on a national securities exchange or on NASDAQ. (~~NASDAQ Small-Cap equity securities~~)

and)) Equity securities quoted on the NASD's OTC Bulletin Board are OTC non-NASDAQ equity securities.

WSR 95-20-011
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Filed September 25, 1995, 10:47 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-15-007.

Title of Rule: WAC 388-517-1740 Special low-income Medicare beneficiaries (SLMB)—Income and resources.

Purpose: Provide regulatory support for the disregard of the Social Security COLA to April 1 of each year for SLMB clients.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: The SSA COLA will be disregarded until April 1 of each year for SLMB clients. This rule will ensure like treatment of QMB and SLMB clients.

Reasons Supporting Proposal: This procedure is already in Manual F. This rule meets original intent and practice.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, MAA, (360) 753-7462.

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 does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule has no impact on a nongovernmental agency.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: OB-2 Auditorium, 1115 Washington Street S.E., Olympia, WA 98504, on November 7, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App by October 24, 1995, TDD (360) 753-4542, or SCAN 234-4542.

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by October 31, 1995.

Date of Intended Adoption: November 8, 1995.

September 25, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

AMENDATORY SECTION (Amending Order 3848A, filed 5/11/95, effective 6/11/95)

WAC 388-517-1740 Special low-income Medicare beneficiaries (SLMB)—Income and resources. (1) The department shall provide Medicare cost sharing for a SLMB client having:

((+)) (a) A total countable income, as determined under chapter 388-511 WAC, over one hundred percent of the current federal poverty level (FPL), but not exceeding one hundred twenty percent of the FPL. One hundred twenty percent of the current FPL is:

Family Size	Monthly
(i) One	\$ 747
(ii) Two	\$1,003

((2)) (b) Resources, as determined under WAC 388-511-1110, not exceeding twice the maximum supplemental security income (SSI) resource limits.

(2) The department shall not consider a person's social security cost-of-living increase until April 1 of each year.

WSR 95-20-019
PROPOSED RULES
LAKE WASHINGTON
TECHNICAL COLLEGE

[Filed September 26, 1995, 2:11 p.m.]

Supplemental Notice to WSR 95-14-125.

Preproposal statement of inquiry was filed as WSR 95-14-088.

Title of Rule: To change meeting times for the board of trustee meetings, WAC 495D-104-010.

Purpose: To amend WAC 495D-104-010 to change the time of day for regular meetings of the board of trustees.

Statutory Authority for Adoption: RCW 28B.50.140.

Statute Being Implemented: Chapter 42.30 RCW.

Reasons Supporting Proposal: Board decision on regular meeting times.

Name of Agency Personnel Responsible for Drafting and Implementation: Gary Cohn, Lake Washington Technical College, Kirkland, 828-5608; and Enforcement: Don Fowler, Lake Washington Technical College, Kirkland, 828-5601.

Name of Proponent: Lake Washington Technical College, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Changing the meeting time for board of trustee meetings would allow trustees to attend meetings without conflict of schedules for those currently working. There would be no effect anticipated other than the convenience.

Proposal Changes the Following Existing Rules: Meetings are currently held on the second Wednesday of each month at 7:30 a.m. in February, April, June, August, October, and December, and at 6:30 p.m. in January, March, May, July, September, and November.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The agency has determined that the rule is not subject to the requirement of

PROPOSED

the Regulatory Fairness Act because the rule is for the purpose of implementing the requirements of RCW 34.05.310 and will not impact businesses.

Hearing Location: 11605 132nd Avenue Northeast, Kirkland, WA 98034, on November 8, 1995, at 6:00 p.m.

Assistance for Persons with Disabilities: Contact Peggy Green by November 5, 1995, TDD (206) 828-5625, or (206) 828-5601.

Submit Written Comments to: FAX (206) 828-5611, by November 1, 1995.

Date of Intended Adoption: November 8, 1995.

September 22, 1995

Donald W. Fowler

President

Chapter 495D-104 WAC BOARD OF TRUSTEES

AMENDATORY SECTION (Amending WSR 93-03-086, filed 1/19/93, effective 2/19/93)

WAC 495D-104-010 Time and place of board meetings. The board of trustees shall hold one regular meeting on the second Wednesday of each month at ~~((7:30 a.m. in February, April, June, August, October, and December, and at 6:30))~~ 6:00 p.m. ~~((in January, March, May, July, September, and November))~~ and such special meetings as may be requested by the chair of the board or by a majority of the members of the board and announced in accordance with law. All regular and special meetings of the board of trustees shall be held at Lake Washington Technical College, unless scheduled elsewhere, and are open to the general public, except for lawful executive sessions. No official business may be conducted by the board of trustees except during a regular or special meeting.

WSR 95-20-020

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF AGRICULTURE

[Filed September 26, 1995, 4:03 p.m.]

Effective immediately, the Department of Agriculture, Food Safety and Animal Health Division, wishes to withdraw the proposed rule which establishes a license renewal date for food storage warehouses.

WSR 95-19-052 filed on September 14, 1995.

Candace Jacobs
Assistant Director

WSR 95-20-044

PROPOSED RULES STATE BOARD OF EDUCATION

[Filed September 29, 1995, 10:36 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-16-074.

Title of Rule: WAC 180-79-350 English—Subject area endorsement.

Purpose: The amendment to this rule will ensure that the preparation of English teachers includes literature from diverse cultures.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: The amendment reorders the essential areas of study for the English endorsement and specifies literature from diverse cultures as a requirement.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education.

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: Same as above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Spokane School District, Board Room No. 101, 200 North Bernard, Spokane, WA 99201-0282, on November 15, 1995, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Judy Rus, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, by November 13, 1995.

Date of Intended Adoption: November 17, 1995.

September 29, 1995

Larry Davis

Executive Director

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-350 English—Subject area endorsement. In order to receive an endorsement in English, the candidate shall have completed the minimum course work credit hours in the subject area of English, including, but not limited to, credit hours in each of the following essential areas of study:

- (1) Writing/composition.
- (2) American literature.
- ~~((2) English literature.))~~
- (3) ~~((Comparative))~~ World literature representing a variety of diverse cultures, including British literature.
- (4) Linguistics or structure of language.
- ~~((5) Writing/composition.))~~

WSR 95-20-045

PROPOSED RULES DEPARTMENT OF TRANSPORTATION

[Filed September 29, 1995, 1:30 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-16-083.

Title of Rule: Chapter 468-70 WAC, Motorist information signs.

Purpose: To adopt fee increases for motorist information signs.

Statutory Authority for Adoption: RCW 47.36.030.

Statute Being Implemented: 2ESHB 2080, section 220, Laws of 1995.

Summary: Raises application fees and annual permit fees.

Reasons Supporting Proposal: Mandated by section 220 of the 1995 Transportation Budget Bill, 2ESHB 2080.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David K. Peach, Olympia, Washington, (360) 705-7280.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: Provides for fee increases for motorist information sign applications and increases annual permit fees.

Proposal Changes the Following Existing Rules: Modifications, see above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Negligible fee increase mandated by 1995 legislature.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State Department of Transportation Building, Commission Board Room, Olympia, Washington, on November 21, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact TDD (360) 705-6980.

Submit Written Comments to: David K. Peach, 505 East Union, Olympia, WA 98504-7344, FAX (360) 705-6826, by November 6, 1995.

Date of Intended Adoption: November 21, 1995.

September 29, 1995

Gretchen P. White

for S. A. Moon

Deputy Secretary

for Operations

AMENDATORY SECTION (Amending Order 129, filed 8/13/91, effective 9/13/91)

WAC 468-70-070 Permits and procedure. (1) No business signs will be installed on information panels prior to issuance of a permit by the department. Permits will be issued by the department in accordance with this chapter.

(2) Permit applications will be accepted at the appropriate department of transportation district office in care of the district administrator. Applications transmitted by mail shall be effective from date of receipt rather than of mailing.

(3) One permit application will be for all the signing that the applicant will qualify for at a single interchange or intersection.

(4) Application, forms for which may be obtained from the department, shall contain the following information:

(a) Name and address of the owner of the business to be advertised.

(b) The highway for which the applicant seeks signing.

(c) A description of the interchange or intersection for which the business sign is to be installed.

(d) A statement of location including exact travel distance from the interchange or intersection and precise roads used for access.

(e) An agreement to limit the height of any on-premise sign to no greater than fifteen feet higher than the roof of the main building, for businesses located within one mile of an interchange or intersection. (Not applicable along interstate highways if the sign is not visible to the highway.)

Pursuant to RCW 47.42.046, for on-premise signs visible along rural interstate highways the department may waive the fifteen-foot height requirement, on a case-by-case basis, where granting the waiver will not preclude another business having an on-premise sign which complies with the fifteen-foot height requirement from receiving business signs.

(f) Such other information as may be required by the department.

(5) Each permit application will include a sketch, drawing or picture of the message to be placed on the business signs. The department shall have final approval of the design of the business sign and may modify such submissions to achieve uniformity.

(6) A standard application processing fee of (~~seventy-five~~) one hundred dollars will accompany each application. Such fee will be returned if an application is denied or if after approval the activity is not signed for reasons caused by the department.

(7) Any party aggrieved by an application determination of the department shall be accorded hearing rights before the secretary of transportation or his designee pursuant to chapter 34.05 RCW.

(8) Fabrication and installation of business signs:

(a) Once an application is approved, the department will request the business to provide the signs for installation. Such signs shall be built to the department's specifications prescribed by WAC 468-70-060. Prior to installation the business shall be billed and pay for the installation cost prescribed in WAC 468-70-080.

(b) When requested by a business, the department will manufacture business signs composed of standard solid color background with standard die cut or silk screened highway sign letters used for messages. The department does not manufacture business signs having nonstandard colors, nonstandard letters, or pictorial business symbols or trademarks. The manufacturing and installation fees for signs manufactured by the department are prescribed in WAC 468-70-080.

(9) Business sign annual permit, maintenance, and replacement:

(a) For a business which provides its own signs to the department, an annual permit fee of (~~ten~~) fifty dollars shall be charged.

Maintenance replacement signs shall be provided by the business, when requested by the department to replace weather worn signs. After installation the business will be billed for the installation cost as prescribed in WAC 468-70-080.

(b) For signs manufactured and maintained by the department, an annual maintenance fee shall be paid, as prescribed in WAC 468-70-080, for each business sign.

(c) Annual permit renewal and maintenance fees shall be paid within thirty calendar days after the anniversary of the permit issue. These fees will not be prorated for fractions of the year in the event of business sign removal or coverage. Failure to pay the annual fee within thirty calendar days after the anniversary of the permit issue will cause the permit to expire and the business signs to be removed from the specific information panels.

(10) In the event of change of ownership or operation, assignment of permits in good standing shall be effective only upon receipt of assignment by the department.

(11) Revocation and expiration:

(a) After hearing before the secretary of transportation or his designee, as required by chapter 34.05 RCW (Administrative Procedure Act) and the rules and regulations of the department adopted pursuant thereto, any permit may be revoked by the secretary or the secretary's designee who has conducted the hearing for any of the following reasons:

(i) For the making of any false or misleading statements in the application for any permit, whether or not the same is material to or relied upon by the department in the issuance of such permit when such false or misleading statement or information shall remain uncorrected after the expiration of thirty days following written notification thereof.

(ii) For allowing or suffering any on-premise sign to remain that does exceed the height requirements set forth in the act or this chapter.

(iii) For failure to provide the services and/or facilities required by WAC 468-70-050 and this section.

(b) If a permit is revoked or is allowed to expire, a new application may be accepted by the department and the application must meet the requirements of any other new application.

**WSR 95-20-056
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed October 2, 1995, 4:33 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-13-041.

Title of Rule: Chapter 388-15 WAC, Social services for families, children and adults, repealing WAC 388-15-217, 388-15-820, and 388-15-840.

Purpose: To comply with new laws and to delete obsolete rules. To eliminate redundancy and clarify the department's purpose and intent.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520, and chapter 18, Laws of 1995 1st sp. sess.

Other Identifying Information: WAC 388-15-217 is replaced by WAC 388-15-222; WAC 388-15-820 is incorporated in WAC 388-15-202; and WAC 388-15-840 is incorporated in WAC 388-15-203 and 388-15-830.

Statute Being Implemented: RCW 74.08.090, 74.09.520, and chapter 18, Laws of 1995 1st sp. sess.

Summary: See Purpose above.

Reasons Supporting Proposal: Oversight of repealment of WAC 388-15-217, 388-15-820, and 388-15-840.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lois Wusterbarth, Aging and Adult Services, 493-2538.

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 has been prepared under chapter 19.85 RCW. The department contracts directly or indirectly with roughly forty agency providers who arrange for or deliver long-term care services to clients eligible for Medicaid personal care, chore, and COPES programs; however, the rules we are filing do not impact these small businesses, but rather affect client eligibility, cost participation, and make clients subject to estate recovery for these program services. The department's proposed rules do not impact any agency other than the Department of Social and Health Services.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: OB-2 Auditorium, 1115 Washington Street S.E., Olympia, WA 98504, on November 7, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App, Acting Chief, by October 24, 1995, TDD (360) 753-4542, or SCAN 234-4542.

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by October 31, 1995.

Date of Intended Adoption: November 8, 1995.

October 2, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-15-217 Chore personal care services for employed disabled adults.
- WAC 388-15-820 Medicaid personal care services—Definitions.
- WAC 388-15-840 Medicaid personal care services—Assessment—Authorization.

**WSR 95-20-062
WITHDRAWAL OF PROPOSED RULES
HORSE RACING COMMISSION
(By the Code Reviser's Office)**

[Filed October 3, 1995, 10:00 a.m.]

WAC 260-12-010, proposed by the Horse Racing Commission in WSR 95-07-140, appearing in issue 95-07 of the

PROPOSED

State Register, which was distributed on April 5, 1995, is withdrawn by the code reviser's office 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 95-20-066
PROPOSED RULES
DEPARTMENT OF ECOLOGY

[Order 93-16—Filed October 3, 1995, 1:44 p.m.]

Continuance of WSR 95-16-109.

Preproposal statement of inquiry was filed as WSR 94-21-040.

Title of Rule: Chapter 173-354 WAC, Used oil management standards.

Purpose: To change the adoption date to December 15, 1995.

Date of Intended Adoption: December 15, 1995.

October 2, 1995

Mary Riveland
Director

WSR 95-20-067
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 3, 1995, 4:16 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-15-046.

Title of Rule: WAC 388-08-585 Equitable estoppel.

Purpose: Case law establishes the availability of the equitable estoppel defense in public assistance cases. This proposed regulation gives notice of the availability of the defense to department clients.

Statutory Authority for Adoption: Chapter 74.50 RCW.
Statute Being Implemented: Chapter 74.50 RCW.

Summary: Clarifies the authority of administrative law judges and review judges to consider equitable estoppel defenses in public assistance cases.

Reasons Supporting Proposal: Gives notice of the availability of the defense to department clients.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lisa Brodoff, Chief, Office of Appeals, (360) 753-3898.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of state court decision, Class Action #87-2-01239 2 or Kramarevcky vs. DSHS.

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

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule has no effect on small businesses. It will only impact the department and no other agencies or entities are affected.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Does not apply to the Department of Social and Health Services.

Hearing Location: OB-2 Auditorium, 1115 Washington Street South, Olympia, WA 98504, on November 7, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Jeanette Sevedge-App, Acting Chief, by October 24, 1995, TDD (360) 753-4542, or SCAN 234-4542.

Submit Written Comments to: Jeanette Sevedge-App, Acting Chief, Vendor Services, P.O. Box 45811, Olympia, WA 98504, Identify WAC Numbers, FAX (360) 586-8487, by October 31, 1995.

Date of Intended Adoption: November 8, 1995.

October 3, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

NEW SECTION

WAC 388-08-585 Equitable estoppel. (1) Equitable estoppel is an available defense to an appellant who is an applicant or a recipient of public assistance as defined in RCW 74.04.005(1), in an adjudicative proceeding pertaining to that applicant's or recipient's public assistance benefits.

(2) When an applicant or a recipient of public assistance raises, or the facts indicate, a claim that the equitable estoppel defense may apply to a party to the proceeding, the presiding officer shall consider the defense of equitable estoppel according to the precedents set by reported Washington state appellate case law.

(3) The presiding officer shall enter findings of fact and conclusions of law sufficient to determine whether:

(a) The equitable estoppel defense applies to the appeal; and, if so

(b) Each element of the defense has been met by the party asserting or benefitting from the defense in accordance with subsection (4) of this section.

(4) The party asserting or benefitting from the equitable estoppel defense shall establish each element of the defense by clear, cogent, and convincing evidence.

WSR 95-20-069
PROPOSED RULES
GAMBLING COMMISSION
[Filed October 3, 1995, 4:34 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-18-029.

Title of Rule: Bingo operation limitation, definitions, and record-keeping requirements.

Purpose: To clarify when the gambling manager's daily record-keeping responsibilities must be completed and to authorize bingo occasions to last up to eighteen consecutive hours and to last up to 4:00 a.m. as long as certain conditions remain in effect.

Statutory Authority for Adoption: RCW 9.46.070 (1), (8), (9), (11), (13), (14), (20).

Reasons Supporting Proposal: Clarifies agency record-keeping requirements and moves sections of one rule to more appropriate sections.

Name of Agency Personnel Responsible for Drafting: Michael Aoki-Kramer, Lacey, 438-7654, x310; Implementation and Enforcement: Frank L. Miller, Director, Lacey, 438-7654, x302.

Name of Proponent: Washington State Gambling Commission staff, governmental.

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: WAC 230-08-080 clarifies when the gambling manager's daily record-keeping responsibilities must be completed; and WAC 230-20-170 authorizes bingo occasions to last up to eighteen consecutive hours, authorizes bingo occasions to last up to 4:00 a.m. as long as certain conditions remain in effect, clarifies the section's title, and operational limitations, and moves record-keeping requirements and definitions to appropriate sections.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No change in existing requirements.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The agency did not elect to make section 201, chapter 403, Laws of 1995 apply to these rule adoptions.

Hearing Location: Embassy Suites Hotel, 20610 44th Avenue West, Lynnwood, on November 17, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Michael Aoki-Kramer by November 15, 1995, TDD (360) 438-7638, or (360) 438-7654, x310.

Submit Written Comments to: Michael Aoki-Kramer, Washington State Gambling Commission, P.O. Box 42400, Olympia, WA 98504-2400, FAX (360) 438-8652, by November 15, 1995.

Date of Intended Adoption: November 17, 1995.

October 3, 1995

Michael R. Aoki-Kramer
Rules and Policy Coordinator

AMENDATORY SECTION (Amending WSR 94-01-034, filed 12/6/93, effective 1/6/94)

WAC 230-08-080 Daily records—Bingo. In addition to any other requirement set forth in these rules, licensees for the operation of bingo shall be required to prepare a detailed record covering each bingo session as defined in WAC ~~((230-20-170))~~ 230-02-104: *Provided*, That operators of bingo games conducted at qualified agricultural fairs and other special locations shall be exempt from this rule, but will be required to keep all operator records by location in order to properly report all information as required by WAC 230-08-250. This detailed daily record shall disclose the following information for each separate session conducted during a bingo occasion:

(1) The gross gambling receipts collected for each separate type of sale, of any kind, for bingo games including, but not limited to, regular games, early bird games,

blackout games, special games, or pick up games. These gross gambling receipts shall be supported by receipting records required by WAC 230-20-101 and inventory control records required by WAC 230-08-105. Licensees using the combination receipting method shall reconcile the extended value of all disposable cards, packets of cards, and electronically generated cards sold to the amount of sales recorded per the cash register;

(2) The amount paid out or accrued for prizes awarded for each bingo game. Each session record shall contain the following minimum information regarding prizes awarded:

- (a) The game number;
- (b) The dollar amount or the actual cost of each prize;
- (c) A complete description of all noncash prizes;
- (d) The consecutive number of the prize receipt issued for each prize;

(e) The duplicate copy of the prize receipt issued for all prizes awarded during the session;

(f) The check number of all checks used to pay winners of bingo games: *Provided*, That if the payment must be made by check under the guidelines of WAC 230-20-102 (1)(c), the duplicate copy must be maintained as a part of the session records; and

(g) Full details of prizes accrued.

(3) ~~((A statement of the daily))~~ The net gambling receipts from ((the licensed activity accruing to the organization, supported by a validated copy of the bank deposit receipt)) each bingo session;

(4) The cash on hand at the commencement and the conclusion of each session ~~((, along with));~~

(5) A reconciliation of cash ((to the daily)) on hand net gambling receipts, and the bank deposit of net revenue for each session. The bank deposit shall be supported by a validated copy of the bank deposit receipt. Steps taken to reconcile overages and/or shortages that exceed twenty dollars for any session must be documented;

~~((5))~~ (6) An attendance record indicating the number of people participating and the time the attendance count was made;

~~((6))~~ (7) All bingo numbers or symbols selected and called during ~~((each))~~ any game that offers a prize ~~((that exceeds))~~ exceeding two hundred dollars. The numbers or symbols shall be recorded in the sequence selected. A computer generated "call sheet" may be used in lieu of a manual record if a print-out of results is made ~~((: Provided, That the director may approve use of a video recording of the game in lieu of maintaining a "call sheet" if:~~

(a) ~~Each session is recorded on a separate tape and tapes are labeled to allow identity of a specific session;~~

(b) ~~The quality of the recording allows an observer to note all details of numbers or symbols selected;~~

(c) ~~The recording includes the audio portion of the game generated by the caller;~~

(d) ~~The video recorder has a tape position indicator function and the approximate tape position is recorded for each game for which a prize of greater than two hundred dollars is awarded;~~

(e) ~~The time and date of the game are an integral part of the recording and displayed in conjunction with the events being recorded;~~

(f) ~~The number of the game is recorded at the start of each game; and~~

~~(g) Tapes are maintained for at least six months.))~~

~~((7))~~ (8) The winning card or face number(s) for each individual prize awarded that exceeds two hundred dollars: *Provided*, That if the game is played using disposable bingo cards, the winning card or sheet of cards may be retained in lieu of the card numbers;

~~((8))~~ (9) A copy of the schedule of the games to be played and prizes available for the session: *Provided*, That if the record is annotated with the effective dates of each game schedule, it may be maintained separately and updated only when a change occurs. Any changes to the advertised and printed game and prize schedule, that occur during a session, must be noted in the session records and verified by the signature of the ~~((bingo))~~ gambling manager assigned primary responsibility for supervising the session and another bingo worker on duty during the session;

~~((9))~~ (10) The gambling manager assigned primary responsibility for supervising the bingo session(s) must review all session records ~~((must be reviewed))~~ for accuracy, determine that required information is provided, and confirm the required deposit amount(s). After satisfactory completion of this review, the records must be signed ~~((immediately following completion))~~ by the ~~((bingo))~~ gambling manager responsible for supervising the session before the gambling manager leaves the premises on the day(s) the session(s) was conducted; and

~~((10))~~ (11) All records required by this section shall be:

- (a) Recorded in a standard format prescribed by the commission;
- (b) Recorded during the course of each session; and
- (c) Retained for a period of not less than three years.

AMENDATORY SECTION (Amending Order 271 [WSR 95-12-051], filed 6/2/95)

WAC 230-20-170 Bingo operation ~~((date))~~ time and use of premises limitations. ~~((1) No))~~ Bona fide charitable or nonprofit organizations, except when operating at an authorized agricultural fair or under ~~((chapter 9.46 RCW))~~ RCW 9.46.0321, shall abide by the following restrictions when operating bingo games:

(1) Use of premises limitations:

(a) Charitable or nonprofit organizations shall not:

- (i) Conduct or allow its premises to be used for conducting bingo on more than three occasions per week; or
- (ii) Conduct bingo in any location ~~((which is))~~ used by any other organization ~~((for conducting))~~ to conduct bingo which results in bingo games being conducted on more than three occasions per week at the same location.

(2) ~~((As used herein, the word "occasion" shall mean conducting bingo games for no more than sixteen consecutive hours, which shall begin when the first number for the first game is called until the last winning number on the final winning bingo card has been verified. *Provided*, That no occasion shall be conducted between the hours of 2:00 a.m. and 6:00 a.m. Further, a "session" shall be defined as a continuous series of bingo games with no breaks other than short intermission breaks.))~~ Time limitations:

(a) A bingo occasion may include as many bingo sessions a licensee desires, but shall not last more than eighteen (18) consecutive hours.

(b) A bingo occasion shall not begin or end between the hours of 2:00 a.m. and 6:00 a.m.: *Provided*, the director may allow an occasion to end up to 4:00 a.m. as long as the following conditions remain in effect:

(i) Local law enforcement agency with jurisdiction concurs; and

(ii) If applicable, other state agencies involved in regulating the charitable or non-profit organization's activities, including, but not limited to, the liquor control board, do not object.

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 230-02-102 Bingo occasion defined. A bingo occasion is a period of time beginning when the first number in the first session is called and ending when the last winning number on the final winning bingo card of the last session has been verified.

NEW SECTION

WAC 230-02-104 Bingo session defined. A bingo session means a continuous series of bingo games with no breaks other than short intermission breaks.

WSR 95-20-070

PROPOSED RULES

GAMBLING COMMISSION

[Filed October 3, 1995, 4:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-19-034.

Title of Rule: Rules package amending and repealing certain rules regarding punchboard/pull tab operation and social card room operation.

Purpose: To authorize use of center dealer in Washington blackjack, flexibility in displaying and awarding merchandise prizes; repeal of the prohibition on offering free or reduced items in card rooms; pull tabs to be bundled in stacks of up to \$20 to clarify the definition of a substantial interest holder; deletion of prizes worth \$20 or more from a flare rather than \$5 or more; and to increase the allowable size of a pull tab series.

Statutory Authority for Adoption: RCW 9.46.070 (1)-(4), (7)(8)(11)(12)(14)(20), 9.46.110 (3), (4).

Summary: (1) Simplify and streamline punchboard and pull tab operations requirements; (2) provide licensees more flexibility in the operation of their businesses; (3) authorize use of house dealer in Washington blackjack; and (4) clarify meaning of a substantial interest holder.

Reasons Supporting Proposal: Negotiated amendments would provide licensees with some relief regarding certain regulatory requirements and provide them more flexibility in the operation of their businesses.

Name of Agency Personnel Responsible for Drafting: Michael Aoki-Kramer, Lacey, 438-7654, x310; Implementation and Enforcement: Frank L. Miller, Director, Lacey, 438-7654, x302.

Name of Proponent: Washington State Licensed Beverage Association, private.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Rule amendments anticipated to provide Gambling Commission licensees more flexibility in how they operate the commercial gaming portions of their businesses and to reduce the regulatory burden associated with their businesses.

Proposal Changes the Following Existing Rules: WAC 230-02-300, clarifies definition of a substantial interest holder; WAC 230-30-050, requires pull tab dispensing devices be approved by the commission and allows licensees to bundle pull tabs in stacks of up to \$20 worth of pull tabs; WAC 230-30-065, deletes dollar amount reference already covered by WAC reference in rule; WAC 230-30-070, authorizes flexibility in displaying and awarding of merchandise prizes and changes prize value deletion requirement from \$5 to \$20 or more; WAC 230-30-080, allows pull tab series to contain up to 10,000 pull tabs or in the alternative, allows pull tabs series to be placed in two dispensing devices and repeals the limit on the size of pull tab series; WAC 230-30-097, allows pull tab dispensing devices to have a resettable counter indicating number of tickets left in a series; WAC 230-30-106, allows flexibility in the display of flares showing pull tab prizes and changes which prizes must be displayed individually from those worth \$5 or more to \$20 or more; WAC 230-40-050, allows flexibility in collection of fees to play in a card room and clarifies how a cover charge may be collected; WAC 230-30-125, allows center dealer for Washington blackjack and gives the house the option to establish rules for playing a "soft 17"; WAC 230-40-200 and 230-40-225, adds house dealer to rule; WAC 230-40-400, allows card rooms to remain open beyond 2:00 a.m. as long as other conditions are met; and WAC 230-40-310, repealer, would authorize food, beverages, or merchandise to be offered at a discount or free in card rooms.

No small business economic impact statement has been prepared under chapter 19.85 RCW. WAC 230-40-310, repealer. Amendments reduce regulatory requirements and will not impose additional costs on licensees.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The agency did not elect to make section 201, chapter 403, Laws of 1995 apply to this rule adoption.

Hearing Location: Embassy Suites Hotel, 20610 44th Avenue West, Lynnwood, WA 98036, on November 17, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Michael Aoki-Kramer by November 15, 1995, TDD (360) 438-7638, or (360) 438-7654, x310.

Submit Written Comments to: Michael Aoki-Kramer, Washington State Gambling Commission, P.O. Box 42400, Olympia, WA, FAX (360) 438-8652, by November 15, 1995.

Date of Intended Adoption: November 17, 1995.

October 3, 1995
Michael R. Aoki-Kramer
Rules and Policy Coordinator

[AMENDATORY SECTION (Amending Order 23, filed 9/23/74)]

WAC 230-02-300 Substantial interest holder defined.
(~~The following shall constitute possession of a substantial interest in an organization, association or business:~~

~~(1) When, with respect to a sole proprietorship, an individual, or his marital community, owns, operates, manages or conducts, directly or indirectly, the organization, association or business, or any part thereof; or~~

~~(2) When, with respect to a partnership, the individual or his marital community, shares in any of the profits, or potential profits, of the partnership activities; or~~

~~(3) When, with respect to a corporation, an individual or his spouse, is an officer, or director, or the individual or his marital community is a holder, directly or beneficially, of ten percent or more of any class of stock of the corporation; or~~

~~(4) When, with respect to an organization not covered in (1), (2) or (3) above, an individual or his spouse, is an officer or manages the business affairs, or the individual or his marital community is owner of or otherwise controls ten percent or more of the assets of the organization; or~~

~~(5) When, an individual, or his marital community, furnishes ten percent or more of the capital, whether in cash, goods or services, for the operation of any business, association or organization during any calendar year.))~~

Substantial interest holder means a person who has actual or potential influence over the management or operation of any organization, association or other business entity. Evidence of substantial interest includes, but is not limited to, one or more of the following:

1) directly or indirectly owning, operating, managing or controlling an entity or any part of an entity; or

2) directly or indirectly profiting from or assuming liability for debts of the entity; or

3) is an officer or director of the entity; or

4) owning ten percent or more of any class of stock in a privately or closely held corporation, or five per cent or more of any class of stock in a publicly traded corporation; or

5) furnishing ten percent or more of the capital, whether in cash, goods, or services, for the operation of the business during any calendar year; or

6) directly or indirectly receiving a salary, commission, royalties or other form of compensation from the gambling activity in which an entity is or seeks to be engaged.

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

[AMENDATORY SECTION (Amending Order 251, filed 5/17/94)]

WAC 230-30-050 Punchboard and pull tab operation. (1) No person under the age of eighteen years and no person visibly intoxicated or visibly under the influence of any narcotic, shall be allowed to play or sell any punchboard or pull tab device. It shall be the responsibility of the

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licensee and the responsibility of the person physically operating the punchboard or pull tab device to determine that no unauthorized person is allowed to play or sell.

(2) No operator shall permit the display or operation of any punchboard or pull tab which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner, which may deceive the public or which affects the chances of winning or losing upon the taking of any chance thereon.

(3) All pull tabs must be dispensed from a ~~((coin-operated vending machine))~~ commission approved dispensing device or a clear container ~~((which affords the player an opportunity to observe the complete series))~~. If pull tabs are not sold out of ~~((a coin-operated vending machine))~~ an approved dispensing device, the complete series must be placed in a clear container and mixed prior to being offered for sale. Failure to mix may result in a minimum five day suspension of license for each series not mixed. Licensees may bundle pull tabs into stacks of up to ~~((10))~~ twenty dollars (\$20), provided the bundles are thoroughly mixed prior to sale to the public.

(4) All records, reports and receipts relating to a punchboard or pull tab series in play must be retained on the licensed premises so long as the series or punchboard is in play and be made available on demand to law enforcement officers and representatives of the commission.

(5) When operators purchase merchandise to be used as prizes on punchboards or pull tab series from other than a licensed distributor, the following information must be on the invoice provided by the seller:

- (a) The date of purchase;
- (b) The company's name and adequate business address;
- (c) A full description of each item purchased;
- (d) The quantity of items purchased;
- (e) The cost per individual items purchased; and
- (f) The sales invoice or receipt must be maintained by the operator for at least three years.

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

[AMENDATORY SECTION (Amending Order 121, filed 6/14/82)]

WAC 230-30-065 Punchboard/pull tab price per play to be posted. (1) No punchboard or pull tab series shall be placed out for public play unless the cost to the player for each punch or pull tab is clearly posted on the flare.

(2) Once placed out for public play, a punchboard or pull tab series flare may not be modified or otherwise changed, except for the deletion of ~~((those))~~ prizes ~~((valued at five dollars or more))~~ as required by WAC 230-30-070.

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

[AMENDATORY SECTION (Amending WSR 94-23-094, filed 11/17/94)]

WAC 230-30-070 Control of prizes. All prizes from the operation of punchboards and pull tabs shall be awarded in cash, scrip or ~~((in))~~ merchandise.

(1) Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. Each such board must clearly indicate on its face the terms and conditions under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2) Display of prizes:

(a) ~~((All prizes shall be displayed))~~ Merchandise prizes shall be displayed as follows:

(i) In the immediate vicinity of the punchboard or pull tab ~~((device))~~ series and ~~((such prizes shall be))~~ in ~~((full))~~ plain view ~~((of any person prior to that person purchasing the opportunity to play))~~;

(ii) If size or space constraints do not allow the prize to be displayed as provided in (i) above, the merchandise prize may be displayed elsewhere on the premises provided that a specific reference to that actual prize is noted on the flare; or

(iii) If the merchandise prize cannot be displayed on the premises, an accurate description and/or photograph of the prize must be displayed in plain view on or immediately adjacent to the flare

(b) ~~((When the prize is cash, it))~~ Cash prizes shall be ~~((displayed as follows:~~

~~((i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon designating the cash available to be won shall be substituted; and~~

~~((ii) If the only prizes which may be won are cash prizes, they shall be))~~ clearly ~~((and fully described or))~~ represented ~~((by a coupon displayed upon))~~ on the ~~((prize))~~ flare ~~((attached to the face or displayed in the immediate vicinity of the pull tab dispensing device))~~;

(c) Combination cash and merchandise prizes must meet the requirements of both subsections (2)(a) and (b) of this section.

(d) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises;

~~((d))~~ (e) Upon determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from ~~((any display))~~ the flare and present ~~((it))~~ the prize to the winner upon demand;

~~((e))~~ (f) Upon determination of a winner of any cash prize of ~~((five))~~ twenty dollars or more, or of any merchandise prize with a retail value of ~~((five))~~ twenty dollars or more, the licensee shall permanently and conspicuously delete all references to that prize from any flare, punchboard, or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. Operators may correct an inadvertently deleted prize by noting on the flare that such prize is still available. Such reference shall be permanently

and conspicuously deleted when the prize is actually awarded. Failure to permanently and conspicuously delete a prize from the flare may result in the director initiating actions to revoke a license for violation of RCW 9.46.190 (defrauding a participant). The prize shall be paid or delivered to the winner only after all reference to such prize has been deleted from the flare.

(g) Effective January 1, 1996 through December 31, 1996, all punchboard and pull tab licensees must display a Commission supplies sign notifying players of the change in flare prize deletion from five dollars to twenty dollars. This notice must be displayed in plain view in the area where punchboards and pull tabs are played.

(3) Payment of prizes. The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab series when the punchboard or pull tab series is completely played out.

(4) Cash in lieu of merchandise prizes. No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) Record of winners. When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. The record of the win shall be made in the following manner:

(a) The winners shall be required to print their name and date of birth, in ink, upon the side of the winning punch or tab opposite the winning symbol(s);

(b) The licensee or their representative shall then verify the winner's identity and record the date and initial the winning punch or tab; and

(c) If the pull tab or punch is constructed or printed in such a manner as to preclude recording the information required in (a) and (b) of this subsection in a legible manner, the licensee may record the required information on a sheet of paper not less than three inches by five inches and staple the winning tab or punch thereto.

(6) Defacing winning punches or tabs. The licensee shall, within twenty-four hours after a winning pull tab or punch of ~~((five))~~ twenty dollars or more has been presented for payment, mark or perforate the winning symbols in such a manner that the pull tab or punch cannot be presented again for payment.

(7) Value of merchandise prizes. For purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(8) Spindle, banded, or "jar" type pull tabs played in a manner which awards merchandise prizes only. Pull tab series which award only merchandise prizes valued at no more than ~~((five))~~ twenty dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes

nor shall moneys collected and later reimbursed constitute revenue for the purposes of determining gross receipts.

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 WSR 93-12-082, filed 5/28/93)]

WAC 230-30-080 ~~((Limitation on))~~ Pull tab dispensing ~~((devices))~~ limitations. (1) No pull tabs shall be placed out for public play unless the total number of pull tabs originally in the series shall be clearly disclosed on the face of the flare advertising the prizes available from that series of pull tabs. The total number of pull tabs originally in the series will be placed upon the flare by the manufacturer prior to the series being sold to a distributor or operator.

(2) No pull tab shall be added to a series of pull tabs after that series has been shipped from its place of manufacture.

(3)(a) No pull tab series, or any portion thereof, shall be placed in, or if a spindle upon, any pull tab dispensing device or container until any other series of pull tabs previously in, or upon, the device or container has been played out or permanently removed from public play.

(b) Provided, that in the use of a multiple series ~~((dispenser))~~ dispensing device, each series shall be played independently and in accordance with the provisions in (a) above.

(4) No pull tab once placed ~~((in, or if a spindle upon, a pull tab dispensing device))~~ out for public play shall be removed from the dispensing device or container until the series is permanently removed from public play, except only:

(a) Those pull tabs actually played by consumers~~((;))~~ ; or

(b) Those pull tabs removed by commission representatives ~~((of the commission;))~~ or other law enforcement agency inspecting the device~~((-and;))~~ ; or

(c) Those tabs temporarily removed during necessary repair or maintenance of the device. ~~((Excepting only tabs removed under (b) and (c) hereinabove, once a pull tab has been removed from public play it shall not again be put out for public play.))~~

(5) Once a pull tab has been removed from public play it shall not again be put out for public play, except tabs removed under subsections (4)(b) and (c) above.

(6) No person shall put out any pull tab series for public play unless the series of pull tabs is wholly contained within, or if a spindle upon, the device or container used for dispensing that series.

~~((6;))~~ (7) No person shall sell or transfer to another person in this state, or for use within this state, or put out for public play, any pull tab series which contains more than ~~((6,000))~~ 10,000 individual pull tabs.

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

[AMENDATORY SECTION (Amending WSR 93-12-082, filed 5/28/93)]

WAC 230-30-080 (~~Limitation on~~) **Pull tab dispensing** (~~devices~~) **limitations.** (1) No pull tabs shall be placed out for public play unless the total number of pull tabs originally in the series shall be clearly disclosed on the face of the flare advertising the prizes available from that series of pull tabs. The total number of pull tabs originally in the series will be placed upon the flare by the manufacturer prior to the series being sold to a distributor or operator.

(2) No pull tab shall be added to a series of pull tabs after that series has been shipped from its place of manufacture.

(3)(a) No pull tab series, or any portion thereof, shall be placed in, or if a spindle upon, any pull tab dispensing device until any other series of pull tabs previously in, or upon, the device has been played out or permanently removed from public play.

(b) Provided, that in the use of a multiple series dispenser, each series shall be played independently and in accordance with the provisions in (a) above.

(4) No pull tab once placed (~~in, or if a spindle upon, a pull tab dispensing device~~) out for public play shall be removed from the dispensing device until the series is permanently removed from public play, except only;

(a) Those pull tabs actually played by consumers(~~(-);~~) or

(b) Those pull tabs removed by commission representatives (~~of the commission;~~) or other law enforcement agency inspecting the device(~~(- and);~~) or

(c) Those tabs temporarily removed during necessary repair or maintenance of the device. (~~Excepting only tabs removed under (b) and (c) hereinabove, once a pull tab has been removed from public play it shall not again be put out for public play.~~)

(5) Once a pull tab has been removed from public play it shall not again be put out for public play, except tabs removed under subsections (4)(b) and (c) above.

(6) No person shall put out any pull tab series for public play unless the series of pull tabs is wholly contained within, or if a spindle upon, the device(s) used for dispensing that series. If the entire series cannot fit within a single dispensing device, an additional storage device may be used. The second storage device containing the remainder of the series must be in the immediate vicinity and visible to the customer. The location of the secondary storage device must be clearly indicated on the flare and on the primary storage device and a common numerical reference must be attached to the flare, primary storage device and secondary storage device.

~~((6) No person shall sell or transfer to another person in this state, or for use within this state, or put out for public play, any pull tab series which contains more than 6,000 individual pull tabs.))~~

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.

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 WSR 93-12-082, filed 5/28/93)]

WAC 230-30-097 Standards—(~~Coin-operated~~) **Approved pull tab dispensing devices.** Operators may utilize (~~coin-operated~~) approved pull tab dispensing devices provided that each such device meets the following standards:

(1) Devices must be manufactured by a manufacturer licensed by the (~~Washington state gambling~~) commission.

(2) Devices shall have conspicuously set forth thereon a stamp, seal, or label which identifies its manufacturer and the city and state of its manufacture.

(3) Devices shall have the manufacturer's serial number for that device stamped or embossed into its case.

(4) Devices shall conform to the following standards:

(i) be constructed so that consumers can clearly see each pull tab within the device, except that area at the bottom of the device, not to exceed one inch in height, covered for security or mechanical reasons(~~(-);~~) and

~~((5) Devices shall)~~ (ii) have permanent lines or markings which divide the pull tabs remaining in the device into divisions of approximately twenty-five tabs so that the consumer can determine how many tabs remain within the device(~~(-);~~) or

(iii) have a resettable counter visible to the customer indicating the number of pull tabs left in the device; or

~~((6) Devices shall have one selection position for every one thousand two hundred pull tabs originally in the series.)~~

~~((7))~~ (5) Devices utilizing bill acceptors or similar devices that do not return change shall clearly disclose that fact to the consumer.

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

[AMENDATORY SECTION (Amending Order 238, filed 4/21/93)]

WAC 230-30-106 Standards for flares(~~(-))~~) **made by manufacturers, distributors**(~~(-))~~) **or operators.** (1) Except as set forth in paragraph (2) below, the flare advertising prizes available from the operation of any punchboard, or any series of pull tabs shall be made by the manufacturer only(~~(- winning numbers or symbols)~~). Except as set forth below, flares shall not be altered by any operator or distributor, and shall:

(a) Be placed as follows:

(i) only upon the upper face, or on the top, of any such punchboard; or (~~any device used to dispense the pull tabs;~~)

(ii) in plain view and in the vicinity of any pull tab dispensing device or container, provided if the flare is not attached to the dispensing device or container, a numerical or alphabetical reference shall be included directly on the flare and dispensing device or container clearly indicating which flare corresponds to which series; and

(b) Clearly set out each of the prizes available and the number or symbol which wins prizes; and

(c) Set out the winning numbers or symbols for prizes of ~~((five))~~ twenty dollars or more in cash, or merchandise worth ~~((five))~~ twenty dollars or more at retail, in such a manner that each may be easily and clearly deleted or marked off as each prize is won and awarded. For the purposes of this subsection the retail value of a merchandise prize shall be the amount actually paid by the licensed operator plus 50 percent of that actual cost.

(2) Substitute flares

(a) Distributors may make and apply substitute flares to punchboards and pull tab series provided that the conditions set forth in (c) below are satisfied;

(b) Licensed operators may make and use substitute flares on punchboards and pull tab series which offer merchandise or combination merchandise-cash prizes provided that the conditions set forth in (c) below are satisfied;

(c) Use of substitute flares:

(i) The substitute flare must comply with the requirements of (1)(a), (b) and (c) of this section;

(ii) Substitute flares must meet the requirements of WAC 230-30-015;

(iii) The winning numbers or symbols on the substitute flare are selected from the winning numbers or symbols on the flare made by the manufacturer, or from the optional numbers placed on the back of the board by the manufacturer. Provided flares and games which offer merchandise, or combination merchandise/cash prizes, in excess of \$100.00 actual costs, must utilize numbers, not symbols to denote winners. Prizes must be assigned to the winning numbers consecutively starting with the highest value prize being assigned the lowest available winning number; and

(iv) The substitute flare is stapled to the manufacturer's flare and the manufacturer's flare is defaced so that it is unusable, but the identification and inspection services stamp is readable and visible.

(3) Spindle-type pull tab series when played in the manner set out in WAC 230-30-070(9) are exempt from this section.

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

[AMENDATORY SECTION] (Amending Order 256, filed 8/16/94)

WAC 230-40-050 Fees for card playing. No fee shall be charged a person, directly or indirectly, to play in a card game in excess of those fees set forth below:

(1) For all card games, except as provided in subsection (2) and (7) of this section, the fee shall not exceed \$3.00 per half hour, or portion thereof, per player. The following procedures apply to collection of such fees:

(a) ~~((The fee charged))~~ Fees shall be collected in advance by the licensee in cash, or in wagering chips, directly from the player ~~((upon each half hour))~~.

(b) No player shall be required to pay for or purchase any other goods or services as a condition of playing cards beyond the \$3.00 per half hour per player, except under subsection (3) and (7) of this section.

(c) The fee schedule applicable to the type of games and number of tables in the card room shall be conspicuously

posted on the premises where it can be clearly seen by the players in the card games.

(2) A person requesting a new deck of cards beyond those regularly furnished by the operator, as required by WAC 230-40-070(2), may be charged a fee not to exceed the actual cost to the licensee of the deck. Further, Class D licensees may charge a fee not to exceed actual cost to the licensee per deck for each deck of playing cards furnished to a table as required by these rules, or as requested by any player at the table. The fee shall be collected in cash directly from the players, or the player requesting the deck, at the time the deck is introduced into the game.

(3) This rule shall not prevent a bona fide nonprofit or charitable organization which has been established and operated for purposes other than card playing from charging its usual membership fee to belong to the organization.

(4) The licensee shall collect the same fee from all players at a table except licensed card room employees or the licensed owner. If the licensee elects to allow free play, then all players at a table must be allowed to play for free.

(5) The amount collected ~~((each half hour))~~ shall be recorded by the licensee ~~((immediately following the collection of the fees))~~ each half hour on ~~((standard card room format prescribed and))~~ forms supplied by the commission ~~((to the licensee))~~.

(6) All records required by this rule shall be maintained for a period of three years from the end of the licensee's fiscal year for which the record is kept.

(7) This rule shall not prevent a licensee from collecting an admission fee for entry into that portion of the licensed premises conducting entertainment, provided that the same is charged to all patrons.

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 240, filed 6/17/93)

WAC 230-40-125 Washington blackjack—Rules of play—Wagering limits. Washington blackjack is a nonhouse banking ~~((;))~~ card game ~~((and shall be))~~ permitted in Class A and E card rooms ~~((only and))~~. Washington blackjack shall be played ~~((only))~~ in the following manner:

(1) ~~((One or two))~~ Up to six standard fifty-two-card decks shall be used with suits disregarded and each card valued numerically only as follows: Ace ~~((;))~~ equals 1 or 11; face cards (King, Queen, Jack) ~~((;))~~ equal 10 each; others according to their spots, 10 to 2. ~~((One or two decks may be used when there are six or less players. Two decks shall be used when there are seven or more players.))~~ The number of decks used shall be established by house rule. The cards shall be dealt from a shoe at all times. The game is played with either a house dealer and a player/banker or a player who is a dealer/banker ~~((and only a player may be a dealer/banker))~~.

(2) When starting a new table the cards are cut to determine who the first ~~((dealer/))~~ banker will be. The

~~((dealer))~~ banker shall announce the amount of money that he or she will put into the bank. A minimum bank may be established as per individual house rule. If a house dealer is used, the banker delivers the bank to the dealer and the dealer shall place a marker reading "banker" on the bet line in front of the banker.

(3) Once the bank has been established, the player to the immediate left of the ~~((dealer))~~ banker places his/her wager on the bet line and the dealer covers that wager by matching it with a like amount of chips. Each player makes their wager in turn and each wager is immediately matched by the dealer. ~~The maximum and minimum wager ((shall not be more than ten dollars and the minimum wager may be set by house rule))~~ may be set by house rule but in no event shall the maximum wager exceed twenty-five dollars. If the bank runs out of money (tapped out) prior to the commencement of the deal, then only those players with a wager covered will be dealt a hand. ~~((No a player may be dealt more than one hand.))~~

(4) The play begins with the dealer dealing one card face up to each covered player including himself/herself, one more card face up to each covered player, and then one down card to himself/herself. A player may be dealt more than one hand by house rule. When a house dealer is used, no cards are dealt to the banker. If a player holds an ace and a face card or a ten, it is a "natural" 21 and the player collects 1.5 times the amount of their bet from the dealer, unless the dealer also has a natural which results in a tie (push). All ties result in the players and the dealer recovering their wagers.

(5) If the dealer has a "natural," he/she collects the wagers from players who do not have a "natural." If the dealer does not have a "natural," he/she pays off any player with a "natural" starting with the first one ((closest)) to ((their)) the left of the banker. Should the dealer not have enough money in the bank to make up the 1.5 for one payoff due on a "natural," then those hands and wagers will be frozen in place until the additional wagers are made up or the hand is over. If after the hand is over, a dealer cannot cover the 1.5 for one, the player shall get the amount of wager that was covered by the dealer.

(6) If the dealer does not have a "natural," play continues with the player on the ~~((dealer's))~~ banker's immediate left. The dealer deals cards face up, one by one, as that player calls for them. The player's aim is to total 21 or as close to 21 without going over. When a player is satisfied with their total, they shall declare "stand." If the player wants more cards ((are wanted)), the player declares "hit." If a player goes over a 21 point count, the hand is a "bust" and they must turn the hand down, while the dealer collects the bet. ~~((7))~~ The dealer does the same with each remaining player. Any player who stands must wait while the dealer draws his or her cards. If the dealer goes bust, each standing player is paid the amount of their wager. If the dealer "stands," the down card is turned up and players whose totals are higher than the dealer's are paid. The dealer collects from any player whose total is less. Action is always to the left of the ~~((dealer))~~ banker. Any frozen wagers needing to be "made up" will be done in order, to the left of the ~~((dealer))~~ banker from losing wagers the dealer collects.

(7) Should the dealer not be able to cover all frozen wagers then those frozen wagers are released to the winning players and the deal passes immediately to the left at which time the new ~~((dealer))~~ banker shall announce ~~((their))~~ the amount of the bank and the dealer may shuffle the cards. The same shall apply if the ~~((dealer))~~ banker has no money in the bank. The ~~((dealer))~~ banker may, if allowed by house rule, add to their bank in between hands.

(8) Upon completion of the shuffle, the player to the right of the ~~((dealer))~~ banker shall cut the cards. After the cards have been placed into the shoe the dealer shall insert a blank card approximately three quarters of the way through the deck(s). A dealer may deal from the shoe until he/she reaches the blank card. After the blank card appears, the dealer may continue dealing that hand, but will not start a new hand. If a house dealer is used, he/she returns the remaining chips in the bank to the banker. The ~~((deal must then pass to the))~~ player on the ~~((dealer's))~~ banker's immediate left shall be offered the opportunity to be the next dealer/banker or banker. The discards may only be reshuffled to complete the last hand.

(9) Once wagers are placed and covered on the bet line, no player, including the ~~((dealer))~~ banker, may touch those wagers until the winner has been determined. Any player touching the wagers may be ruled to have fouled and their wager forfeited.

(10) Any player who lifts their cards up from the table or slides their cards out of their own playing area shall be ruled to have fouled and their wager may be forfeited.

(11) No player may "buy" the bank. The ~~((deal))~~ bank must pass around the table to the left and no player can authorize ~~((another player))~~ anyone other than a house dealer to deal for him or her. ~~((A new player entering the game may not participate as the dealer/banker until at least two other players have dealt.))~~ No player may ~~((deal))~~ be the banker for more than one consecutive shoe before passing the ~~((deal))~~ bank: *Provided*, That when there are less than five players at a table a player may deal more than one consecutive shoe only when the remaining players have passed the deal.

(12) The dealer must stand on 17 or above and must take hits on sixteen (16) or below. If a dealer has an ace, it shall be counted as 11 (eleven) if it brings his or her total to 17 or more (but not over twenty-one (21)). Provided, the house may elect to play a "soft seventeen (17)," which occurs when the dealer's first two cards are an ace valued at eleven (11) and a six (6). If the house elects to play a soft seventeen (17), house rules must specify that the dealer must hit a soft seventeen (17), and must stand on a hard seventeen (17) and any eighteen (18) or above. House blackjack rules must be posted in plain view to the players and the house must ensure they are consistently followed.

(13) The conditions for doubling down shall be set by house rule, provided that the wager may be doubled and the player received only one more card. The player must then stand on those three cards. If the dealer's bank is insufficient to cover a double down wager, the player may wager an amount equal to the dealer's remaining bank. The dealer must then cover that wager. If the dealer has no bank then a player may not double down.

(14) If the dealer's face-up card is a ten, face card or ace, he/she may look at their face-down card to see if they

have a natural; if his/her face-up card is anything else, they may not look at their face-down card until their turn comes to draw. ~~((Should the dealer violate this rule their hand may be ruled to have been fouled, which shall result in forfeiture of all remaining dealer wagers.))~~

(15) If a player's first two cards are a pair, then that player may split the pair into two separate hands. The amount of the player's original bet then goes on one of the cards, and they must place an equal amount as a bet on the other card. ~~((When this player's turn to draw comes, they receive an up card for each hand and then play each hand in order.))~~ If the dealer does not have enough in their bank to cover the doubled bet, the dealer must cover an amount equal to the value of their remaining bank. The player then has the option to divide the wagers in any manner between the two hands, not to exceed the allowable limit per hand. If the dealer has no bank then the player may divide their wager in any manner between the two hands ~~((If a)), unless the player's original bet was a minimum allowed in that game then they may not split their pair. ((A player may only split a pair once.))~~ Additional splits shall be determined by house rule.

(16) The dealer will pay only on the value of the cards held by the player and shall not pay on the number of cards received or the card sequence.

~~((17) There shall be no credit or I.O.U. issued by any player or management.))~~

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.

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 40, filed 6/26/75)]

WAC 230-40-200 Participants to compete on equal terms—Deal to rotate among players. Participants in card games shall compete on equal terms with all other participants in the game, and solely as a participant therein.

The deal in any series of card games shall be passed from player to player, unless the table incorporates a house dealer as per house rule. No player who deals a game shall deal another game until each other player at the table has dealt a game in his or her turn: *Provided*, That any player may voluntarily waive his right to deal any particular game.

Licenses shall take all necessary measures to insure that card games played upon their premises are played in this manner.

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

[AMENDATORY SECTION (Amending Order 252, filed 6/15/94)]

WAC 230-40-225 House dealer allowed in (~~"pan" or poker~~) certain games. Notwithstanding the provisions of WAC 230-40-200, any licensee may furnish a dealer or "mucker" in any Washington blackjack, pan or poker game played on the licensed premises. Dealers shall have no financial interest, directly or indirectly, in the outcome of such game and shall not otherwise participate or play in the game.

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

[AMENDATORY SECTION (Amending WSR 95-13-024, filed 6/13/95)]

WAC 230-40-400 Hours limited for card games. The hours during which card games may be played in licensed public card rooms shall be limited as follows:

(1) Licensees shall not allow the use of their premises for card playing between the hours of 2:00 a.m. and 6:00 a.m.: *Provided*, That the director may allow closing hours to be adjusted ~~((up to 4:00 a.m.))~~ beyond 2:00 a.m. so long as the following conditions remain in effect:

(a) The local law enforcement agency with jurisdiction concurs;

(b) Other state agencies involved in regulation of the business do not object; and

(c) A licensee must observe a four-hour period of closure at the end of each business day before beginning the next period of operation.

(2) The food and/or drink business being stimulated shall be open to the public for business any time card games are conducted: *Provided*, That entry to the business by new customers may be limited if access to the premises is open to the commission, law enforcement, or other state or local regulatory agencies, and service of food and nonalcoholic beverages is available for customers remaining on the premises after 2:00 a.m.

(3) At all times during the hours of operation of a Class E card room, the operator or a licensed card room employee must be on duty and in the licensed card room area.

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

REPEALED SECTION

WAC 230-40-310 No free or discount food, beverage or merchandise to be offered at public card room. ~~No licensee for the operation of a public card room shall provide food, beverage or other merchandise to card players, or prospective card players, for a price or other consideration which is less than the price or other consideration at which such food, beverage or other merchandise is available to all persons patronizing the business which is stimulated by the card room.~~

~~No advertising which is inconsistent with this rule shall be permitted.~~

PROPOSED

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

WSR 95-20-071
PROPOSED RULES
DEPARTMENT OF ECOLOGY

[Order 95-13—Filed October 4, 1995, 8:04 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-18-021.

Title of Rule: Chapter 173-09 WAC, Coordinated permit process.

Purpose: (1) Establish process for designating coordinating permit agency; and (2) repealing chapters 173-08 and 173-10 WAC.

Other Identifying Information: Rule will be amended in Fall 1996 to include process for appealing the timeliness of agency actions under the coordinated permit process.

Statutory Authority for Adoption: RCW 90.60.040.

Statute Being Implemented: Chapter 90.60 RCW, Environmental permit assistance.

Summary: Proposed rule establishes guidance for ecology's permit assistance center on designating a coordinating permit agency. Coordinating permit agency will be designated at the request of project proponents opting to use Washington's new coordinated permit process. Planned rule amendments (Fall 1996) will establish process for appealing the timeliness of agency actions under the coordinated permit process.

Reasons Supporting Proposal: Proposed rule required by RCW 90.60.040. Planned rule amendments required by RCW 90.60.140.

Name of Agency Personnel Responsible for Drafting: Scott Boettcher, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7564; **Implementation and Enforcement:** Permit Assistance Center, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-7037.

Name of Proponent: Washington Department of Ecology, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This is a nonregulatory, administrative rule describing how coordinating permit agencies will be designated, and repealing implementing regulations (chapters 173-08 and 173-10 WAC) for the recently repealed Environmental Coordination Procedures Act (chapter 90.62 RCW).

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule provides guidance on how coordinating permit agencies will be designated for project proponents opting to use Washington's new coordinated permit process (chapter 90.60 RCW). Coordinating permit agencies will be designated by the Department of Ecology's permit assistance center. Primary anticipated effect of the proposed rule is that coordinating permit agencies will, as a result of the rule, be efficiently and consistently designated. Proposed rule also repeals implementing regulations (chapters 173-08 and 173-10 WAC) for the recently repealed

Environmental Coordination Procedures Act (chapter 90.62 RCW).

Proposal Changes the Following Existing Rules: The proposed rule repeals chapters 173-08 and 173-10 WAC. These chapters implemented the Environmental Coordination Procedures Act (chapter 90.62 RCW) which was itself repealed and replaced by the Environmental Permit Assistance Act (chapter 90.60 RCW).

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement has not been prepared for the proposed rule because the proposed rule is exempt from this requirement under section 401(2), chapter 403, Laws of 1995, as discussed below. Also, the rule will not impose more than minor costs on small business because it is (1) nonregulatory, (2) administrative in nature, and (3) pertains to an optional coordination process for the regulated community (i.e., state coordinated permit process). Additionally, the proposed rule primarily affects the Washington Departments of Ecology, Fish and Wildlife, Health, Natural Resources, and the state's local air pollution control authorities. These agencies are specifically identified by statute (chapter 90.60 RCW) as the primary state agencies from which coordinating permit agencies will be designated.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Section 201, chapter 403, Laws of 1995, does not apply to the proposed rule because the proposed rule is not a "significant legislative rule" per section 201 (5)(a)(i), chapter 403, Laws of 1995. The coordinated permit process is not a regulatory program, and does not meet the definition of a significant legislative rule in section 201 (5)(a)(iii). The proposed rule is a "procedural rule" because it involves a related process requirement for making application to an agency for a license or permit, per section 201 (5)(c)(i)(B), chapter 403, Laws of 1995. Rule making for the coordinated permit process includes rules relating only to internal governmental operations that are not subject to violation by a nongovernmental party; rules that adopt state statutes without material change; and rules the content of which is explicitly and specifically directed by statute. See section 201 (5)(b)(ii), (iii), and (v).

Hearing Location: On November 14, 1995, at 6:30 p.m., Ecology Spokane Office, 4601 North Monroe Street; on November 15, 1995, at 6:30 p.m., Ecology Bellevue Office, 3190 160th Avenue S.E.; and on November 16, 1995, at 6:30 p.m., Vancouver Public Library, 1007 East Mill Plain Boulevard.

Assistance for Persons with Disabilities: Contact Scott Boettcher by November 10, 1995, (360) 407-7564, TDD (360) 407-6006.

Submit Written Comments to: Scott Boettcher, Washington Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, FAX (360) 407-6904, by November 23, 1995.

Date of Intended Adoption: November 30, 1995.

October 3, 1995
Mary Riveland
Director

PROPOSED

**Chapter 173-09 WAC
COORDINATED PERMIT PROCESS**

NEW SECTION

WAC 173-09-010 Authority and purpose. (1) This chapter is promulgated under the authority of chapter 90.60 RCW (Environmental permit assistance).

(2) The purpose of this chapter is to establish rules to implement the state coordinated permit process.

(3) The purpose of the coordinated permit process is to:

(a) Assist individuals, businesses, and public agencies in complying with environmental quality laws in an expedited fashion, without reducing protection of public health and safety and the environment;

(b) Promote effective dialogue and facilitate the transfer and clarification of technical information, while preventing duplication and minimizing potential conflict between applicable regulatory procedures;

(c) Ensure, where possible, that applicable permit requirements, criteria, and hearings and comment periods are identified, integrated, coordinated, and run concurrently, rather than consecutively;

(d) Promote active coordination of all applicable regulatory and land-use permitting procedures; and

(e) Provide consolidated, effective, and easier opportunities for members of the public to receive information and present their views about proposed projects.

(4) The coordinated permit process is optional for project proponents and intended to provide predictability, administrative consolidation, and, where possible, consolidation of appeal processes. The process is not intended to replace individual laws, nor diminish the substantive decision-making role of individual jurisdictions. The process is also not intended to limit nor abridge the authority of individual permit agencies to make all decisions on all nonprocedural matters regarding their respective component permits, including but not limited to, the determination of permit application completeness, permit approval or approval with conditions, or permit denial.

NEW SECTION

WAC 173-09-020 Definitions. The following definitions shall apply throughout this chapter, unless the context clearly requires otherwise:

(1) "Applicant" means any person or entity, including an agency, applying for a permit from a permit agency. For the purposes of this chapter, "applicant," "project applicant," and "project proponent" are synonymous terms.

(2) "Coordinating permit agency" means the permit agency that is the lead agency for purposes of chapter 43.21C RCW (State Environmental Policy Act (SEPA)), or has the greatest overall jurisdiction over a project as determined under WAC 173-09-030 (coordinated permit process rule).

(3) "Lead agency" means the agency with the main responsibility for complying with SEPA's procedural requirements as set forth in WAC 197-11-758 (SEPA rules).

(4) "Participating permit agency" means a permit agency, other than the coordinating permit agency, that is responsible for the issuance of a permit for a project.

(5) "Permit" means any license, certificate, registration, permit, or other form of authorization required by a permit agency to engage in a particular activity.

(6) "Permit agency" means:

(a) The department of ecology, an air pollution control authority, the department of natural resources, the department of fish and wildlife, and the department of health; and

(b) Any other state or federal agency or county, city, or town that participates at the request of the permit applicant and upon the agency's agreement to be subject to this chapter.

(7) "Permit assistance center" or "center" means the center established in the department of ecology by RCW 90.60.030 (Permit assistance center—Duties).

(8) "Project" means a proposed activity, the conduct of which requires permits from one or more permit agencies.

NEW SECTION

WAC 173-09-030 Designation of a coordinating permit agency. (1) Applicant information requirements. Upon request by an applicant, the permit assistance center shall designate a coordinating permit agency. The applicant shall provide the permit assistance center with the following:

(a) Description of the proposed project, including the location and legal description (i.e., parcel number, and section, township, and range);

(b) Preliminary list of the permits that the proposed project may require;

(c) Identity of the participating permit agencies;

(d) Identity of any public agency that has been or may be designated the lead agency for the proposed project pursuant to chapter 43.21C RCW (SEPA); and

(e) Any additional or more detailed information requested by the center necessary to make the designation. Such information may include, but is not limited to:

(i) Site plan for the proposed project showing where activities are proposed relative to known sensitive areas, habitats, and critical areas; and

(ii) Proposed timing of construction and operation of the project.

(2) Designation criteria and guidance.

(a) If a permit agency is the lead agency under the criteria in WAC 197-11-926 through 197-11-940 (SEPA rules), that permit agency shall be the coordinating permit agency.

(b) If a permit agency has assumed lead agency status under WAC 197-11-942 (SEPA rules), that permit agency shall be the coordinating permit agency.

(c) If two or more permit agencies have agreed to share lead agency status under WAC 197-11-944 (SEPA rules), one of the permit agencies shall, upon agreement with the other permit agency(ies) with whom lead agency status is shared, be the coordinating permit agency.

(d) If none of the permit agencies are lead agency for purposes of chapter 43.21C RCW (SEPA), then the coordinating permit agency shall be the permit agency with the greatest overall jurisdiction over the proposed project. In identifying the permit agency with the greatest overall jurisdiction the center shall consider the following factors:

(i) The types of facilities or activities that make up the proposed project;

(ii) The types of public health and safety and environmental concerns that should be considered in issuing permits for the proposed project;

(iii) The environmental media that may be affected by the proposed project, the extent of those potential effects, and the environmental protection measures that may be taken to prevent the occurrence of, or to mitigate, those potential effects;

(iv) The regulatory activity that is of greatest importance in preventing or mitigating the effects that the proposed project may have on public health and safety or the environment;

(v) The statutory and regulatory requirements that apply to the proposed project and the complexity of those requirements;

(vi) The extent to which a permit agency will assume a major coordination role due to other processes;

(vii) The extent to which the lead agency determination criteria identified in WAC 197-11-946(2) (SEPA rules) are applicable; and

(viii) The extent to which a permit agency has permit coordination expertise.

(e) In designating the coordinating permit agency, the permit assistance center may convene a scoping meeting of the likely coordinating permit agency and participating permit agencies in order to designate the coordinating permit agency.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 173-08-010	Authority.
WAC 173-08-020	Purpose.
WAC 173-08-030	Definitions.
WAC 173-08-040	Master application form.
WAC 173-08-050	Scope of master application procedure.
WAC 173-08-065	Modification of the proposed project.
WAC 173-08-070	Appeals to final decisions.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 173-10-010	Authority.
WAC 173-10-020	Purpose.
WAC 173-10-030	Definitions.
WAC 173-10-040	Single application form.
WAC 173-10-050	Public notice.
WAC 173-10-060	Procedures superseded.
WAC 173-10-070	Public hearing.
WAC 173-10-080	Public notice of public hearing.
WAC 173-10-090	Scope of single application procedure.
WAC 173-10-100	Final action on the single application.
WAC 173-10-110	Appeal.

**WSR 95-20-074
PROPOSED RULES
DEPARTMENT OF HEALTH**

[Filed October 4, 1995, 9:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-11-072.

Title of Rule: Temporary worker housing regulations.

Purpose: To adapt procedural rules to coincide with minimum health and safety rules adopted by the Board of Health.

Statutory Authority for Adoption: RCW 43.70.340.

Summary: Amends department rules to be consistent with Board of Health amendments which are being simultaneously proposed for adoption.

Reasons Supporting Proposal: The law gives the State Board of Health authority to adopt minimum health and safety standards and the Department of Health authority to adopt procedures for applying for a license and fee rules. This action is necessary to make the Department of Health rules consistent with the State Board of Health amendments.

Name of Agency Personnel Responsible for Drafting: Natalie Gonzalez, Olympia, (360) 705-6787; Implementation and Enforcement: Bliss Moore, Olympia, (360) 705-6660.

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: ESSB 5503 requires the Board of Health to repeal or modify any rule that exceeds standards developed under chapter 49.17 RCW. The department must also modify rules to maintain consistency with the board rules.

Proposal Changes the Following Existing Rules: Amending WAC 246-358-025 to include references to the Migrant and Seasonal Agricultural Worker Protection Act, to clarify who must be licensed, and to require licensure documentation consistent with board requirements; and amending WAC 246-358-030 to delete references which differentiate between basic and fully self-contained worker-supplied housing.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendments to this chapter or WAC do not add any new requirements to the existing rules and as a result do not add any costs to the licensed operator of temporary worker housing.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction and does not make significant amendment to a policy or regulatory program. This rule is being proposed to implement ESSB 5503 which requires State Board of Health rules to not exceed WISHA for temporary labor camps. Changing the rules to not exceed WISHA has resulted in streamlining and clarifying language and in some instances reducing the requirements. In no case has any more stringent rule been added to chapter 246-358 WAC.

Hearing Location: Seattle King County Public Health Department, Center at Northshore, 10808 N.E. 145th Street, Bothell, WA 98011, on November 8, 1995, at 1:10 p.m.

Assistance for Persons with Disabilities: Contact Jennell Prentice by October 31, 1995, TDD (206) 664-0064, or (800) 525-0127.

PROPOSED

Submit Written Comments to: Jennell Prentice, P.O. Box 47852, Olympia, WA 98504-7852, FAX (360) 705-6654, by October 31, 1995.

Date of Intended Adoption: November 9, 1995.

September 29, 1995

Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending Order 324, filed 1/12/93, effective 2/12/93)

WAC 246-358-025 Operating license. (1) An operator shall ~~((have an operating license before allowing the use of housing except as specified in subsection (3) of this section))~~ notify the department or contracted health officer to request licensure when:

(a) Housing consists of:

(i) Five or more dwelling units;

(ii) Any combination of dwelling units, or spaces that house ten or more occupants; or

(b) Compliance with MSPA requires licensure.

(2) An operator shall apply for an operating license at least forty-five days prior to either the use of housing or the expiration of an existing operating license by submitting to the department or contracted health officer:

(a) A completed application on a form provided by the department or contracted health officer;

(b) Proof of satisfactory results of a bacteriological water quality test as required by WAC 246-358-055(2), or proof housing is connected to a community water system; and

(c) A fee as specified in WAC 246-358-990.

(3) An operator may allow the use of housing without a permit when all of the following conditions exist:

(a) The operator applied for an operating license in accordance with subsection (2) of this section at least forty-five days before occupancy, as evidenced by the post mark;

(b) The department or contracted health officer has not inspected the housing or issued an operating license;

(c) Other local, state, or federal laws, rules, or codes do not prohibit use of the housing; and

(d) The operator provides and maintains housing in compliance with this chapter.

(4) An operator shall:

(a) Post the operating license in a place readily accessible to workers;

(b) Notify the department or contracted health officer in the event of a transfer of ownership; and

(c) Cooperate with the department or contracted health officer during on-site inspections.

(5) An operator may appeal decisions of the department in accordance with chapter 34.05 RCW and chapter 246-08 WAC.

AMENDATORY SECTION (Amending Order 324, filed 1/12/93, effective 2/12/93)

WAC 246-358-030 Department authority. (1) The department may establish an agreement with a health officer whereby the health officer assumes responsibility for inspections, issuing operating licenses, and enforcing this chapter.

(2) The department or contracted health officer shall issue an operating license when the department or contracted health officer determines the operator has met the minimum requirements in this chapter.

(3) The department or contracted health officer shall specify on the operating license the:

(a) Operator's name;

(b) Number of approved units;

(c) Maximum ~~((occupancies approved for operator-supplied, basic worker-supplied, and fully self-contained worker-supplied housing))~~ occupancy; and

(d) Expiration date ~~((, which shall be one calendar year from the date of issuance)).~~

(4) The department or contracted health officer shall determine the maximum occupancy for:

(a) Operator-supplied housing based on the square footage and the number of bathing, foodhandling, handwashing, laundry, and toilet facilities;

(b) ~~((Basic))~~ Worker-supplied housing based on:

(i) The number of spaces designated by the operator ~~((for basic worker-supplied housing)); and~~

(ii) The number of bathing, foodhandling, handwashing, laundry, and toilet facilities, in excess of those facilities required for operator-supplied housing ~~((and~~

~~on the number of spaces:~~

(i) ~~Designated by the operator for fully self-contained worker-supplied housing; and~~

(ii) ~~Meeting the requirements in WAC 246-358-085(2)).~~

(5) The department or contracted health officer may issue a provisional operating license when housing fails to meet the standards in this chapter when:

(a) The operator agrees to comply with a written corrective action plan and compliance schedule; or

(b) An exemption request by the operator is pending action by the board.

(6) The department or contracted health officer shall survey each housing site to ensure standards of this chapter are met, including inspection:

(a) Before issuing an annual operating license;

(b) Upon request of an operator or occupant; and

(c) At least once each year or as determined by the department or contracted health officer.

(7) The department or contracted health officer shall respond to complaints.

(8) The department or contracted health officer shall take appropriate enforcement action which may include any one or combination of the following:

(a) Develop, with the operator, a corrective action plan including a compliance schedule;

(b) Notify the operator concerning violations;

(c) Suspend or revoke the operating license; or

(d) Other action deemed necessary to bring housing into compliance with this chapter.

(9) The department shall confer with local health, fire, safety, and building agencies to understand each party's responsibilities for housing complaints, on-site sewage, drinking water, solid waste, food service, and other related environmental health issues.

PROPOSED

WSR 95-20-075
PROPOSED RULES
STATE BOARD OF HEALTH

[Filed October 4, 1995, 9:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-11-072.

Title of Rule: Temporary worker housing regulations.

Purpose: To implement ESSB 5503, make State Board of Health (SBOH) rules consistent with regulations developed under chapter 49.17 RCW, and clarify rules.

Statutory Authority for Adoption: RCW 70.54.110.

Summary: Amends board rules to be consistent with WISHA requirements and clarifies existing requirements.

Reasons Supporting Proposal: ESSB 5503 requires the board to review rules and repeal or modify any rules that exceed the standards developed under chapter 49.17 RCW (WISHA).

Name of Agency Personnel Responsible for Drafting: Natalie González, Olympia, (360) 705-6787; **Implementation and Enforcement:** Bliss Moore, Olympia, (360) 705-6660.

Name of Proponent: State Board of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: ESSB 5503 requires the Board of Health to repeal or modify any rule that exceeds standards developed under chapter 49.17 RCW (WISHA regulations). This rule action makes rules consistent with WISHA regulations and clarifies or simplifies existing rules.

Proposal Changes the Following Existing Rules: Repeals WAC 246-358-105 and 246-358-115. Amends WAC 246-358-001, 246-358-010, 246-358-020, 246-358-045, 246-358-055, 246-358-065, 246-358-075, 246-358-085, 246-358-095, 246-358-125, 246-358-135, 246-358-140, 246-358-145, 246-358-155 and 246-358-175, to make regulations consistent with WISHA regulations, and simplify and clarify existing regulations.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendments to this chapter or WAC do not add any new requirements to the existing rules and as a result do not add any costs to the licensed operator of temporary worker housing.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction and does not make significant amendment to a policy or regulatory program. This rule is being proposed to implement ESSB 5503, which requires State Board of Health to not exceed WISHA for temporary labor camps. Changing the rules to not exceed WISHA has resulted in streamlining and clarifying language and in some instances reducing the requirements. In no case has any more stringent rule been added to chapter 246-358 WAC.

Hearing Location: Seattle King County Public Health Department, Center at Northshore, 10808 N.E. 145th Street, Bothell, WA 98011, on November 8, 1995, at 1:10 p.m.

Assistance for Persons with Disabilities: Contact Jennell Prentice by October 31, 1995, TDD (206) 664-0064, or (800) 525-0127.

Submit Written Comments to: Jennell Prentice, P.O. Box 47852, Olympia, WA 98504-7852, FAX (360) 705-6654, by October 31, 1995.

Date of Intended Adoption: November 9, 1995.

September 27, 1995

Sylvia I. Beck

Executive Director

AMENDATORY SECTION (Amending Order 365B, filed 5/25/93, effective 6/25/93)

WAC 246-358-001 Purpose and scope. (1) This chapter contains:

(a) Minimum health and sanitation requirements for temporary-worker housing adopted by the Washington state board of health in accordance with RCW 70.54.110;

(b) Procedures for applying for an operating license to provide temporary-worker housing, adopted by the Washington state department of health in accordance with RCW 43.70.340(3); and

(c) Operating license fees as set by RCW 43.70.340(2) to cover the costs of an inspection program to ensure compliance with this chapter, adopted by the Washington state department of health.

(2) This chapter applies to:

(a) Temporary-worker housing that consists of:

~~((a))~~ (i) Five or more dwelling units; or

~~((b))~~ (ii) Any combination of dwelling units, dormitories, or spaces that house ten or more occupants; and

(b) Operators who must comply with substantive state health and safety standards to qualify for MSPA.

(3) This chapter does not apply to housing regulated by chapter 59.18 RCW, Residential Landlord-Tenant Act, or chapter 59.20 RCW, Mobile Home Landlord-Tenant Act.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-010 Definitions. (1) "Board" means the Washington state board of health.

~~(2) ("Construction" means building, altering, or adding to a structure, or changing the use of an existing structure, to house temporary workers.~~

~~(3))~~ "Contracted health officer" means a health officer who has a signed agreement with the department to inspect housing, issue operating licenses, and enforce this chapter.

~~((4))~~ (3) "Department" means the Washington state department of health.

~~((5) "Dormitory" means a shelter, building, or portion of a building, without cooking and eating facilities, which is:~~

~~(a) Provided and designated by the operator as a sleeping area for five or more occupants; and~~

~~(b) Physically separated from other sleeping and common-use areas.~~

~~(6))~~ (4) "Dwelling unit" means a shelter, building, or portion of a building, that may include cooking and eating facilities, which is:

(a) Provided and designated by the operator as either a sleeping ((and/or)) area, living area, or both, for occupants; and

(b) Physically separated from other sleeping and common-use areas.

~~((7))~~ (5) "Drinking fountain" means a fixture equal to a nationally recognized standard or a designed-to-drain faucet which provides potable drinking water under pressure. "Drinking fountain" does not mean a bubble-type water dispenser.

~~((8))~~ "Emergency" means a natural disaster or other sudden and unexpected occurrence demanding immediate action. "Emergency" does not mean an unexpected demand for housing because additional workers are needed to harvest a crop larger than anticipated.

(9)) (6) "Exemption" means a written authorization ~~(from the board)~~ which excludes an operator from meeting a specific requirement or requirements in this chapter.

~~((10))~~ (7) "Foodhandling facility" means a designated, enclosed area for preparation of food.

(a) ~~((Central foodhandling facility))~~ "Dining hall" means a cafeteria-type eating place with food furnished by and prepared under the direction of the operator for consumption, with or without charge, by occupants.

(b) "Common foodhandling facility" means an area designated by the operator for occupants to store, prepare, cook, and eat their own food supplies.

~~((11))~~ (8) "Health officer" means the individual appointed as such for a local health department under chapter 70.05 RCW or appointed as the director of public health of a combined city-county health department under chapter 70.08 RCW.

~~((12))~~ "Laundry" means an area or room with one or more laundry sinks and/or mechanical washing machines used to wash clothing.

(13)) (9) "Interagency agreement committee" means a representative from the state board of health, department of health, department of labor and industries, employment security department, and department of community, trade, and economic development, pursuant to RCW 43.70.340.

(10) "MSPA" means the Migrant and Seasonal Agricultural Worker Protection Act (96 Stat. 2583; 29 U.S.C. Sec. 1801 et seq.).

(11) "Occupant" means a temporary worker or a person who resides with a temporary worker at the housing site.

~~((14))~~ (12) "Operator" means ~~((owner, or the individual designated by the owner, responsible for the owner's))~~ a person holding legal title to the land on which temporary worker housing is located. However, if the legal title and the right to possession are in different persons, "operator" means a person having the lawful control or supervision over the temporary-worker housing.

~~((15))~~ (13) "Operating license" means a document issued annually by the department or contracted health officer authorizing the use of temporary-worker housing.

~~((16))~~ (14) "Refuse" means solid wastes, rubbish, or garbage.

~~((17))~~ "Single operation" means the common use of labor, equipment, and supervision.

(18) "Sink" means a properly trapped plumbing fixture which prevents back passage or return of air and may be a:

(a) "Handwashing sink" with water under pressure intended for handwashing; or

(b) "Laundry sink" with hot and cold water under pressure, large enough to accommodate hand laundering of clothing.

~~((19))~~ (15) "Space" means a site designated by an operator for an individual worker-supplied housing unit.

~~((20))~~ (16) "Temporary worker" means a person employed intermittently and not residing year-round at the same site.

~~((21))~~ (17) "Temporary-worker housing" or "housing" ~~((labor camp))~~ means all facilities provided by the operator, managed as a single operation, including site; spaces; bathing, foodhandling, handwashing, laundry, and toilet facilities; dwelling units and dormitories, to house occupants.

(22) "Worker-supplied housing" means an enclosed vehicle designed for sleeping and/or living, supplied and used by a temporary worker, and may be:

(a) "Fully self-contained worker-supplied housing" which means a unit with bathing, foodhandling, handwashing, and toilet facilities that meet the requirements of this chapter; or

(b) "Basic worker-supplied housing" which means a unit without bathing, foodhandling, handwashing, and toilet facilities that meet the requirements of this chapter)) means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary-worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy, and includes "labor camps" under RCW 70.54.110.

(18) "WISHA" means the Washington Industrial Safety and Health Act, chapter 49.17 RCW, administered by the Washington state department of labor and industries.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-020 Exemptions. The board may exempt an operator from meeting a specific requirement or requirements in this chapter. The board shall not grant an exemption for the operating license requirement.

~~((1))~~ An operator wishing to request an exemption shall ~~((follow procedures established by the board, which include:~~

~~((a) Submitting));~~

(1) Submit a written request to the board((; and)) which includes:

(a) The specific WAC section or subsection for which the exemption is being requested;

(b) Justification for the exemption; and

(c) A description of how the intent of the regulation will be met.

~~((b) Appearing))~~ (2) Appear before the board at a public hearing to justify the exemption upon a finding by the interagency agreement committee that the exemption is significant.

~~((2) The board's decision shall be based on potential risk to public health and safety, justification presented by the operator, and recommendations by the department.))~~

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-045 Location and maintenance. (1) An operator shall locate housing:

(a) To prevent a health or safety hazard;

(b) On well-drained sites to prevent standing water from becoming a nuisance;

(c) ~~((More than))~~ Five hundred feet or more from a livestock operation unless the department or contracted health officer determines that no health risk exists;

(d) More than two hundred feet from swamps, pools, sink holes, or other surface collections of water unless provisions are taken to prevent the breeding of mosquitoes; and

(e) On sites sufficient in size to prevent overcrowding of necessary structures.

