

**WSR 20-12-010**  
**PERMANENT RULES**  
**PARAEDUCATOR BOARD**

[Filed May 22, 2020, 1:11 p.m., effective June 22, 2020]

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

Purpose: New section, amend WAC with new language regarding how fees collected from the paraeducator certificate program may be used.

Citation of Rules Affected by this Order: New WAC 179-01-030.

Statutory Authority for Adoption: Chapter 28A.413 RCW.

Adopted under notice filed as WSR 20-07-067 on March 13, 2020.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 20, 2020.

Jack Busbee  
Rules Coordinator

NEW SECTION

**WAC 179-01-030 Certification fees.** Certificate fees shall be used as described in WAC 181-79A-131.

**WSR 20-12-021**  
**PERMANENT RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Docket UT-190437, General Order R-598—Filed May 27, 2020, 10:13 a.m., effective June 27, 2020]

In the matter of amending chapter 480-123 WAC, Universal service, to implement legislation amending and extending the state universal communications service program.

**/ STATUTORY OR OTHER AUTHORITY:** The Washington utilities and transportation commission (commission) takes this action under Notice No. WSR 20-05-040, filed with the code reviser on February 12, 2020. The commission has authority to take this action pursuant to RCW 80.01.040, 80.04.160, 80.36.630, 80.36.650, 80.36.660, 80.36.670, 80.36.680, 80.36.690, and 80.36.700.

**2 STATEMENT OF COMPLIANCE:** This proceeding complies with the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

**3 DATE OF ADOPTION:** The commission adopts this rule on the date this order is entered.

**4 CONCISE STATEMENT OF PURPOSE AND EFFECT OF THE RULE:** RCW 34.05.325(6) requires the commission to prepare and publish a concise explanatory statement about an adopted rule. The statement must identify the commission's reasons for adopting the rule, describe the differences between the version of the proposed rules published in the register and the rules adopted (other than editing changes), summarize the comments received regarding the proposed rule changes, and state the commission's responses to the comments reflecting the commission's consideration of them.

**5** To avoid unnecessary duplication in the record of this docket, the commission designates the discussion in this order, including appendices, as its concise explanatory statement. This order provides a complete but concise explanation of the agency's actions and its reasons for taking those actions.

**6 REFERENCE TO AFFECTED RULES:** This order amends the following sections of the Washington Administrative Code: Amending WAC 480-123-020 Definitions, 480-123-030 Contents of petition for eligible telecommunications carriers, 480-123-070 Annual certifications and reports, 480-123-100 Prerequisites for requesting program support, 480-123-110 Petitions for eligibility to receive program support, 480-123-120 Eligibility and distributions from the program, 480-123-130 Reporting requirements, 480-123-150 Advisory board, and 480-123-160 Resolution of disputes.

**7 PREPROPOSAL STATEMENT OF INQUIRY AND ACTIONS THEREUNDER:** The commission filed a Preproposal statement of inquiry (CR-101) on August 8, 2019, at WSR 19-17-008. The statement advised interested persons that the commission was considering entering a rule making concerning the possible adoption of proposed revisions to chapter 480-123 WAC, Universal service, to implement the provisions of sections 11 through 18 of 2SSB 5511 (Broadband bill), enacted in the 2019 legislative session. The commission also informed persons of this inquiry by providing notice of the subject and the CR-101 to everyone on the commission's list of persons requesting such information pursuant to RCW 34.05.320(3) and by sending notice to all registered telecommunications companies and the commission's list of telecommunications attorneys. Pursuant to the notice, the commission received comments on September 9, 2019. The commission issued draft rules on November 15, 2019, and received comments on December 16, 2019.

**8 SMALL BUSINESS ECONOMIC IMPACT ANALYSIS:** On November 15, 2019, the commission issued a small business economic impact questionnaire to all interested persons. The commission received no responses to this questionnaire. The proposed rules implement the Broadband bill and provide the opportunity for eligible telecommunications companies to obtain state universal service support. The commission has no basis to find that any costs businesses will incur to comply with the rules will be more than minor. Pursuant to RCW

19.85.030 (1)(a), therefore, no small business economic impact statement is required.

**9 NOTICE OF PROPOSED RULE MAKING:** The commission filed a notice of Proposed rule making (CR-102) on February 12, 2020, at WSR 20-05-040. The commission scheduled this matter for oral comment and adoption under Notice No. WSR 20-05-04[0] at 9:30 a.m. on March 30, 2020, in the Commission's Richard Hemstad Hearing Room, 621 Woodland Square Loop S.E., Lacey, WA. The notice provided interested persons the opportunity to submit written comments to the commission. On February 21, 2019, the commission issued a notice rescheduling the adoption hearing to May 7, 2020, at 1:30 p.m., and on April 3, 2020, due to the COVID-19 public health crisis, the commission issued a notice converting the hearing to a virtual hearing, requiring telephonic or online participation.

**10 WRITTEN COMMENTS:** The commission received written comments in response to the CR-102 from the Washington Independent Telecommunications Association (WITA). A matrix summarizing those comments and the responses of commission staff (staff) is attached as Appendix A to this order.

**11 RULE-MAKING HEARING:** The commission considered the proposed rules for adoption at a rule-making hearing on May 7, 2020, before Chair David W. Danner, Commissioner Ann E. Rendahl, and Commissioner Jay M. Balasbas. The commission heard oral comments from Sean Bennett, regulatory analyst, representing staff; Richard A. Finnigan on behalf of WITA; and Lisa Gafken from the Public Counsel Unit of the Washington Attorney General's Office (public counsel). WITA reiterated its written suggestions for the changes to the proposed rules that staff recommends the commission not adopt. Public counsel stated its support for the proposed rules and staff's recommendations.

**12 SUGGESTIONS FOR CHANGES THAT ARE REJECTED/ACCEPTED:** Written and oral comments suggested changes to the proposed rules. The suggested changes and staff's recommendations for rejecting or accepting the suggested changes are included in Appendix A. The commission accepts and adopts staff's recommendations as its own. The accepted changes provide greater clarity and consistency with the intent of the proposed rules.

**13** With respect to changes the commission does not accept, we agree with staff and public counsel that including a buildout requirement for companies that claim eligibility for funding under Criterion One pursuant to WAC 480-123-110 (1)(j)(i) and 480-123-120(2) (described in paragraph 19, following) is reasonable and consistent with the legislature's intent in the Broadband bill to promote greater access to broadband services. This is largely a theoretical issue, moreover, given that WITA is unaware of any company that will petition for eligibility under this criterion. In a similar vein, we also agree with staff that the rules appropriately leave to the advisory board the future determination of eligibility and distribution calculations for other providers. It is unknown whether any such providers will seek state universal service funding, much less the nature of any such provider or its operations, and any attempt to establish baseline requirements at this point would be inefficient at best.

**14 COMMISSION ACTION:** After considering all of the information regarding this proposal, the commission finds and concludes that it should amend and adopt the rules as proposed in the CR-102 at WSR 20-05-040 with the minor changes described in paragraph 26 of this order. The Broadband bill amends the state universal service fund program (program) to support broadband in addition to basic local telecommunications services. Eligible providers may now receive a distribution from the program if they have adopted a plan to provide, enhance, or maintain broadband services in their service areas. The proposed rules implement this legislative directive.

**15 Broadband Definition.** The proposed rules first define "broadband." Federal law defines advanced telecommunications capability as "high-speed, switched broadband telecommunications capability that enables users to originate and receive high-quality voice, data, graphics, and video telecommunications using any technology."<sup>1</sup> The proposed rules mirror this definition. The rules do not specify download and upload speeds, providing instead that the commission will establish appropriate minimums by order to more easily reflect the rapid advancement of internet access technology. In this order, we establish initial minimum standards of 25 megabits per second download and 3 megabits per second upload (25/3) for service to be considered high-speed broadband for purposes of these rules. This standard was supported by staff, WITA, and public counsel, and is consistent with the minimum speeds established in the definition of "broadband" in RCW 42.330.530(2). The commission will review and update these standards as technology advances and consumer demand changes.

<sup>1</sup> 47 U.S.C. § 706.

**16 Eligibility Criteria.** Consistent with the Broadband bill, the rules also revise the eligibility criteria for telecommunications carriers seeking support. Rather than focus on a company's overall rate of return as the commission has done previously, the proposed rules establish four different eligibility criteria for determining the extent to which a petitioning company will use the requested funds to promote and sustain the deployment of broadband in rural areas while continuing to provide basic telecommunications services. A company may petition for funding under any one of the four criteria and must satisfy only that criterion to receive program support.

**17** Staff has developed benchmarks for the number of locations to which each company should deploy broadband and the costs to build to such locations. Staff's cost benchmarks are based on the Federal Communications Commission (FCC) Alternative Connect America Cost Model (A-CAM) analysis and are set out for each WITA company in the chart below:<sup>2</sup>

<sup>2</sup> Staff has calculated the benchmarks using the company-specific A-CAM cost per location and a company's estimated program support through fiscal year 2024. Staff estimates total program support, based on the current fund balance and an annual \$5 million appropriation (less administrative expenses) to be \$6,078,083 in fiscal year 2021 and \$4,850,000 annually for fiscal years 2022-2024. If program support increases or decreases, a company's broadband deployment obligation will be adjusted proportionately.

Company	Annual CAM Cost per* Location	Category One/Three Broad-band Deployment Obligation	Category Two Broadband Deployment Obligation
Asotin	\$ 3,082.67	13	26
Consolidated	\$ 2,876.66	199	398
Hat Island	\$ 810.27	1	2
Hood Canal	\$ 1,884.18	39	78
Inland	\$ 1,678.16	127	254
Kalama	\$ 2,145.80	61	122
Lewis River	\$ 695.76	132	264
McDaniel	\$ 718.37	175	350
Pend Oreille	\$ 1,653.83	114	228
Pioneer	\$ 3,635.10	22	44
Ranier Connect	\$ 1,706.91	50	100
Skyline	\$ 5,133.44	12	24
St. John	\$ 4,145.62	11	22
Tenino	\$ 5,926.93	21	42
Toledo	\$ 7,803.78	20	40
Wahkiakum	\$ 5,954.35	20	40
Westgate (Weavtel)	\$ 1,562.67	35	70
Whidbey	\$ 365.39	1139	2278
Total	\$ 2,876.66	2192	4384

\* Carrier Cost is found from one of two FCC Public Notices. See <https://docs.fcc.gov/public/attachments/DA-19-373A1.pdf> or <https://docs.fcc.gov/public/attachments/DA-16-1141A1.doc>.

18 We will rely on these benchmarks when determining company eligibility, obligations, and levels of program support. Some companies may contend that staff's benchmark cost per location is too low and therefore produces more locations than is realistically appropriate given the actual cost per location. In such circumstances, the petitioner may provide evidence of its actual cost of deploying 25/3 locations or propose an alternative approach for estimating the cost of deploying 25/3 locations as a substitute mechanism to calculate the applicable requirement. Staff will review a company's proposed alternative methodology and provide a recommendation to the commission.<sup>3</sup>

3 For example, Consolidated Communications of Washington (Consolidated) is a price cap company. The FCC's current cost information per location for price cap companies is premised on a 10/1 build, not 25/3. Accordingly, Consolidated and Staff have agreed, subject to Commission approval, to use the statewide average A-CAM cost per location at 25/3 for all other WITA members as a surrogate.

19 *Criterion One.* Rate of return review was the hallmark of the program prior to passage of the Broadband bill. The revised rules retain such a review, coupled with an obligation to build out broadband infrastructure, as one eligibility option. To encourage companies qualifying under this criterion to deploy broadband more extensively, the commission will divide the distribution of funds for the program into two parts. One part will be funds for maintenance of the existing network (including traditional telephony) and one part for construction.<sup>4</sup> A company that satisfies both the rate of return

and buildout requirements will receive the full distribution. If an otherwise eligible petitioner does not satisfy the rate of return requirements,<sup>5</sup> but commits to deploying broadband to the number of locations identified in staff's benchmark, the company will receive a partial allocation for construction but will not obtain funds for maintenance of its existing network.

4 This distinction is for eligibility and distribution purposes. Actual expenditures may differ. The recipient of program funds will need to explain how the funds were spent in its compliance report. The allocation for distribution purposes is not intended to limit a company's flexibility on how it spends the funds as long as they are used for their intended purpose.

5 Consistent with how the commission has acted in the past in analyzing rate of return review under the program, the review will be flexible to take into account individual company circumstances. For example, it may be that a company undertook a construction program during the test year that resulted in the allocation of employee time to plant that is not yet in service, which resulted in a corresponding reduction to operating expenses. This type of activity can produce a rate of return that is higher than it would be under normal operations. The commission will take such circumstances into account in its evaluation of a company's eligibility.

20 *Criterion Two.* This criterion provides a direct incentive to petitioners to construct broadband infrastructure to additional 25/3 locations. The company must commit to deploy broadband to the number of locations in staff's benchmark, and has the option to commit to meeting twice the level of the staff benchmark over the remaining life of the program.<sup>6</sup> If a petitioner relying on this criterion commits to construct 25/3 locations to twice the number of locations in the staff benchmark through a statement signed by a company

officer, the company will be entitled to its full distribution from the program each year without a rate of return review.

6 The program currently expires on July 1, 2025. RCW 80.36.650(9).

**21 Criterion Three.** The FCC has established goals for virtually all carriers for the deployment of 25/3 service, which they must meet under timelines that vary by the category of carrier. The chart in paragraph 17 above reflects the number of locations staff has developed (above and beyond the FCC goals) to which 25/3 service should be deployed for purposes of the program. Some companies have already constructed broadband infrastructure to the number of locations specified in the FCC goals and staff's benchmark. For these companies, an officer must certify that the number of locations within the applicant's service area to which 25/3 service can be deployed within ten business days (and without an extraordinary commitment of resources or construction costs exceeding an ordinary service activation fee) meets or exceeds the FCC goal plus staff's benchmark. With that certification, a petitioner will be eligible for the full distribution and will not be subject to a rate of return review. This approach recognizes that these companies are making substantial progress in the deployment of broadband consistent with the 25/3 standard.

**22 Criterion Four.** Many of the companies have undertaken aggressive construction programs that have resulted in the availability of 25/3 service to the entirety of the company's existing customer base. The only location-based condition for receipt of the program distribution for these petitioners is that a company officer certify that 25/3 service is available to all active customers who request the service within the company's service area. If a petitioner makes this certification and is otherwise eligible, the company will not be subject to a rate of return review and is eligible for the full amount of its distribution.

**23 Other Eligibility Factors.** The statute establishes eligibility requirements which are also included in the proposed rules. Only certain carriers are eligible, and they must file a broadband plan with their petition.<sup>7</sup> WITA observes that it is very difficult to prepare plans that exceed a twelve to eighteen month planning horizon except in very general ways. We generally agree. Accordingly, we expect the broadband plan of petitioners eligible under Criterion One or Two to be detailed as to the coming year, but more general as to the timeframe beyond that period. Carriers eligible under Criterion Three or Four have already deployed 25/3 capable networks to most or all current customer locations so the commission expects their broadband plans to be less specific with respect to construction activities. WITA has also expressed concern about the timing for which locations can be counted for Criterion Two and Three eligibility. The commission adopts January 1, 2018, as the start date to meet staff location benchmarks.

7 RCW 80.36.650 (3)(ii).

**24 Consolidated Petitions.** Some companies have requested that the commission allow affiliated companies the option of submitting a collective petition covering all affiliated companies as a means of reducing costs. Staff is concerned that companies filing such petitions might seek to build to staff location benchmarks in the exchange of the

affiliate that has the lowest costs to build, rather than throughout all of their service territories. To address both concerns, we will allow, but not require, affiliated companies to submit a consolidated petition, but the location benchmarks will remain specific to each affiliated operating company.

**25 Compliance Reporting.** The rules also require carriers to file broadband availability data. They must file company-specific FCC Form 477 data with the commission until the Digital Opportunity Data Collection polygons are available.<sup>8</sup> Carriers are required to file this data annually with the FCC (or the entity the FCC designates).<sup>9</sup> Companies must file the same data with the commission within fourteen calendar days of the date the data is required to be filed with the FCC (or its designated entity) and in the same format.<sup>10</sup> Upon receiving program support, a company must also file its broadband availability polygons annually with the commission throughout the program's operation, even if the company no longer receives program support.

8 The FCC requires companies to provide polygons, or shapes, with metadata for geographic areas for which a company makes broadband available at different speeds and technology types.

9 The FCC currently requires such data to be filed with USAC, the Universal Service Administrative Company.

10 After their initial filing, companies must recertify their maps by June 30 each year and update their maps within six months of completing new broadband deployments (buildout or acquisition). Accordingly, a company receiving program support may file this data more than once in a particular year and each time must file it with both the FCC (or its designated entity) and the commission.

**26 CHANGES FROM PROPOSAL:** The commission adopts the proposed rules with the following changes from the text noticed at WSR 20-05-040:

WAC 480-123-020, delete "speed" in the fifth sentence of the definition of "Broadband service."

WAC 480-123-110 (1)(h), insert ", or its affiliate, if appropriate," after "the provider" and before "will continue."

WAC 480-123-120(1), replace "category" with "criterion" and "and" with "or" in the third sentence.

WAC 480-123-120(6), after the first sentence, add the following sentence: "If there is a pro rata reduction or increase in support, the company's broadband buildout obligation will be adjusted proportionately."

WAC 480-123-130 (1)(b), delete everything after "support" and add "during the preceding year to maintain, provide, or enhance telecommunications services."

WAC 480-123-130 (1)(c), replace "United States" with "Universal Service" in the second sentence.

**27 STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE:** After reviewing the entire record, the commission determines that WAC 480-123-020, 480-123-030, 480-123-070, 480-123-100, 480-123-110, 480-123-120, 480-123-130, 480-123-150, and 480-123-160 should be amended to read as set forth in Appendix B, as rules of the Washington utilities and transportation commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the code reviser.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 9, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 9, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: 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 9, Repealed 0.

**ORDER**

**THE COMMISSION ORDERS:**

28 (1) The commission amends and adopts WAC 480-123-020, 480-123-030, 480-123-070, 480-123-100, 480-123-110, 480-123-120, 480-123-130, 480-123-150, and 480-123-

160 to read as set forth in Appendix B, as rules of the Washington utilities and transportation commission, to take effect on the thirty-first day after the date of filing with the code reviser pursuant to RCW 34.05.380(2).

29 (2) This order and the rule set out below, after being recorded in the commission's register, shall be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and 1-21 WAC.

DATED at Olympia, Washington, May 27, 2020.

Washington Utilities and  
Transportation Commission  
David W. Danner, Chair  
Ann E. Rendahl, Commissioner  
Jay M. Balasbas, Commissioner

**Appendix A  
(Comment Summary Matrix)**

OVERVIEW COMMENTS	WITA	STAFF RESPONSE
WAC 480-123-110 (1)(j)(i) and 480-123-120(2), companies that elect Criterion One have both a rate-of-return review and are subject to meeting the commission's broadband buildout obligation. Fifty percent of funds are based on the rate of return review and the remaining fifty percent is based on a companies [company's] commitment and progress, towards meeting the commission's buildout requirement.	With this eligibility criterion, companies are not relieved of rate-of-return review and could lose half of its support. Since no relieve [relief] from rate-of-return review, it is not fair to require buildout to additional locations.	This structure was designed to promote broadband buildout while also recognizing that companies need to maintain their existing network. Under sole rate-of-return review, either a company receives one hundred percent of funding or zero funding. The current proposed approach will allow a company to receive one hundred percent funding, or fifty percent of its funding if it has either, an excessive rate of return, or, if it is unable to commit to the commission's broadband buildout requirement (based on the A-CAM cost or a companies [company's] actual cost of delivering service). Considering the programs, goals, making a determination based solely on a backward looking regulated basis is not pragmatic.
WAC 480-123-020 broadband service definition. Second to last sentence, speed standards language.	"speed" should be removed from standards that a company must meet. Standards should not be limited to speed.	Staff agrees. Simply remove the word "speed" from the fifth sentence. The revised sentence will read "Any broadband standards that are established in these rules or by commission order may be met by the communications provider or its affiliate or a combination of both.["]
WAC 480-123-110 (1)(h)	WITA believes language should be adjusted to include affiliate language [language] as not all companies provide retail broadvand [broadband] services directly to end users. Adjust language to read "and the provider will continue to provide broadband services" should be	Staff agrees. Edit the language to read "and the provider, or its affiliate if appropriate, will continue to provide broadband services."

OVERVIEW COMMENTS	WITA	STAFF RESPONSE
	changed to "and the provider through itself or its affiliate will continue to provide broadband services."	
WAC 480-123-120(1)	Language should be adjusted to read "the provider's plan to provide, maintain, or enhance [enhance]" to be consistent with statute and rule language. Additionally, "eligibility category" should be "eligibility criterion."	Staff agrees. Adjust language to read "provide, maintain, or enhance" and change the word "category" to "criterion."
WAC 480-123-120(6)	If a pro rata reduction in support, there should be a corresponding reduction in the number of locations required to meet the broadband obligation. Add this language to the rule.	Staff agrees in part. Language should be edited to provide that if there is a pro rata change (increase or decrease) the number of locations should be adjusted accordingly. After the first sentence, add "If there is a pro rata reduction or increase in support, the company's broadband buildout obligation will be adjusted proportionately."
WAC 480-123-130 (1)(b)	"telecommunication services" should be inserted to differentiate from subsection (1)(c).	Staff agrees. Edit language to read "Detailed information on how the provider used program support during the preceding year to maintain, provide, or enhance telecommunications services."
WAC 480-123-120(4) leaves much of the development of eligibility and distribution calculations to the advisory board.	Believes there should be a baseline and that the "other communications provider" must commit to provide broadband service to at least the designated speed and to at least those numbers of locations that the incumbent local exchange carrier would provide under federal and state standards.	Staff disagrees. Without knowing the specifics, i.e. what company is seeking support, support amount, the area served, or the technology used and speeds offered, staff believes setting a baseline is premature.
Buildout requirement confirmation.	See WITA's Comment Table.	Staff and WITA have tentatively confirmed the current FCC's and UTC's buildout requirements. The number of locations for buildout are shown on the attached document entitled "Broadband Deployment Methodology." The specific locations for buildout are tentative because they are estimated based on the amount of support each company will receive over the next four years and the amount will be divided by the annual A-CAM cost per location (or other commission approved cost factor). If a company's support ultimately is increased or decreased, the buildout requirement would be adjusted accordingly.

**Appendix B**  
**WAC 480-123—AMENDED RULES**

AMENDATORY SECTION (Amending WSR 15-08-043, filed 3/26/15, effective 4/26/15)

**WAC 480-123-020 Definitions.** As used in this chapter:

"Applicant" means any person applying to an (~~ETC~~) eligible telecommunications carrier for new service or reconnection of discontinued service.

"Broadband service" means any service providing advanced telecommunications capability, including internet access and access to high quality voice, data, graphics or video. To be considered advanced telecommunications, broadband must be at, or above, a minimum download speed and a minimum upload speed. The commission will establish a minimum upload speed standard and a minimum download speed standard for broadband service to be considered advanced telecommunications. The commission will take federal and state standards into consideration when it sets the standard. Any broadband standards that are established in these rules or by commission order may be met by the communications provider or its affiliate or a combination of both. The affiliate cannot be receiving support from this program.

"Communications provider" or "provider" means a company providing communications service that assigns a working telephone number to a final consumer for intrastate wireline or wireless communications services or interconnected voice over internet protocol service, and includes local exchange carriers.

"Communications services" includes telecommunications services and information services and any combination of these services.

"Eligible telecommunications carrier" and "ETC" means a carrier designated by the commission as eligible to receive support from federal universal service mechanisms in exchange for providing services supported by federal universal service mechanisms.

"Facilities" means for the purpose of WAC 480-123-030 (1)(b) any physical components of the telecommunications network that are used in the transmission or routing of the services that are supported by federal universal service mechanisms.

".shp format" means the format used for creating and storing digital maps composed of shape files capable of being opened by the computer application ArcGIS™.

"Program" means the state universal communications services program created in RCW 80.36.650.

"Service area" means all of the designated exchanges served by a company in the state.

"Service outage" means a significant degradation in the ability of an end user to establish and maintain a channel of voice communications as a result of failure or degradation in the performance of a communications provider's network.

"Substantive" means sufficiently detailed and technically specific to permit the commission to evaluate whether federal universal service support has had, or will have, benefits for customers. For example, information about investments and expenses that will provide, increase, or maintain service quality, signal coverage, or network capacity, and

information about the number of customers that benefit, and how they will benefit is sufficient to enable evaluation.

"Sworn statement" means a statement made under penalty of perjury, as set forth in RCW 9A.72.085.

"Telecommunications" has the same meaning as defined in 47 U.S.C. Sec. 153(43).

AMENDATORY SECTION (Amending WSR 15-08-043, filed 3/26/15, effective 4/26/15)

**WAC 480-123-030 Contents of petition for eligible telecommunications carriers.** (1) Petitions for designation as an ETC must contain:

(a) A description of the area or areas for which designation is sought;

(b) A statement that the carrier will offer the services supported by federal universal service support mechanisms throughout the area for which it seeks designation, either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another ETC);

(c) A description of how it will provide each supported service;

(d) A substantive plan of the investments to be made with initial federal support during the first two years in which support is received and a substantive description of how those expenditures will benefit customers;

(e) A statement that the carrier will advertise the availability of services supported by federal universal service mechanisms, including advertisement of applicable telephone assistance programs, such as Lifeline, that is reasonably calculated to reach low-income consumers not receiving discounts;

(f) For wireless petitioners, a map in .shp format of proposed service areas (exchanges) with existing and planned locations of cell sites and shading to indicate where the carrier provides and plans to provide commercial mobile radio service signals;

(g) Information that demonstrates its ability to remain functional in emergency situations including a description of how it complies with WAC 480-120-411 or, for a wireless carrier, information that demonstrates that, when commercial power is not available, it has a reasonable amount of backup power (fixed, portable or other backup power source) for its cell sites, and backup power for its switches (~~(is)~~) as prescribed in WAC 480-120-411(3) for LEC central offices; and cell sites do not include any small cell facility as defined in RCW 80.36.375 (2)(d) or any in building wireless installation; and

(h) Information that demonstrates that it will comply with the applicable consumer protection and service quality standards of chapter 480-120 WAC or, for a wireless carrier, a commitment to comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service. Information regarding the version of the CTIA code adopted and where to obtain it is set forth in WAC 480-123-999.

(2) A company officer must submit the petition in the manner required by RCW 9A.72.085.

AMENDATORY SECTION (Amending WSR 15-08-043, filed 3/26/15, effective 4/26/15)

**WAC 480-123-070 Annual certifications and reports.** Not later than July 1st of each year, every ETC that receives federal support from any category in the federal high-cost fund must certify or report as described in this section. The certifications and reports are for activity related to Washington state in the period January 1st through December 31st of the previous year. A company officer must submit the certifications in the manner required by RCW 9A.72.085.

**(1) Report on use of federal funds and benefits to customers.**

(a) The report must provide a substantive description of investments made and expenses paid with support from the federal high-cost fund.

The report must include the company's gross capital expenditures and operating expenses made with federal high-cost support received by the ETC in the preceding calendar year along with a description of major projects and affected exchanges. A rate of return wireline ETC must also include a copy of its NECA-1 report for the preceding calendar year.

(b) Every ETC must provide a substantive description of the benefits to consumers that resulted from the investments and expenses reported pursuant to (a) of this subsection.

**(2) Local service outage report.**

(a) The report must include detailed information on any outage in the service area (during the prior calendar year) of at least thirty minutes in duration in which the ETC owns, operates, leases, or otherwise utilizes facilities, that potentially affect:

- (i) At least ten percent of the end users; or
- (ii) A 911 special facility, as defined in 47 C.F.R. Sec. 4.5(e).

(b) Specifically, the ~~((eligible telecommunications carrier's))~~ ETC's annual report must include information detailing:

- (i) The date and time of onset and duration of the outage;
- (ii) A brief description of the outage and its resolution;
- (iii) The particular services affected;
- (iv) The geographic areas affected by the outage;
- (v) Steps taken to prevent a similar situation in the future; and
- (vi) The number of customers affected.

**(3) Report on failure to provide service.** The report must include the number of requests for service from potential customers within its designated service area that were unfulfilled during the prior calendar year. The ETC must also detail how it attempted to provide service to those potential customers.

**(4) Report on complaints per one thousand connections (fixed or mobile).** The report must provide separate totals for the number of complaints that the ETC's customers made to the Federal Communications Commission and the consumer protection division of the office of the attorney general of Washington. The ETC must also report the number of consumer complaints in each general category (for example, billing disputes, service quality).

**(5) Certification of compliance with applicable service quality standards and consumer protection rules.** Certify that it met substantially the applicable service quality

standards and consumer protection rules found in WAC 480-123-030 (1)(h).

**(6) Certification of ability to function in emergency situations.** Certify that it had the ability to function in emergency situations based on continued adherence to the standards found in WAC 480-123-030 (1)(g).

**(7) Advertising certification, including advertisement on Indian reservations.** Certify it has publicized the availability of its applicable telephone assistance programs, such as Lifeline, in a manner reasonably designed to reach those likely to qualify for service, including residents of federally recognized Indian reservations within the ETC's designated service area. Such publicity should include advertisements likely to reach those who are not current customers of the ETC within its designated service area.

**(8) Report filing alternatives.** To the extent the company has filed a report with a federal agency that provides the data requested by the commission, the company can refer to that docket number and the date the information was filed with the ~~((commission))~~ federal agency.

AMENDATORY SECTION (Amending WSR 14-21-045 and WSR 14-12-008, filed 10/7/14 and 5/22/14, effective 6/22/14)

**WAC 480-123-100 Prerequisites for requesting program support.** (1) **Wireline communications providers.** A wireline communications provider may seek support for telecommunications and broadband services from the program if the provider satisfies all of the following requirements:

(a) The provider is a local exchange company as defined in WAC 480-120-021 that serves ~~((less))~~ fewer than forty thousand access lines within the state;

(b) The provider is an incumbent local exchange carrier as defined in 47 U.S.C. Sec. 251(h) or has been designated as an incumbent local exchange carrier by the Federal Communications Commission;

(c) The provider offers basic residential and business exchange telecommunications services as set forth in WAC 480-120-021 and RCW 80.36.630;

~~((d) The ((provider's rates for residential local exchange service, plus mandatory extended area service charges, are no lower than the local urban rate floor established by the commission as the benchmark rate based on the Federal Communications Commission's most current calculation of a national local urban rate floor pursuant to 47 C.F.R. Sec. 54.318 in the year in which the provider files a petition for support; provided that, if the provider's rates exceed the benchmark, the provider may not seek support from the program for the purpose of reducing those rates towards or to the benchmark))~~ provider has established a plan, as described in WAC 480-123-110, to provide, maintain, or enhance broadband service; and

(e) The provider has been designated by the commission as an ~~((eligible telecommunications carrier))~~ ETC for purposes of receiving federal universal service support pursuant to 47 C.F.R. Part 54 Subpart D - Universal Service Support for High Cost Areas, with respect to the service areas for which the provider is seeking program support.

(2) **Wireless communications providers.** A wireless communications provider may seek support for telecommunications and broadband services from the program if the provider satisfies all of the following requirements:

(a) The provider is licensed by the Federal Communications Commission to offer commercial mobile radio service within the state of Washington;

(b) The provider serves fewer than the equivalent of forty thousand access lines in Washington; ~~(and)~~

(c) The provider has established a plan, as described in WAC 480-123-110, to provide, maintain, or enhance broadband service; and

(d) The provider has been designated by the commission as an ~~((eligible telecommunications carrier))~~ ETC for purposes of receiving federal universal service support pursuant to 47 C.F.R. Part 54 Subpart D - Universal Service Support for High Cost Areas, with respect to the service areas for which the provider is seeking program support.

(3) **Other communications providers.** A communications provider other than a provider specified in subsection (1) or (2) of this section may seek support for telecommunications and broadband services from the program if the provider satisfies all of the following requirements:

(a) The provider is authorized by both the Federal Communications Commission and the commission to provide telecommunications service within the state of Washington;

(b) The provider demonstrates that it can provide the same or comparable services at the same or similar service quality standards at a lower price;

(c) The provider demonstrates it can provide telecommunications and broadband services to all residential and business locations within the exchange or exchanges for which it requests program support and irrevocably commits to maintain that capability for as long as it receives support and to serve all persons requesting such service within such exchange or exchanges;

(d) The provider submits to the commission's regulation of its service as if it were the incumbent local exchange company serving the exchange or exchanges for which it seeks support from the program;

(e) The provider has established a plan, as described in WAC 480-123-110, to provide, maintain, or enhance broadband service;

(f) The provider offers basic residential and business exchange telecommunications services as set forth in WAC 480-120-021 and RCW 80.36.630; and

(g) The provider has been designated by the commission as an ETC for purposes of receiving federal universal service support pursuant to 47 C.F.R. Part 54 Subpart D - Universal Service Support for High Cost Areas, with respect to the service areas for which the provider is seeking program support.

(4) In calculating access lines or equivalents under this section, the access lines or equivalents of all affiliates must be counted as a single threshold, if the lines or equivalents are located in Washington; provided that only the wireline access lines of the affiliates of a provider seeking support as a wireline carrier will count toward the single threshold for that provider, and only the wireless access line equivalents of the affiliates of a provider seeking support as a wireless carrier will count toward the single threshold for that provider.

AMENDATORY SECTION (Amending WSR 14-21-045 and WSR 14-12-008, filed 10/7/14 and 5/22/14, effective 6/22/14)

**WAC 480-123-110 Petitions for eligibility to receive program support.** (1) **Wireline communications providers.** A wireline communications provider that satisfies the prerequisites in WAC 480-123-100 may petition the commission to receive support from the program. The provider must petition the commission each year to be eligible to receive support from the program the following year. The petition must include the following information:

(a) The name of the legal entity that provides communications services and is seeking program support;

(b) A corporate organization chart showing the relationship between the legal entity identified in (a) of this subsection and all affiliates as defined in RCW 80.16.010 and a detailed description of any transactions between the provider and those affiliates recorded in the provider's operating accounts;

(c) A service area map or detailed reference to any maps on file with the commission showing the provider's Washington service area;

(d) ~~((A demonstration that the provider's customers are at risk of rate instability or service interruptions or cessation in the absence of support from the program;))~~ The provider's broadband plan to provide, maintain, or enhance broadband services in its service area should include the following elements, to the extent applicable to the broadband plan:

(i) Multiyear investment plan;

(ii) Specific project(s) that are projected to provide or enhance broadband services at speeds required by the commission or the Federal Communications Commission. Project information will include an estimated timeline, geographic location, number of locations passed, and upload and download speeds;

(iii) A plan for maintenance of broadband services in the provider's service area;

(iv) A description for how the provider will enhance broadband services in its service area; and

(v) Any supporting information that the commission requests to assist its review and analysis of the provider's broadband plan.

(e) For a provider that is seeking support under (j)(i) of this subsection, detailed financial information and supporting documentation in a form prescribed by the commission for the provider's total Washington regulated operations for the two calendar years prior to the year in which the provider is filing the petition including, but not limited to, the following:

(i) The provider's balance sheet and statements of income and retained earnings or margin from, or in the same format and detail required in, Rural Utilities Service (RUS) Form 479;

(ii) The provider's consolidated audited financial statements; if the provider does not have consolidated audited financial statements prepared in the normal course of its business, the provider must submit financial statements reviewed by a certified public accountant;

(iii) Information demonstrating the provider's earned rate of return on a total Washington unseparated regulated operations basis for each of the two prior years;

(iv) Information demonstrating the provider's earned return on equity on a total company (regulated and nonregulated) Washington basis for each of the two prior years;

(v) Information detailing all of the provider's revenues from the statements of income and retained earnings or margin section of RUS Form 479 for the two prior years; if the provider does not submit RUS Form 479, the provider must file with the commission the same revenue information specified in this subsection that is required to complete the applicable portion of that form;

(vi) Information (~~detailing~~) summarizing the amounts of any corporate operations adjustments to existing high-cost loop and interstate common line support mechanisms the Federal Communications Commission required of the provider for the two prior years or a sworn statement (~~(under penalty of perjury from)~~) by a company officer (of the provider with personal knowledge and responsibility) certifying that no such adjustments apply to the provider; and

(vii) Any additional supporting information the commission requests to enable it to analyze the provider's financial results for program purposes(~~;-and~~

~~(viii) A statement under penalty of perjury from a company officer of the provider with personal knowledge and responsibility certifying that the provider complies with state and federal accounting, cost allocation, and cost adjustment rules pertaining to incumbent local exchange companies;~~

~~(f) A complete copy of the FCC Form 481 the provider filed with the Federal Communications Commission for the calendar year preceding the year in which the provider is filing the petition; if the provider does not submit FCC Form 481 to the Federal Communications Commission, the provider must file with the commission the same information required to complete that form).~~

(f) A sworn statement by a company officer certifying that the company complies with state and federal accounting, cost allocation, and cost adjustment rules pertaining to incumbent local exchange carriers;

(g) Information detailing the number of residential and business local exchange access lines and broadband connections the provider or its affiliate served as of December 31st for each of the prior two years, and the unbundled monthly basic rate(s) (~~(charged)~~) or charge(s) applicable to each customer (~~(category; and)~~) class;

(h) A sworn statement (~~(under penalty of perjury from)~~) by a company officer (of the provider) certifying that ((#)) the provider receives program support ((the provider)) it will continue to provide communications services (~~((pursuant to its tariffs on file with the commission))~~) throughout its service territory in Washington for which it is seeking and receives program support and the provider, or its affiliate if appropriate, will continue to provide broadband services during the entirety of the year in which the provider is applying for support from the program;

(i) A sworn statement by a company officer certifying that the provider is in compliance with the Federal Communications Commission's obligations for deployment of broadband at speeds specified by the Federal Communications Commission that apply to the provider; and

(j) Satisfaction of at least one of the following eligibility criteria:

(i) Eligibility criterion one: A sworn statement by a company officer certifying that the provider commits to the deployment of broadband to the number of locations the commission has determined by order. Such deployment obligations are in addition to any Federal Communications Commission deployment requirements. Additionally, a provider that elects to petition the program for support under this category is subject to review of its rate of return and financial reporting requirements as described in (e) of this subsection.

(ii) Eligibility criterion two: A sworn statement by a company officer certifying that the provider commits to the deployment of broadband to the number of locations the commission has determined by order. Such deployment obligations are in addition to any Federal Communications Commission deployment requirements.

(iii) Eligibility criterion three: A sworn statement by a company officer certifying that the provider has already met the Federal Communications Commission's total deployment obligations associated with federal high-cost program support as of the date of the petition and that since January 1, 2018, the provider has deployed broadband to the number of locations the commission has determined by order. If a company has deployed broadband to a number of locations less than the number required by commission order, the company certifies that it will deploy broadband to the remaining number of locations.

(iv) Eligibility criterion four: A sworn statement by a company officer certifying that broadband service is available to one hundred percent of locations within the provider's service area, and commits to making broadband service available to any new locations.

(2) **Wireless communications providers.** A wireless communications provider that meets the requirements in WAC 480-123-100 may petition the commission to receive support from the program. The provider must petition the commission each year to be eligible to receive support from the program the following year. The petition must include the same type of information for the same periods required of wireline communications providers in subsection (1) of this section. The first time a wireless communications provider seeks to file such a petition, the provider must first submit its request (~~(to file the petition)~~) to the advisory board, pursuant to any guidelines the advisory board will adopt, detailing how the provider will compile and supply the information required by this rule. The advisory board will make a recommendation to the commission, and the commission will determine the precise information the provider must file in support of its petition.

(3) **Other communications providers.** A communications provider other than a provider specified in subsection (1) or (2) of this section that meets the requirements of RCW 80.36.650 (3)(b) and WAC 480-123-100(3) may petition the commission to receive support from the program. The provider must petition the commission each year to be eligible to receive support from the program the following year. The petition must include the same type of information for the same periods required of communications providers in subsection (1) of this section. The first time a communications provider seeks to file such a petition under this section, the provider must first submit its request to the advisory board,

pursuant to any guidelines the advisory board will adopt, detailing how the provider will compile and supply the information required by this rule. The advisory board will make a recommendation to the commission, and the commission will determine the information the provider must file in support of its petition.

**(4) Information already on file with the commission.**

To the extent that the provider has filed with the commission any of the information required under this rule, the provider need not include that same information in its petition so long as the provider identifies the docket number, documents, and location within those documents in which the provider included that information.

~~((4))~~ **(5) Timing of petitions.** A provider must file a complete petition that fully complies with this section no later than August ~~((1st))~~ 2nd if the company seeks support from the program for the following calendar year ~~((-Program support is available annually until the expiration of the program on June 30, 2019))~~.

~~((5))~~ **(6) Certification.** One or more company officers responsible for the provider's business and financial operations must certify in the form of a sworn statement ~~((under penalty of perjury))~~ that the information and representations made in the petition are accurate and that the provider has not knowingly withheld any information required to be provided to the commission pursuant to the rules governing the program. The provider must file this certification with its petition.

(7) Affiliated companies may submit a combined petition for support.

**AMENDATORY SECTION** (Amending WSR 14-21-045 [and 14-12-008], filed 10/7/14 and 5/22/14, effective 6/22/14)

**WAC 480-123-120 Eligibility and distributions from the program.** The commission will authorize distributions from the program on an annual basis. Each eligible provider will receive a single distribution for the year after January 1st of each year of eligibility, except as otherwise authorized by the commission.

**(1) Eligibility determination.** A wireline communications provider that complies with the requirements in ~~((this chapter))~~ WAC 480-123-110 is eligible to receive distributions from the program ~~((if the provider demonstrates that its financial circumstances are such that its customers are at risk of rate instability or service interruptions or cessations absent a distribution to the provider that will allow the provider to maintain rates reasonably close to the benchmark the commission has established. In making that determination, the commission will consider the provider's earned rate of return on a total Washington company books and unseparated regulated operations basis, the provider's return on equity, the status of the provider's existing debt obligations, and other relevant factors including, but not limited to, the extent to which the provider is planning or implementing operational efficiencies and business plan modifications to transition or expand from primary provision of legacy voice telephone service to broadband service or otherwise reduce its reliance on support from the program))~~. The commission will make a

final eligibility determination in its order granting or denying a provider's petition to receive program support. The eligibility criterion that a provider elects will be used in analyzing the provider's plan to provide, maintain, or enhance broadband services in its service area. The commission will consider the information filed by the provider in accordance with WAC 480-123-110.

**(2) Calculation of support amount.** The amount that a wireline communications provider eligible to receive support from the program may receive in a calendar year shall ~~((not exceed the sum of the following:~~

~~(a) The amount the provider received in 2012 from the former traditional USF fund established in Docket U-85-23, et al., and administered by the Washington exchange carrier association; and~~

~~(b) The cumulative reduction in support from the Connect America Fund incurred by the provider up through and including the year for which program support is distributed to the provider to the extent the program contains sufficient funds)) be no greater than its pro rata share of the cumulative reduction in support from the Connect America Fund Inter-carrier Compensation incurred by the provider, up through and including the fiscal year ending June 30, 2020. A provider that seeks a distribution under eligibility criteria two, three, or four will receive support based on their broadband plan and other applicable eligibility requirements. For distribution under eligibility criterion one, the commission will distribute fifty percent of a provider's pro rata share of program support if the provider does not exceed a reasonable rate-of-return threshold applicable to the provider's circumstances and will distribute the remaining fifty percent if the provider commits and demonstrates progress in deploying broadband in accordance with the commission's deployment plan. A company's pro rata share of available funds is calculated after commission expenses.~~

**(3) Distribution to wireless communications providers.** The advisory board will make a recommendation to the commission on eligibility and distribution calculations for any wireless communications provider that seeks support from the program, and the commission will determine that provider's eligibility and the amount of support, if any, the provider may receive consistent with RCW 80.36.650 and commission rules.

**(4) Distribution to other communications providers.** The advisory board will make a recommendation to the commission on eligibility and distribution calculations for any other communications provider that seeks support from the program, and the commission will determine that provider's eligibility and the amount of support, if any, the provider may receive consistent with RCW 80.36.650 and commission rules.

**(5) Broadband commitment.** To receive support from the program, a communications provider must commit to deploying broadband to at least those locations comprising the broadband deployment obligation determined by the commission. Such deployment obligation is in addition to any Federal Communications Commission deployment requirements.

**(6) Total requests in excess of available funds.** If the total requests for support for a calendar year exceed the pro-

gram funds available for that year, the commission will distribute the available funds to eligible carriers on a pro rata basis. If there is a pro rata reduction or increase in support, the company's broadband buildout obligation will be adjusted proportionately. The commission may seek a recommendation from the advisory board on the best pro rata distribution methodology to use.

~~((5))~~ **(7) Commission determination.** The commission will consider petitions from companies seeking support from the program and will make the necessary eligibility and distribution determinations in response to those petitions prior to January 1st of the calendar year in which funds from the program will be distributed.

AMENDATORY SECTION (Amending WSR 14-12-008, filed 5/22/14, effective 6/22/14)

**WAC 480-123-130 Reporting requirements. (1) Wireline communications provider reports.** A wireline communications provider that receives program support must submit the following information and reports to the commission on or before July 1st of the year following each calendar year in which the provider receives that support unless a different date is specified below:

(a) The number of residential and business access lines and broadband connections served within the state of Washington for which the provider used program support during the preceding calendar year in the provision of basic telecommunications and broadband service (broken down to reflect beginning and end of year quantities);

(b) Detailed information on how the provider used program support ~~((the provider received))~~ during the preceding year to maintain, provide, or enhance telecommunications services;

(c) Detailed information on how the provider used program support during the preceding year to meet the provider's broadband buildout requirement. Information must include location information in the same format that broadband specific location data is filed with the Federal Communications Commission or the Universal Service Administrative Company. If the data format or reporting data fields change, the providers and commission staff will work together to revise the requirements and format;

(d) A list with detailed information of all consumer requests for new basic telecommunications service in the area for which the provider received program support during the preceding year that the provider denied or did not fulfill for any reason;

~~((d))~~ (e) A sworn statement ~~((under penalty of perjury))~~ from a company officer of the provider ~~((with personal knowledge and responsibility))~~ certifying that, during the preceding year, the provider materially complied with all commission rules in chapter 480-120 WAC that are applicable to the provider and its provision of service within the area for which the provider received program support;

~~((e))~~ Complete copies of the FCC Form 477 for the state of Washington that the provider filed with the Federal Communications Commission during and for the calendar year in which the provider receives support at the same time the provider submits those forms to the Federal Communications

Commission; if the provider does not submit FCC Form 477 to the Federal Communications Commission, the provider must file with the commission the same information required to complete that form at the same time carriers that file FCC Form 477 are required to submit that form;))

(f) A sworn statement by a company officer certifying that during the preceding year, the provider met the requirements of WAC 480-123-120(5);

(g) Broadband availability data as required by the commission;

(h) A report on operational efficiencies and business plan modifications for the area for which the provider receives program support during the preceding year that the provider has undertaken to transition or expand from primary provision of legacy voice telephone service to broadband service or otherwise reduce its reliance on support from the program, and whether and how disbursements from the program were used to accomplish such outcomes;

~~((g))~~ (i) The provider's Form 477 Subscription Data at the census tract level on a Washington state basis that provides data in the same format and within fourteen calendar days of the dates the data is provided to the Federal Communications Commission;

(j) Detailed information on any other efforts the provider made to use program support to advance universal service and the public interest in Washington; and

~~((h))~~ (k) Any other information or reports the commission requires including, but not limited to, information the commission needs to provide a report to the legislature concerning the program.

(2) **Wireless communications provider reports.** The advisory board will make a recommendation to the commission on the information and reports that any wireless communications provider that receives support from the program should provide, and the commission will determine the information and reports ~~((that))~~ the provider must provide consistent with RCW 80.36.650 and commission rules.

(3) **Other communications provider reports.** The advisory board will make a recommendation to the commission on the information and reports that any communications provider other than a provider specified in subsections (1) and (2) of this section that receives support from the program should provide, and the commission will determine the information and reports the provider must provide consistent with RCW 80.36.650 and commission rules.

(4) **Information already on file with the commission.** To the extent that the provider has filed with the commission any of the information required under this rule in conjunction with its application for certification as an ~~((eligible telecommunications carrier))~~ ETC, the provider need not include that same information in its report so long as the provider identifies the docket number, documents, and location within those documents in which the provider included that information.

~~((4))~~ (5) **Comments from stakeholders.** Interested persons may submit information or comments on any of the issues on which the providers must report under this rule. Persons must submit such information or comments by July 1st of the year following each calendar year in which the commission distributes program support.

AMENDATORY SECTION (Amending WSR 14-21-045 and WSR 14-12-008, filed 10/7/14 and 5/22/14, effective 6/22/14)

**WAC 480-123-150 Advisory board.** (1) **Establishment.** The commission will establish an industry and consumer advisory board to provide recommendations to the commission on the implementation and management of the program.

(2) **Membership.** The commission secretary is authorized to solicit nominations (~~and~~), approve membership on the board, and determine and modify the number of seats on the board.

(a) The board will be comprised of members representing the following interests:

(i) One from incumbent local exchange companies serving fewer than forty thousand access lines in Washington;

(ii) One from incumbent local exchange companies serving more than forty thousand access lines in Washington;

(iii) One from competitive local exchange companies serving customers in Washington;

(iv) One from wireless communications providers offering service in Washington;

(v) One from the governor's state broadband office;

(~~vi~~) (vi) One from the public counsel (~~section~~) unit of the office of the attorney general of Washington; and

(~~vii~~) (vii) One from the commission staff.

(b) Commission staff and public counsel shall have permanent membership on the board. The commission will appoint industry members for a term of three years, at the expiration of which the industry members are eligible for appointment to (~~a~~) two subsequent three-year terms.

(3) **Duties.** The board shall:

(a) Have a consultative role on matters directly referred to it by the commission;

(b) Conduct meetings no less frequently than once per year;

(c) Conduct all meetings as public meetings in accordance with the Open Public Meetings Act, chapter 42.30 RCW; and

(d) Prepare and submit to the commission a written report on matters brought to it for consideration including, where appropriate, a recommendation to the commission on potential resolution of such matters.

(4) **Initiating board action.** The commission alone may initiate board action other than the execution of administrative duties, which the board may conduct on its own initiative. Any person who seeks board participation (~~in~~) on program issues or matters must petition the commission to initiate board action.

AMENDATORY SECTION (Amending WSR 14-12-008, filed 5/22/14, effective 6/22/14)

**WAC 480-123-160 Resolution of disputes.** An affected provider may petition the commission to resolve any disputed matter concerning the program including, but not necessarily limited to, the provider's eligibility to receive program support, the amount or timing of any distribution of support, and calculations of the provider's revenues and earnings levels. The commission may refer such requests to the advisory board as the initial point of review and consideration of the matter for which a (~~carrier~~) provider seeks resolution. The commission will make the final determination on any petition.

**WSR 20-12-027**

**PERMANENT RULES**

**BUILDING CODE COUNCIL**

[Filed May 27, 2020, 11:23 a.m., effective July 1, 2020]

Effective Date of Rule: July 1, 2020.

Purpose: The purpose of this permanent rule making is to adopt amendments to the 2018 International Residential Code by the state building code council on April 20, 2020. The implementation date is July 1, 2020.

Citation of Rules Affected by this Order: New 1; amending 3.

Statutory Authority for Adoption: RCW 19.27.031.

Other Authority: RCW 19.27.074.

Adopted under notice filed as WSR 20-02-057 on December 24, 2019.

Changes Other than Editing from Proposed to Adopted Version:

Item	WAC	Section	Change
1	51-51-1505	1505.4.1	Changed designed and installed to supply and exhaust to designed and/or installed to supply and exhaust.
2		1505.4.1.2	Changed exhaust fans to bathroom exhaust fans.
3		1505.4.1.3	Struck the text: Intake air openings shall be designed to limit the pressure difference to the outside to limiting the inlet free area maximum velocity to 500 ft per min.
4			Struck the text: To each habitable dwelling unit or sleeping unit.
5		1505.4.1.4	Struck the text: For dwelling units required by the Washington State Energy Code to have a balanced system, the system is required to have balanced whole-house ventilation but is not required to have distributed whole house ventilation where the distributed system coefficient from Table 403.8.2 is utilized to correct the whole-house mechanical ventilation rate.

Item	WAC	Section	Change
6			Added the text: Balanced ventilation systems with both supply and exhaust fans in a packaged product, such as an ERV/HRV shall meet the requirements of HVI 920, as applicable.

A final cost-benefit analysis is available by contacting Richard Brown, 1500 Jefferson Street S.E., phone 360-407-9277, email Richard.Brown@des.wa.gov, website www.sbcc.wa.gov.

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 the Request of a Non-governmental Entity: New 1, Amended 3, 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.

Date Adopted: April 20, 2020.

Diane Glenn  
Chair

**AMENDATORY SECTION** (Amending WSR 16-03-025, filed 1/11/16, effective 7/1/16)

**WAC 51-51-1505 Section M1505—(~~Overhead exhaust hoods~~) Mechanical ventilation.**

~~(**M1505.1 General.** Domestic open top broiler units shall have a metal exhaust hood, having a minimum thickness of 0.0157 inch (0.3950 mm) (No. 28 gage) with 1/4 inch (6.4 mm) clearance between the hood and the underside of combustible material or cabinets. A clearance of not less than 24 inches (610 mm) shall be maintained between the cooking surface and the combustible material or cabinet. The hood shall be not less than the width of the broiler unit, extend over the entire unit, and when located inside the building envelope, shall discharge to the outdoors and be equipped with a backdraft damper or other means to control infiltration/exfiltration when not in operation. Broiler units incorporating an integral exhaust system, and listed and labeled for use without an exhaust hood, or broiler units permanently installed outside the building envelope and having the cooking surface at least 5'0" below a 1-hour fire resistance rated ceiling, need not have an exhaust hood.)~~ **M1505.4 Whole-house mechanical ventilation system.** Each dwelling unit shall be equipped with a ventilation system. The whole-house mechanical ventilation systems shall be designed in accordance with Sections M1505.4.1 through M1505.4.4.

**M1505.4.1 System design.** The whole house ventilation system shall consist of one or more supply fans, one or more exhaust fans, or an ERV/HRV with integral fans, associated

ducts and controls. Whole-house mechanical ventilation system with supply and exhaust fans per Sections M1505.4.1.2, M1505.4.1.3, M1505.4.1.4, and M1505.4.1.5. Local exhaust fans are permitted to serve as part of the whole house ventilation system when provided with the proper controls per Section M1505.4.2. The systems shall be designed and installed to exhaust and/or supply the minimum outdoor airflow rates per Section M1505.4.3 as modified by whole house ventilation system coefficients in Section M1505.4.3.1 where applicable. The whole house ventilation system shall operate continuously at the minimum ventilation rate determined per Section M1505.4.2 unless configured with intermittent off controls per Section M1505.4.3.2.

**M1505.4.1.1 Whole house system component requirements.** Whole house ventilation supply and exhaust fans specified in this section shall have a minimum efficacy as prescribed in the Washington State Energy Code. Design and installation of the system or equipment shall be carried out in accordance with manufacturers' installation instructions. Whole house ventilation fans shall be rated for sound at no less than the minimum airflow rate required by Section M1505.4.3.1. Ventilation fans shall be rated for sound at a maximum of 1.0 sone. This sound rating shall be at a minimum of 0.1 in. w.c. (25 Pa) static pressure in accordance with HVI procedures specified in Sections M1505.4.1.2 and M1505.4.1.3.

**EXCEPTION:** HVAC air handlers, ERV/HRV units, and remote mounted fans need not meet the sound requirements. To be considered for this exception, a remote mounted fan must be mounted outside the habitable spaces, bathrooms, toilets, and hallways, and there must be at least 4 ft (1 m) of ductwork between the fan and the intake grille.

The whole house supply fan shall provide ducted outdoor ventilation air to each habitable space within the residential unit.

**EXCEPTION:** Interior joining spaces provided with a 30 cfm whole house transfer fan or a permanent opening with an area of not less than 8 percent of the floor area of the interior adjoining space but not less than 25 square feet do not require ducted outdoor ventilation air to be supplied directly to the space. Whole house transfer fans shall meet the sone rating of Section M1505.4.1.1 and shall have whole house ventilation controls that comply with Section M1505.4.2.

**M1505.4.1.2 Exhaust fans.** Exhaust fans required shall be ducted directly to the outside. Exhaust air outlets shall be designed to limit the pressure difference to the outside and equipped with backdraft dampers or motorized dampers in accordance with the Washington State Energy Code. Exhaust fans shall be tested and rated in accordance with the airflow and sound rating procedures of the Home Ventilating Institute (HVI 915, HVI Loudness Testing and Rating Procedure, HVI 916, HVI Airflow Test Procedure, and HVI 920, HVI

Product Performance Certification Procedure, as applicable). Exhaust fans required in this section may be used to provide local ventilation. Bathroom exhaust fans that are designed for intermittent exhaust airflow rates higher than the continuous exhaust airflow rates in Table M1505.4.3(3) shall be provided with occupancy sensors or humidity sensors to automatically override the fan to the high speed airflow rate. The exhaust fans shall be tested and the testing results shall be submitted and posted in accordance with Section M1505.4.1.6.

**M1505.4.1.3 Supply fans.** Supply fans used in meeting the requirements of this section shall supply outdoor air from intake openings in accordance with IMC Sections 401.4 and 401.5. When designed for intermittent off operation, supply systems shall be equipped with motorized dampers in accordance with the Washington State Energy Code. Supply fans shall be tested and rated in accordance with the airflow and sound rating procedures of the Home Ventilating Institute (HVI 915, HVI Loudness Testing and Rating Procedure, HVI 916, HVI Airflow Test Procedure, and HVI 920, HVI Product Performance Certification Procedure, as applicable). Where outdoor air is provided by supply fan systems the outdoor air shall be filtered. The filter shall be accessible for regular maintenance and replacement. The filter shall have a Minimum Efficiency Rating Value (MERV) of at least 8.

**M1505.4.1.4 Balanced whole house ventilation system.** A balanced whole house ventilation system shall include both supply and exhaust fans. The supply and exhaust fans shall have airflow that is within 10 percent of each other. The tested and balanced total mechanical exhaust airflow rate is within 10 percent or 5 cfm, whichever is greater, of the total mechanical supply airflow rate. The flow rate test results shall be submitted and posted in accordance with Section M1505.4.1.7. The exhaust fan shall meet the requirements of Section M1505.4.1.2. The supply fan shall meet the requirements of Section M1505.4.1.3. Balanced ventilation systems with both supply and exhaust fans in a packaged product, such as an ERV/HRV shall meet the requirements of HVI 920, as applicable. Intermittent dryer exhaust, intermittent range hood exhaust, and intermittent toilet room exhaust airflow rates above the residential dwelling or sleeping unit minimum ventilation rate are exempt from the balanced airflow calculation.

**M1505.4.1.5 Furnace integrated supply.** Systems using space heating and/or cooling air handler fans for outdoor air supply distribution are not permitted.

**EXCEPTION:** Air handler fans shall have multispeed or variable speed supply airflow control capability with a low speed operation not greater than 25 percent of the rated supply airflow capacity during ventilation only operation. Outdoor air intake openings must meet the provisions of Sections R303.5 and R303.6 and must include a motorized damper that is activated by the whole house ventilation system controller. The motorized damper must be controlled to maintain the outdoor airflow intake airflow within 10 percent of the whole house mechanical exhaust airflow rate. The flow rate for the outdoor air intake must be tested and verified at the minimum ventilation fan speed and the maximum heating or cooling fan speed.

The results of the test shall be submitted and posted in accordance with Section M1505.4.1.7.

**M1505.4.1.6 Testing.** Whole-house mechanical ventilation systems shall be tested, balanced and verified to provide a flow rate not less than the minimum required by Sections M1505.4.3 and M1505.4.4. Testing shall be performed according to the ventilation equipment manufacturer's instructions, or by using a flow hood, flow grid, or other airflow measuring device at the mechanical ventilation fan's inlet terminals, outlet terminals or grilles or in the connected ventilation ducts. Where required by the building official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official and be posted in the dwelling unit per Section M1505.4.1.7.

**M1505.4.1.7 Certificate.** A permanent certificate shall be completed by the mechanical contractor, test and balance contractor or other approved party and posted on a wall in the space where the furnace is located, a utility room, or an approved location inside the building. When located on an electrical panel, the certificate shall not cover or obstruct the visibility of the circuit directory label, service disconnect label, or other required labels. The certificate shall list the flow rate determined from the delivered airflow of the whole-house mechanical ventilation system as installed and the type of mechanical whole house ventilation system used to comply with Section M1505.4.3.1.

**M1505.4.2 System controls.** The whole-house mechanical ventilation system shall be provided with controls that comply with the following:

1. The whole house ventilation system shall be controlled with manual switches, timers or other means that provide for automatic operation of the ventilation system that are readily accessible by the occupant;

2. Whole-house mechanical ventilation system shall be provided with controls that enable manual override off of the system by the occupant during periods of poor outdoor air quality. Controls shall include permanent text or a symbol indicating their function. Recommended control permanent labeling to include text similar to the following: "Leave on unless outdoor air quality is very poor." Manual controls shall be readily accessible by the occupant;

3. Whole house ventilation systems shall be configured to operate continuously except where intermittent off controls and sizing are provided per Section M1505.4.3.2.

**M1505.4.3 Mechanical ventilation rate.** The whole-house mechanical ventilation system shall provide outdoor air at a continuous rate as determined in accordance with Table M1505.4.3(1) or Equation 15-1.

**Equation 15-1**

Ventilation rate in cubic feet per minute =  $(0.01 \times \text{total square foot area of house}) + [7.5 \times (\text{number of bedrooms} + 1)]$  but not less than 30 cfm for each dwelling unit

**Table M1505.4.3(1)**  
**Whole-House Mechanical Ventilation Airflow Rate**

Dwelling Unit Floor Area (square feet)	Number of Bedrooms				
	0 - 1	2	3	4	5 or more
	Airflow in cfm				
< 500	30	30	35	45	50
501 - 1,000	30	35	40	50	55
1,001 - 1,500	30	40	45	55	60
1,501 - 2,000	35	45	50	60	65
2,001 - 2,500	40	50	55	65	70
2,501 - 3,000	45	55	60	70	75
3,001 - 3,500	50	60	65	75	80
3,501 - 4,000	55	65	70	80	85
4,001 - 4,500	60	70	75	85	90
4,501 - 5,000	65	75	80	90	95

**M1505.4.3.1 Ventilation quality adjustment.** The minimum whole house ventilation rate from Section 1505.4.3 shall be adjusted by the system coefficient in Table M1505.4.3(2) based on the system type not meeting the definition of a *balanced whole house ventilation system* and/or not meeting the definition of a *distributed whole house ventilation system*.

$$Q_v = Q_r * C_{system}$$

**(Equation 15-2)**

Where:

$Q_v$  = Quality-adjusted ventilation airflow rate in cubic feet per minute (cfm).

$Q_r$  = Ventilation airflow rate, cubic feet per minute (cfm) from 15-1 or Table M1505.4.3(1).

$C_{system}$  = System coefficient from Table 1505.4.3(2).

**Table M1505.4.3(2)**  
**System Coefficient ( $C_{system}$ )**

System Type	Distributed	Not Distributed
Balanced	1.0	1.25
Not balanced	1.25	1.5

**M1505.4.3.2 Intermittent off operation.** Whole-house mechanical ventilation systems shall be provided with advanced controls that are configured to operate the system with intermittent off operation shall operate for a least two hours in each four-hour segment. The whole house ventila-

tion airflow rate determined in accordance with Section M1505.4.3 as corrected by Section M1505.4.3.1 is multiplied by the factor determined in accordance with Table M1505.4.3(3).

**Table M1505.4.3(3)**  
**Intermittent Off Whole House-Mechanical Ventilation Rate Factors<sup>a,b</sup>**

Run-time % in Each 4-hour Segment	50%	66%	75%	100%
Factor <sup>a</sup>	2	1.5	1.3	1.0

a. For ventilation system run-time values between those given, the factors are permitted to be determined by interpolation.

b. Extrapolation beyond the table is prohibited.

**M1505.4.4 Local exhaust rates.** Local exhaust systems shall be designed to have the capacity to exhaust the minimum airflow rate determined in accordance with Table M1505.4.4(1). If the local exhaust fan is included in the whole house ventilation system, in accordance with Section 1505.4.1, then the exhaust fan shall be controlled to operate as specified in Section M1505.4.2.

**M1505.4.4.1 Local exhaust.** Bathrooms, toilet rooms, and kitchens shall include a local exhaust system. Such local exhaust systems shall have the capacity to exhaust the minimum airflow rate in accordance with Table M1505.4.4(1). Fans required by this section shall be provided with controls that enable manual override or automatic occupancy sensor, humidity sensor or pollutant sensor controls. An "on/off" switch shall meet this requirement for manual controls. Man-

ual fan controls shall be readily accessible in the room served by the fan.

**Table M1505.4.4(1)**  
**Minimum Local Exhaust Rates**

<u>Area to Be Exhausted</u>	<u>Exhaust Rates</u>	
	<u>Intermittent</u>	<u>Continuous</u>
<u>Kitchens</u>	<u>100 cfm</u>	<u>30 cfm</u>
<u>Bathrooms - Toilet rooms</u>	<u>50 cfm</u>	<u>20 cfm</u>

**M1505.4.4.2 Local exhaust fans.** Exhaust fans shall meet the following criteria:

1. Exhaust fans shall be tested and rated in accordance with the airflow and sound rating procedures of the Home Ventilating Institute (HVI 915, HVI Loudness Testing and Rating Procedure, HVI 916, HVI Airflow Test Procedure, and HVI 920, HVI Product Performance Certification Procedure).

EXCEPTION: Where a range hood or down draft exhaust fan is used for local exhaust for a kitchen, the device is not required to be rated per these standards.

2. Fan airflow rating and duct system shall be designed and installed to deliver at least the exhaust airflow required by Table M1505.4.4(1). The airflows required refer to the delivered airflow of the system as installed and tested using a flow hood, flow grid, or other airflow measurement device. Local exhaust systems shall be tested, balanced, and verified to provide a flow rate not less than the minimum required by this section.

3. Design and installation of the system or equipment shall be carried out in accordance with manufacturers' installation instructions.

4. Fan airflow rating and duct system shall be designed and installed to deliver at least the exhaust airflow required by Table M1505.4.4(1).

EXCEPTIONS: 1. An exhaust airflow rating at a pressure of 0.25 in. w.g. may be used, provided the duct sizing meets the prescriptive requirements of Table M1505.4.4(2).  
2. Where a range hood or down draft exhaust fan is used to satisfy the local ventilation requirements for kitchens, the range hood or down draft exhaust shall not be less than 100 cfm at 0.10 in. w.g.

**Table M1505.4.4(2)**  
**Prescriptive Exhaust Duct Sizing**

<u>Fan Tested cfm at 0.25 inches w.g.</u>	<u>Minimum Flex Diameter</u>	<u>Maximum Length in Feet</u>	<u>Minimum Smooth Diameter</u>	<u>Maximum Length in Feet</u>	<u>Maximum Elbows<sup>a</sup></u>
<u>50</u>	<u>4 inches</u>	<u>25</u>	<u>4 inches</u>	<u>70</u>	<u>3</u>
<u>50</u>	<u>5 inches</u>	<u>90</u>	<u>5 inches</u>	<u>100</u>	<u>3</u>
<u>50</u>	<u>6 inches</u>	<u>No Limit</u>	<u>6 inches</u>	<u>No Limit</u>	<u>3</u>
<u>80</u>	<u>4 inches<sup>b</sup></u>	<u>NA</u>	<u>4 inches</u>	<u>20</u>	<u>3</u>
<u>80</u>	<u>5 inches</u>	<u>15</u>	<u>5 inches</u>	<u>100</u>	<u>3</u>
<u>80</u>	<u>6 inches</u>	<u>90</u>	<u>6 inches</u>	<u>No Limit</u>	<u>3</u>
<u>100</u>	<u>5 inches<sup>b</sup></u>	<u>NA</u>	<u>5 inches</u>	<u>50</u>	<u>3</u>
<u>100</u>	<u>6 inches</u>	<u>45</u>	<u>6 inches</u>	<u>No Limit</u>	<u>3</u>
<u>125</u>	<u>6 inches</u>	<u>15</u>	<u>6 inches</u>	<u>No Limit</u>	<u>3</u>
<u>125</u>	<u>7 inches</u>	<u>70</u>	<u>7 inches</u>	<u>No Limit</u>	<u>3</u>

a. For each additional elbow, subtract 10 feet from length.

b. Flex ducts of this diameter are not permitted with fans of this size.

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.

**AMENDATORY SECTION** (Amending WSR 20-03-023, filed 1/6/20, effective 7/1/20)

**WAC 51-51-1507 ((Section M1507—Mechanical ventilation-)) Reserved.**

~~((M1507.1 General. Local exhaust and whole-house mechanical ventilation systems and equipment shall be designed in accordance with this section.~~

~~**M1507.2 Recirculation of air.** Exhaust air from bathrooms and toilet rooms shall not be recirculated within a residence or to another dwelling unit and shall be exhausted directly to the outdoors. Exhaust air from bathrooms and toilet rooms shall not discharge into an attic, crawl space or other areas of the building.~~

~~**M1507.3 Whole-house mechanical ventilation system.** Whole-house mechanical ventilation systems shall be designed in accordance with Sections M1507.3.1 through M1507.3.3.~~

~~**M1507.3.1 System design.** Each dwelling unit or guestroom shall be equipped with a ventilation system complying with Section M1507.3.4, M1507.3.5, M1507.3.6 or M1507.3.7. Compliance is also permitted to be demonstrated through compliance with the International Mechanical Code or ASHRAE Standard 62.2.~~

**M1507.3.2 Control and operation.**

1. Location of controls. Controls for all ventilation systems shall be readily accessible by the occupant.

2. Instructions. Operating instructions for whole-house ventilation systems shall be provided to the occupant by the installer of the system.

3. Local exhaust systems. Local exhaust systems shall be controlled by manual switches, dehumidistats, timers, or other approved means.

4. Continuous whole-house ventilation systems. Continuous whole-house ventilation systems shall operate continuously and be equipped with an override control. A "fan on" switch shall be permitted as an override control. Controls shall be capable of operating the ventilation system without energizing other energy-consuming appliances. A clearly visible label shall be affixed to the controls that reads "Whole House Ventilation (see operating instructions)."

5. Intermittent whole-house ventilation systems. Intermittent whole-house ventilation systems shall comply with the following:

5.1. They shall be capable of operating intermittently and continuously.

5.2. They shall have controls capable of operating the exhaust fans, forced-air system fans, or supply fans without energizing other energy-consuming appliances.

5.3. The ventilation rate shall be adjusted according to the exception in Section 403.8.5.1.

5.4. The system shall be designed so that it can operate automatically based on the type of control timer installed.

5.5. The intermittent mechanical ventilation system shall operate at least one hour out of every four.

5.6. The system shall have a manual control and automatic control, such as a 24-hour clock timer.

5.7. At the time of final inspection, the automatic control shall be set to operate the whole-house fan according to the schedule used to calculate the whole-house fan sizing.

5.8. A label shall be affixed to the control that reads "Whole House Ventilation (see operating instructions)."

**M1507.3.2.1 Operating instructions.** Installers shall provide the manufacturer's installation, operating instructions, and a whole-house ventilation system operation description.

**M1507.3.3 Mechanical ventilation rate.** The whole-house mechanical ventilation system shall provide outdoor air to each dwelling unit at a continuous rate of not less than that determined in accordance with Table M1507.3.3(1).

**EXCEPTION:** The whole-house mechanical ventilation system is permitted to operate intermittently where the system has controls that enable operation for not less than 25 percent of each 4-hour segment and the ventilation rate prescribed in Table M1507.3.3(1) is multiplied by the factor determined in accordance with Table M1507.3.3(2).

**Table M1507.3.3(1)  
Continuous Whole House Mechanical Ventilation System Airflow Rate Requirements**

Dwelling Unit Floor Area (square feet)	NUMBER OF BEDROOMS				
	0-1	2-3	4-5	6-7	>7
	Airflow in CFM				
<1,500	30	45	60	75	90
1,501-3,000	45	60	75	90	105
3,001-4,500	60	75	90	105	120
4,501-6,000	75	90	105	120	135
6,001-7,500	90	105	120	135	150
>7,501	105	120	135	150	165

For SI: 1 square foot = 0.0929 m<sup>2</sup>; 1 cubic foot per minute = 0.0004719 m<sup>3</sup>/s.

**Table M1507.3.3(2)  
Intermittent Whole House Mechanical Ventilation Rate Factors<sup>a,b</sup>**

Run-Time Percentage in Each 4-Hour Segment	25%	33%	50%	66%	75%	100%
Factor <sup>a</sup>	4	3	2	1.5	1.3	1.0

<sup>a</sup> For ventilation system run-time values between those given, the factors are permitted to be determined by interpolation.

<sup>b</sup> Extrapolation beyond the table is prohibited.

**M1507.3.4 Whole-house ventilation using exhaust fans.** This section establishes minimum prescriptive requirements for whole-house ventilation systems using exhaust fans. A system which meets all the requirements of this section shall

be deemed to satisfy the requirements for a whole-house ventilation system.

**M1507.3.4.1 Whole-house ventilation fans.** Exhaust fans providing whole-house ventilation shall have a flow rating at 0.25 inches water gauge as specified in Table M1507.3.3(1).

Manufacturers' fan flow ratings shall be determined according to HVI 916 or AMCA 210.

**M1507.3.4.2 Fan noise.** Whole-house fans located 4 feet or less from the interior grille shall have a sone rating of 1.0 or less measured at 0.1 inches water gauge. Manufacturer's noise ratings shall be determined as per HVI 915 (March 2009). Remotely mounted fans shall be acoustically isolated from the structural elements of the building and from attached duct work using insulated flexible duct or other approved material.

**M1507.3.4.3 Fan controls.** The whole-house ventilation fan shall meet the requirements of Section M1507.3.2 and M1507.3.2.1.

**M1507.3.4.4 Ventilation openings.** Each habitable space shall be provided with outdoor air inlets or operable windows with an openable area not less than 4 square inches of net free area of opening for each 10 cfm of outdoor air required by Table M1507.3.3(1). Where outdoor air supplies are separated from exhaust points by doors, provisions shall be made to ensure air flow by installation of distribution ducts, undercutting doors, installation of grilles, transoms, or similar means. Doors shall be undercut to a minimum of 1/2 inch above the surface of the finish floor covering.

Individual room outdoor air inlets shall:

1. Have controllable and secure openings;
2. Be sleeved or otherwise designed so as not to compromise the thermal properties of the wall or window in which they are placed;
3. Any inlet or combination of inlets which provide 10 cfm at 10 Pascals are deemed equivalent to 4 square inches net free area.

Ventilation opening shall be screened or otherwise protected from entry by leaves or other material. Openings shall be controllable, securable and shall be designed to not compromise the thermal properties of the building envelope. Ventilation openings shall be located so as not to take air from the following areas:

1. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.
2. Where it will pick up objectionable odors, fumes or flammable vapors.
3. A hazardous or unsanitary location.
4. A room or space having any fuel-burning appliances therein.
5. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.
6. Attic, crawl spaces, or garages.
7. Asphalt roofs unless it is shown that no other location is permissible. In such cases the inlet opening shall be located a minimum of 2 feet from the nearest surface of the asphalt roofing, measured from the intake opening.

**M1507.3.5 Whole-house ventilation integrated with a forced-air system.** This section establishes minimum prescriptive requirements for whole-house ventilation systems integrated with forced-air ventilation systems. A system which meets all the requirements of this section shall be

deemed to satisfy the requirements for a whole-house ventilation system.

**M1507.3.5.1 Integrated whole-house ventilation systems.** Integrated whole-house ventilation systems shall provide outdoor air at the rate calculated using Section M1507.3.3. Integrated forced-air ventilation systems shall distribute outdoor air to each habitable space through the forced-air system ducts. Integrated forced-air ventilation systems shall have an outdoor air inlet duct connecting a terminal element on the outside of the building to the return air plenum of the forced-air system, at a point within 4 feet upstream of the air handler. The outdoor air inlet duct connection to the return air stream shall be located upstream of the forced-air system blower and shall not be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger. The system will be equipped with a motorized damper connected to the automatic ventilation control as specified in Section M1507.3.2. The required flow rate shall be verified by field testing with a flow hood or a flow measuring station.

**M1507.3.5.2 Ventilation duct insulation.** All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

**M1507.3.5.3 Outdoor air inlets.** Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

1. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.
2. Where it will pick up objectionable odors, fumes or flammable vapors.
3. A hazardous or unsanitary location.
4. A room or space having any fuel-burning appliances therein.
5. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.
6. Attic, crawl spaces, or garages.

**M1507.3.6 Whole-house ventilation using a supply fan.** This section establishes minimum prescriptive requirements for whole-house ventilation systems using an inline supply fan. A system which meets all the requirements of this section shall be deemed to satisfy the requirements for a whole-house ventilation system.

**M1507.3.6.1 Outdoor air.** Supply fan ventilation systems shall distribute outdoor air to each habitable space through the forced-air system ducts or through dedicated ducts to each habitable space. Supply fans shall have the capacity to provide the amount of outdoor air specified in Table M1507.3.3(1) at 0.40 inches water gauge as per HVI 916. The outdoor air must be filtered before it is delivered to habitable spaces. The filter may be located at the intake device, in line with the fan, or, in the case of a connection to the return plenum of the air handler, using the furnace filter. An outdoor air inlet shall be connected to either the supply or return air stream.

**M1507.3.6.2 Ducts.** An outdoor air inlet duct connection to the supply air stream shall be located downstream of the

forced-air system blower. An outdoor air inlet duct connection to the return air stream shall be located at least 4 feet upstream of the forced-air system blower and its filter. Neither type of duct shall be connected directly into a furnace cabinet to prevent thermal shock to the heat exchanger. The outdoor air inlet duct shall be prescriptively sized in accordance with Table M1507.3.6.2. The terminal element on the outside of the building shall be sized 2 inches in diameter larger than the outdoor air inlet duct.

**Table M1507.3.6.2  
Prescriptive Supply Fan Duct Sizing**

Supply Fan Tested cfm at 0.40" wg		
Specified Volume from Table 1507.3.3(1)	Minimum Smooth Duct Diameter	Minimum Flexible Duct Diameter
50-90 cfm	4 inch	5 inch
90-150 cfm	5 inch	6 inch
150-250 cfm	6 inch	7 inch
250-400 cfm	7 inch	8 inch

**M1507.3.6.3 Dampers.** The system shall be equipped with a back-draft damper and one of the following:

1. A calibrated manual volume damper installed and set to meet the measured flow rates specified in Table M1507.3.3(1) by field testing with a pressure gauge and/or following manufacturer's installation instructions; or
2. A manual volume damper installed and set to meet the measured flow rates specified in Table M1507.3.3(1) by field testing with a flow hood or a flow measuring station; or
3. An automatic flow regulating device sized to the specified flow rates in Table M1507.3.3(1) which provides constant flow over a pressure range of 0.20 to 0.60 inches water gauge.

**M1507.3.6.4 Ventilation duct insulation.** All supply ducts in the conditioned space shall be insulated to a minimum of R-4.

**M1507.3.6.5 Outdoor air inlets.** Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

1. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.
2. Where it will pick up objectionable odors, fumes or flammable vapors.
3. A hazardous or unsanitary location.
4. A room or space having any fuel-burning appliances therein.
5. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.
6. Attic, crawl spaces, or garages.

**M1507.3.7 Whole-house ventilation using a heat recovery ventilation system.** This section establishes minimum prescriptive requirements for whole-house ventilation using a heat recovery ventilation system.

**M1507.3.7.1 Heat recovery ventilation systems.** All duct work in heat recovery systems shall be sized and installed per the manufacturer's instructions. System minimum flow rating shall be not less than that specified in Table M1507.3.3(1). Heat recovery ventilation systems shall have a filter on the upstream side of the heat exchanger in both the intake and exhaust airstreams with a minimum efficiency rating value (MERV) of 6.

**M1507.3.7.2 Ventilation duct insulation.** All supply ducts in the conditioned space installed upstream of the heat exchanger shall be insulated to a minimum of R-4.

**M1507.3.7.3 Outdoor air inlets.** Inlets shall be screened or otherwise protected from entry by leaves or other material. Outdoor air inlets shall be located so as not to take air from the following areas:

1. Closer than 10 feet from an appliance vent outlet, unless such vent outlet is 3 feet above the outdoor air inlet.
2. Where it will pick up objectionable odors, fumes or flammable vapors.
3. A hazardous or unsanitary location.
4. A room or space having any fuel-burning appliances therein.
5. Closer than 10 feet from a vent opening of a plumbing drainage system unless the vent opening is at least 3 feet above the air inlet.
6. Attic, crawl spaces, or garages.

**M1507.4 Local exhaust.** Local exhaust shall be provided in each kitchen, bathroom, water closet, laundry room, indoor swimming pool, spa, and other rooms where water vapor or cooking odor is produced. *Local exhaust systems* shall be designed to have the capacity to exhaust the minimum air flow rate determined in accordance with Table M1507.4.

**Table M1507.4  
Minimum Required Local Exhaust Rates  
For One and Two Family Dwellings**

Area to Be Exhausted	Exhaust Rates
Kitchens	100 cfm intermittent or 25 cfm continuous
Bathrooms-Toilet rooms Laundry rooms, indoor swimming pools, and spas	Mechanical exhaust capacity of 50 cfm intermittent or 20 cfm continuous

For SI: 1 cubic foot per minute = 0.0004719 m<sup>3</sup>/s.

**M1507.4.1 Local exhaust fans.** Exhaust fans providing local exhaust shall have a minimum fan flow rating not less than 50 cfm at 0.25 inches water gauge for bathrooms, laundries, or similar rooms and 100 cfm at 0.25 inches water gauge for kitchens. Manufacturers' fan flow ratings shall be determined as per HVI 916 (April 1995) or AMCA 210.

**EXCEPTION:** Where a range hood or down draft exhaust fan is used to satisfy the local exhaust requirements for kitchens, the range hood or down draft exhaust shall not be less than 100 cfm at 0.10 inches water gauge.

~~**M1507.4.2 Local exhaust controls.** Local exhaust systems shall be controlled by manual switches, dehumidistats, timers, or other approved means. Local exhaust system controls shall be readily accessible.))~~

Karen Hanan  
Executive Director

#### NEW SECTION

### **WAC 51-51-2904 Section 2904—Dwelling unit fire-sprinkler systems.**

**P2904.1.1 Required sprinkler locations.** Sprinklers shall be installed to protect all areas of a *dwelling unit*.

EXCEPTIONS:

1. Uninhabitable attics, crawl spaces and normally unoccupied concealed spaces that do not contain fuel-fired appliances do not require sprinklers. In uninhabitable attics, crawl spaces and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler shall be installed above the equipment; however, sprinklers shall not be required in the remainder of the space.
2. Clothes closets, linen closets and pantries not exceeding 24 square feet (2.2 m<sup>2</sup>) in area, with the smallest dimension not greater than 3 feet (915 mm) and having wall and ceiling surfaces of gypsum board.

#### **WSR 20-12-034**

#### **PERMANENT RULES**

#### **ARTS COMMISSION**

[Filed May 27, 2020, 11:50 a.m., effective June 27, 2020]

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

Purpose: Amend WAC 30-02-010 Definitions to add a new definition for statewide grant regions. The grants program is amending the definitions to include a definition of regions throughout the state. The new definitions will make it clearer to constituents about the different grant regions within the state as they relate to regional and statewide arts service organizations.

Citation of Rules Affected by this Order: Amending 1 [WAC 30-02-010].

Statutory Authority for Adoption: RCW 43.46.040.

Adopted under notice filed as WSR 20-08-075 on March 26, 2020.

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 the Request of a Non-governmental 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 0, Repealed 0.

Date Adopted: May 26, 2020.

AMENDATORY SECTION (Amending WSR 19-22-069, filed 11/5/19, effective 12/6/19)

**WAC 30-02-010 Definitions.** The following definitions shall apply throughout Title 30 WAC:

"Accession" means to formally acquire a work of art for the state art collection, including the action of assigning an accession or control number to the work of art.

"Appeal procedure" means the procedure as established in WAC 30-12-036 (Request for review of denied applications) whereby an applicant may request a review of a denied application.

"Application form" means printed, electronic, or web-based forms created and published by staff and used by the public to apply to commission program applications.

"Application guidelines" means the published document that provides the public with information on how to apply for commission programs, including eligibility requirements, review criteria used to evaluate and score applications, deadlines, timelines, and information on the appeal procedure. Published in print and/or electronic format, guidelines are accessible through the commission's website.

"Art advisory committee" means a committee formed by staff and a partner agency to develop plans and overall project specifications, and to make funding allocation decisions related to the state art collection.

"Art in public places program" means the visual art program of the commission established by the legislature in RCW 43.46.090 to acquire works of art and to develop, administer, and manage the state art collection.

"Art selection committee" means a committee formed by a partner agency, and approved by staff, to review and select artists to create works of art for the state art collection, or to review and select works of art for or from the state art collection, through a process facilitated by staff.

"Artistic disciplines" means dance, design, folk and traditional arts, media arts, music, literature, theater, visual arts, and interdisciplinary arts.

"Artistic excellence" means evidence of some or all of the following: Mastery of skills and techniques, communication of unique vision or perspective, professional approaches to process and presentation. Additionally, for groups and organizations, includes the contribution the artistic work(s) make to the development of the artists involved, the art form and the arts generally; or for services delivered, the contribution the services make to the development of a vibrant arts and cultural community in the state.

"Arts professional" means an individual who has professional work experience in the arts or an arts-related field.

"Board" means the board of commissioners, consisting of nineteen members appointed by the governor and four members of the legislature appointed to the Washington state arts commission pursuant to RCW 43.46.015.

"Chair" means the chair of the board, elected pursuant to WAC 30-08-050 and fulfilling duties as established in Title 30 WAC.

"Collections management" means the ongoing care, preservation, and maintenance of the state art collection, including activities such as the management of conservation, restoration, deaccession, documentation, inventory, labeling, loans, and resiting of works of art.

"Commission" means the collective entity of the Washington state arts commission, including the board, executive director, and staff.

"Commissioner" means an individual appointed to the board of the Washington state arts commission.

"Conservation" means treatment of malfunctioning or damaged works of art for the purpose of bringing them to a stable condition so that future routine and special maintenance can be effective. Conservation-related activities may also include examination and documentation.

"Creative district" means a land area designated by a local government or other entity as approved, in accordance with RCW 43.46.105 that contains either a hub of cultural facilities, creative industries, or arts-related businesses, or multiple vacant properties in close proximity that would be suitable for redevelopment as a creative district.

"Curator" means a qualified visual arts professional with past curatorial experience selected to recommend works of art for acquisition to the state art collection.

"Deaccession" means board action to remove an accessioned work of art from the state art collection.

"Disability" is defined in RCW 49.60.040(7).

"Eligibility requirements" means published standards and/or minimum required qualifications which applicants and/or applications must meet in order for their application to be considered by the panel.

"Executive director" means that person employed pursuant to RCW 43.46.045 to carry out the functions of that chapter and Title 30 WAC.

"Grant" means a contract between the commission and an organization or individual, for arts or cultural services, awarded through a competitive application process and approved or ratified by the board.

"Inventory" means a periodic survey of the physical state and current location of works of art in the state art collection.

"Local government" means a local governing body, city, county, town, municipal county, tribal government, or other entity as approved.

"Nonprofit" means incorporation under the nonprofit laws of the state of Washington or another state, and determination by the Internal Revenue Service (IRS) that the incorporated entity is exempt from taxation under Section 501 (c)(3) of the IRS code.

"Panel" means a group of individuals convened by staff to review applications or nominations using published review criteria, and make recommendations to the board or executive director.

"Partner agency" means a state agency, K-12 public school, university, college, community or technical college, or other public entity working with the art in public places program.

"Pilot program" means a limited scale, flexible program that evaluates administrative needs and costs, adverse and favorable events, and improves upon the design prior to

launch of a full program or integration of pilot into an existing program.

"Professional artist" means an individual who has a history of paid work as an artist.

"Public artist roster" means the board approved list of professional artists eligible to create visual works of art for the state art collection.

"Public benefit" means project outcomes that have an impact on a community, including some or all of the following: Broadening access to the arts or expanding and diversifying audiences for the arts; improving artistic, cultural, educational, or economic development within a community; and/or supporting specific community goals such as health and wellness, public safety, civic discourse, or other quality of life measures.

"Regional arts service organization" means an organization in one Washington state arts commission's defined region that provides professional development services to arts professionals from three counties in the defined region and designates a percentage of the organization's operating budget, as defined by program guidelines, to professional development services.

"Regions" means an area of the state of Washington comprised of specific fixed counties and physically defined by the geographic boundaries of the counties contained. The Washington state arts commission has defined four regions: N.W. Region (7 counties), S.W. Region (12 counties), Central Region (8 counties), and Eastern Region (12 counties).

"Resiting" means the relocation of a work of art in the state art collection within the jurisdiction of a partner agency or between partner agencies.

"Restoration" means treatment that returns a malfunctioning or damaged work of art to a known or assumed state, often through the addition of nonoriginal material.

"Review criteria" means the standards used by panels to evaluate and score applications or nominations.

"Roster" means a list of approved arts professionals who have the skills and experience to address the needs of a specific commission program.

"Routine maintenance" means a regular procedure to preserve a work of art in the state art collection in proper condition: Clean, presentable, and in working order.

"Site responsive" means created, planned, or intended for a particular site. A site responsive work of art addresses both the physical characteristics of its location and the context of the community in which it is situated.

"Special maintenance" means anticipated but infrequent activities required to maintain aesthetic and/or structural aspects of the works of art in the state art collection, including integrity of the overall surface and/or individual elements.

"Staff" means employees of the Washington state arts commission, under the direction of the executive director, pursuant to RCW 43.46.045, employed to carry out the functions of that chapter, and Title 30 WAC.

"State art collection" means all works of art and select design models commissioned or purchased under RCW 43.17.200, 28A.58.055, 28A.335.210, 43.46.090, and 43.19.-455.

"State-certified creative district" means a creative district whose application for certification has been approved by the commission.

"Statewide arts service organization" means an organization in one Washington state arts commission's defined region that provides professional development services to arts professionals in ten or more Washington state counties. Statewide arts service organizations do not perform, produce, preserve, present, or teach art. An arts service organization's primary programming is providing professional development services to arts professionals in Washington state.

"Teaching artist" means a professional artist who is dedicated to arts education as an integral part of their professional practice, and who has cultivated skills as an educator in concert with skills as an artist.

"Under-resourced" means a lack of access to specialized, professional, financial, or institutional expertise and communal knowledge, and/or working with neglected or dated infrastructures and limited or absent assets and resources resulting in lack of recognition, competitiveness, and cyclical absent or diminished funding.

"Underserved" means populations whose opportunities to experience the arts are limited by geography, historical exclusion and marginalization due to race, ethnicity, sexual orientation, gender identity, economics, disability, or other social or institutionally imposed barriers.

"Washington state arts commission" means the collective entity of the Washington state arts commission, including the board and staff.

### WSR 20-12-041

#### PERMANENT RULES

#### DEPARTMENT OF ECOLOGY

[Order 19-03—Filed May 27, 2020, 4:03 p.m., effective June 27, 2020]

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

Purpose: RCW 90.94.020 established requirements for a WRIA 1 watershed management plan update to be adopted by ecology by February 1, 2019. The statute directs ecology to begin rule making to meet the requirements of RCW 90.94.020 if a locally-approved watershed plan update is not adopted by ecology by the deadline, and to complete the rule making by August 1, 2020. A plan update was not submitted to ecology for review and adoption, so ecology performed the required rule making.

Ecology used the rule-making process and supporting analysis to meet the requirements of the law (RCW 90.94.-020) to:

- (1) Estimate twenty years of projected consumptive water use of new permit-exempt domestic withdrawals in WRIA 1;
- (2) Develop a set of projects and actions that will offset the estimated consumptive water use and result in a net ecological benefit in the WRIA; and
- (3) Amend and add regulations necessary for implementing these projects and actions.

Citation of Rules Affected by this Order: Amending chapter 173-501 WAC.

Statutory Authority for Adoption: Chapter 90.94 RCW, Streamflow restoration; chapter 90.22 RCW, Minimum water flows and levels; chapter 90.54 RCW, Water Resources Act of 1971; chapter 90.03 RCW, Water code; chapter 90.44 RCW, Regulation of public groundwaters; chapter 43.27A RCW, Water resources; chapter 43.21B RCW, Environmental and land use hearings office—Pollution control hearings board; RCW 43.21A.080 Department of ecology; chapter 18.104 RCW, Water well construction.

Adopted under notice filed as WSR 19-23-084 on November 19, 2019.

A final cost-benefit analysis is available by contacting Annie Sawabini, Department of Ecology, Water Resources Program, P.O. Box 47600, Olympia, WA 98504-7600 (US mail); or send parcel delivery services to: Department of Ecology, Water Resources Program, 300 Desmond Drive S.E., Lacey, WA 98503, phone 360-407-6878, people with speech disability may call TTY at 877-833-6341. People with impaired hearing may call Washington relay service at 711, email Annie.Sawabini@ecy.wa.gov, website <https://fortress.wa.gov/ecy/publications/SummaryPages/2011081.html>.

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 1, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, 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.

Date Adopted: May 27, 2020.

Laura Watson  
Director

#### NEW SECTION

**WAC 173-501-065 Permit-exempt groundwater for future domestic uses.** (1) For the purposes of this section:

(a) "New permit-exempt domestic wells" are wells for groundwater withdrawals exempt from permitting under RCW 90.44.050 for the purposes of indoor domestic water use and outdoor domestic water use.

(b) "Indoor domestic water use" means potable water to satisfy the domestic needs of a household, including water used for drinking, bathing, sanitary purposes, cooking, laundering, and other incidental uses.

(c) "Outdoor domestic water use" means water used for noncommercial lawns and gardens.

(d) "Subsistence gardening" means food cultivation for personal use by residents of the home.

(2) The requirements and limits in this section apply to new permit-exempt domestic wells constructed after the effective date of this rule amendment.

(3) Consistent with the provisions of RCW 90.94.020(5), a city or county issuing a building permit under RCW 19.27.097 (1)(c), or approving a subdivision under chapter 58.17 RCW, in this WRIA must:

(a) Record the limitations as described in subsection (5) of this section with the property title;

(b) Collect the applicable fee, as described in subsection (4) of this section;

(c) Record the number of building permits issued under chapter 19.27 RCW or subdivision approvals issued under chapter 58.17 RCW subject to the provisions of this section;

(d) Annually transmit to the department three hundred fifty dollars of each fee collected under this subsection; and

(e) Annually transmit an accounting of building permits and subdivision approvals subject to the provisions of this section to the department.

(4) Consistent with the provisions of RCW 90.94.020(5), an applicant for a building permit shall pay a fee of five hundred dollars to the permitting authority.

(5) The department establishes a conservation standard for withdrawals from new permit-exempt domestic wells as follows:

(a) Withdrawals from a new permit-exempt domestic well(s) serving a single connection are limited as follows:

(i) Indoor domestic water use shall not exceed five hundred gallons per day; and

(ii) Outdoor domestic water use shall be limited to an area not to exceed a total of one-twelfth acre, or three thousand six hundred thirty square feet. Outdoor domestic water use is in addition to indoor domestic water use set forth in (a)(i) of this subsection.

(b) Withdrawals from a new permit-exempt domestic well(s) serving a group domestic system that qualifies for the group domestic permit exemption under RCW 90.44.050 are limited as follows:

(i) Indoor domestic water use shall not exceed five hundred gallons per day for each connection, and shall not exceed a total of three thousand gallons per day for the entire group; and

(ii) Outdoor domestic water use shall be limited to an area not to exceed a total of one-twelfth acre, or three thousand six hundred thirty square feet, for each connection, and shall be limited to an area not to exceed a total of one-half acre for the entire group. Outdoor domestic water use is in addition to indoor domestic water use set forth in (b)(i) of this subsection.

(c) Upon the issuance of a drought emergency order under RCW 43.83B.405, withdrawals from new permit-exempt domestic wells may be curtailed by the department, except indoor domestic water use and withdrawals to maintain up to one-twelfth acre for each connection for noncommercial subsistence gardening purposes.

(d) The withdrawal limits defined in this subsection supersede the maximum annual average withdrawal limits specified in RCW 90.94.020.

(e) The department reserves the right to require metering and reporting of water use for domestic users as provided for under existing authorities. This includes, but is not limited to, RCW 90.44.050 and 90.44.250, and the provisions in chapter 173-173 WAC.

(f) Under all circumstances, the water use limits specified under RCW 90.44.050 shall not be exceeded.

AMENDATORY SECTION (Amending WSR 85-24-073, filed 12/4/85)

**WAC 173-501-070 Exemptions.** (1) Nothing in this chapter shall affect existing water rights, perfected riparian rights, federal Indian and non-Indian reserved rights, appropriate or otherwise existing on the effective date of this chapter, nor shall it affect existing rights relating to the operation of any navigation, hydroelectric, or water storage reservoir or related facilities.

(2) Single domestic surface water use, (including up to ~~((1/2))~~ one-half acre lawn and garden irrigation and associated noncommercial stockwatering) shall be exempt from the provisions established in this chapter, except that Whatcom Creek is closed to any further appropriation, including otherwise exempted single domestic use. For all other streams, when the cumulative impact of single domestic diversions begins to significantly affect the quantity of water available for instream uses, then any water rights issued after that time shall be issued for in-house use only, if no alternative source is available.

(3) Nonconsumptive uses which are compatible with the intent of this chapter may be approved.

(4) New interruptible uses may be approved from streams regulated under WAC 173-501-040 if the department determines through the water right appropriation procedure under chapter 90.03 RCW that the proposed use is consistent with:

(a) The intent of chapter 90.94 RCW to offset potential impacts to instream flows associated with permit-exempt domestic water use; or

(b) Applicable laws and restores and enhances stream-flows.

## WSR 20-12-044

### PERMANENT RULES

### EMPLOYMENT SECURITY DEPARTMENT

[Filed May 28, 2020, 11:56 a.m., effective June 29, 2020]

Effective Date of Rule: June 29, 2020.

Purpose: The rule making permits appellants who have received an order of default to file a motion to vacate the order of default directly with the office of administrative hearings.

Citation of Rules Affected by this Order: New WAC 192-04-185; and amending WAC 192-04-180.

Statutory Authority for Adoption: RCW 50.32.060, 50.12.040, and 34.05.440.

Adopted under notice filed as WSR 20-08-035 on March 24, 2020.

A final cost-benefit analysis is available by contacting Joshua Dye, P.O. Box 9046, Olympia, WA 98501, phone 360-890-3472, fax 844-652-7096, email rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rulemaking/benefits>.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, 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.

Date Adopted: May 28, 2020.

Dan Zeitlin  
Policy Director

AMENDATORY SECTION (Amending WSR 89-24-030, filed 11/30/89, effective 1/1/90)

**WAC 192-04-180 Decisions—Disposition other than by hearing on the merits—Petition for review.** (1) The presiding administrative law judge may dispose of any appeal or petition for hearing ~~((by))~~ through:

(a) An order approving a withdrawal of appeal~~((:));~~

(b) An order approving a withdrawal of a petition for hearing~~((:));~~

(c) A consent order; or

(d) An order of default.

(2) There shall be no petition for review rights from:

(a) An order approving a withdrawal of appeal~~((:));~~

(b) An order approving a withdrawal of a petition for hearing; or

(c) A consent order.

~~((Any interested party aggrieved by the entry of an order of default may file a petition for review from such order by complying with the filing requirements set forth in WAC 192-04-170. Provided, however, That the default of such party shall be set aside by the commissioner only upon a showing of good cause for failure to appear or to request a postponement prior to the scheduled time for hearing. In the event such order of default is set aside, the commissioner shall remand the matter to the office of administrative hearings for hearing and decision.))~~

NEW SECTION

**WAC 192-04-185 Orders of default—Motion to vacate—Petition for review.** (1) Any interested party aggrieved by the entry of an order of default may:

(a) File a motion to vacate that order with the office of administrative hearings pursuant to the methods of filing found in WAC 10-08-110. Motions to vacate must be post-marked or received by the office of administrative hearings within ten days of the date of mailing of the order of default; or

(b) File a petition for review with the commissioner pursuant to the filing requirements in WAC 192-04-170. Once a

petition for review is filed, the office of administrative hearings no longer has jurisdiction to vacate its order of default.

(2) The filing of a motion to vacate an order of default suspends the appeal period for filing a timely petition for review until the office of administrative hearings rules on the motion to vacate. If the motion to vacate is denied, the petitioner shall have thirty days from the issuance of denial in which to file a timely petition for review of the order of default.

(3) Under subsection (1)(a) of this section, an order of default will be vacated by the presiding officer only upon a showing of good cause for failure to appear or to request a postponement prior to the scheduled time for hearing. If the order of default is vacated, the presiding administrative law judge will conduct a hearing on the merits and issue a decision.

(4) Under subsection (1)(b) of this section, an order of default will be set aside by the commissioner's review office only upon a showing of good cause for failure to appear or to request a postponement prior to the scheduled time for hearing. If that order of default is set aside, the commissioner will remand the matter to the office of administrative hearings for hearing and decision.

**WSR 20-12-046**

**PERMANENT RULES**

**GAMBLING COMMISSION**

[Filed May 28, 2020, 1:55 p.m., effective June 28, 2020]

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

Purpose: In 2017-18, the gambling commission amended its rules to simplify its reporting and fee structure. After a year of implementation, the gambling commission is amending the received dates to be consistent with other state agencies and to improve compliance rates.

Citation of Rules Affected by this Order: Amending WAC 230-05-124 Quarterly license reports and quarterly license fees.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 20-05-083 on February 18, 2020.

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 the Request of a Non-governmental 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 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 14, 2020.

Ashlie Laydon  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 18-05-026, filed 2/9/18, effective 5/1/18)

**WAC 230-05-124 Quarterly license ((fees and) reports and quarterly license ((reports) fees.** All licensed organizations must submit quarterly license ((fees and) reports and quarterly license ((reports) fees to us for each licensed gambling activity beginning with the first quarter of their license year. The quarterly license fee is due with the quarterly license report.

The quarterly license reports must be in the format we require and must:

(1)

Cover the period:	Be received by us no later than:
January 1 through March 31	April 30
April 1 through June 30	July ((30)) 31
July 1 through September 30	October ((30)) 31
October 1 through December 31	January ((30)) 31

(2) Be received online at our administrative office or postmarked no later than the dates indicated in the table in subsection (1) of this section; and

(3) Be submitted even if there is no quarterly license fee payable to us; and

(4) Be accurate; and

(5) Be completed by the highest ranking executive officer or a designee. If someone other than the licensee or an employee prepares the report, the preparer must include his or her name and business telephone number on the report; and

(6) Be submitted for any period of time the license was valid, even if there was no gambling activity or the gambling license was not renewed.

**WSR 20-12-049**

**PERMANENT RULES**

**STUDENT ACHIEVEMENT COUNCIL**

[Filed May 29, 2020, 8:08 a.m., effective June 29, 2020]

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

Purpose: The agency proposes to repeal existing chapter 250-20 WAC. The proposed rules create a new chapter 250-21 WAC, State student financial aid program—Washington college grant (chapter 28B.92 RCW). These rules are necessary to implement changes made in the 2019 legislative session. This new chapter does the following:

- Changes the state need grant program to the Washington college grant program.
- Removes the limitation prohibiting two associate degrees within a five-year period.
- Removes dependent care allowance.

- Expands the eligible student definition based on the median family income expansion in 2020-21 to include one hundred percent MFI.
- Establishes award amounts in statute.
- Removes the requirement that students have a self-help requirement for all recipients.
- Provides for a revised proration chart for award amounts up to the one hundred percent median family income.
- Provides for maximum awards up to fifty-five percent median family income.
- Adds apprenticeship programs as eligible for funding from the Washington college grant program.
- Clarifies student eligibility related to ability to benefit equivalents for students without a high school diploma or equivalent.
- Guarantees funding for all eligible students beginning in 2020-21.

Citation of Rules Affected by this Order: New chapter 250-21 WAC; and repealing chapter 250-20 WAC.

Statutory Authority for Adoption: RCW 28B.92.150.

Other Authority: RCW 28B.92.200(2).

Adopted under notice filed as WSR 20-06-052 on March 2, 2020.

Changes Other than Editing from Proposed to Adopted Version: Clarifying language was added to proposed WAC 250-21-061 concerning program administration that provides for waivers or exceptions to institution or apprenticeship program administrative requirements, award requirements, or fund management requirements. An approved waiver or exception must be consistent with the primary program purpose and student eligibility as defined in RCW 28B.91.200 (1) and (5).

The primary reason for adopting this change from the proposed rule is to ensure effective program administration when approving limited waivers or exceptions is more consistent with the program's purpose than finding noncompliance and imposing consequences on participating institutions or apprenticeship programs.

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 21, Amended 0, Repealed 13.

Number of Sections Adopted at the Request of a Non-governmental 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.

Date Adopted: May 29, 2020.

Michael Meotti  
Executive Director

## Chapter 250-21 WAC

STATE STUDENT FINANCIAL AID PROGRAM—  
WASHINGTON COLLEGE GRANTNEW SECTION

**WAC 250-21-010 Program definitions.** (1) "Council" means the nine-member council of the Washington student achievement council.

(2) "Agency" refers to the Washington student achievement council.

(3) "Office" means the office of student financial assistance, a division of the Washington student achievement council.

(4) "Financial need" shall be determined in accordance with industry standards and provisions as recognized and modified by the office.

(5) The term "post-secondary institution" shall mean:

(a) Any public university, college, community college, or vocational-technical institute operated by the state of Washington, or any other university, college, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of an approved accrediting association.

(b) Any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of an approved accrediting association.

(c) The separate accreditation requirement is waived for branch campuses of out-of-state institutions if the branch campus:

(i) Is eligible to participate in federal student aid programs; and

(ii) Has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years within the state of Washington; and

(iii) Has an annual enrollment of at least seven hundred full-time equivalent students; or

(iv) Is a nonprofit institution recognized by the state of Washington as provided in RCW 28B.77.240.

(6) The term "approved accrediting association" shall mean a national or regional accrediting association that is recognized by the council and the Secretary of the U.S. Department of Education and in alignment with WAC 250-61-050.

(7) "Washington resident" shall be defined as an individual who satisfies the requirements of RCW 28B.15.012 (2)(a) through (e) and office-adopted rules and regulations pertaining to the determination of residency.

(8) "Student budgets" is determined by institutions and subject to approval by the office. The student budget consists of that amount required to support an individual as a student for nine months and may take into consideration cost factors for maintaining the student's dependents.

(9) "Family income" is the student's family income for the calendar year as required for federal need analysis.

(a) "Income" means adjusted gross income and nontaxable income as reported on the Free Application for Federal

Student Aid (FAFSA) or alternative application approved by the office.

(b) For the dependent student, "family income" means parental income including adjusted gross income and nontaxable income.

(c) For the independent student, "family income" means the income of the student and spouse, if any, reported as part of the student's family.

(d) The institutional aid administrator may adjust the family's income up or down to more accurately reflect the family's financial situation during the academic year. When such adjustments are made, they shall be consistent with guidelines for making changes to determine federal student aid eligibility and documented in the student's file.

(10) "Income cutoff" means the amount of family income below which a student is determined to be eligible for the Washington college grant.

At the discretion of the institution's aid administrator, a student who was eligible for a Washington college grant in the prior academic year may be deemed eligible if their family income increases by no more than three percent and family income is over the one hundred percent MFI level.

(11) "Median family income" is the median income for Washington state, adjusted by family size and number in college and as determined by the office using a federal standard.

(12) "Grant" is the Washington college grant award for each sector as defined in statute.

(13) "Academic year" is that period of time typically between July 1st and the following June 30th, and may include summer terms, during which a full-time student would normally be expected to complete the equivalent of two semesters or three quarters or nine hundred clock hours of instruction.

(14) "Clock hours" means a period of time which is the equivalent of either:

(a) A fifty to sixty minute class, lecture, or recitation; or

(b) A fifty to sixty minute period of faculty-supervised laboratory shop training or internship.

(15) "Apprenticeship payment period" means the time frame approved by the office for an apprenticeship program that is the equivalent of an academic year and usage rate of three quarters full-time equivalent.

(16) "Satisfactory academic progress" is the student's successful completion of a minimum number of credit or clock hours for each term in which the grant was received. Each school's policy for measuring progress of Washington college grant recipients must define satisfactory academic progress as the student's successful completion of the minimum number of credit or clock hours for which the aid was disbursed.

(a) The minimum satisfactory academic progress standard for full-time students is twelve credits per term or three hundred clock hours per term. Satisfactory academic progress for three-quarter time students is nine credits per term or two hundred twenty-five clock hours per term. Satisfactory academic progress for half-time students is six credits per term or one hundred fifty clock hours per term and for less than half-time students is three credits or seventy-five clock hours per term.

(b) Each school's satisfactory academic progress policy must deny further disbursements of state grant aid at the conclusion of any term in which they fail to complete at least one-half of the minimum number of credits or clock hours for which the aid was disbursed or otherwise fails to fulfill the conditions of the institution's satisfactory academic progress policy.

(c) The school may make disbursements to a student who is in a warning status. "Warning" is defined as completion of at least one-half, but less than all of the minimum number of credits for which the aid was calculated and disbursed. The school must have a satisfactory academic progress policy, approved by the office, which limits the number of terms in which a student may receive state grant aid while in a warning status.

(d) The school's aid administrator may at any time, using professional judgment exercised on a case-by-case basis, reinstate a student into a satisfactory academic progress status, in response to an individual student's extenuating circumstances.

(e) An institution may submit an alternative approach to evaluating satisfactory academic progress that includes a plan for improved student retention and comparison data to ensure state funds are used efficiently. The office will initially determine whether to approve the alternative policy, then evaluate it over a specified time frame, then determine whether the policy may continue to be approved.

(17) "Satisfactory program progress" is an apprentice's (qualifying under RCW 28B.92.200 (5)(b)(ii)) successful completion of a minimum number of hours for each apprenticeship payment period in which the grant was received. Each apprenticeship program's policy for measuring progress of Washington college grant recipients must define satisfactory program progress as the apprentice's successful completion of the minimum number of hours for which the aid was disbursed.