(2) An operator shall ensure that the housing site is maintained at all times in a sanitary condition free from garbage and other refuse.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-055 Water supply. An operator shall:

(1) Provide an adequate, convenient water supply from an approved source as described in chapter 246-290 WAC, and:

(a) For housing existing prior to August 1, 1984, maintain and operate the water system in accordance with chapter 246-290 WAC; and

(b) For housing constructed after August 1, 1984, design, construct, maintain, and operate the water system in accordance with chapter 246-290 WAC;

(2) Provide a water system:

(a) Capable of delivering thirty-five gallons per person per day to the housing site at a peak rate of two and one-half times the average hourly demand; and

(b) With distribution lines capable of supplying water at normal operating pressures to all fixtures for simultaneous operation;

(3) If water is not supplied solely by a community water system, submit a water sample to a department-certified laboratory for bacteriological quality testing each year prior to opening housing in accordance with WAC 246-290-300;

~~((3))~~ (4) Delay the use of housing until bacteriological quality meets the requirements in WAC 246-290-310;

~~((4))~~ (5) Provide cold, potable, running water under pressure in, or within one hundred feet of, each dwelling unit(~~(, dormitory,))~~ and each space for (~~(basic))~~ worker-supplied housing;

~~((5) Provide cold, potable, running water under pressure to each space used for fully self-contained worker-supplied housing;))~~

(6) Provide one or more drinking fountains for each one hundred occupants or fraction thereof if water under pressure is available;

(7) Prohibit the use of containers from which water is dipped or poured, and common drinking cups; and

(8) ~~((Ensure that outlets for nonpotable water are rendered inaccessible to occupants within the housing site; and~~

~~((9))~~ (9) When water is unsafe for drinking purposes and accessible to occupants, post a sign (~~(within three feet of))~~ by the source reading "DO NOT DRINK. DO NOT USE FOR WASHING. DO NOT USE FOR PREPARING FOOD." in English or marked with easily-understood pictures or symbols.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-065 Sewage disposal. An operator shall:

(1) Connect sewer lines and floor drains from buildings to public sewers if public sewers are available;

(2) If public sewers are not available provide on-site sewage disposal systems designed, constructed, and maintained as required in chapter 246-272 WAC, chapter 173-240 WAC, and local ordinances; and

~~((2))~~ (3) Ensure connection and drainage of sewage and waste water from all housing to a sewage disposal system approved by the jurisdictional agency.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-075 Construction and maintenance. An operator shall:

(1) Ensure ~~((that all))~~ construction provides protection against the elements and complies with applicable state and local ordinances, codes, regulations, and this chapter;

(2) ~~((Provide structurally sound))~~ Identify each dwelling unit and space for worker-supplied housing by posting a number at each site;

(3) Maintain buildings and shelters (~~(which: (a) Are maintained~~)) in good repair and sanitary condition;

~~((b) Are maintained in a sanitary condition; and~~

~~(e) Protect occupants against the elements;~~

~~(3) Provide))~~ (4) Comply with chapter 51-20 WAC by providing two means of escape from sleeping rooms, foodhandling facilities, and rooms where fifty or more people congregate;

~~((4))~~ (5) Provide(~~(, at a minimum, the following area, with ceiling heights in accordance with subsection (5) of this section:~~

~~(a))~~ at least seventy square feet of floor space for one occupant and fifty square feet for each additional occupant in each dwelling unit;

~~((b) Fifty square feet of floor space for each occupant in a dormitory; and~~

~~(e))~~ (6) Provide at least seven foot ceilings and fifty square feet of floor space for each occupant in rooms used for sleeping purposes;

~~((5) Provide ceiling heights of seven feet over at least one half the floor area with no point less than five feet, and ensure the minimum ceiling height in:~~

~~(a) Manufactured homes is six feet eight inches; and~~

~~(b) Operator-supplied recreational vehicles is six feet four inches;~~

~~(6))~~ (7) Provide a separate sleeping area for husband and wife in units housing one or more children over six years old;

(8) Provide smooth and tightly constructed wood, asphalt, or concrete floors in good repair;

~~((7))~~ (9) When wood floors are used, ensure floors are at least twelve inches above the ground at all points;

~~((8) Provide easily cleanable surfaces on interior walls and floors free of excessive peeling paint;~~

~~(9) Use nonlead-based paint on all painted surfaces;))~~

(10) Provide a window area equal to one-tenth of the total floor area in each habitable room which opens one-half or more directly to the outside for ventilation;

~~(11) ((Provide an adequate natural or mechanical ventilation system for all rooms including the bathroom;~~

~~(12) Ensure windows or skylights used for ventilation open:~~

~~(a) To fifty percent of total window area; and~~

~~(b) Directly to the outside;~~

~~(13)) Provide((:~~

~~(a)) effective sixteen-mesh screens on all exterior openings((;))₂ and~~

~~((b) Tight fitting) screen doors ((in good repair and) equipped with self-closing devices;~~

~~((14) Provide electrical service including:~~

~~(a) One electrical ceiling type light fixture and one wall outlet in each dwelling unit room;~~

~~(b) One electrical ceiling type light fixture or wall fixture, and one or more outlets, for each two hundred fifty square feet of space in each dormitory; and~~

~~(c) One electrical ceiling type or wall type light fixture, and one or more outlets, in each central bathing, foodhandling, handwashing, laundry, and toilet room;~~

~~((15)) (12) Provide ((lighting intensities that meet the requirements in WAC 246-358-115)) a minimum of thirty footcandles of light measured thirty inches from the floor in dwelling units;~~

~~((16)) (13) Ensure wiring and fixtures are installed in accordance with department of labor and industries regulations, RCW 19.28.070 and local ordinances, and maintained in a safe condition;~~

~~((17)) (14) Ensure heating, cooking, water heating, and other electrical equipment is installed in accordance with state and local ordinances, codes, and regulations governing such installation;~~

~~((18)) (15) Provide adequate heating equipment if camp is used during cold weather;~~

~~(16) Ensure that operator-supplied trailers and recreational vehicles manufactured after July 1968 display a Washington state department of labor and industries insignia as required in chapters 296-150A and 296-150B WAC; and~~

~~((19)) (17) Follow the compliance schedule established with the department or contracted health officer when existing housing fails to meet the requirements in this chapter.~~

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-085 Worker-supplied housing. An operator licensed for worker-supplied housing shall:

(1) Provide a space located and maintained in accordance with WAC 246-358-045 for each worker-supplied housing unit;

(2) Provide ~~((water, electricity, and))~~ adequate sewage disposal ((at each space used for fully self-contained)) for the type of worker-supplied housing used;

(3) Provide water and electricity as required for dwelling units;

(4) Provide ((facilities for the maximum occupancy specified on the operating license for basic worker-supplied housing, including:

~~(a)) adequate centralized bathing, handwashing, laundry, and toilet facilities in accordance with the ratios specified in ((WAC 246-358-095)) this chapter; and~~

~~((b) Common or central) (5) Provide adequate foodhandling facilities for the type of worker-supplied housing used in accordance with this chapter; and~~

~~((4) Prohibit) (6) Allow the use of ((tents)) a tent as worker-supplied housing((; and~~

~~(5) Comply with the requirements in this chapter; except, operators licensed only for worker-supplied housing are exempt from regulations pertaining to dwelling units and dormitories) only when the tent complies with WISHA requirements.~~

NEW SECTION

WAC 246-358-090 Laundry facilities. An operator shall provide laundry facilities including:

(1) Hot and cold running water under pressure for laundry adequate to meet the needs of occupants as determined by the department or contracted health officer;

(2) One laundry tray or tub, or one mechanical washing machine, for each thirty occupants, or fraction thereof, specified on the operating license;

(3) At least one slop sink in each building used for laundry;

(4) Facilities for drying clothes;

(5) Sloped, coved floors of nonslip impervious materials with floor drains;

(6) Where electric service is available, a minimum of one ceiling or wall light fixture;

(7) Thirty footcandles of light measured thirty inches from the floor;

(8) Equipment capable of maintaining a temperature of 70°F during cold weather.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-095 Bathing, handwashing, laundry, and toilet facilities. (1) An operator shall:

(a) Provide hot and cold running water under pressure ~~((twenty-four hours a day))~~ for bathing ~~((;))~~ and handwashing((; and laundry)) adequate to meet the needs of occupants as determined by the department or contracted health officer;

(b) ~~((Separate toilets from habitable areas by walls;~~

~~(c) Locate toilet rooms to provide access without passing through sleeping rooms;~~

~~(d) Provide water flush toilets and urinals unless privies or other methods are specifically approved by the department or contracted health officer according to requirements in chapter 246-272 WAC;~~

~~(e) Locate pit privies, when approved, at least one hundred feet from any dwelling unit, dormitory, space, or foodhandling facility;~~

~~(f) When vault privies or chemical toilets are approved:~~

~~(i) Locate at least fifty feet from any dwelling unit, dormitory, space, or foodhandling facility;~~

~~(ii) Maintain a service contract for sewage pumping with a licensed waste disposal company; and~~

~~(iii) Comply with local ordinances;~~

PROPOSED

~~(g) If urinals are provided, cover the floor with a material impervious to moisture for a radius of not less than fifteen inches from the outer edge of the urinal, and from the urinal to the wall; and~~

~~(h) Connect sinks, bathing, and laundry facilities through properly trapped floor drains to an approved disposal system.) Provide, where electric service is available, a minimum of one ceiling or wall light fixture; and~~

(c) Provide thirty footcandles of light measured thirty inches from the floor.

(2) An operator providing centralized bathing((-) or handwashing((- or toilet)) facilities shall meet the requirements of subsection (1) of this section, and:

(a) Provide the number of handwashing sinks((-) and shower heads((- and toilets)) specified in Table I;

~~(b) (Locate toilets and handwashing sinks within two hundred feet of the door of housing lacking toilets;~~

~~(c) Locate bathing facilities within three hundred feet of housing lacking bathing facilities;~~

~~(d) Provide means for individual privacy for toileting and bathing;~~

~~(e) Provide an adequate number of toilet rooms for each sex, and clearly mark each room for men and for women with signs printed in English and easily understood pictures or symbols;~~

~~(f) Separate toilet rooms for men and for women with solid walls or partitions extending from the floor to the roof or ceiling;~~

~~(g) Provide adequate, accessible supplies of toilet tissue and holders;~~

~~(h) Provide lighting in toilet rooms twenty-four hours per day;~~

(i) Provide a means to maintain a temperature of 70°F during cold weather;

(c) Ensure bathing and handwashing facilities are maintained in a clean and sanitary condition;

~~((j) Ensure that the toilet facilities are cleaned at least daily;~~

~~(k)) (d) Provide one slop sink per building used for handwashing and bathing; and~~

(e) Provide shower ((and laundry)) rooms with:

(i) Sloped, coved floors of nonslip impervious materials; ((and))

(ii) Floor drains; and

~~((H) Provide shower rooms with)) (iii) Smooth, water impervious walls and partitions((- and)) to the height of splash.~~

~~((m)) (f) Provide cleanable, nonabsorbent waste containers.~~

TABLE 1:

Required number of centralized handwashing sinks((-) and shower heads((- toilets, and urinals)).

HANDWASHING SINKS One per each 6 persons^{*}((2)) or fraction thereof.

SHOWER HEADS One per each 10 persons^{*} or fraction thereof.

~~((TOILETS~~ One per each 15 persons^{*}, or fraction thereof, with a minimum of two for any facility shared by men and women.))

*The number of persons shall be calculated by subtracting the number of occupants sheltered in dwelling units ((and dormitories)) that contain

individual facilities from the maximum occupancies approved for both operator-supplied and ((base)) worker-supplied housing.

(3) An operator providing bathing((-) or handwashing((- or toilet)) facilities in dwelling units shall meet the requirements in subsection (1) of this section, and((-

~~(a) Provide a handwashing sink in each dwelling unit that contains a toilet;~~

~~(b)) request occupants to maintain bathing, handwashing, and toilet facilities in a clean and sanitary condition((- and~~

~~(c) When dwelling units house more than one family, provide a means of privacy for toileting and bathing)).~~

~~((d) An operator shall provide the following centralized laundry facilities unless commercial or public laundry facilities are within three miles of housing and accessible to occupants:~~

~~(a) One laundry sink and one mechanical washing machine for each thirty occupants, or fraction thereof, specified on the operating license. Two laundry sinks may replace one mechanical washing machine. One mechanical washing machine may replace two laundry sinks, provided each laundry facility has at least one laundry sink; and~~

~~(b) Facilities for drying clothes.))~~

NEW SECTION

WAC 246-358-100 Toilet facilities. (1) The operator shall:

(a) Locate each toilet in a toilet room which is accessible without passing through a sleeping room;

(b) Provide a window not less than six square feet in area opening directly to the outside, or other satisfactory ventilation;

(c) Provide water flush toilets unless privies or other methods are specifically approved by the department or contracted health officer according to requirements in chapter 246-272 WAC;

(d) Locate pit privies, when approved, at least one hundred feet from any dwelling unit, space, or foodhandling facility;

(e) When vault privies or chemical toilets are approved: (i) Locate at least fifty feet from any dwelling unit, space, or foodhandling facility;

(ii) Maintain a service contract for sewage pumping with a licensed waste disposal company; and

(iii) Comply with local ordinances;

(f) If urinals are provided, cover the floor with a material impervious to moisture for a radius of not less than fifteen inches from the outer edge of the urinal, and from the urinal to the wall;

(g) Provide an adequate water flush in urinals if water under pressure is available;

(h) Connect sinks and bathing facilities through properly trapped floor drains to an approved disposal system; and

(i) Provide an adequate supply of toilet paper in each toilet room, privy, and chemical toilet compartment.

(2) An operator providing centralized toilet facilities shall meet the requirements of subsection (1) of this section, and:

(a) Provide one toilet per fifteen persons of each sex with a minimum of two toilets for any facility shared by men and women;

(b) Locate toilets within two hundred feet of the door or each sleeping unit;

(c) Separate toilet rooms for men and for women with solid walls or partitions extending from the floor to the roof or ceiling;

(d) Clearly mark each room "for men" and "for women" by signs printed in English and in the native language of the persons occupying the camp, or marked with easily-understood pictures or symbols;

(e) Provide natural or artificial light twenty-four hours per day equal to twenty footcandles of light, measured thirty inches from the floor;

(f) Provide a means to maintain a temperature of 70°F during cold weather; and

(g) Ensure that the toilet facilities are cleaned at least daily.

(3) An operator providing toilet facilities in dwelling units shall meet the requirements in subsection (1) of this section, and:

(a) Provide a handwashing sink in each dwelling unit that contains a toilet; and

(b) Request occupants to maintain toilet facilities in a clean and sanitary condition.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-125 Cooking and foodhandling facilities. An operator shall provide enclosed cooking and foodhandling facilities for all occupants.

(1) An operator furnishing cooking facilities in each dwelling unit shall provide:

(a) An operable cook stove (~~((or hot plate with a minimum of one cooking surface for every two adult occupants or four cooking surfaces for every two families))~~) for each ten persons or two families, or fraction thereof;

(b) A sink with running water under pressure;

(c) Food storage areas and easily-cleanable food preparation counters situated off the floor;

(d) (~~((Individual or centralized mechanical refrigeration, capable of maintaining temperature of))~~) A means of storing food at forty-five degrees Fahrenheit or below, with space for storing perishable food items for all occupants;

(e) (~~((Tables and chairs or equivalent seating;~~

(~~fire resistant, nonabsorbent, nonasbestos, and easily-cleanable wall coverings adjacent to cooking areas;~~ ~~((and~~

(~~g))~~) (f) Nonabsorbent and easily-cleanable floors;

(g) Where electric service is available, at least one ceiling-type light fixture and one separate floor or wall outlet; and

(h) Thirty footcandles of light measured thirty inches from the floor.

(2) An operator furnishing common foodhandling facilities shall provide:

(a) A room or building, adequate in size, separate from (~~((and convenient to dwelling units, dormitories, and spaces))~~) any sleeping quarters and without direct openings to living or sleeping quarters;

(b) An operable cook stove (~~((or hot plate with a minimum of one cooking surface for every two adult~~

~~occupants or four cooking surfaces for every two families))~~) for each ten persons or two families, or fraction thereof;

(c) Sinks with hot and cold running water under pressure;

(d) Food storage areas and easily-cleanable food preparation counters situated off the floor;

(e) (~~((Mechanical refrigeration capable of maintaining a temperature of))~~) A means of storing food at forty-five degrees Fahrenheit or below with space for storing perishable food items for all occupants;

(f) (~~((Tables and chairs or equivalent seating;~~

(~~g))~~) Fire-resistant, nonabsorbent, nonasbestos, and easily-cleanable wall coverings adjacent to cooking areas; (~~((h))~~) (g) Nonabsorbent, easily-cleanable floors; ((and (~~h))~~) (h) No direct openings to living or sleeping areas from the common foodhandling facility;

(i) At least one ceiling or wall light fixture where electric service is available; and

(j) Thirty footcandles of light measured thirty inches from the floor.

(3) An operator furnishing a (~~((central foodhandling facility))~~) dining hall shall:

(a) Comply with chapter 246-215 WAC, Food service;

(b) (~~((Provide tables and chairs or equivalent seating;))~~)

Provide a room or building, adequate in size, separate from any sleeping quarters and without direct openings to living or sleeping quarters;

(c) Provide fire-resistant, nonabsorbent, nonasbestos, and easily-cleanable wall coverings adjacent to cooking areas; (~~((and~~

(~~Ensure the central foodhandling facility has no direct openings to living or sleeping areas.))~~) Provide at least one ceiling or wall light fixture where electric service is available; and

(e) Provide thirty footcandles of light measured thirty inches from the floor.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-135 Beds and bedding and personal storage. An operator shall:

(1) Provide beds or bunks furnished with clean mattresses in good condition for the maximum occupancy approved by the department or contracted health officer for operator-supplied housing;

(2) Ensure bedding, if provided by the operator, is clean and maintained in a sanitary condition;

(3) Provide a minimum of twelve inches between each bed or bunk and the floor;

(4) When single beds are used separate beds laterally and end to end by at least thirty-six inches;

(5) When bunk beds are used:

(a) Separate beds laterally and end to end by at least forty-eight inches;

(b) Maintain a minimum space of twenty-seven inches between the upper and lower bunks; and

(c) Prohibit triple bunks((-)); and

(6) Provide storage facilities for clothing and personal articles in each room used for sleeping.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-140 ((Emergency)) Use of tents. An operator may use tents ~~((for a limited time in emergency situations provided the operator:~~

- ~~(a) Has prior written approval by the department; and
(b) Follows board guidelines for the use of tents))~~ that do not violate WISHA requirements.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-145 Health and safety. An operator shall:

(1) ~~((Use pesticides in and around the housing area consistent))~~ Comply with chapters 15.58 and 17.21 RCW, chapter 16-228 WAC, and pesticide label instructions when using pesticides in and around the housing;

(2) Prohibit, in the housing area, the use, storage, and mixing of flammable, volatile, or toxic substances other than those intended for household use;

(3) Provide readily accessible first-aid equipment meeting the requirements of Part A-1 of chapter 296-24 WAC;

(4) Ensure that a person trained ~~((in basic))~~ to administer first aid ((and cardiopulmonary resuscitation is accessible to occupants)) is readily accessible at all times;

(5) ~~((Provide))~~ Comply with chapter 51-20 WAC by providing smoke detection devices ((in accordance with the Washington state fire marshal regulations in chapter 212-10 WAC));

(6) Store or remove unused refrigerator units to prevent access by children; and

(7) Fill abandoned privy pits with earth; and lock or otherwise secure unused privy buildings.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-155 Refuse disposal. An operator shall:

(1) Establish and maintain a refuse disposal system;

(2) Protect against rodent harborage, insect breeding, and other health hazards while storing, collecting, transporting, and disposing of refuse;

(3) Store refuse in ~~((enclosed, sound,))~~ fly-tight, rodent-tight, impervious, and cleanable or single-use containers;

(4) Keep refuse containers clean;

(5) Provide ~~((an accessible))~~ a container on a wooden, metal, or concrete stand within one hundred feet of each dwelling unit ~~((, dormitory,))~~ and space;

(6) Empty refuse containers at least twice each week, and when full;

(7) ~~((Remove))~~ Comply with local sanitation codes for removing refuse from housing areas and ((dispose)) disposing of refuse ((in a manner consistent with local sanitation codes)); and

(8) Ensure the housing area is free of refuse when housing is closed for the season to prevent a nuisance.

AMENDATORY SECTION (Amending Order 326B, filed 1/12/93, effective 2/12/93)

WAC 246-358-175 Disease prevention and control.

An operator shall:

(1) Make reasonable efforts to know if disease is present among occupants;

(2) Report immediately to the local health officer:

(a) The name and address of any occupant suspected of having an infectious or communicable disease;

(b) Any case of suspected food poisoning; and

(c) Any unusual prevalence of any illness in which fever, diarrhea, sore throat, vomiting, jaundice, productive cough, or weight loss is a prominent symptom among occupants;

(3) ~~((When aware of an occupant's illness, assist the occupant to obtain medical diagnosis and treatment;))~~

Prohibit any individual with a communicable disease from preparing, cooking, serving, or handling food, foodstuffs, or materials in dining halls;

(4) Establish rules and inform occupants of their responsibilities related to maintaining housing consistent with the requirements in this chapter; and

(5) Post information regarding temporary-worker health and sanitation when provided by the department or contracted health officer.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 246-358-105 Heating.

WAC 246-358-115 Lighting.

WSR 95-20-076

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed October 4, 1995, 9:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-07-055.

Title of Rule: Chapter 246-780 WAC, Farmers market nutrition program.

Purpose: Provides clarity to federal regulations to make it easier to comply with the requirements of participant.

Statutory Authority for Adoption: RCW 43.70.120.

Statute Being Implemented: RCW 43.70.120.

Summary: The proposed rule explains the goal of the program, the responsibilities of participation, sanctions for noncompliance and the right to appeal department decisions.

Reasons Supporting Proposal: The federal regulations subject participating entities to sanctions for noncompliance. Since the Administrative Procedure Act says a rule is necessary if violations result in a sanction, we need to establish a rule.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mari Scott, Public Health Nutrition Services, P.O. Box 47886, Olympia, 98504-7886, (360) 586-6739.

Name of Proponent: Department of Health, Public Health Nutrition Services, governmental.

Rule is necessary because of federal law, 7 CFR Part 248.

Explanation of Rule, its Purpose, and Anticipated Effects: The rule explains the goal of the farmers market nutrition program, the responsibilities of participating farmers' markets and growers, sanctions for noncompliance, and rights of appeal. The purpose of the rule is to clarify the federal regulations and make compliance for our participating farmers' markets and growers as easy as possible.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not change the way farmers' markets and growers participate in the farmers' market nutrition program. No additional work, time, or money will be required of participating farmers' markets and growers upon establishment of this rule.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This proposed rule adopts federal regulation without material change and therefore is exempt from section 201, chapter 403, Laws of 1995.

Hearing Location: Natural Resources Building, 1111 Washington, Room 259, Olympia, WA 98504, on November 9, 1995, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Public Health Nutrition Services, Mari Scott by November 3, 1995, TDD (360) 664-0064, or (800) 525-0127 ext. 586-6737.

Submit Written Comments to: Michelle Davis, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890, FAX (360) 586-7424, by November 3, 1995.

Date of Intended Adoption: November 13, 1995.

September 29, 1995

Bruce Miyahara
Secretary

Chapter 246-780 WAC FARMERS' MARKET NUTRITION PROGRAM

NEW SECTION

WAC 246-780-001 Description of farmers' market nutrition program. (1) The purpose of the farmers' market nutrition program is to:

(a) Provide locally grown fresh fruits and vegetables to nutritionally at-risk low-income women, infants over six months of age, and children, who participate in the special supplemental nutrition program for women, infants, and children (WIC); and

(b) Expand the awareness and use of and sales at farmers' markets.

(2) Funding is provided by the Washington state department of health and the Washington state department of agriculture who contribute funds meeting the match required to receive federal funding.

(3) The farmers' market nutrition program is administered by the Washington state departments of health and agriculture.

NEW SECTION

WAC 246-780-010 Definitions. (1) "Brokers" shall mean those individuals or businesses who exclusively sell produce grown by others.

(2) "Contractor" shall mean a farmers' market who has a signed contract with the department to participate in the farmers' market nutrition program.

(3) "Department" shall mean the Washington state departments of agriculture and health.

(4) "FMNP" shall mean the farmers' market nutrition program.

(5) "Disqualification" shall mean the act of ending the participation of an authorized food grower and/or market from the farmers' market nutrition program.

(6) "Locally grown" shall mean Washington grown or grown in an adjacent county in a border state.

(7) "Eligible foods" shall mean locally grown, unprocessed (except for washing), fresh fruits and vegetables.

(8) "Farmers' market" shall mean an association of five or more local growers who assemble for the purpose of selling their produce directly to consumers.

(9) "Grower" shall mean any individual or business who grows a portion of the produce that they sell and exchange for farmers' market nutrition program checks at Washington state authorized farmers' markets.

(10) "Trafficking" shall mean the prohibited buying or exchanging of farmers' market nutrition program checks for cash, drugs, and/or alcohol.

(11) "WIC" shall mean the supplemental nutrition program for women, infants, and children.

(12) "FMNP abuse" shall include but not be limited to:

(a) Providing cash, unauthorized food, nonfood items, drugs, alcohol or other items to WIC customers in lieu of or in addition to authorized FMNP foods;

(b) Charging the FMNP or WIC/FMNP customer for foods not received by the customer;

(c) Charging the FMNP more for authorized foods than other customers are charged for the same food item;

(d) Providing rain checks or credit to customers in a FMNP transaction;

(e) Charging WIC customers cash or giving change to customers in a FMNP transaction;

(f) Validating and/or redeeming FMNP checks without having authorization from the department;

(g) Collecting a sales tax on FMNP purchases;

(h) Seeking restitution from FMNP WIC program clients for checks not paid by the department;

(i) Accepting and/or validating checks outside of the program dates.

NEW SECTION

WAC 246-780-020 Contractor responsibilities. (1) The department shall authorize contractors who may validate and authorize growers to accept FMNP checks. Unauthorized contractors who validate FMNP checks are subject to the penalties specified in WAC 246-780-040, Sanctions.

(2) Contractors shall submit an application to the department.

(3) The contractor shall:

(a) Allow only growers selling locally grown produce to accept FMNP checks.

(b) Agree to designate a program coordinator to validate and/or mark checks with a market/grower identifier.

(c) Agree to provide the department any information it has available which the department deems necessary to track the impact of the FMNP on the farmers' market or on WIC/FMNP clients participating in the FMNP.

(d) Accept training on FMNP procedures, assist the department in training participating growers, and safeguard client information.

(e) Provide such information as the department may require for annual reports to the United States Department of Agriculture, Food and Consumer Services.

(f) Ensure that checks are redeemed only by eligible growers.

(g) Sell eligible foods to FMNP clients at the same price as charged to other customers.

(h) Agree to allow the department to monitor the farmers' market for compliance with FMNP procedures.

(i) Act as a liaison to obtain signed grower agreements from growers who have agreed to sell at the farmers' market before they accept FMNP checks.

(j) Ensure that FMNP clients receive the same courtesies as other customers.

(k) Notify the department immediately if and when market operations cease.

(l) Refuse to validate any FMNP checks from ineligible growers.

(4) The contractor shall not allow growers to:

(a) Collect sales tax on FMNP check purchases.

(b) Seek payment from FMNP clients for checks not paid by the department.

(c) Give cash back for purchases that are in an amount less than the value of the checks.

(5) Neither the department nor the contractor have an obligation to renew a contract.

NEW SECTION

WAC 246-780-030 Authorized foods. (1) The contractor and growers shall ensure that only unprocessed, locally grown fresh fruits and vegetables are sold to WIC/FMNP clients participating in the FMNP.

(2) Ineligible items are those items as defined by the department. The ineligible items include but are not limited to honey, jam/jellies, cider, nuts, flowers and baked goods. The list of eligible items shall be provided to growers and contractors upon request.

NEW SECTION

WAC 246-780-040 Sanctions. (1) The department may disqualify a grower and/or contractor for reasons of FMNP abuse for one year from the date of offense. At the end of the disqualification period, the grower and/or contractor shall be required to reapply to be considered for authorization.

(2) Growers and contractors may be subject to sanctions in addition to, or in lieu of, disqualification. Prior to disqualifying a grower or contractor, the department shall consider whether the disqualification would create undue hardships for WIC participants.

(3) The department may set the period of disqualification from program participation. In no instance shall this period of disqualification exceed one year.

(4) The department shall recover funds due the FMNP and may impose a fine on growers and/or contractors for the offenses in this subsection. The department shall deposit these funds into the FMNP account in accordance with federal regulations.

Money shall be paid to the department within the time period specified in the notice of adverse action, or the grower and/or contractor may be suspended from the FMNP for a period of at least one program year, or the remainder of the calendar year. Offenses include but are not limited to:

(a) Providing cash, unauthorized food, nonfood items, drugs, alcohol or other items to WIC customers in lieu of or in addition to authorized FMNP foods;

(b) Charging the FMNP or WIC/FMNP customer for foods not received by the customer;

(c) Charging the FMNP more for authorized foods than other customers are charged for the same food item;

(d) Providing rain checks or credit to customers in a FMNP transaction;

(e) Charging WIC customers cash or giving change to customers in a FMNP transaction;

(f) Validating and/or redeeming FMNP checks without having authorization from the department;

(g) Collecting a sales tax on FMNP purchases;

(h) Seeking restitution from FMNP WIC program clients for checks not paid by the department;

(i) Accepting and/or validating checks outside of the program dates; and

(j) Violation of the rules of this chapter or the provisions of the contract.

(5) Any instances of trafficking in FMNP checks (in any amount) shall result in disqualification as an authorized contractor or grower for the FMNP.

(6) A contractor who commits fraud or abuse of the FMNP is liable for prosecution under Part 7 CFR 246.12 (f)(2)(xiv).

NEW SECTION

WAC 246-780-050 Notice of adverse action to a FMNP contractor and/or grower. (1) When the department denies an application to participate in the FMNP or denies an application to renew the contract, the denial shall be in writing. The notice shall state the basis for the denial.

(2) When the department proposes to take an adverse action against a contractor or grower with whom the department has a contract, the department shall give the respective contractor or grower a written notice. The notice shall:

(a) State the cause for the action;

(b) State the effective date of the action;

(c) State the procedure for requesting an appeal; and

(d) Be provided to the contractor or grower not less than fifteen days in advance of the effective date of the action.

NEW SECTION

WAC 246-780-060 Dispute appeals. Contractors and growers have a right to appeal an action by the department denying the application, imposing a sanction or disqualifying

it from the FMNP. Expiration of a contract is not subject to appeal.

(1) A contractor or grower whose application is denied to participate or to continue to participate in the FMNP has the right to an appeal pursuant to the procedures set out in chapter 246-10 WAC. At the appeal, the contractor or grower may discuss the reasons for the denial.

(2) A request for an appeal shall be in writing and shall:

(a) State the issue raised;

(b) State the grounds for contesting the aggrieving department action;

(c) State the law, facts and conditions on which the appeal relies;

(d) Contain the appellant's current address and telephone number, if any; and the name and address of the appellant's attorney or other representative, if any;

(e) Have a copy of the adverse department notice attached.

(3) A request for an appeal shall be made by personal service or by regular mail to the Department of Health, Office of Professional Standards, 2413 Pacific Avenue, P.O. Box 47872, Olympia, WA 98504-7872. The request shall be made within twenty-eight days of the date the contractor/grower received the department notice of adverse action.

(4) The dispute appeals process is the sole administrative remedy the department offers a contractor or grower.

NEW SECTION

WAC 246-780-070 Contractor/grower-continued participation pending dispute resolution. (1) If the action being appealed is a disqualification of an authorized FMNP contractor, that contractor shall cease validating FMNP checks for all grower(s) participating in the market effective the date specified in the sanction notice. If the action being appealed is a disqualification of an authorized grower, the contractor shall cease validating checks for the grower who has been notified of the adverse action effective on the date specified in the sanction notice. Payments shall not be made for any FMNP checks submitted by a grower for payment during a period of disqualification.

(2) The department may, at its discretion, permit the contractor or grower to continue participating in the FMNP pending the proceeding's outcome of the contract dispute resolution if implementing the disqualification action would, in the opinion of the department, unduly inconvenience WIC participants.

**WSR 95-20-082
PROPOSED RULES
PUGET SOUND AIR POLLUTION
CONTROL AGENCY**

[Filed October 4, 1995, 9:45 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Amend section 3.03 or Regulation III.

Purpose: To provide the regulated community with a simpler, more concise regulation while incorporating the new federal NESHAP (National Emission Standards for Hazard-

ous Air Pollutants) requirements; and to phase out the use of transfer machines.

Other Identifying Information: Section 3.03 pertains to Perchloroethylene Dry Cleaners.

Statutory Authority for Adoption: Chapter 70.94 RCW. Statute Being Implemented: RCW 70.94.141.

Summary: This proposal will incorporate the new monitoring and record-keeping requirements in accordance with the new federal NESHAP; and require the phaseout of transfer machines by December 31, 1999.

Reasons Supporting Proposal: To obtain delegation of the new federal NESHAP and eliminate dual regulation while maintaining the stringency of both the PSAPCA and EPA regulation; and to phase out the use of transfer systems since use of this outdated technology results in a much greater loss of perchloroethylene.

Name of Agency Personnel Responsible for Drafting: Maggie Corbin, 110 Union Street, #500, Seattle, 98101, 689-4057; Implementation: Dave Kircher, 110 Union Street, #500, Seattle, 98101, 689-4050; and Enforcement: Jim Nolan, 110 Union Street, #500, Seattle, 98101, 689-4053.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The state implementation plan will be updated to reflect these amendments.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To provide the regulated community with a simpler, more concise regulation while incorporating the new federal NESHAP requirements; and to phase out the use of transfer machines. This proposal will incorporate the new monitoring and record-keeping requirements in accordance with the new federal NESHAP; and require the phaseout of transfer machines by December 31, 1999.

Proposal Changes the Following Existing Rules: This proposal increases monitoring and record-keeping requirements in order to be consistent with the EPA NESHAP; and phases out the use of transfer machines.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the small business economic impact provision of the Administrative Procedure Act.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency is not subject to this law.

Hearing Location: Puget Sound Air Pollution Control Agency Offices, 110 Union Street, #500, Seattle, WA 98101, on November 9, 1995, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Agency Receptionist, 689-4010 by November 2, 1995, TDD (800) 833-6388, or (800) 833-6385 (braille).

Submit Written Comments to: Dennis McLerran, Puget Sound Air Pollution Control Agency, 110 Union Street, #500, Seattle, WA 98101, FAX (206) 343-7522, by October 30, 1995.

Date of Intended Adoption: November 9, 1995.

October 3, 1995

Margaret L. Corbin
Air Pollution Engineer

PROPOSED

AMENDATORY SECTION**REGULATION III SECTION 3.03 PERCHLOROETHYLENE DRY CLEANERS**

~~((a) This section applies to all dry cleaning systems using perchloroethylene, except systems with annual uncontrolled emissions of 300 kilograms or less.~~

~~(b) It shall be unlawful for any person to operate a perchloroethylene dry cleaning system unless the entire dryer exhaust is vented through a control device which will reduce VOC emissions to 5 kg or less per 100 kg dry weight of cleaned articles.~~

~~(c) It shall be unlawful for any person to cause or allow the operation of a perchloroethylene dry cleaner unless the control device meets one of the following conditions:~~

~~(1) The exhaust from a carbon adsorber shall contain less than 100 ppm perchloroethylene as measured over a period of one minute before dilution; or~~

~~(2) The air temperature at the outlet of a refrigerated condenser must reach 7°C or less during the cool-down period. A temperature gauge shall be installed on the condenser outlet duct; or~~

~~(3) The demonstrated control efficiency for any other control device must be 90% or greater by weight, prior to the discharge to the atmosphere measured over a complete control cycle.~~

~~(d) It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaner unless all of the following conditions are met:~~

~~(1) All leaking components shall be repaired immediately.~~

~~(2) If filtration cartridges are drained, they shall be drained in an enclosed container for at least twenty-four (24) hours before discarding the cartridges.)~~

~~(a) **Applicability.** This section applies to all dry cleaning systems using perchloroethylene.~~

~~(b) **General Requirements.** It shall be unlawful for any person to cause or allow the operation of a perchloroethylene dry cleaning system unless all the air-perchloroethylene gas-vapor stream is vented through a carbon adsorber or refrigerated condenser. Dry cleaning machines installed after September 21, 1993 shall use a refrigerated condenser.~~

~~(c) **General Operation and Maintenance Requirements.** It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system unless all of the following conditions are met:~~

~~(1) Conduct a visual inspection of the dry cleaning system at least once a week for perceptible leaks. All perceptible leaks shall be repaired within 24 hours of detection. If repair parts must be ordered to repair a leak, the parts shall be ordered within 2 working days of detecting the leak, and the repair parts shall be installed within 5 working days after receipt;~~

~~(2) Drain cartridge filters in their housing or other sealed container for at least 24 hours before discarding the cartridges;~~

~~(3) Close the door of each dry cleaning machine except when transferring articles to or from the machine;~~

~~(4) Store all perchloroethylene, and wastes containing perchloro-ethylene, in a closed container; and~~

(5) Operate and maintain the dry cleaning system according to the manufacturer's specifications and recommendations.

(d) **Requirements for Refrigerated Condensers.** It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system using a refrigerated condenser unless all of the following conditions are met:

(1) The air temperature at the outlet of the refrigerated condenser installed on a dry-to-dry machine, dryer, or reclaimer must reach 45°F (7°C) or less during the cool-down period. Compliance shall be determined by continuously monitoring the outlet temperature during the cool-down period using a permanently installed temperature sensor that is accurate to within 2°F (1°C);

(2) The difference between the air temperature at the inlet and outlet of a refrigerated condenser installed on a washer must be greater than or equal to 20°F (11°C). Compliance shall be determined by continuously monitoring the inlet and outlet temperatures during the cool-down period using permanently installed temperature sensors that are accurate to within 2°F (1°C);

(3) The refrigerated condenser shall be operated with a diverter valve that prevents air drawn into the dry cleaning machine from passing through the refrigerated condenser when the door of the machine is open; and

(4) The refrigerated condenser shall not vent the air-perchloroethylene gas-vapor stream while the dry cleaning machine drum is rotating or, if installed on a washer, until the washer door is opened.

(e) **Requirements for Carbon Adsorbers.** It shall be unlawful for any person to cause or allow the operation of any perchloroethylene dry cleaning system using a carbon adsorber unless all of the following conditions are met:

(1) The concentration of perchloroethylene at the exhaust of the carbon adsorber shall not exceed 100 ppm while the dry cleaning machine is venting to the carbon adsorber at the end of the last dry cleaning cycle prior to desorption of the carbon adsorber; and

(2) Compliance shall be determined by weekly measurements of the concentration of perchloroethylene at the outlet of the carbon adsorber using a colorimetric detector tube that is accurate to within 25 ppm. If the dry cleaning system was constructed on or before December 8, 1991, monitoring shall commence by September 23, 1996. If the dry cleaning system was constructed after December 8, 1991, monitoring shall commence immediately.

(f) **Recordkeeping.** Each dry cleaning facility shall have an Operation and Maintenance Plan as described in Section 5.05(e) of Regulation I that includes the following records:

(1) A record of dates and results of all monitoring, inspections, and repair of the dry cleaning system.

(2) If a refrigerated condenser is used on a dry-to-dry machine, dryer, or reclaimer, a weekly record of the air temperature measured at the outlet of the refrigerated condenser during the cool-down period to verify compliance with Section 3.03 (d)(1).

(3) If a refrigerated condenser is used on a washer, a weekly record of the difference between the air temperatures measured at the inlet and outlet of the refrigerated condenser to verify compliance with Section 3.03 (d)(2).

(4) A record of the volume of perchloroethylene purchased each month including receipts of perchloroethylene purchases and a calculation of the amount of perchloroethylene purchased over the previous 12 months.

(g) Prohibitions. It shall be unlawful to operate a multi-machine dry cleaning operation in which washing and drying are performed in different machines (transfer system) after December 31, 1999.

(h) Major Source Requirements. If the dry cleaning system is located at a facility that emits 10 tons or more of perchloroethylene annually, the facility must meet the additional requirements set forth in 40 CFR Part 63, Subpart M.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not required.

Hearing Location: Department of Personnel, 521 Capitol Way South, Board Room, Olympia, WA, on November 9, 1995, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 2, 1995, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Whitehead, Department of Personnel, P.O. Box 47500, Olympia, WA, FAX (360) 586-4694, by November 7, 1995.

Date of Intended Adoption: November 9, 1995.

October 4, 1995
Dennis Karras
Secretary

WSR 95-20-083

PROPOSED RULES

PERSONNEL RESOURCES BOARD

[Filed October 4, 1995, 10:15 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Chapters 359-39, 359-09, 359-48, and 359-07 WAC.

Purpose: The above WAC chapters were scheduled to be effective January 1, 1996, as filed by WSR 94-23-136. This proposal will delay the effective date of chapters 359-39, 359-09, 359-48, and 359-07 WAC until January 1, 1997.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will postpone the effective date of WSR 94-23-136.

Reasons Supporting Proposal: The Department of Personnel is working to consolidate the two existing civil service rule books, Title 251 and 356 WAC, to create a new set of civil service rules, Title 359 WAC. The Personnel Resources Board has adopted four chapters of Title 359 WAC to be effective January 1, 1996. The Department of Personnel is continuing to work on the development of the remaining chapters. At this time, it is evident the remainder of Title 359 WAC will not be completed by January 1, 1996, to coincide with the effective date of the four adopted WAC chapters. Therefore, the Department of Personnel is proposing to postpone the effective date of chapters 359-39, 359-09, 359-48, and 359-07 WAC filed in WSR 94-23-136.

Name of Agency Personnel Responsible for Drafting: Sharon Whitehead, 521 Capitol Way South, Olympia, WA, 753-0468; Implementation and Enforcement: Department of Personnel, 521 Capitol Way South, Olympia, WA, 753-0468.

Name of Proponent: Department of Personnel, 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 proposal is to postpone the effective date of chapters 359-39, 359-09, 359-48, and 359-07 WAC until January 1, 1997.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

WSR 95-20-084

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 4, 1995, 10:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-17-113.

Title of Rule: Chapter 16-540 WAC, Washington Mint Commission.

Purpose: The rule promotes the general welfare of the state by enabling the producers of mint plants to help themselves develop improved production methods and/or programs for the control of diseases, insects, and weeds associated with mint plant culture, and to provide for the dissemination of information to affected producers.

Statutory Authority for Adoption: RCW 15.65.050.

Statute Being Implemented: RCW 15.65.210.

Summary: The proposed rule change will (1) increase the grower assessment from 3.5¢ per pound to 5¢ per pound of mint oil and (2) eliminate the restrictions to collect assessments if unexpected moneys on deposit with the board exceeds total assessments received during that fiscal year.

Reasons Supporting Proposal: The increased assessment will provide for additional research in the production of mint plants and distilling of mint oil. The rule change will also provide for more effective financial management in carrying out the provisions of the marketing order.

Name of Agency Personnel Responsible for Drafting: Walter Swenson, Washington State Department of Agriculture, 1111 Washington Street, Olympia, (360) 902-1928; Implementation and Enforcement: Washington Mint Commission, P.O. Box 2111, Pasco, WA, (509) 547-5538.

Name of Proponent: Washington Mint Commission, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The assessment increase is consistent with section 1, chapter 109, Laws of 1995.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The current annual assessment rate on mint is 3.5¢ per pound. If assented to by a majority of mint producers in the state, the annual assessment will increase to 5¢ per

pound. The additional assessments will be used to carry out research on improved production methods. The rule will also remove restrictions to collect assessments when moneys on deposit with the board exceeds the total assessments that fiscal year. Eliminating the restriction to collect assessments during the next fiscal year will provide for more effective financial management and ensure continuity in long-term research programs.

Proposal Changes the Following Existing Rules: Removes the restriction to collect assessments when unexpected moneys on deposit with the board exceeds the total assessments received that fiscal year.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The increase in assessments must be approved by a majority vote of the mint growers. The increase assessment, if approved, is proportionate to the level of production of each grower.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State University, Irrigated Agriculture Research and Extension Center, 24106 North Bunn Road, Prosser, WA 98350, on November 8, 1995, at 2:30 p.m.

Assistance for Persons with Disabilities: Contact Cathy Jensen by November 8, 1995, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Walter Swenson, Agricultural Programs Administrator, P.O. Box 42560, Olympia, WA 98504-2560, FAX (360) 902-2089, by November 8, 1995.

Date of Intended Adoption: January 24, 1996.

October 4, 1995
William E. Brookreson
Assistant Director

AMENDATORY SECTION (Amending Order 1823, filed 5/2/84)

WAC 16-540-040 Assessments and collections. (1) Assessments.

(a) The fixed annual assessment on all varieties of mint oil subject to this marketing order shall be (~~three and one-half~~) five cents per pound of oil as weighed by first purchaser.

(b) First purchasers shall collect assessments at time of payment for oil, from producers whose production they handle and remit the same to the board in accordance with procedures adopted by the board. Producers and producer-handlers who ship their oil direct to handlers outside of the state of Washington shall remit assessments to the board at time of shipment.

(2) **Collections.** Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order to all persons from whom such moneys were collected or received, or may be carried over into and used with respect to the next succeeding season, year or period whenever the board finds that the same will tend to effectuate such policies and

purposes. (~~However, if at the end of any fiscal year, the unexpended moneys on deposit with the board shall exceed the total assessments received during that fiscal year, no assessment shall be levied during the next succeeding fiscal year.~~)

(3) **Penalties.** Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable.

WSR 95-20-085

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed October 4, 1995, 10:34 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-17-114.

Title of Rule: Chapter 16-529 WAC, Washington Alfalfa Seed Commission.

Purpose: The rule promotes the general welfare of the state by enabling producers of alfalfa seed to help themselves establish orderly, fair, sound, efficient, and unhampered marketing of seed, and to develop improved production methods and/or programs for the control of disease, insects, and weeds associated with the culture and harvesting of alfalfa seeds.

Statutory Authority for Adoption: RCW 15.65.050.

Statute Being Implemented: RCW 15.65.210.

Summary: The proposed rule change will eliminate the restrictions to collect assessments if unexpected moneys on deposit with the board exceeds the total assessments received during that fiscal year.

Reasons Supporting Proposal: The amendment will provide for more effective financial management and budgeting in carrying out the provisions of the marketing order.

Name of Agency Personnel Responsible for Drafting: Walter Swenson, Washington State Department of Agriculture, 111 [1111] Washington Street, Olympia, (360) 902-1928; **Implementation and Enforcement:** Washington Alfalfa Seed Commission, P.O. Box 2945, Pasco, WA, (509) 547-5538.

Name of Proponent: Washington Alfalfa Seed Commission, governmental.

PROPOSED

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule will remove the restriction to collect assessments when moneys on deposit with the board exceeds the total assessment that fiscal year. Eliminating the restriction to collect assessments during the next year will provide for more effective financial management and ensure the continuity of long-term research programs.

Proposal Changes the Following Existing Rules: Removes restriction to collect assessments when unexpected moneys on deposit with the board exceeds the total assessments received that fiscal year.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rate of assessment will not be affected by the rule change. The amendment must be approved by the alfalfa seed producers.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State University Cooperative Extension, 317 West Roase Street, Walla Walla, WA 99362, on November 8, 1995, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Cathy Jensen by November 8, 1995, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Walter Swenson, Agricultural Programs Administrator, P.O. Box 42560, Olympia, WA 98504-2560, FAX (360) 902-1928, by November 8, 1995.

Date of Intended Adoption: January 24, 1996.

October 4, 1995
William E. Brookreson
Assistant Director

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-150 Collections. Any moneys collected or received by the board pursuant to the provisions of this chapter during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order to all persons from whom such moneys were collected or received, or may be carried over into and used with respect to the next succeeding season, year, or period whenever the board finds that the same will tend to effectuate such policies and purposes. ~~((However, if at the end of any fiscal year, the unexpended moneys on deposit with the board shall exceed the total assessments received during that fiscal year, no assessment shall be levied during the next succeeding fiscal year.))~~

WSR 95-20-087
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 4, 1995, 11:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-17-033.

Title of Rule: WAC 180-25-032 State study and survey—Special state assistance for building condition surveys.

Purpose: This rule as adopted in 1992 was intended to provide some additional funding assistance to school districts to gather and provide building condition data which was required as the result of the adoption of a new priority system.

Statutory Authority for Adoption: RCW 28A.525.020.

Statute Being Implemented: Not applicable.

Summary: When adopted, it was the intent of the State Board of Education to provide a small stipend to assist districts gather information not previously required.

Reasons Supporting Proposal: The rule carried a conclusion date of July 1, 1995. Having fully complied with all provisions of the rule, there is no need for its retention.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: When this rule was adopted in 1992 for priority funding purposes, school districts were required to provide additional building condition data over that which was currently on file. To assist districts gather and provide this information, provisions were made for districts to apply for and receive reimbursement until July 1, 1995. This proposed revision will delete this section of WAC in its entirety, having complied with the rule to its conclusion of July 1, 1995.

Proposal Changes the Following Existing Rules: This proposed revision to chapter 180-25 WAC will delete in its entirety WAC 180-25-032.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule will have a minor or negligible economic impact.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Spokane School District, Board Room No. 101, 200 North Bernard, Spokane, WA 99201-0282, on November 15, 1995, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Jim Rich by November 3, 1995, TDD (360) 664-3631, or (360) 753-6733.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, by November 13, 1995.

Date of Intended Adoption: November 17, 1995.

November [October] 4, 1995

Larry Davis
Executive Director

PROPOSED

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-25-032 State study and survey—
Special state assistance for
building condition surveys.

**WSR 95-20-091
PROPOSED RULES
STATE BOARD OF EDUCATION**

[Filed October 4, 1995, 11:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 95-11-069.

Title of Rule: Chapter 180-10 WAC, Access to public records.

Purpose: To update rules to reflect current practice and law.

Statutory Authority for Adoption: RCW 28A.305.010 and 28A.305.130.

Statute Being Implemented: RCW 28A.305.010 and 28A.305.130.

Summary: The amendments will provide a more complete description of the process for obtaining public records of the board.

Reasons Supporting Proposal: Rules will assist those persons who wish to be informed about the process to access public records of the board.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

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

Proposal Changes the Following Existing Rules: Sets forth comprehensive rules for access to public records in compliance with the public records requirements set forth in chapter 42.17 RCW.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Board Room No. 101, Spokane School District, 200 North Bernard, Spokane, WA 99201-0282, on November 15, 1995, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Judy Rus by November 3, 1995, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357, by November 13, 1995.

Date of Intended Adoption: November 17, 1995.

October 4, 1995
Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-10-003 Description of organization. The state board of education is created by law in chapter 28A.305 RCW. The board consists of ~~((two))~~ one voting member~~((s))~~ from each congressional district in the state ~~((who are))~~ elected by the members of school district boards of directors ~~((and))~~ thereof who serve staggered ~~((six))~~ four-year terms; the superintendent of public instruction, who serves as an ex officio member and chief executive officer of the board and votes only to break ties; and, ~~((a nonvoting))~~ one member elected at large by members of the boards of directors of approved private schools who serves a ~~((six))~~ four-year term. A secretary (executive director) ~~((to the state board))~~ is appointed by the board ~~((and maintains the record of board proceedings))~~. General powers of the board affect teacher training and certification programs, high school graduation requirements, school accreditation, school building assistance, school district organization and classification, general government of the schools, approval of basic education programs, approval of private schools, and other matters which include the discipline of pupils and instructional program improvement.

AMENDATORY SECTION (Amending Order 6-80, filed 5/29/80)

WAC 180-10-005 Operations and procedures. The state board is required by law to hold an annual meeting and other meetings as it deems necessary to conduct its business. Pursuant to the Washington State Register Act of 1977, the ~~((state))~~ board publishes a schedule of its meetings and notices of proposed ~~((permanent))~~ rule-making actions in the Washington State Register. ~~((Places for))~~ The meetings ~~((are))~~ may be scheduled in various locations across the state. The secretary (executive director) to the state board of education maintains a complete record of all board proceedings and supporting materials ~~((developed by staff of the superintendent of public instruction))~~.

NEW SECTION

WAC 180-10-007 Definitions. (1) Public records. As used in this chapter, "public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics: *Provided, however,* That the personal and other records cited in RCW 42.17.310 are exempt from the definition of public record.

(2) Writing. As used in this chapter, "writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, disks, drums, diskettes, sound recordings, and other documents including existing data compilations from which data may be obtained or translated.

(3) State board of education. The state board of education is an agency created by law in chapter 28A.305 RCW. The state board of education shall hereafter be referred to as the "board" or "agency."

AMENDATORY SECTION (Amending Order 6-80, filed 5/29/80)

WAC 180-10-010 (~~Administrative practice regard-~~
~~ing)) Access to public records. (~~It is recognized by the~~
~~state board of education that the superintendent of public~~
~~instruction and his or her staff maintain and administer the~~
~~public records of the board. Accordingly, the records of the~~
~~state board of education shall be subject to public access in~~
~~accordance with the applicable rules in chapter 392-105~~
~~WAC as now or hereafter adopted and codified. Provided,~~
~~That prior to the amendment or repeal of such rules the~~
~~superintendent or his or her designee shall review such~~
~~changes as pertain to records of the board with the board.))~~~~

(1) All public records of the board, as defined in RCW 42.17.020 (27) and (29), prepared, owned, used, or retained by the board, shall be available for public inspection and copying during normal office hours except for the following:

(a) Personal information in files maintained by the board to the extent that disclosure would violate any individual's right to privacy.

(b) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record shall not be exempt when publicly cited by the agency in connection with any agency action.

(c) Records which are relevant to a controversy to which the agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(d) Any other information which is exempt from public inspection under RCW 42.17.310 where disclosure would violate personal privacy or vital government interests.

(2) The exemptions of this section shall be inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital government interest, can be deleted from the specific records sought. No exception shall be construed to permit the nondisclosure of statistical information when such information is not descriptive of any readily identifiable person or persons.

NEW SECTION

WAC 180-10-015 Public records officer. The agency's public records shall be in the charge of the board's secretary (executive director), the board's designated public records officer. The person so designated shall be located in the administrative office of the board located in the Old Capitol Building, 600 South Washington, Olympia, Washington 98504-7206. The secretary (executive director) shall be responsible for the following: Implementation of the board's rules and regulations regarding release of public records, and generally ensuring compliance by staff with the public records disclosure requirements in chapter 42.17 RCW.

NEW SECTION

WAC 180-10-020 Office hours. Public records shall be available for inspection and copying during the customary office hours of the administrative office of the board. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 180-10-025 Requests for public records. In accordance with the requirements of RCW 42.17.290 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records are only obtainable by members of the public when those members of the public comply with the following procedures:

(1) A request shall be made in writing. The written request shall be presented to the secretary (executive director) or designee at the administrative office of the board during customary office hours or may also be mailed. The request shall include the following information:

(a) The name of the person requesting the record;

(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the secretary (executive director), a reference to the requested information as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the secretary (executive director), or person to whom the request is made, to assist the member of the public in succinctly identifying the public record requested.

NEW SECTION

WAC 180-10-030 Copying. No fee shall be charged for the inspection of public records. The board may impose a charge for providing copies of public records and for the use by any person of agency equipment to copy public records; such charges shall not exceed fifteen cents per page for photocopies of public records or for use of agency equipment to photocopy public records and the actual postage or delivery charge and the cost of any container or envelope used to mail the public records to the requester. No person shall be released a record so copied until and unless the person requesting the copied public record has tendered payment for such copying to the appropriate official. All charges must be paid by money order, check, or cash in advance.

NEW SECTION

WAC 180-10-035 Determination regarding exempt records. (1) The board reserves the right to determine that a public record requested in accordance with WAC 180-10-025 is exempt under the provisions of RCW 42.17.310 and

42.17.315. Such determination may be made in consultation with the secretary (executive director) or an assistant attorney general assigned to the agency.

(2) Pursuant to RCW 42.17.260, the board reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy: *Provided, however,* In each case, the justification for the deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly. Within five business days of receiving a public record request, the board shall respond by either:

- (a) Providing the record;
- (b) Acknowledging that the board has received the request and providing a reasonable estimate of the time the agency will require to respond to the request; or
- (c) Denying the public record request.

Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public record request that is unclear, the agency may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request within five working days of being asked for said clarification, the agency need not respond to it.

(4) All denials of request for public records must be accompanied by a written statement, signed by the secretary (executive director) or designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record, and a brief explanation of how the exemption applies to the public record withheld.

NEW SECTION

WAC 180-10-040 Review of denials of public record requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person petitioning for prompt review of a decision denying a public record shall be submitted to the public records officer or designee.

(3) Within two business days after receiving a written request by a person petitioning for a prompt review of a decision denying a public record, the secretary (executive director) or designee shall complete such review.

(4) During the course of the review the secretary (executive director) or designee shall consider the obligations of the agency to comply fully with the intent of chapter 42.17 RCW insofar as it requires providing full public access to official records, but shall also consider both the exemptions provided in RCW 42.17.310 through 42.17.315, and the provisions of the statute which require the agency to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.

NEW SECTION

WAC 180-10-045 Protection of public records. Public records and a facility for their inspection will be provided by the secretary (executive director) or designee. Such records shall not be removed from the place designated for their inspection. Copies of such records may be arranged for according to the provisions of WAC 180-10-030.

WSR 95-19-075
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3897—Filed September 18, 1995, 3:48 p.m.]

Date of Adoption: September 18, 1995.

Purpose: Authorizes a mandatory JOBS program and assigns clients to the four pathways of service delivery. Renumbers and revises rules for the JOBS program. Limits the time or credits approvable for education or training. Incorporates the employment partnership program as specified under chapter 74.25A RCW. New chapter 388-300 WAC.

Citation of Existing Rules Affected by this Order: Repealing chapter 388-47 WAC, JOBS opportunities and basic skills training program.

Statutory Authority for Adoption: Chapter 74.25A RCW and RCW 74.08.090.

Adopted under notice filed as WSR 95-15-001 on July 5, 1995.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-300-0400 (2)(b), clarified dependent child status as opposed to person seventeen years of age or younger; WAC 388-300-0400 (2)(m), added electronic home detention sentence to exemption criteria. AFDC rules state that the parent who is serving such a sentence is part of the assistance unit. Such a parent would not be able to participate in JOBS or provide adequate care for the children in the household; WAC 388-300-0700 (6)(b)(i), deleted. (ii) becomes (i). New (ii) added to read "No more than four months have elapsed." This shortens the length of time an applicant participant is required to conduct job search; WAC 388-300-1100 (4)(j), new subsection adds "mental or physical limitation" to the factors to assess; WAC 388-300-1100 (4)(l), relettered to (m) - changed to "Local labor market in terms of currently available and future employment opportunities." Deleted reference to approved employment goal as such approval would not have taken place before the assessment; WAC 388-300-1100(5), deleted "...which may include..." to make assessment of the needs of participant's children a required part of the assessment; WAC 388-300-1200 (5)(b), delete "...ineligible for an AFDC grant... due to earnings", substitutes "self-supporting." This provides a more realistic standard; WAC 388-300-1200 (5)(c), replaces "sufficient to...due to earnings; and", with "...at or above the AFDC needs standard as specified in chapter 388-300 WAC." This provides a more realistic standard; WAC 388-300-1200 (5)(d), language inserted "The participant has competitive skills only in an occupation with annual wages below the AFDC need standard as specified in chapter 388-250 WAC." The new language allows for seasonally employed AFDC recipients to access JOBS program services other than job search; WAC 388-300-1200(6), deletes reference to components and component approval sections. This limits the consultation requirement to employment goals; WAC 388-300-1200(7)(new), "The service provider shall inform the participant of the participant's right to discuss the employment goal or component assignment with a representative of the department when the participant and service provider do not agree on the appropriateness of an employment goal or component assignment offered for

approval by either the participant or the service provider."; WAC 388-300-1200(8) (old (7)), adds language "...The department shall base the approval decision on information obtained through the assessment process under WAC 388-300-1100, information provided on the employability plan as described under WAC 388-300-1200, and may gather additional information from the participant and the service provider to assist in the decision making process." Clarifies the basis of departmental decisions regarding approval of employment goals and component assignments; WAC 388-300-1200(9) (old (8)), adds "component assignment" as action which may be conciliated or fair hearing requested to resolve. Adds grievance as a resolution action; WAC 388-300-1300(4), adds "...at a wage at or above the AFDC needs standard specified in chapter 388-250 WAC" to provide a realistic standard; WAC 388-300-1400(4), deletes "...have the authority to determine if a participant is eligible for"; substitutes "approve." Adds "...to the extent that the service provider approves such changes." Ensures continuing participation by the AFDC recipient in the JOBS program by directing the service provider to approve component costs and supportive services which have previously included on an employability plan if the service provider approves changes made by the participant in employment goal, course of education or training, or component activity; WAC 388-300-1400(5), ensures portability of an employability plan within the state by deleting "if the component and services are available in the community service office from which the participant is receiving an AFDC grant"; WAC 388-300-1500 (3)(b), deleted "subject to funding limitations for participant assignment, based on the component assignment criteria in WAC 388-300-2200 through 388-300-3100"; WAC 388-300-1500 (3)(c), add "for those participants who entered the JOBS program on or after the effective date of this chapter"; WAC 388-300-1500 (3)(d), added section "Obligate funds for component costs and supportive services to support components approved prior to the effective date of this chapter without regard to the funding priorities established in WAC 388-300-1400 if the participant is making satisfactory progress or is participating satisfactorily in the components identified on the employability plan." The changes to WAC 388-300-1500 provide for continuity of services for participants across fiscal years and assures current participants will no be subject to the new regulations at their next annual review, WAC 388-300-1900(3), inserts reference to "JOBS" and deletes reference to "participation" to clarify which benefits may be continued; WAC 388-300-2100(2), delete references to Washington Service Corp (WSC) to remove the danger that WSC regulations would be applied to JOBS participants resulting in an adverse action toward the participant; WAC 388-300-2200(3), revised to state that the participant may request and if he or she does, the service provider has the authority to assign the person to a JOBS component other than high school completion or GED under certain conditions; WAC 388-300-2200 (3)(a)(ii), adds that the person must have demonstrated the ability to find and keep a job without high school or GED; WAC 388-300-2200 (3)(b)(i), adds that the AFDC needs standard be used. These changes clarify that participants may request to participate in other JOBS components in lieu of HS or GED and the service provider has the authority to allow other participation under certain conditions; WAC 388-300-2500

(2)(a), deleted. Removes a redundant criteria; WAC 388-300-2600 (2)(a), deleted. Removes a redundant criteria; WAC 388-300-2600 (2)(d), delete "and the required...twenty four months." Removes the time limitation which could penalize participants who are unable to get the required coursework in a particular term/semester; WAC 388-300-3300(2), adds "The participant shall have the right to request that a department designee facilitate conciliation between the participant and the service provider." Serves to enhance client access to the conciliation process and increases client protections; WAC 388-300-3600(9), added child care and supportive services as benefits to be continued in certain instances; WAC 388-300-3600 (9)(b), added "...Provided, that if the department seeks to terminate supportive services or child care of a JOBS program participant pursuant to WAC 388-300-1800 as a result of the participant's failure to make satisfactory progress as defined in WAC 388-300-0200 or because the participant has ceased to participate in the component activity before completion of the activity, the department may request that an expedited preliminary hearing be held for the sole purpose of determining whether child care or other supportive services shall continue pending the hearing. In making the determination of whether child care or other supportive services shall be continued pending the hearing, the Administrative Law Judge shall consider the likelihood that the department will prevail at the hearing, the harm that will be suffered by the participant if the child care or supportive services are terminated, and the cost to the department if child care and supportive services are continued pending the hearing." This language adds client protections.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 39, amended 0, repealed 21.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 39, amended 0, repealed 21.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 39, amended 0, repealed 21.

Effective Date of Rule: Thirty-one days after filing.
September 18, 1995

Jeanette Sevedge-App
Acting Chief

Office of Vendor Services

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 388-47 WAC JOBS opportunities and basic skills training program.

**Chapter 388-300 WAC
JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS) PROGRAM**

NEW SECTION

WAC 388-300-0100 Job opportunities and basic skills training (JOBS) program—Authority and purpose.

(1) The JOBS program is established under P.L. 100-485, as amended, 102 Stat. 2343. The short title is the Family Support Act of 1988. Federal regulations for the JOBS program are described under 45 CFR, part 250, part 251, part 255, and part 256. The state statutory authority is Title 74 RCW.

(2) The department shall be by the authority of Title 74 RCW the Title IV-A and Title IV-F agency, and shall have the authority to carry out the JOBS program.

(3) The JOBS program shall provide a recipient of aid to families with dependent children (AFDC) the opportunity to obtain appropriate education, training, skills, and supportive services, including child care, consistent with the needs of the recipient, that will help the recipient enter or reenter gainful employment, thereby avoiding long-term welfare dependence and achieving economic self-sufficiency.

(4) The department shall ensure the JOBS program is directed at increasing labor force participation and household earnings of AFDC recipients.

(5) The department shall communicate to a program participant the concepts of the importance of work and how performance and effort directly affect:

(a) Future career and educational opportunities and economic well-being; and

(b) Personal empowerment, self-motivation, and self-esteem.

(6) The department shall ensure that:

(a) Work experience is the most important component of the JOBS program; and

(b) Education is an important program element and tool for an individual to achieve full independence including:

(i) Literacy training;

(ii) Secondary education;

(iii) High school equivalency;

(iv) Vocational training; and

(v) Post-secondary education.

(7) The department shall provide as specified in 45 CFR, part 250 JOBS program services in accordance with the Washington state plan - JOBS (Title IV-F) and JOBS supportive services and child care in accordance Washington state plan - supportive services (Title IV-A/F).

(8) The department may contract specific program operation functions to other entities.

(9) The department shall contract with service providers in a manner that ensures the state continues to receive enhanced federal funding by meeting the:

(a) Expenditure rate for target group members;

(b) Federal participation rate for nonexempt AFDC-E households in the components specified in WAC 388-300-2100; and

(c) Federal participation rate for JOBS participants.

PERMANENT

NEW SECTION

WAC 388-300-0200 Definitions. Except as otherwise specified, the terms used in this chapter, 388-300 WAC, shall have the same meaning as applied to the AFDC program, and terms defined under chapter 388-22 WAC and 45 CFR, part 250, part 251, part 255, and part 256.

(1) "Basic education" means an activity below the post-secondary level which includes:

(a) High school education or education designed to prepare a person to qualify for a general educational development (GED) certificate;

(b) Basic and remedial education providing a person with a basic literacy level; and

(c) Education in English as a second language (ESL) proficiency which enables a participant to understand, speak, read, or write the English language to allow employment commensurate with the participant's employment goal.

(2) "Basic literacy level" means a minimum literacy level allowing a person to function at a level equivalent to grade 8.9.

(3) "Component" means the JOBS program activities and services available under WAC 388-300-1100 and 388-300-2200 through 388-300-3100.

(4) "Component costs" means educational or training-related costs such as tuition, books, supplies, or fees paid to or required by an educational or training institution. "Component costs" include reimbursement paid to an employer who is providing on-the-job training.

(5) "Department" means the department of social and health services.

(6) "Employability assessment" means the process by which the person's barriers to employment are identified and information gathered about the person's individual and family circumstances which may affect the person's ability to find and retain employment.

(7) "Employability plan" means a written plan for achieving the employability of a JOBS participant developed jointly by the participant and the service provider. The plan includes:

(a) The employment and training activities in which the person will be participating to become employable;

(b) Supportive services to be provided to the person which are necessary for the person to participate in the activity; and

(c) The person's need for child care during participation in the activities.

(8) "Employability planning" means the process, starting with the assessment, which has an employability plan as the desired outcome.

(9) "Employment partnership program (EPP)" means the work supplementation program as described under chapter 74.25A RCW.

(10) "Employment partnership council (EPC)" means the local council appointed by the county legislative authority in EPP sites as authorized under chapter 74.25A RCW.

(11) "GED" means general educational development.

(12) "JOBS Automated System" means the automated electronic data collection system used to identify the components or employment in which a JOBS participant is or has been participating.

(13) "JOBS eligible" means the person is an applicant for or recipient of AFDC.

(14) "One-time work-related expense" means payments for expenses needed by an applicant or recipient of AFDC to enter or maintain employment on a per-job-basis as provided for in the Washington state plan - supportive service plan (Title IV-A/F).

(15) "Participant" means an applicant for or recipient of AFDC engaged in JOBS program activities. Participation in JOBS begins with the assessment.

(16) "Satisfactory progress" means a participant in secondary or post-secondary education or job skills training:

(a) Has achieved and is maintaining a grade point average sufficient to graduate; and

(b) Is taking sufficient credit hours in required coursework to graduate from the course of study within the time frame established for the course by the institution unless:

(i) The education or training activity is coupled with another JOBS approved activity;

(ii) A particular required class is not available in the time frame; or

(iii) There are mitigating circumstances as determined by the department or the service provider which make fewer hours of class time reasonable for a participant.

(17) "Service provider" means either the department or another entity under contract or interagency agreement with the department to provide JOBS services.

(18) "Supportive services" means services as specified and to the limits in the Washington state plan - supportive services (Title IV-A/F) provided to JOBS participants. Supportive services do not include child care, and supportive services do include:

(a) Child care registration fee;

(b) Transportation reimbursement;

(c) Car repair;

(d) Clothing;

(e) Medical examinations or services;

(f) Licenses or fees;

(g) Meals and short-term lodging;

(h) Testing;

(i) Supportive counseling, education, and training;

(j) Haircuts;

(k) Relocation expenses;

(l) Tools and equipment;

(m) Work-related clothing and uniforms; and

(n) Union initiation fees.

(19) "Target group member" means:

(a) An AFDC applicant or recipient who received AFDC for thirty-six or more of the preceding sixty months;

(b) A custodial parent under twenty-four years of age who did not complete high school and is not enrolled in high school or a high school equivalent at the time of the family's application for AFDC;

(c) A custodial parent under twenty-four years of age having less than six months of employment in the last year; or

(d) A member of a family where the youngest child is within two years of ineligibility for AFDC because of age.

(20) "Work maturity" means an understanding of workplace expectations and the ability to conform to these expectations.

NEW SECTION

WAC 388-300-0300 Providing program information and opportunity to participate. (1) The department shall provide applicants for and recipients of AFDC with the following information at application or, as appropriate, at redetermination:

- (a) Specific information about the JOBS program; and
- (b) Instruction on how to enter the program.

(2) The department shall provide information orally and in writing. In all cases the department shall provide the information in a manner designed to be understood by the applicant or recipient.

(3) The department shall ensure that information provided under subsection (1) of this section includes:

(a) The department's obligation to provide services to JOBS participants;

(b) A description of who is exempt from mandatory JOBS participation;

(c) The availability of JOBS program activities, child care, and supportive services for which a person may be eligible while participating in JOBS, including:

(i) Employment, training, and education services;

(ii) Supportive services, including but not limited to transportation reimbursement;

(iii) Child care services, including but not limited to available child care programs and information about how to select, obtain, and access assistance to obtain appropriate child care;

(iv) Transitional child care benefits; and

(v) Medical extension benefits.

(d) A clear description of how to enter the JOBS program.

(4) The department shall ensure that information provided under subsection (1) of this section includes the rights, responsibilities, and obligations of JOBS participants including, but not limited to:

(a) Consequences of refusing or failing to participate, including the effect on volunteers;

(b) The requirement of both parents in an AFDC-E household to participate in JOBS if the department guarantees child care; and

(c) The requirement that the second parent in an AFDC-E family participate in JOBS if the qualifying parent fails or refuses to participate as required without good cause.

NEW SECTION

WAC 388-300-0400 Participation exemptions. (1) The department shall determine a person's exemption status for JOBS at application, redetermination, and at any change of circumstance of the AFDC case.

(2) A recipient shall be exempt from required JOBS participation if the person is:

(a) Fifteen years of age or younger;

(b) A dependent child as defined under chapter 388-215 WAC attending full-time an elementary, secondary, vocational, or technical school;

(c) Sixty years of age or older;

(d) Ill, when the department determines on the basis of medical evidence or other sound basis that the illness or injury is serious enough to temporarily prevent entry into employment, education, or training;

(e) Incapacitated, when verified by the department that a physical or mental impairment, determined by a physician or licensed or certified psychologist, prevents the person from engaging in employment or training under JOBS. Incapacitation may include a period of recuperation after childbirth if prescribed by a physician;

(f) Residing in a remote location requiring two hours or more round-trip travel time from a JOBS program or activity site when the person uses reasonably available public or private transportation. When normal round-trip commuting time in the area is two hours or more, the department shall not consider the person to be residing in a remote location except when the person's round-trip commuting time exceeds the accepted community standards. Travel time is exclusive of time necessary to transport a child to and from a child care facility.

(g) Needed in the home to care for another ill or incapacitated household member, as determined by a physician or a licensed or certified psychologist, and no other appropriate member of the household is available to provide the needed care;

(h) Working thirty or more hours a week;

(i) Pregnant, and it has been medically verified that the child is expected to be born in the month in which participation would be required or within the following six-month period;

(j) The parent or other caretaker relative of a child less than three years of age and personally providing care for the child. The department shall require a custodial parent nineteen years of age or younger who has not completed high school or GED to participate in basic educational activities regardless of the age of the youngest child. The department shall exempt only one parent or other caretaker relative under this provision;

(k) The parent or other caretaker relative personally providing care for a child less than six years of age, unless the department assures: child care is guaranteed and that the person is not required to participate in JOBS more than twenty hours per week. The department shall exempt only one parent or other caretaker relative under this provision;

(l) A full-time volunteer serving under the Volunteers in Service to America (VISTA), under Title I of the Domestic Volunteer Service Act of 1973; or

(m) Serving a court-ordered electronic home detention sentence.

(3) The department shall:

(a) Re-evaluate the exemption status of a recipient when a condition specified in subsection (2) of this section is expected to end, but not less frequently than at the redetermination of AFDC eligibility; and

(b) Notify the recipient and appropriate service providers of a change in the recipient's exemption status within ten working days.

(4) The department shall consider an applicant or recipient of AFDC claiming exemption status from JOBS participation requirements exempt until the department determines the status of such person.

(5) A recipient of AFDC shall not be required to participate in the JOBS program until notified of the need to do so by:

(a) The department; or

(b) The tribal entity operating a tribal JOBS program.

NEW SECTION

WAC 388-300-0500 Required participation. (1) The department shall ensure that before a nonexempt AFDC recipient is required to further participate in JOBS components the service provider has:

(a) Conducted an assessment of the person's employability; and

(b) Developed an employability plan for the person.

(2) The department may require a nonexempt AFDC recipient to participate in JOBS components and activities.

(3) A nonexempt AFDC recipient who is required to participate and who fails or refuses to participate in JOBS without good cause shall be subject to a sanction under WAC 388-300-3400.

(4) The department shall not require a nonexempt AFDC recipient to participate in JOBS unless the department guarantees child care under chapter 388-51 WAC and under the limitations set forth in WAC 388-300-0400(k) for a dependent child in the household who is:

(a) Twelve years of age or younger; or

(b) Thirteen years of age or older with special needs.

(5) The department may require both parents in an AFDC-E household to participate in JOBS if the department guarantees child care.

(6) The department may only require an AFDC recipient to participate in JOBS when funding is available to provide the supportive services needed by the person to participate in the required activities.

(7) The department shall sanction a nonexempt recipient who volunteers to participate in JOBS if the person fails or refuses to participate in approved employability plan components or activities. The department shall not subject volunteers for the work supplementation program, as described under WAC 388-300-2900, to a sanction for refusing or failing to participate in that activity.

(8) The department shall not impose a sanction under subsection (7) of this section until:

(a) A good cause determination is made under WAC 388-300-3200; and

(b) When appropriate, conciliation services under WAC 388-300-3300 have been offered.

NEW SECTION

WAC 388-300-0600 Referral to pathways. (1) The department shall refer nonexempt AFDC applicants or recipients or exempt volunteers to specific service providers for JOBS program or other services at the time of AFDC eligibility determination or redetermination.

(2) The department shall refer one and may refer both nonexempt parents in a household applying for AFDC-E to the re-employment pathway described in WAC 388-300-0700 if the parent is:

(a) Twenty-four years of age or younger and has completed high school or GED; or

(b) Twenty-five years of age or older.

(3) The department shall refer nonexempt AFDC-R applicants to the re-employment pathway described in WAC 388-300-0700 if:

(a) The parent's most recent job in the last twelve months paid at least six dollars and fifty cents an hour; and

(b) The parent is:

(i) Eighteen years of age or older and has completed high school or GED; or

(ii) Twenty-four years of age or older.

(4) The department shall refer the following nonexempt AFDC applicants, recipients, or dependent children to the young person education pathway described in WAC 388-300-0800:

(a) Twenty-three years of age or younger nonexempt AFDC-R applicants or recipients who have not completed high school or GED;

(b) Twenty-four years of age or younger nonexempt AFDC-E applicants or recipients who have not completed high school or GED;

(c) Dependent children in an AFDC household who are:

(i) Over sixteen and under nineteen years of age; and

(ii) Not attending high school.

(5) The department shall refer any AFDC household member who appears to be disabled under WAC 388-511-1105 to the disability advocacy pathway as described under WAC 388-300-1000.

(6) The department shall refer nonexempt AFDC applicants or recipients not meeting the criteria in subsections (2), (3), and (4) of this section to the employment investment pathway described in WAC 388-300-0900.

(7) The department shall ensure that all referred persons have the opportunity to begin the assessment and employability plan development process at the person's first contact with the pathway service provider.

(8) A service provider may refer a participant to other pathway service providers when an assessment indicates an inappropriate assignment based on factors including, but not limited to, the participant's educational, physical, mental or occupational skill level, or the local labor market.

(9) The department shall inform persons of their right to complaint or grievance under WAC 388-300-3500 regarding pathway assignment at the time of such assignment.

NEW SECTION

WAC 388-300-0700 Re-employment pathway. (1) The department shall ensure the re-employment pathway provides focused employment services to recipients who:

(a) Already possess job skills; or

(b) Are most likely to be re-employed with minimal services.

(2) The service provider shall ensure that persons in the re-employment pathway are provided with:

(a) An assessment of the person's employability as described in WAC 388-300-1100 and employability plan development under WAC 388-300-1200; and

(b) Supportive services in the pathway activities before assigning the person to a component.

(3) The service provider shall immediately refer the person to the employment investment pathway as described under WAC 388-300-0900 when the service provider determines under the assessment described under WAC 388-300-1100 that the person is not competitive in the local labor market.

(4) The service provider shall, within available funds, provide the following services to persons in the re-employment pathway:

(a) Job readiness training under WAC 388-300-2300;

(b) Job search assistance under WAC 388-300-2400; and

(c) ESL in conjunction with activities specified in subsections (a) and (b) of this section.

(5) The service provider shall refer participants who need child care services to the department.

(6) The service provider shall:

(a) Monitor the participant's activity to ensure that the pathway services continue to meet the employability needs of the participant; and

(b) Refer a participant to a service provider in another pathway when:

(i) An assessment of the participant's progress in obtaining employment indicates another JOBS activity is more appropriate; or

(ii) Not more than four months have elapsed.

(7) The department shall sanction under WAC 388-300-3400 those nonexempt participants who fail or refuse to participate in pathway activities in accordance with the person's employability plan developed under WAC 388-300-1200.

NEW SECTION

WAC 388-300-0800 Young person education pathway. (1) The young person education pathway shall provide specialized services including parenting classes, and family planning education and services, to persons referred under WAC 388-300-0600.

(2) The department shall ensure that an AFDC custodial parent in the young person education pathway is provided with an assessment of:

(a) The person's living arrangement, as described in WAC 388-265-1275, if the person is an unmarried pregnant or parenting minor seventeen years of age or younger;

(b) Family issues which may affect the person's employability, including the needs of the participant's children; and

(c) The participant's knowledge of and need for family planning, and referral to appropriate resources.

(3) The service provider shall provide JOBS participants with:

(a) An assessment under WAC 388-300-1100; and

(b) Employability plan development under WAC 388-300-1200.

(4) The service provider shall ensure the JOBS components available under WAC 388-300-2200 are provided to persons in the young person education pathway within the age and program limits specified in that section.

(5) The department may require a nonexempt AFDC custodial parent in the young person education pathway to participate in the JOBS educational activities set forth in the person's employability plan.

(6) The department may require a dependent child in an AFDC household who is sixteen or seventeen years of age to participate in high school completion or GED.

(7) The service provider shall monitor the participant's activity to ensure that pathway services continue to meet the participant's employability needs.

(8) The service provider shall ensure that a person participating in a JOBS component in the young person

education pathway is provided with supportive services as required for the person to participate in the activities.

(9) The service provider shall refer the participant to the department for child care services as required for the person to participate in the pathway activities.

(10) The service provider shall refer persons in the pathway to the employment investment pathway service provider when:

(a) The person completes high school or GED; or

(b) An assessment of the person's progress in the activities indicates that another JOBS activity or other activity is more appropriate.

(11) The department shall sanction under WAC 388-300-3400 nonexempt AFDC recipients, including nonexempt custodial parents nineteen years of age or younger who:

(a) Have been required to participate in basic education activities under WAC 388-300-2200(5); and

(b) Fail or refuse to participate in pathway activities in accordance with the person's employability plan under WAC 388-300-1200.

NEW SECTION

WAC 388-300-0900 Employment investment pathway. (1) The employment investment pathway shall provide a participant with job search, job readiness, job skills training, or basic or post-secondary educational services, or work-related activities to assist the person to find and retain employment.

(2) The service provider shall ensure a participant in the employment investment pathway is provided:

(a) An assessment of the person's employability as described in WAC 388-300-1100; and

(b) Employability plan development as described in WAC 388-300-1200.

(3) The service provider shall ensure the following JOBS services are provided to persons in the employment investment pathway within available funds:

(a) JOBS component activities described in WAC 388-300-2200 through WAC 388-300-3100 to the extent that participants meet the criteria for such components and funds are available; and

(b) Supportive services as required for the person to participate in the pathway activities.

(4) The service provider shall refer the participant to the department for child care services as required for the person to participate in the pathway activities.

(5) The service provider shall monitor the participant's JOBS activity to ensure the pathway services continue to meet the participant's employability needs.

(6) The department shall sanction under WAC 388-300-3400 a nonexempt participant who fails or refuses to participate in pathway activities in accordance with the person's employability plan developed under WAC 388-300-1200.

NEW SECTION

WAC 388-300-1000 Disability advocacy pathway.

(1) The disability advocacy pathway service provider shall:

(a) Offer facilitation services to maximize income levels available to families with disabled family members; and

(b) Assist these family members to receive services for which they are eligible from the most appropriate state or federal program.

(2) The department shall ensure a person in the disability advocacy pathway is provided with:

(a) An evaluation of the severity and potential duration of the person's potentially disabling condition using WAC 388-511-1105;

(b) Referral to division of vocational rehabilitation, as appropriate; and

(c) As appropriate, assistance to a person filing application for:

(i) Old age and survivor's disability insurance;

(ii) Supplemental security income; and

(iii) Medicaid; or

(iv) An appeal to an adverse decision made by the Social Security Administration regarding the person's eligibility for such benefits as provided under Titles II, XVI, and XIX of the Social Security Act.

(3) The department shall not require a person to apply for federal services or benefits to replace receipt of AFDC benefits for the person or the person's child.

(4) The department may refer a person in the disability advocacy pathway to another pathway or another type of service when an assessment indicates another service is more appropriate or will more effectively meet the person's needs.

NEW SECTION

WAC 388-300-1100 Employability assessment. (1) The service provider and the participant shall jointly complete an assessment of the participant's employability before the person's participation in a JOBS component.

(2) The service provider must provide the person with an assessment prior to the person beginning any JOBS activity including initial job search.

(3) The service provider shall ensure the person has the opportunity to begin the assessment process within ten working days of the date the person was referred to the service provider.

(4) The service provider shall assess the participant's employability based on the person's:

(a) Literacy level and English language proficiency;

(b) Educational level and school experiences;

(c) Age;

(d) Occupational skills;

(e) Work maturity skills;

(f) Job finding skills;

(g) Skills deficiencies;

(h) Work history;

(i) Occupational aptitudes and employment goal preference;

(j) Mental or physical limitations;

(k) JOBS supportive service needs including transportation reimbursement;

(l) Needs for child care;

(m) Local labor market in terms of currently available and future employment opportunities; and

(n) Other factors which the department determines to be relevant to the employability of the participant.

(5) The service provider shall ensure the employability assessment includes a review of the family circumstances including the needs of the participant's children.

(6) The service provider:

(a) Shall conduct the assessment through face-to-face interviews, which are preferable, telephone conversations, or other forms of direct communication; and

(b) May use various methods including testing and self-assessment instruments.

NEW SECTION

WAC 388-300-1200 Employability plan. (1) The service provider and the participant shall jointly develop an employability plan based on the assessment described in WAC 388-300-1100.

(2) The service provider shall ensure the elements identified in the assessment under WAC 388-300-1100 (4) and (5) are considered when developing an employability plan with the participant.

(3) The service provider shall take into consideration the following elements when developing an employability plan with and for the participant:

(a) Preferences of the participant to the extent possible given the goals and constraints of the department, including program resources, available services, and local employment opportunities;

(b) Available JOBS program resources; and

(c) The federal requirements for participation rate, target group expenditure rate, and unemployed parent program participation rate to ensure the continuation of enhanced federal matching rates for state funds.

(4) The service provider shall ensure that the employability plan contains an employment goal which has been developed in consultation with the participant.

(5) The service provider shall have employment goal approval authority within the following guidelines:

(a) The employment in the occupation is available in the participant's local labor market; and

(b) The employment goal provides the participant with wages which lead to the person's family becoming self-supporting; and

(c) The participant does not have competitive skills in an occupation different than the proposed employment goal at a wage at or above the AFDC needs standard as specified in chapter 388-250 WAC; and

(d) The participant has competitive skills only in an occupation which is seasonal in nature and provides annual wages below the AFDC needs standard as specified in chapter 388-250 WAC; and

(e) The participant requires twenty-four months or less to complete a job skills training program at a technical college or employment certification program at a community college as specified under WAC 388-300-2500 in order to be competitive in the local labor market in the occupation; or

(f) The participant requires ninety quarter credit hours or sixty semester credit hours or less to complete an associate degree or a baccalaureate degree excluding prerequisite courses at an institution as specified under WAC 388-300-2600 to be competitive in the labor market in the occupation.

(6) The service provider shall consult with the department when the employment goal may be appropriate but does not meet the guidelines in subsection (5) of this section.

(7) The service provider shall inform the participant of the participant's right to discuss the employment goal or component assignment with a representative of the department when the participant and the service provider do not agree on the appropriateness of an employment goal or component assignment offered for approval by either the participant or the service provider.

(8) The department shall have final approval authority for a participant's employment goal and component assignment. The department shall base the approval decision on information obtained through the assessment process under WAC 388-300-1100, information provided on the employability plan as described under WAC 388-300-1200, and may gather additional information from the participant and the service provider to assist in the decision-making process.

(9) Participants who have been denied approval of an employment goal or component assignment shall have the right to file a grievance, request conciliation or request a fair hearing.

(10) The service provider shall ensure that the employability plan includes:

(a) Labor market information relative to the employment goal;

(b) The component activities to be undertaken by the participant as approved under WAC 388-300-1200.

(c) The supportive services and child care needed by the participant to take part in JOBS;

(d) Any other needs of the family that might be met by JOBS, such as participation of a dependent child in drug education or life skills planning sessions; and

(e) Any job search or other participation requirements placed upon the participant.

NEW SECTION

WAC 388-300-1300 Component approval. (1) The service provider shall approve a component for inclusion on an employability plan before the participant may begin participation in the component.

(2) A participant is not eligible for JOBS funding for component costs, supportive services, or child care for a component unless the service provider has approved the component or the component would meet the approval criteria for inclusion on the person's employability plan.

(3) The service provider shall approve job search for inclusion on a participant's employability plan when the participant would benefit from labor market information, assistance in identifying prospective employers, and other guidance provided in the job search component while conducting a focused job search effort.

(4) The service provider shall approve other components for inclusion on a participant's employability plan when the following criteria have been met:

(a) The participant requires new or additional vocational, occupational, job search, job readiness, or other employment-related skills and abilities in order to find and retain employment in the local labor market at a wage at or above the AFDC needs standard specified in chapter 388-250 WAC; and

(b) The component provides specific occupational skills or abilities needed by the participant to enter or re-enter employment in the participant's approved employment goal; and

(c) The component will enable the participant to become employed in the participant's approved employment goal; and

(d) Objective measurements such as tests or previous academic achievement indicate the participant possesses the aptitude, skills, or abilities to complete the component and work in the occupation; and

(e) Completion of the component does not provide the participant with an associate or bachelor degree or post-graduate degree if the participant already possesses a bachelor degree; and

(f) The component does not:

(i) Include religious worship, exercise, or instruction; or

(ii) Serve to assist, promote, or deter religious activity; and

(g) The participant meets the specific component criteria as listed in WAC 388-300-2200 through WAC 388-300-3100.

NEW SECTION

WAC 388-300-1400 Funding priority criteria. (1) The department shall ensure that JOBS funds are obligated and expended in a manner that maximizes JOBS program federal match rates as specified in 45 CFR 250.73 and 45 CFR 250.74.

(2) The department shall have the authority to adjust funding levels among priority groups in subsection (3) of this section when the department is not meeting the following federal requirements:

(a) Fifty-five percent of all JOBS funds expended on target group members;

(b) Achievement of the required participation rate of nonexempt AFDC recipients in JOBS program components as specified in 45 CFR 250.74; and

(c) Achievement of the required AFDC-E program participation rate in work-related JOBS program components or employment under WAC 388-300-2100 as specified in 45 CFR 250.74.

(3) To achieve the federal requirements specified in subsection (2) of this section, the department shall make JOBS funded services available to eligible AFDC-E and AFDC-R households in the following priority:

(a) All AFDC-E cases;

(b) Exempt and nonexempt target group AFDC-R cases provided that volunteers are given first consideration in determining the priority of participation within target groups;

(c) All other nonexempt cases; and

(d) All other cases or dependents.

(4) The service provider shall approve JOBS component costs, supportive services, or child care already identified on the person's employability plan when the participant has made independent changes in any of the following plan elements to the extent that the service provider approves such changes:

(a) Employment goal;

(b) Course of educational or training activities; or

(c) Component activity.

(5) The department shall ensure that a participant continues to receive funding to support the components and supportive services identified in the participant's employability plan if the participant:

(a) Changes geographic location to the extent that the person's AFDC case management is transferred to a different community service office in Washington state; and

(b) Continues the plan activities without interruption.

(6) The service provider shall allocate its funds in accordance with the priority groups identified in subsection (3) of this section, to the extent funds are available.

(7) The service provider shall fund component costs and supportive services identified on the employability plan, in accordance with the priority groups listed in subsection (3) of this section, when the service provider has approved components.

(8) The service provider shall fund a participant's one-time work-related services without regard to the priority group status of the participant.

NEW SECTION

WAC 388-300-1500 Annual review for continued funding. (1) The service provider shall review all employability plans to determine whether to continue funding the participant's employability plan components after the close of a state fiscal year.

(2) The service provider shall conduct annual reviews before the beginning of the federal fiscal year (October 1).

(3) The service provider shall perform the following tasks at the annual review of each participant:

(a) Determine if the participant is making satisfactory progress or is participating satisfactorily in the most recently assigned component based on the reviews of the participant's progress conducted throughout the previous year;

(b) Approve components for inclusion on the employability plan for the following state fiscal year;

(c) Obligate funds for component costs and supportive services approved for inclusion on the participant's employability plan in accordance with the funding priorities established in WAC 388-300-1400 for those participants who entered the JOBS program on or after the effective date of this chapter; and

(d) Obligate funds for component costs and supportive services to support components approved prior to the effective date of this chapter without regard to the funding priorities established in WAC 388-300-1400 if the participant is:

(i) Making satisfactory progress; or

(ii) Participating satisfactorily in the components identified on the employability plan.

(4) The service provider shall have the authority to establish waiting lists for participants who have been denied component activities because of a lack of available funds for that specific component.

NEW SECTION

WAC 388-300-1600 Component costs and supportive service funding conditions. (1) A JOBS participant shall use other funding sources, such as Pell grants or VISTA stipends, before receiving JOBS funding for post-secondary

and job skills training component costs and supportive services costs, as described under chapter 388-51 WAC.

(2) The department shall not require a participant to accept student loans when offered as part of a student financial aid package.

(3) The department shall not authorize funding of components costs for participants participating in self-initiated education or training under WAC 388-300-3000.

(4) A JOBS participant shall be eligible for JOBS funding of component costs, supportive services, and child care for a component when:

(a) The service provider has approved the component for inclusion on the person's employability plan; and

(b) The person has provided the service provider with all information regarding student financial aid or other available resources; and

(c) The person is a member of a priority group for which funding is available; or

(d) Funding for component costs or supportive services were previously denied due to lack of funds, provided that:

(i) Funds subsequently become available; and

(ii) The participant was on a waiting list for funding under WAC 388-300-1700.

NEW SECTION

WAC 388-300-1700 Lack of program funds. (1) The department shall establish waiting lists for referrals to service providers when the service provider has exhausted available pathway funds.

(2) The department shall:

(a) Determine which priority groups will be deferred to waiting lists;

(b) Create referral waiting lists for participants who have been denied access to services due to lack of priority group funds;

(c) Rank participants on the waiting list for the person's priority group according to the date the participant was denied access to program services; and

(d) Issue the participant a written notice that access to services are denied due to lack of funds.

(3) If funds become available during the state fiscal year, the department shall refer the participant to a program service provider according to:

(a) The priority group status of the participant; and

(b) The participant's ranking in the priority group as determined under subsection (2)(c) of this section.

(4) When a service provider has exhausted funds or capacity to deliver services for component costs or supportive services for specific components, the service provider shall:

(a) Inform the department that funds are not available to support an approved component for a specific JOBS participant;

(b) Create funding waiting lists for participants who will be issued written funding denials by the department based on the lack of component funds; and

(c) Place a participant on a waiting list for component funding when funding is not available. The service provider shall rank the participant on the list according to the date the service provider informed the department that funding was not available for that person.

(5) The department shall issue any funding denial notices required due to lack of program funds under subsections (1) or (4) of this section in accordance with WAC 388-300-1900.

NEW SECTION

WAC 388-300-1800 Termination of payments for component costs, supportive services, and child care. (1) The service provider shall terminate payments for component costs or supportive services related to an approved component when so directed by the department.

(2) The department may direct the service provider to terminate component cost or supportive service payments when:

(a) The service provider has notified the department that the participant:

(i) Is not meeting the definition of satisfactory progress in WAC 388-300-0200; or

(ii) Has ceased to participate in the component before completion of the activity;

(b) The department independently determines the conditions in subsection (2)(a) of this section exist.

(3) The department may terminate child care payments when:

(a) The JOBS service provider has notified the department that the participant:

(i) Is not meeting the definition of satisfactory progress in WAC 388-300-0200;

(ii) Has ceased to participate in the component before completion of the activity.

(b) The department independently determines the conditions in subsection (3)(a) of this section exist. However, the department must notify both the JOBS service provider and the child care service provider of such termination at the time the department sends notice to the participant.

(4) The department shall ensure that participants whose component costs and supportive services are terminated under subsection (2) of this section receive advance written notice under WAC 388-300-1900.

(5) Participants shall have the right to appeal decisions made under this section through the department's fair hearing process under WAC 388-300-3600.

NEW SECTION

WAC 388-300-1900 Notice of component decisions or funding decisions. (1) The department shall provide participants with written notification of decisions regarding denial of:

(a) Components considered for inclusion on an employability plan; or

(b) Funding of component costs, supportive services, or child care.

(2) The department shall provide participants with written notification of departmental decisions to terminate previously approved component costs and supportive services.

(3) The department shall ensure denial or termination notices include:

(a) The reason for the decision;

(b) A statement of the legal basis for the action;

(c) A description of the component, component cost, supportive service, or child care which has been denied or which will be terminated;

(d) The amount of funds denied or disallowed for continued payment in the case of terminations; and

(e) The circumstances under which the person is entitled to continued JOBS or AFDC benefits pending the outcome of a fair hearing under WAC 388-300-3600.

(4) The department shall notify participants of a decision to deny components, component costs, supportive services, or child care within ten working days of the denial decision.

(5) The department shall notify participants of the service provider's intention to terminate component costs or supportive services at least ten working days prior to the termination or other action.

(6) The department shall ensure the written notification sent to participants informs the participant of their right to appeal any part of the decision under WAC 388-300-3600.

NEW SECTION

WAC 388-300-2000 Child care. (1) The department shall guarantee a JOBS participant Title IV-A child care under chapter 388-51 WAC for the period of time the participant is:

(a) Participating in an approved JOBS component or an approvable component under WAC 388-300-1300;

(b) Waiting to enter JOBS or employment and during gaps in participation within the following limitations:

(i) For up to two weeks in normal circumstances; or

(ii) For up to one month if child care would otherwise be lost and the activity is scheduled to begin during the month.

(c) For employment for the period of time available for transitional child care under chapter 388-51 WAC.

(2) The department shall not deny a JOBS participant child care due to the lack of program funds for component costs and supportive services if the person is participating in an approved component under WAC 388-300-1300 without JOBS program funding.

(3) The department may terminate JOBS child care if approved components are terminated as described under WAC 388-300-1800.

NEW SECTION

WAC 388-300-2100 Unemployed parent program. (1) The department may require one or both parents in an AFDC-E household to participate a minimum of sixteen hours a week in one or a combination of the following JOBS components or employment-related activities:

(a) WEX;

(b) OJT;

(c) Work supplementation;

(d) Unsubsidized employment;

(e) Job search for the first two months of AFDC eligibility; or

(f) Work study assignments which are part of a student financial aid package.

(2) The department may require an AFDC-E parent twenty-four years of age or younger who has not completed high school or equivalent to participate in educational

activities as described in WAC 388-300-2200 in lieu of the activities in subsection (1) of this section.

(3) The department shall consider a person making satisfactory progress, as defined in WAC 388-300-0200, in an educational activity provided for in subsection (2) of this section to be meeting the participation requirements for the unemployed parent program.

NEW SECTION

WAC 388-300-2200 Basic educational activities. (1) The department may require specific AFDC recipients who have not completed high school or GED certification to participate in basic educational activities.

(2) The service provider shall ensure that high school, GED certification or other educational activities are included in the employability plan for the following participants:

(a) A custodial parent nineteen years of age or younger who has not completed high school or equivalent;

(b) An AFDC-E parent who has not completed high school or equivalent and is:

(i) Twenty-four years of age or younger; and

(ii) Not participating in at least sixteen hours per week in work activities or unsubsidized employment as described under WAC 388-300-2100; or

(c) Dependent children in an AFDC household who are sixteen or seventeen years of age who have not completed high school or equivalent and are not in high school.

(3) When a participant requests, the service provider shall have the authority to assign a participant to JOBS components other than high school completion or GED certification if the participant is:

(a) An AFDC-R custodial parent twenty to twenty-four years of age who has:

(i) A basic literacy level; and

(ii) An approved employment goal which does not require a high school diploma or GED and has demonstrated a capacity to find and retain employment in that occupation;

(b) An AFDC-R custodial parent eighteen or nineteen years of age who:

(i) Is participating in another JOBS program activity which will lead to the person's earning wages at or above the AFDC need standard as specified in chapter 388-250 WAC; or

(ii) Has been denied admittance to a school or a training institution due to the participant's behavior or the institution's administrative reasons;

(c) An AFDC-R custodial parent or a dependent child sixteen or seventeen years of age when:

(i) An individual assessment, which does not rely solely on grade completion, indicates that the education or GED is not in the best interests of the person or the person's family; and

(ii) The person is participating in another JOBS educational activity or in skills training activities, combined with education.

(4) The department may require nonexempt custodial parents eighteen or nineteen years of age to participate in training or work activities, subject to the twenty-hour limit in WAC 388-300-0400 instead of high school completion or GED certification when:

(a) The parent fails to make satisfactory progress in successfully completing the educational activity; or

(b) Participation in educational activities is inappropriate for the parent based on an educational assessment and the parent's employment goal. The department shall ensure such determinations:

(i) Occur before an education activity assignment; and

(ii) Are based on an employment goal described in the employability plan.

(5) The department may require basic and remedial education for any JOBS participant who:

(a) Has not completed a high school education;

(b) Does not have at least a grade 8.9 basic literacy level; and

(c) Is twenty years of age or older and needs basic literacy services to function at a level which meets the standards of local employers.

(6) The department shall require English proficiency education for a participant who lacks sufficient English language skills to allow employment commensurate with the participant's approved employment goal.

(7) Service providers shall encourage a JOBS participant to participate in educational components as one component in an employability plan when the participant:

(a) Has not completed high school;

(b) Does not demonstrate basic literacy level achievement;

(c) Has an employment goal which requires high school completion or GED; or

(d) Needs remedial or English proficiency education to meet current standards of the local labor market.

(8) The service provider shall require all participants in educational activities to participate full-time, as defined by the educational institution, unless the participant is concurrently engaged in another JOBS component.

NEW SECTION

WAC 388-300-2300 Job readiness activities. (1) The department shall ensure job readiness activities prepare participants for work by assuring that participants:

(a) Are familiar with general workplace expectations; and

(b) Exhibit work behavior and attitudes necessary to compete successfully in the labor market.

(2) Job readiness activities include, but are not limited to:

(a) Life skills training, including, but not limited to, self-esteem building and communication skills training;

(b) Job search techniques, including, but not limited to:

(i) Resume writing skill development;

(ii) Interviewing skills development; and

(iii) Job search skill development related to accessing unadvertised job openings.

(c) Identifying employer expectations; and

(d) Learning how to access and use labor market information for the purpose of identifying which employers are most likely to be hiring employees; and

(e) Job retention skills including, but not limited to:

(i) Conflict resolution;

(ii) Time management; and

(iii) Decision making.

(3) Within available funds, the service provider shall require a participant to participate in job readiness when the participant:

- (a) Lacks job search skills;
- (b) Does not have recent work history;
- (c) Lacks work maturity skills;
- (d) Has a history of poor job retention; or
- (e) Is a young parent involved in education components.

NEW SECTION

WAC 388-300-2400 Job search program. (1) The department shall ensure the job search program provides a participant with information, job seeking skills training, one-to-one support, and counseling needed by the participant to find and to retain employment.

(2) The department shall ensure the following time limits are applied to job search:

(a) In the initial twelve consecutive months that a family is on assistance, the department shall not require participation in job search for more than sixteen weeks within the following limits:

(i) An initial eight week period which begins on the date of the application for assistance and continues for eight consecutive calendar weeks; and

(ii) An additional eight week period which can begin at any time following the initial eight week period of job search and does not have to be completed during consecutive calendar weeks. "An additional eight week period" means eight weeks of full-time participation or the equivalent. An equivalent to full-time for eight weeks includes twenty hours a week for sixteen weeks, or one day a week for forty weeks.

(b) During subsequent years that a family is on assistance, the person is eligible for job search for eight weeks of full-time participation or the equivalent, as stated in (2)(a)(ii);

(c) The department may require a participant to participate in job search beyond the sixteen week period in the initial year and the eight week period during subsequent years only if job search is performed as part of an educational, training, or employment component. For example, a JOBS participant may be required to conduct a search for unsubsidized employment one day per week while participating in WEX; and

(d) The department shall ensure that if a family becomes ineligible for AFDC, then reapplies, the potential JOBS participant becomes eligible for an additional sixteen weeks of job search, as provided under subsections (2)(a)(i) and (ii) of this section.

(3) Participants in job search activities may engage in activities including, but not limited to:

(a) Applying for job openings listed in newspapers or with public or private agencies;

(b) Interviewing with employers for potential job openings;

(c) Attending classes or workshops designed to provide instruction or assistance with the job application process and resume writing or interviewing with employers;

(d) Meeting with the service provider one-to-one or with a group to develop an effective approach to finding employment; and

(e) Accepting referral to prospective unsubsidized job openings developed for the participant by the service provider.

(4) The service provider may require nonexempt applicants or recipients to participate in job search when it is included on the participant's employability plan developed under WAC 388-300-1200.

(5) The service provider shall establish specific requirements for each participant in job search including, but not limited to:

(a) The number of employer contacts to be made by the participant each week;

(b) The type of employment sought by the participant; and

(c) The frequency of required reporting back to the service provider.

(6) The department shall allow exempt target and nontarget AFDC applicants and recipients to volunteer for job search within available funds.

(7) The service provider may assign a participant in the employment investment pathway to job search when job search services will assist the person enter or re-enter employment and the participant:

(a) Has recent work history; and

(b) Has skills for employment currently available in the participant's local labor market;

(c) Is completing or assigned to job readiness or a work-related component; or

(d) Volunteers to participate in job search.

(8) The service provider shall ensure that the component meets the criteria for approval in WAC 388-300-1300.

(9) The department may require a person to participate or a person may volunteer to participate in initial job search under subsection (2) of this section provided:

(a) An applicant is not required to participate in initial job search as a condition of eligibility for AFDC;

(b) The department does not delay the processing of a person's application for AFDC due to participation in initial job search;

(c) The service provider has conducted an assessment of the participant's employability under WAC 388-300-1100; and

(d) Initial job search may extend beyond the date of eligibility determination.

(10) The service provider may require job search under subsection (2)(c) of this section if it is designed to improve the participant's employment prospects.

(11) The service provider shall terminate job search if an assessment of the person's progress in obtaining employment indicates another JOBS activity is more appropriate.

(12) The service provider shall refer the participant to the employment investment pathway or other services within the pathway if job search is terminated under subsection (11) of this section.

NEW SECTION

WAC 388-300-2500 Jobs skills training. (1) The department shall ensure job skills training provides a participant with specific occupational skills through instruction in a classroom, laboratory, or workshop setting.

(2) The service provider shall approve job skills training for inclusion in a participant's employability plan when:

(a) The participant has an approved employment goal which requires the participant to acquire occupational skills beyond those the person currently possesses provided that such skills could not be achieved through participation in available openings in:

- (i) On-the-job training under WAC 388-300-2800; or
- (ii) The work experience program under WAC 388-300-2700.

(b) The criteria for approving a JOBS component for inclusion in a participant's employability plan under WAC 388-300-1300 have been met;

(c) Completion of the job skills training would take no more than twenty-four months; and

(d) The participant has fulfilled all entrance requirements set forth by the institution.

(3) The service provider shall ensure that job skills training is available to a parent in an AFDC-E household only when at least one parent in the household is participating a minimum of sixteen hours a week in a component allowed under the unemployed parent program under WAC 388-300-2100.

(4) Institutions providing job skills training must be:

(a) An institution of higher education defined under section 11(a) or section 381 (a), (b), or (c) of the Higher Education Act of 1965, as amended;

(b) A vocational school meeting the provisions of section 435 (b) or (c) of the Higher Education Act, as amended; or

(c) A public institution the state has authorized to provide such a program within the state.

NEW SECTION

WAC 388-300-2600 Post-secondary education. (1) The department shall ensure post-secondary education provides a participant with specific academic instruction and occupational skills through instruction in a classroom setting.

(2) Within available funds, the service provider shall approve post-secondary education for inclusion in a participant's employability plan when the participant:

(a) Has an approved employment goal which requires that the participant acquire occupational skills beyond those which could be achieved through participation in:

- (i) Job skills training under WAC 388-300-2500; or
- (ii) On-the-job training under WAC 388-300-2800; or
- (iii) The work experience program under WAC 388-300-2700.

(b) Meets the criteria for approving a JOBS component for inclusion in an employability plan as set forth in WAC 388-300-1300; and

(c) Is within ninety quarter credit hours or sixty semester hours of completion of the course of study.

(3) The service provider shall ensure that post-secondary education is available to a parent in an AFDC-E household only when at least one parent in the household is participating a minimum of sixteen hours a week in a component allowed under the unemployed parent program as described in WAC 388-300-2100.

(4) The service provider shall only consider component approval when the institution providing the post-secondary education is:

(a) An institution of higher education as defined under section 11(a) or section 481 (a), (b), or (c) of the Higher Education Act of 1965, as amended; or

(b) A public institution the state has authorized to provide such a program within the state.

NEW SECTION

WAC 388-300-2700 Work experience program (WEX). (1) The department shall ensure WEX provides a JOBS participant with:

(a) Instruction in work practices essential to increase work maturity;

(b) The opportunity to exercise skills specific to employment in a supervised employment site with a public or private nonprofit employer;

(c) The opportunity to experience working and learning what the demands of employment are, both on the job and at home; and

(d) The opportunity to conduct job search or participate in job readiness activities while participating in a work activity.

(2) The service provider shall consider WEX for inclusion in a participant's employability plan when the participant:

(a) Is an AFDC-E household member who has been unsuccessful in finding employment during the previous eight or more weeks of job search;

(b) Possesses job skills but needs current work history;

(c) Lacks work maturity; or

(d) Has been unable to retain previous employment for reasons other than labor market conditions.

(3) The service provider shall take into consideration the participant's prior education, training, proficiency, experience, skills, basic literacy, interests, and barriers to employment when determining if WEX is an appropriate assignment for a participant.

(4) The service provider shall ensure:

(a) The component meets the conditions for approval in WAC 388-300-1300;

(b) An AFDC recipient's employment has priority over participation in WEX;

(c) WEX assignments serve a useful public purpose in a public or private nonprofit organization; and

(d) Agencies providing WEX opportunities meet appropriate standards of health, safety, and other reasonable working conditions at the work site.

(5) The department shall ensure that WEX positions:

(a) Meet the conditions of WAC 388-300-3700 regarding displacement of regular employees; and

(b) Are not used to fill vacant, unfilled positions.

(6) The service provider may require a nonexempt AFDC recipient to participate in WEX assignments for up to twenty hours a week based on the participant's work experience needs and available funding;

(7) The service provider shall ensure that participants assigned to WEX are:

(a) Assigned to one WEX assignment for not more than nine months;

(b) Re-assessed following the completion of each WEX assignment;

(c) Covered by industrial insurance as required under Title 51 RCW;

(d) Not required to perform tasks which:

(i) Are in any way related to religious, political, electoral, or partisan activities; or

(ii) Would result in the displacement of a person currently employed as provided under WAC 388-300-3700.

(e) Not required to travel unreasonable distances from home or to remain away from home overnight to participate in the WEX assignment without the participant's consent; and

(f) Not be required to use income or resources to pay WEX participation costs.

NEW SECTION

WAC 388-300-2800 On-the-job training (OJT). (1) The department shall ensure OJT provides a participant with occupational skills through training at a work site.

(2) The service provider shall consider on-the-job training for inclusion in a participant's employability plan when:

(a) The participant lacks skills which are in demand in the local labor market at a wage level that will make the participant's family ineligible for an AFDC grant due to earnings;

(b) The participant has basic skills in an occupation, but requires additional occupational skills beyond those which could be achieved through participation in the work experience program under WAC 388-300-2700;

(c) The criteria for approving a JOBS component for inclusion in an employability plan have been met as set forth in WAC 388-300-1300; and

(d) The participant meets the employer's standards for educational achievement.

(3) The service provider shall ensure:

(a) OJT assignment hours are consistent with the hours in the normal work week for the occupation;

(b) The OJT assignment duration is consistent with the federal Department of Labor Dictionary of Occupational Titles Specific Vocational Preparation occupational guidelines; and

(c) The total amount of the reimbursement paid to the employer does not exceed fifty percent of the total gross wages for regular hours including, as appropriate, gross wages paid to the participant for release time for training.

(4) OJT participants shall be compensated:

(a) At the same rates, including benefits and periodic increases, as similarly situated employees or trainees; and

(b) In accordance with applicable law, but in no event less than the higher of the federal minimum wage or applicable state or local minimum wage.

(5) The department shall provide child care for OJT participants under the income assistance child care program as described in chapter 388-51 WAC.

(6) If an OJT participant becomes ineligible for AFDC due to earned income rules, or in the case of a principal earner in an unemployed parent case due to the one hundred hour rule, such person shall:

(a) Remain a JOBS participant for the duration of the OJT; and

(b) Be eligible for child care and other supportive services as described under chapter 388-51 WAC.

(7) The service provider shall ensure the participant's OJT assignment meets the following conditions:

(a) State or local safety and health standards;

(b) Assignments are not related to political, electoral, religious, or partisan activities;

(c) The employer provides industrial insurance coverage as required under Title 51 RCW; and

(d) The employer provides unemployment compensation coverage for the participant as required under Title 50 RCW.

(8) The department shall require that no work assignment under this program displaces regular employees as specified under WAC 388-300-3700.

(9) The department shall ensure that funds available to carry out the program are not used to assist, promote, or deter union organizing.

(10) When an OJT agreement has been terminated due to the displacement of a regular employee, the JOBS participant's continued employment with the employer shall be at the sole discretion of the person and the employer.

(11) The service provider shall terminate the subsidized employment of JOBS participants if the place of employment or its regular employees are involved in a strike, lockout, or bona fide labor dispute.

NEW SECTION

WAC 388-300-2900 Work supplementation program (WSP). (1) The department shall ensure WSP provides employment opportunities to an otherwise eligible AFDC recipient by using all or part of the person's AFDC grant to subsidize the person's wages for up to nine AFDC payment months.

(2) The department may operate WSP as the employment partnership program (EPP) described in chapter 74.25A RCW with the following provisions:

(a) The department shall contract with local community-based organizations to develop employment positions in EPP; and

(b) Participation in WSP shall be voluntary.

(3) An AFDC recipient shall not be subject to sanction under AFDC rules for refusal to or failure to participate in WSP.

(4) The department shall consider WSP participants to be employed from the date of hire by the employer.

(5) WSP participants are eligible for:

(a) JOBS one-time work-related expenses for the first thirty days of employment in a WSP assignment;

(b) The thirty dollars plus one-third of earned income exclusion from income; and

(c) The work-related expense disregards.

(6) The department shall ensure that the WSP participant is considered an AFDC recipient regardless of the family's receipt of a residual AFDC grant.

(7) The department shall ensure that an AFDC-E qualifying parent participating in WSP is considered to be in a JOBS component rather than in employment for purposes of the one hundred hour rule and therefore is not categori-

cally ineligible for AFDC due to working one hundred or more hours a month.

(8) The department shall ensure that child care payments are available for any eligible children of the participant for the full length of the WSP employment.

(9) An eligible employer shall certify to the service provider or to the local employment partnership council in EPP sites that the employee's employment complies with the following conditions:

(a) Work conditions are reasonable and not in violation of applicable federal, state, or local safety and health standards;

(b) Employment activities are not related to religious, political, electoral, or partisan activities;

(c) The employer provides industrial insurance coverage as required under Title 51 RCW;

(d) The employer provides the participant with unemployment compensation coverage as required under Title 50 RCW; and

(e) Participants hired following the completion of the subsidy period shall be provided benefits equal to those provided to other employees including:

(i) Social security coverage;

(ii) Sick leave;

(iii) The opportunity to join a collective bargaining unit; and

(iv) Medical benefits.

(10) The department shall ensure that no work activity under this program:

(a) Conflicts with WAC 388-300-3700; or

(b) Fills an established, unfilled position vacancy in the work site.

(11) The department shall ensure that funds available to carry out the program are not used to assist, promote, or deter union organizing.

(12) When a work supplementation agreement has been terminated due to displacement of a regular employee, the JOBS participant's continued unsubsidized employment with that employer is at the sole discretion of the person and the employer.

(13) The department shall terminate WSP subsidies to an employer which becomes involved in a strike, lockout, or bona fide labor dispute after the WSP subsidy period begins.

(14) The department shall ensure that work activities under this program have promotional opportunities or reasonable opportunities for an increase in the employee's wage.

(15) The department shall ensure that EPP positions under WSP pay a minimum of five dollars per hour.

(16) Employers who participate in WSP may receive subsidies at a rate of up to fifty percent of the employee's total gross wages.

(17) The department shall determine Medicaid eligibility for a participant who is ineligible for a residual AFDC grant as if the participant were an AFDC recipient.

(18) The department shall determine that a participant who is ineligible for a residual cash grant due only to WSP participation remains eligible for Medicaid benefits.

(19) Under chapter 74.25A RCW, the legislative authority in the county in which EPP is operating shall appoint an Employment Partnership Council (EPC).

(20) Under chapter 74.25A RCW, the EPC shall have responsibility for:

(a) Recruiting and encouraging local employers to create new job opportunities for AFDC recipients through EPP;

(b) Accepting employer's certification of compliance with the conditions set forth in subsection (3) of this section;

(c) Determining if employers have terminated an EPP employee's unsubsidized employment without good cause as required under subsection (20)(b) of this section; and

(d) Recommending to the department that subsidies should be recovered when an employer has terminated an EPP employee for reasons other than good cause.

(21) When an EPP work assignment does not last six months following the EPP subsidization period, the department shall, upon recommendation of the local employment partnership council, recover state supplemented wages from an employer from the beginning of the subsidization period under subsections (22) and (23) of this section.

(22) The local employment partnership council shall recommend to the department that the department recover subsidies paid to the employer during WSP under the following conditions:

(a) The employer terminated before the end of six months of unsubsidized employment, the employment of the worker for whom the employer had previously received wage subsidies; and

(b) The employer did not have good cause for terminating the employment of the employee under subsection (23) of this section.

(23) The employment partnership council may determine that good cause exists for termination of an employee when:

(a) The employee's act or failure to act caused harm to the employer's business; or

(b) The employee was discharged for good cause due to misconduct, or conviction of a felony or gross misdemeanor:

(i) As defined and determined under chapter 50.20 RCW as amended; and

(ii) As interpreted under WAC 192-16-019 as amended.

NEW SECTION

WAC 388-300-3000 Self-initiated training or education. (1) The department shall consider a person's training or education to be self-initiated if the person is enrolled in or is attending school at the time the person would otherwise begin participation in JOBS.

(2) The service provider shall conduct an assessment under WAC 388-300-1100 before considering a component for approval and inclusion in the participant's employability plan.

(3) The service provider shall ensure that the training or education component meets the criteria for occupational goal and component approval in WAC 388-300-1300.

(4) The service provider shall allow a person to continue in the training or education activity when:

(a) The participant is attending at least half-time;

(b) The participant is making satisfactory progress in the activity; and

(c) The course of study is consistent with the approved employment goal.

(5) The service provider shall not cause the number of hours available for self-initiated education or training to be

limited or restricted by assignment of the participant to another component except in the case of an AFDC-E household where one parent must be participating sixteen hours per week in an unemployed parent program component under WAC 388-300-2100.

(6) The JOBS program shall not pay component costs such as tuition, books, supplies, and fees for a participant's self-initiated training or education.

(7) Participants shall be eligible for JOBS child care and supportive services while participating in approved self-initiated training or education provided the provisions in subsection (5) of this section are met in the case of AFDC-E participants.

NEW SECTION

WAC 388-300-3100 Job development and placement services. (1) Job development and placement services are those activities conducted by a service provider on behalf of a participant designed to:

(a) Solicit a public or private employer's unsubsidized job openings;

(b) Discover job openings with public or private employers;

(c) Market participants for specific job openings; and

(d) Secure job interviews for participants.

(2) The service provider shall offer job development and placement services to a participant when an assessment indicates that the person:

(a) Has skills that are in demand in the local labor market; and

(b) Has not been successful in job search efforts.

(3) The service provider shall focus job development and placement efforts on the skills of an individual participant.

(4) The service provider shall ensure that the participant is informed of the name of employers that will be or have been contacted on that participant's behalf.

(5) The service provider shall ensure that information provided to employers about a participant is made known to that participant before contacting employers.

(6) The service provider shall not release information to employers in addition to information regarding the participant's job skills without the participant's written authorization.

NEW SECTION

WAC 388-300-3200 Good cause for refusal or failure to participate. (1) The department shall determine whether a person has good cause:

(a) For refusal to or failure to participate in an assigned JOBS component; or

(b) To accept or to retain employment.

(2) The department may determine good cause without the participation of the participant. In such cases, the determination process includes, but is not limited to, the department independently:

(a) Determining if the person intentionally refused to or failed to participate in JOBS;

(b) Documenting efforts to resolve the issues prior to conciliation as provided in WAC 388-300-3300;

(c) Reviewing the case record to determine:

(i) Potential causes for refusal or failure to meet program requirements; and

(ii) If the person may have had good cause for nonparticipation.

(3) The department may determine that the participant has good cause for reasons including, but not limited to:

(a) A person is the parent or other needy caretaker of a child five years of age or younger and the activity or employment requires such person to participate more than twenty hours per week. The department shall ensure this subsection does not apply to a person subject to the provisions for educational activities under WAC 388-300-2200;

(b) A person's employment results in the family of the participant experiencing a net loss of income. A net loss of income results if the family's gross income, less necessary work-related expenses, is less than the cash assistance the person was receiving before employment. The participant's grant income includes, but is not limited to, earnings, unearned income, and cash assistance;

(c) A person's physical, mental, or emotional inability to perform the required activity;

(d) A person's court-ordered appearance or temporary incarceration;

(e) Urgent personal or family circumstances which would interfere with successful participation;

(f) Breakdown in transportation arrangements with no readily accessible alternate transportation;

(g) Inclement weather preventing a person, and others similarly situated, from traveling to or participating in the prescribed activity;

(h) The person is prevented from participating due to a breakdown in child care arrangements, or unavailability of child care;

(i) The nature of the required activity is hazardous to the participant;

(j) A person's required activity:

(i) Interrupts a program in process for permanent rehabilitation or self-support; or

(ii) Conflicts with an imminent likelihood of re-employment in the person's regular occupation.

(k) Nonreceipt of participation requirements or a notice of appointment with program staff;

(l) Availability of a position because of a labor dispute;

(m) A person's refusal to accept major medical treatment (for example, major surgery) needed for employability;

(n) Supportive services enabling participation are not available;

(o) A person is homeless;

(p) Discrimination by an employer in terms of age, sex, race, color, religion, national or ethnic origin, physical or mental handicap, political affiliation, or marital status prevented the participant's employment or JOBS participation;

(q) Working hours or nature of employment interfere with the participant's religious observances, convictions, or beliefs as a member of a bona fide religious organization;

(r) Work involves conditions in violation of applicable health and safety standards;

(s) The employment, or offer of employment, does not provide for workers' compensation or other benefits afforded to a person similarly situated working for the same employer;

(t) The employment would cause a person to violate the terms of the person's existing union membership;

(u) As a condition of employment, the person is required to join, resign from, or refrain from joining any legitimate labor organization;

(v) The employment:

(i) Involves unreasonable demands or conditions, such as working without getting paid on schedule; or

(ii) Exceeds the daily or weekly hours customary to the occupation.

(w) The wages of the employment do not meet minimum wage standards or are not customary for such work in the community. This does not apply to work experience as participants do not receive a wage; or

(x) Refusal by an AFDC-E qualifying parent to accept employment of one hundred hours or more per month, the wages for which, less mandatory payroll deductions and necessary work-related expenses, would not equal or exceed the family's AFDC cash benefits. This does not apply to work experience which does not involve wages.

(4) If the department cannot determine that good cause exists from the information independently available, the department shall notify the person in writing of the opportunity to explain the circumstances, if any, which may constitute good cause for nonparticipation in JOBS. The department shall ensure the notice:

(a) Provides ten days advance notice of an appointment to discuss potential good cause;

(b) Provides a description of the program requirement the person failed to meet;

(c) Informs the person of the person's right to provide an explanation of any failure to meet the program requirement;

(d) Informs the person that lack of good cause may result in the reduction of the person's AFDC grant;

(e) Informs the person of the right to conciliation; and

(f) Informs the person that failure to respond to appointments to determine good cause results in a good cause determination made from available information.

(5) The department shall provide written notice to a participant of any good cause determinations made regarding the participant's nonparticipation in JOBS and, when appropriate, that the person can resume participation without further action.

(6) When the department has determined a participant has refused or failed to participate without good cause in the JOBS program, the department shall notify the service provider who initiated the good cause proceeding of the good cause determination.

(7) Participants determined to lack good cause for failing to participate in JOBS components or activities shall be offered conciliation services under WAC 388-300-3300 by the service provider who initiated the good cause determination.

NEW SECTION

WAC 388-300-3300 Conciliation. (1) The department shall ensure conciliation is used to attempt to resolve a misunderstanding or disagreement before either results in a grievance, fair hearing, or sanction.

(2) Either the service provider or the JOBS participant may initiate conciliation. The participant shall have the right to request that a department representative facilitate conciliation between the participant and the service provider. A participant may request conciliation of any dispute orally or in writing by:

(a) Notifying the service provider that conciliation is desired; and

(b) Specifying the matter to be addressed.

(3) The service provider who initiated the request for a good cause determination shall conduct conciliation with a participant who has been determined by the department to lack good cause for participation in the JOBS program and has so informed the service provider under WAC 388-300-3200. The service provider shall:

(a) Accomplish conciliation through a face-to-face meeting with the person; or

(b) Arrange a telephone interview with the person if a face-to-face meeting is not possible; and

(c) Continue conciliation if the participant cannot be contacted. The service provider shall continue to attempt to contact the person for thirty days from the date the first notice was mailed.

(4) The service provider shall conduct conciliation before the department imposes a sanction.

(5) The service provider shall provide the participant with written notice of the conciliation appointment. The service provider shall ensure that this notice contains:

(a) A description of the matter in dispute;

(b) An explanation of the person's right to a conciliation period not to exceed thirty calendar days from the date of notice;

(c) The date and time of the conciliation appointment;

(d) The consequences of failing to resolve the dispute through conciliation; and

(e) The person's right to a fair hearing regardless of the outcome of conciliation.

(6) The service provider shall mail such notice not less than ten working days before the conciliation appointment.

(7) The service provider shall:

(a) Remain available for conciliation for thirty days from the date of the first notice;

(b) Use the conciliation process to determine if the situation is a result of a misunderstanding or failed communication and can therefore be resolved;

(c) During the conciliation interview, explain the person's rights and responsibilities under JOBS, including consequences of continued refusal to participate; and

(d) Inform a person that if the person feels aggrieved or disadvantaged by the conciliation process or a decision resulting from the conciliation process, that the person may appeal through the department's standard grievance procedure and/or fair hearing procedure.

(8) The service provider or the participant may terminate conciliation before the expiration of the thirty-day period:

(a) Upon written request by the participant to terminate conciliation; or

(b) If the service provider documents reasons which indicate the dispute cannot be resolved by conciliation based on current efforts.

(9) The service provider shall notify the department of all conciliation results.

(10) The department shall take no adverse action relative to the matter in dispute if the matter is successfully resolved.

(11) If a dispute is not resolved through conciliation, the department shall provide the person with an opportunity for a fair hearing.

NEW SECTION

WAC 388-300-3400 Sanctions for refusal or failure to participate. (1) When an AFDC recipient required to participate in the JOBS program refuses or fails to participate in JOBS without good cause, the department shall apply sanctions during the following periods:

(a) For the first failure to comply, until the failure to comply ceases;

(b) For the second such failure to comply, until the failure to comply ceases or three months, whichever is longer;

(c) For each subsequent failure to comply, until the failure to comply ceases or six months, whichever is longer.

(2) Failure to participate is a consistent pattern of noncooperation in JOBS and includes, but is not limited to:

(a) Failure to meet the requirements for assessment and employability plan development, high school or GED completion, or job search requirements;

(b) Not appearing for appointments with the service provider;

(c) Not appearing for appointments with other than the service provider when referred for employment-related activity, including social services;

(d) Not accepting or continuing required JOBS component activity; or

(e) Failure to accept a job offered when good cause is not established under WAC 388-300-3200.

(3) During the period specified under section (1) of this section, the department shall impose a sanction on the person by excluding:

(a) The person's needs in determining the family's need for assistance and the amount of the assistance payment; and

(b) If the sanctioned person is the qualifying parent in a family eligible for the AFDC due to an unemployed parent, unless the second parent is participating in the JOBS program, the needs of the second parent in determining:

(i) The family's need for assistance; and

(ii) The amount of the assistance payment.

(4) If the person is the only dependent child, the department shall exclude the person's needs in determining the family's need for assistance and the amount of the assistance payment.

(5) If a sanction is applied to the only caretaker relative in the family, the department may continue to make payments:

(a) For the remaining members of the assistance unit in the form of protective payments; or

(b) If a protective payee cannot be identified, on behalf of the remaining members of the assistance unit, to the sanctioned caretaker relative.

(6) The department shall notify, in writing, a person whose failure or refusal continues for three months of the

person's option to end the sanction. The department's notice shall advise a sanctioned person that the person may terminate:

(a) The first or second sanction by participating in the JOBS program or accepting employment; and

(b) A subsequent sanction after six months have elapsed by participating in the program or accepting employment.

(7) The department shall ensure that imposition of sanction is preceded by a timely written notice of adverse action under WAC 388-33-376. The department shall ensure the notice contains:

(a) An explanation of the reasons for the proposed action;

(b) The factual reasons for the determination that the person failed to participate in JOBS without good cause;

(c) An explanation of the rights to a fair hearing and continued benefits;

(d) An explanation of how the sanction can be terminated by complying with program requirements; and

(e) In the case of a household receiving AFDC due to the unemployment of a parent, an explanation of:

(i) The sanction and benefit reduction to the second parent; and

(ii) The right of that parent to stop application of the sanction against the second parent by participating in the JOBS program.

(8) The department shall not impose a sanction until conciliation has been attempted.

NEW SECTION

WAC 388-300-3500 Complaints and grievances. (1) A person who is volunteering for or required to participate in any JOBS component has the right to file a complaint or grievance with the department regarding the person's participation in JOBS. The department shall ensure that the person is informed of this right at the time of assignment to a JOBS pathway or component.

(2) A regular employee who is aggrieved under WAC 388-300-3700 shall have the right to file a complaint or grievance.

(3) The department shall pursue complaints or grievances in accordance with standard grievance procedures provided in WAC 388-33-389.

(4) The department shall inform any person who files a complaint or grievance that filing such a complaint or grievance shall not:

(a) Interfere with the person's rights to request a fair hearing by the department on the issue; or

(b) Be required of a person before the person requests a fair hearing.

(5) A person who has been assigned to a JOBS pathway or component shall not be relieved of required JOBS activities pending the results of a filed grievance or a request for a fair hearing.

NEW SECTION

WAC 388-300-3600 Fair hearings. (1) The department shall conduct fair hearings following chapter 388-08 WAC and shall ensure fair hearings are governed by that chapter and this section. If a provision of this section conflicts with a provision in chapter 388-08 WAC, the

department shall ensure that the provisions in this section control.

(2) An AFDC applicant and recipient shall have the right to a fair hearing on any JOBS decision affecting participation in JOBS.

(3) A regular employee who is aggrieved under WAC 388-300-3700 shall have the right to a fair hearing.

(4) A person to whom the department has issued a notice of adverse action shall have the right to contest the department's proposed action.

(5) A person who contests the department's proposed action under subsection (4) of this section has ninety days to file a request for a fair hearing.

(6) If a person files a request for a fair hearing under subsection (4) of this section within ten days of the issuance, that person shall not have the sanction imposed until the fair hearing decision has been made.

(7) The department may impose sanctions under WAC 388-300-3400 if:

(a) The person's adverse action is not contested within ten days of issuance; or

(b) The person loses the fair hearing on the action.

(8) Any AFDC assistance received pending a fair hearing or hearing decision is considered to be an overpayment when the fair hearing decision subsequently finds against the participant.

(9) If a person requests a fair hearing, the person's AFDC assistance, child care, or support service may not be suspended, reduced, discontinued, or terminated until the fair hearing is concluded if the person requested the fair hearing:

(a) Within ten days of the notice of adverse action; or

(b) On or before the effective date of the action:

Provided, That if the department seeks to terminate supportive services or child care of a JOBS program participant pursuant to WAC 388-300-1800 as a result of the participant's failure to make satisfactory progress as defined in WAC 388-300-0200 or because the participant has ceased to participate in the component activity before completion of the activity, the department may request that an expedited preliminary hearing be held for the sole purpose of determining whether child care or other supportive services shall continue pending the hearing. In making the determination of whether child care or other supportive services shall be continued pending the hearing, the administrative law judge shall consider the likelihood that the department will prevail at the hearing, the harm that will be suffered by the participant if the child care or supportive services are terminated, and the cost to the department if child care and supportive services are continued pending the hearing.

(10) If a regular employee requests a fair hearing under this section, the decision of the administrative law judge hearing the issue shall:

(a) Provide an opportunity for the employer or other persons or entities to rectify the situation; and

(b) State the actions to be taken by the department, or the service provider, if any. The department's or the service provider's actions may include, but are not limited to:

(i) Removing the JOBS participant from the place of employment;

(ii) Establishing an overpayment for the amount of the subsidy;

(iii) Removal of the employer from involvement in the program for a specified period of time; or

(iv) Prohibition of future referrals or placements with the employer.

(c) Include the effective date of implementation and methods for extending that date. At the discretion of the administrative law judge hearing the issue, the judge may make a decision effective the date of delivery or of mailing, retroactive, or remedial in nature. The department shall ensure an appeal of the decision does not in itself delay implementation of the order.

(11) The department shall ensure a person who requests a fair hearing under this section receives an adjudicative decision in writing within ninety days of the request.

(12) The department shall ensure an adjudicative decision issued under this section includes:

(a) A notice of appeal rights to the federal level; and

(b) The requirements for filing such an appeal as specified under 45 CFR 251.4.

NEW SECTION

WAC 388-300-3700 Displacement of regular employees. (1) The service provider shall ensure that WEX, OJT, and work supplementation, including employment partnership program (EPP), component activities for JOBS participants do not:

(a) Result in the displacement of any currently employed worker or position, including partial displacement, such as a reduction in hours of overtime or nonovertime work, wages, or employment benefits;

(b) Impair existing contracts for services or collective bargaining agreements;

(c) Result in the employment or assignment of a participant or the filling of a position when:

(i) Any other person is on layoff from the same or a substantially equivalent job within the same organizational unit; or

(ii) An employer has terminated any regular employee or otherwise reduced its workforce with the effect of filling the vacancy so created by hiring a participant whose wages are subsidized under this program.

(d) Infringe on promotional opportunities of any currently employed person.

(2) The department shall ensure that work supplementation component activities for JOBS participants do not result in the filling of any established unfilled position vacancy by a participant in a component activity under WAC 388-300-2700 or WAC 388-300-2900.

(3) Displaced regular employees who feel aggrieved shall have the right to:

(a) A grievance procedure under WAC 388-300-3500 or fair hearing; and

(b) Appeal rights under WAC 388-300-3800.

NEW SECTION

WAC 388-300-3800 Employment protection. (1) A person participating in the JOBS program components on-the-job training, work supplementation program, or work experience has the right to a grievance procedure under WAC 388-300-2900 and a fair hearing under WAC 388-300-3600 to resolve a complaint regarding:

- (a) On-the-job working conditions; or
 (b) Worker's compensation coverage.
- (2) A regular employee, or the employee's representative, who believe the work assignment of a JOBS participant violates any of the prohibitions in WAC 388-300-3800 has the right to:
- (a) A grievance procedure under WAC 388-300-3500; and
 (b) A fair hearing under WAC 388-300-3600 which the department shall concurrently attempt to resolve through the grievance procedure if not previously used to resolve the complaint.
- (3) Regular employees who file grievances or fair hearings under subsection (1) or (2) of this section may appeal the final adjudicative decision or order with:
- (a) The Washington courts under the provisions of part V of chapter 34.05 RCW; or
 (b) The Office of Administrative Law Judges, U.S. Department of Labor, under the provisions of 45 CFR 251.5(3).
- (4) A person may use both appeal routes specified in subsection (3) of this section provided that such appeals are filed concurrently and within the limits set forth in either part V of chapter 35.05 RCW or 45 CFR 251.5(b) respectively, each measured from the date of the final adjudicative decision.

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 388-300-3900 Tribal JOBS. (1) The department shall refer an applicant or recipient of AFDC who is an Indian to the tribal JOBS program if the person resides in the designated service area of an Indian tribe which operates a tribal JOBS program.

(2) The department shall provide JOBS services to an Indian living outside the designated service area of tribal JOBS program.

(3) The department shall remove from the AFDC grant the needs of a person whom the tribe determines:

- (a) Is not exempt; and
 (b) Has not participated in the tribal JOBS program; and
 (c) Did not have good cause for refusal or failure to participate in the tribal JOBS program.

(4) The department shall provide a tribal JOBS participant with child care, according to chapter 388-51 WAC. Under chapter 388-51 WAC, a participant in the tribal JOBS program shall be eligible for transitional child care.

(5) A participant in the tribal JOBS program shall receive all other supportive services from the tribal JOBS program.

WSR 95-20-005
PERMANENT RULES
LIQUOR CONTROL BOARD
 [Filed September 21, 1995, 4:38 p.m.]

Date of Adoption: September 20, 1995.

Purpose: The rule sets forth requirements for Class H liquor licensed premises including required floor space for dining areas. The amendatory language more clearly defines terms used in the remainder of the rule, in addition to specifying minimum standards for space.

Citation of Existing Rules Affected by this Order:
 Amending WAC 314-16-196.

Statutory Authority for Adoption: RCW 66.08.030.

Adopted under notice filed as WSR 95-16-108 on August 1, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; **Federal Rules or Standards:** New 0, amended 0, repealed 0; or **Recently Enacted State Statutes:** New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; **Pilot Rule Making:** New 0, amended 0, repealed 0; or **Other Alternative Rule Making:** New 0, amended 0, repealed 0.

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

September 21, 1995

Jack Rabourn

Member of the Board

AMENDATORY SECTION (Amending WSR 93-10-092, filed 5/4/93, effective 6/4/93)

WAC 314-16-196 Class H restaurant—Floor space requirements—Conditions for service bar only premises.

(1) **Definitions.** For the purpose of this section:

(a) "Banquet room" means any room used primarily for the sale and service of food and liquor to private groups.

(b) "Cabaret" means a dining area also used to conduct entertainment such as live music, patron dancing, comedy and floor shows.

(c) "Cocktail lounge" means that portion of a licensed premises used primarily for the preparation, sale and service of liquor. Persons under twenty-one years of age are not permitted to enter a cocktail lounge except as otherwise provided under this title.

(d) "Public service area" means those public areas where food and/or liquor is normally sold and served to the general public.

(e) "Dining room" means that area dedicated to the sale and service of food with liquor being incidental to dining. A dining area must be separate and apart from a dance floor, entertainment stage, cocktail lounge or game area except if written permission is given by the board to use a dining area during specified times as a cabaret area.

(f) "Service bar" means any fixed or portable table, counter, cart or similar work station primarily used to prepare, mix, serve and sell liquor for pickup only, by employees and customers.

(2) Before the board shall issue a Class H license to a bona fide restaurant, the applicant shall submit, as a part of

or in addition to the blueprint required by WAC 314-16-190 (2)(a), a scale drawing one-quarter inch equals one foot of the proposed premises indicating that the area designated as the primary dining room(s) comprises at least ~~((fifty one))~~ fifteen percent of the total public service area ~~((allocated for the cocktail lounge and dining room areas, except))~~: Provided,

(a) Banquet rooms are permitted without limitations as to number or size~~((;))~~.

~~(b) ((Other customer service areas, i.e., waiting rooms, game rooms, card rooms, and bandstand/dance areas located outside the cocktail lounge shall not exceed twice the total square footage of the primary dining and cocktail lounge area combined. Written board approval is required: Provided, however, That the board may approve variations to the floor space requirement of this subsection where the applicant/licensee can demonstrate to the satisfaction of the board that the proposed layout would best suit the available floor space.~~

~~(2))~~ Routine sale and service of liquor in a banquet room to the public requires written board approval.

(3) The boundary of a cocktail lounge or other restricted area shall be clearly defined as a separate and distinct area by fixed or movable barriers, including, but not limited to, railings, ropes and stanchions, shrubbery or other closely placed plantings, etc.

(a) Restricted area entrances may be no wider than ten feet.

(b) Minor prohibited signs as required by WAC 314-16-025 must be placed at all restricted area entrances and other locations as necessary.

(c) The licensee is responsible to construct and post restricted area boundaries to reasonably prevent unauthorized persons from entering such areas.

(d) Movable barriers may not be placed so as to reduce the required dining area to less than fifteen percent.

(4) In Class H premises with a cocktail lounge, any portable service bar(s) may be placed in, or moved about, public service areas other than the area(s) without need for separate board approval.

(a) Any permanently fixed service bar(s) must be included as part of original floor plans or submitted as an alterations request, requiring board approval.

(b) Customers may not be seated or allowed to consume food or liquor at the service bar(s).

(5) Class H licensees/applicants may have a service bar(s) without regard to the floor space requirements of subsection ~~((4))~~ (2) of this section, in lieu of a cocktail lounge on the following conditions:

(a) Location of ~~((the))~~ permanently fixed service bar(s) shall be approved, in writing, by the board.

(b) ~~((Service of liquor from such service bar(s) will be by the licensee, or licensee's employees or))~~ Customers may ~~((order and pick up their drinks))~~ not be seated or allowed to consume food or liquor at the service bar(s).

(c) Liquor sale, service and consumption may take place only during hours that the full restaurant menu is available and a chef or cook is on duty.

~~((3))~~ (d) A Class H licensed restaurant having a service bar(s) ~~((may with written board approval have))~~ only, is not eligible for entertainment except for the added activity

of live background music. Written board approval is required.

~~((4))~~ (6) If the board issues a Class H license to a bona fide restaurant which has a service bar in lieu of an approved cocktail lounge and the licensee subsequently applies for approval to install a cocktail lounge, the board will process such a change in the same manner as an application for a new Class H license (i.e. notice will be posted at the premises, notice will be given to local officials, and nearby churches and schools will be notified).

(7) The board may approve variations to the floor space requirement of this subsection where the applicant/licensee can demonstrate to the satisfaction of the board that the proposed layout would best suit the available floor space.

WSR 95-20-022
PERMANENT RULES
INSURANCE COMMISSIONER'S OFFICE
[Order R 95-8—Filed September 26, 1995, 4:15 p.m.]

Date of Adoption: September 26, 1995.

Purpose: To eliminate outdated and superseded sections of Title 284 WAC.

Citation of Existing Rules Affected by this Order: Repealing WAC 284-13-310 through 284-13-420, 284-14-010, 284-14-020, 284-32-010 through 284-32-200, 284-48-020, and 284-44-170.

Statutory Authority for Adoption: RCW 48.02.060.

Adopted under notice filed as WSR 95-17-121 on August 23, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 5.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
September 26, 1993 [1995]

Krishna Fells
Chief Deputy

REPEALER

The following sections of the Washington Administrative Code are repealed:

- | | |
|----------------|---------------------------------|
| WAC 284-13-310 | Definitions. |
| WAC 284-13-320 | RBC reports. |
| WAC 284-13-330 | Company action level event. |
| WAC 284-13-340 | Regulatory action level event. |
| WAC 284-13-350 | Authorized control level event. |
| WAC 284-13-360 | Mandatory control level event. |
| WAC 284-13-370 | Hearings. |

PERMANENT

- WAC 284-13-380 Confidentiality and prohibition on announcements.
- WAC 284-13-390 Supplemental provisions.
- WAC 284-13-400 Foreign and alien insurers.
- WAC 284-13-410 Notices.
- WAC 284-13-420 Phase-in provision.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 284-14-010 Filing fee for rates and forms.
- WAC 284-14-020 Filing transmittal information.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 284-32-010 Purpose.
- WAC 284-32-020 Board of directors.
- WAC 284-32-030 Officers of board.
- WAC 284-32-040 Quorum, votes required, proxies.
- WAC 284-32-050 Annual meetings.
- WAC 284-32-060 Board's annual meeting.
- WAC 284-32-070 Meeting after notice of insolvency.
- WAC 284-32-080 Other meetings.
- WAC 284-32-090 Expenses of board members.
- WAC 284-32-100 Official address of association.
- WAC 284-32-110 Bank accounts, borrowing power.
- WAC 284-32-120 Board may levy fee.
- WAC 284-32-130 Contract with servicing facility.
- WAC 284-32-140 Claim settlements of one hundred fifty thousand dollars or more.
- WAC 284-32-150 Prevention of insolvencies.
- WAC 284-32-160 Records, reports, audit.
- WAC 284-32-170 Appeal.
- WAC 284-32-180 Indemnification.
- WAC 284-32-190 Conformity to statute.
- WAC 284-32-200 Effective date.

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 284-48-020 Authority of agents v. brokers: (1) Brokers of record, (2) marketing substandard auto, (3) rejected life and disability.

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 284-44-170 Minimum required anticipated loss ratio.

**WSR 95-20-025
PERMANENT RULES
STATE TOXICOLOGIST**
[Filed September 27, 1995, 2:07 p.m.]

Date of Adoption: September 11, 1995.

Purpose: Provide information regarding changes in administration and interpretation of breath alcohol testing program.

Citation of Existing Rules Affected by this Order: Amending WAC 448-13-020, 448-13-030, 448-13-050, 448-13-060, 448-13-070, 448-13-080, 448-13-090, 448-13-100, 448-13-110, 448-13-130, 448-13-140, 448-13-150, 448-13-160, 448-13-170, 448-13-200, 448-13-210, and 448-13-220.

Statutory Authority for Adoption: RCW 46.61.506.

Adopted under notice filed as WSR 95-16-118 on August 2, 1995.

Changes Other than Editing from Proposed to Adopted Version: All references to "BAC Verifier DataMaster" corrected to indicate "DataMaster" to conform to definition.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, amended 17, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, amended 17, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

September 27, 1995

Barry K. Logan, Ph.D
State Toxicologist

AMENDATORY SECTION (Amending WSR 91-21-040, filed 10/11/91, effective 11/11/91)

WAC 448-13-020 Approval of breath test instruments. Pursuant to RCW 46.61.506, the ((BAC Verifier)) DataMaster is the only ((infrared)) breath test instrument approved by the state toxicologist as a device for the measurement of alcohol in a person's breath. A simulator filled with a certified simulator solution will be attached to each instrument to provide a known external standard as defined in WAC 448-13-030(13). The simulator used must be on the National Highway Traffic Safety Administration (NHTSA) conforming products list. Any agency, group, or individual seeking approval or certification from the state toxicologist for the use of other breath test instruments for evidential breath testing programs in the state of Washington should contact the state toxicologist at the address given in WAC 448-13-210.

PERMANENT

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-030 Definitions. (1) "Accuracy" means the proximity of a measured value to a reference value.

(2) "Alcohol" means the unique chemical compound ethyl alcohol.

(3) "Blank test" means the testing of a DataMaster instrument to ensure that no alcohol from a previous test can interfere with a person's breath test.

(4) "Breath alcohol analysis" means analysis of a sample of a person's expired breath, using a breath testing instrument designed for this purpose, which instrument is approved by the state toxicologist, in order to determine the alcohol concentration in that breath sample.

(5) "Breath test document" means the form which is printed by the ~~((BAC Verifier))~~ DataMaster on the completion of a breath alcohol test.

(6) "Calibration" means the process of standardizing the DataMaster using a certified simulator solution to allow by proportion, the measurement of the alcohol concentration of a person's breath. Calibration will be performed periodically as required and at least once a year during quality assurance.

(7) "Certified" when used in conjunction with breath test personnel means an operator, instructor, solution changer or technician possessing a valid permit.

(8) "Certified simulator solution" means an alcohol/water solution prepared and tested by an approved protocol, and meeting the criteria specified therein.

(9) "Certified test" means a test conducted in accordance with WAC 448-13-040 and 448-13-050. A test which meets these requirements as determined from the breath test document is a certified test.

(10) "Concentration" means the weight amount of alcohol, expressed in grams, contained in two hundred ten liters of breath or alcohol/water vapor.

(11) "DataMaster" means BAC Verifier DataMaster, instruments including those carrying the designation BAC Verifier DataMaster II, and the BAC DataMaster. These are the only approved breath test instruments in the state of Washington.

(12) "Data base" means information collected primarily for the purposes of statistical analysis of patterns of drinking and driving in the state of Washington.

~~((12))~~ (13) "Data entry" means the process of providing information through a keyboard to the ~~((BAC Verifier))~~ DataMaster for the purposes of (a) identifying a breath test document to an individual, and (b) statistical analysis.

~~((13))~~ (14) "Interference" means a test result whose infrared absorbance properties are not consistent with ethanol.

(15) "External standard test" means the use of a simulator containing a certified simulator solution, to provide a known alcohol vapor concentration to test the accuracy and proper working order of the DataMaster and confirm its calibration at the time of a person's breath test. This test of the function of the DataMaster is performed with every breath test. The external standard test does not calibrate the DataMaster.

~~((14))~~ (16) "Internal standard test" means the use of a quartz filter to provide a check that the instrument has maintained calibration since the last time calibration was

performed and is in proper working order at the time of the test.

~~((15))~~ (17) "Precision" means the ability of a technique to perform a measurement in a reproducible manner.

~~((16))~~ (18) "Procedure" and "method" are used interchangeably to indicate a series of steps which, when carried out as directed, constitute the means by which a given task is performed in a reproducible manner.

~~((17))~~ (19) "Protocol" means the written record of any method or procedure.

~~((18))~~ (20) "Quality assurance program" means an ongoing program designed to perform preventative maintenance and identify potential defects before they affect the operation of the instrument.

~~((19))~~ (21) "Simulator" means a device which when filled with a certified simulator solution, maintained at a known temperature, provides a vapor sample of known alcohol concentration.

~~((20))~~ (22) "Software" means the computer program stored in the DataMaster which allows it to operate.

~~((21))~~ (23) "Valid breath sample" means a sample of a person's breath provided in such a manner to be accepted for analysis by the ~~((BAC Verifier))~~ DataMaster.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-050 Test defined. The test of a person's breath for alcohol concentration using the ~~((BAC Verifier))~~ DataMaster shall consist of the person insufflating end-expiratory air samples at least twice into the instrument, sufficient to allow two separate measurements. There will be sufficient time between the provision of each sample to permit the instrument to measure each sample individually. ~~((The))~~ Two valid breath samples, provided consecutively, will constitute one test.

The ~~((BAC Verifier))~~ DataMaster will perform this test according to the following protocol when being employed to measure an individual's breath alcohol concentration. Any test not performed according to the following protocol is not a valid test. Successful compliance with each step of this protocol is determined from an inspection of the breath test document. These steps are necessary to ensure accuracy, precision, and confidence in each test.

- Step 1. Data entry.
- Step 2. Blank test with a result of ~~((-.00))~~ .000.
- Step 3. Internal standard verified.
- Step 4. First breath sample provided by subject.
- Step 5. Blank test with a result of ~~((-.00))~~ .000.
- Step 6. External standard simulator solution test. The result of this test must be between .090 and .110 inclusive.
- Step 7. Blank test with a result of ~~((-.00))~~ .000.
- Step 8. Second breath sample provided by subject.
- Step 9. Blank test with a result of ~~((-.00))~~ .000.
- Step 10. Printout of results on a breath test document.

NEW SECTION

WAC 448-13-055 Interference with breath test. If during a breath test, an interference is detected, this will invalidate the test. If a breath test document is produced which notes the presence of an interference, the breath test will not be valid. The subject will be required to repeat the test. A subject whose breath registers the presence of an interference on two or more successive breaths shall be presumed to be incapable of providing a valid breath sample.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

✓ **WAC 448-13-060 Validity and certification of test results.** A test shall be a valid test and so certified, if the requirements of WAC 448-13-040 ~~((and)),~~ 448-13-050 and 448-13-055 are met, and in addition the following criteria for precision and accuracy, as determined solely from the breath test document, are met:

(1) The internal standard test results in the message "verified."

(2) ~~((The results of both breath samples are within, and inclusive of, plus or minus ten percent of the average of the two measurements. The upper and lower limits of this range shall be based on a three digit average and shall be truncated to two digits (e.g., .109 will be read as .10).))~~ In order to be valid, the two breath samples must agree to within plus or minus ten percent of their mean. This shall be determined as follows:

(a) The breath test results shall be reported, truncated to three decimal places.

(b) The mean of the two breath test results shall be calculated and rounded to four decimal places.

(c) The lower acceptable limit shall be determined by multiplying the above mean by 0.9, and truncating to three decimal places.

(d) The upper acceptable limit shall be determined by multiplying the mean by 1.1 and truncating to three decimal places.

(e) If the results fall within and inclusive of the upper and lower acceptable limits, the two breath samples are valid.

(3) The simulator external standard result ~~((is))~~ must lie between .090 to .110 inclusive.

(4) All four blank tests must give results of ~~((.00))~~ .000.

If these criteria are met, then these and no other factors are necessary to indicate the proper working order of the instrument, and so certify it, at the time of the breath test.

NEW SECTION

WAC 448-13-065 Interpretation of breath test results. Once it is determined that a breath test has met all the above criteria and is valid, the person's presumed breath alcohol content for the purposes of the interpretation of civil and criminal statutes shall be determined by taking the lower of the two subject sample breath test results, and truncating this to two decimal places. (E.g., if a person's two breath test results were 0.106 and 0.121, the person's presumed breath alcohol content would be 0.10 g/210L.)

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-070 External standard simulator solution. In order to validate and certify the proper working order of the ~~((BAC Verifier))~~ DataMaster at the time of a person's breath test, the vapor from a certified external standard simulator solution will be tested, separated by blank tests, between the two valid breath samples provided by the subject per WAC 448-13-050. This test of the vapor from the certified external standard simulator solution concentration, by the infrared technique employed by the ~~((BAC Verifier))~~ DataMaster, will confirm the certification of the person's test results as they appear on the breath test document, provided that the results of such analysis also meet the criteria of WAC 448-13-060. At such time as the concentration of the vapor from the external standard simulator solution measured by the DataMaster approaches the lower acceptable limit of .090, the solution will be discarded and replaced with a new solution which meets the criteria of WAC 448-13-080. In any event, the solution will be replaced no more than sixty days from the date of its installation. As there is no meaningful way to interpret data resulting from reanalysis of the simulator solution following its removal after use on a DataMaster instrument, collection and reanalysis of such solutions is neither recommended nor approved by the state toxicologist. The internal standard test conducted with every breath test provides a check that the instrument has remained in calibration while in use in the field.

AMENDATORY SECTION (Amending WSR 91-21-040, filed 10/11/91, effective 11/11/91)

WAC 448-13-080 Preparation and certification of external standard simulator solution. The external standard simulator solutions shall be prepared by the forensic toxicology staff or by persons certified as technicians in the state toxicology laboratory, using standard laboratory procedures, in such a manner that when ~~((used in a BAC Verifier DataMaster the external standard test performed as part of a person's breath test pursuant to WAC 448-13-050, will read))~~ heated to 34°C ± 0.2°C it will produce a vapor with an ethanol concentration of between .090 and .110 inclusive, at the time of the test. The principle used for the preparation of the simulator solutions is that a 0.123g/100mL solution will give a vapor ethanol concentration at 34°C of 0.100g/210L. The protocol which shall be followed for the preparation and certification of the external standard simulator solution will be that protocol currently approved and authorized by the state toxicologist according to WAC 448-13-130 and conforming to WAC 448-14-010. Details of the currently approved and authorized protocols are available upon request from the office of the state toxicologist. Sworn statements ~~((from the analyst))~~ regarding the preparation, testing, and certification of the simulator solution are available under the provisions of CrRLJ 6.13. The simulator solution shall have an expiration date of one calendar year following the date of its preparation.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-090 Software. The software which shall be used in the data collection by, in the operation of, and in the measurements made by the ~~((BAC-Verifier))~~ DataMaster, will be those versions currently approved for use by the state toxicologist. A list of those versions of software currently approved for use can be obtained from the office of the state toxicologist. The state toxicologist shall approve software which allows the DataMaster to meet the strict accuracy and precision standards of the quality assurance procedure, and which can perform breath tests in compliance with the standards set out herein.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-100 Use of the data base on the ~~((BAC-Verifier))~~ DataMaster. The specific purpose of the data base functions of the ~~((BAC-Verifier))~~ DataMaster is to provide statistical analysis and remote monitoring of the instruments to determine their current operational status. The information contained in the data base is separate from, and does not affect the results of, any individual breath test. All information required to certify a breath test per WAC 448-13-060 is contained in the breath test document. The presence or absence of data base information does not compromise the validity of a breath test certified per WAC 448-13-060.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-110 Quality assurance program. Technicians authorized per WAC 448-13-170 and 448-13-180 shall carry out on a regular periodic basis a quality assurance program which shall include recalibration, and checks of components and function of every ~~((BAC-Verifier))~~ DataMaster instrument used for evidential breath testing purposes in the state of Washington. The protocol which shall be followed for quality assurance will be that protocol currently approved and authorized by the state toxicologist pursuant to WAC 448-13-130.

Upon successfully meeting all the requirements of the quality assurance program, the instrument is approved by the state toxicologist for use over a period of not more than one year, or until such time as one of the following operations is required: Replacement of the central processing unit (CPU) board, replacement of the infrared detector, replacement of the infrared detector block, replacement of the infrared detector board, replacement or updating of the software, disassembly and then reassembly of the sample chamber, or recalibration. On successful completion of the quality assurance procedure the instrument is approved for use for a further one-year period. As the quality assurance procedure includes all the elements of the procedure previously known as "certification," the use of ~~((BAC-Verifier))~~ DataMaster Certification documents described in CrRLJ 6.13 is recommended by the state toxicologist to indicate compliance with this quality assurance program.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-130 Review, approval, and authorization of protocols of procedures and methods by the state toxicologist. The state toxicologist shall review, approve, and authorize such protocols of procedures and methods (of ~~((his))~~ the toxicologist's own promulgation or submitted ~~((to him))~~ by outside agencies or individuals for consideration required in the administration of the breath test program. Such review, approval, and authorization will be so signified by a signed statement attached to each protocol, and kept on file in the office of the state toxicologist. These protocols will be updated as necessary to maintain the quality of the breath test program in light of new findings in the scientific literature or from peer discussion, or the availability of superior equipment or services. Information concerning currently approved protocols can be obtained on application to the office of the state toxicologist.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-140 Instructors. The state toxicologist shall certify persons found by him to be competent and qualified, as "instructors." Instructors are authorized to administer breath tests for alcohol concentration using the ~~((BAC-Verifier))~~ DataMaster ~~((infrared-breath-testing instrument))~~ and are further authorized to train and certify as operators, according to outlines approved by the state toxicologist, those persons the instructor finds qualified to administer the breath test utilizing the ~~((BAC-Verifier))~~ DataMaster breath test instrument. Details of persons certified as instructors shall be maintained by the state toxicologist and available upon request.

If an instructor fails or refuses to demonstrate to the state toxicologist or to his representative, that they have the ability to adequately perform their responsibilities as an instructor, then the state toxicologist will suspend their permit.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-150 Operators. The state toxicologist, or instructors on his behalf, shall certify as "operators" persons found by them to be competent and qualified to administer breath tests for alcohol concentration using the ~~((BAC-Verifier))~~ DataMaster ~~((infrared))~~ breath testing instrument. Persons who have attended courses in the operation of the ~~((BAC-Verifier))~~ DataMaster ~~((infrared))~~ breath testing instrument taught by an instructor qualified by the state toxicologist, upon certification of attendance and qualification, shall be designated as "operators." Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If an operator fails or refuses to demonstrate to the state toxicologist or to an instructor certified by the state toxicologist, that he or she has the ability to adequately perform his or her responsibilities as an operator, then the state toxicologist will suspend their permit.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-160 Solution changers. The state toxicologist, or instructors on his behalf, shall certify as "solution changers" operators found by them to be competent and qualified. In addition to being qualified as "operators" these persons must receive approved instruction covering the changing of simulator external standard solutions for the ((~~BAC Verifier~~)) DataMaster ((~~infrared breath testing instrument~~)), taught by an instructor qualified by the state toxicologist. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If a solution changer fails or refuses to demonstrate to the state toxicologist or to an instructor certified by the state toxicologist, that he or she has the ability to adequately perform his or her responsibilities as a solution changer, then the state toxicologist will suspend their permit.

AMENDATORY SECTION (Amending WSR 91-21-040, filed 10/11/91, effective 11/11/91)

WAC 448-13-170 Technicians. The state toxicologist shall certify as "technicians" such persons found by him to be competent and qualified to maintain the proper working order of the ((~~BAC Verifier~~)) DataMaster infrared breath testing instrument, through adjustment, repair, and regular service. Further, technicians are authorized by the state toxicologist to prepare simulator external standard solutions and to perform the procedures approved for periodic quality assurance of the ((~~BAC Verifier~~)) DataMaster ((~~infrared breath testing~~)) instruments as required pursuant to WAC 448-13-110. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

Technicians are also authorized to instruct persons otherwise qualified as "instructors," "operators," and "solution changers" according to training outlines approved by the state toxicologist. Certified technicians are themselves authorized to perform the duties of "instructors," "operators," and "solution changers."

Electronics technicians who repair component parts of the DataMaster, and who are not certified as technicians under this section, are not authorized to conduct quality assurance, conduct training, or perform duties in the above categories.

If a technician fails or refuses to demonstrate to the state toxicologist or his representative, that he or she has the ability to adequately perform his or her responsibilities as a technician, then the state toxicologist will suspend their permit.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-200 Information concerning technical aspects of the breath test program. Documents used by the state toxicologist and personnel involved in breath testing for the state of Washington, which are available on request include: The breath test document, simulator solution preparation protocol, alcohol analysis protocol, certification document for simulator solution, affidavit from analyst of simulator solution, data base, quality assurance protocol, quality assurance procedure report, affidavit concerning

quality assurance procedure, operator course outline, operator refresher course outline, and operator training record. A fee may be charged to cover the cost of providing these copies.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-210 Address for correspondence. Persons seeking information regarding currently approved protocols and procedures, or information regarding those persons currently authorized as operators, instructors, solution changers, or technicians for the ((~~BAC Verifier~~)) DataMaster, shall direct their request to the State Toxicologist, State Toxicology Laboratory, ((~~Harborview Medical Center ZA 88, 325 9th Avenue, Seattle, Washington 98104~~)) University of Washington, Department of Laboratory Medicine, 2203 Airport Way S., Seattle, WA 98134.

AMENDATORY SECTION (Amending WSR 91-06-022, filed 2/26/91, effective 3/29/91)

WAC 448-13-220 Effective date. These provisions, WAC 448-13-010 through and including WAC 448-13-210, and any subsequent amendments will be adopted and in full force and effect for all aspects of the operation of the breath alcohol concentration test program in the state of Washington thirty-one days after the filing of the permanent rules. These new provisions are not retroactive and will not apply to the interpretation of results from any breath test conducted prior to thirty-one days after the filing of the permanent rules.

WSR 95-20-026

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 27, 1995, 2:15 p.m.]

Date of Adoption: September 27, 1995.

Purpose: To establish the registration cost charged to examination candidates at a sufficient level to meet the cost of purchasing the examinations for candidates.

Citation of Existing Rules Affected by this Order: Amending WAC 308-13-150 Landscape architect fees.

Statutory Authority for Adoption: RCW 18.96.080, 43.24.086.

Adopted under notice filed as WSR 95-17-101 on August 23, 1995.

Changes Other than Editing from Proposed to Adopted Version: No changes have been made to the fee amounts charged to candidates. The format was changed to clarify which charges are collected for tests and refunded to CLARB.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing,
September 27, 1995
John Swannack
Deputy Director

AMENDATORY SECTION (Amending WSR 94-23-031, filed 11/8/94, effective 12/9/94)

WAC 308-13-150 Landscape architect fees. The following fees shall be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Application fee	\$150.00
((Examination (entire) fee	450.00))
Reexamination administration fee	50.00
((Examination Sections:	
Section 1: Legal and administrative aspects of practice	25.00
Section 2: Programming and environmental analysis	35.00
Section 3: Conceptualization and communication	85.00
Section 4: Design synthesis	80.00
Section 5: Integration of technical and design requirements	95.00
Section 6: Grading and drainage	85.00
Section 7: Implementation of design through construction process	45.00))
Exam proctor	100.00
Renewal (3 years)	450.00
Late renewal penalty	150.00
Duplicate license	25.00
Initial registration (3 years)	450.00
Reciprocity application fee	200.00
Certification	45.00
Replacement certificate	20.00

The following charges shall be collected from examination candidates for examinations ordered from CLARB on their behalf. The charges recovered by the department shall be refunded to CLARB for the costs of tests and shipping charges for examinations.

<u>Examination and Sections</u>	<u>Charges</u>
<u>Entire examination</u>	<u>\$515.00</u>
<u>Examination sections:</u>	
<u>Section 1: Legal and administrative aspects of practice</u>	<u>30.00</u>
<u>Section 2: Programming and environmental analysis</u>	<u>35.00</u>
<u>Section 3: Conceptualization and communication</u>	<u>100.00</u>
<u>Section 4: Design synthesis</u>	<u>100.00</u>
<u>Section 5: Integration of technical and design requirements</u>	<u>100.00</u>

<u>Section 6: Grading and drainage</u>	<u>100.00</u>
<u>Section 7: Implementation of design through construction process</u>	<u>50.00</u>

WSR 95-20-028
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3903—Filed September 27, 1995, 4:50 p.m.]

Date of Adoption: September 27, 1995.

Purpose: Implement provisions of the 1995 budget bill, to convert to the total expenditure method to compute the SSI state supplement (SSP). Reducing the SSP by 15% in November 1995 will enable the department to adjust costs for 1995 to the 1994 expenditure level.

Citation of Existing Rules Affected by this Order: Amending WAC 388-250-1700.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: 1995 Budget Bill.

Adopted under notice filed as WSR 95-17-128 on August 23, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing,
September 27, 1995

Sydney Doré
for Jeanette Sevedge-App
Acting Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3822, filed 1/11/95, effective 2/11/95)

WAC 388-250-1700 Standards of assistance—Supplemental security income. Effective ((January)) November 1, 1995, the standards of SSI assistance paid to an eligible individual and couple are:

- (1) Living alone (own household or alternate care, except nursing homes or medical institutions).

PERMANENT

	Federal	State
	SSI	Supplement
Standard	Benefit	

Area I: King, Pierce, Snohomish, Thurston, and Kitsap Counties

Individual	(\$486.00	\$458.00	28.00))
	\$481.80	\$458.00	\$ 23.80
Individual with one essential person	((709.00	687.00	22.00))
	705.70	687.00	18.70
Couple:			
Both eligible	((709.00	687.00	22.00))
	705.70	687.00	18.70
Includes one essential person	((709.00	687.00	22.00))
	705.70	687.00	18.70
Includes ineligible spouse	((626.20	458.00	168.20))
	600.97	458.00	142.97

Area II: All Counties Other Than the Above

Individual	((465.55	458.00	7.55))
	\$464.42	458.00	6.42
Individual with one essential person	687.00	687.00	0
Couple:			
Both eligible	687.00	687.00	0
Includes one essential person	687.00	687.00	0
Includes ineligible spouse	((596.25	458.00	138.25))
	575.51	458.00	117.51

Areas I and II:

Eligible individual with more than one essential person(⊕): \$458 for eligible individual plus \$229 for each essential person (no state supplement).

Eligible couple with one or more essential persons: \$687 for eligible couple plus \$229 for each essential person (no state supplement).

(2) Shared living (Supplied shelter): Area I and II

	Federal	State
	SSI	Supplement
Standard	Benefit	

Individual	((311.15	\$305.34	\$ 5.81))
	\$310.28	\$305.34	\$ 4.94
Individual with one essential person	((464.30	458.00	6.30))
	463.35	458.00	5.35
Couple:			
Both eligible	((464.30	458.00	6.30))
	463.35	458.00	5.35
Includes one essential person	((464.30	458.00	6.30))
	463.35	458.00	5.35
Includes ineligible spouse	((409.10	305.34	103.76))
	393.54	305.34	88.20

Area I and II:

Eligible individual with more than one essential person: \$305.34 for eligible individual plus \$152.66 for each essential person (no state supplement).

Eligible couple with one or more essential persons: \$458 for eligible couple plus \$152.66 for each essential person (no state supplement).