(a) A program's satisfactory program progress policy must be submitted to the office for approval and must be provided to the apprentice prior to or at the point of aid distribution.

(b) The program's aid administrator may at any time, using professional judgment exercised on a case-by-case basis, reinstate an apprentice into a satisfactory program progress status, in response to an individual apprentice's extenuating circumstances.

(18) The term "eligible program" shall mean a program encompassed within the institution's accreditation and be an eligible program for purposes of the federal Title IV student financial aid programs. Apprenticeships qualifying as eligible programs must be a registered apprenticeship program approved under chapter 49.04 RCW.

(19) "Tuition growth factor" means an increase of no more than the average annual percentage growth rate of the median hourly wage for Washington for the previous fourteen years as the wage is determined by the Federal Bureau of Labor Statistics.

(20) "State grant" refers to all state grant programs administered by the office.

(21) "High school+ (HS+)" is a competency based high school diploma program for adult learners eighteen and older who do not have a high school diploma or equivalency.

(22) "Integrated Basic Education and Skills Training Program (I-BEST)" is a nationally recognized model that uses a team-teaching approach to quickly boost students' literacy while they learn job skills or academic subjects.

## PART I

### NEW SECTION

**WAC 250-21-011 Student eligibility.** For a student to be eligible for a Washington college grant they must:

(1) Demonstrate financial need under RCW 28B.92.205.  
 (2) Be a resident of the state of Washington in accordance with RCW 28B.15.012 (2)(a) through (e).

(3) Have a high school diploma or its equivalent or for those without a high school credential, meet the ability to benefit option. Equivalent standards include a general education development certificate or a certificate of completion of a home-based instruction under chapter 28A.200 RCW.

For a student without a high school diploma or its equivalent, a school may accept:

(a) A recognized ability to benefit test as defined by federal financial aid regulations;

(b) Completion of at least six college level credits towards an eligible program of study;

(c) Alternate state equivalent approved by the U.S. Department of Education; or

(d) Coenrollment in Washington state's Integrated Basic Education and Skills Training Program (I-BEST) and High school+ (HS+) programs that include an eligible program of study as defined in WAC 250-21-010(18).

(4) Be enrolled or accepted for enrollment as an undergraduate student at a participating postsecondary institution in an eligible program.

(a) Be enrolled in a course load of at least three credits per quarter or the equivalent.

(b) Not be pursuing a degree in theology.

(5) Or be enrolled in an approved apprenticeship program under chapter 49.04 RCW.

(6) Maintain satisfactory academic progress as defined in WAC 250-21-010(16).

(7) Not have received a bachelor's degree or higher or its foreign equivalent.

(8) Have submitted the free application for federal student aid or alternative application provided by the office.

(9) Not owe a refund or repayment on a state grant and is not in default on a state student loan.

(10) Not exceed the following Washington college and the state need grant usage limits of the equivalent of ten full-time semesters or fifteen full-time quarters or equivalent combination of these two or the clock hour equivalent.

Usage limits for students who are attending schools that are closed will have their usage limits restored for any terms received at the closing school.

(11) Any student who has obtained a state grant through means of a willfully false statement or failure to reveal any

material fact, condition, or circumstance affecting eligibility will be subject to applicable civil or criminal penalties.

#### NEW SECTION

##### **WAC 250-21-021 Institutions seeking participation.**

(1) Eligible postsecondary institutions as defined under RCW 28B.92.030(4) and WAC 250-21-010(5) applying for participation in state financial aid programs will undergo a rigorous review process including, but not limited to, evaluations of administrative capacity and electronic systems; adequacy of financial aid staffing; and historical performance including, but not limited to, the last five years of the institution's participation status and performance in Title IV programs, accreditation status, changes in ownership or majority control, legal or regulatory issues, student complaints, financial strength, and student outcome performance measures.

(a) An institution terminated due to unsatisfactory performance must wait a minimum of one year from the date of termination prior to initiating a new application.

(b) Institutional performance measure information collected for evaluation may include, but is not limited to:

- (i) Student completion rates;
- (ii) Student placement rates;
- (iii) Federal student loan cohort default rates;
- (iv) Annual financial statements;
- (v) U.S. Department of Education financial composite scores;
- (vi) Federal participation status and program review findings;
- (vii) State reauthorization or relicensing reports;
- (viii) Accrediting agency reports, show cause or findings;
- (ix) Enrollments by program;
- (x) Intent to create or terminate programs;
- (xi) Enrollment trends;
- (xii) Pending legal or regulatory issues;
- (xiii) Written student complaints;
- (xiv) Ownership or majority control history; and
- (xv) Any other information relevant to institutional eligibility as requested by the office.

(c) In evaluating completion and placement standards, the office will rely on the standards of the institution's accrediting agency or the standard established between the office and the institution.

Multiple year averages may be considered in evaluating these standards.

(d) Generally, institutional applicants must participate in federal Title IV student financial aid programs in a fully certified status. Applicants that are provisionally certified will be evaluated on a case-by-case basis on the degree to which the underlying causes of the provisional certification indicate an enhanced risk to state funds.

(e) The office will provide a public notification of institutions undergoing review for participation in state financial aid programs and will accept and consider public comment during the period specified in the notification.

(2) Institutional applicants which meet the required standards for participation and are approved by the office may be required to have eligible student data incorporated into legis-

lative cost and forecasting models prior to receipt of state financial aid funding. All newly approved institutions will be evaluated on the performance measures listed under (1)(b) for a minimum of five years of successful participation.

(3) Nothing in this section shall prevent the office, in the exercise of its sound discretion, from denying eligibility to an institution which the office determines is unable to properly administer state financial aid programs or provide advertised services to its students.

#### NEW SECTION

**WAC 250-21-026 Participating institutions.** (1) Participating postsecondary institutions must renew eligibility annually, or as required by the office, by:

(a) Participating in a fully certified status in the federal Title IV student financial aid programs including, at a minimum, the Federal Pell Grant program. Institutions not participating in a fully certified status will be evaluated on a case-by-case basis for continued participation and may have additional conditions imposed by the office in order to maintain their participation in state financial aid programs.

(b) Demonstrating an ongoing capacity to properly administer state financial aid programs including ensuring adequate staffing, proper training, and the maintenance of electronic systems sufficient to comply with program tracking, payment requests, and reporting obligations.

(c) Verifying continued institutional compliance with state financial aid requirements on awarding, conditions of award, satisfactory academic progress, repayment, student maintenance budgets, and such other areas as necessary to assure proper administration of the programs. The office will analyze these policies and may require adjustments to achieve consistent treatment of students in similar circumstances across campuses and support student success.

(d) Private institutions must submit their audited financial statements and federal financial aid compliance audits on an annual basis.

(e) Private nonprofit institutions with less than five years of continuous successful participation in state financial aid programs, Western Governors University - Washington as established under RCW 28B.77.240, and all participating private for-profit institutions, must submit performance measure information as listed under WAC 250-21-021 (1)(b) on an annual basis, or as directed by the office.

(f) Signing an "agreement to participate" that affirms the institution's agreement to abide by all program rules, regulations, and guidelines, to maintain and provide all pertinent information, records, and reports requested by the office and to notify the office within thirty days of any change to information reported on the agreement form including, but not limited to, material changes to the institution's Title IV participation status, accreditation status, locations, contact information, or affiliated third-party servicers.

(g) Notifying the office within thirty days of transactions considered a change of ownership or majority control including, but not limited to:

- (i) Sale of the institution;
- (ii) Transfer of the controlling interest of stock of the institution or its parent corporation;

- (iii) Merger of two or more institutions; and
- (iv) Division of one institution into two or more institutions.

(2) If evaluation of administrative capability, performance measures, financial strength, participation status and performance in Title IV programs, accreditation status, or changes in ownership or majority control result in concerns about an institution's participation in state financial aid programs, the office may act in accordance with WAC 250-21-081. If an institution disputes actions taken by the office, the institution may appeal per the procedure outlined in WAC 250-21-091.

(3) Nothing in this section shall prevent the office, in the exercise of its sound discretion, from terminating the participation of an institution which the office determines is unable to properly administer state financial aid programs or provide advertised services to its students.

#### NEW SECTION

**WAC 250-21-031 Institutional administrative requirements.** (1) Institutions shall provide financial aid application requirements, due dates, and awarding policies to prospective and admitted students.

(2) Institutions must award all Washington college grant eligible students regardless of their awarding practices.

(3) Institutions shall provide state grant recipients with satisfactory academic progress and repayment standards and the conditions of award.

(4) Institutions shall submit a report to the office related to student eligibility and awards under the format and schedule set forth by the office.

(5) The burden of proof of a grant recipient's eligibility is with the institution. At a minimum:

(a) The institution must be able, on request of the office, to reconstruct the calculations and rationale for the student's grant eligibility and award amounts.

(b) The financial aid form or comparable financial status documents, or other information documenting financial status used to make the award, with the resulting financial need analysis must be on record in the financial aid office for all grant recipients.

(c) The institution must also have on record justification for reawarding a Washington college grant to any student who failed to make satisfactory academic progress.

(6) The office shall establish annual minimum criteria by which the eligible student is to be awarded. Those criteria shall include the maximum award for each sector and the income cutoff level as well as ensuring that state-level awarding priorities are followed.

(7) The institution shall examine the student's aid application to determine the overall need and specific Washington college grant eligibility and the appropriate award, using the office-approved criteria.

(8) The office may require the institution to provide progression and completion data for all students who are receiving state grants under the ability to benefit provision outlined in WAC 250-21-011 (3)(a) through (d).

(9) The office will make available to all participating institutions, a list of all students who owe state grant repay-

ments or have otherwise exhausted their Washington college grant eligibility. It is the institution's responsibility to ensure that no ineligible student receives a Washington college grant.

#### NEW SECTION

**WAC 250-21-041 Award procedure.** (1) The Washington college grant award for an individual student shall be the grant, appropriate for the sector attended, adjusted for the student's family income and rate of enrollment. Each eligible student receiving a grant must receive the maximum grant award for which they are eligible, unless such award should exceed the student's overall need.

(2) The grant amount for students shall be established as defined in statute RCW 28B.92.030.

(a) For students attending approved apprenticeship programs, includes tuition and fees, as determined by the office, in addition to required program supplies and equipment.

(b) The grant award shall not exceed the actual tuition and fees charged to the eligible student on an annualized basis.

(3) The total Washington college grant award shall be reduced for students with family incomes greater than fifty-five percent of the state's median and for less than full-time enrollment.

Eligible students shall receive a prorated portion of their Washington college grant for any academic period in which they are enrolled at least three or more quarter credits or the equivalent. Students enrolled at a three-quarter time rate will receive seventy-five percent of their grant. Students enrolled half-time will receive fifty percent of their grant. Students enrolled in three or more quarter credits or the equivalent will receive twenty-five percent of their grant.

(4) Eligible students must be awarded for all terms they are enrolled for at least three quarter credits or the equivalent. This applies to both Washington college grant and the college bound scholarship.

(5) All financial resources available to a Washington college grant recipient, when combined, may not exceed the student's financial need. The student will not be considered over-awarded if they receive additional funds after the institution disburses aid, and the total resources exceed their financial need by three hundred dollars or less by the end of the academic year as defined in WAC 250-21-010(13).

(6) The institution will notify the student of the Washington college grant award and include the conditions of award following guidance provided by the office.

#### NEW SECTION

**WAC 250-21-051 Institutional fund management requirements.** (1) Once a student is identified as eligible and an award is calculated, institutions submit anticipated awards and payment requests for eligible students using the office's established process.

(2) Private institutions must first disburse awards to eligible students and then request reimbursement from the office via the office's established process. Private institutions must provide students with the opportunity to direct how they will receive their state grant aid using an office-approved stu-

dent directive form. Private institutions may not place any other conditions on the receipt of the payment.

(3) Institutional payment requests may be made any time of the academic year and are encouraged to be at least monthly. Payments for a new academic year will not begin until the institution is approved for participation in the upcoming year and reconciled for the prior year.

(4) Disbursement documentation and student directives are to be retained by the institution. They must be made available for inspection upon request of the office. If a student fails to cash their Washington college grant check or pick up any remaining funds by the close of the academic year, the funds shall be returned to the program at WSAC and treated as funds declined by the student.

(5) A student-by-student fund reconciliation must be completed by the institution at the time payments are reported using the office's established process and no later than the end of each term.

(a) Record level reports must be filed with the office as requested.

(b) A final student-by-student reconciliation must be filed with the office at the end of each academic year.

(6) No institution may disburse nor claim more funds than that amount required to serve the eligible students at each institution.

(7) If there is a change in enrollment prior to the start of the term, the award must be recalculated. This policy is separate and distinct from the federal repayment policy and computation.

If a Washington college grant recipient never attends in the term for which they received a Washington college grant award, the repayment is one hundred percent of the grant amount.

The institution shall advise the student and the office of amounts to be repaid.

#### NEW SECTION

**WAC 250-21-061 Program administration and audits.** (1) The staff of the office will manage the administrative functions relative to this program.

(2) The office will review institutional administrative practices to determine institutional compliance with rules, regulations, and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations or guidelines, the office pursuant to the procedures of WAC 250-21-081 may suspend, terminate or place conditions upon the institution's participation in the program and require reimbursement to the program for any funds lost or improperly expended.

(3) The office may approve waivers or exceptions to requirements in this chapter including, but not limited to, institution or apprenticeship program administrative requirements, award requirements, or fund management requirements. An approved waiver or exception must be consistent with the primary program purpose and student eligibility as defined in RCW 28B.92.200 (1) and (5).

#### NEW SECTION

**WAC 250-21-071 Student complaint process.** Should a student question their Washington college grant eligibility or award, the student should direct questions and complaints to the financial aid officer at the institution they attend prior to contacting the office for assistance if necessary.

#### NEW SECTION

**WAC 250-21-081 Suspension or termination of institutional participation.** (1) The executive director, or their designee, may suspend or terminate an institution's participation in state financial aid programs based on a finding that:

(a) The institution has failed or is failing to comply with any term of the institutional participation agreement; or

(b) The institution has violated any provision of this chapter; or

(c) The institution has violated any applicable federal or state law.

(2) In the case of an adverse finding the executive director shall provide the institution a notice of violation that includes details of the legal basis of the finding and the facts used to make the determination.

(3) The institution will have an opportunity to respond to the notice of violation and address deficiencies within a reasonable time specified by the agency including, but not limited to, reimbursement from the institution any funds expended out of compliance with the provisions of this chapter.

(4) The executive director may suspend the institution's participation for a specified time period if, in the executive director's judgment, the deficiencies can be corrected within the given time period. Upon suspension, the institution must immediately cease making any new commitments of state financial aid to enrolled students and may only make disbursement of aid to currently enrolled students with the agency's prior approval for the remainder of the current term. Participation may be reinstated after all deficiencies have been resolved to the satisfaction of the agency.

(5) The executive director may terminate the institution's participation if, in the executive director's judgment, any noted deficiency cannot be corrected within any reasonable time period, or the institution has failed to remedy deficiencies during a period of suspension under subsection (4) of this section. Upon termination of participation, the institution must immediately cease disbursement of state financial aid.

(6) Reinstatement of participation requires a new application for participation submitted no earlier than one year following termination.

(7) The executive director's action to terminate participation is subject to the hearing procedures specified in WAC 250-21-091.

#### NEW SECTION

**WAC 250-21-091 Appeal process.** (1) An institution may appeal the executive director's action to terminate participation in state financial aid programs.

(2) The institution must submit a request for a hearing to the executive director, in writing, at the council office no later

than thirty days following receipt of the notice of termination. In the written request, the party must identify the basis for the appeal and state that a hearing is requested.

(3) Hearings shall be conducted in accordance with the Washington Administrative Procedure Act, chapter 34.05 RCW, as follows:

(a) The presiding officer, who shall be the executive director, or the hearing officer designated by the executive director, shall conduct the hearing under the provisions of chapter 34.05 RCW and shall enter an initial order under RCW 34.05.461 (2) through (9).

(b) The executive director shall review the initial order under RCW 34.05.464 and either enter a final order or remand the matter for further proceedings under RCW 34.05.464(7).

(c) If the agency action is upheld, the party that initiated the hearing process shall pay the costs of the administrative hearing within sixty days following final disposition of the matter.

(d) Any further review of final action must be taken in accordance with RCW 34.05.510, et seq.

## PART II

### NEW SECTION

**WAC 250-21-100 Apprentice eligibility.** (1) For an apprentice to be eligible for a Washington college grant they must:

(a) Demonstrate financial need under RCW 28B.92.205 and defined by the office;

(b) Be a resident of the state of Washington in accordance with RCW 28B.15.012 (2)(a) through (e);

(c) Have a high school diploma or its equivalent or for those without a high school credential, meet the ability to benefit as approved by the office;

(d) Be enrolled in an eligible apprenticeship program;

(e) Meet satisfactory program progress as defined by the program and approved by the office;

(f) File a financial aid application, as defined by the office;

(g) Not have received a bachelor's degree or higher or its foreign equivalent;

(h) Not owe a refund or repayment on a state grant and is not in default on a state student loan; and

(i) Not exceed the following Washington college and the state need grant usage limits. The equivalent of any one or combination of the following: Ten full-time semesters, fifteen full-time quarters, or fifteen apprenticeship payment periods.

(2) Any apprentice who has obtained a state grant through means of a willfully false statement or failure to reveal any material fact, condition, or circumstance affecting eligibility will be subject to applicable civil or criminal penalties.

### NEW SECTION

**WAC 250-21-121 Apprenticeship programs seeking participation.** (1) Eligible apprenticeship programs as defined under RCW 28B.92.200 (5)(b)(ii) and chapter 49.04

RCW applying for participation in the Washington college grant will undergo a rigorous review process including, but not limited to, evaluations of administrative capacity and electronic systems; adequacy of staffing; and historical performance which may include, but is not limited to, changes in ownership or majority control, legal or regulatory issues, apprentice complaints, financial strength, and apprentice outcome performance measures.

(a) An apprenticeship program terminated due to unsatisfactory performance must wait a minimum of one year from the date of termination prior to initiating a new application.

(b) Apprenticeship program performance measures are to be defined by the office.

(c) Apprenticeship program applicants must be in a fully participating, not a provisional, status under chapter 49.04 RCW.

(d) The office will provide a public notification of programs undergoing review for participation in the Washington college grant and will accept and consider public comment during the period specified in the notification.

(2) Program applicants which meet the required standards for participation and are approved by the office may be required to have eligible apprentice data incorporated into legislative cost and forecasting models prior to receipt of Washington college grant funding. All newly approved programs will be evaluated on the performance measures listed under subsection (1)(b) of this section for a minimum of five years of successful participation.

(3) Nothing in this section shall prevent the office, in the exercise of its sound discretion, from denying eligibility to a program which the office determines is unable to properly administer the Washington college grant or provide advertised services.

### NEW SECTION

**WAC 250-21-126 Participating apprenticeship programs.** (1) Participating programs must renew eligibility annually, or as required by the office, by:

(a) Participating in a full, not provisional, status under chapter 49.04 RCW. Programs not participating in a fully certified status will be evaluated on a case-by-case basis for continued participation and may have additional conditions imposed by the office in order to maintain their participation in Washington college grant;

(b) Demonstrating an ongoing capacity to properly administer the Washington college grant including ensuring adequate staffing, proper training, and the maintenance of electronic systems sufficient to comply with program tracking, payment requests, and reporting obligations;

(c) Verifying continued program compliance with requirements on awarding, conditions of award, satisfactory program progress, repayment, calculation of equipment and supply costs, and such other areas as necessary to assure proper administration of the programs. The office will analyze these policies and may require adjustments to achieve consistent treatment of apprentices in similar circumstances across programs and support apprentice success;

(d) Signing an "agreement to participate" that affirms the program's agreement to abide by all rules, regulations, and

guidelines, to maintain and provide all pertinent information, records, and reports requested by the office and to notify the office within thirty days of any change to information reported on the agreement form; and

(e) Notifying the office within thirty days of transactions considered a change of ownership or majority control.

(2) If evaluation of administrative capability, performance measures, financial strength, participation status or changes in ownership or majority control result in concerns about a program's participation in state financial aid programs, the office may act in accordance with WAC 250-21-081. If a program disputes actions taken by the office, the institution may appeal per the procedure outlined in WAC 250-21-091.

(3) Nothing in this section shall prevent the office, in the exercise of its sound discretion, from terminating the participation of a program which the office determines is unable to properly administer the Washington college grant or provide advertised services.

#### NEW SECTION

**WAC 250-21-131 Apprenticeship program administrative requirements.** (1) Programs shall provide financial aid application requirements, due dates, and awarding policies to prospective and current apprentices.

(2) Programs must award all Washington college grant eligible apprentices.

(3) Programs shall provide Washington college grant recipients with satisfactory program progress and repayment standards and the conditions of award.

(4) Programs shall submit a report to the office related to apprentice's eligibility and awards under the format and schedule set forth by the office.

(5) The burden of proof of a grant recipient's eligibility is with the apprenticeship program. At a minimum:

(a) The program must be able, on request of the office, to reconstruct the calculations and rationale for the apprentice's grant eligibility and award amounts.

(b) The financial aid form or comparable financial status documents, or other information documenting financial status used to make the award, with the resulting financial need analysis must be on record for all grant recipients.

(c) The program must also have on record justification for reawarding a Washington college grant to any apprentice who failed to make satisfactory program progress.

(6) The office shall establish annual minimum criteria by which the eligible apprentice is to be awarded. Those criteria shall include the maximum award for each program and the income cutoff level as well as ensuring that state-level awarding priorities are followed.

(7) The program shall examine the apprentice's aid application to determine the overall need and specific Washington college grant eligibility and the appropriate award, using the office-approved criteria.

(8) The office will make available to all participating programs, a list of all recipients who owe state grant repayments or have otherwise exhausted their Washington college grant eligibility. It is the program's responsibility to ensure

that no ineligible apprentice receives a Washington college grant.

#### NEW SECTION

**WAC 250-21-141 Award procedure.** (1) The Washington college grant award for an individual apprentice shall be the grant, appropriate for the program attended, adjusted for the apprentice's family income. Each eligible apprentice receiving a grant must receive the maximum grant award for which they are eligible, unless such award should exceed the apprentice's overall need.

(2) The grant amount for apprentices shall be established as defined in statute RCW 28B.92.030. For apprentices attending approved apprenticeship programs, includes tuition and fees, as determined by the office, in addition to required program supplies and equipment.

(3) The total Washington college grant award shall be reduced for apprentices with family incomes greater than fifty-five percent of the state's median and for less than full time.

(4) The program will notify the apprentice of the Washington college grant award and include the conditions of award following guidance provided by the office.

#### NEW SECTION

**WAC 250-21-151 Program fund management requirements.** (1) Once an apprentice is identified as eligible and an award is calculated, programs submit anticipated awards and payment requests for eligible apprentices using the office's established process.

(2) Programs may be required to provide apprentices with the opportunity to direct how they will receive their Washington college grant using an office-approved apprentice directive form. Programs may not place conditions on the receipt of the payment.

(3) Disbursement documentation and directives are to be retained by the program. They must be made available for inspection upon request of the office. If an apprentice fails to cash their Washington college grant check or pick up any remaining funds by the close of the payment period, the funds shall be returned to the Washington student achievement council and treated as funds declined by the apprentice.

(4) An apprentice-by-apprentice fund reconciliation must be completed by the program at the time payments are reported using the office's established process.

(a) Record level reports must be filed with the office as requested.

(b) A final apprentice-by-apprentice reconciliation must be filed with the office at the end of each payment period.

(5) No program may disburse nor claim more funds than that amount required to serve the eligible apprentices.

(6) If there is a change in eligibility prior to the start of the payment period, the award must be recalculated. If a Washington college grant apprentice never starts in the payment period for which they received a Washington college grant award, the repayment is one hundred percent of the grant amount.

The program shall advise the apprentice and the office of amounts to be repaid.

NEW SECTION

**WAC 250-21-161 Program administration and audits.** See WAC 250-21-061, all rules apply.

NEW SECTION

**WAC 250-21-171 Apprentice complaint process.** See WAC 250-21-071, all rules apply.

NEW SECTION

**WAC 250-21-181 Suspension or termination of program participation.** See WAC 250-21-081, all rules apply.

NEW SECTION

**WAC 250-21-191 Appeal process.** See WAC 250-21-091, all rules apply.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 250-20-001 Applicability of rules.
- WAC 250-20-011 Student eligibility.
- WAC 250-20-013 Institutional eligibility.
- WAC 250-20-015 Application and agreement to participate.
- WAC 250-20-021 Program definitions.
- WAC 250-20-031 Student application procedure.
- WAC 250-20-037 Reserve of funds.
- WAC 250-20-041 Award procedure.
- WAC 250-20-051 Grants disbursement and repayment.
- WAC 250-20-061 Program administration and audits.
- WAC 250-20-071 Appeal process.
- WAC 250-20-081 Suspension or termination of institutional participation.
- WAC 250-20-091 Eligibility of reciprocity students.

**WSR 20-12-051****PERMANENT RULES****STUDENT ACHIEVEMENT COUNCIL**

[Filed May 29, 2020, 8:28 a.m., effective June 29, 2020]

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

Purpose: The agency proposes to update chapter 250-84 WAC, College bound scholarship rules. The revisions bring the current rules into alignment with legislation since the last update in 2010 and will guide current program administration. Changes include, but are not limited to:

- Clarified the costs college bound scholarship is meant to cover;

- Updated rule to reflect 2019 HB [E2SHB] 1311 and 2018 HB [2SHB] 1293;
- Clarified deadline and application process;
- Clarified agencies and district roles and responsibilities;
- Aligned with new Washington college grant rules (proposed chapter 250-21 WAC).

Citation of Rules Affected by this Order: Amending chapter 250-84 WAC.

Statutory Authority for Adoption: RCW 28B.118.060.

Adopted under notice filed as WSR 20-06-054 on March 2, 2020.

Changes Other than Editing from Proposed to Adopted Version: WAC 250-84-030 (3)(a): An exception was added to the deadline that would otherwise apply to eighth and ninth graders required to sign a pledge during the 2019-20 academic year. A special exception to the deadlines in subsection (ii) is made for students required to sign a pledge to establish eligibility during eighth or ninth grade in the 2019-20 school year, during which a statewide school closure was ordered under the state of emergency declared in response to the coronavirus pandemic. For these students only, the deadline to begin an application will be extended until November 30, 2020, and students have until that date to complete their application.

WAC 250-84-040(2): Adjusted language to be grammatically correct: The office will provide the official program language and requirements to students, families, and these partners by creating publications for, and communicating with, students, families, and stakeholders as needed.

WAC 250-84-040(4): Added the word "school" to counselors to better define the group of educators the program is working with.

WAC 250-84-060 (7)(b): Updated the academic years to be the most recent.

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 10, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental 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 10, 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.

Date Adopted: May 29, 2020.

Michael P. Meotti  
Executive Director

AMENDATORY SECTION (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-010 Purpose.** The college bound scholarship as authorized by chapter 28B.118 RCW is designed to

inspire and encourage Washington middle school students from low-income families to dream big and aspire to continuing their education beyond high school. The early commitment of state funding ~~((for tuition))~~ of tuition (at public rates), required fees, and five hundred dollars intended to apply towards books and materials may alleviate some of the financial barriers preventing students from considering college as a future possibility.

**AMENDATORY SECTION** (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-020 Definitions.** "~~((Board))~~ Agency" means ~~((higher education coordinating board))~~ student achievement council, a Washington state agency, as established under chapter 28B.77 RCW.

"C average" means a 2.0 grade point average on a 4.0 scale.

"FAFSA" means Free Application for Federal Student Aid.

"High school graduation" means students must graduate from a public high school, private high school approved under chapter 28A.195 RCW, ~~((having met))~~ or approved home school program under chapter 28A.200 RCW requirements to earn a high school diploma as defined in ~~((WAC 180-51-061 or 180-51-066, whichever is applicable))~~ the current year's chapter 180-51 WAC.

"Legal guardian" means the person appointed by the court to take legal action on behalf of and be responsible for a minor.

"Median family income" means the median income for Washington state, adjusted by family size and reported annually in the federal register and used that year for the administration of the ~~((state need))~~ Washington college grant program.

"Office" means the office of student financial assistance, created by RCW 28B.77.090 within the direction of the student achievement council.

"OSPI" means office of superintendent of public instruction.

"Program" means the college bound scholarship program.

"Tuition and fees" means tuition, building, operating, service and activity fees as are used for purposes of determining the ~~((state need))~~ Washington college grant award.

**AMENDATORY SECTION** (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-030 Eligible applicant.** (1) Washington students ~~((in 2007-08 and thereafter))~~ may apply who are:

(a) Enrolled in the seventh ~~((and))~~ or eighth grade, or in ninth grade (under limited circumstances defined in RCW 28B.118.010), in a public ((or)) school, private school as approved by chapter 28A.195 RCW or home school as defined by chapter 28A.200 RCW; and

(b) Meet the income eligibility as defined in subsection (2) of this section.

~~((Eligible students enrolled in eighth grade in 2007-08 were granted a one-time extension to sign the pledge during the 2008-2009 school year as ninth graders:))~~ A student in the

ninth grade is eligible to sign up for the program, if that student qualifies for free or reduced-price lunches and was previously ineligible during the seventh or eighth grade while a student in Washington.

(2) Seventh ~~((or)),~~ eighth, or ninth (if previously ineligible as defined above) grade students are eligible to apply if one of these requirements are met:

(a) Family income falls within the monthly or annual standards set by the U.S. Department of Agriculture (USDA) for eligibility for participation in the free or reduced price lunch program (FRPL); or

~~((b) ((Student participates in the free or reduced price lunch program; or~~

~~((c) Family receives TANF))~~ The student's family receives temporary assistance for needy families (TANF) benefits; or

~~((d))~~ (c) Student is a foster youth.

To determine eligibility in unusual circumstances, or for assistance in defining household size, foster youth status, and other criteria, the ~~((board will refer students and families to the))~~ office will consult with district or school staff who oversee FRPL, other agencies as needed, students and families as needed, and will refer to the USDA FRPL guidelines.

If a student qualifies in the application year, the information is not required to be updated throughout the middle and high school years. However, income will be verified using the information from the FAFSA or an alternative application provided by the office upon college enrollment. See WAC 250-84-060, eligibility for receipt of scholarship.

(3) Eligible applications are considered complete when ~~((the signed pledge has been received by the board.~~

~~((a) A student must sign a pledge during seventh or eighth grade that commits them to)):~~

~~((a) The signed pledge and signature page has been received by the office by the deadline, as determined by the office.~~

~~((i) Students who are dependents and meet requirements outlined in RCW 28B.118.010 are automatically enrolled in partnership with the department of children, youth, and families.~~

~~((ii) The deadline for the initial application is June 30th of the student's eighth grade year, and students who qualify to apply in the ninth grade year have until June 30th of their ninth grade year to begin an application. Students have until August 31st at the end of their eighth grade or ninth grade, for those eligible to apply during ninth grade, to complete their application.~~

~~((iii) Exceptions to the deadline will be made on a case-by-case basis by the office.~~

~~((iv) A special exception to the deadlines in (a)(ii) of this subsection is made for students required to sign a pledge to establish eligibility during eighth or ninth grade in the 2019-20 school year, during which a statewide school closure was ordered under the state of emergency declared in response to the coronavirus pandemic. For these students only, the deadline to begin an application will be extended until November 30, 2020, and students have until that date to complete their application.~~

~~((b) All sections of the application including eligibility are filled and the pledge is signed.~~

(c) The pledge must include the following criteria:

(i) Graduate from high school with at least a C average or as referenced in RCW 28B.118.010.

(ii) No felony convictions.

~~((b))~~ (d) The section of the application that indicates eligibility must be completed.

~~((e))~~ (e) The pledge must be signed by a parent or legal guardian to attest the information is true and accurate.

~~((d))~~ The signature page for the electronic application, or the signed paper application, must be received by the board.

(e) The deadline for the application is June 30th of the student's eighth grade year.

(i) Electronic applications must be received by June 30th and paper applications must be postmarked by June 30th.

(ii) Missing information for applications received on or before June 30th will be accepted until the student enters the ninth grade year.

Exceptions to the deadline will be made on a case-by-case basis by the board based on extenuating circumstances.) The office shall establish a process through which the office may work with a school counselor or administrator to witness a student's pledge if the parent or guardian's signature is not obtained after multiple, documented unsuccessful attempts. These attempts will be documented in the student's file.

AMENDATORY SECTION (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-040 Program promotion to eligible students.** The role of the ~~((board))~~ office, OSPI and school districts related to notification to students, families, and school personnel about the college bound scholarship is defined under chapter 28B.118 RCW.

(1) The ~~((board shall develop and distribute to all schools with students enrolled in seventh or eighth grade, an application pledge form that can be completed and returned electronically or by mail by the student or the school to the board.~~

The board will provide K-12 partners, professional associations, and college access programs with program information annually)) office shall work collaboratively with state-wide partners to support students and their families in signing up for the college bound scholarship and pursue college after high school. These partners could include, but are not limited to, K-12 staff, professional associations, and college access programs.

(2) The office will provide the official program language and requirements to students, families, and these partners by creating publications for, and communicating with, students, families, and stakeholders as needed.

(a) The office will communicate with college bound students as may be additionally required in RCW 28B.118.040.

(b) The office shall develop and distribute information regarding the scholarship and materials to support sign-up, in partnership with OSPI, districts, and other nonprofit organizations and agencies, to all schools with students enrolled in seventh, eighth, or ninth grade.

(3) The role of OSPI is to notify elementary, middle, and junior high schools about the college bound scholarship program using methods in place for communicating with schools and school districts.

OSPI will encourage schools and districts to target communications to eligible students to the greatest extent possible. ~~(Methods may include, but are not limited to, personalized letters, integrating the application into student conferences, or holding sign-up events).~~

~~((3))~~ (4) The role of each school district is to notify students, parents, teachers, school counselors, and principals about the Washington college bound scholarship program through existing channels.

Methods may include, but are not limited to, personalized letters, digital media as available, integrating the application into student conferences, or holding sign-up events.

Notification methods may also include, but are not limited to, regular school district and building communications, online scholarship bulletins and announcements, notices posted on school walls and bulletin boards, information available in each counselor's office, and school or district scholarship information sessions.

AMENDATORY SECTION (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-050 Tracking of scholars.** The ~~((statute requires the board and OSPI to))~~ office and OSPI will develop tracking procedures to ensure continued eligibility and to determine compliance for awarding of college bound scholarships (RCW 28B.118.020 and 28B.118.040).

(1) The ~~((board))~~ office shall:

(a) Develop and implement a student application, selection, and notification process for scholarships.

(b) Collect authorization to release information from the student and parent(s)/legal guardian(s).

(c) Develop ~~((a web-based application tool and paper))~~ application tools annually.

(d) Notify applicants of missing information ~~((in a timely manner))~~ as soon as possible.

(e) Notify applicants of their status of complete application ~~((in a timely manner))~~ as soon as possible.

(f) Treat applications confidentially and hold in a secure environment.

(g) Provide complete applicants information regarding disbursement of the scholarship and contact information for the ~~((board))~~ office.

(h) Require applicants to update their address and other contact information with the ~~((board))~~ office.

(2) OSPI will work with the ~~((board))~~ office to develop student tracking procedures.

The ~~((board))~~ office and OSPI will share data regarding the progress of college bound scholarship students such as current school, grade level, grade point average, and expected graduation date on at least an annual basis through high school graduation, following agency protocols for data exchange and security.

(3) The board will track complete applicants and monitor progress toward graduation to determine compliance for awarding of scholarships.

(4) The board will share data and authorized student information from the application for program sign-up efforts and to provide support services to ~~((scholars))~~ students who have already applied.

(a) The ~~((board))~~ office will share information with schools and approved college access providers who will provide services to college bound scholarship students to support their academic success, if the proper release of information has been provided by the student and parent(s)/legal guardian(s).

(b) Aggregate data will be provided periodically and as requested to schools, districts, and partners to improve sign-up efforts.

**AMENDATORY SECTION** (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-060 Eligibility for receipt of college bound scholarships.** To be eligible to receive the annual scholarship disbursement, college bound scholarship students who have met the requirements outlined in WAC 250-84-030, must:

(1) Graduate from a Washington high school with at least a C average or receive home-based instruction or meet other requirements as noted under chapter 28A.200 RCW or RCW 28B.50.536.

~~((2))~~ (a) Students receiving home-based instruction may be asked to submit additional documentation confirming students meet the C average requirement.

(b) For a student who does not meet the C average requirement, and who completes fewer than two quarters in the running start program, under chapter 28A.600 RCW, the student's first quarter of running start course grades must be excluded from the student's overall grade point average for purposes of determining their eligibility to receive the scholarship.

(2) Have no felony convictions. The office shall work with other appropriate organizations and agencies to confirm eligibility.

(3) File a FAFSA ~~((see priority consideration under WAC 250-84-070(1)))~~ or an alternative application provided by the office.

~~((3))~~ (4) Be accepted to an institution participating in the ~~((state need))~~ Washington college grant program within the state of Washington (requirements outlined in WAC ~~((250-20-013))~~ 250-21-026).

~~((4))~~ (5) Enroll no later than the fall term (as defined by the institution) one academic year following high school graduation.

For example, students graduating by August ~~((2012))~~ 2019 have until fall ~~((2013))~~ 2020 to begin using the scholarship.

(a) Students who graduate early will be assumed to follow the time frame of their senior year cohort. However, if they enroll early, the four-year scholarship will need to be used within five years of their initial enrollment date.

~~((b))~~ ~~((Scholarships will not be disbursed prior to fall 2012.~~

~~((c))~~ Students will be considered to have enrolled upon earning credit(s) for the term or receiving the first scholarship disbursement, whichever comes first.

~~((5))~~ (6) Have an annual family income at or below ~~((sixty five percent))~~ the percentage of the state's median family income stated in RCW 28B.118.010(5) as determined

by the income reported on the FAFSA or an alternative application provided by the office and verified by the institution the student is attending ~~((See subsection (6)(d) of this section)).~~

~~((6))~~ (7) Receive the college bound scholarship for no more than four academic years within a five-year period.

(a) The four-year scholarship may be used during any terms within the five-year period, even if enrollment is not continuous.

(b) The scholarship must be used within five academic years of August of the high school graduation year.

For example, students who graduate from high school in ~~((2011-12))~~ 2019-20 must begin college enrollment by fall ~~((2013))~~ 2021, and have through ~~((spring of 2017))~~ summer of 2025 to receive the scholarship.

(c) The total college bound award is limited to twelve quarters, eight semesters or equivalent, prorated for part-time enrollment within the five-year period. In the event of a school closure, refer to WAC 250-21-011.

(d) If students do not meet the income requirement ~~((# subsection (5) of this section))~~ in any year within the five-year period, they may still receive the scholarship for any year(s) they do meet the income requirement. Receipt of the four-year scholarship does not have to be continuous.

~~((7))~~ (8) Comply with the other eligibility criteria to receive the college bound scholarship as outlined for the ~~((state need))~~ Washington college grant program in WAC ~~((250-20-011))~~ 250-21-011 including, but not limited to, requirements related to residency, undergraduate student status, academic program eligibility including the theology prohibition, enrollment level, satisfactory academic progress, and repayments.

The requirements for ~~((state need))~~ Washington college grant that do NOT apply to college bound scholarships are the equivalent of five-year limitation for ~~((state need))~~ Washington college grant under WAC ~~((250-20-011(6)))~~ 250-21-011(9) since the college bound scholarship is a four-year award.

**AMENDATORY SECTION** (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-070 Scholarship award.** (1) The college bound scholarship is intended to combine with the ~~((state need))~~ Washington college grant program and other state aid, as determined by the office, to ensure eligible students have the opportunity to receive sufficient state financial aid to meet the cost of full tuition (at public rates), required fees, plus five hundred dollars for books each year. ~~((The award is intended to replace unmet need, loans, and at the student's discretion, work study.))~~

(2) The value of each college bound scholarship shall be determined by the ~~((board))~~ office annually based on the amount of tuition and fees at public colleges and universities (as used for ~~((state need))~~ Washington college grant purposes) plus five hundred dollars, less the amount of ~~((state need))~~ Washington college grant and any other state aid the student ~~((qualifies for based on the student's MFI, and less any other state aid))~~ is awarded.

~~((a))~~ In order to receive the maximum state need grant for which the student qualifies, the student must meet the financial aid priority consideration deadline for the institution the student plans to attend.

~~(b))~~ College bound scholarship awards will be prorated for part-time attendance as outlined in WAC ~~((250-20-041(4)(b)))~~ 250-21-041(4).

Sector college bound scholarship award amounts (such as public research, regional and two-year, and private career and private four-year) shall follow base award amounts determined for the ~~((state need))~~ Washington college grant program.

AMENDATORY SECTION (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-080** ~~((Appeals))~~ **Requests for review and student complaints.** ~~((Appeals))~~ Requests for review of agency decisions regarding application eligibility for initial sign-up and pledge requirements under WAC 250-84-030 should be directed to the ~~((board))~~ office in writing within thirty days after notification of the agency decision. ~~((Appeals))~~ Student complaints regarding scholarship eligibility and awards under WAC 250-84-060 and 250-84-070 shall follow the process outlined under WAC ~~((250-20-071))~~ 250-21-091 for ~~((state need))~~ Washington college grant purposes.

AMENDATORY SECTION (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-090 Grant disbursement to institutions.** (1) Cash requests and reimbursements will follow procedures similar to ~~((state need))~~ Washington college grant.

(2) A student-by-student ~~((reconciliation will be completed each term and filed with the board))~~ fund reconciliation must be completed by the institution at the time payments are reported using the office's established process and no later than the end of each term.

(a) Record level reports must be filed with the office as re-requested.

(b) A final student-by-student reconciliation must be filed with the office at the end of each academic year.

(3) Recalculations as a result of awards in excess of tuition charges shall follow the tolerance outlined in ~~((state need))~~ Washington college grant rules or guidance.

AMENDATORY SECTION (Amending WSR 10-17-080, filed 8/16/10, effective 9/16/10)

**WAC 250-84-100 Program administration and audits.** (1) The staff of the ~~((board))~~ office under the direction of the executive director will manage the administrative functions relative to college bound scholarship.

(2) The ~~((board))~~ office will review institutional administrative compliance as outlined in WAC ~~((250-20-064))~~ 250-21-061.

Any student who has obtained a college bound scholarship through means of willfully false statement or failure to reveal any material fact affecting eligibility will be subject to

applicable civil or criminal penalties and repayment similar to processes and procedures outlined in WAC 250-21-051.

## WSR 20-12-060

### PERMANENT RULES

#### EASTERN WASHINGTON UNIVERSITY

[Filed May 29, 2020, 2:38 p.m., effective June 29, 2020]

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

Purpose: The modifications to chapter 172-100 WAC are needed to address mobile payments and immobilization options.

Citation of Rules Affected by this Order: Amending WAC 172-100-030, 172-100-100, 172-100-120, 172-100-130, 172-100-140, 172-100-150, 172-100-200, 172-100-220, and 172-100-230.

Statutory Authority for Adoption: RCW 28B.35.120 (12).

Adopted under notice filed as WSR 20-07-059 on March 12, 2020.

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 the Request of a Non-governmental 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 9, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 29, 2020.

Joseph Fuxa  
Policy and Compliance Manager

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-030 Liability of university.** The university assumes no liability for bicycles or motor vehicles or their contents when such bicycles or motor vehicles are on campus. The university offers parking permits to those desiring to park on campus. The university uses license plate recognition technology to manage parking. A parking permit licenses the holder (licensee) to park one motor vehicle in the lot ~~((designated on the permit))~~ for which the owner purchased a parking permit as long as the license plate number for the vehicle matches the license plate number on file with parking services. The university is not responsible for fire, theft, damage, or loss of any bicycle, motor vehicle, or any article left in such vehicle. A parking permit is a license to park and no bailment is created.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-100 General traffic and vehicle rules.**

(1) Bicycle riders and motor vehicle operators shall operate such equipment in a careful and prudent manner at all times and must comply with posted speed limits.

(2) Bicycle riders and motor vehicle operators shall obey all regulatory signs and comply with directions given by parking services personnel and public safety officers and their designees.

(3) Bicycle riders and motor vehicle operators shall yield the right of way to pedestrians. This includes, but is not limited to, yielding to pedestrians crossing streets, roadways, and parking areas within the campus. Riders and drivers shall also yield to pedestrians at intersections, clearly marked crosswalks, or city streets on campus.

(4) Vehicles on university property must be kept in operating condition, except those (~~(in a garage, research facility, or)~~) at the automotive repair shop. Vehicle repairs or maintenance are prohibited on campus unless preauthorized by parking services.

(5) Bicycles may be operated any place where motor vehicles are permitted. Bicycles may also be operated on university walkways, so long as the bicycle is operated in a safe manner and does not interfere with pedestrian traffic or other campus activities.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-120 Parking rules.** (1) Emergency

access areas: Parking is prohibited in:

- (a) Emergency access areas;
- (b) Fire lanes;
- (c) Within fifteen feet of a fire hydrant.

(2) No parking/restricted parking areas: Parking is prohibited in any area that is not specifically designated for parking, unless explicitly authorized by parking services or university police. No parking and restricted parking areas include, but are not limited to:

- (a) Yellow curb areas;
- (b) Bus zones;
- (c) Driveways;
- (d) Sidewalks; and
- (e) Any grassy area.

(3) Loading zones: Parking is permitted in loading zones according to the restrictions and time limits posted for the zone. If no restrictions are posted, users shall:

(a) Display a department permit issued under WAC 172-100-230; or

(b) Obtain and display a permit from parking services.

(4) Service drives/areas: Driving or parking in a service drive without displaying a department or service permit is prohibited.

(5) Visitor spaces: Campus visitors may park in any visitor parking space on campus subject to any posted restrictions.

(6) Reserved spaces: Parking in a reserved parking space, without proper authorization, is prohibited.

(7) Permit-required lots: Except as provided herein, parking is prohibited in any campus parking lot that requires a parking permit unless the vehicle (~~(displays)~~) has a valid parking permit for that lot. The university uses license plate recognition technology to manage parking on its campus. Owners purchase parking permits for particular lots on campus and are required to provide the license plate numbers for any vehicles they are requesting a permit for. To be considered valid, parking permits must be issued by the university's parking services office, be current, and be (~~(properly displayed)~~) for the license plate associated with the vehicle parked in a parking lot.

(a) All permit-required lots have designated days and times during which a permit is required.

(b) Motorcycles parked in a permit-required lot (~~(in any space other than a designated motorcycle free parking area)~~) must (~~(display)~~) have a valid parking permit.

(8) Disabled parking spaces: Any vehicle that is parked in a disabled parking space in a university owned or leased parking lot must (~~(display)~~) register with parking services and provide evidence of a valid, state-issued disabled parking permit, license plate, or year tab. The vehicle must also (~~(display)~~) have a valid EWU disabled parking permit if parking in a permit-required parking lot during the designated days and times that a permit is required for parking.

(9) (~~(Metered)~~) Metered/mobile payment parking: A person who parks a vehicle in a metered or mobile payment parking space must pay for time used during posted times of operation.

(10) Vehicle size limits: Vehicles longer than twenty feet, campers, trailers, buses, and pickup trucks with a camper may not be parked on university property without prior authorization from parking services.

(11) Bicycles: Bicycles must be parked in bicycle racks.

(12) Parking space violation: Vehicles may only occupy one parking space or stall as designated within a parking area.

(13) Disabled, and inoperative vehicles: A disabled or inoperative vehicle may not be parked on the university campus for more than twenty-four hours without prior authorization from parking services.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-130 Citations and fines.** Any violation of these rules is subject to citation. Each offense may result in a separate citation.

(1) Payment: Citation fines must be paid to EWU parking services and may be paid in person, online, by mail, or by phone.

(2) Amounts:

(a) Citations: When a citation is issued, fines are determined in accordance with a fine schedule. The fine schedule is approved by the vice president for business and finance.

(b) Adjustments: When mitigating circumstances exist, authorized parking services personnel may reduce or dismiss fines.

(3) Appeals: Citations may be appealed by submitting (~~(a)~~) an online or written appeal to parking services within fourteen calendar days of the date the citation was issued. If

an appeal is not submitted online, handwritten appeals must be submitted to parking services in person or by mail within fourteen calendar days or a late fee will be assessed. If a timely appeal is not filed, the citation becomes final. Appeals will be reviewed by a board consisting of voting members from the following groups: Associated students, classified staff, faculty, and ~~((administrative))~~ exempt staff. A parking services representative will act as a consultant to the board ~~((and vote only to break a tie))~~. The board may uphold or dismiss the citation. In the case of a tie vote, the board will continue discussion and vote again until a majority vote is obtained. If an impasse exists, the citation will be reduced to a warning. If the board upholds the citation, it may reduce the fine amount. In no event may the board impose a fine exceeding the amount set forth in the fine schedule. Within five calendar days following the board's review, parking services shall notify the appellant, by mail or by email, of the board's determination. The board will meet every two weeks, with additional meetings as necessary. Additional appeal rights are governed by RCW 28B.10.560.

(4) ~~((Nonpayment))~~ Collection: Unpaid fines are subject to collection through the university's established collection methods under chapter 172-144 WAC. An owner and/or driver may be responsible for all collection fees, which may be based on a percentage up to fifty percent of the unpaid charges, and all costs and expenses, including attorneys' fees related to collection of the unpaid debt.

(5) Nonpayment: In addition to seeking collection of unpaid fines under subsection (4) of this section, unpaid fines may lead to the immobilization or impoundment of a vehicle when:

(a) A permit account (which may include one individual license plate number or a combination of license plate numbers on a single account) contains four unpaid citations with fines exceeding one hundred dollars; or

(b) A permit account (which may include one individual license plate number or a combination of license plate numbers on a single account) has a balance that is older than ninety days and exceeds one hundred dollars.

~~((5))~~ (6) Disposition of fees and fines: Proceeds from fees and fines collected under this chapter are to be deposited in the university's parking fund and applied to the costs of operating, maintaining, and patrolling the campus parking lots and administering these rules.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-140 Immobilization and impoundment of motor vehicles and bicycles.** (1) The vice president for business and finance or designee may order the immobilization, impoundment and storage of any vehicle:

(a) That is parked, in violation of these rules:

(i) In an emergency access area, no parking area, or restricted parking area;

(ii) In a loading zone or service drive or area without a department permit as noted in WAC 172-100-230;

(iii) In a parking space designated for another person or vehicle; or

(iv) In a disabled parking space;

(b) That is disabled or inoperative; or

(c) That is parked on university property and ~~((has more than four unpaid citations, after the university has made reasonable attempts to contact the owner))~~ is connected to a parking permit account that has unpaid fines in accordance with WAC 172-100-130.

(2) The owner and/or driver of an immobilized or impounded motor vehicle is responsible for all immobilization and impoundment ((and storage)) costs, and any related costs, and may not recover the motor vehicle until arrangements have been made with parking services. To have the motor vehicle released pending any appeal, the owner and/or driver must post a bond in the amount of the unpaid fines, fees, and costs relating to the immobilization and/or impoundment. If the owner and/or driver timely appeals the immobilization and/or impoundment in accordance with subsection (5) of this section and the fines, fees, or costs are overturned, the university will refund the bond to the owner and/or driver. The university and its employees or representatives are not liable for loss or damage of any kind resulting from impoundment or storage. The university is also not financially responsible for any incidentals accrued by the owner and/or driver through this process.

(3) Bicycles may be impounded for violations of the above parking rules. The university is authorized to break any bicycle lock to facilitate impoundment. The university and parking services are not responsible for any damage resulting from the impoundment of a bicycle, including removal of a lock.

(4) Definitions.

(a) "Impoundment" means to take and hold a motor vehicle or bicycle in legal custody, which includes, but is not limited to, securing, towing, and storing the motor vehicle or bicycle.

(b) "Immobilization" means the use of a locking wheel boot or similar device that, when attached to the wheel of a motor vehicle, prevents the motor vehicle from moving without damage to the tire which the locking wheel boot or similar device is attached.

(5) Immobilization and impoundments may be appealed by submitting a written appeal to parking services within fourteen calendar days of the date of the immobilization or impoundment of the motor vehicle. Appeals may be submitted to parking services in person. If an appeal is not timely filed, the fees, fines, or costs are final.

(6) Appeals will be reviewed by a board consisting of voting members from the following groups: Associated students, classified staff, faculty, and exempt staff. A parking services representative will invite members to join the board and will act as a consultant to the board. A quorum of members must be present to adjudicate. The board may uphold or dismiss any fees, fines, or costs of the immobilization/impoundment, the owner and/or driver is responsible for paying all fees, fines, and costs. If the board upholds the fees, fines, or costs related to the immobilization or impoundment, the owner and/or driver is responsible for paying all fees, fines, and costs. If the board overturns the immobilization or impoundment, the owner and/or driver is not responsible for the costs related to such immobilization or impoundment. In the case of a tie vote, the board will continue discussion and

vote again until a majority vote is obtained. If an impasse exists, the decision will be in the favor of the immobilization or impoundment.

(7) Within five calendar days following the board's review, parking services shall notify the appellant, by mail or by electronic mail, of the board's determination. The board will meet every two weeks, with additional meetings as necessary. Additional appeal rights are governed by RCW 28B.10.560.

AMENDATORY SECTION (Amending WSR 15-24-048, filed 11/23/15, effective 12/24/15)

**WAC 172-100-150 Electric vehicle charging stations.**

(1) These rules govern the use of electric vehicle charging stations (EVCSs) that are located on parking lots or at metered parking spaces which are owned and/or operated by Eastern Washington University (EWU). All EVCSs will be clearly marked by signs and green pavement markings as required by RCW 46.08.185.

(2) General rules:

(a) Vehicles parked in an EVCS must be in compliance with all other parking rules for that parking area as described in chapter 172-100 WAC.

(b) Vehicles must be actively charging while parked in an EVCS. Per RCW 46.08.185, a monetary penalty will be assessed to any vehicle parked in an EVCS on public or private property if the vehicle is not connected to the charging equipment.

(c) There is no additional charge to plug into an EVCS.

(d) Permit required EVCS: A vehicle that is parked in an EVCS located in a nonmetered space on a permit-required parking lot(~~(s)~~);

(i) Must ~~((display))~~ have a valid parking permit for ~~((the))~~ any campus lot; and

(ii) Is limited to four hours per day of parking in the EVCS during designated days/times in which a parking permit is required.

(e) Metered EVCS: A person using an EVCS located at a metered-parking space(~~(s)~~);

(i) Must pay the required parking meter fee; and

(ii) Is limited to four hours per day of parking in the EVCS during posted days/times of operation.

(3) Restrictions:

(a) Charging of an electric vehicle is limited to an EVCS only. No person may use an electrical outlet of any facility owned and/or operated by EWU for vehicle charging except for vehicles that are owned or leased by EWU.

(b) EVCSs may be closed for special event parking, maintenance, and/or construction.

(c) An EVCS may be reserved through the Parking and Transportation Services office for some special event parking.

(d) EWU assumes no responsibility or liability for damage to vehicles using an EVCS.

(e) A violation of these rules may result in issuance of a parking infraction.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-200 Parking permits—Issuance and responsibility.** (1) Parking permits may be obtained through parking services. Permits are issued upon payment of established fees, subject to availability. Permits may not be transferred, assigned, or sold.

(2) Prorated refunds: Refunds of parking permit fees will be issued according to parking office guidelines.

(3) The university reserves the right to refuse parking privileges to anyone who has:

(a) Had a permit revoked;

(b) Falsified a parking application or registration;

(c) Counterfeited or altered an area designator or permit;

(d) Failed to pay outstanding traffic or parking citations;

(e) Possessed or used a lost, altered, or stolen parking permit;

(f) Been given notice ~~((against))~~ of trespass from campus;

(g) Failed to comply with parking services directions; or

(h) Damaged university property while driving or parking on campus.

(4) Responsibility: The person to whom a parking permit is issued is responsible for all violations of these rules involving the vehicle for which the permit was issued regardless of whether the person was operating the vehicle at the time of the violation.

(5) Lost or stolen permits: If a permit is lost or stolen, the permit holder must report the loss to parking services. A replacement permit will be provided to the individual. A fee may be charged for a lost permit.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-220 Parking permits for permit-required lots.** (1) Standard permits: ~~((Standard permits consist of a decal denoting the assigned parking lot and the academic year or term for which the permit is valid.))~~ The university issues standard parking permits using license plate recognition technology. The permit is connected to any vehicle containing the license plate number identified by the owner at the time the permit is purchased. A permit may be attached to many license plate numbers on file, but only one vehicle attached to the permit is allowed on campus at a time during enforcement hours. Priority for issuance of standard permits will be given to university employees and students.

(2) EWU disabled parking permits: These permits are issued to university employees and students who are authorized to park in disabled parking areas and possess a current, state issued, disabled parking placard, license plate, and/or year tab.

(3) Retiree permits: Individuals who have retired from EWU are entitled to a retiree parking permit at ~~((no cost))~~ an annual discounted price based on space availability. Retiree permits entitle ~~((the))~~ retirees ((to park in university parking lots, where space is available;)) access to parking in designated areas while attending retiree functions sponsored by the university. Retiree permits are subject to the following:

(a) Retiree permits may not be used to park in residence hall lots.

(b) Retiree permits do not entitle the retiree to free parking during special events.

(c) Retiree permits may only be used by the retiree.

(d) Retiree permits may not be used by a retiree who is employed by the university.

(e) If a retiree permit is used in violation of the above conditions, the university may revoke the retiree's permit.

(4) Special ('S') permits: The 'S' permit may be issued to university employees whose duties require frequent visits or deliveries to other campus locations. The permit allows employees to park their vehicles in undesignated lots for official campus duties. Issuance and use of 'S' permits is subject to the following:

(a) Requests: University employees may request an 'S' permit through parking services. Requests for an 'S' permit must describe the employee's duties that justify the 'S' permit, including detailed information regarding the frequency and nature of the employee's intra-campus business activities and why a departmental permit is inadequate to support those activities. Requests must be endorsed by the president or appropriate vice president. The vice president for business and finance, or designee, is the approval authority for 'S' permits.

(b) Issuance. The parking services office shall provide an 'S' permit to an employee who has been authorized by their department's vice president to obtain an 'S' permit and has purchased a core lot permit and paid the additional 'S' permit fee.

(c) Use: 'S' permits may only be used for the purpose of conducting official university business. 'S' permits may be used to park in any campus parking lot, loading zone, or service area, on a space-available basis, limited to the time needed to conduct university business. They may not be used for personal use or convenience.

(d) Restrictions: 'S' permits do not authorize parking in disabled parking spaces unless the person is authorized to park in disabled parking spaces under these rules. 'S' permits are not valid at meters, fire lanes, safety zones, yellow curbs or zones, designated "no parking" areas, or other areas not designated for parking.

(e) Availability: The vice president for business and finance may limit the number of 'S' permits that are available for issuance throughout the university, and/or to departments or units.

(5) Guest permits: Campus guests and persons doing business with the university may be issued a guest permit allowing them to park in designated lots on campus, subject to the following:

(a) Guest permits are valid for the dates and locations specified at the time of issuance.

(b) A fee may be charged for a guest permit.

(c) A guest permit will not be issued to persons intending to make personal solicitations from or personal sales to university employees or students.

(d) Guest permits do not authorize parking in spaces that are reserved.

(e) Guests may park in disabled parking spaces so long as their vehicle displays the guest permit along with a current,

state-issued disabled parking placard, license plate, and/or year tab.

(6) Duplicate permits and car pool permits: ~~((a) Permit holders may purchase duplicate decals for))~~ Additional vehicle(s).

~~(b) Duplicate permits may also be purchased for each vehicle in a car pool, up to a maximum of five permits per pool.~~

~~(c) A fee is charged for each duplicate permit.~~

~~(d) Duplicate and car pool permits must be purchased and signed for by the purchaser of the original permit.~~

~~(e))~~ license plate numbers may be listed under the original purchaser accounts, but only one motor vehicle bearing the duplicate permit number may park in the designated parking lot at a time. Violation of this section will subject each vehicle involved to a fine.

AMENDATORY SECTION (Amending WSR 13-24-119, filed 12/4/13, effective 1/4/14)

**WAC 172-100-230 Parking permits for loading zones and service drives.** (1) Department permits: These permits are issued to departments or units to facilitate the movement of equipment and materials by allowing for limited parking in parking lots, service drives, and loading/unloading zones. Department permits may not be used by persons for their own benefit or convenience. They may only be used for official university business. A regular permit is not required when a person uses a department permit.

(a) Issuance and control. Department permits are issued on an annual basis for temporary, short-term use, and must be returned to the department after use. Permit use must be monitored and controlled by a designated person.

(b) Restrictions. Department permits are not valid at meters, reserved spaces, disabled parking spaces, fire lanes, safety zones, yellow curbs or zones, "no parking" areas, or other areas not designated for parking. Departments are assigned a primary lot and are limited to thirty minutes parking in the primary lot.

(c) Loss. If a department permit is lost, the department it is issued to must file a report with parking services. Parking services will determine if a fee is assessed for the lost permit.

(2) Service permits: Service permits are issued at a discounted cost to service providers, contractors, repairmen, and vendors to support their access requirements. Parking services shall specify terms of use ~~((when a service permit is issued))~~ upon registration of motor vehicles.

## WSR 20-12-061

### PERMANENT RULES

#### EASTERN WASHINGTON UNIVERSITY

[Filed May 29, 2020, 2:56 p.m., effective June 29, 2020]

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

Purpose: The modifications to chapter 172-191 WAC are needed to address changes in practice and procedure.

Citation of Rules Affected by this Order: Amending WAC 172-191-070 and 172-191-100.

Statutory Authority for Adoption: RCW 28B.35.120 (12).

Adopted under notice filed as WSR 20-07-014 on March 5, 2020.

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 the Request of a Non-governmental 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 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 29, 2020.

Joseph Fuxa  
Policy and Compliance Manager

AMENDATORY SECTION (Amending WSR 09-19-064, filed 9/14/09, effective 10/15/09)

**WAC 172-191-070 Hearings.** Following receipt of a request for a hearing under WAC 172-191-060, the registrar will schedule the hearing. The ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee will act as the hearing officer and will provide the student with written notice of the hearing's date, time and place reasonably in advance of the hearing. The student will be provided an opportunity to present evidence relevant to the contested part of the education record. The student may, at his/her own expense, be assisted or represented by one or more individuals of his/her own choice, including an attorney.

(1) The ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee will render his/her decision in writing within a reasonable period of time following the hearing. The decision of the officer shall be the university's final decision. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision. The ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee cannot have a direct interest in the outcome of the hearing.

(2) If the ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee determines that the record is inaccurate, misleading, or in violation of the privacy rights of the student and grants the student's appeal, the ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee will amend the education records of the student accordingly and inform the student in writing of his/her decision and of the amendment.

(3) If the ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee deter-

mines that the record is accurate, not misleading and not in violation of the privacy rights of the student and denies the student's appeal, the ((~~associate~~)) assistant vice president ((~~for enrollment services~~)) and registrar or his/her designee shall notify the student of his/her decision in writing and shall inform them of the right to place a statement in the record commenting on the contested information in the record or stating why he/she disagrees with the decision of the university or both. The university must maintain the statement with the contested part of the record for as long as the record is maintained and must disclose the statement whenever it discloses the portion of the record to which the statement relates.

(4) The appropriateness of official academic grades is not subject to review pursuant to this process.

AMENDATORY SECTION (Amending WSR 18-06-024, filed 2/27/18, effective 3/30/18)

**WAC 172-191-100 Directory information.** Directory information is defined to include: Student's name, address, email address, telephone number, participation in officially recognized activities and sports, weight, height and birth dates of athletic team members; dates of attendance at the university, enrollment status, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

The university may release "directory information" unless the student files a written request restricting the disclosure of the information. A student's election to opt out of directory information disclosures does not prevent the university from disclosing or requiring a student to disclose his/her name, identifier, or university email address in a class in which the student is enrolled.

## WSR 20-12-064

### PERMANENT RULES

### PROFESSIONAL EDUCATOR

### STANDARDS BOARD

[Filed June 1, 2020, 8:39 a.m., effective July 2, 2020]

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

Purpose: Describes the use of certificate fees.

Citation of Rules Affected by this Order: New WAC 181-79A-134; and amending WAC 181-79A-130 and 181-79A-131.

Statutory Authority for Adoption: Chapter 28A.410 RCW.

Other Authority: Chapter 28A.410 RCW.

Adopted under notice filed as WSR 20-08-027 on May 21 [March 23], 2020.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, 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.

Date Adopted: May 21, 2020.

Maren Johnson  
Rules Coordinator

AMENDATORY SECTION (Amending WSR 14-11-076, filed 5/20/14, effective 6/20/14)

**WAC 181-79A-130 Fees for ~~((certification))~~ certificates.** (1) ~~((In accordance with))~~ Under provisions of RCW 28A.410.060 and 28A.415.010, the fee for certificates ~~((which))~~ that are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

- (a) The first issue of the residency certificate, five dollars for each year of validity;
- (b) The continuing certificate, seventy dollars;
- (c) The reinstatement, additional endorsement on the teaching certificate, substitute certificates, fifteen dollars;
- (d) The first peoples' language, culture, and oral tribal traditions teacher certificate, twenty-five dollars; ~~((and))~~
- (e) All career and technical education certificates, one dollar;
- (f) Any other certificate or credential or any renewal thereof, five dollars for each year of validity;
- (i) ~~Provided, That the fee for all career and technical education certificates shall be one dollar;~~
- (ii) ~~Provided, That); and~~
- (g) A one-time late fee for a renewed initial or continuing certificate issued under the provisions of WAC 181-79A-123 (7), (8), or (9) for those whose initial certificate had already expired shall be one hundred dollars.

(2) The fee for any other certificate ~~((/))~~ or credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect ~~((certification))~~ certificate fees are educational service district superintendents, deans and directors of education at colleges and universities, or their designees. Sovereign tribal governments may collect ~~((certification))~~ certificate fees for first peoples' language, culture, and oral tribal traditions certificates. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, sovereign tribal government or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060 or to the office of the superintendent of public instruction.

(4) Beginning September 1, 2013, the office of the superintendent of public instruction may collect ~~((certification))~~ certificate fees.

(5) The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. ~~((Moneys accrued from certification fees shall be divided in the following manner:~~

~~(a) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to statewide precertification professional preparation and evaluation.~~

~~(b) The remaining funds shall be used to support professional in-service training programs, program evaluation and/or provision of certification services by educational service districts.)~~

AMENDATORY SECTION (Amending WSR 13-20-027, filed 9/23/13, effective 10/24/13)

**WAC 181-79A-131 Use of certificate fees ~~((for certification))~~.** (1) ~~((Certification))~~ Under RCW 28A.410.060, certificate fees will be used solely for ~~((precertification))~~ one or more of the following:

- ~~(a) Precertificate preparation((:));~~
- ~~(b) Program evaluation((:)); or~~
- ~~(c) Professional in-service training programs((, and/or provision of certification services by educational service districts in accordance with this chapter)).~~

(2) ~~((Precertification))~~ Precertificate preparation, program evaluation, and professional in-service training programs:

(a) The primary utilization shall be to support collaborative efforts essential to precertificate preparation, program development, program evaluation, and professional learning related to educator preparation and in-service educator development, including assessment of ~~((candidates' entry and exit))~~ candidate competency.

(b) Funds set aside for ~~((precertification))~~ precertificate preparation, program evaluation, and professional in-service training programs shall not supplant funds already available to any participating agency.

(c) ~~((Until September 1, 2013, a single educational service district may be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain a percentage of the precertification fees at a rate to be negotiated by the superintendent of public instruction and the educational service district for costs related to administering these funds. After September 1, 2013,))~~ The office of the superintendent of public instruction may be designated to administer the funds allocated for ~~((precertification))~~ the purposes described in this section per RCW 28A.410.200(7).

~~((d) Each quarter, for any fees collected, every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.~~

~~(3) Professional in-service training programs and teachers' institutes and/or workshops:~~

~~(a) Beginning with the state fiscal year 2015, the professional educator standards board shall biennially issue a request for proposal to eligible in-service education agencies~~

per WAC 181-85-045 to submit applications for funds for the purpose of offering in-service continuing education provided per reporting requirements published by the board.

~~(b) Cooperative agreements may be made among educational service districts to provide quality in-service education programs.~~

~~(c) Funds designated for in-service programs shall not supplant funds already available for such programs.~~

~~(4) Provision of certification services:~~

~~(a) The primary utilization shall be to support costs associated with operating educational service district certification offices to provide direct service to educators related to certification.~~

~~(b) Funds set aside for the provision of certification services shall not supplant funds already available to any educational service district until such time as educational service districts are no longer receiving certificate fees.~~

~~(5)) (3) Allowable expenditures. Funds may be used to support costs related to ((training)) the purposes described in this section, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs are college(✓) or university tuition and fees.~~

#### NEW SECTION

**WAC 181-79A-134 Use of certificate fees for professional in-service training programs.** In addition to the uses described in WAC 181-79A-131, certificate fees will be used as described in this section to support professional in-service training programs.

(1) Beginning with the state fiscal year 2015, the professional educator standards board shall biennially issue a request for proposal to eligible in-service education agencies per WAC 181-85-045 to submit applications for funds for the purpose of offering in-service continuing education provided per reporting requirements published by the board.

(2) Cooperative agreements may be made among educational service districts to provide quality in-service education programs.

(3) Funds designated for in-service programs shall not supplant funds already available for such programs.

(4) Allowable expenditures. Funds may be used to support costs related to professional learning and growth, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs are college or university tuition and fees.

Citation of Rules Affected by this Order: Amending WAC 363-116-082.

Statutory Authority for Adoption: Chapter 88.16 RCW.

Adopted under notice filed as WSR 20-07-043 on March 10, 2020.

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 the Request of a Non-governmental 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.

Date Adopted: May 21, 2020.

Jaimie C. Bever  
Executive Director

AMENDATORY SECTION (Amending WSR 19-06-007, filed 2/22/19, effective 3/25/19)

**WAC 363-116-082 Limitations on new pilots.** (1) The following limitations and pilot license upgrade requirements shall apply to a newly licensed pilot during his/her first five years of active service. For purposes of this section, the term "tank vessel" shall, in addition to tank ships, include any articulated or integrated tug and tank barge combinations, and any tonnage restrictions thereon shall be calculated by including the gross tonnage of the tug and tank barge combined. For purposes of this section, the term "petroleum products" shall include crude oil, refined products, liquefied natural gas, and liquefied petroleum gas. GT (ITC) as used in this section refers to gross tonnages measured in accordance with the requirements of the 1969 International Convention on Tonnage Measurement of Ships.

(2) Puget Sound pilotage district - License limitation periods. Except for trips being made for pilot license upgrades, licenses issued in the Puget Sound pilotage district shall have the following limitations:

**WSR 20-12-065  
PERMANENT RULES  
BOARD OF**

**PILOTAGE COMMISSIONERS**

[Filed June 1, 2020, 9:08 a.m., effective July 2, 2020]

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

Purpose: To amend WAC 363-116-082 Limitations on new pilots, to address limited training opportunities in the Duwamish Waterway due to reduced vessel traffic.

License Year	Maximum Size of Tank Vessels Carrying Petroleum Products as Bulk Cargo	Maximum Size of Other Vessels	<u>Waterways</u>
1	Piloting on vessels of any size prohibited	38,000 GT (ITC) except for passenger vessels which may only have a maximum size of 5000 GT (ITC)	<u>Prohibited in the Duwamish Waterway on vessels greater than 3,000 GT</u>
2	32,000 GT (ITC)	48,000 GT (ITC)	<u>No restrictions</u>
3	40,000 GT (ITC)	60,000 GT (ITC)	<u>No restrictions</u>
4	50,000 GT (ITC)	70,000 GT (ITC)	<u>No restrictions</u>
5	65,000 GT (ITC)	95,000 GT (ITC)	<u>No restrictions</u>

(3) Puget Sound pilotage district - Pilot license upgrade requirements. Progressive lifting of tonnage limitations requires a newly licensed pilot to satisfactorily pilot vessels on the trips specified in this section. The trainee evaluation committee shall recommend to the board a series of eight trips to be made by each pilot in the last one hundred twenty days of each year of the license limitation periods specified in subsection (2) of this section. As to these trips, the trainee evaluation committee shall specify the size and type of the vessel; origin and destination, whether the transit is to include a docking, waterway transit or other particular maneuvering requirement, whether any tank vessel trips are to be made while in ballast or loaded and whether the trip shall be taken with training pilots, trainee evaluation committee member pilots or pilots with a specified experience level. To the extent practical, the trips shall be on vessels of at least a size that falls between the upper limit in the expiring license limitation and the upper limit in the upcoming license limitation period. All of these trips shall be complete trips between one port and another port, or between the pilot station and a port. The supervising pilots shall complete and submit to the board an evaluation form provided by the board for each trip a new pilot performs.

(4) Grays Harbor pilotage district - License limitation periods. Pilots licensed in the Grays Harbor pilotage district shall not pilot vessels in violation of the restrictions set forth in the table below during the indicated license year.

License Year	Maximum Size of Tank Vessels Carrying Petroleum Products as Bulk Cargo	Maximum Size of Other Vessels
1	Piloting on vessels of any size prohibited	32,000 GT (ITC) except that piloting on vessels of any size is prohibited through the Chehalis River Bridge unless vessel is in ballast and does not exceed 25,000 GT (ITC)
2	15,000 GT (ITC)	42,000 GT (ITC)
3	32,000 GT (ITC)	52,000 GT (ITC)

License Year	Maximum Size of Tank Vessels Carrying Petroleum Products as Bulk Cargo	Maximum Size of Other Vessels
4	42,000 GT (ITC)	62,000 GT (ITC)
5	52,000 GT (ITC)	72,000 GT (ITC)

Notwithstanding subsection (7) of this section, upon determination that a bona fide safety concern may result from no pilot without license restrictions being available within a reasonable time to pilot a vessel requiring pilotage services, the chairperson or acting chairperson of the board, on a single trip basis, may authorize a newly licensed pilot holding a restricted license to provide pilotage services to the vessel, irrespective of the tonnage, service or location of the assigned berth of the vessel.

(5) Grays Harbor pilotage district - Pilot license upgrade requirements.

(a) Prior to the expiration of the first license year, a new pilot must make five license upgrade trips. Three of these trips shall be through the Chehalis River Bridge on loaded or partially loaded vessels. The other trips shall be on vessels in excess of 32,000 GT (ITC) and involve docking and passage to or from the sea buoy; and one of these trips shall involve turning the vessel in the waterway.

(b) Prior to the expiration of the second license year, a new pilot must make two license upgrade trips on tank vessels in excess of 15,000 GT (ITC) and two trips on other vessels in excess of 42,000 GT (ITC). Two of these trips shall involve docking and passage to or from the sea buoy; and two of these trips shall involve turning the vessel in the waterway. Upon satisfactory completion of the two upgrade trips upon tank vessels and completion of the second license year, the pilot will be authorized to pilot tank vessels in accordance with the limitations specified in subsection (4) of this section. Upon satisfactory completion of the two upgrade trips upon other vessels in excess of 42,000 GT (ITC) and completion of the second license year, the pilot will be authorized to pilot vessels in accordance with the limitations specified in subsection (4) of this section.

(c) Prior to the expiration of the third license year, a new pilot must make two license upgrade trips on tank vessels in excess of 32,000 GT (ITC) and two trips on other vessels in excess of 52,000 GT (ITC). Two of these trips shall involve docking and passage to or from the sea buoy; and two of these trips shall involve turning the vessel in the waterway.

(d) Prior to the expiration of the fourth license year, a new pilot must make two license upgrade trips on tank vessels in excess of 42,000 GT (ITC) and two trips on other vessels in excess of 62,000 GT (ITC).

(e) Prior to the expiration of the fifth license year, a new pilot must make two license upgrade trips on tank vessels in excess of 52,000 GT (ITC) and two trips on other vessels in excess of 72,000 GT (ITC).

(f) If vessels are not available in the Grays Harbor pilotage district to allow a pilot to comply with (a) through (e) of this subsection in a timely manner, the board may designate substitute trips in the Puget Sound pilotage district as allowed by law and in so doing may specify the size of the vessel and any other characteristics of the trips that the board deems appropriate. Such designation shall be considered a modification of the pilot's state license to authorize the specified trips in the Puget Sound pilotage district.

(6) The initial license shall contain the limitations contained above and list the date of commencement and expiration of such periods. If a newly licensed pilot is unable to pilot for forty-five days or more in any one of the five years, he/she shall notify the board and request a revised schedule of limitations.

(7) Except as provided in subsection (4) of this section, no pilot shall be dispatched to, or accept an assignment on, any vessel which exceeds the limitations of his/her license. On vessels in which there is more than one pilot assigned, the license limitations shall apply only to the pilot in charge.

(8) All limitations on a pilot's license shall be lifted at the beginning of the sixth year of piloting provided he/she has submitted to the board a statement attesting to the fact that he/she has completed all the required license upgrade trips and the vessel simulator courses.

## WSR 20-12-072

### PERMANENT RULES

#### DEPARTMENT OF HEALTH

[Filed June 1, 2020, 1:39 p.m., effective July 1, 2020, and March 1, 2021]

Effective Date of Rule: July 1, 2020, and March 1, 2021.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: All sections within chapter 246-945 WAC are effective July 1, 2020, except WAC 246-945-178 Pharmacist continuing education, and 246-945-220 Pharmacy technician—Continuing education. WAC 246-945-178 and 246-945-220 will be effective March 1, 2021, to align with rule making currently in progress addressing fees collected by the pharmacy quality assurance commission (commission).

Purpose: Chapter 246-945 WAC, the commission has adopted rules consolidating multiple chapters of rules into one chapter of administrative rules that covers the practice of pharmacy, including: General provisions, general licensing, professional standards, and operational standards. Prior to the effective date of this rule making, pharmacy rules were spread over thirty four chapters. Many of these chapters were outdated and overly prescriptive, limiting the ability for licensees to adapt to changes in practice and technological advances. Beginning in September 2017 the commission was

able to dedicate the time and resources necessary to carry out a full chapter update of their rules. The standards established in this new chapter were discussed over the course of two years with conversations between the commission members, commission staff, stakeholders, and the public to provide feedback. The commission will also be following up to this rule making and repealing all thirty four of the previous WAC chapters, and will put out an interpretive statement to make clear the effective date of the new chapter and that the new chapter supersedes any previous WAC that may still be going through the repeal process.

Citation of Rules Affected by this Order: New chapter 246-945 WAC.

Statutory Authority for Adoption: RCW 18.64.005, 18.64.080, 18.130.075, 18.64.043, 18.64.044, 18.64.045, 18.64.046, 18.64.370, 18.64.460, 69.50.310, 18.64.011, 18.64.245, 18.64.470, 18.64.255, 18.64.205, 18.64.253, 18.64.410, 18.64.500, 18.64.590.

Adopted under notice filed as WSR 20-03-126 [20-07-127] on January 17, 2020 [March 18, 2020].

Changes Other than Editing from Proposed to Adopted Version: All edits were technical, fixing typos or adding clarity to rules.

A final cost-benefit analysis is available by contacting Lindsay Trant, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2932, fax 360-236-2321, TTY 711, email Lindsay.Trant@doh.wa.gov.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 130, 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 130, Amended 0, Repealed 0.

Date Adopted: April 23, 2020.

Tim Lynch, PharmD, MS, Chair  
Pharmacy Quality Assurance Commission

### Chapter 246-945 WAC

## PHARMACY QUALITY ASSURANCE COMMISSION

### PART 1 - GENERAL PROVISIONS

#### NEW SECTION

**WAC 246-945-001 Definitions.** The definitions in chapters 18.64 and 18.64A RCW and those in this section apply throughout this chapter unless otherwise stated.

(1) "ACPE" means accreditation council for pharmacy education.

(2) "Active ingredient" means any component that is intended to furnish pharmacological activity or other direct effect in the diagnosis, cure, mitigation, treatment, or prevention of disease, or to affect the structure or any function of the body of humans or other animals. The term includes those components that may undergo chemical change in the manufacture of the drug product and be present in that drug product in a modified form intended to furnish the specified activity or effect.

(3) "Adulterated" refers to a drug that was produced and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, or holding do not conform to or are not operated or administered in conformity with WAC 246-945-550 as to safety and has the identity and strength, and meets the quality and purity characteristics, which it purports or is represented to possess.

(4) "Animal control agency" means any agency authorized by law to euthanize or destroy animals; to sedate animals prior to euthanasia or to engage in chemical capture of animals.

(5) "Approved legend drugs" means any legend drug approved by the commission for use by registered humane societies or animal control agencies for the sole purpose of sedating animals prior to euthanasia, when necessary, and for use in chemical capture programs.

(6) "Audit trail" means all materials and documents required for the entire process of filling a prescription, which shall be sufficient to document or reconstruct the origin of the prescription, and authorization of subsequent modifications of that prescription.

(7) "Blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing.

(8) "Blood component" means that part of the blood separated by physical or mechanical means.

(9) "Central fill pharmacy" means a pharmacy contracting with an originating pharmacy, or having the same owner as an originating pharmacy, that provides centralized prescription filling on behalf of the originating pharmacy pursuant to these rules.

(10) "Chemical capture program" means wildlife management programs registered under RCW 69.41.080 and 69.50.320 to use approved legend drugs and controlled substance for chemical capture. Chemical capture includes immobilization of individual animals in order for the animals to be moved, treated, examined, or for other legitimate purposes.

(11) "Collaborative drug therapy agreement" or "CDTA" means a written guideline or protocol previously established and approved by a practitioner authorized to prescribe drugs that enables a pharmacist to exercise prescriptive authority.

(12) "Controlled substances" has the same meaning as RCW 69.50.101.

(13) "Controlled substance wholesaler" means a wholesaler licensed under RCW 18.64.046 to possess and sell controlled substances to a licensed pharmacy or other legally licensed or authorized person.

(14) "Commission" means the pharmacy quality assurance commission.

(15) "Counterfeit" means a drug which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a drug manufacturer, processor, packer, or distributor other than the person or persons who in fact manufactured, processed, packed, or distributed such drug and which thereby falsely purports or is represented to be the product of, or to have been packed or distributed by, such other drug manufacturer, processor, packer, or distributor.

(16) "CPE" means continuing pharmacy education accredited by the ACPE.

(17) "Consultation" means:

(a) A communication or deliberation between a pharmacist and a patient, a patient's agent, or a patient's health care provider in which the pharmacist uses professional judgment to provide advice about drug therapy.

(b) A method by which the pharmacist meets patient information requirements as set forth in WAC 246-945-325.

(18) "Credential" means a license, certification, or registration under the chapters specified in RCW 18.130.040 issued to a person to practice a regulated health care profession. Whether the credential is a license, certification, or registration is determined by the law regulating the profession.

(19) "DEA" means the United States Drug Enforcement Administration.

(20) "Delegated tasks" means tasks that are performed pursuant to a pharmacist's direction, without the exercise of the pharmacy ancillary personnel's own judgment and discretion, and which do not require the pharmacy ancillary personnel's to exercise the independent professional judgment that is the foundation of the practice of the profession of pharmacy.

(21) "Department" means the Washington state department of health.

(22) "Dose" means the amount of drug to be administered at one time.

(23) "Drug(s) of concern" are those drugs identified by the commission as demonstrating a potential for abuse by all professionals licensed to prescribe, dispense, or administer such substances in this state.

(24) "Drug price advertising" means the dissemination of nonpromotional information pertaining to the prices of legend or prescription drugs.

(25) "Drug product" means a finished dosage form (e.g., tablet, capsule, solution) that contains an active drug ingredient generally, but not necessarily, in association with inactive ingredients. The term also includes a finished dosage form that does not contain an active ingredient but is intended to be used as a placebo.

(26) "Drug sample" means a unit of prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

(27) "Drug standard and information sources" means industry recognized reference and resources.

(28) "Drug storage area" means an area where legend drugs, controlled substances, or other restricted items are stored, compounded, or dispensed.

(29) "Drug utilization review" includes, but is not limited to, the following activities:

(a) Evaluation of prescriptions and patient records for known allergies, rational therapy-contraindications, appropriate dose, and route of administration and appropriate directions for use;

(b) Evaluation of prescriptions and patient records for duplication of therapy;

(c) Evaluation of prescriptions and patient records for interactions between drug-drug, drug-food, drug-disease, and adverse drug reactions; and

(d) Evaluation of prescriptions and patient records for proper utilization, including over- or under-utilization, and optimum therapeutic outcomes.

(30) "Electronic means" an electronic device used to send, receive, and/or store prescription information, including computers, facsimile machines, etc.

(31) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

(32) "Enrolled student" means a student who has accepted an offer of admission in writing and the student has made the appropriate deposit securing admission to an accredited school or college of pharmacy.

(33) "Equivalent manager" means an individual authorized to act on behalf of a pharmaceutical firm not licensed as a pharmacy to serve as the primary contact for the department and is responsible for managing the facility operations which includes, but is not limited to, actively involved in and aware of the daily operations of the facility.

(34) "Export wholesaler" means any wholesaler authorized by the commission to export legend drugs and nonprescription (OTC) drugs to foreign countries.

(35) "FDA" - United States Food and Drug Administration.

(36) "Full-line wholesaler" means a drug wholesale distributor that is licensed under RCW 18.64.046 to possess and sell legend drugs, controlled substance and nonprescription drugs to a licensed pharmacy or other legally licensed or authorized person.

(37) "FPGEC" means foreign pharmacy graduate examination committee.

(38) "FPGEE" means foreign pharmacy graduate equivalency examination.

(39) "Generic substitution" means the act of switching between a branded drug and its therapeutically equivalent generic version.

(40) "HIPAA" means Health Insurance Portability and Accountability Act.

(41) "Hospital" means any institution licensed under chapter 70.41 or 71.12 RCW or designated under RCW 72.23.020.

(42) "Hospital pharmacy" means that portion of a hospital licensed under RCW 18.64.043 which is engaged in the manufacture, production, preparation, dispensing, sale, or distribution of drugs, components, biologicals, chemicals, devices and other materials used in the diagnosis and treatment of injury, illness and diseases.

(43) "Hospital pharmacy associated clinic" or "HPAC" means an individual practitioner's office or multipractitioner clinic owned, operated, or under common control of a parent

hospital or health system, where the physical address of the office or clinic is identified on a hospital pharmacy license.

(44) "Immediate supervision" means supervision by a pharmacist who is immediately available at all times the delegated tasks are being performed; who is aware of delegated tasks being performed; and who provides personal assistance, direction and approval throughout the time the delegated tasks are being performed.

(a) "Immediately available" means the pharmacist and pharmacy ancillary personnel or interns are on the same physical premises, or if not, technology is used to enable real time, two-way communications between the pharmacist and technician(s).

(b) Use of technology: A pharmacist, as an adjunct to assist in the immediate supervision of the pharmacy ancillary personnel or intern, may employ technological means to communicate with or observe the pharmacy ancillary personnel or intern. A pharmacist shall make certain all applicable state and federal laws including, but not limited to, confidentiality, are fully observed when employing technological means of communication and observation. If technology is being used to provide immediate supervision of pharmacy ancillary personnel or intern such technology shall be sufficient to provide the personal assistance, direction and approval required to meet the standard of practice for the delegated tasks.

(45) "Inoperable" means a credential status indicating that an individual cannot practice because he or she is not actively participating or enrolled in a required training program when this condition is a requirement of the credential. Inoperable status is not the result of enforcement action. The health care professional can resume practice when appropriately enrolled in a required training program and the credential is reactivated.

(46) "Internal test assessment" means, but is not limited to, conducting those tests of quality assurance necessary to ensure the integrity of the test.

(47) "Investigational drug" means any article drug that has an investigational drug application (INDA) that has been approved by the FDA.

(48) "Key party" means immediate family members and others who would be reasonably expected to play a significant role in the health care decisions of the patient or client and includes, but is not limited to, the spouse, domestic partner, sibling, parent, child, guardian and person authorized to make health care decisions of the patient or client.

(49) "Law enforcement" means any general or limited authority Washington peace officer or federal law enforcement officer or tribal officer.

(50) "License transfer" means the process used by licensed pharmacists to transfer their existing pharmacist license to Washington using NABP's Electronic Licensure Transfer Program® (e-LTP™).

(51) "Lot" means a batch or a specific identified portion of a batch having uniform character and quality within specified limits, or in the case of a drug product produced by continuous process, it is a specific identified amount produced in a unit of time or quantity in a manner that assures it is having uniform character and quality within specified limits.

(52) "Manual signature" means a printed or wet signature.

(53) "Misbranded" applies to all drugs the package or label of which bears any statement, design or device regarding such article or the ingredients or substances contained therein which is false or misleading in any particular way, and drug product which is falsely branded as to the state, territory or country in which it is manufactured or produced.

(54) "NABP" means the National Association of Boards of Pharmacy.

(55) "NDC" means National Drug Code.

(56) "Nuclear pharmacy" means a pharmacy providing radiopharmaceutical services.

(57) "Nuclear pharmacist" means a pharmacist licensed under RCW 18.64.080 who holds an endorsement that meets the requirements of WAC 246-945-180.

(58) "Originating pharmacy" means a pharmacy that receives a prescription from a patient, the patient's agent, or a prescriber, outsources prescription filling or processing functions to another pharmacy, and ultimately dispenses the prescription drug or device to the patient or the patient's agent. This does not include pharmacies engaged in shared pharmacy services in accordance with RCW 18.64.570.

(59) "Over-the-counter drugs" or "OTC" means "nonlegend" or "nonprescription" drugs, and any drugs which may be lawfully sold without a prescription.

(60) "Over-the-counter only wholesaler" means any wholesaler licensed under RCW 18.64.046 to possess and sell OTC drugs to any outlets credentialed for resale.

(61) "Pharmaceutical firm" means a business engaged in the dispensing, delivering, distributing, manufacturing, or wholesaling of prescription drugs or devices within or into Washington state.

(62) "Pharmacy intern" means a person who is registered with the commission under RCW 18.64.080(3) as a pharmacy intern.

(63) "Pharmacy services" means any services provided that meet the definition of the practice of pharmacy, RCW 18.64.011.

(64) "Plan of correction" is a proposal devised by the applicant or credential holder that includes specific corrective actions that must be taken to correct identified unresolved deficiencies with time frames to complete them.

(65) "Precursor drugs" as defined in chapter 69.43 RCW.

(66) "Prescription drug" means any drug, including any biological product required by federal statute or regulation to be dispensed only by a prescription, including finished dosage forms and bulk drug substances subject to section 503(b) of the Federal Food, Drug, and Cosmetic Act.

(67) "Protocol" means a written set of procedures, steps or guidance.

(68) "Radiopharmaceutical service" means, but is not limited to:

(a) The preparing, compounding, dispensing, labeling, and delivery of radiopharmaceuticals;

(b) The participation in radiopharmaceutical selection and radiopharmaceutical utilization reviews;

(c) The proper and safe storage and distribution of radiopharmaceuticals;

(d) The maintenance of radiopharmaceutical quality assurance;

(e) The responsibility for advising, where necessary or where regulated, of therapeutic values, hazards and use of radiopharmaceuticals; or

(f) The offering or performing of those acts, services, operations or transactions necessary in the conduct, operation management and control of a nuclear pharmacy.

(69) "Radiopharmaceutical" means any substance defined as a drug in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act which exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of any such substance but does not include drugs such as carbon-containing compounds or potassium-containing salts which contain trace quantities of naturally occurring radionuclides. The term "radioactive drug" includes a "radioactive biological product."

(70) "Radiopharmaceutical quality assurance" means, but is not limited to, the performance of appropriate chemical, biological and physical tests on radiopharmaceuticals and the interpretation of the resulting data to determine their suitability for use in humans and animals, including internal test assessment authentication of product history and the keeping of proper records.

(71) "Readily retrievable" means a record that is kept by automatic data processing systems or other electronic, mechanized, or written recordkeeping systems in such a manner that it can be separated out from all other records in a reasonable time.

(72) "Reverse distributor" means a pharmaceutical wholesaler that receives drugs for destruction, return credit, or otherwise disposes of drugs received from a registrant that holds a credential to dispense or possess drugs.

(73) "Secretary" means the secretary of the Washington state department of health.

(74) "Strength" means:

(a) The concentration of the drug product; and/or

(b) The potency, that is, the therapeutic activity of the drug product as indicated by appropriate laboratory tests or by adequately developed and controlled clinical data.

(75) "U.S. jurisdiction" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a territory or insular possession subject to the jurisdiction of the United States.

(76) "USP" means the United States Pharmacopeia.

(77) "Therapeutic substitution" means the act of dispensing an alternative drug that is believed to be therapeutically similar but may be chemically different, in a different category, or with different pharmacokinetic properties. This substitution is based on the premise that the substituted drug will provide similar clinical efficacy, desired outcome, and safety profile.

(78) "TOEFL iBT" means an internet based test which measures the ability to use and understand English. It evaluates the combined use of reading, listening, speaking and writing skills.

(79) "Virtual manufacturer" means an individual or facility that sells his or her own prescription drugs, but never physically possesses the drugs.

(80) "Virtual wholesaler" means an individual or facility that sells a prescription drug and/or device, but never physically possesses the product.

(81) "Wholesale distribution" means distribution of prescription drugs to persons other than a consumer or patient, but does not include:

(a) The sale, purchase, or trade of a drug, an offer to sell, purchase or trade a drug, or the dispensing of a drug pursuant to a prescription;

(b) The lawful distribution of drug samples by manufacturers' representatives or distributors' representatives;

(c) The sale, purchase, or trade of blood and blood components intended for transfusion;

(d) Intracompany sales, being defined as any transaction or transfer between any division, subsidiary, parent and/or affiliated or related company under the common ownership and control of a corporate entity, unless such transfer occurs between a wholesale distributor and a health care entity or practitioner; or

(e) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug for emergency medical reasons, for purposes of this section, "emergency medical reasons" includes transfers of prescription drugs by retail pharmacy to another retail pharmacy or practitioner to alleviate a temporary shortage, except that the gross dollar value of such transfers shall not exceed five percent of the total prescription drug sale revenue of either the transferor or transferee pharmacy during any twelve consecutive month period.

### Subpart A - Commission Operations

#### NEW SECTION

**WAC 246-945-002 Administrative proceedings and appeals.** (1) The commission adopts the model procedural rules for boards as adopted by the department, and contained in chapter 246-11 WAC, including subsequent amendments.

(2) The commission adopts the administrative procedures and requirements for credentialed health care providers as adopted by the department and contained in chapter 246-12 WAC, including subsequent amendments under chapter 246-12 WAC.

(3) Where there is a conflict between the rules incorporated in subsections (1) and (2) of this section, the commission's rule shall supersede.

#### NEW SECTION

**WAC 246-945-005 Commission inspections and investigations.** (1) Records subject to commission inspection. A pharmaceutical firm shall make available for inspection upon request by the commission or designee records created, maintained, or retained in compliance with statutes or rules enforced by the commission. It is unlawful to refuse to permit or to obstruct a commission inspection.

(2) Initial inspections. Prior to starting a business, as applicable, and upon presentation of appropriate identification, a pharmaceutical firm shall permit the commission, or

its designee, to enter and inspect the premises and to audit the records of each entity for compliance with laws enforced by or under the commission's jurisdiction.

(3) Periodic commission inspection. A pharmaceutical firm is subject to periodic inspections to determine compliance with the laws regulating the practice of pharmacy.

(a) Statement of deficiency.

(i) At the end of the inspection, the commission, or its designee, will conduct an exit meeting with the responsible pharmacy manager, or designee, or equivalent manager, addressing unresolved deficiencies identified during the inspection.

(ii) The commission, or its designee, shall provide a written statement of deficiency to the pharmaceutical firm within ten business days of the exit meeting.

(iii) The statement of deficiency may include unresolved deficiencies identified at the end of a periodic commission inspection, describing the unresolved deficiencies in detail with a reference to all applicable laws.

(b) Plan of correction. A pharmaceutical firm shall submit a plan of correction to the commission, or its designee, addressing each identified unresolved deficiency within ten business days of receipt of a statement of deficiency.

(i) The commission, or its designee, shall notify the pharmacy within ten business days, whether or not a submitted plan of correction adequately addresses the unresolved deficiencies identified in the statement of deficiency.

(ii) Implementation of the corrective action is required within the time frames set in the approved plan of correction, and are subject to verification by the commission, or its designee, which may require the pharmacy to submit a progress report(s) attesting to the correction of deficiencies, or a follow-up inspection.

(c) Pharmaceutical firms with deficiencies that represent an imminent or immediate risk or threat to public health, safety, or welfare may be subject to summary suspension of the pharmacy license, at the discretion of the commission.

(4) Self-inspections. The responsible pharmacy manager, or equivalent manager, is required to conduct an annual self-inspection of the pharmaceutical firm on the self-inspection worksheet(s) provided by the commission. The self-inspection must be completed within the month of March each year.

(a) The responsible pharmacy manager, or equivalent manager, shall sign and date the completed self-inspection worksheet(s), and maintain completed worksheets for two years from the date of completion.

(b) When a change in responsible pharmacy manager, or equivalent manager occurs, the new responsible pharmacy manager, or equivalent manager, shall conduct a self-inspection as required under this section. The new responsible pharmacy manager, or equivalent manager, shall sign and date the self-inspection worksheet(s) within thirty days of becoming responsible pharmacy manager, or equivalent manager, and maintain completed worksheets for two years from the date of completion.

(5) Inspection informal dispute process.

(a) A pharmaceutical firm may dispute within ten business days:

(i) Any or all deficiencies included on a statement of deficiency issued by the commission;

(ii) The rejection of the first submitted plan of correction;

(iii) The pharmaceutical firm may request a one-time extension.

(b) A pharmaceutical firm shall submit a dispute under this subsection to the commission in writing. The dispute must be in detail and include any supporting documentation for commission consideration.

(c) The commission may review and consider a second rejection of a plan of correction.

(d) The commission shall consider any dispute and notify the pharmaceutical firm of its determination.

(6) Investigations. A pharmaceutical firm shall cooperate with commission investigations conducted to confirm compliance with laws enforced by the commission, to gather information pertinent to a complaint received by the commission, or to enforce disciplinary actions.

### Subpart B - Prescription Labeling, Records, and Advertising

#### NEW SECTION

**WAC 246-945-010 Prescription and chart order—Minimum requirements.** (1) For the purposes of this section, prescription does not include chart orders as defined in RCW 18.64.011(3).

(2) For the purposes of WAC 246-945-010 through 246-945-013, prescription includes written and electronic prescriptions.

(3) A prescription for a noncontrolled legend drug must include, but is not limited to, the following:

(a) Prescriber's name;

(b) Name of patient, authorized entity, or animal name and species;

(c) Date of issuance;

(d) Drug name, strength, and quantity;

(e) Directions for use;

(f) Number of refills (if any);

(g) Instruction on whether or not a therapeutically equivalent generic drug or interchangeable biological product may be substituted, unless substitution is permitted under a prior-consent authorization;

(h) Prescriber's manual or electronic signature, or prescriber's authorized agent signature if allowed by law; and

(i) If the prescription is written, it must be written on tamper-resistant prescription pad or paper approved by the commission pursuant to RCW 18.64.500;

(4) A prescription for a controlled substance must include all the information listed in subsection (1) of this section and the following:

(a) Patient's address;

(b) Dosage form;

(c) Prescriber's address;

(d) Prescriber's DEA registration number; and

(e) Any other requirements listed in 21 C.F.R., Chapter II.

(5) A chart order must meet the requirements of RCW 18.64.550 and any other applicable requirements listed in 21 C.F.R., Chapter II.

(6) A controlled substance listed in Schedule II can only be dispensed pursuant to a valid prescription in accordance with WAC 246-945-011 unless there is an "emergency."

(a) For the purposes of this subsection, an "emergency" exists when the immediate administration of the drug is necessary for proper treatment and no alternative treatment is available, and further, it is not possible for the practitioner to provide a written or electronic prescription for the drug at that time.

(b) If a Schedule II drug is dispensed in an emergency, the practitioner must deliver a signed prescription to the dispenser within seven days after authorizing an emergency oral prescription or if delivered by mail it must be postmarked within the seven day period, and further the pharmacist must note on the prescription that it was filled on an emergency basis.

(7) A controlled substance listed in Schedule III, IV, or V, can only be dispensed pursuant to a valid prescription in accordance with WAC 246-945-011, or an oral prescription. An oral prescription for a controlled substance listed in Schedule III, IV, or V must be promptly reduced to a written or electronic prescription that complies with WAC 246-945-011.

(8) A noncontrolled legend drug can only be dispensed pursuant to a valid prescription in accordance with WAC 246-945-011, or an oral prescription. An oral prescription for a noncontrolled legend drug must be promptly reduced to a written or electronic prescription that complies with WAC 246-945-011.

#### NEW SECTION

**WAC 246-945-011 Prescription validity.** (1) Prior to dispensing and delivering a prescription, a pharmacist shall verify its validity.

(2) A prescription shall be considered invalid if:

(a) At the time of presentation, the prescription shows evidence of alteration, erasure, or addition by any person other than the person who wrote it;

(b) The prescription does not contain the required information as provided in WAC 246-945-010;

(c) The prescription is expired; or

(d) The prescription is for a controlled substance and does not comply with the requirements in RCW 69.50.308.

(3) A prescription is considered expired when:

(a) The prescription is for a controlled substance listed in Schedule II through V and the date of dispensing is more than six months after the prescription's date of issue.

(b) The prescription is for a noncontrolled legend drug or OTC's and the date of dispensing is more than twelve months after the prescription's date of issue.

#### NEW SECTION

**WAC 246-945-012 Prescription refills.** (1) A prescription for a controlled substance listed in Schedule II cannot be refilled.

(2) A prescription for a controlled substance listed in Schedule III, IV, or V may be refilled a maximum of five times as indicated by the prescriber. The prescription will expire six months after the date of issue pursuant to WAC 246-945-011 even if there are refills remaining.

(3) A prescription for a noncontrolled legend drug may be refilled as indicated by the prescriber in accordance with RCW 18.64.520. There is no limit on the number of refills, but the prescription will expire after twelve months from the date of issue pursuant to WAC 246-945-011.

#### NEW SECTION

##### **WAC 246-945-013 Partial filling of prescriptions.** (1)

A pharmacist may partially fill a prescription for noncontrolled legend drugs and controlled substances listed in Schedule III through V provided that:

(a) The partial fill is requested by the patient or the prescriber;

(b) The partial filling is recorded in the same manner as a refilling;

(c) The total quantity dispensed and delivered in all partial fillings must not exceed the total quantity prescribed; and

(d) Partial fills for controlled substances listed in Schedule III through V comply with 21 C.F.R. Sec. 1306.23.

(2) A pharmacist may partially fill a prescription for a controlled substance listed in Schedule II within the limits of RCW 18.64.265, 21 U.S.C. Sec. 829, and 21 C.F.R. Sec. 1306.13, as applicable.

#### NEW SECTION

##### **WAC 246-945-015 Minimum requirements for dispensing practitioners.** (1) A practitioner authorized to prescribe or administer a legend drug including a controlled substance, other than a pharmacy, can dispense a legend drug including a controlled substance directly to an ultimate user without a prescription.

(2) All practitioners authorized to prescribe legend drugs and who dispense legend drugs directly to the ultimate user shall affix a label to the prescription container that meets the requirements of RCW 69.41.050.

#### NEW SECTION

##### **WAC 246-945-016 Prescriptions—Outpatient labels—Minimum requirements.** (1) All licensees of the commission who dispense legend drugs to outpatients shall affix a label to the prescription container that meets the requirements of RCW 69.41.050 and 18.64.246, and shall also include:

(a) Drug quantity;

(b) The number of refills remaining, if any;

(c) The following statement, "Warning: State or federal law prohibits transfer of this drug to any person other than the person for whom it was prescribed.", except when dispensing to an animal, when a warning sufficient to convey "for veterinary use only" may be used;

(d) The name and species of the patient, if a veterinary prescription; and

(e) The name of the facility or entity authorized by law to possess a legend drug, if patient is the facility or entity.

(2) In addition to the requirements in subsection (1) of this section, a compounded product must meet the applicable labeling requirements of USP chapters <795>, <797>, <800>, and <825>. For compounded products, the BUD shall be equivalent to the expiration date required by RCW 18.64.246.

(3) For the purposes of determining an expiration date as required in RCW 18.64.246, the dispenser shall take the following factors into account:

(a) The nature of the drug;

(b) The container in which it was packaged by the manufacturer and the expiration date;

(c) The characteristics of the patient's container, if the drug is repackaged for dispensing;

(d) The expected conditions to which the drug may be exposed;

(e) The expected length of time of the course of therapy; and

(f) Any other relevant factors.

#### NEW SECTION

##### **WAC 246-945-017 Prescriptions—Hospital inpatient labels—Minimum requirements.** (1) All licensees of the commission who dispense legend drugs to hospital inpatients shall ensure all drug containers are labeled clearly, legibly and adequately to show the drug's name (generic and/or trade) and strength, when applicable.

(2) In addition to the requirements in subsection (1) of this section, a compounded product dispensed to a hospital inpatient must meet the applicable labeling requirements of USP chapters <795>, <797>, <800>, and <825>.

#### NEW SECTION

##### **WAC 246-945-018 Prescriptions—Labeling—Prepackage medications.** Prepackage medications dispensed pursuant to RCW 70.41.480, medications dispensed in unit dose form, medications dispensed by a pharmacy to a long-term care facility must include a label with the following information:

(1) Drug name;

(2) Drug strength;

(3) Expiration date in accordance with WAC 246-945-016(3);

(4) The manufacturer's name and lot number, if not maintained in a separate record; and

(5) The identity of the pharmacist or provider responsible for the prepackaging, if not maintained in a separate record.

#### NEW SECTION

##### **WAC 246-945-020 Records retention period and commission access to records.** (1) Unless an alternative standard for a specified record type, form, or format is expressly stated a pharmaceutical firm must maintain and retain records required as evidence of compliance with statutes and rules enforced by the commission in a readily retrievable form and location for at least two years from the

date the record was created or received, whichever date is later.

(2) A pharmaceutical firm must allow the commission, or its designee, access to the pharmaceutical firm's records upon request for the purposes of monitoring compliance with statutes and rules enforced by the commission.

#### NEW SECTION

**WAC 246-945-025 Prescription drug price advertising.** (1) A pharmacy may advertise legend or prescription drug prices provided:

(a) The advertising complies with all state and federal laws, including regulations of the FDA and the Washington State Consumer Protection Act, chapter 19.86 RCW.

(b) The advertising is solely directed towards providing consumers with drug price information and does not promote the use of a prescription drug or drugs to the public.

(c) The drug price advertising shall contain all the following information for all drug products or brand names used in the advertisement:

(i) The proprietary name of the drug product advertised, if any;

(ii) The generic name of the drug product advertised, if any;

(iii) The strength of the drug product advertised. If the drug product advertised contains more than one active ingredient and a relevant strength can be associated with it without indicating each active ingredient, the generic name and quantity of each active ingredient is not required; and

(iv) The price charged for a specified quantity of the drug product.

(2) Advertising of any generic drug that in any way compares a generic drug to a brand name drug may not in any manner imply that the brand name drug is the product offered for sale.

(3) A person, partnership, corporation, association, or agency may not advertise controlled substances for sale to the general public in any manner that promotes or tends to promote the use or abuse of those drugs. Controlled substances may not be physically displayed to the public.

(4) Upon request from the patient, no pharmacy shall refuse to disclose the cost to the specific patient of a prescription drug without third-party reimbursement or discounts.

#### **Subpart C - Legend Drugs and Controlled Substances**

#### NEW SECTION

**WAC 246-945-030 Identification of legend drugs for purposes of chapter 69.41 RCW.** (1) Those drugs determined by the FDA to require a prescription under federal law should be classified as legend drugs under state law because their toxicity, potential for harmful effect, methods of use, or collateral measures necessary to their use indicate they are only safe for use under the supervision of a practitioner.

(2) The commission finds that under state law, legend drugs are those drugs designated as legend drugs under federal law, as of the date of adoption of this rule, and listed in at least one of the following publications:

(a) The 39th Edition, including supplements, of the *Approved Drug Products with Therapeutic Equivalence Evaluations "Orange Book"* (available at <https://www.fda.gov/drugs/drug-approvals-and-databases/approved-drug-products-therapeutic-equivalence-evaluations-orange-book>).

(b) The 2019 version, including monthly updates, of the *Approved Animal Drug Products "Green Book"* (available at <https://www.fda.gov/animal-veterinary/products/approved-animal-drug-products-green-book>).

(c) The 2019 *List of Licensed Biological Products with Reference Product Exclusivity and Biosimilarity or Interchangeability Evaluations "Purple Book"* (available at <https://www.fda.gov/drugs/therapeutic-biologics-applications-bla/purple-book-lists-licensed-biological-products-reference-product-exclusivity-and-biosimilarity-or>).

(3) Copies of the reference material listed in subsection (2) of this section are available for public inspection at the commission's office at Department of Health, Town Center 2, 111 Israel Road S.E., Tumwater, WA 98501.

(4) The commission also identifies those ephedrine products specified in WAC 246-945-031 as legend drugs under state law.

(5) There may be changes in the marketing status of drugs after the publication of the above references. Upon application of a manufacturer or distributor, the commission may grant authority for the over-the-counter distribution of certain drugs designated as legend drugs in these references. These determinations will be made after public hearing and will be published as an amendment to this chapter.

#### NEW SECTION

**WAC 246-945-031 Ephedrine prescription restrictions.** (1) The commission, under RCW 69.41.075, identifies ephedrine, or any of its salts in a solid or aqueous form normally intended for oral administration, in any quantity, as a legend drug subject to the restrictions of RCW 69.41.030.

(2) The following products containing ephedrine or its salts in the amount of 25 mg. or less per solid dosage unit or per 5 ml. of liquid forms in combination with other ingredients in therapeutic amounts are exempt from subsection (1) of this section:

TRADE NAME	EPHEDRINE CONTENT
1. AMESAC capsule (Russ)	25 mg. ephedrine HCL
2. AZMA AID tablet (Various, e.g., Purepac)	24 mg. ephedrine HCL
3. BRONC-EASE PLUS (Natur-Pharma)	25 mg. ephedrine HCL
4. BRONCHODILATOR AND EXPECTORANT (PDK Labs)	25 mg. ephedrine HCL
5. BRONITIN tablet (Whitehall)	24 mg. ephedrine HCL
6. BRONKAID tablet (Breon)	24 mg. ephedrine sulfate
7. BRONKOLIXER (Sterling Winthrop)	12 mg. ephedrine

TRADE NAME	EPHEDRINE CONTENT
8. BRONKOTABS tablet (Breon)	24 mg. ephedrine sulfate
9. EFEDRON nasal jelly (Hyrex)	0.6% ephedrine HCL in 20 g.
10. MINI THINS asthma relief (BDI Pharmaceuticals)	25 mg. ephedrine
11. PAZO HEMORRHOID suppository (Bristol-Meyers)	3.86 mg. ephedrine sulfate
12. PAZO HEMORRHOID ointment (Bristol-Meyers)	0.2% ephedrine sulfate
13. PRIMATENE tablet (Whitehall)	24 mg. ephedrine HCL
14. PRIMATENE M tablet (Whitehall)	24 mg. ephedrine HCL
15. PRIMATENE P tablet (Whitehall)	24 mg. ephedrine HCL
16. QUELIDRINE (Abbott)	5 mg. ephedrine HCL
17. TEDRAL tablet (Parke-Davis)	24 mg. ephedrine HCL
18. THEODRINE tablet (Rugby)	25 mg. ephedrine HCL
19. VATRONOL nose drops (Vicks Health Care)	0.5% ephedrine sulfate

(3) Ma Huang or other botanical products of genus ephedra used in their natural state and containing 25 mg. or less of ephedrine per recommended dosage as a preparation for human consumption are not legend drugs for the purposes of this section.

(4) Any reformulation of listed products which increases the ephedrine content to more than 25 mg. of ephedrine per solid dosage unit or per 5 ml. of liquid forms shall negate the exemption. The manufacturers of listed products shall notify the commission of any reformulation which increases the ephedrine content to more than 25 mg. of ephedrine per solid dosage unit or per 5 ml. of liquid forms prior to distributing that product in the state of Washington.

(5) Manufacturers of products containing 25 mg. or less of ephedrine per solid dosage unit or per 5 ml. of liquid forms in combination with other ingredients in therapeutic amounts may gain exemption from subsection (1) of this section if, prior to the distributing of any such product in the state of Washington, the manufacturer:

(a) Provides the commission with the formulation of any such product;

(b) Provides the commission samples of all dosage forms in which the product is to be marketed in the packaging in which the product is to be marketed; and

(c) Receives the commission's approval to market such product.

#### NEW SECTION

**WAC 246-945-032 Child-resistant containers.** (1) All legend drugs shall be dispensed in a child-resistant container

as required by federal law or regulation, including 16 C.F.R., Part 1700, unless:

(a) Authorization is received from the prescriber to dispense in a container that is not child-resistant.

(b) Authorization is obtained from the patient or a representative of the patient to dispense in a container that is not child-resistant.

(2) No pharmacist or pharmacy employee may designate themselves as the patient's agent.

#### NEW SECTION

**WAC 246-945-033 Over-the-counter drugs.** Except as provided in 21 C.F.R. 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 commission to be exempt from the provisions of this chapter or has received an exemption from the FDA pursuant to 21 C.F.R. 206.7.

#### NEW SECTION

**WAC 246-945-035 Drug sample prohibitions.** (1) Except as provided in subsection (2) of this section, a pharmacy shall not possess, distribute or dispense legend drug samples.

(2) A pharmacy of a licensed hospital or health care entity which receives and distributes drug samples at the request of an authorized practitioner pursuant to RCW 69.45.050 may possess, distribute or dispense legend drug samples.

#### NEW SECTION

**WAC 246-945-037 Regulated steroids.** The following drugs are classified as steroids for the purposes of RCW 69.41.310. The drugs designated shall include the following and any synthetic derivatives or any isomer, ester, salt, or derivative of the following that act in the same manner on the human body:

- (1) Anabolicum;
- (2) Anadrol;
- (3) Anatrofin;
- (4) Anavar;
- (5) Androxon;
- (6) Andriol;
- (7) Android;
- (8) Bolandiol;
- (9) Bolasterone;
- (10) Boldenone;
- (11) Boldenone undecylenate;
- (12) Bolenol;
- (13) Bolfortan;
- (14) Bolmantalate;
- (15) Cheque;
- (16) Chlorotestosterone;
- (17) Clostebol;
- (18) Deca Durabolin;
- (19) Dehydrochlormethyl-testosterone;
- (20) Delatestyl;
- (21) Dianabol; and

(22) Dihydrolone.

#### NEW SECTION

**WAC 246-945-038 Availability and identity of amygdalin.** (1) Amygdalin (laetrile) may be manufactured and distributed through intrastate commerce in Washington in accordance with all applicable state laws and regulations.

(2) Amygdalin (laetrile) imported into the state of Washington shall be imported in conformity with federal regulations or court decisions.

(3) Under the direction of the commission batches of amygdalin (laetrile) must be made with the costs for required testing, including purity and potency, to be borne by the manufacturer and wholesale distributor. The manufacturer and wholesale distributor is responsible for the quality of the drug product, in accordance with RCW 18.64.270.

#### NEW SECTION

**WAC 246-945-040 Uniform Controlled Substance Act.** (1) The commission adopts 21 C.F.R. as its own. The following sections do not apply: Sec. 1301.13, Sec. 1301.33, Sec. 1301.35-.46, Sec. 1303, Sec. 1308.41-.45, and Sec. 1316.31-.67. Any inconsistencies between 21 C.F.R. Sec. 1300 through 1321 and this chapter should be resolved in favor of this chapter. Nothing in this chapter applies to the production, processing, distribution, or possession of marijuana as authorized and regulated by the Washington state liquor and cannabis board.

(2) Registration. A separate registration is required for each place of business, as defined in 21 C.F.R. Sec. 1301.12, where controlled substances are manufactured, distributed, or dispensed. Application for registration must be made on forms supplied by the commission, and all requested information must be supplied unless the information is not applicable, which must be indicated by the applicant. An applicant for registration must hold the appropriate license provided for in chapter 18.64 RCW.

(3) Recordkeeping and Inventory. Every registrant shall keep and maintain inventory records required by 21 C.F.R. Sec. 1304.04. Registrants are also required to keep a record of receipt and distribution of controlled substances. Records shall include:

(a) Invoices, orders, receipts, or any other document regardless of how titled, establishing the date, supplier, and quantity of drug received, and the name of the drug;

(b) Distribution records, including invoices, or any other document regardless of how titled from wholesalers, manufacturers, or any other entity to which the substances were distributed and prescriptions records for dispensers;

(c) In the event of a significant loss or theft, two copies of DEA 106 (report of theft or loss of controlled substances) must be transmitted to the federal authorities and a copy must be sent to the commission;

(d) For transfers of controlled substances from one dispenser to another, a record of the transfer must be made at the time of transfer indicating the drug, quantity, date of transfer, who it was transferred to, and from whom. Records must be retained by both the transferee and the transferor. These

transfers can only be made in emergencies pursuant to 21 C.F.R. Sec. 1307.11.

(4) Credential holders and pharmaceutical firms shall maintain records for Schedule II drugs separately from all other records.

(5) Credential holders and pharmaceutical firms may maintain records for Schedule III, IV, and V drugs either separately or in a form that is readily retrievable from the business records of the registrant.

(6) A federal order form is required for each distribution of a Schedule I or II controlled substance. Credential holders and pharmaceutical firms must keep and make readily available these forms and other records to the commission or its designee.

#### NEW SECTION

**WAC 246-945-043 Designation of nonnarcotic stimulant drugs for the purposes of RCW 69.50.402 (1)(c).** The commission hereby designates, the following Schedule II controlled substances as nonnarcotic stimulants for purposes of RCW 69.50.402 (1)(c):

(1) Amphetamine sulfate in any of its generic forms.

(2) Dextroamphetamine sulfate in any of its generic forms and under the following brand names:

(a) Dexedrine (SKF);

(b) Dexedrine spansules (SKF).

(3) Dextroamphetamine HCL in any of its generic forms.

(4) Dextroamphetamine tannate in any of its generic forms.

(5) Methamphetamine HCL (Desoxyephedrine HCL) in any of its generic forms and under the following brand name: Desoxyn (Abbott).

(6) Amphetamine complex in any of its generic forms and under the following brand names:

(a) Biphetamine 12 1/2 (Pennwalt);

(b) Biphetamine 20 (Pennwalt).

(7) Combined amphetamines sold under the following brand names: Obetrol-10 and 20 (Obetrol).

(8) Phenmetrazine HCL in any of its generic forms and under the following brand name: Preludin (Boehringer-Ingelheim).

(9) Methylphenidate HCL in any of its generic forms and under the following brand name: Ritalin (Ciba).

(10) Lisdexamfetamine in any of its generic forms and under the following brand name: Vyvanse.

#### NEW SECTION

**WAC 246-945-045 Prescribing, dispensing, or administering of Schedule II nonnarcotic stimulants.** The Schedule II stimulants listed in WAC 246-945-043 may be prescribed, dispensed, or administered to patients for the following disease states or conditions:

(1) Disease states or conditions listed in RCW 69.50.402 (1)(c)(ii); and

(2) Moderate to severe binge eating disorder in adults.

NEW SECTION

**WAC 246-945-047 Sodium pentobarbital registration disciplinary action.** In addition to any criminal or civil liabilities that may occur, the commission may deny, suspend, or revoke registration upon determination that:

(1) The registration was procured through fraud or misrepresentation;

(2) The registrant or any agent or employee of the registrant has violated any of the federal or state laws related to drugs, or has violated any of the rules or regulations of the commission.

NEW SECTION

**WAC 246-945-050 Commission authority to control.** Pursuant to the authority granted to the commission in RCW 69.50.201, the commission has considered the following factors with regards to each of the substances listed in this chapter and in chapter 69.50 RCW:

(1) The actual or relative potential for abuse;

(2) The scientific evidence of its pharmacological effect, if known;

(3) The state of current scientific knowledge regarding the substance;

(4) The history and current pattern of abuse;

(5) The scope, duration, and significance of abuse;

(6) The risk to the public health;

(7) The potential of the substance to produce psychic or psychological dependence liability; and

(8) Whether the substance is an immediate precursor of a substance already controlled under the Uniform Controlled Substances Act (chapter 69.50 RCW).

NEW SECTION

**WAC 246-945-051 Schedule I.** The commission finds that the following substances have high potential for abuse and have no accepted medical use in treatment in the United States or that they lack accepted safety for use in treatment under medical supervision. In addition to the substances scheduled in RCW 69.50.204 the commission places each of the following controlled substances by whatever official name, common or usual name, chemical name, or brand name in Schedule I.

(1) Opiates. Unless specifically exempted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

(a) N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide); some other names: Acetyl fentanyl;

(b) 3,4-Dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers; some other names: U-47700;

(c) 3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide; some other names: AH-7921;

(d) Dextrorphan;

(e) N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide, its isomers, esters, ethers, salts, and salts of isomers, esters,

and ethers; some other names: Acryl fentanyl and acryloylfentanyl;

(f) N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers; some other names: Butyryl fentanyl;

(g) N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers; some other names: Furanyl fentanyl;

(h) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl) isobutyramide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers; some other names: 4-fluoroisobutyryl fentanyl and para-fluoroisobutyryl fentanyl;

(i) N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers; some other names: Beta-hydroxythiofentanyl; and

(j) Propheptazine.

(2) Opium derivatives. Unless specifically exempted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation: Methylhydromorphone.

(3) Hallucinogenic substances. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation. For purposes of this subsection only, the term "isomer" includes the optical, position, and geometric isomers:

(a) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one; some other names: Butylone and bk-MBDB;

(b) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one; some other names: Pentylone and bk-MBDP;

(c) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine; some other names: 2C-P;

(d) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine; some other names: 2C-E;

(e) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine; some other names: 2C-D;

(f) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine; some other names: 2C-N;

(g) 2-(2,5-Dimethoxyphenyl)ethanamine; some other names: 2C-H;

(h) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine; some other names: 25B-NBOME and 2C-B-NBOME;

(i) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine; some other names: 2C-C;

(j) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine; some other names: 25C-NBOME and 2C-C-NBOME;

(k) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine; some other names: 2C-I;

(l) 2-(4-Iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine; some other names: 25I-NBOME and 2C-I-NBOME;

(m) 2,5-dimethoxyamphetamine; some other names: 2,5-dimethoxy-alpha-methylphenethylamine and 2,5-DMA;

(n) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine; some other names: 2C-T-2;

(o) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine; some other names: 2C-T-4;

(p) 3,4-Methylenedioxyamphetaminone; some other names: Methylone;

(q) 3,4-methylenedioxy-N-ethylamphetamine; some other names: N-ethyl-alpha-methyl-3,4(methylenedioxy)-phenethylamine, N-ethyl MDA, MDE, and MDEA;

(r) 3,4-Methylenedioxypropylamphetamine; some other names: MDPV;

(s) 4-bromo-2,5-dimethoxy-amphetamine; Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; some other names: 4-bromo-2,5-DMA;

(t) 4-methoxyamphetamine; some other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine, PMA;

(u) 4-methyl-2,5-diamethoxyamphetamine;

(v) 4-methyl-2,5-dimethoxy-amphetamine; some other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP";

(w) 4-Methylmethcathinone; some other names: Mephedrone;

(x) 5-methoxy-N,N-dimethyltryptamine; some other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole and 5-MeO-DMT;

(y) Alpha-ethyltryptamine; some other names: Etryptamine; monase; a-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; a-ET; and AET;

(z) Beta-keto-N-Methylbenzodioxolylpropylamine; some other names: bk-MBDB and Butylone;

(aa) Ethylamine analog of phencyclidine; some other names: N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl) ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; and PCÉ;

(bb) Ibogaine; some other names: 7-Ethyl-6,6 beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1',2':1,2] azepino [5,4-b] indole; and Tabernanthe iboga;

(cc) Marijuana Extract - Meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, other than the separated resin (whether crude or purified) obtained from the plant;

(dd) N-hydroxy-3,4-methylenedioxyamphetamine; some other names: N-hydroxy-alpha-methyl-3,4(methylenedioxy)-phenethylamine; and N-hydroxy MDA;

(ee) Pyrrolidine analog of phencyclidine; some other names: 1-(1-phenylcyclohexyl)pyrrolidine; PCPy; and PHP;

(ff) Thiophene analog of phencyclidine; some other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienylanalog of phencyclidine; TPCP; TCP.

(4) Stimulants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(a) Cathinone; also known as 2-amino-1-phenyl-1-propanone, alpha-aminopropiophenone; 2-aminopropiophenone; and norephedrone;

(b) N,N-dimethylamphetamine; some other names: N,N-alpha-trimethyl-benzeneethanamine; and N,N-alpha-trimethylphenethylamine.

(5) Cannabimimetic agents and synthetic cannabinoids. Any of the following synthetic cannabimimetics and cannabinoids, commonly known as spice, their salts, isomers, and salts of isomers, unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) (1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)methanone; some other names: UR-144;

(b) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: THJ-2201;

(c) [1-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone; some other names: 5-fluoro-UR-144 and XLR11;

(d) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole; some other names: AM2201;

(e) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole; some other names: AM694;

(f) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole; some other names: JWH-200;

(g) 1-butyl-3-(1-naphthoyl)indole; some other names: JWH-073;

(h) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl) indole; some other names: SR-18 and RCS-8;

(i) 1-hexyl-3-(1-naphthoyl)indole; some other names: JWH-019;

(j) 1-pentyl-3-(1-naphthoyl)indole; some other names: JWH-018 and AM678;

(k) 1-pentyl-3-(2-chlorophenylacetyl)indole; some other names: JWH-203;

(l) 1-pentyl-3-(2-methoxyphenylacetyl)indole; some other names: JWH-250;

(m) 1-pentyl-3-(4-chloro-1-naphthoyl)indole; some other names: JWH-398;

(n) 1-pentyl-3-(4-methyl-1-naphthoyl)indole; some other names: JWH-122;

(o) 1-pentyl-3-[(4-methoxy)-benzoyl]indole; some other names: SR-19 and RCS-4;

(p) 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole; some other names: JWH-081;

(q) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; some other names: CP-47,497;

(r) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol; some other names: Cannabicyclohexanol or CP-47,497 C8-homolog;

(s) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: MDMB-FUBINACA;

(t) Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: 5F-ADB; and 5F-MDMB-PINACA;

(u) Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: 5F-AMB;

(v) Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: MDMB-CHMICA; and MMB-CHMINACA;

(w) N-(1-adamantyl)-1-pentyl-1H-indazole-3-carboxamide; some other names: APINACA and AKB48;

(x) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: ADB-FUBINACA;

(y) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: MAB-CHMINACA; and ADB-CHMINACA;

(z) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide; some other names: ADB-PINACA;

(aa) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide; some other names: AB-FUBINACA;

(bb) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: AB-CHMINACA;

(cc) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: AB-PINACA;

(dd) N-(adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: 5F-APINACA; and 5F-AKB48;

(ee) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate; some other names: 5-fluoro-PB-22; and 5F-PB-22;

(ff) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate; some other names: PB-22; and QUPIC.

(6) Synthetic cathinones, commonly known as bath salts, and its derivatives. Unless specifically exempted or listed in another schedule, any of the following synthetic cathinone and derivatives, their salts, isomers, and salts of isomers, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific designation:

(a) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one; some other names: Naphyrone;

(b) 2-(methylamino)-1-phenylpentan-1-one; some other names: Pentedrone;

(c) 3-fluoro-N-methylcathinone; some other names: 3-FMC;

(d) 4-fluoro-N-methylcathinone; some other names: 4-FMC and flephedrone;

(e) 4-methyl-alpha-pyrrolidinopropiophenone; some other names: 4-MePPP;

(f) 4-methyl-N-ethylcathinone; some other names: 4-MEC;

(g) Alpha-pyrrolidinobutiophenone; some other names: Alpha-PBP;

(h) Alpha-pyrrolidinopentiophenone; some other names: Alpha-PVP;

(i) N-Ethylpentylone, its optical, positional, and geometric isomers, salts, and salts of isomers; some other names: 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one.

**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 246-945-052 Schedule II.** The commission finds that the following substances have a high potential for abuse and have currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions and that the abuse of the following substances may lead to severe psychic or psychological dependence. In addition to the substances listed in RCW 69.50.206, the commission places each of the following drugs and other substances by whatever official name, common or usual name, chemical name, or brand name in Schedule II.

(1) Coca leaves and any salt, compound, derivative, or preparation of coca leaves (including cocaine and ecgonine and their salts, isomers, derivatives and salts of isomers and derivatives), and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including:

(a) Decocainized coca leaves or extractions which do not contain cocaine or ecgonine; or

(b) [123I]ioflupane.

(2) Opiates. Unless specifically exempted or unless in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene exempted: Thiafentanil.

(3) Hallucinogenic substances.

(a) Dronabinol[(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the U.S. Food and Drug Administration;

(b) Nabilone; some other names: (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzol[b,d]pyran-9-one.

(4) Immediate precursors. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances: Immediate precursor to fentanyl: 4-anilino-N-phenethyl-4-piperidine (ANPP).

**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.

NEW SECTION

**WAC 246-945-053 Schedule II immediate precursors.** The commission finds and designates the following substances as being the principal compound used or produced primarily for use and which are an immediate chemical intermediary used or likely to be used, in the manufacture of a Schedule II controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(1) Unless specifically exempted or listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances or their salts or isomers having potential for abuse associated with the preparation of controlled substances shall be a Schedule II controlled substance.

- (a) Anthranilic acid;
- (b) Ephedrine;
- (c) Hydriodic acid;
- (d) Methylamine;
- (e) Phenylacetic acid;
- (f) Pseudoephedrine;
- (g) Methephedrine;
- (h) Lead acetate; and
- (i) Methyl formamide.

(2) Any drug or compound containing ephedrine, or any of its salts or isomers, or pseudoephedrine, or any of its salts or isomers that are prepared for dispensing or over-the-counter distribution and are in compliance with the Federal Food, Drug and Cosmetic Act and applicable regulations are not controlled substances for the purpose of this section.

(3) Any cosmetic containing lead acetate that is distributed in compliance with the Federal Food, Drug and Cosmetic Act and applicable regulations are not controlled substances.

NEW SECTION

**WAC 246-945-054 Schedule III.** The commission finds that the following substances have a potential for abuse less than the substances listed in Schedule I under RCW 69.50.204 and WAC 246-945-051 and Schedule II under RCW 69.50.206 and WAC 246-945-052, and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to moderate or low physical dependency or high psychological dependency. In addition to substances listed in RCW 69.50.208, the commission places each of the following drugs and other substances by whatever official name, common or usual name, chemical name, or brand name in Schedule III.

(1) Depressants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system: Perampanel, and its salts, isomers, and salts of isomers.

(2) Anabolic steroids. The term "anabolic steroid" means any drug or hormonal substance, chemically and pharmacologically related to testosterone, other than estrogens, progestins, and corticosteroids that promotes muscle growth, and includes:

- (a) 17alpha-methyl-3alpha,17beta-dihydroxy-5alpha-androstane;
- (b) 17alpha-methyl-3beta,17beta-dihydroxy-5alpha-androstane;
- (c) 17alpha-methyl-delta1-dihydrotestosterone (17beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) some other names: '17-alpha-methyl-1-testosterone';
- (d) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-dine-3,17-dione);
- (e) Norandrostenediol:
  - (i) 19-nor-4-androstenediol (3alpha, 17beta-dihydroxyestr-4-ene);
  - (ii) 19-nor-4-androstenediol (3beta, 17beta-dihydroxyestr-4-ene);
  - (iii) 19-nor-5-androstenediol (3beta, 17beta-dihydroxyestr-5-ene);
  - (iv) 19-nor-5-androstenediol (3alpha, 17beta-dihydroxyestr-5-ene).
- (f) Norandrostenedione:
  - (i) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
  - (ii) 9-nor-5-androstenedione (estr-5-en-3,17-dione).
- (g) Androstenediol:
  - (i) 3alpha,17beta-dihydroxy-5alpha-androstane;
  - (ii) 3beta,17beta-dihydroxy-5alpha-androstane.
- (h) Boldione (androsta-1,4-dine-3,17-dione);
- (i) Desoxymethyltestosterone (17alpha-methyl-5alpha-androst-2-en-17beta-ol); some other names: 'madol'.
- (j) Mestanolone (17alpha-methyl-17beta-hydroxy-5alpha-androstan-3-one);
- (k) Methasterone (2alpha,17alpha-dimethyl-5alpha-androstan-17beta-ol-3-one);
- (l) Prostanazol (17beta-hydroxy-5alpha-androstan-3-one)[3,2-c]pyrazole).

(m) Any salt, ester, or isomer of a drug or substance described or listed in this paragraph, if that salt, ester, or isomer promotes muscle growth. Except such term does not include an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this subsection.

(3) Exempt anabolic steroid products. The following anabolic steroid products in Table A of this subsection containing compounds, mixtures, or preparations are exempt from the recordkeeping, refill restrictions, and other Controlled Substances Act requirements:

**Table A**

Trade Name	Company	Form	Ingredients	Quantity
Andro-Estro 90-4	Rugby Laboratories, Rockville Centre, NY	Vial	Testosterone enanthate; Estradiol valerate	90 mg/mL; 4 mg/mL

Trade Name	Company	Form	Ingredients	Quantity
Androgyn L.A.	Forest Pharmaceuticals, St. Louis, MO	Vial	Testosterone enanthate; Estradiol valerate	90 mg/mL; 4 mg/mL
Component E-H in process granulation	Ivy Laboratories, Inc., Overland Park, KS	Pail or drum	Testosterone propionate; Estradiol benzoate	10 parts; 1 part
Component E-H in process pellets	Ivy Laboratories, Inc., Overland Park, KS	Pail	Testosterone propionate; Estradiol benzoate	25 mg/2.5 mg/pellet
Component TE-S in process granulation	Ivy Laboratories, Inc., Overland Park, KS	Pail or drum	Trenbolone acetate; Estradiol USP	5 parts; 1 part
Component TE-S in process pellets	Ivy Laboratories, Inc., Overland Park, KS	Pail	Trenbolone acetate; Estradiol USP	120 mg/24 mg/pellet
depANDROGYN	Forest Pharmaceuticals, St. Louis, MO	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Depo-Testadiol	The Upjohn Company, Kalamazoo, MI	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
depTESTROGEN	Martica Pharmaceuticals, Phoenix, AZ	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
DEPTO-T.E.	Quality Research Pharm., Carmel, IN	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Duomone	Wintec Pharmaceutical, Pacific, MO	Vial	Testosterone enanthate; Estradiol valerate	90 mg/mL; 4 mg/mL
DUO-SPAN II	Primedics Laboratories, Gardena, CA	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
DURATESTRIN	W. E. Hauck, Alpharetta, GA	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Essian	Pharmaceutics International Inc., Hunt Valley, MD	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Essian H.S.	Pharmaceutics International Inc., Hunt Valley, MD	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
Esterified Estrogens and Methyltestosterone, USP (0.625 mg/1.25 mg)	Interpharm, Inc.	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
Esterified Estrogens and Methyltestosterone, USP (1.25 mg/2.5 mg)	Interpharm, Inc.	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Esterified Estrogens/ Methyl- testosterone, (0.625 mg/1.25 mg) Tablet	ANDAPharm, LLC	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
Esterified Estrogens/ Methyl- testosterone, (1.25 mg/2.5 mg) Tablet	ANDAPharm, LLC	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Estratest	Solvay Pharmaceuticals, Marietta, GA	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Estratest H.S.	Solvay Pharmaceuticals, Marietta, GA	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
Masculinizing Feed for Fish (Investigational)	Rangen, Inc., Buhl, ID	Plastic Bags	Methyltestosterone	60 mg/kg fish feed

Trade Name	Company	Form	Ingredients	Quantity
Menogen	Sage Pharmaceuticals, Shreveport, LA	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Menogen H.S.	Sage Pharmaceuticals, Shreveport, LA	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
Methyltestosterone and Esterified Estrogens (2.5 mg/1.25 mg)	Lannett Company, Inc.	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Methyltestosterone and Esterified Estrogens (Half Strength) (1.25 mg/0.625 mg)	Lannett Company, Inc.	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
PAN ESTRA TEST	Pan American Labs; Covington, LA	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Premarin with Methyltes- tosterone	Ayerst Labs Inc., New York, NY	TB	Conjugated estrogens; Meth- yltestosterone	0.625 mg; 5.0 mg
Premarin with Methyltes- tosterone	Ayerst Labs Inc., New York, NY	TB	Conjugated estrogens; Meth- yltestosterone	1.25 mg; 10.0 mg
Synovex H in-process bulk pellets	Syntex Animal Health, Palo Alto, CA	Drum	Testosterone propionate; Estradiol benzoate	25 mg; 2.5 mg/pellet
Synovex H in-process gran- ulation	Syntex Animal Health, Palo Alto, CA	Drum	Testosterone propionate; Estradiol benzoate	10 parts; 1 part
Synovex Plus in-process bulk pellets	Fort Dodge Animal Health, Fort Dodge, IA	Drum	Trenbolone acetate; Estradiol benzoate	25 mg; 3.5 mg/pellet
Synovex Plus in-process granulation	Fort Dodge Animal Health, Fort Dodge, IA	Drum	Trenbolone acetate; Estradiol benzoate	25 parts; 3.5 parts
Syntest D.S.	Syntho Pharmaceuticals, Inc.	TB	Esterified estrogens; Methyl- testosterone	1.25 mg; 2.5 mg
Syntest H.S.	Syntho Pharmaceuticals, Inc.	TB	Esterified estrogens; Methyl- testosterone	0.625 mg; 1.25 mg
TEST-ESTRO Cypionates	Rugby Laboratories, Rockville Centre, NY	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Testoderm 4 mg/d	Alza Corp., Palo Alto, CA	Patch	Testosterone	10 mg
Testoderm 6 mg/d	Alza Corp., Palo Alto, CA	Patch	Testosterone	15 mg
Testoderm in-process film	Alza Corp., Palo Alto, CA	Sheet	Testosterone	0.25 mg/cm <sup>2</sup>
Testoderm with Adhesive 4 mg/d	Alza Corp., Palo Alto, CA	Patch	Testosterone	10 mg
Testoderm with Adhesive 6 mg/d	Alza Corp., Palo Alto, CA	Patch	Testosterone	15 mg
Testoderm with Adhesive in-process film	Alza Corp., Palo Alto, CA	Sheet	Testosterone	0.25 mg/cm <sup>2</sup>
Testosterone Cyp 50 Estra- diol Cyp 2	I.D.E.-Interstate, Amityville, NY	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Testosterone Cypio- nate/Estradiol Cypionate Injection	Best Generics, North Miami Beach, FL	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL

Trade Name	Company	Form	Ingredients	Quantity
Testosterone Cypionate/Estradiol Cypionate Injection	Goldline Labs, Ft. Lauderdale, FL	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Testosterone Cypionate/Estradiol Cypionate Injection	Schein Pharmaceuticals, Port Washington, NY	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL
Testosterone Cypionate/Estradiol Cypionate Injection	Steris Labs Inc., Phoenix, AZ	Vial	Testosterone cypionate; Estradiol cypionate	50 mg/mL; 2 mg/mL

**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.

#### NEW SECTION

**WAC 246-945-055 Schedule IV.** The commission finds that the following substances have a low potential for abuse relative to substances in Schedule III under RCW 69.50.208 and WAC 246-945-054, and have currently accepted medical use in treatment in the United States and that the abuse of the substances may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III. In addition to substances listed in RCW 69.50.210, the commission places each of the following drugs and substances by whatever official name, common or usual name, chemical name, or brand name in Schedule IV.

(1) Narcotic drugs. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set in this subsection: 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers, and salts of these isomers (including tramadol).

(2) Depressants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) Alfaxalone;
- (b) Fospropofol;
- (c) Suvorexant.

(3) Any material, compound, mixture, or preparation which contains any quantity of Lorcaserin, including its salts, isomers, and salts of such isomers, wherever the existence of such salts, isomers, and salts of isomers is possible.

(4) Stimulants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers (whether optical, position, or geometric), and salts of such isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) Cathine ((+) - norpseudoephedrine);
- (b) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(5) Other substances. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts: Eluxadoline (5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid) (including its optical isomers) and its salts, isomers, and salts of isomers.

**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.

#### NEW SECTION

**WAC 246-945-056 Schedule V.** The commission finds that the following substances have low potential for abuse relative to substances in Schedule IV under RCW 69.50.210 and WAC 246-945-055 and have currently accepted medical use in treatment in the United States and that the substances have limited physical dependence or psychological dependence liability relative to the substance in Schedule IV. In addition to the substances listed in RCW 69.50.212, the commission places each of the following drugs and substances by whatever official name, common or usual name, chemical name, or brand name in Schedule V.

Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

(1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide); also referred to as BRV; UCB-34714; Briviact;

(2) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)phenyl]-carbamic acid ethyl ester].

(3) Approved cannabidiol drugs. A drug product in finished dosage formulation that has been approved by the U.S. Food and Drug Administration that contains cannabidiol (2-[1R-3-methyl-6R-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol) derived from cannabis and no more than 0.1 percent (w/w) residual tetrahydrocannabinols, also known as Epidiolex.

**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.

#### NEW SECTION

**WAC 246-945-060 Other controlled substance registrants—Requirements.** (1) All persons and firms, except persons exempt from registration, must register with the commission in order to legally possess or use controlled substances.

(2) Persons or firms which are not classified as pharmacies, wholesalers, manufacturers, or researchers will be classified as other controlled substance registrants. Examples of persons or firms in this classification include analytical laboratories, dog handlers/trainers who use dogs for drug detection purposes, school laboratories and other agencies which have a legitimate need to use precursor chemicals as defined in WAC 246-945-053.

(3) The applicant for a controlled substance registration must complete and return an application form supplied by the commission. A list of the controlled substances to be used, the purpose for such use, and the names of the persons authorized to access the controlled substances must be listed on the application or on an addendum.

(4) All controlled substances must be stored in a substantially constructed locked cabinet. The registrant shall maintain records in sufficient detail in order to account for the receipt, use, and disposition of all controlled substances. The registrant shall inventory all controlled substances in the possession of the registrant every two years on the anniversary of the issuances of the registration and shall maintain the inventory list for two years. The registrant shall return unwanted, outdated, or unusable controlled substances to the source from which it was obtained or surrendered to the DEA.

#### NEW SECTION

**WAC 246-945-063 Precursor definitions.** The definitions in this section apply to WAC 246-945-065 through 246-945-088.

(1) "Registered product" means any nonprescription product containing any detectable quantity of ephedrine, pseudoephedrine, and phenylpropanolamine or their salts or isomers, or salts of isomers.

(2) "Retailer" means a pharmacy licensed by, or shop-keeper or itinerant vendor registered with, the department of health under chapter 18.64 RCW that sells, dispenses, or otherwise provides restricted products to purchasers.

(3) "Sale" means the transfer, selling, or otherwise furnishing of any restricted product to any person.

#### NEW SECTION

**WAC 246-945-065 Precursor substance control.** (1) For the purpose of this chapter, in addition to the substances in RCW 69.43.010, a precursor substance is any of the following substances or their salts or isomers:

- (a) Gamma-butyrolactone (GBL); and
- (b) Hydriodic acid.

(2) A precursor substance defined in subsection (1) of this section does not include any drug that contains ephedrine, phenylpropanolamine, or pseudoephedrine or any cosmetic if that drug or cosmetic can be lawfully sold, transferred, or furnished over-the-counter without a prescription or by a prescription under chapter 69.04 or 69.41 RCW.

#### NEW SECTION

**WAC 246-945-070 Reports of precursor receipt.** (1) Any manufacturer, wholesaler, retailer, or any other person who receives from any source outside the state of Washington any precursor substance listed in WAC 246-945-065 or RCW 69.43.010 shall submit a report of such transaction within fourteen days of the receipt of that substance.

(2) The report shall contain the following information:

- (a) Name of substance;
- (b) Quantity received;
- (c) Date received;
- (d) Name and address of firm or person receiving substance; and
- (e) Name and address of the source selling, transferring, or furnishing the substance.

(3) The report shall be on a form approved by the commission. In lieu of an approved form the commission will accept a copy of an invoice, packing list, or other shipping document which contains the information in subsection (2) of this section. Under this option purchase price information appearing on the document can be deleted.

#### NEW SECTION

**WAC 246-945-072 Precursor substance monthly reporting.** (1) A permit holder who regularly transfers the same precursor substance to the same recipient may apply to the commission for authorization to submit the report of said transactions on a monthly basis. Requests for monthly reporting authorization must be received at the commission office at least thirty days prior to the commission meeting at which the request will be considered. The commission will review each request to determine if the requirements of RCW 69.43-010(4), are met and will notify the permit holder of its decision and the reporting format that will be authorized.

(2) A permit holder may also petition the commission to accept the monthly report on a computer-generated basis. The report may be furnished in hard copy, on commission-approved data storage methods or by computer interface with a commission-operated computer. The permit holder is responsible for the accuracy of the report and the prompt correction of any data entry or transmission errors.

(3) The authorization to use monthly reports or computer-generated monthly reports may be rescinded at the commission's discretion and with thirty days' notice.

#### NEW SECTION

**WAC 246-945-075 Suspicious transactions and reporting requirements.** (1) A manufacturer, wholesaler or distributor who sells, transfers, or furnishes a regulated product to any licensee shall report any suspicious transaction in writing to the commission.

(2) For the purpose of this rule, a regulated product is defined as a product specified in RCW 69.43.010(1) or WAC 246-945-065.

(3) For the purposes of this rule, a "suspicious transaction" is defined as any sale or transfer that meets any of the following criteria:

(a) Any sale or transfer that would lead a reasonable person to believe that the substance is likely to be used for the purpose of unlawfully manufacturing a controlled substance under chapter 69.50 RCW, based on such factors as:

- (i) The amount of the substance involved;
- (ii) The method of payment;
- (iii) The method of delivery; or
- (iv) Any past dealings with any participant in the transaction.

(b) Any sale or transfer involving payment for a regulated product in cash or money orders in a total amount of more than two hundred dollars.

(c) Any sale or transfer of a regulated product that meets the criteria identifying suspicious orders in the U.S. Department of Justice, Drug Enforcement Administration, Diversion Control Program Report of the Suspicious Orders Task Force. Copies of the publication are available upon request from the commission.

(d) Any individual sale or transfer of a regulated product that exceeds ten percent of the nonprescription drugs contained in the order.

(e) Any order which contains regulated products and has no additional nonprescription drugs is considered a suspicious transaction.

(4) The written report of a suspicious transaction shall contain, at a minimum, the following information:

- (a) Name, address, and phone number of the manufacturer and/or wholesaler making the report;
- (b) Washington state license number of the wholesaler;
- (c) Washington state unified business identifier (UBI) number of the recipient of the suspicious transaction;
- (d) Trade/brand name of regulated product;
- (e) Generic name of regulated product's active ingredients;
- (f) Name, address and phone number of the recipient of the suspicious transaction;
- (g) Quantity of substance purchased, transferred, or furnished, by number of units and doses per unit;
- (h) Date of purchase or transfer;
- (i) Method of payment of the substance;
- (j) Lot number if available; and
- (k) National Drug Code number if available.

#### NEW SECTION

**WAC 246-945-077 Precursor substance requirements for the sale of a restricted product.** Unless exempted in RCW 69.43.110, a retailer must:

- (1) Verify the purchaser's identity by means of acceptable identification as defined in this chapter;
- (2) Ensure that the purchaser is at least eighteen years of age; and

(3) Record all of the information required in WAC 246-945-078 in the record of transaction before completing the sale.

#### NEW SECTION

**WAC 246-945-078 Record of sales—Electronic methamphetamine precursor tracking.** (1) Unless granted an exemption under RCW 69.43.110 upon the sale or attempted sale of a restricted product, each retailer shall enter and electronically transmit the following information to the methamphetamine precursor tracking system prior to completion of the transaction:

- (a) Sale transaction information including:
    - (i) Date and time of the intended purchase;
    - (ii) Product description;
    - (iii) Quantity of product to be sold including:
      - (A) Total grams of restricted product per box;
      - (B) Number of boxes per transaction.
    - (b) Purchaser's information including:
      - (i) Full name as it appears on the acceptable identification;
      - (ii) Date of birth;
      - (iii) The address as it appears on the photo identification or the current address if the form of photo identification used does not contain the purchaser's address. The address information must include the house number, street, city, state, and zip code;
      - (iv) Form of photo identification presented by the purchaser, including the issuing agency of the acceptable identification, and the identification number appearing on the identification; and
      - (v) Purchaser's signature. If the retailer is not able to secure an electronic signature, the retailer shall maintain a hard copy of a signature logbook consisting of each purchaser's signature and the transaction number provided by the methamphetamine precursor tracking system.
  - (c) The full name or initials of the individual conducting the transaction; and
  - (d) Other information as required by the methamphetamine precursor tracking system database.
- (2) If a transaction occurs during a time when the methamphetamine precursor tracking system is temporarily unavailable due to power outage or other technical difficulties, the retailer shall record the information required in this section in a written logbook for entry into the methamphetamine precursor tracking system within seventy-two hours of the system becoming operational.

#### NEW SECTION

**WAC 246-945-080 Acceptable forms of identification.** Acceptable forms of identification are defined as current foreign, federal, state, or tribal government-issued identification which include the person's photograph, name, date of birth, signature, and physical description. Acceptable forms of identification include, but are not limited to:

- (1) A valid driver's license or instruction permit issued by any U.S. state or foreign government. If the purchaser's driver's license has expired, he or she must also show a valid temporary driver's license with the expired card.

(2) A United States Armed Forces identification card issued to active duty, reserve, and retired personnel and the personnel's dependents.

(3) A merchant marine identification card issued by the United States Coast Guard.

(4) An identification card issued by any foreign, federal, or state government.

(5) An official U.S. passport or an unexpired foreign passport that contains a temporary I-551 stamp.

(6) An enrollment card issued by the governing authority of a federally recognized Indian tribe located in Washington state, if the enrollment card incorporates security features comparable to those implemented by the department of licensing for Washington state drivers' licenses.

#### NEW SECTION

**WAC 246-945-085 Maintenance of and access to retail sales records of restricted products.** (1) The retail sales records required under WAC 246-945-078 are confidential and accessible by the commission and law enforcement agencies. Law enforcement may access the retail sales records for criminal investigations when, at a minimum, there is an articulated individualized suspicion of criminal activity.

(2) Each law enforcement agency's administrator, chief, sheriff, or other chief executive officer shall ensure:

(a) Only authorized employees have access to the databases;

(b) Each employee use his or her unique password or access code to access the databases;

(c) Each employee adheres to all state and federal laws regarding confidentiality; and

(d) As employees change, new passwords or access codes are assigned to new employees and passwords of ex-employees or transferred employees are removed.

(3) Retail sales records of restricted products, electronic or written, must be kept for a minimum of two years.

(4) Retail sales records must be destroyed in a manner that leaves the record unidentifiable and nonretrievable.

#### NEW SECTION

**WAC 246-945-087 Exemptions from electronic reporting.** (1) Pharmacies are exempt from entering purchase information into the methamphetamine precursor tracking system when the sale of products containing ephedrine, pseudoephedrine, or phenylpropanolamine or their salts or isomers, or salts of isomers is sold pursuant to a prescription written by an authorized practitioner.

(2) A retailer must demonstrate "good cause" to qualify for an exemption from electronic reporting requirements. "Good cause" includes, but is not limited to, situations where the installation of the necessary equipment to access the methamphetamine precursor tracking system is unavailable or cost prohibitive to the retailer.

(a) A retailer must submit a written request on a form provided by the commission, which shall include the following information:

(i) The reason for the exemption; and

(ii) The anticipated duration needed for the exemption.

(b) An exemption from electronic reporting may not exceed one hundred eighty days.

(c) A retailer may request additional exemptions by submitting a form defined in this subsection at least thirty days before the current exemption expires. The retailer must show that compliance will cause the business significant hardship.

(d) For all sales transactions involving the sale or attempted sale of a restricted product occurring during the period of an exemption, the retailer shall record into a written logbook, at the time of the sale or attempted sale, the information required under WAC 246-945-078(1).

(e) The written logbook of each sale or attempted sale shall be available for inspection by any law enforcement officer or commission inspector during normal business hours.

#### NEW SECTION

**WAC 246-945-088 Denial of a sale—Override.** (1) The retailer must deny the sale of restricted product to purchasers who are not able to produce acceptable identification or if the sale would violate RCW 69.43.110 or federal law.

(2) In the event that the retailer perceives that refusal of the purchase may place them in imminent physical harm, the retailer may use the database safety override function to proceed with the sale, provided that when the threat is no longer perceived, the retailer must immediately contact local law enforcement to report the incident.

#### **Subpart D - Home Dialysis**

#### NEW SECTION

**WAC 246-945-090 Home dialysis program—Legend drugs.** Pursuant to RCW 18.64.257 and 69.41.032, a medicare-approved dialysis center or facility operating a medicare-approved home dialysis program may sell, deliver, possess or dispense directly to its home dialysis patients in cases or full shelf package lots, if prescribed by a physician, the following legend drugs:

(1) Sterile heparin, 1000 u/mL, in vials;

(2) Sterile potassium chloride, 2 mEq/mL, for injection;

(3) Commercially available dialysate; and

(4) Sterile sodium chloride, 0.9%, for injection in containers of not less than 150 mL.

#### NEW SECTION

**WAC 246-945-091 Home dialysis program—Pharmacist consultant.** Home dialysis programs involved in the distribution of legend drugs as permitted by RCW 18.64.257 and 69.41.032, shall have an agreement with a pharmacist which provides for consultation as necessary. This shall include advice on the drug distribution process to home dialysis patients and on the location used for storage and distribution of the authorized drugs, which shall be reasonably separated from other activities and shall be secure.

NEW SECTION

**WAC 246-945-092 Home dialysis program—Records.** (1) A record of shipment shall be attached to the prescriber's order and shall include:

- (a) The name of the patient;
- (b) Strengths and quantities of drugs;
- (c) The manufacturers' names;
- (d) Date of shipment;
- (e) Names of persons who selected, assembled and packaged for shipment; and
- (f) The name of the pharmacist or designated individual responsible for the distribution.

(2) Prescription and drug distribution records shall be maintained in accordance with WAC 246-945-020.

NEW SECTION

**WAC 246-945-093 Home dialysis program—Quality assurance.** Home dialysis programs involved in the distribution of legend drugs as permitted by RCW 18.64.257 and 69.41.032, shall develop a quality assurance program for drug distribution and shall maintain records of drug distribution errors and other problems, including loss due to damage or theft.

**Subpart E - Compounding**NEW SECTION

**WAC 246-945-100 Compounding minimum standards.** (1) All licensees of the commission must comply, at a minimum, with the following chapters of the United States Pharmacopeia (USP) when engaged in compounding non-sterile and sterile products for patient administration or distribution to a licensed practitioner for patient use or administration:

- (a) USP General Chapter <795> Pharmaceutical Compounding - Nonsterile Preparations;
- (b) USP General Chapter <797> Pharmaceutical Compounding - Sterile Preparations;
- (c) USP General Chapter <800> Hazardous Drugs - Handling in Healthcare Settings; and
- (d) USP General Chapter <825> Radiopharmaceuticals - Preparation, Compounding, Dispensing, and Repackaging.

(2) Copies of the USP General Chapters listed in subsection (1) of this section are available for public inspection at the commission's office at Department of Health, Town Center 2, 111 Israel Road S.E., Tumwater, WA 98501. Requestors may also contact USP directly to obtain copies.

**PART 2 - GENERAL LICENSING**NEW SECTION

**WAC 246-945-145 License required.** An individual providing pharmacy services to individuals located in Washington is required to be credentialed by the commission, unless the individual is providing pharmacy services within the scope of their employment, or affiliation, with a Wash-

ington licensed nonresident pharmacy or the law otherwise permits the practice.

NEW SECTION

**WAC 246-945-150 Applicable forms.** All applications for initial licensure and renewals must be submitted on forms provided by the commission as well as any other required documentation.

**Subpart A - Pharmacy Interns and Pharmacist**NEW SECTION

**WAC 246-945-155 Pharmacy interns—Registration requirements.** (1) Unless otherwise stated, each individual shall register with the commission, as a pharmacy intern before beginning pharmacy practice experiences in Washington state. The commission shall grant a registration to practice pharmacy as a pharmacy intern to an individual who is:

(a) Currently enrolled in a professional degree program of a commission accredited school or college of pharmacy and making satisfactory progress towards meeting the requirements for licensure as a pharmacist;

(b) A graduate of a commission accredited school or college of pharmacy;

(c) A graduate of a school or college of pharmacy located outside the United States who has established educational equivalency by obtaining certification by FPGEC;

(d) Required by the commission to be an intern because the commission has determined the individual needs to complete additional practical experience before a pharmacist license is issued or reissued; or

(e) An out-of-state pharmacist enrolled in or participating in an established residency program.

(2) A pharmacy intern shall practice under the immediate supervision of a licensed pharmacist except in accordance with RCW 18.64.253.

(3) A pharmacy intern registration can only be renewed twice.

(4) The commission may consider a pharmacy intern registration inoperable or superseded if one of the following occurs:

(a) A pharmacy intern has not graduated from and is no longer enrolled or in good standing with a commission accredited school or college of pharmacy.

(b) A pharmacy intern is issued a license to practice as a pharmacist in Washington state or another U.S. jurisdiction.

NEW SECTION

**WAC 246-945-156 Pharmacy intern—Temporary practice permit.** (1) An individual that holds a pharmacy intern registration in another U.S jurisdiction, that has registration standards substantially equivalent to Washington, may request a temporary practice permit if:

(a) The applicant is not subject to denial of a credential or issuance of a conditional or restricted credential in any state;

(b) Does not have a criminal record in Washington state;

- (c) The applicant's fingerprint-based national background check results are pending; and
- (d) The applicant meets WAC 246-945-155 (1)(a) or (b).
- (2) To request a temporary practice permit, the pharmacy intern applicant shall submit a written request for a temporary practice permit, and any applicable fees in accordance with chapter 246-907 WAC.
- (3) A temporary practice permit expires:
  - (a) When the pharmacy intern registration is issued;
  - (b) When a notice of decision on the pharmacy intern registration application is mailed to the applicant; or
  - (c) Ninety days after the temporary practice permit is issued. The applicant may obtain a one-time extension of up to ninety days with approval of the commission.

NEW SECTION**WAC 246-945-162 Pharmacist license qualifications.**

(1) In addition to the requirements in RCW 18.64.080, an applicant for a pharmacist license who holds a baccalaureate degree in pharmacy or a doctor of pharmacy degree from a commission accredited school or college of pharmacy shall submit documentation of education and practice experience as follows:

(a) An applicant who graduated before July 1, 2020, whose official transcripts confer or award a baccalaureate of pharmacy or doctorate of pharmacy degree shall provide certification of at least fifteen hundred pharmacy internship hours in accordance with WAC 246-945-163.

(b) An applicant who graduates after July 1, 2020, whose official transcripts confer or award a doctorate of pharmacy is deemed to have satisfied the pharmacy practice experience and education requirements for licensure without documentation of internship hours.

(2) An applicant for a pharmacist license whose academic training in pharmacy is from institutions in foreign countries shall:

(a) Achieve certification by FPGEC including:

(i) Passing FPGEE;

(ii) Passing required TOEFL iBT;

(b) Provide official transcripts or diploma that shows a baccalaureate of pharmacy or doctorate of pharmacy degree is awarded or conferred; and

(c) Certification of a minimum of fifteen hundred pharmacy internship hours in accordance with WAC 246-945-163.

(3) An applicant for a pharmacist license shall take and pass pharmacist licensure examinations as defined in WAC 246-945-165.

(4) An applicant for a pharmacist license shall provide proof of completion of seven hours of AIDS education as required in chapter 246-12 WAC, Part 8. The applicant is exempt from this requirement if they are a graduate of a commission accredited school or college of pharmacy because the curriculum satisfies this requirement.

NEW SECTION**WAC 246-945-163 Certification of internship hours.**

Hours reported to the commission under WAC 246-945-162, 246-945-173, and 246-945-175, shall occur as follows:

- (1) Hours must be completed within eighteen months from the date of graduation;
- (2) From a commission accredited school or college of pharmacy, U.S. jurisdiction board or commission or the supervising pharmacist at the internship site;
- (3) Hours shall be reported thirty days after the completion of any internship experience;
- (4) The documentation must include the supervising pharmacist's evaluation and certification of internship hours, and an intern site evaluation;
- (5) If the report of hours submitted to the commission indicates that the intern has not adequately performed the practice of pharmacy, the commission may reject all or part of the hours reported.

NEW SECTION

**WAC 246-945-165 Pharmacist licensure and jurisprudence examinations.** (1) Upon authorization by the commission or its designee, an individual applying for a pharmacist license shall take and pass a pharmacy licensure examination and jurisprudence examination approved by the commission.

(2) A score of seventy-five or higher is required to pass each of the examinations.

(3) An individual who fails the licensure examination or jurisprudence examination three times shall not be authorized for further examination until they have satisfactorily completed a study or tutorial program approved by the commission.

(4) An applicant for a pharmacist license who has passed an approved licensure examination in another state may transfer their score to Washington to meet the commission's requirement to take and pass a commission approved pharmacy licensure examination if:

(a) The applicant meets the requirements in WAC 246-945-162; and

(b) The applicant completes the application process to receive a pharmacist license before the score transfer expires. The score transfer application will expire one year from the date the department receives the score transfer application.

NEW SECTION

**WAC 246-945-170 Pharmacist licensure by license transfer—Temporary practice permits.** (1) An individual who holds an active pharmacist license, in good standing, issued by another U.S. jurisdiction may apply for a pharmacist license in Washington by license transfer. In addition to the completion of the commission's application, the applicant must:

(a) File for license transfer using the NABP eLTP process; and

(b) Take and pass the approved jurisprudence examination.

(2) A temporary practice permit to practice pharmacy may be issued to an applicant for a pharmacist license by license transfer if the applicant meets all of the requirements and qualifications in subsection (1) of this section, and the following criteria are met:

(a) The applicant is not subject to denial of a credential or issuance of a conditional or restricted credential in any U.S. jurisdiction;

(b) Does not have a criminal record in Washington state;

(c) The applicant's fingerprint-based national background check results are pending; and

(d) To request a temporary practice permit, the applicant shall submit a written request for a temporary practice permit, and pay the applicable fees in accordance with chapter 246-907 WAC.

(3) A temporary practice permit expires:

(a) When the pharmacist license is issued;

(b) When a notice of decision on the pharmacist license application is mailed to the applicant; or

(c) One hundred eighty days after the temporary practice permit is issued. The applicant may obtain a one-time extension of one hundred eighty days with approval of the commission.

(4) A temporary practice permit holder cannot qualify as a responsible pharmacy manager.

#### NEW SECTION

**WAC 246-945-173 Expired pharmacist license.** To return to active status a pharmacist with an expired license shall pay the applicable fees in accordance with chapter 246-907 WAC and:

(1) If the pharmacist license has been expired for less than three years the pharmacist shall meet the requirements of chapter 246-12 WAC, Part 2 and fifteen CPE hours per year the license has been expired.

(2) If the pharmacist license has been expired for three years or more, and the pharmacist holds an active credential in another U.S. jurisdiction, and is in good standing, the pharmacist shall:

(a) Meet the requirements in chapter 246-12 WAC, Part 2;

(b) Provide certification of an active pharmacist license which includes:

(i) Name and license number;

(ii) Issue and expiration date; and

(iii) Verification that the license has not been the subject of final or pending disciplinary action.

(c) Submit verification of current active pharmacy practice from another U.S. jurisdiction; and

(d) Take and pass the commission approved jurisprudence examination.

(3) If a pharmacist license has been expired for three years or more, and the pharmacist has not been in active practice in another U.S. jurisdiction, the pharmacist shall:

(a) Meet the requirements of chapter 246-12 WAC, Part 2;

(b) Serve an internship of three hundred hours in compliance with WAC 246-945-163; and

(c) Take and pass the commission approved jurisprudence and licensure examinations.

#### NEW SECTION

**WAC 246-945-175 Inactive pharmacist license.** (1) A pharmacist may obtain an inactive license by meeting the requirements of WAC 246-12-090 and RCW 18.64.140.

(2) An inactive license can be renewed in accordance with chapter 246-907 WAC.

(3) If a license is inactive for three years or less, to return to active status a pharmacist shall meet the requirements of chapter 246-12 WAC, Part 4.

(4) If a license is inactive for more than three years, and the pharmacist has been in active practice in another U.S. jurisdiction, to return to active status the pharmacist must:

(a) Provide certification of an active pharmacist license which includes:

(i) Name and license number;

(ii) Issue and expiration date; and

(iii) Verification that the license has not been the subject of final or pending disciplinary action.

(b) Submit verification of current active pharmacy from another U.S. jurisdiction;

(c) Meet the requirements of chapter 246-12 WAC, Part 4; and

(d) Take and pass the commission approved jurisprudence examination.

(5) If a pharmacist license has been inactive for more than three years, and the pharmacist has not been in active practice in another U.S. jurisdiction, to return to active status, the pharmacist shall comply with the requirements of WAC 246-945-173(3).

#### NEW SECTION

##### **WAC 246-945-178 Pharmacist continuing education.**

(1) As part of the process to renew a pharmacist license, a pharmacist shall complete CPE in compliance with this section.

(2) A pharmacist shall complete the equivalent of 3.0 of CPE hours (equal to thirty contact hours) administered by an ACPE accredited provider each license renewal cycle.

(3) A pharmacist shall register with a program designated by the commission for tracking completed CPE hours.

(4) A pharmacist shall complete a one-time training in suicide screening and referral by the end of the first full renewal cycle after initial licensure. The training must meet the following requirements:

(a) Be at least three hours long;

(b) Be from the department of health's model list of approved suicide prevention training programs, and include content related to imminent harm via lethal means; and

(c) The hours spent completing the training in this subsection may count toward meeting CPE requirements.

(5) CPE hours cannot be carried over to the next renewal cycle.

#### NEW SECTION

**WAC 246-945-180 Nuclear pharmacist endorsement.** To receive a nuclear pharmacist endorsement, a pharmacist must:

(1) Be licensed to practice in Washington;

(2) Meet minimal standards of training and experience in the handling of radioactive materials in accordance with WAC 246-240-075 and submit to the commission proof of compliance; and

(3) Receive a letter of recognition as a nuclear pharmacist from the commission.

### Subpart B - Pharmacy Assistants and Technicians

#### NEW SECTION

**WAC 246-945-200 Pharmacy assistants.** (1) To become registered as a pharmacy assistant an applicant shall submit an application to the commission that meets the requirements of chapter 246-12 WAC, Part 2.

(2) An initial applicant shall complete four hours of AIDS education as required in chapter 246-12 WAC, Part 8.

(3) The supervising pharmacist, shall instruct the pharmacy assistant regarding their scope of practice.

(4) To renew a registration a pharmacy assistant shall submit an application to the commission with the applicable fees in accordance with chapter 246-907 WAC.

#### NEW SECTION

**WAC 246-945-203 Pharmacy technician-in-training authority for experiential training.** (1) An individual who is enrolled in a commission-approved pharmacy-technician training program shall obtain an endorsement for experiential training in a pharmacy for:

(a) Initial certification; or

(b) As required by the commission to complete additional practice experience before a pharmacy technician certification is issued, renewed, or reactivated.

(2) An individual with a technician in training endorsement may only work in that capacity at those sites identified on the application.

(3) Before beginning the pharmacy-technician training program the individual shall submit an application to the commission to become certified as a pharmacy assistant. The application must include verification of enrollment in a commission-approved pharmacy-technician education and training program.

(4) The commission may consider the pharmacy technician-in-training authority inoperable or superseded if one of the following occurs:

(a) A pharmacy technician certification is issued;

(b) A pharmacy technician-in-training is no longer enrolled or in good standing with a commission-approved training program; or

(c) A pharmacy technician-in-training does not complete a training program within two years of entering a technician-in-training program, unless otherwise authorized by the commission.

#### NEW SECTION

**WAC 246-945-205 Pharmacy technician certification.** (1) An applicant for a pharmacy technician certification shall be eighteen years of age and hold a high school diploma or GED.

(2) To be issued a certification as a pharmacy technician an applicant shall meet the qualifications in RCW 18.64A.020, and:

(a) Provide proof of completion of eight hours of guided study of Washington state and federal pharmacy law. The law study shall be done in coordination and oversight of a Washington licensed pharmacist.

(b) Provide proof of four hours of AIDS education as required in chapter 246-12 WAC, Part 8, the applicant is exempt if they have completed a commission-approved training program whose program materials on file with the commission office document four hours of AIDS education.

(c) Provide proof of successful completion of a commission-approved pharmacy-technician training program WAC 246-945-215. Acceptable documentation includes:

(i) On-the-job training program. Successful completion of didactic and practice experience signed by the program director on a form provided by the commission; or

(ii) Formal academic or college programs. Official transcripts of completion of a diploma or certificate program at a pharmacy technician school or a two-year associate degree program, which shall include evidence of practice training hours; or

(iii) Certificate of Release or Discharge from Active Duty, DD214 documenting evidence of pharmacy technician training provided by a branch of the federal armed services.

(d) Pass a national certification examination approved by the commission within one year of completing a commission-approved training program and applying for certification, unless otherwise authorized by the commission.

(3) An applicant who is a graduate of a foreign school, university or college of pharmacy or medicine, whose professional degree program is approved by the commission shall complete the following:

(a) If English is not the primary language, the applicant shall take and pass TOEFL iBT;

(b) Complete five hundred twenty hours of supervised experience under the supervision of a licensed pharmacist with training hours reported using forms provided by the commission; and

(c) Pass a national certification examination approved by the commission.

(4) An out-of-state pharmacy technician applicant must meet the same requirements as a pharmacy technician trained in Washington state.

#### NEW SECTION

**WAC 246-945-210 Pharmacy technician—Temporary practice permit—Military spouse eligibility and issuance.** A military spouse or state registered domestic partner of a member of the military may receive a temporary practice permit while completing any specific additional requirements that are not related to training or practice standards for a pharmacy technician certification. The commission adopts the procedural rules as adopted by the department of health in WAC 246-12-051.

NEW SECTION

**WAC 246-945-215 Pharmacy technician education and training programs.** A pharmacy technician-training program must meet the minimum requirements of this section and be approved by the commission.

(1) A pharmacy technician-training program shall be considered approved by the commission if it is accredited, approved, or administered by:

- (a) The American Society of Health-System Pharmacists (ASHP);
- (b) The Accreditation Council for Pharmacy Education;
- (c) Pharmacy Technician Certification Board; or
- (d) The United States Armed Forces.

(2) A pharmacy technician education and training program not covered by subsection (1) of this section shall be considered meeting the requirements of RCW 18.64A.020 and approved by the commission if it meets the following minimum requirements:

(a) Prepare students for entry-level practice in a variety of settings including, but not limited to, community, hospital, and long-term care, this shall include:

(i) Orientation to pharmacy practice. Health care delivery systems, broad definitions of pharmacy practice and practice settings, communication techniques, confidentiality of information and safety considerations;

(ii) Basic pharmaceuticals. Medical and pharmaceutical terminology and abbreviations, components of a prescription and patient medication record, drug dosage forms, routes of administration and drug product packaging, weighing and measuring, labeling, drug nomenclature, aseptic techniques, drug storage and handling, and drug standard and information sources;

(iii) Federal and state regulations. A minimum of eight hours in principles of applicable state and federal pharmacy laws, rules, regulations, guidelines, and interpretive statements; and

(iv) Pharmaceutical calculations. Basic mathematics including: Fractions, decimals, percentages, proportions, and weights and measures.

(b) Include a multicultural health curriculum as required by RCW 43.70.615.

(c) Have a pharmacist program director that is accountable for the overall quality of the program.

(d) Include minimum hours of education and training that extends over a period of fifteen weeks but under twenty-four months, and includes at a minimum:

(i) For vocational or technical training eight hundred hours which includes one hundred sixty hours supervised practice experience.

(ii) For formal or academic training programs two academic quarters with thirty credit hours each and includes one hundred sixty supervised practice experience.

(iii) On-the-job training of at least five hundred twenty hours with twelve hours of instructive education.

(3) To be approved by the commission a program must provide to the commission:

- (a) A complete application;
- (b) The name of a designated licensed pharmacist as program director;
- (c) A list or copies of training manuals and reference;

(d) Content of instruction;

(e) Methods for evaluating trainees; and

(f) Verification of eight hours of pharmacy law study.

(4) Except for programs listed in subsection (1) of this section, a pharmacy technician-training program must renew every five years.

(5) Any substantive changes to the program or change in program director must be reported to the commission within thirty calendar days.

NEW SECTION

**WAC 246-945-217 Expired pharmacy technician certification.** To return to active status a pharmacy technician with an expired certification shall pay the applicable fees in accordance with chapter 246-907 WAC, and:

(1) If a pharmacy technician's certification has expired for five years or less, the pharmacy technician shall meet the requirements of chapter 246-12 WAC, Part 2.

(2) If the pharmacy technician's certification has expired for over five years and they have not been in active practice in another U.S. jurisdiction, the pharmacy technician shall:

(a) Complete the requirements for certification under WAC 246-945-205; and

(b) Meet the requirements of chapter 246-12 WAC, Part 2.

(3) If the pharmacy technician's certification has expired for over five years and they have been in an active practice in another U.S. jurisdiction with duties that are substantially equivalent to a pharmacy technician in Washington state, the pharmacy technician shall:

(a) Submit verification of current active pharmacy practice in another U.S. jurisdiction; and

(b) Meet the requirements of chapter 246-12 WAC, Part 2.

NEW SECTION

**WAC 246-945-220 Pharmacy technician—Continuing education.** (1) As part of the process to renew a pharmacy technician license, a pharmacy technician shall complete continuing pharmacy education (CPE) in compliance with this section.

(2) A pharmacy technician shall complete 2.0 CPE hours (equal to twenty contact hours) administered by an ACPE accredited program each certification renewal period.

(3) A pharmacy technician shall register with a program designated by the commission for tracking completed CPE hours.

(4) CPE hours cannot be carried over to the next renewal cycle.

**Subpart C - Pharmaceutical Firm Licensing**NEW SECTION

**WAC 246-945-230 General information, change of location, ownership or new construction.** (1) The definitions in this subsection apply throughout WAC 246-945-230 through 246-945-247 unless otherwise specified:

(a) "License" includes "licensing," "licensure," "certificate," "certification," and "registration."

(b) "Facility" includes pharmacies, nonresident pharmacies, health care entities, hospital pharmacy associated clinics, wholesalers, and manufacturers.

(2) The commission shall license a facility that:

(a) Submits a completed application for the license applied for on forms provided by the commission;

(b) Pays the applicable fees in accordance with chapter 246-907 WAC. This fee will not be prorated under any circumstances;

(c) Undergoes an inspection by the commission if the facility is located in Washington pursuant to WAC 246-945-005 that results in either no deficiencies or an approved plan of correction; and

(d) Obtains a controlled substances registration from the commission and is registered with the DEA if the facility intends to possess or distribute controlled substances.

(3) Once an initial license is issued, a licensed facility must:

(a) Notify the commission and pay a facility inspection fee in lieu of paying an original license fee for modifications or remodels. A modification or remodel of a pharmacy location includes changes to a previously approved area, room or pharmacy building which result in changes in the pharmacy that affects security, square footage, access to drugs, compounding or necessitates temporary relocation of pharmacy services.

(b) Submit a new application on forms provided by the commission and pay the original license fee as established in chapter 246-907 WAC if the facility changes location to a different address. If located in Washington, a facility may not relocate prior to the inspection of the new premises.

(c) Notify the commission and pay the original license fee in accordance with chapter 246-907 WAC whenever there is a change of ownership. Change in ownership includes changes in business or organizational structure such as a change from sole proprietorship to a corporation, or a change of more than fifty percent ownership in a corporation.

(i) Upon receipt of a change of ownership application and fees, the purchaser may begin operations prior to the issuance of a new pharmacy license only when the purchaser and seller have a written power of attorney agreement. This agreement shall delineate that violations during the pending application process shall be the sole responsibility of the seller.

(ii) This agreement shall be provided to the commission upon request.

(d) Notify the commission within thirty days of any changes to the information provided on their application.

(e) Notify the commission of any changes in their responsible pharmacy manager in accordance with WAC 246-945-480, if a responsible pharmacy manager is required for initial licensure.

(f) Renew their license in accordance with chapter 246-907 WAC.

(4) A license is issued to a location and is not transferable.

#### NEW SECTION

**WAC 246-945-232 Pharmacy licensing.** The commission shall issue a pharmacy license to an applicant that:

(1) Is in compliance with WAC 246-945-230;

(2) Has a designated responsible pharmacy manager; and

(3) If a pharmacy is new or remodeled, the applicant has provided the commission evidence of being built or remodeled in accordance with all building, health, and fire codes required for the particular area.

#### NEW SECTION

**WAC 246-945-233 Hospital pharmacy associated clinics.** (1) A parent hospital pharmacy may add or delete a hospital pharmacy associated clinic (HPAC) to a hospital pharmacy license at any time in compliance with WAC 246-945-230 (2)(a), (b), and (d).

(2) The HPAC must designate a responsible pharmacy manager and notify the commission of changes.

(3) HPAC locations are identified as follows:

(a) Category 1 HPAC: Receives drugs transferred from the parent hospital pharmacy to the HPAC and does not perform sterile or nonsterile compounding of drugs.

(b) Category 2 HPAC: Receives drugs transferred from the parent hospital pharmacy to the HPAC and performs sterile or nonsterile compounding of drugs.

(4) A HPAC licensed under the parent hospital pharmacy license must obtain a separate DEA registration in order to possess controlled substances.

#### NEW SECTION

**WAC 246-945-235 Nonresident pharmacy license.** The commission shall issue a nonresident pharmacy license to an applicant that:

(1) Provides all information required by RCW 18.64.360;

(2) Is in compliance with WAC 246-945-230;

(3) Has identified a responsible pharmacy manager, whose license is in good standing in the U.S. jurisdiction in which they are located; and

(4) Has provided to the commission proof that its resident license is in good standing.

#### NEW SECTION

**WAC 246-945-245 Health care entity license.** (1) The commission shall issue a health care entity license to an applicant that:

(a) Is in compliance with WAC 246-945-230; and

(b) Has designated a responsible pharmacy manager.

(2) An organization (e.g., a clinic) must obtain a separate license for each of its locations. One organization occupying multiple suites in one facility is deemed to be occupying one location requiring one license. Separate organizations occupying the same location must obtain separate licenses.

NEW SECTION

**WAC 246-945-246 Wholesaler.** (1) Every wholesaler who engages in wholesale distribution into, out of, or within Washington state must be licensed by the commission before engaging in wholesale distribution of drugs. Entities required to be licensed as a wholesaler includes:

- (a) In-state and out-of-state pharmaceutical wholesalers;
- (b) Out-of-state manufacturer that distribute or sell drugs into Washington;
- (c) Virtual wholesalers;
- (d) Out-of-state virtual manufacturers that distribute or sell drugs into Washington;
- (e) Outsourcing facilities required to be registered with the FDA as an outsourcing facility as defined in 21 U.S.C. Sec. 353b(d)(4)(A) that are located in Washington, or distribute or sell drugs into Washington; and

(f) Reverse distributors.

(2) The commission may issue a wholesaler license to an applicant that is in compliance with the requirements in WAC 246-945-230 and this section.

(3) In addition to the requirements in subsection (2) of this section if the applicant is located outside of Washington, the applicant must provide:

(a) A copy of a site inspection conducted by the regulatory authority in the resident U.S. jurisdiction or third-party inspection program recognized by the commission within the last two years and every two years with the distributor's renewal;

(b) A copy of the resident state license; and

(c) A list of licenses, registrations, permits or certificates held in other U.S. jurisdictions.

(4) In addition to the requirements in subsection (2) of this section if the applicant plans to export noncontrolled drugs to persons in a foreign jurisdiction, the applicant must provide letters from the consulate of the country to which the drugs are exported and should verify consignee receiving such drugs is legally entitled in that country to receive them, if applicable. These letters shall be made available to the commission upon its request. The issuance of an export wholesaler license does not authorize delivery of drugs in the United States.

(5) Minimum qualifications. The commission shall consider, at a minimum, the following factors in reviewing the qualifications of individuals who engage in wholesale distribution of prescription drugs within the state:

(a) Any convictions of the applicant under any federal, state, or local laws relating to drug samples, wholesale, or retail drug distribution, or distribution of controlled substances;

(b) Any felony convictions of the applicant under federal, state, or local laws;

(c) The applicant's past experience in the manufacture or distribution of prescription drugs, including controlled substances;

(d) Any false or fraudulent material furnished by the applicant on any application made in connection with drug manufacturing or distribution;

(e) Suspension or revocation by federal, state, or local government of any license currently or previously held by the

applicant for the manufacture or distribution of any drugs, including controlled substances;

(f) Compliance with licensing requirements under any previously granted licenses;

(g) Compliance with requirements to maintain and make available to the commission, federal, state, or local enforcement officials those records required to be maintained by wholesale drug distributors; and

(h) Any other factors or qualifications the commission considers relevant to and consistent with public health and safety.

(6) When operations are conducted at more than one location by a single wholesale distributor, each location shall be licensed by the commission.

NEW SECTION

**WAC 246-945-247 Pharmaceutical manufacturer license.** (1) An entity located in Washington state that manufactures drugs must be licensed by the commission in accordance with the laws and regulations of Washington state before engaging in manufacturing.

(2) The commission shall issue a manufacturer license to an applicant that is in compliance with the requirements in WAC 246-945-230.

(3) When operations are conducted at more than one location by a single manufacturer, each location shall be licensed by the commission.

**Subpart D - Commission Registrations**NEW SECTION

**WAC 246-945-250 Researcher and other controlled substance registration.** (1) Applicants for initial registration and renewal for researcher or other controlled substance registrations shall submit to the commission a complete application with fees relevant to the registration type.

(a) Researcher:

(i) Noncontrolled legend drugs; or

(ii) Researchers requiring to purchase, possess, administer or dispense controlled substances shall apply for a controlled substance authority on its license with the commission and register with the DEA.

(b) Other controlled substance registrations:

(i) Opioid treatment programs;

(ii) Analytical laboratories;

(iii) Dog handler; and

(iv) Other agencies who have demonstrated a legitimate need to use precursor chemicals.

(2) The application shall:

(a) List all legend drugs and controlled substances to be used and the purpose for its use;

(b) Name the primary registrant; and

(c) List the names of the individuals authorized to access the controlled substances.

(3) Applicants shall undergo an initial inspection and periodic inspections as deemed appropriate by the commission.

NEW SECTION

**WAC 246-945-253 Shopkeeper registration.** (1) A shopkeeper registration is issued to a business license authorizing the holder to purchase, possess, and sell over-the-counter medications as defined in RCW 18.64.044 and chapter 69.43 RCW, if applicable.

(2) A business entity with a licensed pharmacy with different operating hours shall hold a shopkeeper registration to acquire, possess, and sell over-the-counter medications when the pharmacy is closed.

NEW SECTION

**WAC 246-945-254 Animal control and humane society registration.** (1) Humane societies and animal control agencies registered with the commission under RCW 69.50.-310 may purchase, possess, and administer sodium pentobarbital and approved legend drugs as provided in RCW 69.41.-080.

(2) To apply for registration, a humane society or animal control agency shall submit to the commission a completed application for registration on forms provided by the commission and undergo an initial inspection.

(3) The registered agency shall designate an individual responsible for maintaining all records and submitting all reports required by applicable federal or state law or rule.

(4) The registered agency shall provide to the commission a list of staff trained and authorized to administer approved drugs.

NEW SECTION

**WAC 246-945-255 Chemical capture—Department of fish and wildlife.** (1) The department of fish and wildlife may apply to the commission for a limited registration under chapters 69.50 and 69.41 RCW to purchase, possess, and administer controlled substances and legend drugs for use in chemical capture programs.

(2) Each department of fish and wildlife field office that stores controlled substances or legend drugs must register with the commission. The department of fish and wildlife must notify the commission of the names of individuals who are authorized to possess and administer controlled substances and legend drugs.

(3) The department of fish and wildlife shall designate one individual at each field office who shall be responsible for the ordering, possession, safe storage, and utilization of controlled substances and legend drugs. The department of fish and wildlife shall notify the commission of the name of the designated individual.

**PART 3 - PROFESSIONAL STANDARDS**NEW SECTION

**WAC 246-945-305 Pharmacist's professional responsibilities.** (1) A pharmacist shall be knowledgeable of, and comply with, all applicable rules and laws.

(2) A pharmacist is responsible for providing patients with safe and appropriate medication therapy.

(3) A pharmacist shall be responsible for any delegated act performed by pharmacy interns, pharmacy technicians, and pharmacy assistants under their supervision.

(4) A pharmacist shall delegate pharmacy functions in accordance with WAC 246-945-315.

NEW SECTION

**WAC 246-945-310 Responsible pharmacy manager.** The responsible pharmacy manager must be licensed to practice pharmacy in the state of Washington. The responsible pharmacy manager designated by a facility as required under WAC 246-945-410 shall have the authority and responsibility to assure that the area(s) within the facility where drugs are stored, compounded, delivered, or dispensed are operated in compliance with all applicable state and federal statutes and regulations.

NEW SECTION

**WAC 246-945-315 Delegation of pharmacy functions to pharmacy ancillary personnel.** (1) All delegated pharmacy functions shall be performed under a pharmacist's immediate supervision. A pharmacist, as an adjunct to assist in the immediate supervision of the pharmacy ancillary personnel or intern, may employ technological means to communicate with or observe the pharmacy ancillary personnel or intern. A pharmacist shall make certain all applicable state and federal laws including, but not limited to, confidentiality, are fully observed when employing technological means of communication and observation. If technology is being used to provide immediate supervision of pharmacy ancillary personnel or intern such technology shall be sufficient to provide the personal assistance, direction and approval required to meet the standard of practice for the delegated tasks.

(2) When delegating a pharmacy function to a pharmacy technician:

(a) A pharmacist shall consider the pharmacy technician's scope of practice, education, skill, and experience and take them into account; and

(b) A pharmacist will not delegate a pharmacy function that is listed in WAC 246-945-320.

(3) A pharmacist may delegate to a pharmacy assistant those functions defined in RCW 18.64A.030 and the following:

(a) Prepackage and label drugs for subsequent use in prescription dispensing operations; and

(b) Count, pour, and label for individual prescriptions.

NEW SECTION

**WAC 246-945-317 Tech check tech.** (1) "Verification" as used in this section means the pharmacist has reviewed a patient prescription initiated by an authorized prescriber, has examined the patient's drug profile, and has approved the prescription after taking into account pertinent drug and disease information to ensure the correctness of the prescription for a specific patient. The verification process must generate an audit trail that identifies the pharmacist. The pharmacist who performs the verification of a prescription is responsible for

all reports generated by the approval of that prescription. The unit-dose medication fill and check reports are an example.

(2) A pharmacist may allow for unit-dose medication checking. Following verification of a prescription by the pharmacist, a technician may check unit-dose medication cassettes filled by another pharmacy technician or pharmacy intern in pharmacies serving facilities licensed under chapter 70.41, 71.12, 71A.20, or 74.42 RCW. No more than a forty-eight hour supply of drugs may be included in the patient medication cassettes and a licensed health professional must check the drug before administering it to the patient.

#### NEW SECTION

**WAC 246-945-320 Nondelegable tasks.** (1) A pharmacist shall not delegate the following to ancillary personnel:

(a) Receipt or transfer of a verbal prescription other than refill authorization from a prescriber.

(b) Consultation with the patient regarding the prescription, both prior to and after the prescription filling regarding any information contained in a patient medication record system; however, this shall not prohibit pharmacy ancillary personnel from providing to or receiving from the patient or the patient's agent certain information where no professional judgment is required.

(c) Consultation with the prescriber regarding the patient and the patient's prescription.

(d) Interpretation of data in a patient medication record system.

(e) Ultimate responsibility for all aspects of the completed prescription and assumption of the responsibility for the filled prescription, such as: Accuracy of drug, strength, labeling, proper container and other requirements.

(f) Patient counseling in accordance with WAC 246-945-325.

(g) Substitution of a biological or drug product in accordance with WAC 246-945-340.

(h) Decision to not dispense lawfully prescribed drugs or devices or to not distribute drugs and devices approved by the FDA for restricted distribution by pharmacies.

(i) Prescription adaptation in accordance with WAC 246-945-335.

(2) A pharmacy intern can perform any pharmacy function based on their education, skill and experience, except supervising other pharmacy personnel.

#### NEW SECTION

**WAC 246-945-325 Patient counseling.** (1) The pharmacist shall offer to counsel:

(a) Upon the initial fill of a prescription for a new or change of therapy.

(b) When the pharmacist using their professional judgment determines counseling is necessary to promote safe and effective use and to facilitate an appropriate therapeutic outcome for that patient.

(2) This does not apply to medications that are administered by a licensed health professional acting within their scope of practice.

#### NEW SECTION

**WAC 246-945-330 Refilling prescriptions.** (1) A prescription may be refilled when permitted by state and federal law and only as authorized by the prescriber.

(2) Except as provided in subsection (1) of this section, a pharmacist may renew a prescription for a noncontrolled legend drug one time in a six-month period when an effort has been made to contact the prescriber and they are not available for authorization under the following conditions:

(a) The amount dispensed is the quantity on the most recent fill or a thirty-day supply, whichever is less;

(b) The refill is requested by the patient or the patients agent;

(c) The patient has a chronic medical condition;

(d) No changes have been made to the prescription; and

(e) The pharmacist communicates the renewal to the prescriber within one business day.

#### NEW SECTION

**WAC 246-945-332 Continuity of care.** When the governor issues an emergency proclamation for an event which prevents continuity of health care for persons and animals because their prescribed medications are no longer available to them due to the emergency event, pharmacists and pharmacies may provide emergency prescription supplies for medications during the period of the proclaimed emergency as provided below:

(1) An initial supply of up to thirty days of current prescriptions for legend drug (noncontrolled) medications or seven-day supply of current prescriptions for controlled substance medications in Schedules III, IV, and V may be provided to patients under the following conditions:

(a) Presentation of a valid prescription container complete with legible label indicating there are remaining refills, or confirmation of the prescribed medication and available refills by review of the patient's current medical records or pharmacy records or in the professional judgment of the pharmacist; or

(b) If the prescription is expired or has no refills and the pharmacist is unable to readily obtain refill authorization from the prescriber, the pharmacist may dispense a one-time emergency refill of the last dispensed quantity or up to a thirty-day supply of a maintenance medication.

(c) If the patient is unable to provide either a valid prescription or prescription container the pharmacist may use their professional judgment when accepting a provider reconciled medication list.

(2) For each medication dispensed under this section, a pharmacist shall:

(a) Document the dispensing as a prescription, noting where the information from subsection (1)(a) of this section was obtained;

(b) Inform the patient's provider and the pharmacy at which the patient obtains his or her medications of the dispensing as soon as possible following the emergency dispensing;

(c) Record the prescription or patient record as an "emergency" prescription.

(3) Nothing in this rule modifies insurers' requirements for coverage and payment for prescribed medications.

#### NEW SECTION

**WAC 246-945-335 Prescription adaptation.** Upon patient consent, a pharmacist may adapt drugs as specified in this rule, provided that the prescriber has not indicated that adaptation is not permitted.

(1) Change quantity. A pharmacist may change the quantity of medication prescribed if:

(a) The prescribed quantity or package size is not commercially available;

(b) The change in quantity is related to a change in dosage form;

(c) The change is intended to dispense up to the total amount authorized by the prescriber including refills in accordance with RCW 18.64.520; or

(d) The change extends a maintenance drug for the limited quantity necessary to coordinate a patient's refills in a medication synchronization program in accordance with RCW 48.43.096.

(2) Change dosage form. A pharmacist may change the dosage form of the prescription if it is in the best interest of patient care, so long as the prescriber's directions are also modified to equate to an equivalent amount of drug dispensed as prescribed.

(3) Complete missing information. A pharmacist may complete missing information on a prescription if there is evidence to support the change.

(4) Documentation. A pharmacist who adapts a prescription in accordance with these rules must document the adaptation in the patient's record.

#### NEW SECTION

**WAC 246-945-340 Prescriptions—Drug product substitutions.** (1) A pharmacist may substitute a drug or biologic product dispensed pursuant to a prescription if in compliance with applicable laws and rules.

(2) A pharmacist may substitute a drug product or a biologic product when any of the following applies:

(a) The substitution is permitted by RCW 69.41.120;

(b) The substitution is permitted by a formulary developed by an interdisciplinary team of an institutional facility; or

(c) The substitution is otherwise permitted by law.

(3) In addition to any other applicable requirements, a pharmacist shall only substitute a drug or a biologic product pursuant to subsection (2)(b) of this section if:

(a) An employee or contractor of the institutional facility prescribed the drug or biologic product to be substituted;

(b) The interdisciplinary team was composed of a non-pharmacist prescriber listed in RCW 69.41.030 and a pharmacist; and

(c) The formulary is readily retrievable by the pharmacist.

#### NEW SECTION

**WAC 246-945-345 Prescription transfers.** (1) Subsections (2) through (5) of this section apply to the transfer of prescription information for noncontrolled drugs. The transfer of controlled substance prescription information must conform to the requirements of 21 C.F.R. Sec. 1306.25.

(2) Upon patient request, a prescription may be transferred within the limits of state and federal law.

(3) Sufficient information needs to be exchanged in the transfer of a prescription to maintain an auditable trail, and all elements of a valid prescription.

(4) Pharmacies sharing a secure real-time database are not required to transfer prescription information for dispensing.

(5) Prescriptions must be transferred by electronic means or facsimile, except in emergent situations.

#### NEW SECTION

**WAC 246-945-350 Collaborative drug therapy agreements.** (1) A pharmacist exercising prescriptive authority in their practice must have a valid CDTA on file with the commission and their practice location.

(2) A CDTA must include:

(a) A statement identifying the practitioner authorized to prescribe and the name of each pharmacist who is party to the agreement;

(i) The practitioner authorized to prescribe must be in active practice; and

(ii) The authority granted must be within the scope of the practitioners' current practice.

(b) A statement of the type of prescriptive authority decisions which the pharmacist is authorized to make, which includes:

(i) A statement of the types of diseases, drugs, or drug categories involved, and the type of prescriptive authority activity (e.g., modification or initiation of drug therapy) authorized in each case.

(ii) A general statement of the training required, procedures, decision criteria, or plan the pharmacist is to follow when making therapeutic decisions, particularly when modification or initiation of drug therapy is involved.

(c) A statement of the activities the pharmacist is to follow in the course of exercising prescriptive authority, including:

(i) Documentation of decisions made; and

(ii) A plan for communication or feedback to the authorizing practitioner concerning specific decisions made.

(3) A CDTA is only valid for two years from the date of signing.

(4) Any modification of the written guideline or protocol shall be treated as a new CDTA.

#### NEW SECTION

**WAC 246-945-355 Monitoring of drug therapy by pharmacist.** In the absence of a CDTA, the term "monitoring drug therapy" used in RCW 18.64.011 shall mean a review of the drug therapy regimen of patients by a pharmacist for the purpose of evaluating or rendering advice to the prescribing

practitioner or patient regarding the patient's drug therapy. Monitoring of drug therapy includes, but is not limited to, the evaluation of the patient through history taking, physical examination, ordering, administering or reviewing laboratory tests, imaging, and social evaluation related to an existing diagnosis and drug therapies for optimization of drug therapy.

#### NEW SECTION

**WAC 246-945-360 Patient rights.** Any person authorized to practice or assist in the practice of pharmacy shall not engage in any of the following:

- (1) Destroy unfilled lawful prescription;
- (2) Refuse to return unfilled lawful prescriptions;
- (3) Violate a patient's privacy;
- (4) Discriminate against patients or their agent in a manner prohibited by state or federal laws; or
- (5) Intimidate or harass a patient.

#### NEW SECTION

**WAC 246-945-365 Approval of impaired practitioner substance abuse monitoring program.** (1) The commission will approve recovery, assistance and monitoring programs under RCW 18.130.175 for its credential holders.

(2) For the purposes of RCW 18.130.175(1), the commission will consider a licensee to have not successfully completed the program if they are discharged from the program for failure to comply with the program's terms and conditions.

(3) A licensee referred or required to participate in a program will be subject to disciplinary action under chapter 18.130 RCW if they fail to sign or otherwise revoke a waiver allowing the program to release information to the commission.

(4) An approved program shall report a licensee who fails to comply with the program's terms and conditions within seven calendar days.

(5) A licensee shall report themselves to the commission if they fail to comply with RCW 18.130.175, the program's terms and conditions, or any part of this section within seven calendar days. The fact an approved program has reported under subsection (4) of this section does not absolve the licensee of a responsibility to report.

#### NEW SECTION

**WAC 246-945-370 Sexual misconduct.** (1) A pharmacy health care practitioner must not engage, or attempt to engage, in sexual misconduct with a current patient, client, or key party, inside or outside the health care setting. Sexual misconduct shall constitute grounds for disciplinary action.

(2) Practitioner under this section shall be defined as any person credentialed under RCW 18.64.080 or chapter 18.64A RCW.

(3) Sexual misconduct includes, but is not limited to:

- (a) Sexual intercourse;
- (b) Touching the breasts, genitals, anus or any sexualized body part except as consistent with accepted community

standards of practice within the health care practitioner's scope of practice;

(c) Rubbing against a patient, client, or key party for sexual gratification;

(d) Kissing;

(e) Hugging, touching, fondling or caressing of a romantic or sexual nature;

(f) Not allowing a patient or client privacy to dress or undress except as may be necessary in emergencies or custodial situations;

(g) Not providing the patient or client a gown or draping except as may be necessary in emergencies;

(h) Dressing or undressing in the presence of the patient, client, or key party;

(i) Removing patient's or client's clothing or gown or draping without consent, except emergent medical necessity or being in a custodial setting;

(j) Encouraging masturbation or other sex act in the presence of the health care provider;

(k) Masturbation or other sex act by the health care provider in the presence of the patient, client, or key party;

(l) Suggesting or discussing the possibility of a dating, sexual or romantic relationship after the professional relationship ends;

(m) Terminating a professional relationship for the purpose of dating or pursuing a romantic or sexual relationship;

(n) Soliciting a date with a patient, client, or key party;

(o) Discussing the sexual history, preferences or fantasies of the health care provider;

(p) Any behavior, gestures, or expressions that may reasonably be interpreted as seductive or sexual;

(q) Making statements regarding the patient, client, or key party's body, appearance, sexual history, or sexual orientation other than for legitimate health care purposes;

(r) Sexually demeaning behavior including any verbal or physical contact which may reasonably be interpreted as demeaning, humiliating, embarrassing, threatening or harming a patient, client, or key party;

(s) Photographing or filming the body or any body part or pose of a patient, client, or key party, other than for legitimate health care purposes; and

(t) Showing a patient, client, or key party sexually explicit materials, other than for legitimate health care purposes.

(4) Sexual misconduct also includes sexual contact with any person involving force, intimidation, or lack of consent; or a conviction of a sex offense as defined in RCW 9.94A.-030.

(5) A health care practitioner must not:

(a) Offer to provide health care services in exchange for sexual favors;

(b) Use health care information to contact the patient, client, or key party for the purpose of engaging in sexual misconduct;

(c) Use health care information or access to health care information to meet or attempt to meet the health care practitioner's sexual needs.

(6) A health care practitioner must not engage, or attempt to engage, in the activities listed in subsection (4) of this section with a former patient, client, or key party if:

(a) There is a significant likelihood that the patient, client, or key party will seek or require additional services from the health care practitioner; or

(b) There is an imbalance of power, influence, opportunity, or special knowledge of the professional relationship.

(7) When evaluating whether a health care provider engaged, or attempted to engage, in sexual misconduct, the commission will consider factors including, but not limited to:

(a) Documentation of a formal termination and the circumstances of termination of the practitioner-patient relationship;

(b) Transfer of care to another health care practitioner;

(c) Duration of the practitioner-patient relationship;

(d) Amount of time that has passed since the last health care services to the patient or client;

(e) Communication between the health care practitioner and the patient or client between the last health care services rendered and commencement of the personal relationship;

(f) Extent to which the patient's or client's personal or private information was shared with the health care practitioner;

(g) Nature of the patient or client's health condition during and since the professional relationship;

(h) The patient or client's emotional dependence and vulnerability; and

(i) Normal revisit cycle for the profession and service.

(8) Patient, client, or key party initiation or consent does not excuse or negate the health care practitioner's responsibility.

(9) These rules do not prohibit:

(a) Providing health care services in case of emergency where the services cannot or will not be provided by another health care provider;

(b) Contact that is necessary for a legitimate health care purpose and that meets the standard of care appropriate to that profession; or

(c) Providing health care services for a legitimate health care purpose to a person who is in a preexisting, established personal relationship with the health care provider where there is no evidence of, or potential for, exploiting the patient or client.

## PART 4 - OPERATIONAL STANDARDS

### Subpart A - Pharmacies, HCEs and HPACs

#### NEW SECTION

**WAC 246-945-405 Applicability.** (1) The rules in this chapter apply to pharmacies, health care entities (HCE), and hospital pharmacy associated clinics (HPAC).

(2) Unless specified, the term "facility" as used in this part includes pharmacies, HCEs, and HPACs.

#### NEW SECTION

**WAC 246-945-410 Facility standards.** A facility must meet the following minimum requirements:

(1) The facility shall be constructed and equipped with adequate security to protect equipment, records, and supply

of drugs, devices, and other restricted sale items from unauthorized access, acquisition, or use.

(2) The facility shall be properly equipped to ensure the safe, clean, and sanitary condition necessary for the proper operation, the safe preparation of prescriptions, and to safeguard product integrity.

(3) The facility shall be staffed sufficiently to allow appropriate supervision, operate safely and, if applicable, remain open during posted hours of operation.

(4) The facility shall be adequately stocked to maintain at all times a representative assortment of drugs in order to meet the pharmaceutical needs of its patients in compliance with WAC 246-945-415.

(5) The facility shall designate a responsible pharmacy manager:

(a) By the date of opening; and

(b) Within thirty calendar days of a vacancy.

(6) The facility shall create and implement policies and procedures related to:

(a) Purchasing, ordering, storing, compounding, delivering, dispensing, and administering legend drugs, including controlled substances.

(b) Accuracy of inventory records, patient medical records as related to the administration of controlled substances and legend drugs, and any other records required to be kept by state and federal laws.

(c) Adequate security of legend drugs, including controlled substances.

(d) Controlling access to legend drugs, including controlled substances.

(7) Prescription drugs must only be dispensed pursuant to a valid prescription as required by WAC 246-945-011.

(8) A drug utilization review of each prescription before dispensing and delivery shall occur except in emergent medical situations, or if:

(a) The drug is a subsequent dose from a previously reviewed prescription;

(b) The prescriber is in the immediate vicinity and controls the drug dispensing process;

(c) The medication delivery system is being used to provide access to medications on override and only a quantity sufficient to meet the immediate need of the patient is removed; or

(d) Twenty-four hour pharmacy services are not available, and a pharmacist will review all prescriptions added to a patient's profile within six hours of the facility opening.

(9) Each drug dispensed and delivered to a patient must bear a complete and accurate label as required by WAC 246-945-015 through 246-945-018. The information contained on the label shall be supplemented by oral or written information as required by WAC 246-945-325.

(10) Access to the drug storage area located within the facility should be limited to pharmacists unless one of the following applies:

(a) A pharmacy intern, or pharmacy ancillary personnel enter under the immediate supervision of a pharmacist; or

(b) A pharmacist authorizes temporary access to an individual performing a legitimate nonpharmacy function under the immediate supervision of the pharmacist; or

(c) The facility has a policy and procedure restricting access to a health care professional licensed under the chapters specified in RCW 18.130.040, and the actions of the health care professional are within their scope of practice.

(11) In accordance with RCW 18.64A.060 prior to utilizing pharmacy ancillary personnel a facility shall submit to the commission a utilization plan for pharmacy technicians and pharmacy assistants:

(a) Utilization plan for pharmacy technicians. The application for approval must describe the manner in which the pharmacy technicians will be utilized and supervised, including job descriptions, task analysis or similar type documents that define the duties performed and the conditions under which they are performed, number of positions in each category, as well as other information as may be required by the commission. The commission will be notified of all changes to the utilization plan. A copy of the utilization plan must be maintained in the pharmacy. The utilization plan must comply with WAC 246-945-315 and 246-945-320.

(b) Utilization plan for pharmacy assistants. The application for approval shall list the job title or function of the pharmacy assistant and comply with WAC 246-945-315(3).

(12) A facility's paper prescriptions must be maintained in accordance with WAC 246-945-020 and as follows:

(a) Paper prescriptions for Schedule II drugs must be maintained as a separate file from other prescriptions.

(b) Paper prescriptions for Schedule III, IV, and V drugs must be maintained as a separate file, or maintained in a separate file with prescriptions for noncontrolled legend drugs as allowed under federal law.

#### NEW SECTION

**WAC 246-945-415 Dispensing and delivery of prescription drugs.** (1) A pharmacy may deliver filled prescriptions as long as appropriate measures are taken to ensure product integrity and receipt by the patient or patient's agent.

(2) Pharmacies have a duty to deliver lawfully prescribed drugs or devices to patients and to distribute drugs and devices approved by the U.S. Food and Drug Administration for restricted distribution by pharmacies, or provide a therapeutically equivalent drug or device in a timely manner consistent with reasonable expectations for filling the prescription, except for the following or substantially similar circumstances:

(a) Prescriptions containing an obvious or known error, inadequacies in the instructions, known contraindications, or incompatible prescriptions, or prescriptions requiring action in accordance with WAC 246-945-410(8) or 246-945-335;

(b) National or state emergencies or guidelines affecting availability, usage, or supplies of drugs or devices;

(c) Lack of specialized equipment or expertise needed to safely produce, store, or dispense drugs or devices, such as certain drug compounding or storage for nuclear medicine;

(d) Potentially fraudulent prescriptions; or

(e) Unavailability of drug or device despite good faith compliance with WAC 246-945-410(4).

(3) Nothing in this section requires pharmacies to deliver a drug or device without payment of their usual and customary or contracted charge.

(4) If despite good faith compliance with WAC 246-945-410(4), the lawfully prescribed drug or device is not in stock, or the prescription cannot be filled pursuant to subsection (2)(a) of this section, the pharmacy shall provide the patient or agent a timely alternative for appropriate therapy which, consistent with customary pharmacy practice, may include obtaining the drug or device. These alternatives include, but are not limited to:

(a) Contact the prescriber to address concerns such as those identified in subsection (2)(a) of this section or to obtain authorization to provide a therapeutically equivalent product;

(b) If requested by the patient or their agent, return unfilled lawful prescriptions to the patient or agent; or

(c) If requested by the patient or their agent, communicate or transmit, as permitted by law, the original prescription information to a pharmacy of the patient's choice that will fill the prescription in a timely manner.

(5) Engaging in or permitting any of the following shall constitute grounds for discipline or other enforcement actions:

(a) Destroy unfilled lawful prescriptions;

(b) Refuse to return unfilled lawful prescriptions;

(c) Violate a patient's privacy;

(d) Discriminate against patients or their agent in a manner prohibited by state or federal laws; and

(e) Intimidate or harass a patient.

(6) Filled prescriptions may be picked up or returned for delivery by authorized personnel when the pharmacy is closed for business if the prescriptions are placed in a secured delivery area outside of the drug storage area. The secured delivery area must be a part of a licensed pharmacy, and equipped with adequate security, including an alarm or comparable monitoring system, to prevent unauthorized entry, theft, or diversion. Access to the secured delivery area must be addressed by the policies and procedures developed by the responsible pharmacy manager.

(7) HCEs shall dispense in accordance with RCW 18.64.450.

(8) A licensed hospital pharmacy dispensing appropriately labeled, patient specific drugs to a HPAC licensed under the parent hospital pharmacy may do so only pursuant to a valid prescription and prescription information is authenticated in the medical record of the patient to whom the legend drug or controlled substance will be provided according to the policy and procedures of the parent hospital pharmacy.

#### NEW SECTION

**WAC 246-945-417 Electronic systems for patient medication records, prescriptions, chart orders, and controlled substance records.** (1) A pharmacy shall use an electronic recordkeeping system to establish and store patient medication records, including patient allergies, idiosyncrasies or chronic conditions, and prescription, refill, transfer information, and other information necessary to provide safe and appropriate patient care.

(a) Systems must prevent auto-population of user identification information.

(b) Pharmacies that provide off-site pharmacy services without a pharmacist for product fulfillment or prescription processing must track the identity of each individual involved in each step of the off-site pharmacy services.

(2) The electronic recordkeeping system must be capable of real-time retrieval of information pertaining to the ordering, verification, and processing of the prescription where possible.

(3) The electronic recordkeeping system must include security features to protect the confidentiality and integrity of patient records including:

(a) Safeguards designed to prevent and detect unauthorized access, modification, or manipulation of prescription information and patient medication records; and

(b) Functionality that documents any alteration of prescription information after a prescription is dispensed, including the identification of the individual responsible for the alteration.

(4) The pharmacy shall have policies and procedures in place for system downtime.

(a) The procedure shall provide for the maintenance of all patient recordkeeping information as required by this chapter.

(b) Upon restoration of operation of the electronic recordkeeping system the information placed in the auxiliary recordkeeping procedure shall be entered in each patient's records within two working days, after which the auxiliary records may be destroyed.

(c) This section does not require that a permanent dual recordkeeping system be maintained.

(5) The pharmacy shall maintain records in accordance with WAC 246-945-020.

(6) Electronic prescriptions for prescription drugs must be maintained by the pharmacy in a system that meets the requirements of 21 C.F.R. Sec. 1311.

(7) HCEs or HPACs that maintain an electronic record system must be done in accordance with subsections (2) through (7) of this section.

#### NEW SECTION

##### **WAC 246-945-418 Paper recordkeeping procedure.**

If an HPAC or HCE does not maintain an electronic recordkeeping system their manual records must contain all information required in WAC 246-945-417. The record system consists of the hard copy of the original prescription and a card or filing procedure that contains all data on new and refill prescriptions for a patient. This data must be organized in such a fashion that information relating to all prescription drugs used by a patient will be reviewed each time a prescription is filled.

#### NEW SECTION

##### **WAC 246-945-420 Facility inventory requirements.**

(1) A facility shall conduct its own separate inventory of prescription drugs when it closes in accordance WAC 246-945-480.

(2) A facility shall conduct an inventory of controlled substances every two years.

(3) A facility shall conduct its own separate inventory of controlled substances in the following situations:

(a) Within thirty days of designating a responsible pharmacy manager. The incoming responsible pharmacy manager, or designee, shall conduct a complete controlled substance inventory.

(b) On the effective date of an addition of a substance to a schedule of controlled substances. Each facility that possesses the substance shall take an inventory of the substance on hand, and thereafter, include the substance in each inventory.

(4) A pharmacy that exclusively stores, dispenses or delivers legend drugs, including controlled substances, without a pharmacist on-site shall maintain a perpetual inventory.

(5) A pharmacy that exclusively stores, dispenses or delivers prescription drugs without pharmacy ancillary personnel physically on-site shall maintain a perpetual inventory.

#### NEW SECTION

**WAC 246-945-425 Shared pharmacy services.** Pharmacy services may be provided off-site at one or more locations. When the services being performed are related to prescription fulfillment or processing, the pharmacy or pharmacist must comply with the following:

(1) Long term care shared pharmacy services in accordance with RCW 18.64.570.

(2) Central fill shared pharmacy services in accordance with the following conditions:

(a) The originating pharmacy shall have written policies and procedures outlining the off-site pharmacy services to be provided by the central fill pharmacy, or the off-site pharmacist or pharmacy technician, and the responsibilities of each party;

(b) The parties shall share a secure real-time database or utilize other secure technology, including a private, encrypted connection that allows access by the central pharmacy or off-site pharmacist or pharmacy technician to the information necessary to perform off-site pharmacy services; and

(c) A single prescription may be shared by an originating pharmacy and a central fill pharmacy or off-site pharmacist or pharmacy technician. The fulfillment, processing and delivery of a prescription by one pharmacy for another pursuant to this section will not be construed as the fulfillment of a transferred prescription or as a wholesale distribution.

#### NEW SECTION

##### **WAC 246-945-430 Pharmacies storing, dispensing and delivering drugs to patients without a pharmacist on-site.**

(1) The following requirements apply to pharmacies storing, dispensing and delivering drugs to patients without a pharmacist on-site and are in addition to applicable state and federal laws applying to pharmacies.

(2) The pharmacy is required to have adequate visual surveillance of the full pharmacy and retain a high quality recording for a minimum of thirty calendar days.

(3) Access to a pharmacy by individuals must be limited, authorized, and regularly monitored.

(4) A visual and audio communication system used to counsel and interact with each patient or patient's caregiver, must be clear, secure, and HIPAA compliant.

(5) The responsible pharmacy manager, or designee, shall complete and retain, in accordance with WAC 246-945-005 a monthly in-person inspection of the pharmacy.

(6) A pharmacist must be capable of being on-site at the pharmacy within three hours if an emergency arises.

(7) The pharmacy must be closed to the public if any component of the surveillance or visual and audio communication system is malfunctioning, and remain closed until system corrections or repairs are completed or a pharmacist is on-site to oversee pharmacy operations.

#### NEW SECTION

**WAC 246-945-435 Provision of emergency department discharge medication when pharmacy services are unavailable.** (1) The responsible pharmacy manager of a hospital or free standing emergency department may, in collaboration with the appropriate medical staff committee of the hospital, develop policies and procedures to provide discharge medications to patients released from hospital emergency departments during hours when community or outpatient hospital pharmacy services are not available.

(2) The policies and procedures in subsection (1) of this section shall:

(a) Comply with all requirements of RCW 70.41.480;

(b) Ensure all prepackaged medications are affixed with a label that complies with WAC 246-945-018;

(c) Require oral or electronically transmitted chart orders be verified by the practitioner in writing within seventy-two hours;

(d) The medications distributed as discharge medications are stored in compliance with the laws concerning security and access; and

(e) Ensure discharge medications are labeled appropriately.

(3) The delivery of a single dose for immediate administration to the patient is not subject to this regulation.

#### NEW SECTION

**WAC 246-945-440 Administration of patient owned medications.** Facilities shall develop written policies and procedures for the administration of patient owned medications.

#### NEW SECTION

**WAC 246-945-445 Investigational drugs.** (1) The responsible pharmacy manager or their designee is responsible for the storage, distribution, and control of approved investigational drugs used in an institutional facility. The pharmacy shall be responsible for maintaining and providing information on approved investigational drugs.

(2) Under the explicit direction of the authorized principal investigator, coinvestigator(s), or per study protocol requirements, investigational drugs must be properly labeled and stored for use. An appropriate medical staff committee,

institution review board, or equivalent committee, shall approve the use of such drugs.

#### NEW SECTION

**WAC 246-945-450 Accessing technology used to dispense—Nursing students.** (1) Nursing students may be given access privileges to technology used to dispense medications for patient administration as provided for in this section.

(2) Nursing students must be enrolled in a nursing program approved by the Washington state nursing care quality assurance commission in accordance with WAC 246-840-510.

(3) A facility that provides a clinical opportunity to nursing students must meet the following to grant access to technology used to dispense medications for patient administration:

(a) The facility, in collaboration with the nursing program, shall provide nursing students with orientation and practice experiences that include the demonstration of competency of skills prior to using the dispensing technology;

(b) Nursing programs and participating facilities shall provide adequate training for students accessing dispensing technology;

(c) The nursing programs and participating facilities shall have policies and procedures for nursing students to provide safe administration of medications; and

(d) The nursing program and participating facilities shall develop and have a way of reporting and resolving any nursing student medication errors, adverse events, and alleged diversion.

#### NEW SECTION

**WAC 246-945-455 Drugs stored outside of the pharmacy.** (1) In order for drugs to be stored in a designated area outside the pharmacy including, but not limited to, floor stock, in an emergency cabinet, in an emergency kit, or as emergency outpatient drug delivery from an emergency department at a registered institutional facility, the following conditions must be met:

(a) Drugs stored in such a manner shall remain under the control of, and be routinely monitored by, the supplying pharmacy;

(b) The supplying pharmacy shall develop and implement policies and procedures to prevent and detect unauthorized access, document drugs used, returned and wasted, and regular inventory procedures;

(c) Access must be limited to health care professionals licensed under the chapters specified in RCW 18.130.040 acting within their scope, and nursing students as provided in WAC 246-945-450;

(d) The area is appropriately equipped to ensure security and protection from diversion or tampering; and

(e) The facility is able to possess and store drugs.

(2) For nursing homes and hospice programs an emergency kit or supplemental dose kit must comply with RCW 18.64.560.

NEW SECTION

**WAC 246-945-460 Staffing and supervision of pharmacy staff.** (1) The ratio of pharmacy technicians to pharmacist(s) on duty is to be determined by the responsible pharmacy manager.

(2) The responsible pharmacy manager will ensure that the number of pharmacy technicians on duty can be satisfactorily supervised by the pharmacist(s) on duty.

NEW SECTION**WAC 246-945-480 Facility reporting requirements.**

(1) The outgoing and incoming responsible pharmacy manager must report in writing to the commission a change in a responsible manager designation within ten business days of the change.

(2) Unless otherwise specified, when permanently closing a facility, the facility must:

(a) Report to the commission in writing, no later than thirty calendar days prior to closing:

(i) The date the facility will close;

(ii) The names and addresses of the persons who shall have custody of the prescription files, bulk compounding records, repackaging records, invoices and controlled substances inventory records of the pharmacy to be closed; and

(iii) The names and addresses of any person(s) who will acquire any legend drugs from the facility to be closed, if known at the time the notification is filed.

(b) Provide notification to customers noting the last day the pharmacy will be open, name and address of the pharmacy to which prescription records will be transferred and instructions on how patients can arrange for transfer of their prescription records to a pharmacy of their choice and the last day a transfer may be initiated. Notification should include:

(i) Distribution by direct mail; or

(ii) Public notice in a newspaper of general circulation in the area served by the pharmacy; and

(iii) Posting a closing notice sign in a conspicuous place in the public area of the pharmacy.

(c) No later than fifteen days after closing:

(i) Return the facility license;

(ii) Confirm that all legend drugs were transferred or destroyed. If the legend drugs were transferred, provide the names and addresses of the person(s) to whom they were transferred;

(iii) Confirm if controlled substances were transferred, including the date of transfer, names, addresses, and a detailed inventory of the drugs transferred;

(iv) Confirm return of DEA registration and all unused DEA 222 forms to the DEA;

(v) Confirm all pharmacy labels and blank prescriptions were destroyed; and

(vi) Confirm all signs and symbols indicating the presence of the pharmacy have been removed.

(3) The commission may conduct an inspection to verify all requirements in subsection (2) of this section have been completed.

(4) The facility shall immediately report to the commission any disasters, accidents and emergencies which may affect the strength, purity, or labeling of drugs, medications,

devices or other materials used in the diagnosis or the treatment of injury, illness, and disease.

(5) Any facility credentialed by the commission must report to the commission any disciplinary action, including denial, revocation, suspension, or restriction to practice by another state, federal, or foreign authority.

NEW SECTION

**WAC 246-945-485 Destruction or return of drugs or devices—Restrictions.** (1) A dispensed drug or prescription device must only be accepted for return and reuse as follows:

(a) Noncontrolled legend drugs that have been maintained in the custody and control of the institutional facility, dispensing pharmacy, or their related facilities under common control may be returned and reused if product integrity can be assured.

(b) Those that qualify for return under the provisions of chapter 69.70 RCW.

(2) A dispensed drug or prescription device may be accepted for return and destruction if:

(a) The dispensed drug or prescription device was dispensed in a manner inconsistent with the prescriber's instructions;

(b) The return is in compliance with the Washington state safe medication return program laws and rules, chapters 69.48 RCW and 246-480 WAC; or

(c) The return and destruction is in compliance with the facility's policies and procedures.

NEW SECTION

**WAC 246-945-490 Nuclear pharmacies.** (1) The commission shall issue a permit to operate a nuclear pharmacy providing radiopharmaceutical services to a qualified nuclear pharmacist. The qualified nuclear pharmacist shall:

(a) Supervise all personnel performing tasks in the preparation and distribution of radiopharmaceuticals.

(b) Be responsible for all operations of the licensed area.