~~((Area I and Area II:~~

~~Medicaid Institutions 41.62 30.00 11.62))~~

(3) Residing in a medical institution: Area I and II

	Federal	State
	SSI	Supplement
Standard	Benefit	

No change	\$41.62	\$30.00	\$11.62
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(4) Mandatory income level (MIL) for grandfathered claimant. Reduced by five dollars and sixty-one cents for all MIL clients, except for those converted in a "D" living

arrangement (residing in a medical institution at the time of conversion).

WSR 95-20-030
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3899—Filed September 27, 1995, 4:50 p.m.]

Date of Adoption: September 27, 1995.

Purpose: This proposed amendment is to allow COPEs clients to line in a license boarding name [live in a licensed boarding home] and changes the maintenance needs allowance from the MNIL to the FPL for certain clients.

Citation of Existing Rules Affected by this Order: Amending WAC 388-515-1505 Community options program entry system (COPEs).

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 95-17-061 on August 15, 1995.

Changes Other than Editing from Proposed to Adopted Version: See concise explanatory statement which explains that subsection (3) is now placed in more of an outline format. WAC 388-515-1505 Currently reads: (3) The department shall allocate available income of the SSI-related COPEs client as described under WAC 388-513-1380 (1), (2), (3), (4)(b), (c), (d), (e), (f), (g), and (h), (5), and (6). The client shall retain an amount equal to the medically needy income level (MNIL) for one person for maintenance needs.

Revise to: (3) The department shall allocate available income of the SSI-related COPEs client as described under WAC 388-513-1380 (1), (2), (3), (4)(b), (c), (d), (e), (f), (g), and (h), (5), and (6). The client shall retain an amount for maintenance needs as follows:

(a) For a single person or a married person not living with a community spouse, one hundred percent of the one-person Federal Poverty Level (FPL);

(b) For a married couple who are both receiving COPEs, one hundred percent of the one-person FPL for each person; or

(c) For a married person living with a community spouse, the one-person MNIL.

The above change is being made at the request of Aging and Adult Services to comply with an approval by HCFA to change the methodology of determining the client participation in COPEs services.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

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Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

September 27, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-515-1505 Community options program entry system (COPEs). (1) The department shall determine a person eligible for COPEs when a person is eighteen years of age or over and:

(a) Meets the categorically needy eligibility requirements for an SSI-related institutionalized person. For the purposes of COPEs, a person is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(b) Requires the level of care provided in a nursing facility;

(c) Has a department-approved plan of care that meets the eligibility requirements for COPEs personal care as described under WAC 388-15-610 (1)(f); and

(d) Is able and chooses to reside at home with community support services, in a:

(i) Congregate care facility (CCF) ~~((or a))~~;

(ii) Licensed adult family home (AFH); ~~((and))~~ or

(iii) Licensed boarding home (LBH).

(e) Is institutionalized, or the department determines is likely to be institutionalized within the next thirty days in the absence of waived services under WAC 388-15-615.

(2) The department shall not require participation in the cost of COPEs care by a person:

(a) Receiving SSI; or

(b) Remaining eligible for SSI under 1619(b) of the Social Security Act, but not receiving a cash grant.

(3) The department shall allocate available income of the SSI-related COPEs client as described under WAC 388-513-1380 (1), (2), (3), (4)(b), (c), (d), (e), (f), (g), and (h), (5), and (6). The client shall retain an amount ~~((equal to the medically needy income level (MNIL) for one person))~~ for maintenance needs as follows:

(a) For a single person or a married person not living with a community spouse, one hundred percent of the one-person Federal Poverty Level (FPL);

(b) For a married couple who are both receiving COPEs, one hundred percent of the one-person FPL for each person; or

(c) For a married person living with a community spouse, the one-person MNIL.

(4) The SSI-related client residing in ~~((an adult family home or))~~ a CCF, AFH, or LBH shall:

(a) Retain from a maintenance needs amount, a specified personal needs allowance as described under WAC 388-250-1600 and 388-250-1650; and

(b) Pay the remaining maintenance needs amount to the facility for the cost of board and room.

(5) The department shall include the remaining income after allocations as the participation amount for COPEs services as described under WAC 388-15-620.

WSR 95-20-031
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3900—Filed September 27, 1995, 4:50 p.m.]

Date of Adoption: September 27, 1995.

Purpose: Expands the department requirements to collect medical assistance costs of health care expended on clients when there is a third party.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-020 Subrogation.

Statutory Authority for Adoption: SSB 5419(6) and RCW 74.08.090.

Adopted under notice filed as WSR 95-17-066 on August 15, 1995.

Changes Other than Editing from Proposed to Adopted Version: The word value was changed to cost in subsection (2). This change was based on public comment.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 1, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 0, repealed 0.

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

September 27, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 264 (part), filed 11/24/67)

WAC 388-87-020 Subrogation. (1) As a condition of medical care eligibility as described under WAC 388-505-0540, a client shall assign to the state any right the client may have to receive payment from any liable third party for reimbursement of state-made expenses for medical care for health care items or services provided to the client.

(2) The department shall not be responsible to pay for medical care for ~~((an applicant or recipient))~~ a client whose personal injuries are occasioned by the negligence or wrongdoing of another: *Provided, however,* That the ~~((director))~~ secretary of the department or the secretary's

designee may ((in his discretion)) furnish the medical care required as a result of ((such)) an injury(((ies))) to the client if the client is otherwise eligible for medical care and no other liable third party has been identified at the time the claim is filed, and the department shall thereby be subrogated to the ((applicant's or recipient's)) rights of recovery therefore to the extent of the cost of medical care ((paid for)) furnished by the department.

(3) The department may pursue its right to recover the value of medical care provided to an eligible client from any liable third party as a subrogee, assignee, or by enforcement of its public assistance lien as provided under RCW 43.20B.040 through 43.20B.070.

(4) Recovery pursuant to the subrogation rights, assignment, or enforcement of the lien granted to the department shall not be reduced, prorated, or applied to only a portion of a judgment, award, or settlement. No settlement or judgment of a lien created under RCW 43.20B.060 shall be discharged or compromised without written consent of the secretary of the department or the secretary's designee. The department shall only consider compromise or discharge of a medical care lien as authorized by federal regulation at 42 CFR 433.139.

(5) The doctrine of equitable subrogation shall not apply to defeat, reduce, or prorate recovery by the department as to its assignment, lien, or subrogation rights.

WSR 95-20-038

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed September 28, 1995, 3:53 p.m.]

Date of Adoption: September 22, 1995.

Purpose: To add language which clarifies current policies and ensures consistent application of affected certification rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 180-79-062.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 95-16-082 on July 28, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

September 28, 1995

Larry Davis
Executive Director

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-062 Approved baccalaureate degree—

Definition. "Approved baccalaureate degree" for the purpose of this chapter means a baccalaureate from a regionally accredited college or university in any of the subject areas of the endorsement listed in WAC 180-79-080. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject area: *Provided*, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in WAC 180-79-080.

WSR 95-20-039

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed September 28, 1995, 3:56 p.m.]

Date of Adoption: September 22, 1995.

Purpose: To update and correct WAC language.

Citation of Existing Rules Affected by this Order:
Amending WAC 180-78-160.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 95-16-081 on July 28, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

September 28, 1995

Larry Davis
Executive Director

AMENDATORY SECTION (Amending Order 26-88, filed 12/14/88)

WAC 180-78-160 Evidence of compliance with candidate admission and retention policies program standard. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate admission and retention policies program standard of WAC 180-78-140(4):

(1) Incentives and affirmative action procedures have been established to recruit quality candidates from underrepresented groups including those from diverse economic, racial, and cultural backgrounds. Support programs are provided to assist such candidates in successfully completing the professional preparation program.

(2) Admission requirements to the professional preparation programs include:

(a) A minimum 2.5 college or university undergraduate grade point average (based upon a zero to four point scale) calculated on the basis of the most recent 45 quarter (30 semester) credits.

(b) Evidence that the candidate is competent in the basic skills required for oral and written communication and computation.

(c) A combined score of not less than the state-wide median score for the prior school year scored by all persons taking the ~~((Washington Pre-College Test (WPCT) or an equivalent standard score on the comparable portions of the))~~ Scholastic Aptitude Test (SAT) or the American College Test (ACT)~~((, or the Graduate Record Examination (GRE). Equivalent standard scores shall be determined by the superintendent of public instruction and affected agencies shall be notified in official bulletins of the superintendent of public instruction))~~.

~~(d) ((Provided, That until June 30, 1989, college and universities with approved preparation programs may permit candidates to enter the professional preparation program with a minimum composite score of eighty or more on the verbal and quantitative subtests of the WPCT or an equivalent score on the comparable portion of the SAT, ACT, or GRE.~~

~~(e) ((Provided further, That persons who have completed a baccalaureate or higher degree or who are twenty-one years of age or older, who have completed two or more years of college level work, and who have demonstrated in such course work, including a written essay, the competencies set forth in (b), (c), and (d) of this subsection, shall be exempted from meeting such requirements.~~

(f)) Provided, That persons who have completed a baccalaureate or higher degree or who are twenty-one years of age or older, who have completed two or more years of college level work, and who have demonstrated in such course work, including a written essay, the competencies set forth in (b) and (c) of this subsection, shall be exempted from meeting such requirements.

(e) *Provided further*, That a candidate who does not meet one of the criteria within this subsection may be admitted on probationary status if the college or university provides individual tutorial assistance to such candidate and the candidate is required to meet the above stated criteria prior to participation in a field experience and exiting from the approved preparation program.

(3) Criteria for the selection and retention of candidates are relevant to the attainment of program outcomes and available for review by applicants, students, and faculty. These written criteria may include, but not be limited to, faculty recommendations, evidence of demonstrated competency in academic and professional work, and written recommendations from appropriate professionals in the schools.

(4) A written process exists describing the procedures for:

(a) Counseling and advising students about progress and retention in the professional preparation program.

(b) Supervision and evaluation relative to the completion of the professional preparation program.

(c) The appeal process for decisions relative to admission or retention in the professional preparation program.

(d) Providing information to candidates regarding supply and demand conditions in the candidate's field.

(e) Admission and retention of nontraditional candidates, such as midcareer candidates who wish to enter professional preparation programs, if established.

WSR 95-20-040

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed September 28, 1995, 4:00 p.m.]

Date of Adoption: September 22, 1995.

Purpose: To extend the internship certification program to August 31, 1999.

Citation of Existing Rules Affected by this Order: Amending WAC 180-79-241.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 95-16-080 on July 28, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

September 28, 1995

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 94-13-021, filed 6/3/94, effective 7/4/94)

WAC 180-79-241 Internship certificate. In order to broaden the base of persons eligible to pursue teaching careers, the state board of education establishes a teaching internship certificate pilot project under the specific circumstances set forth below:

Internship certificate.

(1) Candidates shall be eligible for internship certificates which allow the holder full authority to serve as a part-time or full-time teacher and will be subject to the local school district's evaluation procedures under the following conditions:

(a) Persons must possess a master's degree and have a minimum of forty-five quarter hours (thirty semester hours) in an endorsement area or in a directly related area of study; or a bachelor's degree with a minimum of forty-five quarter hours (thirty semester hours) in an endorsement area or in a directly related area of study and at least five years of relevant work experience, subsequent to the bachelor's degree, as determined by the college or university;

(b) Candidates must be admitted to an approved Washington state college or university teacher education program, and hold a contract for employment as a teacher in a participating school district or be given written notice of other program or placement options if the candidate does not hold a contract. Candidates would be eligible for the internship certificate only upon completion of the college or university course work, as specified in subsection (2)(d) of this section, and employment in a participating school district;

(c) Notwithstanding the provisions above or other provisions in this section, in order to conduct a field test of an alternative model for the internship certificate, Teach for America resident teachers participating in a professional teaching residency shall be eligible for internship certificates for the two years of their residency program if they are employed by the Seattle School District.

The internship certificate shall be issued for up to two years. The internship certificates shall be endorsed on the basis of the academic requirements in WAC 180-79-086. If a resident teacher does not continue in the program for the full two years, the certificate shall become invalid when the resident teacher leaves the program.

Prior to teaching under the internship certificate the resident teacher shall have studied issues of abuse, child or adolescent psychology, classroom management, methods of instruction in the appropriate endorsement area, the legal responsibilities of the professional educator, reading in the content area, and the safety and supervision of children.

If a resident teacher has not completed such study in the summer training program the Seattle School District shall be responsible for assuring that each resident teacher has completed the required study prior to teaching. The resident teacher shall continue study throughout the two years in appropriate workshops or courses as determined by the Seattle School District and Teach for America.

The resident teacher shall receive on-site assistance throughout the two years.

The assessment of the Professional Teaching Residency field test will focus specifically on the effective recruitment of outstanding individuals (especially minority candidates), the performance-based assessment process, and the teaching effectiveness demonstrated by the resident teachers who complete the program.

At the completion of their two-year internships, resident teachers shall be eligible for the initial certificate upon recommendation by the Seattle School District and by a review board of experienced educators. The authorization for the Teach for America field test extends from the 1994-95 school year through the 1998-99 school year.

An advisory board shall be established by Teach for America and the Seattle School District to assure the active involvement of interested persons, including teachers, principals, representatives of higher education, administra-

tors, and parents in the ongoing review of the professional teaching residency program in order:

(i) To assure that the program is consistent with Seattle School District goals and priorities; and

(ii) To provide ongoing feedback to Teach for America and the Seattle School District.

An evaluation of the program shall be completed prior to the close of the first school year by a professional education advisory committee subcommittee, which shall include a site visit to the Seattle School District and the collection of data from the resident teachers and other parties, including, but not limited to, relevant students, teachers, principals, administrators, and parents. Findings from the evaluations shall be reviewed by the professional education advisory committee. Recommendations for continuation, revisions, or discontinuation of the professional teaching residency program shall be submitted by the professional education advisory committee to the state board of education. On the basis of the evaluation, the state board of education may rescind the authorization for any additional recruitment of resident teachers prior to the beginning of the next school year.

Prior to September 1, 1998, the professional education advisory committee shall review the evaluations of the teaching residency program and make recommendations to the state board on its future status.

(2) The college or university approved internship program shall be designed as follows:

(a) Students shall proceed through the program as a cohort group;

(b) The program shall be a minimum of forty-five quarter hours (thirty semester hours) of upper division and/or graduate study and must meet the state board of education standards for approved programs;

(c) The program shall provide the intern a minimum of fifteen quarter hours (ten semester hours) of study prior to the beginning of the school year, five quarter hours (three semester hours) for each quarter/semester of the school year and fifteen quarter hours (ten semester hours) in the summer following the first year of teaching;

(d) Prior to beginning teaching, the candidate must complete a minimum of fifteen quarter hours (ten semester hours) of course work in pedagogy including but not limited to: Child or adolescent psychology, classroom management, methods instruction in the appropriate endorsement area, the legal responsibilities of the professional educator, reading in a content area, and the safety and supervision of children (the course work must include forty hours of observation of school students in learning situations);

(e) During each quarter/semester the interns shall participate in a college/university three hour seminar weekly in order to provide the interns with peer interaction and assistance on issues associated with their teaching experiences;

(f) The college/university shall assign a college supervisor to work with each intern;

(g) The school district shall assign a staff member to serve as a mentor (who shall be selected using the criteria established for the teacher assistance program) for each intern;

(h) The school district and the college/university shall specify in detail the resources they will provide and the

procedures they will follow to assure that the intern is qualified to assume full-time responsibility when placed in the classroom as a teacher.

(i) The year of internship teaching shall be deemed comparable to the state board of education student teaching requirement, provided, the college/university evaluates the intern's teaching as satisfactory. The local school district evaluation of the intern shall be shared with the college/university in making its decision;

(j) The internship certificate shall be issued for one year and may be renewed only once for one additional year to persons who for good cause were unable to complete the program upon recommendation by the college or university where the person is enrolled in the teacher education program.

(3) At least one college/university and one school district that meet the following criteria shall be approved by the state board of education to conduct this pilot program:

(a) Colleges and universities and school districts wishing to participate in this program must submit joint proposals to the state board of education for its consideration, provided, one college/university may have joint agreements with more than one school district and may include within such agreements a cooperative arrangement with an educational service district.

(b) Colleges/universities and school districts shall submit a detailed description of the program based on the requirements in subsection (2) of this section, provided, the state board of education will consider modifications to the requirements if the proposal indicates how the intent of the program can be met in a different curricular design.

(4) The internship teaching program shall be reviewed annually by the respective professional education advisory board and evaluated by the professional education advisory committee during its third year of operation. After receiving the recommendation from the professional education advisory committee, the state board of education shall determine whether or not or under what circumstances the pilot project shall be continued.

(5) The pilot project shall terminate on August 31, ~~(1995)~~ 1999, with the exception of the field test described in subsection (1)(c) of this section unless the state board of education extends or revises the existing program.

WSR 95-20-041
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3904—Filed September 28, 1995, 4:43 p.m.]

Date of Adoption: September 28, 1995.

Purpose: Comply with new laws; eliminate redundancy; clarify department's purpose and intent; implement court order; incorporate new COPES services approved by the Health Care Financing Administration; modify chore eligibility; delete rules for obsolete and unfunded services. New sections WAC 388-15-192, 388-15-194, 388-15-196, 388-15-206, 388-15-219, and 388-15-222.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-15-208 Definitions, 388-15-212 Service

determination, 388-15-213 Payment, 388-15-615 COPES—Program restrictions, 388-15-850 Medicaid personal care services—Nurse oversight, 388-15-860 Medicaid personal care services—Personal care aid qualifications and 388-15-870 Medicaid personal care services—Service provision system; and amending WAC 388-15-202 Long-term care services—Definitions, 388-15-203 Long-term care services—Assessment of task self-performance and determination of required assistance, 388-15-204 Home and community services—Reassessment, 388-15-205 Long-term care services—Service plan development, 388-15-207 Chore personal care services for adults—Legal basis—Purpose—Goals, 388-15-209 Chore personal care services—Eligibility, 388-15-215 Chore personal care services—Program limitations, 388-15-216 Chore personal care services—Grandfathered clients, 388-15-222 Chore personal care services—Employed disabled—Incentive income exemption, 388-15-600 Community options entry system (COPES)—Purpose—Legal basis, 388-15-610 COPES—Eligibility, 388-15-620 COPES—Services, 388-15-630 COPES—Payment procedures, 388-15-830 Medicaid personal care services—Eligibility, 388-15-880 Medicaid personal care services—Payment procedures, and 388-15-890 Medicaid personal care services—Program limitations.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520; chapter 18, Laws of 1995 1st sp. sess.

Adopted under notice filed as WSR 95-16-016 on July 21, 1995.

Changes Other than Editing from Proposed to Adopted Version: Aging and Adult Services Administration (AASA), Office of Home and Community Services has changed the proposed WAC as a result of the responses AASA received.

The changes are as follows:

WAC 388-15-192, combined subsection (1)(a) and (b) in one paragraph. Deleted subsection (2).

WAC 388-15-194, changed title to "Home and community services—Nurse oversight."

WAC 388-15-196, changed title to "Home and community services—Minimum qualifications for care providers in home and community settings."

WAC 388-15-202(3), last sentence on the page, changed the word "client's" to "applicant's."

WAC 388-15-202(12), inserted definition of "Community spouse" as meaning a person as described under WAC 388-513-1365 (1)(b) as the new subsection (12). NOTE: As a result of this insertion, subsequent numbers are changed on the following subsections by one digit.

WAC 388-15-202(23), deleted the words "the same" and replaced with the word "income" in quotation marks.

WAC 388-15-202(28), inserted definition of "Institutional spouse" as meaning a person described under WAC 388-513-1365 (1)(e). NOTE: As a result of this insertion, subsequent numbers are changed on the following subsections by one more digit.

WAC 388-15-202(34), added subsection (d), "In the home of another where rent is not charged and residence is not contingent upon the purchase of personal care services as defined in this section."

WAC 388-15-202 (36)(b), deleted the word "self" in the second sentence.

WAC 388-15-202 (36)(q), deleted the word "falling" and replaced it with "to fell."

WAC 388-15-202(44), deleted this item due to the insertion of definitions of "community spouse" and "institutional spouse" above.

WAC 388-15-202(49), changed to read: "Transfer of resources means the same as defined under WAC 388-513-1365(g)." Deleted the following sentence, "The department shall apply the penalties in WAC 388-513-1365 to all state-funded long-term care services." This is in response to the comment that this is a factor of eligibility and not a definition of transfer of resources.

WAC 388-15-203 (2)(a), changed "aging network staff" to "designee."

WAC 388-15-203 (3)(a)(i), added "with or without an assistive device" after the word "mobile" and before the word "both."

WAC 388-15-203 (3)(e)(ii), deleted (D) and (E).

WAC 388-15-203 (3)(e)(iii), this item is changed to read:

"Substantial. The client:

(A) Can feed self but needs standby assistance for occasional gagging, choking, or swallowing difficulty; or

(B) Needs reminders/assistance with adaptive feeding equipment; or

(C) Must be fed some or all food by mouth by another person."

WAC 388-15-203 (3)(e)(iv), this item is changed to read:

"Total: The client must be totally fed by another person and/or frequently gags or chokes due to difficulty in swallowing; or the client must be fed by another person by stomach tube or by venous access."

WAC 388-15-203 (5)(a), added the word "chart" at the end of sentence, following the word "conversion."

WAC 388-15-204, changed title to, "Home and community services—Reassessment."

WAC 388-15-209(4), added item: "(d) Has not transferred assets on or after July 1, 1995 for less than fair market value as described under WAC 388-513-1365."

WAC 388-15-209(5), changed item to read: "Be deemed to meet the financial eligibility requirements set forth in subsection (4) if the person is an adult protective service client at risk of placement in a long-term care facility..."

WAC 388-15-210 has been corrected to read: "WAC 388-15-219."

WAC 388-15-210 (2)(v) which is now WAC 388-15-219, the "WAC 388-15-217" reference is corrected to read: "WAC 388-15-222."

WAC 388-15-210(2) which is now WAC 388-15-219.

Added item:

"(viii) Amounts paid for:

(A) Medical expenses not subject to third party payment; and

(B) Health insurance premiums, coinsurance, or deductible charges."

WAC 388-15-610(8), replaced the proposed subsection (8) and inserted the following text: "(8) Require minimal, substantial or total assistance in three or more of the critical self-care tasks in subsection (6)(a) through (f) of this section; or"

NOTE: As a result of this insertion, subsequent numbers are changed on the following subsections by one digit.

WAC 388-15-610(8), renumbered to (9) and changed to read: "Currently reside in a nursing facility..."

WAC 388-15-620, replaced the word "congregate" with "adult residential" wherever it appears.

WAC 388-15-630, replaced the word "congregate" with "adult residential" wherever it appears.

WAC 388-15-630 (7)(c), corrected typist omission to read "...in accordance with the client's service plan in the client's own home."

WAC 388-15-630 (9)(b), added "or an unpaid volunteer" after the word "handy-man."

WAC 388-15-630(19), deleted redundant text already entered in subsection (18).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 1, amended 4, repealed 1; or Recently Enacted State Statutes: New 3, amended 6, repealed 2.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 9, repealed 10.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 9, repealed 10.

Number of Sections Adopted using Negotiated Rule Making: New 1, amended 9, repealed 10; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

September 28, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

Reviser's note: The material contained in this filing will appear in the 95-21 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

WSR 95-20-046

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 95-01—Filed September 29, 1995, 3:00 p.m.]

Date of Adoption: September 29, 1995.

Purpose: To adopt an amendment to the King County shoreline master program.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-250.

Statutory Authority for Adoption: Chapter 90.58 RCW.

Adopted under notice filed as WSR 95-07-144 on March 22, 1995.

Changes Other than Editing from Proposed to Adopted Version: The southerly and westerly boundaries for the

shoreline environment redesignation from conservancy to rural are modified. The boundary is as follows: Either 200 feet from the ordinary high water of the Snoqualmie River or along the designated line of the floodway as determined by the FEMA Federal Insurance Rate Map - May 16, 1995 revision, whichever is greater.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
September 29, 1995
Terry Husseman
for Mary Riveland
Director

AMENDATORY SECTION (Amending Order 90-52, filed 1/23/91, effective 2/23/91)

WAC 173-19-250 King County. King County master program approved July 8, 1976. Revision approved November 22, 1976. Revision approved June 30, 1978. Revision approved July 5, 1979. Revision approved September 23, 1981. Revision approved February 9, 1982. Revision approved March 14, 1984. Revision approved June 18, 1985. Revision approved January 22, 1991. Revision approved September 29, 1995.

**WSR 95-20-054
PERMANENT RULES
STATE BOARD OF EDUCATION**

[Filed October 2, 1995, 3:56 p.m.]

Date of Adoption: September 22, 1995.

Purpose: Establishing new waiver policies and procedures and reduce paperwork for school districts and to streamline the waiver request process.

Statutory Authority for Adoption: Chapter 28A.630 RCW, chapter 208, Laws of 1995.

Adopted under notice filed as WSR 95-16-113 on August 1, 1995.

Changes Other than Editing from Proposed to Adopted Version: The nonregulatory position statement of proposed WAC 180-18-030 i.e., the last four sentences of subsection (b) were deleted.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 7, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 7, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
October 2, 1995
Larry Davis
Executive Director

**Chapter 180-18 WAC
WAIVERS FOR RESTRUCTURING PURPOSES**

NEW SECTION

WAC 180-18-010 Authority. The authority for this chapter is RCW 28A.305.140, 28A.600.010, and 28A.630-945 which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements and such related requirements as may be established by the state board of education.

NEW SECTION

WAC 180-18-020 Purpose. The purpose of this chapter is to establish policies and procedures and to facilitate and support school districts in their educational improvement efforts.

NEW SECTION

WAC 180-18-030 Waivers from total program hour offerings, teacher contact hours requirements, and self-study requirements. (1) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the total program hour offerings requirements and basic skills/work skills percentages/instructional hours requirements pursuant to RCW 28A.150.200 through 28A.150.220 and WAC 180-16-200 (2) through (6). If a school district intends to waive total program hour offerings requirements under this subsection, it shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours, and to students enrolled in grades one through twelve at least a district-wide annual average total instructional hour offering of one thousand hours. The state board of education shall grant said initial waiver requests pursuant to RCW 28A.305.140 and WAC 180-18-050 for three school years.

(2) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the classroom teacher contact hours requirement pursuant to RCW 28A-

305.140 and WAC 180-16-205(5). In the event that a district develops an educational excellence component(s) which consists of less than the twenty-five hours of average teacher contact and the district determines but for the inclusion of this component(s) that it would meet the twenty-five-hour average teacher contact requirement, the district may apply for a waiver of the inclusion of this component(s) within the calculations. The state board of education shall grant said initial waiver request pursuant to RCW 28A.305-140 and WAC 180-18-050 for three school years.

(3) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the self-study requirements pursuant to RCW 28A.305.140 and WAC 180-53-070 (1) through (3). The state board of education shall grant said initial waiver requests pursuant to RCW 28A.305-140 and WAC 180-18-050 for three school years.

NEW SECTION

WAC 180-18-040 Waivers from minimum one hundred eighty-day school year requirement and student-to-teacher ratio requirement. (1) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students in the district or for individual schools in the district may apply to the state board of education for a waiver from the provisions of the minimum one hundred eighty-day school year requirement pursuant to RCW 28A.150.220(5) and WAC 180-16-215 by offering the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. The state board of education may grant said initial waiver requests for up to three school years.

(2) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students in the district or for individual schools in the district may apply to the state board of education for a waiver from the student-to-teacher ratio requirement pursuant to RCW 28A.150.250 and WAC 180-16-210, which requires the ratio of the FTE students to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. The state board of education may grant said initial waiver requests for up to three school years.

NEW SECTION

WAC 180-18-050 Local restructuring plan requirements to obtain waiver. (1) State board of education approval of district waiver requests pursuant to WAC 180-18-030 and 180-18-040 shall occur at a state board meeting prior to implementation. A district's waiver application shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver and a plan for restructuring the educational program of one or more schools which consists of at least the following information:

(a) Identification of the requirements to be waived;

(b) Specific standards for increased student learning that the district expects to achieve;

(c) How the district plans to achieve the higher standards, including timelines for implementation;

(d) How the district plans to determine if the higher standards are met;

(e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and

(f) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.

(2) The application for a waiver and all supporting documentation must be received by the state board of education at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The state board of education shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

NEW SECTION

WAC 180-18-060 Waiver renewal procedure. (1) Waiver requests related to WAC 180-18-030 which are granted by the state board of education pursuant to WAC 180-18-030 and 180-18-050 shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

(2) Waiver requests related to WAC 180-18-040 which are granted by the state board of education pursuant to WAC 180-18-030 and 180-18-050 may be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

NEW SECTION

WAC 180-18-080 Alternative waiver application procedure. In lieu of the waiver application procedures under WAC 180-18-030, 180-18-040, and 180-18-050, a school district may request the waivers listed in WAC 180-18-030 and 180-18-040 through the application for entitlement to basic education funding, Form SPI M-808.

WSR 95-20-055
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed October 2, 1995, 4:00 p.m.]

Date of Adoption: September 22, 1995.

Purpose: Establish policies and procedures for the designation of small school plants as remote and necessary.

Statutory Authority for Adoption: Section 502 (i)(e), chapter 6, Laws of 1994 sp. sess.

Adopted under notice filed as WSR 95-16-064 on July 27, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 4, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 2, 1995

Larry Davis

Executive Director

NEW SECTION

WAC 180-24-400 Remote and necessary small school plants—Authority. The authority for WAC 180-24-400 through 180-24-420 is the state Operating Appropriations Act which allocates funds to school districts for small school plants which have been judged by the state board of education to be remote and necessary.

NEW SECTION

WAC 180-24-405 Remote and necessary small school plants—Purpose. The purpose of WAC 180-24-400 through 180-24-420 is to establish policies and procedures to govern the classification of small school plants as remote and necessary.

NEW SECTION

WAC 180-24-410 Remote and necessary small school plants—Criteria. (1) Decisions of the state board of education on granting remote and necessary status to small school plants within school districts shall be based on a finding that granting remote and necessary status is necessary to assure reasonable provision of a basic education program to students, including related services, equipment, materials and supplies.

(2) In making the finding under subsection (1) of this section, the state board of education shall consider factors including but not limited to the following:

(a) Existence of an intact, permanent community which is defined as a geographically site-specific, nonmobile group of people;

(b) Student population to be served;

(c) Resources required to meet student needs, including but not limited to staffing, specialized personnel, and technology;

(d) Transportation, including: Condition of roads or waterways, seasonal weather conditions, topography, distance and travel time to another school in the district or in another district, and student safety related to transportation;

(e) Operational efficiency, including but not limited to:

(i) Adequacy and availability of facilities in the community, the district, or in the next nearest district or districts;

(ii) Adequacy and availability of other age appropriate grade level or cooperative programs in adjacent school facilities in the district, or in the next nearest district or districts, or through the educational service district; and

(f) A safe and healthful environment for students.

(3) At its discretion, the state board of education may use as guidance the applicable provisions of WAC 180-24-013, 180-24-016, and 180-24-017.

NEW SECTION

WAC 180-24-415 Remote and necessary small school plants—Review committee. (1) There is hereby established by the state board of education a remote and necessary review committee comprised of the following five members:

(a) One member of the state board of education selected by the president of the board;

(b) Two staff members from the office of the superintendent of public instruction, one who is knowledgeable about finance issues and one who is knowledgeable about curriculum issues, both selected by the state superintendent;

(c) One school director selected by the Washington State School Directors' Association;

(d) One school district administrator selected by the Washington Association of School Administrators;

Vacancies on the review committee shall be filled by the person or organization responsible for appointments.

(2) It is the responsibility of the review committee to receive and review all applications from school districts requesting the state board of education to grant remote and necessary status to a small school plant located in the district. Following the review of applications, the review committee shall recommend to the state board whether such designation should be granted. Recommendations of the review committee shall be advisory only. The final determination rests solely with the state board of education.

(3) Every small school plant with remote and necessary status shall be reviewed every four years by the review committee and the state board. The state board shall provide to the fiscal committees of the legislature in January of odd-numbered years a list of remote and necessary small school plants. The first report shall be provided in January 1997. All currently designated remote and necessary small school plants shall be reviewed prior to January 1997.

(4) A small school plant shall lose its remote and necessary status if the number of students exceeds the enrollment requirements set forth in the state Operating Appropriations Act for three consecutive years. The loss of

remote and necessary status shall take effect the immediate ensuing school year. When the enrollment of such small school plant again meets the requirements of the state Operating Appropriations Act, the school district may apply to the state board of education for redesignation as a remote and necessary plant.

WSR 95-20-064
PERMANENT RULES
LOTTERY COMMISSION
 [Filed October 3, 1995, 12:25 p.m.]

Date of Adoption: September 8, 1995.

Purpose: To establish the game play rules and criteria for determining winners of Instant Game Nos. 149 ("Lucky 7s"), 150 ("Cold Cash"), 151 ("Washington Green"), and 152 ("\$2 High Roller").

Statutory Authority for Adoption: RCW 67.70.040.

Adopted under notice filed as WSR 95-16-117 on August 2, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 4, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
 October 2, 1995
 Roger J. Wilson
 Deputy Director

NEW SECTION

WAC 315-11A-149 Instant Game Number 149 ("Lucky 7s"). (1) Definitions for Instant Game Number 149.

(a) Play symbols: The "play symbols" are listed below in

(b) of this subsection. One of these play symbols appears in each of the five play spots under the latex covering on the front of the ticket. The latex covered area shall be known as the playfield. One of the five play spots shall be labeled "winning card."

(b) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or abbreviated form, of the play symbol. One and only one of these captions appears under each play symbol. The three-digit ticket number shall appear before each play symbol caption. For Instant Game Number 149, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
2 <small>PR</small>	TWO
3 <small>PR</small>	THREE
4 <small>PR</small>	FOUR
5 <small>PR</small>	FIVE
6 <small>PR</small>	SIX
7 <small>PR</small>	SEVEN
8 <small>PR</small>	EIGHT
9 <small>PR</small>	NINE
10 <small>PR</small>	TEN

(c) Prize symbols: The following are the "prize symbols": "\$1.00," "\$2.00," "\$3.00," "\$4.00," "\$5.00," "\$6.00," "\$7.00," "\$10.00," "\$20.00," "\$25.00," and "\$7,000." One of these prize symbols appears below each of the play symbol captions, except that no prize symbol appears below the caption of the play symbol labeled "winning card."

(d) Prize symbol captions: The small printed characters which appear below the prize symbol and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 149, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$ 1.00	ONE DOL
\$ 2.00	TWO DOL
\$ 3.00	THR DOL
\$ 4.00	FOR DOL
\$ 5.00	FIV DOL
\$ 6.00	SIX DOL
\$ 7.00	SVN DOL
\$ 10.00	TEN DOL
\$ 20.00	TWY DOL
\$ 25.00	TWF DOL
\$ 7,000	SVNTHOU

(e) Validation number: The unique nineteen-digit number on the front of the ticket. The number is covered by latex.

(f) Pack-ticket number: The twelve-digit number of the form 14900001-1-000 printed on the back of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 149 constitute the "pack number" which starts at 14900001; the last three digits constitute the "ticket number" which starts at 000 and continues through 199 within each pack of tickets.

(g) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$600.00 or less. For Instant Game Number 149, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

PERMANENT

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$ 1.00
THR	\$ 3.00 (\$1, \$1 AND \$1; \$2 AND \$1; \$3)
SVN	\$ 7.00 (\$4, \$1, \$1 AND \$1; \$3, \$3 AND \$1; \$2, \$2, \$2 AND \$1)
FRN	\$ 14.00 (\$6, \$6, \$1 AND \$1; \$5, \$5, \$2 AND \$2)
TTN	\$ 21.00 (\$10, \$7, \$2 AND \$2)
SVY	\$ 70.00 (\$25, \$25 AND \$20)

(h) Pack: A set of two hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

(2) Criteria for Instant Game Number 149.

(a) The price of each instant game ticket shall be \$1.00.

(b) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(i) When any of the four play symbols matches exactly the play symbol labeled "winning card," the matching play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize below the winning play symbol.

(ii) In Instant Game Number 149, the "7" play symbol with the caption "SEVEN" shall always be a winning play symbol, and the bearer of a ticket which has a "7" play symbol with the caption "SEVEN" shall be entitled to the prize shown below the "7" play symbol.

(iii) The bearer of a ticket which has more than one winning play symbol shall win the total of the prizes below each winning play symbol.

(c) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(d) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 149 set forth in subsection (3) of this section, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(e) Notwithstanding any other provisions of these rules, the director may:

(i) Vary the length of Instant Game Number 149; and/or

(ii) Vary the number of tickets sold in Instant Game Number 149 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(3) Ticket validation requirements for Instant Game Number 149.

(a) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 149 all of the following validation requirements apply:

(i) Exactly one play symbol must appear in each of the five play spots in the playfield on the front of the ticket.

(ii) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(iii) Each of the play symbol captions, except for the "winning card" play symbol caption, shall have a prize symbol below it. Each of the prize symbols shall also have a prize symbol caption below it.

(iv) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(v) Each of the play symbols and its caption, the validation number, pack-ticket number, and retailer verification code must be printed in black ink.

(vi) Each of the play symbols and each of the play symbol captions must be exactly one of those described in subsection (1)(b) of this section.

(vii) Each of the prize symbols must be exactly one of those described in subsection (1)(c) of this section and each of the prize symbol captions must be exactly one of those described in subsection (1)(d) of this section.

(b) Any ticket not passing all the validation requirements in WAC 315-10-070 and in (a) of this subsection is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11A-150 Instant Game Number 150 ("Cold Cash"). (1) Definitions for Instant Game Number 150.

(a) Play symbols: The "play symbols" are listed below in (b) of this subsection. One of these play symbols appears in each of the six play spots under the latex covering on the front of the ticket. The latex covered area shall be known as the playfield. One of the six play spots shall be labeled "winning number."

(b) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or abbreviated form, of the play symbol. One and only one of these captions appears under each play symbol. The three-digit ticket number shall appear before each play symbol caption. For Instant Game Number 150, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
12	TLV
☺	COI

PERMANENT

(c) Prize symbols: The following are the "prize symbols": "\$1.00," "\$2.00," "\$3.00," "\$4.00," "\$6.00," "\$7.00," "\$10.00," "\$20.00," "\$50.00," and "\$2,500." One of these prize symbols appears below each of the play symbol captions, except that no prize symbol appears below the caption of the play symbol labeled "winning number."

(d) Prize symbol captions: The small printed characters which appear below the prize symbol and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 150, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$ 1.00	ONE DOL
\$ 2.00	TWO DOL
\$ 3.00	THR DOL
\$ 4.00	FOR DOL
\$ 6.00	SIX DOL
\$ 7.00	SVN DOL
\$ 10.00	TEN DOL
\$ 20.00	TWY DOL
\$ 50.00	FTY DOL
\$ 2,500	TWFHUND

(e) Validation number: The unique nineteen-digit number on the front of the ticket. The number is covered by latex.

(f) Pack-ticket number: The twelve-digit number of the form 15000001-1-000 printed on the back of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 150 constitute the "pack number" which starts at 15000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 199 within each pack of tickets.

(g) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$600.00 or less. For Instant Game Number 150, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$ 1.00
TWO	\$ 2.00 (\$1 AND \$1; \$2)
FOR	\$ 4.00 (\$1, \$1, \$1 AND \$1)
EGT	\$ 8.00 (\$2, \$2, \$2 AND \$2; \$3, \$2, \$1, \$1 AND \$1)
EGN	\$ 18.00 (\$4, \$4, \$4, \$3 AND \$3; \$7, \$6, \$3, \$1 AND \$1)
TTF	\$ 24.00 (\$10, \$10, \$2, \$1 AND \$1)
OHN	\$ 100.00 (\$20, \$20, \$20, \$20 AND \$20; \$50 AND \$50)

(h) Pack: A set of two hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

(2) Criteria for Instant Game Number 150.

(a) The price of each instant game ticket shall be \$1.00.

(b) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(i) When any of the five play symbols matches exactly the play symbol labeled "winning number," the matching play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize below the winning play symbol.

(ii) In Instant Game Number 150, the "☉" play symbol with the caption "COI" shall always be a winning play symbol, and the bearer of a ticket which has a "☉" play symbol with the caption "COI" shall be entitled to the prize shown below the "☉" play symbol.

(iii) The bearer of a ticket which has more than one winning play symbol shall win the total of the prizes below each winning play symbol.

(c) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(d) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 150 set forth in subsection (3) of this section, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(e) Notwithstanding any other provisions of these rules, the director may:

(i) Vary the length of Instant Game Number 150; and/or

(ii) Vary the number of tickets sold in Instant Game Number 150 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(3) Ticket validation requirements for Instant Game Number 150.

(a) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 150 all of the following validation requirements apply:

(i) Exactly one play symbol must appear in each of the six play spots in the playfield on the front of the ticket.

(ii) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(iii) Each of the play symbol captions, except for the "winning number" play symbol caption, shall have a prize symbol below it. Each of the prize symbols shall also have a prize symbol caption below it.

(iv) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

PERMANENT

(v) Each of the play symbols and its caption, the validation number, pack-ticket number, and retailer verification code must be printed in black ink.

(vi) Each of the play symbols and each of the play symbol captions must be exactly one of those described in subsection (1)(b) of this section.

(vii) Each of the prize symbols must be exactly one of those described in subsection (1)(c) of this section and each of the prize symbol captions must be exactly one of those described in subsection (1)(d) of this section.

(b) Any ticket not passing all the validation requirements in WAC 315-10-070 and in (a) of this subsection is invalid and ineligible for any prize.









PRIZE SYMBOL	CAPTION
\$ 1.00	ONE DOL
\$ 2.00	TWO DOL
\$ 3.00	THR DOL
\$ 4.00	FOR DOL
\$ 5.00	FIV DOL
\$ 6.00	SIX DOL
\$ 10.00	TEN DOL
\$ 20.00	TWY DOL
\$ 30.00	\$THIRTY
\$ 45.00	FORTYFV
\$ 3,000	THRTHOU

NEW SECTION

WAC 315-11A-151 Instant Game Number 151 ("Washington Green"). (1) Definitions for Instant Game Number 151.

(a) Play symbols: The "play symbols" are listed below in (b) of this subsection. One of these play symbols appears in each of the five play spots under the latex covering on the front of the ticket. The latex covered area shall be known as the playfield. One of the five play spots shall be labeled "winning symbol."

(b) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or abbreviated form, of the play symbol. One and only one of these captions appears under each play symbol. The three-digit ticket number shall appear before each play symbol caption. For Instant Game Number 151, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
	TREE
	ONIO
	UMBR
	APPL
	CORN
	MNTN
	CHRY
	FISH
	BOAT

(c) Prize symbols: The following are the "prize symbols": "\$1.00," "\$2.00," "\$3.00," "\$4.00," "\$5.00," "\$6.00," "\$10.00," "\$20.00," "\$30.00," "\$45.00," and "\$3,000." One of these prize symbols appears below each of the play symbol captions, except that no prize symbol appears below the caption of the play symbol labeled "winning symbol."

(d) Prize symbol captions: The small printed characters which appear below the prize symbol and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 151, the prize symbol captions which correspond with and verify the prize symbols are:

(e) Validation number: The unique nineteen-digit number on the front of the ticket. The number is covered by latex.

(f) Pack-ticket number: The twelve-digit number of the form 15100001-1-000 printed on the back of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 151 constitute the "pack number" which starts at 15100001; the last three digits constitute the "ticket number" which starts at 000 and continues through 199 within each pack of tickets.

(g) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$600.00 or less. For Instant Game Number 151, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$ 1.00
TWO	\$ 2.00 (\$1 AND \$1; \$2)
THR	\$ 3.00 (\$1, \$1 AND \$1)
SIX	\$ 6.00 (\$3, \$1, \$1 AND \$1; \$4, \$1 AND \$1)
TLV	\$ 12.00 (\$3, \$3, \$3 AND \$3; \$5, \$5 AND \$2)
TRY	\$ 30.00 (\$10, \$10, \$6 AND \$4)
NTY	\$ 90.00 (\$30, \$30, \$20 AND \$10; \$45 AND \$45)

(h) Pack: A set of two hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

(2) Criteria for Instant Game Number 151.

(a) The price of each instant game ticket shall be \$1.00.

(b) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(i) When any of the four play symbols matches exactly the play symbol labeled "winning symbol," the matching play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize below the winning play symbol.

(ii) The bearer of a ticket which has more than one winning play symbol shall win the total of the prizes below each winning play symbol.

PERMANENT

(c) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(d) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 151 set forth in subsection (3) of this section, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(e) Notwithstanding any other provisions of these rules, the director may:

(i) Vary the length of Instant Game Number 151; and/or

(ii) Vary the number of tickets sold in Instant Game Number 151 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(3) Ticket validation requirements for Instant Game Number 151.

(a) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 151 all of the following validation requirements apply:

(i) Exactly one play symbol must appear in each of the five play spots in the playfield on the front of the ticket.

(ii) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(iii) Each of the play symbol captions, except for the "winning symbol" play symbol caption, shall have a prize symbol below it. Each of the prize symbols shall also have a prize symbol caption below it.

(iv) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(v) Each of the play symbols and its caption, the validation number, pack-ticket number, and retailer verification code must be printed in black ink.

(vi) Each of the play symbols and each of the play symbol captions must be exactly one of those described in subsection (1)(b) of this section.

(vii) Each of the prize symbols must be exactly one of those described in subsection (1)(c) of this section and each of the prize symbol captions must be exactly one of those described in subsection (1)(d) of this section.

(b) Any ticket not passing all the validation requirements in WAC 315-10-070 and in (a) of this subsection is invalid and ineligible for any prize.

NEW SECTION

WAC 315-11A-152 Instant Game Number 152 ("High Roller"). (1) Definitions for Instant Game Number 152.

(a) Play symbols: The "play symbols" are listed below in (b) of this subsection. Two playfields shall appear on the front of each ticket and shall be covered by latex. Each playfield shall contain six play spots. One play symbol shall appear in each of the play spots. One of the play spots in each of the two playfields shall be labeled "winning score." The five other play spots in each play field shall be the player's "scores" or "rolls," one each labeled "1st Roll," "2nd Roll," "3rd Roll," "4th Roll," and "5th Roll."

(b) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or abbreviated form, of the play symbol. One and only one of these captions appears under each play symbol. The three-digit ticket number shall appear before each play symbol caption. For Instant Game Number 152, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
11	ELV
12	TLV

(c) Prize symbols: The following are the "prize symbols": "\$1.00," "\$2.00," "\$3.00," "\$4.00," "\$5.00," "\$6.00," "\$10.00," "\$20.00," "\$25.00," and "\$6,000." One of these prize symbols appears below each of the play symbol captions, except that no prize symbol appears below the caption of the play symbols labeled "winning score."

(d) Prize symbol captions: The small printed characters which appear below the prize symbol and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 152, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$ 1.00	ONE DOL
\$ 2.00	TWO DOL
\$ 3.00	THR DOL
\$ 4.00	FOR DOL
\$ 5.00	FIV DOL
\$ 6.00	SIX DOL
\$ 10.00	TEN DOL
\$ 20.00	TWY DOL
\$ 25.00	TWF DOL
\$ 6,000	SIXTHOU

(e) Validation number: The unique nineteen-digit number on the front of the ticket. The number is covered by latex.

(f) Pack-ticket number: The twelve-digit number of the form 15200001-1-000 printed on the back of the ticket. The first three digits are the game identifier. The first eight

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digits of the pack-ticket number for Instant Game Number 152 constitute the "pack number" which starts at 15200001; the last three digits constitute the "ticket number" which starts at 000 and continues through 199 within each pack of tickets.

(g) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$600.00 or less. For Instant Game Number 152, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
TWO	\$ 2.00 (\$1 AND \$1)
FIV	\$ 5.00 (\$2, \$2 AND \$1; \$4 AND \$1)
TEN	\$ 10.00 (\$1, \$1, \$1, \$1, \$1, \$1, \$1, \$1, \$1 AND \$1; \$3, \$3, \$1, \$1, \$1 AND \$1)
TWY	\$ 20.00 (\$2, \$2, \$2, \$2, \$2, \$2, \$2, \$2, \$2 AND \$2; \$5, \$5, \$2, \$2, \$1, \$1, \$1, \$1, \$1 AND \$1)
FTY	\$ 50.00 (\$5, \$5, \$5, \$5, \$5, \$5, \$5, \$5, \$5 AND \$5; \$10, \$10, \$10, \$6, \$6, \$6, \$1 AND \$1)
OHN	\$ 100.00 (\$20, \$20, \$20, \$20 AND \$20; \$25, \$25, \$25 AND \$25)

(h) Pack: A set of one hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

(2) Criteria for Instant Game Number 152.

(a) The price of each instant game ticket shall be \$2.00.

(b) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(i) When any of the five player's rolls within a playfield matches exactly the play symbol within that same playfield labeled "winning score," the matching play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize below the winning play symbol.

(ii) In Instant Game Number 152, the "7" play symbol with the caption "SVN" and the "11" play symbol with the caption "ELV" shall always be winning play symbols, and the bearer of a ticket which has a "7" play symbol with the caption "SVN" and/or an "11" play symbol with the caption "ELV" shall be entitled to the prize shown below the "7" and/or "11" play symbol.

(iii) The bearer of a ticket which has more than one winning play symbol shall win the total of the prizes below each winning play symbol.

(c) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(d) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 152 set forth in subsection (3) of this section, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(e) Notwithstanding any other provisions of these rules, the director may:

(i) Vary the length of Instant Game Number 152; and/or

(ii) Vary the number of tickets sold in Instant Game Number 152 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

(3) Ticket validation requirements for Instant Game Number 152.

(a) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 152 all of the following validation requirements apply:

(i) Exactly one play symbol must appear in each of the twelve play spots on the front of the ticket.

(ii) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(iii) Each of the play symbol captions, except for the "winning score" play symbol captions, shall have a prize symbol below it. Each of the prize symbols shall also have a prize symbol caption below it.

(iv) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(v) Each of the play symbols and its caption, the validation number, pack-ticket number, and retailer verification code must be printed in black ink.

(vi) Each of the play symbols and each of the play symbol captions must be exactly one of those described in subsection (1)(b) of this section.

(vii) Each of the prize symbols must be exactly one of those described in subsection (1)(c) of this section and each of the prize symbol captions must be exactly one of those described in subsection (1)(d) of this section.

(b) Any ticket not passing all the validation requirements in WAC 315-10-070 and in (a) of this subsection is invalid and ineligible for any prize.

WSR 95-20-065
PERMANENT RULES
BOARD OF ACCOUNTANCY
 [Filed October 3, 1995, 1:24 p.m.]

Date of Adoption: September 29, 1995.

Purpose: Amend education requirement to obtain certification as a certified public accountant (CPA).

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Citation of Existing Rules Affected by this Order: Amending WAC 4-25-710 CPA certificate—Education requirements.

Statutory Authority for Adoption: RCW 18.04.055(5).

Adopted under notice filed as WSR 95-09-066 on April 18, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 1, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

October 3, 1995

Carey L. Rader
Executive Director

AMENDATORY SECTION (Amending WSR 93-12-071, filed 5/27/93, effective 7/1/93)

WAC 4-25-710 CPA certificate—Education requirements. Until June 30, 2000, applicants for a CPA certificate shall have a baccalaureate degree conferred by a college or university recognized by the board. The degree program shall include an accounting concentration or its equivalent and related subjects the board deems appropriate. Effective July 1, 2000, an applicant for a CPA certificate shall have completed at least one hundred fifty semester hours of college education, including:

- A baccalaureate or higher degree; and
- An accounting concentration or its equivalent as defined by the board.

(1) Equivalent education. Until June 30, 2000, the board may, in its discretion, waive the educational requirements for any person if the board is satisfied that the applicant has successfully completed such equivalency examinations as may be offered by bona fide educational testing organizations. The board will not prepare or offer equivalent education examinations. The board will designate, by resolution, acceptable educational testing organizations and equivalency examinations when and if acceptable organizations and examinations exist. Effective July 1, 2000, the board will discontinue this provision for equivalent education.

(2) Education obtained outside the United States. In the case of education obtained outside the United States, the board may, at its discretion, rely on bona fide foreign education credential evaluation services. The board will not provide such services, but will designate acceptable foreign education evaluation services, by board resolution, upon application from service providers.

(3) As used in these rules, a "semester hour" means the conventional college semester hour. Quarter hours may be converted to semester hours by multiplying them by two-thirds.

(4) Accreditation standards. For purposes of this rule, the board will recognize colleges and universities which are accredited in accordance with (a) through (c) of this subsection.

(a) An accredited college or university is a four-year degree-granting college or university accredited at the time the applicant's degree was received by virtue of membership in one of the following accrediting agencies:

(i) Middle States Association of College and Secondary Schools;

(ii) New England Association of Schools and Colleges;

(iii) North Central Association of Colleges and Secondary Schools;

(iv) Northwest Association of Schools and Colleges;

(v) Southern Association of Colleges and Schools;

(vi) Western Association of Schools and Colleges; and

(vii) Accrediting Commission for Independent Colleges and Schools, or its predecessor, the Accrediting Commission of the Association of Independent Colleges and Schools.

(b) If an institution was not accredited at the time an applicant's degree was received but is so accredited at the time the application is filed with the board, the institution will be deemed to be accredited for the purpose of (a) of this subsection provided that it:

(i) Certifies that the applicant's total educational program would qualify the applicant for graduation with a baccalaureate degree during the time the institution has been accredited; and

(ii) Furnishes the board satisfactory proof, including college catalogue course numbers and descriptions, that the preaccrediting courses used to qualify the applicant for a concentration in accounting are substantially equivalent to postaccrediting courses.

(c) If an applicant's degree was received at an accredited college or university as defined by (a) or (b) of this subsection, but the educational program which was used to qualify the applicant for a concentration in accounting included courses taken at nonaccredited institutions, either before or after graduation, such courses will be deemed to have been taken at the accredited institution from which applicant's degree was received, provided the accredited institution either:

(i) Has accepted such courses by including them in its official transcript; or

(ii) Certifies to the board that it will accept such courses for credit toward graduation.

(5) Alternative to accreditation. A graduate of a four-year degree-granting institution not accredited at the time the applicant's degree was received or at the time the application was filed will be deemed to be a graduate of a four-year accredited college or university if a credentials evaluation service approved by the board certifies that the applicant's degree is equivalent to a degree from an accredited college or university as defined in subsection (4) of this section.

(6) Accounting concentration. Until June 30, 2000, a concentration in accounting for holders of baccalaureate degrees, for purposes of this rule, shall consist of at least:

(a) Twenty-four semester hours or the equivalent, in accounting subjects including no more than ten semester hours of lower division elementary accounting courses; and

(b) Twenty-four semester hours or the equivalent, in business administration subjects which shall include business law, finance, and economics.

(c) A concentration in accounting for holders of graduate degrees for purposes of this rule shall consist of at least:

(i) Sixteen semester hours or the equivalent in graduate level accounting subjects. Undergraduate accounting courses may be substituted at two-thirds of the stated undergraduate credit; and

(ii) Sixteen semester hours or the equivalent in graduate level business administration subjects which shall include business law, finance, and economics. Undergraduate business courses may be substituted at two-thirds of the stated undergraduate credit.

(7) Accounting concentration. After June 30, 2000, a concentration in accounting, for purposes of this rule, shall consist of at least:

(a) Twenty-four semester hours or the equivalent in accounting subjects of which at least fifteen semester hours must be at the upper division or graduate level (an upper division course is defined as a course only available to students who have standing as a junior, senior or graduate; frequently carries completion of an elementary course(s) as a prerequisite for admission; and is usually designated as "upper division" by the school offering the course); and

(b) Twenty-four semester hours or the equivalent in business administration subjects at the undergraduate or graduate level.

The board will not recognize accounting concentration credits awarded for "life experience" or similar activities retroactively evaluated and recognized by colleges or universities. This restriction is not intended to apply to internships prospectively approved by colleges or universities.

**WSR 95-20-078
PERMANENT RULES
STATE BOARD OF HEALTH**

[Filed October 4, 1995, 9:34 a.m.]

Date of Adoption: September 13, 1995.

Purpose: To clarify what water systems are subject to this rule and what systems may be exempted from some or all requirements. Also incorporates changes recently passed in E2SSB 5448.

Citation of Existing Rules Affected by this Order: Amending WAC 246-291-010, 246-291-020, 246-291-025, 246-291-030, 246-291-100, 246-291-110, 246-291-130, and 246-291-140.

Statutory Authority for Adoption: RCW 43.20.050.

Adopted under notice filed as WSR 95-15-107 on July 19, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 1, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 7, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 6, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 8, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
October 2, 1995
Sylvia I. Beck
Executive Director

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-010 Definitions. Abbreviations:

- CSE - comprehensive system evaluation;
- GWI - ground water under the direct influence of surface water;
- m - meter;
- MCL - maximum contaminant level;
- mg/L - milligrams per liter;
- ml - milliliter;
- mm - millimeter;
- NTU - nephelometric turbidity unit;
- psi - pounds per square inch;
- umhos/cm - micromhos per centimeter;
- VOC - volatile organic chemical;
- WFI - water facilities inventory form; and
- WHPA - wellhead protection area.

"Authorized agent" means any person who:

Makes decisions regarding the operation and management of a public water system whether or not he or she is engaged in the physical operation of the system;

Makes decisions whether to improve, expand, purchase, or sell the system; or

Has discretion over the finances of the system.

"Coliform sample" means a sample of water collected from the distribution system at or after the first service and analyzed for coliform presence in compliance with this chapter.

"Comprehensive system evaluation (CSE)" means a review, inspection and assessment of a public water system, including, but not limited to: Source; facilities; equipment; operation and administration; maintenance; records; planning documents and schedules; and monitoring, for the purpose of ensuring that safe and adequate drinking water is provided.

"Confirmation" means to demonstrate the results of a sample to be precise by analyzing a repeat sample. Confirmation occurs when analysis results fall within plus or minus thirty percent of the original sample.

"Contaminant" means a substance present in drinking water which may adversely affect the health of the consumer or the aesthetic qualities of the water.

"Cross-connection" means a physical arrangement connecting a public water system, directly or indirectly, with anything other than another potable water system, and capable of contaminating the public water system.

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"Department" means the Washington state department of health or health officer as identified in a joint plan of operation in accordance with WAC 246-291-030(1).

"Disinfection" means the use of chlorine or other agent or process the department approves for killing or inactivating microbiological organisms, including pathogenic and indicator organisms.

"Distribution system" means that portion of a public water supply system which stores, transmits, pumps, and distributes water to consumers.

"Expanding public water system" means a public water system installing additions, extensions, changes, or alterations to their existing source, transmission, storage, or distribution facilities which will enable the system to increase in size its existing service area and/or its number of approved service connections.

"Fire flow" means the rate of water flow needed to fight fires under WAC 246-293-640 or adopted city, town, or county standards.

"Generator disconnect" means an electrical circuit arranged to allow connection of a generator to the power supply for the pumping equipment while prohibiting electrical current from flowing back into the main service line.

"Ground water under the direct influence of surface water (GWD)" means any water beneath the surface of the ground, which the department determines has the following characteristics:

Significant occurrence of insects or other macroorganisms, algae, or large-diameter pathogens such as *Giardia lamblia*; or

Significant and relatively rapid shifts in water characteristics such as turbidity, temperature, conductivity, or pH closely correlating to climatological or surface water conditions.

~~(("Group A water system" means a public water system:~~

~~With fifteen or more service connections, regardless of the number of people; or serving an average of twenty-five or more people per day for sixty or more days within a calendar year, regardless of the number of service connections.))~~

"Group B water system" means a public water system ((with):

~~Constructed to serve less than fifteen ((service connections and serving:)) residential services regardless of the number of people; or~~

~~Constructed to serve an average nonresidential population of less than twenty-five ((people)) per day for sixty or more days within a calendar year; or~~

Any number of people for less than sixty days within a calendar year.

"Guideline" means a department document assisting the owner in meeting a rule requirement.

"Health officer" means the health officer of the city, county, city-county health department or district, or an authorized representative.

"Hydraulic analysis" means the study of the water system network evaluating water flows within the distribution system under worst case conditions such as, peak hourly design flow plus fire flow, when required. Hydraulic analysis includes consideration of all factors affecting system energy losses.

"Maximum contaminant level (MCL)" means the maximum permissible level of a contaminant in water delivered to any public water system user.

"Maximum contaminant level violation" means a confirmed measurement above the MCL and for a duration of time, where applicable.

"Owner" means any agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person or any other entity that holds as property, a public water system.

"Peak hourly design flow" means the maximum rate of water use, excluding fire flow, which can be expected to ever occur within a defined service area over a sixty minute time period.

"Potable" means water suitable for drinking by the public.

"Pressure zone" means a distribution system whereby an established minimum and maximum pressure range can be maintained without the use of ancillary control equipment (e.g., booster pumps, pressure reducing valves, etc.).

"Primary standards" means standards based on chronic, nonacute, or acute human health effects.

"Public water system" means any system, excluding a system serving only one single-family residence and a system with four or fewer connections all of which serve residences on the same farm, providing piped water for human consumption, including collection, treatment, storage, or distribution facilities used primarily in connection with such system.

"Repeat sample" means a sample collected to confirm the results of a previous analysis.

"Same farm" means a parcel of land or series of parcels which are connected by covenants and devoted to the production of livestock or agricultural commodities for commercial purposes and does not qualify as a Group A water system.

"Secondary standards" means standards based on factors other than health effects such as taste and odor.

"Sell" means to bill separately for drinking water or to include drinking water as part of an itemized listing in a bill delivered to customers, where the amount billed is an increase over what the purveyor pays for water. The presence of centralized source or individual service meters does not affect whether the water is being sold.

"Service" means a connection to a public water system designed to provide potable water.

"Special purpose sample" means a sample collected for reasons other than the monitoring compliance specified in this chapter.

"Standard methods" means the 18th edition of the book, titled *Standard Methods for the Examination of Water and Waste Water*, jointly published by the American Public Health Association, American Water Works Association (AWWA), and Water Pollution Control Federation. This book is available through public libraries or may be ordered from AWWA, 6666 West Quincy Avenue, Denver, Colorado 80235.

"State board of health" and "board" means the board created by RCW 43.20.030.

"Surface water" means a body of water open to the atmosphere and subject to surface runoff.

"Volatile organic chemical (VOC)" means a manufactured carbon-based chemical that vaporizes quickly at standard pressure and temperature.

"Water facilities inventory form (WFI)" means the department form summarizing each public water system's characteristics.

"Well field" means a group of wells one system owns or controls which:

Draw from the same aquifer or aquifers as determined by comparable inorganic chemical analysis; and

Discharge water through a common pipe and the common pipe shall allow for collection of a single sample before the first distribution system connection.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-020 Applicability. (1) The rules of this chapter shall apply to all Group B public water systems except those systems meeting all of the following conditions:

(a) Consists only of distribution and/or storage facilities and does not have any source or treatment facilities;

(b) Obtains all water from, but is not owned by, a public water system where the rules of this chapter or chapter 246-290 WAC apply;

(c) Does not sell water directly to any person; ~~((and))~~

(d) Is not a passenger-conveying carrier in interstate commerce; and

(e) The distribution system is regulated under the Uniform Plumbing Code, chapter 51-26 WAC.

~~((For the purposes of this section, "sell" shall mean to bill separately for drinking water or to include a drinking water line item as part of an itemized listing in a bill delivered to residences, or equivalent services connected to a public water system.))~~ Examples of systems which shall not be exempt include, but are not limited to, water districts, public utility districts, cooperatives, mutuals and associations which serve residential short plats and subdivisions.

(2) Group B public water systems meeting all of the conditions under subsection (1) of this section may be required by the department to comply with such provisions of this chapter as are necessary to resolve a public health concern if the department determines a public health threat exists or is suspected.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-025 Bottled water. (1) Any water source used for bottling, regardless of size, shall meet the minimum requirements ~~((required under))~~ in accordance with chapter 246-290 WAC.

(2) In addition to the requirements imposed by the department, the processing of bottled water is regulated by the state department of agriculture and the United States Food and Drug Administration.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-030 General administration. (1) The department and the health officer for each local health jurisdiction may develop a joint plan of operation. Respon-

sibility for administering these rules shall remain with the department of health unless there is a joint plan of operation in place. This plan shall:

(a) List the roles and responsibilities and specifically designate those systems for which the department and local health officer have primary responsibility;

(b) Provide a list of water system requirements and procedures which the local board of health may waive for systems within its jurisdiction;

(c) Provide for a level of water system supervision necessary to effectively achieve listed responsibilities;

(d) Be signed by the department and the local health department or district; and

(e) Be reviewed at least once every five years and updated as needed.

Wherever in these rules the term "department" is used, the term "health officer" may be substituted based on the terms of this joint plan of operation.

(2) The local board of health may adopt rules pursuant to RCW 70.05.060 governing public water systems for which the health officer has assumed primary responsibility. Adopted local board of health rules shall be:

(a) No less stringent and may be more stringent than this chapter; and

(b) Revised, if necessary, within twelve months after the effective date of revised state board of health rules. During this time period, existing local rules shall remain in effect, except provisions of the revised state board of health rules which are more stringent than the local board of health rules shall apply.

(3) ~~((health officer))~~ department may eliminate any or all requirements of these rules ~~((for water systems with only two residential connections where the health officer has assumed primary responsibility for these systems)).~~

(4) For any residential system, the department may eliminate all ongoing requirements of these rules, except for recordkeeping and reporting requirements under WAC 246-291-260, provided the system has been granted an initial approval or an existing system has been categorized as fully approved/adequate or provisionally approved.

(5) The health officer may approve design reports and water system plans which reflect good engineering practice such as those found in the department guideline titled *Group B Water System Approval*, for those public water systems where the health officer has assumed primary responsibility.

~~((5))~~ (6) The health officer may allow system owners to substitute results of a calculated fixed radius method and a ten year time of travel criteria instead of using the six hundred foot radius prescribed in WAC 246-291-100 (2)(f) and 246-291-110 (3)(f).

~~((6))~~ (7) The department may develop and distribute guidelines to clarify sections of the rules as needed.

~~((7))~~ (8) Fees may be charged by the department of health as authorized in RCW 43.20B.020 and by local health agencies as authorized in RCW 70.05.060 to recover all or a portion of the costs incurred in administering these rules.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-100 Ground water source approval and protection. (1) The owner shall ensure that drinking water is obtained from the highest quality source feasible. Existing sources shall conform to the primary water quality standards established in this chapter. Proposed sources shall conform to the primary and secondary water quality standards established in this chapter and the well construction standards established under chapter 173-160 WAC. The owner shall be responsible for submitting evidence required by the department to determine whether a proposed ground water source is a GWI.

(2) No new source, previously unapproved source, or modification of an existing source shall be used as a drinking water supply without department approval. A party seeking approval shall ensure compliance with WAC 246-291-140 as applicable and provide:

(a) A copy of the water right permit, if required, obtained from the department of ecology for the source, quantity, type, and place of use;

(b) A copy of the source site inspection approval made by the department or local health jurisdiction representative;

(c) Well source development data establishing source capacity. Data shall include static water level, yield, amount of drawdown, recovery rate and duration of pumping. The source shall be pump tested to determine whether the well and aquifer are capable of supplying water at the rate desired and to provide information necessary to determine proper pump settings. A department guideline titled *Group B Water System Approval* is available to assist owners;

(d) Upgradient water uses affecting either water quality or quantity;

(e) A map showing the project location and vicinity including a six hundred foot radius around the well site designating the preliminary short term ground water contribution area;

(f) A map depicting topography, distances to well or spring from existing property lines, buildings, potential sources of contamination within the six hundred foot radius around the well, and any other natural or man-made features affecting the quality or quantity of water;

(g) The dimensions and location of sanitary control area;

(h) Copies of the recorded legal documents for the sanitary control area;

(i) A copy of the water well report;

(j) A general description of the spring and/or aquifer recharge area affecting the quantity or quality of flow. Seasonal variation shall also be included;

(k) Documentation of totalizing source meter installation;

(l) An initial analysis result of raw water quality from a certified lab, including as a minimum, a bacteriological, complete inorganic chemical and physical analysis of the source water quality;

(m) In areas where the department determines that other contamination may be present, or at the discretion of the department, sample results for these contaminants may be required;

(n) If water quality information from (l) and (m) of this subsection shows a contaminant level of concern, the department may require further action by the owner; and

(o) If water quality results taken from the proposed source confirm a primary MCL violation, the owner shall ensure that appropriate treatment is provided.

(3) The owner shall contact the department before developing or modifying a source, to identify any additional requirements the department deems necessary.

(4) Sanitary control area.

(a) The owner shall ensure that a sanitary control area is maintained around all sources for the purpose of protecting them from existing and potential sources of contamination. A department guideline titled *Group B Water System Approval* describes activities which should be precluded within the sanitary control area and is available from the department on request.

(b) The minimum sanitary control area shall have a radius of one hundred feet (thirty meters) for wells, and two hundred feet (sixty meters) for springs, unless engineering justification supports a smaller area. The justification must address geological and hydrological data, well construction details and other relevant factors necessary to assure adequate sanitary control.

(c) The department may require a larger sanitary control area if geological and hydrological data support such a decision. It shall be the owner's responsibility to obtain the protection needed.

(d) No source of contamination may be constructed, stored, disposed of, or applied within the sanitary control area without the permission of the department and the system owner.

(e) The sanitary control area shall be owned in fee simple, or the owner shall have the right to exercise complete sanitary control of the land through other legal provisions.

(f) The owner shall obtain a duly recorded restrictive covenant which shall run with the land, restricting the use of said land in accordance with these rules.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-110 Surface water and GWI source approval and protection. (1) The owner shall ensure that drinking water is obtained from the highest quality source feasible. Existing sources shall conform to the primary water quality standards established in this chapter. Proposed sources shall conform to the primary and secondary water quality standards established in this chapter. The owner shall be responsible for submitting evidence required by the department to determine whether a proposed ground water source is a GWI.

(2) No new source, previously unapproved source, or modification of an existing source shall be used as a drinking water supply without department approval. As of the effective date of these rules, the department shall no longer approve new or expanding surface water or GWI sources unless the department determines they meet the following conditions:

(a) The system is under the ownership and operation of a department of health approved satellite management agency; and

(b) Continuous effective treatment, including filtration, disinfection and any other measures required under chapter 246-290 WAC are provided.

(3) An owner seeking source approval shall provide the department:

(a) A copy of the water right permit, if required, obtained from the department of ecology for the source, quantity, type, and place of use;

(b) A copy of the source site inspection approval made by the department or local health jurisdiction representative;

(c) Upgradient water uses affecting either water quality or quantity;

(d) A map showing the project location and vicinity;

(e) A map depicting topography, distances to the surface water intake or GWI source from existing property lines, buildings, potential sources of contamination, ditches, drainage patterns, and any other natural or man-made features affecting the quality or quantity of water;

(f) For GWI sources:

(i) A map depicting topography, distances to well or spring from existing property lines, buildings, potential sources of contamination within the six hundred foot radius around the well, and any other natural or man-made features affecting the quality or quantity of water;

(ii) Copies of the recorded legal documents for the sanitary control area;

(iii) A copy of the water well report if applicable;

(iv) A general description of the recharge area affecting the quantity or quality of flow. Seasonal variation shall also be included;

(v) Well development data establishing source capacity. Data shall include static water level, yield, amount of drawdown, recovery rate and duration of pumping. The source shall be pump tested to determine whether the well and aquifer are capable of supplying water at the rate desired and to provide information necessary to determine proper pump settings. A department guideline titled *Group B Water System Approval* is available to assist owners.

Existing and proposed sources shall conform to the well construction standards established under chapter 173-160 WAC if applicable.

(g) Documentation of totalizing source meter installation;

(h) An initial analysis result of raw water quality from a certified lab, including as a minimum, a bacteriological, and complete inorganic chemical and physical analysis of the source water quality;

(i) In areas where the department determines that other contamination may be present, or at the discretion of the department, sample results for these contaminants may also be required;

(j) If water quality information from (h) and (i) of this subsection shows a contaminant level of concern, the department may require further action by the owner; and

(k) If water quality results taken from the proposed source confirm a primary MCL violation, the owner shall ensure that appropriate treatment is provided which shall eliminate the public health risk to consumers served by the system.

(4) Watershed control program.

(a) Owners of new or expanding surface water or GWI sources shall ensure the development and submittal of a watershed control program to the department for review and approval. Once approved, the owner shall implement the program.

(b) This program shall be part of the water system plan required in WAC 246-291-140.

(c) The owner's watershed control program shall contain, at a minimum, the following elements:

(i) Watershed description and inventory, including location, hydrology, land ownership and activities which may adversely affect water quality;

(ii) Watershed control measures, including documentation of ownership and relevant written agreements, monitoring procedures and water quality;

(iii) System operation, including emergency provisions; and

(iv) Documentation of water quality trends.

Sections in the department guideline titled *Planning Handbook* and in the *DOH SWTR Guidance Manual* address watershed control and are available to owners.

(d) The owner shall ensure submittal of the watershed control program to the department for review and approval. Following department approval, the owner shall ensure implementation as approved.

(e) The owner shall update the watershed control program at least every six years, or more frequently if required by the department.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-130 Existing system approval. (1) At the discretion of the department, owners of existing systems without approved design reports shall, as determined by the department, provide information necessary to establish the extent of the water systems compliance with this chapter.

(2) After receipt of the required data, the department shall review the information and place the system into one of the following categories:

(a) Fully approved/adequate. A fully approved system has been found to be in full compliance with these regulations and may add services if designed accordingly; or

(b) Provisionally adequate. A provisionally adequate system complies with ~~((a))~~ applicable MCL and treatment standards, fire flow requirements where applicable, and meets a twenty psi minimum pressure requirement under peak hourly design flow conditions but may not be in compliance with other regulatory requirements. A provisionally adequate system is considered satisfactory for its existing services, but may not expand to supply additional services; or

(c) Inadequate. Any system not identified in (a) or (b) of this subsection. The system is considered unsatisfactory and no additional service connections can be made to an inadequate system.

(3) After categorizing the system, the department shall notify the owner in writing of the following:

(a) The system's category;

(b) The relationship of the system's category with respect to adding service connections and potential comments on status request letters; and

(c) If the system is not fully approved, what additional actions the owner needs to complete before a full or provisional approval is granted.

(4) The department is authorized to take enforcement actions in accordance with WAC 246-291-050.

AMENDATORY SECTION (Amending WSR 94-14-002, filed 6/22/94, effective 7/23/94)

WAC 246-291-140 Water system planning requirements. (1) Water system plan.

(a) The water system plan shall:

- (i) Identify present and future needs;
- (ii) Set forth means for meeting those needs; and
- (iii) Do so in a manner consistent with other relevant plans and local, state, and federal laws.

(b) Owners of the following categories of systems shall ensure the development and submittal of a water system plan for review and approval by the department:

(i) All systems as required by chapter 70.116 RCW the Public Water System Coordination Act of 1977 and chapter 246-293 WAC ~~((and created after September 21, 1977));~~

(ii) Any system experiencing problems related to planning, operation, and/or management as determined by the department and outlined in a departmental order;

(iii) Any proposed or expanding system as determined by the department; and

(iv) Any system which installs treatment, other than simple chlorination disinfection equipment, after the effective date of these regulations.

(c) A department guideline titled *Group B Water System Approval* is available from the department to assist owners in developing this plan. Design reports may be combined with a water system plan. To the extent to which they are applicable, the water system plan shall address the following elements:

(i) Description of system management and ownership;

(ii) Description of appropriate water quality monitoring and reporting requirements;

(iii) Service area and identification of existing and proposed major facilities;

~~((iii))~~ (iv) Maximum number of connections the system can safely and reliably support;

~~((iv))~~ (v) Water conservation program. Systems which are developed or expanded after the effective date of this rule shall develop a conservation program;

~~((v))~~ (vi) Relationship and compatibility with other plans;

~~((vi))~~ (vii) Description of water source(s) ~~((information))~~ including compliance with applicable source approval and protection under WAC 246-291-100 and 246-291-110;

~~((vii))~~ (viii) Source protection (including required protective covenants, wellhead protection and watershed control where applicable); and

~~((viii))~~ (ix) Financial viability.

(2) Prior to developing a new water system, the developer of the proposed system shall follow the steps listed below as applicable:

(a) The developer shall ensure that the new system is owned or operated by a department-approved satellite management agency (SMA), or if a department-approved SMA is not available, that the proposed new system has a department-approved water system plan in accordance with WAC 246-291-140;

(b) Department approval of any system created after July 22, 1995, that is not owned or operated by a SMA shall be conditioned upon future management or ownership by a SMA, if such management or ownership can be made with reasonable economy and efficiency, or upon periodic review of the system's operational history to determine its ability to meet the department's financial viability and other operating requirements.

(c) If the proposed system is located within the boundaries of a critical water supply service area, the ability to develop an independent system shall be governed by the provisions of the Public Water System Coordination Act, chapter 70.116 RCW and chapter 246-293 WAC, and will be subject to the jurisdictional coordinated water system plan; or

~~((b))~~ (d) If the proposed system consists of a surface water or GWI source, ensure that the proposed system will be owned and operated by a department-approved satellite system management agency~~((or~~

~~(e) If the proposed system utilizes ground water only and is not located within the boundaries of a critical water supply service area, the developer shall:~~

~~(i) Contact the following potential water service providers in writing, and provide proof of such attempted contact to the department:~~

~~(A) The public water system which has a service area identified in a department approved water system plan that includes the proposed development area;~~

~~(B) Each existing public water system serving property within one thousand feet; and~~

~~(C) Available department of health approved satellite management agencies.~~

~~(ii) Upon completion of the steps listed in (c)(i) of this subsection, the developer of the proposed system has the option of developing an independent water system).~~

(3) For systems approved after the effective date of these rules, a summary of the following shall be recorded, by the system owner, on all affected property titles as a means of providing information about the system to property owners, lending institutions, and other potentially affected parties:

(a) Notice that the property is served by a public water system;

(b) The initial water system plan, planning section of the *Group B Water System Guideline*, or equivalent information from other documents as determined by the department;

(c) Notice that the system is subject to state and local rules;

(d) Recommendation to check with the jurisdictional regulatory authority on the current system status;

(e) Notice that fees may be assessed by the department for providing information on a public water system;

(f) Requirement for satellite management, if applicable;

(g) Notice of any waivers granted to the system; and

(h) Other information required by the department.

PERMANENT

WSR 95-20-079
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed October 4, 1995, 9:36 a.m.]

Date of Adoption: August 25, 1995.

Purpose: To revise existing fee structure to allow for recovery of costs of reviewing documents and performing other fee-for-service activities requested by water system purveyors.

Citation of Existing Rules Affected by this Order: Amending WAC 246-290-990.

Statutory Authority for Adoption: RCW 43.20B.020.

Adopted under notice filed as WSR 95-15-108 on July 19, 1995.

Changes Other than Editing from Proposed to Adopted Version: Reduced SMA plan fee for SMAs with less than one hundred services and added a note clarifying that SMAs owning water systems pay only one plan review fee.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

September 29, 1995

Bruce Miyahara
 Secretary

AMENDATORY SECTION (Amending Order 315, filed 12/3/92, effective 1/3/93)

WAC 246-290-990 Water system evaluation and project review and approval fees. (1) The fees for the review and approval of water system plans, project reports, construction documents, existing systems, and related evaluations required under chapters 246-290 (~~and~~), 246-291, 246-293, and 246-295 WAC shall be as follows:

(a) Water system plans required under WAC 246-290-100, 246-293-220, and 246-293-230.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Water system plan (New and Updated) ^(†)	100.00	350.00	850.00	1,600.00	2,600.00	3,850.00
	<u>105.00</u>	<u>365.00</u>	<u>890.00</u>	<u>1,680.00</u>	<u>2,730.00</u>	<u>4,040.00</u>
Minor water system plan alteration	(25.00)	85.00	210.00	400.00	650.00	950.00
	<u>26.00</u>	<u>89.00</u>	<u>220.00</u>	<u>420.00</u>	<u>680.00</u>	<u>995.00</u>

(† Requirements for satellite management agencies are addressed within a water system plan.)

(b) Satellite management agency (SMA) plans required under WAC 246-295-040.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
<u>SMA plan for ownership (New and Updated)</u>	<u>No plan required</u>	<u>365.00</u>	<u>890.00</u>	<u>1,680.00</u>	<u>2,730.00</u>	<u>4,040.00</u>
<u>SMA approval amendment</u>	<u>No amendment required</u>	<u>78.00 per hour or appropriate fee from category above, whichever is less</u>				
<u>SMA plan for operation only (New and Updated)</u>	<u>No plan required</u>	<u>890.00</u>	<u>890.00</u>	<u>890.00</u>	<u>890.00</u>	<u>890.00</u>

Note: SMAs owning water systems and submitting planning documents to the department for review shall be charged only the SMA fee.

(c) New plan elements required under WAC 246-290-100, 246-290-135, and 246-291-140 including:

- (i) Conservation; and
- (ii) Wellhead protection,

shall be reviewed separately by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on seventy-eight dollars per hour. After the initial submittal, updated information shall be reviewed as part of the updated water system plan and the review fee shall be included in the applicable updated plan review fee listed under (a) or (b) of this subsection.

(d) Project reports required under WAC 246-290-110.

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Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	((250.00 500.00 <u>260.00</u>	500.00 775.00 <u>525.00</u>	775.00 1,125.00 <u>815.00</u>	1,125.00 1,550.00 <u>1,180.00</u>	1,550.00 2,050.00 <u>1,625.00</u>	2,050.00)) 2,155.00 <u>2,155.00</u>
Chemical addition only, such as ion exchange, hypochlorination, ((corrosion control,)) or fluoridation	((75.00 150.00 <u>78.00</u>	150.00 250.00 <u>155.00</u>	250.00 375.00 <u>260.00</u>	375.00 525.00 <u>390.00</u>	525.00 700.00 <u>550.00</u>	700.00)) 735.00 <u>735.00</u>
Complete water system (an additional fee shall be assessed for review of treatment facility, if any)	((150.00 350.00 <u>155.00</u>	350.00 550.00 <u>365.00</u>	550.00 800.00 <u>575.00</u>	800.00 1,100.00 <u>840.00</u>	1,100.00 1,450.00 <u>1,155.00</u>	1,450.00)) 1,520.00 <u>1,520.00</u>
System modifications requiring a detailed evaluation to determine whether the system, as modified, will comply with regulations (an additional fee shall be assessed for review of treatment facility, if any)	((100.00 250.00 <u>105.00</u>	250.00 400.00 <u>260.00</u>	400.00 600.00 <u>420.00</u>	600.00 850.00 <u>630.00</u>	850.00 1,150.00 <u>890.00</u>	1,150.00)) 1,200.00 <u>1,200.00</u>

(e) Special reports or plans required under WAC 246-290-115, 246-290-230, 246-291-230, 246-290-250, 246-290-470, 246-290-636, 246-290-654, and 246-290-676 including:

- (i) Corrosion control recommendation report;
- (ii) Corrosion control study;
- (iii) Plan to cover uncovered reservoirs;
- (iv) Predesign study;
- (v) Uncovered reservoir plan of operation;
- (vi) Tracer study plan;
- (vii) Surface water or GWI treatment facility operations plan; or
- (viii) Filtration pilot study,

shall be reviewed by the department and the fee assessed shall reflect the time spent for this review and shall be calculated based on seventy-eight dollars per hour.