(c) Designate one or more qualified health care professionals licensed under the chapters specified in RCW 18.130.040, to have access to the licensed area in emergency situations and in the nuclear pharmacist's absence. These individuals may obtain radiopharmaceuticals for the immediate emergency and must document such withdrawals in the control system.

(2) A nuclear pharmacy shall have adequate space that is appropriate with the scope of services provided, including meeting the following requirements:

(a) The nuclear pharmacy area shall be separate from the pharmacy areas for nonradiopharmaceuticals and shall be secured from access by unauthorized personnel;

(b) A nuclear pharmacy handling radiopharmaceuticals exclusively may be exempted from the general space requirements for pharmacies by obtaining a waiver from the commission; and

(c) Detailed floor plans shall be submitted to the commission and the state radiation control agency before approval of the pharmacy license.

(3) A nuclear pharmacy shall prepare, compound, and dispense radiopharmaceuticals in accordance with USP <825>.

(4) The preparation of nuclear pharmaceuticals requires the compounding skills of the nuclear pharmacist and shall be done to assure that the final drug product meets USP <825>.

(5) A nuclear pharmacy shall maintain records of acquisition and disposition of all radiopharmaceuticals in accordance with applicable regulations of the commission, the state radiation control agency and other state and federal agencies.

(6) For a nuclear pharmacy handling radiopharmaceuticals exclusively, the commission may waive regulations pertaining to the pharmacy permits for nonradiopharmaceuticals for requirements that do not pertain to the practice of nuclear pharmacy.

(7) Radiopharmaceuticals are to be dispensed only upon a prescription from a practitioner authorized to possess, use and administer radiopharmaceuticals. A nuclear pharmacy may also furnish radiopharmaceuticals for office use to these practitioners. In absence of a prescription for an individual identified patient, the statement "Office Use Only" should be applied.

(8) A nuclear pharmacist may transfer to authorized persons radioactive materials not intended for drug use, in accordance with regulations of the state radiation control agency.

(9) In addition to labeling requirements of WAC 246-945-015 through 246-945-017 for nonradiopharmaceuticals, the immediate outer container of the radiopharmaceutical to be dispensed shall also be labeled with:

- (a) Standard radiation symbol;
- (b) The words "caution-radioactive material";
- (c) Radionuclide and chemical form (generic name);
- (d) Activity dispensed with units (millicuries or microcuries) at calibration date and time;
- (e) If a liquid, the volume in milliliters;
- (f) Calibration date and time for the dose;
- (g) BUD and special storage and handling instructions for nonimmediate use;
- (h) Specific concentration of radioactivity; and
- (i) The patient name/identifier, and number of dosage units dispensed, for all therapeutic and blood-products.

(10) The immediate container of the radiopharmaceutical to be dispensed shall be labeled with:

- (a) The standard radiation symbol;
- (b) The words "caution-radioactive material";
- (c) The name of the nuclear pharmacy;
- (d) The prescription number;
- (e) Radionuclide and chemical form (generic name)";
- (f) The date;
- (g) Activity dispensed with units (millicuries or microcuries) at calibration date and time; and
- (h) The patient name/identifier for all therapeutic and blood-products.

(11) The amount of radioactivity shall be determined by radiometric methods for each individual preparation immediately prior to dispensing.

(12) A nuclear pharmacy may redistribute NDA approved radiopharmaceuticals if the pharmacy does not pro-

cess the radiopharmaceuticals in any manner or violate the product packaging.

(13) The nuclear pharmacy shall have readily available the current applicable state laws and regulations of the commission and state radiation control agency.

(14) The nuclear pharmacy shall maintain, and submit to the commission and state radiation control agency, a library commensurate with the level of radiopharmaceutical service to be provided before approval of the license.

#### NEW SECTION

**WAC 246-945-492 Nuclear pharmacies—Equipment requirements.** (1) A nuclear pharmacy shall have adequate equipment appropriate with the scope of radiopharmaceutical services to be provided. The nuclear pharmacy shall submit to the commission and the radiation control agency a detailed list of equipment and description of use before approval of the license.

(2) The commission may, for good cause shown, waive regulations pertaining to the equipment and supplies required for a nuclear pharmacy handling radiopharmaceuticals exclusively.

#### **Subpart B - Registrations**

#### NEW SECTION

**WAC 246-945-500 Humane societies, animal control agencies, and department of fish and wildlife chemical capture programs—Designated person.** (1) Each registered humane society, animal control agency, and department of fish and wildlife chemical capture program location shall have a designated person.

(2) The designated person is responsible for:

- (a) Ordering, possession, safe storage and use of all approved drugs;
- (b) Maintaining all records required by WAC 246-945-510; and
- (c) Ensuring all records required by WAC 246-945-510 are available for inspection by the commission or its designee.

(3) A registered humane society, animal control agency, or department of fish and wildlife chemical capture program shall notify the commission within ten calendar days of a change in the designated person.

#### NEW SECTION

**WAC 246-945-503 Humane societies, animal control agencies, and department of fish and wildlife chemical capture programs—Authorized personnel.** (1) Each registered humane society, animal control agency, and department of fish and wildlife chemical capture program location shall ensure only authorized personnel possess or administer approved legend drugs and approved controlled substances at the registered location.

(2) For registered humane societies and animal control agencies, authorized personnel are those individuals who have:

- (a) Completed a commission-approved training program or training that is substantially equivalent; and
  - (b) Been approved by the designated person.
- (3) For registered department of fish and wildlife chemical capture programs, authorized personnel are those individuals who have:
- (a) Completed a commission-approved training program or training that is substantially equivalent;
  - (b) Been approved by the department of fish and wildlife; and
  - (c) Are a department of fish and wildlife officer, biologist, or veterinarian.
- (4) A commission-approved training program shall include didactic and practical training under the direction of a licensed veterinarian. The commission-approved training program should ensure that authorized personnel shall be able to demonstrate adequate knowledge of the potential hazards and proper techniques used in administering approved legend and controlled substances.

#### NEW SECTION

**WAC 246-945-505 Humane societies and animal control agencies—Approved legend drugs and approved controlled substances.** (1) The following legend drugs are designated as "approved legend drugs" for use by registered humane societies and animal control agencies for pre-euthanasia sedation:

- (a) Acetylpromazine;
  - (b) Dexmedetomidine;
  - (c) Medetomidine; and
  - (d) Xylazine.
- (2) Registered humane societies and animal control agencies may only use sodium pentobarbital to euthanize injured, sick, homeless or unwanted domestic pets, and domestic or wild animals.
- (3) Any approved drug used by the registered humane society and animal control agency shall be marked "for veterinary use only."
- (4) Staff of registered humane societies and animal control agencies may administer legend drugs and controlled substances which have been prescribed by a licensed veterinarian for a specific animal, which have been dispensed by a pharmacy or a veterinarian and are properly labeled in accordance with either RCW 18.64.246 or 69.41.050 and WAC 246-945-015 through 246-945-017.

#### NEW SECTION

**WAC 246-945-507 Department of fish and wildlife chemical capture programs—Approved legend drugs and approved controlled substances.** (1) The following legend drugs are designated as "approved legend drugs" for use by registered department of fish and wildlife chemical capture programs:

- (a) Acetylpromazine;
- (b) Atipamezole;
- (c) Azaperone;
- (d) Detomidine;
- (e) Dexmedetomidine;
- (f) Isoflurane;

- (g) Medetomidine;
  - (h) Naltrexone;
  - (i) Tolazoline;
  - (j) Xylazine; and
  - (k) Yohimbine.
- (2) The following controlled substances are controlled substances approved for use by registered department of fish and wildlife chemical capture programs:
- (a) Butorphanol;
  - (b) Diazepam;
  - (c) Diprenorphine;
  - (d) Carfentanil;
  - (e) Fentanyl;
  - (f) Ketamine;
  - (g) Midazolam;
  - (h) Tiletamine; and
  - (i) Zolazepam.
- (3) Staff of registered department of fish and wildlife chemical capture programs may administer legend drugs and controlled substances which have been prescribed by a licensed veterinarian for a specific animal or management group of animals, which have been dispensed by a pharmacy or a veterinarian and are properly labeled in accordance with either RCW 18.64.246 or 69.41.050 and WAC 246-945-015 through 246-945-017 or 246-933-340 (5)(a) and (b).

#### NEW SECTION

**WAC 246-945-510 Humane societies, animal control agencies, and department of fish and wildlife chemical capture programs—Recordkeeping and reports.** (1) Each registered humane society, animal control agency, and department of fish and wildlife chemical capture program location shall record the receipt, use, and disposition of approved drugs in a logbook or electronic record. An electronic record can meet the requirements of this section if the electronic record is legible and in a readily retrievable format, provided federal law does not require them to be kept in a hard copy format.

(2) The logbook or electronic record must have sufficient detail to allow an audit of the drug usage to be performed and must include:

- (a) Date and time of administration;
  - (b) Route of administration;
  - (c) Identification number or other identifier assigned to the animal;
  - (d) Estimated weight of the animal;
  - (e) Estimated age and breed or species of the animal;
  - (f) Name of drug used;
  - (g) Dose of drug administered;
  - (h) Amount of drug wasted; and
  - (i) Initials of the primary person administering the drug.
- (3) The logbook or electronic record may omit subsection (2)(b), (d), and (e) of this section if the information is recorded in other records cross-referenced by the animal identification number or other assigned identifier.

(4) Authorized personnel of the registered entity shall document any errors or discrepancies in the drug inventory in the logbook or electronic record and report to the registered entity for investigation.

(5) The registered entity shall report any unresolved discrepancies in writing to the commission within seven calendar days and to the DEA if the loss includes a controlled substance.

(6) The designated person shall perform a physical inventory or count of approved drugs every twelve months. The physical inventory must be reconciled with the logbook or electronic record.

(7) The designated person or designee shall destroy or waste noncontrolled legend drugs that are unfit for administration. A second member of the staff shall witness the destruction or waste of drugs. The destruction or waste of noncontrolled legend drugs will be documented in the logbook or electronic record with the date of the event and signatures of the individuals involved.

(8) A registered entity shall return all unwanted or unused approved controlled substances to the manufacturer or destroy them in accordance with the rules and requirements of the commission, the DEA, and the department of ecology. The return or destruction of controlled substances will be documented in the logbook or electronic record with the date of the event and signatures of the individuals involved.

(9) A registered entity must maintain a readily retrievable list of all authorized personnel who have demonstrated the qualifications to possess and administer approved drugs.

(10) All records of the registered entity must be available for inspection by the commission or its designee.

(11) The registered entity must maintain the logbook and other related records in accordance with WAC 246-945-020.

#### NEW SECTION

**WAC 246-945-515 Human societies, animal control agencies, and department of fish and wildlife chemical capture programs—Drug storage and field use.** (1) Each registered humane society, animal control agency, and department of fish and wildlife chemical capture program location must store all approved legend drugs, and approved controlled substances in a substantially constructed securely locked cabinet or drawer.

(2) Only authorized personnel as defined in WAC 246-945-503 (2) and (3) shall have access to the drug storage cabinet or drawer at the registered location.

(3) A registered humane society and animal control agency may allow the possession of approved drugs for field use under the following conditions:

(a) The individual meets the requirements of an authorized person in WAC 246-945-503(2);

(b) The individual is either:

(i) A humane officer;

(ii) An animal control enforcement officer;

(iii) An animal control authority; or

(iv) A peace officer authorized by the chief of police, sheriff, or county commissioner.

(c) The approved drugs are stored in a locked metal box securely attached to a vehicle;

(d) A drug inventory is completed at the beginning and end of each shift, and recorded in a logbook or electronic

record that meets the requirements of WAC 246-945-510; and

(e) All receipts and use of approved drugs are recorded in a logbook or electronic record that meets the requirements of WAC 246-945-510.

(4) A registered department of fish and wildlife chemical capture program may allow the possession of approved drugs for field use under the following conditions:

(a) The individual meets the requirements of an authorized person in WAC 246-945-503(3);

(b) The approved drugs are stored in a locked metal box securely attached to a vehicle;

(c) A drug inventory is completed on a monthly basis and recorded in a logbook or electronic record that meets the requirements of WAC 246-945-510; and

(d) All receipts and use of approved drugs are recorded in a logbook or electronic record that meets the requirements of WAC 246-945-510.

### **Subpart C - Drug Distributors**

#### NEW SECTION

**WAC 246-945-550 Manufacturers—Minimum standards.** (1) Manufacturers shall comply with the applicable requirements in 21 C.F.R., Part 210, "Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs"; and 21 C.F.R., Part 211, "Current Good Manufacturing Practice for Finished Pharmaceuticals; General."

(2) Manufacturers required to register with the FDA as an outsourcing facility as defined in 21 U.S.C. Sec. 353b (d)(4)(A), shall also comply with FDA guidance document.

(3) Virtual manufacturers shall ensure its own drugs are manufactured in compliance with this section.

#### NEW SECTION

**WAC 246-945-553 Teat dip containers.** The reuse of teat dip containers and closures shall be allowed under the following circumstances:

(1) Teat dip containers for reuse must have attached a labeling panel bearing product name, brand name and distributor address if marketed by other than the manufacturer, manufacturer name and address, product strength, quantity, expiration date, directions for use, and appropriate cautionary statements for the product contained within.

(2) All reusable teat dip containers will be hot stamped for permanent identification as teat dip containers. The hot stamp shall imprint on the plastic container, in an immutable manner, the words "teat dip only" and the manufacturer's name. Teat dip manufacturers may only refill containers bearing their company name.

(3) With cooperation from dairy producers, dairy sanitarians will take random samples of teat dip in reusable containers while on regular farm inspections. The samples, along with appropriate label information, will be forwarded to the commission for analysis to ensure that the product meets label specifications and is free of contamination.

(4) Reusable teat dip containers shall not be reactive, additive, or absorptive so as to alter the safety, identity, strength, quantity, or purity of the product.

(5) Upon return to the manufacturer, reusable teat dip containers shall be cleaned and sanitized. To ensure adequate cleaning occurs, the commission may require a manufacturer to submit and have approved a cleaning procedure. Containers showing structural damage, or any signs of being used for substances or materials other than teat dip shall not be reused as teat dip containers.

#### NEW SECTION

**WAC 246-945-555 Wholesaler—Minimum standards—Scope.** (1) WAC 246-945-560 through 246-945-600 establish the minimum standards for facilities licensed as wholesalers, their officers, designated representatives, agents, and employees.

(2) Virtual wholesalers shall ensure drugs they purchase or sell are stored and distributed in compliance with WAC 246-945-560 through 246-945-600.

#### NEW SECTION

**WAC 246-945-560 Wholesaler—Facility standards.**

(1) Facilities used for wholesale drug distribution must:

(a) Be of suitable size, construction, and location to accommodate cleaning, maintenance, and proper operations;

(b) Have storage areas that provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security;

(c) Have a quarantine area for storage of drugs that are outdated, damaged, deteriorated, misbranded, adulterated, counterfeit, or suspected of being counterfeit, otherwise unfit for distribution, or that are in immediate or sealed secondary containers that have been opened;

(d) Be maintained in a clean and orderly condition;

(e) Be free from infestation of any kind;

(f) Be a commercial location and not a personal dwelling or residence;

(g) Provide for the secure and confidential storage of information with restricted access and policies and procedures to protect the integrity and confidentiality of information; and

(h) Provide and maintain appropriate inventory controls in order to detect and document any theft, counterfeiting, or diversion of drugs.

(2) Facilities used for wholesale drug distribution must be secure from unauthorized entry, as follows:

(a) Access from outside the premises must be kept to a minimum and well controlled;

(b) The outside perimeter of the premises must be well lit;

(c) Entry into areas where drugs are held must be limited to authorized personnel;

(d) Facilities must be equipped with an alarm system to detect entry after hours; and

(e) Facilities must be equipped with security systems sufficient to protect against theft, diversion, or record tampering.

#### NEW SECTION

**WAC 246-945-565 Wholesaler—Drug storage.** (1)

Drugs must be stored at temperatures and under conditions required by the labeling of the drugs, if any, or by the requirements of the 43rd edition of USP and 38th edition of the National Formulary (USP/NF), to preserve product identity, strength, quality, and purity. The USP/NF is available for public inspection at the commission's office at Department of Health, Town Center 2, 111 Israel Road S.E., Tumwater, WA 98501. Requestors may also contact USP directly to obtain copies.

(2) If no storage requirements are established for a drug, the drug may be held at "controlled" room temperature, as defined in an official compendium, to help ensure that its identity, strength, quality, and purity are not adversely affected.

(3) Temperature and humidity recording equipment, devices, and/or logs shall be used to document proper storage of drugs.

(4) Controlled substance drugs should be isolated from noncontrolled substance drugs and stored in a secured area.

(5) Drugs that are outdated, damaged, deteriorated, misbranded, or adulterated must be physically separated from other drugs in a designated quarantine area until destroyed or returned to the original manufacturer or third party returns processor.

(6) Used drugs and those whose immediate or sealed outer or sealed secondary containers have been opened are adulterated and must be quarantined.

(7) Drugs must be quarantined under any condition that causes doubt as to a drug's safety, identity, strength, quality, or purity unless under examination, testing, or other investigation the drug is proven to meet required standards.

#### NEW SECTION

**WAC 246-945-570 Wholesaler—Drug shipment inspection.** (1) Each outside shipping container must be visually examined on receipt for identity and to avoid acceptance of drugs that are contaminated or otherwise unfit for distribution.

(2) Outgoing shipments must be inspected to verify the accuracy and product integrity of the shipment contents.

#### NEW SECTION

**WAC 246-945-575 Wholesaler—Recordkeeping.** (1)

Wholesalers and other entities engaged in wholesale drug distribution must establish and maintain inventories and records of transactions pertaining to the receipt and distribution or other disposition of drugs. The records must include at least:

(a) The source of the drugs, including the name and principal address of the seller or transferor;

(b) The identity and quantity of the drugs received and distributed or disposed of; and

(c) The dates of receipt and distribution or other disposition of the drugs.

(2) Records must be retained in a readily retrievable manner in accordance with WAC 246-945-020.

NEW SECTION

**WAC 246-945-580 Wholesaler—Personnel.** (1) A wholesaler must establish and maintain a list of officers, directors, managers, a designated representative, and other persons responsible for wholesale drug distribution, storage, and handling and must include a description of each individual's duties and a summary of their qualifications.

(2) A wholesaler must employ personnel in sufficient numbers and with adequate education, training, and experience to safely and lawfully engage in wholesale drug distribution activities.

NEW SECTION

**WAC 246-945-585 Wholesaler—Suspicious orders and due diligence.** (1) Wholesalers shall design and operate a system to identify and report suspicious orders of controlled substances and drugs of concern to the commission.

(a) Suspicious orders shall be submitted electronically through a commission approved system or to the commission or within five business days of the order being identified as suspicious by the wholesaler, and must include, but not necessarily limited to:

- (i) Customer name;
- (ii) Customer address;
- (iii) Customer DEA registration number;
- (iv) State license number(s);
- (v) Transaction date;
- (vi) Drug name;
- (vii) NDC number;
- (viii) Quantity ordered; and
- (ix) Indication of whether the drug was shipped, and if not, the factual basis for the refusal to supply.

(b) Zero reports shall be submitted if no suspicious orders have been identified in a calendar month, and such reports shall be submitted within fifteen business days of the end of the calendar month.

(c) Wholesalers may apply to the commission for an exemption from the reporting requirements if they do not distribute controlled substances or drugs of concern.

(2) Except as provided in subsection (3) of this section, a wholesaler shall exercise due diligence to identify customers ordering or seeking to order controlled substances or drugs of concern, and establish the normal and expected transactions conducted by those customers, as well as to identify and prevent the sale of controlled substances or drugs of concern that are likely to be diverted from legitimate channels. Such due diligence measures shall include, but are not limited to, the following, which shall be conducted prior to an initial sale and on a regular basis, as necessary:

- (a) Questionnaires and affirmative steps by the wholesaler to confirm the accuracy and validity of the information provided, it shall be considered illegal for a customer to provide false or misleading information;
- (b) For a customer who is a prescriber, confirmation of prescriber type, specialty practice area, and if the prescriber personally furnishes controlled substances or drugs of concern, the quantity furnished;
- (c) Review of drug utilization reports; and
- (d) Obtaining and conducting a review of the following:

- (i) Methods of payment accepted and in what ratios;
- (ii) The ratio of controlled versus noncontrolled prescriptions and overall sales;

(iii) Orders for controlled substances or drugs of concern from other wholesalers U.S. DEA's Automation of Reports and Consolidated Orders System (ARCOS); and

(iv) The ratio of out-of-state patients served compared to in-state patients.

(3) A wholesaler receiving a request for an initial sale of a controlled substance or drugs of concern may conduct the sale before complying with subsection (2) of this section if all of the following apply:

- (a) The sale is to a new customer;
- (b) The wholesaler documents that the order is to meet an emergent need;
- (c) The wholesaler completes the requirements of subsection (2) of this section no later than sixty business days from the date of sale.

(4) A wholesaler receiving a request from an existing customer to purchase a controlled substance or drug of concern, the size/quantity of which exceeds the established algorithm limitations or quota restrictions for such customer, may sell the drug of concern or controlled substance provided the customer submit documentation explaining the request.

(5) Any customer that is believed to be engaged in potential diversion activity, including those to whom a wholesaler refuses to sell, shall be electronically reported to the commission. Such reports shall include:

- (a) Customer name;
- (b) Customer address;
- (c) DEA number;
- (d) State license number(s);
- (e) A detailed explanation of why the wholesaler identified the customer as a possible diversion risk; and
- (f) Such reports shall be submitted within thirty days of refusal, cessation, or identification by wholesaler.

(6) All licensed wholesalers shall submit all reports to the commission in a DEA ARCOS format where applicable.

NEW SECTION

**WAC 246-945-590 Wholesaler—Policies and procedures.** Wholesalers shall establish, maintain, and adhere to written policies and procedures, which shall be followed for the receipt, security, storage, inventory, transport, and shipping and wholesale distribution of drugs, including policies and procedures for identifying, recording, and reporting losses or thefts and for correcting all errors and inaccuracies in inventories. Wholesalers shall include the following in their written policies and procedures:

(1) A procedure to be followed for handling recalls and withdrawals of drugs. Such procedure shall be adequate to deal with recalls and withdrawals due to:

- (a) Any action initiated at the request of FDA or any other federal, state, or local law enforcement or other government agency, including the commission; or
- (b) Any volunteer action by the manufacturer to remove defective or potentially defective drugs from the market.

(2) A procedure to ensure that wholesalers prepare for, protect against, and handle any crisis that affects security or

operation of any facility in the event of a strike, fire, flood, or other natural disaster, or other situations of local, state, or national emergency.

(3) A procedure to ensure that any outdated drugs shall be segregated from other drugs and either returned to the manufacturer or destroyed in accordance with federal and state laws, including all necessary documentation and the appropriate witnessing. This procedure shall provide for written documentation of the disposition of outdated drugs.

(4) A procedure for the destruction of outdated drugs in accordance with federal and state laws.

(5) A procedure for the disposing and destruction of containers, labels, and packaging to ensure that the containers, labels, and packaging cannot be used in counterfeiting activities, including all necessary documentation, and the appropriate witnessing of the destruction of any labels, packaging, immediate containers, or containers in accordance with all applicable federal and state requirements.

(6) A procedure for identifying, investigating, and reporting significant drug inventory discrepancies involving counterfeit, suspect of being counterfeit, contraband, or suspect of being contraband, in the inventory and reporting of such discrepancies as required to the FDA, commission and/or appropriate federal or state agency upon discovery of such discrepancies.

(7) A procedure for reporting criminal or suspected criminal activities involving the inventory of drug(s) as required to the commission, FDA, and if applicable, DEA.

(8) Procedures addressing:

(a) The design and operation of the suspicious order monitoring and reporting system;

(b) Mandatory annual training for staff responsible for identifying and reporting suspicious orders and potential diversion activities. Such training must include the following:

(i) The wholesaler's suspicious order monitoring system;

(ii) The process to collect all relevant information on customers in accordance with WAC 246-960-330; and

(iii) The requirement and process for submission of suspicious order and information on customers who engage in potential diversion activities.

(9) A procedure for timely responding to customers who submit purchase orders for patients with emergent needs.

#### NEW SECTION

**WAC 246-945-595 Wholesaler and manufacturer—Prohibited acts.** It is unlawful for a wholesaler or manufacturer to perform, cause the performance of, or aid and abet any of the following acts in Washington state:

(1) The manufacture, repackaging, sale, delivery, or holding or offering for sale any drug that is adulterated, misbranded, counterfeit, suspected of being counterfeit, or has otherwise been rendered unfit for distribution or wholesale distribution;

(2) The adulteration, misbranding, or counterfeiting of any drug;

(3) The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the product labeling of

a drug or the commission of any other act with respect to a drug that results in the drug being misbranded;

(4) The forging, counterfeiting, simulating, or falsely representing of any drug without the authority of the manufacturer, or using any mark, stamp, tag, label, or other identification device without the authorization of the manufacturer;

(5) The purchase or receipt of a drug from a person that is not authorized to distribute drugs to that purchaser or recipient;

(6) The sale or transfer of a drug to a person who is not legally authorized to receive a drug;

(7) The sale or transfer of a drug from pharmacies to distributors for resale;

(8) The failure to maintain or provide records as required by laws and rules;

(9) Providing the commission or any of its representatives or any state or federal official with false or fraudulent records or making false or fraudulent statements regarding any matter within the provisions of these laws and rules;

(10) The obtaining of or attempting to obtain a drug by fraud, deceit, misrepresentation or engaging in misrepresentation or fraud in the distribution or wholesale distribution of a drug;

(11) The distribution of a drug to the patient without a prescription from a practitioner licensed by law to use or prescribe the drug; and

(12) The distribution or wholesale distribution of a drug that was previously dispensed by a pharmacy or distributed by a practitioner.

#### NEW SECTION

##### **WAC 246-945-600 Salvaging and reprocessing.**

Wholesalers shall be subject to the provisions of any applicable federal, state, or local laws or rules that relate to prescription drug salvaging or reprocessing, including Chapter 21, Parts 207, 210, and 211k of the Code of Federal Regulations.

#### **WSR 20-12-074**

##### **PERMANENT RULES**

##### **DEPARTMENT OF HEALTH**

[Filed June 1, 2020, 2:29 p.m., effective July 2, 2020]

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

Purpose: Chapters 246-809, 246-810, and 246-811 WAC; WAC 246-924-990; and new chapter 246-804 WAC. The department of health (department) is adopting a number of rule changes to implement ESHB 1768, 2SHB 1907, and SB 5054 as passed by the 2019 Washington state legislature. The department is adopting rules to reduce barriers to licensure, including a program to make it easier for out-of-state behavioral health providers to practice in Washington. The adopted rules will create license reciprocity by establishing a probationary license and fee for independent clinical social workers (ICSW), advanced social workers (ASW), marriage and family therapists (MFT), mental health counselors (MHC), and substance use disorder professionals (SUDP). A probationary license fee for psychologists is included in this rule making. Other requirements for probationary licensure

for psychologists are addressed by the examining board of psychology under a separate rule proposal (WSR 20-07-110). The adopted rules will also create the administrative and fee requirements for qualifying behavioral health licensees (ICSW, MFT, MHC, and certain agency affiliated counselors) to obtain a co-occurring disorder specialist enhancement.

The adopted rules will further implement the 2019 legislation by: (1) Reducing by ten percent the supervised hours required for the initial licensure of ICSWs, ASWs, MFTs, and MHCs if applicants have held SUDP credential for three of the past ten years; (2) establishing a single set of requirements for SUDPs to become an approved supervisor; (3) allowing agency affiliated counselors to continue working at a licensed state agency for ninety days to complete any outstanding licensure deficiencies; and (4) correcting titles, references, and citations accordingly.

Finally, the department is adopting an exemption to proof of supervised experience for out-of-state licensees applying for equivalent licensure in Washington as an ICSW, ASW, MFT, MHC, or SUDP if the applicant has held the out-of-state license for five or more years with no disqualifying criminal history or disciplinary record. This specific change was not directed in the 2019 legislation. However, the department decided to take this opportunity to further address licensure barriers for providers coming into Washington to practice.

Citation of Rules Affected by this Order: New WAC 246-804-020, 246-804-030, 246-804-040, 246-804-990, 246-809-090, 246-809-095, 246-810-019 and 246-811-300; and amending WAC 246-809-010, 246-809-110, 246-809-130, 246-809-230, 246-809-330, 246-809-615, 246-809-990, 246-810-015, 246-810-026, 246-810-0298, 246-810-061, 246-811-010, 246-811-020, 246-811-030, 246-811-035, 246-811-045, 246-811-046, 246-811-047, 246-811-048, 246-811-049, 246-811-060, 246-811-075, 246-811-076, 246-811-077, 246-811-078, 246-811-080, 246-811-081, 246-811-090, 246-811-100, 246-811-200, 246-811-210, 246-811-220, 246-811-230, 246-811-240, 246-811-260, 246-811-270, 246-811-280, 246-811-990, and 246-924-990.

Statutory Authority for Adoption: ESHB 1768 (chapter 444, Laws of 2019), 2SHB 1907 (chapter 446, Laws of 2019), SB 5054 (chapter 351, Laws of 2019); RCW 18.19.-050, 18.205.060, 18.225.040, 43.70.110, and 43.70.250.

Adopted under notice filed as WSR 20-07-128 on March 18, 2020.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-804-040(1) was further amended to more clearly describe individuals treating patients under a co-occurring disorder specialist enhancement by replacing the term "licensee" with "co-occurring disorder specialist."

A final cost-benefit analysis is available by contacting James Chaney, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2831, TTY 711, email james.chaney@doh.wa.gov.

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 8, Amended 40, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental 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 8, Amended 40, Repealed 0.

Date Adopted: June 1, 2020.

Jessica Todorovich  
Chief of Staff  
for John Wiesman, DrPH, MPH  
Secretary

## Chapter 246-804 WAC

### BEHAVIORAL HEALTH CO-OCCURRING DISORDER SPECIALIST ENHANCEMENT

#### NEW SECTION

**WAC 246-804-020 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly states otherwise:

(1) "ASAM criteria" means admission, continued service, and discharge criteria for the treatment of substance use disorders as published by the American Society of Addiction Medicine (ASAM).

(2) "Co-occurring disorder specialist" means an individual possessing an enhancement granted by the department under chapter 18.205 RCW and this chapter that certifies the individual to provide substance use disorder counseling subject to the practice limitations under RCW 18.205.105.

#### NEW SECTION

**WAC 246-804-030 Application process.** To receive a co-occurring disorder specialist enhancement, the applicant must submit to the department:

- (1) A completed application;
- (2) Verification of meeting the underlying licensure requirements in RCW 18.205.105(1);
- (3) Verification of completing the training, exam, and experience requirements in RCW 18.205.105(5); and
- (4) The fee according to WAC 246-804-990.

#### NEW SECTION

**WAC 246-804-040 ASAM continuum of care.** (1) A co-occurring disorder specialist must follow ASAM criteria in the treatment of patients according to RCW 18.205.105 and this section.

(2) Clients must be assessed using ASAM criteria dimensions.

(3) If a client is assessed at a 2.1 or higher level of care according to ASAM criteria, the enhancement holder must make a reasonable effort to refer the client to the appropriate

care setting as indicated by the enhancement holder's ASAM level of care decision.

(4) If an enhancement holder is unable to refer a client to the appropriate level of care based on ASAM criteria, then enhancement holder must substantiate the level of care or type of service chosen in the clinical record.

NEW SECTION

**WAC 246-804-990 Co-occurring disorder specialist—Fees and renewal cycle.** A co-occurring disorder specialist enhancement, once obtained, does not require renewal. The following nonrefundable fees for a co-occurring enhancement will be charged:

Title of Fee	Fee
<b>Original application</b>	
Application	\$100.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Associate" means a prec licensure candidate who is working towards full licensure in their profession, has a graduate degree in a mental health field under RCW 18.225.090 and is gaining the supervision and supervised experience necessary to become a licensed independent clinical social worker, a licensed advanced social worker, a licensed mental health counselor, or a licensed marriage and family therapist. Associates may not independently provide social work, mental health counseling, or marriage and family therapy for a fee, monetary or otherwise. Associates must work under the supervision of an approved supervisor.

(2) "Independent social work, mental health counseling, or marriage and family therapy" means the practice of these disciplines without being under the supervision of an approved supervisor.

(3) "Department" means the department of health.

(4) "Licensed counselor" means a licensed marriage and family therapist, licensed mental health counselor, licensed advanced social worker, or licensed independent clinical social worker regulated under chapter 18.225 RCW. Licensed counselor does not mean an associate-level credential.

(5) "Out-of-state" means any state or territory of the United States.

(6) "Probationary license" means a temporary license issued to out-of-state applicants qualifying for licensure reciprocity in Washington state under the restrictions and conditions of RCW 18.225.140 and this chapter.

(7) "Reciprocity" means licensure of out-of-state licensed counselors based on substantial equivalence between Washington state scope of practice and the scope of practice of the other state or territory, subject to a probationary licensure period to complete outstanding Washington

state licensure requirements as determined necessary by the secretary to gain full licensure.

(8) "Secretary" means the secretary of the department of health.

NEW SECTION

**WAC 246-809-090 Co-occurring disorder enhancement specialist eligibility.** Licensed counselors licensed under chapter 18.225 RCW and this chapter are eligible to apply for a co-occurring disorder specialist enhancement to their existing license according to the conditions of RCW 18.205.105 and chapter 246-804 WAC.

NEW SECTION

**WAC 246-809-095 Probationary license.** (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state for an advanced social worker, independent clinical social worker, mental health counselor, or marriage and family therapist according to the conditions and restrictions of the reciprocity program established in RCW 18.225.140 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the particular behavioral health profession.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, the applicant must submit to the department a completed application to include:

- (a) Verification of their out-of-state license; and
- (b) The fee according to WAC 246-809-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew the probationary license, an applicant must submit to the department a completed application to include:

- (a) Completion of suicide assessment, treatment, and management according to WAC 246-809-615(1);
- (b) AIDS education according to WAC 246-809-080; and
- (c) The fee according to WAC 246-809-990.

(5) Continuing education. With the exception of the requirements of subsection (4) this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Approved supervision. If the department determines a probationary licensee must complete supervised hours of experience as a condition for full licensure, the licensee must complete the stated hours under an approved supervisor according to the conditions of this chapter.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-110 Definitions.** The following terms apply to the licensure of marriage and family therapists and marriage and family therapist associates.

(1) "Approved educational program" means:

- (a) Any college or university accredited by a national or regional accrediting body recognized by the Commission on

Recognition of Postsecondary Accreditation or its successor; or

(b) A program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAM-FTE), at the time the applicant completed the required education.

(2) "Approved supervisor" means a licensed marriage and family therapist, or an equally qualified licensed mental health practitioner.

(3) "Equally qualified licensed mental health practitioner" means a licensed mental health counselor, licensed clinical social worker, licensed psychologist, licensed physician practicing as a psychiatrist, or licensed psychiatric nurse practitioner, who has completed:

(a) Three hundred clock hours in graduate or postgraduate marriage and family education, or continuing education in marriage and family therapy or supervision by an approved marriage and family therapist supervisor in marriage and family therapy or any combination of these; and

(b) Five years of clinical practice that includes the equivalent of one year of clinical practice working with couples and families.

(4) "Group supervision" means face-to-face supervision with an approved supervisor, involving one supervisor and no more than six licensure candidates.

(5) "Licensure candidate" means an individual ~~((that))~~ who is accruing supervised clinical experience required for licensure.

(6) "One-on-one supervision" means face-to-face supervision with an approved supervisor, involving one supervisor and no more than two licensure candidates.

(7) "Peer" means a ~~((co-worker))~~ coworker who is not the licensure candidate's employer or supervisor.

(8) "Supervised experience requirement" means experience that is obtained under an approved supervisor who meets the requirements described in WAC 246-809-134.

(9) "Supervision of supervision" means supervision by an approved supervisor for the purpose of training and qualifying a license holder to act as an approved supervisor for purposes of chapter 18.225 RCW and WAC 246-809-134.

**AMENDATORY SECTION** (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-130 Supervised postgraduate experience.** (1) The experience requirements for the marriage and family therapist applicant's practice area include successful completion of a supervised experience requirement. Applicants who have held an active marriage and family therapy license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in subsection (3) of this section.

(2) In accordance with RCW 18.225.090 and 18.225.-095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for a marriage and family therapist license is submitted to the department, the department shall reduce the total required

supervised hours from three thousand hours to two thousand seven hundred hours. The requirements in subsection (3)(a) through (e) of this section shall apply regardless of the reduction of total required hours.

(3) The experience requirement consists of a minimum of two calendar years of full-time marriage and family therapy. Total experience requirements include a minimum of three thousand hours to include the following:

~~((1))~~ A minimum of three thousand hours of experience that includes) (a) One thousand hours of direct client contact with at least five hundred hours gained in diagnosing and treating couples and families;

~~((2))~~ (b) At least two hundred hours of qualified supervision with an approved supervisor.

~~((a))~~ (i) Of the two hundred hours, one hundred hours must be with a licensed marriage and family therapist with at least five years of clinical experience; the other one hundred hours may be with an equally qualified licensed mental health practitioner;

~~((b))~~ (ii) At least one hundred of the two hundred hours must be one-on-one supervision; and

~~((c))~~ (iii) The remaining hours may be in one-on-one or group supervision.

~~((3))~~ (c) Applicants who have completed a master's program accredited by the Commission on Accreditation for Marriage and Family Therapy Education of the American Association for Marriage and Family Therapy boards will be credited with five hundred hours of direct client contact and one hundred hours of qualified supervision with an approved supervisor;

~~((4))~~ (d) Licensed marriage and family therapist associate applicants are not required to have supervised postgraduate experience prior to becoming an associate; and

~~((5))~~ (e) Licensed marriage and family therapist associate applicants must declare they are working towards full licensure.

**AMENDATORY SECTION** (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-230 Supervised postgraduate experience.** (1) The experience requirements for the mental health counselor applicant's practice area include successful completion of a supervised experience requirement. Applicants who have held an active mental health counselor license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in subsection (3) of this section.

(2) In accordance with RCW 18.225.090 and 18.225.-095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for mental health counselor license is submitted to the department, the department shall reduce the minimum total required supervised hours from three thousand hours to two thousand seven hundred hours. The requirements in subsection (3)(b)(i) and (ii) of this section shall apply regardless of the reduction of total required hours.

(3)(a) The experience requirement consists of a minimum of thirty-six months full-time counseling or three thousand hours of postgraduate mental health counseling under the supervision of a qualified licensed mental health counselor or equally qualified licensed mental health practitioner in an approved setting.

(b) Of the three thousand hours:

((a)) (i) One hundred hours spent in immediate supervision with the qualified licensed mental health counselor or equally qualified licensed mental health practitioner; and

((b)) (ii) At least one thousand two hundred hours must be direct counseling with individuals, couples, families, or groups.

((2)) (4) Applicants who have completed a master's or doctoral program accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) will be credited with fifty hours of postgraduate supervision and five hundred hours of postgraduate experience.

((3)) (5) Applicants for licensed mental health counselor associate are not required to have supervised postgraduate experience prior to becoming an associate.

((4)) (6) Licensed mental health counselor associate applicants must declare they are working toward full licensure.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-330 Supervised postgraduate experience requirements.** (1) Licensed advanced social worker.

(a) Applicants who have held an active advanced social worker license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in subsection (1)(c) of this section.

(b) In accordance with RCW 18.225.090 and 18.225.-095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for an advanced social worker license is submitted to the department, the department shall reduce the total required supervised hours from three thousand two hundred hours to two thousand eight hundred eighty hours. The requirements in subsection (3)(c)(i) through (iii) of this section shall apply regardless of the reduction of total required hours.

(c) The supervised experience requirement consists of a minimum of three thousand two hundred hours with ninety hours of supervision by a licensed independent clinical social worker or a licensed advanced social worker who has been licensed or certified for at least two years. Of those hours:

((a)) (i) Eight hundred hours must be in direct client contact;

((b)) (ii) Ninety hours must be in direct supervision as follows:

((c)) (A) Fifty hours must include direct supervision by a licensed advanced social worker or licensed independent clinical social worker; these hours may be in one-to-one supervision or group supervision; and

((d)) (B) Forty hours may be with an equally qualified licensed mental health practitioner as defined in WAC 246-809-310(3). These hours must be in one-to-one supervision((e)); and

((f)) (iii) Distance supervision is limited to forty supervision hours.

(2) Licensed independent clinical social worker((g)).

(a) Applicants who have held an active independent clinical social worker license for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements for Washington state licensure in (c) of this subsection.

(b) In accordance with RCW 18.225.090 and 18.225.-095, for applicants who can demonstrate they have practiced as a substance use disorder professional for at least three years within ten years from the date their application for an independent clinical social worker license is submitted to the department, the department shall reduce the total required supervised hours from four thousand hours to three thousand six hundred hours. The requirements in subsection (2)(c)(i) and (ii) of this section shall apply regardless of the reduction of total required hours.

(c) The experience requirement consists of a minimum of four thousand hours of experience, over a period of not less than three years. Of those four thousand hours:

(i) One thousand hours must be direct client contact supervised by a licensed independent clinical social worker;

((b)) (ii) One hundred thirty hours of direct supervision as follows:

((c)) (A) Seventy hours must be with an independent clinical social worker;

((d)) (B) Sixty hours may be with an equally qualified licensed mental health practitioner as defined in WAC 246-809-310(3);

((e)) (C) Sixty hours of the one hundred thirty hours of direct supervision must be in one-to-one supervision. The remaining seventy hours may be in one-to-one supervision or group supervision; and

((f)) (D) Distance supervision is limited to sixty supervision hours.

(3) Licensed social worker associate-advanced and licensed social worker associate-independent clinical applicants are not required to have supervised postgraduate experience prior to becoming an associate.

(4) Licensed social worker associate-advanced and licensed social worker associate-independent clinical applicants must declare they are working toward full licensure.

AMENDATORY SECTION (Amending WSR 17-13-082, filed 6/16/17, effective 7/17/17)

**WAC 246-809-615 Training standards for suicide assessment, treatment, and management.** (1) A licensed counselor must complete training in suicide assessment, treatment, and management. The training must be provided by a single provider and must be at least six hours in length, which may be provided in one or more sessions.

(a) Until July 1, 2017, the training must be approved by an industry-recognized local, state, national, international

organizations or institutions of higher learning listed in WAC 246-809-620 or an equivalent organization, educational institution or association which approves training based on observation and experience or best available practices;

(b) Beginning July 1, 2017, the training must be on the department's model list of training programs in suicide assessment, treatment and management. The model list is developed in accordance with rules adopted by the department that establish minimum standards for training programs. The establishment of the model list does not affect the validity of training completed prior to July 1, 2017; and

(c) An associate applying for initial licensure may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training required in (a) or (b) of this subsection no more than six years prior to the application for initial licensure.

(2) A licensed marriage and family therapist, licensed mental health counselor, licensed social worker, or licensed social worker associate who is a state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

(3) A licensed marriage and family therapist, licensed mental health counselor, licensed social worker, or licensed social worker associate who is an employee of a ~~(community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 70.96A))~~ licensed or certified behavioral health agency licensed under chapter 71.05 or 71.24 RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

**AMENDATORY SECTION** (Amending WSR 18-01-098, filed 12/18/17, effective 4/1/18)

**WAC 246-809-990 Licensed counselor, and associate—Fees and renewal cycle.** (1) Except for a probationary license as described in WAC 246-809-095, a license((s)) must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) Associate licenses are valid for one year and must be renewed every year on the date of issuance. The associate license may be renewed no more than six times.

(3) The following nonrefundable fees will be charged:

Title	Fee
<b>Licensed marriage and family therapist</b>	
<b>Original application</b>	
Application and initial license	\$290.00
UW online access fee (HEAL-WA)	16.00

Title	Fee
<b>Active license renewal</b>	
Renewal	180.00
Late renewal penalty	90.00
Expired license reissuance	85.00
UW online access fee (HEAL-WA)	16.00
<b>Retired active license renewal</b>	
Renewal	70.00
Late renewal penalty	35.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed marriage and family therapy associate</b>	
<b>Original application</b>	
Application	65.00
UW online access fee (HEAL-WA)	16.00
<b>Renewal</b>	
Renewal	50.00
UW online access fee (HEAL-WA)	16.00
Late renewal penalty	50.00
Expired license reissuance	40.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed mental health counselor</b>	
<b>Original application</b>	
Application	95.00
Initial license	80.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	
Renewal	90.00
Late renewal penalty	50.00
Expired license reissuance	65.00
UW online access fee (HEAL-WA)	16.00
<b>Retired active license renewal</b>	
Renewal retired active	70.00
Late renewal penalty	35.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed mental health counselor associate</b>	
<b>Original application</b>	
Application	35.00
<b>Renewal</b>	

Title	Fee
Renewal	25.00
Late renewal penalty	25.00
Expired license reissuance	40.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed advanced social worker and licensed independent clinical social worker</b>	
<b>Original application</b>	
Application	100.00
Initial license	100.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	
Renewal	100.00
Late renewal penalty	50.00
Expired license reissuance	72.50
UW online access fee (HEAL-WA)	16.00
<b>Retired active license renewal</b>	
Renewal retired active	65.00
Late renewal penalty	30.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00
<b>Licensed advanced social worker associate and licensed independent clinical social worker associate</b>	
<b>Original application</b>	
Application	35.00
UW online access fee (HEAL-WA)*	16.00
<b>Renewal</b>	
Renewal	25.00
Late renewal penalty	25.00
UW online access fee (HEAL-WA)*	16.00
Expired license reissuance	40.00
<b>Duplicate license</b>	10.00
<b>Verification of license</b>	25.00

\* Surcharge applies to independent clinical social worker associate only.

(4) For a probationary license as described under WAC 246-809-095, the following nonrefundable fees will be charged:

<u>Title</u>	<u>Fee</u>
<b><u>Licensed marriage and family therapist</u></b>	
<b><u>Original application</u></b>	

<u>Title</u>	<u>Fee</u>
<u>Application and initial license</u>	<u>\$290.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>180.00</u>
<u>Late renewal penalty</u>	<u>90.00</u>
<u>Expired license reissuance</u>	<u>85.00</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>
<b><u>Licensed mental health counselor</u></b>	
<b><u>Original application</u></b>	
<u>Application and initial license</u>	<u>175.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>90.00</u>
<u>Late renewal penalty</u>	<u>50.00</u>
<u>Expired license reissuance</u>	<u>65.00</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>
<b><u>Licensed advanced social worker and licensed independent clinical social worker</u></b>	
<b><u>Original application</u></b>	
<u>Application and initial license</u>	<u>200.00</u>
<b><u>Active license renewal</u></b>	
<u>Renewal</u>	<u>100.00</u>
<u>Late renewal penalty</u>	<u>50.00</u>
<u>Expired license reissuance</u>	<u>72.50</u>
<b><u>Duplicate license</u></b>	<u>10.00</u>
<b><u>Verification of license</u></b>	<u>25.00</u>

AMENDATORY SECTION (Amending WSR 09-15-041, filed 7/8/09, effective 7/8/09)

**WAC 246-810-015 Agency affiliated counselor: Scope of practice and credentialing requirements.** (1) An agency affiliated counselor may only provide counseling services as part of his or her employment as an agency affiliated counselor for a recognized agency.

(2) An applicant for an agency affiliated counselor must be employed by, or have an offer of employment from, an agency or facility identified in WAC 246-810-016.

(3)(a) Applicants must submit an application to the department within the first thirty days of employment at an agency in order to continue working while the application is processed.

(b) Applicants must complete any outstanding deficiencies within ninety days of the date the department issues a deficiency letter. If the applicant does not satisfy the outstanding licensure requirements within ninety days, the applicant must stop working.

NEW SECTION

**WAC 246-810-019 Co-occurring disorder enhancement specialist eligibility.** Agency affiliated counselors licensed under chapter 18.19 RCW and this chapter who meet the conditions of RCW 18.205.105 (1)(e) are eligible to apply for a co-occurring disorder specialist enhancement to their existing credential according to the conditions of RCW 18.205.160 and chapter 246-804 WAC.

AMENDATORY SECTION (Amending WSR 09-15-041, filed 7/8/09, effective 7/8/09)

**WAC 246-810-026 Qualifications to be a certified counselor supervisor, certified adviser supervisor, or a certified counselor consultant.** The following qualifications are required to be a certified counselor supervisor, certified adviser supervisor, or a certified counselor consultant.

(1) The supervisor or consultant must have held a Washington state credential in counseling-related fields for a minimum of five years. All credentials held by the supervisor or consultant must be in good standing. At least one credential must be active.

(2) For purposes of this section, counseling-related fields means a credential issued under chapter 18.130 RCW for:

- (a) Certified counselor;
- (b) Hypnotherapist;
- (c) Mental health counselor;
- (d) Marriage and family therapist;
- (e) Independent clinical social work;
- (f) Advanced social work;
- (g) Psychologist;
- (h) ~~((Chemical dependency))~~ Substance use disorder professional;
- (i) Sex offender treatment provider;
- (j) Sex offender treatment provider affiliate;
- (k) Medical physician;
- (l) Osteopathic physician;
- (m) Advanced registered nurse practitioner;
- (n) Naturopathic physician; and
- (o) Until July 1, 2010, registered counselor.

Additional credentials may be accepted by the secretary as counseling-related.

(3) The supervisor or consultant may not be a blood or legal relative or cohabitant of the credential holder, or someone who has acted as the credential holder's counselor within the past two years. A supervisor or consultant may not have a reciprocal supervisory or consultant arrangement with another credential holder.

(4) Prior to the commencement of any supervision or consultation, the supervisor or consultant must provide the certified counselor or certified adviser with a declaration on a form provided by the department.

(5) The supervisor must have completed education and training in:

- (a) Supervision or management of individuals who provide counseling or mental health services;
- (b) Risk assessment;
- (c) Screening using the global assessment of functioning scale;
- (d) Professional ethics; and

(e) Washington state law.

(6) The consultant must have completed education and training in:

- (a) Risk assessment;
- (b) Screening using the global assessment of functioning scale;
- (c) Professional ethics; and
- (d) Washington state law.

AMENDATORY SECTION (Amending WSR 17-07-025, filed 3/7/17, effective 4/7/17)

**WAC 246-810-0298 Suicide assessment training standards.** (1) Approved qualifying training in suicide assessment, including screening and referral must:

(a) Until July 1, 2017, be approved by the American Foundation for Suicide Prevention, the Suicide Prevention Resource Center, entities listed in WAC 246-810-0293, or an equivalent organization, educational institution or association which approves training based on observation and experiment or best available practices. The training must be empirically supported training and meet other requirements in RCW 43.70.442;

(b) Beginning July 1, 2017, must be on the department's model list developed in accordance with RCW 43.70.442. Nothing in this section invalidates trainings completed according to this chapter before July 1, 2017; and

(c) Be provided by a single provider and be at least three hours in length, which may be provided in one or more sessions.

(2) A certified counselor or certified adviser who is an employee of a state or local government employer is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.

(3) A certified counselor or certified adviser who is an employee of a ~~((community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 70.96A))~~ licensed or certified behavioral health agency under chapter 71.05 or 71.24 RCW is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment, including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.

(4) A certified counselor or certified adviser that obtained training under the exemptions listed in subsections (2) and (3) of this section may obtain CE credit subject to documentation as defined in WAC 246-810-0297.

AMENDATORY SECTION (Amending WSR 97-17-113, filed 8/20/97, effective 9/20/97)

**WAC 246-810-061 Health care institutions.** The chief administrator or executive officer or their designee of any hospital, nursing home, ~~((chemical dependency treatment~~

programs as defined in chapter 70.96A RCW, drug treatment agency as defined in chapter 69.54 RCW, and public and private mental health treatment agencies as defined in RCW 71.05.020 (6) and (7), and 71.24.025(3)) licensed or certified behavioral health agency as defined in RCW 71.24.025, and residential treatment facility licensed under chapter 71.12 RCW, shall report to the department when any counselor's services are terminated or are restricted based upon a determination that the counselor has committed an act which may constitute unprofessional conduct or that the counselor may be unable to practice with reasonable skill or safety to clients by reason of a mental or physical condition. Reports are to be made in accordance with WAC 246-810-060.

### Chapter 246-811 WAC

#### ~~((CHEMICAL DEPENDENCY))~~ SUBSTANCE USE DISORDER PROFESSIONALS AND ((CHEMICAL DEPENDENCY)) SUBSTANCE USE DISORDER PROFESSIONALS TRAINEES

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly states otherwise.

(1) "Agency" means a community behavioral health agency or facility operated, licensed, or certified by the state of Washington, a federally recognized Indian tribe located with the state, a county, a federally qualified health center, or a hospital.

(2) "Approved school" means any college or university accredited by a national or regional accrediting body, at the time the applicant completed the required education or other educational programs approved by the secretary.

~~((2))~~ Certified chemical dependency professional (CDP) means an individual certified in chemical dependency counseling under chapter 18.205 RCW.

~~((3))~~ Certified chemical dependency professional trainee (CDPT) means an individual working toward the education and experience requirements for certification as a chemical dependency professional, and who has been credentialed as a CDPT under chapter 18.205 RCW.

~~((4))~~ Chemical dependency counseling means employing the core competencies of chemical dependency counseling to assist or attempt to assist an alcohol or drug addicted person to develop and maintain abstinence from alcohol and other mood-altering drugs.

~~((5))~~ (3) "Counseling" means employing any therapeutic techniques including, but not limited to, social work, mental health counseling, marriage and family therapy, and hypnotherapy, for a fee, that offer, assist, or attempt to assist an individual or individuals in the amelioration or adjustment of mental, emotional, or behavioral problems, and includes therapeutic techniques to achieve sensitivity and awareness of self and others and the development of human potential.

(4) "Core competencies of ((chemical dependency)) substance use disorder counseling" means competencies oriented to assist ((alcohol and drug addicted patients to achieve

and maintain abstinence from mood-altering substances and develop independent support systems)) individuals with substance use disorder in their recovery. Core competencies include the following nationally recognized areas:

(a) Knowledge;

(b) Skills;

(c) Attitudes of professional practice, including assessment and diagnosis of ~~((chemical dependency))~~ substance use disorder;

(d) ~~((Chemical dependency))~~ Substance use disorder treatment planning and referral;

(e) Patient and family education in ~~((the disease of chemical dependency))~~ substance use disorder;

(f) Individual and group counseling ~~((with alcoholic and drug addicted individuals; and));~~

(g) Relapse prevention counseling~~((;))~~; and

(h) Case management.

~~((6))~~ (5) "Direct supervision" means the supervisor is on the premises and available for immediate consultation.

~~((7))~~ (6) "Enrolled" means participating in an approved school and progressing toward the completion of the course work, or completion of the course work to be certified as a ((chemical dependency)) substance use disorder professional as described in WAC 246-811-030 (2)(a) through (w).

~~((8))~~ (7) "Individual formal meetings" means a meeting with an approved supervisor, involving one approved supervisor and no more than four supervisees.

~~((9))~~ (8) "Official transcript" means the transcript from an approved college or school, in an envelope readily identified as having been sealed by the school.

~~((10))~~ (9) "Out-of-state" means any state or territory of the United States.

(10) "Probationary license" means a temporary license issued to out-of-state applicants qualifying for licensure reciprocity in Washington state under the restrictions and conditions of RCW 18.205.140 and this chapter.

(11) "Reciprocity" means licensure of out-of-state licensed counselors based on substantial equivalence between Washington state scope of practice and the scope of practice of the other state or territory, subject to a probationary licensure period to complete outstanding Washington state licensure requirements as determined necessary by the secretary to gain full licensure.

(12) "Recovery" means a process of change through which individuals improve their health and wellness, live self-directed lives, and strive to reach their full potential. Recovery often involves achieving remission from active substance use disorder.

(13) "Related field" means health education, behavioral science, sociology, psychology, marriage and family therapy, mental health counseling, social work, psychiatry, nursing, divinity, criminal justice, and counseling education.

(14) "Substance use disorder counseling" means employing the core competencies of substance use disorder counseling to assist or attempt to assist individuals with substance use disorder in their recovery.

(15) "Substance use disorder professional" or "SUDP" means an individual certified in substance use disorder counseling under chapter 18.205 RCW and this chapter.

(16) "Substance use disorder professional trainee" or "SUDPT" means an individual holding a credential as an SUDPT and working toward the education and experience requirements for certification as a substance use disorder professional under chapter 18.205 RCW and this chapter.

AMENDATORY SECTION (Amending WSR 17-24-084, filed 12/5/17, effective 1/5/18)

**WAC 246-811-020 Sexual misconduct.** (1) The definitions and prohibitions on sexual misconduct described in chapter 246-16 WAC apply to ~~((chemical dependency professionals and a chemical dependency))~~ substance use disorder professionals and a substance use disorder professional trainee except WAC 246-16-100 (4) and (5).

(2) A ~~((chemical dependency))~~ substance use disorder professional or a ~~((chemical dependency))~~ substance use disorder professional trainee shall never engage, or attempt to engage, in the activities listed in WAC 246-16-100 (1) and (2) with a former patient, former client or former key party.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-030 Educational requirements.** (1) Except as provided for in WAC 246-811-077 and 246-811-078, the minimum education requirements for a ~~((chemical dependency))~~ substance use disorder professional credential are:

(a) An associate's degree in human services or related field from an approved school; or

(b) Successful completion of ninety quarter or sixty semester college credits in courses from an approved school.

(2) At least forty-five quarter or thirty semester credits must be in courses relating to the ~~((chemical dependency))~~ substance use disorder profession and shall include the following topics specific to ~~((alcohol and drug addicted))~~ individuals with substance use disorder in their recovery:

(a) Understanding addiction;

(b) Pharmacological actions of alcohol and other drugs;

(c) Substance abuse and addiction treatment methods;

(d) Understanding addiction placement, continuing care, and discharge criteria, including American Society of Addiction Medicine (ASAM) criteria;

(e) Cultural diversity including people with disabilities and its implication for treatment;

(f) ~~((Chemical dependency))~~ Substance use disorder clinical evaluation (screening and referral to include comorbidity);

(g) HIV/AIDS brief risk intervention for the chemically dependent;

(h) ~~((Chemical dependency))~~ Substance use disorder treatment planning;

(i) Referral and use of community resources;

(j) Service coordination (implementing the treatment plan, consulting, continuing assessment and treatment planning);

(k) Individual counseling;

(l) Group counseling;

(m) ~~((Chemical dependency))~~ Substance use disorder counseling for families, couples and significant others;

(n) Client, family and community education;

(o) Developmental psychology;

(p) Psychopathology/abnormal psychology;

(q) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data;

(r) ~~((Chemical dependency))~~ Substance use disorder confidentiality;

(s) Professional and ethical responsibilities;

(t) Relapse prevention;

(u) Adolescent ~~((chemical dependency))~~ substance use disorder assessment and treatment;

(v) ~~((Chemical dependency))~~ Substance use disorder case management; and

(w) ~~((Chemical dependency))~~ Substance use disorder rules and regulations.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-035 Certification of a ~~((chemical dependency))~~ substance use disorder professional trainee ~~((CDPT))~~.** (1) The department of health will issue a ~~((CDPT))~~ substance use disorder professional trainee certificate to an individual who:

(a) Submits an application on forms the department provides;

(b) Includes written documentation to meet the eligibility criteria;

(c) Declares that he or she is enrolled in an approved school and gaining the experience required to receive a ~~((CDP))~~ substance use disorder professional credential;

(d) Submit evidence of completion of four clock hours of AIDS education. The requirement of WAC 246-811-030 (2)(g) will satisfy this requirement.

(2) A ~~((CDPT))~~ substance use disorder professional trainee must submit a signed declaration with their annual renewal that states they are enrolled in an approved education program, or have completed the educational requirements, and are obtaining the experience requirements for a ~~((CDP))~~ substance use disorder professional credential.

(3) A ~~((CDPT))~~ substance use disorder professional trainee certificate can only be renewed four times.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-045 Accumulation of experience.** (1) The department will consider experience in the field of ~~((chemical dependency))~~ substance use disorder counseling up to seven years prior to the date of application.

(2) Accumulation of the experience hours is not required to be consecutive.

(3) Experience that will count toward certification must meet the requirements outlined in WAC 246-811-046 through 246-811-049.

(4) Supervised experience is the practice as referred to in RCW 18.205.090 (1)(c) and is the experience received under an approved supervisor.

(5) A practicum or internship taken while acquiring the degree or semester/quarter hours is applicable.

(6) Applicants who have held an active substance use disorder credential for the past five consecutive years or more in another state or territory, without a disciplinary record or disqualifying criminal history, are deemed to have met the supervised experience requirements of this chapter for Washington state licensure.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-046 Number of experience hours required for certification as a ((chemical dependency)) substance use disorder professional.** Except as provided in WAC 246-811-070(1), an applicant must complete the following requirements based on their level of formal education.

(1) Two thousand five hundred hours of ((chemical dependency)) substance use disorder counseling, for individuals who have an associate degree; or

(2) Two thousand hours of ((chemical dependency)) substance use disorder counseling for individuals who have a baccalaureate degree in human services or a related field from an approved school; or

(3) One thousand five hundred hours of ((chemical dependency)) substance use disorder counseling for individuals who possess a master or doctoral degree in human services or a related field from an approved school; or

(4) One thousand hours of ((chemical dependency)) substance use disorder counseling for individuals who are credentialed according to WAC 246-811-076. The experience must be supervised by an approved supervisor meeting the requirements under WAC 246-811-049(8).

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-047 Competency—Experience requirements.** (1) It is the intent that an individual applying for a ((chemical dependency)) substance use disorder professional certificate has become competent in the core competencies of chemical counseling through the experience requirements in this section.

(2) Individuals must have the following experiences to gain the core competencies of ((chemical dependency)) substance use disorder counseling:

(a) Two hundred hours of clinical evaluation, of which one hundred hours must be face-to-face patient contact hours;

(b) Six hundred hours of face-to-face counseling to include:

- (i) Individual counseling;
- (ii) Group counseling; and
- (iii) Family, couples, and significant others;
- (c) Fifty hours of discussion of professional and ethical responsibilities;

(d) Transdisciplinary foundations:

- (i) Understanding addiction;
- (ii) Treatment knowledge;
- (iii) Application to practice; and
- (iv) Professional readiness;
- (e) Treatment planning;
- (f) Referral;
- (g) Service coordination;

(h) Client, family, and community education; and

(i) Documentation, to include, screening, intake, assessment, treatment plan, clinical reports, clinical progress notes, discharge summaries, and other client related data.

(3) Of the total experience hours required under WAC 246-811-046, eight hundred fifty hours of experience must be divided among subsection (2)(a) through (c) of this section. The remaining experience hours must be divided among subsection (2)(d) through (i) of this section as determined by the supervisor.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-048 Supervision requirements.** (1) All of the experience required for ((CDP)) substance use disorder professional certification must be under an approved supervisor as defined in WAC 246-811-049.

(2) ((ACDPT)) A substance use disorder professional or an individual credentialed according to WAC 246-811-076 may provide ((chemical dependency)) substance use disorder assessment, counseling, and case management to patients consistent with his or her education, training, and experience as documented by the approved supervisor.

(a) The first fifty hours of any face-to-face patient contact must be under direct supervision and within sight and hearing of an approved supervisor or a ((chemical dependency)) substance use disorder professional designated by the approved supervisor.

(b) An approved supervisor or the approved supervisor's designated certified ((chemical dependency)) substance use disorder professional must provide direct supervision when a supervisee is providing clinical services to patients until the approved supervisor documents in the employee file that the supervisee has obtained the necessary education, training, and experience.

(3) Approved supervisors must attest to the department that the supervisee has demonstrated competency in the areas listed in WAC 246-811-047(2) on forms provided by the department.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-049 Approved supervisors.** (1) ((Except as provided in subsection (8) of this section,)) An approved supervisor is a certified ((CDP)) substance use disorder professional or a person who meets or exceeds the requirements of a certified ((CDP)) substance use disorder professional in the state of Washington, and who would be eligible to take the examination required for certification.

(2) ((Except as provided in subsection (9) of this section,)) An approved supervisor must have at least ((four)) three thousand hours of experience in a state approved ((chemical dependency)) substance use disorder treatment agency in addition to the supervised experience hours required to become a ((CDP)) substance use disorder professional.

(3) ((Except as provided in subsection (9) of this section,)) An approved supervisor may substitute twenty-eight

clock hours of recognized supervisory training for one thousand hours of experience.

(4) An approved supervisor may substitute five hundred hours of experience with thirty-six hours of education specific to:

- (a) Counselor development;
- (b) Professional and ethical standards;
- (c) Program development and quality assurance;
- (d) Performance evaluation;
- (e) Administration;
- (f) Treatment knowledge; and
- (g) Washington state law regarding substance use disorder treatment.

(5) An approved supervisor is not a blood or legal relative, significant other, cohabitant of the supervisee, or someone who has acted as the supervisee's primary counselor.

~~((5) A chemical dependency))~~ (6) A substance use disorder professional trainee ~~((CDPT))~~ (SUDPT) must receive documentation of his or her approved supervisor's qualifications before training begins.

~~((6))~~ (7) An approved supervisor or other certified ~~((CDP))~~ substance use disorder professional must review and sign all ~~((CDPT))~~ substance use disorder professional trainee clinical documentation.

~~((7))~~ (8) An approved supervisor is responsible for all patients assigned to the ~~((CDPT))~~ substance use disorder professional trainee they supervise.

~~((8) An approved supervisor may only provide supervision to an applicant completing the alternative training under WAC 246-811-077 if the approved supervisor holds a current Washington state credential as a CDP and meets all other requirements under this section.~~

(9) A CDP credentialed according to WAC 246-811-077 may meet the requirements to be an approved supervisor under subsections (2) and (3) of this section by:

(a) ~~Completing fifteen hundred hours of experience in a state approved chemical dependency treatment agency. These hours are in addition to the supervised experience hours required to become a CDP;~~

(b) ~~Completing twenty-eight clock hours of supervisory training provided by an industry-recognized local, state, national, or international organization or institution of higher learning as defined in WAC 246-811-200(5); and~~

- (c) ~~Completing thirty-six hours of education specific to:~~
  - (i) Counselor development;
  - (ii) Professional and ethical standards;
  - (iii) Program development and quality assurance;
  - (iv) Performance evaluation;
  - (v) Administration;
  - (vi) Treatment knowledge; and
  - (vii) Washington state law regarding substance use disorder treatment.)

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-060 Examination requirements for a ~~((chemical dependency certification))~~ substance use disorder professional certification.** (1) An applicant must take and pass the National Association of Alcoholism and Drug

Abuse Counselor (NAADAC) National Certification Examination for Addiction Counselors or International Certification and Reciprocity Consortium (ICRC) Certified Addiction Counselor Level II or higher examination.

(2) The department will accept the passing score set by the testing company.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-075 AIDS prevention and information education requirements.** ~~((Chemical dependency))~~ Substance use disorder professional applicants and ~~((chemical dependency))~~ substance use disorder professional trainee applicants must complete four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-076 Eligibility for certification through alternative training.** A practitioner listed in subsections (1) through (7) of this section who holds an active license in good standing may apply for certification as a ~~((chemical dependency))~~ substance use disorder professional using alternative training under WAC 246-811-077 or 246-811-078:

(1) Advanced registered nurse practitioner under chapter 18.79 RCW;

(2) Marriage and family therapists, mental health counselor, advanced social worker, or independent clinical social worker under chapter 18.225 RCW;

(3) Psychologist under chapter 18.83 RCW;

(4) Osteopathic physician under chapter 18.57 RCW;

(5) Osteopathic physician assistant under chapter 18.57A RCW;

(6) Physician under chapter 18.71 RCW; or

(7) Physician assistant under chapter 18.71A RCW.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-077 Educational requirements to apply for ~~((chemical dependency))~~ substance use disorder professional certification with alternative training.** An applicant credentialed according to WAC 246-811-076 may meet the educational requirements for ~~((chemical dependency))~~ substance use disorder professional certification by demonstrating successful completion of fifteen quarter or ten semester college credits in courses from an approved school.

(1) Course work on each of the following topics specific to ~~((alcohol and drug addicted))~~ individuals with substance use disorder is required:

(a) Survey of addiction;

(b) Treatment of addiction;

(c) Pharmacology;

(d) Physiology of addiction;

(e) American Society of Addiction Management (ASAM) criteria;

(f) Individual group, including family addiction counseling; and

(g) Substance use disorder law and ethics.

(2) Course work must be completed for credit.

(3) An applicant shall verify course completion by submitting official transcripts to the department. If the course title does not clearly identify the content area, the applicant shall provide the course syllabi.

(4) An applicant who meets the educational requirements of this section is considered to meet the educational requirements of WAC 246-811-030.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-078 National certification acceptable for alternative training.** (1) An applicant credentialed according to WAC 246-811-076 may submit a national certification listed in subsection (2) of this section in place of the following requirements for ~~((CDP))~~ substance use disorder professional certification:

(a) The educational requirements in WAC 246-811-077 and 246-811-030; and

(b) The supervised experience requirements in WAC 246-811-046.

(2) The department accepts the following national certifications from an applicant credentialed according to WAC 246-811-076:

(a) American Society of Addiction Medicine (ASAM) or the American Board of Addiction Medicine (ABAM);

(b) Addiction psychiatry from the American Board of Psychiatry and Neurology;

(c) Master addiction counselor (MAC) from the National Association of Alcoholism and Drug Abuse Counselors;

(d) Master addiction counselor (MAC) from the National Board of Certified Counselors;

(e) Certified addictions registered nurse or a certified addictions registered nurse - Advanced practice from the International Nurses Society on Addictions;

(f) Certified addiction specialist (CAS) from the American Academy of Health Care Providers in the Addictive Disorders;

(g) Certificate of Proficiency in the Treatment of Psychoactive Substance Abuse Disorders from the American Psychological Association;

(h) Advanced alcohol and drug counselor (AADC) from the International Certification and Reciprocity Consortium;

(i) American Osteopathic Board of Anesthesiology Certificate of Added Qualification in Addiction Medicine;

(j) American Osteopathic Board of Family Medicine Certificate of Added Qualification in Addiction Medicine;

(k) American Osteopathic Board of Internal Medicine Certificate of Added Qualification in Addiction Medicine; and

(l) American Osteopathic Board of Neurology and Psychiatry Certificate of Added Qualification in Addiction Medicine.

(3) The certifying body of a national certification submitted according to this section must send verification of the certification directly to the department.

(4) A national certification submitted according to this section must be active and in good standing.

(5) Nothing in this section exempts any applicant from the examination requirements of WAC 246-811-060.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-080 What happens if my certification expires?** (1) If the ~~((chemical dependency professional (CDP) or chemical dependency certification trainee (CDPT))~~ substance use disorder professional or substance use disorder professional trainee certification has expired for five years or less, the individual must meet the requirements of chapter 246-12 WAC, Part 2.

(2) If a ~~((CDP))~~ substance use disorder professional certification has lapsed for more than five years, the applicant must demonstrate continued competency and must pass an examination, if an examination was not successfully passed for the initial certification. In addition, the requirements of chapter 246-12 WAC, Part 2, must be met.

(3) If a ~~((CDPT))~~ substance use disorder professional trainee certification has lapsed for more than five years, the applicant must meet the requirements of chapter 246-12 WAC, Part 2.

**((CHEMICAL DEPENDENCY)) SUBSTANCE USE DISORDER PROFESSIONAL RETIRED ACTIVE CREDENTIAL**

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-081 Retired active ~~((chemical dependency))~~ substance use disorder professional ~~((CDP))~~ (SUDP) credential. A certified ~~((CDP))~~ substance use disorder professional may obtain a retired active credential. Refer to the requirements of chapter 246-12 WAC, Part 5.**

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-090 A ~~((chemical dependency))~~ substance use disorder professional and a ~~((chemical dependency))~~ substance use disorder professional trainee must provide client disclosure information. A ~~((chemical dependency))~~ substance use disorder professional and a ~~((chemical dependency))~~ substance use disorder professional trainee must provide disclosure information to each client prior to the delivery of certified services ~~((WAC 388-805-325))~~. Disclosure information may be printed in a format of the ~~((chemical dependency))~~ substance use disorder professional's choosing or in a general format used by a state approved treatment facility.**

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-100 Disclosure statement requirements.** (1) The following information must be printed on all disclosure statements provided to counseling clients in language that can be easily understood by the client:

(a) Name of firm, agency, business, or (~~chemical dependency~~) substance use disorder professional's practice.

(b) Employment address and telephone number.

(c) Name, credential, and credential number.

(d) Billing information, including:

(i) Client's cost per each counseling session;

(ii) Billing practices, including any advance payments and refunds.

(e) A list of the acts of unprofessional conduct in RCW 18.130.180 including the name, address, and contact telephone number within the department of health.

(2) The (~~CDP or CDPT~~) substance use disorder professional or substance use disorder professional trainee and the client must sign and date a statement indicating that the client has been given a copy of the required disclosure information, and the client has read and understands the information provided.

### **CONTINUING COMPETENCY REQUIREMENTS FOR (~~CHEMICAL DEPENDENCY~~) SUBSTANCE USE DISORDER PROFESSIONALS**

AMENDATORY SECTION (Amending WSR 14-09-102, filed 4/22/14, effective 4/22/14)

**WAC 246-811-200 Continuing competency definitions.** (1) "Agency sponsored training" is training provided by an agency that is not limited to people working within that agency and is a professional development activity as defined in subsection (7) of this section.

(2) "Continuing competency enhancement plan" is a plan showing the goals an individual will develop to continue proficiency as a certified (~~chemical dependency~~) substance use disorder professional. This plan will be based on core competencies of (~~chemical dependency~~) substance use disorder counseling listed in WAC 246-811-047 (2)(a) through (i) and on forms provided by the department.

(3) "Continuing education" means a program or course (including distance learning), seminar workshop, or professional conference approved by an industry-recognized organization or institution of higher learning listed in subsection (5) of this section.

(4) "Distance learning" is industry-recognized education obtained to enhance proficiency in one or more of the professional development activities as defined in subsection (7) of this section, through sources such as internet course work, satellite downlink resources, telecourses, or correspondence courses.

(5) "Industry-recognized" is any local, state, national, or international organization or institution of higher learning including, but not limited to, the following:

(a) National Association of Alcoholism and Drug Abuse Counselors (NAADAC);

(b) National Association of Addiction Treatment Providers (NAATP);

(c) International Certification and Reciprocity Consortium (ICRC);

(d) Northwest Indian alcohol/drug specialist certification board;

(e) Institutions of higher learning that are accredited by a national or regional accrediting body recognized by the Commission on Recognition of Postsecondary Accreditation; and

(f) Division of behavioral health and recovery (DBHR), (~~department of social and health services~~) health care authority.

(6) "In-service training" is training provided by an agency that is limited to people working within that agency and is a professional development activity as defined in subsection (7) of this section.

(7) "Professional development activities" means addiction competencies as outlined in WAC 246-811-047, including: Clinical evaluation, individual counseling, group counseling, counseling family, couples, and significant others, professional and ethical responsibilities, understanding addiction, treatment knowledge, application to practice, professional readiness, treatment planning, referral, service coordination, client, family, and community education, screening, intake, assessment, clinical reports, clinical progress notes, discharge summaries, and other client related data.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-210 Purpose of a continuing competency program.** To enhance the professional competency of the (~~chemical dependency~~) substance use disorder professional. A successful continuing competency program focuses on all aspects of professional practice to ensure that the practitioner is competent to provide safe and quality care to patients. The purpose of the professional development activities is to broaden the experience that a (~~CDP~~) substance use disorder professional may undertake to maintain competency.

AMENDATORY SECTION (Amending WSR 16-14-052, filed 6/29/16, effective 7/30/16)

**WAC 246-811-220 Continuing competency program requirements.** A (~~chemical dependency~~) substance use disorder professional, regardless of method of certification, must complete:

(1) An enhancement plan as described in WAC 246-811-200(7);

(2) Twenty-eight hours of continuing education as described in WAC 246-811-240; and

(3) Twelve hours of other professional development activities as described in WAC 246-811-047 and 246-811-200(2).

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-230 Continuing competency reporting period.** A (~~chemical dependency~~) substance use disorder professional must complete the continuing competency program requirements every two years. A (~~CDP~~) substance use disorder professional must develop and implement the plan upon initial certification, and every two years thereafter.

AMENDATORY SECTION (Amending WSR 14-09-102, filed 4/22/14, effective 4/22/14)

**WAC 246-811-240 Number of continuing education hours required.** (1) A certified ~~((chemical dependency))~~ substance use disorder professional must complete twenty-eight hours of continuing education (CE) every two years.

(a) At least fourteen hours must be completed in one or more of the topic areas as described in WAC 246-811-030 (2)(a) through (w).

(b) At least four hours must be in professional ethics and law.

(c) The additional ten hours shall be in areas relating to the various phases of their professional career.

(d) The training in suicide assessment listed in subsection (2) of this section shall count towards meeting the CE requirements.

(2) Beginning January 1, 2014, at least once every six years a certified ~~((chemical dependency))~~ substance use disorder professional must complete at least three hours of training in suicide assessment, including screening and referral, as specified in WAC 246-811-280.

(a) Except as provided in (b) of this subsection, the first training must be completed during the first full CE reporting period after January 1, 2014, or the first full CE period after initial certification, whichever occurs later.

(b) An individual applying for initial certification as a ~~((chemical dependency))~~ substance use disorder professional on or after January 1, 2014, may delay completion of the first required training for six years after initial certification if he or she can demonstrate completion of a three-hour training in suicide assessment, including screening and referral that:

(i) Was completed no more than six years prior to the application for initial certification; and

(ii) Meets the qualifications listed in WAC 246-811-280(1).

(3) Nothing in this section is intended to expand or limit the existing scope of practice of a certified ~~((chemical dependency))~~ substance use disorder professional or certified ~~((chemical dependency))~~ substance use disorder professional trainee credentialed under chapter 18.205 RCW.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-260 Completion of the twelve hours of other professional development activities.** (1) A ~~((chemical dependency))~~ substance use disorder professional ~~((CDP))~~ (SUDP) may obtain hours through the following:

(a) Practicum;

(b) Peer-review including serving on a formal peer review panel or committee, or individual review of a sole provider, where the purpose of the review is to determine whether appropriate treatment was rendered;

(c) Public presentation including preparing and presenting lectures or education that contribute to the professional competence of a ~~((CDP. The CDP))~~ substance use disorder professional. The substance use disorder professional may accumulate the same number of hours obtained for continuing education purposes by attendees as required in WAC 246-12-220. The hours for presenting a specific topic lecture

or education may only be used for continuing education credit once during each reporting period;

(d) Publication of writings;

(e) Other activities as determined by the ~~((CDP's))~~ substance use disorder professional's supervisor;

(f) Continuing education; these continuing education hours are in addition to the twenty-eight hours of continuing education as listed in WAC 246-811-240.

(2) All documentation must include the dates the continuing competency activity that took place, and if appropriate, the title of the course, the location of the course, and the name of the instructor.

AMENDATORY SECTION (Amending WSR 09-14-111, filed 6/30/09, effective 7/1/09)

**WAC 246-811-270 Acceptable audit documentation for continuing education, professional development activities, and the enhancement plan.** (1) Acceptable documentation must be specific to the program completed and include:

(a) Transcripts, letters from course instructors, or certificate of completion;

(b) Written report by the ~~((CDP))~~ substance use disorder professional explaining how they achieved the competencies in WAC 246-811-047; or

(c) Signed agreement between parties involved.

(2) A ~~((chemical dependency))~~ substance use disorder professional must comply with the requirements of chapter 246-12 WAC, Part 7.

AMENDATORY SECTION (Amending WSR 17-13-083, filed 6/16/17, effective 7/17/17)

**WAC 246-811-280 Suicide assessment training standards.** (1) A ~~((CDP))~~ substance use disorder professional must complete a training in suicide assessment, including screening and referral. The training must be provided by a single provider and must be at least three hours in length, which may be provided in one or more sessions.

(a) Until July 1, 2017, the training must be approved by the American Foundation for Suicide Prevention; the Suicide Prevention Resource Center; an industry-recognized organization or an institution of higher learning listed in WAC 246-811-200; or an association which approves training programs based on observation and experiment or best available practices.

(b) Beginning July 1, 2017, the training must be on the department's model list for training programs in suicide assessment, treatment and management. The model list is developed in accordance with rules adopted by the department that establish minimum standards for training programs. The establishment of the model list does not affect the validity of training completed prior to July 1, 2017.

(2) A certified ~~((chemical dependency))~~ substance use disorder professional who is a state or local government employee is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment, including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one three-hour block or

may be spread among shorter training sessions at the employer's discretion.

(3) A certified (~~(chemical dependency)~~) substance use disorder professional who is an employee of a community mental health agency licensed under chapter 71.24 RCW or a (~~(chemical dependency)~~) substance use disorder program certified under chapter 70.96A RCW is exempt from the requirements of this section if he or she receives a total of at least three hours of training in suicide assessment, including screening and referral from his or her employer every six years. For purposes of this subsection, the training may be provided in one three-hour block or may be spread among shorter training sessions at the employer's discretion.

NEW SECTION

**WAC 246-811-300 Probationary license.** (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state for substance use disorder professional according to the conditions and restrictions of the reciprocity program established RCW 18.205.140 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the particular behavioral health profession.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, the applicant must submit to the department a completed application to include:

- (a) Verification of their out-of-state license; and
- (b) The fee according to WAC 246-811-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew a probationary license, the applicant must submit to the department a completed application to include:

- (a) Completion of suicide assessment, treatment, and management according to WAC 246-811-280(1);
- (b) AIDS education according to WAC 246-811-075; and
- (c) The fee according to WAC 246-811-990.

(5) Continuing education. With the exception of the requirements in subsection (4) of this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Approved supervision. If the department determines a probationary licensee must complete supervised hours of experience as a condition for full licensure, the licensee must complete the stated hours under an approved supervisor according to the conditions of this chapter.

AMENDATORY SECTION (Amending WSR 18-09-077, filed 4/17/18, effective 8/1/18)

**WAC 246-811-990 (~~(Chemical dependency professional and chemical dependency)~~) Substance use disorder professional and substance use disorder professional trainee—Fees and renewal cycle.** (1) A (~~(chemical dependency)~~) substance use disorder professional (~~((CDP))~~) (SUDP) certificate must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) A (~~(chemical dependency)~~) substance use disorder professional trainee (~~((CDPT))~~) certificate must be renewed every year to correspond with issuance date.

(3) The following nonrefundable fees will be charged for a certified (~~(chemical dependency)~~) substance use disorder professional:

<b>Title of Fee</b>	<b>Fee</b>
Application	\$260.00
Initial certification	295.00
Active renewal	300.00
Active late renewal penalty	150.00
Retired active renewal	115.00
Retired active late renewal penalty	60.00
Expired certification reissuance	115.00
Duplicate certification	10.00
Verification of certificate	25.00

(4) The following nonrefundable fees will be charged for a certified (~~(chemical dependency)~~) substance use disorder professional trainee:

<b>Title of Fee</b>	<b>Fee</b>
Application and initial certification	\$110.00
Renewal	90.00
Late renewal penalty	50.00
Expired certification reissuance	50.00
Duplicate certification	10.00
Verification of certificate	25.00

(5) Probationary licensure. To receive an initial or renewal of a probationary license as described in WAC 246-811-300 (3) and (4), the following nonrefundable fees will be charged:

<b><u>Title of Fee</u></b>	<b><u>Fee</u></b>
<u>Application and initial certification</u>	<u>\$555.00</u>
<u>Active renewal</u>	<u>300.00</u>
<u>Active late renewal penalty</u>	<u>150.00</u>
<u>Expired certification reissuance</u>	<u>115.00</u>
<u>Duplicate certification</u>	<u>10.00</u>
<u>Verification of certificate</u>	<u>25.00</u>

AMENDATORY SECTION (Amending WSR 15-19-149, filed 9/22/15, effective 1/1/16)

**WAC 246-924-990 Psychology fees and renewal cycle.** (1) Except for a probationary license as described in WAC 246-924-493, licenses must be renewed every year on the practitioner's birthday as provided in chapter 246-12 WAC, Part 2.

(2) The following nonrefundable fees will be charged:

<b>Title of Fee</b>	<b>Fee</b>
<b>Original application</b>	
Application	\$190.00
UW online access fee (HEAL-WA)	16.00
<b>Active license renewal</b>	
Renewal	210.00
UW online access fee (HEAL-WA)	16.00
Late renewal penalty	105.00
Expired license reissuance	155.00
<b>Retired active license renewal</b>	
Renewal	105.00
Late renewal penalty	55.00
UW online access fee (HEAL-WA)	16.00
<b>Duplicate license</b>	
	<del>(30.00)</del>
	<u>10.00</u>
<b>Verification of license</b>	
	<del>(30.00)</del>
	<u>25.00</u>
<b>Amendment of certificate of qualification</b>	
	35.00

(3) For a probationary license as described under WAC 246-924-493, the following nonrefundable fees will be charged:

<b>Title of Fee</b>	<b>Fee</b>
<b>Original application</b>	
<u>Application</u>	<u>\$190.00</u>
<b>Active license renewal</b>	
<u>Renewal</u>	<u>210.00</u>
<u>Late renewal penalty</u>	<u>105.00</u>
<u>Expired license reissuance</u>	<u>155.00</u>
<b>Duplicate license</b>	
	<u>10.00</u>
<b>Verification of license</b>	
	<u>25.00</u>

**WSR 20-12-076**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
 (Board of Psychology)

[Filed June 1, 2020, 3:31 p.m., effective July 2, 2020]

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

Purpose: Chapter 246-924 WAC, Examining board of psychology (board), the board is adopting various amendments and adding two new sections to this chapter to implement ESHB 1768 and SB 5054 as passed by the 2019 Washington state legislature. The board is adopting rules to reduce barriers to licensure, including a program to make it easier for out-of-state licensees to practice in Washington. The adopted rules will create a temporary probationary license as part of the license reciprocity program. The probationary license fee

will be adopted under the authority of the secretary of health (see proposal filed under WSR 20-07-128). The adopted rule also: (1) Refers psychologists to new chapter 246-804 WAC (proposal filed under WSR 20-07-128) which provides the option to add a co-occurring disorder specialist enhancement to their existing license, and (2) creates a reduction in supervised experience hours required for licensure as a psychologist provided the applicant has been credentialed as a substance use disorder professional for three of the past ten years at the time of application.

In addition to implementing the 2019 legislative requirements, the board is adopting rules to clarify standards regarding licensure requirements for practicums, examinations, and temporary permits, and correct internal references and citations accordingly.

Citation of Rules Affected by this Order: New WAC 246-924-085 and 246-924-493; and amending WAC 246-924-010, 246-924-043, 246-924-049, 246-924-059, 246-924-095, 246-924-480, and 246-924-495.

Statutory Authority for Adoption: SB 5054 (chapter 351, Laws of 2019), ESHB 1768 (chapter 444, Laws of 2019); RCW 18.83.050.

Adopted under notice filed as WSR 20-07-110 on March 18, 2020.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-924-049(1) was further amended to clarify that changing the term "two semesters or three quarters" to "nine months" regarding an applicant's practicum will take effect July 1, 2021.

A final cost-benefit analysis is available by contacting Stacey Saunders, P.O. Box 47852, Olympia, WA 98504-7852, phone 360-236-2813, TTY 711, email stacey.saunders@doh.wa.gov.

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 2, Amended 7, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental 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 2, Amended 7, Repealed 0.

Date Adopted: April 23, 2020.

Rachaud Smith, Psy.D., Chair  
 Examining Board of Psychology

AMENDATORY SECTION (Amending WSR 91-04-020, filed 1/28/91, effective 2/28/91)

**WAC 246-924-010 Definitions.** The definitions in this section apply throughout this chapter unless the context clearly states otherwise.

(1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(2) "APA" means American Psychological Association.

(3) "APPIC" means Association of Psychology Postdoctoral and Internship Centers.

(4) "CPA" means Canadian Psychological Association.

(5) "Face to face" means in-person contact in the same physical space not assisted by technology.

(6) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(7) "Out-of-state" means any state or territory of the United States.

(8) "Probationary license" means a temporary license issued to out-of-state applicants qualifying for licensure reciprocity in Washington state under the restrictions and conditions of RCW 18.225.140 and this chapter.

(9) "Reciprocity" means licensure of out-of-state licensed psychologists based on substantial equivalence between Washington state scope of practice and the scope of practice of the other state or territory, subject to a probationary licensure period to complete outstanding Washington state licensure requirements as determined necessary to gain full licensure.

**AMENDATORY SECTION** (Amending WSR 07-24-093, filed 12/5/07, effective 9/1/09)

**WAC 246-924-043 Education and experience requirements for licensure.** (1) To obtain a license, applicants must complete:

(a) A doctoral degree program as described in WAC 246-924-046.

(b) A practicum of at least 300 hours as described in WAC 246-924-049; and

(c) An experience requirement consisting of no fewer than two years supervised experience totaling 3000 hours that includes:

(i) A minimum of 1500 hours of supervised experience that must be completed as an internship experience as outlined in WAC 246-924-056.

(ii) The remaining 1500 supervised hours may be obtained through:

(A) A preinternship as described in WAC 246-924-053;

(B) Accumulation of supervised experience hours in excess of the 1500 hours required in (c)(i) of this subsection that meet the requirements in WAC 246-924-056;

(C) A postdoctoral experience as described in WAC 246-924-059; ~~((E))~~

~~((E))~~ (D) A combination of preinternship and postdoctoral experience.

(iii) For applicants who demonstrate proof of being credentialed as a substance use disorder professional for three years in the previous ten years, the total hours required in (c)(ii) of this subsection are reduced from 1500 to 1020 hours.

(2) The order of supervised experience must be graduated from more intensive to less intensive supervision.

**AMENDATORY SECTION** (Amending WSR 07-24-093, filed 12/5/07, effective 9/1/09)

**WAC 246-924-049 Practicum.** (1) Applied experience~~((:))~~.

(a) Until June 30, 2021, the doctoral degree program required in WAC 246-924-046 must include a practicum of at least two semesters or three quarters and at least 300 hours of direct experience, 100 hours of which must meet the requirements in subsection (3) of this section for supervision.

(b) Effective July 1, 2021, the doctoral degree program required in WAC 246-924-046 must include a practicum of at least ~~((two semesters or three quarters))~~ nine months and ~~((at least))~~ 300 hours of direct experience, 100 hours of which must ~~((be in))~~ meet the requirements in subsection (3) of this section for supervision.

(2) No more than 300 practicum hours may count towards licensure requirements. Additional hours accrued following completion of the nine month practicum may count towards licensure requirements if the hours meet all preinternship requirements in WAC 246-924-053;

(3) Supervision must include the following:

~~((+))~~ (a) Discussion of services provided by the student;

~~((2))~~ (b) Selection of ~~((service))~~ treatment plan for and review of each case or work unit of the student;

~~((3))~~ (4) Discussion of and instruction in theoretical concepts underlying the work;

~~((4))~~ (5) Discussion of the management of professional practice and other administrative or business issues;

~~((5))~~ (6) Evaluation of the supervisory process by the student and the supervisor;

~~((6))~~ (7) Discussion of coordination of services among the professionals involved in the particular cases or work units;

~~((7))~~ (8) Discussion of relevant state laws and rules;

~~((8))~~ (9) Discussion of ethical principles including principles applicable to the work;

~~((9))~~ (10) Review of standards for providers of psychological services; and

~~((10))~~ (11) Discussion of reading materials relevant to cases, ethical issues and the supervisory process.

**AMENDATORY SECTION** (Amending WSR 07-24-093, filed 12/5/07, effective 9/1/09)

**WAC 246-924-059 ~~((Post-doctoral)) Postdoctoral supervised experience.~~** If 3000 hours of supervised experience has not been completed at the end of the doctoral degree program, then up to 1500 hours of supervised ~~((post-doctoral))~~ postdoctoral experience can be used to satisfy the total requirement. ~~((Post-doctoral))~~ Postdoctoral supervised experience must be completed only if an applicant does not already have 3000 hours of supervised experience.

(1) Organization of the ~~((post-doctoral))~~ postdoctoral supervised experience.

(a) The supervisor is ethically and legally responsible for all supervisee work covered by the supervision agreement. Therefore, the supervisor has authority to alter service plans and direct the course of psychological work.

(b) Supervisees must use titles indicating their training status, such as "psychological resident," "psychological intern," or "psychological supervisee."

(c) Clients must be informed of the identity and responsibilities of the supervisor and how they can speak directly to the supervisor.

(d) Services rendered by the supervisee must not be represented to third parties as having been rendered by the supervisor. Insurance forms must be filled out indicating the nature of the supervisory relationship.

(2) The supervisor and supervisee must have a written agreement for supervision, including:

(a) The area(s) of professional activity in which supervision will occur;

(b) Hours of supervision and/or ratio of supervision to professional activity;

(c) Fees for supervision, if any;

(d) Processes for supervision including mode(s) of supervision, expectations for recordkeeping, evaluation, and feedback;

(e) Relevant business arrangements;

(f) How the supervisee will represent himself or herself; and

(g) How disagreements will be handled.

(3) Mode of supervision.

(a) The preferred mode of supervision is face-to-face discussion between the supervisor and the supervisee.

(b) The nature of the supervision may depend on the following:

(i) The theoretical orientation of the supervisor;

(ii) The training and experience of the supervisee; and

(iii) The duration of the supervisory relationship.

(4) Some direct observation of the supervisee's work is required and the supervisor may use the following:

(a) Detailed process notes and progress reports;

(b) Audio and/or videotapes;

(c) Client supplied information such as behavioral ratings; and

(d) One-way mirror observation.

(5) Supervised experience must be appropriate to the area(s) of professional activity the person intends to practice.

(6) There must be at least one hour of individual supervision for every twenty hours of psychological work.

(7) The supervisor and the supervisee must keep records of experience and supervision hours.

(8) At the end of the supervision period, the supervisor must prepare and forward to the board a written evaluation, including the number of successfully completed supervised hours of psychological work and any hours not successfully completed.

If any hours were not successfully completed, the board may require additional hours of supervision.

(9) Supervision of the ~~((post-doctoral))~~ postdoctoral supervised experience.

(a) At least fifty percent of the ~~((post-doctoral))~~ postdoctoral supervision must be provided by a licensed psychologist.

(b) Up to fifty percent of the supervision may be provided by the following:

(i) A licensed psychologist with two years post-license experience;

(ii) A psychiatrist with three years of experience beyond residency;

(iii) A licensed mental health counselor, a licensed marriage and family therapist, a licensed advanced social worker, or a licensed independent clinical social worker, if the supervisor has five years post-license experience;

(iv) A doctoral level psychologist with three years ~~((post-doctoral))~~ postdoctoral experience who is exempt from licensure under RCW 18.83.200 (1), (2), (3) or (4), if the supervision occurs in the exempt setting.

(10) Supervision must include the following:

(a) Discussion of services provided by the student;

(b) Selection, service plan, and review of each case or work unit of the student;

(c) Discussion of and instruction in theoretical concepts underlying the work;

(d) Discussion of the management of professional practice and other administrative or business issues;

(e) Evaluation of the supervisory process by the student and the supervisor;

(f) Discussion of coordination of services among the professionals involved in the particular cases or work units;

(g) Discussion of relevant Washington laws and rules;

(h) Discussion of ethical principles including principles applicable to the work;

(i) Review of standards for providers of psychological services; and

(j) Discussion of reading materials relevant to cases, ethical issues and the supervisory process.

(11) An applicant may not sign off as supervising their own postdoctoral hours.

#### NEW SECTION

**WAC 246-924-085 Co-occurring disorder enhancement specialist eligibility.** A psychologist licensed under chapter 18.83 RCW and this chapter is eligible to apply for a co-occurring disorder specialist enhancement to their existing license according to the conditions of RCW 18.205.105 and chapter 246-804 WAC.

AMENDATORY SECTION (Amending WSR 08-09-100, filed 4/21/08, effective 5/22/08)

**WAC 246-924-095 Failure of written examinations.** An applicant who fails ~~((either))~~ the examination for professional practice in psychology required under WAC 246-924-070 may sit for reexamination as follows:

(1) First reexamination: At any following examination administration date;

(2) Second or subsequent reexamination: A minimum of two months after the failure of the previous examination.

AMENDATORY SECTION (Amending WSR 16-16-026, filed 7/22/16, effective 8/22/16)

**WAC 246-924-480 Temporary permits.** (1) Temporary permits are:

(a) Issued under RCW 18.83.082; and

(b) Valid for no more than ninety days within one calendar year from the date they are issued.

(2) If the board finds that another state's licensing requirements are deemed not equivalent because a stated requirement is omitted or deficient, the applicant is not eligible for the temporary permit unless the applicant demonstrates proof of graduation from an APA- or CPA-accredited doctoral program and successful completion of an APA-, APPIC-, or CPA-approved internship.

(3) There is no charge for a temporary permit.

(4) Candidates applying for a temporary permit must:

(a) Verify that he or she is credentialed to practice psychology in another state that has been deemed substantially equivalent by the board, or is a member of an organization listed in WAC 246-924-100(3); and

(b) Submit a completed application on a form provided by the board.

#### NEW SECTION

**WAC 246-924-493 Probationary license.** (1) The department shall issue a probationary license to out-of-state applicants seeking licensure in Washington state as a psychologist according to the conditions and restrictions of the reciprocity program established in RCW 18.83.170 and this chapter.

(2) The out-of-state license must be from a state or territory identified on a list published by the department as eligible for reciprocity for the purposes of a probationary license for the practice of psychology.

(3) An initial probationary license is valid for one year. To receive an initial probationary license, an applicant must submit to the department a completed application to include:

(a) Verification of their out-of-state license;

(b) Proof of passing the jurisprudence exam according to WAC 246-924-070; and

(c) The fee according to WAC 246-924-990.

(4) A probationary license may be renewed a single time and is valid for one year after the date of renewal. To renew a probationary license, an applicant must submit to the department a completed application to include:

(a) Completion of four hours of education in ethics according to WAC 246-924-240;

(b) Training in suicide assessment, treatment, and management according to WAC 246-924-990;

(c) AIDS education according to WAC 246-924-110; and

(d) The fee according to WAC 246-924-990.

(5) Continuing education. With the exception of the requirements in subsection (4) of this section, continuing education requirements will apply once a probationary licensee transitions to a full license.

(6) Supervised experience. If it is determined additional supervised experience is required for full licensure, the supervised experience hours must meet the requirements for post-doctoral supervised experience in WAC 246-924-059.

AMENDATORY SECTION (Amending WSR 08-09-100, filed 4/21/08, effective 5/22/08)

**WAC 246-924-495 Qualifications for granting a license.** Candidates applying for initial licensure under RCW 18.83.170 must meet the following requirements:

(1) Submit a completed application form provided by the department.

(2) Pay the application and examination fees described in WAC 246-924-990.

(3) Provide evidence of completing a doctoral degree program described in WAC 246-924-046.

(4) Provide evidence of completing the practicum requirement set forth in WAC 246-924-049.

(5) Provide evidence of completing the internship experience requirement as defined in WAC 246-924-056.

(6) Provide evidence of completion of supervised experience requirement as defined in WAC ((~~246-924-053 and 246-924-059~~)) 246-924-043 (1)(c)(ii) and, if applicable, WAC 246-924-043 (1)(c)(iii).

(7) Pass the national Examination of Professional Practice of Psychology (EPPP) described in WAC 246-924-070.

(8) Pass the jurisprudence examination in WAC 246-924-070.

#### **WSR 20-12-078**

##### **PERMANENT RULES**

##### **DEPARTMENT OF HEALTH**

(Pharmacy Quality Assurance Commission)

[Filed June 1, 2020, 4:02 p.m., effective July 2, 2020]

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

Purpose: WAC 246-901-140 Pharmacy services plan, the pharmacy quality assurance commission (commission) has repealed WAC 246-901-140 as the rule is obsolete and no longer necessary. It established a process to request approval for an exception to the standard pharmacist to technician ratio from the commission. WAC 246-901-130 adopted under WSR 19-17-034 on August 14, 2019, eliminated the standard ratio of 1:3 pharmacist to technician for all pharmacy setting, making WAC 246-901-140 unnecessary. Repealing the rule removes unnecessary and conflicting rule language. Repealing this rule also places the authority on the responsible pharmacy manager to determine the number of pharmacy technicians that can be satisfactorily supervised by the pharmacist(s) on duty.

Citation of Rules Affected by this Order: Repealing WAC 246-901-140.

Statutory Authority for Adoption: RCW 18.64A.030.

Other Authority: RCW 18.64.005.

Adopted under notice filed as WSR 19-23-078 on November 19, 2019.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

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 1.

Date Adopted: March 17, 2020.

Tim Lynch, PharmD, MS, Chair  
Pharmacy Quality Assurance Commission

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-901-140 Pharmacy services plan.

**WSR 20-12-080**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 20-76—Filed June 1, 2020, 4:47 p.m., effective July 2, 2020]

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

Purpose: Within the context of Washington department of fish and wildlife's (WDFW) mandate to preserve, protect, and perpetuate wildlife and provide hunting opportunity for game species, these rules set the 2020-21 game hunting seasons and regulations. The department maintains general hunting opportunities while balancing that opportunity among user groups. Harvest estimates from 2019 were used to make final allocation adjustments to maintain sustainable hunting opportunities for the 2020-21 season.

These rules also adjust hunting area boundaries, modify seasons in response to changes in game animal populations, and provide clarifying language. Additionally, WDFW is repealing WAC 220-413-200 as it is no longer necessary.

Citation of Rules Affected by this Order: Repealing WAC 220-413-200; and amending WAC 220-410-050, 220-410-060, 220-412-050, 220-412-070, 220-412-090, 220-412-100, 220-413-180, 220-415-020, 220-415-030, 220-415-040, 220-415-050, 220-415-060, 220-415-070, 220-415-120, 220-415-130, 220-416-010, 220-416-040, 220-416-060, and 220-440-060.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.055, 77.12.047, and 77.12.240.

Adopted under notice filed as WSR 20-04-091 [20-07-016] on February 5, 2020 [March 5, 2020].

Changes Other than Editing from Proposed to Adopted Version: WAC 220-413-180 Special closures and firearm restriction areas: We removed Kittitas County and associated reference to GMU 334 from the list of Firearm Restriction Areas. This area closure and GMU 334 were originally established for consistency with Kittitas County Code related to using high powered firearms during deer and elk hunting sea-

sons; however, it has become increasingly difficult to align our GMU boundary definitions with the firearm closure in County Code while meeting our management needs at the same time. Removing the reference to Kittitas County in conjunction with GMU 334 helps alleviate confusion for landowners and the hunting public.

WAC 220-415-030 2019 Deer special permits: We adjusted the season dates for 16 quality special permits, 10 buck special permits, 15 youth special permits, and 1 hunter with disabilities permit; adjustments were made to either align or avoid overlap with general season dates. WDFW finalized our harvest estimates from the 2019 hunting season, which were used to finalize allocations among GMUs and user groups, and adjustments were needed to balance hunting opportunities.

WAC 220-415-050 2018-2020 Elk general seasons and definitions: We eliminated the opportunity for archery hunters to harvest antlerless elk during early and late general seasons in the Colockum and Yakima elk herds. WDFW finalized our harvest estimates from the 2019 hunting season, which were used to finalize allocations among GMUs and user groups, and adjustments were needed to balance hunting opportunities.

WAC 220-415-060 2019 Elk special permits: We reduced the number of special permit opportunities to harvest antlerless elk in the Colockum and Yakima elk herds and created special permit opportunities for archery hunters to harvest antlerless elk in the Colockum and Yakima elk herds to offset some of their lost general season opportunity. WDFW finalized our harvest estimates from the 2019 hunting season, which were used to finalize allocations among GMUs and user groups, and adjustments were needed to balance hunting opportunities. We also collaborated with treaty tribes to set permit numbers for Nooksack, Skagit River, and Green River GMUs and removed Region 4 North GMU.

WAC 220-416-060 2019-2020 Migratory waterfowl seasons and regulations: We shifted the placement of the mandatory two-day duck season closures to coincide with days ten and eleven of the duck season statewide. The two day closure will occur on Monday, October 26, and Tuesday, October 27, during the 2020-2021 season. This change allows Washington to provide the special youth, veterans, and active military days without exceeding the one hundred seven day season length allowed by the Migratory Bird Treaty Act. Placement of the two-day closure is consistent with guidance provided in WDFW's Game Management Plan that suggests nine consecutive days should be placed at the beginning of the season before a closure, and the majority of allowable days later in the framework period.

We also added a description and clarified the required documentation pertaining to Veterans and Active Military individuals participating in the Waterfowl Special Hunting Day, which is scheduled for Saturday, February 6, 2021. This description had not been available for the 2019-20 seasons, and the new language clarifies the definition of active duty military and veterans and the documentation needed.

We also shifted the seven-day white-goose only season to the beginning of the third season segment in Goose Management Area 4, which is scheduled for February 13, 2021, through March 3, 2021.

WAC 220-440-060 Killing wildlife causing private property damage: We changed the language in subsection (3)(b) to clarify the intent of the rule, which is to ensure consistency with United States Fish and Wildlife Service regulations published in C.F.R., Title 50, Section 21.43.

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 the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 19, 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.

Date Adopted: April 10, 2020.

Larry Carpenter, Chair  
Fish and Wildlife Commission

AMENDATORY SECTION (Amending WSR 18-11-061, filed 5/11/18, effective 6/11/18)

**WAC 220-410-050 Game management units (GMUs) boundary descriptions—Region five.**

**GMU 501-LINCOLN (Lewis, Thurston, Pacific, and Grays Harbor counties):**

Beginning at the intersection of Interstate Hwy (I)-5 and State Route (SR) 6; W on SR 6 to Stevens Rd; NW on Stevens Rd to Elk Creek Rd at the town of Doty; W on Elk Creek Rd to Weyerhaeuser (Weyco) 7000 line; W and N on Weyco 7000 line to Weyco 7400 line; N on Weyco 7400 line to Weyco 7050 line; NE on Weyco 7050 line to Weyco 7000 line; NW and N on Weyco 7000 line to the Weyco 7800 line; N on Weyco 7800 line to Weyco 7800 F line; NE on Weyco 7800 F line to Weyco 720 line; E on Weyco 720 line to Weyco 723 line; NW on Weyco 723 line to the Weyco C line; NE on Weyco C line to Garrard Creek Rd; NE on Garrard Creek Rd to South Bank Rd; E on South Bank Rd to North State St; N on North State St to US Hwy (US) 12 at the town of Oakville; E on US 12 to I-5; S on I-5 to SR 6 and point of beginning.

**GMU 503-RANDLE (Lewis County):**

Beginning at the intersection of US Hwy (US) 12 and the Rayonier 100 Mainline (Kosmos Rd, Old Champion Haul Rd); E on US 12 to State Route (SR) 131; S on SR 131 to US Forest Service (USFS) Rd 25; S on the USFS Rd 25 to the Cispus River; W on the Cispus River to Rayonier 271 line; S on the Rayonier 271 line to the Rayonier 300 line; W on the Rayonier 300 line to the Rayonier 100 line (Kosmos Haul Rd); N on the Rayonier 100 line to US 12 and the point of beginning.

**GMU 504-STELLA (Cowlitz County):**

Beginning at the mouth of the Cowlitz River on the Columbia River; W down the Columbia River to the mouth of Germany Creek (including all islands in the Columbia River which are both north of the Washington-Oregon state line and between the Cowlitz River and Germany Creek); N up Germany Creek to State Route (SR) 4; E on SR 4 to Germany Creek Rd; N on Germany Creek Rd to International Paper (IP) 1000 line; N on IP 1000 line to IP 1050 line; E on IP 1050 line to IP 2200 line; E and S on IP 2200 to Woodside Dr; NE on Woodside Dr to Delameter Rd; E on Delameter Rd to the three power lines; N along the three power lines to Weyerhaeuser (Weyco) 9312 line; E on Weyco 9312 line to Growlers Gulch Rd; E on Growlers Gulch Rd to Public Hwy (PH) 10 Rd; E along the Public Hwy (PH) 10 Rd to the A Street bridge over the Cowlitz River at the town of Castle Rock; S down the Cowlitz River to the Columbia River and point of beginning.

**GMU 505-MOSSYROCK (Lewis County):**

Beginning on Interstate Hwy (I)-5 and the Cowlitz River; NE up the Cowlitz River to the Mayfield Dam; NE along the south shore of Mayfield Lake to the US Hwy (US) 12 bridge; NE on US 12 to Winston Creek Rd; SE on Winston Creek Rd to Longbell Rd; E on Longbell Rd to Perkins Rd; NE on Perkins Rd to Green Mountain Rd; E on Green Mountain Rd to the outlet of Swofford Pond; E along the Swofford Pond outlet to Riffe Lake; E along the south shore of Riffe Lake to the Cowlitz River; up the Cowlitz River to the Rayonier 100 Mainline (Kosmos Haul Rd); N on the Rayonier 100 Mainline to US 12; W on US 12 to Davis Lake Rd; N and W on Davis Lake Rd to Main St at town of Morton; W on Main St to SR 508; W on SR 508 to Centralia-Alpha Rd; W and N on Centralia-Alpha Rd to Salzer Valley Rd; W on Salzer Valley Rd to Summa St at the town of Centralia; W on Summa St to Kresky Rd; N on Kresky Rd to Tower St; N on Tower St to SR 507; W on SR 507 (Cherry St, Alder St, and Mellen St) to I-5; S on I-5 to the Cowlitz River and point of beginning.

**GMU 506-WILLAPA HILLS (Wahkiakum, Pacific and Lewis counties):**

Beginning at State Route (SR) 6 and 3rd St S at the town of Pe Ell; S on 3rd St S to Muller Rd; S on Muller Rd to Weyerhaeuser (Weyco) 1000 line; S on Weyco 1000 line to Weyco 1800 line; S on Weyco 1800 line to Weyco 500 line; SE on Weyco 500 line to SR 407 (Elochoman Valley Rd) at Camp 2; S on SR 407 to the Elochoman River; down the Elochoman River to Foster Rd; N on Foster Rd to Risk Rd; W and N along Risk Rd to SR 4; W on SR 4 to Skamokawa Creek; SW down Skamokawa Creek to the Columbia River; W along Columbia River to the mouth of the Deep River (including all islands in the Columbia River which are both north of the Washington state line and between Skamokawa Creek and Deep River); N along the Deep River to SR 4; NW on SR 4 to the Salmon Creek Rd; NE on Salmon Creek Rd to (~~Weyco 5000 line; N on Weyco 5000 line to~~) Weyco 5800 line; NE on Weyco 5800 line to power transmission line (Section 21, T11N, R8W); E, NE, then N on the power transmission line to the Trap Creek A Line; E and N on the Trap Creek A Line to SR 6; E on SR 6 to the town of Pe Ell and the point of beginning.

**GMU 510-STORMKING (Lewis County):**

Beginning on US Hwy (US) 12 at the Silver Creek bridge; N up Silver Creek to Silverbrook Rd; E on Silverbrook Rd to US Forest Service (USFS) Rd 47; N on USFS Rd 47 to USFS Rd 85; W and N on USFS Rd 85 to USFS Rd 52; N on USFS Rd 52 to the Nisqually River; W down the Nisqually River to State Route (SR) 7; S on SR 7 to Main St at town of Morton; E on Main St to Davis Lake Rd; E on Davis Lake Rd to US 12; E on US 12 to the Silver Creek bridge and point of beginning.

**GMU 513-SOUTH RAINIER (Lewis County):**

Beginning on US Hwy (US) 12 at the Silver Creek bridge; N up Silver Creek to Silverbrook Rd; E on Silverdale Rd to US Forest Service (USFS) Rd 47; N on USFS Rd 47 to USFS Rd 85; W and N on USFS Rd 85 to USFS Rd 52; W and N on USFS Rd 52 to the Nisqually River; E up the Nisqually River to the southern boundary of Mount Rainier National Park; E along the south park boundary to the USFS Trail 2000 (Pacific Crest National Scenic Trail); S along the USFS Trail 2000 to US 12; W on US 12 to the Silver Creek bridge and point of beginning.

**GMU 516-PACKWOOD (Lewis and Skamania counties):**

Beginning at US Hwy (US) 12 and US Forest Service (USFS) Trail 2000 (Pacific Crest National Scenic Trail) at White Pass; S on USFS Trail 2000 to the Yakama Indian Reservation border; S on the Yakama Indian Reservation border to USFS Trail 2000; S on USFS Trail 2000 to USFS Trail 98 at Sheep Lake; W on USFS Trail 98 to USFS Rd 2160 at Walupt Lake; W on USFS Rd 2160 to USFS Rd 21; S and W on USFS Rd 21 to USFS Rd 23; S on USFS Rd 23 to USFS Trail 263; S and W on USFS 263 to USFS Trail 261; S on USFS Trail 261 to USFS Trail 1; W on USFS Trail 1 to USFS Rd 99; W on USFS Rd 99 to USFS Rd 26; N on USFS Rd 26 to USFS Rd 2612; W on USFS Rd 2612 to USFS Trail 217; N and W on USFS Trail 217 to Weyerhaeuser (Weyco) 2600 line; W on Weyco 2600 line to Weyco 2658 line; N on Weyco 2658 line to Rayonier (Campbell Group) 430 line; N on Rayonier 430 line to the Rayonier Mainline 400 line; N and E on Rayonier Mainline 400 line to Rayonier 300 line; E on Rayonier 300 line to Rayonier 271 line; N on Rayonier 271 line to the Cispus River; E on the Cispus River to USFS Rd 25; N on USFS Rd 25 to State Route (SR) 131; N on SR 131 to US 12; E on US 12 to the USFS Trail 2000 at White Pass and beginning.

**GMU 520-WINSTON (Cowlitz, Lewis and Skamania counties):**

Beginning at the bridge at intersection of Interstate Hwy (I)-5 and the Cowlitz River; S down the Cowlitz River to the Toutle River; E up the Toutle River to the South Fork Toutle River; SE up South Fork Toutle River to Johnson Creek; NE up Johnson Creek to Weyerhaeuser (Weyco) 4400 line; N along Weyco 4400 line to Weyco 2421 line; N along Weyco 2421 line to Weyco 2400 line; NW along Weyco 2400 line to Alder Creek; NW down Alder Creek to North Fork Toutle River; W down the North Fork Toutle River to the Green River; E up the Green River to US Forest Service (USFS) Rd 2612; E on USFS Rd 2612 to USFS Trail 217; N and W on USFS Trail 217 to Weyco 2600 line; W on Weyco 2600 line to Weyco 2658 line; N on Weyco 2658 line to Rayonier 430

line; N on Rayonier 430 line to Rayonier 400 Mainline; N and E on Rayonier 400 Mainline to Rayonier 100 Mainline; N on Rayonier 100 Mainline to Cowlitz River; W down the Cowlitz River to Riffe Lake; W along the south shore to the Swofford Pond outlet; W along the Swofford Pond outlet to Green Mountain Rd; W on Green Mountain Rd to Perkins Rd; SW on Perkins Rd to Longbell Rd; W on Longbell Rd to Winston Creek Rd; NW on Winston Creek Rd to US Hwy (US) 12; SW on US 12 to the Mayfield Lake bridge at Mayfield Lake; SW down the south shore of Mayfield Lake to the Cowlitz River at Mayfield Dam; SW down the Cowlitz River to I-5 bridge crossing the Cowlitz River and point of beginning.

**GMU 522-LOO-WIT (Cowlitz and Skamania counties):**

Beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Weyerhaeuser (Weyco) 3020 line; NW along Weyco 3020 line to Weyco 3000 line; E along Weyco 3000 line to US Forest Service (USFS) Trail 216G; SE along USFS Trail 216G to USFS Trail 216; S on USFS Trail 216 to South Fork of the Toutle River; E along South Fork Toutle River to its headwaters and Mount St. Helens crater's southern edge; E along the Mt. St. Helens crater's southern edge to the headwaters of Ape Canyon Creek; SE down Ape Canyon Creek to USFS Trail 225 (Smith Creek Trail); N and NW on USFS Trail 225 to USFS Rd 99; NE along USFS Rd 99 to USFS Rd 26; N on USFS Rd 26 to USFS Trail 1 (Boundary Trail); W on USFS Trail 1 to USFS Trail 214 (Whittier Trail); N on USFS Trail 214 to USFS Trail 211 (Lakes Trail); W on USFS Trail 211 to USFS Trail 211, USFS Trail 230 (Coldwater Trail) junction; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; W and S on USFS property boundary to State Route 504 near the center of Section 35, T10N, R4E; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

**GMU 524-MARGARET (Cowlitz, Skamania and Lewis counties):**

Beginning on the North Fork Toutle River at the mouth of the Green River; SE up the North Fork Toutle River to the mouth of Hoffstadt Creek; N and E up Hoffstadt Creek to the State Route (SR) 504 bridge over Hoffstadt Creek; E on SR 504 to US Forest Service (USFS) property boundary near the center of Section 35, T10N, R4E; E and N on USFS property boundary to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; E to Minnie Peak; SW to USFS Trail 211 (Lakes Trail) and USFS Trail 230 (Coldwater Trail) junction; E on USFS Trail 211 (Lakes Trail) to USFS Trail 214 (Whittier Trail); S on USFS Trail 214 to USFS Trail 1 (Boundary Trail); E on USFS Trail 1 to USFS Rd 26; N on USFS Rd 26 to USFS Rd 2612; W on USFS Rd 2612 to the Green River; W down the Green River to its mouth on the North Fork of the Toutle River and point of beginning.

**GMU 530-RYDERWOOD (Cowlitz, Lewis and Wahkiakum counties):**

Beginning at Stevens Rd and State Route (SR) 6, south of the town of Doty; E on SR 6 to Interstate Hwy (I)-5 at the town of Chehalis; S on I-5 to the Cowlitz River; S along the

Cowlitz River to Public Hwy 10 on the A Street bridge at the town of Castle Rock; W on the Public Hwy 10 to Growler's Gulch Rd; W on Growler's Gulch Rd to Weyerhaeuser (Weyco) 9312 line; W on Weyco 9312 line to three power lines; S on the three power lines to Delameter Rd; SW on Delameter Rd to Woodside Dr; SW on Woodside Dr to International Paper (IP) 2200 line; N and W on IP 2200 line to IP 1050 line; W on IP 1050 line to IP 1000 line; S on IP 1000 line to the Germany Creek Rd; S on the Germany Creek Rd to SR 4; W on SR 4 to Germany Creek; S along Germany Creek to its mouth at the Columbia River; W along the Columbia River to Skamokawa Creek (including all islands in the Columbia River which are both north of the Washington state line and between Skamokawa Creek and Germany Creek); NE up Skamokawa Creek to SR 4; E on SR 4 to Risk Rd; SE on Risk Rd to Foster Rd; S on Foster Rd to the Elochoman River; SE up the Elochoman River to SR 407 (Elochoman Valley Rd); NE on SR 407 to Weyco 500 line at Camp 2; NW on Weyco 500 line to Weyco 1800 line; N on Weyco 1800 line to Weyco 1000 line; N on Weyco 1000 line to Muller Rd; N on Muller Rd to 3rd St South in the town of Pe Ell; N on 3rd St South to SR 6 at the town of Pe Ell; N on SR 6 to Stevens Rd, south of the town of Doty, and the point of beginning.

**GMU 550-COWEEMAN (Cowlitz County):**

Beginning at the mouth of the Toutle River on the Cowlitz River; E along the Toutle River to the South Fork Toutle River; up the South Fork Toutle River to Weyerhaeuser (Weyco) 4100 line; E on Weyco 4100 line to Weyco 4950 line; S and E on Weyco 4950 line to Weyco 235 line; SE on Weyco 235 line to Weyco 200 line; W on Weyco 200 line to Weyco 240 line; SE on Weyco 240 line to Weyco 243 line; E on Weyco 243 line to Weyco 135A line; S on Weyco 135A line to Weyco 135 line; E on Weyco 135 line to Weyco 134 line; SW on Weyco 134 line to Weyco 133 line; SW on Weyco 133 line to Weyco 130 line; SW on Weyco 130 line to Weyco 1680 line; W on Weyco 1680 line to Weyco 1600 line; SE on Weyco 1600 line to Weyco 1400 line; W on Weyco 1400 line to Weyco 1420 line which is the Kalama/Coweeman Summit; SE on Weyco 1420 line to Weyco 1426 line; W on Weyco 1426 line to Weyco 1428 line; SW on Weyco 1428 line to Weyco 1429 line which turns into Weyco 6400 line; SW down Weyco 6400 line to Weyco 6000 line; E on Weyco 6000 line to Weyco 6450 line; SE for approximately one mile on Weyco 6450 line (crossing the Kalama River) to Weyco 6452 line; SE on Weyco 6452 line to Dubois Rd; SE on Dubois Rd to State Route (SR) 503; W on SR 503 to Cape Horn Creek; SE down Cape Horn Creek to Merwin Reservoir; SW along the north shore of Merwin Reservoir to the Lewis River; SW down the Lewis River to the power transmission lines in Section 4, T5N, R2E; NW along the power transmission lines to Northwest Natural Gas Pipeline located east of the town of Kalama, approximately 1/2 mile east of China Gardens Rd; N up the Natural Gas Pipeline right of way to Ostrander Creek; W down Ostrander Creek to the Cowlitz River; N on the Cowlitz River to the Toutle River and point of beginning.

**GMU 554-YALE (Cowlitz and Clark counties):**

Beginning on State Route (SR) 503 at its crossing of Cape Horn Creek; E on SR 503 to Weyerhaeuser (Weyco) 6600 line (Rock Creek Rd); NE on Weyco 6600 line to Weyco 6690 Rd; N and E on Weyco 6690 line to West Fork Speelyai Creek; SE down West Fork Speelyai Creek to the main stem of the Speelyai Creek; SW and SE down Speelyai Creek to SR 503; NE on SR 503 to Dog Creek; S down Dog Creek to Yale Reservoir; S and W along western shore of Reservoir to Yale Dam and the North Fork Lewis River; W along the northern shore of the North Fork Lewis River to SR 503 bridge crossing; S and W along SR 503 to NE 221st Ave; N about 1/4 mile on NE 221st Ave to NE Cedar Creek Rd; W along NE Cedar Creek Rd to NE Pup Creek Rd; N on NE Pup Creek Rd to NE Buncombe Hollow Rd; N about 1/4 mile on NE Buncombe Hollow Rd to power transmission line; S and W on the power transmission line to the north shore of the North Fork Lewis River; NE along the north shore of the North Fork Lewis River to Merwin Reservoir at the Merwin Dam; NE along the north shore of Merwin Reservoir to Cape Horn Creek; NW up Cape Horn Creek to SR 503 and the point of beginning.

**GMU 556-TOUTLE (Cowlitz County):**

Beginning on the intersection of State Route (SR) 503 (Lewis River Rd) and US Forest Service (USFS) Rd 81 (Merrill Lake Rd); N on USFS Rd 81 to Weyerhaeuser (Weyco) 7200 line; NW on Weyco 7200 line to Weyco 7400 line; N on Weyco 7400 line to Weyco 5500 line; E and N on Weyco 5500 line to Weyco 5670 line; N and E on Weyco 5670 line to Weyco 5660 line; N on Weyco 5660 line about a 1/4 mile to the South Fork Toutle River; E on the South Fork Toutle River to USFS Trail 216; N on USFS Trail 216 to USFS Trail 216G; NW on USFS Trail 216G to Weyco 3000 line; W on Weyco 3000 line to Weyco 3020 line; SE on Weyco 3020 line to Deer Creek; NW down Deer Creek to the North Fork Toutle River; down the North Fork Toutle River to Alder Creek; up Alder Creek to Weyco 2400 line; S on Weyco 2400 line to Weyco 2421 line; S on Weyco 2421 line to Weyco 4400 line; S and W along Weyco 4400 line to Johnson Creek; S along Johnson Creek to the South Fork Toutle River; SE up the South Fork Toutle River to Weyco 4100 line; E on Weyco 4100 line to the Weyco 4950 line; S and E on Weyco 4950 line to Weyco 235 line; SE on Weyco 235 line to Weyco 200 line; W on Weyco 200 line to Weyco 240 line; SE on Weyco 240 line to Weyco 243 line; E on Weyco 243 line to Weyco 135A line; S on Weyco 135A line to Weyco 135 line; E on Weyco 135 line to Weyco 134 line; SW on Weyco 134 line to Weyco 133 line; SW on Weyco 133 line to Weyco 130 line; SW on Weyco 130 line to Weyco 1680 line; W on Weyco 1680 line to Weyco 1600 line; SE on Weyco 1600 line to Weyco 1400 line; W on Weyco 1400 line to Weyco 1420 line which is the Kalama/Coweeman Summit; SE on Weyco 1420 line to Weyco 1426 line; W on Weyco 1426 line to Weyco 1428 line; SW on Weyco 1428 line to Weyco 1429 line; SW on Weyco 1429 line to Weyco 6400 line; SW on Weyco 6400 line to Weyco 6000 line; E on Weyco 6000 line to Weyco 6450 line; SE for approximately one mile on Weyco 6450 line (crossing the Kalama River) to Weyco 6452 line; SE on Weyco 6452 line to Dubois Rd; SE on Dubois Rd to SR 503; E on SR 503 to Weyco 6600 line (Rock Creek Rd); NE on

Weyco 6600 line to Weyco 6690 line; N and E on Weyco 6690 line to West Fork Speelyai Creek; SE down West Fork Speelyai Creek to the main stem of Speelyai Creek; SW and SE down Speelyai Creek to SR 503; NE on SR 503 to USFS Rd 81 and point of beginning.

**GMU 560-LEWIS RIVER (Cowlitz, Skamania, Klickitat, Yakima, and Lewis counties):**

Beginning on State Route (SR) 141 and Mount Adams Recreational Area Rd at the town of Trout Lake; N on the Mount Adams Recreational Area Rd to US Forest Service (USFS) Rd 82 (Mount Adams Recreational Area Rd); N on USFS Road 82 to Yakama Indian Reservation boundary (Section 16, T7N, R11E); N along the Yakama Indian reservation boundary (Cascade Mountain Range Crest) to USFS Trail 2000 (Pacific Crest National Scenic Trail) in Section 3, T11N, R11E; S on USFS Trail 2000 to USFS Trail 98 at Sheep Lake; W on USFS Trail 98 to USFS Rd 2160 at Walupt Lake; W on USFS Rd 2160 to USFS Rd 21; S and W on USFS Rd 21 to USFS Rd 23; S on USFS Rd 23 to USFS Trail 263; S and W on USFS Trail 263 to USFS Trail 261; S on USFS Trail 261 to USFS Trail 1; W on USFS Trail 1 to USFS Rd 99; S and W on USFS Rd 99 to USFS Trail 225 (Smith Creek Trail); S on USFS Trail 225 to Ape Canyon Creek; N and W up Ape Canyon Creek to Mt. St. Helens crater's eastern edge; W along Mt. St. Helens crater's southern edge to headwaters of S Fork Toutle River; W along S Fork Toutle River to Weyerhaeuser (Weyco) 5660 line; S along Weyco 5660 line to Weyco 5670 line; S and W on Weyco 5670 line to Weyco 5500 line; S and W on Weyco 5500 line to Weyco 7400 line; S and E on Weyco 7400 line to Weyco 7200 line; S and E on Weyco 7200 line to USFS Rd 81; S on USFS Rd 81 to SR 503; N and E on SR 503 to Dog Creek; S down Dog Creek to the N shore of Yale Reservoir; E along N shore of Yale Reservoir to N Fork Lewis River; E up the Lewis River to Swift Dam and Swift Reservoir; E along the N shore of Swift Reservoir to N Fork Lewis River; E up N Fork Lewis River to USFS Rd 90 Bridge (Eagle Cliff); E on USFS Rd 90 to USFS Rd 51 (Curly Creek Rd); SE on USFS Rd 51 to USFS Rd 30; NE on USFS Rd 30 to USFS Rd 24; SE on USFS Rd 24 to SR 141; NE on SR 141 to Mount Adams Recreational Area Rd, at the town of Trout Lake and point of beginning.

**GMU 564-BATTLE GROUND (Clark, Skamania, and Cowlitz counties):**

Beginning at the mouth of Ostrander Creek on the Cowlitz River; E up Ostrander Creek approximately 1 1/2 miles to the second Northwest Natural Gas Pipeline right of way crossing Ostrander Creek, east of the railroad crossing; S along the Northwest Natural Gas Pipeline right of way to the power transmission lines right of way located east of the town of Kalama, approximately 1/2 mile east of China Garden Rd; SE along the power transmission lines right of way across the north fork of the Lewis River in the northeast corner of Section 4, T5N, R2E to NE Buncombe Hollow Rd; S on NE Buncombe Hollow Rd to NE Pup Creek Rd; S on NE Pup Creek Rd to NE Cedar Creek Rd; E on NE Cedar Creek Rd to NE 221st Ave; S along NE 221st Ave to SR 503, to NE Amboy Rd; S on NE Amboy Rd to W Yacolt Rd; E on W Yacolt Rd to N Railroad Ave; SE on N Railroad Ave, which becomes S

Railroad Ave; SE on S Railroad Ave which becomes NE Railroad Ave; SE on NE Railroad Ave to Lucia Falls Rd; W on Lucia Falls Rd to Hantwick Rd; SE on Hantwick Rd to Basket Flats Rd; W on Basket Flats Rd to NE 197th Ave; S on NE 197th Ave to NE 279th St; W on NE 279th St to NE 182nd Ave; S on NE 182nd Ave to NE 259th St; E on NE 259th St to NE 220th Ave; S on NE 220th Ave which turns into NE Cresap Rd; SE on NE Cresap Rd which turns into NE 222nd Ave; S on NE 222nd Ave to NE Allworth Rd; E on NE Allworth Rd to NE 232nd Ave; S on NE 232nd Ave to NE 237th St; E on NE 237th St which turns into NE 240th Ave; S on NE 240th Ave to NE Berry Rd; NE on NE Berry Rd to the DNR L-1410 Rd; SE on DNR L-1410 Rd to the DNR L-1400 Rd; W on DNR L-1400 Rd which turns into NE Rawson Rd; W on NE Rawson Rd to NE Powell Rd; SW on NE Powell Rd to NE 212th Ave; S on NE 212th Ave to NE 109th St; E on NE 109th St to NE 222nd Ave; S on NE 222nd Ave to NE 83rd St; W on NE 83rd St to NE 217th Ave; S on NE 217th Ave to NE 68th St; E on NE 68th St to NE 232nd Ave; S on NE 232nd Ave to NE 54th St; E on NE 54th St to NE 237th Ave; S on NE 237th Ave to NE 53rd St; E on NE 53rd St which turns into NE Bradford Rd then back into NE 53rd St to NE 292nd Ave; S on NE 292nd Ave to NE Ireland Rd; E on NE Ireland Rd to NE Stauffer Rd; E then SW on NE Stauffer Rd to NE 292nd Ave; S on NE 292nd Ave which turns into NE Reilly Rd; SW on NE Reilly Rd to NE Blair Rd; SE on NE Blair Rd to NE Zeek Rd; E on NE Zeek Rd which turns into NE 10th St; E on NE 10th St which turns into NE 312th Ave; S on NE 312th Ave to NE 9th St; E on NE 9th St to NE 322nd Ave; N on NE 322nd Ave which turns into NE Ammeter Rd; NE on NE Ammeter Rd approximately 1/8 mile to the power transmission lines; E along the northern margin of the power transmission lines to NE Hughes Rd; N on NE Hughes Rd which turns into NE 392nd Ave; N on NE 392nd Ave to NE 28th St; E on NE 28th St to NE Miller Rd; NE on NE Miller Rd which turns into NE 39th St; E on NE 39th St to Skye Rd; SE on Skye Rd to Washougal River Rd; S on Washougal River Rd to Canyon Creek Rd; SE on Canyon Creek Rd to Salmon Falls Rd; S on Salmon Falls Rd to State Route (SR) 14; E on SR 14 to Cape Horn Rd; S on Cape Horn Rd to Columbia River; W down the Columbia River to the Cowlitz River (including all islands in the Columbia River which are both on the Washington side of the state line and between Cape Horn Rd and the Cowlitz River); N along Cowlitz River to Ostrander Creek and point of beginning.

**GMU 568-WASHOUGAL (Clark and Skamania counties):**

Beginning on the Lewis River at State Route (SR) 503; E on Lewis River (Cowlitz-Clark County line) to Canyon Creek; SE up Canyon Creek to NE Healy Rd; E on NE Healy Rd to US Forest Service (USFS) Rd 54; E on USFS Rd 54 to USFS Rd 53; S on USFS Rd 53 to USFS Rd 4205 (Gumboot Rd); S on USFS Rd 4205 to USFS Rd 42 (Green Fork Rd); SW on USFS Rd 42 to USFS Rd 41 at Sunset Falls; E on USFS Rd 41 to Hemlock Rd; E on Hemlock Rd to the Hemlock Rd bridge over the Wind River; SE down the Wind River to the Columbia River; W down the Columbia River to the Cape Horn Rd (including all islands in the Columbia River which are both on the Washington side of the state line and between Cape Horn Rd and the Wind River); N on Cape Horn Rd to

SR 14; W on SR 14 to Salmon Falls Rd; N on Salmon Falls Rd to Canyon Creek Rd; NW on Canyon Creek Rd to Washougal River Rd; E on Washougal River Rd to Skye Rd; NW on Skye Rd to NE 39th St; W on NE 39th St which turns into NE Miller Rd; SW on NE Miller Rd to NE 28th St; W on NE 28th St to NE 392nd Ave; S on NE 392nd Ave which turns into NE Hughes Rd; S on NE Hughes Rd approximately 1/8 mile to the power transmission lines; W along the northern margin of the power transmission lines to NE Ammeter Rd; SW on NE Ammeter Rd which turns into NE 322nd Ave; S on NE 322nd Ave to NE 9th St; W on NE 9th St to NE 312th Ave; N on NE 312th Ave which turns into NE 10th St; W on NE 10th St which turns into NE Zeek Rd; W on NE Zeek Rd to NE Blair Rd; NW on NE Blair Rd to NE Reilly Rd; NE on NE Reilly Rd which turns into NE 292nd Ave; E on NE 292nd Ave to NE Stauffer Rd; NE then NW on NE Stauffer Rd to NE Ireland Rd; W on NE Ireland Rd to NE 292nd Ave; N on NE 292nd Ave to NE 53rd St; W on NE 53rd St which turns into NE Bradford Rd then turns into NE 53rd St again to NE 237th Ave; N on 237th Ave to NE 232nd Ave; N on NE 232nd Ave to NE 68th St; W on NE 68th St to NE 217th Ave; N on NE 217th Ave to NE 83rd St; E on NE 83rd St to NE 222nd Ave; N on NE 222nd Ave to NE 109th St; W on NE 109th St to NE 212th Ave; N on NE 212th Ave to NE Powell Rd; NE on NE Powell Rd to NE Rawson Rd; E on Rawson Rd to DNR L-1400 Rd; E on DNR L-1400 Rd to DNR L-1410 Rd; NW on DNR L-1410 Rd to NE Berry Rd; W then SW on NE Berry Rd to NE 240th Ave; N on NE 240th Ave which turns into NE 237th St; W on NE 237th St to NE 232nd Ave; N on NE 232nd Ave to NE Allworth Rd; W on NE Allworth Rd to NE 222nd Ave; N on NE 222nd Ave which turns into NE Cresap Rd which turns into NE 220th Ave to NE 259th St; W on NE 259th St to NE 182nd Ave; N on NE 182nd Ave to NE 279th St; E on NE 279th St to NE 197th Ave; N on NE 197th Ave to NE Basket Flats Rd; E on NE Basket Flats Rd to NE Hantwick Rd; N then NW on NE Hantwick Rd to Lucia Falls Rd; E on Lucia Falls Rd to NE Railroad Ave; NW on NE Railroad Ave, which turns into S Railroad Ave then N Railroad Ave in the town of Yacolt, to W Yacolt Rd; W on W Yacolt Rd to NE Amboy Rd; N on NE Amboy Rd to NE 221st Ave; N on 221st Ave to SR 503; NE along SR 503 to the Lewis River and point of beginning.

**GMU 572-SIOUXON (Skamania and Clark counties):**

Beginning at the Yale Dam at Yale Lake; N then E along the shore of Yale Lake to the Lewis River; NE along the Lewis River to Swift Reservoir; E along the north shore Swift Reservoir to US Forest Service (USFS) Rd 90 at the Eagle Cliff bridge; E on USFS Rd 90 to USFS Rd 51 (Curly Creek Rd); SE on USFS Rd 51 to USFS Rd 30 (Wind River Rd); N on USFS Rd 30 to USFS Rd 24 (Twin Butte Rd); S on USFS Rd 24 to USFS Rd 60 (Carson Guler Rd); SW on USFS Rd 60 to USFS Rd 65; SW on USFS Rd 65 to USFS Rd 6517 (Warren Gap Rd); W on USFS Rd 6517 to the Wind River Rd; S on the Wind River Rd to Hemlock Rd at the town of Stabler; W on Hemlock Rd to USFS Rd 41 (Sunset-Hemlock Rd); W on the USFS Rd 41 to USFS Road 42 (Green Fork Rd) at Sunset Falls; NE on USFS Rd 42 to USFS Rd 4205 (Gumboot Rd); N on USFS Rd 4205 to USFS Rd 53; NW on USFS Rd 53 to USFS Rd 54 (NE Healy Rd); W on USFS Rd 54 to Canyon

Creek; N down Canyon Creek to the Lewis River; NE up the Lewis River to the Yale Dam and the point of beginning.

**GMU 574-WIND RIVER (Skamania and Klickitat counties):**

Beginning at the town of Trout Lake; S on State Route (SR) 141 to the SR 141 bridge over the White Salmon River Bridge at Husum; S on the White Salmon River to the Columbia River; W down the Columbia River to the mouth of Wind River (including all islands in the Columbia River that are both north of the Washington state line and between the White Salmon River and Wind River); NW up the Wind River to the Hemlock Rd bridge; E on Hemlock Rd to Wind River Rd; N on Wind River Rd to US Forest Service (USFS) Rd 6517 (Warren Gap Rd); E on USFS Rd 6517 to USFS Rd 65 (Panther Creek Rd); N on USFS Rd 65 to USFS Rd 60; NE on USFS Rd 60 to USFS Rd 24 (also called Carson-Gular Rd); E on USFS Rd 24 to SR 141; NE on SR 141 to the town of Trout Lake and the point of beginning.

**GMU 578-WEST KLICKITAT (Klickitat and Yakima counties):**

Beginning at the mouth of the White Salmon River on the Columbia River; N up the White Salmon River to the State Route (SR) 141 bridge over the White Salmon River at Husum; N on SR 141 to Mount Adams Recreation Area Road, at the town of Trout Lake; N on the Mount Adams Recreational Area Rd to US Forest Service (USFS) Rd 82 (Mount Adams Recreational Area Rd); N on USFS Rd 82 to Yakama Indian Reservation boundary (Section 16, T7N, R11E); S along the Yakama Indian Reservation boundary to the Reservation's SW corner at King Mountain (Section 27, T7N, R11E); E along the Yakama Indian Reservation boundary to the end of King Mountain Rd, about 1 mile; N along the Yakama Indian Reservation boundary to its corner in Section 2, T7N, R11E; E along the Yakama Indian Reservation boundary to the NE corner of Section 4, T7N, R12E; SE along the Yakama Indian Reservation boundary to the Klickitat River; S and SW down the Klickitat River to the Columbia River; W down the Columbia River to the mouth of the White Salmon River and the point of beginning (including all islands in the Columbia River which are both north of the Washington state line and between the Klickitat River and the White Salmon River).

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-410-060 Game management units (GMUs) boundary descriptions—Region six.**

**GMU 601-HOKO (Clallam County):**

Beginning on the Makah Indian reservation boundary and the Strait of Juan de Fuca; SE along the shore of the Strait of Juan de Fuca to the mouth of the Hoko River; S along the Hoko River to State Route (SR) 112; SE on SR 112 to the Hoko-Ozette Rd; SW on the Hoko-Ozette Rd to the Olympic National Park boundary near Ozette; N along the Olympic National Park boundary to the Makah Indian reservation boundary; E and N along the Makah Indian reservation boundary to the Strait of Juan de Fuca and the point of beginning.

**GMU 602-DICKEY (Clallam County):**

Beginning at the mouth of the Hoko River and the Strait of Juan de Fuca; SE along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River; S along the Clallam River to State Route (SR) 112; S on SR 112 to SR 113 (Burnt Mountain Rd); S on SR 113 to US Hwy (US) 101 at the town of Sappho; SW on US 101 to the LaPush Rd; SW on LaPush Rd to the Olympic National Park boundary; N along the Olympic National Park boundary to Hoko-Ozette Rd; NE on Hoko-Ozette Rd to SR 112; NW on SR 112 to the Hoko River; NW on the Hoko River to its mouth on the Strait of Juan De Fuca and the point of beginning.

**GMU 603-PYSHT (Clallam County):**

Beginning at the mouth of the Clallam River on Strait of Juan de Fuca; E along the shore of the Strait of Juan de Fuca to the mouth of the Elwha River; S along the Elwha River to the Olympic National Park boundary; W along the Olympic National Park boundary to one mile west of Lake Crescent; S on the Olympic National Park boundary to US Hwy (US) 101; W on US 101 to the State Route (SR) 113 (Burnt Mountain Rd); N on SR 113 to SR 112; N on SR 112 to the Clallam River; N along the Clallam River to its mouth and the point of beginning.

**GMU 607-SOL DUC (Clallam County):**

Beginning at US Hwy (US) 101 at the town of Sappho; E on US 101 to the Olympic National Park boundary; S and W along the Olympic National Park boundary to the Bogachiel River; W along the Bogachiel River to US 101; N on US 101, through the town of Forks, to the town of Sappho and the point of beginning.

**GMU 612-GOODMAN (Jefferson and Clallam counties):**

Beginning approximately two miles east of the town of LaPush on the Olympic National Park boundary and LaPush Rd intersection; NE on LaPush Rd to US Hwy (US) 101 at the town of Forks; S on US 101, across the Hoh River, and west to Olympic National Park Boundary; N on the Olympic National Park boundary to LaPush Rd and the point of beginning.

**GMU 615-CLEARWATER (Jefferson County):**

Beginning on US Hwy (US) 101 and the Bogachiel River; E along the Bogachiel River to the Olympic National Park boundary; SE and W on the Olympic National Park boundary to the Quinault Indian reservation boundary; W on the Quinault Indian reservation boundary to the Olympic National Park boundary; N along the Olympic National Park boundary to US 101; E, N, and W on US 101 to the Bogachiel River and the point of beginning.

**GMU 618-MATHENY (Jefferson and Grays Harbor counties):**

Beginning at the boundary junction of Olympic National Park and the Quinault Indian reservation, east of the Queets River Rd; N, E, S, and W along the Olympic National Park boundary to the park and Quinault Indian reservation boundary junction, north of Lake Quinault; NW along the Quinault Indian reservation boundary to its junction with the boundary of Olympic National Park, east of the Queets River Rd, and the point of beginning, including the Olympic National For-

est land and private land one mile west of Lake Quinault and bounded by the Olympic National Park and the Quinault Indian reservation.

**GMU 621-OLYMPIC (Jefferson, Clallam, and Mason counties):**

Beginning at the Olympic National Park boundary and the Elwha River; N along the Elwha River to US Hwy (US) 101; E on US 101, through Port Angeles and Sequim, to the Chimacum Center Rd at the town of Quilcene; N on the Chimacum Center Rd to the East Quilcene Rd; E on the East Quilcene Rd to Quilcene Bay; S along the shore of Quilcene Bay to Dabob Bay; S along the shore of Dabob Bay to Hood Canal; SW along the shore of Hood Canal to Finch Creek; upstream on Finch Creek to US 101; S on US 101 to State Route (SR) 119 (Lake Cushman Rd); W on SR 119 to Standstill Dr (Power Dam Rd); W on Standstill Dr to Upper Cushman Dam and the shore of Lake Cushman; NW on the west shore of Lake Cushman to the North Fork Skokomish River; N along the North Fork Skokomish River to the Olympic National Park boundary; N and W on the Olympic National Park boundary to the Elwha River and the point of beginning.

**GMU 624-COYLE (Clallam and Jefferson counties):**

Beginning at the mouth of the Elwha River on the Strait of Juan de Fuca; N from the mouth of the Elwha River to the Clallam county line in the Strait of Juan De Fuca; NE on the Clallam county line to Clallam-San Juan county line; NE on the Clallam-San Juan county line to the Jefferson-San Juan county line; NE on the Jefferson-San Juan county line to the Jefferson-Island county line; S then SE on the Jefferson-Island county line to the Kitsap-Island county line; SE on the Kitsap-Island county line to a point due east of Point No Point; W from the Kitsap-Island county line to Point No Point; NW, S, N, and SW along the coast of the Kitsap peninsula to Cougar Spit; W from Cougar Spit to Finch Creek at the town of Hoodspout; NE along the east shore of Hood Canal to Dabob Bay; N along the shore of Dabob Bay and Quilcene Bay to East Quilcene Rd; W on East Quilcene Rd to the Chimacum Center Rd; S on Chimacum Center Rd to US Hwy (US) 101; N and W on US 101 through Sequim and Port Angeles to the Elwha River; N down the Elwha River to its mouth on the Strait of Juan de Fuca and the point of beginning.

**GMU 627-KITSAP (Kitsap, Mason, and Pierce counties):**

Beginning at the Hood Canal Bridge; E, S, N, and SE along the shore of the Kitsap peninsula to Point No Point; due E from Point No Point to Kitsap-Island county line in the Puget Sound; S along the Kitsap-Island county line to the Kitsap-Snohomish county line; S along the Kitsap-Snohomish county line to Kitsap-King county line; S along the Kitsap-King county line to the King-Pierce county line; S on the King-Pierce county line to the outlet of the Tacoma Narrows; S through the Tacoma Narrows, past Fox Island (which is included in this GMU), to Carr Inlet; NW up Carr Inlet around McNeil and Gertrude Islands (which are excluded from this GMU), to Pitt Passage; SW through Pitt Passage and Drayton Passage to the Pierce-Thurston county line in the Nisqually Reach; NW along the Pierce-Thurston county line to the Pierce-Mason county line; NW on the Pierce-Mason county line in the Nisqually Reach to North Bay;

along the east shore of North Bay to State Route (SR) 3 at the town of Allyn; N on SR 3 to the Old Belfair Hwy at the town of Belfair; N on the Old Belfair Hwy to the Bear Creek-Dewatto Rd; W on the Bear Creek-Dewatto Rd to the Dewatto Rd West; N along the Dewatto Rd to Albert Pfundt Rd; N on the Albert Pfundt Rd to Anderson Creek; E down Anderson Creek to the east shore of the Hood Canal; N from Anderson Creek along the east shore of Hood Canal to the Hood Canal bridge and the point of beginning.

**GMU 633-MASON (Mason and Kitsap counties):**

Beginning at the mouth of Anderson Creek on the eastern shore of Hood Canal; W along Anderson Creek to Albert Pfundt Rd; S on the Albert Pfundt Rd to West Dewatto Rd; S on West Dewatto Rd to Bear Creek-Dewatto Rd; E along Bear Creek-Dewatto Rd to Old Belfair Hwy; S on Old Belfair Hwy to State Route (SR) 3 at the town of Belfair; S on SR 3 to North Bay at the town of Allyn; N along the west shore of North Bay; S along the east shore of North Bay to Pierce-Mason county line at Case Inlet; SE along the Pierce-Mason county line through Case Inlet to the Mason-Thurston county line; W along the Mason-Thurston county line through Dana Passage, Squaxin Passage, and Totten Inlet to US Hwy (US) 101 at Oyster Bay; N on US 101 to Finch Creek at the town of Hoodspport; E from Finch Creek across Hood Canal to Cougar Spit on the east shore of the Hood Canal; N from Cougar Spit along the east shore of Hood Canal to the mouth of Anderson Creek and the point of beginning.

**GMU 636-SKOKOMISH (Grays Harbor and Mason counties):**

Beginning on the Olympic National Park boundary and the North Fork of the Skokomish River; S along the North Fork Skokomish River to Lake Cushman; SE along the west shore of Lake Cushman to Standstill Dr (Power Dam Rd) at the Upper Cushman Dam; E on the Standstill Dr to State Route (SR) 119 (Lake Cushman Rd); SE on SR 119 to US Hwy (US) 101 at the town of Hoodspport; S on US 101 to the Shelton-Matlock Rd at the town of Shelton; W on the Shelton-Matlock Rd to the Matlock-Brady Rd; S on the Matlock-Brady Rd to Deckerville Rd south of the town of Matlock; W on Deckerville Rd to Boundary Rd (Middle Satsop Rd); W and S on Boundary Rd to Kelly Rd; N on Kelly Rd to US Forest Service (USFS) Rd 2368 (Simpson Timber 500 line); N on USFS Rd 2368 to USFS Rd 2260 (Simpson Timber 600 line); W on USFS Rd 2260 to USFS Rd 22 (Wynoochee Rd); NW and W on USFS Rd 22 to USFS Rd 2294, 1/4 mile east of Big Creek; NW on USFS Rd 2294, which parallels Big Creek, to junction with USFS Rd 2281; W on USFS Rd 2281, to the watershed divide between the Humptulips River watershed and the Wynoochee River watershed; N on the ridge between the Humptulips River watershed and Wynoochee River watershed to Olympic National Park boundary; E along the Olympic National Park boundary to the north fork of the Skokomish River and the point of beginning.

**GMU 638-QUINAULT RIDGE (Grays Harbor and Jefferson counties):**

Beginning on the Olympic National Park boundary and the Quinault Indian reservation boundary at the northwest corner of Lake Quinault; NE along the west shore of Lake Quinault to the Quinault River; NE on the Olympic National Park

boundary, which is along the Quinault River, to the Olympic National Park boundary west of Bunch Creek; S and NE on the Olympic National Park boundary to the ridge between the Wynoochee River watershed and Humptulips River watershed; S along the ridge between the Humptulips River watershed and the Wynoochee River watershed to its intersection with US Forest Service (USFS) Rd 2281; E along USFS Rd 2281 to USFS Rd 2294; SE on USFS Rd 2294, paralleling Big Creek, to USFS Rd 22 (Donkey Creek Rd); W on the USFS Rd 22 to US Hwy (US) 101; N on US 101 to the Quinault Indian reservation boundary; NE on the reservation boundary to Lake Quinault; NW along the south shore of Lake Quinault to the Olympic National Park boundary and the point of beginning.

**GMU 642-COPALIS (Grays Harbor County):**

Beginning at the Quinault Indian reservation and US Hwy (US) 101 south of Lake Quinault; S on US 101 to the Hoquiam River in the city of Hoquiam; S along the Hoquiam River to the north shore of Grays Harbor; W along the north shore of Grays Harbor to the Pacific Ocean; N along the shore of the Pacific Ocean to the Quinault Indian reservation boundary; E and NE along the Quinault Indian reservation to US 101 south of Lake Quinault and the point of beginning.

**GMU 648-WYNOOCHEE (Grays Harbor County):**

Beginning at the junction of US Hwy (US) 101 and the US Forest Service (USFS) Rd 22 (Donkey Creek Rd); NE along the USFS Rd 22 (Donkey Creek Rd) to its junction with the Donkey Creek-Grisdale Rd; E on USFS Rd 22 (Donkey Creek-Grisdale Rd) to Camp Grisdale (south of Wynoochee Lake); S along USFS Rd 22 (Wynoochee Rd) to USFS Rd 2260 (Simpson Timber 600 line); E on USFS Rd 2260 to USFS Rd 2368 (Simpson Timber 500 line); S on USFS Rd 2368 to Kelly Rd; S on Kelly Rd to Boundary Rd (Middle Satsop Rd); S on Boundary Rd to Cougar Smith Rd; W on Cougar Smith Rd to the west fork of the Satsop River; S down the west fork Satsop River to the Satsop River; S down the Satsop River to US 12; W along US 12 to its junction with US 101 in the town of Aberdeen; SE along US 101 to the north shore of the Chehalis River; W along the north shore of the Chehalis River to the north shore of Grays Harbor; W along the north shore of Grays Harbor to the mouth of the Hoquiam River; N up the Hoquiam River to US 101; W and N along US 101 to its junction with the USFS Rd 22 (Donkey Creek Rd) and the point of beginning. INCLUDES Rennie Island.

**GMU 651-SATSOP (Grays Harbor, Mason, and Thurston counties):**

Beginning at the US Hwy (US) 12 bridge on the Satsop River; N up the Satsop River to its junction with the west fork of the Satsop River; N up the west fork of the Satsop River to Cougar Smith Rd; E on Cougar Smith Rd to Boundary Rd (Middle Satsop Rd); N and E on Boundary Rd to Deckerville Rd; E on Deckerville Rd to Matlock-Brady Rd; N on Matlock-Brady Rd to the town of Matlock; E on Shelton-Matlock Rd to its junction with US 101 west of the town of Shelton; S on US 101 to its junction with State Route (SR) 8; W on SR 8 to its junction with US 12; W along US 12 to bridge over the Satsop River and the point of beginning.

**GMU 652-PUYALLUP (Pierce and King counties); (does not include Anderson Island):**

Beginning at Redondo Junction on the shore of Puget Sound and Redondo Way S; SE on Redondo Way S to State Route (SR) 509; E on SR 509 to Pacific Hwy S (Old Hwy 99); S on Pacific Hwy S to SR 18 at the city of Auburn; E on SR 18 to SR 164; SE on SR 164 to SR 410 (Chinook Pass Hwy) at the town of Enumclaw; E on SR 410 to the second set of power transmission lines near the Mud Mountain Dam Rd; SW on the power transmission lines to the White River; NW along the White River to SR 410; S on SR 410 to SR 165; S on SR 165 to the first intersection with a power transmission line at T19N, R06E, Sec 21; SW on this power transmission line to Orville Rd E at the Puyallup River; S on Orville Rd E to SR 161; S on SR 161 to the Mashel River; down the Mashel River to the Nisqually River (Pierce-Thurston county line); NW along the Nisqually River, along the Pierce-Thurston county line, to the Nisqually Reach in the Puget Sound; NW along the Thurston-Pierce county line in the Nisqually Reach to a point on the Thurston-Pierce county line southeast of Drayton Passage Channel; NE through Drayton Passage and Pitt Passage to Carr Inlet; E and S around McNeil Island to a point southwest of the Tacoma Narrows (including McNeil, Gertrude, and Ketron Islands); NE through the Tacoma Narrows to a point on the Pierce-King county line northeast of the main channel of the Tacoma Narrows; E on the Pierce-King county line to the point where the county line turns southeast, northwest of Dash Point; E to Redondo Junction on the eastern shore of the Puget Sound and the point of beginning.

**GMU 653-WHITE RIVER (King and Pierce counties):**

Beginning at the lookout station at US Forest Service (USFS) Rd 7110 (Grass Mountain mainline) and the posted GMU 485 boundary encompassing the controlled access portion of the Green River Watershed; E on the posted GMU 485 boundary encompassing the controlled access portion of the Green River Watershed to USFS Rd 7032; E along USFS Rd 7032 to USFS Rd 7030; SE along USFS Rd 7030 to USFS Rd 7036; SE along USFS Rd 7036 to USFS Rd 7038; SE on USFS Rd 7038 to USFS Trail 2000 (Pacific Crest National Scenic Trail) at its closest point to USFS Rd 7038 near Windy Gap north of Pyramid Peak; S on the USFS Trail 2000 to Pierce-Yakima County Line (Cascades Crest) in T17N, R10E, Sec 35; S on the county line to the Mt. Rainier National Park boundary in T17 R, R10E, Sec 35; S on the park boundary to Chinook Pass; N and W on the Mt. Rainier National Park boundary to the Carbon River; NW down the Carbon River to the power transmission line at T19N, R06E, Sec 21; NE along the power transmission line to SR 165; NE on SR 165 to SR 410; NE on SR 410 to the White River; SE along the White River to the power transmission lines on the north side of the White River near Mud Mountain Dam Rd; NE on the power transmission lines to State Route (SR) 410; E on SR 410 to USFS Rd 7110; N on USFS Rd 7110 to the posted GMU 485 boundary encompassing the controlled access portion of the Green River Watershed and the point of beginning.

**GMU 654-MASHEL (Pierce County):**

Beginning at the power transmission line at the Puyallup River Bridge on Orville Rd E; NE on the power line to the Carbon River; SE along the Carbon River to the west boundary of Mt. Rainier National Park; S on the Mt. Rainier National Park boundary to the Nisqually River; W down the Nisqually River to the mouth of the Mashel River; N up the Mashel River to the State Route (SR) 161 bridge (Eatonville-LaGrande Rd); N on SR 161 through Eatonville to Orville Rd E; N on Orville Rd E to the Puyallup River bridge and the point of beginning.

**GMU 655-ANDERSON (Pierce County):**

Includes all of Anderson Island.

**GMU 658-NORTH RIVER (Grays Harbor and Pacific counties):**

Beginning at the Pacific Ocean and the south shore of Grays Harbor at the Westport Jetty; E along the south shore of Grays Harbor to the mouth of the Chehalis River at the town of Aberdeen; E up the Chehalis River to the US Hwy (US) 101 bridge; S on US 101 to the Willapa River at the town of Raymond; W down the Willapa River to Willapa Bay; W along the north shore of Willapa Bay to the Pacific Ocean; N along the Pacific Coast to the south shore of Grays Harbor at the Westport Jetty and the point of beginning.

**GMU 660-MINOT PEAK (Grays Harbor and Pacific counties):**

Beginning at the intersection of US Hwy (US) 12 and US 101 at the town of Aberdeen; E and S on US 12 to N State St at the town of Oakville; S on N State St to South Bank Rd; W on South Bank Rd to Garrard Creek Rd; SW on Garrard Creek Rd to Oakville-Brooklyn Rd; W on Oakville-Brooklyn Rd to North River Valley Rd; W on North River Valley Rd to Smith Creek Rd; W on Smith Creek Rd to US 101; N on US 101 to US 12 at the town of Aberdeen and the point of beginning.

**GMU 663-CAPITOL PEAK (Grays Harbor and Thurston counties):**

Beginning at US Hwy (US) 12 and State Route (SR) 8 at the town of Elma; E on SR 8 to US 101; E on US 101 to Delphi Rd SW; S on Delphi Road SW to 110th Ave SW; E on 110th Ave SW to Littlerock Rd; S on Littlerock Rd to US 12; NW on US 12 to SR 8 at the town of Elma and the point of beginning.

**GMU 666-DESCHUTES (Thurston County):**

Beginning on US Hwy (US) 101 at the Mason-Thurston county line southeast of Oyster Bay; NE on the Mason-Thurston county line, through Totten Inlet, Squaxin Passage and Dana Passage, to the Pierce-Thurston county line in the Nisqually Reach; SE through the Nisqually Reach along the Pierce-Thurston county line to the mouth of the Nisqually River; SE on the Nisqually River to State Route (SR) 507; SW on SR 507 to Old Hwy 99 SE at the town of Tenino; SW on Old Hwy 99 SE to SR 12 at Interstate Hwy-5; W on SR 12 to Littlerock Rd; N on the Littlerock Rd to 110th Ave SW; W on 110th Ave SW to Delphi Rd SW; N on Delphi Rd SW to US 101; NW on US 101 to the Mason-Thurston county line southeast of Oyster Bay and the point of beginning.

**GMU 667-SKOOKUMCHUCK (Thurston and Lewis counties):**

Beginning at the State Route (SR) 507 bridge on the Nisqually River; SE up the Nisqually River (Pierce-Thurston county line) to SR 7 bridge at the town of Elbe on Alder Lake; S on SR 7 to Main St at the town of Morton; S on Main St to SR 508; W on SR 508 to the Centralia-Alpha Rd; W and N on the Centralia-Alpha Rd to Salzer Valley Rd; W on Salzer Valley Rd to Summa St at the town of Centralia; W on Summa St to Kresky Rd; N on Kresky Rd to Tower St; N on Tower St to SR 507; W on SR 507 (Cherry St, Alder St, and Mellen St) to Interstate Hwy (I)-5; N on I-5 to Old Hwy 99 SE; NE on Old Hwy 99 SE to SR 507; NE on SR 507 to the Nisqually River bridge and the point of beginning.

**GMU 672-FALL RIVER (Pacific, Lewis, and Grays Harbor counties):**

Beginning at the intersection of US Hwy (US) 101 and State Route (SR) 6 at the town of Raymond; N on US 101 to Smith Creek Rd; NE on Smith Creek Rd to North River Valley Rd; E on North River Valley Rd to Oakville-Brooklyn Rd; E on the Oakville-Brooklyn Rd to Garrard Creek Rd; S on Garrard Creek Rd to Weyerhaeuser (Weyco) C line at mile post 5; W on the Weyco C line to Weyco 723 line; S on the Weyco 723 line to Weyco 720 line; W on the Weyco 720 line to Weyco 7800 F line; S on Weyco 7800 F line to Weyco 7800 line; S and SE on Weyco 7800 line to Weyco 7000 line; SW on Weyco 7000 line to Weyco 7050 line; S on Weyco 7050 line to Weyco 7400 line; S and E on Weyco 7400 line to Weyco 7000 line; E on Weyco 7000 line to Elk Creek Rd; E on Elk Creek Rd to Stevens Rd at the town of Doty; E on Stevens Rd to SR 6; S, W and NW on SR 6 to US 101 at the town of Raymond and the point of beginning.

**GMU 673-WILLIAMS CREEK (Pacific County):**

Beginning at US Hwy (US) 101 bridge crossing the Willapa River at the town of Raymond; S on US 101 to State Route (SR) 6; SE on SR 6 to the Trap Creek A line; S and W on the Trap Creek A line to power transmission lines; S and SW on the power transmission lines to Weyerhaeuser (Weyco) 5800 line (Section 22, T11N, R8W); SW along the Weyco 5800 line to ~~((Weyco 5000 line (Deep River main line); SW on the Weyco 5000 line to))~~ the Salmon Creek Rd; SW along the Salmon Creek Rd to SR 4; W on SR 4 to US 101 at Johnson's Landing; W on US 101 to the Naselle River bridge; W down the Naselle River to Willapa Bay; N along the east shore of Willapa Bay to the Willapa River; SE and NE up the Willapa River to the US 101 bridge and the point of beginning.

**GMU 681-BEAR RIVER (Pacific and Wahkiakum counties):**

Beginning at the US Hwy (US) 101 bridge at the Naselle River; E on US 101 to State Route (SR) 4; SE on SR 4 to Deep River bridge; S down the Deep River to the Columbia River; W along the shore of the Columbia River to the mouth of the Wallacut River (including all islands in the Columbia both north of the Washington-Oregon state line and between the Deep River and the Wallacut River); N up the Wallacut River to US 101; NW on US 101 to alternate US 101, north of the Ilwaco Airport; N on alternate US 101 to US 101; E and NE on US 101 to Bear River; N down Bear River to Willapa Bay; N along the eastern shore of Willapa Bay to the

mouth of the Naselle River; SE up the Naselle River to the US 101 bridge and the point of beginning.

**GMU 684-LONG BEACH (Pacific County):**

Beginning at the mouth of Bear River on Willapa Bay; S up Bear River to US Hwy (US) 101; W and SW on US 101 to alternate US 101, north of the Ilwaco Airport; S on alternate US 101 to US 101; W on US 101 to the Wallacut River; S along the Wallacut River to the Columbia River; W down the Columbia River to its mouth on the Pacific Ocean (including all islands in the Columbia River both north of the Washington-Oregon state line and between the Wallacut River and the mouth of the Columbia River); N, E, S, and E along the shoreline of the Long Beach peninsula to Bear River and the point of beginning.

**GMU 699-LONG ISLAND (Pacific County):**

Includes all of Long Island.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

**WAC 220-412-050 Landowner raffle hunts.** The commission, in consultation with the director and by agreement with cooperating private landowners, may authorize hunts for big game animals through raffle.

((4-)) (1) The manager of property under contract with WDFW will conduct the landowner raffle drawing. Raffle tickets will be sold for not more than \$25.00 each.

((2-)) (2) Any person may purchase landowner raffle tickets in addition to WDFW raffle tickets and participate in auctions and special hunting season permit drawings.

((3-)) (3) The landowner raffle winners must possess the appropriate hunting license and transport tag prior to participating in the landowner raffle hunt.

((4-)) (4) The landowner deer or elk raffle hunt winners may purchase an additional deer or elk hunting license and obtain a second transport tag for use on the contracted lands if approved and authorized by the cooperating private landowner.

((5-)) (5) If an additional deer or elk hunting license and transport tag are acquired by a raffle winner, the additional transport tag can only be used on the contracted lands during the raffle hunt.

((6-)) (6) Hunting licenses or transport tags obtained pursuant to a raffle may not be resold or reassigned.

((7-)) (7) The manager of property under contract with WDFW who is conducting an authorized raffle will provide an annual report to the department of fish and wildlife prior to ~~((December 31))~~ May 1st. The report will include information on how the event was administered, where and when it occurred, who the winners were, the cost of tickets, and the number of tickets sold.

((8-)) (8) Anyone may participate in landowner raffles.

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.**

## AUCTION PERMITS

- (1) BLACK-TAILED DEER AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to black-tailed deer hunting by the fish and wildlife commission.  
 (c) Weapon type: Any legal weapon.  
 (d) Bag limit: One additional any buck black-tailed deer.  
 (e) Number of permit hunters selected: 1
- (2) MULE DEER AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.  
 (c) Weapon type: Any legal weapon.  
 (d) Bag limit: One additional any buck mule deer.  
 (e) Number of permit hunters selected: 1
- (3) WHITE-TAILED DEER AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.  
 (c) Weapon type: Any legal weapon.  
 (d) Bag limit: One additional any buck white-tailed deer.  
 (e) Number of permit hunters selected: 1
- (4) THREE-DEER AUCTION PERMIT  
 (a) Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.  
 (b) Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.  
 (c) Season dates: September 1 - December 31  
 (d) Weapon: Any legal weapon.  
 (e) Number of permit hunters selected: 1
- (5) WESTSIDE ELK AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.  
 (c) Weapon type: Any legal weapon.  
 (d) Bag limit: One additional any bull elk.  
 (e) Number of permit hunters selected: 1
- (6) EASTSIDE ELK AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.  
 (c) Weapon type: Any legal weapon.  
 (d) Bag limit: One additional any bull elk.  
 (e) Number of permit hunters selected: 1

- (7) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.  
 (c) Weapon: Any legal weapon.  
 (d) Bag limit: One California bighorn ram.  
 (e) Number of permit hunters selected: 1
- (8) MOOSE AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Any open moose unit, and hunt areas identified by the department before December 1 for the following year, and posted on the department's web site no later than January 1.  
 (c) Weapon: Any legal weapon.  
 (d) Bag limit: One moose of either sex.  
 (e) Number of permit hunters selected: 1
- (9) MOUNTAIN GOAT AUCTION PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.  
 (c) Weapon: Any legal weapon.  
 (d) Bag limit: One mountain goat of either sex.  
 (e) Number of permit hunters selected: 1

## RAFFLE PERMITS

- (10) BLACK-TAILED DEER RAFFLE PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.  
 (c) Weapon: Any legal weapon.  
 (d) Bag limit: One additional any buck black-tailed deer.  
 (e) Number of permit hunters selected: 1
- (11) MULE DEER RAFFLE PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.  
 (c) Weapon: Any legal weapon.  
 (d) Bag limit: One additional any buck mule deer.  
 (e) Number of permit hunters selected: 1
- (12) WHITE-TAILED DEER RAFFLE PERMIT  
 (a) Season dates: September 1 - December 31  
 (b) Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.  
 (c) Weapon: Any legal weapon.  
 (d) Bag limit: One additional any buck white-tailed deer.  
 (e) Number of permit hunters selected: 1
- (13) WESTSIDE ELK RAFFLE PERMIT  
 (a) Season dates: September 1 - December 31

(b) Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to bull elk hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(14) EASTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(15) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1 except that sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(16) MOOSE RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: GMUs 101 through 121, 204.

(c) Weapon: Any legal weapon.

(d) Bag limit: One moose of either sex.

(e) Number of permit hunters selected: 2

(17) MOUNTAIN GOAT RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One mountain goat of either sex.

(e) Number of permit hunters selected: 1

(18) TURKEY RAFFLE PERMIT

(a) Season dates: April 1 - May 31 and September 1 - December 31

(b) Hunt Area: Statewide.

(c) Weapon: Archery or shotgun only.

(d) Bag limit: Three additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

(e) Number of permit hunters selected: 1

(19) ROCKY MOUNTAIN BIGHORN SHEEP RAFFLE PERMIT

(a) Bag limit: One Rocky Mountain bighorn ram.

(b) Hunt Area: GMUs 113, 172, 186, 181 (south of the line made by starting at Montgomery Ridge Road and Highway 129 to the Sherry Grade Road to the Couse Creek Road to the Snake River).

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(20) THREE-DEER RAFFLE PERMIT

(a) Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.

(b) Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(21) NORTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: Permit hunter may harvest three of six possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any bull elk, one any bull moose, one additional any legal cougar, one additional any legal black bear, and one additional any legal turkey (gobbler or turkey with visible beard ONLY); total harvest not to exceed three animals.

(b) Hunt Area: GMUs 101-124.

(c) Season dates:

(i) September 1 - December 31 for white-tailed deer, elk, and moose.

(ii) April 15 - May 31 and September 1 - December 31 for black bear.

(iii) September 1 - March 31 for cougar.

(iv) April 15 - May 31 for turkey.

(d) Weapon: Any legal weapon EXCEPT archery and shotgun only for turkey.

(e) Number of permit hunters selected: 1

(22) SOUTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: One additional any bull elk, one additional any buck deer, and one California bighorn sheep ram; total harvest not to exceed three animals.

(b) Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(23) SOUTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: Permit hunter may harvest four of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one additional any bull elk, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed four animals.

(b) Hunt Area: GMUs 139-154 and 162-186.

(c) Season dates: September 1 - December 31 for white-tailed deer, mule deer, and elk. April 15 - June 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(24) NORTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: Permit hunter may harvest three of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one any ram California bighorn sheep, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed three animals.

(b) Hunt Area: For white-tailed deer, mule deer, cougar, and black bear, any 200 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's web site no later than January 1.

(c) Season dates:

(i) September 1 - December 31 for white-tailed deer, mule deer, and California bighorn sheep.

(ii) April 15 - May 15 and September 1 - December 31 for black bear.

(iii) September 1 - March 31 for cougar.

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

**SPECIAL INCENTIVE PERMITS**

(25) WESTERN WASHINGTON ELK INCENTIVE PERMITS

(a) Hunt Area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to bull elk hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(26) EASTERN WASHINGTON ELK INCENTIVE PERMITS

(a) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to bull elk hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(27) DEER INCENTIVE PERMITS

(a) Hunt Area: Statewide, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT hunters must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

(d) Bag limit: One additional any deer.

(e) Number of permit hunters selected: 5

**PERMIT ISSUANCE PROCEDURE**

(28) Auction permits: The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 220-412-060.

(29) Raffle permits: Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 220-412-040.

(30) Special incentive permits: Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 220-413-100.

(31) For permit hunts where the permittee may harvest multiple species, the permittee must select the species he/she wants to hunt within fourteen days of notification of being selected.

**QUALIFICATIONS FOR PARTICIPATION AND REQUIREMENTS:**

(32) Permittees shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

(33) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(34) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(35) If requested by the department, the permittee is required to direct department officials to the site of the kill.

(36) The permit is valid during the hunting season dates for the year issued.

(37) The permittee will present the head and carcass of the bighorn sheep killed to any department office within ten days of date of kill.

(38) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(39) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

**WAC 220-412-090** ~~((Multiple season big game permits.))~~ **Multi-season deer and elk tags.** ~~((The commission may, by rule, offer permits for hunters))~~ Multi-season deer and elk tags allow hunters who draw and purchase those tags to hunt ((deer or elk)) during more than one general season.

~~((An annual drawing will be conducted by the department for multiple season permits))~~ The department will conduct an annual drawing for multi-season tags.

(1) ~~((Multiple season big game hunting permit applications.))~~ Multi-season deer and elk tags:

(a) To apply for ~~((multiple season big game hunting season permits for deer or elk))~~ multi-season deer and elk tags, applicants must purchase a ~~((permit))~~ multi-season application for deer and/or elk.

(b) ~~((No))~~ The department will not refund((s)) or exchange((s for)) applications ((will be made for persons applying for multiple season big game hunting season permits after the application has been submitted)) for multi-season deer and elk after they submit the application.

(c) An applicant may purchase only one application for a ~~((multiple season big game hunting season permit))~~ multi-season tag for each species.

(d) ~~((Permits))~~ Applicants will be randomly drawn by computer selection.

(e) Incomplete applications will not be accepted.

(f) ~~((The department will establish application and drawing dates.~~

~~(2) The bag limit for this permit is one deer or elk.~~

~~(3) Multiple season permits))~~ Multi-season deer and elk drawings will be held in April.

(2) Multi-season tags:

(a) Hunters who are drawn will be required to purchase their ~~((original deer or elk license, corresponding to their permit, and the multiple season big game permit.~~

~~((b) Successful applicants will be allowed to purchase their permit at any time prior to August 1st.~~

~~((c) The permits))~~ multi-season tag by July 31.

~~((b) Multi-season tags are not transferable.~~

~~((d) Permits))~~ (c) Multi-season tags not purchased by successful applicants prior to August 1~~((st))~~ may be ~~((sold))~~ made available for purchase to unsuccessful applicants at the discretion of the department ~~((on a first-come, first-served basis)).~~

~~((4) Permit))~~ (3) Multi-season tag holders are required to follow all rules and restrictions, including bag limits, for general season hunters, for the species, within the game management unit or area hunted.

<del>((Permits))</del> <u>Tags</u>	<u>Dates</u>	<u>Game Management Units (GMUs)</u>	<u>Legal Animal</u>	<u>Eligible Hunters</u>
<b><del>((Multiple Season))</del> <u>Multi-season Deer</u> <del>((Permits))</del> <u>Tags</u></b>				
8500	Sept. 1 - December 31 within general seasons and regulations established by the commission for deer	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal deer consistent with the game management unit or area restrictions	Any licensed deer hunter
50	Sept. 1 - December 31 within general seasons and regulations established by the commission for deer	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal deer consistent with the game management unit or area restrictions	Hunter education instructors meeting qualifications and selection criteria established by the department
<b><del>((Multiple Season))</del> <u>Multi-season Elk</u> <del>((Permits))</del> <u>Tags</u></b>				
1000	Sept. 1 - December 31 within general seasons and regulations established by the commission for elk	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal elk consistent with the game management unit or area restrictions	Any licensed elk hunter
25	Sept. 1 - December 31 within general seasons and regulations established by the commission for elk	Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters	Any legal elk consistent with the game management unit or area restrictions	Hunter education instructors meeting qualifications and selection criteria established by the department

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-412-100 Landowner hunting permits.** (1)

A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

(2) It is unlawful (~~for hunters~~) to participate in (~~landowner permit hunts unless the hunters possess both an access permit from the landowner and a hunting permit from the department for the species covered under the landowner's contract~~) landowner hunter permit (LHP) without a landowner LHP permit from the landowner or a public LHP permit from the department for the species covered under the landowner's contract and possess an unfilled tag for said species. A violation of this section is punishable under RCW 77.15.410.

(3) **Acceptance Guidelines**

(a) LHP contracts must provide one or both of the hunting opportunities listed below for the public via landowner permits and public permits:

- Hunting opportunity that otherwise would not exist.
- Hunting opportunity that helps resolve chronic crop damage problems that have been documented by WDFW.

(b) WDFW will deny LHP applications that do not provide substantial public access benefit beyond the allotted WDFW public permit opportunity.

• For the purposes of this program, "substantial public benefit" will be defined as access for the general public to the property outside of the designated LHP permit season, for any of the following activities: General season or special permit hunting access for deer, elk, bear, cougar, sheep, goat, moose, upland game birds, turkey, waterfowl, dove or other nonhunting activities such as wildlife viewing or fishing. At a minimum, the LHP property must allow access for at least two types of recreational opportunity outside of the designated LHP permit seasons for deer and elk. Each LHP agreement must demonstrate a substantial public benefit to the citizens of the state and the wildlife resources of the area. For further information regarding public benefit, please refer to the standard operating procedure.

(c) Lands in a single LHP must have a minimum hunt-able acreage of 1,000 acres.

- Lands that are contiguous can span GMU boundaries.
- Lands that are not contiguous have to reside within the same GMU.

(d) Only 2 LHP contracts will be active at the same time in each WDFW district (Appendix B). If an LHP crosses district boundaries, the LHP will be considered to be in the district containing the majority of the land and/or hunting opportunity.

(e) WDFW will prioritize LHP applications that score the highest using the scoring matrix (Criteria - Appendix D in the standard operating procedure). In addition to LHP hunts, "no-fee" general public access opportunity is required (e.g., general deer, elk, turkey, upland hunting, or other opportunities as stated in (b) of this subsection). Special accommodations for hunters with disabilities, youth, seniors, and designated master hunters are also strongly encouraged, as well as "no-fee" access for special permit holders (e.g., elk, bear, moose and bighorn sheep).

(f) To ensure predictability for landowners, hunters, and WDFW, all landowners who enter into an LHP contract in April are required to abide by the conditions of the LHP contract for the term of the contract. Any changes in property ownership, total acreage or management practices on the land(s) enrolled in the LHP will require an amendment to the contract. WDFW reserves the right to alter conditions to the contract if an amendment is required. It is the responsibility of the landowner to inform the proper WDFW regional staff of any changes. Not providing accurate information may result in the termination of the contract.

(g) Landowners may only be involved in one LHP statewide.

(4) **Program Guidelines**

(a) Policy C-6002 divides hunting on LHP cooperator lands into public and landowner permit opportunities. Public opportunity is defined as permits that are drawn through the WDFW permit drawing system or are drawn through a public raffle. Landowner opportunity is defined as those permits allocated to and distributed by the LHP cooperator(s).

(b) No LHP permits for elk will be issued in those GMUs where branch-antlered bull elk hunting is by quality or bull elk special permits only.

(c) No LHP permits for deer will be issued in those GMUs where antlered deer hunting is by quality or buck deer special permits only.

(d) Landowners may sell access associated with landowner LHP permits, but then must waive the right to claims for wildlife damage. Selling access may also affect landowner liability as described in RCW 4.24.200 and 4.24.210. It is the responsibility of the landowner to ensure they are protected against liability claims.

(e) WDFW will draw permits for public hunting opportunity through the licensing permit drawing system or through a public raffle. Public raffles must be conducted according to state laws and regulations including, but not limited to, WAC 220-412-050 and as outlined in the commission policy C-6002.

(f) Access to LHP property and associated hunting will be free of charge for individuals who draw a public LHP permit. Hunting opportunity (i.e., location, length of time, season of the hunt and hunting area) must be equivalent for public permit holders and landowner permit holders. Landowners not meeting this requirement will have their LHP contract voided. Landowners in an LHP may be required to provide evidence verifying equitability between both the public and landowner permits.

(g) Lands in an LHP contract will be identified on the WDFW website, along with other private and public hunting lands. The cooperator or WDFW may create additional detailed maps to better inform the public. Any additional maps or materials may also be posted on the WDFW website.

(h) LHP boundaries will be posted with WDFW approved signs in accordance with boundary posting requirements section of the standard operating procedure.

(i) LHP properties may not have fences that alter or prevent the natural movement of wildlife.

(j) All LHP permits are only valid within the identified LHP property boundaries. Any wildlife harvested outside the boundaries of the LHP using an LHP permit will be consid-

ered a "closed season" violation. LHP permits are not valid on private or public in-holdings that are not included in the LHP contract.

(k) Any cost to implement the program, other than costs typically covered by WDFW (e.g., WDFW staff time and LHP signage), will be the responsibility of the landowner.

(l) Damage prevention permits authorized under WAC 220-440-060 will be issued to LHP cooperators only if WDFW deems it necessary to control damage.

(m) All LHP contracts will be tied to the three-year season setting cycle.

(n) LHP permits will be allocated annually. WDFW regional staff will provide permit recommendations to the private lands section manager by mid-November of each year.

(o) A cooperator who does not comply with their LHP contract may have their contract voided by the department. If their contract is voided, they will not be able to reapply until the next application cycle and forfeit any remaining permits to WDFW. If a contract is voided, the LHP property may be enrolled in another WDFW access program without having to wait until the next LHP application cycle.

(p) WDFW at its discretion may deny any LHP application for biological or social reasons.

(q) LHPs shall not be authorized in areas where other access opportunities may be jeopardized.

(r) Due to the limited availability of habitat funding, LHP properties will not be prioritized for any funding available to the private lands access program for the purposes of habitat enhancement, restoration or other habitat related

activities. This does not include federal programs, where WDFW staff provide technical assistance.

Annual reports (Appendix C) will be required for all LHP properties. The annual report form will be mailed to the landowners with their LHP permits each year. Reports are due back to the private lands section manager no later than May 1st of the following year. Failing to mail/send completed harvest reports may result in a delay in issuing permits the following hunting season. Chronic failure to submit reports will lead to voiding of the LHP contract.

**(5)(a) Buckrun**

(i) Buckrun is located in Grant County, near the town of Wilson Creek.

(ii) Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one-day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out with the landowner or their designee on hunt day. Hunts are scheduled on a first-come basis by calling 509-345-2577 in advance.

**(b) Buckrun landowner hunting permits**

(i) Buckrun's manager will distribute Buckrun's landowner hunting permits. Buckrun may charge an access fee for these permits, but not for winning raffle permits. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun's properties. Contact the manager at 509-345-2577 for additional information.

**(ii) Deer Seasons for the landowner portion of LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tailed Deer	Buckrun
Buckrun	30	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	10	Oct. 25 - Dec. 31	Any deer	Buckrun

**(c) Buckrun ((special)) public hunting permits**

(i) Hunters must apply to the Washington department of fish and wildlife for Buckrun's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for these special permits. All hunters must check in and out with the landowner or their designee. Hunts must be scheduled in advance by calling 509-345-2577.

**(ii) Deer Seasons for the public portion of the LHP permits:**

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless	Buckrun

**((4)) (6)(a) Silver Dollar Association**

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. (A legal description of the property is in the contract between the Silver Dollar Association and the department.)

**(b) Silver Dollar Association landowner hunting permits**

(i) The Silver Dollar Association's manager will distribute the association's landowner hunting permits. The association may charge an access fee for these permits.

(ii) **Elk Seasons for the landowner portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	8	Aug. 1 - March 31	Antlerless	Silver Dollar

(c) **Silver Dollar Association ((special)) public hunting permits**

(i) Hunters must apply to the department for the Silver Dollar Association's special hunting permits.

(ii) **Elk Seasons for the public portion of the LHP permits:**

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	8	EF	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	6	EF	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar
Silver Dollar Antlerless Elk	2	EF	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

~~((5))~~ (7)(a) **Blackrock Ranches**

Blackrock Ranches is located in Yakima County west of the Hanford Reservation. ~~((A legal description of the property is in the contract between Blackrock Ranches and the department.))~~

(b) **Blackrock Ranches landowner hunting permits**

(i) Blackrock Ranches' manager will distribute the ranches' landowner hunting permits. Blackrock Ranches may charge an access fee for these permits.

(ii) **Elk Seasons for the landowner portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	2	Aug. 1 - March 31	Antlerless	Blackrock Ranches

(c) **Blackrock Ranches ((special)) public hunting permits**

(i) Hunters must apply to the department for Blackrock Ranches' special hunting permits. To apply, hunters must have an eastside elk tag.

(ii) **Elk Seasons for the public portion of the LHP permits:**

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	EF	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

~~((6))~~ (8)(a) **Pine Mountain Ranch**

The Pine Mountain Ranch is located in Yakima County 14 miles west of Yakima. ~~((A legal description of the property is in the contract between the Pine Mountain Ranch and the department.))~~

(b) **Pine Mountain Ranch landowner hunting permits**

(i) Pine Mountain Ranch's manager will distribute the ranch's landowner hunting permits. Pine Mountain Ranch may charge an access fee for these permits.

(ii) **Deer Seasons for the landowner portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. 4 - Dec. 31	Any Buck	Pine Mountain Ranch

(iii) **Elk Seasons for the landowner portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Dec. 1	Antlerless	Pine Mountain Ranch

(c) **Pine Mountain Ranch ((special)) public hunting permits**

(i) Hunters must apply to the department for Pine Mountain Ranch's special hunting permits.

(ii) **Deer Seasons for the public portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. 4 - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

(iii) **Elk Seasons for the public portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Dec. 1	Antlerless	Pine Mountain Ranch

((7)) (9)(a) **Columbia Plateau Wildlife Management Association**

(i) The Columbia Plateau Wildlife Management Association (CPWMA) landowner hunting permit area is located in Spokane County (GMU 130) near Turnbull National Wildlife Refuge. ((A legal description of the property is in the contract between the CPWMA and the department.))

(ii) Landowner permit hunts are primarily ((damage)) small ranch hunts but are managed for a quality experience by keeping the number of hunters in the field low.

(b) **Columbia Plateau Wildlife Management Association landowner hunting permits**

(i) CPWMA's manager will distribute the association's landowner hunting permits. CPWMA will not charge an access fee for raffle permit winners. Only hunters possessing an elk tag are eligible for permits on CPWMA's properties. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September 30. Applicants should see CPWMA's website at [www.cpwma.org](http://www.cpwma.org) or contact the hunt manager at 509-263-4616. Holders of landowner permits selected through raffle, including 9 antlerless elk and 2 any elk permits, are eligible to purchase second elk tags that may only be used on lands included in the CPWMA LHP.

(ii) **Elk Seasons for the landowner portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	1	Jan. 1 - Mar. 31	Antlerless	CPWMA
CPWMA	1	Jan. 1 - Mar. 31	Any Bull	CPWMA
CPWMA Raffle 1	3	Jan. 1-31	Antlerless	CPWMA
CPWMA Raffle 2	3	Feb. 1-28	Antlerless	CPWMA
CPWMA Raffle 3	3	Mar. 1-31	Antlerless	CPWMA
CPWMA Raffle 4	2	Jan. 1 - Mar. 31	Any Bull	CPWMA

(c) **Columbia Plateau Wildlife Management Association ((special)) public hunting permits**

(i) Hunters must apply to the department for CPWMA's special hunting permits. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of required information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September 30. Applicants should see CPWMA's website at [www.cpwma.org](http://www.cpwma.org) or contact the hunt manager at 509-263-4616.

(ii) **Elk Seasons for the public portion of the LHP permits:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA 1	1	Jan. 1 - Mar. 31	Any Bull	CPWMA

**AMENDATORY SECTION** (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-413-180 Special closures and firearm restriction areas. (1) RESTRICTED HUNTING AREAS.**

It is unlawful to hunt in the following restricted hunting areas unless otherwise provided:

(a) Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Road (USFS Road 2489), north of Tacoma Creek Road (USFS Road 2389), and west of Bonneville Power Administration power lines are designated as "CLOSED AREA" to hunting wild animals and wild birds year-round except for special hunts adopted by the fish and wildlife commission. The Parker Lake closure provides a protected area for the U.S. Air Force Military Survival Training Program.

(b) Columbia River: The Columbia River, all islands except privately owned, in the river, the Benton County shoreline below the high water mark, Central Hanford Department of Energy property, and any peninsula originating on the Benton County shoreline, between Vernita Bridge on Highway 24 downstream to the Richland city limits are designated as a "CLOSED AREA" to hunting wild animals and wild birds except waterfowl hunting is open below the high water mark between the old Hanford townsite power line crossing ((~~wooden towers~~)) in Section 24, T 13 N, R 27 E, and the Richland city limits.

(c) Green River (GMU 485): Except for special permit hunters, who may also take a black bear and/or cougar with the appropriate license/tag options, all lands within GMU 485 are designated as a "CLOSED AREA" to hunting big game year-round. During the general westside elk season and general and late deer seasons, all lands within GMU 485 year-round are also designated as a "CLOSED AREA" to hunting all wild animals, including wild birds, year-round. The city of Tacoma enforces trespass within GMU 485 year-round on lands owned or controlled by the city.

(d) McNeil Island (part of GMU 652): Closed to hunting all wild animals, including wild birds, year-round.

(e) Loo-wit (GMU 522): Closed to hunting and trapping, except for elk and mountain goat hunting by special permit holders during established seasons and in designated areas.

(2) A violation of subsection (1) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

**(3) CLOSED BIG GAME HUNTING AREAS.**

It is unlawful to hunt big game in the following closed areas, unless otherwise specified:

(a) Clark, Cowlitz, Pacific, and Wahkiakum counties: Closed to hunting for Columbian whitetail deer.

(b) Cathlamet: Except for special permits issued by the department for nonendangered deer and elk, this area is closed to all deer and elk hunting to protect the Columbian whitetail deer. This area's boundaries are described as:

Beginning in the town of Skamokawa; then east along SR 4 to Risk Road; then south and east along Risk Road to Foster Road; then south along the Foster Road to the Elochoman River; then upstream along the Elochoman River to Elochoman Valley Road (old SR 407); then west along the Elochoman Valley Road to SR 4; then east along SR 4 to SR 409; then south along SR 409 to the Cathlamet Channel of the Columbia River; then east along the north shore of the Cathlamet Channel to Cape Horn; then south in the Columbia River to the state line; then west along the state line to a point directly south of the mouth of Skamokawa Creek; then north on Skamokawa Creek to SR 4 and the point of beginning.

(c) Walla Walla Mill Creek Watershed (GMU 157): All lands in the Mill Creek Watershed are designated as a "CLOSED AREA" to hunting all wild animals, including wild birds. The only exception is for deer or elk hunting by holders of GMU-157 special deer or elk permits during the established open season. These permit holders must have a U.S. Forest Service permit to enter the hunt area, and the area is closed to motorized vehicles. No entry into the Mill Creek Watershed is allowed at other times.

(d) Westport: Closed to hunting all big game animals on the part of Westport Peninsula lying north of State Highway 105 from the Elk River Bridge west end and the Schafer Island Road to the ocean beach.

(e) Cottonwood and Howard islands (GMU 564): Closed to all deer hunting.

(4) A violation of subsection (3) of this section is a gross misdemeanor or a class C felony punishable under RCW 77.15.410, depending on the circumstances of the violation.

**(5) FIREARM RESTRICTION AREAS.**

(a) It is unlawful to hunt wildlife in the following firearm restriction areas with centerfire or rimfire rifles, or to fail to comply with additional firearm restrictions, except as established below:

COUNTY	AREA	COUNTY	AREA
Chelan	That portion of GMU 251 (Mission) beginning at the intersection of the Duncan Road and Highway 2; south on Duncan Road to Mountain Home Road; south along Mountain Home Road to the Icicle Irrigation Ditch; south and west along the Icicle Irrigation Ditch to the Snow Lake Trail; west and north along the Snow Lake Trail and across the Icicle River to Icicle River Road; east and north along Icicle River Road to the Wenatchee River; northwest along the Wenatchee River to Highway 2; north and east on Highway 2 to Duncan Road and the point of beginning.		That portion of GMU 660 (Minot Peak) described as follows: Beginning at Highway 12 and Highway 107 junction near Montesano; east and south on Highway 12 to State Street in Oakville; south on State Street to its merge with Oakville Road; west on Oakville Road to its merge with South Bank Road; northwest along South Bank Road to Wakefield Road; north on Wakefield Road to the Chehalis River; west along the Chehalis River to Highway 107 bridge; north on Highway 107 to Highway 12 to the point of beginning.
Clallam	That portion of GMU 624 (Coyle) located within Clallam County.	Island	GMUs 421 (Camano) and 420 (Whidbey).
Clark	GMU 564 (Battle Ground). That portion of GMU 554 (Yale) in Clark County.	Jefferson	Indian and Marrowstone islands.
Cowlitz	GMU 554 (Yale). GMU 504 (Stella). That portion of GMU 564 (Battle Ground) in Cowlitz County.	King	The area west of Highway 203 (Monroe-Fall City, then Fall City-Preston Road) to Interstate 90 (I-90), I-90 to Highway 18, Highway 18 to Interstate 5 (I-5), I-5 to the Pierce-King County line; and GMU 422 (Vashon-Maury).
Grays Harbor	The following restriction applies only during modern firearm general elk seasons:  That portion of GMU 658 (North River) beginning at Bay City; then west along Highway 105 to Twin Harbors State Park; then south along Highway 105 to Cranberry Road; then east on Cranberry Road to Turkey Road; then east and north on Turkey Road to Bayview Logging Road; then north and east along Bayview Logging Road to Mallard Slough; then east and south along the Bayview Road to Andrews Creek; then north along main channel of Andrews Creek to Grays Harbor; then north and west along the main navigation channel to Bay City and point of beginning.	King	This area is restricted to archery only during general season hunts (agency directed damage permit hunts exempt):  The following portion of GMU 652 (Puyallup): Beginning at the intersection of State Highway 410 and the southeast Mud Mountain Dam Road near the King/Pierce County line north of Buckley; then east along the southeast Mud Mountain Road to 284th Avenue Southeast; then north along 284th Avenue Southeast to State Highway 410; then west along Highway 410 to the point of the beginning.
Grays Harbor	The following restriction applies only during modern firearm general elk seasons:	Kitsap	East of State Highway 16 originating at the Tacoma Narrows Bridge to Gorst, and east of Highway 3 to (( <del>Newbury</del> )) <u>Newberry</u> Hill Road, north of (( <del>Newbury</del> )) <u>Newberry</u> Hill Road and the Bremerton-Seabeck Highway to Big Beef Creek Bridge; all of Bainbridge Island, and Bangor Military Reservation.
		(( <del>Kittitas</del> ))	<del>GMU 334 (Ellensburg) Closed to centerfire rifles during deer and elk seasons except for those areas designated in writing by WDFW wildlife conflict staff.)</del>
		Klickitat	Elk Area 5062 (Trout Lake) closed to centerfire rifles, handguns, and muzzleloaders October 1 to January 30.

COUNTY	AREA
Mason	GMU 633 (Mason Lake) south of Hammersley Inlet; and all of Harstine Island.
Pacific	GMU 684 (Long Beach) the following Long Beach Peninsula restriction applies only during modern firearm general deer and elk seasons: Beginning at the end of Outer Harbor Way in the City of Ilwaco to U.S. Highway 101, west and north on Highway 101 to Sandridge Road; north on Sandridge Road to 95th Street; west on 95th Street to Tarlatt Slough; out Tarlatt Slough to Willapa Bay, north along the shoreline of Willapa Bay, then west to the Pacific Ocean. South along the west coast of the peninsula to Cape Disappointment State Park; east along state park boundary to Baker Bay; east along Baker Bay to the point of beginning. The portion of GMU 658 (North River) south and west of State Highway 105 and Airport Road between Raymond and North River Bridge. GMU 681 (Chinook Valley) beginning at confluence of Wallacut River, east along the Columbia River to the Astoria-Megler bridge; west along U.S. Highway 101 to Houtchen Road, north on Houtchen Road to the Chinook River; west on the Chinook River to the Chinook Valley Road; west on the Chinook Valley Road to Highway 101 and Wallacut River bridge; southwest on Wallacut River to point of beginning.
Pierce	Ketron Island in GMU 652 limited to archery, shotgun, and muzzleloader. GMU 655 (Anderson) limited to archery, shotgun, and muzzleloader. McNeil Island closed to hunting. See GMU 652 restriction area outlined for King County. GMU 627 (Kitsap) south of Highway 302 on the Key (Longbranch) Peninsula is a firearm restriction area.
San Juan	All San Juan County, including GMUs 411 (Orcas), 412 (Shaw), 413 (San Juan), 414 (Lopez), 415 (Blakely), 416 (Decatur), and those portions of GMU 410 (Islands) that occur in San Juan County.

COUNTY	AREA
Snohomish	All areas west of Highway 9, until the intersection of Highway 9 and Highway 2, then east along Highway 2 to Highway 203, then all areas west of Highway 203 to the Snohomish/King County line.
Skagit	All mainland areas and islands, including GMU 419 (Guemes), in Skagit County west of I-5 and north of the Skagit/Snohomish County line, except Cypress Island. This restriction applies to big game hunting only.
Skamania	That portion of GMU 564 (Battle Ground) in Skamania County.
Thurston	GMU 666 (Deschutes) north of U.S. Highway 101 and Interstate 5 between Oyster Bay and the mouth of the Nisqually River.
Whatcom	All mainland areas and islands of Whatcom County that are west of I-5. This restriction applies to big game hunting only.

(b) Archery tag holders may only hunt during established archery seasons with archery equipment as defined under WAC 220-414-070.

(c) Muzzleloader tag holders may only hunt during established muzzleloader seasons with muzzleloader equipment or archery equipment as defined by department rule.

(d) Modern firearm tag holders may hunt during established modern firearm seasons with bows and arrows; crossbows; muzzleloaders; revolver-type handguns; semiautomatic handguns of .40 (10 mm) caliber or larger; or shotguns, so long as the equipment and ammunition complies with department rules.

(6) A violation of subsection (5) of this section is punishable under RCW 77.15.400, 77.15.410, or 77.15.430, depending on the species hunted.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-413-200 Reducing the spread of hoof disease—  
Unlawful transport of elk hooves.

**AMENDATORY SECTION** (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-415-020 2018-2020 Deer general seasons and definitions.** It is unlawful to fail to comply with the bag, possession, and season limits described below. Violations of this section are punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

**Bag Limit:** One (1) deer per hunter during the license year except where otherwise permitted by department rule.

**Hunting Method:** Hunters must select one of the hunting methods: Modern firearm, archery, or muzzleloader.

**Any Buck Deer Seasons:** Open only to the taking of deer with visible antlers (buck fawns illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long, measured on the longest side.

**Antler Restrictions:** APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS. Buck deer taken in antler restricted game management units (GMUs) must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

**3-point Minimum GMUs:** All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, and black-tailed deer in GMU 578.

**Permit-only Units:** The following GMUs require a special permit to hunt deer: 157 (Mill Creek Watershed), 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

**GMUs Closed to Deer Hunting:** 490 (Cedar River) and 522 (Loo-wit).

**Types of deer that a person may legally hunt in Washington:**

**Black-tailed Deer:** Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

**Mule Deer:** Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to the Klickitat River; south down Klickitat River to the Columbia River.

**White-tailed Deer:** Any white-tailed deer (member of the species *Odocoileus virginianus*), except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

**MODERN FIREARM DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** A valid modern firearm deer tag for the area hunted.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow, crossbow, or muzzleloader, but only during modern firearm seasons.

Hunt Season	2018 Dates	2019 Dates	2020 Dates	Game Management Units (GMUs)	Legal Deer
<b>HIGH BUCK HUNTS</b>					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Mount Baker, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
<b>GENERAL SEASON</b>					
<b>Eastern Washington White-tailed Deer</b>	Oct. 13-26	Oct. 12-25	Oct. 17-30	101, 105, 108, 111, 113, 117, 121, 124	Any white-tailed buck
	Oct. 13-23	Oct. 12-22	Oct. 17-27	203 through 284	Any white-tailed buck
	Oct. 13-23	Oct. 12-22	Oct. 17-27	127 through 154, 162 through 186 (except Deer Area 1040)	White-tailed, 3 pt. min.
	Oct. 13-23	Oct. 12-22	Oct. 17-27	373, 379, 381	Any white-tailed deer
<b>Eastern Washington Mule Deer</b>	Oct. 13-23	Oct. 12-22	Oct. 17-27	101 through 154, 162 through 169, 172 (except Deer Area 1040), 175 through 186, 203 through 284, 328, 330 through 368, 372, 373, 379, 381, 382 (except closed in Deer Area 5382), 388	Mule deer, 3 pt. min.
<b>Western Washington Black-tailed Deer</b>	Oct. 13-31	Oct. 12-31	Oct. 17 - Nov. 1	407, 418, 426, 437, 448, 450, 454, 460, 466, 501 through 520, 524 through 556, 560, 568, 572, 574, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
	Oct. 13-31	Oct. 12-31	Oct. 17 - Nov. 1	578	3 pt. min.

Hunt Season	2018 Dates	2019 Dates	2020 Dates	Game Management Units (GMUs)	Legal Deer
<b>LATE GENERAL SEASON</b>					
<b>Western Washington Black-tailed Deer</b>	Nov. 15-18	Nov. 14-17	Nov. 19-22	407, 454, 466, 501 through 520, 524 through 560, 568, 572, 601 through 621, 624 (except Deer Area 6020), 627 through 654, 658 through 699	Any buck
	Nov. 15-18	Nov. 14-17	Nov. 19-22	410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 564, 655, Deer Area 6020	Any deer
<b>Eastern Washington White-tailed Deer</b>	Nov. 10-19	Nov. 9-19	Nov. 7-19	105, 108, 111, 113, 117, 121, 124	Any white-tailed buck
<b>HUNTERS 65 AND OVER, DISABLED, AND YOUTH GENERAL SEASONS</b>					
<b>Eastern Washington White-tailed Deer</b>	Oct. 13-26 and Nov. 10-19	Oct. 12-25 and Nov. 9-19	Oct. 17-30 and Nov. 7-19	124	Any white-tailed deer
	Oct. 13-23	Oct. 12-22	Oct. 17-27	127 through 142, 145, 149, 154, Deer Area 1010, and 178	White-tailed, 3 pt. min. or antlerless

**ARCHERY DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** A valid archery deer tag for the area hunted.

**Special Notes:** Archery tag holders can only hunt during archery seasons with archery equipment (WAC 220-414-070).

Hunt Area	2018 Dates	2019 Dates	2020 Dates	Game Management Units (GMUs)	Legal Deer
<b>EARLY ARCHERY GENERAL DEER SEASONS</b>					
<b>Western Washington Black-tailed Deer</b>	Sept. 1-28	Sept. 1-27	Sept. 1-25	407 through 426, 437, 448, 450, 454, 466, 501, 504, 505, 554, 564, 568, 621 through 636, 648 through 652, 654 through 673, 684	Any deer
				460, 503, 574, 601 through 618, 638, 642, 653, 681 and 699	Any buck
				578	3 pt. min.
	Sept. 1-23	Sept. 1-22	Sept. 1-20	510, 513, 516, 520, 524, 530, 556	Any deer
				506, 550, 560, 572	Any buck
<b>Eastern Washington Mule Deer</b>	Sept. 1-28	Sept. 1-27	Sept. 1-25	101 through 121, 166, 169, 172 (except Deer Area 1040), 175, 181, 243, 334	3 pt. min.
				124 through 142, 145, 149, 186, 244 through 247, 249, 250, 260, 372, 284, 373, 379, 381, 382 (except closed in Deer Area 5382), 388, Deer Area 3334	3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-20	154, 162, 163, 178	3 pt. min. or antlerless
	Sept. 1-23	Sept. 1-22	Sept. 1-20	251, 328, 335, 336, 340, 346, 352, 356, 360, 364, 368	3 pt. min.
	Sept. 1-15	Sept. 1-15	Sept. 1-15	204 through 242, 248, 254, 262, 266, 269, 272, 278	3 pt. min.
Sept. 16-28	Sept. 16-27	Sept. 16-25	204 through 242, 248, 254, 262, 266, 269, 272, 278	3 pt. min. or antlerless	
<b>Eastern Washington White-tailed Deer</b>	Sept. 1-28	Sept. 1-27	Sept. 1-25	101 through 121	Any white-tailed buck
	Sept. 1-28	Sept. 1-27	Sept. 1-25	124, 204 through 250, 254 through 284, 373, 379, 381	Any white-tailed deer
				127 through 149, ((166,)) 172 (except Deer Area 1040), 181, 186	White-tailed, 3 pt. min. or antlerless
				166, 169, 175	White-tailed, 3 pt. min.
	Sept. 1-23	Sept. 1-22	Sept. 1-20	154, 162, 163, 178	White-tailed, 3 pt. min. or antlerless

Hunt Area	2018 Dates	2019 Dates	2020 Dates	Game Management Units (GMUs)	Legal Deer
<b>LATE ARCHERY GENERAL DEER SEASONS</b>					
<b>Western Washington Black-tailed Deer</b>	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	437, 466, 510 through 520, 524	Any deer
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	448, 460, 506, 530, 560, 572, 601, 603 through 618, 638, 642, 681, and 699	Any buck
	Nov. 21 - Dec. 31	Nov. 27 - Dec. 31	Nov. 25 - Dec. 31	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 505, 564, 624, 627, 636, 648, 652, 654, 655, 660 through 672	Any deer
<b>Eastern Washington Mule Deer</b>	Nov. 21-30	Nov. 21-30	Nov. 21-30	209, 215, 233, 243, 250	3 pt. min.
	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 25 - Dec. 8	336, 342, 346, 352, 364, 388, Deer Area 3682	3 pt. min.
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178, 272, 278, 373, Deer Area 3372	3 pt. min. or antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	Antlerless only
<b>Eastern Washington White-tailed Deer</b>	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any white-tailed buck
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	105, 108, 117, 121	Any white-tailed buck
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	124	Any white-tailed deer
	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	Nov. 25 - Dec. 15	127	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178, 272, 278	White-tailed, 3 pt. min. or antlerless
	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	204, 209, 215, 233, 243, 373	Any white-tailed deer

**MUZZLELOADER DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** A valid muzzleloader deer tag for the area hunted.

**Hunting Method:** Muzzleloader only.

**Special Notes:** Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment (WAC 220-414-060) or archery equipment (WAC 220-414-070).

Hunt Area	2018 Dates	2019 Dates	2020 Dates	Game Management Units (GMUs)	Legal Deer
<b>High Buck Hunts</b>	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Mount Baker, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
<b>EARLY MUZZLELOADER GENERAL DEER SEASONS</b>					
<b>Western Washington Black-tailed Deer</b>	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 26 - Oct. 4	407, 418, 426, 437, 448, 450, 501, 503, 504, 505, 506, 510, 513, 516, 520, 530, 550, 554, 560, 568, 572, 574, 603, 607, 612, 615, 624 (except Deer Area 6020), 621, 633 through 651, 660, 663, 672, 673	Any buck
				410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 564, 627, 652, 655, 666, 684, and Deer Area 6020	Any deer
				578	3 pt. min.
<b>Eastern Washington White-tailed Deer</b>	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 26 - Oct. 4	203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 260, 272, 278, 284	White-tailed, any buck
				101 through 121	Any white-tailed buck
				124	Any white-tailed deer
				127, 142, 145, 149	White-tailed, 3 pt. min. or antlerless

Hunt Area	2018 Dates	2019 Dates	2020 Dates	Game Management Units (GMUs)	Legal Deer
				130, 133, 136, 139, 175, 181, 186 373, 379	White-tailed, 3 pt. min. Any white-tailed deer
<b>Eastern Washington Mule Deer</b>	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 26 - Oct. 4	101 through 149, 175, 181, 186, 203, 204, 209, 215, 231, 233, 239, 242, 243, 244, 245, 246, 248, 250, 251, 254, 260, 262, 266, 269, 272, 278, 284, 328, 330 through 342, 352 through 368, 373, 379	Mule deer, 3 pt. min.
<b>Eastern Washington Mule Deer</b>	Sept. 29 - Oct. 7	Sept. 28 - Oct. 6	Sept. 26 - Oct. 4	Deer Areas 3334 and 3372	3 pt. min. or antlerless
<b>LATE MUZZLELOADER GENERAL DEER SEASONS</b>					
<b>Western Washington Black-tailed Deer</b>	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	407, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 454, 504, 564, 633, 654, 666, 667, and 684	Any deer
				448, 460, 501, 602, 621, 651, ((654;)) 658, and 673	Any buck
<b>Eastern Washington White-tailed Deer</b>	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 25 - Dec. 8	113	Any white-tailed buck
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130, 133, 136, 139, 142	White-tailed, 3 pt. min. or antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	172 (except Deer Area 1040), 181	White-tailed, 3 pt. min. or antlerless
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	379, 381	Any white-tailed deer
<b>Eastern Washington Mule Deer</b>	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	130	Antlerless
	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	379, 381	3 pt. min.
	Nov. 20-30	Nov. 20-30	Nov. 20-30	382 (except closed in Deer Area 5382)	3 pt. min.

AMENDATORY SECTION (Amending WSR 19-20-078, filed 9/27/19, effective 10/28/19)

**WAC 220-415-030 ((2019)) 2020 Deer special permits.** It is unlawful to fail to comply with the bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

Deer Special Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase a deer hunting license prior to purchasing a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for archery, muzzleloader, or modern firearm permit hunts. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "**Any tag**" under the "**Weapon/Tag**" restriction must use equipment consistent with the requirements of their transport tag and license.

**Bag Limit:** One (1) deer per hunter during the license year except where otherwise permitted by department rule, even if permits are drawn for more than one deer hunt category.