((e)) (f) Construction documents required under WAC 246-290-120.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
All types of filtration or other complex treatment processes	((250.00 500.00 <u>260.00</u>	500.00 775.00 <u>525.00</u>	775.00 1,125.00 <u>815.00</u>	1,125.00 1,550.00 <u>1,180.00</u>	1,550.00 2,050.00 <u>1,625.00</u>	2,050.00)) 2,155.00 <u>2,155.00</u>
Chemical addition only, such as ion exchange, hypochlorination, ((corrosion control,)) or fluoridation	((75.00 150.00 <u>78.00</u>	150.00 250.00 <u>155.00</u>	250.00 375.00 <u>260.00</u>	375.00 525.00 <u>390.00</u>	525.00 700.00 <u>550.00</u>	700.00)) 735.00 <u>735.00</u>

Complete new water system except treatment (an additional fee shall be assessed for review of treatment facility, if any)

((200.00	450.00	650.00	900.00	1,200.00	1,550.00))
<u>210.00</u>	<u>470.00</u>	<u>680.00</u>	<u>945.00</u>	<u>1,260.00</u>	<u>1,625.00</u>

New source only (an additional fee shall be assessed for review of treatment facility, if any)

((150.00	375.00	375.00	500.00	650.00	825.00))
<u>155.00</u>	<u>285.00</u>	<u>390.00</u>	<u>525.00</u>	<u>680.00</u>	<u>865.00</u>

One or more of the following submitted as a package and not requiring a detailed evaluation as determined by the department:

Water line installation, booster pump station, modifications to source pumping, piping-valving, controls or storage reservoir (an additional fee shall be assessed for review of treatment facility, if any)

((100.00	175.00	275.00	400.00	550.00	725.00))
<u>105.00</u>	<u>180.00</u>	<u>285.00</u>	<u>420.00</u>	<u>575.00</u>	<u>760.00</u>

Documents submitted for projects such as water line installation, booster pump stations, modifications to source pumping, piping-valving, controls or storage reservoirs as determined by the department where such projects:

Comply with design standards established by the department;

Are prepared by a professional engineer in accordance with WAC 246-290-040; and

Do not require a detailed evaluation by the department.

<u>50.00</u>	<u>90.00</u>	<u>150.00</u>	<u>210.00</u>	<u>290.00</u>	<u>380.00</u>
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((d)) (g) Existing system approval required under WAC 246-290-140. For the purpose of this subsection the department shall determine whether a system is expanding or nonexpanding.

Project Type	Group B	Group A			
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services

NONEXPANDING system ((built before November 10, 1989

As built approval (Without treatment)) not requiring a detailed evaluation by the department

((350.00	1,020.00	1,460.00	2,020.00	2,700.00	3,500.00))
<u>200.00</u>	<u>400.00</u>	<u>600.00</u>	<u>800.00</u>	<u>1,000.00</u>	<u>1,200.00</u>
((With chemical addition	425.00	1,320.00	1,960.00	2,770.00	3,750.00
With complex treatment	675.00	2,020.00	3,010.00	4,270.00	5,800.00
					<u>4,900.00</u>
					<u>7,600.00</u>

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((EXPANDING)) NONEXPANDING

system ((built before November 10, 1989 —As built approval Without treatment))
 requiring a detailed evaluation as determined by the department

	((700.00	1,670.00	2,685.00	4,095.00	5,900.00	8,100.00))
	<u>300.00</u>	<u>600.00</u>	<u>900.00</u>	<u>1,200.00</u>	<u>1,500.00</u>	<u>1,800.00</u>
((With chemical addition	850.00	1,970.00	3,185.00	4,845.00	6,950.00	9,500.00
With complex treatment	1,350.00	2,670.00	4,235.00	6,345.00	9,000.00	12,200.00))

((NONEXPANDING)) EXPANDING

system ((built after November 9, 1989 —As built approval Without treatment))
 not requiring a detailed evaluation by the department

	((700.00	1,670.00	2,685.00	4,095.00	5,900.00	8,100.00))
	<u>400.00</u>	<u>800.00</u>	<u>1,200.00</u>	<u>1,600.00</u>	<u>2,000.00</u>	<u>2,400.00</u>
((With chemical addition	850.00	1,970.00	3,185.00	4,845.00	6,950.00	9,500.00
With complex treatment	1,350.00	2,670.00	4,235.00	6,345.00	9,000.00	12,200.00))

EXPANDING system ((built

after November 9, 1989 —As built approval Without treatment))
 requiring a detailed evaluation as determined by the department

	((800.00	1,845.00	2,960.00	4,495.00	6,450.00	8,825.00))
	<u>500.00</u>	<u>1,000.00</u>	<u>1,500.00</u>	<u>2,000.00</u>	<u>2,500.00</u>	<u>3,000.00</u>
((With chemical addition	950.00	2,145.00	3,460.00	5,245.00	7,500.00	10,225.00
With complex treatment	1,450.00	2,845.00	4,510.00	6,745.00	9,550.00	12,925.00))

(h) Monitoring waivers requested under WAC 246-290-300.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
<u>Inorganic chemical monitoring waiver</u>	<u>Not applicable</u>	<u>70.00 per source</u>	<u>95.00 per source</u>	<u>120.00 per source</u>	<u>145.00 per source</u>	<u>170.00 per source</u>
<u>Organic chemical monitoring waiver</u>	<u>Not applicable</u>	<u>125.00 per source</u>	<u>175.00 per source</u>	<u>225.00 per source</u>	<u>275.00 per source</u>	<u>325.00 per source</u>
<u>Use waiver</u>	<u>Not applicable</u>	<u>150.00 per source</u>	<u>200.00 per source</u>	<u>255.00 per source</u>	<u>300.00 per source</u>	<u>350.00 per source</u>
<u>Area wide waiver renewal</u>	<u>Not applicable</u>	<u>200.00 per source</u>	<u>275.00 per source</u>	<u>350.00 per source</u>	<u>425.00 per source</u>	<u>500.00 per source</u>
<u>Inorganic chemical monitoring waiver renewal</u>	<u>Not applicable</u>	<u>40.00 per source</u>	<u>50.00 per source</u>	<u>60.00 per source</u>	<u>70.00 per source</u>	<u>80.00 per source</u>
<u>Organic chemical monitoring waiver renewal</u>	<u>Not applicable</u>	<u>75.00 per source</u>	<u>105.00 per source</u>	<u>135.00 per source</u>	<u>165.00 per source</u>	<u>195.00 per source</u>
<u>Use waiver renewal</u>	<u>Not applicable</u>	<u>105.00 per source</u>	<u>140.00 per source</u>	<u>175.00 per source</u>	<u>210.00 per source</u>	<u>245.00 per source</u>
<u>Coliform monitoring waiver including departmental inspection requested by purveyor</u>	<u>Not applicable</u>	<u>315.00</u>	<u>390.00</u>	<u>495.00</u>	<u>630.00</u>	<u>Not applicable</u>
<u>Coliform monitoring waiver with third-party inspection report</u>	<u>Not applicable</u>	<u>100.00</u>	<u>100.00</u>	<u>100.00</u>	<u>100.00</u>	<u>Not applicable</u>

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~~((e))~~ (i) Other evaluations and approvals. As applicable, these fees will be charged in addition to the basic fees assessed under (a) through ~~((d))~~ (h) of this subsection.

Project Type	Group B	Group A				
		<100 Services	100 to 500 Services	501 to 999 Services	1,000 to 9,999 Services	10,000 or more Services
Well-site evaluation and approval including the site inspection and hydrogeologic information review.	((150.00))	220.00	260.00	320.00	400.00	500.00
	155.00	230.00	270.00	335.00	420.00	525.00
((Comprehensive system evaluation requested by purveyor for purpose of reducing routine coliform monitoring to less than 5/month	No plan required	300.00	375.00	475.00	600.00	not applicable
((Coliform monitoring plan	No plan required	70.00	95.00	130.00	175.00	230.00
Regulatory monitoring plan ¹	No plan required	150.00	200.00	250.00	300.00	350.00
Unfiltered system annual comprehensive report	Not applicable	300.00	500.00	700.00	900.00	1,100.00
¹	A comprehensive document containing coliform, inorganic chemical and organic chemical monitoring plans in accordance with WAC 246-290-300 (2)(b), (3)(f), and (7)(e).					
Water system compliance report	((50.00))	85.00	85.00	85.00	85.00	85.00
	52.00	89.00	89.00	89.00	89.00	89.00

(2) To determine the appropriate fee for a noncommunity system, calculate the service equivalent by taking the average population served each day of operation and dividing by twenty-five for a transient noncommunity (TNC) system and two and one-half for nontransient noncommunity (NTNC) system. Use the number of service equivalents to find out what Group A size category to look under and submit the appropriate fee. (All noncommunity systems are Group A systems as described in WAC 246-290-020.)

(3) Additional review and approval fees may be assessed as follows:

(a) The basic fee covers an evaluation, or the review of an initial submittal and one resubmittal if required. If additional resubmittals are required, an additional twenty-five percent of the original fee will be assessed for each additional resubmittal. For water system plan and SMA plan preparation the basic fee also covers a preplanning conference. When the department is asked to participate in other meetings involving the plan such as community meetings, public hearings, or meetings with elected officials, the department is authorized to charge additional fees at the rate of seventy-eight dollars per hour;

(b) Fees for department project approval based on local technical review will be determined on a case-by-case basis as outlined in the applicable memorandum of understanding between the department and the respective local agency(-);

(c) Fees for services which the department determines are not described under subsection (1) of this section, will be calculated based on a rate of ~~((seventy five))~~ seventy-eight dollars per hour.

Examples of these services include, but are not limited to:

(i) Review and inspection of water reuse projects;
(ii) Collection of water quality samples requested by purveyor; or

(iii) Review of alternate technologies requested by purveyor, manufacturer or authorized representative;

(d) Additional fees assessed by the department shall be billed to the purveyor using an itemized invoice.

(4) All fees required under this section except as noted in subsection (3) of this section, shall be submitted prior to the department's approval. Payment of fees shall be in the form of a check or money order made payable to: The Department of Health. Payment of a fee shall not guarantee approval of the submitted document or evaluation request.

(5) Purveyors unable to determine the appropriate fee payment to submit should contact the department.

WSR 95-20-080
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed October 4, 1995, 9:40 a.m.]

Date of Adoption: September 28, 1995.

Purpose: In accordance with RCW 70.02.101(12) this rule adjusts the fee medical professionals may charge for searching and duplicating medical records.

Statutory Authority for Adoption: RCW 43.70.040, 70.02.101(12).

Adopted under notice filed as WSR 95-17-126 on August 23, 1995.

Changes Other than Editing from Proposed to Adopted Version: There are no changes between the proposed and adopted rules.

PERMANENT

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 0, repealed 0.

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

October 2, 1995

Bruce A. Miyahara
Secretary

NEW SECTION

WAC 246-08-400 Searching and duplicating medical records. Effective July 1, 1995, through June 30, 1997, the "reasonable fee" defined in RCW 70.02.010(12) for duplicating or searching a record shall not exceed sixty-nine cents per page for the first thirty pages and fifty-three cents for all other pages. In addition, a clerical fee for searching and handling may be charged not to exceed sixteen dollars. However, where editing of records by a health care provider is required by statute and is done by the provider personally, the fee may be the usual and customary charge for a basic office visit.

WSR 95-20-086

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed October 4, 1995, 11:47 a.m.]

Date of Adoption: September 22, 1995.

Purpose: Establishing new waiver policies and procedures and reduce paperwork for school districts and to streamline the waiver request process.

Citation of Existing Rules Affected by this Order: Amending WAC 180-16-200 through 180-16-215 and 180-53-070.

Statutory Authority for Adoption: Chapter 28A.630 RCW, chapter 208, Laws of 1995.

Adopted under notice filed as WSR 95-16-113 on August 1, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 5, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 5, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

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

October 4, 1995

Larry Davis
Executive Director

AMENDATORY SECTION (Amending Order 5-94, filed 1/19/94, effective 2/19/94)

WAC 180-16-200 Total program hour offering—Basic skills and work skills requirements—Waiver. (1) Total program hour offering—Definition.

(a) Each school district shall make available to students enrolled at least a total program hour offering as set forth in subsections (2) through (6) of this section. For the purpose of this section, "total program hour offering" shall mean those hours of sixty minutes each, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for purposes of discussing students' educational needs or progress—exclusive of time actually spent for eating lunchtime meals—when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district.

For special education/handicapped programs operating in separate facilities in a school district, do not exclude the time actually spent for eating lunchtime meals if that time is specifically identified and utilized as instructional meal training for each student in the program.

(b) Adjustments of program hour offerings between grade level groupings. Any school district may petition the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in subsections (2) through (6) of this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction.

(c) Each school district shall make available to students enrolled at least an instructional hour offering as set forth in subsections (3) through (6) of this section. For the purpose of this section, "instructional hour offering" shall mean those hours of sixty minutes each—exclusive of recess time, passing time, total lunch intermission time, and noncountable release time on early dismissal days—when students are provided the opportunity to engage in the basic skills and/or work skills offered by and under the direction of school district staff, as directed by the administration and board of directors of the district.

(d) A school district has "provided the opportunity to engage in" the basic skills and work skills activities required by this section when the district actually conducts basic skills and work skills instruction for students. If a district is not actually conducting the percentage(s) of basic skills

and/or work skills required by this section, such district nevertheless shall be deemed to be in compliance with such requirements if such district's instructional time offered to students in basic skills and work skills instruction equals or exceeds the minimum instructional hour requirements in each grade level grouping as specified in subsections (3) through (6) of this section. A school district that makes a reasonable and good faith effort through the first day of the school term to provide students the opportunity to take the section(s) or course(s) necessary to comply with the basic skills and work skills percentages, as specified in subsections (3) through (6) of this section and no student enrolled in such section(s) or course(s), may count that section(s) or course(s) toward the total basic skills and work skills percentages offered to students that term. Each of the basic skills areas specified in subsections (2) through (6) of this section for a particular grade level grouping must be offered each school year to students at one or more of the grade levels within the particular grade level grouping. Instruction in at least one of the following work skills must be offered each school year to students at one or more of the grade levels within each of the grade level groupings specified in subsections (5) and (6) of this section: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.

(e) Five percent variation—Basic skills and work skills requirements. A school district may establish minimum course mix percentages that deviate within any grade level grouping by up to five percentage points above or below the minimums established by subsections (3) through (6) of this section, provided the total program hour offering requirement for the grade level grouping is met.

(2) **Kindergarten.** Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours each school year. The program shall include reading, arithmetic, language skills and such other subjects and activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program.

(3) **Grades 1 through 3.** Each school district shall make available to students in grades one through three at least a total program hour offering of two thousand seven hundred hours each school year. A minimum of ninety-five percent (ninety percent with the five percent variation included, or 2,430 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include a language other than English), mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(4) **Grades 4 through 6.** Each school district shall make available to students in grades four through six at least a total program offering of two thousand nine hundred seventy hours each school year. A minimum of ninety percent (eighty-five percent with the five percent variation included, or 2,524.5 instructional hours) of such total program hour offerings shall be in the instruction of the

basic skills areas of reading/language arts (which may include a language other than English), mathematics, social studies, science, music, art, health and physical education. The remaining ten percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(5) **Grades 7 through 8.** Each school district shall make available to students in grades seven through eight at least a total program hour offering of one thousand nine hundred eighty hours each school year. A minimum of eighty-five percent (eighty percent with the five percent variation included, or 1,584 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include a language other than English), mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent (five percent with the five percent variation included, or 99 instructional hours) of the total program offerings shall be in the instruction of work skills. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(6) **Grades 9 through 12.**

(a) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent (fifty-five percent with the five percent variation included, or 2,376 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of language arts, a language other than English, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent (fifteen percent with the five percent variation included, or 648 instructional hours) of the total program hour offerings shall be in the instruction of work skills. The remainder of the total program hour offerings may include traffic safety or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades: *Provided*, That, whether or not the five percent deviations in course mix percentages allowed by subsection (2)(d) of this section are applied, not less than four hundred and thirty-two instructional hours (*i.e.*, ten percent of the total program hour requirement) of such remaining instructional hours shall consist of basic skills and/or work skills: *Provided*, That any program hours and/or instructional hours not achieved due to the implementation of WAC 180-16-215(4) relating to students graduating from high school, shall not be deducted from the total program hours calculated.

(b) Grade nine option. Each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours. Each school district shall state which option is in use when providing compliance documentation to the superintendent of public instruction.

(7) Basis and means for determining compliance with basic skills and work skills percentage requirements.

(a) Each school district shall adopt a written policy and procedure for establishing the basis and means for determining and monitoring compliance with the basic skills and work skills percentages, the course requirements and instructional hour minimums as established by this section. Written documentation of such annual determinations and monitoring activities shall be maintained on file by each school district.

(b) Handicapped education programs, vocational-technical institute programs, state institution, state residential school programs and alternative education programs where students are provided access to the basic skills/work skills offered in the regular program, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills percentage and course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.

(8) Waiver option, application and renewal procedures. See WAC 180-18-050 for waiver process.

~~((a) A district, desiring to implement a local plan to provide an effective educational system to enhance the educational program for all students, may apply for a waiver from the provisions of subsections (2) through (6) of this section, pertaining to the total program hour offerings requirement and the basic skills/work skills percentages/instructional hours requirement. The state board of education shall grant said waiver. Approval of district waivers shall occur at a state board of education meeting prior to implementation. A district's application for a waiver shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver, and a plan for restructuring the educational program of one or more schools consisting of at least the following information:~~

- ~~(i) Identification of the requirements to be waived;~~
- ~~(ii) Specific standards for increased student learning that the district expects to achieve;~~
- ~~(iii) How the district plans to achieve the higher standards, including timelines for implementation;~~
- ~~(iv) How the district plans to determine if the higher standards are met;~~
- ~~(v) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and~~
- ~~(vi) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.~~

(b) Application procedure.

~~The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The superintendent of public instruction shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.~~

(c) Renewal procedure.

~~Waivers granted by the state board of education under this section shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. The school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.~~

~~(d) Minimum instructional hour offerings. If a school district intends to waive total program hour offerings requirements under this subsection, it shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours, and to students enrolled in grades one through twelve at least a district wide annual average total instructional hour offering of one thousand hours.)~~

AMENDATORY SECTION (Amending WSR 92-17-053, filed 8/17/92, effective 9/17/92)

WAC 180-16-205 Classroom teacher contact hours requirement—Waiver. (1) **Contact hours requirement—**

Definition. The average annual classroom contact hours for each average annual full-time equivalent certificated classroom teacher employed by a school district shall be no less than twenty-five hours per week. For the purpose of this section "classroom contact hours" shall mean those hours a certificated classroom teacher is instructing students in a classroom, exclusive of such time as the teacher spends for preparation, conferences, administrative duties, and any other nonclassroom instruction duties.

(2) **Classroom—Definition.** For the purpose of this section, "classroom" shall mean those areas or spaces within or without a building, on or off a school campus, that are utilized by a certificated classroom teacher and his/her students for the conduct of planned instructional activities.

(3) **Computation of FTE teachers.** For the purpose of this section the "average annual full-time equivalent classroom teachers" of a school district shall be the sum of full-time and part-time teachers computed as follows:

(a) **Full-time teachers.** Each employee who is employed full time for the regular instructional year exclusive of summer school, and who is assigned solely classroom instructional and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract shall be counted as one full-time equivalent classroom teacher regardless of his/her actual teaching load. No such employee shall be counted as more than one full-time equivalent classroom teacher: *Provided*, That in the case of full-time employees of a school district that conducts a year round regular school program who are employed for a term in excess of the equivalent of the regular instructional year for individual students, such excess term of employment shall be counted as a portion of an additional full-time equivalent classroom teacher.

(b) **Part-time teachers.** Each part-time employee who is assigned classroom instructional duties solely or in part,

and each full-time employee who is assigned both classroom instructional duties and nonclassroom related duties (e.g., administrative duties, extracurricular instructional or supervisory duties, etc.) pursuant to his/her basic contract, shall be counted as a fractional full-time equivalent classroom teacher based upon the percentage of time he or she performs duties equivalent to the duties performed by a full-time employee who is assigned solely classroom instructional duties and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract.

(4) **Computation of annual average classroom contact hour requirement.** A school district's compliance with the average annual contact requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional recordkeeping by classroom teachers as a means of accounting for contact hours shall not be required.

(a) For each teacher, count the actual number of minutes during the school week when the teacher has regularly scheduled responsibilities for the instruction of students. Teacher instructional contact time for the purposes of this requirement shall be that time between the start of the first regularly scheduled class and the end of the last regularly scheduled class including actual minutes scheduled in all regular classes, laboratories, study halls and the supervision of extended classrooms, work experience, outdoor education and other such programs.

(b) Time spent for lunch intermissions, class changes, recesses, planning/preparation, staff meetings, home visits, conferences, supervision of students in noninstructional activities (lunch duty, playground duty, hall duty, sports programs, student clubs and other activities not requiring student attendance or required for credit), and for specialist teachers (librarian, subject-matter specialist) when the teacher is free from instructional purposes (i.e., released from classroom responsibilities) shall not be countable time for the purpose of computing the teacher's instructional contact. This time is considered valuable and is covered under (c) of this subsection.

(c) The number of average annual full-time equivalent classroom teachers employed by a school district and computed pursuant to subsection (3) of this section shall be divided into the total number of actual contact minutes within a normally scheduled instructional week, pursuant to (a) and (b) of this subsection, that such average annual full-time equivalent classroom teachers are scheduled to be in contact with and instructing students in a classroom (including those hours which would have been accrued but for the implementation of WAC 180-16-215(4) relating to students graduating from high school).

(d) The quotient received by dividing the total number of actual contact minutes per week, for all average annual full-time equivalent classroom teachers in the school district by the number of average annual full-time equivalent classroom teachers shall be called the net average contact minutes per week for the average annual full-time equivalent certificated classroom teacher in the school district.

(e) At the discretion of each school district board of directors, up to two hundred minutes per average annual full-time equivalent classroom teacher for every five school days scheduled for the regular instructional year may be added to

the net average contact minutes per week to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity.

(f) The quotient received by dividing the net average contact minutes, per week, including up to two hundred minutes to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity, by sixty shall be the school district's *average annual direct classroom contact hours* per week for the average annual full-time equivalent certificated classroom teacher in the school district.

(g) The average annual classroom contact hours per week shall not be less than twenty-five hours per week.

(5) **Waiver option, application and renewal procedures.** See WAC 180-18-050 for waiver process.

~~((a) In the event that a district develops an educational excellence component(s) which consists of less than the twenty-five hours of average teacher contact and the district determines, but for the inclusion of this component(s), that it would meet the twenty-five hour average teacher contact requirement, the district may apply for a waiver of the inclusion of this component(s) within the calculations. The state board of education shall grant said waiver. Approval of district waivers shall occur at a state board of education meeting prior to implementation. A district's application for a waiver shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver, and a plan for restructuring the educational program of one or more schools consisting of at least the following information:~~

- ~~(i) Identification of the requirement to be waived;~~
- ~~(ii) Specific standards for increased student learning expected to be achieved;~~
- ~~(iii) How the district plans to achieve the higher standards, including timelines for implementation;~~
- ~~(iv) How the district plans to determine if the higher standards are met;~~
- ~~(v) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and~~
- ~~(vi) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.~~

~~(b) Application procedure.~~

~~The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The superintendent of public instruction shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.~~

~~(c) Renewal procedures.~~

~~Waivers granted by the state board of education under this section shall be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. The school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the~~

~~waivers before filing the request. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.)~~

AMENDATORY SECTION (Amending Order 24-88, filed 12/14/88)

WAC 180-16-210 Kindergarten through grade three students to classroom teacher ratio requirement. The ratio of the FTE students enrolled in a school district in kindergarten through grade three to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. For the purpose of this section "classroom teacher" shall mean any instructional employee who possesses a valid teaching certificate or permit issued by the superintendent of public instruction, but not necessarily employed as a certificated employee, and whose "primary" duty is the daily educational instruction of students.

Computation of ratios. The FTE student to FTE classroom teacher ratios shall be computed as follows:

(1) For the purpose of this section exclude that portion of the time teachers and students participate in vocationally approved programs, traffic safety and special education programs from the above computations (i.e., programs hereby deemed to be "special programs").

(2) Exclude preparation and planning times from the computations for all FTE classroom teachers.

(3) Include in the above computations only the time certificated employees are actually instructing students on a regularly scheduled basis.

(4) Calculations:

(a) The kindergarten FTE October enrollment plus the October FTE enrollment in grades 1-3 divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades K through 3.

(b) The October FTE enrollment in grades 4 and above divided by the FTE classroom teachers whose "primary" duty is the daily instruction of pupils in grades 4 and above: *Provided*, That any district with three hundred or fewer FTE students in grades K-3 and an average K-3 classroom ratio of twenty-five or fewer FTE classroom students to one FTE classroom teacher shall be exempt from the FTE students to FTE classroom teachers ratio requirement of this subsection.

(5) Waiver option, application and renewal procedures. See WAC 180-18-050 for waiver process.

AMENDATORY SECTION (Amending Order 10-79, filed 9/12/79)

WAC 180-16-215 Minimum one hundred eighty school day year. (1)(a) **One hundred eighty school day requirement.** Each school district shall conduct no less than a one hundred eighty school day program each school year in such grades as are conducted by such school district, and one hundred eighty half-days of instruction, or the equivalent, in kindergarten. If a school district schedules a kindergarten program other than one hundred eighty half-days, the district shall attach an explanation of its kindergar-

ten schedule when providing compliance documentation to the superintendent of public instruction.

(b) Waiver option, application and renewal procedures. See WAC 180-18-050 for waiver process.

(2) **School day defined.** A school day shall mean each day of the school year on which pupils enrolled in the common schools of a school district are engaged in educational activity planned by and under the direction of the school district staff, as directed by the administration and board of directors of the district.

(3) **Accessibility of program.** Each school district's program shall be accessible to all legally eligible students, including handicapped students, who are five years of age and under twenty-one years of age who have not completed high school graduation requirements.

(4) **Five-day flexibility - Students graduating from high school.** A school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student.

AMENDATORY SECTION (Amending WSR 92-17-053, filed 8/17/92, effective 9/17/92)

WAC 180-53-070 Waiver (~~for restructuring~~) option, application and renewal procedures. ~~((1) A district desiring to implement a restructuring plan may apply for a waiver from the self study requirements of this chapter. The state board of education shall grant said waiver. Approval of district waivers shall occur at a state board of education meeting prior to implementation. A district's application for a waiver shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver, and a plan for restructuring the educational program of one or more schools consisting of at least the following information:~~

~~(a) Identification of the requirement to be waived;~~

~~(b) Specific standards for increased student learning expected to be achieved;~~

~~(c) How the district plans to achieve the higher standards, including timelines for implementation;~~

~~(d) How the district plans to determine if the higher standards are met;~~

~~(e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and~~

~~(f) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan.~~

(2) **Application procedure.** The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The superintendent of public instruction shall review all applications and supporting documentation. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

(3) **Renewal procedure.** Waivers granted by the state board of education under this section shall be renewed every

~~three years upon the state board of education receiving a renewal request from the school district board of directors. The school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education for renewal shall include information regarding the activities and programs implemented as a result of the waivers, whether the higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.) See WAC 180-18-050 for waiver process.~~

WSR 95-20-088
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed October 4, 1995, 11:51 a.m.]

Date of Adoption: September 22, 1995.

Purpose: To establish policies and procedures for the annual allocation of a limited amount of funds for emergency repair projects for school buildings and for establishing policies and procedures for the recovery of funds for the same projects.

Statutory Authority for Adoption: Section 508, 2ESHB 1070.

Adopted under notice filed as WSR 95-16-078 on July 28, 1995.

Changes Other than Editing from Proposed to Adopted Version: A definition of "error in the design or construction of a building" has been added for clarification.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 4, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

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Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 4, amended 0, repealed 0.

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

October 4, 1995

Larry Davis

Executive Director

NEW SECTION

WAC 180-27-600 Emergency repair grant applications—Definitions—"Emergency repair" and "imminent health and safety hazards." As used in WAC 180-27-605 through 180-27-615:

(1) The term "emergency repair" means a repair to a school building necessitated by unforeseeable defects in the building due to error(s) in the design and/or construction of the building.

(2) "Error in the design or construction of a building" means the failure of the architect(s), engineers(s) or contractor(s) to design and construct a building in accordance with generally accepted and applied standards at the time the building was constructed.

(3) The term "imminent health and safety hazard" means a threat of immediate physical injury to the occupants of a building.

NEW SECTION

WAC 180-27-605 Emergency repair grant applications—Contents of applications. The state board of education may allocate an amount not to exceed five million dollars per fiscal year 1995-96 and 1996-97 to school districts for emergency repair projects for school buildings which present imminent health and safety hazards for building occupants in accordance with the following process and eligibility criteria:

(1) A school district board of directors shall approve and present to the superintendent of public instruction a written application for emergency repair funding on a form provided by the superintendent of public instruction.

(2) The application and accompanying documentation shall include, but not be limited to:

(a) Certification of the unrestricted balance, if any, of the district's general fund and capital projects fund;

(b) A determination and description of available alternative housing options for occupants of the building;

(c) A detailed description of the nature of the emergency repair;

(d) A detailed description of the nature and extent of the imminent health and safety hazards that exist, and the extent they would be alleviated by the emergency repair;

(e) Evidence that the district is aggressively pursuing civil remedies against the responsible party(ies);

(f) Certification by a health official, fire official, building official, labor and industries official or other independent and competent authority that an imminent health and safety hazard to building occupants of a specified nature and extent exists unless the emergency repairs are made; and

(g) The estimated cost of the emergency repairs based upon an estimate made by two or more independent, qualified cost estimators.

NEW SECTION

WAC 180-27-610 Emergency repair grant applications—Review committee—State board of education approval/disapproval. A review committee appointed by the superintendent of public instruction shall periodically evaluate and rank applications for emergency repair funding submitted pursuant to WAC 180-27-605, and recommend to the state board of education whether or not an application shall be funded and, if so, the amount to be funded. The state board of education shall make the final decisions respecting emergency repair applications and grants.

PERMANENT

NEW SECTION

WAC 180-27-615 Emergency repair grant applications—Repayment conditions. Grants of emergency repair moneys shall be conditioned upon the written commitment of the school district board of directors to repay the grant by waiving the school district's current or future eligibility for state building assistance under chapters 180-25 through 180-33 WAC, or with insurance payments, or with any judgment(s) that have been awarded, or with other means and sources of repayment. The state board of education may waive or qualify the requirements of this section in whole or part based upon credible evidence of long-range extenuating financial circumstances.

WSR 95-20-089**PERMANENT RULES****STATE BOARD OF EDUCATION**

[Filed October 4, 1995, 11:52 a.m.]

Date of Adoption: September 22, 1995.

Purpose: To provide one additional exclusion from the calculation of square foot area analysis for school buildings.

Citation of Existing Rules Affected by this Order: Amending WAC 180-27-040 Square foot area analysis.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 95-16-079 on July 28, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

October 4, 1995

Larry Davis
Executive DirectorAMENDATORY SECTION (Amending Order 6-84, filed 5/17/84)

WAC 180-27-040 Square foot area analysis. The square foot area analysis, when submitted for review by the superintendent of public instruction shall be calculated in accordance with the American Institute of Architects, Document D101, *The Architectural Area and Volume of Buildings*, ((January 1980)) latest edition, except for the following areas which shall not be counted:

(1) Exterior covered walkways, cantilevered or supported; ~~((and))~~(2) Exterior porches, including loading platforms; and(3) Spaces above occupied areas which are either vacant or primarily housing mechanical and/or electrical equipment.

The analysis shall be reported on a form prepared by the superintendent of public instruction.

WSR 95-20-090**PERMANENT RULES****STATE BOARD OF EDUCATION**

[Filed October 4, 1995, 11:53 a.m.]

Date of Adoption: September 22, 1995.

Purpose: To provide one additional exclusion from the definition of instructional space.

Citation of Existing Rules Affected by this Order: Amending WAC 180-27-019 Definition—Instructional space.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 95-16-077 on July 28, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

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

October 4, 1995

Larry Davis
Executive DirectorAMENDATORY SECTION (Amending WSR 95-08-032, filed 3/29/95, effective 4/29/95)

WAC 180-27-019 Definition—Instructional space. As used in this chapter, the term "instructional space" means the gross amount of square footage calculated in accordance with the *American Institute of Architects, Document D101, The Architectural Area and Volume of Buildings*, latest edition, for a school facility utilized by a school district for the purpose of instructing students: *Provided*, That the following areas shall not be included in any calculation of instructional space:

(1) Exterior covered walkways, cantilevered or supported.

(2) Exterior porches including loading platforms.

(3) Spaces above occupied areas which are either vacant or primarily housing mechanical and/or electrical equipment.

(4) Space used by central administrative personnel.

~~((4))~~ (5) Stadia and grandstands.~~((5))~~ (6) Bus garages.~~((6))~~ (7) Free-standing warehouse space specifically designed for that purpose.

~~((7))~~ (8) Portable facilities.

~~((8))~~ (9) Other square footage not otherwise available or related to direct instruction or instructional support of the education program in the district.

~~((9))~~ (10) The portion(s) of any space(s) constructed from grants made as a gift to a school district by a private entity or a public entity which:

(a) Is dedicated by the written terms of the grant to joint use by the school district for educational purposes and by the general public for community activities for the useful life of the space(s); and

(b) The school district board of directors has accepted the gift in accordance with the joint use terms of the grant: *Provided*, That this exception does not apply to space(s) jointly financed by two or more school districts.



WSR 95-19-076
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Public Assistance)

[Order 3898—Filed September 18, 1995, 3:51 p.m.]

Date of Adoption: September 18, 1995.

Purpose: New sections WAC 388-73-351, 388-73-353, 388-73-355, 388-73-357, 388-73-361, 388-73-363, 388-73-365, 388-73-367, 388-73-369, 388-73-371, 388-73-373, 388-73-375, 388-73-377, 388-73-379, 388-73-381, 388-73-383, 388-73-385, 388-73-387, 388-73-389, 388-73-391, 388-73-393, and 388-73-395. Provide licensing standards for a new type of program which has emerged caring for a small number of children on a residential basis. These do not meet the definition of a foster home, but group home standards are excessive.

Citation of Existing Rules Affected by this Order: Amending WAC 388-73-014, 388-73-058, 388-73-074, 388-73-076, and 388-73-146.

Statutory Authority for Adoption: Chapter 74.15 RCW. Under 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: There is a shortage of placement resources for medically fragile young children in the communities. This was exacerbated by the closing of a state institution. A number of the facilities to be licensed under the proposed regulations will provide care for medically fragile children.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 9, amended 5, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 9, amended 5, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 18, 1995
 Jeanette Sevedge-App
 Acting Chief
 Office of Vendor Services

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-014 Persons and organizations subject to licensing. Persons and organizations operating the following types of facilities are subject to licensing under chapter 74.15 RCW and RCW 74.08.044:

(1) "Group care facility for children" means an agency maintained and operated for the care of a group of children on a twenty-four-hour basis;

(2) "Child-placing agency" means an agency placing children for temporary care, continued care, or for adoption;

(3) "Maternity service" means an agency providing or arranging for care or services to expectant mothers regardless of age, before or during confinement, or providing care as needed to mothers and their infants after confinement. See WAC 388-73-702;

(4) "Day care facility" means an agency regularly providing care for children for periods of less than twenty-four hours. Separate requirements are adopted for the following subcategories of day care facilities:

(a) A "mini-day care program" means a day care facility 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 children are placed; or

(b) A "day treatment program" means an agency providing care, supervision, and appropriate therapeutic and educational services during part of the twenty-four-hour day for a group of persons under eighteen years of age and the persons are unable to adjust to full-time regular or special school programs or full-time family living because of:

(i) Disruptive behavior;

(ii) Family stress;

(iii) Learning disabilities; or

(iv) Other serious emotional or social handicaps.

(5) "Foster family home" means a person or persons regularly providing care on a twenty-four-hour basis to one or more, but not more than four, children, expectant mothers, or developmentally disabled persons in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or developmentally disabled person is placed;

(6) "Large foster family home" means a foster family home with at least two adult residents in the home providing care on a twenty-four-hour basis to five or six children or developmentally disabled persons;

(7) "Crisis residential center" means an agency operating under contract with the department to provide temporary, protective care to children in a semisecure residential facility in the performance of duties specified and in the manner provided in RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036. Separate requirements are adopted for the following subcategories of crisis residential centers:

(a) A regional crisis residential center is a structured group care facility whose primary and exclusive functions are those of a crisis residential center;

(b) A group care facility functioning partially or exclusively as a crisis residential center;

(c) A foster family home functioning either partially or exclusively as a crisis residential center and has been designated as a crisis residential center by the department.

(8) A "facility for severely and multiply-handicapped children" means a group care facility providing residential care to a group of nonambulatory children whose severe, disabling, multiple physical, and/or mental handicaps will require intensive personal care, and may require skilled health care, physical therapy, or other forms of therapy;

(9) "Staffed residential home for children or expectant mothers" means a home providing twenty-four-hour care for less than seven children or expectant mothers. The home employs staff to care for children and may or may not be a family residence.

AMENDATORY SECTION (Amending Order 2081, filed 2/29/84)

WAC 388-73-058 Earnings, allowances, personal belongings. (1) Except for crisis residential centers, juvenile detention facilities staffed residential home for children, and foster family homes, full-time child care providers shall give each child a regular allowance based on ((his or her)) age, needs, and ability to handle money.

(2) Group care facilities shall account for allowances given and for children's earnings, if any, in a ledger or other appropriate record maintained for this purpose.

(3) When a person is discharged, ((he or she shall be permitted)) the licensee shall permit the person to take ((his or her)) personal belongings and all of ((his or her)) the person's money, or be fully informed about the transfer of ((his or her)) the person's money to another facility.

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-074 Social service staff. (1) Each child-placing agency, day treatment program, maternity service staffed residential home for children, and group care facility, except for juvenile detention facilities, shall provide or arrange for social services by persons at least one of whom has a master's degree in social work or closely allied field.

(2) Social service staff not having a master's degree in social work shall have a bachelor's degree in social work or closely allied field and shall receive face-to-face supervision by a person having a master's degree in social work or closely allied field for a minimum of one hour for each twenty hours of paid employment.

(3) When social services are provided by an agency other than the licensee, there shall be a written agreement detailing the scope of service to be provided. Any such agreement must meet the requirements of this section.

(4) The licensee shall provide the following minimum ratios of full-time social service staff providing direct services to persons under care ((shall be provided)):

Day treatment program	1 to 15
Group care facilities	1 to 25
Child-placing agency	1 to 25
Maternity services	1 to 25
Regional and other group care crisis residential centers	1 to 5

AMENDATORY SECTION (Amending Order 2445, filed 12/2/86)

WAC 388-73-076 Social study—Treatment plans. Except for juvenile detention facilities, the social service staff of each child-placing agency, day treatment program, maternity service staffed residential home for children, and group care facility shall:

(1) Develop or assemble from appropriate sources a written diagnostic social study on each child and expectant

mother accepted for care. Except in the case of persons accepted for emergency care, the study shall serve as the basis of the person's admission to care. In such case, the study shall be completed within thirty days after admission if the person remains in care. The study shall contain in addition to the minimum information recorded as required by WAC 388-73-054 the following information:

(a) Child's school records, when possible. Where children attend school away from the facility, records mean grade placement, reports, and correspondence with schools. Where the facility has a school on the grounds, records shall mean transcripts and other records normally kept by a school.

(b) Copies of psychological or psychiatric evaluations, if any, of the child or expectant mother.

(c) A narrative description of the background of the child and his or her family, the child's interrelationships and the problems and behaviors necessitating care away from own home, previous placement history, if any, and an evaluation as to need for the particular services and type of care the licensee will provide. For American Indian children, see WAC 388-73-044.

(2) Develop and implement a written treatment plan for each person accepted for care. Such plan shall outline the agency's treatment goals and methods of work with the individual and his or her family. The plan shall be updated at least quarterly to show progress toward achievement of goals and shall identify impediments to the return of the child to his or her own home, the home of relatives, or placement for adoption and steps taken or to be taken to overcome those impediments. No person shall be admitted to nor retained in an agency's program where the person cannot be served effectively by the program or where the person can be served more appropriately by another available program.

(3) Whenever the treatment plan indicates the child may return to his or her own home, ((the agency shall)) provide or arrange for services to child's parents. Where geographical or other conditions prevent the licensee from working directly with child's parents or another agency is already providing appropriate services, the licensee shall enter into an agreement with the agency for joint planning and exchange of reports toward the end of reuniting the family, or shall make arrangements with another appropriate agency toward that end.

(4) Whenever the treatment plan indicates the child will not be able to return to his or her own home, ((the agency shall)) move expeditiously to develop a plan for permanence for the child. The permanent placement for the child shall be made in a family able to meet the child's physical, emotional, and cultural needs.

(5) Ensure agency records ((shall)) include a running account of the treatment received by the child and others involved in the treatment plan including but not limited to group treatment, individual counseling, etc., whether delivered by the agency or a contracted source. The file shall be updated no less frequently than once per thirty days.

EMERGENCY

AMENDATORY SECTION (Amending WSR 92-08-056, filed 3/26/92, effective 4/26/92)

WAC 388-73-146 Care of younger or severely and multiply-handicapped children. This section is applicable only to mini-day care programs, group care facilities, and facilities for severely and multiply-handicapped children.

(1) A licensee shall not accept a child under one month of age for day care.

(2) Facilities licensed to care for thirteen or more children shall provide separate, safe play areas for children under one year of age or children not walking. Children under one year of age shall be cared for in rooms or areas separate from older children, as approved by the department with not more than eight such children to a room or area and with handwashing facilities in each such room or area or convenient thereto.

(3) Diaper changing. The provider shall ensure:

(a) Diaper-changing areas shall be sanitized between use for different children or protected by a moisture impervious (or not absorbent) disposable covering discarded after each use;

(b) Disposable towels or clean reusable towels having been laundered between children shall be used for cleaning children;

(c) Personnel shall wash hands before and after diapering each child;

(d) Diaper-changing areas shall be separate from food preparation areas and shall be adjacent to a handwashing sink; and

(e) The designated changing area shall be impervious to moisture and washable.

(4) Except for foster family homes, the provider shall use disposable diapers, a commercial diaper service, or reusable diapers supplied by the child's family. Soiled diapers shall be placed without rinsing into separate, cleanable, covered containers provided with waterproof liners prior to transport to laundry, parent, or acceptable disposal. Soiled diapers shall be removed from the facility at least daily. Diaper-changing procedures shall be posted at the changing areas.

(5) The agency shall initiate the child's toilet training when readiness is indicated by the child and in consultation with the child's parents or placement agency. Potty chairs, when in use, shall be located on washable, impervious surfaces.

(6) When the agency formula feeds infants under one year of age, the infants shall be on a formula feeding schedule agreed upon by the child's parent or parents, guardian, the placement agency, and the licensee. When the agency formula feeds severely and multiply-handicapped children, the children shall be on a schedule agreed upon by the children's physician and the facility's dietitian (see WAC 388-73-144(8)).

(a) Feedings prepared on the premises of the facility.

(i) Any child's formula provided by the parent or parents, guardian, placement agency, or licensee shall be in a ready-to-feed strength or require no preparation other than dilution with water at the day care facility.

(ii) If the container in which the feeding was purchased does not include a sanitized bottle and nipple, the agency shall transfer ready-to-feed formula from the bulk container

to the bottle and nipple feeding unit in a sanitary manner in an area separate from diapering areas.

(iii) The agency shall refrigerate filled bottles if bottles are not used immediately and the contents shall be discarded if bottles are not used within twelve hours.

(iv) If bottles and nipples are reused by the facility, the agency shall sanitize the bottles and nipples.

(v) When more than one bottle-fed child is in care, the agency shall label the bottles with the child's name and date prepared. The agency shall pour milk for children requiring bottles but no longer on formula from the original container into sanitized, labeled bottles. The agency shall use sanitized nipples only on the bottles.

(b) Feedings brought to the child care facility.

(i) When the parent brings bottles into the facility, the bottles shall have a label showing the child's name.

(ii) The agency shall refrigerate bottles immediately upon their arrival at the facility and the agency shall discard the bottle contents if not used within twelve hours.

(c) Bottles shall not be propped. The agency shall provide semisolid foods for infants at between four and five months of age, upon consultation with the parent or placement agency, and/or with a physician when indicated. Infants too young or unable to sit in high chairs shall be held by the care giver in a semisitting position for all feedings unless medically contraindicated. Infants six months of age or over showing a preference for holding their own bottles may do so provided an adult remains in the room and within observation range. The agency shall take bottles from the child when the child finishes feeding or when the bottle is empty. See also WAC 388-73-144.

(7) Cribs.

(a)(i) Providers shall furnish single level infant cribs made of wood, metal, or approved plastic with secure latching devices. Such infant cribs shall also have no more than two and three-eighths inches space between vertical slats when used for infants under six months of age.

(ii) For infants, providers may use cribs not meeting the spacing requirement provided crib bumpers or other effective methods are used to prevent the infant's body from slipping between the slats.

(b) Infants' crib mattresses shall be:

(i) Snug fitting to prevent the infant or severely and multiply-handicapped child being caught between the mattress and crib side rails; and

(ii) Waterproof and easily sanitized.

(8) Children's activities.

(a) The facility shall provide infants and severely and multiply-handicapped children opportunities for:

(i) Exercise;

(ii) Large and small muscle development;

(iii) Crawling and exploring;

(iv) Sensory stimulation;

(v) Social interaction; and

(vi) Development of communication and self-help skills.

(b) The facility shall provide safe and suitable toys and equipment for the care of infants and severely and multiply-handicapped children.

(9) The licensee shall prohibit smoking in a foster home caring for infants and/or medically fragile children and in a motor vehicle when the licensee transports such children.

The licensee may permit smoking outdoors on the premises away from the building, where the child is not present.

(10) Nursing consultation.

(a) Except for facilities caring for severely and multiply-handicapped children requiring a registered nurse on staff or under contract, facilities licensed for the care of four or more infants shall arrange for regular consultation to include at least one monthly on-site visit by a registered nurse trained or experienced in the care of young children.

(b) In collaboration with the agency's administrative staff, the nurse shall advise the agency on the:

- (i) Operation of the infant care program; and
- (ii) Implementation of the child health program.

(c) The agency's written agreement with the registered nurse shall be available in the facility.

(d) The agency shall document the nurse's on-site visits.

(e) The nurse's name and telephone number shall be posted or otherwise available in the agency.

NEW SECTION

WAC 388-73-351 Staffed residential homes for children or expectant mothers. The rules in WAC 388-73-351 through 388-73-399 apply only to licensing staffed residential homes.

NEW SECTION

WAC 388-73-353 Agency affiliation. A staffed residential home for children or expectant mothers shall only operate under the auspices of and/or contract with a licensed child placing agency or the department. The agency shall provide social services as required under WAC 388-73-074 and 388-73-076.

NEW SECTION

WAC 388-73-355 Function of staffed residential home for children or expectant mothers. A staffed residential child care home shall normally serve children who:

(1) Need foster care but may not ordinarily adjust to the close, personal relationships normally found in a foster family home; or

(2) Are emotionally disturbed or physically or mentally handicapped, or medically fragile, or whose behavior is inappropriate for foster family care.

(3) The home, through its own program or by arrangement with appropriate community resources, shall provide the necessary specialized services required by the group which the facility services.

NEW SECTION

WAC 388-73-357 Capacity. (1) A staffed residential home for children or expectant mothers shall be licensed for the care of not more than six children.

(2) A staffed residential home for children or expectant mothers having only one staff on duty shall not care for more than four children. An additional staff person shall be required to care for more than four children.

(3) A staffed residential home for children or expectant mothers shall not be licensed for more than three expectant or parenting mothers.

(4) A staffed residential home for children or expectant mothers shall not be licensed for more than two children under two years of age, except for a home caring for expectant or parenting mothers.

(5) A staffed residential home for children or expectant mothers shall not be licensed for the care of more than three persons experiencing mental or physical handicaps of such severity as to require nursing care, and then only if the:

(a) Licensee provides staff who are qualified by training related to the administration of the required medical procedures and relevant experience to provide proper care; and

(b) The person's treatment is under the supervision of a physician.

(6) A staffed residential home for children or expectant mothers may be licensed for the care of more than two nonambulatory persons whether that condition is due to age or physical or mental impairment if it is in compliance with WAC 388-73-371 through 388-73-395.

NEW SECTION

WAC 388-73-361 Required positions. A staffed residential home for children or expectant mothers shall provide staff in accordance with the following requirements:

(1) A director responsible for the general management and administration of the agency's program. This person shall:

(a) Be twenty-five years of age or older;

(b) Possess an ability to understand the role of the agency in meeting the needs of children;

(c) Work with representatives of appropriate agencies;

(d) Have:

(i) A bachelor's degree in a social science or closely allied field and two years successful, full-time experience working in a group care facility for children; or

(ii) A minimum of five years' successful, full-time experience:

(A) Working in a group care facility for children in an administrative or child care capacity; or

(B) As a foster parent with a letter of recommendation from the licensing agency and/or supervising agency.

(e) Have a year's successful experience working with children in the age group and with same problems as the population in care or have training (e.g., a college course or multiple workshops) on working with children with the specific problems, unless another staff member has the experience or training;

(f) The director, or a person meeting the same qualifications, shall be on the premises during daytime hours when children are in care; and

(g) Be responsible for the administration of the agency including supervision of the staff, program planning, and overseeing the implementation of the plan of care or treatment for each child in care.

(2) Child care staff whose primary duties are the care, supervision, and guidance of children. Such staff shall be at least eighteen years of age. Staff under twenty-one years of age shall be under the immediate supervision of staff at least twenty-one years of age.

(a) During the nighttime hours there shall be at least one awake child care staff member on duty. (The requirement for an awake staff may be waived when there are fewer than

three children in care and these children do not require intensive supervision due to behavioral or medical problems.)

The director and support and maintenance staff may serve as child care staff, if qualified, when not involved in other duties, provided the required number of child care staff is maintained.

(b) When only one child care staff is on duty, a second person shall be on call and available to respond within one half-hour.

(3) The agency shall have relief staff to enable all staff to have the equivalent of two days a week off.

NEW SECTION

WAC 388-73-363 Nursing services. (1) A staffed residential home for children or expectant mothers home having as its major purpose the care of chronically ill or severely handicapped children shall make arrangements for regular nursing consultation, including regular visits (not less frequent than monthly) or as prescribed in the contract and the individual child's treatment plan, by a registered nurse currently licensed in the state of Washington.

(2) The nurse's name, address, and telephone number shall be readily available. The nurse shall assist the agency in implementing a program which provides for periodic health supervision of all children and for follow-up care of special health needs as identified by the child's physician or noted by agency personnel.

(3) The nurse shall advise and assist nonmedical personnel in maintaining child health records, meeting daily health needs and caring for children with minor illnesses and injuries.

NEW SECTION

WAC 388-73-365 Required rooms, areas, and equipment. The facility shall provide rooms of sufficient size and properly equipped to accommodate the number of children served and their special needs. The facility shall provide the following rooms or areas:

(1) Bedrooms (per WAC 388-73-106), except that bedrooms housing children requiring medical equipment shall have additional space for that equipment.

(2) Living room. There shall be at least one comfortable furnished living room.

(3) Dining area. A dining room area shall be provided with sufficient capacity to accommodate the group comfortably and furnished appropriate.

(4) Staff quarters. Room for staff on night supervision shall be separate from but in proximity to the sleeping rooms of the children.

(5) Recreation area. The agency shall provide at least one separate indoor area, sufficient in size and location, for recreational and informal education activities. This may be a dual purpose room.

(6) Office. The agency shall provide a room or area that can be used as an administrative office.

(7) Visiting area. The agency shall provide space where privacy can be achieved for the use of visitors.

(8) Some area/rooms may have multiple uses (e.g., dining room and recreation area, visiting area, and living room).

NEW SECTION

WAC 388-73-367 Staffed residential homes for children or expectant mothers—Services to person under care. (1)(a) A staffed residential child care home shall provide or arrange for such care and supervision as the age and physical condition of the persons under care require and shall include transportation and the teaching of social and living skills.

(b) The facility shall provide opportunities for play and recreation. Staff shall encourage persons in care to participate in community and culturally relevant activities in accord with the person's capacity for such experience.

(2) The agency shall submit a:

(a) Written program description for departmental approval including a list of services to be provided to the residents and their families and how and by whom these services will be provided; and

(b) Schedule of typical daily activities for persons in care.

NEW SECTION

WAC 388-73-369 Fire safety—Staffed residential child care home for children or expectant mothers. (1) A staffed residential home for children or expectant mothers shall comply with the fire safety requirements in WAC 388-73-310.

(2) A staffed residential home for children or expectant mothers caring for more than two nonambulatory children shall comply with the fire safety requirements in WAC 388-73-371 through 388-73-395.

(3) A home caring for six children shall comply with the applicable sections of the Uniform Building Code.

NEW SECTION

WAC 388-73-371 Location of care. (1) The licensee shall ensure that care in a staffed residential home for children or expectant mothers caring for more than two nonambulatory children shall be provided on one floor which is at ground level.

(2) Floors located more than four feet above or below grade level shall not be used for child care.

NEW SECTION

WAC 388-73-373 Occupancy separations. (1) Hazardous area shall be separated from the staffed residential home for children or expectant mothers facility by at least a one-hour fire-resistive occupancy separation.

(2) Hazardous areas include rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible material, or painting operation.

(3) A fire-resistive separation shall not be required where the food preparation kitchen contains only a domestic cooking range, and the preparation of food does not result in the production of smoke or grease laden vapors.

NEW SECTION

WAC 388-73-375 Exits. (1) At least one exit door shall be of the pivoted or side-hinged swinging type. Other exit doors may be sliding doors.

(2) Each facility used for child care purposes shall be provided with two exits, located at opposite ends of the building or floor.

NEW SECTION

WAC 388-73-377 Windows. (1) Every sleeping or napping room shall have at least one operable window for emergency rescue with the exception of sleeping or napping rooms having doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

(2) All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor. A stationary platform may be used to attain the forty-four inch sill height.

(3) Bars, grilles, grates, or similar devices may be installed on emergency escape or rescue window or doors, provided the devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort.

NEW SECTION

WAC 388-73-379 Sprinklers. The requirement for one of the two exits may be deleted if a residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d and the remaining exit is a door.

NEW SECTION

WAC 388-73-381 Accessibility of exits. (1) Exit doors and rescue windows shall be easily openable to the full open position.

(2) Exit doors and rescue windows shall be openable from the inside without having to use a key. Night latches, dead bolts, security chains, manually operated edge or surface mounted flush bolts and surface bolts shall not be used. The locking arrangement on outside exit doors should be such that they will automatically unlock when the doorknob is turned from the inside.

(3) Obstructions shall not be placed in corridors, aisles, doorways, exit doors, stairways, ramps, or rescue windows.

(4) No space which is accessible only by ladder, folding stairs, or trap doors shall be used for staffed residential homes for children or expectant mothers.

(5) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency. The opening device shall be readily accessible to the staff.

(6) Every closet door latch shall be such that children can open the door from the inside of the closet.

(7) Barriers to exiting shall be restricted to gates or other approved devices that are easily openable and do not delay exiting.

NEW SECTION

WAC 388-73-383 Single station smoke detectors. (1) Smoke detectors shall be located in all sleeping and napping rooms in and at a point centrally located in the corridor or area giving access to each separate sleeping or napping area.

(2) Where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and in the adjacent room.

(3) Detectors shall sound an alarm audible in all sleeping and napping areas of the facility in which they are located. The minimum acceptable audibility level is sixty decibels.

(4) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(5) Smoke detectors may be solely battery operated when installed in existing buildings or buildings without commercial power.

(6) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

NEW SECTION

WAC 388-73-385 Fire extinguishers. (1) The licensee shall provide: At least one approved two A, ten B:C rated fire extinguisher. Such extinguisher(s) shall be located in the area of the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet. Where the travel distance exceeds seventy-five feet, an additional extinguisher(s) shall be required.

Approved two A, ten B:C rated means a fire extinguisher with an Underwriters Laboratory label on the nameplate classifying the extinguisher as two A, ten B:C rated. These extinguishers are usually multi-purpose five-pound dry chemical units.

(2) Fire extinguishers shall be operationally ready for use at all times.

(3) Fire extinguishers shall be kept on a shelf or mounted in a bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(4) Fire extinguishers shall receive yearly maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of:

- (a) Mechanical parts;
- (b) Extinguishing agent; and
- (c) Expelling means.

(5) New fire extinguishers need not receive an additional certification test during the first year.

NEW SECTION

WAC 388-73-387 Fire prevention. (1) The licensee shall request the local fire department to visit the child care home to assist care givers in meeting all necessary fire safety requirements and become familiar with the home.

(2) The licensee shall assure that furnace rooms are maintained free of lint, grease, and rubbish accumulations and are suitably isolated, enclosed, or protected.

(3) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and should be removed from the building or stored in closed, metal containers.

(4) All waste generated shall be removed daily from the building and disposed of in a safe manner outside the building. All containers used for the disposal of waste material be of noncombustible materials with tops. Electrical motors shall be kept dust-free.

(5) Open-flame devices capable of igniting clothing shall not be left on, unattended or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(6) All electrical circuits, devices and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multi-plug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(7) House numbers shall be clearly visible from the street or road fronting the property and contrast with their background. Where the home is not clearly visible from the road, the address shall be posted at the head of the driveway.

(8) Fireplaces, woodstoves, and all other similar devices must be installed and approved according to the rules that were in effect at the time of installation as evidenced by a local building permit. Such devices shall be properly maintained and shall be cleaned and certified at least once a year or as recommended by the manufacturer.

NEW SECTION

WAC 388-73-389 Sprinkler system maintenance. Sprinkler systems, if installed, shall be tested and certified yearly by a Washington state licensed fire sprinkler contractor.

NEW SECTION

WAC 388-73-391 Fire evacuation plan. The licensee shall develop a written fire evacuation plan. The evacuation plan shall include an evacuation floor plan, identifying exit doors and windows, that should be posted at each exit door. The licensee shall ensure the plan includes the:

- (1) Action to take by the person discovering a fire;
- (2) Methods for sounding an alarm on the premises;
- (3) Action to take for evacuation of the building, assuring accountability of the children; and
- (4) Action to take pending arrival of the fire department.

NEW SECTION

WAC 388-73-393 Fire evacuation drill. The licensee shall:

- (1) Conduct a fire evacuation drill at least once each month; and

- (2) Maintain a written record on the premises indicating the date, time, and other required entries on the form.

NEW SECTION

WAC 388-73-395 Staff fire safety training. (1) The licensee and each employee or assistant shall be familiar with all elements of the fire evacuation plan and shall be capable of:

- (a) Operating fire extinguishers installed on the premises;
- (b) Testing smoke detectors (single station types); and
- (c) Conducting frequent inspections of the home to identify fire hazards and take action to correct any hazards noted during the inspection.

- (2) The licensee shall conduct such inspections on at least a monthly basis and keep records on the premises.

WSR 95-20-002
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 95-139—Filed September 20, 1995, 4:08 p.m., effective September 22, 1995]

Date of Adoption: September 20, 1995.

Purpose: Amend personal use and commercial fishing rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 220-88A-070, 220-88A-080, and 220-56-325.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: High harvest levels have caused shrimp abundance to seriously decline. Low levels of shrimp remain, insufficient to support continued recreational and commercial fisheries. Early closure is necessary to protect the spawning shrimp population.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 3, amended 3, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 22, 1995.

September 20, 1995
Judith Freeman
Deputy
for Robert Turner
Director

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 20, 1995
Judith Freeman
Deputy
for Robert Turner
Director

NEW SECTION

WAC 220-88A-07000B Puget Sound-shrimp fishery — Pots Notwithstanding the provisions of WAC-220-88A-070 effective 11:59 p.m. September 22, 1995 until further notice it is unlawful to fish for or possess shrimp taken for commercial purposes using shellfish pot gear in Marine Fish/Shellfish Management and Catch Reporting Areas 22A, 24A, 24B, 24C, 24D, and 26A.

NEW SECTION

WAC 220-88A-08000A Puget Sound-shrimp fishery — Trawl Notwithstanding the provisions of WAC-220-88A-080 effective 11:59 p.m. September 22, 1995 until further notice it is unlawful to fish for or possess shrimp taken for commercial purposes using beam trawl gear in those waters of San Juan channel north and west of a line projected true north from the Turn Rock Light and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

NEW SECTION

WAC 220-56-32500D Puget Sound-shrimp — Areas and seasons. Notwithstanding the provisions of WAC-220-56-325, effective 11:59 p.m. September 22, 1995 until further notice it is unlawful to fish for or possess shrimp taken for personal use from those waters of Puget Sound Salmon Management and Catch Reporting Areas 7, 8-1, 8-2 and 9.

NEW SECTION

WAC 220-32-05500S Columbia River tributaries—Subsistence. Notwithstanding the provisions of WAC 220-32-055, effective September 20, 1995 through December 31, 1995 it is unlawful for a person possessing treaty rights under the Yakama treaty to take or possess salmon taken for subsistence purposes from the Klickitat River, except under the following provisions.

(1) The Klickitat River from the Swinging Bridge (river mile 1.5) to Fishway No. 5 (river mile 2.2) is open noon Wednesdays to 6:00 p.m. Saturdays of each week.

(2) Allowable gear: Dipnets, setbag net, or rod and reel with bait or lures. All other fishing gear and methods, including snagging are unlawful.

REPEALER

The following sections of the Washington Administrative Code are repealed effective immediately:

WAC 220-32-05500R Columbia River—Salmon season above Bonneville. (95-133)

WAC 220-32-05100R Columbia River salmon seasons above Bonneville. (95-133)

REPEALER

The following section of the Washington Administrative Code is repealed effective January 1, 1996:

WAC 220-32-05500S Columbia River tributaries—Subsistence. (95-140)

**WSR 95-20-003
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 95-140—Filed September 20, 1995, 4:10 p.m.]

Date of Adoption: September 20, 1995.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05100R and 220-32-05500R; and amending WAC 220-32-055.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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 season is consistent with preseason planning process for tribal fishing.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 1, amended 1, repealed 2; or

**WSR 95-20-004
EMERGENCY RULES
EXECUTIVE ETHICS BOARD
[Filed September 21, 1995, 12:35 p.m.]**

Date of Adoption: September 21, 1995.

Purpose: To implement chapter 42.52 RCW which establishes ethical standards for state officers and employees.

EMERGENCY

The rules set out the basic organizational and procedural rules of the Executive Ethics Board.

Statutory Authority for Adoption: RCW 42.52.360 (2)(b).

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; 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: The ethical standards established in chapter 42.52 RCW went into effect on January 1, 1995. The Executive Ethics Board is responsible for enforcing those standards with regard to state officers and employees in the executive branch of government. The emergency rules set out basic organizational and procedural rules for the board. The rules are necessary for the preservation of the public health, safety and general welfare because citizens need to know about the operation of the board and the procedure for filing a complaint in order to make chapter 42.52 RCW effective. Since the board is a new agency, observing the time requirements of notice and opportunity to comment would leave a significant gap that would limit the effectiveness of chapter 42.52 RCW. The emergency rules are necessary to implement the law while the board goes through the procedure of adopting permanent rules. The emergency rules are also required by state law. RCW 42.52.360 (2)(b) provides that the board shall adopt rules governing the conduct of business of the board. Since the board began conducting business on January 1, 1995, it must put basic rules in place under RCW 42.52.360 (2)(b) while it continues going through the process of adopting permanent rules, which it is in the process of completing.

Effective Date of Rule: Immediately.

September 21, 1995

Reverend Cheryl L. J. Rohret
Chair of the Board

Chapter 292-100 WAC AGENCY PROCEDURAL RULES

NEW SECTION

WAC 292-100-010 Definitions. In general, words are used with this title in the same meaning as they are used in the law relating to ethics, chapter 42.52 RCW. See, in particular, RCW 42.52.010. The following words are used with the meaning given, unless the context clearly indicates another meaning.

(1) "Administrative Procedure Act" means chapter 34.05 RCW.

(2) "Chairperson" means the chairperson of the board.

(3) "Vice Chair" means the vice chair of the board.

(4) "Clerk" means the clerk of the board appointed pursuant to WAC 292-100-020(2).

(5) "Board" means the Washington executive ethics board.

(6) "Complainant" means a person who has filed a complaint under authority of RCW 42.52.410.

(7) "Complaint" means a formal complaint filed with the board pursuant to RCW 42.52.410 and these rules.

(8) "Member" means a member of the board, except where the context indicates another meaning is intended.

(9) "Respondent" means one against whom a complaint has been filed under authority of RCW 42.52.410.

NEW SECTION

WAC 292-100-020 Organization and operations. (1) Membership. The Washington executive ethics board consists of five members appointed by the governor for staggered five-year terms.

(2) Officers. The board shall annually elect a chairperson from its members. The chairperson shall preside over board meetings. The board may annually elect a vice chair from its members. The vice chair will carry out the duties of the chairperson if the chairperson is absent or unable to carry out the duties of the chairperson.

(3) Meetings. The board holds regular meetings commencing at 9:30 a.m. on the second Friday of each month, at various places throughout the state. The places and dates of the meetings can be learned by writing or calling the board clerk at the Olympia office at (360) 586-3751.

(4) Quorum. Three members constitute a quorum. The affirmative vote of a majority of those present is action of the board when there is a quorum at a meeting.

(5) Offices. The board's office is 1125 Washington Street, Post Office Box 40100, Olympia, Washington 98504-0100.

(6) Where to obtain information. Information on the application of the ethics law and related material is available from the clerk of the board at the board's Olympia office.

(7) Where to make submissions or requests. Submissions, requests, or complaints to the board may be directed to the clerk of the board at the board's Olympia office.

NEW SECTION

WAC 292-100-030 Authority of executive ethics board. (1) The executive ethics board shall enforce this chapter and rules adopted under it with respect to state-wide elected officers and all other officers and employees in the executive branch, boards and commissions, and institutions of higher education.

(2) The executive ethics board shall:

(a) Develop educational materials and training;

(b) Adopt rules and policies governing the conduct of business by the board, and adopt rules defining working hours for purposes of RCW 42.52.180 and where otherwise authorized in chapter 42.52 RCW;

(c) Issue advisory opinions;

(d) Investigate, hear, and determine complaints by any person or on its own motion;

(e) Impose sanctions including reprimands and monetary penalties;

(f) Recommend to the appropriate authorities suspension, removal from position, prosecution, or other appropriate remedy; and

(g) Establish criteria regarding the levels of civil penalties appropriate for violations of this chapter and rules adopted under it.

(3) The board may:

(a) Issue subpoenas for the attendance and testimony of witnesses and the production of documentary evidence relating to any matter under examination by the board or involved in any hearing;

(b) Administer oaths and affirmations;

(c) Examine witnesses; and

(d) Receive evidence.

(4) The executive ethics board may review and approve agency policies as provided for in this chapter.

NEW SECTION

WAC 292-100-040 Clerk. (1) **Designation.** The board shall designate a staff member provided by the attorney general's office to serve as clerk of the board.

(2) **Duties.** The clerk shall:

(a) Attend board meetings and provide aid and services to the chairperson and members as requested;

(b) Keep custody of the minutes of board meetings, declaratory rulings, rule-making orders, and the board's order register, and other records of action by the members.

(c) Act as rules coordinator for the board in compliance with RCW 34.05.312.

NEW SECTION

WAC 292-100-050 Advisory opinions. The board shall issue written opinions to persons who request advice as to the application of the state ethics laws. The opinions shall not be inconsistent with the statute, or the regulations or policies of the board. The counsel to the board may provide advisory opinions to the board.

NEW SECTION

WAC 292-100-060 Complaints and investigations.

(1) Any person may file a complaint with the board alleging violation of chapter 42.52 RCW or rules adopted under it. A complaint shall be made in writing on a form provided by the board. A complaint may be made personally or by the complainant's attorney. The complaint must be served on the clerk of the board at the board's office in Olympia.

(2) If it has reason to believe that any person has violated chapter 42.52 RCW or the rules adopted under it, the board may issue a complaint.

(3) Upon receipt of the complaint, the staff of the board shall investigate and evaluate the allegations. The investigation shall be limited to the alleged facts contained in the complaint. The result of the investigation shall be reduced to writing and the staff of the board shall make a written recommendation whether there is reasonable cause to believe that a violation of chapter 42.52 RCW or the rules adopted under it has been committed. The results of the written investigation by the staff of the board shall be transmitted to the board.

NEW SECTION

WAC 292-100-070 Determination of reasonable cause. Upon receipt of the report from the staff of the board, the board shall determine if there is reasonable cause to believe that a violation of chapter 42.52 RCW or the rules adopted under it has occurred. If the board determines that there is reasonable cause to believe a violation has occurred, the board shall schedule a public hearing on the merits of the complaint. If the board determines that there is not reasonable cause to believe that a violation has occurred, it shall dismiss the complaint. The written investigation by the staff of the board and the board's determination shall be provided to both the complainant and the respondent.

NEW SECTION

WAC 292-100-080 Respondent's answer to complaint. The respondent shall file a written answer to the complaint not later than 30 days after receipt of the determination by the board that there is reasonable cause to believe a violation has occurred.

NEW SECTION

WAC 292-100-090 Adoption of model rules of procedure. Part IV—Adjudicative Proceedings of chapter 34.05 RCW and model rules of procedure, chapter 10.08 WAC, adopted by the chief administrative law judge pursuant to RCW 34.05.250 are hereby adopted for use by the board. In case of conflict between chapter 34.05 RCW or the model rules of procedure and chapter 42.52 RCW, the procedural rules in chapter 42.52 RCW shall take precedence.

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 292-100-100 Decision by the board. (1) If, based on a preponderance of the evidence at the public hearing, the board finds that the respondent has violated this chapter or rules adopted under it, the board shall file an order stating findings of fact and enforcement action as authorized in chapter 42.52 RCW.

(2) If, upon the evidence at the public hearing, the board finds that the respondent has not violated chapter 42.52 RCW or rules adopted under it, the board shall state findings of fact and issue an order dismissing the complaint.

NEW SECTION

WAC 292-100-110 Sanctions. If the board finds a violation of chapter 42.52 RCW or rules adopted under it, the board may order payment of the following amounts: (1) any damages sustained by the state that are caused by the conduct constituting the violation; (2) from each person a civil penalty of up to \$5,000 per violation or three times the economic value of anything received or sought in violation of chapter 42.52 RCW or rules adopted under it, whichever is greater; and (3) costs, including reasonable investigative costs, which shall be included as part of the limit under (2) of this section. The costs may not exceed the penalty

imposed. The payment owed on the penalty shall be reduced by the amount of costs paid.

WSR 95-20-009
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

(Fisheries)

[Order 95-141—Filed September 22, 1995, 2:04 p.m., effective September 24, 1995, 12:01 a.m.]

Date of Adoption: September 22, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-603.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Openings in Area 7B provide opportunity to harvest the nontreaty allocation of coho salmon destined for the Nooksack-Samish region of origin per preseason schedule. Gillnet mesh restriction and purse seine release requirement are necessary to reduce nontreaty impacts relative to regional chinook run size estimate 37% below preseason forecast. Openings in Area 9A provide opportunity to harvest the nontreaty share of Hood Canal hatchery-origin coho salmon according to the preseason schedule. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 24, 1995, 12:01 a.m.

September 22, 1995

Robert Turner

Director

NEW SECTION

WAC 220-47-604 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday September 24, 1995 until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial

purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

* **Area 7B** - Gill nets using 5-inch minimum, 6-inch maximum mesh and purse seines using the 5-inch strip may fish until 11:59 p.m. Saturday October 28. Purse seines are required to release all chinook salmon.

* **Area 9A** - Gill nets using 5-inch minimum mesh may fish:

6:00 a.m. Monday September 25 through 4:00 p.m. Friday September 29

6:00 a.m. Monday October 2 through 4:00 p.m. Friday October 6

6:00 a.m. Monday October 9 through 4:00 p.m. Friday October 13

6:00 a.m. Monday October 16 through 4:00 p.m. Friday October 20

6:00 a.m. Monday October 23 through 4:00 p.m. Friday October 27

6:00 a.m. Monday October 30 through 4:00 p.m. Friday November 3.

* Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 23, 1995:

WAC 220-47-603 Puget Sound all-citizen commercial salmon fishery. (95-136)

WSR 95-20-010
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 95-142—Filed September 22, 1995, 2:06 p.m., effective September 27, 1995, 12:01 a.m.]

Date of Adoption: September 22, 1995.

Purpose: Amends personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-57-31000R (10/15/95); and amending WAC 220-57-310.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Kalama hatcheries have met fall chinook salmon escapement needs.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 1, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 27, 1995, 12:01 a.m. September 22, 1995

Judith Freeman
Deputy
for Robert Turner
Director

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 25, 1995

Elin S. Meyer

Rules Coordinator

Reviser's note: The material contained in this filing will appear in the 95-21 issue of the Register as it was received after the applicable closing date for the issue for agency-typed material exceeding the volume limitations of WAC 1-21-040.

NEW SECTION

WAC 220-57-31000R Kalama River Notwithstanding the provisions of WAC 220-57-310, Daily Limit A September 27, 1995 through October 15, 1995 from boundary markers at the mouth upstream to a point 1,500 feet below the temporary rack.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 16, 1995:

WAC 220-57-31000R Kalama River (95-142)

**WSR 95-20-015
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fish and Wildlife Commission)
(Wildlife)**

[Order 95-143—Filed September 25, 1995, 1:16 p.m., effective September 27, 1995, 12:00 a.m.]

Date of Adoption: September 23, 1995.

Purpose: Regional exception to permanent game fish rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900I (10/16/95); and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

Under 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: Salmon emergency no longer exists as fall chinook hatchery holding space has been filled for Kalama fish. This action reinstates recreational opportunity for steelhead in the lower two miles of the Kalama River.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

EMERGENCY

**WSR 95-20-012
EMERGENCY RULES
HEALTH CARE AUTHORITY
[Filed September 25, 1995, 11:56 a.m.]**

Date of Adoption: September 25, 1995.

Purpose: Rule is designed to carry out the purposes of chapter 70.47 RCW, the Health Care Access Act.

Citation of Existing Rules Affected by this Order: Amending WAC 55-01-010, 55-01-020, 55-01-030, 55-01-040, 55-01-050, 55-01-060, and 55-01-070.

Statutory Authority for Adoption: RCW 70.47.050.

Under 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: To accommodate revisions in the provisions for Medicaid/Basic Health Plan eligibility coordination in the Health Services Act, E2SSB 5304.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 27, 1995, 12:01 a.m. September 23, 1995 James M. Walton for Mitch Johnson Chairman

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0. Effective Date of Rule: Immediately.

September 23, 1995 James M. Walton Vice-Chairman for Mitch Johnson Chairman Fish and Wildlife Commission

NEW SECTION

WAC 232-28-61900I Regional exceptions to permanent game fish rules — Kalama River Notwithstanding the provisions of WAC 232-28-619, effective September 27, 1995 through October 15, 1995, that portion of the Kalama River from the mouth upstream to a point 1,500 feet below the temporary rack is open to fishing, the following regulations apply:

- (1) Trout, minimum length twelve inches; and (2) wild cutthroat release; and (3) wild steelhead release.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 16, 1995:

WAC 232-28-61900I Regional exceptions to permanent game fish rules — Kalama River (95-143)

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 232-24 WAC Temporary regulations.

The following sections of the Washington Administrative Code are repealed:

- WAC 232-28-206 1983 Fall opening dates. WAC 232-28-209 1985 Fall opening dates. WAC 232-28-21201 Amendment to 1986 hunting seasons and rules. WAC 232-28-215 1988, 1989, and 1990 Opening dates for modern firearm general Buck deer, upland birds and waterfowl seasons. WAC 232-28-216 1988, 1989, and 1990 Opening dates for early buck and primitive weapon seasons for deer and all elk season opening dates. WAC 232-28-225 1991, 1992, and 1993 General opening dates for deer, elk, and upland birds. WAC 232-28-404 1981-82 Upland game bird and migratory waterfowl seasons. WAC 232-28-407 1983 Fall turkey season. WAC 232-28-60101 Opening of South Warden and Warden lakes in Grant County. WAC 232-28-60102 Closing of Medical Lake in Spokane County. WAC 232-28-604 Game fish seasons and catch limits. WAC 232-28-60415 Season extension on Burke Lake (Grant County) through December 31, 1982. WAC 232-28-605 1983 Game fish seasons and catch limits. WAC 232-28-60508 Establish an open fishing season on the Snake and Grande Rhonde rivers to angling for steelhead.

WSR 95-20-016 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE (Wildlife)

[Order 95-109—Filed September 25, 1995, 1:18 p.m.]

Date of Adoption: September 23, 1995.

Purpose: To repeal outdated rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-206, 232-28-609, 232-28-21201, 232-28-215, 232-28-216, 232-28-225, 232-28-404, 232-28-407, 232-28-60101, 232-28-60102, 232-28-604, 232-28-60415, 232-28-605, 232-28-60508, 232-28-61610, and 232-28-812.

Under 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: These rules are outdated and are not applicable to current hunting and fishing seasons.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 16.

EMERGENCY

- WAC 232-28-61610 Amendment to 1987-88 Washington game fish regulations-Elwah River.
- WAC 232-28-812 1990 Mountain goat, sheep, moose, cougar, and lynx hunting seasons.

WSR 95-20-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 95-145—Filed September 26, 1995, 4:07 p.m.]

Date of Adoption: September 25, 1995.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-56-35000H; and amending WAC 220-56-350.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Harvestable numbers of clams are available in the open areas. In the closed areas the harvestable surplus of clams has been taken.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 25, 1995

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-56-35000I Clams other than razor clams—Areas and seasons. Notwithstanding the provisions of WAC 220-56-350, effective immediately until further notice, it is unlawful to harvest or possess clams, cockles, borers or mussels taken for personal use from the following tidelands during the times shown:

(A) **Closed Areas:**

(1) Potlatch (DNR - 270442) located immediately southeast of Potlatch State Park. The DNR tidelands are between two rows of orange flexible posts. - **Closed** until further notice..

(2) Potlatch State Park - **Closed** until further notice.

(3) Purdy County Park - **Closed** until further notice.

(4) Rendsland Creek (DNR) - **Closed** until further notice.

(5) Shine Tidelands State Park - **Closed** until further notice.

(6) South Indian Island County Park - **Closed** until further notice.

(7) Winas Maylor - **Closed** until further notice.

(8) Wolfe Property State Park - **Closed** until further notice.

(B) **Open Area:**

(1) Brown Point (DNR 57) **Open** until further notice.

(2) Oak Bay County Park - **Open** until further notice.

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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-35000H Clams other than razor clams—Areas and seasons. (95-107)

WSR 95-20-027
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 95-144—Filed September 27, 1995, 2:50 p.m., effective September 27, 1995, 11:59 p.m.]

Date of Adoption: September 26, 1995.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100M.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Harvest guideline for coho salmon will have been taken.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

EMERGENCY

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 27, 1995, 11:59 p.m.

September 27, 1995

Judith Freeman
Deputy
for Robert Turner
Director

September 27, 1995
Sydney Doré
for Jeanette Sevedge-App
Acting Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3795, filed 10/12/94, effective 11/12/94)

WAC 388-49-550 Monthly allotments. (1) The department shall determine the value of the allotment a household receives.

(2) The monthly allotment shall equal the thrifty food plan (TFP) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service.

Household Size	Thrifty Food Plan
1	((115)) \$119
2	((212)) 218
3	((304)) 313
4	((386)) 397
5	((459)) 472
6	((550)) 566
7	((608)) 626
8	((695)) 716
9	((782)) 806
10	((869)) 896
Each additional member	+ ((87)) 90

(3) The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.

(a) The department shall base the allotment on a thirty-day month.

(b) The department shall not issue an allotment for less than ten dollars.

(4) The department shall issue a full month's allotment to households applying within one calendar month of a prior certification period.

(5) The department shall determine the value of the monthly allotment a household receives by:

(a) Multiplying the household's net monthly income by thirty percent;

(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and

(c) Subtracting the result from the thrifty food plan for the appropriate household size.

(6) One- and two-person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when the department shall not issue an allotment for less than ten dollars.

(7) The department shall issue an identification card to each certified household.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 27, 1995:

WAC 220-56-19100M Puget Sound salmon—
Saltwater seasons and
daily limits. (95-131)

WSR 95-20-029
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3901—Filed September 27, 1995, 4:50 p.m., effective October 1, 1995, 12:01 a.m.]

Date of Adoption: September 27, 1995.

Purpose: Updates the maximum food stamp allotments (thrifty food plan).

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-550 Monthly allotments.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: 7 CFR 273.10 (e)(4)(ii)(F).

Under 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: Standards must be effective October 1, 1995, federal approval timelines did not allow for regular adoption.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 1, repealed 0.

Effective Date of Rule: October 1, 1995, 12:01 a.m.

EMERGENCY

WSR 95-20-032
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3902—Filed September 27, 1995, 4:50 p.m., effective October 1, 1995, 12:01 a.m.]

Date of Adoption: September 27, 1995.

Purpose: Updates gross and net monthly income standards, SUA and telephone allowance, standard deduction, excess shelter deduction, and homeless shelter deduction to reflect current levels. These standards, allowances, and deductions are used to determine eligibility and calculate food stamp benefits.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-500 Income—Deductions, 388-49-505 Utility allowances, and 388-49-510 Income eligibility standards.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: 7 CFR 273.9 (a), (d)(6)(v) and (vi), (5), (7), and (8).

Under 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: Standards must be effective October 1, 1995, federal approval timelines did not allow for regular adoption.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 3, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 3, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 3, repealed 0.

Effective Date of Rule: October 1, 1995, 12:01 a.m.

September 27, 1995

Sydney Doré

for Jeanette Sevedge-App

Acting Chief

Office of Vendor Services

AMENDATORY SECTION (Amending Order 3852, filed 5/24/95, effective 7/1/95)

WAC 388-49-500 Income—Deductions. (1) The department shall allow the following deductions when computing net income:

(a) A standard deduction of one hundred (~~thirty-four~~) thirty-eight dollars per household per month;

(b) An earned income deduction of twenty percent of gross earned income except as provided in WAC 388-49-640(8);

(c) A dependent care deduction of the actual amount incurred not to exceed two hundred dollars for each dependent one year of age or younger and one hundred seventy-five dollars for each other dependent when care is necessary for a household member to:

(i) Seek, accept, or continue employment; or

(ii) Attend training or education preparatory to employment.

(d) A deduction for nonreimbursable monthly medical expenses over thirty-five dollars incurred or anticipated to be incurred by an elderly or disabled household member;

(e) A deduction for legally obligated child support paid for a person who is not a member of the household;

(f) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, medical, child support, and dependent care deductions. The shelter deduction shall not exceed two hundred (~~thirty-one~~) forty-seven dollars; and

(g) An excess shelter deduction for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions for households containing an elderly or disabled person.

(2) Shelter costs may include:

(a) Costs for a home not occupied because of employment, training away from the home, illness, or abandonment caused by casualty loss or natural disaster if the:

(i) Household intends to return to the home;

(ii) Current occupants, if any, are not claiming shelter costs for food stamp purposes; and

(iii) Home is not being leased or rented during the household's absence.

(b) Charges for the repair of the home substantially damaged or destroyed due to a natural disaster;

(c) The standard utility allowance when a household incurs any separate utility charges for heating or cooling costs or the limited utility allowance when a household incurs any separate utility charges other than telephone costs and is not entitled to the standard utility allowance. A household may incur a separate utility charge when the household:

(i) Has not yet received a billing for utilities;

(ii) Is billed monthly by the landlord for actual usage as determined through individual metering; or

(iii) Shares residence and utility costs with other persons, in which case the deduction is for the household's prorated share of the standard or limited utility allowance.

(d) Actual utility costs rather than the standard or limited utility allowance if the household is:

(i) Not entitled to the standard or limited utility allowance; or

(ii) Requesting use of actual utility bills. The department shall allow a monthly telephone standard for households incurring telephone expenses if the household is not entitled to claim the standard or limited utility allowance.

(e) A shelter amount of one hundred (~~thirty-nine~~) forty-three dollars when all household members are homeless as specified under WAC 388-49-020(36) and the household incurs or expects to incur:

(i) Monthly shelter costs no greater than one hundred (~~thirty-nine~~) forty-three dollars; or

(ii) Unverified shelter costs exceeding one hundred (~~thirty-nine~~) forty-three dollars.

(3) A household may switch between actual utility costs and the standard or limited utility allowance:

- (a) At each recertification; and
- (b) One additional time during each twelve-month period following the initial certification action.

(4) The department shall provide excess medical or shelter deductions effective with supplemental security income (SSI) eligibility when households:

- (a) Become categorically eligible within the time limits specified under WAC 388-49-120 and 388-49-150 after a food stamp application;
- (b) Receive food stamps as a nonassistance household until becoming categorically eligible; or
- (c) Become categorically eligible after denial of nonassistance food stamps.

(5) The department shall not provide a deduction for that portion of a deductible expense, described under this section, paid by an excluded:

- (a) Reimbursement; or
- (b) Vendor payment, except for Low Income Home Energy Assistance Act (LIHEAA) payments.

AMENDATORY SECTION (Amending Order 3853, filed 5/24/95, effective 7/1/95)

WAC 388-49-505 Utility allowances. (1) The department shall:

- (a) Establish the following utility allowances for use in calculating shelter costs:
 - (i) A standard utility allowance for households incurring any separate utility charges for heating or cooling costs;
 - (ii) A limited utility allowance for households, without heating or cooling costs, incurring any separate utility charges other than telephone costs; and
 - (iii) A telephone allowance for households incurring separate charges for phone service and not claiming the standard or limited utility allowance.
- (b) Obtain food and consumer service approval of the methodology used to establish utility allowances.

(2) The standard utility allowance shall be two hundred ~~((twelve))~~ twenty dollars.

(3) The limited utility allowance shall be one hundred fifty-six dollars.

(4) The telephone allowance shall be ~~((twenty-eight))~~ twenty-nine dollars.

AMENDATORY SECTION (Amending Order 3790, filed 9/28/94, effective 10/29/94)

WAC 388-49-510 Income eligibility standards. (1) Categorically eligible households, as described in WAC 388-49-180, are not subject to the provisions of this section.

(2) The department shall determine eligibility on the basis of gross income and net food stamp income except for households in subsection (3) of this section.

(3) The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.

(4) The gross and net monthly maximum income standards as established by the department of agriculture are as follows:

Gross Monthly Income Standard	
Household Size	Maximum Standard
1	((\$ 798)) <u>\$810</u>
2	((1,066)) <u>1,087</u>
3	((1,335)) <u>1,364</u>
4	((1,604)) <u>1,642</u>
5	((1,872)) <u>1,919</u>
6	((2,141)) <u>2,196</u>
7	((2,410)) <u>2,474</u>
8	((2,678)) <u>2,751</u>
9	((2,947)) <u>3,029</u>
10	((3,216)) <u>3,307</u>
Each additional person	((+269)) <u>+278</u>

Net Monthly Income Standard	
Household Size	Maximum Standard
1	((\$ 614)) <u>\$623</u>
2	((820)) <u>836</u>
3	((1,027)) <u>1,050</u>
4	((1,234)) <u>1,263</u>
5	((1,440)) <u>1,476</u>
6	((1,647)) <u>1,690</u>
7	((1,854)) <u>1,903</u>
8	((2,060)) <u>2,116</u>
9	((2,267)) <u>2,330</u>
10	((2,474)) <u>2,544</u>
Each additional person	((+207)) <u>+214</u>

WSR 95-20-034
EMERGENCY RULES
LIQUOR CONTROL BOARD
 [Filed September 28, 1995, 11:07 a.m.]

Date of Adoption: September 27, 1995.

Purpose: WAC 314-12-021 provides for the implementation of section 1, chapter 232, Laws of 1995, by explaining the authority to be delegated by the board and the conditions under which such authority may be delegated to staff for the approval of uncontested or unopposed licenses.

Statutory Authority for Adoption: Section 1, chapter 232, Laws of 1995.

Other Authority: RCW 66.08.030.

Under 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: There currently exists an unfilled vacancy upon the three member board. One of the two remaining members is scheduled to be out of country for two weeks, thus a quorum cannot be convened to review and consider applications for liquor licenses. In order to ensure the board's business continues smoothly and qualified applicants are considered in a timely manner, the rule is necessary under emergency rule-making authorization. Without this action, no license could be approved for the period in question.

EMERGENCY

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 1, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 27, 1995

Mike Murphy

Member of the Board

(EMERGENCY RULE)
[NEW SECTION]

WAC 314-12-021 Designation of authority to approve uncontested or unopposed liquor license applications Chapter 232, Laws of 1995, Sec. 1 amended RCW 66.24.010 to permit the board to grant specific authority for the approval of uncontested or unopposed license applications to any staff member. This authority will normally be given under the following conditions:

(1) A situation exists wherein an unfilled vacancy(ies) exists on the board which precludes a quorum from reviewing and acting upon uncontested or unopposed applications for licenses.

(2) A situation exists such as extended absence(s) from the office (e.g. emergency sick leave or scheduled vacation) which results in the lack of a quorum of the board from considering such applications for a period of more than one workweek.

(3) Reviewing and approving routine applications for special occasion licenses or liquor manufacturers', importers' or wholesalers' agents' licenses.

(4) Other situations which arise and for which there is no other reasonable resolution to the issuance of a license in a timely manner because of the lack of a quorum existing.

In such instances, the board members may designate, by resolution adopted during a public meeting of the board, a staff member to consider and approve of uncontested or unopposed applications for licenses.

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

WSR 95-20-047
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 95-146—Filed September 29, 1995, 3:45 p.m., effective October 1, 1995]

Date of Adoption: September 29, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-046 and 220-69-240.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: The interim plan for joint management of Puget Sound Dungeness crab under Subproceeding 89-3 of *United States v. Washington* provides for regional allocations. These rules will slow the harvest and increase the reporting in order to assure that the allocations are not exceeded.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1995.

September 29, 1995

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-52-04600D Crab fishery—Seasons and areas. Notwithstanding the provisions of WAC 220-52-046, effective October 1, 1995, until further notice it is unlawful to pull or set commercial crab gear in the waters of Puget Sound from one-half hour after sunset to one-half hour before sunrise.

NEW SECTION

WAC 220-69-24000A Duties of commercial purchasers and receivers. Notwithstanding the provisions of WAC 220-69-240, effective October 1, 1995, until further notice:

EMERGENCY

(1) It is unlawful for any wholesale dealer purchasing Puget Sound Dungeness crab to fail to report to the Department of each day's purchase by 10:00 a.m. the following morning. Either of the following two methods of reporting is acceptable:

(a) By facsimile (FAX) transmission to (360) 796-4997, or

(b) By telephone call to (360) 796-3267, extension 209.

(2) The fish receiving ticket reporting requirements of WAC 220-69-240 remain in effect.

Reviser's note: The spelling 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 95-20-048
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 95-147—Filed September 29, 1995, 3:47 p.m., effective October 1, 1995, 12:01 a.m.]

Date of Adoption: September 29, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-604.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: Openings in Areas 7 and 7A provide opportunity to harvest the nontreaty share of Canadian-origin chum salmon according to the provisions of the Chum Annex of the Pacific Salmon Treaty, and scheduled according to pre-season Pacific Fishery Management Council North of Falcon agreements. Release requirements necessary to remain within allocation agreements and to reduce nontreaty impacts on stocks of concern. Openings in Area 7B provide opportunity to harvest the nontreaty allocation of coho salmon destined for the Nooksack-Samish region of origin per pre-season schedule. Gillnet mesh restriction and purse seine release requirement remain necessary to reduce nontreaty impacts relative to regional chinook run size estimate 37% below pre-season forecast. Openings in Area 9A provide opportunity to harvest the nontreaty share of Hood Canal hatchery-origin coho salmon according to the pre-season schedule. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1995, 12:01 a.m.

September 29, 1995

Judith Freeman

Deputy

for Robert Turner

Director

NEW SECTION

WAC 220-47-605 Puget Sound all citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday October 1, 1995 until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

- * **AREAS 7 AND 7A** - Reef nets may fish from 7:00 a.m. to 7:00 p.m. daily, Sunday October 1 through Saturday October 21. Reef nets are required to release all species except chum salmon.
- * **AREA 7B** - Gill nets using 5-inch minimum, 6-inch maximum mesh and purse seines using the 5-inch strip may fish until 11:59 p.m. Saturday October 28. Purse seines are required to release all chinook salmon.
- * **AREA 9A** - Gill nets using 5-inch minimum mesh may fish:
6:00 a.m. Monday October 2 through 4:00 p.m. Friday October 6
6:00 a.m. Monday October 9 through 4:00 p.m. Friday October 13
6:00 a.m. Monday October 16 through 4:00 p.m. Friday October 20
6:00 a.m. Monday October 23 through 4:00 p.m. Friday October 27
6:00 a.m. Monday October 30 through 4:00 p.m. Friday November 3.
- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7C, 7D, 7E, 8, 8A, 8D, 9, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 1995:

WAC 220-47-604 Puget Sound all-citizen commercial salmon fishery. (95-141)

WAC 388-15-840 Medicaid personal care services—Assessment—Authorization.

**WSR 95-20-049
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

**WSR 95-20-050
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 3905—Filed September 29, 1995, 4:02 p.m., effective October 1, 1995]

[Order 3906—Filed September 29, 1995, 4:20 p.m., effective October 1, 1995]

Date of Adoption: September 29, 1995.

Purpose: To comply with new laws and to delete obsolete rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-15-217, 388-15-820, and 388-15-840.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520.

Other Authority: Chapter 18, Laws of 1995 1st sp. sess.

Under 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: To avoid redundancy and clarify the department's purpose and intent.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 3.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 3.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 3.

Effective Date of Rule: October 1, 1995.

September 29, 1995
Sydney Doré
for Jeanette Sevedge-App
Acting Chief
Office of Vendor Services

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-15-217 Chore personal care services for employed disabled adults.
- WAC 388-15-820 Medicaid personal care services—Definitions.

Date of Adoption: September 29, 1995.

Purpose: Implement portion of Mickey Leland Hunger Relief Act.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-430 Vehicles—Resources.

Statutory Authority for Adoption: RCW 74.04.510.

Under RCW 34.05.350 the agency for good cause finds that state of 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: Federal statute is effective October 1, 1995.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 1, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1995.

September 29, 1995
Sydney Doré
for Jeanette Sevedge-App
Acting Chief
Office of Vendor Services

AMENDATORY SECTION (Amending Order 3836, filed 2/22/95, effective 4/1/95)

WAC 388-49-430 Resources—Vehicles. (1) The department shall exclude the entire value of a licensed vehicle even during periods of temporary unemployment if the vehicle is:

- (a) Used for income-producing purposes over fifty percent of the time the vehicle is in use. A vehicle excluded under this provision because the vehicle is used by a self-employed farmer or fisherman retains its exclusion for one year from the date the household member terminates self-employment from farming or fishing;

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(b) Annually producing income consistent with its fair market value;

(c) Necessary for long distance travel, other than daily commuting, that is essential to the employment of a household member, ineligible alien, or disqualified person whose resources are considered available to the household;

(d) Necessary for subsistence hunting or fishing;

(e) Used as the household's home;

(f) Used to carry fuel for heating or water for home use when such transported fuel or water is the primary source of fuel or water for the household; or

(g) Necessary to transport a temporarily or permanently physically disabled:

(i) Household member;

(ii) Ineligible alien whose resources are available to the household; or

(iii) Disqualified person whose resources are available to the household.

The exclusion is limited to one vehicle per physically disabled person.

(2) The department shall count the equity value of an unlicensed vehicle even during periods of temporary unemployment unless the vehicle is:

(a) Annually producing income consistent with its fair market value (FMV) even if only used on a seasonal basis; or

(b) Work-related equipment necessary for employment or self-employment of a household member.

(3) The department shall consider unlicensed vehicles the same as licensed vehicles if the vehicles are driven by Indian tribal members on those reservations not requiring vehicle licensing.

(4) The department shall count toward the household's resource maximum either the FMV in excess of four thousand (~~five~~) six hundred (~~fifty~~) dollars or the equity value of licensed vehicles, whichever is greater. Except, the department shall only count the FMV in excess of four thousand (~~five~~) six hundred (~~fifty~~) dollars for the following vehicles:

(a) One licensed vehicle per household regardless of the vehicle's use; and

(b) Any other licensed vehicle used for:

(i) Transportation to and from employment;

(ii) Seeking employment; or

(iii) Transportation for training or education.

(5) The department shall determine the FMV using vehicles listed in publications written for the purpose of providing guidance to automobile dealers and loan companies.

WSR 95-20-060
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

(Fisheries)

[Order 95-150—Filed October 3, 1995, 9:40 a.m.]

Date of Adoption: October 2, 1995.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600D; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

Under 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: The closures are required by the interim plan for joint management of Puget Sound Dungeness crab under Subproceeding 89-3 of *United States v. Washington*.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 1, amended 1, repealed 1; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

October 2, 1995

Robert Turner

Director

NEW SECTION

WAC 220-52-04600E Crab fishery—Seasons and areas. Notwithstanding the provisions of WAC 220-52-046, effective immediately until further notice:

(1) It is unlawful to pull or set commercial crab gear in the waters of Puget Sound from one-half hour after sunset to one-half hour before sunrise.

(2) It is unlawful to fish for or possess Dungeness crab taken for commercial purposes in the following areas:

a. All waters of Lummi Bay east of a line from the entrance buoy at Sandy Point to Gooseberry Point and all waters of Bellingham Bay west of a line from the exposed boulder at Point Francis to Stevie Point.

b. All waters of Similk Bay east of a line projected from the most westerly tip of Kiket Island through the center of Turner's Bay and all waters of Skagit Bay within a line projected from the Hope Island Inn to Seal Rocks, thence to the green #1 buoy at the entrance to the Swinomish Channel, thence to the northern tip of goat Island, and thence to the southern tip of McGlenn Island.

c. All waters east of a line projected from the five meter tower between Gedney Island and Priest Point to Point Barnum and south of a line projected west from Kayak Point, and north of a line projected from the five meter tower to Priest Point.

d. All waters of Marine Fish/Shellfish Catch Reporting Areas 26B, 26C, and 26D.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-04600D Crab fishery—Seasons and areas. (95-146)

**WSR 95-20-061
EMERGENCY RULES
CENTRAL WASHINGTON UNIVERSITY**
[Filed October 3, 1995, 9:55 a.m.]

Date of Adoption: September 29, 1995.

Purpose: Better define the titles to reflect the content of the policies and include the right to grieve in WAC 106-72-025.

Citation of Existing Rules Affected by this Order: Amending WAC 106-72-025 and 106-72-005.

Statutory Authority for Adoption: RCW 28B.35.120(12) and 28B.10.528.

Under 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: Affected persons will be aware of their rights.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 29, 1995
Ivory V. Nelson
President

AMENDATORY SECTION (Amending Order CWU AO 73, filed 9/30/94, effective 10/31/94)

WAC 106-72-005 Equal opportunity/affirmative action ((policy statement)) in employment. Central Washington University is ~~((committed to affirmative action for Asians, Blacks, Hispanics, Native Americans, women, persons forty years of age or older, persons of disability, disabled veterans and Vietnam-era veterans. This commit-~~

~~ment is expressed through the university's efforts to eliminate barriers to equal employment opportunity and improve employment opportunities encountered by these protected groups.~~

~~Furthermore, as)) an equal opportunity employer ((Central Washington)). The university will:~~

(1) Recruit, hire, train, and promote persons in all job titles, without regard to race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

(2) Ensure that all personnel actions such as compensation, benefits, transfers, terminations, layoffs, return from layoff, reductions in force (RIF), university-sponsored training, education, tuition assistance, and social and recreation programs, will be administered without regard to race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

Central Washington University is committed to affirmative action for Asians, Blacks, Hispanics, Native Americans, women, persons forty years of age or older, persons of disability, disabled veterans and Vietnam-era veterans. This commitment is expressed through the university's efforts to eliminate barriers to equal employment opportunity and improve employment opportunities encountered by these protected groups.

AMENDATORY SECTION (Amending Order CWU AO 73, filed 9/30/94, effective 10/31/94)

WAC 106-72-025 ~~((Nondiscrimination in delivery of services-))~~ Equal opportunity for students. Central Washington University will provide students equal access to all programs ~~((for all students))~~ and services on the basis of merit without regard to race, color, ~~((creed-))~~ religion, national origin, age, sex, sexual orientation, marital status, disability, or status as a disabled veteran or Vietnam-era veteran.

No person will be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the university including, but not limited to, admissions, academic programs, student employment, counseling and guidance services, financial aid, recreational activities, and intercollegiate athletics.

Programs may be developed by the university, however, for special student populations as affirmative action measures to overcome the effects of past discrimination.

No member of the university community shall treat students differently because of their race, color, religion, national origin, age, sex, sexual orientation, marital status, disability (except to provide reasonable accommodation), or status as a disabled veteran or Vietnam-era veteran. The university has established mechanisms to address complaints to discriminatory treatment, including harassing behaviors (e.g., physical, verbal, graphic, or written) which might lead to the creation of a hostile environment.

EMERGENCY

WSR 95-20-077
EMERGENCY RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)
 [Filed October 4, 1995, 9:30 a.m.]

Date of Adoption: September 25, 1995.

Purpose: Prevents the sale of products sold in Washington that do not comply with chapter 69.60 RCW.

Statutory Authority for Adoption: RCW 18.64.005.

Under 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: Will protect the public that purchase OTC drugs as the drugs will be clearly marked with the appropriate imprint.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 1, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 25, 1995
 Suann Bond
 Chair

NEW SECTION

WAC 246-885-030 Over-the-counter (OTC) drug imprint regulation. (1) Pursuant to the provisions of RCW 69.60.090, chapter 69.60 RCW will cease to exist in its entirety upon implementation by the federal Food and Drug Administration (FDA) of provisions regulating solid dosage imprinting of OTC medications and upon a finding by the Washington state board of pharmacy that the FDA regulations are substantially equivalent to those in chapter 69.60 RCW.

(2) The FDA adopted a final rule regarding OTC solid dosage imprinting, codified in 21 CFR 206.01-10. This rule became effective September 13, 1995. The applicability of the federal rule is limited to those products introduced into interstate commerce on or after the effective date of the regulation. The rule is inapplicable to those noncompliant products introduced into interstate commerce prior to the effective date and to those products pending FDA review and approval of applications submitted by the manufacturer.

(3) The board finds that the inapplicability of the FDA rule to noncompliant products introduced into interstate commerce before the effective date and to those products

currently on the market would permit the sale of these products in the state of Washington and thus fails to adequately protect the citizens of the state of Washington.

(4) Therefore, notwithstanding the provisions of 21 CFR 206.1 et seq. no nonimprinted solid dosage form drug that is intended for OTC sale may be distributed into or sold in the state of Washington unless it has been found by the board to be exempt from the provisions of this chapter or has received an exemption from the FDA pursuant to 21 CFR 206.7. Copies of official documents that support such exemptions shall be filed with the board prior to any distribution of the nonimprinted product(s).



WSR 95-20-007
RULES OF COURT
STATE SUPREME COURT
[September 21, 1995]

IN THE MATTER OF THE ADOPTION)
OF THE AMENDMENTS TO APR 12(h))
AND NEW APR 12.1) NO. 25700-A-566
) ORDER

The Washington State Bar Association having recom-
mended the adoption of the proposed amendments to APR
12(h) and New APR 12.1, and the Court having determined
that the proposed amendments will aid in the prompt and
orderly administration of justice and further determined that
an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) Amendments effective 60 days from date of publica-
tion.

DATED at Olympia, Washington this 21st day of
September, 1995.

Durham, C. J.

J. M. Dolliver

Charles W. Johnson

Charles Z. Smith

Talmadge, J.

Richard P. Guy

Madsen, J.

Gerry L. Alexander

Rosselle Pekelis

APR 12(h)

(h) Treatment of Funds Received Incident to the
Closing of Real or Personal Property Transactions.
Except to the extent certified closing officers are not
required to be employed in the selection, preparation and
completion of closing documents under APR 12 (g)(3),
persons admitted to practice under this rule shall comply
with APR 12.1 regarding the manner in which they identify,
maintain and disburse funds received incidental to the
closing of real and personal property transactions.

APR 12.1
[NEW RULE]

PRESERVING IDENTITY OF FUNDS AND PROPERTY IN
TRANSACTIONS CLOSED BY LIMITED PRACTICE OFFICERS

(a) For the purposes of this rule, the following defini-
tions apply:

"Certified Closing Officer" shall mean an officer
licensed in accordance with the procedures set forth in APR
12 and who has maintained his or her certification in
accordance with the rules and regulations of the Limited
Practice Board.

"Closing firm" shall mean any bank, depository institu-
tion, escrow agent, title company, or other business, whether
public or private, that employs or contracts for the services

of a certified closing officer for the purpose of providing real
or personal property closing services.

"Party" shall mean any person, corporation, partnership,
or other entity, including their authorized representatives,
having an interest in the real or personal property that is the
subject of the transaction being closed by the certified
closing officer.

"Transaction" shall mean any real or personal property
conveyance requiring the involvement of an attorney or
certified closing officer to select, prepare or complete
documents for the purpose of closing a loan, extension of
credit, sale or other transfer of title to or interest in real or
personal property.

(b) For all transactions in which a certified closing
officer has prepared documents under the authorization set
forth in rule 12(d), the certified closing officer shall insure
that all funds received by the closing firms incidental to the
closing of the transaction, including advances for costs and
expenses, shall be deposited into one or more identifiable
interest-bearing trust accounts maintained as set forth in
section (d), and no funds belonging to the certified closing
officer or the closing firm shall be deposited therein except
as follows:

(1) Funds reasonably sufficient to pay bank charges may
be deposited therein;

(2) Funds belonging in part to the parties to the real
estate or personal property transaction that is being closed
and in part presently or potentially to the certified closing
officer or the closing firm must be deposited therein, but the
portion belonging to the certified closing officer or the
closing firm may be withdrawn when due unless the right of
the certified closing officer or the closing firm to receive it
is disputed by the parties to the real or personal property
transaction, in which event the disputed portion shall not be
withdrawn until the dispute is finally resolved.

(c) Each trust account referred to in section (b) shall be
an interest-bearing trust account in any bank, credit union or
savings and loan association, selected by a certified closing
officer or the closing firm by which he or she is employed
to perform closing services in the exercise of ordinary
prudence, authorized by federal or state law to do business
in Washington and insured by the Federal Deposit Insurance
Corporation, the National Credit Union Share Insurance
Fund, or the Washington Credit Union Share Guaranty
Association, or which is a qualified public depository as
defined in RCW 39.58.010(2), or which bank, credit union,
savings and loan association or qualified public depository
has filed an agreement with the Disciplinary Board pursuant
to rule 13.4 of the Rules for Lawyer Discipline. Interest-
bearing trust funds shall be placed in accounts in which
withdrawals or transfers can be made without delay when
such funds are required, subject only to any notice period
which the depository institution is required to reserve by law
or regulation. Such account, if established in the name of
the closing firm, must reference the name(s) of the certified
closing officer(s) whose services are engaged in connection
with the real or personal property closing activities of the
closing firm.

(1) A certified closing officer who receives or whose
closing firm receives funds associated with a transaction
being closed by that officer shall maintain a pooled interest-
bearing trust account for deposit of funds that are nominal in

MISCELLANEOUS

amount or expected to be held for a short period of time. The interest accruing on this account, net of reasonable check and deposit processing charges which shall only include items deposited charge, monthly maintenance fee, per item check charge, and per deposit charge, shall be paid to The Legal Foundation of Washington, as established by the Supreme Court of Washington. All other fees and transaction costs shall be paid by the certified closing officer or the closing firm by which he or she is employed to perform closing services. A certified closing officer or closing firm may, but shall not be required to, notify the parties to the transaction of the intended use of such funds.

(2) All funds received from the parties to a transaction being closed by the certified closing officer, whether received by the certified closing officer or the closing firm, shall be deposited in the account specified in subsection (1) unless they are deposited in:

(i) a separate interest-bearing trust account containing funds pertaining to a specific real or personal property closing if directed by written agreement signed by the parties to the transaction and specifying the manner of distribution of accumulated interest to the parties to the transaction;

(ii) a separate interest-bearing trust account for a particular party to a real or personal property closing on which accumulated interest will be paid to that party; or

(iii) a pooled interest-bearing trust account with subaccounting that will provide for computation of interest earned by each party's funds and the payment thereof to the respective party.

(3) In determining whether to use the account specified in subsection (1) or an account specified in subsection (2), a certified closing officer shall consider only whether the funds to be invested could be utilized to provide a positive net return to the client, as determined by taking into account the following factors:

(i) the amount of interest that the funds would earn during the period they are expected to be deposited;

(ii) the cost of establishing and administering the account, including the cost of the certified closing officer's services and the cost of preparing any tax reports required for interest accruing to the party(ies)' benefit; and

(iii) the capability of financial institutions to calculate and pay interest to individual parties in the manner contemplated by subsection (2).

(4) As to accounts created under section (d), certified closing officers or the closing firms on whose behalf they are engaged in performing closing services shall direct the depository institution:

(i) to remit interest or dividends, net of reasonable check and deposit processing charges which shall only include items deposited charge, monthly maintenance fee, per item check charge, and per deposit charge, on the average monthly balance in the account, or as otherwise computed in accordance with an institution's standard accounting practice, at least quarterly, to The Legal Foundation of Washington. Other fees and transaction costs will be directed to the certified closing officer of the closing firm by which he or she is employed to perform closing services;

(ii) to transmit with each remittance to the Foundation a statement showing the name of the certified closing officer(s) for whom the remittance is sent, the rate of interest applied, and the amount of service charges deducted, if any,

and the account balance(s) of the period in which the report is made, with a copy of such statement to be transmitted to the depositing certified closing officer or closing firm.

(d) Notwithstanding any provision of any other rule, statute, or regulation, escrow and other funds held by a certified closing officer, or the closing firm, incident to the closing of any real or personal property transaction are funds subject to this rule regardless of how the certified closing officer, closing firm, or party(ies) view the funds.

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 95-20-013
NOTICE OF PUBLIC MEETINGS
PUBLIC EMPLOYEES BENEFITS BOARD**

[Memorandum—September 25, 1995]

**Public Employees Benefits Board
Meeting Schedule**

1996

January 9

March 12

May 14

July 9

August 13

(reserve for special meeting)

September 10

October 8

(Planning Session)

November 12

All meetings will begin at 1:00 p.m. and will be held at the Attorney General Conference Room at RoweSix in Lacey, Washington.

**WSR 95-20-014
RULES COORDINATOR
HEALTH CARE AUTHORITY**

[Filed September 25, 1995, 12:01 p.m.]

Elin Meyer's, Rules Coordinator for the Health Care Authority, correct mailstop is 42705.

Cyndi Presnell
Administrative Assistant
Audits and Contracts

**WSR 95-20-017
HEALTH CARE POLICY BOARD**

[Filed September 26, 1995, 1:45 p.m.]

In the Matter of:)
)
SOUTHWEST WASHINGTON MEDICAL) NOTICE OF HEARING
CENTER, ET AL.)
)

MISCELLANEOUS

TO: Robert J. Walerius, Law Offices of Reed McClure,
701 Fifth Avenue, #3600, Seattle, Washington
98104-7081

Southwest Washington Medical Center, The Vancouver Clinic, Medical Association of Vancouver, and Clark United Providers has filed a petition to approve certain conduct pursuant to the provisions of RCW 43.72.310. The Health Care Policy Board appoints Tom Hilyard, pursuant to provision of WAC 245-02-165, to serve as the Presiding Officer in this matter. The hearing is scheduled for December 7, 1995, at 10 a.m. at the Offices of the Attorney General (500 West 8th, #110, Vancouver, Washington) in the East Conference Room.

By close of business November 15, 1995, Petitioner shall serve two copies of a Brief on the Presiding Officer that addresses, with specificity, the factors set forth in RCW 43.72.310(4). Respondent's Brief shall be served on the Petitioner and the Presiding Officer by close of business November 29, 1995.

To the extent Petitioner wishes to submit proposed findings of fact and/or conclusions of law, they must be submitted to the Presiding Officer by close of business December 8, 1995.

DATED this 25 day of September, 1995.

BERNIE DOCHNAHL, Chair
Washington Health Care Policy Board

WASHINGTON HEALTH CARE POLICY BOARD

NOTICE OF PETITION TO APPROVE CERTAIN CONDUCT- IN THE MATTER OF SOUTHWEST WASHINGTON MEDICAL CENTER, ET AL.

Southwest Washington Medical Center, The Vancouver Clinic, Medical Associates of Vancouver, P.S., Northwest Surgical Specialists, P.S., and Clark United Providers have petitioned the Washington Health Care Policy Board to approve certain conduct which could lessen competition in the relevant market pursuant to the provision of RCW 43.72.310 and WAC 245-02-130 *et seq.* Consistent with the provision of WAC 245-02-131, the Health Care Policy Board is soliciting comments from the public on the Petition.

The conduct that is the subject of the Petition can be generally described as follows:

The proposed transaction is the merger of Southwest Washington Medical Center, The Vancouver Clinic, Medical Associates of Vancouver, P.S., and Northwest Surgical Specialists, P.S. into a single integrated health care delivery system. Clark United Providers will facilitate the merger, but will not be formally integrated into the resulting entity. The resulting entity will be nonprofit, tax-exempt, and community focused.

Southwest Washington Medical Center is a Washington nonprofit corporation that operates a hospital and medical center in Vancouver, Washington. Approximately 59 physicians have their primary practices based at the medical center. The medical center has various contractual relationships with these physicians. Some are employed by the medical center. Others are independent contractors.

The Vancouver Clinic is a Washington professional services corporation that operates as a fully integrated multi-specialty physician group practice composed of approximately 63 physicians. The Clinic's principal office is in Vancouver, Washington, with additional offices in Battle Ground, Washington.

Medical Associates of Vancouver is a Washington professional services corporation composed of six independent physician group practices in Vancouver and Camas, Washington. The independent physician groups that compose Medical Associates of Vancouver do business as Child Care Clinic, Columbia Surgical Group, Evergreen Pediatrics, Family Physicians' Group, SW Washington Cardiology, and Vancouver OB/GYN Group, P.S. As a group, Medical Associates of Vancouver number approximately 39 physicians.

Northwest Surgical Specialists is a Washington professional services corporation consisting of 13 physicians practicing in Vancouver, Washington. The services provided include neurosurgery, orthopedics, physical medicine and rehabilitation, and plastic/reconstructive surgery.

Clark United Providers is a Washington nonprofit cooperative association formed by Southwest Washington Medical Center and over 230 physicians practicing in Clark County, Washington to develop an integrated health care delivery system. Clark United Providers holds a certificate of registration as a health care service contractor and is currently using this certificate solely to offer the Basic Health Plan and Healthy Options Managed Medicaid. The physicians practicing with The Vancouver Clinic, Medical Associates of Vancouver, and Northwest Surgical Associates are members of Clark United Providers, as well as the hospital based physicians at Southwest Washington Medical Center. The integrated entity resulting from this proposed merger will also be a member of Clark United Providers, but Clark United Providers will remain a separate legal entity and will not itself be merging or consolidating with the remaining practitioners. Petitioners anticipate that additional members of Clark United Providers will also be consolidated into the entity during the next several years.

The entity resulting from this merger will conduct business in the greater Portland, Oregon/Vancouver, Washington metropolitan area. Its clinics and facilities will be located primarily in Clark County. The petitioners anticipate full legal integration of organizations and operations. The Southwest Washington Medical Center Medical Staff will remain open to physicians licensed to practice medicine in Washington and in good standing, whether or not those physicians are affiliated with petitioners.

Written comments may be filed with Tom Hilyard, Presiding Officer, Washington Health Care Policy Board, P.O. Box 41185, Olympia, Washington 98504-1185, and must be received by close of business on December 1, 1995.

WSR 95-20-018
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
[Memorandum—September 22, 1995]

The October 1995 Washington State Transportation Commission meetings will be held at 11:00 a.m. on Wednesday,

October 18, and 9:00 a.m. on Thursday, October 19, 1995, at the Spokane Airport Ramada Inn, Spokane, Washington. There will be committee meetings at 9:00 a.m., Wednesday, October 18, also at the Ramada Inn.

The November 1995 Washington State Transportation Commission meetings will be held at 1:00 p.m. on Wednesday, November 15, and 9:00 a.m. on Thursday, November 16, 1995, at the Transportation Building, Room 1D2, Olympia, Washington. There will be committee meetings at 9:00 a.m., Wednesday, November 15, also at the Transportation Building, Rooms 1D2 and 3F21.

WSR 95-20-023
NOTICE OF PUBLIC MEETINGS
FAMILY POLICY COUNCIL
[Memorandum—September 25, 1995]

1996 FAMILY POLICY COUNCIL

Meeting Schedule

- Location: The Attorney General's Conference Center
4224 6th Avenue S.E.
RoweSix - Building 1
Lacey, WA
- Time: 5:00 - 9:00 p.m.
- Dates: Tuesday, January 23
Tuesday, February 20
Tuesday, March 19
- Time: 1:00 - 5:00 p.m.
- Dates: Tuesday, April 23
Tuesday, May 21
Tuesday, June 18
Tuesday, July 23
Tuesday, August 20
Tuesday, September 17
Tuesday, October 22
Tuesday, November 19
Tuesday, December 17

WSR 95-20-024
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
[Memorandum—September 25, 1995]

The board of trustees of Community College District Number Eleven (Pierce College) would like to make the following change to an upcoming regular board meeting:

Meeting Date/Location	Time	Change to:
November 8, 1995 Ft. Steilacoom Campus	12:30	Change the meeting date to November 15, 1995 (Same time and location)

WSR 95-20-037
HEALTH CARE POLICY BOARD

[Filed September 28, 1995, 1:47 p.m.]

NOTICE OF WITHDRAWAL OF PETITION
TO APPROVE CERTAIN CONDUCT IN THE MATTER OF
LEWIS-CLARK VALLEY COMMUNITY HEALTH ORGANIZATION

Lewis-Clark Valley Community Health Organization has withdrawn their Petition to the Washington Health Care Policy Board to approve certain conduct which could have lessened competition in the relevant market, pursuant to the provision of RCW 43.72.310 and WAC 245-020130 [245-02-130] et seq. No further action will be taken in this matter.

WSR 95-20-042
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION IMPROVEMENT BOARD

[Memorandum—September 28, 1995]

Transportation Workshops

- Vancouver
Tuesday, October 31, 1995
City Council Chambers
210 East 13th Street
- Lynnwood
Wednesday, November 1, 1995
City Council Chambers
19100 44th Avenue West
- Bellingham
Thursday, November 2, 1995
Operations Division Training Room
2221 Pacific Street
- Tumwater
Friday, November 3, 1995
City Hall, Downstairs Training Room
555 Israel Road Southwest
- Richland
Tuesday, November 7, 1995 (Election Day)
City Council Chambers
505 Swift Boulevard
- Spokane
Wednesday, November 8, 1995
WSDOE Large Conference Room
North 4601 Monroe Street, Suite 100
- Wenatchee
Thursday, November 9, 1995
City Commission Chambers
129 South Chelan

The Transportation Improvement Board (TIB) and the Washington State Department of Transportation (WSDOT) invite you to participate in workshops that explain the transportation grants available to public agencies.

The workshops will help you understand the selection criteria and application process for state and federal funds, and how your six year program should be prepared. Questions will be answered at the close of each session.

MISCELLANEOUS

The daily agenda is:

WSDOT

- 9:00 to 10:00 - Six Year Program
- 10:00 to 10:15 - Break
- 10:15 to 11:45 - Federal programs consisting of STP Regional distribution, STP Transportation Enhancement, Bridge, Hazard Elimination, Congestion Mitigation and Air Quality, and other federal programs
- 11:45 to 1:00 - Lunch on your own

TIB

- 1:00 to 1:20 - Small Cities Account
- 1:20 to 1:50 - Urban Arterial Trust Account
- 1:50 to 2:20 - Transportation Improvement Account
- 2:20 to 2:35 - Break
- 2:35 to 2:55 - Pedestrian Facility Program
- 2:55 to 3:25 - STP State-wide Competitive
- 3:25 to 3:55 - Transit Programs (CPSPTA) in Lynnwood and Tumwater only, PTSA in all others)

Application packets will be available for all TIB programs and most TransAid programs.

If you need special accommodations for the workshop, please call Jennine at (360) 705-7549 at least ten days before the workshop.

WSR 95-20-043
NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE
 [Memorandum—September 27, 1995]

The board of trustees of Community College District No. 4, has revised its regular meeting schedule for the remainder of 1995 and 1996 as follows:

- October 2
- November 6
- December 4
- January 8
- February 5
- March 4
- April 1
- May 6
- June 3
- July 1
- September 2
- October 7
- November 4
- December 2

Meetings will begin at 5:00 p.m. Dates of board meetings to be held at the Whidbey campus and other centers will be determined later.

WSR 95-20-051
NOTICE OF PUBLIC MEETINGS
PUGET SOUND WATER
QUALITY AUTHORITY
 [Memorandum—September 29, 1995]

The authority meeting in October that was originally scheduled on October 18 in Bellingham is being changed to October 25 at the Snake Lake Nature Center in Tacoma. The address for the Nature Center is 1919 South Tyler.

WSR 95-20-052
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF TRANSPORTATION
 [Memorandum—October 2, 1995]

WAC WORKSHOPS SCHEDULE

Workshops to discuss a draft WAC rule on RCW 47.46.030 (3-11) will be held in the following locations.

SEATTLE

DATE: October 26, 1995
TIME: 9:00 a.m.-12:00 p.m.
LOCATION: Port of Seattle
 Commission Chambers
 2711 Alaskan Way, Pier 69
 Seattle, WA 98111

BELLEVUE

DATE: October 26, 1995
TIME: 1:30 p.m.-4:30 p.m.
LOCATION: Meydenbauer Center
 Room 403
 11100 N.E. 6th Street
 Bellevue, WA 98004

TACOMA

DATE: October 30, 1995
TIME: 9:00 a.m.-12:00 p.m.
LOCATION: Executive Inn/Fife
 JIB Room
 5700 Pacific Highway East
 Tacoma, WA 98424

MONROE

DATE: November 1, 1995
TIME: 1:30 p.m.-4:30 p.m.
LOCATION: Frank Wagner Middle School
 Wagner Auditorium
 639 West Main
 Monroe, WA 98272

WOODINVILLE

DATE: November 2, 1995
TIME: 9:00 a.m.-12:00 p.m.
LOCATION: Sammamish Valley Grange
 14654 148th N.E.
 Woodinville, WA 98072

BREMERTON

DATE: November 6, 1995
TIME: 9:00 a.m.-12:00 p.m.
LOCATION: Sheridan Recreation Center
 Lounge

MISCELLANEOUS

680 Lebo
Bremerton, WA 98310

WSR 95-20-053
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD
[Memorandum—September 29, 1995]

The Washington State Workforce Training and Education Coordinating Board's November meeting has been changed from November 30 to November 29, 1995, and will be held at:

The Aerospace Machinist District Lodge 751
9125 15 Place South
Seattle, WA

WSR 95-20-058
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
(Board of Natural Resources)
[Memorandum—September 29, 1995]

The next meeting of the Board of Natural Resources will be held on Tuesday, October 3, 1995. The meeting will begin at 9 a.m. in Senate Hearing Room 4, John A. Cherburg Building, Olympia, Washington. Please note change in location.

This meeting and workshop on the Habitat Conservation Plan is expected to last until approximately 8 p.m.

WSR 95-20-059
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
[Memorandum—September 27, 1995]

The Seattle Community College District board of trustees will hold their regular meeting at 6:00 p.m. on October 3, 1995, at the Wood Construction Center, 2310 South Lane, Seattle, WA 98144.

The meeting will be preceded by visiting a newly constructed house, being built by Wood Construction students, at 1104 24th Avenue South, Seattle, WA 98144. The tour will begin at 4:45 p.m.

WSR 95-20-072
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Examining Board of Psychology)
[Memorandum—September 27, 1995]

The following is a list of 1996 meeting dates for the Examining Board of Psychology.

January 12-13, 1996

Oral Examinations
Sea-Tac Holiday Inn
17338 International Boulevard
SeaTac, WA 98188

February 9-10, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

March 8-9, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

April 12-13, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

May 10-11, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

June 14-15, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

July 12-13, 1996

Oral Examinations
Sea-Tac Holiday Inn
17338 International Boulevard
SeaTac, WA 98188

August

No meeting

September 13-14, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

October 11-12, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

November 8-9, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

December 13-14, 1996

Valley Medical Center
Medical Art Center
400 South 43rd Street
Renton, WA 98055

WSR 95-20-081
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS
[Memorandum—October 3, 1995]

Please accept this memo as notice of our next meeting to be held on November 18, 1995, at the Washington Migrant Council Head Start, located at 501 Cayuse Street, Walla Walla, WA. The regular commission meeting will begin at 9:00 a.m. and end at 3:00 p.m. It will take place in the gymnasium at the Migrant Council Head Start.

An agenda can be obtained by calling the Commission on Hispanic Affairs at (360) 753-3159. The public is invited to offer comment throughout the meeting. Any questions regarding the meeting or request for special accommodation can be made by calling Roberto Reyes-Colon at the commission.

MISCELLANEOUS

Table of WAC Sections Affected

KEY TO TABLE

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.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an 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
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of 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

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 identify the document within the issue.

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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1-21-010	AMD	95-17-070	16-158-025	NEW	95-13-072	16-166-020	REP	95-13-074
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1-21-040	AMD-P	95-14-044	16-158-030	AMD-P	95-10-098	16-166-040	REP-P	95-10-100
1-21-040	AMD	95-17-070	16-158-030	AMD	95-13-072	16-166-040	REP	95-13-074
1-21-050	AMD-P	95-14-044	16-158-040	AMD-P	95-10-098	16-166-050	REP-P	95-10-100
1-21-050	AMD	95-17-070	16-158-040	AMD	95-13-072	16-166-050	REP	95-13-074
1-21-170	AMD-P	95-14-044	16-158-050	AMD-P	95-10-098	16-166-060	REP-P	95-10-100
1-21-170	AMD	95-17-070	16-158-050	AMD	95-13-072	16-166-060	REP	95-13-074
1-21-180	NEW-P	95-14-044	16-158-060	AMD-P	95-10-098	16-166-070	REP-P	95-10-100
1-21-180	NEW	95-17-070	16-158-070	REP-P	95-10-098	16-166-070	REP	95-13-074
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16-08-021	AMD	95-18-008	16-158-100	AMD-P	95-10-098	16-230-190	AMD	95-14-093
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16-101-700	AMD-W	95-11-082	16-158-130	AMD-P	95-10-098	16-316-727	AMD-P	95-18-062
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16-144-145	NEW	95-16-062	16-164	AMD	95-13-073	16-354-070	AMD	95-18-034
16-144-146	NEW-P	95-12-084	16-164-010	AMD-P	95-10-099	16-414-010	AMD-P	95-09-038
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16-144-147	NEW-P	95-12-084	16-164-020	AMD-P	95-10-099	16-414-015	NEW-P	95-09-038
16-144-147	NEW	95-16-062	16-164-020	AMD	95-13-073	16-414-015	NEW	95-13-038
16-144-148	NEW-P	95-12-084	16-164-030	AMD-P	95-10-099	16-414-020	AMD-P	95-09-038
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16-144-149	NEW-P	95-12-084	16-164-035	NEW-P	95-10-099	16-414-030	AMD-P	95-09-038
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16-144-150	NEW-P	95-12-084	16-164-040	AMD-P	95-10-099	16-414-085	NEW-P	95-09-038
16-144-150	NEW	95-16-062	16-164-040	AMD	95-13-073	16-414-085	NEW	95-13-038
16-144-151	NEW-P	95-12-084	16-164-060	AMD-P	95-10-099	16-414-090	AMD-P	95-09-038
16-144-151	NEW	95-16-062	16-164-060	AMD	95-13-073	16-414-090	AMD	95-13-038
16-145-010	NEW-P	95-19-052	16-164-070	AMD-P	95-10-099	16-414-095	NEW-P	95-09-038
16-145-010	NEW-W	95-20-020	16-164-070	AMD	95-13-073	16-414-095	NEW	95-13-038
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Table of WAC Sections Affected

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16-493-020	NEW	95-17-098	16-585-040	NEW	95-15-102	30-12-030	AMD-P	95-12-098
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16-493-025	NEW	95-17-098	16-585-050	NEW	95-15-102	30-12-050	AMD-P	95-12-098
16-493-030	NEW-P	95-15-097	16-585-060	NEW-P	95-05-071	30-12-050	AMD	95-15-040
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16-493-035	NEW	95-17-098	16-585-070	NEW	95-15-102	30-12-070	REP-P	95-12-098
16-493-040	NEW-P	95-15-097	16-585-080	NEW-P	95-05-071	30-12-070	REP	95-15-040
16-493-040	NEW	95-17-098	16-585-080	NEW	95-15-102	30-12-080	AMD-P	95-12-098
16-493-045	NEW-P	95-15-097	16-585-090	NEW-P	95-05-071	30-12-080	AMD	95-15-040
16-493-045	NEW	95-17-098	16-585-090	NEW	95-15-102	30-12-090	AMD-P	95-12-098
16-493-050	NEW-P	95-15-097	16-620-105	NEW-P	95-18-103	30-12-090	AMD	95-15-040
16-493-050	NEW	95-17-098	16-674	PREP	95-17-034	30-12-100	AMD-P	95-12-098
16-495-200	NEW-P	95-11-118	16-674-059	NEW-P	95-09-090	30-12-100	AMD	95-15-040
16-495-200	NEW-W	95-14-034	16-674-059	NEW-W	95-11-070	30-12-120	REP-P	95-12-098
16-495-205	NEW-P	95-11-118	16-674-060	AMD-P	95-09-090	30-12-120	REP	95-15-040
16-495-205	NEW-W	95-14-034	16-674-060	AMD-W	95-11-070	30-12-140	REP-P	95-12-098
16-495-210	NEW-P	95-11-118	16-674-080	AMD-P	95-09-090	30-12-140	REP	95-15-040
16-495-210	NEW-W	95-14-034	16-674-080	AMD-W	95-11-070	30-12-160	AMD-P	95-12-098
16-495-215	NEW-P	95-11-118	16-675-010	AMD-P	95-17-093	30-12-160	AMD	95-15-040
16-495-215	NEW-W	95-14-034	16-675-029	REP-P	95-09-089	30-14-010	NEW-P	95-12-098
16-495-220	NEW-P	95-11-118	16-675-029	REP-W	95-11-071	30-14-010	NEW	95-15-040
16-495-220	NEW-W	95-14-034	16-675-029	REP-P	95-17-093	30-14-020	NEW-P	95-12-098
16-495-225	NEW-P	95-11-118	16-675-030	AMD-P	95-09-089	30-14-020	NEW	95-15-040
16-495-225	NEW-W	95-14-034	16-675-030	AMD-W	95-11-071	30-14-030	NEW-P	95-12-098
16-495-230	NEW-P	95-11-118	16-675-030	AMD-P	95-17-093	30-14-030	NEW	95-15-040
16-495-230	NEW-W	95-14-034	16-675-039	REP-P	95-09-089	30-14-040	NEW-P	95-12-098
16-495-235	NEW-P	95-11-118	16-675-039	REP-W	95-11-071	30-14-040	NEW	95-15-040
16-495-235	NEW-W	95-14-034	16-675-039	REP-P	95-17-093	30-14-050	NEW-P	95-12-098
16-495-240	NEW-P	95-11-118	16-675-040	AMD-P	95-09-089	30-14-050	NEW	95-15-040
16-495-240	NEW-W	95-14-034	16-675-040	AMD-W	95-11-071	30-14-060	NEW-P	95-12-098
16-495-245	NEW-P	95-11-118	16-675-040	AMD-P	95-17-093	30-14-060	NEW	95-15-040
16-495-245	NEW-W	95-14-034	16-700-011	NEW-P	95-12-091	30-14-070	NEW-P	95-12-098
16-495-250	NEW-P	95-11-118	16-700-011	NEW	95-15-101	30-14-070	NEW	95-15-040
16-495-250	NEW-W	95-14-034	16-750	PREP	95-13-089	30-14-080	NEW-P	95-12-098
16-495-255	NEW-P	95-11-118	16-750-005	AMD-E	95-16-112	30-14-080	NEW	95-15-040
16-495-255	NEW-W	95-14-034	16-750-011	AMD	95-06-002	30-14-090	NEW-P	95-12-098
16-497-005	AMD-P	95-15-098	16-750-015	AMD	95-06-002	30-14-090	NEW	95-15-040
16-497-005	AMD	95-18-033	30	PREP	95-11-095	30-14-100	NEW-P	95-12-098
16-497-030	AMD-P	95-15-098	30-01-010	AMD-P	95-12-098	30-14-100	NEW	95-15-040
16-497-030	AMD	95-18-033	30-01-010	AMD	95-15-040	30-14-110	NEW-P	95-12-098
16-529-150	PREP	95-17-114	30-01-020	AMD-P	95-12-098	30-14-110	NEW	95-15-040
16-529-150	AMD-P	95-20-085	30-01-020	AMD	95-15-040	30-16-010	REP-P	95-12-098
16-532-035	PREP	95-09-079	30-01-030	REP-P	95-12-098	30-16-010	REP	95-15-040
16-532-035	AMD-P	95-10-095	30-01-030	REP	95-15-040	30-16-020	REP-P	95-12-098
16-532-035	AMD	95-17-118	30-01-040	AMD-P	95-12-098	30-16-020	REP	95-15-040
16-532-040	PREP	95-09-079	30-01-040	AMD	95-15-040	30-16-030	REP-P	95-12-098
16-532-040	AMD-P	95-10-095	30-01-050	AMD-P	95-12-098	30-16-030	REP	95-15-040
16-532-040	AMD	95-17-118	30-01-050	AMD	95-15-040	30-16-040	REP-P	95-12-098
16-532-101	PREP	95-09-079	30-01-060	AMD-P	95-12-098	30-16-040	REP	95-15-040
16-532-120	PREP	95-09-079	30-01-060	AMD	95-15-040	30-16-050	REP-P	95-12-098
16-532-120	AMD-P	95-10-095	30-02-010	NEW-P	95-12-098	30-16-050	REP	95-15-040
16-532-120	AMD	95-17-118	30-02-010	NEW	95-15-040	30-16-060	REP-P	95-12-098
16-536-020	PREP	95-08-005	30-04-040	AMD-P	95-12-098	30-16-060	REP	95-15-040
16-536-020	AMD-P	95-12-089	30-04-040	AMD	95-15-040	30-16-070	REP-P	95-12-098
16-536-020	AMD	95-17-117	30-04-050	AMD-P	95-12-098	30-16-070	REP	95-15-040
16-540-040	PREP	95-17-113	30-04-050	AMD	95-15-040	30-16-080	REP-P	95-12-098
16-540-040	AMD-P	95-20-084	30-04-060	AMD-P	95-12-098	30-16-080	REP	95-15-040
16-557-010	PREP	95-08-003	30-04-060	AMD	95-15-040	30-16-090	REP-P	95-12-098
16-557-020	AMD-P	95-12-090	30-04-090	AMD-P	95-12-098	30-16-090	REP	95-15-040
16-557-020	AMD	95-17-116	30-04-090	AMD	95-15-040	30-16-100	REP-P	95-12-098
16-560-060001	AMD-P	95-19-102	30-04-100	REP-P	95-12-098	30-16-100	REP	95-15-040
16-580	PREP	95-08-004	30-04-100	REP	95-15-040	30-16-110	REP-P	95-12-098
16-580	AMD-C	95-17-115	30-04-110	REP-P	95-12-098	30-16-110	REP	95-15-040
16-580-020	AMD-P	95-10-096	30-04-110	REP	95-15-040	30-16-120	REP-P	95-12-098
16-580-070	AMD-P	95-10-096	30-08-030	AMD-P	95-12-098	30-16-120	REP	95-15-040
16-585-010	NEW-P	95-05-071	30-08-030	AMD	95-15-040	30-18-010	NEW-P	95-12-098
16-585-010	NEW	95-15-102	30-08-040	AMD-P	95-12-098	30-18-010	NEW	95-15-040
16-585-020	NEW-P	95-05-071	30-08-040	AMD	95-15-040	30-18-020	NEW-P	95-12-098
16-585-020	NEW	95-15-102	30-12-010	AMD-P	95-12-098	30-18-020	NEW	95-15-040

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
30-18-030	NEW-P	95-12-098	30-24-070	REP	95-15-040	30-40-030	REP-P	95-12-098
30-18-030	NEW	95-15-040	30-24-080	REP-P	95-12-098	30-40-030	REP	95-15-040
30-18-040	NEW-P	95-12-098	30-24-080	REP	95-15-040	30-40-050	AMD-P	95-12-098
30-18-040	NEW	95-15-040	30-24-090	REP-P	95-12-098	30-40-050	AMD	95-15-040
30-18-050	NEW-P	95-12-098	30-24-090	REP	95-15-040	30-40-060	AMD-P	95-12-098
30-18-050	NEW	95-15-040	30-24-100	REP-P	95-12-098	30-40-060	AMD	95-15-040
30-18-060	NEW-P	95-12-098	30-24-100	REP	95-15-040	30-40-070	AMD-P	95-12-098
30-18-060	NEW	95-15-040	30-26-010	NEW-P	95-12-098	30-40-070	AMD	95-15-040
30-18-070	NEW-P	95-12-098	30-26-010	NEW	95-15-040	30-40-080	AMD-P	95-12-098
30-18-070	NEW	95-15-040	30-26-020	NEW-P	95-12-098	30-40-080	AMD	95-15-040
30-18-080	NEW-P	95-12-098	30-26-020	NEW	95-15-040	30-40-090	AMD-P	95-12-098
30-18-080	NEW	95-15-040	30-26-030	NEW-P	95-12-098	30-40-090	AMD	95-15-040
30-18-090	NEW-P	95-12-098	30-26-030	NEW	95-15-040	30-44	AMD-P	95-12-098
30-18-090	NEW	95-15-040	30-26-040	NEW-P	95-12-098	30-44	AMD	95-15-040
30-18-100	NEW-P	95-12-098	30-26-040	NEW	95-15-040	30-44-010	AMD-P	95-12-098
30-18-100	NEW	95-15-040	30-26-050	NEW-P	95-12-098	30-44-010	AMD	95-15-040
30-18-110	NEW-P	95-12-098	30-26-050	NEW	95-15-040	30-44-020	AMD-P	95-12-098
30-18-110	NEW	95-15-040	30-26-060	NEW-P	95-12-098	30-44-020	AMD	95-15-040
30-20-010	REP-P	95-12-098	30-26-060	NEW	95-15-040	30-44-030	AMD-P	95-12-098
30-20-010	REP	95-15-040	30-26-070	NEW-P	95-12-098	30-44-030	AMD	95-15-040
30-20-020	REP-P	95-12-098	30-26-070	NEW	95-15-040	30-44-040	AMD-P	95-12-098
30-20-020	REP	95-15-040	30-26-080	NEW-P	95-12-098	30-44-040	AMD	95-15-040
30-20-030	REP-P	95-12-098	30-26-080	NEW	95-15-040	30-44-050	AMD-P	95-12-098
30-20-030	REP	95-15-040	30-26-090	NEW-P	95-12-098	30-44-050	AMD	95-15-040
30-20-040	REP-P	95-12-098	30-26-090	NEW	95-15-040	30-44-060	NEW-P	95-12-098
30-20-040	REP	95-15-040	30-28-010	REP-P	95-12-098	30-44-060	NEW	95-15-040
30-20-050	REP-P	95-12-098	30-28-010	REP	95-15-040	30-48-010	REP-P	95-12-098
30-20-050	REP	95-15-040	30-28-020	REP-P	95-12-098	30-48-010	REP	95-15-040
30-20-060	REP-P	95-12-098	30-28-020	REP	95-15-040	30-48-020	REP-P	95-12-098
30-20-060	REP	95-15-040	30-28-030	REP-P	95-12-098	30-48-020	REP	95-15-040
30-20-070	REP-P	95-12-098	30-28-030	REP	95-15-040	30-48-030	REP-P	95-12-098
30-20-070	REP	95-15-040	30-28-040	REP-P	95-12-098	30-48-030	REP	95-15-040
30-20-080	REP-P	95-12-098	30-28-040	REP	95-15-040	30-48-040	REP-P	95-12-098
30-20-080	REP	95-15-040	30-32-010	REP-P	95-12-098	30-48-040	REP	95-15-040
30-20-090	REP-P	95-12-098	30-32-010	REP	95-15-040	30-48-050	REP-P	95-12-098
30-20-090	REP	95-15-040	30-32-020	REP-P	95-12-098	30-48-050	REP	95-15-040
30-20-100	REP-P	95-12-098	30-32-020	REP	95-15-040	30-48-060	REP-P	95-12-098
30-20-100	REP	95-15-040	30-32-030	REP-P	95-12-098	30-48-060	REP	95-15-040
30-20-110	REP-P	95-12-098	30-32-030	REP	95-15-040	30-48-070	REP-P	95-12-098
30-20-110	REP	95-15-040	30-32-040	REP-P	95-12-098	30-48-070	REP	95-15-040
30-20-120	REP-P	95-12-098	30-32-040	REP	95-15-040	50-20	PREP	95-13-090
30-20-120	REP	95-15-040	30-32-050	REP-P	95-12-098	50-30	PREP	95-16-025
30-22-010	NEW-P	95-12-098	30-32-050	REP	95-15-040	50-30-005	NEW-E	95-18-060
30-22-010	NEW	95-15-040	30-32-060	REP-P	95-12-098	50-30-010	AMD-E	95-18-060
30-22-020	NEW-P	95-12-098	30-32-060	REP	95-15-040	50-30-015	NEW-E	95-18-060
30-22-020	NEW	95-15-040	30-32-070	REP-P	95-12-098	50-30-020	AMD-E	95-18-060
30-22-030	NEW-P	95-12-098	30-32-070	REP	95-15-040	50-30-025	NEW-E	95-18-060
30-22-030	NEW	95-15-040	30-32-080	REP-P	95-12-098	50-30-030	AMD-E	95-18-060
30-22-040	NEW-P	95-12-098	30-32-080	REP	95-15-040	50-30-035	NEW-E	95-18-060
30-22-040	NEW	95-15-040	30-36-010	REP-P	95-12-098	50-30-050	AMD-E	95-18-060
30-22-050	NEW-P	95-12-098	30-36-010	REP	95-15-040	50-30-065	NEW-E	95-18-060
30-22-050	NEW	95-15-040	30-36-020	REP-P	95-12-098	50-30-068	NEW-E	95-18-060
30-22-060	NEW-P	95-12-098	30-36-020	REP	95-15-040	50-30-070	AMD-E	95-18-060
30-22-060	NEW	95-15-040	30-36-030	REP-P	95-12-098	50-30-075	NEW-E	95-18-060
30-22-070	NEW-P	95-12-098	30-36-030	REP	95-15-040	50-30-080	AMD-E	95-18-060
30-22-070	NEW	95-15-040	30-36-040	REP-P	95-12-098	50-30-085	NEW-E	95-18-060
30-22-080	NEW-P	95-12-098	30-36-040	REP	95-15-040	50-60-010	AMD-P	95-05-084
30-22-080	NEW	95-15-040	30-36-050	REP-P	95-12-098	50-60-010	AMD	95-13-091
30-22-090	NEW-P	95-12-098	30-36-050	REP	95-15-040	50-60-020	AMD-P	95-05-084
30-22-090	NEW	95-15-040	30-36-060	REP-P	95-12-098	50-60-020	AMD	95-13-091
30-24-010	REP-P	95-12-098	30-36-060	REP	95-15-040	50-60-030	AMD-P	95-05-084
30-24-010	REP	95-15-040	30-36-070	REP-P	95-12-098	50-60-030	AMD	95-13-091
30-24-020	REP-P	95-12-098	30-36-070	REP	95-15-040	50-60-035	NEW-P	95-05-084
30-24-020	REP	95-15-040	30-36-080	REP-P	95-12-098	50-60-035	NEW	95-13-091
30-24-030	REP-P	95-12-098	30-36-080	REP	95-15-040	50-60-040	AMD-P	95-05-084
30-24-030	REP	95-15-040	30-36-090	REP-P	95-12-098	50-60-040	AMD	95-13-091
30-24-040	REP-P	95-12-098	30-36-090	REP	95-15-040	50-60-042	NEW-P	95-05-084
30-24-040	REP	95-15-040	30-36-100	REP-P	95-12-098	50-60-042	NEW	95-13-091
30-24-050	REP-P	95-12-098	30-36-100	REP	95-15-040	50-60-045	AMD-P	95-05-084
30-24-050	REP	95-15-040	30-36-110	REP-P	95-12-098	50-60-045	AMD	95-13-091
30-24-060	REP-P	95-12-098	30-36-110	REP	95-15-040	50-60-050	AMD-P	95-05-084
30-24-060	REP	95-15-040	30-40-020	AMD-P	95-12-098	50-60-050	AMD	95-13-091
30-24-070	REP-P	95-12-098	30-40-020	AMD	95-15-040	50-60-060	AMD-P	95-05-084

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
50-60-060	AMD	95-13-091	51-20-0100	REP-P	95-04-106	51-20-1227	REP	95-11-107
50-60-070	AMD-P	95-05-084	51-20-0100	REP	95-11-107	51-20-1228	REP-P	95-04-106
50-60-070	AMD	95-13-091	51-20-0104	REP-P	95-04-106	51-20-1228	REP	95-11-107
50-60-080	AMD-P	95-05-084	51-20-0104	REP	95-11-107	51-20-1229	REP-P	95-04-106
50-60-080	AMD	95-13-091	51-20-0300	REP-P	95-04-106	51-20-1229	REP	95-11-107
50-60-08001	NEW-P	95-05-084	51-20-0300	REP	95-11-107	51-20-1230	REP-P	95-04-106
50-60-08002	NEW-P	95-05-084	51-20-0307	REP-P	95-04-106	51-20-1230	REP	95-11-107
50-60-08003	NEW-P	95-05-084	51-20-0307	REP	95-11-107	51-20-1231	REP-P	95-04-106
50-60-08004	NEW-P	95-05-084	51-20-0400	REP-P	95-04-106	51-20-1231	REP	95-11-107
50-60-08005	NEW-P	95-05-084	51-20-0400	REP	95-11-107	51-20-1232	REP-P	95-04-106
50-60-08005	NEW	95-13-091	51-20-0404	REP-P	95-04-106	51-20-1232	REP	95-11-107
50-60-08006	NEW-P	95-05-084	51-20-0404	REP	95-11-107	51-20-1233	REP-P	95-04-106
50-60-08007	NEW-P	95-05-084	51-20-0407	REP-P	95-04-106	51-20-1233	REP	95-11-107
50-60-08008	NEW-P	95-05-084	51-20-0407	REP	95-11-107	51-20-1234	REP-P	95-04-106
50-60-08010	NEW	95-13-091	51-20-0409	REP-P	95-04-106	51-20-1234	REP	95-11-107
50-60-08015	NEW	95-13-091	51-20-0409	REP	95-11-107	51-20-1800	REP-P	95-04-106
50-60-08020	NEW	95-13-091	51-20-0414	REP-P	95-04-106	51-20-1800	REP	95-11-107
50-60-08025	NEW	95-13-091	51-20-0414	REP	95-11-107	51-20-1807	REP-P	95-04-106
50-60-08030	NEW	95-13-091	51-20-0417	REP-P	95-04-106	51-20-1807	REP	95-11-107
50-60-08035	NEW	95-13-091	51-20-0417	REP	95-11-107	51-20-2300	REP-P	95-04-106
50-60-08040	NEW	95-13-091	51-20-0420	REP-P	95-04-106	51-20-2300	REP	95-11-107
50-60-09001	NEW-P	95-05-084	51-20-0420	REP	95-11-107	51-20-2312	REP-P	95-04-106
50-60-09002	NEW-P	95-05-084	51-20-0500	REP-P	95-04-106	51-20-2312	REP	95-11-107
50-60-09003	NEW-P	95-05-084	51-20-0500	REP	95-11-107	51-20-2700	REP-P	95-04-106
50-60-09004	NEW-P	95-05-084	51-20-0503	REP-P	95-04-106	51-20-2700	REP	95-11-107
50-60-09005	NEW	95-13-091	51-20-0503	REP	95-11-107	51-20-2710	REP-P	95-04-106
50-60-09010	NEW	95-13-091	51-20-0514	REP-P	95-04-106	51-20-2710	REP	95-11-107
50-60-09015	NEW	95-13-091	51-20-0514	REP	95-11-107	51-20-3000	REP-P	95-04-106
50-60-09020	NEW	95-13-091	51-20-0515	REP-P	95-04-106	51-20-3000	REP	95-11-107
50-60-100	AMD-P	95-05-084	51-20-0515	REP	95-11-107	51-20-3007	REP-P	95-04-106
50-60-100	AMD	95-13-091	51-20-0551	REP-P	95-04-106	51-20-3007	REP	95-11-107
50-60-110	AMD-P	95-05-084	51-20-0551	REP	95-11-107	51-20-3100	REP-P	95-04-106
50-60-110	AMD	95-13-091	51-20-0600	REP-P	95-04-106	51-20-3100	REP	95-11-107
50-60-120	AMD-P	95-05-084	51-20-0600	REP	95-11-107	51-20-3101	REP-P	95-04-106
50-60-120	AMD	95-13-091	51-20-0605	REP-P	95-04-106	51-20-3101	REP	95-11-107
50-60-125	NEW-P	95-05-084	51-20-0605	REP	95-11-107	51-20-3102	REP-P	95-04-106
50-60-125	NEW	95-13-091	51-20-0700	REP-P	95-04-106	51-20-3102	REP	95-11-107
50-60-130	AMD-P	95-05-084	51-20-0700	REP	95-11-107	51-20-3103	REP-P	95-04-106
50-60-130	AMD	95-13-091	51-20-0702	REP-P	95-04-106	51-20-3103	REP	95-11-107
50-60-140	AMD-P	95-05-084	51-20-0702	REP	95-11-107	51-20-3104	REP-P	95-04-106
50-60-140	AMD	95-13-091	51-20-0800	REP-P	95-04-106	51-20-3104	REP	95-11-107
50-60-145	NEW	95-13-091	51-20-0800	REP	95-11-107	51-20-3105	REP-P	95-04-106
50-60-150	AMD-P	95-05-084	51-20-0801	REP-P	95-04-106	51-20-3105	REP	95-11-107
50-60-150	AMD	95-13-091	51-20-0801	REP	95-11-107	51-20-3106	REP-P	95-04-106
50-60-160	AMD-P	95-05-084	51-20-0802	REP-P	95-04-106	51-20-3106	REP	95-11-107
50-60-160	AMD	95-13-091	51-20-0802	REP	95-11-107	51-20-3107	REP-P	95-04-106
50-60-165	AMD-P	95-05-084	51-20-0900	REP-P	95-04-106	51-20-3107	REP	95-11-107
50-60-165	AMD	95-13-091	51-20-0900	REP	95-11-107	51-20-3108	REP-P	95-04-106
50-60-180	REP-P	95-05-084	51-20-0901	REP-P	95-04-106	51-20-3108	REP	95-11-107
50-60-180	REP	95-13-091	51-20-0901	REP	95-11-107	51-20-3109	REP-P	95-04-106
50-60-190	NEW-P	95-05-084	51-20-0902	REP-P	95-04-106	51-20-3109	REP	95-11-107
50-60-190	NEW	95-13-091	51-20-0902	REP	95-11-107	51-20-3110	REP-P	95-04-106
50-60-200	NEW-P	95-05-084	51-20-1000	REP-P	95-04-106	51-20-3110	REP	95-11-107
50-60-200	NEW	95-13-091	51-20-1000	REP	95-11-107	51-20-3111	REP-P	95-04-106
50-60-210	NEW-P	95-05-084	51-20-1011	REP-P	95-04-106	51-20-3111	REP	95-11-107
50-60-210	NEW	95-13-091	51-20-1011	REP	95-11-107	51-20-3112	REP-P	95-04-106
51-20	PREP	95-03-086	51-20-1200	REP-P	95-04-106	51-20-3112	REP	95-11-107
51-20-001	REP-P	95-04-106	51-20-1200	REP	95-11-107	51-20-3113	REP-P	95-04-106
51-20-001	REP	95-11-107	51-20-1201	REP-P	95-04-106	51-20-3113	REP	95-11-107
51-20-002	REP-P	95-04-106	51-20-1201	REP	95-11-107	51-20-3114	REP-P	95-04-106
51-20-002	REP	95-11-107	51-20-1210	REP-P	95-04-106	51-20-3114	REP	95-11-107
51-20-003	REP-P	95-04-106	51-20-1210	REP	95-11-107	51-20-3151	REP-P	95-04-106
51-20-003	REP	95-11-107	51-20-1215	REP-P	95-04-106	51-20-3151	REP	95-11-107
51-20-004	REP-P	95-04-106	51-20-1215	REP	95-11-107	51-20-3152	REP-P	95-04-106
51-20-004	REP	95-11-107	51-20-1223	REP-P	95-04-106	51-20-3152	REP	95-11-107
51-20-005	REP-P	95-04-106	51-20-1223	REP	95-11-107	51-20-3153	REP-P	95-04-106
51-20-005	REP	95-11-107	51-20-1224	REP-P	95-04-106	51-20-3153	REP	95-11-107
51-20-007	REP-P	95-04-106	51-20-1224	REP	95-11-107	51-20-3154	REP-P	95-04-106
51-20-007	REP	95-11-107	51-20-1225	REP-P	95-04-106	51-20-3154	REP	95-11-107
51-20-008	REP-P	95-04-106	51-20-1225	REP	95-11-107	51-20-3155	REP-P	95-04-106
51-20-008	REP	95-11-107	51-20-1226	REP-P	95-04-106	51-20-3155	REP	95-11-107
51-20-009	REP-P	95-04-106	51-20-1226	REP	95-11-107	51-20-3156	REP-P	95-04-106
51-20-009	REP	95-11-107	51-20-1227	REP-P	95-04-106	51-20-3156	REP	95-11-107

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
51-20-3300	REP-P	95-04-106	51-22-004	REP	95-11-107	51-24-45211	REP	95-11-107
51-20-3300	REP	95-11-107	51-22-005	REP-P	95-04-106	51-24-78000	REP-P	95-04-106
51-20-3304	REP-P	95-04-106	51-22-005	REP	95-11-107	51-24-78000	REP	95-11-107
51-20-3304	REP	95-11-107	51-22-007	REP-P	95-04-106	51-24-78201	REP-P	95-04-106
51-20-3306	REP-P	95-04-106	51-22-007	REP	95-11-107	51-24-78201	REP	95-11-107
51-20-3306	REP	95-11-107	51-22-008	REP-P	95-04-106	51-24-79000	REP-P	95-04-106
51-20-3315	REP-P	95-04-106	51-22-008	REP	95-11-107	51-24-79000	REP	95-11-107
51-20-3315	REP	95-11-107	51-22-0400	REP-P	95-04-106	51-24-79601	REP-P	95-04-106
51-20-3350	REP-P	95-04-106	51-22-0400	REP	95-11-107	51-24-79601	REP	95-11-107
51-20-3350	REP	95-11-107	51-22-0423	REP-P	95-04-106	51-24-79603	REP-P	95-04-106
51-20-3800	REP-P	95-04-106	51-22-0423	REP	95-11-107	51-24-79603	REP	95-11-107
51-20-3800	REP	95-11-107	51-22-0500	REP-P	95-04-106	51-24-79809	REP-P	95-04-106
51-20-3801	REP-P	95-04-106	51-22-0500	REP	95-11-107	51-24-79809	REP	95-11-107
51-20-3801	REP	95-11-107	51-22-0504	REP-P	95-04-106	51-24-79901	REP-P	95-04-106
51-20-3802	REP-P	95-04-106	51-22-0504	REP	95-11-107	51-24-79901	REP	95-11-107
51-20-3802	REP	95-11-107	51-22-0800	REP-P	95-04-106	51-24-80000	REP-P	95-04-106
51-20-3900	REP-P	95-04-106	51-22-0800	REP	95-11-107	51-24-80000	REP	95-11-107
51-20-3900	REP	95-11-107	51-22-0807	REP-P	95-04-106	51-24-80101	REP-P	95-04-106
51-20-3901	REP-P	95-04-106	51-22-0807	REP	95-11-107	51-24-80101	REP	95-11-107
51-20-3901	REP	95-11-107	51-22-0807	REP	95-11-107	51-24-80101	REP	95-11-107
51-20-3903	REP-P	95-04-106	51-22-1000	REP-P	95-04-106	51-24-80103	REP-P	95-04-106
51-20-3903	REP	95-11-107	51-22-1000	REP	95-11-107	51-24-80103	REP	95-11-107
51-20-5100	REP-P	95-04-106	51-22-1002	REP-P	95-04-106	51-24-80108	REP-P	95-04-106
51-20-5100	REP	95-11-107	51-22-1002	REP	95-11-107	51-24-80108	REP	95-11-107
51-20-5100	REP	95-11-107	51-22-1100	REP-P	95-04-106	51-24-80109	REP-P	95-04-106
51-20-5103	REP-P	95-04-106	51-22-1100	REP	95-11-107	51-24-80109	REP	95-11-107
51-20-5103	REP	95-11-107	51-22-1104	REP-P	95-04-106	51-24-80110	REP-P	95-04-106
51-20-5105	REP-P	95-04-106	51-22-1104	REP	95-11-107	51-24-80110	REP	95-11-107
51-20-5105	REP	95-11-107	51-22-1500	REP-P	95-04-106	51-24-80111	REP-P	95-04-106
51-20-5400	REP-P	95-04-106	51-22-1500	REP	95-11-107	51-24-80111	REP	95-11-107
51-20-5400	REP	95-11-107	51-22-1508	REP-P	95-04-106	51-24-80113	REP-P	95-04-106
51-20-5401	REP-P	95-04-106	51-22-1508	REP	95-11-107	51-24-80113	REP	95-11-107
51-20-5401	REP	95-11-107	51-22-1508	REP	95-11-107	51-24-80113	REP	95-11-107
51-20-93100	REP-P	95-04-106	51-22-1900	REP-P	95-04-106	51-24-80114	REP-P	95-04-106
51-20-93100	REP	95-11-107	51-22-1900	REP	95-11-107	51-24-80114	REP	95-11-107
51-20-93115	REP-P	95-04-106	51-22-1903	REP-P	95-04-106	51-24-80120	REP-P	95-04-106
51-20-93115	REP	95-11-107	51-22-1903	REP	95-11-107	51-24-80120	REP	95-11-107
51-20-93115	REP	95-11-107	51-24	PREP	95-03-086	51-24-80202	REP-P	95-04-106
51-20-93116	REP-P	95-04-106	51-24-001	REP-P	95-04-106	51-24-80202	REP	95-11-107
51-20-93116	REP	95-11-107	51-24-001	REP	95-11-107	51-24-80301	REP-P	95-04-106
51-20-93117	REP-P	95-04-106	51-24-002	REP-P	95-04-106	51-24-80301	REP	95-11-107
51-20-93117	REP	95-11-107	51-24-002	REP	95-11-107	51-24-80303	REP-P	95-04-106
51-20-93118	REP-P	95-04-106	51-24-003	REP-P	95-04-106	51-24-80303	REP	95-11-107
51-20-93118	REP	95-11-107	51-24-003	REP	95-11-107	51-24-80305	REP-P	95-04-106
51-20-93119	REP-P	95-04-106	51-24-007	REP-P	95-04-106	51-24-80305	REP	95-11-107
51-20-93119	REP	95-11-107	51-24-007	REP	95-11-107	51-24-80315	REP-P	95-04-106
51-20-93120	REP-P	95-04-106	51-24-008	REP-P	95-04-106	51-24-80315	REP	95-11-107
51-20-93120	REP	95-11-107	51-24-008	REP	95-11-107	51-24-80401	REP-P	95-04-106
51-21	PREP	95-03-086	51-24-008	REP	95-11-107	51-24-80401	REP	95-11-107
51-21-001	REP-P	95-04-106	51-24-04000	REP-P	95-04-106	51-24-80402	REP-P	95-04-106
51-21-001	REP	95-11-107	51-24-04000	REP	95-11-107	51-24-80402	REP	95-11-107
51-21-002	REP-P	95-04-106	51-24-04123	REP-P	95-04-106	51-24-99500	REP-P	95-04-106
51-21-002	REP	95-11-107	51-24-04123	REP	95-11-107	51-24-99500	REP	95-11-107
51-21-003	REP-P	95-04-106	51-24-09000	REP-P	95-04-106	51-24-99510	REP-P	95-04-106
51-21-003	REP	95-11-107	51-24-09000	REP	95-11-107	51-24-99510	REP	95-11-107
51-21-007	REP-P	95-04-106	51-24-09105	REP-P	95-04-106	51-25	PREP	95-03-086
51-21-007	REP	95-11-107	51-24-09105	REP	95-11-107	51-25-001	REP-P	95-04-106
51-21-008	REP-P	95-04-106	51-24-09107	REP-P	95-04-106	51-25-001	REP	95-11-107
51-21-008	REP	95-11-107	51-24-09107	REP	95-11-107	51-25-002	REP-P	95-04-106
51-21-31010	REP-P	95-04-106	51-24-09110	REP-P	95-04-106	51-25-002	REP	95-11-107
51-21-31010	REP	95-11-107	51-24-09110	REP	95-11-107	51-25-003	REP-P	95-04-106
51-21-38030	REP-P	95-04-106	51-24-09117	REP-P	95-04-106	51-25-003	REP	95-11-107
51-21-38030	REP	95-11-107	51-24-09117	REP	95-11-107	51-25-007	REP-P	95-04-106
51-21-38038	REP-P	95-04-106	51-24-10000	REP-P	95-04-106	51-25-007	REP	95-11-107
51-21-38038	REP	95-11-107	51-24-10000	REP	95-11-107	51-25-008	REP-P	95-04-106
51-21-38039	REP-P	95-04-106	51-24-10201	REP-P	95-04-106	51-25-008	REP	95-11-107
51-21-38039	REP	95-11-107	51-24-10201	REP	95-11-107	51-30-0311	NEW-W	95-05-055
51-22	PREP	95-03-086	51-24-10507	REP-P	95-04-106	51-30-0417	NEW-W	95-05-055
51-22-001	REP-P	95-04-106	51-24-10507	REP	95-11-107	51-30-0502	NEW-W	95-05-055
51-22-001	REP	95-11-107	51-24-25000	REP-P	95-04-106	51-30-3102	NEW-P	95-16-125
51-22-002	REP-P	95-04-106	51-24-25000	REP	95-11-107	51-30-31200	NEW-P	95-16-125
51-22-002	REP	95-11-107	51-24-25107	REP-P	95-04-106	51-30-31201	NEW-P	95-16-125
51-22-003	REP-P	95-04-106	51-24-25107	REP	95-11-107	51-30-31201	NEW-P	95-16-125
51-22-003	REP	95-11-107	51-24-45000	REP-P	95-04-106	51-30-31202	NEW-P	95-16-125
51-22-004	REP-P	95-04-106	51-24-45000	REP	95-11-107	51-30-31203	NEW-P	95-16-125
			51-24-45211	REP-P	95-04-106	51-30-31204	NEW-P	95-16-125