<b>Quality</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Kelly Hill White-tailed Buck	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 105	5
Kelly Hill Mule Deer Buck	Modern	Any	Nov. 3-24	Mule deer, 3 pt. min.	GMU 105	1
Douglas White-tailed Buck	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 108	5
Douglas Mule Deer Buck	Modern	Any	Nov. 3-24	Mule deer, 3 pt. min.	GMU 108	1
Aladdin White-tailed Buck	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 111	5
Aladdin Mule Deer Buck	Modern	Any	Nov. 3-24	Mule deer, 3 pt. min.	GMU 111	1

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Selkirk Mule Deer Buck	Modern	Any	Nov. 3-24	Mule deer, 3 pt. min.	GMU 113	1
49 Degrees North White-tailed Buck	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 117	5
49 Degrees North Mule Deer Buck	Modern	Any	Nov. 3-24	Mule deer, 3 pt. min.	GMU 117	1
Huckleberry White-tailed Buck	Modern	Any	Nov. 20-24	White-tailed, Any buck	GMU 121	5
Huckleberry Mule Deer Buck	Modern	Any	Nov. 3-24	Mule deer, 3 pt. min.	GMU 121	1
Mt. Spokane	Modern	Any	Nov. 20-24	Any buck	GMU 124	5
Mica Peak	Modern	Any	Nov. 20-24	3 pt. min.	GMU 127	5
Cheney	Modern	Any	Nov. 20-24	3 pt. min.	GMU 130	5
Roosevelt	Modern	Any	Nov. 20-24	3 pt. min.	GMU 133	5
Steptoe	Modern	Any	Nov. 20-24	3 pt. min.	GMU 139	5
Almota	Modern	Any	Nov. 20-24	3 pt. min.	GMU 142	5
Dayton	Modern	Any	Nov. 20-24	3 pt. min.	GMU 162	5
Tucannon	Modern	Any	Nov. 20-24	3 pt. min.	GMU 166	2
Wenaha West	Modern	Any	Nov. ((7-14)) <u>9-15</u>	Mule deer, 3 pt. min.	Deer Area 1008	2
Wenaha East	Modern	Any	Nov. ((7-14)) <u>9-15</u>	Mule deer, 3 pt. min.	Deer Area 1009	5
Ten Forty	Modern	Any	Nov. ((4-10)) <u>9-15</u>	White-tailed deer, 3 pt. min.	Deer Area 1040	((2)) <u>1</u>
Grande Ronde	Modern	Any	Nov. 20-24	3 pt. min.	GMU 186	1
East Okanogan	Modern	Any	Nov. 1-20	Any buck	GMU 204	10
Sinlahekin	Modern	Any	Nov. 1-20	Any buck	GMU 215	10
Chewuch	Modern	Any	Nov. 1-20	Any buck	GMU 218	15
Pearygin	Modern	Any	Nov. 1-20	Any buck	GMU 224	((20)) <u>15</u>
Gardner	Modern	Any	Nov. 1-20	Any buck	GMU 231	((12)) <u>10</u>
Pogue	Modern	Any	Nov. 1-20	Any buck	GMU 233	15
Alta	Modern	Any	Nov. 1-20	Any buck	GMU 242	((18)) <u>15</u>
Manson	Modern	Any	Nov. 1-20	Any buck	GMU 243	7
Chiwawa	Modern	Any	Nov. 1-20	Any buck	GMU 245	((20)) <u>21</u>
Slide Ridge	Modern	Any	Nov. 1-20	Any buck	GMU 246	8
Entiat	Modern	Any	Nov. 1-20	Any buck	GMU 247	15
Swakane	Modern	Any	Nov. 1-20	Any buck	GMU 250	9
Mission	Modern	Any	Nov. 1-20	Any buck	GMU 251	7
Desert	Modern	Any	Oct. ((19-27)) <u>17-25</u>	Any buck	GMU 290	18
Desert	Modern	Any	Nov. ((9-17)) <u>7-15</u>	Any buck	GMU 290	5
Naneum	Modern	Any	Nov. ((11-17)) <u>16-22</u>	Any buck	GMU 328	((14)) <u>15</u>
Quilomene	Modern	Any	Nov. ((4-17)) <u>9-22</u>	Any buck	GMU 329	((17)) <u>18</u>
Teanaway	Modern	Any	Nov. ((11-17)) <u>16-22</u>	Any buck	GMU 335	((24)) <u>27</u>
L.T. Murray	Modern	Any	Nov. ((11-17)) <u>16-22</u>	Any buck	GMUs 336, 340	5
Bethel	Modern	Any	Nov. ((4-17)) <u>9-22</u>	Any buck	GMU 360	5
Cowiche	Modern	Any	Nov. ((4-17)) <u>9-22</u>	Any buck	GMU 368	10
Alkali	Modern	Any	((Nov. 2-17)) <u>Oct. 31 - Nov. 15</u>	Any buck	GMU 371	8

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Grayback	Modern	Any	Nov. ((7-26)) 9-24	3 pt. min.	GMU 388	20
Nooksack	Modern	Any	((Nov. 1-13)) Oct. 31 - Nov. 11	Any buck	GMU 418	25
Skagit	Modern	Any	Nov. ((1-18)) 2-18	Any buck	GMU 426	10
Sauk	Modern	Any	((Nov. 1-13)) Oct. 31 - Nov. 11	Any buck	GMU 437	25
Stillaguamish	Modern	Any	Nov. ((1-18)) 2-18	Any buck	GMU 448	12
Snoqualmie	Modern	Any	Nov. ((1-18)) 2-18	Any buck	GMU 460	10
Green River	Any tag	Any	((Nov. 2-8)) Oct. 17-23	Any buck	GMU 485	5
Lincoln	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 501	4
Mossyrock	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 505	((4)) 2
Willapa Hills	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 506	4
Stormking	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 510	1
South Rainier	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 513	1
Packwood	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 516	1
Winston	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 520	4
Ryderwood	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 530	4
Coweeman	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 550	4
Toutle	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 556	1
Lewis River	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 560	1
Washougal	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 568	2
Siouxon	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 572	1
Wind River	Modern	Any	Nov. ((1-26)) 19-25	Any buck	GMU 574	20
West Klickitat	Modern	Any	Nov. ((1-26)) 19-25	3 pt. min.	GMU 578	15
Mason	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 633	10
Wynoochee	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 648	8
Satsop	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 651	10
White River	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 653	10
Mashel	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 654	10
Minot Peak	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 660	((4)) 5
Capitol Peak	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 663	((7)) 8
Skookumchuck	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 667	10
Fall River	Modern	Any	Nov. ((1-13)) 2-18	Any buck	GMU 672	((4)) 5
Chiliwist	Archery	Any	Nov. 21-30	Any buck	GMU 239	10
Chiwawa	Archery	Any	Dec. 1-8	Any buck	GMU 245	8
Slide Ridge	Archery	Any	Dec. 1-8	Any buck	GMU 246	2
Entiat	Archery	Any	Nov. 21-30	Any buck	GMU 247	30
Desert	Archery	Any	((Sept. 1 - Oct. 5)) Sept. 1-30	Any buck	GMU 290	10
Desert	Archery	Any	((Nov. 23 - Dec. 8)) Nov. 21 - Dec. 6	Any buck	GMU 290	10
Naneum	Archery	Any	((Nov. 18 - Dec. 8)) Nov. 23 - Dec. 8	Any buck	GMU 328	((7)) 6
Quilomene	Archery	Any	((Nov. 18 - Dec. 8)) Nov. 23 - Dec. 8	Any buck	GMU 329	((9)) 7
Teanaway	Archery	Any	((Nov. 18 - Dec. 8)) Nov. 23 - Dec. 8	Any buck	GMU 335	((10)) 29
Kitsap	Archery	Any	Nov. ((1-13)) 2-18	Any buck	GMU 627	10

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Skokomish	Archery	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 636	10
Skookumchuck	Archery	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 667	10
Blue Mtns. Foothills	Muzzleloader	Any	Nov. 20 - Dec. 8	White-tailed, 3 pt. min.	GMUs 149, 154, 162, 166	70
Alta	Muzzleloader	Any	Nov. ((21-30)) <u>25-30</u>	Any buck	GMU 242	((15)) <u>10</u>
Chiwawa	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 245	2
Slide Ridge	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 246	1
Mission	Muzzleloader	Any	Nov. 25-30	Any buck	GMU 251	9
Desert	Muzzleloader	Any	Oct. ((5-13)) <u>3-11</u>	Any buck	GMU 290	2
Teanaway	Muzzleloader	Any	Nov. ((4-10)) <u>9-15</u>	Any buck	GMU 335	((5)) <u>1</u>
L.T. Murray	Muzzleloader	Any	Nov. ((4-10)) <u>9-15</u>	Any buck	GMUs 336, 340	1
Bald Mountain	Muzzleloader	Any	Nov. ((4-17)) <u>9-22</u>	Any buck	GMUs 342, 346	2
Naneum	Muzzleloader	Any	Nov. ((4-10)) <u>9-15</u>	Any buck	GMU 328	1
Quilomene	Muzzleloader	Any	((Sept. 28 - Oct. 6)) <u>Sept. 26 - Oct. 4</u>	Any buck	GMU 329	2
Olympic	Muzzleloader	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 621	10

Bucks						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Palouse	Modern	Any	Nov. ((9-19)) <u>7-19</u>	White-tailed, 3 pt. min.	GMUs 127-142	750
Blue Mtns. Foothills West	Modern	Any	Nov. 9-19	White-tailed, 3 pt. min.	GMUs 149, 154, 162, 163, 166	110
Blue Mtns. Foothills East	Modern	Any	Nov. 9-19	White-tailed, 3 pt. min.	GMUs 145, 172 (except Deer Area 1040), 178, 181	50
Mayview	Any tag	Any	Nov. 16-19	3 pt. min.	GMU 145	25
Ten Forty	Modern	Any	Oct. ((12-20)) <u>17-25</u>	3 pt. min.	Deer Area 1040	2
Lick Creek	Modern	Any	Nov. 20-24	3 pt. min.	GMU 175	1
East Okanogan	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 204	40
Sinlahekin	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 215	40
Chewuch	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 218	15
Pearrygin	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 224	15
Gardner	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 231	15
Pogue	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 233	15
Chiliwist	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 239	15
Alta	Modern	Any	Nov. 1-20	Any white-tailed deer	GMU 242	15
Ritzville	Modern	Any	Nov. 1-20	Any buck	GMU 284	9
Simcoe	Modern	Any	Oct. ((12-22)) <u>17-27</u>	3 pt. min.	Deer Area 5382	((3)) <u>5</u>
Hoko	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 601	5
Sol Duc	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 607	5
Goodman	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 612	5
Clearwater	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 615	5
Quinault Ridge	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 638	2
North River	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 658	5
Williams Creek	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMU 673	((7)) <u>5</u>
Bear River-Long Beach	Modern	Any	Nov. ((1-13)) <u>2-18</u>	Any buck	GMUs 681, 684	2
Parker Lake	Archery	Any	Sept. 1-30 and Nov. 19 - Dec. 1	Any white-tailed buck	Deer Area 1031	5
Ten Forty	Archery	Any	Sept. 1-15	3 pt. min.	Deer Area 1040	2

<b>Bucks</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Big Bend	Archery	Any	Dec. 1-8	Any buck	GMU 248	10
Ritzville	Archery	Any	Dec. ((4-8)) 1-13	Any buck	GMU 284	((24)) 10
Alkali	Archery	Any	Sept. ((1-22)) 1-20	Any buck	GMU 371	((3)) 2
Ringold	Archery	Any	Nov. 15-24	3 pt. min.	GMU 379	5
Whitcomb	Archery	Any	Oct. 1-10	Any buck	Deer Area 3071	10
Paterson	Archery	Any	Oct. 1-10	Any buck	Deer Area 3072	10
Simcoe	Archery	Any	((Sept. 1-27)) Sept. 1-25 and Dec. 1-8	3 pt. min.	Deer Area 5382	3
West Klickitat	Archery	Any	((Nov. 27 - Dec. 2)) Nov. 26 - Dec. 2	3 pt. min.	GMU 578	20
((Whiteomb	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3071	5
Paterson	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3072	5))
Parker Lake	Muzzleloader	Any	Oct. 1-31 and Dec. 2-14	Any white-tailed ((deer)) buck	Deer Area 1031	5
Blue Creek	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 154	10
Dayton	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 162	15
Marengo	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 163	10
Tucannon	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 166	10
Wenaha	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 169	20
Mountain View	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 172 (except Deer Area 1040)	15
Ten Forty	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	Deer Area 1040	2
Peola	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	3 pt. min.	GMU 178	10
Ritzville	Muzzleloader	Any	Nov. ((23-29)) 21-29	Any buck	GMU 284	((2)) 1
Alkali	Muzzleloader	Any	((Sept. 23 - Oct. 13)) Sept. 21 - Oct. 11	Any buck	GMU 371	1
Kahlotus	Muzzleloader	Any	((Sept. 28 - Oct. 6)) Sept. 26 - Oct. 4	Any buck	GMU 381	20
Whitcomb	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3071	5
Paterson	Muzzleloader	Any	Nov. 19-27	Any buck	Deer Area 3072	5
Simcoe	Muzzleloader	Any	Nov. 20-30	3 pt. min.	Deer Area 5382	3
West Klickitat	Muzzleloader	Any	Dec. 3-8	3 pt. min.	GMU 578	20
Dickey	Muzzleloader	Any	Nov. ((1-13)) 2-18	Any buck	GMU 602	5
Copalis-Matheny	Muzzleloader	Any	Nov. ((1-13)) 2-18	Any buck	GMUs 618, 642	5

<b>Antlerless</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	40
Mayview	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 145	25
Prescott	Modern	Any	Nov. 1-12	Antlerless	GMU 149	50
Prescott	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 149	20
Blue Creek	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 154	50
Dayton	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 162	100
Ten Ten	Modern	Any	Nov. 9-19	Antlerless	Deer Area 1010	15

<b>Antlerless</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Marengo	Modern	Any	Nov. 1-12	White-tailed, antlerless	GMU 163	50
Marengo	Modern	Any	Nov. 1-12	Antlerless	GMU 163	5
Peola	Modern	Any	Nov. 1-12	Antlerless	GMU 178	40
Couse	Modern	Any	Nov. 1-12	Antlerless	GMU 181	25
Lincoln	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 501	15
Mossyrock	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 505	30
Winston	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 520	20
Ryderwood	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 530	10
Olympic	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 621	15
Coyle	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 624	<del>((20))</del> 15
Kitsap	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 627	10
Mason	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 633	20
Skokomish	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 636	5
Wynoochee	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 648	<del>((20))</del> 30
Satsop	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 651	15
Mashel	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 654	10
North River	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 658	15
Minot Peak	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 660	<del>((15))</del> 20
Capitol Peak	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 663	<del>((12))</del> 15
Skookumchuck	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 667	20
Williams Creek	Modern	Any	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 673	5
Mashel	Archery	Any	Oct. <del>((20-30))</del> 24-31	Antlerless	GMU 654	10
Whitcomb	Archery	Any	Oct. 20-30	Antlerless	Deer Area 3071	10
Paterson	Archery	Any	Oct. 20-30	Antlerless	Deer Area 3072	10
Whitcomb	Muzzleloader	Any	Nov. 29 - Dec. 5	Antlerless	Deer Area 3071	10
Paterson	Muzzleloader	Any	Nov. 29 - Dec. 5	Antlerless	Deer Area 3072	10
Washtucna	Muzzleloader	Any	Nov. 25 - Dec. 8	Antlerless	GMUs 139, 142, 284, 381	200
Prescott	Muzzleloader	Any	<del>((Sept. 28 - Oct. 6))</del> Sept. 26 - Oct. 4	Antlerless	GMU 149	25
Blue Creek	Muzzleloader	Any	<del>((Sept. 28 - Oct. 6))</del> Sept. 26 - Oct. 4	Antlerless	GMU 154	20
Ten Ten	Muzzleloader	Any	<del>((Sept. 28 - Oct. 6))</del> Sept. 26 - Oct. 4	Antlerless	Deer Area 1010	20
Marengo	Muzzleloader	Any	<del>((Sept. 28 - Oct. 6))</del> Sept. 26 - Oct. 4	Antlerless	GMU 163	10
Peola	Muzzleloader	Any	<del>((Sept. 28 - Oct. 6))</del> Sept. 26 - Oct. 4	Antlerless	GMU 178	10

<b>Antlerless</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Mossyrock	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 505	10
Winston	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 520	5
Ryderwood	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 530	10
Coweeman	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 550	10
Yale	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 554	2
Olympic	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 621	<del>((20))</del> <u>30</u>
Coyle	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 624	<del>((15))</del> <u>20</u>
<del>((Kitsap</del>	Muzzleloader	Any	<del>Sept. 28 – Oct. 6</del>	<del>Antlerless</del>	<del>GMU 627</del>	<del>10))</del>
Mason	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 633	35
Skokomish	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 636	15
Wynoochee	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 648	<del>((15))</del> <u>25</u>
Satsop	Muzzleloader	Any	<del>((Nov. 27 – Dec. 15))</del> <u>Nov. 25 - Dec. 15</u>	Antlerless	GMU 651	<del>((15))</del> <u>20</u>
Mashel	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 654	20
North River	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 658	15
Minot Peak	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 660	<del>((5))</del> <u>10</u>
Capitol Peak	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 663	<del>((18))</del> <u>20</u>
Williams Creek	Muzzleloader	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 673	<del>((5))</del> <u>10</u>

<b>2nd Deer</b>						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Benge	Any	Any	Dec. <del>((9-31))</del> <u>14-31</u>	Antlerless	Deer Area 2010	30
Lakeview	Any	Any	Jan. 1-30, <del>((2020))</del> <u>2021</u>	Antlerless	Deer Area 2011	15
Methow	Any	Any	<del>((Sept. 3 – Oct. 6))</del> <u>Sept. 7 - Oct. 4</u>	Antlerless	Deer Area 2012	10
North Okanogan	Any	Any	<del>((Sept. 3 – Oct. 6))</del> <u>Sept. 7 - Oct. 4</u>	Antlerless	Deer Area 2013	10
Central Okanogan	Any	Any	<del>((Sept. 3 – Oct. 6))</del> <u>Sept. 7 - Oct. 4</u>	Antlerless	Deer Area 2014	10
Omak	Any	Any	<del>((Sept. 3 – Oct. 6))</del> <u>Sept. 7 - Oct. 4</u>	Antlerless	Deer Area 2015	10
Conconully	Any	Any	<del>((Sept. 3 – Oct. 6))</del> <u>Sept. 7 - Oct. 4</u>	Antlerless	Deer Area 2016	10
Lake Chelan North	Any	Any	Aug. 1-31	Antlerless	Deer Area 2017	45
North Issaquah	Any	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> <u>Oct. 17 - Nov. 1 and Nov. 19-22</u>	Antlerless	Deer Area 4541	10

<b>2nd Deer</b>						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Mt. Spokane	Modern	Any	<del>((Oct. 12-25 and Nov. 9-19))</del> Oct. 17-30 and Nov. 7-19	Antlerless	GMU 124	350
Mica Peak	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 127	100
Cheney	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 130	150
Roosevelt	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 133	<del>((100))</del> 75
Harrington	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 136	150
Washtucna	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMUs 139, 142, 284, 381	<del>((350))</del> 300
Mayview	Modern	Any	Nov. 1-12	Antlerless	GMU 145	15
Blue Creek	Modern	Any	Nov. 9-19	White-tailed, antlerless	GMU 154	30
Ten Ten	Modern	Any	Nov. 9-19	White-tailed, antlerless	Deer Area 1010	15
East Okanogan	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 204	45
Sinlahekin	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 215	40
Chewuch	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 218	10
Pearrygin	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 224	10
Gardner	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 231	10
Pogue	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 233	10
Chiliwist	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 239	10
Alta	Modern	Any	Oct. <del>((12-22))</del> 17-27	White-tailed, antlerless	GMU 242	10
Big Bend	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 248	20
St. Andrews	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 254	15
Foster Creek	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 260	15
Withrow	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 262	15
Badger	Modern	Any	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 266	15
Desert	Modern	Any	Dec. <del>((10-25))</del> 12-27	Antlerless	GMU 290	25
Kahlotus	Modern	Any	Dec. 9-17	Antlerless	GMU 381	10
Orcas	Modern	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 411	<del>((60))</del> 70
Shaw	Modern	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 412	30
San Juan	Modern	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 413	<del>((50))</del> 60
Lopez	Modern	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 414	<del>((60))</del> 70
Blakely	Modern	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 415	<del>((30))</del> 40
Decatur	Modern	Any	<del>((Oct. 12-31 and Nov. 14-17))</del> Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 416	5

<b>2nd Deer</b>						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Cypress	Modern	Any	((Oct. 12-31 and Nov. 14-17)) Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 417	30
Guemes	Modern	Any	((Oct. 12-31 and Nov. 14-17)) Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 419	20
Whidbey	Modern	Any	((Oct. 12-31 and Nov. 14-17)) Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 420	((150)) 175
Camano	Modern	Any	((Oct. 12-31 and Nov. 14-17)) Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 421	30
Vashon-Maury	Any	Any	Aug. 1 - Dec. 31	Antlerless	GMU 422	200
Anderson	Modern	Any	((Oct. 12-31 and Nov. 14-17)) Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	GMU 655	40
Deschutes	Modern	Any	((Oct. 12-31 and Nov. 14-17)) Oct. 17-30 and Nov. 19- 22	Antlerless	GMU 666	40
Mt. Spokane	Archery	Any	Sept. ((1-27)) 1-25 and Nov. 25 - Dec. 15	Antlerless	GMU 124	100
Mica Peak	Archery	Any	Sept. ((1-27)) 1-25 and Nov. 25 - Dec. 15	Antlerless	GMU 127	75
Clarkston	Archery	Any	Nov. 20 - Dec. 31	Antlerless	Deer Area 1021	20
Orcas	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 411	((40)) 45
Shaw	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 412	20
San Juan	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 413	((30)) 40
Lopez	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 414	((30)) 40
Blakely	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 415	20
Decatur	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 416	5
Cypress	Archery	Any	((Sept. 1-26 and Nov. 20- Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 417	20

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Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Guemes	Archery	Any	((Sept. 1-26 and Nov. 20-Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 419	10
Whidbey	Archery	Any	((Sept. 1-26 and Nov. 20-Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 420	((50)) 75
Camano	Archery	Any	((Sept. 1-26 and Nov. 20-Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 421	25
Miller	Archery	Any	Dec. 16-31	Antlerless	Deer Area 6020	40
Anderson	Archery	Any	((Sept. 1-27 and Nov. 27-Dec. 31)) Sept. 1-25 and Nov. 25 - Dec. 31	Antlerless	GMU 655	10
Mt. Spokane	Muzzleloader	Any	((Sept. 28-Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 124	125
Cheney	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 25-Dec. 8)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 8	Antlerless	GMU 130	25
Roosevelt	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 25-Dec. 8)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 8	Antlerless	GMU 133	25
Harrington	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 25-Dec. 8)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 8	Antlerless	GMU 136	25
Mayview	Muzzleloader	Any	((Sept. 28-Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 145	10
Foster Creek	Muzzleloader	Any	((Sept. 29-Oct. 7)) Sept. 26 - Oct. 4	Antlerless	GMU 260	10
Moses Coulee	Muzzleloader	Any	((Sept. 29-Oct. 7)) Sept. 26 - Oct. 4	Antlerless	GMU 269	10
Lakeview	Muzzleloader	Any	Nov. 1-18	Antlerless	Deer Area 2011	5
Orcas	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 20-Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 411	20
Shaw	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 20-Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 412	20
San Juan	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 20-Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 413	20
Lopez	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 20-Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 414	20
Blakely	Muzzleloader	Any	((Sept. 28-Oct. 6 and Nov. 20-Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 415	10

<b>2nd Deer</b>						
Second deer permits are only valid with the purchase of a second deer license. The second deer license must be for the same tag type as the first deer license.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Decatur	Muzzleloader	Any	((Sept. 28 – Oct. 6 and Nov. 20 – Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 416	5
Cypress	Muzzleloader	Any	((Sept. 28 – Oct. 6 and Nov. 20 – Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 417	20
Guemes	Muzzleloader	Any	((Sept. 28 – Oct. 6 and Nov. 20 – Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 419	10
Whidbey	Muzzleloader	Any	((Sept. 28 – Oct. 6 and Nov. 20 – Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 420	((20)) 25
Camano	Muzzleloader	Any	((Sept. 28 – Oct. 6 and Nov. 20 – Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 421	20
Anderson	Muzzleloader	Any	((Sept. 28 – Oct. 6 and Nov. 20 – Dec. 15)) Sept. 26 - Oct. 4 and Nov. 25 - Dec. 15	Antlerless	GMU 655	5

<b>Youth</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Washtucna	Modern	Youth	Oct. ((12-22)) 17-27	Any deer	GMUs 139, 142, 284, 381	100
Blue Mtns. Foothills West	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMUs 149, 154, 163, Deer Area 1010	60
Blue Mtns. Foothills East	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMUs 145, 172 (except Deer Area 1040), 178,181	40
Mayview	Modern	Youth	Oct. ((12-22)) 17-27	Any deer	GMU 145	15
Prescott	Modern	Youth	Oct. ((12-22)) 17-27	Any deer	GMU 149	20
Peola	Modern	Youth	Oct. ((12-22)) 17-27	Any deer	GMU 178	20
Tucannon	Modern	Youth	Oct. ((12-22)) 17-27	White-tailed, antlerless	GMU 166	10
Ten Forty	Modern	Youth	Oct. ((12-20)) 17-25	Antlerless	Deer Area 1040	((5)) 2
Couse	Modern	Youth	Oct. ((12-22)) 17-25	Antlerless	GMU 181	15
Couse	Modern	Youth	Oct. ((12-22)) 17-25	Any deer	GMU 181	5
Grande Ronde	Modern	Youth	Oct. 17-25	Any deer	GMU 186	3
East Okanogan	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 204	20
Wannacut	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 209	10
Sinlahekin	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 215	10
Chewuch	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 218	10
Pearrygin	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 224	10
Gardner	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 231	10
Pogue	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 233	10
Chiliwist	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 239	10
Alta	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 242	10
Chiwawa	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 245	3
Entiat	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 247	3
Swakane	Modern	Youth	Oct. ((12-22)) 17-27	Antlerless	GMU 250	3

<b>Youth</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Mission	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMU 251	5
Bridgeport	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMUs 248, 260	20
Palisades	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMUs 266, 269	20
Beezley	Modern	Youth	(( <del>Oct. 12-22</del> ) Oct. 17 - Nov. 1	Any deer	GMU 272	50
Benge	Modern	Youth	(( <del>Oct. 26 - Nov. 3</del> ) Oct. 31 - Nov. 8	Antlerless	Deer Area 2010	30
Desert	Modern	Youth	Dec. ((7-22)) <u>7-31</u>	Antlerless	GMU 290	((5)) 8
Horse Heaven Hills	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMU 373	10
Ringold	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMU 379	10
Simcoe	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Any deer	Deer Area 5382	((2)) 3
East Klickitat	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Any buck	GMU 382 (except <b>CLOSED</b> in Deer Area 5382)	5
East Klickitat	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMU 382 (except <b>CLOSED</b> in Deer Area 5382)	5
Grayback	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Any buck	GMU 388	5
Grayback	Modern	Youth	Oct. ((12-22)) <u>17-27</u>	Antlerless	GMU 388	5
(( <del>Green River</del> )	Modern	Youth	Nov. 2-8	Any buck	GMU 485	5))
Lincoln	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 501	10
Randle	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 503	5
Mossyrock	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 505	10
Stormking	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 510	5
South Rainier	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 513	5
Packwood	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 516	5
Winston	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 520	10
Ryderwood	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 530	10
Coweeman	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 550	10
Yale	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 554	((40)) 5
Toutle	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 556	10
Lewis River	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 560	5
Washougal	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 568	5
Siouxon	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 572	5
Wind River	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 574	5
West Klickitat	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Any buck	GMU 578	5
West Klickitat	Modern	Youth	(( <del>Oct. 12-31</del> ) Oct. 17 - Nov. 1	Antlerless	GMU 578	5

<b>Youth</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Pysht	Modern	Youth	Nov. <del>((1-13))</del> <u>2-18</u>	Any buck	GMU 603	5
Olympic	Modern	Youth	<del>((Oct. 5-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 621	<del>((15))</del> <u>20</u>
Coyle	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 624	10
Kitsap	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 627	10
Mason	Modern	Youth	Nov. <del>((1-13))</del> <u>2-18</u>	Any deer	GMU 633	25
Skokomish	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 636	10
Wynoochee	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 648	<del>((12))</del> <u>20</u>
Satsop	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 651	10
Mashel	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Antlerless	GMU 654	15
North River	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Antlerless	GMU 658	10
Minot Peak	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 660	<del>((6))</del> <u>10</u>
Minot Peak	Modern	Youth	Nov. <del>((1-13))</del> <u>2-18</u>	Any buck	GMU 660	4
Capitol Peak	Modern	Youth	<del>((Oct. 7-31))</del> <u>Oct. 17 - Nov. 1</u>	Any deer	GMU 663	<del>((8))</del> <u>15</u>
Skookumchuck	Modern	Youth	<del>((Oct. 5-31))</del> <u>Oct. 17 - Nov. 1</u>	Antlerless	GMU 667	15
Skookumchuck	Modern	Youth	<del>((Oct. 5-31))</del> <u>Oct. 10 - Nov. 1</u>	Any buck	GMU 667	20
East Okanogan	Muzzleloader	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 204	5
Wannacut	Muzzleloader	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 209	5
Pogue	Muzzleloader	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 233	5
Chiliwist	Muzzleloader	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 239	5
Alta	Muzzleloader	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 242	5
Mission	Muzzleloader	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Sept. 26 - Oct. 4</u>	Antlerless	GMU 251	3
Whitcomb	Muzzleloader	Youth	Nov. 1-13	Antlerless	Deer Area 3071	5
Paterson	Muzzleloader	Youth	Nov. 1-13	Antlerless	Deer Area 3072	5
Region 3	<u>Modern, Muzzleloader</u>	<u>Youth</u>	<u>Aug. 1, 2020 - Mar. 31, 2021</u>	<u>Antlerless</u>	<u>Designated Areas in Region 3</u>	<u>10<sup>HC</sup></u>
Region 5	<del>((Any))</del> <u>Modern, Muzzleloader</u>	Youth with mentor	Aug. 1, <del>((2019))</del> <u>2020 - Mar. 31, ((2020)) 2021</u>	Antlerless	Designated Areas in Region 5	<del>((10))<sup>HC</sup></del> <u>5<sup>HC</sup></u>

<b>Senior 65+</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Washtucna	Modern	65+	Oct. <del>((12-22))</del> <u>17-27</u>	Antlerless	GMUs 139, 142, 284, 381	20
Blue Mtns. Foothills	Modern	65+	Oct. <del>((12-22))</del> <u>17-27</u>	Antlerless	GMUs 145, 149, 154, 163, Deer Area 1010, 178, 181	30
East Okanogan	Modern	65+	Oct. <del>((12-22))</del> <u>17-27</u>	Antlerless	GMU 204	5
Wannacut	Modern	65+	Oct. <del>((12-22))</del> <u>17-27</u>	Antlerless	GMU 209	5
Sinlahekin	Modern	65+	Oct. <del>((12-22))</del> <u>17-27</u>	Antlerless	GMU 215	5

Senior 65+						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Chewuch	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 218	5
Pearrygin	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 224	5
Gardner	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 231	5
Pogue	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 233	5
Chiliwist	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 239	5
Alta	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 242	5
Chiwawa	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 245	5
Entiat	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 247	5
Swakane	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 250	5
Mission	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 251	5
Bridgeport	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMUs 248, 260	5
Palisades	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMUs 266, 269	5
Rattlesnake Hills	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 372	10
Horse Heaven Hills	Modern	65+	Oct. ((12-22)) 17-27	Antlerless	GMU 373	10
((East Kliekitat	Modern	65+	Oct. 12-22	Antlerless	GMU 382 (except <b>CLOSED</b> in Deer Area 5382)	2))
North Issaquah	Any	65+	((Oct. 12-31 and Nov. 14-17)) Oct. 17 - Nov. 1 and Nov. 19-22	Antlerless	Deer Area 4541	10
Lincoln	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 501	5
Mossyrock	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 505	5
((Stormking-	Modern	65+	Oct. 12-31	Antlerless	GMU 510	5
South Rainier	Modern	65+	Oct. 12-31	Antlerless	GMU 513	5
Packwood-	Modern	65+	Oct. 12-31	Antlerless	GMU 516	5))
Winston	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 520	5
Yale	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 554	((5)) 2
Toutle	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 556	5
((Lewis River	Modern	65+	Oct. 12-31	Antlerless	GMU 560	2))
Washougal	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 568	2
((Siouxon	Modern	65+	Oct. 12-31	Antlerless	GMU 572	2
Wind River	Modern	65+	Oct. 12-31	Antlerless	GMU 574	2
West Kliekitat	Modern	65+	Oct. 12-31	Antlerless	GMU 578	2))
Olympic	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 621	((10)) 15
Coyle	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 624	5
Kitsap	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 627	5
Mason	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 633	20
Skokomish	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 636	10
Wynoochee	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 648	((10)) 15
Satsop	Modern	65+	((Oct. 12-31)) Oct. 17 - Nov. 1	Antlerless	GMU 651	10

<b>Senior 65+</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Mashel	Modern	65+	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 654	10
North River	Modern	65+	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 658	<del>((40))</del> 15
Minot Peak	Modern	65+	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 660	<del>((40))</del> 15
Capitol Peak	Modern	65+	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 663	<del>((42))</del> 15

<b>Hunters with Disabilities</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Washtucna	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMUs 139, 142, 284, 381	20
Blue Mtns. Foothills	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMUs 145, 149, 154, 163, Deer Area 1010, 178, 181	20
East Okanogan	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 204	5
Wannacut	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 209	5
Sinlahekin	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 215	5
Chewuch	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 218	5
Pearrygin	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 224	5
Gardner	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 231	5
Pogue	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 233	5
Chiliwist	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 239	5
Alta	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 242	5
Chiwawa	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 245	3
Entiat	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 247	3
Mission	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 251	3
Saint Andrews	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 254	5
Bridgeport	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMUs 248, 260	5
Palisades	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMUs 266, 269	5
Beezley	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 272	10
Ritzville	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 284	10
Horse Heaven Hills	Modern	Hunter with Disability	Oct. <del>((12-22))</del> 17-27	Antlerless	GMU 373	10
Kahlotus	Modern	Hunter with Disability	<del>((Oct. 28 - Nov. 5))</del> Nov. 2-8	Antlerless	GMU 381	10
<del>((East Kliekitat</del>	Modern	Hunter with Disability	Oct. 12-22	Antlerless	GMU 382 (except <del>CLOSED</del> in Deer Area 5382)	<del>2))</del>

Hunters with Disabilities						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
North Issaquah	Any	Hunter with Disability	Oct. 12-31 and Nov. 14-17	Antlerless	Deer Area 4541	10
Green River	Any	Hunter with Disability	Oct. 17-23	Any buck	GMU 485	5
Lincoln	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 501	2
Mossyrock	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 505	3
<del>((Stormking</del>	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-510	2
South Rainier	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-513	2
Paekwood	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-516	2))
Winston	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 520	2
<del>((Yale</del>	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-554	2))
Toutle	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 556	3
<del>((Lewis River</del>	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-560	4))
Washougal	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 568	2
<del>((Siouxon</del>	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-572	4
Wind River	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-574	4
West Klickitat	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-578	4))
Olympic	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 621	<del>((40))</del> 15
<del>((Kitsap</del>	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-627	5
Mason	Modern	Hunter with Disability	Oct. 12-31	Antlerless	GMU-633	5))
Skokomish	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 636	<del>((40))</del> 15
Satsop	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 651	10
Mashel	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 654	10
North River	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 658	5
Minot Peak	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 660	5
Capitol Peak	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 663	<del>((5))</del> 10
Skookumchuck	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 667	10
Fall River	Modern	Hunter with Disability	<del>((Oct. 12-31))</del> Oct. 17 - Nov. 1	Antlerless	GMU 672	5
Fall River	Modern	Hunter with Disability	Nov. <del>((4-13))</del> 2-18	Any buck	GMU 672	6
<del>((Wind River</del>	Archery	Hunter with Disability	Sept. 1-28	Antlerless	GMU-574	4

<b>Hunters with Disabilities</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
West-Klickitat	Archery	Hunter with Disability	Sept. 1-28	Antlerless	GMU 578	4))
East Okanogan	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 204	5
Sinlahekin	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 215	5
Gardner	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 231	5
Chiwawa	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 245	3
Entiat	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 247	3
Mission	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 251	3
Saint Andrews	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 254	5
Bridgeport	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMUs 248, 260	5
Palisades	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMUs 266, 269	5
((Olympic	Muzzleloader	Hunter with Disability	Sept. 28 – Oct. 6	Antlerless	GMU 621	10
Mason	Muzzleloader	Hunter with Disability	Sept. 28 – Oct. 6	Antlerless	GMU 633	5
Skokomish	Muzzleloader	Hunter with Disability	Sept. 28 – Oct. 6	Antlerless	GMU 636	5))
Wynoochee	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 648	((5)) 10
((Satsop	Muzzleloader	Hunter with Disability	Nov. 27 – Dec. 15	Antlerless	GMU 651	10))
North River	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 658	((5)) 3
Capitol Peak	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 663	((8)) 5
Skookumchuck	Muzzleloader	Hunter with Disability	((Sept. 28 – Oct. 6)) Sept. 26 - Oct. 4	Antlerless	GMU 667	10

**Master Hunter** - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, one deer may be killed in the unit under the authorization of the special permit.

<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Requirements</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Region 1	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	((Aug. 1, 2019 – March 31, 2020)) Aug. 1, 2020 - March 31, 2021	Antlerless	Designated Areas in Region 1	30 <sup>HC</sup>
Region 1	Archery/2nd deer tag	Master Hunter deer tag required	Master Hunter	((Aug. 1, 2019 – March 31, 2020)) Aug. 1, 2020 - March 31, 2021	Antlerless	Designated Areas in Region 1	20 <sup>HC</sup>
Region 2	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	((Aug. 1, 2019 – March 31, 2020)) Aug. 1, 2020 - March 31, 2021	Antlerless	Designated Areas in Region 2	10 <sup>HC</sup>
Region 3	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	((Aug. 1, 2019 – March 31, 2020)) Aug. 1, 2020 - March 31, 2021	Antlerless	Designated Areas in Region 3	40 <sup>HC</sup>

**Master Hunter** - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, one deer may be killed in the unit under the authorization of the special permit.

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 5	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	((Aug. 1, 2019 – March 31, 2020)) <u>Aug. 1, 2020 - March 31, 2021</u>	Antlerless	Designated Areas in Region 5	((10 <sup>HC</sup> )) <u>5<sup>HC</sup></u>
Region 6	Any/2nd deer tag	Master Hunter deer tag required	Master Hunter	((July 1, 2019 – March 31, 2020)) <u>July 1, 2020 - March 31, 2021</u>	Antlerless	Designated Areas in Region 6	10 <sup>HC</sup>

**Hunter Education Instructor Incentive Permits**

- Special deer permits will be allocated through a random drawing to those hunter education instructors who qualify.
- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange and/or hunter pink is required during modern firearm seasons.
- Except for online class incentive permits and chief instructor incentive permits, qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.
- Permittees may purchase a second license for use with the permit hunt only.

Qualified hunter education instructors may only receive one incentive permit each year.

Area	Dates	Restrictions	GMUs	Permits
Region 1	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, or hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any white-tailed deer	Any 100 series GMU EXCEPT GMU 157	((2)) <u>3</u>
Region 2		Any white-tailed deer	GMUs 204, 215, 233, 239	1
Region 2		Any white-tailed deer	GMUs 218, 224, 231, 242	1
Region 2		Any deer	GMUs 218, 231	1
Region 2		Any deer	GMUs 245, 247	1
Region 2		Any deer	GMU 290	1
Region 3		Any deer	GMUs 335-368	2
Region 4		Any deer	Any 400 series GMU EXCEPT GMUs 485 and 490	((2)) <u>4</u>
Region 5		Any deer	All 500 series GMUs EXCEPT GMUs 522 and 578	4
Region 6		Any deer	Any 600 series GMU	((2)) <u>4</u>

**AMENDATORY SECTION** (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-415-040 Elk area descriptions.**

The following areas are defined as elk areas:

**Elk Area No. 1008 West Wenaha (Columbia County):** That part of GMU 169 west of USFS trail 3112 from Tepee Camp (east fork of Butte Creek) to Butte Creek, and west of Butte Creek to the Washington-Oregon state line.

**Elk Area No. 1009 East Wenaha (Columbia, Garfield, Asotin counties):** That portion of GMU 169 east of USFS trail 3112 from Tepee Camp (east fork Butte Creek) to Butte Creek, and east of Butte Creek to the Washington-Oregon state line.

**Elk Area No. 1010 (Columbia County):** GMU 162 excluding National Forest land and the Rainwater Wildlife Area.

~~**Elk Area No. 1011 (Columbia County):** That part of GMU 162 east of the North Touchet Road, excluding National Forest land.~~

~~**Elk Area No. 1012 (Columbia County):** That part of GMU 162 west of the North Touchet Road, excluding National Forest land and the Rainwater Wildlife Area.)~~

**Elk Area No. 1013 (Asotin County):** GMU 172, excluding National Forest lands and the 4-O Ranch Wildlife Area.

**Elk Area No. 1015 Turnbull (Spokane County):** Located in GMU 130, designated areas within the boundaries of Turnbull National Wildlife Refuge.

**Elk Area No. 1016 (Columbia County):** GMU-162 Dayton, excluding the Rainwater Wildlife Area.

**Elk Area No. 1040 (Asotin County):** That area within GMU 172 designated as the WDFW-owned lands managed as the 4-O Ranch Wildlife Area.

**Elk Area No. 1075 (Asotin County):** Private land (excluding WDFW lands) within GMU 175 within the following area: From the intersection of the South Fork Asotin Creek Rd and Campbell Grade Rd, continuing south until the South Fork Asotin Creek Rd crosses the South Fork of Asotin Creek. South along the South Fork of Asotin Creek until it

intersects with the USFS property line, due south along the USFS boundary until it reaches the Cloverland Rd. NE along the Cloverland Rd to the intersection of the Parsons Rd (Back Rd), north along the Parsons Rd (Back Rd) to Campbell Grade Rd, west on Campbell Grade Rd to the intersection with South Fork Asotin Creek Rd and the point of beginning.

**Elk Area No. 1081 (Asotin County):** All of GMU 181 Couse, including the portion of GMU 172 starting at the intersection of Mill Road and Highway 129 in Anatone, south along Hwy 129 to Smyth Rd, west and then north on Smyth Rd to the intersection of E Mountain Rd, west along E Mountain Rd to the intersection of W Mountain Rd, north along W Mountain Rd to Mill Road, east on Mill Rd to the starting point.

~~((Elk Area No. 1082 George Creek (Asotin County): That portion of GMU 181 owned by WDFW and designated as the George Creek Wildlife Unit of the Asotin Creek Wildlife Area.))~~

**Elk Area No. 2032 Malaga (Kittitas and Chelan counties):** Beginning at the mouth of Davies Canyon on the Columbia River; west along Davies Canyon to the cliffs above (north of) the North Fork Tarpiscan Creek; west and north along the cliffs to the Bonneville Power Line; southwest along the power line to the North Fork Tarpiscan Road in Section 9, Township 20N, Range 21E; north and west along North Fork Tarpiscan Road to Colockum Pass Road (Section 9, Township 20N, Range 21E); south and west on Colockum Pass Road to section line between Sections 8 & 9; north along the section line between Sections 8 and 9 as well as Sections 4 & 5 (T20N, R21E) & Sections 32 & 33 (T21N, R21E) to Moses Carr Road; west and north on Moses Carr Road to Jump Off Road; south and west on Jump Off Road to Shaller Road; north and west on Shaller Road to Upper Basin Loop Road; north and west on Upper Basin Loop Road to Wheeler Ridge Road; north on Wheeler Ridge Road to the Basin Loop Road (pavement) in Section 10 (T21N, R20E); north on Basin Loop Road to Wenatchee Heights Road; west on Wenatchee Heights Road to Squilchuck Road; south on Squilchuck Road to Beehive Road (USFS Rd 9712); northwest on Beehive Road to USFS Rd 7100 near Beehive Reservoir; north and west on USFS Rd 7100 to Peavine Canyon Road (USFS Rd 7101); north and east on Peavine Canyon Road to Number Two Canyon Road; north on Number Two Canyon Road to Crawford Street in Wenatchee; east on Crawford Street to the Columbia River; south and east along the Columbia River to Davies Canyon and point of beginning. (Naneum Green Dot, Washington Gazetteer, Wenatchee National Forest)

**Elk Area No. 2033 Peshastin (Chelan County):** Starting at the Division St bridge over the Wenatchee River in the town of Cashmere; S on Aplets Way then Division St to Pioneer St; W on Pioneer St to Mission Creek Rd; S on Mission Creek Rd to Binder Rd; W on Binder Rd to Mission Creek Rd; S on Mission Creek Rd to Tripp Canyon Rd; W on Tripp Canyon Rd to where Tripp Canyon Rd stops following Tripp Creek; W on Tripp Creek to its headwaters; W up the drainage, about 1000 feet, to US Forest Service (USFS) Rd 7200-160; W on USFS Rd 7200-160 to Camas Creek Rd (USFS Rd 7200); W on Camas Creek Rd (USFS 7200 Rd) (excluding Camas

Land firearm closure\*) to US Hwy 97; N on US Hwy 97 to Mountain Home Rd (USFS 7300 Rd); N on Mountain Home Rd to the Wenatchee River in the town of Leavenworth; S on the Wenatchee River to the Division St bridge in Cashmere and the point of beginning.

**Elk Area No. 2051 Tronsen (Chelan County):** All of GMU 251 except that portion described as follows: Beginning at the junction of Naneum Ridge Road (WDFW Rd 9) and Ingersol Road (WDFW Rd 1); north and east on Ingersol Road to Colockum Road (WDFW Rd 10); east on Colockum Road and Colockum Creek to the intersection of Colockum Creek and the Columbia River; south on the Columbia River to mouth of Tarpiscan Creek; west up Tarpiscan Creek and Tarpiscan Road (WDFW Rd 14) and North Fork Road (WDFW Rd 10.10) to the intersection of North Fork Road and Colockum Road; southwest on Colockum Road to Naneum Ridge Road; west on Naneum Ridge Road to Ingersol Road and the point of beginning.

**Elk Area No. 3681 Ahtanum (Yakima County):** That part of GMU 368 beginning at the power line crossing on Ahtanum Creek in T12N, R16E, Section 15; west up Ahtanum Creek to South Fork Ahtanum Creek; southwest up South Fork Ahtanum Creek to its junction with Reservation Creek; southwest up Reservation Creek and the Yakama Indian Reservation boundary to the main divide between the Diamond Fork drainage and Ahtanum Creek drainage; north along the crest of the main divide between the Diamond Fork drainage and the Ahtanum Creek drainage to Darland Mountain; northeast on US Forest Service Trail 615 to US Forest Service Road 1020; northeast on US Forest Service Road 1020 to US Forest Service Road 613; northeast on US Forest Service Road 613 to US Forest Service Trail 1127; northeast on US Forest Service Trail 1127 to US Forest Service Road 1302 (Jump Off Road), southeast of the Jump Off Lookout Station; northeast on US Forest Service Road 1302 (Jump Off Road) to Highway 12; northeast on Highway 12 to the Naches River; southeast down the Naches River to Cowiche Creek; west up Cowiche Creek and South Fork Cowiche Creek to Summitview Avenue; northwest on Summitview Avenue to Cowiche Mill Road; west on Cowiche Mill Road to the power line in the northeast corner of T13N, R15E, SEC 13; southeast along the power line to Ahtanum Creek and the point of beginning.

**Elk Area No. 3721 Corral Canyon (Benton and Yakima counties):** That part of GMU 372 beginning at the Yakima River Bridge on SR 241 just north of Mabton; north along SR 241 to the Rattlesnake Ridge Road (mile post #19); east on Rattlesnake Ridge Road to the Hanford Reach National Monument's (HRNM) southwest corner boundary; east and south along the HRNM boundary to SR 225; south on SR 225 to the Yakima River Bridge in Benton City; west (upstream) along Yakima River to point of beginning (SR 241 Bridge).

**Elk Area No. 3722 Blackrock (Benton and Yakima counties):** That part of GMU 372 beginning at southern corner of the Yakima Training Center border on Columbia River, northwest of Priest Rapids Dam; southeast on southern shore of Columbia River (Priest Rapids Lake) to Priest Rapids Dam; east along Columbia River to the Hanford Reach

National Monument's (HRNM) western boundary; south along the HRNM boundary to the Rattlesnake Ridge Road; west on Rattlesnake Ridge Road to SR 241; south on SR 241 to the Yakima River Bridge just north of Mabton; west along Yakima River to SR 823 (Harrison Road) south of town of Pomona; east along SR 823 (Harrison Road) to SR 821; southeast on SR 821 to Firing Center Road at I-82; east on Firing Center Road to main gate of Yakima Training Center; south and east along Yakima Training Center boundary to southern corner of Yakima Training Center boundary on Columbia River and point of beginning.

**Elk Area No. 3911 Fairview (Kittitas County):** Beginning at the intersection of the BPA Power Lines in T20N, R14E, Section 36 and Interstate 90; east along the power lines to Highway 903 (Salmon La Sac Road); northwest along Highway 903 to Pennsylvania Avenue; northeast along Pennsylvania Avenue to No. 6 Canyon Road; northeast along No. 6 Canyon Road to Cle Elum Ridge Road; north along Cle Elum Ridge Road to Carlson Canyon Road; northeast along Carlson Canyon Road to West Fork Teanaway River; east along West Fork Teanaway River to North Fork Teanaway River; north along North Fork Teanaway River to Teanaway Road; southeast on Teanaway Road to Ballard Hill Road; east on Ballard Hill Rd and Swauk Prairie Road to Hwy 970; northeast on Hwy 970 to Hwy 97; south on Hwy 97 to the power lines in T20N, R17E, Section 34; east on the power lines to Naneum Creek; south on Naneum Creek approximately 1/2 mile to power lines in T19N, R19E, Section 20; east along BPA power lines to Colockum Pass Road in T19N, R20E, Section 16; south on Colockum Pass Road to BPA power lines in T18N, R20E, Section 6; east and south along power lines to the Yakima Training Center boundary; south and west along the Yakima Training Center boundary to I-82; north on I-82 to Thrall Road; west on Thrall Road to Wilson Creek; south on Wilson Creek to Yakima River; north on Yakima River to gas pipeline crossing in T17N, R18E, Section 25; south and west on the gas pipeline to Umtanum Creek; west on Umtanum Creek to the Durr Road; north on the Durr Road to Umtanum Road; north on Umtanum Road to South Branch Canal; west on South Branch Canal to Bradshaw/Hanson Road; west on Bradshaw Road to the elk fence; north and west along the elk fence to power line crossing in T19N, R16E, Section 10; west along the power line (south branch) to Big Creek; north on Big Creek to Nelson Siding Road; west and north on Nelson Siding Road to I-90; east on I-90 to point of beginning.

**Elk Area No. 3912 Old Naches (Yakima County):** Starting at the elk fence and Roza Canal along the south boundary T14N, R19E, Section 8; following the elk fence to the big-horn sheep feeding site in T15N, R16E, Section 36; south on the feeding site access road to the Old Naches Highway; west and south on the Old Naches Highway to State Route 12 and the Naches River; down the Naches River to the Tieton River; up the Tieton River approximately 2 miles to the intersection of the metal footbridge and the elk fence at the south end of the bridge in T14N, R16E, Section 3; south along the elk fence to the top of the cliff/rimrock line; southwest along the top of the cliff/rimrock line to the irrigation canal in T14N, R16E, Section 9; southwest along the irrigation canal

to the elk fence in T14N, R16E, Section 8; south along the elk fence to the township line between T12N, R15E and T12N, R16E; south along the township line to the South Fork Ahtanum Creek; downstream along the South Fork Ahtanum Creek and Ahtanum Creek to the Yakima River; upstream along the Yakima River to Roza Canal and point of beginning.

**Elk Area No. 4601 North Bend (King County):** That portion of GMU 460 beginning at the interchange of State Route (SR) 18 and I-90; W on I-90 to SE 82nd St, Exit 22, at the town of Preston; N on SE 82nd Street to Preston Fall City Rd SE (Old SR 203); N on Preston Fall City Rd SE to SE Fall City Snoqualmie Rd (SR 202) at the town of Fall City; E on SE Fall City Snoqualmie Rd to the crossing of Tokul Creek; N and E up Tokul Creek to its crossing with Tokul Rd SE; S on SE Tokul Rd to SE 53rd Way; E on SE 53rd Way where it turns into 396th Dr SE then S on 396th Dr SE to SE Reinig Rd; E on SE Reinig Rd to 428th Ave SE; N on 428th Ave SE to where it turns into North Fork Rd SE; N and E on North Fork Rd SE to Ernie's Grove Rd; E on Ernie's Grove Rd to SE 70th St; N on SE 70th St to its ends at Fantastic Falls on the North Fork Snoqualmie River; SW down the North Fork Snoqualmie River to Fantastic Falls and the Mt Si Natural Resource Conservation Area boundary then S and E along the southern boundary of the Mt Si NRCA to the "School Bus" turnaround at SE 114th St; S on 480th Ave SE to SE 130th St; S and E on SE 130th St to its end; SSE overland from the end of SE 130th St, over the Middle Fork Snoqualmie River, to the end of 486th Ave SE; S on 486th Ave SE to the intersection with SE Middle Fork Road; Due S, from said intersection, up Grouse Mountain toward its peak, to the logging road adjacent to Grouse Mountain Peak; S down the logging road to Grouse Ridge Access Rd; W on Grouse Ridge Access Road which becomes SE 146th St; W on SE 146th St to I-90 then east along I-90 to the W boundary of Olallie/Twin Falls State Park; then along the westerly and northerly boundaries of Olallie/Twin Falls/Iron Horse state parks to the boundary of the Rattlesnake Lake Recreation Area; W along the boundary of the Rattlesnake Lake Recreation Area to Cedar Falls Rd SE; N along the Cedar Falls Rd to SE 174th Way; W on SE 174th Way to SE 174th St; W on SE 174th St to SE 173rd St; W on SE 173rd St to SE 170th Pl; W on SE 170th Pl to SE 169th St; W on SE 169th St to 424th Ave SE; N on 424th Ave SE to SE 168th St; W on SE 168th St to 422 Ave SE; N on 422 Ave SE to 426th Way SE; S on 426th Way SE to SE 164th St; E on SE 164th St to Uplands Way SE; W on Uplands Way SE to the crossing with the Power Transmission Lines; W along the Power Transmission Lines to the Winery Rd; NW on the Winery Rd to SE 99th Rd; W and N on SE 99th Rd to the I-90 interchange, at Exit 27; SW on I-90 to the interchange with SR 18 and the point of beginning.

**Elk Area No. 4941 Skagit River (Skagit County):** That portion of GMU 437 beginning at the intersection of State Route 9 and State Route 20; east on State Route 20 to Concrete-Sauk Valley Road; south on Concrete-Sauk Valley Road over The Dalles Bridge (Skagit River) to the intersection with the South Skagit Highway; west on South Skagit

Highway to State Route 9; north on State Route 9 and the point of beginning.

**Elk Area No. 5029 Toledo (Lewis and Cowlitz counties):**

Beginning at the Cowlitz River and State Highway 505 junction; east along the Cowlitz River to the Weyerhaeuser 1800 Road; south along Weyerhaeuser 1800 Road to Cedar Creek Road; east along Cedar Creek Road to Due Road; south on Due Road to Weyerhaeuser 1823 Road; south along Weyerhaeuser 1823 Road to the Weyerhaeuser 1945 Road; south along the Weyerhaeuser 1945 Road to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the North Fork Toutle River; west along the North Fork Toutle River to the Toutle River; west on the Toutle River to the Cowlitz River; North along the Cowlitz River to the junction of State Highway 505 and the point of beginning.

**Elk Area No. 5049 Ethel (Lewis County):**

That part of GMU 505 beginning at the intersection of Jackson Highway and Highway 12; south along Jackson Highway to Buckley Road; south on Buckley Road to Spencer Road; east on Spencer Road to Fuller Road; north on Fuller Road to Highway 12; east on Highway 12 to Stowell Road; north on Stowell Road to Gore Road; west on Gore Road to Larmon Road; west on Larmon Road to Highway 12; west on Highway 12 to Jackson Highway and point of beginning.

**Elk Area No. 5050 Newaukum (Lewis County):**

That part of GMU 505 beginning at the intersection of Interstate 5 and Highway 12; east on Highway 12 to Larmon Road; east on Larmon Road to Leonard Road; north on Leonard Road through the town of Onalaska to Degler Road; north on Degler Road to Middle Fork Road; east on Middle Fork Road to Beck Road; north on Beck Road to Centralia-Alpha Road; west on Centralia-Alpha Road to Logan Hill Road; south then west on Logan Hill Road to Jackson Highway; south on Jackson Highway to the Newaukum River; west along the Newaukum River to Interstate 5; south on Interstate 5 to Highway 12 and point of beginning.

**Elk Area No. 5051 Green Mountain (Cowlitz County):**

Beginning at the junction of the Cowlitz River and the Toutle River; east along the Toutle River to the North Fork Toutle River; east along the North Fork Toutle River to the Weyerhaeuser 1900 Road; south along the Weyerhaeuser 1900 Road to the Weyerhaeuser 1910 Road; south along the Weyerhaeuser 1910 Road to the Weyerhaeuser 2410 Road; south along the Weyerhaeuser 2410 Road to the Weyerhaeuser 4553 Road; south along the Weyerhaeuser 4553 Road to the Weyerhaeuser 4500 Road; south along the Weyerhaeuser 4500 Road to the Weyerhaeuser 4400 Road; south along the Weyerhaeuser 4400 Road to the Weyerhaeuser 4100 Road; east along the Weyerhaeuser 4100 Road to the Weyerhaeuser 4700 Road; south along the Weyerhaeuser 4700 Road to the Weyerhaeuser 4720 Road; west along the Weyerhaeuser 4720 Road to the Weyerhaeuser 4730 Road; west along the Weyerhaeuser 4730 Road to the Weyerhaeuser 4732 Road; west along the Weyerhaeuser 4732 Road to the Weyerhaeuser 4790 Road; west along the Weyerhaeuser 4790 Road to the Weyerhaeuser 1390 Road; south along the Weyerhaeuser 1390 Road to the Weyerhaeuser 1600 Road; west along the Weyerhaeuser 1600 Road to the Weyerhaeuser Logging Rail-

road Tracks at Headquarters; west along the Weyerhaeuser Logging Railroad Track to Ostrander Creek; west along Ostrander Creek to the Cowlitz River; north along the Cowlitz River to the Toutle River and point of beginning.

**Elk Area No. 5052 Mossyrock (Lewis County):**

Beginning at the intersection of Winston Creek Road and State Highway 12; east on State Highway 12 to the Cowlitz River; east on the Cowlitz River to Riffe Lake; southeast along the south shore of Riffe Lake to Swofford Pond outlet creek; south on Swofford Pond outlet creek to Green Mountain Road; west on Green Mountain Road to Perkins Road; west on Perkins Road to Longbell Road; south on Longbell Road to Winston Creek Road; north on Winston Creek Road to State Highway 12 and the point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5053 Randle (Lewis County):**

Beginning at the town of Randle and the intersection of U.S. Highway 12 and State Route 131 (Forest Service 23 and 25 roads); south on State Route 131 to Forest Service 25 Road; south on Forest Service 25 Road to the Cispus River; west along the Cispus River to the Champion 300 line bridge; south and west on the Champion 300 line to the Champion Haul Road; north along the Champion Haul Road to Kosmos Road; north on Kosmos Road to U.S. Highway 12; east on U.S. Highway 12 to Randle and point of beginning. (All lands owned and managed by the Cowlitz Wildlife Area are excluded from this Elk Area.)

**Elk Area No. 5054 Boistfort (Lewis County):**

Beginning at the town of Vader; west along State Highway 506 to the Wildwood Road; north along the Wildwood Road to the Abernathy 500 line gate (Section 20, T11N, R3W, Willamette Meridian); northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Section 15, T12N, R4W); west along the Pe Ell/McDonald Road to the Lost Valley Road; northeast along the Lost Valley Road to the Boistfort Road; north along the Boistfort Road to the King Road; east along the King Road to the town of Winlock and State Highway 603; south along Highway 505 to Interstate 5; south along Interstate 5 to State Hwy 506; west along State Hwy 506 to the town of Vader and the point of beginning.

**Elk Area No. 5056 Grays River Valley (Wahkiakum County):**

That area in GMU 506 on or within 1.5 miles of agricultural land in the Grays River Valley and Eden Valley within the following sections: T11N, R08W, Section 36; T11N, R07W, Sections 31, 32, 33; T10N, R7W, Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32; T10N, R8W, Sections 1, 2, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36; T09N, R08W, Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 14, 15; T09N, R07W, Sections 5, 6, 7, 8.

**Elk Area No. 5057 Carlton (Lewis County):**

That part of 513 (South Rainier) lying east of Highway 123 and north of Highway 12.

**Elk Area No. 5058 West Goat Rocks (Lewis County):** Goat Rocks Wilderness west of the Pacific Crest Trail.

**Elk Area No. 5059 Mt. Adams Wilderness (Skamania and Yakima counties):** The Mt. Adams Wilderness.

**Elk Area No. 5060 Merwin (Cowlitz County):** Begin at the State Route 503 and the Longview Fibre Road WS-8000 junction; north and west on the Longview Fibre Road WS-8000 to Day Place Road; west on Day Place Road to Dubois Road; south on Dubois Road to State Route 503; east on State Route 503 to the State Route 503 and the Longview Fibre Road WS-8000 junction and point of beginning.

**Elk Area No. 5061 Wildwood (Lewis County):** Beginning at the junction of the Pacific West Timber (PWT) 600 Road and the Wildwood Road (SE1/4 S29 T11N R3W); southwest on the 600 Road to the 800 Road (NW1/4 S36 T11N R4W); southwest on the 800 Road to the 850 Road (SW1/4 S3 T10N R4W); northwest on the 850 Road to the Weyerhaeuser 4720 Road (S20 T11N R4W); north on the Weyerhaeuser 4720 Road to the Weyerhaeuser 4700 Road (S17 T11N R4W); east on the Weyerhaeuser 4700 Road to the Weyerhaeuser 5822 Road (NW1/4 S16 T11N R4W); east on the Weyerhaeuser 5822 Road to the Weyerhaeuser 5820 Road (NW1/4 S10 T11N R4W); southeast on the Weyerhaeuser 5820 Road to the PWT 574 Road (SE1/4 S10 T11N R4W); south on the PWT 574 Road to the 570 Road (NW1/4 S14 T11N R4W); south on the 570 Road to the 500 Road (NW1/4 S14 T11N R4W); northeast on the 500 Road to the 560 Road (SW1/4 S12 T11N R4W); east on the 560 Road to the 540 Road (SE1/4 S12 T11N R4W); east and south on the 540 Road to the 500 Road (SE1/4 S18 T11N R3W); east on the PWT 500 Road to the Wildwood Road (N1/2 S20 T11N R3W); south on the Wildwood Road to the point of beginning, the PWT 600 Road junction (SE1/4 S29 T11N R3W).

**Elk Area No. 5062 Trout Lake (Klickitat County):** Those portions of GMU 578 (West Klickitat) beginning at the intersection of SR 141 and Sunnyside Road; north on Sunnyside Road to Mount Adams Recreational Area Road; (including agricultural land on the Trout Lake Valley floor north of Sunnyside Road within T06N R10E in Sections 13 and 14); south on Mount Adams Recreational Area Road to the intersection of SR 141 and south on SR 141 and Sunnyside Road to the point of beginning.

**Elk Area No. 5063 Pumice Plain (Cowlitz and Skamania counties):** That part of GMU 522 beginning at the confluence of the N. Fork Toutle River and Castle Creek; East along the N. Fork Toutle River to USFS trail 207; south along USFS trail 207 to USFS trail 216E; southwest along USFS trail 216E to USFS trail 216; west along USGS trail 216 to USGS 216G; northwest along USFS trail 216G to USGS trail 221; north along USFS 221 to Castle Creek; northwest along Castle Creek to N. Fork Toutle River and point of beginning.

**Elk Area No. 5064 Upper Smith Creek (Skamania County):** That part of GMU 522 beginning at the U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 (Smith Creek Trail) junction; south on Trail 225 to Ape Canyon Creek; south and west up Ape Canyon Creek to U.S. Forest Service Trail 216 (Loowitz Trail); north on Trail 216 to U.S.

Forest Service Trail 216D (Abraham Trail); north on Trail 216D to U.S. Forest Service Trail 207 (Truman Trail); north and east on Trail 207 to U.S. Forest Service Rd. 99; north and east on U.S. Forest Service Rd. 99 to the junction of U.S. Forest Service Rd. 99 and U.S. Forest Service Trail 225 and the point of beginning.

**Elk Area No. 5065 Mount Whittier (Skamania County):** That part of GMU 522 beginning at the U.S. Forest Service Trail 1 (Boundary Trail) and U.S. Forest Service Trail 214 (Whittier Ridge Trail) junction; west on the U.S. Forest Service Trail 1 to U.S. Forest Service Trail 230 (Coldwater Trail); north on U.S. Forest Service Trail 230 to U.S. Forest Service Trail 211 (Lakes Trail); east on Trail 211 to U.S. Forest Service Trail 214; south on U.S. Forest Service Trail 214 to the junction of U.S. Forest Service Trail 214 and U.S. Forest Service Trail 1 and the point of beginning.

**Elk Area No. 5066 Norway Pass (Lewis and Skamania counties):** That part of GMU 524 beginning at the U.S. Forest Service (USFS) Trail 211 (Lakes Trail) and USFS Trail 230 (Coldwater Trail) junction; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to the USFS Rd 2612; E on the USFS Rd 2612 to USFS Rd 26; S on USFS Rd 26 to USFS Trail 1 (Boundary Trail); W on USFS Trail 1 to USFS Trail 214 (Whittier Trail); N on USFS Trail 214 to USFS Trail 211 (Lakes Trail); W on USFS Trail 211 to the USFS Trail 211, Trail 230 junction and point of beginning.

**Elk Area No. 5090 JBH (Wahkiakum County):** The mainland portion of the Julia Butler Hansen National Wildlife Refuge, as administered by the U.S. Fish and Wildlife Service as described: Beginning at the junction of State Route 4 and Steamboat Island Slough Road, northwest on Steamboat Island Slough Road to Brooks Slough Road, east on Brooks Slough Road to State Route 4, south on State Route 4 to Steamboat Slough Road and point of beginning.

**Elk Area No. 5099 Mudflow (Cowlitz County):** That part of GMU 522 beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek; SE up the North Fork Toutle River to Deer Creek; SE up Deer Creek to Rd 3020; NW along 3020 to Rd 3000; E along Rd 3000 to US Forest Service (USFS) Trail 216G; SE along USFS Trail 216G to USFS Trail 221 (Castle Lake Trail); N on USFS Trail 221 to Castle Creek; N along Castle Creek to the confluence with the North Fork Toutle River; W down the North Fork Toutle River to the North Fork Toutle River, Coldwater Creek confluence; North from the North Fork Toutle River, Coldwater Creek confluence on unnamed ridgeline, to Castle Lake viewpoint on SR 504; W on SR 504 to Hoffstadt Creek Bridge on Hoffstadt Creek; S and W down Hoffstadt Creek to the North Fork Toutle River and point of beginning.

**Elk Area No. 6010 Mallis (Pacific County):** That part of GMUs 506, 672, and 673 within one and one-half mile either side of SR 6 between the east end of Elk Prairie Rd and the Mallis Landing Rd, and all lands within a half mile of Elk Creek Rd bounded on the south by Monohon Landing Rd.

**Elk Area No. 6011 Centralia Mine (Lewis County):** That portion of GMU 667 within Centralia Mine property boundary.

**Elk Area No. 6013 (Pierce County):** That part of GMU 652 beginning at the intersection of Highway 167 and Highway 410; north on Highway 167 to Highway 18; east on Highway 18 to Highway 164; southeasterly on Highway 164 to intersection with power transmission line in T20 R6 Section 18. West along power transmission line to intersection with 226th Ave E. South on 226th Ave East to intersection with 40th St E, east on 40th St E to 230th Ave E, South on 230th Ave E to Radke Road. Southwest on Radke to Barkubine Road, South on Barkubine Road to Connells Prairie; West on Connells Prairie Rd to 214th Ave E, South on 214th Ave E to Highway 410; westerly on Highway 410 to Highway 167 and the point of beginning.

**Elk Area No. 6014 (Pierce County):** Starting at Highway 164 intersection with power transmission line in T20 R6 Section 18; W along power transmission line to intersection with 226th Ave E; S on 226th Ave E to intersection with 40th St E; E on 40th St E to 230th Ave E; S on 230th Ave E to Radke Rd; SW on Radke to Barkubine Rd; S on Barkubine Rd to Connells Prairie; W on Connells Prairie Rd to 214th Ave E; S on 214th Ave E to South Prairie Rd; SE on South Prairie Rd to Highway 162; E on Hwy 162 to Hwy 165; S on Hwy 165 to the power transmission lines at T19 R6 Section 21, NE along the power transmission lines to the White River, N along the White River to the power transmission lines at T19 R7E; NE on power transmission lines to intersection with Hwy 410 West on SR 410 to Hwy 164; NW on Hwy 164 to starting point.

**Elk Area No. 6054 Puyallup River (Pierce County):** That portion of GMU 654 beginning at the intersection of Mount Rainier National Park's western boundary and the Nisqually River; W down the Nisqually River to the mouth of the Mashel River; E and SE along the Mashel River to its headwaters; SE from the Mashel River headwaters to the Mashel River-Puyallup River watershed divide ridge; SE along the Mashel River-Puyallup River watershed divide ridge to a point due west of the headwaters of Big Creek; NE along Big Creek to its confluence with Deer Creek; N along Deer Creek to its confluence with the Puyallup River; SE up the Puyallup River to Mount Rainier National Park's western boundary; S on Mount Rainier National Park's western boundary to the Nisqually River and the point of beginning.

**Elk Area No. 6061 Twin Satsop Farms (Mason County):** That portion of GMU 651 starting at the junction of the Deckerville Road and the Brady-Matlock Road; southwest to the junction with the West Boundary Road; north on West Boundary Road to the Deckerville Road; east on the Deckerville Road to the junction of Brady-Matlock Road and point of beginning. In addition, the area within a circle with a radius of two miles centered on the junction of State Route 108 and the Eich Road.

**Elk Area No. 6064 Quinault Valley (Grays Harbor and Jefferson counties):** That portion of GMU 638 (Quinault) within the Quinault River watershed east of Gatton Creek and

Lake Quinault excluding US Forest Service (USFS) Colonel Bob Wilderness Area beginning at the mouth of the Quinault River; NE on the Olympic National Park boundary, which is along the Quinault River, to the intersection with USFS Colonel Bob Wilderness Area; then SW along the Colonel Bob Wilderness Area Western boundary to its intersection with Haas Creek; then downstream along Haas Creek to its intersection with USFS Olympic National Forest boundary; then SW along USFS boundary to the Lake Quinault shoreline; then N along the East shore of Lake Quinault to the mouth of Quinault River and the point of the beginning.

**Elk Area No. 6069 Hanaford (Lewis and Thurston counties):** That part of GMU 667 (Skookumchuck) beginning at the intersection of Salzer Valley Rd and S Pearl St (Centralia); N on S Pearl St to N Pearl St; N on N Pearl St to State Hwy 507; W and N on State Hwy 507 to Skookumchuck Rd; E on Skookumchuck Rd to the first bridge over the Skookumchuck River; E along the Skookumchuck River to the Skookumchuck Rd bridge; E on Skookumchuck Rd to the steel tower power line; SW along the power line to Big Hanaford Rd; E and S along Big Hanaford Rd to the intersection with the main stem of Hanaford Creek; SE along Hanaford Creek to the range line between Range 1W and Range 1E of Township 14N; S on the range line between Range 1W and Range 1E of Township 14N to Mitchell Creek; SW on Mitchell Creek to the North Fork of the Newaukum River; SW on the North Fork of the Newaukum River to North Fork Rd; W on North Fork Rd to Centralia-Alpha Rd; W on Centralia-Alpha Rd to Salzer Valley Rd and the point of beginning.

**Elk Area No. 6071 Dungeness (Clallam County):** Portions of GMUs 621 (Olympic) and 624 (Coyle) beginning at the mouth of the Dungeness River; east and south along the coast of the Strait of Juan de Fuca to the mouth of Dean Creek on Sequim Bay; south and west up Dean Creek to the power transmission line; west on the power transmission line to the Dungeness River; north down the Dungeness River to its mouth and the point of beginning.

**Elk Area No. 6612 Forks (Clallam County):** That part of GMUs 607 and 612 excluding the city of Forks and Bogachiel state park; starting at the confluence of Calawah River and the Bogachiel River; upstream on the Bogachiel River to the Hwy 101 Bridge north along Hwy 101 to Sportsman Club Rd; E on Sportsman Club Rd to DNR FR-F-1000; E on DNR FR-F-1000 to DNR FR-F-1200; N on DNR FR-F-1200 to its end; from the end of DNR FR-F-1200 N approximately 500' to Elk Creek; down Elk Creek to its confluence with the Calawah River; down the Calawah River to its confluence with the Bogachiel River.

**AMENDATORY SECTION** (Amending WSR 19-20-078, filed 9/27/19, effective 10/28/19)

**WAC 220-415-050 2018-2020 Elk general seasons and definitions.** It is unlawful to fail to comply with bag, possession, and season limits described below. A violation of this section is punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

**Bag Limit:** One (1) elk per hunter during the license year, except where otherwise permitted by department rule. Any combination of seasons, tags, and permits set by the department will not exceed a maximum of two (2) elk per hunter during the license year.

**Hunting Method:** Elk hunters must select only one of the hunting methods: Modern firearm, archery, or muzzleloader.

**Elk Tag Areas:** Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

**Any Bull Elk Seasons:** Open only to the taking of elk with visible antlers; bull calves are illegal.

**Antler Point:** To qualify as an antler point, the point must be at least one inch long, measured on the longest side.

**Branch:** A branch is defined as any projection off the main antler beam that is at least one inch long, measured on the longest side, and longer than it is wide.

**Spike Bull Antler Restrictions:** Bull elk taken in spike-only game management units (GMUs) must have at least one antler with no branches originating more than 4 inches above where the antler attaches to the skull.

**Spike-only GMUs:** 145-154, 162-186, 249, and 336-368.

**True Spike - Bull Antler Restrictions:** Neither antler of bull elk taken in GMUs 251, and 328-335 can have branching originating more than 4 inches above where the antlers attach to the skull. Under the true-spike restriction, taking an elk that has two points on one side or antler points within one inch of the definitions regarding length of point, or point of origination, is an infraction under RCW 77.15.160. All other types of violations of the true-spike restriction are subject to current penalties and assessments under RCW 77.15.410 and 77.15.420.

**True-spike GMUs:** 251, 328-335.

**3-point Antler Restrictions:** Legal bull elk must have at least 3 antler points on one side. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

**3-point GMUs:** All of Western Washington, except for GMUs 448, 454, 564, 652 for archers, 666, 684, and Elk Area 4941.

**Permit-only Units:** The following GMUs are closed to elk hunting during general elk seasons: 157, 371, 418, 485, 522, 556, 621, 636, and 653.

**GMUs Closed to Elk Hunting:** 437 (except for Elk Area 4941) and 490.

**Areas with Special Restrictions:** There are modern firearm restrictions in GMU 334 and portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinalt) is open to master hunters only.

**Elk Tag Areas**

**Eastern Washington:** All 100, 200, and 300 GMUs.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

**Western Washington:** All 400, 500, and 600 GMUs.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

**Modern Firearm General Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** A valid modern firearm elk tag as listed below for the area hunted.

**Hunting Method:** May use modern firearm, bow and arrow, crossbow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2018 Dates	2019 Dates	2020 Dates	Legal Elk
Eastern Washington	EF	101, 105, 108, 111, 113, 117, 121, 204	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 31 - Nov. 8	Any bull
		145 through 154, 162 through 169, 172 (except Elk Area 1040), 175 through 186, 249, 336 through 368	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 31 - Nov. 8	Spike bull
		251, 328, 329, 334, 335	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 31 - Nov. 8	True spike bull
		Elk Area 3722*	Sept. 8-23	Sept. 7-22	Sept. 12-27	Antlerless only
		124 through 142, 372, 382, 388	Oct. 27 - Nov. 4	Oct. 26 - Nov. 3	Oct. 31 - Nov. 8	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 31 - Nov. 15	Any elk
		Master Hunters Only: ((374)) Elk Areas 3911 and 3912. Must wear hunter orange and/or hunter pink.	Aug. 1 - Jan. 20, 2019	Aug. 1 - Jan. 20, 2020	Aug. 1 - Jan. 20, 2021	Antlerless only

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2018 Dates	2019 Dates	2020 Dates	Legal Elk
		Master Hunters Only: 371. <u>Must wear hunter orange and/or hunter pink.</u>			Aug. 1 - Oct. 15	Antlerless only
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
*GMU 372 and Elk Area 3722 are mainly private property. Hunters are not advised to try hunting these areas without making prior arrangements for access.						
Western Washington	WF	460, 466, 503, 505 through 520, 524 (except <b>CLOSED</b> in Elk Area 5066), 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627, 633, 638 (except master hunters only in Elk Area 6064 portion of GMU 638), 642 through 651, 652 (except for Elk Area 6014), 654 ((through)), 658, 660, 667 through 684.	Nov. 3-14	Nov. 2-13	Nov. 7-18	3 pt. min.
		501, 504, 663, Elk Area 6014	Nov. 3-14	Nov. 2-13	Nov. 7-18	3 pt. min. or antlerless
		407, 448, 564, 666	Nov. 3-14	Nov. 2-13	Nov. 7-18	Any elk
		454	Nov. 3-14	Nov. 2-13	Nov. 7-18	Any bull

**Archery General Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** A valid archery elk tag as listed below for the area hunted.

**Hunting Method:** Bow and arrow only, as defined under WAC 220-414-070.

**Special Notes:** Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 220-414-070). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2018 Dates	2019 Dates	2020 Dates	Legal Elk
<b>Early Archery General Elk Seasons</b>						
Eastern Washington	EA	101 through 142, 204, 243, 247, 249, 250, 373, 379, 381, 388	Sept. 8-20	Sept. 7-19	Sept. 12-24	Any elk
		162, 166, 169, 172 (except Elk Area 1040), 175, 186, 336, 340, 352, 356, 364	Sept. 8-20	Sept. 7-19	Sept. 12-24	Spike bull
		<del>((328, 329, 336, 340, 352, 356, 364</del>	Sept. 15-20	Sept. 14-19		Antlerless))
		328, 329	Sept. 8-20	Sept. 7-19	Sept. 12-24	True spike bull
		334, 335	Sept. 8-20	Sept. 7-19	Sept. 12-24	True spike bull or antlerless
		145, 149, 154, Elk Area 1010, Elk Area 1013, 163, 178, 181	Sept. 8-20	Sept. 7-19	Sept. 12-24	Spike bull or antlerless
Western Washington	WA	407, 448, 454, 564, 666, 684, Elk Area 6014	Sept. 8-20	Sept. 7-19	Sept. 12-24	Any elk
		501 through 505, 520, 550, 554, 560, 568, 572, 574, 578, Elk Area 6061, 652 (except Elk Area 6013 closed to antlerless), 654, 660, 663, 667 through 673, 681, 699	Sept. 8-20	Sept. 7-19	Sept. 12-24	3 pt. min. or antlerless

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2018 Dates	2019 Dates	2020 Dates	Legal Elk
		460, 466, 506, 510, 513, 516, 524 (except <b>CLOSED</b> in Elk Area 5066), 530, 601 through 618, 624 (except for Elk Area 6071), 627, 633, 638 (except Master Hunters only in Elk Area 6064), 642 through 651, 658	Sept. 8-20	Sept. 7-19	Sept. 12-24	3 pt. min.
<b>Late Archery General Elk Seasons</b>						
<b>Eastern Washington</b>	EA	101, 105, 108, 117, 121, 204	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any bull
		124, 127, 373, 388	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		Elk Area 1010, 163	Dec. 9 - Jan. 30, 2019	Dec. 9 - Jan. 30, 2020	Dec. 9 - Jan. 30, 2021	Antlerless only
		203, 209 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange and/or hunter pink.	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 31 - Nov. 15	Any elk
		Master Hunters Only: ((371,)) Elk Areas 3911 and 3912. Must wear hunter orange and/or hunter pink.	Aug. 1 - Jan. 20, 2019	Aug. 1 - Jan. 20, 2020	Aug. 1 - Jan. 20, 2021	Antlerless only
		Master Hunters Only: 371. <u>Must wear hunter orange and/or hunter pink.</u>			Aug. 1 - Oct. 15	Antlerless only
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
		((328,)) 334, 335	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 25 - Dec. 8	True spike bull or antlerless
		336, 342, 346, 352, 364, Elk Area 3681	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 25 - Dec. 8	Spike bull (( <del>or</del> antlerless))
<b>Western Washington</b>	WA	Elk Area 4601, 503, 505, 506, 530, 652 (except Elk Area 6013 closed to antlerless), 663, 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	3 pt. min. or antlerless
		407	Nov. 21 - Jan 20, 2019	Nov. 27 - Jan 20, 2020	Nov. 25 - Jan 20, 2021	Any elk
		448, 454, 564, 666, <u>Elk Area 6014</u>	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	Any elk
		603, 612, 615, 638 (except for Elk Area 6064), 648	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	3 pt. min.
		*GMU 372 and Elk Area 3722 are mainly private property. Hunters are not advised to try hunting these areas without making prior arrangements for access.				

**Muzzleloader General Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** A valid muzzleloader elk tag as listed below for the area hunted.

**Hunting Method:** Muzzleloader, as defined under WAC 220-414-060, or bow and arrow, as defined under WAC 220-414-070.

**Special Notes:** Muzzleloader tag holders can only hunt during the muzzleloader seasons. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2018 Dates	2019 Dates	2020 Dates	Legal Elk
<b>Early Muzzleloader General Elk Seasons</b>						
<b>Eastern Washington</b>	EM	101 through 121, 204, 247	Oct. 6-12	Oct. 5-11	Oct. 3-9	Any bull

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2018 Dates	2019 Dates	2020 Dates	Legal Elk
		124 through 142, 245, 250	Oct. 6-12	Oct. 5-11	Oct. 3-9	Any elk
		145, 149, 154, 162, 163, 166, 172 (except Elk Area 1040), 175, 178, 181, 336 through 342, 352 through 368	Oct. 6-12	Oct. 5-11	Oct. 3-9	Spike bull
		328, 329, 334, 335, Elk Area 2051	Oct. 6-12	Oct. 5-11	Oct. 3-9	True spike bull
Western Washington	WM	407, 448, 454, 564, 666, 684	Oct. 6-12	Oct. 5-11	Oct. 3-9	Any elk
		460, 466, 506, 510, 513, 516, 520, 524 (except <b>CLOSED</b> in Elk Area 5066), 530, 550, 554, 560, 568, 572, 574, 578, 602, 603, 607, 612, 615, 624 (except for Elk Area 6071), 627, 633, 638 (except for Elk Area 6064), 642, 648, 660, 672, 673, 681	Oct. 6-12	Oct. 5-11	Oct. 3-9	3 pt. min.
		501, 503, 504, 505, 652 (except Elk Area 6013 closed to antlerless), Elk Area 6014, 654, 663, 667, Elk Area 4601	Oct. 6-12	Oct. 5-11	Oct. 3-9	3 pt. min. or antlerless
<b>Late Muzzleloader General Elk Seasons</b>						
Eastern Washington	EM	130 through 142	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Nov. 25 - Dec. 8	Any elk
		203, 209 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange and/or hunter pink.	Oct. 27 - Nov. 15	Oct. 26 - Nov. 15	Oct. 31 - Nov. 15	Any elk
		Master Hunters Only: ((374,)) Elk Areas 3911 and 3912. Must wear hunter orange and/or hunter pink.	Aug. 1 - Jan. 20, 2019	Aug. 1 - Jan. 20, 2020	Aug. 1 - Jan. 20, 2021	Antlerless only
		<u>Master Hunters Only: 371. Must wear hunter orange and/or hunter pink.</u>			<u>Aug. 1 - Oct. 15</u>	<u>Antlerless only</u>
		Master Hunters Only: 127, 130	Dec. 9-31	Dec. 9-31	Dec. 9-31	Antlerless only
Western Washington	WM	407	Nov. 21 - Jan. 20, 2019	Nov. 27 - Jan. 20, 2020	Nov. 25 - Jan. 20, 2021	Any elk
		501, 503, 504, 505, ((578,)) 652 (except Elk Area 6013 closed to antlerless), 667	Nov. 21 - Dec. 8	Nov. 27 - Dec. 8	Nov. 25 - Dec. 8	3 pt. min. or antlerless
		<u>578</u>			<u>Nov. 25-30</u>	<u>3 pt. min. or antlerless</u>
		<u>578</u>			<u>Dec. 1-8</u>	<u>3 pt. min.</u>
		448, 454, 564, 666, 684, <u>Elk Area 6014</u>	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	Any elk
		568, 574	Nov. 21-30	Nov. 27-30	Nov. 25-30	3 pt. min.
		601, 618, 651, 658	Nov. 21 - Dec. 15	Nov. 27 - Dec. 15	Nov. 25 - Dec. 15	3 pt. min.

**AMENDATORY SECTION** (Amending WSR 19-20-078, filed 9/27/19, effective 10/28/19)

**WAC 220-415-060 ((2019)) 2020 Elk special permits.** It is unlawful to fail to comply with the bag, possession, and season limits described below. A violation of this section is

punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

**Special Elk Permit Hunting Seasons (Open to Permit Holders Only)**

Hunters must purchase an elk hunting license prior to purchasing a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt. Hunters drawn for a special permit designated "**Any tag**"

under the "**Weapon/Tag**" restriction must use equipment consistent with the requirements of their transport tag and license.

**Bag Limit:** One (1) elk per hunter during the license year except where otherwise permitted by department rule, even if permits are drawn for more than one elk hunt category. Any combination of seasons, tags, and permits set by the department will not exceed a maximum of two (2) elk per hunter during the license year.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EA, EF, EM	Any	((Sept. 29 – Oct. 6 and Nov. 16 – Dec. 5)) Oct. 3-12 and Nov. 14 - Dec. 3	Any bull	Elk Area 1015	1
Prescott	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 149	2
Blue Creek	EF	Any	Sept. ((23-27)) 21-25	Any bull	GMU 154	1
Blue Creek	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 154	((40)) 8
Watershed	EA, EF, EM	Any	((Oct. 26 – Nov. 3)) Oct. 31 - Nov. 8	3 pt. min.	GMU 157	((40)) 25
Dayton	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 162	((6)) 2
Ten Ten	EF	Any	Sept. ((23-27)) 21-25	Any bull	Elk Area 1010, GMU 163	1
Ten Ten	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	Elk Area 1010, GMU 163	((2)) 1
Tucannon	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 166	((13)) 5
Wenaha West	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	Elk Area 1008	((6)) 5
Wenaha East	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	Elk Area 1009	((6)) 4
Mountain View	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 172, EXCEPT Elk Area 1040	((11)) 5
Ten Forty	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	Elk Area 1040	((2)) 1
Lick Creek	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 175	2
Peola	EF	Any	Sept. ((23-27)) 21-25	Any bull	GMUs 178, 145	1
Peola	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMUs 178, 145	2
Couse	EF	Any	((Oct. 21 – Nov. 3)) Oct. 26 - Nov. 8	Any bull	GMU 181	((4)) 5
Mission	EF	Any	((Sept. 21-29)) Sept. 26 - Oct. 2	Any bull	GMU 251	4
Colockum	EF	Any	((Sept. 23-27)) Sept. 28 - Oct. 2	Any bull	GMUs 328, 329, 334	1
Colockum	EF	Any	Oct. 21 - Nov. 3	Any bull	GMUs 328, 329, 334	((24)) 23
Teanaway	EF	Any	((Sept. 23-27)) Sept. 28 - Oct. 2	Any bull	GMU 335	2
Peaches Ridge	EF	Any	((Sept. 23-27)) Sept. 28 - Oct. 2	Any bull	GMUs 336, 346	((3)) 2
Observatory	EF	Any	((Sept. 23-27)) Sept. 28 - Oct. 2	Any bull	GMUs 334, 340, 342	((3)) 2

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Little Naches	EF	Any	((Sept. 28 – Oct. 6)) <u>Oct. 3-11</u>	Any bull	GMU 346	((4)) <u>3</u>
Goose Prairie	EF	Any	((Sept. 23-27)) <u>Sept. 28 - Oct. 2</u>	Any bull	GMUs 352, 356	((3)) <u>2</u>
Bethel	EF	Any	((Sept. 23-27)) <u>Sept. 28 - Oct. 2</u>	Any bull	GMU 360	((3)) <u>2</u>
Rimrock	EF	Any	((Sept. 23-27)) <u>Sept. 28 - Oct. 2</u>	Any bull	GMU 364	((3)) <u>2</u>
Cowiche	EF	Any	((Sept. 23-27)) <u>Sept. 28 - Oct. 2</u>	Any bull	GMU 368	((3)) <u>2</u>
Nooksack	WF	Any	((Oct. 5-31 and Dec. 16-31)) <u>Oct. 3-29 and Dec. 14-29</u>	Any bull	GMU 418	((12)) <u>13</u>
Green River	WF, WA, WM	Any	((Nov. 2-8)) <u>Oct. 17-23</u>	Any bull	GMU 485	10
Wahkiakum	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMUs 506, 530	1
South Rainier	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMUs 510, 513	1
Packwood	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMU 516	1
Winston	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMU 520	1
Cowecman	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMU 550	1
Toutle	WF	Any	((Sept. 23-27 and Nov. 2-13)) <u>Sept. 21-25 and Nov. 7-18</u>	Any bull	GMU 556	2
Toutle	WF	Any	Nov. ((2-13)) <u>7-18</u>	Any bull	GMU 556	((44)) <u>26</u>
Lewis River	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	GMU 572	2
Carlton	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	Elk Area 5058	5
Upper Smith Creek	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	Elk Area 5064	1
Mount Whittier	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	Elk Area 5065	1
Norway Pass	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	Elk Area 5066	2
Mt. Adams	WF	Any	Sept. ((23-27)) <u>21-25</u>	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. ((2-13)) <u>7-18</u>	Any bull	Elk Area 5099	7
Peninsula	WF	Any	Sept. ((23-27)) <u>26-30</u>	3 pt. min.	GMUs 602, 603, 607, 612, 615	4
Matheny	WF	Any	Sept. ((23-27)) <u>26-30</u>	3 pt. min.	GMU 618	3
Quinalt	WF	Any	Sept. ((23-27)) <u>26-30</u>	3 pt. min.	GMU 638	5
Wynoochee	WF	Any	Sept. ((23-27)) <u>26-30</u>	3 pt. min.	GMU 648	1
White River	WF	Any	Sept. ((23-27)) <u>26-30</u>	Any bull	GMU 653	2
Prescott	EA	Any	Sept. 1-19	Any bull	GMU 149	1
Blue Creek	EA	Any	Sept. 1-19	Any bull	GMU 154	((6)) <u>5</u>
Dayton	EA	Any	Sept. 1-19	Any bull	GMU 162	((3)) <u>1</u>
Ten Ten	EA	Any	Sept. 1-19	Any bull	Elk Area 1010, GMU 163	3
Tucannon	EA	Any	Sept. 1-19	Any bull	GMU 166	((5)) <u>2</u>
Wenaha West	EA	Any	Sept. 1-19	Any bull	Elk Area 1008	2
Wenaha East	EA	Any	Sept. 1-19	Any bull	Elk Area 1009	((3)) <u>2</u>
Mountain View	EA	Any	Sept. 1-19	Any bull	GMU 172, EXCEPT Elk Area 1040	((9)) <u>4</u>

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Ten Forty	EA	Any	Sept. ((9-22)) 9-20	Any bull	Elk Area 1040	2
Lick Creek	EA	Any	Sept. 1-19	Any bull	GMU 175	((3)) <u>2</u>
Peola	EA	Any	Sept. 1-19	Any bull	GMUs 178, 145	3
Couse	EA	Any	Sept. 1-19	Any bull	GMU 181	((3)) <u>2</u>
Colockum	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMUs 328, 329, 334	((17)) <u>15</u>
Teanaway	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMU 335	2
Peaches Ridge	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMUs 336, 346	10
Observatory	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMUs 334, 340, 342	((20)) <u>19</u>
Goose Prairie	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMUs 352, 356	((7)) <u>6</u>
Bethel	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMU 360	((6)) <u>7</u>
Rimrock	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMU 364	((21)) <u>20</u>
Cowiche	EA	Any	Sept. ((7-19)) 12-24	Any bull	GMU 368	6
Nooksack	WA	Any	((Aug. 26 – Sept. 14 and Jan. 1-19, 2020) Aug. 24 - Sept. 12 and Jan. 1-19, 2021	Any bull	GMU 418	((7)) <u>8</u>
Toutle	WA	Any	Sept. ((7-19)) 12-24 and Dec. 1-15	Any bull	GMU 556	((30)) <u>20</u>
Upper Smith Creek	WA	Any	Sept. ((15-21)) 13-19	Any bull	Elk Area 5064	1
Norway Pass	WA	Any	Sept. ((7-13)) 5-11	Any bull	Elk Area 5066	2
Mudflow	WA	Any	((Sept. 14-22 and Nov. 15-20)) Sept. 12-19 and Nov. 19-23	Any bull	Elk Area 5099	7
Peninsula	WA	Any	Sept. ((1-22)) 1-24	3 pt. min.	GMUs 602, 603, 607, 612, 615	2
White River	WA	Any	((Sept. 14-25 and Dec. 1-15)) Sept. 12-24 and Nov. 28 - Dec. 13	Any bull	GMU 653	((19)) <u>16</u>
Prescott	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	GMU 149	1
Blue Creek	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	GMU 154	2
Dayton	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	GMU 162	((2)) <u>1</u>
Ten Ten	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	Elk Area 1010, GMU 163	1
Tucannon	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	GMU 166	((2)) <u>1</u>
Wenaha West	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	Elk Area 1008	1
Wenaha East	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	Elk Area 1009	((2)) <u>1</u>
Mountain View	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	GMU 172, EXCEPT Elk Area 1040	((5)) <u>2</u>
Ten Forty	EM	Any	((Sept. 30 – Oct. 11)) Sept. 28 - Oct. 9	Any bull	Elk Area 1040	2

<b>Quality</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Lick Creek	EM	Any	<del>((Sept. 30 – Oct. 14))</del> <u>Sept. 28 - Oct. 9</u>	Any bull	GMU 175	1
Peola	EM	Any	<del>((Sept. 30 – Oct. 14))</del> <u>Sept. 28 - Oct. 9</u>	Any bull	GMUs 178, 145	1
Couse	EM	Any	<del>((Sept. 30 – Oct. 14))</del> <u>Sept. 28 - Oct. 9</u>	Any bull	GMU 181	1
Mission	EM	Any	<del>((Sept. 30 – Oct. 14))</del> <u>Oct. 3-11</u>	Any bull	GMU 251	4
Colockum	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMUs 328, 329, 334	<del>((6))</del> <u>7</u>
Teanaway	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMU 335	<del>((2))</del> <u>1</u>
Peaches Ridge	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMUs 336, 346	4
Observatory	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMUs 334, 340, 342	6
Goose Prairie	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMUs 352, 356	2
Bethel	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMU 360	2
Rimrock	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMU 364	4
Cowiche	EM	Any	<del>((Sept. 28 – Oct. 6))</del> <u>Oct. 3-11</u>	Any bull	GMU 368	2
Nooksack	WM	Any	<del>((Sept. 18-29 and Nov. 15-24, and Dec. 1-8))</del> <u>Sept. 19-30 and Nov. 14-23, and Nov. 29 - Dec. 6</u>	Any bull	GMU 418	<del>((7))</del> <u>8</u>
Toutle	WM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Any bull	GMU 556	<del>((19))</del> <u>9</u>
Mount Whittier	WM	Any	Sept. <del>((15-21))</del> <u>13-19</u>	Any bull	Elk Area 5065	1
Norway Pass	WM	Any	Sept. <del>((15-21))</del> <u>13-19</u>	Any bull	Elk Area 5066	2
Mudflow	WM	Any	Oct. <del>((5-15))</del> <u>3-13</u>	Any bull	Elk Area 5099	7
Peninsula	WM	Any	<del>((Sept. 28 – Oct. 4))</del> <u>Sept. 26 - Oct. 2</u>	3 pt. min.	GMUs 602, 603, 607, 612, 615	2

<b>Bulls</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Turnbull	EF	Any	Dec. <del>((11-16))</del> <u>8-13</u>	Spike bull only	Elk Area 1015	1
Ten Forty	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Spike bull only	Elk Area 1040	2
Grande Ronde	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMU 186	1
Mission	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMU 251	4
Teanaway	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMU 335	<del>((5))</del> <u>4</u>
Peaches Ridge	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMUs 336, 346	<del>((13))</del> <u>15</u>
Observatory	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMUs 334, 340, 342	<del>((16))</del> <u>14</u>
Goose Prairie	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMUs 352, 356	<del>((8))</del> <u>7</u>
Bethel	EF	Any	<del>((Oct. 21 – Nov. 3))</del> <u>Oct. 26 - Nov. 8</u>	Any bull	GMU 360	7

<b>Bulls</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Rimrock	EF	Any	<del>((Oct. 21 - Nov. 3))</del> Oct. 26 - Nov. 8	Any bull	GMU 364	<del>((28))</del> 33
Cowiche	EF	Any	<del>((Oct. 21 - Nov. 3))</del> Oct. 26 - Nov. 8	Any bull	GMU 368	5
Alkali	EF	Any	<del>((Oct. 14 - Nov. 1))</del> Oct. 12-30	Any bull	GMUs 334, 371	15
Skagit River	WF	Any	<del>((Oct. 5 - Nov. 7))</del> Oct. 3 - Nov. 5	Any bull	Elk Area 4941	<del>((5))</del> 6
Upper Smith Creek	WF	Any	Oct. 17-23	Any bull	Elk Area 5064	<del>((2))</del> 1
Mount Whittier	WF	Any	Oct. 17-23	Any bull	Elk Area 5065	1
Norway Pass	WF	Any	Oct. 17-23	Any bull	Elk Area 5066	3
Olympic	WF	Any	<del>((Oct. 19 - Nov. 13))</del> Nov. 1-18	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	<del>((6))</del> 5
Skokomish	WF	Any	<del>((Oct. 19 - Nov. 13))</del> Nov. 1-18	3 pt. min.	GMU 636	<del>((3))</del> 2
White River	WF	Any	<del>((Oct. 19 - Nov. 13))</del> Oct. 17 - Nov. 11	Any bull	GMU 653	<del>((37))</del> 35
Turnbull	EA	Any	Sept. <del>((7-19))</del> 12-24	Spike bull only	Elk Area 1015	1
Ten Forty	EA	Any	Sept. 1-8	Spike bull only	Elk Area 1040	2
Grande Ronde	EA	Any	Sept. 1-19	Any bull	GMU 186	1
Alkali	EA	Any	Sept. <del>((1-2))</del> 1-20	Any Elk	GMUs 334, 371	10
Skagit River	WA	Any	<del>((Aug. 26 - Sept. 14 and Jan. 1-7, 2020))</del> Aug. 24 - Sept. 12 and Jan. 1-7, 2021	Any bull	Elk Area 4941	<del>((8))</del> 9
Upper Smith Creek	WA	Any	Oct. 1-7	Any bull	Elk Area 5064	2
Mount Whittier	WA	Any	Oct. 1-7	Any bull	Elk Area 5065	1
Norway Pass	WA	Any	Oct. 1-7	Any bull	Elk Area 5066	3
Lewis River	WA	Any	Nov. <del>((27))</del> 25 - Dec. 8	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. <del>((27))</del> 25 - Dec. 8	3 pt. min.	GMU 572	5
Olympic	WA	Any	Sept. <del>((1-22))</del> 1-24 and Dec. 1-15	3 pt. min.	GMU 621, EXCEPT Elk Area 6071	<del>((3))</del> 1
Skokomish	WA	Any	Sept. <del>((1-22))</del> 1-24 and Dec. 1-15	3 pt. min.	GMU 636	<del>((2))</del> 1
Turnbull	EM	Any	<del>((Oct. 8-13))</del> Nov. 28 - Dec. 3	Spike bull only	Elk Area 1015	1
Ten Forty	EM	Any	Oct. <del>((5-11))</del> 3-9	Spike bull only	Elk Area 1040	2
Grande Ronde	EM	Any	<del>((Sept. 30 - Oct. 11))</del> Sept. 28 - Oct. 9	Any bull	GMU 186	1
Alkali	EM	Any	<del>((Sept. 23 - Oct. 13))</del> Sept. 21 - Oct. 11	Any bull	GMUs 334, 371	15
Skagit River	WM	Any	<del>((Sept. 18-29 and Dec. 2- 11 and Jan. 8-19, 2020))</del> Sept. 19-30 and Nov. 30 - Dec. 9 and Jan. 9-20, 2021	Any bull	Elk Area 4941	<del>((5))</del> 6
Upper Smith Creek	WM	Any	Oct. 9-15	Any bull	Elk Area 5064	2
Mount Whittier	WM	Any	Oct. 9-15	Any bull	Elk Area 5065	1
Norway Pass	WM	Any	Oct. 9-15	Any bull	Elk Area 5066	3
Yale	WM	Any	Nov. <del>((27))</del> 25 - Dec. 15	3 pt. min.	GMU 554	15
Olympic	WM	Any	<del>((Sept. 28 - Oct. 11))</del> Sept. 26 - Oct. 9	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	2
Skokomish	WM	Any	<del>((Sept. 28 - Oct. 11))</del> Sept. 26 - Oct. 9	3 pt. min.	GMU 636	1

<b>Bulls</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
White River	WM	Any	<del>((Sept. 28 – Oct. 14))</del> <u>Sept. 26 - Oct. 9</u>	Any bull	GMU 653	7

<b>Antlerless Elk</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
North Half	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMUs 101, 105, 204	10
Douglas	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 108	5
Aladdin	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 111	10
Selkirk	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 113	10
49 Degrees North	EF	Any	<del>((Oct. 26 – Nov. 3 and Dec. 16-31))</del> <u>Oct. 31 - Nov. 8 and Dec. 16-31</u>	Antlerless	GMU 117	10
Huckleberry	EF	Any	<del>((Oct. 26 – Nov. 3 and Dec. 16-31))</del> <u>Oct. 31 - Nov. 8 and Dec. 16-31</u>	Antlerless	GMU 121	10
Turnbull	EF	Any	Nov. <del>((16-21))</del> <u>14-19</u>	Antlerless	Elk Area 1015	5
Turnbull	EF	Any	Dec. <del>((11-16))</del> <u>8-13</u>	Antlerless	Elk Area 1015	5
Mayview-Peola	EF	Any	Oct. <del>((12-22))</del> <u>17-25</u>	Antlerless	GMUs 145, 178	10
Mayview-Peola	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMUs 145, 178	20
Prescott	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 149	20
Blue Creek	EF	Any	Oct. <del>((12-22))</del> <u>17-25</u>	Antlerless	GMU 154	5
Blue Creek	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 154	5
Marengo( <del>-Day-ton</del> )	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 163	10
Mountain View	EF	Any	<del>((Oct. 26 – Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	Elk Area 1013	40
<del>((Ten Forty</del>	EF	Any	Nov. 4-10	Antlerless	Elk Area 1040	5))
Couse	EF	Any	Oct. <del>((12-22))</del> <u>17-25</u>	Antlerless	Elk Area 1081	15
Couse	EF	Any	<del>((Oct. 26 – Nov. 8))</del> <u>Oct. 31 - Nov. 13</u>	Antlerless	Elk Area 1081	<del>((40))</del> <u>30</u>
<del>((George Creek</del>	EF	Any	Oct. 12 - Nov. 19	Antlerless	Elk Area 1082	5))
Malaga	EF	Any	Sept. <del>((9-20))</del> <u>7-18</u>	Antlerless	Elk Area 2032	20
Malaga	EF	Any	Nov. <del>((4))</del> <u>3</u> - Dec. 31	Antlerless	Elk Area 2032	55
Colockum	EF	Any	<del>((Oct. 30 – Nov. 3))</del> <u>Nov. 4-8</u>	Antlerless	GMUs 328, 329	<del>((100))</del> <u>50</u>
West Bar	EF	Any	<del>((Oct. 26-29))</del> <u>Oct. 31 - Nov. 3</u>	Antlerless	GMU 330	5
West Bar	EF	Any	<del>((Oct. 30 – Nov. 3))</del> <u>Nov. 4-8</u>	Antlerless	GMU 330	5
Teanaway	EF	Any	<del>((Oct. 30 – Nov. 3))</del> <u>Nov. 4-8</u>	Antlerless	GMU 335	<del>((30))</del> <u>25</u>
Taneum	EF	Any	<del>((Oct. 30 – Nov. 3))</del> <u>Nov. 4-8</u>	Antlerless	GMU 336	<del>((35))</del> <u>25</u>
Manastash	EF	Any	<del>((Oct. 30 – Nov. 3))</del> <u>Nov. 4-8</u>	Antlerless	GMU 340	<del>((30))</del> <u>25</u>

<b>Antlerless Elk</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Umtanum	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 342	25
Little Naches	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 346	<del>((35))</del> 30
Nile	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 352	10
Bumping	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 356	<del>((20))</del> 15
Bethel	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 360	10
Rimrock	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 364	15
Cowiche	EF	Any	<del>((Oct. 30 – Nov. 3))</del> Nov. 4-8	Antlerless	GMU 368	15
Alkali	EF	Any	<del>((Oct. 14 – Nov. 1))</del> Oct. 12-30	Antlerless	GMU 371	<del>((20))</del> 25
North Bend	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	Elk Area 4601	5
Green River	WF, WA, WM	Any	<del>((Nov. 2-8))</del> Oct. 17-23	Antlerless	GMU 485	<del>((10))</del> 12
Mossyrock	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 505	20
Willapa Hills	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 506	<del>((25))</del> 20
Winston	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 520	<del>((25))</del> 10
Margaret	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 524 (except <b>CLOSED</b> in Elk Area 5066)	5
Ryderwood	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 530	15
Coweman	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 550	<del>((15))</del> 10
Toutle	WF	Any	Nov. 20-30	Antlerless	GMU 556	<del>((15))</del> 5
Lewis River	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 560	<del>((25))</del> 15
Washougal	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 568	<del>((20))</del> 10
Siouxon	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 572	<del>((15))</del> 10
Wind River	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 574	<del>((25))</del> 15
West Klickitat	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 578	<del>((45))</del> 30
<del>((Upper Smith-Creek</del>	WF	Any	Oct. 17-23	Antlerless	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. 17-23	Antlerless	Elk Area 5065	4)
Norway Pass	WF	Any	Oct. 17-23	Antlerless	Elk Area 5066	<del>((5))</del> 3
Mudflow	WF	Any	Nov. <del>((2-13))</del> 7-18	Antlerless	Elk Area 5099	<del>((5))</del> 3
Mallis	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Mallis	WF	Any	Jan. 1-20, <del>((2020))</del> 2021	Antlerless	Elk Area 6010	20
Puyallup	WF	Any	<del>((Dec. 28, 2019 – Jan. 15, 2020))</del> Jan. 1-20, 2021	Antlerless	Elk Area 6014	10
Puyallup	WF	Any	<del>((Jan. 16 – Feb. 5, 2020))</del> Jan. 21 - Feb. 10, 2021	Antlerless	Elk Area 6014	10

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Puyallup	WF	Any	<del>((Feb. 6-23, 2020))</del> <u>Feb. 11-28, 2021</u>	Antlerless	Elk Area 6014	10
Hanaford	WF	Any	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	Elk Area 6069	5
Williams Creek	WF	Any	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 673	50
Long Beach	WF	Any	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 684	6
Turnbull	EA	Any	Sept. <del>((7-19))</del> <u>12-24</u>	Antlerless	Elk Area 1015	12
Malaga	EA	Any	<del>((Sept. 1-7))</del> <u>Aug. 30 - Sept. 5</u>	Antlerless	Elk Area 2032	20
Margaret	WA	Any	Sept. <del>((7-19))</del> <u>12-24</u> and Dec. 1-15	Antlerless	GMU 524 (except <b>CLOSED</b> in Elk Area 5066)	5
Toutle	WA	Any	Sept. <del>((7-19))</del> <u>12-24</u> and Dec. 1-15	Antlerless	GMU 556	<del>((15))</del> <u>10</u>
<del>((Upper Smith-Creek</del>	<del>WA</del>	<del>Any</del>	<del>Oct. 1-7</del>	<del>Antlerless</del>	<del>Elk Area 5064</del>	<del>2))</del>
Norway Pass	WA	Any	Oct. 1-7	Antlerless	Elk Area 5066	3
Mudflow	WA	Any	<del>((Sept. 7-13 and Nov. 15-20))</del> <u>Sept. 5-11 and Nov. 19-23</u>	Antlerless	Elk Area 5099	<del>((7))</del> <u>5</u>
Lewis River	WA	Any	Nov. <del>((27))</del> <u>25</u> - Dec. 8	Antlerless	GMU 560	5
Siouxon	WA	Any	Nov. <del>((27))</del> <u>25</u> - Dec. 8	Antlerless	GMU 572	3
Wynoochee	WA	Any	Nov. <del>((27))</del> <u>25</u> - Dec. 15	Antlerless	GMU 648	<del>((110))</del> <u>100</u>
North Half	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	GMUs 101, 105, 204	10
Douglas	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	GMU 108	5
Aladdin	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	GMU 111	10
Selkirk	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u> and Dec. 16-31	Antlerless	GMU 117	20
Huckleberry	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	GMU 121	10
Turnbull	EM	Any	<del>((Oct. 8-13))</del> <u>Nov. 28 - Dec. 3</u>	Antlerless	Elk Area 1015	8
Turnbull	EM	Any	<del>((Nov. 30 - Dec. 5))</del> <u>Dec. 15-20</u>	Antlerless	Elk Area 1015	8
Blue Creek	EM	Any	<del>((Dec. 9, 2019 - Jan. 20, 2020))</del> <u>Dec. 9, 2020 - Jan. 20, 2021</u>	Antlerless	GMU 154	15
Mountain View	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	Elk Area 1013	20
Mayview-Peola	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	GMUs 145, 178	20
Couse	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	Elk Area 1081	<del>((20))</del> <u>10</u>
Couse	EM	Any	<del>((Dec. 1, 2019 - Jan. 20, 2020))</del> <u>Dec. 1, 2020 - Jan. 20, 2021</u>	Antlerless	Elk Area 1081 and Elk Area 1075	35
<del>((George Creek</del>	<del>EM</del>	<del>Any</del>	<del>Sept. 28 - Oct. 11 and Nov. 20 - Dec. 31</del>	<del>Antlerless</del>	<del>Elk Area 1082</del>	<del>5))</del>
Malaga	EM	Any	Oct. <del>((5-11))</del> <u>3-9</u>	Antlerless	Elk Area 2032	45
Colockum	EM	Any	Oct. <del>((5-11))</del> <u>3-11</u>	Antlerless	GMUs 328, 329	<del>((50))</del> <u>35</u>
West Bar	EM	Any	Oct. <del>((5-11))</del> <u>3-11</u>	Antlerless	GMU 330	5
Teanaway	EM	Any	Oct. <del>((5-11))</del> <u>3-11</u>	Antlerless	GMU 335	<del>((10))</del> <u>20</u>

<b>Antlerless Elk</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Taneum	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 336	((25)) <u>20</u>
Manastash	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 340	((25)) <u>20</u>
Umtanum	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 342	20
Nile	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 352	10
Bumping	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 356	10
Bethel	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 360	10
Cowiche	EM	Any	Oct. ((5-11)) <u>3-11</u>	Antlerless	GMU 368	10
Alkali	EM	Any	((Sept. 23 – Oct. 13)) <u>Sept. 21 - Oct. 11</u>	Antlerless	GMU 371	((40)) <u>20</u>
Willapa Hills	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 506	15
Mudflow	WM	Any	Oct. ((5-15)) <u>3-13</u>	Antlerless	Elk Area 5099	4
Winston	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 520	((15)) <u>5</u>
Margaret	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 524 (except <b>CLOSED</b> in Elk Area 5066)	5
Ryderwood	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 530	10
Coweeman	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 550	((15)) <u>10</u>
Yale	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 554	((20)) <u>10</u>
Yale	WM	Any	Nov. ((27)) <u>25</u> - Dec. 15	Antlerless	GMU 554	((15)) <u>10</u>
Toutle	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 556	((15)) <u>10</u>
Lewis River	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 560	((40)) <u>5</u>
Washougal	WM	Any	Nov. ((27)) <u>25</u> - Dec. 8	Antlerless	GMU 568	((20)) <u>10</u>
Siouxon	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMU 572	5
Wind River	WM	Any	Nov. ((27)) <u>25</u> - Dec. 8	Antlerless	GMU 574	((30)) <u>20</u>
<del>(Upper Smith-Creek</del>	<del>WM</del>	<del>Any</del>	<del>Oct. 9-15</del>	<del>Antlerless</del>	<del>Elk Area 5064</del>	<del>2))</del>
Mount Whittier	WM	Any	Oct. 9-15	Antlerless	Elk Area 5065	1
Norway Pass	WM	Any	Oct. 9-15	Antlerless	Elk Area 5066	2
Mallis	WM	Any	Oct. ((5-11)) <u>3-9</u>	Antlerless	Elk Area 6010	10
Mashel	WM	Any	((Dec. 28, 2019 – Jan. 11, 2020)) <u>Jan. 1-15, 2021</u>	Antlerless	Elk Area 6054	20
North River	WM	Any	Nov. ((17)) <u>19</u> - Dec. 15	Antlerless	GMU 658	20
Forks <sup>‡</sup>	WF, WM, WA	Any	Jan. 1-31, ((2020)) <u>2021</u>	Antlerless	Elk Area 6612	20

<b>Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
Turnbull	EF	Youth	Nov. ((23-28)) <u>21-26</u>	Antlerless	Elk Area 1015	5
Turnbull	EF	Youth	Nov. ((23-28)) <u>21-26</u>	Spike bull only	Elk Area 1015	1
Aladdin	EF	Youth	((Oct. 26 – Nov. 3)) <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 111	5
Selkirk	EF	Youth	((Oct. 26 – Nov. 3)) <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 113	5

<b>Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
<b>Hunt Name</b>	<b>Weapon/Tag</b>	<b>Hunters</b>	<b>Hunt Dates</b>	<b>Special Restrictions</b>	<b>Boundary</b>	<b>Permits</b>
49 Degrees North	EF	Youth	<del>((Oct. 26 - Nov. 3))</del> <u>Oct. 31 - Nov. 8 and Dec. 16-31</u>	Antlerless	GMU 117	5
Mayview-Peola	EF	Youth	<del>((Oct. 26 - Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMUs 145, 178	5
Blue Creek	EF	Youth	<del>((Oct. 26 - Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 154	3
<del>(Dayton)</del>	EF	<del>Youth</del>	<del>Oct. 26 - Nov. 3</del>	<del>Antlerless</del>	<del>GMU 162</del>	<del>3</del> )
<del>Ten Ten</del>	EF	<del>Youth</del>	<del>Oct. 31 - Nov. 8</del>	<del>Antlerless</del>	<del>Elk Area 1010</del>	<del>3</del>
Ten Forty	EF	Youth	Oct. <del>((12-20))</del> <u>17-25</u>	Antlerless	Elk Area 1040	<del>((5))</del> <u>3</u>
Couse	EF	Youth	<del>((Oct. 26 - Nov. 3))</del> <u>Oct. 31 - Nov. 8</u>	Antlerless	Elk Area 1081	10
Malaga	EF	Youth	Nov. <del>((4-15))</del> <u>2-13</u>	Antlerless	Elk Area 2032	10
Colockum	EF	Youth	<del>((Oct. 30 - Nov. 11))</del> <u>Nov. 4-11</u>	Antlerless	GMUs 328, 329, 335	<del>((25))</del> <u>20</u>
Yakima North	EF	Youth	<del>((Oct. 30 - Nov. 11))</del> <u>Nov. 4-11</u>	Antlerless	GMUs 336, 340, 342, 346	<del>((15))</del> <u>10</u>
Yakima Central	EF	Youth	<del>((Oct. 30 - Nov. 11))</del> <u>Nov. 4-11</u>	Antlerless	GMUs 352, 356, 360	5
Yakima South	EF	Youth	<del>((Oct. 30 - Nov. 11))</del> <u>Nov. 4-11</u>	Antlerless	GMUs 364, 368	5
<u>Alkali</u>	EF	<u>Youth</u>	<u>Dec. 14, 2020 - Jan. 3, 2021</u>	<u>Antlerless</u>	<u>GMU 371</u>	<u>20</u>
Colockum	EM	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Oct. 3-11</u>	Antlerless	GMUs 328, 329, 335	10
Yakima North	EM	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Oct. 3-11</u>	Antlerless	GMUs 336, 340, 342, 346	10
Yakima Central	EM	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Oct. 3-11</u>	Antlerless	GMUs 352, 356, 360	10
Yakima South	EM	Youth	<del>((Sept. 28 - Oct. 6))</del> <u>Oct. 3-11</u>	Antlerless	GMUs 364, 368	10
<u>Alkali</u>	EM	<u>Youth</u>	<u>Nov. 21 - Dec. 13</u>	<u>Antlerless</u>	<u>GMU 371</u>	<u>10</u>
North Bend	WF, WM, WA	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	Elk Area 4601	5
Skagit River	WF, WM, WA	Youth	<del>((Nov. 9 - Dec. 1 and Dec. 16-31))</del> <u>Nov. 7-29 and Dec. 14-29</u>	Antlerless	Elk Area 4941	5
Mudflow	WF, WM, WA	Youth	Nov. 21-30	Any bull	Elk Area 5099	5
Mudflow	WF, WM, WA	Youth	<del>((Oct. 26 - Nov. 1 and Nov. 25-30))</del> <u>Oct. 24 - Nov. 1</u>	Antlerless	Elk Area 5099	5
Coweeman	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 550	<del>((15))</del> <u>10</u>
Toutle	WF	Youth	Nov. 20-30	Antlerless	GMU 556	<del>((20))</del> <u>10</u>
Lewis River	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 560	5
Wind River	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 574	5
West Klickitat	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 578	<del>((15))</del> <u>10</u>
Region 5	WF, WM( <del>, WA</del> )	Youth with mentor	<del>((Aug. 1, 2019 - Mar. 31, 2020))</del> <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in Region 5	10 <sup>HC</sup>
Peninsula	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMUs 602, 607, 612, 615	4
Clearwater	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 615	5
Matheny	WF	Youth	Nov. <del>((2-13))</del> <u>7-18</u>	Antlerless	GMU 618	5

<b>Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Wynoochee	WF	Youth	Nov. ((2-13)) <u>7-18</u>	Antlerless	GMU 648	10
North River	WF	Youth	Nov. ((2-13)) <u>7-18</u>	Antlerless	GMU 658	5
Williams Creek	WF	Youth	Nov. ((2-13)) <u>7-18</u>	Antlerless	GMU 673	10
Mallis	WF	Youth	(( <del>Dec. 16, 2019 - Jan. 20, 2020</del> )) <u>Dec. 16, 2020 - Jan. 20, 2021</u>	Antlerless	Elk Area 6010	10
Peninsula	WA	Youth	Sept. ((7-19)) <u>12-24</u>	Antlerless	GMUs 602, 607, 612, 615	2
Peninsula	WM	Youth	Oct. ((5-11)) <u>3-9</u>	Antlerless	GMUs 602, 607, 612, 615	2
Forks <sup>z</sup>	WF, WM, WA	Youth	Dec. 16-31	Antlerless	Elk Area 6612	10
Region 6	WF	Youth with mentor	(( <del>Aug. 1, 2019 - Mar. 31, 2020</del> )) <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in Region 6	(( <del>5<sup>HC</sup></del> ) <u>7<sup>HC</sup></u> )

<b>65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Northeast	EF	65+	(( <del>Oct. 26 - Nov. 3</del> )) <u>Oct. 31 - Nov. 8</u> and Dec. 16-31	Antlerless	GMUs 113, 117	10
Prescott	EF	65+	(( <del>Oct. 26 - Nov. 3</del> )) <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 149	3
Blue Creek	EF	65+	(( <del>Oct. 26 - Nov. 3</del> )) <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 154	1
(( <del>Dayton</del> ) <u>Marengo</u> )	EF	65+	<u>Oct. 26 - Nov. 3</u>	Antlerless	GMU 163	( <del>4</del> ) <u>1</u> )
Peola	EF	65+	(( <del>Oct. 26 - Nov. 3</del> )) <u>Oct. 31 - Nov. 8</u>	Antlerless	GMU 178	3
Malaga	EF	65+	Nov. ((4-15)) <u>2-13</u>	Antlerless	Elk Area 2032	10
Colockum	EF	65+	(( <del>Oct. 30 - Nov. 11</del> )) <u>Nov. 4-11</u>	Antlerless	GMUs 328, 329, 335	10
Yakima North	EF	65+	(( <del>Oct. 30 - Nov. 11</del> )) <u>Nov. 4-11</u>	Antlerless	GMUs 336, 340, 342, 346	10
Yakima Central	EF	65+	(( <del>Oct. 30 - Nov. 11</del> )) <u>Nov. 4-11</u>	Antlerless	GMUs 352, 356, 360	5
Yakima South	EF	65+	(( <del>Oct. 30 - Nov. 11</del> )) <u>Nov. 4-11</u>	Antlerless	GMUs 364, 368	5
Alkali	EF	65+	(( <del>Oct. 14 - Nov. 4</del> )) <u>Oct. 11-30</u>	Antlerless	GMU 371	10
North Bend	WF, WM, WA	65+	Nov. ((2-13)) <u>7-18</u>	Antlerless	Elk Area 4601	5
Colockum	EM	65+	(( <del>Sept. 28 - Oct. 6</del> )) <u>Oct. 3-11</u>	Antlerless	GMUs 328, 329, 335	5
Yakima North	EM	65+	(( <del>Sept. 28 - Oct. 6</del> )) <u>Oct. 3-11</u>	Antlerless	GMUs 336, 340, 342, 346	5
Yakima Central	EM	65+	(( <del>Sept. 28 - Oct. 6</del> )) <u>Oct. 3-11</u>	Antlerless	GMUs 352, 356, 360	5
Ryderwood	WF	65+	Nov. ((2-13)) <u>7-18</u>	Antlerless	GMU 530	(( <del>4</del> ) <u>5</u> )
Willapa Hills	WF	65+	<u>Nov. 7-18</u>	Antlerless	GMU 506	<u>5</u>
Skagit River	WF, WM, WA	65+	(( <del>Nov. 9 - Dec. 1 and Dec. 16-31</del> )) <u>Nov. 7-29 and Dec. 14-29</u>	Antlerless	Elk Area 4941	5
Peninsula	WF	65+	Nov. ((2-13)) <u>7-18</u>	Antlerless	GMUs 602, 607, 612, 615	3
Centralia Mine	WF	65+	Sept. ((7-8)) <u>5-6</u>	Antlerless	Elk Area 6011	5

<b>65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Hanaford	WF, WM, WA	65+	<del>((Dec. 28, 2019 – Jan. 11, 2020))</del> Jan. 1-15, 2021	Antlerless	Elk Area 6069	5
Hanaford	WF, WM, WA	65+	Jan. <del>((12-26, 2020))</del> 16-31, 2021	Antlerless	Elk Area 6069	5
Peninsula	WA	65+	Sept. <del>((7-19))</del> 12-24	Antlerless	GMUs 602, 607, 612, 615	1
Peninsula	WM	65+	Oct. <del>((5-11))</del> 3-9	Antlerless	GMUs 602, 607, 612, 615	1
Forks <sup>v</sup>	WF, WM, WA	65+	Dec. 16-31	Antlerless	Elk Area 6612	10

<b>Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Northeast	EF	Hunters w/ Disabilities	<del>((Oct. 26 – Nov. 3))</del> Oct. 31 - Nov. 8 and Dec. 16-31	Antlerless	GMUs 113, 117	4
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. <del>((1-6))</del> 7-12	Antlerless	Elk Area 1015	5
Prescott	EF	Hunters w/ Disabilities	<del>((Oct. 26 – Nov. 3))</del> Oct. 31 - Nov. 8	Antlerless	GMU 149	3
Blue Creek	EF	Hunters w/ Disabilities	<del>((Oct. 26 – Nov. 3))</del> Oct. 31 - Nov. 8	Antlerless	GMU 154	1
Dayton	EF	Hunters w/ Disabilities	<del>((Oct. 26 – Nov. 3))</del> Oct. 31 - Nov. 8	Antlerless	GMU 163	1
Peola	EF	Hunters w/ Disabilities	<del>((Oct. 26 – Nov. 3))</del> Oct. 31 - Nov. 8	Antlerless	GMU 178	3
Observatory	EF, EM, EA	Hunters w/ Disabilities	<del>((Oct. 21 – Nov. 3))</del> Oct. 26 - Nov. 8	Any bull	GMUs 334, 340, 342	<del>((4))</del> 3
Little Naches	EF, EM, EA	Hunters w/ Disabilities	<del>((Sept. 28 – Oct. 6))</del> Oct. 3-11	Any bull	GMU 346	<del>((4))</del> 3
Malaga	EF, EM, EA	Hunters w/ Disabilities	Sept. <del>((9-20))</del> 7-18	Antlerless	Elk Area 2032	10
Colockum	EF, EM, EA	Hunters w/ Disabilities	<del>((Oct. 30 – Nov. 11))</del> Nov. 4-11	Antlerless	GMUs 328, 329, 335	10
Yakima North	EF, EM, EA	Hunters w/ Disabilities	<del>((Oct. 30 – Nov. 11))</del> Nov. 4-11	Antlerless	GMUs 336, 340, 342, 346	10
Yakima Central	EF, EM, EA	Hunters w/ Disabilities	<del>((Oct. 30 – Nov. 11))</del> Nov. 4-11	Antlerless	GMUs 352, 356, 360	5
Yakima South	EF, EM, EA	Hunters w/ Disabilities	<del>((Oct. 30 – Nov. 11))</del> Nov. 4-11	Antlerless	GMUs 364, 368	5
Alkali	EF, EM, EA	Hunters w/ Disabilities	<del>((Oct. 14 – Nov. 1))</del> Oct. 11-30	Any bull	GMUs 334, 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. 22-29	Any elk	Elk Area 3721	2
North Bend	WF, WM, WA	Hunters w/ Disabilities	Nov. <del>((2-13))</del> 7-18	Antlerless	Elk Area 4601	5
Skagit River	WF, WM, WA	Hunters w/ Disabilities	<del>((Nov. 9 – Dec. 1 and Dec. 16-31))</del> Nov. 7-29 and Dec. 14-29	Antlerless	Elk Area 4941	5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. <del>((18-24))</del> 14-20	Antlerless	Elk Area 5099	5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. <del>((24-30))</del> 22-28	Any bull	Elk Area 5099	5
Washougal	WF	Hunters w/ Disabilities	Nov. <del>((2-13))</del> 7-18	Antlerless	GMU 568	<del>((10))</del> 5

<b>Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.</b>						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Region 5	WF, WM( <del>(WA)</del> )	Hunters w/ Disabilities	(( <del>Aug. 1, 2019 – Mar. 31, 2020</del> )) <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in Region 5	(( <del>10<sup>HC</sup></del> )) <u>5<sup>HC</sup></u>
Centralia Mine	WF	Hunters w/ Disabilities	Oct. ( <del>(5-6)</del> ) <u>10-11</u>	Antlerless	Designated Areas in Elk Area 6011	5
Peninsula	WF	Hunters w/ Disabilities	Nov. ( <del>(2-13)</del> ) <u>7-18</u>	Antlerless	GMUs 602, 607, 612, 615	3
Peninsula	WM	Hunters w/ Disabilities	Oct. ( <del>(5-11)</del> ) <u>3-9</u>	Antlerless	GMUs 602, 607, 612, 615	1
Peninsula	WA	Hunters w/ Disabilities	Sept. ( <del>(7-19)</del> ) <u>12-24</u>	Antlerless	GMUs 602, 607, 612, 615	1

**Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, one elk may be killed in the unit under the authorization of the special permit.**

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. ( <del>(19-31)</del> ) <u>22-31</u>	Antlerless	Elk Area 1015	5
Region 1	EF, EA, EM/ 2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>Aug. 1, 2019 – Mar. 31, 2020</del> )) <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Region 1	20 <sup>HC</sup>
Region 2	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>Aug. 1, 2019 – Mar. 31, 2020</del> )) <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in Region 2	10 <sup>HC</sup>
Fairview	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>Oct. 26, 2019 – Mar. 31, 2020</del> )) <u>Oct. 26, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in GMUs 328-368	(( <del>30<sup>HC</sup></del> )) <u>20<sup>HC</sup></u>
Region 3	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>Aug. 1, 2019 – Mar. 31, 2020</del> )) <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in Region 3	(( <del>25<sup>HC</sup></del> )) <u>20<sup>HC</sup></u>
Rattlesnake Hills	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>Aug. 1, 2019 – Mar. 31, 2020</del> )) <u>Aug. 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in GMU 372	20 <sup>HC</sup>
Region 4 North	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>July 1, 2019 – Mar. 31, 2020</del> )) <u>July 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in Whatcom and Skagit counties	13 <sup>HC</sup>
Region 4 South	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	(( <del>July 1, 2019 – Mar. 31, 2020</del> )) <u>July 1, 2020 - Mar. 31, 2021</u>	Antlerless	Designated Areas in King and Snohomish counties	10 <sup>HC</sup>
Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Oct. 9-15	Antlerless	Elk Area 5063	2
Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Oct. 17-23	Antlerless	Elk Area 5063	(( <del>5</del> )) <u>3</u>
((Pumice Plains	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Nov. 2-13	Antlerless	Elk Area 5063	2))
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	5

**Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned by the hunt coordinator for each hunt. For those hunts requiring the purchase of a master hunter second tag, one elk may be killed in the unit under the authorization of the special permit.**

Hunt Name	Weapon/Tag	Requirements	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Jan. 1-15, ((2020)) 2021	Antlerless	Elk Area 5062	5
Trout Lake**	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Jan. 16-30, ((2020)) 2021	Antlerless	Elk Area 5062	5
((JBH*))	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	Nov. 1 - Dec. 31	Antlerless	Elk Area 5090	5 <sup>HC</sup> )
Region 5	Any western elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	((Aug. 1, 2019 - Mar. 31, 2020)) Aug. 1, 2020 - Mar. 31, 2021	Antlerless	Designated Areas in Region 5	((30 <sup>HC</sup> ) 20 <sup>HC</sup> )
Long Beach	Any elk tag/2nd elk tag	Master Hunter elk tag required	Master Hunter	((July 1, 2019 - Mar. 31, 2020)) July 1, 2020 - Mar. 31, 2021	Antlerless	GMU 684	5
Region 6	WF, WA, WM/2nd elk tag	Master Hunter elk tag required	Master Hunter	((July 1, 2019 - Mar. 31, 2020)) July 1, 2020 - Mar. 31, 2021	Antlerless	Designated Areas in Region 6	30 <sup>HC</sup>

\* Muzzleloader only, scopes allowed.