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
51-30-31205	NEW-P	95-16-125	67-25-288	NEW	95-06-057	130-10	PREP	95-06-057
51-30-31206	NEW-P	95-16-125	67-25-300	AMD	95-06-057	131-12-010	AMD-E	95-10-012
51-30-31207	NEW-P	95-16-125	67-25-325	AMD	95-06-057	131-12-010	PREP	95-10-017
51-30-31208	NEW-P	95-16-125	67-25-326	AMD	95-06-057	131-12-010	AMD-P	95-10-018
51-30-31209	NEW-P	95-16-125	67-25-350	AMD	95-06-057	131-12-010	AMD-C	95-13-005
51-30-31210	NEW-P	95-16-125	67-25-360	AMD	95-06-057	131-12-010	AMD	95-13-068
51-34-7901	NEW-W	95-05-054	67-25-380	AMD	95-06-057	131-16-005	PREP	95-05-026
51-35-09000	NEW-W	95-05-054	67-25-384	AMD	95-06-057	131-16-005	REP-P	95-06-064
51-35-52404	NEW-W	95-05-054	67-25-385	REP	95-06-057	131-16-005	REP	95-10-014
51-35-52411	NEW-W	95-05-054	67-25-388	AMD	95-06-057	131-16-056	PREP	95-10-087
51-35-52417	NEW-W	95-05-054	67-25-390	AMD	95-06-057	131-16-056	NEW-P	95-10-089
51-35-52501	NEW-W	95-05-054	67-25-392	REP	95-06-057	131-16-056	NEW-C	95-13-006
51-35-52502	NEW-W	95-05-054	67-25-394	AMD	95-06-057	131-16-056	NEW	95-13-069
51-35-52503	NEW-W	95-05-054	67-25-396	AMD	95-06-057	131-28	AMD-C	95-13-007
51-35-52504	NEW-W	95-05-054	67-25-398	NEW	95-06-057	131-28-010	AMD-E	95-07-004
51-35-52505	NEW-W	95-05-054	67-25-399	NEW	95-06-057	131-28-010	PREP	95-10-088
51-35-52506	NEW-W	95-05-054	67-25-400	AMD	95-06-057	131-28-010	AMD-P	95-10-090
51-35-52507	NEW-W	95-05-054	67-25-404	AMD	95-06-057	131-28-010	AMD	95-13-070
51-35-52508	NEW-W	95-05-054	67-25-408	AMD	95-06-057	131-28-015	AMD-E	95-07-004
51-35-52509	NEW-W	95-05-054	67-25-412	AMD	95-06-057	131-28-015	PREP	95-10-088
55-01	PREP	95-04-058	67-25-416	AMD	95-06-057	131-28-015	AMD-P	95-10-090
55-01-010	AMD-E	95-04-075	67-25-418	NEW	95-06-057	131-28-015	AMD	95-13-070
55-01-010	AMD-E	95-12-016	67-25-420	REP	95-06-057	131-28-021	AMD-E	95-07-004
55-01-010	AMD-E	95-20-012	67-25-428	REP	95-06-057	131-28-021	PREP	95-10-088
55-01-020	AMD-E	95-04-075	67-25-432	AMD	95-06-057	131-28-021	AMD-P	95-10-090
55-01-020	AMD-E	95-12-016	67-25-436	NEW	95-06-057	131-28-021	AMD	95-13-070
55-01-020	AMD-E	95-20-012	67-25-440	AMD	95-06-057	131-28-025	AMD-E	95-07-004
55-01-030	AMD-E	95-04-075	67-25-444	AMD	95-06-057	131-28-025	PREP	95-10-088
55-01-030	AMD-E	95-12-016	67-25-446	AMD	95-06-057	131-28-025	AMD-P	95-10-090
55-01-030	AMD-E	95-20-012	67-25-448	AMD	95-06-057	131-28-025	AMD	95-13-070
55-01-040	AMD-E	95-04-075	67-25-452	AMD	95-06-057	131-28-02501	NEW-E	95-07-004
55-01-040	AMD-E	95-12-016	67-25-500	REP	95-06-057	131-28-02501	PREP	95-10-088
55-01-040	AMD-E	95-20-012	67-25-505	REP	95-06-057	131-28-02501	NEW-P	95-10-090
55-01-050	AMD-E	95-04-075	67-25-510	REP	95-06-057	131-28-02501	NEW	95-13-070
55-01-050	AMD-E	95-12-016	67-25-525	REP	95-06-057	131-28-026	AMD-E	95-07-004
55-01-050	AMD-E	95-20-012	67-25-530	REP	95-06-057	131-28-026	PREP	95-10-088
55-01-060	AMD-E	95-04-075	67-25-540	AMD	95-06-057	131-28-026	AMD-P	95-10-090
55-01-060	AMD-E	95-12-016	67-25-545	AMD	95-06-057	131-28-026	AMD	95-13-070
55-01-060	AMD-E	95-20-012	67-25-550	AMD	95-06-057	131-28-026	AMD-E	95-19-063
55-01-070	AMD-E	95-04-075	67-25-560	AMD	95-06-057	131-28-028	REP-E	95-07-004
55-01-070	AMD-E	95-12-016	67-25-570	AMD	95-06-057	131-28-028	PREP	95-10-088
55-01-070	AMD-E	95-20-012	67-25-590	AMD	95-06-057	131-28-028	REP-P	95-10-090
60-12-010	PREP	95-04-090	67-35-030	PREP	95-04-012	131-28-028	REP	95-13-070
60-12-010	AMD-P	95-06-085	67-35-030	AMD-P	95-05-040	131-28-030	AMD-E	95-07-004
60-12-010	AMD	95-10-097	67-35-030	AMD	95-12-007	131-28-030	PREP	95-10-088
67-25-005	AMD	95-06-057	67-35-210	PREP	95-04-012	131-28-030	AMD-P	95-10-090
67-25-010	AMD	95-06-057	67-35-210	AMD-P	95-05-040	131-28-030	AMD	95-13-070
67-25-015	AMD	95-06-057	67-35-210	AMD	95-12-007	131-28-040	AMD-E	95-07-004
67-25-020	AMD	95-06-057	67-35-215	PREP	95-04-012	131-28-040	PREP	95-10-088
67-25-025	AMD	95-06-057	67-35-215	NEW-P	95-05-040	131-28-040	AMD-P	95-10-090
67-25-030	AMD	95-06-057	67-35-215	NEW	95-12-007	131-28-040	AMD	95-13-070
67-25-050	AMD	95-06-057	67-35-220	PREP	95-04-012	131-28-045	AMD-E	95-07-004
67-25-055	AMD	95-06-057	67-35-220	AMD-P	95-05-040	131-28-045	PREP	95-10-088
67-25-056	NEW	95-06-057	67-35-220	AMD	95-12-007	131-28-045	AMD-P	95-10-090
67-25-070	AMD	95-06-057	67-35-230	PREP	95-04-012	131-28-045	AMD	95-13-070
67-25-075	AMD	95-06-057	67-35-230	AMD-P	95-05-040	131-28-080	AMD-E	95-07-004
67-25-077	AMD	95-06-057	67-35-230	AMD	95-12-007	131-28-080	PREP	95-10-088
67-25-080	AMD	95-06-057	67-35-350	PREP	95-04-012	131-28-080	AMD-P	95-10-090
67-25-085	AMD	95-06-057	67-35-350	REP-P	95-05-040	131-28-080	AMD	95-13-070
67-25-090	AMD	95-06-057	67-35-350	REP	95-12-007	131-28-085	AMD-E	95-07-004
67-25-095	AMD	95-06-057	67-35-360	PREP	95-04-012	131-28-085	PREP	95-10-088
67-25-100	AMD	95-06-057	67-35-360	AMD-P	95-05-040	131-28-085	AMD-P	95-10-090
67-25-105	REP	95-06-057	67-35-360	AMD	95-12-007	131-28-085	AMD	95-13-070
67-25-110	AMD	95-06-057	67-35-430	PREP	95-04-012	131-28-090	AMD-E	95-07-004
67-25-120	REP	95-06-057	67-35-430	AMD-P	95-05-040	131-28-090	PREP	95-10-088
67-25-255	AMD	95-06-057	67-35-430	AMD	95-12-007	131-28-090	AMD-P	95-10-090
67-25-257	AMD	95-06-057	82-50-021	AMD-P	95-11-116	131-28-090	AMD	95-13-070
67-25-260	AMD	95-06-057	82-50-021	AMD	95-15-031	131-46-135	NEW-P	95-06-054
67-25-270	AMD	95-06-057	106-72-005	PREP	95-18-087	131-46-135	NEW	95-10-013
67-25-275	AMD	95-06-057	106-72-005	AMD-E	95-20-061	132D-300	PREP	95-16-050
67-25-280	AMD	95-06-057	106-72-025	PREP	95-18-087	132D-300-005	PREP	95-16-050
67-25-281	REP	95-06-057	106-72-025	AMD-E	95-20-061	132D-300-010	REP-P	95-19-080
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132D-300-040	REP-P	95-19-080	132H-160-095	REP	95-19-049	133-20-060	PREP	95-12-080
132D-305-005	NEW-P	95-19-080	132H-160-182	AMD-E	95-11-098	133-20-060	AMD-P	95-13-078
132D-310-005	NEW-P	95-19-080	132H-160-182	PREP	95-14-068	133-20-100	AMD-P	95-13-078
132D-315-005	NEW-P	95-19-080	132I-130	PREP	95-06-004	133-20-120	PREP	95-12-080
132G-126-010	REP-P	95-04-008	132I-130-030	NEW-P	95-06-083	133-20-120	AMD-P	95-13-078
132G-126-010	REP	95-07-103	132I-130-030	NEW	95-09-072	133-30	PREP	95-12-081
132G-126-020	REP-P	95-04-008	132I-160	PREP	95-10-021	133-30-010	REP-P	95-13-077
132G-126-020	REP	95-07-103	132I-160-110	AMD-P	95-11-102	133-30-020	REP-P	95-13-077
132G-126-030	REP-P	95-04-008	132I-160-110	AMD	95-15-026	133-30-030	REP-P	95-13-077
132G-126-030	REP	95-07-103	132K-120	PREP	95-11-136	133-30-040	REP-P	95-13-077
132G-126-040	REP-P	95-04-008	132K-120-005	REP-P	95-12-103	133-30-050	REP-P	95-13-077
132G-126-040	REP	95-07-103	132K-120-005	REP	95-17-073	133-30-060	REP-P	95-13-077
132G-126-050	REP-P	95-04-008	132K-120-010	REP-P	95-12-103	133-30-070	REP-P	95-13-077
132G-126-050	REP	95-07-103	132K-120-010	REP	95-17-073	133-30-080	REP-P	95-13-077
132G-126-060	REP-P	95-04-008	132K-120-015	REP-P	95-12-103	133-40-010	PREP	95-12-082
132G-126-060	REP	95-07-103	132K-120-015	REP	95-17-073	133-40-010	AMD-P	95-13-076
132G-126-070	REP-P	95-04-008	132K-120-020	REP-P	95-12-103	133-40-020	PREP	95-12-082
132G-126-070	REP	95-07-103	132K-120-020	REP	95-17-073	133-40-020	AMD-P	95-13-076
132G-126-080	REP-P	95-04-008	132K-120-025	REP-P	95-12-103	133-40-030	PREP	95-12-082
132G-126-080	REP	95-07-103	132K-120-025	REP	95-17-073	133-40-030	AMD-P	95-13-076
132G-126-200	REP-P	95-04-008	132K-120-030	REP-P	95-12-103	133-40-040	PREP	95-12-082
132G-126-200	REP	95-07-103	132K-120-030	REP	95-17-073	133-40-040	AMD-P	95-13-076
132G-126-210	REP-P	95-04-008	132K-120-035	REP-P	95-12-103	137-28-005	REP	95-15-044
132G-126-210	REP	95-07-103	132K-120-035	REP	95-17-073	137-28-006	REP	95-15-044
132G-126-220	REP-P	95-04-008	132K-120-035	REP	95-17-073	137-28-010	REP	95-15-044
132G-126-220	REP	95-07-103	132K-120-040	REP-P	95-12-103	137-28-015	REP	95-15-044
132G-126-230	REP-P	95-04-008	132K-120-040	REP	95-17-073	137-28-020	REP	95-15-044
132G-126-230	REP	95-07-103	132K-120-045	REP-P	95-12-103	137-28-025	REP	95-15-044
132G-126-240	REP-P	95-04-008	132K-120-045	REP	95-17-073	137-28-030	REP	95-15-044
132G-126-240	REP	95-07-103	132K-120-050	REP-P	95-12-103	137-28-031	REP	95-15-044
132G-126-250	REP-P	95-04-008	132K-120-050	REP	95-17-073	137-28-032	REP	95-15-044
132G-126-250	REP	95-07-103	132K-120-055	REP-P	95-12-103	137-28-035	REP	95-15-044
132G-126-260	REP-P	95-04-008	132K-120-055	REP	95-17-073	137-28-040	REP	95-15-044
132G-126-260	REP	95-07-103	132K-120-060	REP-P	95-12-103	137-28-045	REP	95-15-044
132G-126-270	REP-P	95-04-008	132K-120-060	REP	95-17-073	137-28-050	REP	95-15-044
132G-126-270	REP	95-07-103	132K-120-065	REP-P	95-12-103	137-28-055	REP	95-15-044
132G-126-280	REP-P	95-04-008	132K-120-065	REP	95-17-073	137-28-065	REP	95-15-044
132G-126-280	REP	95-07-103	132K-120-070	REP-P	95-12-103	137-28-072	REP	95-15-044
132G-126-290	REP-P	95-04-008	132K-120-070	REP	95-17-073	137-28-075	REP	95-15-044
132G-126-290	REP	95-07-103	132K-120-075	REP-P	95-12-103	137-28-080	REP	95-15-044
132G-126-300	REP-P	95-04-008	132K-120-075	REP	95-17-073	137-28-085	REP	95-15-044
132G-126-300	REP	95-07-103	132K-120-080	REP-P	95-12-103	137-28-090	REP	95-15-044
132G-126-310	REP-P	95-04-008	132K-120-080	REP	95-17-073	137-28-093	REP	95-15-044
132G-126-310	REP	95-07-103	132K-120-085	REP-P	95-12-103	137-28-094	REP	95-15-044
132G-126-320	REP-P	95-04-008	132K-120-085	REP	95-17-073	137-28-095	REP	95-15-044
132G-126-320	REP	95-07-103	132K-130-010	PREP	95-11-137	137-28-097	REP	95-15-044
132G-126-330	REP-P	95-04-008	132K-130-010	NEW-P	95-12-102	137-28-100	REP	95-15-044
132G-126-330	REP	95-07-103	132K-130-010	NEW	95-17-072	137-28-105	REP	95-15-044
132G-126-340	REP-P	95-04-008	132M-108-020	AMD-P	95-13-097	137-28-107	REP	95-15-044
132G-126-340	REP	95-07-103	132M-108-020	AMD	95-16-069	137-28-110	REP	95-15-044
132G-126-350	REP-P	95-04-008	132M-108-090	NEW-P	95-06-052	137-28-115	REP	95-15-044
132G-126-350	REP	95-07-103	132M-108-090	NEW	95-11-014	137-28-120	REP	95-15-044
132G-126-360	REP-P	95-04-008	132M-160-040	NEW-P	95-13-097	137-28-130	REP	95-15-044
132G-126-360	REP	95-07-103	132M-160-040	NEW	95-16-069	137-28-140	NEW	95-15-044
132G-126-370	REP-P	95-04-008	132M-160-050	NEW-P	95-13-097	137-28-150	NEW	95-15-044
132G-126-370	REP	95-07-103	132M-160-050	NEW	95-16-069	137-28-160	NEW	95-15-044
132G-126-380	REP-P	95-04-008	132Q-04-076	NEW-P	95-11-019	137-28-170	NEW	95-15-044
132G-126-380	REP	95-07-103	132Q-04-076	NEW	95-16-066	137-28-180	NEW	95-15-044
132G-126-390	REP-P	95-04-008	132Q-04-077	NEW-P	95-11-020	137-28-190	NEW	95-15-044
132G-126-390	REP	95-07-103	132Q-04-077	NEW	95-16-067	137-28-200	NEW	95-15-044
132G-126-400	REP-P	95-04-008	132Q-04-078	NEW-P	95-11-021	137-28-210	NEW	95-15-044
132G-126-400	REP	95-07-103	132Q-04-078	NEW	95-16-068	137-28-220	NEW	95-15-044
132G-160-075	PREP	95-15-016	132Q-04-097	NEW	95-03-060	137-28-230	NEW	95-15-044
132H-121-020	NEW-P	95-19-081	133-10-010	PREP	95-12-079	137-28-240	NEW	95-15-044
132H-121-020	NEW-P	95-14-069	133-10-010	AMD-P	95-13-075	137-28-250	NEW	95-15-044
132H-121-020	NEW	95-19-050	133-10-020	PREP	95-12-079	137-28-260	NEW	95-15-044
132H-160-052	NEW-P	95-14-070	133-10-020	AMD-P	95-13-075	137-28-270	NEW	95-15-044
132H-160-052	NEW	95-19-049	133-10-030	AMD-P	95-13-075	137-28-280	NEW	95-15-044
132H-160-093	REP-P	95-14-070	133-20-010	PREP	95-12-080	137-28-290	NEW	95-15-044
132H-160-093	REP	95-19-049	133-20-010	AMD-P	95-13-078	137-28-300	NEW	95-15-044
132H-160-094	REP-P	95-14-070	133-20-020	PREP	95-12-080	137-28-310	NEW	95-15-044
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137-28-350	NEW	95-15-044	173-19-2519	AMD-P	95-12-092	173-303-070	AMD-P	95-11-113
137-28-360	NEW	95-15-044	173-19-2519	AMD	95-17-039	173-303-071	AMD-P	95-11-113
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137-28-380	NEW	95-15-044	173-19-2521	AMD-P	95-11-088	173-303-073	NEW-P	95-11-113
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139-10-210	AMD	95-08-036	173-19-3507	AMD-S	95-03-082	173-303-104	AMD-P	95-11-113
139-10-210	AMD	95-09-070	173-19-3507	AMD	95-08-042	173-303-110	AMD-P	95-11-113
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162-22	PREP	95-18-047	173-19-3514	AMD	95-11-008	173-303-140	AMD-P	95-11-113
162-30	PREP	95-18-047	173-19-360	PREP	95-07-019	173-303-141	AMD-P	95-11-113
173-06-010	REP-P	95-03-081	173-19-360	AMD	95-07-125	173-303-145	AMD-P	95-11-113
173-06-010	REP	95-07-058	173-19-360	AMD-P	95-09-052	173-303-150	AMD-P	95-11-113
173-06-020	REP-P	95-03-081	173-19-360	AMD	95-18-102	173-303-160	AMD-P	95-11-113
173-06-020	REP	95-07-058	173-19-370	AMD	95-12-026	173-303-161	AMD-P	95-11-113
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173-06-030	REP	95-07-058	173-19-420	AMD-P	95-11-089	173-303-180	AMD-P	95-11-113
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173-06-110	NEW	95-07-058	173-175-030	AMD-P	95-18-104	173-303-230	AMD-P	95-11-113
173-06-120	NEW-P	95-03-081	173-175-070	AMD-P	95-18-104	173-303-240	AMD-P	95-11-113
173-06-120	NEW	95-07-058	173-175-390	AMD-P	95-18-104	173-303-250	AMD-P	95-11-113
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173-10-010	REP-P	95-20-071	173-175-820	REP-P	95-18-104	173-303-340	AMD-P	95-11-113
173-10-020	REP-P	95-20-071	173-204-100	AMD-P	95-16-023	173-303-350	AMD-P	95-11-113
173-10-030	REP-P	95-20-071	173-204-130	AMD-P	95-16-023	173-303-355	AMD-P	95-11-113
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173-12-020	REP	95-09-036	173-204-590	AMD-P	95-16-023	173-303-560	AMD-P	95-11-113
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173-12-040	REP	95-09-036	173-221A-110	NEW-P	95-17-107	173-303-630	AMD-P	95-11-113
173-12-050	REP-P	95-05-065	173-224-040	AMD-P	95-15-045	173-303-640	AMD-P	95-11-113
173-12-050	REP	95-09-036	173-224-050	AMD-P	95-15-045	173-303-645	AMD-P	95-11-113
173-12-060	REP-P	95-05-065	173-224-070	REP-P	95-15-045	173-303-646	AMD-P	95-11-113
173-12-060	REP	95-09-036	173-224-090	AMD-P	95-15-045	173-303-650	AMD-P	95-11-113
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173-19-1301	AMD	95-12-057	173-303-016	AMD-P	95-11-113	173-303-660	AMD-P	95-11-113
173-19-250	PREP	95-04-101	173-303-017	AMD-P	95-11-113	173-303-665	AMD-P	95-11-113
173-19-250	AMD-P	95-07-144	173-303-020	AMD-P	95-11-113	173-303-670	AMD-P	95-11-113
173-19-250	AMD	95-20-046	173-303-030	AMD-P	95-11-113	173-303-675	NEW-P	95-11-113
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173-303-695	NEW-P	95-11-113	173-360-990	NEW-P	95-15-104	173-422-160	AMD	95-06-068
173-303-700	AMD-P	95-11-113	173-360-100	AMD	95-04-102	173-422-170	AMD	95-06-068
173-303-800	AMD-P	95-11-113	173-360-110	AMD	95-04-102	173-422-190	AMD	95-06-068
173-303-801	AMD-P	95-11-113	173-360-120	AMD	95-04-102	173-422-195	AMD	95-06-068
173-303-802	AMD-P	95-11-113	173-360-130	AMD	95-04-102	173-430-010	AMD	95-03-083
173-303-804	AMD-P	95-11-113	173-360-190	AMD	95-04-102	173-430-020	AMD	95-03-083
173-303-805	AMD-P	95-11-113	173-360-200	AMD	95-04-102	173-430-030	AMD	95-03-083
173-303-806	AMD-P	95-11-113	173-360-210	AMD	95-04-102	173-430-040	AMD	95-03-083
173-303-807	AMD-P	95-11-113	173-360-305	AMD	95-04-102	173-430-050	AMD	95-03-083
173-303-808	AMD-P	95-11-113	173-360-310	AMD	95-04-102	173-430-060	AMD	95-03-083
173-303-809	AMD-P	95-11-113	173-360-320	AMD	95-04-102	173-430-070	AMD	95-03-083
173-303-810	AMD-P	95-11-113	173-360-325	AMD	95-04-102	173-430-080	AMD	95-03-083
173-303-830	AMD-P	95-11-113	173-360-330	AMD	95-04-102	173-430-090	NEW	95-03-083
173-303-840	AMD-P	95-11-113	173-360-335	AMD	95-04-102	173-430-100	NEW	95-03-083
173-303-902	AMD-P	95-11-113	173-360-340	AMD	95-04-102	173-548	AMD-C	95-06-055
173-303-905	AMD-P	95-11-113	173-360-345	AMD	95-04-102	173-548	PREP	95-12-059
173-303-910	AMD-P	95-11-113	173-360-350	AMD	95-04-102	173-548-010	AMD-E	95-07-009
173-303-9903	AMD-P	95-11-113	173-360-370	AMD	95-04-102	173-548-010	AMD-W	95-12-065
173-303-9904	AMD-P	95-11-113	173-360-380	AMD	95-04-102	173-548-015	NEW-E	95-07-009
173-303-9905	AMD-P	95-11-113	173-360-385	AMD	95-04-102	173-548-015	NEW-W	95-12-065
173-303-9906	AMD-P	95-11-113	173-360-600	AMD	95-04-102	173-548-030	AMD-E	95-07-009
173-330-010	REP-P	95-15-104	173-360-610	AMD	95-04-102	173-548-030	AMD-W	95-12-065
173-330-020	REP-P	95-15-104	173-360-620	NEW	95-04-102	173-563-015	AMD	95-02-066
173-330-030	REP-P	95-15-104	173-360-630	AMD	95-04-102	173-564-040	AMD	95-02-066
173-330-040	REP-P	95-15-104	173-360-640	REP	95-04-102	174-116-010	PREP	95-05-010
173-330-050	REP-P	95-15-104	173-360-650	REP	95-04-102	174-116-011	PREP	95-05-010
173-330-060	REP-P	95-15-104	173-360-655	REP	95-04-102	174-116-020	PREP	95-05-010
173-330-070	REP-P	95-15-104	173-360-660	REP	95-04-102	174-116-020	AMD-P	95-07-132
173-330-900	REP-P	95-15-104	173-360-680	REP	95-04-102	174-116-020	AMD	95-16-093
173-340-200	AMD-P	95-15-078	173-360-690	REP	95-04-102	174-116-030	PREP	95-05-010
173-340-440	AMD-P	95-15-078	173-360-695	REP	95-04-102	174-116-030	AMD-P	95-07-132
173-340-530	AMD-P	95-15-078	173-400	PREP	95-06-067	174-116-030	AMD	95-16-093
173-340-700	AMD-P	95-15-078	173-400-030	AMD	95-07-126	174-116-040	PREP	95-05-010
173-340-706	AMD-P	95-15-078	173-400-099	NEW	95-07-126	174-116-040	AMD-P	95-07-132
173-340-740	AMD-P	95-15-078	173-400-100	AMD	95-07-126	174-116-040	AMD	95-16-093
173-340-745	AMD-P	95-15-078	173-400-101	AMD	95-07-126	174-116-041	PREP	95-05-010
173-351	PREP	95-13-088	173-400-102	NEW	95-07-126	174-116-041	AMD-P	95-07-132
173-354	NEW-C	95-16-109	173-400-103	NEW	95-07-126	174-116-041	AMD	95-16-093
173-354	NEW-C	95-20-066	173-400-104	NEW	95-07-126	174-116-042	PREP	95-05-010
173-354-008	NEW-P	95-15-104	173-400-171	AMD	95-07-126	174-116-042	AMD-P	95-07-132
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173-354-020	NEW-P	95-15-104	173-420-020	AMD	95-18-022	174-116-042	PREP	95-05-010
173-354-050	NEW-P	95-15-104	173-420-030	AMD-P	95-10-052	174-116-043	AMD-P	95-07-132
173-354-070	NEW-P	95-15-104	173-420-030	AMD	95-18-022	174-116-043	AMD	95-16-093
173-354-090	NEW-P	95-15-104	173-420-040	AMD-P	95-10-052	174-116-044	PREP	95-05-010
173-354-100	NEW-P	95-15-104	173-420-040	AMD	95-18-022	174-116-044	AMD-P	95-07-132
173-354-150	NEW-P	95-15-104	173-420-050	AMD-P	95-10-052	174-116-044	AMD	95-16-093
173-354-200	NEW-P	95-15-104	173-420-050	AMD	95-18-022	174-116-046	PREP	95-05-010
173-354-230	NEW-P	95-15-104	173-420-055	NEW-P	95-10-052	174-116-046	AMD-P	95-07-132
173-354-300	NEW-P	95-15-104	173-420-055	NEW	95-18-022	174-116-046	AMD	95-16-093
173-354-320	NEW-P	95-15-104	173-420-060	AMD-P	95-10-052	174-116-050	PREP	95-05-010
173-354-340	NEW-P	95-15-104	173-420-060	AMD	95-18-022	174-116-050	AMD-P	95-07-132
173-354-360	NEW-P	95-15-104	173-420-065	NEW-P	95-10-052	174-116-050	AMD	95-16-093
173-354-380	NEW-P	95-15-104	173-420-065	NEW	95-18-022	174-116-060	PREP	95-05-010
173-354-400	NEW-P	95-15-104	173-420-070	AMD-P	95-10-052	174-116-060	AMD-P	95-07-132
173-354-440	NEW-P	95-15-104	173-420-070	AMD	95-18-022	174-116-060	AMD	95-16-093
173-354-460	NEW-P	95-15-104	173-420-080	AMD-P	95-10-052	174-116-071	PREP	95-05-010
173-354-500	NEW-P	95-15-104	173-420-080	AMD	95-18-022	174-116-071	AMD-P	95-07-132
173-354-515	NEW-P	95-15-104	173-420-110	AMD-P	95-10-052	174-116-071	AMD	95-16-093
173-354-525	NEW-P	95-15-104	173-420-110	AMD	95-18-022	174-116-072	PREP	95-05-010
173-354-535	NEW-P	95-15-104	173-420-120	NEW-P	95-10-052	174-116-072	AMD-P	95-07-132
173-354-545	NEW-P	95-15-104	173-420-120	NEW	95-18-022	174-116-072	AMD	95-16-093
173-354-555	NEW-P	95-15-104	173-422	PREP	95-18-075	174-116-080	PREP	95-05-010
173-354-600	NEW-P	95-15-104	173-422-020	AMD	95-06-068	174-116-080	AMD-P	95-07-132
173-354-620	NEW-P	95-15-104	173-422-030	AMD	95-06-068	174-116-080	AMD	95-16-093
173-354-640	NEW-P	95-15-104	173-422-035	AMD	95-06-068	174-116-091	PREP	95-05-010
173-354-660	NEW-P	95-15-104	173-422-050	AMD	95-06-068	174-116-091	AMD-P	95-07-132
173-354-670	NEW-P	95-15-104	173-422-060	AMD	95-06-068	174-116-091	AMD	95-16-093
173-354-680	NEW-P	95-15-104	173-422-065	AMD	95-06-068	174-116-092	PREP	95-05-010
173-354-700	NEW-P	95-15-104	173-422-070	AMD	95-06-068	174-116-092	AMD-P	95-07-132
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174-116-119	AMD	95-16-093	180-27-019	AMD	95-20-090	180-77-055	REP-P	95-08-058
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174-116-121	AMD-P	95-07-132	180-27-040	AMD-P	95-16-079	180-77-060	REP-P	95-08-058
174-116-121	AMD	95-16-093	180-27-040	AMD	95-20-089	180-77-060	REP	95-12-056
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174-116-122	AMD-P	95-07-132	180-27-05605	PREP	95-12-043	180-77-065	REP	95-12-056
174-116-122	AMD	95-16-093	180-27-05605	AMD-P	95-12-074	180-77-068	NEW-P	95-08-058
174-116-123	PREP	95-05-010	180-27-05605	AMD	95-16-076	180-77-068	NEW	95-12-056
174-116-123	AMD-P	95-07-132	180-27-600	PREP	95-14-042	180-77-070	AMD-P	95-08-058
174-116-123	AMD	95-16-093	180-27-600	NEW-P	95-16-078	180-77-070	AMD	95-12-056
174-116-124	PREP	95-05-010	180-27-600	NEW	95-20-088	180-77-075	AMD-P	95-08-058
174-116-124	AMD-P	95-07-132	180-27-605	PREP	95-14-042	180-77-075	AMD	95-12-056
174-116-124	AMD	95-16-093	180-27-605	NEW-P	95-16-078	180-77-080	AMD-P	95-08-058
174-116-125	PREP	95-05-010	180-27-605	NEW	95-20-088	180-77-080	AMD	95-12-056
174-116-126	PREP	95-05-010	180-27-610	PREP	95-14-042	180-77-085	REP-P	95-08-058
174-116-127	PREP	95-05-010	180-27-610	NEW-P	95-16-078	180-77-085	REP	95-12-056
174-116-127	AMD-P	95-07-132	180-27-610	NEW	95-20-088	180-77-090	REP-P	95-08-058
174-116-127	AMD	95-16-093	180-27-615	PREP	95-14-042	180-77-090	REP	95-12-056
178-01	PREP	95-04-016	180-27-615	NEW-P	95-16-078	180-77-095	REP-P	95-08-058
178-01-010	REP-P	95-04-017	180-27-615	NEW	95-20-088	180-77-095	REP	95-12-056
178-01-010	REP	95-08-008	180-29-015	PREP	95-05-036	180-77-100	REP-P	95-08-058
180-10	PREP	95-11-069	180-29-015	AMD-P	95-05-081	180-77-100	REP	95-12-056
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180-10-005	AMD-P	95-20-091	180-29-095	PREP	95-05-037	180-77-105	REP	95-12-056
180-10-007	NEW-P	95-20-091	180-29-095	AMD-P	95-05-082	180-77-106	NEW-P	95-08-058
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180-10-025	NEW-P	95-20-091	180-29-125	AMD	95-08-030	180-77-120	NEW-P	95-08-058
180-10-030	NEW-P	95-20-091	180-43-010	AMD-P	95-05-077	180-77-120	NEW	95-12-056
180-10-035	NEW-P	95-20-091	180-43-010	AMD	95-08-028	180-77-122	NEW-P	95-08-058
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180-16-205	AMD	95-20-086	180-53-070	AMD	95-20-086	180-78-160	AMD-P	95-16-081
180-16-210	AMD-P	95-16-113	180-57-080	PREP	95-12-024	180-78-160	AMD	95-20-039
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180-18-020	NEW-P	95-16-113	180-77-003	AMD	95-12-056	180-79-241	AMD	95-20-040
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180-18-030	NEW-P	95-16-113	180-77-004	NEW	95-12-056	180-79-340	PREP	95-16-073
180-18-030	NEW	95-20-054	180-77-005	AMD-P	95-08-058	180-79-350	PREP	95-16-074
180-18-040	NEW-P	95-16-113	180-77-005	AMD	95-12-056	180-79-350	AMD-P	95-20-044
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180-18-060	NEW	95-20-054	180-77-014	NEW-P	95-08-058	180-95-005	AMD	95-08-029
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180-18-080	NEW	95-20-054	180-77-015	AMD-P	95-08-058	180-95-050	AMD	95-08-029
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180-24-400	NEW	95-20-055	180-77-030	REP-P	95-08-058	182-08	PREP	95-04-057
180-24-405	NEW-P	95-16-064	180-77-030	REP	95-12-056	182-12	PREP	95-04-057
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180-24-410	NEW-P	95-16-064	180-77-031	NEW	95-12-056	182-12-110	AMD-E	95-15-112
180-24-410	NEW	95-20-055	180-77-035	REP-P	95-08-058	182-12-111	AMD-E	95-08-002
180-24-415	NEW-P	95-16-064	180-77-035	REP	95-12-056	182-12-111	AMD-E	95-15-112
180-24-415	NEW	95-20-055	180-77-040	REP-P	95-08-058	182-12-115	AMD-E	95-08-002
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182-13-020	NEW-P	95-03-075	192-12-320	AMD	95-09-085	197-11-265	NEW	95-08-041
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182-13-040	NEW-W	95-03-074	192-16-017	AMD-P	95-06-081	197-11-904	AMD	95-07-023
182-13-040	NEW-P	95-03-075	192-16-017	AMD	95-09-085	197-11-908	AMD	95-07-023
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182-14-010	NEW-E	95-15-092	192-16-021	AMD-P	95-06-081	204-24-050	AMD	95-07-137
182-14-020	NEW-E	95-08-001	192-16-021	AMD	95-09-085	204-41-030	AMD-E	95-04-060
182-14-020	NEW-E	95-15-092	192-16-024	NEW-E	95-14-091	204-41-030	PREP	95-05-001
182-14-030	NEW-E	95-08-001	192-16-025	AMD-P	95-06-081	204-41-030	AMD-P	95-06-065
182-14-030	NEW-E	95-15-092	192-16-025	AMD	95-09-085	204-41-030	AMD	95-09-091
182-14-040	NEW-E	95-08-001	192-16-050	AMD-P	95-06-081	220-12-010	AMD-P	95-14-133
182-14-040	NEW-E	95-15-092	192-16-050	AMD	95-09-085	220-12-010	AMD	95-17-062
182-14-050	NEW-E	95-08-001	192-16-051	PREP	95-11-128	220-12-020	AMD	95-04-066
182-14-050	NEW-E	95-15-092	192-16-051	AMD-E	95-14-091	220-20-020	AMD-P	95-17-130
182-14-060	NEW-E	95-08-001	192-16-052	NEW-E	95-14-091	220-20-025	AMD-P	95-17-130
182-14-060	NEW-E	95-15-092	192-16-065	REP-P	95-06-081	220-22-030	AMD-P	95-09-081
182-14-070	NEW-E	95-08-001	192-16-065	REP	95-09-085	220-22-030	AMD	95-13-056
182-14-070	NEW-E	95-15-092	192-23-018	PREP	95-07-075	220-24-02000W	NEW-E	95-16-002
182-14-080	NEW-E	95-08-001	192-23-019	NEW-P	95-08-077	220-24-02000W	REP-E	95-17-047
182-14-080	NEW-E	95-15-092	192-23-019	NEW	95-12-014	220-24-02000X	NEW-E	95-17-047
182-14-090	NEW-E	95-08-001	192-28-100	REP-P	98-06-081	220-24-02000X	REP-E	95-17-076
182-14-090	NEW-E	95-15-092	192-28-100	REP	95-09-085	220-24-02000Y	NEW-E	95-17-076
182-14-100	NEW-E	95-08-001	192-28-110	AMD-P	98-06-081	220-24-02000Y	REP-E	95-18-077
182-14-100	NEW-E	95-15-092	192-28-110	AMD	95-09-085	220-24-02000Z	NEW-E	95-18-077
182-16	PREP	95-04-057	192-28-120	AMD-P	98-06-081	220-32-05100M	NEW-E	95-04-087
182-18	PREP	95-04-057	192-28-120	AMD	95-09-085	220-32-05100M	REP-E	95-07-010
182-20-001	NEW-P	95-08-060	192-32	PREP	95-12-085	220-32-05100N	NEW-E	95-07-010
182-20-001	NEW	95-12-010	192-32-001	AMD-P	95-06-081	220-32-05100P	NEW-E	95-18-023
182-20-010	NEW-P	95-08-060	192-32-001	AMD	95-09-085	220-32-05100P	REP-E	95-19-008
182-20-010	NEW	95-12-010	192-32-010	AMD-P	95-06-081	220-32-05100Q	NEW-E	95-19-008
182-20-100	NEW-P	95-08-060	192-32-010	AMD	95-09-085	220-32-05100Q	REP-E	95-19-042
182-20-100	NEW	95-12-010	192-32-015	AMD-P	95-06-081	220-32-05100R	NEW-E	95-19-042
182-20-130	NEW-P	95-08-060	192-32-015	AMD	95-09-085	220-32-05100R	REP-E	95-20-003
182-20-130	NEW	95-12-010	192-32-025	AMD-P	95-06-081	220-32-05500K	NEW-E	95-09-031
182-20-160	NEW-P	95-08-060	192-32-025	AMD	95-09-085	220-32-05500K	REP-E	95-10-041
182-20-160	NEW	95-12-010	192-32-045	AMD-P	95-06-081	220-32-05500L	NEW-E	95-10-041
182-20-200	NEW-P	95-08-060	192-32-045	AMD	95-09-085	220-32-05500L	REP-E	95-11-061
182-20-200	NEW	95-12-010	192-42-005	REP	95-05-048	220-32-05500M	NEW-E	95-11-061
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182-20-300	NEW	95-12-010	192-42-021	REP	95-05-048	220-32-05500N	NEW-E	95-14-062
182-20-320	NEW-P	95-08-060	192-42-030	REP	95-05-048	220-32-05500N	REP-E	95-18-023
182-20-320	NEW	95-12-010	192-42-056	REP	95-05-048	220-32-05500P	NEW-E	95-18-023
182-20-400	NEW-P	95-08-060	192-42-057	REP	95-05-048	220-32-05500P	REP-E	95-19-008
182-20-400	NEW	95-12-010	192-42-058	REP	95-05-048	220-32-05500Q	NEW-E	95-19-008
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220-57-31000N	NEW-E	95-05-049	220-57A-017	AMD	95-12-027	222-30-050	AMD-E	95-11-052
220-57-31000N	REP-E	95-12-029	220-57A-030	AMD	95-12-027	222-30-050	AMD-C	95-14-028
220-57-31000P	NEW-E	95-12-029	220-57A-035	AMD	95-12-027	222-30-050	AMD-E	95-19-012
220-57-31000P	REP-E	95-12-039	220-57A-037	AMD	95-12-027	222-30-060	AMD-C	95-04-073
220-57-31000Q	NEW-E	95-19-041	220-57A-040	AMD	95-12-027	222-30-060	AMD-E	95-04-074
220-57-31000Q	REP-E	95-19-041	220-57A-045	AMD	95-12-027	222-30-060	AMD-E	95-11-052
220-57-31000R	NEW-E	95-20-010	220-57A-110	AMD	95-12-027	222-30-060	AMD-C	95-14-028
220-57-31000R	REP-E	95-20-010	220-57A-112	AMD	95-12-027	222-30-060	AMD-E	95-19-012
220-57-313	AMD	95-12-027	220-57A-120	AMD	95-12-027	222-30-065	NEW-C	95-04-073
220-57-315	AMD	95-12-027	220-57A-125	AMD	95-12-027	222-30-065	NEW-E	95-04-074
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220-57-31900I	NEW-E	95-05-049	220-57A-175	AMD	95-12-027	222-30-065	NEW-E	95-19-012
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220-57-340	AMD	95-12-027	220-88A-08000A	NEW-E	95-20-002	222-30-075	NEW-E	95-11-052
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220-57-35000A	REP-E	95-19-067	220-95-016	REP-P	95-03-088	222-30-100	AMD-E	95-11-052
220-57-355	AMD	95-12-027	220-95-016	REP	95-07-012	222-30-100	AMD-C	95-14-028
220-57-365	AMD	95-12-027	220-95-018	NEW-P	95-03-088	222-30-100	AMD-E	95-19-012
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220-57-380	AMD-W	95-12-066	220-95-021	REP-P	95-03-088	222-38-020	AMD-E	95-04-074
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230-02-418	AMD	95-09-062	230-20-170	PREP	95-18-029	232-12-068	NEW-P	95-14-106
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230-04-280	AMD-C	95-06-013	230-25-070	AMD-P	95-07-111	232-28-02220	AMD-P	95-06-100
230-04-280	AMD-C	95-07-097	230-25-070	AMD	95-12-051	232-28-02220	AMD	95-11-035
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230-04-405	NEW-C	95-12-049	230-30-080	PREP	95-19-034	232-28-240	AMD	95-03-031
230-04-405	NEW	95-13-031	230-30-080	AMD-P	95-20-070	232-28-241	AMD	95-03-032
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230-08-080	AMD-P	95-14-096	230-40-050	PREP	95-19-034	232-28-242	AMD	95-03-033
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230-08-095	AMD	95-19-069	230-40-200	PREP	95-19-034	232-28-244	REP	95-11-028
230-08-105	AMD-P	95-14-094	230-40-200	AMD-P	95-20-070	232-28-245	REP-P	95-06-099
230-08-105	AMD	95-19-070	230-40-225	AMD-P	95-20-070	232-28-245	REP	95-11-028
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230-08-110	NEW	95-19-069	230-40-310	REP-P	95-20-070	232-28-246	AMD-P	95-06-107
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232-28-248	AMD	95-11-036	232-28-61946	REP	95-17-064	243-01-140	NEW-P	95-17-112
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232-28-250	NEW	95-11-034	232-28-61947	REP	95-17-064	245-01-020	DECOD	95-12-009
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232-28-251	NEW	95-11-038	232-28-61950	REP-P	95-14-134	245-01-040	DECOD	95-12-009
232-28-252	NEW-P	95-06-102	232-28-61950	REP	95-17-064	245-01-050	DECOD	95-12-009
232-28-252	NEW	95-11-033	232-28-61951	REP-E	95-09-050	245-01-060	DECOD	95-12-009
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232-28-256	NEW	95-11-030	232-28-61954	REP-P	95-14-134	245-01-140	DECOD	95-12-009
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232-28-258	NEW	95-18-070	232-28-61957	REP	95-17-064	245-02-025	NEW	95-04-115
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232-28-419	NEW	95-18-068	236-12-361	AMD	95-16-107	245-02-115	NEW	95-04-112
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232-28-60415	REP-E	95-20-016	236-15-010	REP	95-16-106	245-02-140	NEW	95-04-112
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232-28-60508	REP-E	95-20-016	236-15-015	REP-P	95-13-108	245-02-150	NEW	95-04-112
232-28-61610	REP-E	95-20-016	236-15-015	REP	95-16-106	245-02-155	NEW	95-04-112
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232-28-619	AMD	95-10-027	236-15-050	REP	95-16-106	245-02-170	NEW	95-04-112
232-28-619	AMD-P	95-14-134	236-15-100	NEW	95-05-044	245-02-175	NEW	95-04-112
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232-28-61900B	NEW-E	95-07-018	236-15-200	NEW	95-05-044	245-03-010	NEW-W	95-07-037
232-28-61900B	REP-E	95-12-030	236-15-200	REP-P	95-13-108	245-03-010	NEW-W	95-12-047
232-28-61900B	REP-E	95-12-040	236-15-200	REP	95-16-106	245-03-020	NEW-P	95-06-075
232-28-61900C	NEW-E	95-09-050	236-15-300	NEW	95-05-044	245-03-020	NEW-W	95-07-037
232-28-61900C	REP-E	95-16-094	236-15-300	REP-P	95-13-108	245-03-020	NEW-W	95-12-047
232-28-61900D	NEW-E	95-09-051	236-15-300	REP	95-16-106	245-03-040	NEW-P	95-06-075
232-28-61900D	REP-E	95-16-094	236-15-700	NEW	95-05-044	245-03-040	NEW-W	95-07-037
232-28-61900E	NEW-E	95-12-030	236-15-700	REP-P	95-13-108	245-03-040	NEW-W	95-12-047
232-28-61900E	REP-E	95-12-040	236-15-700	REP	95-16-106	245-03-050	NEW-P	95-06-075
232-28-61900F	NEW-E	95-12-040	236-15-800	NEW	95-05-044	245-03-050	NEW-W	95-07-037
232-28-61900F	REP-E	95-16-094	236-15-800	REP-P	95-13-108	245-03-050	NEW-W	95-12-047
232-28-61900G	NEW-E	95-14-063	236-15-800	REP	95-16-106	245-03-080	NEW-P	95-06-075
232-28-61900H	NEW-E	95-16-094	236-15-900	NEW	95-05-044	245-03-080	NEW-W	95-07-037
232-28-61900H	REP-E	95-16-094	236-15-900	REP-P	95-13-108	245-03-080	NEW-W	95-12-047
232-28-61900I	NEW-E	95-20-015	236-15-900	REP	95-16-106	245-03-120	NEW-P	95-06-075
232-28-61900I	REP-E	95-20-015	240-10-030	AMD	95-09-025	245-03-120	NEW-W	95-07-037
232-28-61940	REP-E	95-09-050	240-10-040	AMD	95-09-025	245-03-120	NEW-W	95-12-047
232-28-61940	REP-P	95-14-134	243-01-010	NEW-P	95-17-112	245-03-140	NEW-P	95-06-075
232-28-61940	REP	95-17-064	243-01-020	NEW-P	95-17-112	245-03-140	NEW-W	95-07-037
232-28-61941	REP-E	95-09-050	243-01-030	NEW-P	95-17-112	245-03-140	NEW-W	95-12-047
232-28-61941	REP-P	95-14-134	243-01-040	NEW-P	95-17-112	245-03-160	NEW-P	95-06-075
232-28-61941	REP	95-17-064	243-01-050	NEW-P	95-17-112	245-03-160	NEW-W	95-07-037
232-28-61942	REP-E	95-09-050	243-01-060	NEW-P	95-17-112	245-03-160	NEW-W	95-12-047
232-28-61942	REP-P	95-14-134	243-01-070	NEW-P	95-17-112	245-03-180	NEW-P	95-06-075
232-28-61942	REP	95-17-064	243-01-080	NEW-P	95-17-112	245-03-180	NEW-W	95-07-037
232-28-61945	REP-E	95-09-050	243-01-090	NEW-P	95-17-112	245-03-180	NEW-W	95-12-047
232-28-61945	REP-P	95-14-134	243-01-100	NEW-P	95-17-112	245-03-200	NEW-P	95-06-075

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
245-03-200	NEW-W	245-04-020	NEW-P	245-04-220	NEW-W
245-03-200	NEW-W	245-04-020	NEW-W	245-04-220	NEW-W
245-03-220	NEW-P	245-04-020	NEW-W	245-04-230	NEW-P
245-03-220	NEW-W	245-04-025	NEW-P	245-04-230	NEW-W
245-03-220	NEW-W	245-04-025	NEW-W	245-04-230	NEW-W
245-03-240	NEW-P	245-04-025	NEW-W	245-04-240	NEW-P
245-03-240	NEW-W	245-04-030	NEW-P	245-04-240	NEW-W
245-03-240	NEW-W	245-04-030	NEW-W	245-04-240	NEW-W
245-03-260	NEW-P	245-04-030	NEW-W	245-04-300	NEW-P
245-03-260	NEW-W	245-04-040	NEW-P	245-04-300	NEW-W
245-03-260	NEW-W	245-04-040	NEW-W	245-04-300	NEW-W
245-03-280	NEW-P	245-04-040	NEW-W	245-04-310	NEW-P
245-03-280	NEW-W	245-04-050	NEW-P	245-04-310	NEW-W
245-03-280	NEW-W	245-04-050	NEW-W	245-04-310	NEW-W
245-03-300	NEW-P	245-04-050	NEW-W	245-04-320	NEW-P
245-03-300	NEW-W	245-04-060	NEW-P	245-04-320	NEW-W
245-03-300	NEW-W	245-04-060	NEW-W	245-04-320	NEW-W
245-03-320	NEW-P	245-04-060	NEW-W	245-04-330	NEW-P
245-03-320	NEW-W	245-04-070	NEW-P	245-04-330	NEW-W
245-03-320	NEW-W	245-04-070	NEW-W	245-04-330	NEW-W
245-03-390	NEW-P	245-04-070	NEW-W	245-04-340	NEW-P
245-03-390	NEW-W	245-04-080	NEW-P	245-04-340	NEW-W
245-03-390	NEW-W	245-04-080	NEW-W	245-04-340	NEW-W
245-03-520	NEW-W	245-04-080	NEW-W	245-04-350	NEW-P
245-03-520	NEW-W	245-04-090	AMD-P	245-04-350	NEW-W
245-03-540	NEW-W	245-04-090	AMD	245-04-350	NEW-W
245-03-540	NEW-W	245-04-090	DECOD	245-08-010	NEW-P
245-03-560	NEW-W	245-04-100	AMD-P	245-08-010	NEW-W
245-03-560	NEW-W	245-04-100	AMD	245-08-010	NEW-W
245-03-580	NEW-W	245-04-100	DECOD	245-08-020	NEW-P
245-03-580	NEW-W	245-04-110	AMD-P	245-08-020	NEW-W
245-03-610	NEW-P	245-04-110	AMD	245-08-020	NEW-W
245-03-610	NEW-W	245-04-110	DECOD	245-08-030	NEW-P
245-03-620	NEW-P	245-04-115	AMD-P	245-08-030	NEW-W
245-03-620	NEW-W	245-04-115	AMD	245-08-030	NEW-W
245-03-620	NEW-W	245-04-115	DECOD	245-08-040	NEW-P
245-03-630	NEW-P	245-04-125	NEW-P	245-08-040	NEW-W
245-03-630	NEW-W	245-04-125	NEW-W	245-08-040	NEW-W
245-03-640	NEW-P	245-04-130	NEW-P	245-08-050	NEW-P
245-03-640	NEW-W	245-04-130	NEW-W	245-08-050	NEW-W
245-03-640	NEW-W	245-04-135	NEW-P	245-08-050	NEW-W
245-03-650	NEW-P	245-04-135	NEW-W	246-01-040	AMD-P
245-03-650	NEW-W	245-04-140	NEW-P	246-01-040	AMD
245-03-650	NEW-W	245-04-140	NEW-W	246-01-080	AMD-P
245-03-660	NEW-P	245-04-145	NEW-P	246-01-080	AMD
245-03-660	NEW-W	245-04-145	NEW-W	246-08-400	NEW-E
245-03-660	NEW-W	245-04-150	NEW-P	246-08-400	NEW-P
245-03-670	NEW-P	245-04-150	NEW-W	246-08-400	NEW
245-03-670	NEW-W	245-04-155	NEW-P	246-100-166	PREP
245-03-680	NEW-P	245-04-155	NEW-W	246-100-236	AMD-S
245-03-680	NEW-W	245-04-160	NEW-P	246-100-236	AMD
245-03-680	NEW-W	245-04-160	NEW-W	246-130	AMD-P
245-03-810	NEW-P	245-04-165	NEW-P	246-130-001	AMD-P
245-03-810	NEW-W	245-04-165	NEW-W	246-130-010	AMD-P
245-03-810	NEW-W	245-04-170	NEW-P	246-130-020	AMD-P
245-03-820	NEW-P	245-04-170	NEW-W	246-130-030	AMD-P
245-03-820	NEW-W	245-04-175	NEW-P	246-130-040	AMD-P
245-03-820	NEW-W	245-04-175	NEW-W	246-130-050	REP-P
245-03-830	NEW-P	245-04-180	NEW-P	246-130-060	AMD-P
245-03-830	NEW-W	245-04-180	NEW-W	246-130-070	AMD-P
245-03-830	NEW-W	245-04-185	NEW-P	246-170	AMD
245-03-840	NEW-P	245-04-185	NEW-W	246-170-001	REP
245-03-840	NEW-W	245-04-190	NEW-P	246-170-002	NEW
245-03-840	NEW-W	245-04-190	NEW-W	246-170-010	REP
245-03-860	NEW-P	245-04-195	NEW-P	246-170-011	NEW
245-03-860	NEW-W	245-04-195	NEW-W	246-170-020	REP
245-03-860	NEW-W	245-04-200	NEW-P	246-170-021	NEW
245-03-880	NEW-P	245-04-200	NEW-W	246-170-030	REP
245-03-880	NEW-W	245-04-200	NEW-W	246-170-031	NEW
245-03-880	NEW-W	245-04-210	NEW-P	246-170-040	REP
245-04-010	NEW-P	245-04-210	NEW-W	246-170-041	NEW
245-04-010	NEW-W	245-04-210	NEW-W	246-170-050	REP
245-04-010	NEW-W	245-04-220	NEW-P	246-170-051	NEW

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
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246-170-060	REP	95-04-035	246-322-150	NEW-P	95-12-096	246-358-045	AMD-E	95-13-093
246-170-061	NEW	95-04-035	246-322-160	NEW-P	95-12-096	246-358-045	AMD-P	95-20-075
246-170-065	NEW	95-04-035	246-322-170	NEW-P	95-12-096	246-358-055	AMD-E	95-13-093
246-170-070	REP	95-04-035	246-322-180	NEW-P	95-12-096	246-358-055	AMD-P	95-20-075
246-170-080	REP	95-04-035	246-322-190	NEW-P	95-12-096	246-358-065	AMD-E	95-13-093
246-170-090	REP	95-04-035	246-322-200	NEW-P	95-12-096	246-358-065	AMD-P	95-20-075
246-249-020	AMD-P	95-04-100	246-322-210	NEW-P	95-12-096	246-358-075	AMD-E	95-13-093
246-249-020	AMD	95-13-094	246-322-220	NEW-P	95-12-096	246-358-075	AMD-P	95-20-075
246-249-080	AMD-P	95-04-100	246-322-230	NEW-P	95-12-096	246-358-085	AMD-E	95-08-018
246-249-080	AMD	95-13-094	246-322-240	NEW-P	95-12-096	246-358-085	AMD-E	95-13-093
246-254	PREP	95-05-058	246-316-250	NEW-P	95-12-096	246-358-085	AMD-P	95-20-075
246-254-053	AMD-P	95-08-066	246-322-500	NEW-P	95-12-096	246-358-090	NEW-E	95-13-093
246-254-053	AMD	95-12-004	246-322-990	AMD-P	95-09-059	246-358-090	NEW-P	95-20-075
246-254-070	AMD-P	95-08-066	246-322-990	AMD	95-12-097	246-358-095	AMD-E	95-13-093
246-254-070	AMD	95-12-004	246-322-991	AMD-P	95-09-059	246-358-095	AMD-P	95-20-075
246-254-080	AMD-P	95-08-066	246-322-991	REP-P	95-12-096	246-358-100	NEW-E	95-13-093
246-254-080	AMD	95-12-004	246-322-991	AMD	95-12-097	246-358-100	AMD-P	95-20-075
246-254-090	AMD-P	95-08-066	246-323	PREP	95-07-073	246-358-105	REP-E	95-13-093
246-254-090	AMD	95-12-004	246-323-990	AMD-P	95-09-059	246-358-105	REP-P	95-20-075
246-254-100	AMD-P	95-08-066	246-323-990	AMD	95-12-097	246-358-115	REP-E	95-13-093
246-254-100	AMD	95-12-004	246-324-001	NEW-P	95-12-094	246-358-115	REP-P	95-20-075
246-254-120	AMD-P	95-08-066	246-324-010	NEW-P	95-12-094	246-358-125	AMD-E	95-13-093
246-254-120	AMD	95-12-004	246-324-020	NEW-P	95-12-094	246-358-125	AMD-P	95-20-075
246-255	PREP	95-05-058	246-324-025	NEW-P	95-12-094	246-358-135	AMD-E	95-13-093
246-272-25001	AMD-P	95-04-034	246-324-030	NEW-P	95-12-094	246-358-135	AMD-P	95-20-075
246-272-25001	AMD	95-09-018	246-324-035	NEW-P	95-12-094	246-358-140	AMD-E	95-08-018
246-290-990	PREP	95-05-059	246-324-040	NEW-P	95-12-094	246-358-140	AMD-E	95-13-093
246-290-990	AMD-P	95-15-108	246-324-050	NEW-P	95-12-094	246-358-140	AMD-P	95-20-075
246-290-990	AMD	95-20-079	246-324-060	NEW-P	95-12-094	246-358-145	AMD-E	95-13-093
246-291	PREP	95-09-017	246-324-100	NEW-P	95-12-094	246-358-145	AMD-P	95-20-075
246-291-010	AMD-P	95-15-107	246-324-120	NEW-P	95-12-094	246-358-155	AMD-E	95-13-093
246-291-010	AMD	95-20-078	246-324-140	NEW-P	95-12-094	246-358-155	AMD-P	95-20-075
246-291-020	AMD-P	95-15-107	246-324-150	NEW-P	95-12-094	246-358-175	AMD-E	95-13-093
246-291-020	AMD	95-20-078	246-324-160	NEW-P	95-12-094	246-358-175	AMD-P	95-20-075
246-291-025	AMD-P	95-15-107	246-324-170	NEW-P	95-12-094	246-380	PREP	95-07-073
246-291-025	AMD	95-20-078	246-324-180	NEW-P	95-12-094	246-430	PREP	95-12-005
246-291-030	AMD-P	95-15-107	246-324-190	NEW-P	95-12-094	246-430-010	PREP	95-12-005
246-291-030	AMD	95-20-078	246-324-200	NEW-P	95-12-094	246-430-030	PREP	95-12-005
246-291-100	AMD-P	95-15-107	246-324-210	NEW-P	95-12-094	246-430-040	PREP	95-12-005
246-291-100	AMD	95-20-078	246-324-220	NEW-P	95-12-094	246-560-001	PREP	95-06-073
246-291-110	AMD-P	95-15-107	246-324-230	NEW-P	95-12-094	246-560-010	PREP	95-06-073
246-291-110	AMD	95-20-078	246-324-240	NEW-P	95-12-094	246-560-015	PREP	95-06-073
246-291-130	AMD-P	95-15-107	246-324-250	NEW-P	95-12-094	246-560-020	PREP	95-06-073
246-291-130	AMD	95-20-078	246-324-500	NEW-P	95-12-094	246-560-030	PREP	95-06-073
246-291-140	AMD-P	95-15-107	246-324-990	NEW-P	95-12-094	246-560-040	PREP	95-06-073
246-291-140	AMD	95-20-078	246-325	PREP	95-07-073	246-560-050	PREP	95-06-073
246-314	PREP	95-07-073	246-325-990	AMD-P	95-09-059	246-560-060	PREP	95-06-073
246-314-990	AMD-P	95-09-059	246-325-990	AMD	95-12-097	246-560-070	PREP	95-06-073
246-314-990	AMD	95-12-097	246-326	PREP	95-07-073	246-560-080	PREP	95-06-073
246-316	PREP	95-07-073	246-326-990	AMD-P	95-09-059	246-560-090	PREP	95-06-073
246-316-990	AMD-P	95-09-059	246-326-990	AMD	95-12-097	246-560-100	PREP	95-06-073
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246-318	PREP	95-07-073	246-327-990	AMD-P	95-09-059	246-780-001	NEW-P	95-20-076
246-318-990	AMD-P	95-09-059	246-327-990	AMD	95-12-097	246-780-010	NEW-P	95-20-076
246-318-990	AMD	95-12-097	246-331	PREP	95-07-073	246-780-020	NEW-P	95-20-076
246-322	PREP	95-07-073	246-331-990	AMD-P	95-09-059	246-780-030	NEW-P	95-20-076
246-322-001	NEW-P	95-12-096	246-331-990	AMD	95-12-097	246-780-040	NEW-P	95-20-076
246-322-010	AMD-P	95-12-096	246-336	PREP	95-07-073	246-780-050	NEW-P	95-20-076
246-322-020	AMD-P	95-12-096	246-336-990	AMD-P	95-09-059	246-780-060	NEW-P	95-20-076
246-322-025	NEW-P	95-12-096	246-336-990	AMD	95-12-097	246-780-070	NEW-P	95-20-076
246-322-030	NEW-P	95-12-096	246-358	PREP	95-11-072	246-812	PREP	95-06-017
246-322-035	NEW-P	95-12-096	246-358-001	AMD-E	95-13-093	246-812-001	NEW-E	95-09-029
246-322-040	AMD-P	95-12-096	246-358-001	AMD-P	95-20-075	246-812-001	NEW-P	95-15-110
246-322-050	AMD-P	95-12-096	246-358-010	AMD-E	95-08-018	246-812-001	NEW-E	95-17-046
246-322-060	AMD-P	95-12-096	246-358-010	AMD-E	95-13-093	246-812-010	NEW-E	95-09-029
246-322-070	REP-P	95-12-096	246-358-010	AMD-P	95-20-075	246-812-010	NEW-P	95-15-110
246-322-080	REP-P	95-12-096	246-358-020	AMD-E	95-08-018	246-812-010	NEW-E	95-17-046
246-322-090	REP-P	95-12-096	246-358-020	AMD-E	95-13-093	246-812-015	NEW-E	95-09-029
246-322-100	AMD-P	95-12-096	246-358-020	AMD-P	95-20-075	246-812-015	NEW-P	95-15-110
246-322-110	REP-P	95-12-096	246-358-025	AMD-E	95-13-092	246-812-015	NEW-E	95-17-046
246-322-120	AMD-P	95-12-096	246-358-025	AMD-P	95-20-074	246-812-101	NEW-E	95-09-029
246-322-130	REP-P	95-12-096	246-358-030	AMD-E	95-13-092	246-812-101	NEW-P	95-15-110

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
246-812-101	NEW-E	95-17-046	246-812-520	NEW-E	95-09-029	246-816-530	REP-P	95-12-068
246-812-120	NEW-E	95-09-029	246-812-520	NEW-P	95-15-110	246-816-701	REP-P	95-12-068
246-812-120	NEW-P	95-15-110	246-812-520	NEW-E	95-17-046	246-816-710	REP-P	95-12-068
246-812-120	NEW-E	95-17-046	246-812-601	NEW-E	95-09-029	246-816-720	REP-P	95-12-068
246-812-125	NEW-E	95-09-029	246-812-601	NEW-P	95-15-110	246-816-730	REP-P	95-12-068
246-812-125	NEW-P	95-15-110	246-812-601	NEW-E	95-17-046	246-816-740	REP-P	95-12-068
246-812-125	NEW-E	95-17-046	246-812-610	NEW-E	95-09-029	246-816-990	REP-P	95-12-067
246-812-130	NEW-E	95-09-029	246-812-610	NEW-P	95-15-110	246-816-990	REP-P	95-12-068
246-812-130	NEW-P	95-15-110	246-812-610	NEW-E	95-17-046	246-816-990	REP	95-16-122
246-812-130	NEW-E	95-17-046	246-812-620	NEW-E	95-09-029	246-817-001	NEW-P	95-12-068
246-812-140	NEW-E	95-09-029	246-812-620	NEW-P	95-15-110	246-817-010	NEW-P	95-12-068
246-812-140	NEW-P	95-15-110	246-812-620	NEW-E	95-17-046	246-817-015	NEW-P	95-12-068
246-812-140	NEW-E	95-17-046	246-812-630	NEW-E	95-09-029	246-817-101	NEW-P	95-12-068
246-812-150	NEW-E	95-09-029	246-812-630	NEW-P	95-15-110	246-817-110	NEW-P	95-12-068
246-812-150	NEW-P	95-15-110	246-812-630	NEW-E	95-17-046	246-817-120	NEW-P	95-12-068
246-812-150	NEW-E	95-17-046	246-812-990	NEW-E	95-09-029	246-817-130	NEW-P	95-12-068
246-812-155	NEW-E	95-09-029	246-812-990	NEW-P	95-15-110	246-817-135	NEW-P	95-12-068
246-812-155	NEW-P	95-15-110	246-812-990	NEW-E	95-17-046	246-817-140	NEW-P	95-12-068
246-812-155	NEW-E	95-17-046	246-815	PREP	95-12-020	246-817-150	NEW-P	95-12-068
246-812-160	NEW-E	95-09-029	246-815-020	AMD-P	95-13-110	246-817-160	NEW-P	95-12-068
246-812-160	NEW-P	95-15-110	246-815-020	AMD	95-16-102	246-817-170	NEW-P	95-12-068
246-812-160	NEW-E	95-17-046	246-815-050	AMD-P	95-03-018	246-817-175	NEW-P	95-12-068
246-812-170	NEW-E	95-09-029	246-815-050	AMD	95-07-003	246-817-180	NEW-P	95-12-068
246-812-170	NEW-P	95-15-110	246-815-050	AMD-P	95-13-110	246-817-185	NEW-P	95-12-068
246-812-170	NEW-E	95-17-046	246-815-050	AMD	95-16-102	246-817-186	NEW-P	95-12-068
246-812-301	NEW-E	95-09-029	246-815-060	AMD-P	95-13-110	246-817-201	NEW-P	95-12-068
246-812-301	NEW-P	95-15-110	246-815-060	AMD	95-16-102	246-817-210	NEW-P	95-12-068
246-812-301	NEW-E	95-17-046	246-815-070	AMD	95-02-056	246-817-301	NEW-P	95-12-068
246-812-320	NEW-E	95-09-029	246-815-070	AMD-P	95-13-110	246-817-310	NEW-P	95-12-068
246-812-320	NEW-P	95-15-110	246-815-070	AMD	95-16-102	246-817-320	NEW-P	95-12-068
246-812-320	NEW-E	95-17-046	246-815-100	AMD-P	95-13-110	246-817-330	NEW-P	95-12-068
246-812-330	NEW-E	95-09-029	246-815-100	AMD	95-16-102	246-817-340	NEW-P	95-12-068
246-812-330	NEW-P	95-15-110	246-815-990	AMD-P	95-13-110	246-817-350	NEW-P	95-12-068
246-812-330	NEW-E	95-17-046	246-815-990	AMD	95-16-102	246-817-360	NEW-P	95-12-068
246-812-340	NEW-E	95-09-029	246-816-015	REP-P	95-12-068	246-817-370	NEW-P	95-12-068
246-812-340	NEW-P	95-15-110	246-816-020	REP-P	95-12-068	246-817-380	NEW-P	95-12-068
246-812-340	NEW-E	95-17-046	246-816-030	REP-P	95-12-068	246-817-390	NEW-P	95-12-068
246-812-350	NEW-E	95-09-029	246-816-040	REP-P	95-12-068	246-817-400	NEW-P	95-12-068
246-812-350	NEW-P	95-15-110	246-816-050	REP-P	95-12-068	246-817-410	NEW-P	95-12-068
246-812-350	NEW-E	95-17-046	246-816-060	REP-P	95-12-068	246-817-420	NEW-P	95-12-068
246-812-360	NEW-E	95-09-029	246-816-070	REP-P	95-12-068	246-817-430	NEW-P	95-12-068
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246-812-390	NEW-P	95-15-110	246-816-100	REP-P	95-12-068	246-817-530	NEW-P	95-12-068
246-812-390	NEW-E	95-17-046	246-816-110	REP-P	95-12-068	246-817-540	NEW-P	95-12-068
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246-812-400	NEW-P	95-15-110	246-816-130	REP-P	95-12-068	246-817-560	NEW-P	95-12-068
246-812-400	NEW-E	95-17-046	246-816-140	REP-P	95-12-068	246-817-570	NEW-P	95-12-068
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246-812-410	NEW-E	95-17-046	246-816-210	REP-P	95-12-068	246-817-620	NEW-P	95-12-068
246-812-420	NEW-E	95-09-029	246-816-220	REP-P	95-12-068	246-817-630	NEW-P	95-12-068
246-812-420	NEW-P	95-15-110	246-816-225	REP-P	95-12-068	246-817-701	NEW-P	95-12-068
246-812-420	NEW-E	95-17-046	246-816-230	REP-P	95-12-068	246-817-710	NEW-P	95-12-068
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246-812-440	NEW-E	95-09-029	246-816-301	REP-P	95-12-068	246-817-750	NEW-P	95-12-068
246-812-440	NEW-P	95-15-110	246-816-310	REP-P	95-12-068	246-817-760	NEW-P	95-12-068
246-812-440	NEW-E	95-17-046	246-816-320	REP-P	95-12-068	246-817-770	NEW-P	95-12-068
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246-812-450	NEW-P	95-15-110	246-816-340	REP-P	95-12-068	246-817-790	NEW-P	95-12-068
246-812-450	NEW-E	95-17-046	246-816-350	REP-P	95-12-068	246-817-801	NEW-P	95-12-068
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246-812-460	NEW-P	95-15-110	246-816-370	REP-P	95-12-068	246-817-820	NEW-P	95-12-068
246-812-460	NEW-E	95-17-046	246-816-380	REP-P	95-12-068	246-817-830	NEW-P	95-12-068
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246-818-070	REP-P	95-12-068	246-830-427	NEW-E	95-15-009	246-843-320	AMD	95-07-128
246-818-080	REP-P	95-12-068	246-830-430	AMD-P	95-07-013	246-851-060	REP-P	95-11-110
246-818-090	REP-P	95-12-068	246-830-430	AMD	95-11-108	246-851-060	REP	95-14-114
246-818-100	REP-P	95-12-068	246-830-440	AMD-P	95-07-013	246-851-070	REP-P	95-11-110
246-818-120	REP-P	95-12-068	246-830-440	AMD	95-11-108	246-851-070	REP	95-14-114
246-818-130	REP-P	95-12-068	246-830-450	AMD-P	95-07-013	246-851-080	REP-P	95-11-110
246-818-140	REP-P	95-12-068	246-830-450	AMD	95-11-108	246-851-480	AMD-P	95-11-110
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246-818-143	REP-P	95-12-068	246-830-475	AMD	95-11-108	246-851-490	AMD	95-14-114
246-818-150	REP-P	95-12-068	246-830-475	AMD-E	95-15-009	246-851-500	AMD-P	95-11-110
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246-818-991	REP-P	95-12-068	246-830-610	AMD	95-11-108	246-851-560	NEW	95-04-084
246-818-991	REP	95-16-122	246-830-990	AMD-P	95-07-013	246-851-990	PREP	95-09-056
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246-828-070	AMD	95-19-017	246-838-100	PREP	95-06-018	246-858-020	PREP	95-06-036
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246-828-080	AMD-P	95-11-111	246-838-160	REP-P	95-12-095	246-861-010	AMD	95-08-019
246-828-080	AMD	95-19-017	246-838-170	REP-P	95-12-095	246-861-020	AMD	95-08-019
246-828-090	AMD-P	95-11-111	246-838-180	REP-P	95-12-095	246-861-030	REP-W	95-08-062
246-828-090	AMD	95-19-017	246-838-190	REP-P	95-12-095	246-861-040	AMD	95-08-019
246-828-100	AMD-P	95-11-111	246-838-200	REP-P	95-12-095	246-861-040	PREP	95-18-090
246-828-100	AMD	95-19-017	246-838-210	REP-P	95-12-095	246-861-050	AMD	95-08-019
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246-828-120	AMD	95-19-017	246-838-230	REP-P	95-12-095	246-861-060	AMD	95-08-019
246-828-295	NEW-P	95-11-111	246-838-240	REP-P	95-12-095	246-861-090	AMD-W	95-08-051
246-828-295	NEW	95-19-017	246-838-990	PREP	95-04-069	246-861-090	PREP	95-12-019
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246-828-300	AMD	95-19-017	246-838-990	REP	95-12-021	246-861-090	AMD-P	95-16-121
246-828-320	AMD-P	95-11-111	246-839-030	PREP	95-09-058	246-861-090	AMD-C	95-18-092
246-828-320	AMD	95-19-017	246-839-080	PREP	95-06-018	246-863-095	NEW-P	95-14-112
246-828-360	AMD-P	95-11-111	246-839-090	PREP	95-06-018	246-863-095	NEW-C	95-18-094
246-828-360	AMD	95-19-017	246-839-090	PREP	95-09-058	246-869-240	REP-P	95-14-112
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246-828-410	AMD	95-19-017	246-839-540	REP-P	95-12-095	246-887-160	AMD-C	95-18-091
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246-828-560	AMD-P	95-11-111	246-839-565	REP-P	95-12-095	246-901-065	PREP	95-20-073
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246-828-990	AMD	95-19-017	246-839-575	REP-P	95-12-095	246-924-470	PREP	95-09-028
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246-830-005	NEW	95-11-108	246-839-990	REP-P	95-08-049	246-924-990	PREP	95-08-050
246-830-025	NEW-E	95-15-009	246-839-990	REP	95-12-021	246-928-015	NEW-P	95-14-110
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246-830-201	AMD-E	95-15-009	246-840-505	NEW-P	95-12-095	246-928-990	PREP	95-10-042
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246-830-230	AMD-P	95-07-013	246-840-520	NEW-P	95-12-095	246-928-990	AMD	95-18-019
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246-830-230	REP-E	95-15-009	246-840-530	NEW-P	95-12-095	246-937-020	NEW	95-04-083
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246-830-280	AMD-E	95-15-009	246-840-560	NEW-P	95-12-095	246-937-080	NEW	95-04-083
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246-830-401	AMD	95-11-108	246-840-570	NEW-P	95-12-095	246-937-100	NEW	95-04-083
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251-04-050	AMD-P	95-14-131	275-45	PREP	95-11-001	284-30-905	NEW-S	95-06-086
251-04-050	AMD	95-19-055	284-13-110	REP-P	95-16-029	284-30-905	NEW	95-09-014
251-04-060	AMD-P	95-10-077	284-13-110	REP	95-19-018	284-30-910	NEW-P	95-02-075
251-04-060	AMD-C	95-12-071	284-13-120	REP-P	95-16-029	284-30-910	NEW-S	95-06-086
251-04-060	AMD-C	95-13-014	284-13-120	REP	95-19-018	284-30-910	NEW	95-09-014
251-04-060	AMD	95-19-099	284-13-130	REP-P	95-16-029	284-30-920	NEW-P	95-02-075
251-06-020	AMD-E	95-14-056	284-13-130	REP	95-19-018	284-30-920	NEW-S	95-06-086
251-06-020	AMD-P	95-14-131	284-13-140	REP-P	95-16-029	284-30-920	NEW	95-09-014
251-06-020	AMD	95-19-055	284-13-140	REP	95-19-018	284-30-930	NEW-P	95-02-075
251-08-005	AMD-E	95-14-056	284-13-150	REP-P	95-16-029	284-30-930	NEW-S	95-06-086
251-08-005	AMD-P	95-14-131	284-13-150	REP	95-19-018	284-30-930	NEW	95-09-014
251-08-005	AMD	95-19-055	284-13-310	PREP	95-15-043	284-30-940	NEW-P	95-02-075
251-08-090	AMD-E	95-14-056	284-13-310	REP-P	95-17-121	284-30-940	NEW-S	95-06-086
251-08-090	AMD-P	95-14-131	284-13-310	REP	95-20-022	284-30-940	NEW	95-09-014
251-08-090	AMD	95-19-055	284-13-320	PREP	95-15-043	284-30-950	NEW-P	95-02-075
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251-09-020	AMD-C	95-13-014	284-13-330	PREP	95-15-043	284-32-010	REP-P	95-17-121
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251-17-010	AMD-P	95-10-079	284-13-330	REP	95-20-022	284-32-020	PREP	95-15-043
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251-17-020	AMD-C	95-12-071	284-13-350	REP-P	95-17-121	284-32-030	REP	95-20-022
251-17-020	AMD-C	95-13-014	284-13-350	REP	95-20-022	284-32-040	PREP	95-15-043
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296-56-60062	AMD	95-04-007	296-104-025	AMD-P	95-15-103	296-155-24501	AMD	95-10-016
296-56-60073	AMD	95-04-007	296-104-025	AMD	95-19-058	296-155-24503	AMD-P	95-05-061
296-56-60083	AMD	95-04-007	296-104-030	PREP	95-11-003	296-155-24503	AMD	95-10-016
296-56-60093	AMD	95-04-007	296-104-030	AMD-P	95-15-103	296-155-24505	AMD-P	95-05-061
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296-155-24510	AMD	95-04-007	296-304-03007	AMD	95-04-006	296-305-06505	AMD-P	95-15-118
296-155-24510	AMD-P	95-05-061	296-304-04001	AMD	95-04-006	296-305-06507	AMD-P	95-15-118
296-155-24510	AMD	95-10-016	296-304-04005	AMD	95-04-006	296-305-06509	AMD-P	95-15-118
296-155-24515	AMD-P	95-05-061	296-304-06013	AMD	95-04-006	296-305-06511	AMD-P	95-15-118
296-155-24515	AMD	95-10-016	296-304-08009	AMD	95-04-006	296-305-06513	AMD-P	95-15-118
296-155-24519	NEW-P	95-05-061	296-305-001	AMD-P	95-15-118	296-305-06515	AMD-P	95-15-118
296-155-24519	AMD	95-10-016	296-305-003	AMD-P	95-15-118	296-305-06517	AMD-P	95-15-118
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296-155-24520	AMD	95-10-016	296-305-007	AMD-P	95-15-118	296-305-070	AMD-P	95-15-118
296-155-24521	AMD-P	95-05-061	296-305-010	AMD-P	95-15-118	296-305-07001	AMD-P	95-15-118
296-155-24521	AMD	95-10-016	296-305-01001	NEW-P	95-15-118	296-305-07003	AMD-P	95-15-118
296-155-24522	NEW-P	95-05-061	296-305-01002	NEW-P	95-15-118	296-305-07005	AMD-P	95-15-118
296-155-24522	NEW	95-10-016	296-305-01003	NEW-P	95-15-118	296-305-07007	AMD-P	95-15-118
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296-155-24524	NEW	95-10-016	296-305-015	AMD-P	95-15-118	296-305-07015	NEW-P	95-15-118
296-155-24525	AMD-P	95-05-061	296-305-01501	NEW-P	95-15-118	296-305-07017	NEW-P	95-15-118
296-155-24525	AMD	95-10-016	296-305-01503	NEW-P	95-15-118	296-305-07019	NEW-P	95-15-118
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332-24-221	AMD-P	95-08-056	356-18-140	AMD-C	95-13-015	358-30-026	NEW-P	95-03-054
332-24-221	AMD	95-12-023	356-18-140	AMD	95-19-098	358-30-026	NEW	95-07-074
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332-26-050	NEW-E	95-13-045	356-18-220	AMD-C	95-12-070	358-30-028	NEW	95-07-074
332-26-060	NEW-E	95-13-045	356-18-220	AMD-C	95-13-015	358-30-030	AMD-P	95-03-054
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352-32-010	AMD	95-07-061	356-22-130	AMD-C	95-12-070	358-30-060	AMD	95-07-074
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374-50-030	AMD-P	95-08-040	388-15-222	NEW	95-20-041	388-47-020	REP-P	95-15-001
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388-15-194	NEW	95-20-041	388-15-920	NEW-P	95-11-005	388-47-120	REP	95-19-075
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388-15-204	AMD	95-20-041	388-15-935	NEW	95-15-011	388-47-127	REP-P	95-15-001
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388-49-170	AMD-P	95-15-059	388-73	AMD-C	95-05-024	388-73-274	NEW-W	95-11-051
388-49-170	AMD	95-18-004	388-73	PREP	95-16-057	388-73-276	NEW-S	95-07-024
388-49-190	AMD	95-06-027	388-73-010	AMD-S	95-07-024	388-73-276	NEW-W	95-11-051
388-49-190	PREP	95-06-025	388-73-010	AMD-W	95-11-051	388-73-278	NEW-S	95-07-024
388-49-190	AMD-P	95-09-033	388-73-012	AMD-S	95-07-024	388-73-278	NEW-W	95-11-051
388-49-190	AMD	95-12-001	388-73-012	AMD-W	95-11-051	388-73-304	AMD-S	95-07-024
388-49-250	AMD	95-06-026	388-73-014	AMD-S	95-07-024	388-73-304	AMD-W	95-11-051
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388-49-380	PREP	95-09-032	388-73-014	AMD-E	95-19-076	388-73-351	NEW-P	95-19-077
388-49-410	AMD-P	95-03-044	388-73-014	AMD-P	95-19-077	388-73-353	NEW-E	95-19-076
388-49-410	AMD	95-06-031	388-73-01950	AMD-S	95-07-024	388-73-353	NEW-P	95-19-077
388-49-420	AMD-P	95-03-045	388-73-01950	AMD-W	95-11-051	388-73-355	NEW-E	95-19-076
388-49-420	AMD	95-06-032	388-73-026	AMD-S	95-07-024	388-73-355	NEW-P	95-19-077
388-49-430	AMD-P	95-03-044	388-73-026	AMD-W	95-11-051	388-73-357	NEW-E	95-19-076
388-49-430	AMD	95-06-031	388-73-030	AMD-E	95-18-006	388-73-357	NEW-P	95-19-077
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388-49-430	AMD-E	95-20-050	388-73-036	AMD-S	95-07-024	388-73-361	NEW-P	95-19-077
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388-49-480	AMD-P	95-05-013	388-73-054	AMD-S	95-07-024	388-73-363	NEW-P	95-19-077
388-49-480	AMD	95-07-122	388-73-054	AMD-W	95-11-051	388-73-365	NEW-E	95-19-076
388-49-500	PREP	95-07-053	388-73-058	AMD-E	95-19-076	388-73-365	NEW-P	95-19-077
388-49-500	AMD-P	95-09-004	388-73-058	AMD-P	95-19-077	388-73-367	NEW-E	95-19-076
388-49-500	AMD	95-11-120	388-73-074	AMD-S	95-07-024	388-73-367	NEW-P	95-19-077
388-49-500	PREP	95-17-051	388-73-074	AMD-W	95-11-051	388-73-369	NEW-E	95-19-076
388-49-500	AMD-P	95-18-031	388-73-074	AMD-E	95-19-076	388-73-369	NEW-P	95-19-077
388-49-500	AMD-E	95-20-032	388-73-074	AMD-P	95-19-077	388-73-371	NEW-E	95-19-076
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388-49-505	AMD	95-11-121	388-73-076	AMD-E	95-19-076	388-73-373	NEW-P	95-19-077
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388-49-505	AMD-P	95-18-031	388-73-118	AMD-S	95-07-024	388-73-375	NEW-P	95-19-077
388-49-505	AMD-E	95-20-032	388-73-118	AMD-W	95-11-051	388-73-377	NEW-E	95-19-076
388-49-510	PREP	95-17-051	388-73-144	AMD-S	95-07-024	388-73-377	NEW-P	95-19-077
388-49-510	AMD-P	95-18-031	388-73-144	AMD-W	95-11-051	388-73-379	NEW-E	95-19-076
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388-73-383	NEW-P	95-19-077	388-77-200	REP-P	95-15-068	388-86-021	REP-P	95-17-023
388-73-385	NEW-E	95-19-076	388-77-200	REP	95-18-002	388-86-021	REP-W	95-17-049
388-73-385	NEW-P	95-19-077	388-77-210	REP-P	95-15-068	388-86-022	PREP	95-15-012
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388-73-387	NEW-P	95-19-077	388-77-240	REP-P	95-15-068	388-86-022	AMD-P	95-18-078
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388-73-391	NEW-P	95-19-077	388-77-270	REP-P	95-15-068	388-86-030	AMD-E	95-14-060
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388-73-395	NEW-P	95-19-077	388-77-320	REP-P	95-15-068	388-86-073	AMD-P	95-14-058
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388-73-400	REP-W	95-11-051	388-77-500	REP-P	95-15-068	388-86-073	AMD-W	95-17-086
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388-73-402	REP-W	95-11-051	388-77-515	REP-P	95-15-068	388-86-075	PREP	95-13-020
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388-73-403	REP-W	95-11-051	388-77-520	REP-P	95-15-068	388-86-075	AMD-E	95-14-060
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388-73-404	REP-W	95-11-051	388-77-525	REP-P	95-15-068	388-86-075	AMD-P	95-18-005
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388-73-408	REP-S	95-07-024	388-77-531	REP	95-18-002	388-86-090	AMD-E	95-14-060
388-73-408	REP-W	95-11-051	388-77-555	REP-P	95-15-068	388-86-090	AMD-W	95-17-086
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388-73-409	REP-W	95-11-051	388-77-600	REP-P	95-15-068	388-86-095	PREP	95-08-043
388-73-410	REP-S	95-07-024	388-77-600	REP	95-18-002	388-86-098	PREP	95-13-020
388-73-410	REP-W	95-11-051	388-77-605	REP-P	95-15-068	388-86-098	AMD-P	95-14-058
388-73-412	REP-S	95-07-024	388-77-605	REP	95-18-002	388-86-098	AMD-E	95-14-060
388-73-412	REP-W	95-11-051	388-77-610	REP-P	95-15-068	388-86-098	AMD-W	95-17-086
388-73-414	REP-S	95-07-024	388-77-610	REP	95-18-002	388-86-098	AMD-P	95-18-005
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388-73-430	REP-S	95-07-024	388-77-615	REP	95-18-002	388-87-005	AMD-E	95-16-115
388-73-430	REP-W	95-11-051	388-77-735	REP-P	95-15-068	388-87-005	AMD-P	95-17-023
388-73-432	REP-S	95-07-024	388-77-735	REP	95-18-002	388-87-005	AMD-W	95-17-049
388-73-432	REP-W	95-11-051	388-77-737	REP-P	95-15-068	388-87-011	PREP	95-19-059
388-73-434	REP-S	95-07-024	388-77-737	REP	95-18-002	388-87-020	PREP	95-15-047
388-73-434	REP-W	95-11-051	388-77-810	REP-P	95-15-068	388-87-020	AMD-E	95-16-114
388-73-436	REP-S	95-07-024	388-77-810	REP	95-18-002	388-87-020	AMD-P	95-17-066
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388-73-438	REP-S	95-07-024	388-77-820	REP	95-18-002	388-87-050	REP-E	95-16-115
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388-73-440	REP-S	95-07-024	388-77-900	REP	95-18-002	388-87-050	REP-W	95-17-049
388-73-440	REP-W	95-11-051	388-77A	PREP	95-15-036	388-87-072	AMD	95-04-033
388-73-510	REP-S	95-07-024	388-77A-010	REP-P	95-15-068	388-91	PREP	95-15-032
388-73-510	REP-W	95-11-051	388-77A-010	REP	95-18-002	388-91-005	REP-P	95-16-014
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388-73-511	NEW-W	95-11-051	388-77A-020	REP	95-18-002	388-91-007	PREP	95-13-021
388-73-512	REP-S	95-07-024	388-77A-030	REP-P	95-15-068	388-91-007	REP-P	95-14-059
388-73-512	REP-W	95-11-051	388-77A-030	REP	95-18-002	388-91-007	REP-E	95-14-061
388-73-513	NEW-S	95-07-024	388-77A-040	REP-P	95-15-068	388-91-007	REP-P	95-16-014
388-73-513	NEW-W	95-11-051	388-77A-040	REP	95-18-002	388-91-007	REP-W	95-17-029
388-73-516	NEW-S	95-07-024	388-77A-041	REP-P	95-15-068	388-91-007	REP	95-17-032
388-73-516	NEW-W	95-11-051	388-77A-041	REP	95-18-002	388-91-010	PREP	95-13-021
388-73-522	NEW-S	95-07-024	388-77A-050	REP-P	95-15-068	388-91-010	AMD-P	95-14-059
388-73-522	NEW-W	95-11-051	388-77A-050	REP	95-18-002	388-91-010	AMD-E	95-14-061
388-73-524	NEW-S	95-07-024	388-77A-055	REP-P	95-15-068	388-91-010	REP-P	95-16-014
388-73-524	NEW-W	95-11-051	388-77A-055	REP	95-18-002	388-91-010	REP-W	95-17-029
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388-73-606	AMD-W	95-11-051	388-86-005	PREP	95-13-020	388-91-013	REP-P	95-16-014
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388-77	PREP	95-15-036	388-86-005	AMD-E	95-14-060	388-91-015	REP-P	95-16-014
388-77-005	REP-P	95-15-068	388-86-005	AMD-W	95-17-086	388-91-015	REP-W	95-17-029
388-77-005	REP	95-18-002	388-86-005	AMD-P	95-18-005	388-91-016	REP-P	95-16-014
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388-77-006	REP	95-18-002	388-86-009	REP	95-18-046	388-91-020	PREP	95-13-021
388-77-010	REP-P	95-15-068	388-86-00902	REP-P	95-15-023	388-91-020	AMD-P	95-14-059
388-77-010	REP	95-18-002	388-86-00902	REP	95-18-046	388-91-020	AMD-E	95-14-061
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388-91-030	REP-W	95-17-029	388-96-735	AMD	95-19-037	388-165-090	NEW-P	95-08-044
388-91-035	REP-P	95-16-014	388-96-737	AMD-E	95-14-119	388-165-090	NEW	95-11-048
388-91-035	REP-W	95-17-029	388-96-737	AMD-P	95-14-120	388-165-100	NEW-P	95-08-044
388-91-040	REP-P	95-16-014	388-96-737	AMD	95-19-037	388-165-100	NEW	95-11-048
388-91-040	REP-W	95-17-029	388-96-745	AMD-E	95-14-119	388-201	PREP	95-19-020
388-91-050	REP-P	95-16-014	388-96-745	AMD-P	95-14-120	388-215-1000	PREP	95-09-013
388-91-050	REP-W	95-17-029	388-96-745	AMD	95-19-037	388-215-1000	PREP	95-11-066
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388-96-010	AMD	95-19-037	388-96-754	AMD-E	95-14-119	388-215-1130	NEW-P	95-16-042
388-96-032	AMD-E	95-14-119	388-96-754	AMD-P	95-14-120	388-215-1130	NEW-E	95-16-045
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388-96-032	AMD	95-19-037	388-96-763	AMD-E	95-14-119	388-215-1140	PREP	95-16-041
388-96-108	AMD-E	95-14-119	388-96-763	AMD-P	95-14-120	388-215-1140	NEW-P	95-16-042
388-96-108	AMD-P	95-14-120	388-96-763	AMD	95-19-037	388-215-1140	NEW-E	95-16-045
388-96-108	AMD	95-19-037	388-96-765	AMD-E	95-14-119	388-215-1140	NEW	95-19-002
388-96-204	AMD-E	95-14-119	388-96-765	AMD-P	95-14-120	388-215-1150	PREP	95-16-041
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388-96-210	AMD-E	95-14-119	388-96-769	AMD	95-19-037	388-215-1160	PREP	95-16-041
388-96-210	AMD-P	95-14-120	388-96-776	AMD-E	95-14-119	388-215-1160	NEW-P	95-16-042
388-96-210	AMD	95-19-037	388-96-776	AMD-P	95-14-120	388-215-1160	NEW-E	95-16-045
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388-96-216	REP-P	95-14-120	388-96-776	AMD	95-19-037	388-215-1170	PREP	95-16-041
388-96-216	REP	95-19-037	388-96-813	AMD-E	95-14-119	388-215-1170	NEW-P	95-16-042
388-96-220	AMD-E	95-14-119	388-96-813	AMD-P	95-14-120	388-215-1170	NEW-E	95-16-045
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388-96-221	AMD-P	95-14-120	388-96-901	AMD	95-19-037	388-215-1510	NEW	95-14-048
388-96-221	AMD	95-19-037	388-96-902	REP-E	95-14-119	388-216-2150	PREP	95-09-012
388-96-224	AMD-E	95-14-119	388-96-902	REP-P	95-14-120	388-216-2150	AMD-P	95-11-050
388-96-224	AMD-P	95-14-120	388-96-902	REP	95-19-037	388-216-2150	AMD	95-14-049
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388-96-229	AMD-E	95-14-119	388-96-904	AMD-P	95-14-120	388-216-2350	AMD-P	95-16-120
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388-96-501	AMD-P	95-14-120	388-150-090	AMD-E	95-18-006	388-216-2650	AMD	95-14-049
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388-96-709	AMD-P	95-14-120	388-160	PREP	95-17-041	388-218-1050	PREP	95-11-007
388-96-709	AMD	95-19-037	388-160-090	AMD-E	95-18-006	388-218-1050	AMD-P	95-11-101
388-96-710	AMD-E	95-14-119	388-160-090	AMD-P	95-18-007	388-218-1050	AMD	95-14-047
388-96-710	AMD-P	95-14-120	388-165	PREP	95-05-068	388-218-1200	PREP	95-08-023
388-96-710	AMD	95-19-037	388-165-005	NEW-P	95-08-044	388-218-1200	AMD-P	95-09-035
388-96-713	AMD-E	95-14-119	388-165-005	NEW	95-11-048	388-218-1200	AMD	95-11-124
388-96-713	AMD-P	95-14-120	388-165-010	NEW-P	95-08-044	388-218-1350	PREP	95-08-023
388-96-713	AMD	95-19-037	388-165-010	NEW	95-11-048	388-218-1350	AMD-P	95-09-035
388-96-716	AMD-E	95-14-119	388-165-020	NEW-P	95-08-044	388-218-1350	AMD	95-11-124
388-96-716	AMD-P	95-14-120	388-165-020	NEW	95-11-048	388-218-1400	AMD	95-04-048
388-96-716	AMD	95-19-037	388-165-030	NEW-P	95-11-048	388-218-1450	PREP	95-08-023
388-96-719	AMD-E	95-14-119	388-165-030	NEW	95-11-048	388-218-1450	AMD-P	95-09-035
388-96-719	AMD-P	95-14-120	388-165-040	NEW-P	95-08-044	388-218-1450	AMD	95-11-124
388-96-719	AMD	95-19-037	388-165-040	NEW	95-11-048	388-218-1500	AMD	95-04-048
388-96-722	AMD-E	95-14-119	388-165-050	NEW-P	95-08-044	388-218-1510	PREP	95-11-007
388-96-722	AMD-P	95-14-120	388-165-050	NEW	95-11-048	388-218-1510	AMD-P	95-11-101
388-96-722	AMD	95-19-037	388-165-060	NEW-P	95-08-044	388-218-1510	AMD	95-14-047
388-96-727	AMD-E	95-14-119	388-165-060	NEW	95-11-048	388-218-1515	PREP	95-11-007
388-96-727	AMD-P	95-14-120	388-165-070	NEW-P	95-08-044	388-218-1515	REP-P	95-11-101
388-96-727	AMD	95-19-037	388-165-070	NEW	95-11-048			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-218-1515	REP	95-14-047	388-300-0300	NEW	95-19-075	388-330	PREP	95-11-006
388-218-1520	AMD	95-04-048	388-300-0400	NEW-P	95-15-001	388-330	PREP	95-16-057
388-218-1605	PREP	95-08-023	388-300-0400	NEW	95-19-075	388-330-010	AMD-P	95-16-086
388-218-1605	AMD-P	95-09-035	388-300-0500	NEW-P	95-15-001	388-330-010	AMD-E	95-16-087
388-218-1605	AMD	95-11-124	388-300-0500	NEW	95-19-075	388-330-010	RESCIND	95-16-100
388-218-1610	PREP	95-08-023	388-300-0600	NEW-P	95-15-001	388-330-010	AMD-W	95-16-101
388-218-1610	AMD-P	95-09-035	388-300-0600	NEW	95-19-075	388-330-010	AMD-E	95-18-006
388-218-1610	AMD	95-11-124	388-300-0700	NEW-P	95-15-001	388-330-010	AMD-P	95-18-007
388-218-1630	PREP	95-08-023	388-300-0700	NEW	95-19-075	388-330-035	NEW-P	95-16-086
388-218-1630	AMD-P	95-09-035	388-300-0800	NEW-P	95-15-001	388-330-035	NEW-E	95-16-087
388-218-1630	AMD	95-11-124	388-300-0800	NEW	95-19-075	388-330-035	RESCIND	95-16-100
388-218-1680	PREP	95-08-023	388-300-0900	NEW-P	95-15-001	388-330-035	NEW-W	95-16-101
388-218-1680	AMD-P	95-09-035	388-300-0900	NEW	95-19-075	388-330-035	NEW-E	95-18-006
388-218-1680	AMD	95-11-124	388-300-1000	NEW-P	95-15-001	388-330-035	NEW-P	95-18-007
388-218-1695	PREP	95-14-080	388-300-1000	NEW	95-19-075	388-500-0005	PREP	95-13-020
388-218-1695	AMD-P	95-16-119	388-300-1100	NEW-P	95-15-001	388-500-0005	AMD-P	95-14-058
388-218-1695	AMD	95-19-005	388-300-1100	NEW	95-19-075	388-500-0005	AMD-E	95-14-060
388-218-1730	PREP	95-08-023	388-300-1200	NEW-P	95-15-001	388-500-0005	AMD-W	95-17-086
388-218-1730	AMD-P	95-09-035	388-300-1200	NEW	95-19-075	388-500-0005	AMD-P	95-18-005
388-218-1730	AMD	95-11-124	388-300-1300	NEW-P	95-15-001	388-501-0130	PREP	95-17-042
388-219-3000	PREP	95-06-035	388-300-1300	NEW	95-19-075	388-503-0320	PREP	95-15-037
388-225-0020	PREP	95-05-039	388-300-1400	NEW-P	95-15-001	388-503-0370	PREP	95-13-020
388-225-0020	AMD-P	95-08-010	388-300-1400	NEW	95-19-075	388-503-0370	AMD-P	95-14-058
388-225-0020	AMD	95-11-046	388-300-1500	NEW-P	95-15-001	388-503-0370	AMD-E	95-14-060
388-225-0300	REP-P	95-08-010	388-300-1500	NEW	95-19-075	388-503-0370	AMD-W	95-17-086
388-225-0300	REP	95-11-046	388-300-1600	NEW-P	95-15-001	388-503-0370	AMD-P	95-18-005
388-233	PREP	95-17-089	388-300-1600	NEW	95-19-075	388-504-0470	PREP	95-14-005
388-235-9000	AMD	95-03-048	388-300-1700	NEW-P	95-15-001	388-504-0470	AMD-P	95-19-100
388-250-1200	AMD-P	95-05-014	388-300-1700	NEW	95-19-075	388-505-0520	PREP	95-19-036
388-250-1200	AMD	95-07-123	388-300-1800	NEW-P	95-15-001	388-505-0580	PREP	95-17-060
388-250-1250	PREP	95-17-050	388-300-1800	NEW	95-19-075	388-505-0590	AMD	95-04-047
388-250-1250	AMD-P	95-18-036	388-300-1900	NEW-P	95-15-001	388-505-0590	PREP	95-07-090
388-250-1250	AMD-E	95-18-061	388-300-1900	NEW	95-19-075	388-505-0590	AMD-P	95-13-085
388-250-1300	PREP	95-17-050	388-300-2000	NEW-P	95-15-001	388-505-0590	AMD-P	95-14-037
388-250-1300	AMD-P	95-18-036	388-300-2000	NEW	95-19-075	388-505-0590	AMD-W	95-14-038
388-250-1300	AMD-E	95-18-061	388-300-2100	NEW-P	95-15-001	388-505-0590	AMD	95-17-031
388-250-1700	AMD	95-03-046	388-300-2100	NEW	95-19-075	388-506-0610	AMD-P	95-07-049
388-250-1700	PREP	95-16-015	388-300-2200	NEW-P	95-15-001	388-506-0610	AMD	95-10-025
388-250-1700	AMD-P	95-17-128	388-300-2200	NEW	95-19-075	388-506-0610	PREP	95-15-038
388-250-1700	AMD	95-20-028	388-300-2300	NEW-P	95-15-001	388-506-0610	AMD-P	95-16-013
388-250-1750	PREP	95-17-050	388-300-2300	NEW	95-19-075	388-506-0610	AMD-E	95-16-018
388-250-1750	AMD-P	95-18-036	388-300-2400	NEW-P	95-15-001	388-506-0610	AMD	95-19-007
388-250-1750	AMD-E	95-18-061	388-300-2400	NEW	95-19-075	388-507-0710	AMD	95-05-022
388-255-1200	PREP	95-20-008	388-300-2500	NEW-P	95-15-001	388-507-0710	PREP	95-08-009
388-265-1750	PREP	95-09-044	388-300-2500	NEW	95-19-075	388-507-0710	AMD-P	95-13-087
388-265-1750	AMD-P	95-09-054	388-300-2600	NEW-P	95-15-001	388-507-0710	AMD-W	95-14-038
388-265-1750	AMD-E	95-09-055	388-300-2600	NEW	95-19-075	388-508-0805	PREP	95-06-071
388-265-1750	AMD	95-11-119	388-300-2700	NEW-P	95-15-001	388-508-0805	AMD-P	95-08-045
388-290	PREP	95-13-061	388-300-2700	NEW	95-19-075	388-508-0805	AMD-E	95-08-046
388-290	PREP	95-17-096	388-300-2800	NEW-P	95-15-001	388-508-0805	AMD	95-11-045
388-290-010	NEW-P	95-19-021	388-300-2800	NEW	95-19-075	388-508-0820	AMD-P	95-13-086
388-290-020	NEW-P	95-19-021	388-300-2900	NEW-P	95-15-001	388-508-0820	AMD	95-16-058
388-290-040	NEW-P	95-19-021	388-300-2900	NEW	95-19-075	388-509-0920	PREP	95-06-071
388-290-110	NEW-P	95-19-021	388-300-3000	NEW-P	95-15-001	388-509-0920	AMD-P	95-08-045
388-290-115	NEW-P	95-19-021	388-300-3000	NEW	95-19-075	388-509-0920	AMD-E	95-08-046
388-290-120	NEW-P	95-19-021	388-300-3100	NEW-P	95-15-001	388-509-0920	AMD	95-11-056
388-290-123	NEW-P	95-19-021	388-300-3100	NEW	95-19-075	388-509-0960	AMD	95-05-023
388-290-130	NEW-P	95-19-021	388-300-3200	NEW-P	95-15-001	388-509-0960	PREP	95-06-071
388-290-135	NEW-P	95-19-021	388-300-3200	NEW	95-19-075	388-509-0960	AMD-P	95-08-045
388-290-140	NEW-P	95-19-021	388-300-3300	NEW-P	95-15-001	388-509-0960	AMD-E	95-08-046
388-290-155	NEW-P	95-19-021	388-300-3300	NEW	95-19-075	388-509-0960	AMD	95-11-056
388-290-160	NEW-P	95-19-021	388-300-3400	NEW-P	95-15-001	388-511-1105	AMD-P	95-06-072
388-290-170	NEW-P	95-19-021	388-300-3400	NEW	95-19-075	388-511-1105	AMD	95-08-070
388-290-180	NEW-P	95-19-021	388-300-3500	NEW-P	95-15-001	388-511-1130	AMD-P	95-06-072
388-290-210	NEW-P	95-19-021	388-300-3500	NEW	95-19-075	388-511-1130	AMD-W	95-08-071
388-290-250	NEW-P	95-19-021	388-300-3600	NEW-P	95-15-001	388-511-1140	AMD-P	95-06-072
388-290-260	NEW-P	95-19-021	388-300-3600	NEW	95-19-075	388-511-1140	AMD	95-08-070
388-300	PREP	95-08-021	388-300-3700	NEW-P	95-15-001	388-511-1160	AMD-P	95-06-072
388-300-0100	NEW-P	95-15-001	388-300-3700	NEW	95-19-075	388-511-1160	AMD	95-08-070
388-300-0100	NEW	95-19-075	388-300-3800	NEW-P	95-15-001	388-513-1300	NEW-P	95-03-084
388-300-0200	NEW-P	95-15-001	388-300-3800	NEW	95-19-075	388-513-1300	NEW	95-06-025
388-300-0200	NEW	95-19-075	388-300-3900	NEW-P	95-15-001	388-513-1315	PREP	95-15-038
388-300-0300	NEW-P	95-15-001	388-300-3900	NEW	95-19-075	388-513-1315	AMD-P	95-16-013

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
388-513-1315	AMD-E	95-16-018	388-527-2720	REP-E	95-14-117	388-535	PREP	95-15-008
388-513-1315	AMD	95-19-007	388-527-2720	REP-C	95-17-030	388-535-1000	NEW-E	95-16-115
388-513-1330	PREP	95-07-072	388-527-2720	REP	95-19-001	388-535-1000	NEW-P	95-17-023
388-513-1350	AMD	95-05-022	388-527-2730	NEW-P	95-14-116	388-535-1000	NEW-W	95-17-049
388-513-1380	AMD	95-05-022	388-527-2730	NEW-E	95-14-117	388-535-1050	NEW-E	95-16-115
388-513-1380	PREP	95-06-071	388-527-2730	NEW-C	95-17-030	388-535-1050	NEW-P	95-17-023
388-513-1380	AMD-P	95-08-045	388-527-2730	NEW	95-19-001	388-535-1050	NEW-W	95-17-049
388-513-1380	AMD-E	95-08-046	388-527-2735	NEW	95-19-001	388-535-1100	NEW-E	95-16-115
388-513-1380	AMD	95-11-045	388-527-2740	NEW-P	95-14-116	388-535-1100	NEW-P	95-17-023
388-513-1380	PREP	95-14-002	388-527-2740	NEW-E	95-14-117	388-535-1100	NEW-W	95-17-049
388-513-1395	PREP	95-15-037	388-527-2740	NEW-C	95-17-030	388-535-1150	NEW-E	95-16-115
388-515-1505	PREP	95-12-011	388-527-2740	NEW	95-19-001	388-535-1150	NEW-P	95-17-023
388-515-1505	AMD-P	95-17-061	388-527-2742	NEW-P	95-14-116	388-535-1150	NEW-W	95-17-049
388-515-1505	AMD	95-20-030	388-527-2742	NEW-E	95-14-117	388-535-1200	NEW-E	95-16-115
388-515-1530	PREP	95-11-077	388-527-2742	NEW-C	95-17-030	388-535-1200	NEW-P	95-17-023
388-515-1530	AMD-P	95-15-035	388-527-2742	NEW	95-19-001	388-535-1200	NEW-W	95-17-049
388-515-1530	AMD	95-18-001	388-527-2744	NEW-P	95-14-116	388-535-1250	NEW-E	95-16-115
388-517-1710	AMD-P	95-11-049	388-527-2744	NEW-E	95-14-117	388-535-1250	NEW-P	95-17-023
388-517-1710	AMD	95-14-046	388-527-2744	NEW-C	95-17-030	388-535-1250	NEW-W	95-17-049
388-517-1715	AMD-P	95-11-049	388-527-2750	NEW	95-19-001	388-535-1300	NEW-E	95-16-115
388-517-1715	AMD	95-14-046	388-527-2752	NEW	95-19-001	388-535-1300	NEW-P	95-17-023
388-517-1720	PREP	95-06-071	388-527-2753	NEW	95-19-001	388-535-1300	NEW-W	95-17-049
388-517-1720	AMD-P	95-08-045	388-527-2754	NEW	95-19-001	388-535-1350	NEW-E	95-16-115
388-517-1720	AMD-E	95-08-046	388-527-2770	NEW-P	95-14-116	388-535-1350	NEW-P	95-17-023
388-517-1720	AMD	95-11-056	388-527-2770	NEW-E	95-14-117	388-535-1350	NEW-W	95-17-049
388-517-1730	AMD-P	95-11-049	388-527-2770	NEW-C	95-17-030	388-535-1400	NEW-E	95-16-115
388-517-1730	AMD	95-14-046	388-527-2790	NEW-P	95-14-116	388-535-1400	NEW-P	95-17-023
388-517-1740	PREP	95-06-071	388-527-2790	NEW-E	95-14-117	388-535-1400	NEW-W	95-17-049
388-517-1740	AMD-P	95-08-045	388-527-2790	NEW-C	95-17-030	388-535-1450	NEW-E	95-16-115
388-517-1740	AMD-E	95-08-046	388-527-2790	NEW	95-19-001	388-535-1450	NEW-P	95-17-023
388-517-1740	AMD	95-11-056	388-529-2950	PREP	95-13-020	388-535-1450	NEW-W	95-17-049
388-517-1740	PREP	95-15-007	388-529-2950	AMD-P	95-14-058	388-535-1500	NEW-E	95-16-115
388-517-1740	AMD-P	95-20-011	388-529-2950	AMD-E	95-14-060	388-535-1500	NEW-P	95-17-023
388-517-1750	AMD-P	95-11-049	388-529-2950	AMD-W	95-17-086	388-535-1500	NEW-W	95-17-049
388-517-1750	AMD	95-14-046	388-529-2950	AMD-P	95-18-005	388-535-1550	NEW-E	95-16-115
388-517-1760	PREP	95-06-071	388-530-1000	NEW-P	95-16-014	388-535-1550	NEW-P	95-17-023
388-517-1760	AMD-P	95-08-045	388-530-1000	NEW-W	95-17-029	388-535-1550	NEW-W	95-17-049
388-517-1760	AMD-E	95-08-046	388-530-1050	NEW-P	95-16-014	388-538	PREP	95-12-033
388-517-1760	AMD	95-11-056	388-530-1050	NEW-W	95-17-029	388-538-050	AMD-P	95-15-023
388-518-1805	AMD	95-04-049	388-530-1100	NEW-P	95-16-014	388-538-050	AMD	95-18-046
388-518-1805	PREP	95-13-020	388-530-1100	NEW-W	95-17-029	388-538-060	AMD-P	95-15-023
388-518-1805	AMD-P	95-14-058	388-530-1150	NEW-P	95-16-014	388-538-060	AMD	95-18-046
388-518-1805	AMD-E	95-14-060	388-530-1150	NEW-W	95-17-029	388-538-070	AMD-P	95-15-023
388-518-1805	AMD-W	95-17-086	388-530-1200	NEW-P	95-16-014	388-538-070	AMD	95-18-046
388-518-1805	AMD-P	95-18-005	388-530-1200	NEW-W	95-17-029	388-538-080	AMD-P	95-15-023
388-518-1810	PREP	95-13-020	388-530-1250	NEW-P	95-16-014	388-538-080	AMD	95-18-046
388-518-1810	AMD-P	95-14-058	388-530-1250	NEW-W	95-17-029	388-538-090	AMD-P	95-15-023
388-518-1810	AMD-E	95-14-060	388-530-1300	NEW-P	95-16-014	388-538-090	AMD	95-18-046
388-518-1810	AMD-W	95-17-086	388-530-1300	NEW-W	95-17-029	388-538-095	AMD-P	95-15-023
388-518-1810	AMD-P	95-18-005	388-530-1350	NEW-P	95-16-014	388-538-095	AMD	95-18-046
388-518-1840	PREP	95-13-020	388-530-1350	NEW-W	95-17-029	388-538-100	AMD	95-04-033
388-518-1840	AMD-P	95-14-058	388-530-1400	NEW-P	95-16-014	388-538-100	AMD-P	95-15-023
388-518-1840	AMD-E	95-14-060	388-530-1400	NEW-W	95-17-029	388-538-100	AMD	95-18-046
388-518-1840	AMD-W	95-17-086	388-530-1450	NEW-P	95-16-014	388-538-110	AMD-P	95-15-023
388-518-1840	AMD-P	95-18-005	388-530-1450	NEW-W	95-17-029	388-538-110	AMD	95-18-046
388-519-1905	PREP	95-13-020	388-530-1500	NEW-P	95-16-014	388-538-120	AMD-P	95-15-023
388-519-1905	AMD-P	95-14-058	388-530-1500	NEW-W	95-17-029	388-538-120	AMD	95-18-046
388-519-1905	AMD-E	95-14-060	388-530-1550	NEW-P	95-16-014	388-538-130	AMD-P	95-15-023
388-519-1905	AMD-W	95-17-086	388-530-1550	NEW-W	95-17-029	388-538-130	AMD	95-18-046
388-519-1905	AMD-P	95-18-005	388-530-1600	NEW-P	95-16-014	388-538-130	AMD	95-18-046
388-521-2140	PREP	95-13-020	388-530-1600	NEW-W	95-17-029	388-538-140	AMD-P	95-15-023
388-521-2140	AMD-P	95-14-058	388-530-1650	NEW-P	95-16-014	388-538-140	AMD	95-18-046
388-521-2140	AMD-E	95-14-060	388-530-1650	NEW-W	95-17-029	388-538-150	AMD-P	95-15-023
388-521-2140	AMD-W	95-17-086	388-530-1700	NEW-P	95-16-014	388-538-150	AMD	95-18-046
388-521-2140	AMD-P	95-18-005	388-530-1700	NEW-W	95-17-029	390-05-190	AMD-E	95-14-076
388-522-2230	PREP	95-06-033	388-530-1750	NEW-P	95-16-014	390-05-210	AMD-E	95-14-076
388-522-2230	AMD-P	95-12-031	388-530-1750	NEW-W	95-17-029	390-05-245	NEW-E	95-14-076
388-522-2230	AMD	95-15-039	388-530-1800	NEW-P	95-16-014	390-16-038	AMD-E	95-14-076
388-527-2710	REP-P	95-14-116	388-530-1800	NEW-W	95-17-029	390-16-313	NEW-E	95-14-076
388-527-2710	REP-E	95-14-117	388-530-1850	NEW-P	95-16-014	390-16-314	NEW-E	95-14-076
388-527-2710	REP-C	95-17-030	388-530-1850	NEW-W	95-17-029	390-17-050	REP-E	95-14-076
388-527-2710	REP	95-19-001	388-530-1900	NEW-P	95-16-014	390-17-052	REP-E	95-14-076
388-527-2720	REP-P	95-14-116	388-530-1900	NEW-W	95-17-029	390-17-400	PREP	95-18-089
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391-35	PREP	95-20-036	392-140-576	NEW-P	95-15-054	392-142-165	AMD	95-17-011
391-35-300	NEW-E	95-07-026	392-140-576	NEW	95-18-051	392-142-165	AMD-E	95-17-012
391-45	PREP	95-20-036	392-140-577	NEW-P	95-15-054	392-142-170	AMD-P	95-13-100
391-45-431	REP-E	95-06-087	392-140-577	NEW	95-18-051	392-142-170	AMD	95-17-011
391-45-560	NEW-E	95-07-026	392-140-578	NEW-P	95-15-054	392-142-170	AMD-E	95-17-012
391-55	PREP	95-20-036	392-140-578	NEW	95-18-051	392-142-175	REP-P	95-13-100
391-65	PREP	95-20-036	392-140-580	NEW-P	95-15-054	392-142-175	REP	95-17-011
391-95	PREP	95-20-036	392-140-580	NEW	95-18-051	392-142-175	REP-E	95-17-012
392-121	PREP	95-10-032	392-140-581	NEW-P	95-15-054	392-142-205	AMD-P	95-13-100
392-121	PREP	95-14-015	392-140-581	NEW	95-18-051	392-142-205	AMD	95-17-011
392-121	PREP	95-15-090	392-140-582	NEW-P	95-15-054	392-142-205	AMD-E	95-17-012
392-121-106	AMD-E	95-04-055	392-140-582	NEW	95-18-051	392-142-210	AMD-P	95-13-100
392-121-106	AMD-P	95-06-059	392-140-582	NEW	95-18-051	392-142-210	AMD	95-17-011
392-121-106	AMD	95-10-011	392-140-583	NEW-P	95-15-054	392-142-210	AMD	95-17-011
392-121-107	AMD-P	95-14-140	392-140-583	NEW	95-18-051	392-142-210	AMD-E	95-17-012
392-121-107	AMD	95-18-097	392-140-583	NEW-P	95-15-054	392-142-212	NEW-P	95-13-100
392-121-182	AMD-P	95-14-140	392-140-584	NEW	95-18-051	392-142-212	NEW	95-17-011
392-121-182	AMD	95-18-097	392-140-585	NEW-P	95-15-054	392-142-212	NEW-E	95-17-012
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392-121-201	NEW-P	95-18-096	392-140-586	NEW	95-18-051	392-142-213	NEW-E	95-17-012
392-121-205	AMD-P	95-18-096	392-140-588	NEW-P	95-15-054	392-142-240	AMD-P	95-13-100
392-121-205	AMD-P	95-18-096	392-140-588	NEW	95-18-051	392-142-240	AMD	95-17-011
392-121-206	NEW-P	95-18-096	392-140-590	NEW-P	95-15-054	392-142-240	AMD-E	95-17-012
392-121-210	AMD-P	95-18-096	392-140-590	NEW	95-18-051	392-142-265	AMD-P	95-13-100
392-121-215	AMD-P	95-18-096	392-140-592	NEW-P	95-15-054	392-142-265	AMD	95-17-011
392-121-220	AMD-P	95-18-096	392-140-592	NEW	95-18-051	392-142-265	AMD-E	95-17-012
392-121-225	AMD-P	95-18-096	392-140-594	NEW-P	95-15-054	392-162	PREP	95-15-052
392-121-245	AMD-P	95-18-096	392-140-594	NEW	95-18-051	392-162-042	REP-P	95-15-076
392-121-255	AMD-P	95-18-096	392-141-115	AMD-P	95-15-075	392-162-042	REP	95-19-031
392-121-257	AMD-P	95-18-096	392-141-115	AMD	95-18-050	392-162-043	NEW-P	95-15-076
392-121-259	AMD-P	95-18-096	392-141-135	AMD-P	95-15-075	392-162-043	NEW	95-19-031
392-121-261	AMD-P	95-18-096	392-141-135	AMD	95-18-050	392-162-044	REP-P	95-15-076
392-121-262	NEW-P	95-18-096	392-141-145	REP-P	95-15-075	392-162-044	REP	95-19-031
392-121-270	AMD-P	95-18-096	392-141-145	REP	95-18-050	392-162-049	AMD-P	95-15-076
392-121-280	AMD-P	95-18-096	392-141-151	NEW-P	95-15-075	392-162-049	AMD	95-19-031
392-121-295	AMD-P	95-18-096	392-141-151	NEW	95-18-050	392-162-052	AMD-P	95-15-076
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392-122	PREP	95-15-089	392-141-170	AMD	95-18-050	392-162-055	REP-P	95-15-076
392-122-205	AMD-P	95-05-020	392-141-176	NEW-P	95-15-075	392-162-055	REP	95-19-031
392-122-205	AMD	95-08-025	392-141-176	NEW	95-18-050	392-162-057	AMD-P	95-15-076
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392-122-214	REP	95-08-025	392-141-185	AMD	95-18-050	392-162-062	AMD-P	95-15-076
392-122-221	AMD-P	95-05-020	392-142-005	AMD-P	95-13-100	392-162-062	AMD	95-19-031
392-122-221	AMD	95-08-025	392-142-005	AMD	95-17-011	392-162-067	AMD-P	95-15-076
392-122-230	AMD-P	95-05-020	392-142-005	AMD-E	95-17-012	392-162-067	AMD	95-19-031
392-122-230	AMD	95-08-025	392-142-010	AMD-P	95-13-100	392-162-070	REP-P	95-15-076
392-122-260	REP-P	95-05-020	392-142-010	AMD	95-17-011	392-162-070	REP	95-19-031
392-122-260	REP	95-08-025	392-142-010	AMD-E	95-17-012	392-162-075	AMD-P	95-15-076
392-122-275	AMD-P	95-05-020	392-142-095	AMD-P	95-13-100	392-162-075	AMD	95-19-031
392-122-275	AMD	95-08-025	392-142-095	AMD	95-17-011	392-162-075	AMD	95-19-031
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392-122-900	AMD-P	95-15-029	392-142-115	AMD-P	95-13-100	392-162-080	AMD	95-19-031
392-122-900	AMD-E	95-15-030	392-142-115	AMD	95-17-011	392-162-085	AMD-P	95-15-076
392-122-900	AMD	95-18-074	392-142-115	AMD-E	95-17-012	392-162-085	AMD	95-19-031
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392-135	PREP	95-14-012	392-142-125	AMD	95-17-011	392-162-105	PREP	95-15-051
392-139	PREP	95-14-011	392-142-125	AMD-E	95-17-012	392-162-105	AMD-P	95-15-053
392-140	PREP	95-14-009	392-142-130	AMD-P	95-13-100	392-162-105	AMD	95-19-032
392-140	PREP	95-14-010	392-142-130	AMD	95-17-011	392-162-110	AMD-P	95-15-076
392-140-500	PREP	95-11-004	392-142-130	AMD-E	95-17-012	392-162-110	AMD	95-19-031
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392-140-571	NEW	95-18-051	392-142-135	AMD-E	95-17-012	392-169-015	AMD	95-09-042
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415-112-0152	NEW	95-16-053	415-113-090	NEW	95-03-001	434-120-025	AMD-P	95-08-073
415-112-0153	NEW-P	95-09-069	415-113-100	NEW	95-03-001	434-120-025	AMD	95-11-135
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415-112-0154	NEW	95-16-053	415-115-030	AMD	95-12-058	434-120-103	NEW	95-11-135
415-112-0155	NEW-P	95-09-069	415-115-050	AMD-P	95-09-068	434-120-105	PREP	95-06-049
415-112-0156	NEW-P	95-09-069	415-115-050	AMD	95-12-058	434-120-105	AMD-P	95-08-073
415-112-0156	NEW	95-16-053	415-115-060	AMD-P	95-09-068	434-120-105	AMD-C	95-12-017
415-112-0157	NEW-P	95-09-069	415-115-060	AMD	95-12-058	434-120-125	PREP	95-06-049
415-112-0157	NEW	95-16-053	415-115-070	AMD-P	95-09-068	434-120-125	AMD-P	95-08-073
415-112-0158	NEW-P	95-09-069	415-115-070	AMD	95-12-058	434-120-125	AMD	95-11-135
415-112-0158	NEW	95-16-053	415-115-080	AMD-P	95-09-068	434-120-130	PREP	95-06-049
415-112-0159	NEW-P	95-09-069	415-115-080	AMD	95-12-058	434-120-130	AMD-P	95-08-073
415-112-0159	NEW	95-16-053	415-115-120	AMD-P	95-09-068	434-120-130	AMD-C	95-12-017
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415-112-0161	NEW	95-16-053	419-18	AMD-P	95-03-091	434-120-140	AMD-P	95-08-073
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415-112-0162	NEW	95-16-053	419-18-020	AMD-P	95-03-091	434-120-145	PREP	95-06-049
415-112-0163	NEW-P	95-09-069	419-18-020	AMD	95-06-066	434-120-145	AMD-P	95-08-073
415-112-0163	NEW	95-16-053	419-18-030	AMD-P	95-03-091	434-120-145	AMD	95-11-135
415-112-0164	NEW-P	95-09-069	419-18-030	AMD	95-06-066	434-120-200	NEW-P	95-08-073
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415-112-0166	NEW-P	95-09-069	419-18-045	NEW-P	95-03-091	434-120-215	PREP	95-06-049
415-112-0167	NEW-P	95-09-069	419-18-045	NEW	95-06-066	434-120-215	AMD-P	95-08-073
415-112-0167	NEW	95-16-053	419-18-050	AMD-P	95-03-091	434-120-215	AMD	95-11-135
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415-112-125	NEW	95-16-053	419-18-080	NEW-P	95-03-091	434-120-255	AMD-C	95-12-017
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415-112-140	NEW-P	95-09-069	419-70-040	REP	95-09-049	434-120-265	AMD-P	95-08-073
415-112-140	NEW	95-16-053	419-70-050	REP	95-09-049	434-120-265	AMD	95-11-135
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415-113-020	REP	95-03-001	419-72-050	AMD	95-09-049	434-120-315	NEW-P	95-08-072
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415-113-0301	NEW	95-03-001	419-72-060	AMD	95-09-049	434-120-317	PREP	95-06-050
415-113-0302	NEW	95-03-001	419-72-065	AMD	95-09-049	434-120-317	NEW-P	95-08-072
415-113-0303	NEW	95-03-001	419-72-068	NEW-W	95-02-059	434-120-317	NEW	95-11-135
415-113-0304	NEW	95-03-001	419-72-070	AMD	95-09-049	434-120-330	PREP	95-06-050
415-113-0305	NEW	95-03-001	419-72-075	AMD	95-09-049	434-120-330	AMD-P	95-08-072
415-113-0306	NEW	95-03-001	419-72-080	AMD	95-09-049	434-120-330	AMD	95-11-135
415-113-0307	NEW	95-03-001	419-72-090	REP	95-09-049	434-120-335	PREP	95-06-050
415-113-0308	NEW	95-03-001	419-72-095	REP	95-09-049	434-120-335	AMD-P	95-08-072
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434-135-050	NEW-P	95-12-101	448-13-160	AMD-P	95-16-118	458-08-170	REP-P	95-04-051
434-135-050	NEW	95-16-131	448-13-160	AMD	95-20-025	458-08-170	REP	95-07-067
434-135-060	PREP	95-11-133	448-13-170	AMD-P	95-16-118	458-08-180	REP-P	95-04-051
434-135-060	NEW-P	95-12-101	448-13-170	AMD	95-20-025	458-08-180	REP	95-07-067
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434-135-070	PREP	95-11-133	448-13-200	AMD	95-20-025	458-08-190	REP	95-07-067
434-135-070	NEW-P	95-12-101	448-13-210	AMD-P	95-16-118	458-08-200	REP-P	95-04-051
434-135-070	NEW	95-16-131	448-13-210	AMD	95-20-025	458-08-200	REP	95-07-067
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434-135-080	NEW-P	95-12-101	448-13-220	AMD	95-20-025	458-08-210	REP	95-07-067
434-135-080	NEW	95-16-131	456-09-110	AMD	95-05-033	458-08-220	REP-P	95-04-051
434-135-090	PREP	95-11-133	456-09-130	AMD	95-05-033	458-08-220	REP	95-07-067
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434-135-110	PREP	95-11-133	456-09-330	AMD	95-05-033	458-08-240	REP	95-07-067
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434-135-120	NEW	95-16-131	456-09-365	AMD	95-05-033	458-08-260	REP-P	95-04-051
434-135-130	PREP	95-11-133	456-09-540	AMD	95-05-033	458-08-260	REP	95-07-067
434-135-140	PREP	95-11-133	456-09-705	AMD	95-05-033	458-08-270	REP-P	95-04-051
434-135-150	PREP	95-11-133	456-09-710	AMD	95-05-033	458-08-270	REP	95-07-067
434-135-150	NEW-P	95-12-101	456-09-725	AMD	95-05-033	458-14-005	PREP	95-07-139
434-135-150	NEW	95-16-131	456-09-730	AMD	95-05-033	458-14-005	AMD-P	95-12-087
434-135-160	PREP	95-11-133	456-09-930	AMD	95-05-033	458-14-005	AMD	95-17-099
434-135-160	NEW-P	95-12-101	456-09-935	AMD	95-05-033	458-14-015	PREP	95-07-139
434-135-160	NEW	95-16-131	456-09-945	AMD	95-05-033	458-14-015	AMD-P	95-12-087
434-135-170	PREP	95-11-133	456-09-955	AMD	95-05-033	458-14-015	AMD	95-17-099
434-135-170	NEW-P	95-12-101	456-10-110	AMD	95-05-032	458-14-056	PREP	95-07-139
434-135-170	NEW	95-16-131	456-10-140	AMD	95-05-032	458-14-056	AMD-P	95-12-087
434-135-180	PREP	95-11-133	456-10-320	AMD	95-05-032	458-14-056	AMD	95-17-099
434-135-190	PREP	95-11-133	456-10-325	AMD	95-05-032	458-14-066	PREP	95-07-139
434-135-190	NEW-P	95-12-101	456-10-330	AMD	95-05-032	458-14-066	AMD-P	95-12-087
434-135-190	NEW	95-16-131	456-10-340	AMD	95-05-032	458-14-066	AMD	95-17-099
434-615-020	PREP	95-19-048	456-10-360	AMD	95-05-032	458-14-116	PREP	95-07-139
446-10-030	PREP	95-16-028	456-10-505	AMD	95-05-032	458-14-116	AMD-P	95-12-086
446-10-030	AMD-P	95-18-085	456-10-510	AMD	95-05-032	458-14-116	AMD	95-17-099
446-65-010	AMD-E	95-08-048	456-10-525	AMD	95-05-032	458-14-127	PREP	95-07-139
446-65-010	PREP	95-09-075	456-10-530	AMD	95-05-032	458-14-127	AMD-P	95-12-086
446-65-010	AMD-P	95-10-058	456-10-730	AMD	95-05-032	458-14-127	AMD	95-17-099
446-65-010	AMD	95-13-080	456-10-755	AMD	95-05-032	458-14-146	PREP	95-07-139
446-65-020	NEW-E	95-08-048	458-08-010	REP-P	95-04-051	458-14-146	AMD-P	95-12-086
446-65-020	PREP	95-09-075	458-08-010	REP	95-07-067	458-14-146	AMD	95-17-099
446-65-020	NEW-P	95-10-058	458-08-020	REP-P	95-04-051	458-14-160	PREP	95-07-139
446-65-020	NEW	95-13-080	458-08-020	REP	95-07-067	458-14-160	AMD-P	95-12-086
448-13-020	AMD-P	95-16-118	458-08-030	REP-P	95-04-051	458-14-160	AMD	95-17-099
448-13-020	AMD	95-20-025	458-08-030	REP	95-07-067	458-14-170	PREP	95-07-139
448-13-030	AMD-P	95-16-118	458-08-040	REP-P	95-04-051	458-14-170	AMD-P	95-12-086
448-13-030	AMD	95-20-025	458-08-040	REP	95-07-067	458-14-170	AMD	95-17-099
448-13-050	AMD-P	95-16-118	458-08-050	REP-P	95-04-051	458-14-171	PREP	95-07-139
448-13-050	AMD	95-20-025	458-08-050	REP	95-07-067	458-14-171	AMD-P	95-12-086
448-13-055	NEW-P	95-16-118	458-08-060	REP-P	95-04-051	458-14-171	AMD	95-17-099
448-13-055	NEW	95-20-025	458-08-060	REP	95-07-067	458-16-265	REP	95-06-042
448-13-060	AMD-P	95-16-118	458-08-070	REP-P	95-04-051	458-16A-010	NEW	95-06-041
448-13-060	AMD	95-20-025	458-08-070	REP	95-07-067	458-16A-020	NEW	95-06-042
448-13-065	NEW-P	95-16-118	458-08-080	REP-P	95-04-051	458-18-220	AMD-P	95-02-064
448-13-065	NEW	95-20-025	458-08-080	REP	95-07-067	458-18-220	AMD	95-06-044
448-13-070	AMD-P	95-16-118	458-08-090	REP-P	95-04-051	458-20-10001	NEW-P	95-04-054
448-13-070	AMD	95-20-025	458-08-090	REP	95-07-067	458-20-10001	NEW	95-07-070
448-13-080	AMD-P	95-16-118	458-08-100	REP-P	95-04-051	458-20-10002	NEW-P	95-04-052
448-13-080	AMD	95-20-025	458-08-100	REP	95-07-067	458-20-10002	NEW	95-07-069
448-13-090	AMD-P	95-16-118	458-08-110	REP-P	95-04-051	458-20-101	AMD-P	95-04-019
448-13-090	AMD	95-20-025	458-08-110	REP	95-07-067	458-20-101	AMD	95-07-089
448-13-100	AMD-P	95-16-118	458-08-120	REP-P	95-04-051	458-20-104	AMD-P	95-04-018
448-13-100	AMD	95-20-025	458-08-120	REP	95-07-067	458-20-104	AMD	95-07-088
448-13-110	AMD-P	95-16-118	458-08-130	REP-P	95-04-051	458-20-114	PREP	95-11-080
448-13-110	AMD	95-20-025	458-08-130	REP	95-07-067	458-20-114	REP-P	95-15-065
448-13-130	AMD-P	95-16-118	458-08-140	REP-P	95-04-051	458-20-183	PREP	95-03-092
448-13-130	AMD	95-20-025	458-08-140	REP	95-07-067	458-20-183	AMD-P	95-11-081
448-13-140	AMD-P	95-16-118	458-08-150	REP-P	95-04-051	458-20-18601	AMD-P	95-04-053
448-13-140	AMD	95-20-025	458-08-150	REP	95-07-067	458-20-18601	AMD	95-07-068

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458-20-189	AMD-P	95-16-004	458-40-650	PREP	95-04-094	458-53-165	PREP	95-09-083
458-20-207	AMD-P	95-11-040	458-40-650	AMD-E	95-10-035	458-53-165	REP-P	95-16-035
458-20-207	AMD	95-15-013	458-40-650	AMD-P	95-10-064	458-53-180	PREP	95-09-083
458-20-211	PREP	95-05-025	458-40-650	AMD	95-14-084	458-53-180	REP-P	95-16-035
458-20-211	AMD-P	95-16-006	458-40-650	PREP	95-19-087	458-53-200	PREP	95-09-083
458-20-238	AMD-P	95-16-005	458-40-660	PREP	95-08-078	458-53-200	AMD-P	95-16-035
458-20-258	AMD-P	95-03-050	458-40-660	AMD-P	95-11-041	458-53-210	PREP	95-09-083
458-20-258	AMD-C	95-14-085	458-40-660	AMD-E	95-14-087	458-53-210	AMD-P	95-16-035
458-20-258	AMD-W	95-15-093	458-40-660	AMD-C	95-15-067	460-10A-015	AMD-P	95-11-079
458-30-200	AMD-P	95-13-066	458-40-660	AMD	95-18-027	460-10A-015	AMD	95-16-026
458-30-205	AMD-P	95-13-066	458-40-660	PREP	95-19-087	460-10A-035	PREP	95-15-091
458-30-210	AMD-P	95-13-066	458-40-670	PREP	95-04-094	460-10A-050	PREP	95-15-091
458-30-215	AMD-P	95-13-066	458-40-670	PREP	95-08-078	460-10A-055	PREP	95-15-091
458-30-220	AMD-P	95-13-066	458-40-670	AMD-E	95-10-036	460-10A-060	PREP	95-15-091
458-30-225	AMD-P	95-13-066	458-40-670	AMD-P	95-10-064	460-10A-065	PREP	95-15-091
458-30-230	AMD-P	95-13-066	458-40-670	AMD-P	95-11-041	460-10A-075	PREP	95-15-091
458-30-232	NEW-P	95-13-066	458-40-670	AMD-W	95-11-076	460-10A-080	PREP	95-15-091
458-30-235	REP-P	95-13-066	458-40-670	AMD-E	95-14-087	460-10A-090	PREP	95-15-091
458-30-240	AMD-P	95-13-066	458-40-670	AMD-C	95-15-067	460-10A-095	PREP	95-15-091
458-30-242	NEW-P	95-13-066	458-40-670	AMD	95-18-027	460-10A-100	PREP	95-15-091
458-30-245	AMD-P	95-13-066	458-40-680	PREP	95-04-094	460-10A-105	PREP	95-15-091
458-30-250	AMD-P	95-13-066	458-40-680	AMD-E	95-10-037	460-10A-110	PREP	95-15-091
458-30-255	AMD-P	95-13-066	458-40-680	AMD-P	95-10-064	460-10A-115	PREP	95-15-091
458-30-260	AMD-P	95-13-066	458-40-680	AMD-W	95-11-075	460-10A-120	PREP	95-15-091
458-30-262	PREP	95-02-063	458-40-680	AMD	95-14-084	460-10A-125	PREP	95-15-091
458-30-262	AMD-P	95-06-040	458-40-684	PREP	95-08-078	460-10A-130	PREP	95-15-091
458-30-262	AMD	95-09-041	458-40-684	AMD-P	95-11-039	460-10A-135	PREP	95-15-091
458-30-265	AMD-P	95-13-066	458-40-684	AMD	95-14-086	460-10A-140	PREP	95-15-091
458-30-267	NEW-P	95-13-066	458-40-690	PREP	95-08-078	460-10A-145	PREP	95-15-091
458-30-270	AMD-P	95-13-066	458-53-010	PREP	95-09-083	460-10A-150	PREP	95-15-091
458-30-275	AMD-P	95-13-066	458-53-010	AMD-P	95-16-034	460-10A-155	PREP	95-15-091
458-30-280	AMD-P	95-13-066	458-53-020	PREP	95-09-083	460-10A-170	PREP	95-15-091
458-30-285	AMD-P	95-13-066	458-53-020	AMD-P	95-16-034	460-10A-180	PREP	95-15-091
458-30-290	REP-P	95-13-066	458-53-030	PREP	95-09-083	460-10A-185	PREP	95-15-091
458-30-295	AMD-P	95-13-066	458-53-030	AMD-P	95-16-034	460-10A-190	PREP	95-15-091
458-30-300	AMD-P	95-13-066	458-53-040	PREP	95-09-083	460-10A-195	PREP	95-15-091
458-30-305	AMD-P	95-13-066	458-53-040	REP-P	95-16-034	460-10A-200	PREP	95-15-091
458-30-310	AMD-P	95-13-066	458-53-050	PREP	95-09-083	460-10A-205	PREP	95-15-091
458-30-315	AMD-P	95-13-066	458-53-050	AMD-P	95-16-034	460-10A-210	PREP	95-15-091
458-30-317	NEW-P	95-13-066	458-53-051	PREP	95-09-083	460-16A-101	REP-P	95-14-053
458-30-320	AMD-P	95-13-066	458-53-051	REP-P	95-16-034	460-16A-101	REP	95-17-068
458-30-325	AMD-P	95-13-066	458-53-070	PREP	95-09-083	460-16A-102	REP-P	95-14-053
458-30-330	AMD-P	95-13-066	458-53-070	AMD-P	95-16-034	460-16A-102	REP	95-17-068
458-30-335	AMD-P	95-13-066	458-53-080	PREP	95-09-083	460-16A-103	REP-P	95-14-053
458-30-340	AMD-P	95-13-066	458-53-080	AMD-P	95-16-036	460-16A-103	REP	95-17-068
458-30-345	AMD-P	95-13-066	458-53-090	PREP	95-09-083	460-16A-104	REP-P	95-14-053
458-30-350	AMD-P	95-13-066	458-53-090	AMD-P	95-16-036	460-16A-104	REP	95-17-068
458-30-355	AMD-P	95-13-066	458-53-095	PREP	95-09-083	460-16A-105	REP-P	95-14-053
458-30-360	NEW-P	95-13-066	458-53-095	NEW-P	95-13-036	460-16A-105	REP	95-17-068
458-30-500	AMD-P	95-13-066	458-53-100	PREP	95-09-083	460-16A-106	REP-P	95-14-053
458-30-510	AMD-P	95-13-066	458-53-100	AMD-P	95-16-036	460-16A-106	REP	95-17-068
458-30-520	AMD-P	95-13-066	458-53-105	PREP	95-09-083	460-16A-108	REP-P	95-14-053
458-30-525	NEW-P	95-13-066	458-53-105	NEW-P	95-13-036	460-16A-108	REP	95-17-068
458-30-530	AMD-P	95-13-066	458-53-110	PREP	95-09-083	460-16A-109	REP-P	95-14-053
458-30-540	AMD-P	95-13-066	458-53-110	REP-P	95-16-036	460-16A-109	REP	95-17-068
458-30-550	AMD-P	95-13-066	458-53-120	PREP	95-09-083	460-16A-205	AMD-P	95-14-053
458-30-560	AMD-P	95-13-066	458-53-120	REP-P	95-16-036	460-16A-205	AMD	95-17-068
458-30-570	AMD-P	95-13-066	458-53-130	PREP	95-09-083	460-20A-005	REP-P	95-11-079
458-30-580	AMD-P	95-13-066	458-53-130	AMD-P	95-13-036	460-20A-005	REP	95-16-026
458-30-590	AMD-P	95-02-062	458-53-135	PREP	95-09-083	460-20A-008	REP-P	95-11-079
458-30-590	AMD	95-06-043	458-53-135	NEW-P	95-16-035	460-20A-008	REP	95-16-026
458-40-610	PREP	95-04-094	458-53-140	PREP	95-09-083	460-20A-010	REP-P	95-11-079
458-40-610	AMD-E	95-10-034	458-53-140	AMD-P	95-16-035	460-20A-010	REP	95-16-026
458-40-610	AMD-P	95-10-064	458-53-141	PREP	95-09-083	460-20A-015	REP-P	95-11-079
458-40-610	AMD-C	95-15-066	458-53-141	REP-P	95-16-035	460-20A-015	REP	95-16-026
458-40-610	AMD	95-18-026	458-53-142	PREP	95-09-083	460-20A-020	REP-P	95-11-079
458-40-610	PREP	95-19-087	458-53-142	REP-P	95-16-035	460-20A-020	REP	95-16-026
458-40-615	PREP	95-08-078	458-53-150	PREP	95-09-083	460-20A-025	REP-P	95-11-079
458-40-615	AMD-P	95-11-039	458-53-150	REP-P	95-16-035	460-20A-025	REP	95-16-026
458-40-615	AMD	95-14-086	458-53-160	PREP	95-09-083	460-20A-030	REP-P	95-11-079
458-40-640	PREP	95-08-078	458-53-160	AMD-P	95-16-035	460-20A-030	REP	95-16-026
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460-20A-045	REP-P	95-11-079	460-22B-050	NEW-P	95-11-079	468-95-100	AMD-P	95-07-081
460-20A-045	REP	95-16-026	460-22B-050	NEW	95-16-026	468-95-100	AMD	95-11-022
460-20A-050	REP-P	95-11-079	460-22B-060	NEW-P	95-11-079	468-300-010	AMD-E	95-16-071
460-20A-050	REP	95-16-026	460-22B-060	NEW	95-16-026	468-300-010	AMD-P	95-19-079
460-20A-100	REP-P	95-11-079	460-22B-070	NEW-P	95-11-079	474-02-010	NEW-P	95-16-032
460-20A-100	REP	95-16-026	460-22B-070	NEW	95-16-026	474-02-010	NEW	95-19-029
460-20A-105	REP-P	95-11-079	460-22B-080	NEW-P	95-11-079	474-02-020	NEW-P	95-16-032
460-20A-105	REP	95-16-026	460-22B-080	NEW	95-16-026	474-02-020	NEW	95-19-029
460-20A-200	REP-P	95-11-079	460-22B-090	NEW-P	95-11-079	478-120	PREP	95-20-033
460-20A-200	REP	95-16-026	460-22B-090	NEW	95-16-026	478-124	PREP	95-20-033
460-20A-205	REP-P	95-11-079	460-23B-010	NEW-P	95-11-079	478-168	PREP	95-07-101
460-20A-205	REP	95-16-026	460-23B-010	NEW	95-16-026	478-168-010	AMD-P	95-08-053
460-20A-210	REP-P	95-11-079	460-23B-020	NEW-P	95-11-079	478-168-010	AMD	95-14-045
460-20A-210	REP	95-16-026	460-23B-020	NEW	95-16-026	478-168-020	AMD-P	95-08-053
460-20A-215	REP-P	95-11-079	460-23B-030	NEW-P	95-11-079	478-168-020	AMD	95-14-045
460-20A-215	REP	95-16-026	460-23B-030	NEW	95-16-026	478-168-030	REP-P	95-08-053
460-20A-220	REP-P	95-11-079	460-23B-040	NEW-P	95-11-079	478-168-030	REP	95-14-045
460-20A-220	REP	95-16-026	460-23B-040	NEW	95-16-026	478-168-035	NEW-P	95-08-053
460-20A-230	REP-P	95-11-079	460-23B-050	NEW-P	95-11-079	478-168-035	NEW	95-14-045
460-20A-230	REP	95-16-026	460-23B-050	NEW	95-16-026	478-168-040	REP-P	95-08-053
460-20A-235	REP-P	95-11-079	460-23B-060	NEW-P	95-11-079	478-168-040	REP	95-14-045
460-20A-235	REP	95-16-026	460-23B-060	NEW	95-16-026	478-168-050	REP-P	95-08-053
460-20A-400	REP-P	95-11-079	460-24A-046	NEW-P	95-11-079	478-168-050	REP	95-14-045
460-20A-400	REP	95-16-026	460-24A-046	NEW	95-16-026	478-168-060	REP-P	95-08-053
460-20A-405	REP-P	95-11-079	460-24A-050	AMD-P	95-11-079	478-168-060	REP	95-14-045
460-20A-405	REP	95-16-026	460-24A-050	AMD	95-16-026	478-168-070	AMD-P	95-08-053
460-20A-410	REP-P	95-11-079	460-24A-050	AMD	95-17-002	478-168-070	AMD	95-14-045
460-20A-410	REP	95-16-026	460-24A-055	AMD-P	95-11-079	478-168-080	AMD-P	95-08-053
460-20A-415	REP-P	95-11-079	460-24A-055	AMD	95-16-026	478-168-080	AMD	95-14-045
460-20A-415	REP	95-16-026	460-33A-080	AMD-P	95-11-079	478-168-090	REP-P	95-08-053
460-20A-420	REP-P	95-11-079	460-33A-080	AMD	95-16-026	478-168-090	REP	95-14-045
460-20A-420	REP	95-16-026	460-33A-081	NEW-P	95-11-079	478-168-092	AMD-P	95-08-053
460-20A-425	REP-P	95-11-079	460-33A-081	NEW	95-16-026	478-168-092	AMD	95-14-045
460-20A-425	REP	95-16-026	460-33A-085	AMD-P	95-11-079	478-168-094	AMD-P	95-08-053
460-20B-010	NEW-P	95-11-079	460-33A-085	AMD	95-16-026	478-168-094	AMD	95-14-045
460-20B-010	NEW	95-16-026	460-33A-086	NEW-P	95-11-079	478-168-096	AMD-P	95-08-053
460-20B-020	NEW-P	95-11-079	460-33A-086	NEW	95-16-026	478-168-096	AMD	95-14-045
460-20B-020	NEW	95-16-026	460-42A-081	PREP	95-14-052	478-168-100	REP-P	95-08-053
460-20B-020	AMD-P	95-20-001	460-46A-050	AMD-P	95-14-053	478-168-100	REP	95-14-045
460-20B-030	NEW-P	95-11-079	460-46A-050	AMD	95-17-068	478-168-110	REP-P	95-08-053
460-20B-030	NEW	95-16-026	460-52A-010	AMD-P	95-08-016	478-168-110	REP	95-14-045
460-20B-040	NEW-P	95-11-079	460-52A-010	AMD	95-12-003	478-168-120	REP-P	95-08-053
460-20B-040	NEW	95-16-026	460-80-315	AMD-P	95-04-097	478-168-120	REP	95-14-045
460-20B-050	NEW-P	95-11-079	460-80-315	AMD	95-08-015	478-168-130	REP-P	95-08-053
460-20B-050	NEW	95-16-026	463-39	PREP	95-09-078	478-168-130	REP	95-14-045
460-20B-060	NEW-P	95-11-079	463-39-005	AMD-P	95-13-039	478-168-140	REP-P	95-08-053
460-20B-060	NEW	95-16-026	463-39-005	AMD	95-17-088	478-168-140	REP	95-14-045
460-21B-008	NEW-P	95-11-079	463-39-020	AMD-P	95-13-039	478-168-150	REP-P	95-08-053
460-21B-008	NEW	95-16-026	463-39-020	AMD	95-17-088	478-168-150	REP	95-14-045
460-21B-010	NEW-P	95-11-079	463-39-030	AMD-P	95-13-039	478-168-160	AMD-P	95-08-053
460-21B-010	NEW	95-16-026	463-39-030	AMD	95-17-088	478-168-160	AMD	95-14-045
460-21B-020	NEW-P	95-11-079	463-39-090	AMD-P	95-13-039	478-168-170	AMD-P	95-08-053
420-21B-020	NEW	95-16-026	463-39-090	AMD	95-17-088	478-168-170	AMD	95-14-045
460-21B-030	NEW-P	95-11-079	463-39-095	NEW-P	95-13-039	478-168-180	AMD-P	95-08-053
460-21B-030	NEW	95-16-026	463-39-095	NEW	95-17-088	478-168-180	AMD	95-14-045
460-21B-040	NEW-P	95-11-079	463-39-105	NEW-P	95-13-039	478-168-200	AMD-P	95-08-053
460-21B-040	NEW	95-16-026	463-39-105	NEW	95-17-088	478-168-200	AMD	95-14-045
460-21B-050	NEW-P	95-11-079	463-39-120	AMD-P	95-13-039	478-168-270	AMD-P	95-08-053
460-21B-050	NEW	95-16-026	463-39-120	AMD	95-17-088	478-168-270	AMD	95-14-045
460-21B-060	NEW-P	95-11-079	468-32-010	PREP	95-04-070	478-168-280	AMD-P	95-08-053
460-21B-060	NEW	95-16-026	468-32-010	NEW-P	95-04-071	478-168-280	AMD	95-14-045
460-21B-070	NEW-P	95-11-079	468-32-010	NEW	95-07-106	478-168-290	AMD-P	95-08-053
460-21B-070	NEW	95-16-026	468-34-010	AMD-P	95-17-015	478-168-290	AMD	95-14-045
460-21B-080	NEW-P	95-11-079	468-34-020	AMD-P	95-17-015	478-168-294	AMD-P	95-08-053
460-21B-080	NEW	95-16-026	468-34-050	AMD-P	95-17-015	478-168-294	AMD	95-14-045
460-22B-010	NEW-P	95-11-079	468-34-110	AMD-P	95-17-015	478-168-300	AMD-P	95-08-053
460-22B-010	NEW	95-16-026	468-34-170	AMD-P	95-17-015	478-168-300	AMD	95-14-045
460-22B-020	NEW-P	95-11-079	468-34-340	AMD-P	95-17-015	478-168-310	AMD-P	95-08-053
460-22B-020	NEW	95-16-026	468-38-120	PREP	95-18-039	478-168-310	AMD	95-14-045
460-22B-030	NEW-P	95-11-079	468-38-280	PREP	95-18-040	478-168-320	AMD-P	95-08-053
460-22B-030	NEW	95-16-026	468-51	PREP	95-10-001A	478-168-320	AMD	95-14-045
460-22B-040	NEW-P	95-11-079	468-70-070	AMD-P	95-20-045	478-168-325	NEW-P	95-08-053

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
478-168-325	NEW	95-14-045	479-112-001	NEW	95-04-072	479-420-089	NEW	95-04-072
478-168-330	AMD-P	95-08-053	479-112-003	NEW	95-04-072	479-420-095	NEW	95-04-072
478-168-330	AMD	95-14-045	479-112-005	REP	95-04-072	479-510-060	NEW-P	95-19-091
478-168-340	AMD-P	95-08-053	479-112-0055	NEW	95-04-072	479-510-076	NEW-P	95-19-091
478-168-340	AMD	95-14-045	479-112-0055	AMD-P	95-19-091	479-510-080	NEW-P	95-19-091
478-168-345	NEW-P	95-08-053	479-112-008	AMD	95-04-072	479-510-110	NEW-P	95-19-091
478-168-345	NEW	95-14-045	479-112-009	AMD	95-04-072	479-510-120	NEW-P	95-19-091
478-168-350	AMD-P	95-08-053	479-112-017	AMD	95-04-072	479-510-210	NEW-P	95-19-091
478-168-350	AMD	95-14-045	479-113-010	AMD	95-04-072	479-510-220	NEW-P	95-19-091
478-168-360	AMD-P	95-08-053	479-113-011	AMD	95-04-072	479-510-410	NEW-P	95-19-091
478-168-360	AMD	95-14-045	479-113-029	AMD	95-04-072	479-510-420	NEW-P	95-19-091
478-168-380	AMD-P	95-08-053	479-113-031	AMD	95-04-072	479-510-500	NEW-P	95-19-091
478-168-380	AMD	95-14-045	479-113-032	REP	95-04-072	480-09	PREP	95-06-089
478-168-390	AMD-P	95-08-053	479-113-035	AMD	95-04-072	480-09-520	PREP	95-06-088
478-168-390	AMD	95-14-045	479-113-070	NEW	95-04-072	480-12-001	NEW-E	95-10-038
479-01-010	AMD	95-04-072	479-116-010	NEW	95-04-072	480-12-001	NEW-P	95-17-125
479-01-010	AMD-P	95-19-091	479-116-016	AMD	95-04-072	480-12-001	NEW-E	95-18-018
479-01-020	AMD	95-04-072	479-116-035	AMD	95-04-072	480-12-075	REP-E	95-10-038
479-01-030	AMD	95-04-072	479-116-045	AMD	95-04-072	480-12-075	REP-P	95-17-125
479-01-040	AMD	95-04-072	479-116-070	NEW	95-04-072	480-12-075	REP-E	95-18-018
479-01-050	NEW-P	95-19-091	479-116-080	NEW	95-04-072	480-12-082	REP-E	95-10-038
479-02-030	AMD	95-04-072	479-120-010	NEW	95-04-072	480-12-082	REP-P	95-17-125
479-02-070	AMD	95-04-072	479-120-011	NEW	95-04-072	480-12-082	REP-E	95-18-018
479-02-100	AMD	95-04-072	479-120-013	NEW	95-04-072	480-12-085	REP-E	95-10-038
479-02-110	AMD	95-04-072	479-120-016	NEW	95-04-072	480-12-085	REP-P	95-17-125
479-02-120	AMD	95-04-072	479-120-025	NEW	95-04-072	480-12-085	REP-E	95-18-018
479-02-130	AMD	95-04-072	479-120-027	NEW	95-04-072	480-12-090	REP-E	95-10-038
479-12-005	NEW	95-04-072	479-120-031	NEW	95-04-072	480-12-090	REP-P	95-17-125
479-12-008	NEW	95-04-072	479-120-033	REP	95-04-072	480-12-090	REP-E	95-18-018
479-12-008	AMD-P	95-19-091	479-120-037	NEW	95-04-072	480-12-095	REP-E	95-10-038
479-12-010	AMD	95-04-072	479-120-086	NEW	95-04-072	480-12-095	REP-P	95-17-125
479-12-020	AMD	95-04-072	479-120-089	NEW	95-04-072	480-12-095	REP-E	95-18-018
479-13-010	AMD	95-04-072	479-120-095	NEW	95-04-072	480-12-105	REP-E	95-10-038
479-13-011	NEW	95-04-072	479-216	AMD	95-04-072	480-12-105	REP-P	95-17-125
479-13-025	AMD	95-04-072	479-216-050	AMD	95-04-072	480-12-105	REP-E	95-18-018
479-13-035	AMD	95-04-072	479-310-050	AMD	95-04-072	480-12-110	REP-E	95-10-038
479-13-060	REP	95-04-072	479-310-200	AMD	95-04-072	480-12-110	REP-P	95-17-125
479-13-070	AMD	95-04-072	479-312-100	AMD	95-04-072	480-12-110	REP-E	95-18-018
479-16-010	AMD	95-04-072	479-410-010	NEW	95-04-072	480-12-131	REP-E	95-10-038
479-16-015	AMD	95-04-072	479-410-020	NEW	95-04-072	480-12-131	REP-P	95-17-125
479-16-016	AMD	95-04-072	479-410-100	NEW	95-04-072	480-12-131	REP-E	95-18-018
479-16-030	AMD	95-04-072	479-410-150	NEW	95-04-072	480-12-137	REP-E	95-10-038
479-16-035	AMD	95-04-072	479-410-160	NEW	95-04-072	480-12-137	REP-P	95-17-125
479-16-040	AMD	95-04-072	479-410-170	NEW	95-04-072	480-12-137	REP-E	95-18-018
479-16-045	AMD	95-04-072	479-410-180	NEW	95-04-072	480-12-140	REP-E	95-10-038
479-16-060	AMD	95-04-072	479-410-200	NEW	95-04-072	480-12-140	REP-P	95-17-125
479-16-070	REP	95-04-072	479-412-020	NEW	95-04-072	480-12-140	REP-E	95-18-018
479-16-072	REP	95-04-072	479-412-100	NEW	95-04-072	480-12-155	REP-E	95-10-038
479-16-080	AMD	95-04-072	479-412-150	NEW	95-04-072	480-12-155	REP-P	95-17-125
479-16-085	NEW	95-04-072	479-412-200	NEW	95-04-072	480-12-155	REP-E	95-18-018
479-16-090	REP	95-04-072	479-412-250	NEW	95-04-072	480-12-160	REP-E	95-10-038
479-16-091	REP	95-04-072	479-412-300	NEW	95-04-072	480-12-160	REP-P	95-17-125
479-16-092	REP	95-04-072	479-412-310	NEW	95-04-072	480-12-160	REP-E	95-18-018
479-16-094	REP	95-04-072	479-416-010	NEW	95-04-072	480-12-181	REP-E	95-10-038
479-16-096	REP	95-04-072	479-416-015	NEW	95-04-072	480-12-181	REP-P	95-17-125
479-16-098	AMD	95-04-072	479-416-016	NEW	95-04-072	480-12-181	REP-E	95-18-018
479-20-007	AMD	95-04-072	479-416-018	NEW	95-04-072	480-12-195	REP-E	95-10-038
479-20-010	AMD	95-04-072	479-416-020	NEW	95-04-072	480-12-195	REP-P	95-17-125
479-20-011	AMD	95-04-072	479-416-030	NEW	95-04-072	480-12-195	REP-E	95-18-018
479-20-013	AMD	95-04-072	479-416-035	NEW	95-04-072	480-12-196	REP-E	95-10-038
479-20-016	AMD	95-04-072	479-416-040	NEW	95-04-072	480-12-196	REP-P	95-17-125
479-20-020	AMD	95-04-072	479-416-045	NEW	95-04-072	480-12-196	REP-E	95-18-018
479-20-025	AMD	95-04-072	479-416-050	NEW	95-04-072	480-12-205	REP-E	95-10-038
479-20-027	AMD	95-04-072	479-420-010	NEW	95-04-072	480-12-205	REP-P	95-17-125
479-20-031	AMD	95-04-072	479-420-011	NEW	95-04-072	480-12-205	REP-E	95-18-018
479-20-033	REP	95-04-072	479-420-013	NEW	95-04-072	480-12-225	REP-E	95-10-038
479-20-036	REP	95-04-072	479-420-016	NEW	95-04-072	480-12-225	REP-P	95-17-125
479-20-037	AMD	95-04-072	479-420-020	NEW	95-04-072	480-12-225	REP-E	95-18-018
479-20-075	REP	95-04-072	479-420-025	NEW	95-04-072	480-12-230	REP-E	95-10-038
479-20-086	AMD	95-04-072	479-420-027	NEW	95-04-072	480-12-230	REP-P	95-17-125
479-20-095	AMD	95-04-072	479-420-031	NEW	95-04-072	480-12-230	REP-E	95-18-018
479-24-030	AMD	95-04-072	479-420-037	NEW	95-04-072	480-12-233	REP-E	95-10-038
479-112	AMD	95-04-072	479-420-086	NEW	95-04-072	480-12-233	REP-P	95-17-125

TABLE

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
480-12-233	REP-E	95-18-018	480-14-130	NEW-E	95-10-038	480-14-380	NEW-P	95-17-125
480-12-240	REP-E	95-10-038	480-14-130	NEW-P	95-17-125	480-14-380	NEW-E	95-18-018
480-12-240	REP-P	95-17-125	480-14-130	NEW-E	95-18-018	480-14-390	NEW-E	95-10-038
480-12-240	REP-E	95-18-018	480-14-140	NEW-E	95-10-038	480-14-390	NEW-P	95-17-125
480-12-245	REP-E	95-10-038	480-14-140	NEW-P	95-17-125	480-14-390	NEW-E	95-18-018
480-12-245	REP-P	95-17-125	480-14-140	NEW-E	95-18-018	480-14-400	NEW-E	95-10-038
480-12-245	REP-E	95-18-018	480-14-150	NEW-E	95-10-038	480-14-400	NEW-P	95-17-125
480-12-253	REP-E	95-10-038	480-14-150	NEW-P	95-17-125	480-14-400	NEW-E	95-18-018
480-12-253	REP-P	95-17-125	480-14-150	NEW-E	95-18-018	480-14-410	NEW-E	95-10-038
480-12-253	REP-E	95-18-018	480-14-160	NEW-E	95-10-038	480-14-410	NEW-P	95-17-125
480-12-260	REP-E	95-10-038	480-14-160	NEW-P	95-17-125	480-14-410	NEW-E	95-18-018
480-12-260	REP-P	95-17-125	480-14-160	NEW-E	95-18-018	480-14-420	NEW-E	95-10-038
480-12-260	REP-E	95-18-018	480-14-170	NEW-E	95-10-038	480-14-420	NEW-P	95-17-125
480-12-305	REP-E	95-10-038	480-14-170	NEW-P	95-17-125	480-14-420	NEW-E	95-18-018
480-12-305	REP-P	95-17-125	480-14-170	NEW-E	95-18-018	480-14-900	NEW-E	95-10-038
480-12-305	REP-E	95-18-018	480-14-180	NEW-E	95-10-038	480-14-900	NEW-P	95-17-125
480-12-310	REP-E	95-10-038	480-14-180	NEW-P	95-17-125	480-14-900	NEW-E	95-18-018
480-12-310	REP-P	95-17-125	480-14-180	NEW-E	95-18-018	480-50	PREP	95-14-025
480-12-310	REP-E	95-18-018	480-14-190	NEW-E	95-10-038	480-50-010	REP-P	95-17-122
480-12-321	REP-E	95-10-038	480-14-190	NEW-P	95-17-125	480-50-020	REP-P	95-17-122
480-12-321	REP-P	95-17-125	480-14-190	NEW-E	95-18-018	480-50-030	REP-P	95-17-122
480-12-321	REP-E	95-18-018	480-14-200	NEW-E	95-10-038	480-50-035	REP-P	95-17-122
480-12-322	REP-E	95-10-038	480-14-200	NEW-P	95-17-125	480-50-040	REP-P	95-17-122
480-12-322	REP-P	95-17-125	480-14-200	NEW-E	95-18-018	480-50-050	REP-P	95-17-122
480-12-322	REP-E	95-18-018	480-14-210	NEW-E	95-10-038	480-50-060	REP-P	95-17-122
480-12-380	REP-E	95-10-038	480-14-210	NEW-P	95-17-125	480-50-070	REP-P	95-17-122
480-12-380	REP-P	95-17-125	480-14-210	NEW-E	95-18-018	480-50-080	REP-P	95-17-122
480-12-380	REP-E	95-18-018	480-14-220	NEW-E	95-10-038	480-50-090	REP-P	95-17-122
480-12-500	REP-E	95-10-038	480-14-220	NEW-P	95-17-125	480-50-100	REP-P	95-17-122
480-12-500	REP-P	95-17-125	480-14-220	NEW-E	95-18-018	480-50-110	REP-P	95-17-122
480-12-500	REP-E	95-18-018	480-14-230	NEW-E	95-10-038	480-50-120	REP-P	95-17-122
480-12-510	REP-E	95-10-038	480-14-230	NEW-P	95-17-125	480-50-130	REP-P	95-17-122
480-12-510	REP-P	95-17-125	480-14-230	NEW-E	95-18-018	480-50-140	REP-P	95-17-122
480-12-510	REP-E	95-18-018	480-14-240	NEW-E	95-10-038	480-51-010	NEW-P	95-17-122
480-12-520	REP-E	95-10-038	480-14-240	NEW-P	95-17-125	480-51-020	NEW-P	95-17-122
480-12-520	REP-P	95-17-125	480-14-240	NEW-E	95-18-018	480-51-022	NEW-P	95-17-122
480-12-520	REP-E	95-18-018	480-14-250	NEW-E	95-10-038	480-51-025	NEW-P	95-17-122
480-14-010	NEW-E	95-10-038	480-14-250	NEW-P	95-17-125	480-51-030	NEW-P	95-17-122
480-14-010	NEW-P	95-17-125	480-14-250	NEW-E	95-18-018	480-51-040	NEW-P	95-17-122
480-14-010	NEW-E	95-18-018	480-14-260	NEW-E	95-10-038	480-51-050	NEW-P	95-17-122
480-14-020	NEW-E	95-10-038	480-14-260	NEW-P	95-17-125	480-51-060	NEW-P	95-17-122
480-14-020	NEW-P	95-17-125	480-14-260	NEW-E	95-18-018	480-51-070	NEW-P	95-17-122
480-14-020	NEW-E	95-18-018	480-14-270	NEW-E	95-10-038	480-51-075	NEW-P	95-17-122
480-14-030	NEW-E	95-10-038	480-14-270	NEW-P	95-17-125	480-51-077	NEW-P	95-17-122
480-14-030	NEW-P	95-17-125	480-14-270	NEW-E	95-18-018	480-51-080	NEW-P	95-17-122
480-14-030	NEW-E	95-18-018	480-14-280	NEW-E	95-10-038	480-51-090	NEW-P	95-17-122
480-14-040	NEW-E	95-10-038	480-14-280	NEW-P	95-17-125	480-51-100	NEW-P	95-17-122
480-14-040	NEW-P	95-17-125	480-14-280	NEW-E	95-18-018	480-51-110	NEW-P	95-17-122
480-14-040	NEW-E	95-18-018	480-14-290	NEW-E	95-10-038	480-51-120	NEW-P	95-17-122
480-14-050	NEW-E	95-10-038	480-14-290	NEW-P	95-17-125	480-51-130	NEW-P	95-17-122
480-14-050	NEW-P	95-17-125	480-14-290	NEW-E	95-18-018	480-51-140	NEW-P	95-17-122
480-14-050	NEW-E	95-18-018	480-14-300	NEW-E	95-10-038	480-51-150	NEW-P	95-17-122
480-14-060	NEW-E	95-10-038	480-14-300	NEW-P	95-17-125	480-93-005	AMD-E	95-05-047
480-14-060	NEW-P	95-17-125	480-14-300	NEW-E	95-18-018	480-93-005	AMD-P	95-08-067
480-14-060	NEW-E	95-18-018	480-14-320	NEW-E	95-10-038	480-93-005	AMD	95-13-082
480-14-070	NEW-E	95-10-038	480-14-320	NEW-P	95-17-125	480-93-010	AMD-E	95-05-047
480-14-070	NEW-P	95-17-125	480-14-320	NEW-E	95-18-018	480-93-010	AMD-P	95-08-067
480-14-070	NEW-E	95-18-018	480-14-330	NEW-E	95-10-038	480-93-010	AMD	95-13-082
480-14-080	NEW-E	95-10-038	480-14-330	NEW-P	95-17-125	480-93-223	NEW-P	95-16-033
480-14-080	NEW-P	95-17-125	480-14-330	NEW-E	95-18-018	480-93-223	NEW-P	95-19-057
480-14-080	NEW-E	95-18-018	480-14-340	NEW-E	95-10-038	480-110-023	PREP	95-14-135
480-14-090	NEW-E	95-10-038	480-14-340	NEW-P	95-17-125	480-110-023	AMD-P	95-17-124
480-14-090	NEW-P	95-17-125	480-14-340	NEW-E	95-18-018	480-120-081	AMD	95-05-003
480-14-090	NEW-E	95-18-018	480-14-350	NEW-E	95-10-038	480-120-141	PREP	95-05-046
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		Community, trade and economic development, department of	MISC 95-18-059
		Eastern Washington historical society	MISC 95-08-074
		Ecology, department of	MISC 95-01-088
		Education, state board of	MISC 95-16-072
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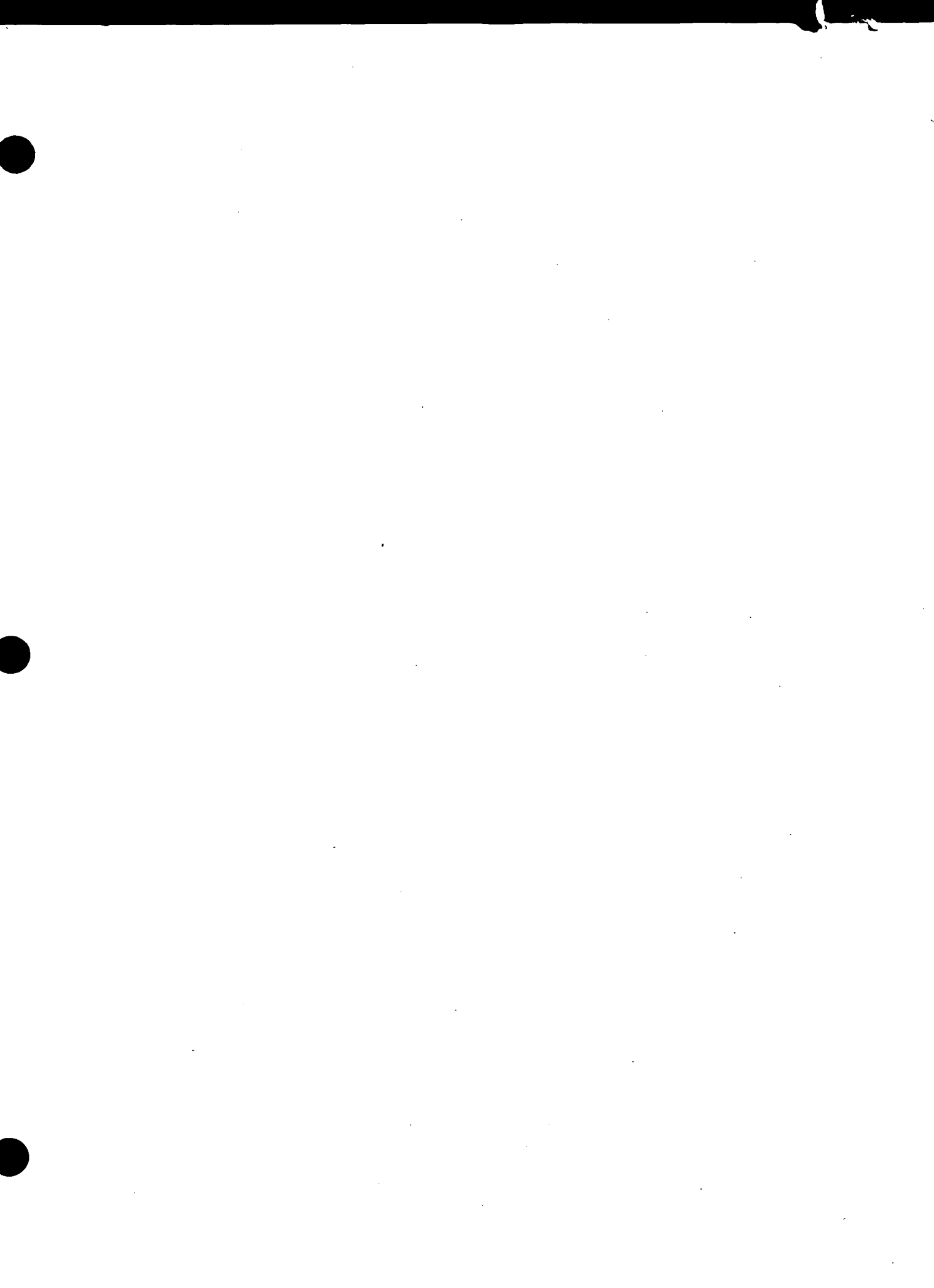
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