\*\* May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).

¥ Must use only archery, muzzleloader, or legal shotgun (10 or 12 gauge; slugs only).

HC This is a damage hunt administered by a WDFW designated hunt coordinator. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year, depending on elk damage activity for that year.

Hunter Education Instructor Incentive Permits				
<ul style="list-style-type: none"> <li>- Special elk permits will be allocated through a random drawing to those hunter education instructors who qualify.</li> <li>- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment or archery equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons. Hunter orange and/or hunter pink is required during modern firearm seasons.</li> <li>- Except for online class incentive permits and chief instructor incentive permits, qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing.</li> <li>- Permittees may purchase a second license for use with the permit hunt only.</li> <li>- Qualified hunter education instructors may only receive one incentive permit each year.</li> </ul>				
Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit. Not eligible for seasons and permits for auction hunts; raffle hunts; and hunts for master hunters, youth hunters, hunters with disabilities, or hunters 65 years and older, unless the hunter education instructor legally qualifies for such hunts.	Any bull	GMUs ((336-346)) 336-368	1
((Region-3))		((Any bull	GMUs 352-360	4))
((Region-3))		((Any bull	GMUs 364-368	4))
Region 5		Any elk	382, 388 and all 500 series GMUs EXCEPT GMU 522	2
Region 6		Any elk	GMUs 618, 638-648, 654, 658, 663, 672, 699	1

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-415-070 ((2019)) 2020 Moose seasons, permit quotas, and areas.** (1) It is unlawful to fail to comply with the provisions of this section. A violation of this section is punishable under RCW 77.15.410((;)) Unlawful hunting of big game—Penalty.

(2) **Moose Permit Hunts**

(a) **Who May Apply:**

(i) **Any antlered bull moose category:** An individual may only harvest one moose under the "any antlered bull moose" or "any moose" category during his or her lifetime. Applications will not be accepted from hunters having previously harvested a moose in the "any moose" or "any antlered bull moose" category.

(ii) **Antlerless only, youth antlerless, over-65 antlerless, disabled-antlerless, hunter-education antlerless, auction moose, raffle moose:** Anyone may apply.

(b) **Bag Limit:** One moose except where otherwise permitted by department rule, even if permits are drawn for more than one moose hunt category.

(c) **Weapon Restrictions:** Permit holders may use any legal weapon.

(d) **Submitting moose teeth:** Successful moose hunters must submit an incisor tooth from the lower jaw, either in person at a WDFW office, or via the postage-paid envelope supplied, no later than sixty days after harvest.

(e) **Any antlered bull moose seasons:** Open only to the taking of moose with visible antlers (bull calves illegal).

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
<b>Any antlered bull moose</b>				
Kettle Range-East Okanogan 101, 105, 204		Oct. 1 - Nov. 30	GMUs 101, 105, 204	10
Douglas A - Early		Oct. 1-31	GMU 108	3
Douglas A - Late		Nov. 1-30	GMU 108	3
Aladdin A - Early		Oct. 1-31	GMU 111	3
Aladdin A - Late		Nov. 1-30	GMU 111	3
Selkirk 113		Oct. 1 - Nov. 30	GMU 113	15
49 Degrees North A - Early		Oct. 1-31	GMU 117	12
49 Degrees North A - Late		Nov. 1-30	GMU 117	12
Huckleberry A - Early		Oct. 1-31	GMU 121	10
Huckleberry A - Late		Nov. 1-30	GMU 121	10
Spokane West A		Oct. 1 - Nov. 30	GMU 124 w of Hwy 395	((4)) <u>2</u>
Mt Spokane South A		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North A		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	8
Hangman		Oct. 1 - Nov. 30	GMU 127 & 130	4
<b>Antlerless only -</b>				
Douglas 108 B		Oct. 1 - Nov. 30	GMU 108	2
Aladdin 111 B		Oct. 1 - Nov. 30	GMU 111	2
49 Degrees North B		Oct. 1 - Nov. 30	GMU 117	4
Huckleberry B		Oct. 1 - Nov. 30	GMU 121	10
Spokane West B		Oct. 1 - Nov. 30	GMU 124 w of Hwy 395	2
Mt Spokane South B		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	((4)) <u>2</u>
Mt Spokane North B		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	((4)) <u>2</u>
Mica Peak		Oct. 1 - Nov. 30	GMU 127	((4)) <u>2</u>
Cheney B		Oct. 1 - Nov. 30	GMU 130	2
<b>Youth Only - Antlerless</b>				
	a			
Mt Spokane South Y		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	1
<b>65 Year and over - Antlerless</b>				
	c			
49 Degrees North V		Oct. 1 - Nov. 30	GMU 117	2
Huckleberry V		Oct. 1 - Nov. 30	GMU 121	2
<b>Disabled hunter - Antlerless</b>				
	b			

Hunt Name	Notes	Permit Season	GMU or boundary	Permits
49 Degrees North D		Oct. 1 - Nov. 30	GMU 117	3
Mt Spokane North D		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	1
<b>Hunter Education Antlerless</b>	d			
			GMU 101, 105,108, 111,113,117,121	1

<sup>a</sup>Applicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter during the hunt.

<sup>b</sup>Applicants must possess a Disabled Hunter Permit.

<sup>c</sup>Applicants must be eligible to purchase a 65 years of age or older permit application.

<sup>d</sup>Applicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

Note: Moose Area 3 (Parker Lake) is closed to all moose hunters, except those with a Parker Lake special permit. Special permits (both archery and muzzleloader) for Moose Area 3 are temporarily suspended for hunting season 2019 due to local land uses that conflict with hunting (i.e., no permits will be offered in 2019). If reopened in future years, applicants should take note that this special hunt is authorized under an agreement with the U.S. Air Force Survival School on a trial basis and will be evaluated based on student safety each year for continuation.

<sup>HEII</sup>Only qualifying hunter education instructors may apply.

**(3) Moose Areas:**

**(a) Moose Area 1:** South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

**(b) Moose Area 2:** North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

**(c) Moose Area 3:** Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Rd (USFS Road 2489), north of Tacoma Creek Rd (USFS Road 2389), and west of Bonneville Power Administration power lines.

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-415-120 ((2019)) 2020 Bighorn sheep seasons and permit quotas.** (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

**(2) Bighorn Sheep Permit Hunts**

**(a) Who May Apply:** Anyone may apply, EXCEPT those who previously harvested a bighorn sheep in Washington state. An individual may only harvest one bighorn ram during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a bighorn sheep under a ewe-only, juvenile ram, raffle, or auction permit, as well as for applications for a ewe-only, juvenile ram, raffle, or auction permit.

**(b) Bag Limit:** One ~~((bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe))~~ (1) bighorn sheep except where otherwise permitted by department rule, even if permits are drawn for more than one bighorn sheep hunt category.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
<b>Ram (male) bighorn sheep only</b>				
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	((+))
Lincoln Cliffs A	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	2
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	2
Chelan Butte A	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	2
Chelan Butte B	Oct. 11 - Nov. 15	Sheep Unit 18	Any Legal Weapon	2
Manson	Nov. ((7)) 9 - Nov. 30	Sheep Unit 16	Any Legal Weapon	2

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Selah Butte	Nov. ((7)) <u>2</u> - Nov. 30	Sheep Unit 4	Any Legal Weapon	((4)) <u>3</u>
Umtanum	Sept. 15 - Oct. ((40)) <u>2</u>	Sheep Unit 5	Any Legal Weapon	((4)) <u>3</u>
Cleman Mountain A	Sept. 15 - Oct. ((40)) <u>2</u>	Sheep Unit 7	Any Legal Weapon	((4)) <u>5</u>
Quilomene	Sept. 15 - Oct. ((40)) <u>2</u>	Sheep Unit 13	Any Legal Weapon	5
<b>Ewe (female) bighorn sheep only</b>				
Lincoln Cliffs Whitestone Unit	Oct. 1-10	Sheep Unit 12 west of Mount View Rd <sup>d</sup>	Adult ewe only Any Legal Weapon	1
<del>(Lincoln Cliffs Lincoln Unit</del>	<del>Oct. 1-10</del>	<del>Sheep Unit 12 east of Mount View Rd<sup>d</sup></del>	<del>Adult ewe only Any Legal Weapon</del>	<del>4))</del>
Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	
Mt. Hull C (youth hunter) <sup>a</sup>	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	
Chelan Butte C	Sept. 15 - Oct. 10	Sheep Unit 18	Adult ewe only Any Legal Weapon	4
Chelan Butte D (disabled hunter) <sup>b</sup>	Oct. 11-31	Sheep Unit 18	Adult ewe only Any Legal Weapon	3
Cleman Mountain B	Oct. ((41-34)) <u>10-31</u>	Sheep Unit 7	Adult ewe only Any Legal Weapon	10
Selah Butte North	<del>((Sept. 16 - Oct. 11))</del> <u>Sept. 14 - Oct. 12</u>	Sheep Unit 4A	Adult ewe <del>((or Juvenile-ram</del>	<del>5))</del> <u>4</u>
Selah Butte North (youth hunter)	<del>((Sept. 16 - Oct. 11))</del> <u>Sept. 12 - Oct. 12</u>	Sheep Unit 4A	Adult ewe <del>((or Juvenile-ram))</del>	2
Mount Baldy	<del>((Sept. 16 - Oct. 11))</del> <u>Sept. 14 - Oct. 12</u>	Sheep Unit 4B	Adult ewe <del>((or Juvenile-ram</del>	<del>5))</del> <u>4</u>
Mount Baldy (youth hunter)	<del>((Sept. 16 - Oct. 11))</del> <u>Sept. 12 - Oct. 12</u>	Sheep Unit 4B	Adult ewe <del>((or Juvenile-ram))</del>	2
Selah Butte South	<del>((Sept. 16 - Oct. 11))</del> <u>Sept. 14 - Oct. 12</u>	Sheep Unit 4C	Adult ewe <del>((or Juvenile-ram</del>	<del>5))</del> <u>4</u>
Selah Butte South (youth hunter)	<del>((Sept. 16 - Oct. 11))</del> <u>Sept. 12 - Oct. 12</u>	Sheep Unit 4C	Adult ewe <del>((or Juvenile-ram</del>	<del>2))</del> <u>1</u>
Umtanum North	<del>((Nov. 4 - Nov. 17))</del> <u>Nov. 9-22</u>	Sheep Unit 5A	Adult ewe <del>((or Juvenile-ram))</del>	5
Umtanum North (youth hunter)	<del>((Nov. 4 - Nov. 17))</del> <u>Nov. 9-29</u>	Sheep Unit 5A	Adult ewe <del>((or Juvenile-ram</del>	<del>2))</del> <u>1</u>
Umtanum South	<del>((Nov. 4 - Nov. 17))</del> <u>Nov. 9-22</u>	Sheep Unit 5B	Adult ewe <del>((or Juvenile-ram))</del>	5
Umtanum South	<del>((Nov. 18 - Dec. 1))</del> <u>Nov. 23 - Dec. 6</u>	Sheep Unit 5B	Adult ewe <del>((or Juvenile-ram))</del>	5
<del>((Umtanum South</del>	<del>Dec. 2 - Dec. 15</del>	<del>Sheep Unit 5B</del>	<del>Adult ewe or Juvenile-ram</del>	<del>5))</del>
Umtanum South (youth hunter)	<del>((Nov. 4 - Dec. 15))</del> <u>Nov. 9-29</u>	Sheep Unit 5B	Adult ewe <del>((or Juvenile-ram</del>	<del>3))</del> <u>2</u>

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Cleman Mountain C	Nov. (( <del>1-18</del> )) <u>9-29</u>	Sheep Unit 7	Adult ewe only Any Legal Weapon	8
Cleman Mountain D (youth hunter) <sup>a</sup>	Nov. (( <del>1-18</del> )) <u>9-29</u>	Sheep Unit 7	Adult ewe only Any Legal Weapon	2
<b>Juvenile ram (male) bighorn sheep only</b>				
Chelan Butte E (disabled hunter) <sup>b</sup>	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Juvenile ram <sup>c</sup>	2
<u>Selah Butte North</u>	<u>Sept. 14 - Oct. 12</u>	<u>Sheep Unit 4A</u>	<u>Juvenile ram<sup>c</sup></u>	<u>1</u>
<u>Mount Baldy</u>	<u>Sept. 14 - Oct. 12</u>	<u>Sheep Unit 4B</u>	<u>Juvenile ram<sup>c</sup></u>	<u>2</u>
<u>Selah Butte South</u>	<u>Sept. 14 - Oct. 12</u>	<u>Sheep Unit 4C</u>	<u>Juvenile ram<sup>c</sup></u>	<u>2</u>
<u>Umtanum North</u>	<u>Nov. 9-22</u>	<u>Sheep Unit 5A</u>	<u>Juvenile ram<sup>c</sup></u>	<u>1</u>
<u>Umtanum South</u>	<u>Nov. 9-22</u>	<u>Sheep Unit 5B</u>	<u>Juvenile ram<sup>c</sup></u>	<u>1</u>

See subsection (3) of this section Bighorn Sheep Units for detailed legal descriptions of these hunt area boundaries.

<sup>a</sup>Applicants must be eligible to purchase a youth bighorn sheep permit application. An adult 18 years of age or older must accompany the youth hunter during the hunt.

<sup>b</sup>Applicants must possess a Disabled Hunter Permit.

<sup>c</sup>A juvenile ram is defined as a male bighorn sheep having at least one "unbroomed" horn that does not extend past an imaginary line beginning at the point on the animal's forehead where the front of the horn base adjoins the skull, and continuing downwards and in a posterior direction through the posterior edge of the eye. A "broomed" horn is defined as a sheep horn that has been broken, splintered, frayed or rubbed in the wild, thus shortening its length and disrupting its natural taper.

This hunt contributes to a program designed to eliminate or greatly reduce prevalence of pneumonia in this herd. As such, hunters will be required to retain lungs and head for submission within ten calendar days to the Washington department of fish and wildlife regional or district office for veterinary sampling.

**(3) Bighorn Sheep Units:**

(a) **Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of GMU 340 east of the Yakima River.

(c) **Sheep Unit 4A Selah Butte North:** Permit Area: That part of GMU 340 east of the Yakima River and north of Lmuma Creek.

(d) **Sheep Unit 4B Mount Baldy:** Permit Area: That part of GMU 340 east of the Yakima River, south of Lmuma Creek and north of Burbank Creek.

(e) **Sheep Unit 4C Selah Butte South:** Permit Area: That part of GMU 340 east of the Yakima River and south of Burbank Creek.

(f) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of GMU 340 west of the Yakima River and GMU 342 north of Wenas Creek.

(g) **Sheep Unit 5A Umtanum North:** Permit Area: Beginning at the Powerline Crossing the Yakima River in Section 11 of T17N, R18E; then south down the Yakima River to Roza Creek; then west up Roza Creek to the powerline; then north along the powerline to the point of beginning.

(h) **Sheep Unit 5B Umtanum South:** Permit Area: Beginning where Roza Creek enters the Yakima River, then down the Yakima River to the powerline crossing in Section 17 of T14N, R19E; then north on the powerline to Roza Creek; then east down Roza Creek to the point of beginning.

(i) **Sheep Unit 7 Cleman Mountain:** Permit Area: GMU 346 and that part of GMU 342 south of Wenas Creek.

(j) **Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

(k) **Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

(l) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and that part of 251 east of Squilchuck Creek and south of Colockum Creek.

(m) **Sheep Unit 14 Swakane:** Permit Area: GMU 250.

(n) **Sheep Unit 15 Tieton:** Permit Area: GMU 360.

(o) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the

mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

(p) **Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antoine Creek, W up Antoine Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

(q) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

(r) **Whitestone Unit:** Starting at the intersection of Mount View Rd and US Highway 2; W on US Highway 2 to the Lincoln County Line; N on the Lincoln County Line to the Lincoln County Line in the Columbia River; E up the Columbia River to Halverson Canyon; S and W up Halverson Canyon to Mount View Rd; S on Mount View Rd to US Highway 2 and the point of the beginning.

(s) **Lincoln Unit:** Starting at the intersection of Mount View Rd and US Highway 2; E on US Highway 2 to the Lincoln County Line; N on the Lincoln County Line to the Lincoln County Line in the Spokane River; W down the Spokane River to the Columbia River; W down the Columbia River to Halverson Canyon; S and W up Halverson Canyon to Mount View Rd; S on Mount View Rd to US Highway 2 and the point of the beginning.

AMENDATORY SECTION (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-415-130 ((2019) 2020 Mountain goat seasons and permit quotas.** (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410((-)) Unlawful hunting of big game—Penalty.

**(2) Mountain Goat Permit Hunts**

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. Except for auction and raffle permitted hunts, an individual may only harvest one mountain goat during his or her lifetime.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer, except where otherwise permitted by department rule even if permits are drawn for more than one mountain goat hunt category.

(c) It is unlawful for a person who kills a mountain goat in Washington to fail, within ten days after acquisition, to personally present the horns attached to the head for inspection at a department office or location designated by a departmental representative. After inspection, the head/horns of a mountain goat lawfully killed in Washington may be kept for personal use. A violation of this subsection is punishable under RCW 77.15.280 (1)(b).

(d) Applicants drawn for a permit may only purchase their license after successfully completing the WDFW mountain goat gender identification training (online or at a participating WDFW office).

Goat Hunt Area Name (Number)	Permit Season	Special Restrictions	Permits
North Lake Chelan (2-1)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	2
South Lake Chelan (2-3)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	1
Naches Pass (3-6)	Sept. 15 - Nov. 30	Any Legal Weapon	2
Bumping River (3-7)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	2
Boulder River North (4-8a)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	1
Chowder Ridge (4-3)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	2

Goat Hunt Area Name (Number)	Permit Season	Special Restrictions	Permits
Avalanche Gorge (4-7)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	3
Goat Rocks West (5-4)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	2
Goat Rocks East (5-5)	Sept. 15 - Nov. 30 <sup>a</sup>	Any Legal Weapon	((±)) <u>2</u>
Mt. Margaret Backcountry (5-6)	Oct. 1 - Nov. 30	Any Legal Weapon	1
Mt. St. Helens South (5-7)	Oct. 1 - Nov. 30	Any Legal Weapon	1

<sup>a</sup>Permit holders hunting with archery equipment may start hunting September 1.

(3) **Mountain Goat Hunt Area Descriptions.** The following areas are defined as mountain goat hunt areas:

**Chelan North 2-1**

Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then NE up Fish Creek and USFS Trail 1259 to the Sawtooth crest near Deephole Spring; then SE along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and the headwaters of Safety Harbor Creek; then S along Safety Harbor Creek to Lake Chelan, then NW along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

**Methow 2-2**

Permit Area: Okanogan County within following described boundary: Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River-Mazama Rd to Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.

**South Lake Chelan 2-3**

Permit Area: GMU 246

**Naches Pass 3-6**

Permit Area - Naches: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then N along the Pacific Crest Trail to Naches Pass; then E to USFS Road 19 and continuing to State Highway 410; then W along State Highway 410 to Chinook Pass and point of beginning.

**Bumping River 3-7**

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the

boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

**Blazed Ridge 3-10**

Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then W along Cabin Creek to the headwaters near Snowshoe Butte; then S along the Cascade Crest separating the Green and Yakima River drainage to Pyramid Peak; then SE along the North Fork, Little Naches, and Naches River to the Yakima River; then N along the Yakima River to the mouth of Cabin Creek and point of beginning.

**Chowder Ridge 4-3:**

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Wells Creek with the North Fork Nooksack River; then up Wells Creek to the confluence with Bar Creek; then up Bar Creek to the Mazama Glacier; then SW on Mazama Glacier to the summit of Mount Baker; then NW between Roosevelt Glacier and Coleman Glacier to the headwaters of Kulshan Creek; then down Kulshan Creek to the confluence with Grouse Creek; then down Grouse Creek to the confluence with Glacier Creek; then down Glacier Creek to the confluence with the North Fork Nooksack River; then up the North Fork Nooksack River to Wells Creek and the point of beginning.

**Lincoln Peak 4-4**

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Glacier Creek and the North Fork Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt glaciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

**Avalanche Gorge 4-7**

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Park Creek; then up Park Creek to headwaters and beginning of Park Glacier; then NW and SW on Park Glacier to Mount Baker summit; then N on the Mazama Glacier to Bar Creek, then down Bar Creek to the confluence with Wells Creek; then SE up Wells Creek to its headwaters; then E about 1 mile to an unnamed peak (indicated elevation 5,831 ft, just W of Ptarmigan Ridge Trail (Trail No. 682.1) (See referenced 1:24k USGS quad map - Shuksan Arm)); then NE to the headwaters of the first tributary of Swift Creek encountered; then SE down said unnamed tributary to the confluence with Swift Creek; then down Swift Creek to the Baker Lake Road (USFS Road 394); then SW along the Baker Lake Road to Park Creek and point of beginning. (Refer to 1:24k USGS quad map - Shuksan Arm).

**Permit Area - Boulder River North 4-8a**

That area within the Boulder River Wilderness of the Mount Baker Snoqualmie National Forest, beginning at the Boulder River trailhead on USFS Rd 2010 (to Boulder Falls), then E along the USFS Boulder River Wilderness boundary to Squire Creek, then southward along the Squire Creek to Squire Creek Pass, then SW up Squire Creek Pass to the headwaters of Copper Creek, then SE down Copper Creek to the unnamed tributary to Copper Creek which heads W up to Windy Pass, then W up said tributary to its headwaters in Windy Pass, then W across Windy Pass to the headwaters of Windy Creek, then W down Windy Creek to the USFS Boulder River Wilderness boundary, then N along the USFS Boulder River Wilderness boundary to the Boulder River trailhead on USFS Rd 2010 and the point of the beginning.

**Goat Rocks West 5-4: (Lewis County).** Beginning at US Hwy 12 at the US Forest Service Trail 2000 (Pacific Crest National Scenic Trail); S on the Pacific Crest National Scenic Trail to Lewis County line at Cispus Pass; S and W on the Lewis County line to Johnson Creek Rd (US Forest Service Rd 21); N on Johnson Creek Rd to US Hwy 12; E on US Hwy 12 to the Pacific Crest National Scenic Trail and the point of the beginning.

**Goat Rocks East 5-5: (Yakima County): GMU 364****Permit Area 6-1: East Olympic Mountains Unit**

Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N and NE along the ONP-Olympic National Forest (ONF) boundary to the Jefferson-Clallam County line; E along the Jefferson-Clallam County line to its intersection with ONF boundary in section 33 of T28N R2W; S along the ONF boundary to the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24) and the point of beginning.

**Permit Area - Mt. Margaret Backcountry 5-6 (Skamania and Lewis counties)**

Beginning at the junction of USFS 99 Rd and USFS 26 Rd; S on USFS 99 Rd to junction of USFS 99 Rd and USFS Trail 227 at Independence Pass trailhead; N on USFS Trail 227 to

junction of USFS Trail 227 and USFS Trail 1; W on USFS Trail 1 to junction of USFS Trail 1 and USFS Trail 230; NW on USFS Trail 230 to junction of USFS Trail 230 and USFS Trail 211; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to USFS Rd 2612; E on USFS 2612 to the junction of USFS Rd 2612 and USFS Rd 26; S on USFS Rd 26 to the junction of USFS Rd 26 and USFS Rd 99 and point of beginning.

**Permit Area - Mt. St. Helens South 5-7 (Skamania and Cowlitz counties)(awaiting JT input)**

Beginning at the junction of USFS Trail 234 and USFS Rd 83; W on USFS Rd 83 to the junction of USFS Rd 83 and USFS Rd 81; NW on USFS Rd 81 to the junction of USFS Rd 81 and USFS Rd 8123; N on USFS Rd 8123 to USFS Trail 238 at Blue Lake; N on USFS Trail 238 to USFS Trail 216; N on USFS Trail 216 to the South Fork Toutle River; Up the South Fork Toutle River to Mt. St. Helens crater's edge; E along Mt. St. Helens crater to Ape Canyon Creek; Down Ape Canyon Creek to USFS Trail 216; E on USFS Trail 216 to USFS Trail 234; SE on USFS Trail 234 to USFS Rd 83 and point of beginning.

AMENDATORY SECTION (Amending WSR 18-11-061, filed 5/11/18, effective 6/11/18)

**WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.** Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

**STATEWIDE SEASONS****(1) FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**

(a) DAILY BAG LIMIT: 4 grouse per day, to include not more than 3 Blue Grouse, 3 Spruce Grouse, and 3 Ruffed Grouse.

(b) POSSESSION LIMIT: 12 grouse, to include not more than 9 Blue Grouse, 9 Spruce Grouse, and 9 Ruffed Grouse.

(c) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.

**(2) BOBCAT**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

(c) RESTRICTION: It is unlawful to hunt bobcat with dogs. Night hunting for bobcat is prohibited in GMUs that fall within the lynx management zones identified by the department.

**(3) RACCOON**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

**(4) FOX**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests.

(c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

**(5) COYOTE**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year-round.

(d) RESTRICTION: It is unlawful to hunt coyote with dogs.

**(6) COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)**

(a) BAG AND POSSESSION LIMITS: 5 cottontails or snowshoe hares per day, with a total of 15 in possession at any time, straight or mixed bag.

(b) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

**(7) CROWS**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.

**(8) JACKRABBIT:**

Closed statewide.

**(9) PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE:**

Closed statewide.

**(10) WILD TURKEY:**

(a) YOUTH SEASON: Open only to youth hunters accompanied by an adult 18 years of age or older.

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

(A) April 6-7, 2019;

(B) April 4-5, 2020;

(C) April 3-4, 2021; and

(D) April 2-3, 2022.

**(b) SPRING SEASON**

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES: April 15 - May 31 during the current license year.

(iii) BAG LIMIT: The combined spring/youth season limit is 3 birds. Only 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

**(c) FALL GENERAL SEASON**

(i) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(ii) OPEN AREA: GMUs 101-154 and 162-186, 382, 388, 568-578.

(iii) SEASON DATES:

(A) Sept. 1 - Dec. 31, 2018, (GMUs 101-154 and 162-186);

(B) Sept. 22 - Oct. 12, 2018, (GMUs 382, 388, 568-578);

(C) Sept. 1 - Dec. 31, 2019, (GMUs 101-154 and 162-186);

(D) Sept. 28 - Oct. 11, 2019, (GMUs 382, 388, 568-578);

(E) Sept. 1 - Dec. 31, 2020, (GMUs 101-154 and 162-186);

(F) Sept. 26 - Oct. 16, 2020, (GMUs 382, 388, 568-578).

(iv) BAG LIMIT: Four (4) turkeys during the fall general season with the following area restrictions:

Game Management Units (GMUs)	Legal Bird and Limit
382, 388, 568-578	One (1) either sex turkey
101-154 and 162-186	Two (2) beardless plus two (2) either sex turkey

**(d) FALL PERMIT SEASONS**

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who also possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
Methow	Nov. 15 - Dec. 15, 2018, 2019, 2020	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2018, 2019, 2020	Either sex	GMU 335	50	1

\*BAG LIMIT: During the fall permit hunting seasons.

**(e) HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS**

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. Hunter education instructors qualify if the instructor is certified and has been in active status for a minimum of 3 consecutive years, inclusive of the year prior to the permit drawing.

(iii) OPEN AREA: Statewide.

(iv) SEASON DATES: April 1 - May 31 during the current license year.

(v) PERMITS: ((2)) 4 individuals will be drawn for this permit per year.

(vi) BAG LIMIT: 1 male turkey or turkey with visible beard in addition to other spring season turkey harvest.

**(f) OFFICIAL HUNTING HOURS FOR WILD TURKEY:**

1/2 hour before sunrise to sunset during spring and fall seasons.

**(g) SPECIAL RULES FOR WILD TURKEY:**

(i) It is unlawful to hunt turkey unless the hunter possesses a turkey tag.

(ii) It is unlawful to hunt turkeys with dogs.

(iii) It is unlawful to bait game birds.

**EASTERN WASHINGTON SEASONS:****(11) RING-NECKED PHEASANT**

(a) BAG AND POSSESSION LIMITS: Three (3) cock pheasants per day. Hunters may possess up to 15 cock pheasants at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

- (i) Sept. 22-23, 2018;
- (ii) Sept. 21-22, 2019; and
- (iii) Sept. 19-20, 2020.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES:

- (i) Sept. 24-28, 2018;
- (ii) Sept. 23-27, 2019; and
- (iii) Sept. 21-25, 2020.

(d) REGULAR SEASON DATES:

- (i) Oct. 20, 2018 - Jan. 21, 2019;
- (ii) Oct. 19, 2019 - Jan. 20, 2020; and
- (iii) Oct. 24, 2020 - Jan. 18, 2021.

**(12) CHUKAR**

(a) BAG AND POSSESSION LIMITS: 6 chukar per day. Hunters may possess up to 18 chukar at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

- (i) Sept. 22-23, 2018;
- (ii) Sept. 28-29, 2019; and
- (iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES:

- (i) Oct. 6, 2018 - Jan. 21, 2019;
- (ii) Oct. 5, 2019 - Jan. 20, 2020; and
- (iii) Oct. 3, 2020 - Jan. 18, 2021.

**(13) GRAY (HUNGARIAN) PARTRIDGE**

(a) BAG AND POSSESSION LIMITS: 6 gray partridges per day. Hunters may possess up to 18 gray partridges at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

- (i) Sept. 22-23, 2018;
- (ii) Sept. 28-29, 2019; and
- (iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES:

- (i) Oct. 6, 2018 - Jan. 21, 2019;
- (ii) Oct. 5, 2019 - Jan. 20, 2020; and
- (iii) Oct. 3, 2020 - Jan. 18, 2021.

**(14) MOUNTAIN QUAIL**

Closed throughout Eastern Washington.

**(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

(a) BAG AND POSSESSION LIMITS: 10 quail per day. Hunters may possess up to 30 quail at any one time, straight or mixed bag.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

- (i) Sept. 22-23, 2018;
- (ii) Sept. 28-29, 2019; and
- (iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES:

- (i) Oct. 6, 2018 - Jan. 21, 2019;
- (ii) Oct. 5, 2019 - Jan. 20, 2020; and
- (iii) Oct. 3, 2020 - Jan. 18, 2021.

**WESTERN WASHINGTON SEASONS:****(16) RING-NECKED PHEASANT**

(a) BAG AND POSSESSION LIMITS: 2 pheasants of either sex per day. Hunters may possess up to 15 pheasants at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

- (i) Sept. 22-23, 2018;
- (ii) Sept. 21-22, 2019; and
- (iii) Sept. 19-20, 2020.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES:

- (i) Sept. 24-28, 2018;
- (ii) Sept. 23-27, 2019; and
- (iii) Sept. 21-25, 2020.

(d) REGULAR SEASON DATES: 8:00 a.m. to 4:00 p.m.

- (i) Sept. 29 - Nov. 30, 2018;
- (ii) Sept. 28 - Nov. 30, 2019; and
- (iii) Sept. 26 - Nov. 30, 2020.

(e) EXTENDED SEASON DATES:

(i) Dec. 1-15, during the current license year.  
 (ii) 8 a.m. to 4 p.m. only at the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

(iii) The department may not release pheasants during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt only on odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and all hunting sites on Whidbey Island. Hunters must indicate their choice of odd-numbered or even-numbered weekend days on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters possessing a valid disabled hunter permit, hunters 65 years of age or older, and youth hunters may hunt in the morning on both odd-numbered and even-numbered weekend days. Youth hunters must be accompanied by an adult 18 years of age or older, and the adult must have an appropriately marked pheasant permit if hunting.

**(17) MOUNTAIN QUAIL**

(a) BAG AND POSSESSION LIMITS: 2 mountain quail per day. Hunters may possess up to 4 mountain quail at any one time.

(b) SEASON DATES:

- (i) Sept. 29 - Nov. 30, 2018;
- (ii) Sept. 28 - Nov. 30, 2019; and
- (iii) Sept. 26 - Nov. 30, 2020.

**(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

(a) BAG AND POSSESSION LIMITS: 10 California (valley) quail or northern bobwhite per day. Hunters may possess up to 30 California (valley) quail or northern bobwhite at any one time, straight or mixed bag.

(b) SEASON DATES:

- (i) Sept. 29 - Nov. 30, 2018;
- (ii) Sept. 28 - Nov. 30, 2019; and
- (iii) Sept. 26 - Nov. 30, 2020.

**FALCONRY SEASONS:****(19) UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY****(a) BAG AND POSSESSION LIMITS:**

- (i) 2 pheasants (either sex);
- (ii) 6 partridge;
- (iii) 5 California (valley) quail or northern bobwhite;
- (iv) 2 mountain quail (in Western Washington only);
- (v) 3 forest grouse (blue, ruffed, spruce) per day; and
- (vi) Possession limit is twice the daily bag limit.

**(b) OPEN AREA:** Statewide.

**(c) SEASON DATES:** Aug. 1 - Mar. 15 during the current license year.

**(20) TURKEY - FALCONRY**

**(a)** A turkey tag is required to hunt turkey during the turkey falconry season.

**(b) BAG AND POSSESSION LIMITS:** One (1) turkey (either sex) per turkey tag, with a maximum of 2 turkeys. Hunters may possess up to 2 turkeys at any one time.

**(c) OPEN AREA:** Eastern Washington.

**(d) SEASON DATES:** Sept. 1 - Feb. 15 during the current license year.

**(21) COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY**

**(a) BAG AND POSSESSION LIMITS:** 5 cottontails or snowshoe hares per day, straight or mixed bag. Hunters may possess up to 15 cottontails or snowshoe hares at any one time, straight or mixed bag.

**(b) OPEN AREA:** Statewide.

**(c) SEASON DATES:** Aug. 1 - Mar. 15 during the current license year.

**OTHER SEASONS:****(22) BIRD DOG TRAINING SEASON**

**(a)** Wild upland game birds may be pursued during the dog-training season but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if the hunter has proof of lawful acquisition (invoices) and the birds are appropriately marked (WAC 220-450-010 and 220-416-110).

**(b) OPEN AREA:** Statewide.

**(c) SEASON DATES:** Aug. 1 - Mar. 31 during the current license year.

**(d)** Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

**(e)** Bird dog training may be conducted year round on areas posted for bird dog training on portions of:

(i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);

(ii) Region Three - Wenas Wildlife Area;

(iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;

(iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

(v) Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

**(23) YAKAMA INDIAN RESERVATION:**

The 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

**(24) COLVILLE INDIAN RESERVATION:**

The 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

**AMENDATORY SECTION** (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

**WAC 220-416-040 Hunting predatory birds. (1)****HUNTING PREDATORY BIRDS:**

**(a)** It is unlawful to hunt ~~((for or take))~~ predatory birds without a hunting license except as allowed under RCW 77.36.030.

**(b)** ~~((Crows and magpies: It is permissible to take crows during))~~ ~~It is unlawful to hunt crows outside established hunting seasons ((and crows or magpies when found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance provided that none of the birds, or their plumage, be offered for sale)).~~

**(c)** All other predatory birds except magpies may be hunted throughout the year.

**(2) SALE OF PREDATORY BIRDS:** It is permissible to sell starlings, house sparrows, Eurasian collared doves, and rock doves for the purposes of falconry and lawful to sell rock doves and Eurasian collared doves for the purposes of bird dog training.

**(3) POSSESSION OF PREDATORY BIRDS:** It is permissible to take from the wild and possess live starlings, house sparrows, Eurasian collared doves, and rock doves for purposes of falconry and Eurasian collared doves and rock doves for purposes of bird dog training.

**(4) RELEASE OF LIVE PREDATORY BIRDS:** It is permissible to release Eurasian collared doves and rock doves for the purposes of bird dog training or falconry without a permit.

**AMENDATORY SECTION** (Amending WSR 19-10-011, filed 4/19/19, effective 5/20/19)

**WAC 220-416-060 ~~((2019-2020 Migratory waterfowl))~~ 2020-2021 Migratory gamebird seasons and regulations.** Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

**DUCKS**

**Statewide:** Oct. ~~((12-30, 2019 and Nov. 2, 2019 - Jan. 26, 2020))~~ 17 - 25, 2020, and Oct. 28, 2020 - Jan. 31, 2021; except scaup season closed Oct. ~~((12 - Nov. 1, 2019))~~ 17 - Nov. 6, 2020.

Special youth hunting days open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. ~~((21, 2019))~~ 26, 2020, and ~~((Feb. 1, 2020))~~ Feb. 6, 2021, in Western Washington

(West Zone); (~~Sept. 28, 2019~~) Oct. 3, 2020, and (~~Feb. 1, 2020~~) Feb. 6, 2021, in Eastern Washington (East Zone).

Special veterans and active military personnel hunting day open only to hunters as defined in Section 3 of 16 U.S. Code Sec. 704 as amended by the John D. Dingell, Jr. Conservation, Management, and Recreation Act. Active duty military includes members of the National Guard and Reserves on active duty (other than for training). Veterans must have served in the active military, naval, or air service, and discharged or released under Honorable conditions: Feb. (~~1, 2020~~) 6, 2021, in Western Washington (West Zone) and Eastern Washington (East Zone). Hunters must have one of the following, or a copy of, during the hunt: DD214, Veteran Benefit Card, Retired Active Military I.D., or Active Duty I.D. card.

Daily Bag Limit: 7 ducks, to include not more than 2 hen mallard, 1 pintail, (~~3~~) 2 scaup, 2 canvasback, and 2 redhead statewide; and to include not more than 1 harlequin, 2 scoter, 2 long-tailed duck, and 2 goldeneye in Western Washington.

Possession Limit for Regular Season: 21 ducks, to include not more than 6 hen mallard, 3 pintail, (~~9~~) 6 scaup, 6 canvasback, and 6 redhead statewide; and to include not more than 1 harlequin, 6 scoter, 6 long-tailed duck, and 6 goldeneye in Western Washington.

Possession Limit for Youth, Veterans and Active Military Personnel Hunting Days: Same as Daily Bag Limit.

Season Limit: 1 harlequin in Western Washington.

#### **AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SEA DUCKS**

Hunters must possess a special (~~2019-2020~~) 2020-2021 hunting authorization and harvest record card for sea ducks when hunting harlequin, scoter, long-tailed duck, and goldeneye in Western Washington. A hunter who has not previously possessed a sea duck harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest record card.

#### **COOT (Mudhen)**

Same areas and dates (including youth, veterans and active military personnel hunting days) as the duck season.

Daily Bag Limit: 25 coots.

Possession Limit: 75 coots.

Possession Limit for Youth, Veterans and Active Military Personnel Hunting Days: Same as Daily Bag Limit.

#### **SNIPE**

Same areas and dates (except youth, veterans and active military personnel hunting days) as the duck season.

Daily Bag Limit: 8 snipe.

Possession Limit: 24 snipe.

#### **GEESE (except Brant)**

Special youth hunting days open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. (~~21, 2019~~) 26, 2020, and (~~Feb. 1, 2020~~) Feb. 6, 2021, in Western Washington (West Zone); (~~Sept. 28, 2019~~) Oct. 3, 2020, and (~~Feb. 1, 2020~~) Feb. 6, 2021, in Eastern Washington (East Zone).

Special veterans and active military personnel hunting day open only to hunters as defined in Section 3 of 16 U.S. Code Sec. 704 as amended by the John D. Dingell, Jr. Conservation, Management, and Recreation Act. Active duty military includes members of the National Guard and Reserves on active duty (other than for training). Veterans must have served in the active military, naval, or air service, and discharged or released under Honorable conditions: Feb. (~~1, 2020~~) 6, 2021, in Western Washington (West Zone) and Eastern Washington (East Zone). Hunters must have one of the following, or a copy of, during the hunt: DD214, Veteran Benefit Card, Retired Active Military I.D., or Active Duty I.D. card.

Daily Bag Limit for September dates: 4 Canada geese and 10 white-fronted geese.

Daily Bag Limit for February date: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit for Youth, Veterans and Active Military Personnel Hunting Days: Same as Daily Bag Limit.

#### **Western Washington Goose Seasons**

Goose Management Area 1: Island, Skagit, and Snohomish counties.

September Canada Goose Season

Sept. (~~7-12, 2019~~) 5-10, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~12-Dec. 1, 2019~~) 17 - Nov. 29, and Dec. (~~14, 2019-Jan. 26, 2020~~) 12, 2020 - Jan. 31, 2021, for Canada and white-fronted geese (except brant).

Oct. (~~12-Dec. 1, 2019~~) 17 - Nov. 29, and Dec. (~~14, 2019-Jan. 26, 2020~~) 12, 2020 - Jan. 31, 2021, and Feb. (~~8-18, 2020~~) 13-23, 2021, for snow, Ross', and blue geese (collectively referred to as white geese). During Feb. (~~8-18, 2020~~) 13-23, 2021, in Skagit and Snohomish counties, specified WDFW lands including Fir Island Farm Game Reserve, Island Unit, Johnson DeBay's Slough Swan Reserve and Hunt Unit, Leque Island Unit, Samish Unit, Samish River Unit, South Padilla Bay Unit, and Skagit Headquarters Unit of the Skagit Wildlife Area are closed to goose hunting in Goose Management Area 1. During Feb. (~~8-18, 2020~~) 13-23, 2021, in Snohomish County, that portion east of Interstate 5 is closed to goose hunting in Goose Management Area 1.

Daily Bag Limit: 4 Canada geese, 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese, 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

**AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SNOW GEESE**

Hunters must possess a special ~~((2019-2020))~~ 2020-2021 migratory bird hunting authorization and harvest record card for snow geese when hunting snow, Ross', and blue geese in Goose Management Area 1. A hunter who has not previously possessed a snow goose harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a snow, Ross', or blue goose into possession, hunters must record in ink the information required on the harvest record card.

**SKAGIT COUNTY SPECIAL RESTRICTIONS**

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or to discharge a firearm for the purpose of hunting snow geese within 100 feet of any paved public road in other areas of Skagit County.

While hunting snow geese, if a hunter is convicted of (a) trespass; (b) shooting from, across, or along the maintained part of any public highway; (c) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or discharging a firearm within 100 feet of any paved public road for the purpose of hunting snow geese in other areas of Skagit County; or (d) exceeding the daily bag limit for geese, authorization will be invalidated for the remainder of the current snow goose season and an authorization will not be issued for the subsequent snow goose season.

**Goose Management Area 2 - Coast:** Pacific County and the portion of Grays Harbor County west of highway 101.

September Canada Goose Season

Sept. ~~((7-15, 2019))~~ 5-13, 2020.

Daily Bag Limit: 5 Canada geese, except 15 Canada geese in Pacific County.

Possession Limit: 15 Canada geese, except 45 Canada geese in Pacific County.

Regular Season

Open in all areas from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. ~~((12-27, 2019))~~ 17 - Nov. 1, 2020; Saturdays, Sundays, and Wednesdays only, Nov. ~~((1 - Dec. 1, 2019, Dec. 21, 2019 - Jan. 19, 2020; and Feb. 8-22, 2020))~~ 4 - Dec. 6, 2020, and Dec. 23, 2020 - Jan. 24, 2021, and Feb. 13-24, 2021. During Feb. ~~((8-22, 2020))~~ 13-24, 2021, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Coast.

Bag Limits for Goose Management Area 2 - Coast:

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

**Goose Management Area 2 - Inland:** Clark, Cowlitz, Wahkiakum counties and the portion of Grays Harbor County east of highway 101.

September Canada Goose Season

Sept. ~~((7-15, 2019))~~ 5-13, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. ~~((12-27, 2019))~~ 17 - Nov. 1, 2020; Saturdays, Sundays, and Wednesdays only, Nov. ~~((23, 2019 - Jan. 12, 2020; and Feb. 8 - Mar. 7, 2020))~~ 25, 2020 - Jan. 17, 2021, and Feb. 13 - Mar. 10, 2021. During Feb. ~~((8 - Mar. 7, 2020))~~ 13 - Mar. 10, 2021, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Inland. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. ~~((12-27, 2019 and Nov. 23, 2019 - Jan. 11, 2020))~~ 17 - Nov. 1, 2020, and Nov. 25, 2020 - Jan. 16, 2021.

Bag Limits for Goose Management Area 2 - Inland:

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

**Special Provisions for Goose Management Area 2 Coast and Inland Regular Season only:**

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

Hunters must possess a valid special ~~((2019-2020))~~ 2020-2021 migratory bird hunting authorization and harvest record card for geese when hunting all goose species in Goose Management Area 2 Coast and Inland. New hunters and those who did not maintain a valid ~~((2018-2019))~~ 2019-2020 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time. Immediately after taking a goose into possession, hunters must record in ink the information required on the harvest record card.

It is unlawful for hunters in Goose Management Area 2 Coast and Inland to fail to comply with the directions of authorized department personnel related to the collection of goose subspecies information pursuant to RCW 77.12.071. A person who prevents department personnel from collecting samples of tissue or other bodily parts is subject to prosecution under RCW 77.15.360 Unlawful interfering in department operations—Penalty. If a hunter takes a dusky Canada goose or does not comply with requirements listed above regarding WDFW collection of subspecies information, authorization will be invalidated by the department and the hunter will not be able to hunt geese in Goose Management Area 2 Coast and Inland for the remainder of the season. It is unlawful to fail to comply with all provisions listed above for Goose Management Area 2 Coast and Inland. Taking one dusky Canada goose is punishable as an infraction under RCW 77.15.160 (5)(b). Other violations of Area 2 goose hunting rules are punishable as an infraction under RCW 77.15.160 (2)(e) or as a misdemeanor or gross misdemeanor under RCW 77.15.400 unlawful hunting of wild birds, depending on the circumstances of the violation.

### Goose Management Area 3

Includes all parts of Western Washington not included in Goose Management Areas 1 and 2.

September Canada Goose Season

Sept. (~~7-12, 2019~~) 5-10, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. (~~12-24, 2019 and Nov. 2, 2019 - Jan. 26, 2020~~) 17-29, and Nov. 7, 2020 - Jan. 31, 2021.

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

### Eastern Washington Goose Seasons

September Canada Goose Season (Eastern Washington)

Sept. (~~7-8, 2019~~) 5-6, 2020.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 10 Canada geese.

### Goose Management Area 4

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. (~~12, 2019 - Jan. 19, 2020~~) 17, 2020 - Jan. 24, 2021; additionally, to accommodate opportunity during recognized holiday periods, the (~~2019-2020~~) 2020-2021 season will include: Nov. (~~11, 28, and 29, 2019; Dec. 24, 26, 27, 30, and 31, 2019~~) 26

and 27, 2020; Dec. 24, 25, 28, 29, and 31, 2020, and Jan. 1 and 18, 2021; and every day Jan. (~~20-26, 2020~~) 25-31, 2021, for Canada geese and white-fronted geese.

Saturdays, Sundays, and Wednesdays only during (~~Oct. 26, 2019 - Jan. 19, 2020~~) Nov. 7, 2020 - Jan. 24, 2021; additionally, to accommodate opportunity during recognized holiday periods, the 2019-2020 season will include: Nov. (~~11, 28, and 29, 2019; Dec. 24, 26, 27, 30, and 31, 2019~~) 26 and 27, 2020; Dec. 24, 25, 28, 29, and 31, 2020, and Jan. 1 and 18, 2021; every day Jan. (~~20-26, 2020 and Feb. 22 - Mar. 4, 2020~~) 25-31, 2021, and Feb. 13 - Mar. 3, 2021, for snow, Ross', and blue phase geese (collectively referred to as white geese).

### Goose Management Area 5

Includes all parts of Eastern Washington not included in Goose Management Area 4.

Oct. (~~12-28, 2019~~) 17 - Nov. 2, 2020, and every day from Nov. (~~2, 2019 - Jan. 26, 2020~~) 7, 2020 - Jan. 31, 2021.

Bag Limits for all Eastern Washington Goose Management Areas during regular seasons:

Daily Bag Limit: 4 Canada geese, 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese, 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

### BRANT

Open in Skagit County only on the following dates:

Jan. 16 and 23, 2021, with additional days provided.

If the (~~2019-2020~~) 2020-2021 brant population in Skagit County is greater than 6,000 (as determined by aerial survey), the brant season in Skagit County will be open on the following dates: Jan. (~~11, 12, 15, 18, 19, 22, 25, and 26, 2020~~) 16, 17, 20, 23, 24, 27, 30, and 31, 2021.

If the (~~2019-2020~~) 2020-2021 brant population in Skagit County is 3,000-6,000 (as determined by aerial survey), the brant season in Skagit County will be open only on selected dates.

If the (~~2019-2020~~) 2020-2021 brant population in Skagit County is below 3,000 (as determined by aerial survey), the brant season in Skagit County will be closed.

Open in Clallam and Whatcom counties only on the following dates: Jan. (~~11, 15, and 18, 2020~~) 16, 20, and 23, 2021.

Open in Pacific County only on the following dates: Jan. (~~4, 5, 7, 9, 11, 12, 14, 16, 18, 19, 21, 23, 25, and 26, 2020~~) 9, 10, 12, 14, 16, 17, 19, 21, 23, 24, 26, 28, 30, and 31, 2021, but may be adjusted pending the most recent 3-year running average results of the Pacific flyway winter brant survey.

Special youth, open to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting), veterans and active military personnel hunting day, open to hunters as defined in Section 3 of 16 U.S. Code Sec. 704 as amended by the John D. Dingell, Jr. Conservation, Management, and Recreation Act. Active duty military

includes members of the National Guard and Reserves on active duty (other than for training). Veterans must have served in the active military, naval, or air service, and discharged or released under Honorable conditions: Feb. ((4, 2020)) 6, 2021. Hunters must have one of the following, or a copy of, during the hunt: DD214, Veteran Benefit Card, Retired Active Military I.D., or Active Duty I.D. card.

#### **AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BRANT**

Hunters must possess a special ((2019-2020)) 2020-2021 migratory bird hunting authorization and harvest record card for brant when hunting brant. A hunter who has not previously possessed a brant harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest record card.

Bag Limits for Clallam, Skagit, Pacific and Whatcom counties:

Daily Bag Limit: 2 brant.

Possession Limit: 6 brant.

Special youth, veterans and active military personnel hunting day.

Daily Bag and Possession Limit: 2 brant.

#### **SWANS**

Season closed statewide.

#### **MOURNING DOVE**

Sept. 1 - Oct. 30, ((2019)) 2020, statewide.

Daily Bag Limit: 15 mourning doves.

Possession Limit: 45 mourning doves.

#### **BAND-TAILED PIGEON**

Sept. 15-23, ((2019)) 2020, statewide.

Daily Bag Limit: 2 band-tailed pigeons.

Possession Limit: 6 band-tailed pigeons.

#### **AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BAND-TAILED PIGEONS**

Hunters must possess a special ((2019-2020)) 2020-2021 migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. A hunter who has not previously possessed a band-tailed pigeon harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest record card.

#### **FALCONRY SEASONS**

#### **DUCKS, COOTS, SNIPE, GEESE, AND MOURNING DOVES (EXCEPT BRANT) (Falconry)**

Same season dates for each species in each area as listed above.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, geese, and mourning doves during established seasons.

Possession Limit: 3 times the daily bag limit.

#### **DUCKS, COOTS, CANADA GEESE, WHITE-FRONTED GEESE, WHITE GEESE AND BRANT**

#### **(Extended Falconry)**

Sept. ((21, 2019)) 26, 2020 and Feb. ((1, 2020)) 6, 2021, in Western Washington (West Zone).

((Sept. 28, 2019)) Oct. 3, 2020 and Feb. ((1, 2020)) 6, 2021, in Eastern Washington (East Zone).

Daily Bag Limit: 3, straight or mixed bag, including allowable species specified under youth, veterans and active military personnel dates.

Possession Limit: Same as the Daily Bag Limit.

#### **MOURNING DOVE (Extended Falconry)**

Oct. 31 - Dec. 16, ((2019)) 2020.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, and geese during established seasons.

Possession Limit: 3 times the daily bag limit.

#### **HIP REQUIREMENTS:**

All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a harvest information program (HIP) survey at a license dealer and possess a Washington migratory bird permit as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey and possess a Washington migratory bird permit (free for youth) as evidence of compliance with this requirement when hunting migratory game birds.

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

**WAC 220-440-060 Killing wildlife causing private property damage.** The fish and wildlife commission is authorized to classify wildlife as game, and/or as endangered species or protected wildlife, and/or as a predatory bird consistent with RCW 77.08.010 and 77.12.020. The commission is also authorized, pursuant to RCW 77.36.030, to establish the limitations and conditions on killing or trapping wildlife that is causing damage on private property. The department may authorize, pursuant to RCW 77.12.240 the killing of wildlife destroying or injuring property.

The conditions for killing wildlife vary, based primarily on the classification of the wildlife species, the imminent nature of the threat to damage private property, the type of private property damage, and the preventive and nonlethal methods employed by the person prior to the damage event. Additional conditions defined by the department may also be important, depending on individual situations. Killing wildlife to address private property damage is subject to all other

state and federal laws including, but not limited to, Titles 77 RCW and 220 WAC.

(1) It is unlawful to kill protected wildlife or endangered species (as defined in RCW 77.08.010) unless authorized by commission rule or with a permit from the department, with the following additional requirements:

(a) Federally listed threatened or endangered species will require federal permits or federal authority, in addition to a state permit.

(b) All migratory birds are federally protected and may require a federal permit or federal authority, in addition to a state permit.

(2) Killing wildlife causing damage to a commercial crop or to livestock.

It is permissible to kill unclassified wildlife, predatory birds, and game animals that are in the act of damaging commercial crops or attacking livestock or other domestic animals, under the following conditions:

(a) Predatory birds other than crows and magpies (defined in RCW 77.08.010) and unclassified wildlife that are in the act of damaging commercial crops or attacking livestock or other domestic animals may be killed with the express permission of the crop, livestock, domestic animals, or property owner at any time on private property, to protect domestic animals, livestock, or commercial crops.

(b) It is unlawful to take crows or magpies in violation of requirements published in Title 50 Code of Federal Regulations (C.F.R.), Sec. 21.43.

(c) If an owner has attempted nonlethal damage control techniques and acquires verbal or written approval from the department, they may kill an individual (one) deer or elk during the physical act of damaging commercial crops within a twelve-month period. The owner must notify the department within twenty-four hours of kill. The department will document animals harvested under this subsection and will ensure harvest is consistent with herd management objectives developed cooperatively with comanagers where available.

~~((e))~~ (d) Multiple deer or elk may be killed if they are in the act of damaging commercial crops if the owner, owner's immediate family member, agent of the owner, or owner's documented employee is issued damage prevention or kill permits and the owner has a valid, written damage prevention cooperative agreement with the department.

~~((e))~~ (e) An owner may kill an individual (one) black bear or cougar during the physical act of attacking livestock or domestic animals with or without an agreement or permit within a twelve-month period. The owner must notify the department within twenty-four hours of kill.

(3) Killing wildlife causing damage or killing wildlife to prevent private property damage.

(a) Predatory birds other than crows and magpies (as defined in RCW 77.08.010~~((39))~~), unclassified wildlife, and eastern gray squirrels may be killed by the owner of private property, owner's immediate family, agent of the owner, or the owner's documented employee with the express permission of the private real property owner at any time, to prevent private property damage on private real property.

(b) It is unlawful to take crows or magpies in violation of requirements published in Title 50 Code of Federal Regulations (C.F.R.), Sec. 21.43.

(c) Subject to subsection (7) of this section, the following list of wildlife species may be killed by the owner of the property, owner's immediate family member, agent of the owner, owner's documented employee, or licensed hunters/trappers in a lawful manner with the express permission of the private real property owner, when causing damage to private property: Raccoon, fox, bobcat, beaver, muskrat, mink, river otter, weasel, hare, and cottontail rabbits.

~~((e))~~ (d) The department may make agreements with landowners to prevent private property damage by wildlife. The agreements may authorize permits to remove animal(s) to abate private property damage.

~~((e))~~ (e) Landowners are encouraged to allow general season hunting and trapping on their property to help minimize damage potential and concerns.

(4) Wildlife control operators may assist property owners under the conditions of their certification or permits to remove animals causing damage.

(5) Tribal members may assist property owners under the conditions of valid comanagement agreements between tribes and the department. Tribes must be in compliance with the agreements including, but not limited to, adhering to reporting requirements, possession, and harvest restrictions.

(6) Hunting licenses and/or associated tags are not required to kill wildlife under this section unless the killing is pursuant to subsections (2)(c) and (3)(b) of this section. Hunters and trappers participating in harvesting wildlife under this section must comply with provisions of each permit. Tribal members operating under subsection (5) of this section are required to meet tribal hunting license, tag, and permit requirements.

(7) Except as specifically provided in a permit from the department or a rule of the commission, people taking wildlife under this rule are subject to the laws and rules of the state.

**WSR 20-12-086**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed June 2, 2020, 8:50 a.m., effective July 3, 2020]

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

Purpose: The department of labor and industry's (L&I) farm internship program (FIP) expired December 31, 2019. ESB 6421 extends L&I's FIP until December 31, 2025. This rule making establishes rates for workers' compensation insurance Classifications 4814, 4815, and 4816 Farms: Internship program, by creating WAC 296-17-89508. Workers' compensation insurance classification rates must be codified immediately so that employers participating in L&I's FIP can report hours for their farm interns.

Emergency rule making was filed on March 30, 2020 (WSR 20-08-104), to immediately activate the classification rates and will expire July 29, 2020. This rule making permanently adopts the FIP classification rates.

Citation of Rules Affected by this Order: New WAC 296-17-89508.

Statutory Authority for Adoption: RCW 51.16.035 (base rates) and 51.04.020(1) (general authority).

Other Authority: ESB 6421.

Adopted under notice filed as WSR 20-08-105 on March 30, 2020.

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 the Request of a Non-governmental 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.

Date Adopted: June 2, 2020.

Joel Sacks  
Director

NEW SECTION

**WAC 296-17-89508 Farm internship program industrial insurance, accident fund, stay at work fund, medical aid fund, and supplemental pension by class.**

Base Rates Effective  
March 30, 2020

Class	Accident Fund	Stay at Work Fund	Medical Aid Fund	Supplemental Pension Fund
4814	0.1194	0.0017	0.1456	0.1225
4815	0.2216	0.0032	0.3035	0.1225
4816	0.3572	0.0052	0.4070	0.1225

**WSR 20-12-091  
PERMANENT RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed June 2, 2020, 11:27 a.m., effective October 1, 2020]

Effective Date of Rule: October 1, 2020.

Purpose: In June of 2013 and October of 2015 the division of occupational safety and health (DOSH) received notification from the Federal Occupational Safety and Health Administration (OSHA) relating to DOSH's fall protection standards. The latest notification advised the department that DOSH needed to amend our fall protection rules in chapter 296-155 WAC in order for them to be at-least-as-effective-as those administered by OSHA. This rule making incorporates changes to the rules to make them at-least-as-effective-as OSHA, as required by the Washington state plan.

In addition, the adopted rule incorporates fall protection requirements from multiple DOSH rules into one chapter,

chapter 296-880 WAC, Unified safety standards for fall protection, applicable to most industries. During public meetings held in the fall of 2016 through the summer of 2019, stakeholders supported the creation of a unified fall protection rule and believed it will be easier to implement and help protect workers from fall hazards. By creating the unified fall protection rule, some existing requirements were changed to ensure alignment and consistency and references to the existing requirements are updated.

Citation of Rules Affected by this Order: New WAC 296-880-080, 296-880-090, 296-880-095, 296-880-100, 296-880-10005, 296-880-10010, 296-880-10015, 296-880-10020, 296-880-200, 296-880-20005, 296-880-20010, 296-880-300, 296-880-30005, 296-880-30010, 296-880-30015, 296-880-30020, 296-880-30025, 296-880-30030, 296-880-30035, 296-880-30040, 296-880-30045, 296-880-30050, 296-880-30055, 296-880-400, 296-880-40005, 296-880-40010, 296-880-40015, 296-880-40020, 296-880-40025, 296-880-40030, 296-880-40035, 296-880-40040, 296-880-40045, 296-880-40050, 296-880-40055, 296-880-40060, 296-880-40065, 296-880-40070, 296-880-40075, 296-880-40080, 296-880-500, 296-880-505 and 296-880-510; repealing WAC 296-24-88050, 296-155-24601, 296-155-24603, 296-155-24605, 296-155-24607, 296-155-24609, 296-155-24611, 296-155-24613, 296-155-24615, 296-155-24617, 296-155-24619, 296-155-24621, 296-155-24623, 296-155-24624, 296-800-260, 296-800-26005, 296-800-26010, 296-874-20054, 296-874-20056, 296-874-20058, 296-874-20060, 296-874-20062, 296-874-20064, 296-874-40010 and 296-878-21005; and amending WAC 296-45-25510, 296-45-908, 296-56-60119, 296-56-60123, 296-59-050, 296-59-115, 296-59-125, 296-78-71001, 296-78-71003, 296-79-020, 296-79-110, 296-155-325, 296-155-477, 296-155-52902, 296-155-53200, 296-155-53400, 296-155-53403, 296-155-53900, 296-155-54300, 296-155-54800, 296-155-55300, 296-155-655, 296-155-706, 296-155-716, 296-155-717, 296-155-730, 296-155-740, 296-155-745, 296-301-095, 296-304-01001, 296-304-05005, 296-304-05013, 296-304-09019, 296-304-09021, 296-304-09023, 296-307-25003, 296-307-25009, 296-307-25012, 296-307-25015, 296-307-25039, 296-307-25042, 296-800-099, 296-863-099, 296-870-099, 296-870-20005, 296-870-20040, 296-870-50010, 296-870-60040, 296-874-099, 296-874-20052, and 296-878-15025.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Other Authority: Chapter 49.17 RCW.

Adopted under notice filed as WSR 20-01-160 on December 17, 2019.

Changes Other than Editing from Proposed to Adopted Version:

**WAC 296-880-090.**

- A number of the WAC references were updated for added reference.
- The term "Openings" was replaced with "Holes" to reflect the earlier definition changes.
- In the Vehicles and rolling stock line item, "unable" was changed to "suitable" as defined in WAC 296-155-012.

**WAC 296-880-095 Definitions.**

- Added definition for "Suitable" as defined in WAC 296-155-012.
- Added "but not including ladders" to the definition of Walking/working surfaces.

**WAC 296-880-10010 Fall protection required regardless of height.**

- Reworded the Note to read "Requirements for protecting employees from falling into or through holes where fall hazards of four feet or more are located in WAC 296-880-20005" to add clarity.
- Removed "stakes used as forms" as that was construction specific.

**WAC 296-880-10015 Training.**

- In subsection (1) removed "who might be" as it was ambiguous language.
- In subsection (2)(b) and (c) removed "necessary" and replaced with "required."
- In subsection (5)(d) added "or employers designee" per stakeholder request.

**WAC 296-880-20005 Fall protection required at four feet or more.**

- In subsection (1) removed "Guarding of" to clarify guarding employees, not guarding holes.
- In subsection (1)(a) removed "fixed" to clarify any type of ladder.
- In subsection (1)(a)(i) removed "standard" to be consistent with other standards.
- In subsection (1)(a)(ii) added "or from" and "or additional rails may be added," removed "as specified in (a) of this subsection" in order to create a clearer understanding and consistency in the language.
- In subsection (1)(a)(iii) removed the word "monitor" and replaced with "employee" for consistency with other rules.
- In subsection (3) removed "Guarding" to clarify guarding employees, not guarding holes.
- In subsection (3)(a) changed language to read "The employer must protect employees from falling into or through holes four feet or more to the ground or lower level by one of the following fall protection systems" to clarify guarding employees, not guarding holes.
- In subsection (3)(a)(i) updated grammar error.
- In subsection (3)(a)(iv) removed "if it becomes necessary" and added "must be temporarily removed to perform a specific task," removed "prevent exposure to the fall hazard by" as it may be considered ambiguous language.
- In subsection (3)(b)(ii) changed language to read "If the skylight has been installed and is not capable of supporting a minimum of eight hundred pounds or four times the maximum potential load, whichever is greater, without failure, at least twice the weight of employees, equipment, and materials that may be imposed on the skylight at any one time, the skylight must be guarded by a cover of standard strength and construction, a standard guard-

rail on all sides, or employees must be protected by personal fall restraint systems, or personal fall arrest systems.

- In subsections (3)(c)(i), (ii), (d), (e) and (g) removed "opening" and replaced with "hole" to maintain consistency within the rule.
- In subsection (6)(c) added "A" to match formatting.
- In subsection (7)(a), (b), (c), and (d) added "A" for clarity and consistency.
- In subsection (8) removed "any" as it was redundant.
- Removed "are not available" and replaced with "cannot be provided" in the exemption to clarify expectation.

**WAC 296-880-20010 Exemption from fall protection requirements in this section.**

- The following language changes were made to maintain consistency with chapter 296-155 WAC and Federal Register, Vol. 59 No. 152.
  - In subsection (1) During initial installation of the fall protection anchor (prior to engaging in any work activity), or the disassembly of the fall protection anchor after ~~the~~ all work activities have ~~has~~ been completed.
  - In subsection (2) When employees are inspecting, investigating, or assessing roof level workplace conditions or work to be performed only on low pitch roofs prior to the start of any work activity or after all work activities have ~~has~~ been completed.
- In the EXEMPTION: This exemption does not apply on steep pitch roofs, where construction work is underway, or when fall protection systems or equipment meeting the requirements of this chapter have been installed and are available for workers to use for pre-work and post-work inspections, investigations, or assessments.
- Subsections (2)(a) and (b) were changed to "Note" as they were informational and not citable.

**WAC 296-880-30005 Construction work.**

- In subsection (1) clarified the following language to add clarity due to previous confusion from chapter 295-155 WAC: The employer must ensure that a ~~the appropriate~~ fall arrest ~~protection~~ system, fall restraint system, or positioning device system is provided, installed, and implemented in accordance with ~~according to the requirements in~~ this chapter when employees are exposed to fall hazards of ten feet or more to the ground or lower level while:
  - In subsection (1)(b) redefined the "Note" as an "Exception" per stakeholder request.
  - In subsection (1)(c) added an additional Exception to provide clarity and consistency: When the erection or placement of structural members is performed on or from a floor, deck, roof, or similar surface you must comply with WAC 296-880-200 Fall protection required at four feet or more.
  - In subsection (2)(a) removed "the work" and added "all work activities" to provide clarity and consistency.
  - In subsection (2)(b) removed "workplace" and added "roof level" to remain consistent with previous language in chapter 296-155 WAC, Part C-1.

- In subsection (2) the item previously listed as (c) was included with item (b) and added "where construction work is underway" to be consistent with Federal Register, Vol. 59 No. 152.
- In subsection (2) the item previously listed as (d) was changed to a "Note" and included the previously listed examples.
- In subsection (2) the item previously listed as (e) was renumbered to be (c).
- In subsection (2) a new (d) was added and reads "When employers must be located on vehicles, or rolling stock in order to perform their job duties."

#### **WAC 296-880-30015 Elevating work platforms.**

- Previous subsections referred to as (1) through (4) are renamed to be "a." through "d." and the remaining sections renumbered.

#### **WAC 296-880-30030 Scaffolds.**

- In subsection (6) removed "at ten feet or more" as it was redundant.
- In subsection (17) corrected to show "Table 1" rather than "Table 2."

#### **WAC 296-880-40015 Cover requirements—Holes and openings.**

- In subsection (1)(b) changed language to read "Hole covers must be capable of supporting, ~~eight hundred pounds or four times the maximum potential load, whichever is greater~~ without failure, at least twice the weight of employees, equipment, and materials that may be imposed on the cover at any one time.

#### **WAC 296-880-40020 Personal fall arrest system requirements.**

- This section was reorganized to comply with Order Typing Service numbering requirements and improve clarity and consistency.

A final cost-benefit analysis is available by contacting Carmyn Shute, Administrative Regulations Analyst, Department of Labor and Industries, Division of Occupational Safety and Health, P.O. Box 44620, Olympia, WA 98504-4620, phone 360-902-6081, fax 360-902-5619, email Carmyn.Shute@Lni.wa.gov, website [www.lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/sh-rules-stakeholder-fall-protection#unified-fall-protection-rules](http://www.lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/sh-rules-stakeholder-fall-protection#unified-fall-protection-rules).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 8, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Non-governmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 43, Amended 51, Repealed 25.

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.

Date Adopted: June 2, 2020.

Joel Sacks  
Director

#### **REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 296-24-88050 Appendix C—Personal fall arrest system (Part I—Mandatory; Parts II and III—Nonmandatory).

**AMENDATORY SECTION** (Amending WSR 19-13-083, filed 6/18/19, effective 8/1/19)

**WAC 296-45-25510 Fall protection.** (1) Personal fall arrest systems must meet the requirements of chapter ~~((296-155 WAC, Part C-1, Fall protection requirements for construction))~~ 296-880 WAC, Unified safety standards for fall protection.

(2) Personal fall arrest equipment used by employees who are exposed to hazards from flames or electric arcs, as determined by the employer under WAC 296-45-325(13), must be capable of passing a drop test equivalent to that required by subsection (3)(1) of this section after exposure to an electric arc with a heat energy of 40±5 cal/cm<sup>2</sup>.

(3) Body belts and positioning straps for work-positioning equipment must meet the following requirements:

(a) Hardware for body belts and positioning straps must meet the following requirements:

(i) Hardware must be made of drop-forged steel, pressed steel, formed steel, or equivalent material.

(ii) Hardware must have a corrosion-resistant finish.

(iii) Hardware surfaces must be smooth and free of sharp edges.

(b) Buckles must be capable of withstanding an 8.9 kilonewton (2,000 pound-force) tension test with a maximum permanent deformation no greater than 0.4 millimeters (0.0156 inches).

(c) D-rings must be capable of withstanding a 22 kilonewton (5,000 pound-force) tensile test without cracking or breaking.

(d) Snaphooks must be capable of withstanding a 22 kilonewton (5,000 pound-force) tension test without failure.

Note: Distortion of the snaphook sufficient to release the keeper is considered to be tensile failure of a snaphook.

(e) Top grain leather or leather substitute may be used in the manufacture of body belts and positioning straps; however, leather and leather substitutes cannot be used alone as a load-bearing component of the assembly.

(f) Plied fabric used in positioning straps and in load-bearing parts of body belts must be constructed in such a way that no raw edges are exposed and the plies do not separate.

(g) Positioning straps must be capable of withstanding the following tests:

(i) A dielectric test of 819.7 volts, AC, per centimeter (25,000 volts per foot) for three minutes without visible deterioration;

(ii) A leakage test of 98.4 volts, AC, per centimeter (3,000 volts per foot) with a leakage current of no more than 1 mA;

Note: Positioning straps that pass direct-current tests at equivalent voltages are considered as meeting this requirement.

(iii) Tension tests of 20 kilonewtons (4,500 pounds-force) for sections free of buckle holes and of 15 kilonewtons (3,500 pounds-force) for sections with buckle holes;

(iv) A buckle-tear test with a load of 4.4 kilonewtons (1,000 pounds-force); and

(v) A flammability test in accordance with Table 1.

**Table 1 - Flammability Test**

Test Method	Criteria for Passing the Test
Vertically suspend a 500 mm (19.7 inch) length of strapping supporting a 100 kg (220.5 lb) weight.	Any flames on the positioning strap must self-extinguish. The positioning strap must continue to support the 100 kg (220.5 lb) mass.
Use a butane or propane burner with a 76 mm (3 inch) flame.	
Direct the flame to an edge of the strapping at a distance of 25 mm (1 inch).	
Remove the flame after 5 seconds.	
Wait for any flames on the positioning strap to stop burning.	

(h) The cushion part of the body belt must contain no exposed rivets on the inside and must be at least 76 millimeters (3 inches) in width.

(i) Tool loops must be situated on the body of a body belt so that the 100 millimeters (4 inches) of the body belt that is in the center of the back, measuring from D-ring to D-ring, is free of tool loops and any other attachments.

(j) Copper, steel, or equivalent liners must be used around the bars of D-rings to prevent wear between these members and the leather or fabric enclosing them.

(k) Snaphooks must be of the locking type meeting the following requirements:

(i) The locking mechanism must first be released, or a destructive force must be placed on the keeper, before the keeper will open.

(ii) A force in the range of 6.7 N (1.5 lbf) to 17.8 N (4 lbf) must be required to release the locking mechanism.

(iii) With the locking mechanism released and with a force applied on the keeper against the face of the nose, the keeper cannot begin to open with a force of 11.2 N (2.5 lbf)

or less and must begin to open with a maximum force of 17.8 N (4 lbf).

(l) Body belts and positioning straps must be capable of withstanding a drop test as follows:

(i) The test mass must be rigidly constructed of steel or equivalent material with a mass of 100 kg (220.5 lbm). For work-positioning equipment used by employees weighing more than 140 kg (310 lbm) fully equipped, the test mass must be increased proportionately (that is, the test mass must equal the mass of the equipped worker divided by 1.4).

(ii) For body belts, the body belt must be fitted snugly around the test mass and must be attached to the test-structure anchorage point by means of a wire rope.

(iii) For positioning straps, the strap must be adjusted to its shortest length possible to accommodate the test and connected to the test-structure anchorage point at one end and to the test mass on the other end.

(iv) The test mass must be dropped an unobstructed distance of 1 meter (39.4 inches) from a supporting structure that will sustain minimal deflection during the test.

(v) Body belts must successfully arrest the fall of the test mass and must be capable of supporting the mass after the test.

(vi) Positioning straps must successfully arrest the fall of the test mass without breaking, and the arrest force cannot exceed 17.8 kilonewtons (4,000 pounds-force). Additionally, snaphooks on positioning straps cannot distort to such an extent that the keeper would release.

Note: When used by employees weighing no more than 140 kg (310 lbm) fully equipped, body belts and positioning straps that conform to American Society of Testing and Materials *Standard Specifications for Personal Climbing Equipment*, ASTM F887-12<sup>e1</sup>, are deemed to be in compliance with (l) of this subsection.

(4) The following requirements apply to the care and use of personal fall protection equipment.

(a) Work-positioning equipment must be inspected before use each day to determine that the equipment is in safe working condition. Work-positioning equipment that is not in safe working condition must not be used.

Note: Work-Positioning Equipment Inspection Guidelines are located in Appendix E of this chapter.

(b) Personal fall arrest systems must be used in accordance with chapter ~~((296-155 WAC, Part C-1))~~ 296-880 WAC, Unified safety standards for fall protection.

Note: Fall protection equipment rigged to arrest falls is considered a fall arrest system and must meet the applicable requirements for the design and use of those systems. Fall protection equipment rigged for work positioning is considered work-positioning equipment and must meet the applicable requirements for the design and use of that equipment.

(c) The employer must ensure that employees use fall protection systems as follows:

(i) Each employee working from an aerial lift must use a fall restraint system or a personal fall arrest system.

(ii) Except as provided in (c)(iii) of this subsection, each employee in elevated locations more than 1.2 meters (4 feet) above the ground on poles, towers, or similar structures must use a personal fall arrest system, work-positioning equip-

ment, or fall restraint system, as appropriate, if the employer has not provided other fall protection meeting chapter ((296-155-WAC, Part C-1)) 296-880 WAC, Unified safety standards for fall protection.

(iii) Each qualified electrical employee climbing or changing location on poles, towers, or similar structures must use fall protection equipment unless the employer can demonstrate that climbing or changing location with fall protection is infeasible or creates a greater hazard than climbing or changing location without it.

- Notes:
- These subsections apply to structures that support overhead electric power transmission and distribution lines and equipment. They do not apply to portions of buildings, such as loading docks, or to electric equipment, such as transformers and capacitors. Chapter ((296-155-WAC, Part C-1)) 296-880 WAC, Unified safety standards for fall protection contains the duty to provide fall protection associated with walking and working surfaces.
  - Until the employer ensures that employees are proficient in climbing and the use of fall protection under WAC 296-45-065(8), the employees are not considered "qualified electrical employees" for the purposes of (c)(ii) and (iii) of this subsection. These subsections require unqualified employees (including trainees) to use fall protection any time they are more than 1.2 meters (4 feet) above the ground.

(d) Work-positioning systems must be rigged so that an employee can free fall no more than 0.6 meters (2 feet).

(e) Anchorages for work-positioning equipment must be capable of supporting at least twice the potential impact load of an employee's fall, or 13.3 kilonewtons (3,000 pounds-force), whichever is greater.

- Note: Wood-pole fall-restriction devices meeting American Society of Testing and Materials *Standard Specifications for Personal Climbing Equipment*, ASTM F887-12<sup>e1</sup>, are deemed to meet the anchorage-strength requirement when they are used in accordance with manufacturers' instructions.

(f) Unless the snaphook is a locking type and designed specifically for the following connections, snaphooks on work-positioning equipment must not be engaged:

- (i) Directly to webbing, rope, or wire rope;
- (ii) To each other;
- (iii) To a D-ring to which another snaphook or other connector is attached;
- (iv) To a horizontal lifeline; or
- (v) To any object that is incompatibly shaped or dimensioned in relation to the snaphook such that accidental disengagement could occur should the connected object sufficiently depress the snaphook keeper to allow release of the object.

(5) Employees must not wear climbers while doing work where they are not required. Employees must not continue to wear their climbers while working on the ground; except for momentary or short periods of time on the ground.

(6) Employees, when working from a hook ladder, must either belt themselves securely to the ladder, attach themselves to the structures by means of a safety line, or belt themselves to ladder safety equipment, which must consist of a safety rope or belting threaded through the rungs or secured to the ladder at intervals of not more than three feet.

(7) Before an employee throws their weight on a belt, the employee must determine that the snap or fasteners are properly engaged.

(8) Safety straps must not be placed around poles above the cross-arm except where it is not possible for the strap to slide or be slipped over the top of the pole by inadvertence of the employee. Neither end of the strap must be allowed to hang loose or dangle while the employee is ascending or descending poles or other structures.

(9) Body belts and safety straps must not be stored with sharp-edged tools or near sharp objects. When a body belt, safety strap and climbers are kept in the same container, they must be stored in such a manner as to avoid cutting or puncturing the material of the body belt or safety strap with the gaffs or climbers.

(10) Employees must not attach metal hooks or other metal devices to body belts. Leather straps or rawhide thongs must have hardwood or fibre crossbars. Leather straps and rawhide thongs must not have metal or other conductive crossbars on them.

(11) Climbing gaffs must be kept properly sharpened and must be at least 1-1/8 inches in length.

(12) Lifelines must be protected against being cut or abraded.

(13) Fall arrest equipment, work positioning equipment, or travel restricting equipment must be used by employees working at elevated locations more than 4 feet (1.2 m) above the ground on poles, towers, or similar structures if other fall protection has not been provided.

**AMENDATORY SECTION** (Amending WSR 16-10-082, filed 5/3/16, effective 7/1/16)

**WAC 296-45-908 Appendix F—Other Applicable safety and health Washington administrative codes.**

- Chapter 296-24 WAC, General safety and health standards;
- Chapter 296-27 WAC, Recordkeeping and reporting;
- Chapter 296-32 WAC, Safety standards for telecommunications;
- Chapter 296-36 WAC, Safety standards—Compressed air work;
- Chapter 296-37 WAC, Standards for commercial diving operations;
- Chapter 296-52 WAC, Safety standards for possession, handling, and use of explosives;
- Chapter 296-54 WAC, Safety standards—Logging operations;
- Chapter 296-56 WAC, Safety standards—Longshore, stevedore and waterfront related operations;
- Chapter 296-59 WAC, Safety standards for ski area facilities and operations;
- Chapter 296-62 WAC, General occupational health standards;
- Chapter 296-63 WAC, Right to know fee assessment;
- Chapter 296-65 WAC, Asbestos removal and encapsulation;
- Chapter 296-67 WAC, Safety standards for process safety management of highly hazardous chemicals;

Chapter 296-78 WAC, Safety standards for sawmills and woodworking operations;

Chapter 296-79 WAC, Safety Standards for pulp, paper, and paperboard mills and converters;

Chapter 296-99 WAC, Safety standards for grain handling facilities;

Chapter 296-115 WAC, Safety requirements for charter boats;

Chapter 296-155 WAC, Safety standards for construction work;

Chapter 296-301 WAC, Safety standards for the textile industry;

Chapter 296-303 WAC, Safety standards for laundry machinery and operations;

Chapter 296-304 WAC, Safety standards for ship repairing, shipbuilding, and shipbreaking;

Chapter 296-305 WAC, Safety standards for firefighters;

Chapter 296-307 WAC, Safety standards for agriculture;

Chapter 296-360 WAC, Discrimination, pursuant to RCW 49.17.160;

Chapter 296-800 WAC, Safety and health core rules;

Chapter 296-802 WAC, Employee medical and exposure records;

Chapter 296-803 WAC, Lockout/tagout (control of hazardous energy);

Chapter 296-806 WAC, Machine safety;

Chapter 296-807 WAC, Portable power tools;

Chapter 296-809 WAC, Confined spaces;

Chapter 296-811 WAC, Fire brigades;

Chapter 296-816 WAC, Protecting trade secrets;

Chapter 296-817 WAC, Hearing loss prevention (noise);

Chapter 296-818 WAC, Abrasive blasting;

Chapter 296-823 WAC, Occupational exposure to bloodborne pathogens;

Chapter 296-824 WAC, Emergency response;

Chapter 296-826 WAC, Anhydrous ammonia;

Chapter 296-828 WAC, Hazardous chemicals in laboratories;

Chapter 296-829 WAC, Helicopters used as lifting machines;

Chapter 296-832 WAC, Late night retail worker crime prevention;

Chapter 296-833 WAC, Temporary housing for workers;

Chapter 296-835 WAC, Dipping and coating operations (dip tanks);

Chapter 296-839 WAC, Content and distribution of material safety data sheets (MSDSs) and label information;

Chapter 296-841 WAC, Airborne contaminants;

Chapter 296-842 WAC, Respirators;

Chapter 296-843 WAC, Hazardous waste operations;

Chapter 296-848 WAC, Arsenic;

Chapter 296-849 WAC, Benzene;

Chapter 296-855 WAC, Ethylene oxide;

Chapter 296-856 WAC, Formaldehyde;

Chapter 296-860 WAC, Railroad clearances and walkways in private rail yards and plants;

Chapter 296-863 WAC, Forklifts and other powered industrial trucks;

Chapter 296-864 WAC, Split (multi-piece) rim and single-piece rim wheels;

Chapter 296-865 WAC, Motor vehicles;

Chapter 296-869 WAC, Elevating work platforms;

Chapter 296-870 WAC, Powered platforms;

Chapter 296-874 WAC, Scaffolds;

Chapter 296-876 WAC, Ladders, portable and fixed;

Chapter 296-878 WAC, Safety standards for window cleaning;

Chapter 296-880 WAC, Unified safety standards for fall protection.

Chapter 296-900 WAC, Administrative rules;

Chapter 296-901 WAC, Globally harmonized system for hazard communication.

AMENDATORY SECTION (Amending WSR 15-24-102, filed 12/1/15, effective 1/5/16)

**WAC 296-56-60119 Protection from falling.** ~~((You must make sure employees doing maintenance work on cranes, spouts or similar types of equipment, eight feet or more above the ground or surface and not in an area that is protected by any standard safeguards such as walkways with standard railings, or ladders with protective cages, wear a safety belt and lanyard which can be attached to the structure.))~~ The employer must ensure all employees are protected in accordance with the requirements in chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 15-24-102, filed 12/1/15, effective 1/5/16)

**WAC 296-56-60123 Guarding of edges.** (1) You must meet the following requirements for vehicle protection:

(a) Vehicle curbs, bull rails, or other effective barriers at least six inches (15.24 cm) in height and six inches in width, must be provided at the waterside edges of aprons and bulkheads, except where vehicles are prohibited. Curbs or bull rails installed after January 1, 1985, must be at least ten inches (22.9 cm) in height.

(b) The provisions of (a) of this subsection also apply at the edge of any fixed level above the common floor area from which vehicles may fall, except at loading docks, platforms and skids where cargo is moved by vehicles.

(2) ~~((You must meet the following requirements for employee protection:~~

~~(a) Guardrails must be provided at locations where employees are exposed to falls of more than four feet from floor or wall openings or waterside edges, including bridges or gangway-like structures leading to pilings, vessel mooring or berthing installations.~~

~~(b) Guardrails are not required:~~

~~(i) At loading platforms and docks;~~

~~(ii) At waterside edges used for cargo or mooring line handling;~~

~~(iii) On the working sides of work platforms, skids, or similar workplaces which abut the work area; or~~

~~(iv) On railroad rolling stock, highway vehicles, intermodal containers, or similar equipment.~~

(e) Where guardrails are impractical due to machinery requirements or work processes, an alternate means of fall protection, such as nets, must be used.

(3) You must make sure guardrails meet the following criteria:

(a) Guardrails must be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction at mid-span of the top rail (when used), or at the uppermost point if there is no guard rail.

(b) If not of solid baluster, grillwork, slatted, or similar construction, guardrails must consist of top rails and midrails. Midrails, when used, must be positioned at approximately half the height of the top rail.

(c) The top surface of guardrails installed before October 3, 1983, must be at least thirty-six inches (.91 m) high. Those installed after October 3, 1983, must be forty-two inches (1.07 m) high, plus or minus two inches (5.1 cm), high.

(d) Any nonrigid railing such as chain or wire rope must have a maximum sag, at the mid-point between posts, of not more than six inches (15.24 cm).

(e) Top rails must be free of sharp edges and maintained in good repair.

(f) Rail ends must not overhang. This does not prohibit scroolwork, boxed ends or similar nonhazardous projections.

(4) You must provide toeboards when employees below could be exposed to falling objects such as tools. Toeboards must be at least three and one-half inches (8.9 cm) in height from top edge to floor level, and be capable of withstanding a force of fifty pounds (222 N) applied in any direction. Drainage clearance not in excess of one-eighth inch under toeboards is permitted.

(5) Stair railings must be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction, and must not be more than thirty-six inches (0.91 m) nor less than thirty-two inches (0.81 m) in height from the upper top rail surface to the tread surface in line with the leading edge of the tread. Railings and midrails must be provided at any stairway having four or more risers, as follows:

(a) For stairways less than forty-four inches (1.12 m) wide, at least one railing; and

(b) For stairways more than forty-four inches (1.12 m) but less than eighty-eight inches (2.24 m) wide, a stair rail or handrail on each side, and if eighty-eight or more inches wide, an additional intermediate handrail.

(6) You must maintain railings in good repair and free of sharp edges.) The employer must ensure all employees are protected in accordance with the requirements in chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 17-16-132, filed 8/1/17, effective 9/1/17)

**WAC 296-59-050 Personal protective equipment, general requirements.** (1) Application.

(a) Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, must be provided at no cost to the employee, used, and maintained in a sanitary and reliable condition wherever it is

indicated by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact.

(b) Employee-owned equipment. Where employees provide their own protective equipment, you must be responsible to ensure its adequacy, including proper maintenance, and sanitation of such equipment.

(c) Design, construction, testing, and use of personal protective equipment must comply with the requirements of the safety and health core rules, WAC 296-800-160; the Occupational health standards—Safety standards for carcinogens, chapter 296-62 WAC; or the currently applicable ANSI standard.

(2) Eye and face protection. Eye and face protective equipment must be provided and worn where there is exposure in the work process or environment to hazard of injury, which can be prevented by such equipment.

(3) Occupational head protection. Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, must be protected by protective helmets, i.e., a lift operator would not be required to use a hardhat while operating the lift. However, if that same person is assisting with maintenance operations and is working under a tower where overhead work is being done, that operator would now be required to wear an approved helmet.

(a) Helmets for the protection of employees against impact and/or penetration of falling and flying objects must meet the specifications contained in American National Standards Institute, Z89.1-1986, Safety Requirements for Industrial Head Protection.

(b) Helmets for the head protection of employees exposed to high voltage electrical shock and burns must meet the specifications contained in American National Standards Institute, Z89.2-1971, Safety Requirements for Industrial Protective Helmets for Electrical Workers, Class B.

(c) Approved head protection must be worn by operators of snowmobiles and other mobile oversnow equipment which is not equipped with a rigid metal operator's cab.

(4) Occupational foot protection.

(a) Substantial footwear appropriate for the work conditions encountered must be worn by all employees.

(b) Where the job assignment includes exposure to slipping hazards, soles and heels of footwear must be of such material and design as to reduce the hazard of slipping.

(5) Requirements for safety belts, lifelines, lanyards, and nets(-

a) Safety belts, lifelines, and lanyards which meet the requirements of ANSI A10.14 must be provided and used whenever employees are working in locations which expose them to a fall of more than ten feet. The particular work location and application must dictate which type of belt or harness and length of lanyard is used.

(b) Lifelines must be secured to an anchorage or structural member capable of supporting a minimum dead weight of five thousand four hundred pounds.

(c) Lifelines used on rock sealing applications or in areas where the lifeline may be subjected to cutting or abrasion

~~must be a minimum of seven-eighths inch wire core manila rope or equivalent. For all other lifeline applications, three-fourths inch manila rope or equivalent with a minimum break strength of five thousand four hundred pounds may be used.~~

~~(d) Each safety belt lanyard must be a minimum of one-half inch nylon, or equivalent, with a minimum of five thousand four hundred pounds breaking strength.~~

~~(e) Employees will not be required to wear a safety belt and lanyard while riding on a standard lift chair while seated in the normal riding position.~~

~~(f) Safety nets meeting the requirements of ANSI A10.11 must be used when other acceptable forms of fall protection are not useable. When used, safety nets must extend a minimum of eight feet beyond the edge offering exposure, must be hung with sufficient clearance to prevent user's contact with surfaces or objects below, and must not be more than twenty five feet below the fall exposure edge)) must be in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.~~

AMENDATORY SECTION (Amending WSR 17-16-132, filed 8/1/17, effective 9/1/17)

**WAC 296-59-115 Ski lift facilities and structures. (1)**

Existing ski lift facilities and structures must not be required to be retrofitted with standard construction work platforms, walkways, stairs or guardrails on exterior surfaces when such features would add significantly to snow loading considerations. When such standard protective features are omitted, alternative personal protective measures must be used where possible. Examples include, but are not limited to: Safety belt and lanyard, ladder climbing safety devices, temporary work platforms or scaffolds, temporary or removable handrails, guardrails, or walkways.

**(2) Snow removal.**

(a) During the operating season, standard guardrails which would interfere with snow removal may be omitted in areas where it can be anticipated that frequent snow removal will be necessary to maintain operability of ski lift apparatus. Examples could include, but are not limited to, the motor house roof or loading and unloading areas.

(b) Personnel barricades, signs, or other devices must be used to deflect traffic or warn personnel of existing fall hazards.

(3) All ski lift towers installed after the effective date of this standard must be equipped with permanent ladders or steps which meet the following minimum requirements:

(a) The minimum design live load must be a single concentrated load of two hundred pounds.

(b) The number and position of additional concentrated live load units of two hundred pounds each as determined from anticipated usage of the ladder must be considered in the design.

(c) The live loads imposed by persons occupying the ladder must be considered to be concentrated at such points as will cause the maximum stress in the structural member being considered.

(d) The weight of the ladder and attached appurtenances together with the live load must be considered in the design of rails and fastenings.

(e) All rungs must have a minimum diameter of three-fourths inch.

(f) The distance between rungs on steps must not exceed twelve inches and shall be uniform throughout the ladder length. The top rung must be located at the level of the landing or equipment served by the ladder.

(g) The minimum clear length of rungs or steps must be sixteen inches on new installations.

(h) Rungs, cleats, and steps must be free of sharp edges, burrs, or projections which may be a hazard.

(i) The rungs of an individual-rung ladder must be so designed that the foot cannot slide off the end. (A suggested design is shown in Figure D-1, at the end of this section.)

(j) Side rails which might be used as a climbing aid must be of such cross sections as to afford adequate gripping surface without sharp edges or burrs.

(k) Fastenings must be an integral part of fixed ladder design.

(l) All splices made by whatever means must meet design requirements as noted in (a) of this subsection. All splices and connections must have smooth transition with original members and with no sharp or extensive projections.

(m) Adequate means must be employed to protect dissimilar metals from electrolytic action when such metals are joined.

(n) All welding must be in accordance with the "Code for Welding in Building Construction" (AWS D1.0-1966).

(o) Protection from deterioration. Metal ladders and appurtenances must be painted or otherwise treated to resist corrosion and rusting when location demands.

**(4) Installation and clearance.**

**(a) Pitch.**

(i) The preferred pitch of fixed ladders is between the range of seventy-five degrees and ninety degrees with the horizontal (Figure D-4).

(ii) Substandard pitch. Fixed ladders must be considered as substandard if they are installed within the substandard pitch range of forty-five and seventy-five degrees with the horizontal. Substandard fixed ladders are permitted only where it is found necessary to meet conditions of installation. This substandard pitch range is considered as a critical range to be avoided, if possible.

(iii) Pitch greater than ninety degrees. Ladders having a pitch in excess of ninety degrees with the horizontal are prohibited.

**(b) Clearances.**

(i) The perpendicular distance from the centerline of the rungs to the nearest permanent object on the climbing side of the ladder must be thirty-six inches for a pitch of seventy-six degrees, and thirty inches for a pitch of ninety degrees (Figure D-2), with minimum clearances for intermediate pitches varying between these two limits in proportion to the slope.

(ii) A clear width of at least fifteen inches must be provided each way from the centerline of the ladder in the climbing space.

(iii) The side rails of through or side-step ladder extensions must extend three and one-half feet above parapets and landings.

(A) For through ladder extensions, the rungs must be omitted from the extension and must have not less than eigh-

teen nor more than twenty-four inches clearance between rails.

(B) For side-step or offset fixed ladder sections, at landings, the side rails and rungs must be carried to the next regular rung beyond or above the three and one-half feet minimum.

(iv) Grab bars must be spaced by a continuation of the rung spacing when they are located in the horizontal position. Vertical grab bars must have the same spacing as the ladder side rails. Grab bar diameters must be the equivalent of the round-rung diameters.

(v) Clearance in back of ladder. The distance from the centerline of rungs, cleats, or steps to the nearest permanent object in back of the ladder must be not less than seven inches, except that when unavoidable obstructions are encountered, minimum clearances as shown in Figure D-3 shall be provided.

(vi) Clearance in back of grab bar. The distance from the centerline of the grab bar to the nearest permanent object in back of the grab bars must be not less than four inches. Grab bars must not protrude on the climbing side beyond the rungs of the ladder which they serve.

(c) The step-across distance from the nearest edge of a ladder to the nearest edge of the equipment or structure must not be more than twelve inches, or less than two and one-half inches. However, the step-across distance may be as much as twenty inches provided:

- (i) The climber is wearing a safety belt and lanyard; and
- (ii) The lanyard is attached to the tower structure before the climber steps off the ladder.

(5) Ski lift towers are not required to be equipped with ladder cages, platforms or landings.

(6) Maintenance and use.

(a) All ladders must be maintained in a safe condition. All ladders must be inspected regularly, with the intervals between inspections being determined by use and exposure.

(b) When ascending or descending, the climber must face the ladder.

(c) Personnel must not ascend or descend ladders while carrying tools or materials which could interfere with the free use of both hands.

(7) Personnel must be provided with and must use ladder safety devices or safety belts and lanyards whenever feasible.

(8) Personnel must not place mobile equipment or personal equipment such as skis, ski poles, or large tools within the falling radius of the lift tower while climbing or working on the lift tower.

(9) Ski lift towers and terminals are not required to be equipped with sheave guards on the haulrope wheels.

(10) Ski lift towers are not required to be equipped with work platforms.

(11) Personnel must use personal protective equipment such as a safety belt((s)) and lanyard((s when working at unprotected elevated locations. Exception to this requirement must only be permitted for emergency rescue or emergency inspection if a safety belt and lanyard is not immediately available. Required personal protective equipment must be made available as quickly as possible)) in accordance with the requirements of chapter 296-880 WAC, Unified safety standards for fall protection.

(12) When fixed ladders on towers do not reach all the way down to the ground or snow level, a specifically designed and constructed portable ladder must be used for access to and from the fixed ladder. Portable ladders must be constructed and maintained to the following requirements:

(a) The portable ladder must be constructed in accordance with applicable provisions of subsection (3) of this section.

(b) The portable ladder must be constructed with a minimum of two attachment hooks near the top to be utilized for securing the portable ladder onto the fixed ladder.

(c) The attachment hooks must be installed to support the portable ladder near the fixed ladder side rails.

(d) Rungs or steps on the portable ladder must be spaced to be identical with rungs or steps on the fixed ladder when the portable ladder is attached for use. The design criteria must achieve a horizontal plane relationship on the top (walking surface) portion of both steps when overlapping is necessary.

(e) The portable ladder must be equipped with a hold-out device near the bottom to assure clearance behind the steps as required by subsection (4)(b)(v) of this section.

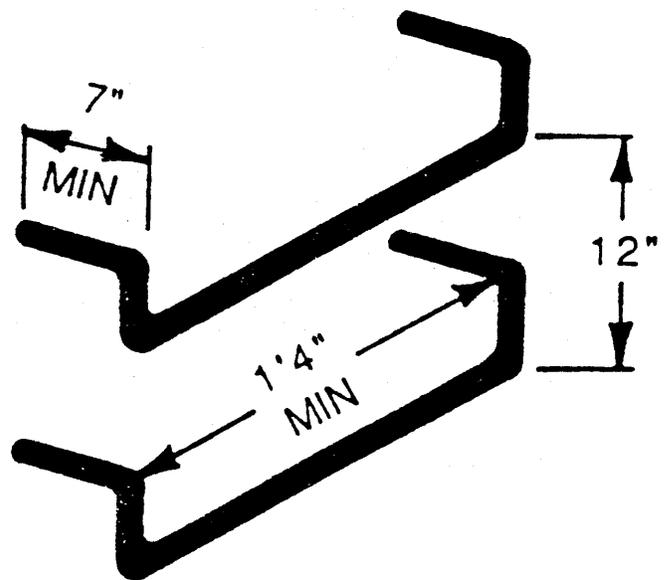


FIGURE D-1

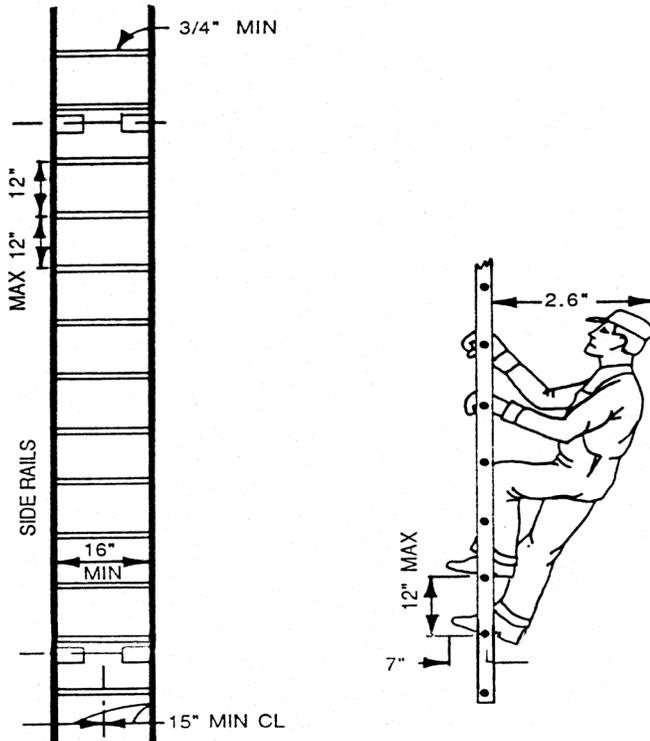


FIGURE D-2  
Minimum Ladder Clearance

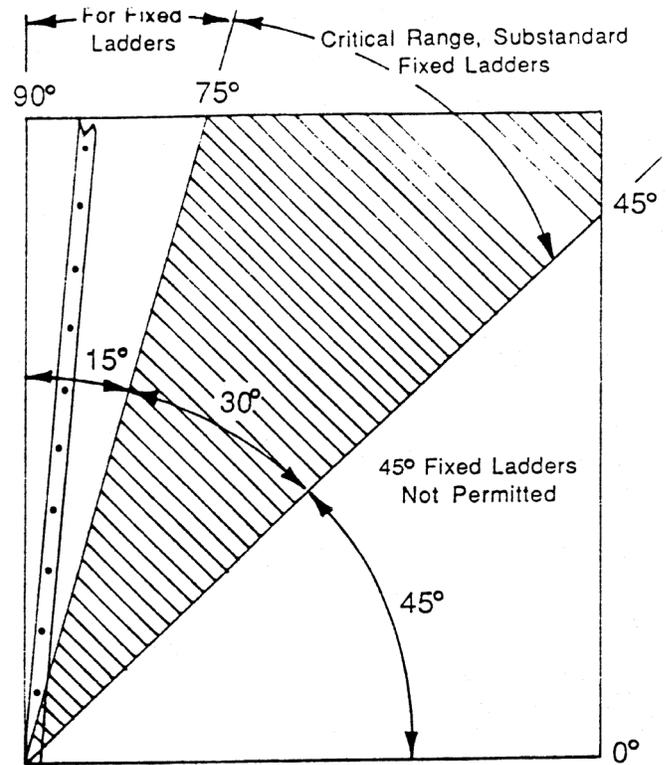


FIGURE D-4  
Fixed Ladder Range

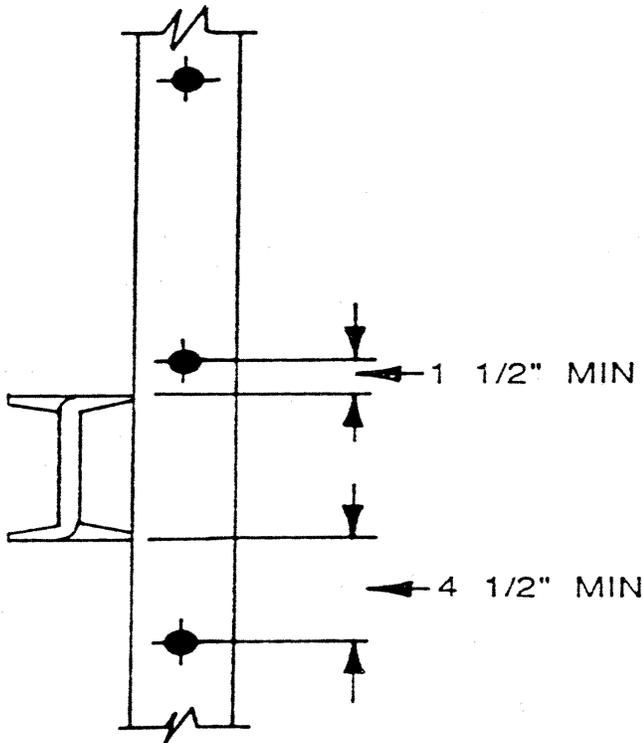


FIGURE D-3  
Clearance for Unavoidable Obstruction  
at Rear of Fixed Ladder.

AMENDATORY SECTION (Amending WSR 18-04-096, filed 2/6/18, effective 3/9/18)

**WAC 296-59-125 Ski lift aerial work platforms.** (1) Construction and loading.

(a) All aerial work platforms must be constructed to sustain the permissible loading with a safety factor of four. The load permitted must be calculated to include:

(i) The weight of the platform and all suspension components;

(ii) The weight of each permitted occupant calculated at two hundred fifty pounds per person including limited handtools;

(iii) The weight of any additional heavy tools, equipment, or supplies for tasks commonly accomplished from the work platform.

(b) The floor of the platform must not have openings larger than two inches in the greatest dimension.

(c) The platform must be equipped with toeboards at least four inches high on all sides.

(d) Guardrail(s).

(i) The platform must be equipped with standard height and strength guardrails where such guardrails will pass through the configuration of all lifts on which it is intended to be used.

(ii) Where guardrails must be less than thirty-six inches high in order to clear carriages, guideage, etc., guardrails must be as high as will clear the obstructions but never less than twelve inches high.

~~(iii) If the work platform is equipped with an upper work level, the upper level platform must be equipped with a toe board at least four inches high.~~

~~(iv) Each platform must be equipped with a lanyard attachment ring for each permissible occupant to attach a safety belt lanyard.~~

~~(v) Each lanyard attachment ring must be of such strength as to sustain five thousand four hundred pounds of static loading for each occupant permitted to be attached to a specific ring.~~

~~(vi) Attachment rings must be permanently located as close to the center balance point of the platform as is practical.~~

~~(vii) The rings may be movable, for instance, up and down a central suspension rod, but must not be completely removable)) requirements must be in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.~~

(e) Platform attachment.

(i) The platform must be suspended by either a standard wire rope four part bridle or by solid metal rods, bars, or pipe.

(ii) The attachment means chosen must be of a type which will prevent accidental displacement.

(iii) The attachment means must be adjusted so that the platform rides level when empty.

(f) Maintenance.

(i) Every aerial work platform must be subjected to a complete annual inspection by qualified personnel.

(ii) The inspection must include all structural members, welding, bolted or treaded fittings, and the suspension components.

(iii) Any defect noted must be repaired before the platform is placed back in service.

(iv) A written record must be kept for each annual inspection. The record must include:

(A) The inspector identification;

(B) All defects found;

(C) The identity of repair personnel;

(D) Identity of the postrepair inspector who accepted the platform for use.

(g) The platform must be clearly identified as to the number of permissible passengers and the weight limit of additional cargo permitted.

(i) Signs must be applied on the outside of each side panel.

(ii) Signs must be maintained in clearly legible condition.

(h) Unless the side guardrail assembly is at least thirty-six inches high on all sides, signs must be placed on the inside floor or walls to clearly inform all passengers that they must use a safety belt and lanyard at all times when using the platform.

(2) Work platform use.

(a) Platforms must be attached to the haulrope with an attachment means which develops a four to one strength factor for the combined weight of the platform and all permissible loading.

(b) The haulrope attachment means must be designed to prevent accidental displacement.

(c) Trained and competent personnel must attach and inspect the platform before each use.

~~(d) ((Passengers must be provided with and must use the correct safety harness and lanyard for the intended work.~~

~~(e) Any time a passenger's position is not protected by a standard guardrail at least thirty-six inches high, the individual must be protected by a short lanyard which will not permit free fall over the platform edge.~~

~~(f) When personnel are passengers on a work platform and their work position requires the use of a safety harness and lanyard, the lanyard must be attached to the work platform, not to the haulrope or tower.~~

~~(g)) Work platform passengers must face in the direction of travel when the lift is moving.~~

~~((h)) (e) Tools, equipment and supplies must be loaded on the platform in such a fashion that the loaded platform can safely pass all towers and appurtenances.~~

~~((i)) (f) Heavy tools, equipment or supplies must be secured in place if they could fall over or roll within the platform and create a hazard for passengers.~~

~~((j)) (g) When the work crew is traveling on the work platform, the lift must be operated at a speed which is safe for that particular system and the conditions present.~~

Note: See Appendix 1 for operating procedure requirements.

AMENDATORY SECTION (Amending WSR 17-16-132, filed 8/1/17, effective 9/1/17)

**WAC 296-78-71001 General.** (1) Construction when not specifically covered in these standards, must be governed by such other standards adopted by the department of labor and industries as may apply.

(2) All buildings, docks, tramways, walkways, log dumps and other structures must be designed, constructed, and maintained to provide a safety factor of four. This means that all members must be capable of supporting four times the maximum load to be imposed. This provision refers to buildings, docks and so forth designed and constructed subsequent to the effective date of these standards and also refers in all cases where either complete or major changes or repairs are made to such buildings, docks, tramways, walkways, log dumps and other structures.

(3) Basements on ground floors under mills must be evenly surfaced, free from unnecessary obstructions and debris, and provided with lighting facilities in compliance with the requirements of the safety and health core rules, WAC 296-800-210.

(4) All engines, motors, transmission machinery or operating equipment installed in mill basements or ground floors must be equipped with standard safeguards for the protection of workers.

(5) Flooring of buildings, ramps and walkways not subject to supporting motive equipment must not be of less than two-inch wood planking or material of equivalent structural strength.

(6) Flooring of buildings, ramps, docks, trestles and other structures required to support motive equipment must not be of less than full two and one-half inch wood planing or material of equivalent structural strength. However, where flooring is covered by steel floor plates, two inch wood

planking or material or equivalent structural strength may be used.

(7) Walkways, docks, and platforms.

(a) Walkways, docks and platforms must be constructed and maintained in accordance with the requirements of WAC 296-24-735 (~~through 296-24-75011 and~~), WAC 296-800-270, and in accordance with chapter 296-880 WAC.

(b) Maintenance. Walkways must be evenly floored and kept in good repair.

(c) Where elevated platforms are used, they must be equipped with stairways or ladders in accordance with WAC 296-24-765 through 296-24-81013, WAC 296-800-250 and chapter 296-876 WAC, Ladders, portable and fixed.

AMENDATORY SECTION (Amending WSR 17-16-132, filed 8/1/17, effective 9/1/17)

**WAC 296-78-71003 Floor and wall openings.** (1) All floor and wall openings, either temporary or permanent, must be protected (~~as required by WAC 296-24-750 through 296-24-75011 and WAC 296-800-260~~) in accordance with chapter 296-880 WAC.

(2) The area under floor openings must, where practical, be fenced off. When this is not practical, the areas must be plainly marked with yellow lines and telltails must be installed to hang within five and one-half feet of the ground or floor level.

(3) Where floor openings are used to drop materials from one level to another, audible warning systems must be installed and used to indicate to employees on the lower level that material is to be dropped.

AMENDATORY SECTION (Amending WSR 17-16-132, filed 8/1/17, effective 9/1/17)

**WAC 296-79-020 General requirements.** (1) House-keeping.

Floors must be kept reasonably clear of spilled or leaking oil, grease, water, broke, etc., that may cause slipping, tripping or falling. Nonskid type surfacing must be installed in vehicular or pedestrian traffic areas where slipping hazards otherwise would exist.

(a) In areas where it is not possible to keep the floor free of materials which cause a slipping hazard, mats, cleats, or other suitable materials which will effectively minimize or eliminate the hazard must be installed.

(b) Hoses, cords, slings or similar items or equipment must be stored in such a manner that they will not create a hazard.

(2) Storage and transportation of materials. Materials, objects or equipment must be stored or transported by methods which will prevent them from falling, tipping or rolling.

(3) Warning of open manholes or excavations must be in accordance with chapter 296-880 WAC, Unified safety standards for fall protection. Open manholes or excavations must be:

(a) Roped off, barricaded, or adequately safeguarded when located in or adjacent to walkways, aisleways, or roadways.

(b) Provided with warning lights or lanterns during periods of darkness or reduced visibility.

(4) Training. Employees must receive proper instruction and be familiar with safe operating procedures:

(a) Before they supervise the operation, or make adjustments to any machine or equipment.

(b) To be able to cope with emergencies arising from breaks, ruptures, or spills which would create a hazardous condition.

(c) For lifting and moving objects. Mechanical devices should be used or employees should ask for assistance in lifting or moving heavy objects.

(d) On prompt reporting of any faulty equipment or hazardous condition to the person in charge.

(5) Working alone. When an employee is assigned to work alone in a remote or isolated area, procedures must be developed to ensure:

(a) That the employee reports by use of radio or telephone to someone periodically; or

(b) That at reasonable intervals a designated person must check on the employee; and

(c) That all persons involved in working alone are advised of the procedures to be followed.

(6) Exits from hazardous areas. Where physically and reasonably possible, there must be at least two unobstructed exits from any hazardous area. Such exits should be on opposite walls.

(7) Safe work area. Sufficient clearance must be maintained between machines to allow employees a safe work area.

(8) Protection from overhead hazard. Warning signs/devices must be:

(a) Placed in conspicuous locations below areas where overhead work is being done; and

(b) Removed promptly when work is completed and the overhead hazard no longer exists.

(9) Welding areas protected.

(a) Areas in which welding is being done must be screened or barricaded to protect persons from flash burns, when practical.

(b) If the welding process cannot be isolated, all persons who may be exposed to the hazard of arc flash must be properly protected.

(10) Testing safety devices. Brakes, back stops, anti-run-away devices, overload releases, emergency stops, and other safety devices must be inspected and tested frequently to ensure that all are operative and maintained in good repair.

(11) Starting and stopping devices.

(a) Electrically or manually operated power starting or stopping devices must be provided within easy reach of the operator from the normal operating position.

(b) If necessary for safety of the operation, the machine must be so equipped that retarding or braking action can be applied at the time of or after the source of power is deactivated.

(12) Interlocks:

(a) Interlocks that affect the safety of employees must not be bypassed except where you demonstrate alternate procedures or devices that provide a level of safety for employees equivalent to those provided by the safety interlock. Interlocks are considered to be bypassed anytime the designed control strategy is bypassed by means including, but not lim-

ited to, a temporary wiring change, physical interference or a temporary software change of "force."

(b) Prior to bypassing a safety interlock you must:

(i) Develop a written procedure detailing how the bypass will be accomplished and the alternate means of protecting employees;

(ii) Inform affected employees of all pertinent information including at a minimum the reason for the change, the date of the change, who is responsible for the change, and approximately how long the change will be in effect; and

(c) Post appropriate warning of the change on the equipment or area.

(13) Designing control systems. You must ensure that all control systems are designed to:

(a) Ensure that the system does not create an unsafe state that endangers personnel;

(b) Ensure that when control systems fail, the equipment being controlled fails to a safe state; and

(c) Have an independent method to safely stop the process or equipment, such as a hardwired emergency stop button or other controls that deenergize the system, or independent methods to force the system to a safe state.

(14) Compressed air.

(a) Compressed air must not be used for cleaning clothing that is being worn, or if it will endanger persons in the area.

(b) Sections of high pressure air hoses must be properly coupled and have safety chains or equivalent safety device attached between the sections (30 psi or more is high pressure air).

(15) Punch bars. Open pipes must not be used as punch bars if the use would create a hazard.

(16) Saw table limit stop or extension. Employees must be protected from contact with the front edge of a circular saw by:

(a) A limit stop which will prevent the forward swing of the cutting edge from extending beyond the edge of the table; or

(b) Installation of a table extension.

(17) Powder-actuated tools.

(a) Powder-actuated tool design, construction, operation and use must comply with all requirements specified in "safety requirements for powder actuated fastening systems," (see chapter 296-24 WAC, Part H-1).

(b) A careful check must be made to ensure that no cartridges or charges are left where they could enter equipment or be accidentally discharged in any area where they could create a fire or explosion hazard.

(18) Ladders required on waterfront docks. You must ensure that either permanent ladders or portable ladders:

(a) Are readily available for emergency use on all waterfront docks;

(b) Extend from the face of the dock to the water line at its lowest elevation;

(c) Are installed at intervals not to exceed 400 feet;

(d) Are noticeable by painting the dock area immediately adjacent to the ladder with a bright color which contrasts with the surrounding area; and

(e) Have been secured with a suitable method.

Note: When working on or around water also see WAC 296-800-160.

(19) Prevent overhang while removing materials. Extreme care must be taken to prevent material from creating an overhang while removing the materials from piles or bins.

AMENDATORY SECTION (Amending WSR 17-16-132, filed 8/1/17, effective 9/1/17)

**WAC 296-79-110 Elevated runways and ramps used by vehicles.** (1) Runways and ramps must:

(a) Be cleated, grooved, rough surfaced, or covered with a material that will minimize the danger of skidding; and

(b) Not have a maximum incline exceeding 20° from horizontal if used for wheeled equipment.

(2) Guarding exposed sides.

(a) Elevated ramps or runways used for the travel of wheeled equipment must have exposed sides guarded with a substantial bull rail or shear rail of sufficient height to prevent wheeled equipment from going over the rail.

(b) If elevated ramps or runways are used by pedestrians, standard guardrails must be installed on runways wherever the height exceeds 4 feet above the adjacent area (~~except where used for loading or unloading purposes~~) in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-325 General requirements for storage.** (1) **General.**

(a) You must stack, rack, block, interlock, or otherwise secure materials stored in tiers to prevent sliding, falling or collapse.

(b) You must conspicuously post maximum safe load limits of floors within buildings and structures, in pounds per square foot, in all storage areas, except for floor or slab on grade. You must not exceed maximum safe loads.

(c) You must keep aisles and passageways clear to provide for the free and safe movement of material handling equipment or employees. You must keep such areas in good repair.

(d) When a difference in road or working levels exist, you must use means such as ramps, blocking, or grading to ensure the safe movement of vehicles between the two levels.

(e) When necessary to store building material on public thoroughfares, you must exercise care to see that it is so piled or stacked as to be safe against collapse or falling over.

(f) You must locate material so as not to interfere with, or present a hazard to employees, traffic, or the public.

(2) **Material storage.**

(a)(i) You must not place material stored inside buildings under construction within 6 feet of any hoistway or inside floor openings, nor within 10 feet of an exterior wall which does not extend above the top of the material stored.

(ii) Temporary floors, used in steel erection, concrete forms and shoring (i.e., stripped forms, shoring jacks, clamps, steel rods or pipes, base plates, etc.) placed within close proximity to an open-sided floor for movement to another tier for placement, must be considered "in-process equipment and subject to the provisions contained in Parts "O" and "P" of this standard. When this type equipment is to

be left overnight or for longer periods of time it must be anchored and braced to prevent displacement in any direction. In addition this equipment must be subject to the provisions of this subsection while in "interim storage."

(b) Each employee required to work on stored material in silos, hoppers, tanks, and similar storage areas must be equipped with personal fall arrest equipment meeting the requirements of chapter ((296-155-WAC, Part C-1)) 296-880 WAC, Unified safety standards for fall protection.

(c) You must segregate noncompatible materials in storage.

(d) You must stack bagged materials by stepping back the layers and cross-keying the bags at least every 10 bags high.

(i) When cement and lime is delivered in paper bags you must carefully handle them to prevent the bags bursting.

(ii) You must not pile cement and lime bags more than 10 bags high except when stored in bins or enclosures built for the purpose of storage.

(iii) When bags are removed from the pile, you must keep the length of the pile at an even height, and the necessary step backs every 5 bags maintained.

(iv) Persons handling cement and lime bags must wear eye protection which prevents contact between the substance and the worker's eyes (such as goggles or other sealed eye protection) and must wear long sleeve shirts with close fitting collar and cuffs.

(v) You must warn workers against wearing clothing that has become hard and stiff with cement.

(vi) You must instruct workers to report any susceptibility of their skin to cement and lime burns.

(vii) You must provide a hand cream or vaseline and eye wash and keep it ready for use to prevent burns.

(viii) You must store lime in a dry place to prevent a premature slacking action that may cause fire.

(e) You must not store materials on scaffolds or runways in excess of supplies needed for immediate operations.

(f) Brick stacks must not be more than 7 feet in height. When a loose brick stack reaches a height of 4 feet, it must be tapered back two inches in every foot of height above the 4-foot level.

(i) You must never stack brick, for storage purposes, on scaffolds or runways.

(ii) When delivering brick on scaffolds inside the wall lines in wheelbarrows, you must dump them toward the inside of the building and not toward the wall.

(iii) You must always stack blocks and not throw them in a loose pile.

(g) When masonry blocks are stacked higher than 6 feet, the stack must be tapered back one-half block per tier above the 6-foot level.

(i) When blocks are stacked inside a building, you must distribute the piles so as not to overload the floor on which they stand.

(ii) Blocks must not be dropped or thrown from an elevation or delivered through chutes.

(h) **Lumber:**

(i) Used lumber must have all nails withdrawn before stacking.

(ii) You must stack lumber on level and solidly supported sills.

(iii) You must stack lumber so as to be stable and self-supporting.

(iv) Lumber stacks must not exceed 20 feet in height provided that lumber to be handled manually must not be stacked more than 16 feet high.

(v) You must stack all stored lumber on timber sills to keep it off the ground. You must place sills level on solid supports.

(vi) You must place cross strips in the stacks when they are stacked more than 4 feet high.

(i) You must stack and block structural steel, poles, pipe, bar stock, and other cylindrical materials, unless racked, so as to prevent spreading or tilting.

(i) Persons handling reinforcing steel must wear heavy gloves.

(ii) When bending of reinforcing steel is done on the job, you must provide a strong bench, set up on even dry ground or a floor for the persons to work on.

(iii) You must carefully pile structural steel to prevent danger of members rolling off or the pile toppling over.

(iv) You must keep structural steel in low piles, consideration being given to the sequence of use of the members.

(v) You must stack corrugated and flat iron in flat piles, with the piles not more than 4 feet high and spacing strips must be placed between each bundle.

(j) **Sand, gravel and crushed stone.**

(i) You must frequently inspect piles to prevent their becoming unsafe by continued adding to or withdrawing from the stock.

(ii) If material becomes frozen, you must not remove it in a manner that would produce an overhang.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-477 Stairways.** (1) **General.** The following requirements apply to all stairways as indicated:

(a) Stairways that will not be a permanent part of the structure on which construction work is being performed must have landings of not less than 30 inches (76 cm) in the direction of travel and extend at least 22 inches (56 cm) in width at every 12 feet (3.7 m) or less of vertical rise.

(b) You must install stairs between 30 degrees and 50 degrees from horizontal.

(c) In all buildings or structures two or more stories or 24 feet or more in height or depth, you must install suitable permanent or temporary stairways.

(d) You must provide stairways, ramps or ladders at all points where a break in elevation of 18 inches or more occurs in a frequently traveled passageway, entry or exit.

(e) You must provide a minimum of one stairway for access and exit for buildings and structures to 3 stories or 36 feet; if more than 3 stories or 36 feet, you must provide two or more stairways. Where two stairways are provided and work is being performed in the stairways, you must maintain one clear for access between levels at all times.

**(f) Wood frame buildings.**

(i) You must complete the stairway to a second or higher floor before studs are raised to support the next higher floor.

(ii) You must provide roof and attic work areas of all buildings with a safe means of access and egress, such as stairways, ramps or ladders.

(iii) You must nail cleats to studs to provide access to and egress from roof or other work areas.

(g) **Steel frame buildings.** Stairways must extend to the uppermost floor that has been planked or decked. Ladders may be used above that point.

(h) **Reinforced concrete or composite steel - Concrete buildings.** Stairways must extend to the lowermost floor upon which a complete vertical shoring system is in place. A minimum of two ladders at different locations for each floor may be used above this floor but not to exceed 3 floors.

(i) Riser height and tread depth must be uniform within each flight of stairs, including any foundation structure used as one or more treads of the stairs. Variations in riser height or tread depth must not be over 1/4-inch (0.6 cm) in any stairway system.

(j) Where doors or gates open directly on a stairway, you must provide a platform, and the swing of the door must not reduce the effective width of the platform to less than 20 inches (51 cm).

(k) You must secure metal pan landings and metal pan treads, when used, in place before filling with concrete or other material.

(l) All parts of stairways must be free of hazardous projections, such as protruding nails.

(m) You must eliminate slippery conditions on stairways before the stairways are used to reach other levels.

(n) You are permitted to use alternating tread type stairs as long as they install, use, and maintain the stairs in accordance with manufacturer's recommendations and the following:

(i) The stair must be installed at an angle of 70 degrees or less.

(ii) The stair must be capable of withstanding a minimum uniform load of 100 pounds per square foot with a design factor of 1.7, and the treads must be capable of carrying a minimum concentrated load of 300 pounds at the center of any treadspan or exterior arc with a design factor of 1.7. If the stair is intended for greater loading, construction must allow for that loading.

(iii) The stair must be equipped with a handrail on each side to assist the user in climbing or descending.

(o) Due to space limitations, when a permanent stairway must be installed at an angle above 50 degrees, such an installation (commonly called an inclined or ship's ladder) must have treads, open risers and handrails on both sides.

(p) Where ladders are permitted for access under subsection (1) of this section, you must provide means for employee hoisting of tools and material, such as a well wheel and hoisting line or the equivalent, so employees will have both hands free for ascending and descending ladders.

(2) **Temporary service.** The following requirements apply to all stairways as indicated:

(a) Except during stairway construction, foot traffic is prohibited on stairways with pan stairs where the treads

and/or landings are to be filled in with concrete or other material at a later date, unless the stairs are temporarily fitted with wood or other solid material at least to the top edge of each pan. You must replace such temporary treads and landings when worn below the level of the top edge of the pan.

(b) Except during stairway construction, foot traffic is prohibited on skeleton metal stairs where permanent treads and/or landings are to be installed at a later date, unless the stairs are fitted with secured temporary treads and landings long enough to cover the entire tread and/or landing area.

(c) Treads for temporary service must be made of wood or other solid material, and must be installed the full width and depth of the stair.

(3) **Stair rails and handrails.** The following requirements apply to all stairways as indicated:

(a) Stairways having 4 or more risers or rising more than 30 inches (76 cm), whichever is less, must be equipped with:

(i) At least one handrail; and

(ii) One stair rail system along each unprotected side or edge.

Note: When the top edge of a stair rail system also serves as a handrail, subdivision (g) of this subsection applies.

(b) Winding and spiral stairways must be equipped with a handrail offset sufficiently to prevent walking on those portions of the stairways where the tread width is less than 6 inches (15 cm).

(c) The height of stair rails must be as follows:

(i) Stair rails installed after the effective date of this standard, must be not less than 36 inches (91.5 cm) from the upper surface of the stair rail system to the surface of the tread, in line with the face of the riser at the forward edge of the tread.

(ii) Stair rails installed before the effective date of this standard, must be not less than 30 inches (76 cm) nor more than 34 inches (86 cm) from the upper surface of the stair rail system to the surface of the tread, in line with the face of the riser at the forward edge of the tread.

(d) You must provide midrails, screens, mesh, intermediate vertical members, or equivalent intermediate structural members, between the top rail of the stair rail system and the stairway steps.

(i) You must locate midrails, when used, at a height midway between the top edge of the stair rail system and the stairway steps.

(ii) Screens or mesh, when used, must extend from the top rail to the stairway step, and along the entire opening between top rail supports.

(iii) When intermediate vertical members, such as balusters, are used between posts, they must be not more than 19 inches (48 cm) apart.

(iv) You must install other structural members, when used, such that there are no openings in the stair rail system that are more than 19 inches (48 cm) wide.

(e) Handrails and the top rails of stair rail systems must be capable of withstanding, without failure, a force of at least 200 pounds (890 n) applied within two inches (5 cm) of the top edge, in any downward or outward direction, at any point along the top edge.

(f) The height of handrails must be not more than 37 inches (94 cm) nor less than 30 inches (76 cm) from the upper

surface of the handrail to the surface of the tread, in line with the face of the riser at the forward edge of the tread.

(g) When the top edge of a stair rail system also serves as a handrail, the height of the top edge must be not more than 37 inches (94 cm) nor less than 36 inches (91.5 cm) from the upper surface of the stair rail system to the surface of the tread, in line with the face of the riser at the forward edge of the tread.

(h) Stair rail systems and handrails must be so surfaced as to prevent injury to employees from punctures or lacerations, and to prevent snagging of clothing.

(i) Handrails must provide an adequate handhold for employees grasping them to avoid falling.

(j) The ends of stair rail systems and handrails must be constructed so as not to constitute a projection hazard.

(k) Handrails that will not be a permanent part of the structure being built must have a minimum clearance of 3 inches (8 cm) between the handrail and walls, stair rail systems, and other objects.

(l) You must provide unprotected sides and edges of stairway landings with guardrail systems. Guardrail system criteria are contained in chapter ~~((296-155 WAC, Part C-1, Fall protection requirements for construction))~~ 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-52902 Definitions. Accredited crane certifier.** A crane inspector who has been accredited by the department.

**A/D director (assembly/disassembly) director.** An individual who meets the requirements in this part for an A/D director, irrespective of the person's formal job title or whether the person is nonmanagement or management personnel.

**Angle of loading.** The acute angle between horizontal and the leg of the rigging, often referred to as horizontal angle. See Figures 18 and 33.

**Anti two-block device.** A device that, when activated, disengages all crane functions whose movement can cause two-blocking.

**Apprentice operator or trainee.** A crane operator who has not met requirements established by the department under RCW 49.17.430.

**Articulating boom crane.** A crane whose boom consists of a series of folding, pin connected structural members, typically manipulated to extend or retract by power from hydraulic cylinders.

**Assembly/disassembly.** The assembly and/or disassembly of components or attachments covered under this part. With regard to tower cranes, "erecting and climbing" replaces the term "assembly," and "dismantling" replaces the term "disassembly." Regardless of whether the crane is initially erected to its full height or is climbed in stages, the process of increasing height of the crane is an erection process.

**Assist crane.** A crane used to assist in assembling or disassembling a crane.

**Attachments.** Any device that expands the range of tasks that can be done by the crane/derrick. Examples

include, but are not limited to: An auger, drill, magnet, pile-driver, and boom-attached personnel platform.

**Audible signal.** A signal made by a distinct sound or series of sounds. Examples include, but are not limited to, sounds made by a bell, horn, or whistle.

**Basket hitch.** A method of rigging a sling in which the sling is passed around the load and both loop eyes or end fittings are attached to the lifting device.

**Below-the-hook lifting device.** A device used for attaching loads to a hoist. The device may contain components such as slings, hooks, rigging hardware, and lifting attachments.

**Bird caging.** The twisting of fiber or wire rope in an isolated area of the rope in the opposite direction of the rope lay, thereby causing it to take on the appearance of a bird cage.

**Blocking (also referred to as "cribbing").** Wood or other material used to support equipment or a component and distribute loads to the ground. It is typically used to support latticed boom sections during assembly/disassembly and under outrigger and stabilizer floats.

**Boatswain's chair.** A single-point adjustable suspension scaffold consisting of a seat or sling (which may be incorporated into a full body harness) designed to support one employee in a sitting position.

**Bogie.** See "travel bogie."

**Boom (other than tower crane).** An inclined spar, strut, or other long structural member which supports the upper hoisting tackle on a crane or derrick. Typically, the length and vertical angle of the boom can be varied to achieve increased height or reach when lifting loads. Booms can usually be grouped into general categories of hydraulically extendible, cantilevered type, latticed section, cable supported type or articulating type.

**Boom (tower cranes).** On tower cranes: If the "boom" (i.e., principal horizontal structure) is fixed, it is referred to as a jib; if it is moveable up and down, it is referred to as a boom.

**Boom angle indicator.** A device which measures the angle of the boom relative to horizontal.

**Boom hoist limiting device.** Includes boom hoist disengaging device, boom hoist shut-off, boom hoist disconnect, boom hoist hydraulic relief, boom hoist kick-outs, automatic boom stop device, or derricking limiter. This type of device disengages boom hoist power when the boom reaches a predetermined operating angle. It also sets brakes or closes valves to prevent the boom from lowering after power is disengaged.

**Boom length indicator.** Indicates the length of the permanent part of the boom (such as ruled markings on the boom) or, as in some computerized systems, the length of the boom with extensions/attachments.

**Boom stop.** Includes boom stops (belly straps with struts/standoff), telescoping boom stops, attachment boom stops, and backstops. These devices restrict the boom from moving above a certain maximum angle and toppling over backward.

**Boom suspension systems.** A system of pendants, running ropes, sheaves, and other hardware which supports the boom tip and controls the boom angle.

**Braided wire rope.** A wire rope formed by plaiting component wire ropes.

**Bridle wire rope sling.** A sling composed of multiple legs with the top ends gathered in a fitting that goes over the lifting hook.

**Builder.** The builder/constructor of derricks.

**Cable laid endless sling-mechanical joint.** A wire rope sling made endless from one continuous length of cable laid rope with the ends joined by one or more metallic fittings.

**Cable laid grommet-hand tucked.** An endless wire rope sling made from one continuous length of rope formed to make a body composed of 6 ropes around a rope core. The rope ends are tucked into the body, thus forming the core. No sleeves are used.

**Center of gravity.** The center of gravity of any object is the point in the object around which its weight is evenly distributed. If you could put a support under that point, you could balance the object on the support.

**Certified crane inspector.** A crane certifier accredited by the department.

**Certified welder.** A welder who meets nationally recognized certification requirements applicable to the task being performed.

**Choker hitch.** A method of rigging a sling in which the sling is passed around the load, then through one loop eye, end fitting, or other device, with the other loop eye or end fitting attached to the lifting device. This hitch can be done with a sliding choker hook or similar device.

**Climbing.** The process in which a tower crane is raised or lowered to a new working height, either by adding or removing tower sections to the top of the crane (top climbing), or by a system in which the entire crane is raised or lowered inside the structure (inside climbing).

**Come-a-long.** A mechanical device typically consisting of a chain or cable attached at each end that is used to facilitate movement of materials through leverage.

**Competent person.** One who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

**Construction work.** (For the purposes of this part) all or any part of excavation, construction, erection, alteration, repair, demolition, and dismantling of buildings and other structures and all related operations; the excavation, construction, alteration, and repair of sewers, trenches, caissons, conduits, pipelines, roads, and all related operations; the moving of buildings and other structures, and the construction, alteration, repair, or removal of wharfs, docks, bridges, culverts, trestles, piers, abutments, or any other related construction, alteration, repair, or removal work. Construction work does not include the normal day-to-day activities at manufacturing facilities or powerhouses.

**Controlled load lowering.** Lowering a load by means of a mechanical hoist drum device that allows a hoisted load to be lowered with maximum control using the gear train or hydraulic components of the hoist mechanism. Controlled load lowering requires the use of the hoist drive motor, rather than the load hoist brake, to lower the load.

**Controlling entity.** An employer that is a prime contractor, general contractor, construction manager or any other legal entity which has the overall responsibility for the construction of the projects, its planning, quality, and completion.

**Counterjib (counterweight jib).** A horizontal member of the tower crane on which the counterweights and usually the hoisting machinery are mounted.

**Counterweight.** Weight used to supplement the weight of equipment in providing stability for lifting loads by counterbalancing those loads.

**Crane.** Power-operated equipment used in construction that can hoist, lower, and horizontally move a suspended load. "Crane" includes, but is not limited to: Articulating boom cranes, such as knuckle-boom cranes; crawler cranes; floating cranes; cranes on barges; locomotive cranes; mobile cranes, such as wheel-mounted, rough-terrain, all-terrain, commercial truck mounted, and boom truck cranes; multipurpose machines when configured to hoist and lower by means of a winch or hook and horizontally move a suspended load; industrial cranes, such as carry-deck cranes; dedicated pile drivers; service/mechanic trucks with a hoisting device; a crane on a monorail; tower cranes, such as fixed jib, hammer-head boom, luffing boom, and self-erecting; pedestal cranes; portal cranes; overhead and gantry cranes; straddle cranes; side-boom tractors; derricks; and variations of such equipment.

**Crane/derrick type.** Cranes or derricks as established by American Society of Mechanical Engineers (ASME). Crane operator means an individual engaged in the operation of a crane.

**Crane level indicator.** A device for determining true horizontal (also see safety devices).

**Crawler crane.** Equipment that has a type of base mounting which incorporates a continuous belt of sprocket driven track.

**Critical lift.** A lift that:

- Exceeds 75 percent of the crane or derrick rated load chart capacity; or
- Requires the use of more than one crane or derrick.

**Cross rod.** A wire used to join spirals of metal mesh to form a complete fabric. See Figure 22.

**Crossover points.** Locations on a wire rope which is spooled on a drum where one layer of rope climbs up on and crosses over the previous layer. This takes place at each flange of the drum as the rope is spooled onto the drum, reaches the flange, and begins to wrap back in the opposite direction.

**Dedicated channel.** A line of communication assigned by the employer who controls the communication system to only one signal person and crane/derrick or to a coordinated group of cranes/derricks/signal persons.

**Dedicated drilling rig.** A machine which creates bore holes and/or shafts in the ground.

**Dedicated pile-driver.** A machine that is designed to function exclusively as a pile-driver. These machines typically have the ability to both hoist the material that will be pile-driven and to pile-drive that material.

**Dedicated spotter (power lines).** To be considered a dedicated spotter, the requirements of WAC 296-155-53302

(Signal person qualifications) must be met and his/her sole responsibility is to watch the separation between the power line and the equipment, the load line and load (including rigging and lifting accessories), and ensure through communication with the operator that the applicable minimum approach distance is not breached.

**Derrick.** An apparatus consisting of a mast or equivalent member held at the end by guys or braces, with or without a boom, for use with a hoisting mechanism and operating ropes.

**Design factor.** The ratio between nominal or minimum breaking strength and rated load.

**Digger derrick.** A multipurpose vehicle-mounted machine which is primarily designed to accommodate components that dig holes, set poles, and position materials and apparatus.

**Directly under the load.** A part or all of an employee is directly beneath the load.

**Dismantling.** Includes dismantling (such as dismantling to shorten a boom or substitute a different component).

**Drum rotation indicator.** A device on a crane or hoist which indicates in which direction and at what relative speed a particular hoist drum is turning.

**Electrical contact.** When a person, object, or equipment makes contact or comes close in proximity with an energized conductor or equipment that allows the passage of current.

**Employer-made equipment.** Floating cranes/derricks designed and built by an employer for your own use.

**Encroachment.** Where any part of the crane, load line or load (including rigging and lifting accessories) breaches a minimum clearance distance that this part requires to be maintained from a power line.

**Equipment criteria.** Instructions, recommendations, limitations and specifications.

**Fabric (metal mesh).** The flexible portion of the sling exclusive of end fittings consisting of a series of transverse spirals and cross rods.

**Fall protection equipment.** Guardrail systems, safety net systems, personal fall arrest systems, positioning device systems or fall restraint systems.

**Fall restraint system.** A ~~((fall protection system that prevents the user from falling any distance. The system is comprised of either a body belt or body harness, along with an anchorage, connectors, and other necessary equipment. The other components typically include a lanyard, and may also include a lifeline and other devices))~~ system in which all necessary components function together to restrain/prevent an employee from falling to a lower level. Types of fall restraint systems include standard guardrail systems, personal fall restraint systems, warning line systems, or a warning line system and safety monitor.

**Fall zone.** The area (including, but not limited to, the area directly beneath the load) in which it is reasonably foreseeable that partially or completely suspended materials could fall in the event of an accident.

**Flange points.** A point of contact between rope and drum flange where the rope changes layers.

**Floating cranes/derricks.** Equipment designed by the manufacturer (or employer) for marine use by permanent

attachment to a barge, pontoons, vessel or other means of flotation.

**Free fall (of the load line).** When only the brake is used to regulate the descent of the load line (the drive mechanism is not used to drive the load down faster or retard its lowering).

**Free rated load test.** Testing stability and operation of crane, carrier, wheels, tires, tracks, brakes, etc., under load, when lifting without outriggers and/or traveling with the load are permitted at the activity for the type of crane being tested.

**Free surface effect.** The uncontrolled transverse movement of liquids in compartments which reduce a vessel's transverse stability.

**Functional testing.** The testing of a crane, typically done with a light load or no load, to verify the proper operation of a crane's primary function, i.e., hoisting, braking, booming, swinging, etc. A functional test is contrasted to testing the crane's structural integrity with heavy loads.

**GIN pole derrick.** A boom without a mast which has guys arranged from its top to permit leaning the mast in one or more directions. The load is lifted and lowered by ropes reeved through sheaves or blocks at the top of the mast and the lower block.

**Ground conditions.** The ability of the ground to support the crane/derrick (including slope, compaction, and firmness).

**Ground crew.** Those individuals who are involved in the personnel lift, other than the hoisting equipment operator and the platform occupants. These individuals include riggers, signal persons, and supervision.

**Gudgeon pins.** A pin connecting the mast cap to the mast allowing rotation of the mast.

**Guy.** A rope used to steady or secure the mast, boom, or other member in the desired position.

**Hairpin anchors.** A hairpin-shaped, guy-supporting anchor that is placed in footings or walls before concrete is poured and held in place by the cured concrete.

**Hitch (hitched).** A method of rigging (attaching) a sling temporarily to a load or object for the purpose of lifting.

**Hoist.** A mechanical device for lifting and lowering loads by winding rope onto or off a drum.

**Hoisting.** The act of raising, lowering or otherwise moving a load in the air with equipment covered by this standard. As used in this standard, "hoisting" can be done by means other than wire rope/hoist drum equipment.

**Hoisting equipment.** A machine for lifting and lowering a load and moving it horizontally. The machine may be fixed or mobile and be driven manually, by power, or by a combination of both.

**Hook latch.** A mechanical device used to close the throat opening of a hook.

**Insulating link/device.** An insulating device listed, labeled, or accepted by a nationally recognized testing laboratory in accordance with 29 C.F.R. 1910.7.

**Intermediate rail.** The middle member of a barrier along the edges of a platform, located approximately one-half the distance between the platform floor and top rail.

**Jib.** An extension attached to the boom point to provide added boom length for lifting specified loads. The jib may be in line with the boom or offset to various angles in the vertical

plane of the boom. For tower cranes, see boom (tower cranes).

**Jib stop (also referred to as a jib backstop).** The same type of device as a boom stop but is for a fixed or luffing jib.

**Land crane/derrick.** Equipment not originally designed by the manufacturer for marine use by permanent attachment to barges, pontoons, vessels, or other means of flotation.

**List.** The angle of inclination about the longitudinal axis of a barge, pontoons, vessel, or other means of flotation.

**Live boom.** A boom whose lowering is controlled by a brake without the aid of other lowering retarding devices (free-fall capable).

**Live load line.** A load line whose lowering is controlled by a brake without the aid of other lowering retarding devices (free-fall capable).

**Load.** The weight of the object being lifted or lowered, including the weight of the load-attaching equipment such as the load block, ropes, slings, shackles, and any other auxiliary attachment.

**Load moment (or rated capacity) indicator.** A system which aids the equipment operator by sensing the overturning moment on the equipment, i.e., load X radius. It compares this lifting condition to the equipment's rated capacity, and indicates to the operator the percentage of capacity at which the equipment is working. Lights, bells, or buzzers may be incorporated as a warning of an approaching overload condition.

**Load moment (or rated capacity) limiter.** A system which aids the equipment operator by sensing the overturning moment on the equipment, i.e., load X radius. It compares this lifting condition to the equipment's rated capacity, and when the rated capacity is reached, it shuts off power to those equipment functions which can increase the severity of loading on the equipment, e.g., hoisting, telescoping out, or luffing out. Typically, those functions which decrease the severity of loading on the equipment remain operational, e.g., lowering, telescoping in, or luffing in.

**Load ratings.** A set of rated loads for stipulated hoisting equipment configurations and operating conditions.

**Load sustaining/bearing parts.** Those parts of a crane that support the crane or load and upon failure could cause dropping, uncontrolled shifting, or uncontrolled movement of the crane or load.

**Locomotive crane.** A crane mounted on a base or car equipped for travel on a railroad track.

**Luffing boom.** A member hinged to the rotating superstructure and used for supporting the hoisting tackle.

**Luffing jib limiting device.** Similar to a boom hoist limiting device, except that it limits the movement of the luffing jib.

**Marine worksite.** A construction worksite located in, on or above the water.

**Master coupling link.** An alloy steel welded coupling link used as an intermediate link to join alloy steel chain to master links.

**Master link.** Forged or welded steel link used to support all members (legs) of an alloy steel chain sling or wire rope sling.

**Mechanical coupling link (alloy steel chain).** A non-welded, mechanically closed link used primarily to attach fittings to alloy steel chain.

**Mobile cranes.** A lifting device incorporating a cable suspended latticed boom or hydraulic telescopic boom designed to be moved between operating locations by transport over the road.

**Moving point-to-point.** The times during which an employee is in the process of going to or from a work station.

**Multipurpose machine.** A machine that is designed to be configured in various ways, at least one of which allows it to hoist (by means of a winch or hook) and horizontally move a suspended load. For example, a machine that can rotate and can be configured with removable forks/tongs (for use as a forklift) or with a winch pack, jib (with a hook at the end) or jib used in conjunction with a winch. When configured with the forks/tongs, it is not covered by this part. When configured with a winch pack, jib (with a hook at the end) or jib used in conjunction with a winch, it is covered by this part.

**Multiple lift rigging.** A rigging assembly manufactured by wire rope rigging suppliers that facilitates the attachment of up to 5 independent loads to the hoist rigging of a crane.

**Nationally recognized accrediting agency.** An organization that, due to its independence and expertise, is widely recognized as competent to accredit testing organizations.

**Nonconductive.** Because of the nature and condition of the materials used, and the conditions of use (including environmental conditions and condition of the material), the object in question has the property of not becoming energized (that is, it has high dielectric properties offering a high resistance to the passage of current under the conditions of use).

**Nonstandard tower crane base.** Any deviation from the structural support or base configuration recommended by the crane manufacturer.

**Occasional or routine maintenance and repair work.** Regular, customary and foreseeable work necessary to keep equipment in good repair and/or condition. This also includes regular, customary and foreseeable work necessary to return equipment to sound condition after damage.

**Operational aid.** An accessory that provides information to facilitate operation of a crane or that takes control of particular functions without action of the operator when a limiting condition is sensed. Examples of such devices include, but are not limited to, the following: Anti-two-block device, rated capacity indicator, rated capacity (load) limiter, boom angle or radius indicator, lattice boom hoist disconnect device, boom length indicator, drum rotation indicator, load indicator, and wind speed indicator.

**Operational controls.** Levers, switches, pedals and other devices for controlling equipment operation.

**Operator.** A person who is operating the equipment.

**Outriggers.** Extendable or fixed members attached to the mounting base, which rests on supports at the outer ends, used to support the crane.

**Overhead/bridge and gantry cranes.** Includes overhead/bridge cranes, cranes on monorails, under hung cranes, semigantry, cantilever gantry, wall cranes, storage bridge cranes, launching gantry cranes, and similar equipment, irrespective of whether it travels on tracks, wheels, or other means.

**Pendants.** Includes both wire and bar types. Wire type: A fixed length of wire rope with mechanical fittings at both ends for pinning segments of wire rope together. Bar type: Instead of wire rope, a bar is used. Pendants are typically used in a latticed boom crane system to easily change the length of the boom suspension system without completely changing the rope on the drum when the boom length is increased or decreased.

**Personal fall arrest system.** A fall arrest system (~~(used to arrest an)~~) that is worn by the employee in a fall from ~~((a working level))~~ elevation. It consists of an ~~((anchorage))~~ anchor point, connectors, ~~((and))~~ a full body harness, and may include a lanyard, deceleration device, lifeline, or suitable combination of these.

**Personnel lifting.** Raising, lowering, or transporting personnel using a crane/derrick.

**Personnel platform - Boom attached.** A platform attached to the boom of the crane.

**Personnel platform - Suspended.** A platform attached to a crane/derrick using wire rope, chain, or a jointed attachment and that has no installed motion controls for the platform itself.

**Personnel platform suspension system.** The rope or chain slings and other components, including fastening devices, used to connect the crane/derrick to the personnel platform.

**Platform occupant.** A person who is within the guard-rail barrier while the personnel platform is in a hoisted position.

**Platform rating.** The maximum capacity of a personnel lifting platform, established by the platform manufacturer, in terms of total weight and the number of occupants allowed.

**Portal crane.** A type of crane consisting of a rotating upper structure, hoist machinery, and boom mounted on top of a structural gantry which may be fixed in one location or have travel capability. The gantry legs or columns usually have portal openings in between to allow passage of traffic beneath the gantry.

**Power controlled lowering.** A system or device in the power train, other than the load hoist brake, that can regulate the lowering rate of speed of the load hoist mechanism.

**Powerhouse.** A plant wherein electric energy is produced by conversion from some other form of energy (e.g., chemical, nuclear, solar, mechanical, or hydraulic) by means of suitable apparatus. This includes all generating station auxiliaries and other associated equipment required for the operation of the plant. Not included are stations producing power exclusively for use with communication systems.

**Power lines.** Electrical distribution and electrical transmission lines.

**Procedures.** Include, but are not limited to: Instructions, diagrams, recommendations, warnings, specifications, protocols, and limitations.

**Proximity alarm.** A device that provides a warning of proximity to a power line that has been listed, labeled or accepted by a nationally recognized testing laboratory in accordance with 29 C.F.R. 1910.7.

**Qualified crane operator.** A crane operator who meets the requirements established by the department under RCW 49.17.430.

**Qualified evaluator (not a third party).** A person employed by the signal person's or the rigger's employer (as applicable) who has demonstrated that he/she is competent in accurately assessing whether individuals meet the qualification requirements in this part for a signal person or a rigger.

**Qualified evaluator (third party).** An entity that, due to its independence and expertise, has demonstrated that it is competent in accurately assessing whether individuals meet the qualification requirements in this part for a signal person or a rigger.

**Qualified person.** A person who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training and experience, successfully demonstrated the ability to solve/resolve problems relating to the subject matter, the work, or the project.

**Qualified rigger.** A rigger who meets the requirements in WAC 296-155-53306.

**Qualified signal person.** A signal person who meets the requirements in WAC 296-155-53302.

**Range control limit device.** A device that can be set by an equipment operator to limit movement of the boom or jib tip to a plane or multiple planes.

**Range control warning device.** A device that can be set by an equipment operator to warn that the boom or jib tip is at a plane or multiple planes.

**Rated capacity.** The maximum working load permitted by the manufacturer under specified working conditions. Such working conditions typically include a specific combination of factors such as equipment configuration, radii, boom length, and other parameters of use.

**Rated capacity indicator.** See load moment indicator.

**Rated capacity limiter.** See load moment limiter.

**Repetitive pickup points.** Refer to, when operating on a short cycle operation, the rope being used on a single layer and being spooled repetitively over a short portion of the drum.

**Rotation resistant rope.** A type of wire rope construction which reduces the tendency of a rope to rotate about its axis under load. Usually, this consists of an inner system of core strands laid in one direction covered by an outer system of strands laid in the opposite direction.

**RPE.** A registered professional engineer licensed under RCW 18.43.040(1).

**RPSE.** A registered professional structural engineer licensed under RCW 18.43.040(1).

**Running wire rope.** A wire rope that moves over sheaves or drums.

**Runway.** A firm, level surface designed, prepared and designated as a path of travel for the weight and configuration of the crane being used to lift and travel with the crane suspended platform. An existing surface may be used as long as it meets these criteria.

**Safety devices.** Examples of safety devices are, but are not limited to, the following: Horn, boom/jib or trolley stops, crane level indicator, hydraulic holding device/check valve, rail clamps, rail stops, brakes, deadman control or forced neutral return control, emergency stop switch, guards, handrails, audible and visual alarms, etc.

**Safety or health standard.** A standard adopted under this chapter.

**Section.** A section of this part, unless otherwise specified.

**Side-boom crane.** A track-type or wheel-type tractor having a boom mounted on the side of the tractor, used for lifting, lowering, or transporting a load suspended on the load hook. The boom or hook can be lifted or lowered in a vertical direction only.

**Sling.** An assembly to be used for lifting when connected to a lifting mechanism. The upper portion of the sling is connected to the lifting mechanism and the lower supports the load, as described in this part.

**Special hazard warnings.** Warnings of site-specific hazards (for example, proximity of power lines).

**Spiral.** A single transverse coil that is the basic element from which metal mesh is fabricated.

**Stability (flotation device).** The tendency of a barge, pontoons, vessel, or other means of flotation to return to an upright position after having been inclined by an external force.

**Stabilizer.** An extendable or fixed member attached to the mounting base to increase the stability of the crane, but that may not have the capability of relieving all of the weight from the wheels or tracks.

**Standard method.** The hand signals established in the applicable ASME B30 series and WAC 296-155-56400, Mobile crane hand signal chart.

**Standing wire rope.** A supporting wire rope which maintains a constant distance between the points of attachment to the two components connected by the wire rope.

**Superstructure.** See upperworks.

**Supporting materials.** Blocking, mats, cribbing, marsh buggies (in marshes/wetlands), or similar supporting materials or devices.

**Taglines.** A rope (usually fiber) attached to a lifted load for purposes of controlling load spinning and pendular motions or used to stabilize a bucket or magnet during material handling operations.

**Tender.** An individual responsible for monitoring and communication with a diver.

**Tilt up or tilt down operation.** Raising/lowering a load from the horizontal to vertical or vertical to horizontal.

**Toe board.** A vertical barrier at foot level, along the edges of the platform, to protect against material from falling over the edge.

**Top rail.** The top member of a barrier along the edges of a platform to protect against persons from falling off the platform.

**Tower crane.** A type of lifting structure which utilizes a vertical mast or tower to support a working boom (jib) in an elevated position. Loads are suspended from the working boom. While the working boom may be of the fixed type (horizontal or angled) or have luffing capability, it can always rotate to swing loads, either by rotating on the top of the tower (top slewing) or by the rotation of the tower (bottom slewing). The tower base may be fixed in one location or ballasted and moveable between locations. Mobile cranes that are configured with a luffing jib and/or tower attachments are not considered tower cranes under this part.

**Travel.** The function of the hoisting equipment moving under its own power from one location to another.

**Travel bogie (tower cranes).** An assembly of two or more axles arranged to permit vertical wheel displacement and equalize the loading on the wheels.

**Trim.** The angle of inclination about the transverse axis of a barge, pontoons, vessel or other means of flotation.

**Two blocking.** A condition in which a component that is uppermost on the hoist line such as the load block, hook block, overhaul ball, or similar component, comes in contact with the boom tip, fixed upper block or similar component. This binds the system and continued application of power can cause failure of the hoist rope or other component.

**Unavailable procedures.** Procedures that are no longer available from the manufacturer, or have never been available from the manufacturer.

**Upperstructure.** See upperworks.

**Upperworks.** The revolving frame of equipment on which the operating machinery (and many cases the engine) are mounted along with the operator's cab. The counterweight is typically supported on the rear of the upperstructure and the boom or other front end attachment is mounted on the front.

**Up to.** Means "up to and including."

**Vertical hitch.** A method of rigging a sling in which the load is attached to the loop eye or end fitting at one end of the sling and the loop eye or end fitting at the other end is attached to the lifting device. Any hitch less than 5 degrees from the vertical may be considered a vertical hitch.

**Wire rope.** A flexible rope constructed by laying steel wires into various patterns of multiwired strands around a core system to produce a helically wound rope.

**Working load.** The external load applied to the hoisting equipment, including the personnel lifting platform, its contents, and the load attaching equipment, such as lowered load block, shackles, and slings.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-53200 General inspection criteria, wire rope inspection and removal criteria, and preproof load test requirements for all cranes.** (1) The accredited crane certifier must review the following documents as part of the crane certification process:

(a) Crane maintenance records of critical components to ensure maintenance of these components has been performed in accordance with the manufacturer's recommendations.

(b) Crane monthly and annual inspection documentation.

(2) **Safety devices.** Make sure all safety devices are installed on equipment in accordance with the requirements located in WAC 296-155-53410.

(3) **Operational aids.** Operations must not begin unless operational aids are in proper working order, except where the owner or lessee meets the specified temporary alternative measures. See WAC 296-155-53412 for the list of operational aids.

**Note:** All accredited crane certifiers must meet and follow the requirements relating to fall protection, located in chapter ((296-155-WAC, Part C-1, Fall restraint and fall arrest)) 296-880 WAC, Unified safety standards for fall protection.

(4) **General.**

(a) The accredited crane certifier must determine that the configurations of the crane are in accordance with the manufacturer's equipment criteria.

(b) Where the manufacturer equipment criteria are unavailable, a registered professional engineer (RPE), familiar with the type of equipment involved, must ensure criteria are developed for the equipment configuration.

(5) **Wire rope.**

(a) Wire ropes must meet the crane or wire rope manufacturer's specifications for size, type and inspection requirements. In the absence of the manufacturer's specifications, follow the requirements for removal criteria located in this section, including Table 1.

**Table 1 - Wire Rope Inspection/Removal Criteria**

(See also Figure 1 - Wire Rope)

Category of Crane Types	Running Ropes* # of broken wires in		Rotation Resistant* # of broken wires in		Standing Ropes* # of broken wires	
	1 rope lay	1 strand in 1 lay	Specified diameters		In 1 lay beyond end connection	At end connection
Mobile	6	3	2 (in 6xd)	4 (in 30xd)	3	2
Articulating	6	3	Consult rope mfg.	Consult rope mfg.	3	2
Tower	12	4	2 (in 6xd)	4 (in 30xd)	3	3
Self-Erector	6	3	2 (in 6xd)	4 (in 30xd)	3	2
Overhead & Bridge	12	4	2 (in 6xd)	4 (in 30xd)	—	—
Derricks	6	3	Consult rope mfg.	Consult rope mfg.	3	2

\* Also remove if you detect 1 wire broken at the contact point with the core or adjacent strand; so called valley breaks or evidence from any heat damage from any cause.

**Note:** xd means times the "diameter."

(b) The accredited crane certifier must perform a complete and thorough inspection covering the surface of the working range plus 3 additional wraps on the drum of the wire ropes.

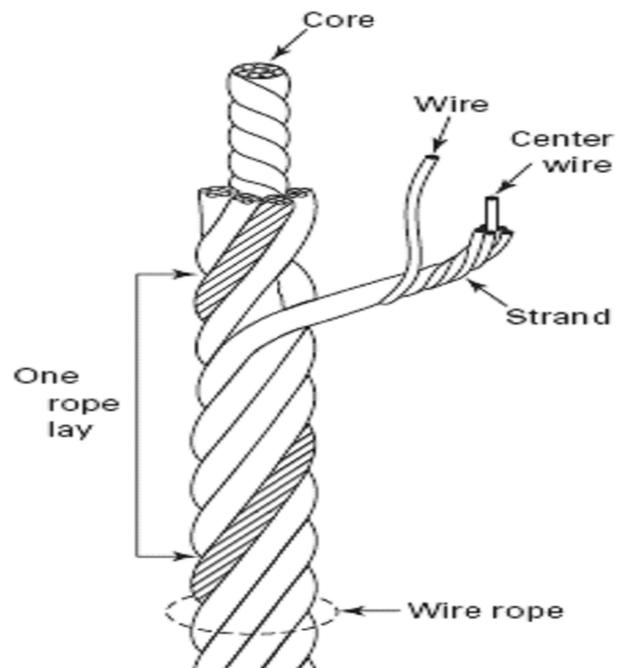
(c) If a deficiency is identified, an immediate determination must be made by the accredited crane certifier as to whether the deficiency constitutes a safety hazard. If the deficiency is determined to constitute a safety hazard, the crane must not be certified until:

(i) The wire rope is replaced and verified by the accredited crane certifier; or

(ii) If the deficiency is localized, the problem is corrected by severing the wire rope; the undamaged portion may continue to be used. Joining lengths of wire rope by splicing is prohibited.

(d) Remove wire rope from service if reduction from nominal diameter is greater than 5%.

(e) Replacement rope must be of a compatible size and have a strength rating at least as great as the original rope furnished or recommended by the crane manufacturer.



**Figure 1 - Wire Rope**

**(6) Sheaves.**

(a) Sheave grooves must be free from surface defects that could damage the rope. The cross-sectional radius at the bottom of the groove should be such as to form a close fitting saddle for the size of rope used. The sides of the groove must be tapered outward and rounded at the rim to facilitate entrance of the rope into the groove. Flange rims must run true about the axis of rotation.

(b) Sheave guards must be in place to:

(i) Guide the rope back into the sheave groove, when using ropes that can be momentarily unloaded.

(ii) Prevent ropes from becoming fouled when the block is lying on the ground with loose ropes.

(c) Sheave bearings, except for permanently lubricated ones, must have a means of lubrication.

**(7) Prior to performing a proof load test:**

(a) A safe test area must be selected and all traffic and unauthorized personnel and equipment must be cleared from test area. This test area must be roped off or otherwise secured to prevent entry of unauthorized personnel and equipment;

(b) Rigging gear must be inspected by a qualified person prior to using for load test of crane;

(c) You must ensure all load test personnel understand the safety procedures of the test;

(d) Proof load tests, with the exception of tower cranes, are overload tests and extreme caution must be observed at all times. Personnel must remain clear of suspended loads and areas where they could be struck in the event of boom failure. The test load must be raised only to a height sufficient to perform the test;

(e) During tests, safe operating speeds must be employed. Rated speeds in accordance with manufacturer's specifications need not be attained. Emphasis must be placed on the ability to safely control loads through all motions at normal speeds;

(f) Proof load tests require the use of freely suspended certified weights, or scaled weights using a certified scale with a current certificate of calibration; however, line pull test can be accomplished using a static test and a certified scale with a current certificate of calibration;

(g) Proof load tests must not exceed the manufacturer's specifications. Where these specifications are unavailable, a registered professional engineer familiar with the type of equipment involved must develop written specifications.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-53400 General requirements.** (1) All cranes and derricks covered under this part, except for those exempted in WAC 296-155-52900(3), must be certified annually by an accredited certifier recognized by the department, for detailed information about this certification see WAC 296-155-532.

(2) All crane and derrick operators covered under this part, except for those exempted in WAC 296-155-52900(3), must be qualified as required by WAC 296-155-533.

(3)(a) Cranes must meet the requirements for design, construction, installation and testing as prescribed in the

applicable ASME standard at the time the crane or derrick was manufactured.

(b) Where manufacturer's specifications are not available the limitations assigned to the crane must be based on the determinations of a registered professional engineer (RPE), competent in this field and such determinations must be appropriately documented and recorded.

(c) Attachments used with cranes must not exceed the capacity, rating, or scope recommended by the manufacturer or RPE.

**(4) Unavailable operation procedures.**

(a) Where the manufacturer procedures are unavailable, you must develop and ensure compliance with all procedures necessary for the safe operation of the crane/derrick and attachments.

(b) Procedures for the operational controls must be developed by a qualified person.

(c) Procedures related to the capacity of the crane/derrick must be developed and signed by a registered professional engineer familiar with this equipment.

(5) Warning decals and placards must be installed and legible as prescribed by this part and the crane manufacturer.

(6) The procedures applicable to the operation of the crane/derrick including a legible and applicable operator's manual and load rating chart, written in the English language with customary grammar and punctuation, must be in the operator's cab or station when the crane is in operation. Where rated capacities are available in the cab only in electronic form: In the event of a failure which makes the rated capacities inaccessible, the operator must immediately cease operations or follow safe shut-down procedures until the rated capacities (in electronic or other form) are available.

(7) Rated capacity and related information. The information available in the operator's cab or station (see WAC 296-155-53400(6)) regarding "rated capacity" and related information must include, at a minimum, the following information:

(a) A complete range of the manufacturer's rated capacities, as follows:

(i) At all manufacturer approved operating radii, boom angles, work areas, boom lengths and configurations, jib lengths and angles (or offset).

(ii) Alternate ratings for use and nonuse of optional equipment which affects rated capacities, such as outriggers, stabilizers, and extra counterweights.

(iii) When available from the manufacturer load ratings where structural competence governs lifting performance must be identified.

(b) A work area chart for which capacities are listed in the load chart.

**Note:** An example of this type of chart for mobile cranes is in WAC 296-155-56435.

(c) The work area figure and load chart must clearly indicate the areas where no load is to be handled.

(d) Recommended reeving for the hoist lines must be shown.

(e) Recommended parts of hoist reeving, size, and type of wire rope for various crane loads.

(f) Recommended boom hoist reeving diagram, where applicable; size, type, and length of wire rope.

- (g) Tire pressure (where applicable).
  - (h) Caution or warnings relative to limitations on cranes and operating procedures, including an indication of the least stable direction.
  - (i) Position of the gantry and requirements for intermediate boom suspension (where applicable).
  - (j) Instructions for boom erection and conditions under which the boom, or boom and jib combinations, may be raised or lowered.
  - (k) Whether the hoist holding mechanism is automatically or manually controlled, whether free fall is available, or any combination of these.
  - (l) The maximum telescopic travel length of each boom telescopic section.
  - (m) Whether sections are telescoped manually or with power.
  - (n) The sequence and procedure for extending and retracting the telescopic boom section.
  - (o) Maximum loads permitted during the boom extending operation, and any limiting conditions or cautions.
  - (p) Hydraulic relief valve settings specified by the manufacturer.
- (8) All manufacturer procedures applicable to the operational functions of cranes/derricks, including its use with attachments must be complied with.
- (9) The operator must not engage in any practice or activity that diverts his/her attention while actually engaged in operating the crane/derrick, such as the use of cellular phones (other than when used for signal communications).
- (10) A portable fire extinguisher, with a basic minimum extinguisher rating of 10 BC, must be installed in the cab or at the machinery housing. Additional requirements relating to portable fire extinguishers can be found in WAC 296-800-300.
- (11) **Cabs.** Cranes/derricks with cabs must meet the following requirements:
- (a) Cabs must be designed with a form of adjustable ventilation and method for clearing the windshield for maintaining visibility and air circulation. Examples of means for adjustable ventilation include air conditioner or window that can be opened (for ventilation and air circulation); examples of means for maintaining visibility include heater (for preventing windshield icing), defroster, fan, windshield wiper.
  - (b) Cab doors (swinging, sliding) must be designed to prevent inadvertent opening or closing while traveling or operating the machine. Swinging doors adjacent to the operator must open outward. Sliding operator doors must open rearward.
  - (c) **Windows.**
    - (i) The cab must have windows in front and on both sides of the operator. Forward vertical visibility must be sufficient to give the operator a view of the boom point at all times.
    - (ii) Windows may have sections designed to be opened or readily removed. Windows with sections designed to be opened must be designed so that they can be secured to prevent inadvertent closure.
    - (iii) Windows must be of safety glass or material with similar optical and safety properties that introduce no visible distortion or otherwise obscure visibility that interferes with the safe operation of the equipment.

(d) A clear passageway must be provided from the operator's station to an exit door on the operator's side.

(e) Areas of the cab roof that serve as a workstation for rigging, maintenance, or other equipment-related tasks must be capable of supporting 250 pounds without permanent distortion.

(12) Personal belongings must be stored in such a manner as to not interfere with access or operation of the crane.

(13) Rigging gear, tools, oil cans, waste, and other articles must be stored in the toolbox or another appropriate location, and must not be permitted to lie loose in or about the cab or operator's work station.

(14) Operating controls must be properly marked to indicate the function of the controls in each position.

(15) You must designate a competent person who must inspect the cranes and components daily when used, and periodically during use to make sure it is in safe operating condition. Any deficiencies that effect the safe operation of the crane must be repaired, or defective parts replaced, before continued use.

**Note:** For additional requirements relating to inspections see WAC 296-155-53405.

(16) Before starting the engine, the operator must verify that all controls are in the proper starting position and that all personnel are in the clear.

(17) While in operation, belts, gears, shafts, pulleys, sprockets, spindles, drums, fly wheels, chains, or other reciprocating, rotating, or other moving parts or equipment must be guarded if such parts are exposed to contact by employees, or otherwise create a hazard. Guarding must meet the requirements of chapter 296-806 WAC, Machine safety.

(18) Neither the load nor the boom is allowed to be lowered below the point where less than two full wraps of rope remain on their respective drums.

(19) All exhaust pipes, turbochargers, and charge air coolers must be guarded or insulated in areas where contact by employees is possible in the performance of normal duties and are discharged in a direction away from the operator.

(20) Hydraulic and pneumatic lines must be protected from damage to the extent feasible.

(21) **Friction mechanisms.** Where friction mechanisms (such as brakes and clutches) are used to control the boom hoist or load line hoist, they must be:

(a) Of a size and thermal capacity sufficient to control all rated loads with the minimum recommended reeving.

(b) Adjustable to permit compensation for lining wear to maintain proper operation.

(22) Hydraulic load hoists. Hydraulic drums must have an integrally mounted holding device or internal static brake to prevent load hoist movement in the event of hydraulic failure.

(23) Whenever internal combustion engine powered crane/derrick exhausts in enclosed spaces, tests must be made and recorded to see that employees are not exposed to unsafe concentrations of toxic gases or oxygen deficient atmospheres. (See chapter 296-62 WAC, General occupational health standards and chapter 296-841 WAC, Airborne contaminants.)

(24) If access to the cab roof is necessary, a ladder or steps must be provided to give access to a cab roof.

(25) All steps, running boards, and ladders must be of substantial construction and in good repair at all times.

(26) Guardrails, handholds, and steps must be provided on cranes for easy access to the cab in accordance with ~~(Parts C-1 and)~~ chapter 296-880, Unified safety standards for fall protection Part J of this chapter.

(27) Platforms and walkways must have antiskid surfaces.

(28) Cranes/derricks fuel tank filler pipe must be located in such a position, or protected in such a manner, as to not allow spill or overflow to run onto the engine, exhaust, or electrical equipment of any crane being fueled. In addition, cranes/derricks must be refueled as follows:

(a) Make sure the engine is turned off before refueling.

(b) When refueling with gasoline using portable containers, make sure only an approved safety-type can with an automatic closing cap and flame arrester is used.

(c) Smoking or open flames is prohibited in the refueling area.

**(29) Crane hook ball assemblies and load blocks.**

(a) Load hooks (including latched and unlatched types), ball assemblies, and load blocks must be of sufficient weight to overhaul the line from the highest hook position for boom or boom and jib lengths and the number of parts of the line in use.

(b) Crane hooks must be equipped with latches or self-locking devices unless a qualified person determines that it is safer to hoist and place the load without latches (or with the latches removed/tied back or otherwise disabled) and routes for the loads are preplanned to ensure that no employee is required to work in the fall zone except for employees necessary for the hooking or unhooking of the load.

(c) The latch or self-locking device (when used) must bridge the throat opening of the hook for the purpose of retaining slings or other lifting devices under slack conditions.

(30) Repair or replace a hook when it shows:

(a) Any cracks, nicks, or gouges.

(b) Wear of more than 10% of the original sectional dimension, or as recommended by the manufacturer.

(c) Any visibly apparent bend or twist from the plane of the unbent hook.

(d) Any distortion causing an increase in the throat opening of 5%, not to exceed 1/4 inch or as recommended by the manufacturer.

(e) Repair or replace hook latches or self-locking devices when they become inoperative.

(31) A qualified person must determine if a damaged hook needs to be replaced or can be repaired.

(32) When repairing a hook, the requirements below must be followed:

(a) Unless otherwise recommended by the manufacturer, only a qualified person can repair cracks, nicks and gouges by grinding longitudinally, following the contour of the hook.

**Note:** The dimension of the hook cannot be reduced more than 10% of its original value, unless otherwise recommended by the manufacturer.

(b) All other repairs must be performed by the hook manufacturer or the qualified person.

(c) Weld repairs or reshaping must not be performed on hooks, unless approved by the manufacturer.

(33) Replacement parts, such as load pins for clevis hooks must be at least equal to the original manufacturer's specifications.

**Note:** For requirements relating to wedge sockets, see WAC 296-155-56115(2).

(34) Before traveling a crane with a load, it must be determined that this practice is not prohibited by the manufacturer. If not, a qualified person must be responsible for the operation. Decisions such as the necessity to reduce crane ratings, load position, boom location, ground support, travel route, and speed of movement must be in accordance with that person's determination. Specified tire pressure must be maintained. The boom should be carried in line with the direction of travel. Sudden starts and stops should be avoided.

(35) The crane/derrick must not be assembled or used unless ground conditions are firm, drained, and graded to a sufficient extent as determined by a competent person, so that, in conjunction (if necessary) with the use of supporting materials, the crane/derrick manufacturer's specifications for adequate support and degree of level of the crane/derrick are met. The requirement for the ground to be drained does not apply to marshes/wetlands. For additional requirements for self-erecting tower cranes, see WAC 296-155-54100.

(36) The controlling entity must:

(a) Ensure that ground preparations necessary to meet the requirements in subsection (35) of this section are provided.

(b) Inform the user of the crane/derrick and the operator of the location of hazards beneath the crane/derrick set-up area (such as voids, tanks, utilities) if those hazards are identified in documents (such as site drawings, as-built drawings, and soil analyses) if they are available to the controlling entity that are in the possession of the controlling entity (whether at the site or off-site) or the hazards are otherwise known to that controlling entity.

(37) If there is no controlling entity for the project, the requirement in subsection (36)(a) of this section must be met by the employer that has authority at the site to make or arrange for ground preparations needed to meet subsection (35) of this section.

(38) If the assembly/disassembly director or the operator determines that ground conditions do not meet the requirements in subsection (35) of this section, that person's employer must have a discussion with the controlling entity regarding the ground preparations that are needed so that, with the use of suitable supporting materials/devices (if necessary), the requirements in subsection (35) of this section can be met.

(39) This section does not apply to cranes designed for use on railroad tracks when used on railroad tracks that are part of the general railroad system of transportation that is regulated pursuant to the Federal Railroad Administration under 49 C.F.R. Part 213, and that comply with applicable Federal Railroad Administration requirements.

(40) Multiple crane/derrick coordination. Where any part of a crane/derrick is within the working radius of another crane/derrick, the controlling entity must institute a system to

coordinate operations. If there is no controlling entity, the employer (if there is only one employer operating the multiple pieces of equipment), or employers, must institute such a system.

**(41) Multiple crane or multiple load line lifts.**

(a) **Plan development.** Before beginning a crane/derrick operation in which more than one crane/derrick will be supporting the load or multiple load lines on one crane will be supporting the load, the operation must be planned. The planning must meet the following requirements:

- (i) The plan must be developed by a qualified person.
- (ii) The plan must be designed to ensure that the requirements of this part are met.
- (iii) Where the qualified person determines that engineering expertise is needed for the planning, you must ensure that it is provided.

**(b) Plan implementation.**

(i) The multiple-crane/derrick lift or multiple load line lifts must be directed by a person who meets the criteria for both a competent person and a qualified person, or by a competent person who is assisted by one or more qualified persons (lift director).

(ii) The lift director must review the plan in a meeting with all workers who will be involved with the operation.

**(42) Work area control.** Swing radius hazards.

(a) The requirements in (b) of this subsection apply where there are accessible areas in which the crane's rotating superstructure (whether permanently or temporarily mounted) poses a reasonably foreseeable risk of:

- (i) Striking and injuring an employee; or
- (ii) Pinching/crushing an employee against another part of the crane or another object.

(b) To prevent employees from entering these hazard areas, you must:

(i) Train each employee assigned to work on or near the crane (authorized personnel) in how to recognize struck-by and pinch/crush hazard areas posed by the rotating superstructure.

(ii) Erect and maintain control lines, warning lines, railings or similar barriers to mark the boundaries of the hazard areas.

**Exception:** When you can demonstrate that it is neither feasible to erect such barriers on the ground nor on the crane, the hazard areas must be clearly marked by a combination of warning signs (such as Danger-Swing/Crush Zone) and high visibility markings on the crane that identify the hazard areas. In addition, you must train each employee to understand what these markings signify.

**(c) Protecting employees in the hazard area.**

(i) Before an employee goes to a location in the hazard area that is out of view of the operator, the employee (or someone instructed by the employee) must ensure that the operator is informed that he/she is going to that location.

(ii) Where the operator knows that an employee went to a location covered by subsection (43)(c)(i) of this section, the operator must not rotate the superstructure until the operator is informed in accordance with a prearranged system of communication that the employee is in a safe position.

(d) Where any part of a crane/derrick is within the working radius of another crane/derrick, the controlling entity

must institute a system to coordinate operations. If there is no controlling entity, the employer (if there is only one employer operating the multiple pieces of equipment), or employers, must institute such a system.

**(43) Keeping clear of the load.**

(a) Where available, hoisting routes that minimize the exposure of employees to hoisted loads must be used to the extent consistent with public safety.

(b) While the operator is not moving a suspended load, no employee is allowed to be within the fall zone, except for employees:

- (i) Engaged in hooking, unhooking or guiding a load; or
- (ii) Engaged in the initial attachment of the load to a component structure; or
- (iii) Operating a concrete hopper or concrete bucket.

(c) When employees are engaged in hooking, unhooking, or guiding the load, or in the initial connection of a load to a component or structure, and are within the fall zone, all of the following criteria must be met:

(i) The materials being hoisted must be rigged to prevent unintentional displacement.

(ii) Hooks with self-closing latches or their equivalent must be used, see subsection (29)(b) of this section. "J" hooks are permitted to be used for setting wooden trusses.

(iii) The materials must be rigged by a qualified rigger.

(d) Receiving a load. Only employees needed to receive a load are permitted to be within the fall zone when a load is being landed.

(e) During a tilt-up or tilt-down operation:

(i) Employees are not allowed to be directly under the load.

(ii) Only employees' essential to the operation are allowed to be in the fall zone (but not directly under the suspended load).

**Note:** An employee is essential to the operation if the employee is conducting one of the following operations and you can demonstrate it is infeasible for the employee to perform that operation from outside the fall zone:

- Physically guide the load;
- Closely monitor and give instructions regarding the load's movement; or
- Either detach it from or initially attach it to another component or structure (such as, but not limited to, making an initial connection or installing bracing).

(f) Boom free fall is prohibited when an employee is in the fall zone of the boom or load, and load line free fall is prohibited when an employee is directly under the load. See subsections (44) through (47) of this section.

**(44) Boom free fall prohibitions.**

(a) The use of cranes in which the boom is designed to free fall (live boom) is prohibited in each of the following circumstances:

- (i) An employee is in the fall zone of the boom or load.
- (ii) An employee is being hoisted.
- (iii) The load or boom is directly over a power line, or over any part of the area listed in Table 4 located in WAC 296-155-53408, clearance distance to each side of the power line; or any part of the area extending the Table 4 clearance distance to each side of the power line is within the radius of vertical travel of the boom or the load.

(iv) The load is over a shaft, except where there are no employees in the shaft.

(v) The load is over a cofferdam, except where there are no employees in the fall zone of the boom or the load.

(vi) Lifting operations are taking place in a refinery or tank farm.

(b) The use of cranes in which the boom is designed to free fall (live boom) is permitted only where none of the circumstances listed in (a) of this subsection are present and:

(i) The crane was manufactured prior to October 31, 1984; or

(ii) The crane is a floating crane or a land crane on a vessel/flotation device.

**(45) Preventing boom free fall.** Where the use of a crane with a boom that is designed to free fall (live boom) is prohibited (see subsection (44)(a) of this section), the boom hoist must have a secondary mechanism or device designed to prevent the boom from falling in the event the primary system used to hold or regulate the boom hoist fails, as follows:

(a) Friction drums must have:

(i) A friction clutch and, in addition, a braking device, to allow for controlled boom lowering.

(ii) A secondary braking or locking device, which is manually or automatically engaged, to back-up the primary brake while the boom is held (such as a secondary friction brake or a ratchet and pawl device).

(b) Hydraulic drums must have an integrally mounted holding device or internal static brake to prevent boom hoist movement in the event of hydraulic failure.

(c) Neither clutches nor hydraulic motors must be considered brake or locking devices for purposes of this part.

(d) Hydraulic boom cylinders must have an integrally mounted holding device.

**(46) Preventing uncontrolled retraction.** Hydraulic telescoping booms must have an integrally mounted holding device to prevent the boom from retracting in the event of hydraulic failure.

**(47) Load line free fall.** In each of the following circumstances, controlled load lowering is required and free fall of the load line hoist is prohibited:

(a) **An employee is directly under the load.**

(b) **An employee is being hoisted.**

(c) The load is directly over a power line, or over any part of the area listed in Table 4, located in WAC 296-155-53408, clearance distance to each side of the power line; or any part of the area extending the Table 4 of WAC 296-155-53408, clearance distance to each side of the power line is within the radius of vertical travel of the load.

(d) **The load is over a shaft.**

(e) The load is over a cofferdam, except where there are no employees in the fall zone of the load.

(48) You must not allow employees (~~must not be allowed~~) to ride on the hook or load.

(49) The hoist rope must not be wrapped around the load.

(50) All loads must be attached to the hook by means of suitable slings or other devices of sufficient lifting capacity.

(51) When moving a load it must be well secured and balanced in the sling or lifting device before it is lifted more than a few inches.

**(52) Leaving the crane/derrick unattended.** The operator must not leave the controls while the load is suspended, except where all of the following are met:

(a) The operator remains adjacent to the crane/derrick and is not engaged in any other duties.

(b) The load is to be held suspended for a period of time exceeding normal lifting operations.

(c) The competent person determines that it is safe to do so and implements measures necessary to restrain the boom hoist and telescoping, load, swing, and outrigger or stabilizer functions.

(d) Barricades or caution lines, and notices, are erected to prevent all employees from entering the fall zone. No employees, including those listed in subsection (43)(b), (d), and (e) of this section, are permitted in the fall zone.

**Exemption:** The provisions in this section do not apply to working gear (such as slings, spreader bars, ladders, and welding machines) where the weight of the working gear is negligible relative to the lifting capacity of the equipment as positioned, and the working gear is suspended over an area other than an entrance or exit.

**Note:** For additional requirements relating to leaving the crane unattended for tower, self-erecting, overhead/bridge and derricks see:

- WAC 296-155-53915, Tower cranes—Operations;
- WAC 296-155-54115, Self-erecting tower cranes—Operations;
- WAC 296-155-54215, Overhead/bridge cranes and gantry cranes—Operations;
- WAC 296-155-54320, Derricks—Operations.

(53) While moving the load the lift and swing path must be clear of obstructions.

(54) Before starting to lift the following conditions must be met:

(a) The hoist rope must not be kinked.

(b) Multiple-part lines must not be twisted around each other.

(c) The hook must be brought over the load in such a manner as to minimize swinging.

(d) If the competent person determines that there is slack rope condition requiring respooling of the rope, it must be verified (before starting the lift) that the rope is seated on the drum and in the sheaves as the slack is removed.

(e) The competent person must adjust the crane/derrick and/or operations to address the effect of wind, ice, and snow on equipment stability and rated capacity.

(f) If possible, the load must be free to be lifted; it is neither caught nor attached to other objects.

(55) During lifting operations, care must be taken that there is no sudden acceleration or deceleration of the moving load and that the load boom or other parts of the crane do not contact any obstruction. Rotational speed of the crane/derrick must be such that the load does not swing out beyond the radius at which it can be controlled.

(56) Side loading of booms (jibs) must be limited to freely suspended loads. Cranes must not be used for dragging loads sideways.

(57) The operator must test the brakes each time a load that is 90% or more of the maximum line pull is handled by lifting the load a few inches and applying the brakes. In duty

cycle and repetitive lifts where each lift is 90% or more of the maximum line pull, this requirement applies to the first lift but not to successive lifts.

(58) Modifications or additions which affect the capacity or safe operation of the crane/derrick are prohibited except where the requirements of (a) or (b) of this subsection are met. For recertification requirements see WAC 296-155-53214 (1)(c).

(a) Manufacturer review and approval.

(i) The manufacturer approves the modifications/additions in writing.

(ii) The load charts, procedures, instruction manuals and instruction plates/tags/decals are modified as necessary to accord with the modification/addition.

(iii) The original safety factor of the crane/derrick is not reduced.

(b) Where manufacturer is unavailable or has refused to review a request. The manufacturer is provided a detailed description of the proposed modification/addition, is asked to approve the modification/addition, but it declines to review the technical merits of the proposal or fails, within 30 days, to acknowledge the request or initiate the review, and all of the following are met:

(i) A registered professional engineer who is a qualified person with respect to the crane/derrick involved:

(A) Approves the modification/addition and specifies the crane/derrick configurations to which that approval applies; and

(B) Modifies load charts, procedures, instruction manuals and instruction plates/tags/decals as necessary to accord with the modification/addition.

(ii) The original safety factor of the crane/derrick is not reduced.

(c) Manufacturer does not complete the review within 120 days of the request. The manufacturer is provided a detailed description of the proposed modification/addition, is asked to approve the modification/addition, agrees to review the technical merits of the proposal, but fails to complete the review of the proposal within 120 days of the date it was provided the detailed description of the proposed modification/addition, and the requirements of subsection (58)(b)(i) and (ii) of this section are met.

(d) Multiple manufacturers of equipment designed for use on marine worksites. The equipment is designed for marine worksites, contains major structural components from more than one manufacturer, and the requirements of subsection (58)(b)(i) and (ii) of this section are met.

(59) You must not make any modifications or additions which affect the capacity or safe operation of the crane without the manufacturers' written approval. If components of more than one crane manufacturer are being combined, you must obtain written approval from all manufacturers prior to use. If the manufacturer(s) is/are not available a registered professional structural engineer's (RPSE) written approval must be obtained. If such modifications or changes are made, the capacity, operation, and maintenance instruction plates, tags, or decals, must be changed accordingly. In no case must the original safety factor of the crane be reduced.

**Note:** The provisions in subsections (58) and (59) of this section do not apply to modifications made or approved by the U.S. military.

(60) All applicable controls must be tested by the operator at the start of a new shift, if possible. If any controls fail to operate properly, they must be adjusted or repaired before operations are initiated.

(61) Except for proof load testing required under WAC 296-155-53202 through 296-155-53212, no crane/derrick is permitted to be loaded beyond the specifications of the load rating chart, unless authorized by the crane manufacturer. The operator must not be required to operate the crane/derrick in a manner that would violate this requirement.

(62) **Load weight.** The operator must verify that the load is within the rated capacity of the crane/derrick by at least one of the following methods:

(a) The weight of the load must be determined from a reliable source recognized by the industry (such as the load's manufacturer), or by a reliable calculation method recognized by the industry (such as calculating a steel beam from measured dimensions and a known per foot weight), or by other equally reliable means. In addition, when requested by the operator, this information must be provided to the operator prior to the lift; or

(b) The operator must begin hoisting the load to determine, using a load weighing device, load moment indicator, rated capacity indicator, or rated capacity limiter. If the load exceeds 75% of the maximum rated capacity at the longest radius that will be used during the lift operation, the operator must not proceed with the lift until it is verified that the weight of the load is in accordance with (a) of this subsection.

(63) Tag lines or restraint lines must be used when rotation or swinging of the load is hazardous or if the load needs guidance. Tag lines are not required when all of the following criteria are met:

- The suspended load can be expected to remain still when in a static (nonmoving) condition or does not swing or rotate in a hazardous manner;

- The movement of the crane or boom cannot be expected to cause the load to swing or rotate in an uncontrolled manner that may create a hazard;

- The operator is in control of the movement of the load and a hazardous condition is not created.

(64) All brakes must be adjusted in accordance with manufacturer procedures to prevent unintended movement.

(65) Safety devices and/or operational aids must not be used as a substitute for the exercise of professional judgment by the operator.

(66) **Storm warning.** When a local storm warning has been issued, the competent person must determine whether it is necessary to implement manufacturer recommendations for securing the crane/derrick.

(67) Whenever there is a concern as to safety, the operator has the authority to stop and refuse to handle loads until a qualified person has determined that safety has been assured.

(68) **Tag-out.**

(a) Tagging out of service. Where you have taken the crane/derrick out of service, a tag must be placed in the cab or at the operator station stating that the equipment is out of service and is not to be used. Where you have taken a function(s)

out of service, a tag must be placed in a conspicuous position stating that the function is out of service and is not to be used.

**(b) Response to do not operate/tag-out signs.**

(i) If there is a warning (tag-out or maintenance/do not operate) sign on the crane/derrick or starting control, the operator must not activate the switch or start the crane/derrick until the sign has been removed by a person authorized to remove it, or until the operator has verified that:

(A) No one is servicing, working on or otherwise in a dangerous position around the machine.

(B) The crane/derrick has been repaired and is working properly.

(ii) If there is a warning (tag-out or maintenance/do not operate) sign on any other switch or control, the operator must not activate that switch or control until the sign has been removed by a person authorized to remove it, or until the operator has verified that the requirements in (b)(i)(A) and (B) of this subsection have been met.

**Note:** For additional lockout/tagout procedures for electrical circuits, see WAC 296-155-429.

(69) If crane/derrick adjustments or repairs are necessary:

(a) The operator must, in writing, promptly inform the person designated by you to receive such information and, where there are successive shifts, to the next operator; and

(b) You must notify all affected employees, at the beginning of each shift, of the necessary adjustments or repairs and all alternative measures.

(70) All cranes and derricks mounted on barges or other floating structures must meet the requirements as outlined in ASME B30.8-2004 for construction, installation, inspection, maintenance and operation.

(71) **Swinging locomotive cranes.** A locomotive crane must not be swung into a position where railway cars on an adjacent track could strike it, until it is determined that cars are not being moved on the adjacent track and that proper flag protection has been established.

(72) **Remote control cranes/derricks.** Before an operator leaves the crane/derrick to operate remotely, the operator must ensure that the crane/derrick will be used in accordance with the manufacturer's recommendations. Provisions must be made to prevent simultaneous activation of controls when more than one control station (remote control) is provided.

(73) Remote-operated cranes/derricks must function so that if the control signal for any crane/derrick motion becomes ineffective, the crane/derrick motion must stop.

(74) Remote-operated cranes/derricks must be equipped with an "emergency stop" system, located at the operator's remote station to provide the means to remove power from the crane in the event of a malfunction.

(75) A preventative maintenance program must be established based on the recommendation of the crane/derrick manufacturer. If manufacturer's recommendations are not available, then those of a qualified person must be followed. Dated records must be kept available.

(76) **Working with a diver.** You must meet the following additional requirements when working with a diver in the water:

(a) If a crane/derrick is used to get a diver into and out of the water, it must not be used for any other purpose until the

diver is removed from the water. When used for more than one diver, it must not be used for any other purpose until all divers are all out of the water.

(b) The operator must remain at the controls of the crane/derrick at all times.

(c) In addition to the requirements in WAC 296-155-53406, Signals, either:

(i) A clear line of sight must be maintained between the operator and dive tender; or

(ii) The signals between the operator and dive tender must be transmitted electronically.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-53403 Fall protection. (1) Application.**

(a) Subsections (2), (3)(b), (5) and (6) of this section apply to all cranes/derricks covered by this part except tower cranes.

(b) Subsections (3)(a), (4), (7), (10) and (11) of this section apply to all cranes/derricks covered by this part.

(c) Subsections (3)(c) and (9) of this section apply only to tower cranes.

**(2) Boom walkways.**

(a) Cranes/derricks manufactured after the effective date of this section with lattice booms must be equipped with walkways on the boom(s) if the vertical profile of the boom (from cord centerline to cord centerline) is 6 or more feet.

(b) **Boom walkway criteria.** The walkways must be at least 12 inches wide.

**(3) Steps, handholds, ladders, grabrails, guardrails and railings.**

(a) All steps, handholds, ladders and guardrails/railings/grabrails must be maintained in good condition.

(b) Cranes/derricks manufactured after the effective date of this section must be equipped so as to provide safe access and egress between the ground and the operator work station(s), including the forward and rear positions, by the provision of devices such as steps, handholds, ladders, and guardrails/railings/grabrails. These devices must meet the following criteria:

(i) Steps, handholds, ladders and guardrails/railings/grabrails must meet the criteria of SAE J185 (May 2003) or ISO 11660-2:1994(E) except where infeasible.

(ii) Walking/stepping surfaces, except for crawler treads, must have slip-resistant features/properties (such as diamond plate metal, strategically placed grip tape, expanded metal, or slip-resistant paint).

(c) Tower cranes manufactured after the effective date of this section must be equipped so as to provide safe access and egress between the ground and the cab, machinery platforms, and tower (mast), by the provision of devices such as steps, handholds, ladders, and guardrails/railings/grabrails. These devices must meet the following criteria:

(i) Steps, handholds, ladders, and guardrails/railings/grabrails must meet the criteria of ISO 11660-1:2008(E) and ISO 11660-3:2008(E) or SAE J185 (May 2003) except where infeasible.

(ii) Walking/stepping surfaces must have slip-resistant features/properties (such as diamond plate metal, strategi-

cally placed grip tape, expanded metal, or slip-resistant paint).

(4) Personal fall arrest and fall restraint systems must conform to the criteria in ~~((WAC 296-155-24510. Body harnesses must be used in personal fall arrest and fall restraint systems))~~ chapter 296-880 WAC, Unified safety standards for fall protection.

(5) For nonassembly/disassembly work, you must provide and ensure the use of fall protection equipment for employees who are on a walking/working surface with an unprotected side or edge more than 6 feet above a lower level as follows:

(a) When moving point-to-point:

(i) On nonlattice booms (whether horizontal or not horizontal).

(ii) On lattice booms that are not horizontal.

(iii) On horizontal lattice booms where the fall distance is 10 feet or more.

(b) While at a work station on any part of the crane (including the boom, of any type).

**Note:** If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled.

(6) For assembly/disassembly work, you must provide and ensure the use of fall protection equipment for employees who are on a walking/working surface with an unprotected side or edge more than 10 feet above a lower level.

**Note:** If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled.

**(7) Anchorage criteria.**

(a) Anchorages used for attachment of personal fall arrest equipment must be independent of any anchorage being used to support or suspend platforms and capable of supporting at least 5,000 pounds (22.2 kN) per employee attached, or must be designed, installed, and used as follows:

(i) As part of a complete personal fall arrest system which maintains a safety factor of at least two; and

(ii) Under the supervision of a qualified person.

(b) Positioning devices must be secured to an anchorage capable of supporting at least twice the potential impact load of an employee's fall or 3,000 pounds (13.3 kN), whichever is greater.

(c) Anchorages for personal fall arrest and positioning device systems.

(i) Personal fall arrest systems must be anchored to any apparently substantial part of the equipment unless a competent person, from a visual inspection, without an engineering analysis, would conclude that the criteria in (a) of this subsection would not be met.

(ii) Positioning device systems must be anchored to any apparently substantial part of the crane unless a competent person, from a visual inspection, without an engineering analysis, would conclude that the criteria in (b) of this subsection would not be met.

(iii) Attachable anchor devices (portable anchor devices that are attached to the crane) must meet the anchorage criteria in (a) of this subsection for personal fall arrest systems and (b) of this subsection for positioning device systems.

(8) **Anchorages for fall restraint systems.** Fall restraint systems must be anchored to any part of the crane that is capable of withstanding twice the maximum load that an employee may impose on it during reasonably anticipated conditions of use.

**(9) Tower cranes.**

(a) For work other than erecting, climbing, and dismantling, you must provide and ensure the use of fall protection equipment for employees who are on a walking/working surface with an unprotected side or edge more than 6 feet above a lower level.

**Note:** If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled.

(b) For erecting, climbing, and dismantling work, you must provide and ensure the use of fall protection equipment for employees who are on a walking/working surface with an unprotected side or edge more than 10 feet above a lower level.

(10) **Anchoring to the load line.** A personal fall arrest system is permitted to be anchored to the crane/derrick's hook (or other part of the load line) where all of the following requirements are met:

(a) A qualified person has determined that the set-up and rated capacity of the crane/derrick (including the hook, load line and rigging) meets or exceeds the requirements in subsection (7)(a) of this section.

(b) The crane operator must be at the worksite and informed that the crane is being used for this purpose.

(c) No load is suspended from the load line when the personal fall arrest system is anchored to the crane/derrick's hook (or other part of the load line).

(11) **Training.** You must train each employee who may be exposed to fall hazards while on, or hoisted by, cranes/derricks covered by this section on all of the following:

(a) The requirements in this part that address fall protection.

(b) The applicable requirements in ~~((Parts C-1 and))~~ chapter 296-880 WAC, Unified safety standards for fall protection and Part K of this chapter.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-53900 Tower cranes—General.** (1)

This section contains supplemental requirements for tower cranes; all sections of this part apply to tower cranes unless specified otherwise. In addition, the requirements in WAC 296-155-53402 apply unless otherwise specified, except that the term "assembly/disassembly" is replaced by "erecting, climbing and dismantling," and the term "disassembly" is replaced by "dismantling."

(2) All tower cranes in use must meet the applicable requirements for design, construction, installation, testing, maintenance, inspection, and operation as prescribed by the manufacturer. If the manufacturer's recommendations are not available, follow the requirements in ASME B30.3-2009. It is not the intent of this rule to require retrofitting of existing cranes. However, when an item is being modified, its performance needs to be reviewed by a qualified person and com-

pared to the applicable sections of this rule. For modification requirements see WAC 296-155-53400 (58) and (59). For cranes manufactured prior to the effective date of this rule the design and construction criteria must meet at a minimum, ASME B30.3-1990.

(3) You must follow the manufacturer's recommendations when installing, erecting, and dismantling tower cranes. If the manufacturer's recommendations are not available, follow the requirements in ASME B30.3-2009.

(4) When cranes are erected/dismantled, written instructions by the manufacturer or qualified person and a list of the weights of each subassembly to be erected/dismantled must be at the site.

(5) A qualified person must supervise the erection, jumping and dismantling of the crane.

(6) You must establish procedures before beginning crane erection/dismantling work to implement the instructions and adapt them to the particular needs of the site.

(7) Tower cranes and tower crane assembly parts/components must be inspected by an accredited certifier, prior to assembly, following erection of the tower crane, after each climbing operation, or reconfiguring the boom, jib, or counterjib, before placing the crane in service. (See WAC 296-155-53206.) You must only use inspected and preapproved components in the assembly of a tower crane.

(8) You must erect tower masts plumb to a tolerance of 1:500 (approximately one inch in 40 feet) unless the manufacturer specifies otherwise and verified by a qualified person.

(9) You must install cranes that are required to weathervane when out-of-service with clearance for the boom (jib) and the superstructure to swing through a full 360 degree arc. You must maintain clearances recommended by the crane manufacturer between other weathervaning cranes and fixed objects.

(10) When the crane is out of operation, the jib or boom must be pointed downwind and the slewing brake must be released so as to permit the jib or boom to weathervane, provided the jib or boom has a clear 360 degree rotation.

(11) When the crane is out of operation and a 360 degree rotation is not feasible, you must follow the manufacturer's or RPE's written procedures for restraining the jib or boom from rotation.

(12) Foundations and structural supports. Tower crane foundations and structural supports (including both the portions of the structure used for support and the means of attachment) must be designed by the manufacturer or a registered professional engineer.

(13) Prior to erecting a tower crane on a nonstandard tower crane base/structural support, you must ensure that the engineering configuration of this base/structural support has been reviewed and acknowledged as acceptable by an independent registered professional structural engineer (RPSE), licensed under chapter 18.43 RCW.

(14) An RPSE must certify that the crane foundation, structural supports and underlying soil provide adequate support for the tower crane with its applied torsional and overturning moments and the horizontal and vertical forces.

(15) The controlling entity that installed the tower crane foundations and structural supports must provide a written

statement/documentation to the A/D director stating that they were installed in accordance with their design and requirements the RPE, and the engineer of record if applicable.

(16) You must consult the engineer of record to verify that the host structure is capable of safely resisting the applied crane forces, if this engineer is not available an RSPE must perform this verification. When inside climbing cranes are used, the integrity of the host structure must be reviewed and approved by an RPSE, for the effects of the crane, load, and wind forces at each level of the structure.

(17) Prior to installing a tower crane that will be attached to an existing building, new construction, or structure, an RPSE must certify that the structural attachment to the building is designed to withstand the torsional and overturning moments and the horizontal and vertical forces created by the crane to be installed.

(18) The assembly/disassembly director must address backward stability before slewing, traveling or freestanding tower cranes on ballasted bases.

(19) The top of the support/foundation must be accessible and free of debris, materials and standing water. No materials can be stored on the support unless approved by a qualified person. Tower crane's foundation and fasteners must remain accessible and visible for inspection at all times.

(20) You must not climb tower cranes in concrete structures until the concrete at the levels at which horizontal and vertical supports are to be placed has reached sufficient strength to resist the crane reactions. It may be necessary to test concrete cylinders or cores or to use on-site testing techniques for this purpose.

(21) Climbing jack systems used for raising a tower crane must be equipped with over-pressure relief valves, direct-reading pressure gauges, and pilot-operated hydraulic check valves installed in a manner which will prevent the jack from retracting should a hydraulic line or fitting rupture or fail.

(22) Before climbing or erecting/dismantling, you must balance cranes in accordance with the manufacturer's or a qualified person's instructions. If no such limit has been set, wind velocity must not exceed the limit set by the manufacturer, or 20 miles per hour as indicated by a wind velocity device mounted near the top of the crane. The crane operator must be present during climbing or erecting/dismantling operations.

(23) You must not commence climbing operations until all crane support provisions at the new support level are in place as per the manufacturer's recommendations or as specified by an RPSE.

(24) Crane superstructures and counterjibs (counterweight jib) must be arranged to receive counterweights, made in accordance with the manufacturer's specifications for the specified jib or boom length, and to hold them in position. You must provide means to guard against shifting or dislodgement during crane operation. Manufacturer's specified counterweight weights are not to be exceeded.

(25) Moveable counterweights, if provided, must either move automatically or must be equipped with a position indicator with read out at the operator's station(s).

(26) When counterweight position is controlled by wire ropes, you must provide means to prevent uncontrolled

movement in the event of wire rope or wire rope termination failure.

(27) When counterweight position is controlled by wire ropes and/or linkages between the counterweight and the boom, you must make provisions to avert structural damage if the boom is moved beyond its normal limits.

(28) For cranes utilizing ballast, bases must include provisions to support and position the ballast. You must provide means to guard against shifting or dislodgement of ballast during crane operation.

(29) All electrical equipment must be properly grounded and protection must be provided against lightning per the manufacturer's recommendation or if not available, a registered professional electrical engineer.

(30) Each electrically powered crane must have a main disconnect switch at or near the initial base of the crane. This switch must have provisions for locking in the "off" position.

(31) You must guard or locate equipment so that live parts are not exposed to inadvertent contact by personnel and equipment under normal operating conditions.

(32) You must protect electrical equipment from dirt, grease, oil, and moisture. Fixtures, wiring, and connections exposed to the weather must be of weather resistant type.

(33) Wiring must conform to the provisions of ANSI/NFPA 70 for temporary wiring. Motors, controls, switches, and other electrical equipment must meet the applicable requirements of ANSI/NFPA 70. Hoists, slewing, trolley, and travel controllers must conform to ISO 7752-1, 2010.

(34) You must make provisions to guard against reversing of each motor due to reversed phase connections.

(35) Electrical circuits between the fixed and rotating portions of the crane must pass through a slip ring assembly that will permit continuous rotation of the upper crane structure in either direction, unless other means are provided to prevent damage to the electrical conductors.

(36) Individual overload protection must be provided for each motor.

(37) Crane trucks must be fitted with sweeps extending below the top of the rail, unless the construction of the rail foundation prohibits such extension, and placed in front of the leading wheels in either direction. Truck wheels/bogies must be guarded.

(38) You must provide a means to limit the drop of truck frames in case of wheel or axle breakage to a distance that will not cause a crane to overturn.

(39) Multiple tower crane job sites. On job sites where more than one tower crane is installed, you must locate the cranes such that no crane may come in contact with the structure of another crane. Crane's jibs or booms are permitted to pass over one another.

(40) You must position tower cranes, in service, whereby they can slew 360 degrees without either the counterjib or jib/boom striking any building, structure, or other object, unless:

(a) Suitable anticollision devices are installed which will prohibit contact with such objects or;

(b) Direct voice communications are established between any operator of the tower crane(s) involved and a signal person so stationed where the boom and/or counterweight movement, and the object with which it may contact

can be observed so that the operator(s) can be warned of imminent danger.

(i) You must establish a secondary means of positive communications as a back-up for possible direct voice communication failure.

(ii) Radio communication systems without tone coded squelch are prohibited. You must not use citizens band radios as a means of communications for tower cranes.

(41) Limit switches must be installed and you must keep them properly adjusted. You must protect or isolate them in a manner which will prevent unauthorized tampering. Limit switches must provide the following functions:

(a) Limit the travel of the trolley to prevent it from hitting the outer end of the jib.

(b) Limit the upward travel of the load block to prevent two-blocking.

(c) Lower over travel limiting devices must be provided for all load hoists where the hook area is not visible to the operator.

(d) In the absence of the crane manufacturer's specifications, limit the load being lifted in a manner whereby no more than 110% of the maximum rated load can be lifted or moved.

(e) Cranes mounted on rail tracks must be equipped with limit switches limiting the travel of the crane on the track and stops or buffers at each end of the tracks.

(42) All tower cranes manufactured after July 27, 2010, must be equipped with a safety device (also referred to as a limit device) that provides deceleration before the top position of the crane hook is reached.

(43) The load must be free when lifted; it must not be caught on nor attached to other objects. You must limit side loading of jibs to freely suspended loads. You must not use cranes for dragging loads.

(44) When the operator may be exposed to the hazard of falling objects, the tower crane cab and/or remote control station must have adequate overhead protection.

(45) You must provide a safe means for access to the tower, operator's cab and machinery platform.

(46) When necessary for inspection or maintenance purposes, you must provide ladders, walkways with railing or other devices.

(47) All crane brakes must automatically set in event of power failure. Slewing brakes must also function in this manner or be capable of being set manually.

(48) Each tower crane must be provided with a slewing brake capable of holding in both directions preventing the superstructure from rotating during operation and must be capable of being set in the holding position and remaining so without further action on the part of the operator.

(49) The trolley must be provided with an operating brake capable of stopping the trolley in either direction. The system must include a means for holding the trolley without further action on the part of the operator, and must engage automatically if power or pressure to the brake is lost.

(50) In addition to the operating brake, the trolley must be equipped with an automatic braking device capable of stopping trolley in either direction in the event of trolley drive rope breakage, if such ropes are used.

(51) The body or frame of the trolley must be fitted with a means to restrain the trolley from becoming detached from

its guide rail(s) in the event of trolley wheel or axle breakage or side loading.

(52) The jib point sheave, if provided, must have at least one broad stripe of bright, contrasting color painted on each side so it can be determined whether or not the sheave is turning.

(53) You must protect employees required to perform duties on the boom/jib of tower cranes against falling in accordance with ~~((Part C-1 of this))~~ chapter 296-880 WAC, Unified safety standards for fall protection.

(54) An audible signal must automatically sound whenever the crane travels in order to warn persons in the vicinity.

(55) You must mount a wind velocity indicating device at or near the top of the crane. You must provide a velocity readout at the operator's station in the cab, and a visible or audible alarm must be triggered in the cab and at remote control stations when a preset wind velocity has been exceeded.

(56) When the wind velocity indicating device is not functioning, crane operations may continue if another crane on the site is equipped with a functioning wind velocity indicator or if a qualified person determines that ambient wind velocity is within permitted limits.

(57) You must provide indicating devices to:

(a) Display the magnitude of the load on the hook;  
 (b) Display the boom angle or operating radius, as appropriate. On hammerhead booms (jibs), radius indication may be by means of flags or markers along the length of the boom (jib) so as to be visible to the operator;

(c) Display ambient wind velocity.

(58) You must provide a limiting device to:

(a) Decelerate the trolley travel at both ends of the jib prior to the final limit activation;  
 (b) Decelerate the luffing boom travel at upper and lower ends prior to final limit activation;  
 (c) Limit trolley travel at both ends of the jib;  
 (d) Stop boom luffing at lower and upper limits of boom movement;  
 (e) Decelerate the hoist up hook travel prior to final limit activation;  
 (f) Stop load block upper motion before two-blocking occurs;

(g) Stop load block downward motion to prevent the last two wraps of wire rope from spooling off the hoist drum;

(h) Limit crane travel at both ends of the runway tracks;

(i) Limit lifted load;

(j) Limit operating radius in accordance with lifted load, i.e., limit movement; and

(k) Limit pressures in hydraulic or pneumatic circuits.

(59) You must lock or seal load limiting devices and acceleration/deceleration limiters when provided with a method to inhibit tampering and unauthorized adjustment.

(60) **Safety devices.**

(a) The following safety devices are required on all tower cranes unless otherwise specified:

(i) Boom stops on luffing boom type tower cranes;  
 (ii) Jib stops on luffing boom type tower cranes if equipped with a jib attachment;  
 (iii) Travel rail end stops at both ends of travel rail;  
 (iv) Travel rail clamps on all travel bogies;

(v) Integrally mounted check valves on all load supporting hydraulic cylinders;

(vi) Hydraulic system pressure limiting device;

(vii) The following brakes, which must automatically set in the event of pressure loss or power failure, are required:

(A) A hoist brake on all hoists;

(B) Slewing brake;

(C) Trolley brake;

(D) Rail travel brake.

(viii) Deadman control or forced neutral return control (hand) levers;

(ix) Emergency stop switch at the operator's station;

(x) Trolley end stops must be provided at both ends of travel of the trolley.

(b) Proper operation required. You must not begin operations unless the devices listed in this subsection are in proper working order. If a device stops working properly during operations, the operator must safely stop operations. You must take the crane out of service, and you must not resume operations until the device is again working properly. You must not use alternative measures.

(61) **Operational aids.**

(a) The devices listed in this subsection (operational aids) are required on all tower cranes covered by this part, unless otherwise specified.

(b) You must not begin crane operations unless the operational aids are in proper working order, except where you meet the specified temporary alternative measures. You must follow more protective alternative measures, if any are specified by the tower crane manufacturer.

(c) When operational aids are inoperative or malfunctioning, you must follow the crane and/or device manufacturer's recommendations for operation or shutdown of the crane until the problems are corrected. Without such recommendations and any prohibitions from the manufacturer against further operation, the following requirements apply:

**Note:** If a replacement part is no longer available, the use of a substitute device that performs the same type of function is permitted and is not considered a modification under WAC 296-155-53400 (58) and (59).

(i) You must accomplish recalibration or repair of the operational aid as soon as is reasonably possible, as determined by a qualified person.

(ii) **Trolley travel limiting device.** The travel of the trolley must be restricted at both ends of the jib by a trolley travel limiting device to prevent the trolley from running into the trolley end stops. Temporary alternative measures:

(A) **Option A.** You must mark the trolley rope (so it can be seen by the operator) at a point that will give the operator sufficient time to stop the trolley prior to the end stops.

(B) **Option B.** You must use a spotter who is in direct communication with the operator when operations are conducted within 10 feet of the outer or inner trolley end stops.

(iii) **Boom hoist limiting device.** You must limit the range of the boom at the minimum and maximum radius. Temporary alternative measures: Clearly mark the hoist rope (so it can be seen by the operator) at a point that will give the operator sufficient time to stop the boom hoist within the minimum and maximum boom radius, or use a spotter who is

in direct communication with the operator to inform the operator when this point is reached.

(iv) **Anti two-blocking device.** The tower crane must be equipped with a device which automatically prevents damage from contact between the load block, overhaul ball, or similar component, and the boom tip (or fixed upper block or similar component). The device(s) must prevent such damage at all points where two-blocking could occur. Temporary alternative measures: Clearly mark the hoist rope (so it can be seen by the operator) at a point that will give the operator sufficient time to stop the hoist to prevent two-blocking, or use a spotter who is in direct communication with the operator to inform the operator when this point is reached.

**Note:** This temporary alternative measure cannot be used if lifting personnel in a suspended platform.

(v) **Hoist drum lower limiting device.** Tower cranes manufactured after the effective date of this section must be equipped with a device that prevents the last two wraps of hoist cable from being spooled off the drum. Temporary alternative measures: Mark the hoist rope (so it can be seen by the operator) at a point that will give the operator sufficient time to stop the hoist prior to last two wraps of hoist cable being spooled off the drum, or use a spotter who is in direct communication with the operator to inform the operator when this point is reached.

(vi) **Load moment limiting device.** The tower crane must have a device that prevents moment overloading. Temporary alternative measures: You must use a radius indicating device (if the tower crane is not equipped with a radius indicating device, you must measure the radius to ensure the load is within the rated capacity of the crane). In addition, the weight of the load must be determined from a reliable source (such as the load's manufacturer), by a reliable calculation method (such as calculating a steel beam from measured dimensions and a known per foot weight), or by other equally reliable means. You must provide this information to the operator prior to the lift.

(vii) **Hoist line pull limiting device.** You must limit the capacity of the hoist to prevent overloading, including each individual gear ratio if equipped with a multiple speed hoist transmission. Temporary alternative measures: The operator must ensure that the weight of the load does not exceed the capacity of the hoist (including for each individual gear ratio if equipped with a multiple speed hoist transmission).

(viii) **Rail travel limiting device.** You must limit the travel distance in each direction to prevent the travel bogies from running into the end stops or buffers. Temporary alternative measures: You must use a spotter who is in direct communication with the operator when operations are conducted within 10 feet of either end of the travel rail end stops; the spotter must inform the operator of the distance of the travel bogies from the end stops or buffers.

(ix) **Boom hoist drum positive locking device and control.** The boom hoist drum must be equipped with a control that will enable the operator to positively lock the boom hoist drum from the cab. Temporary alternative measures: You must manually set the device when required if an electric, hydraulic or automatic type is not functioning.

(x) **Boom angle or hook radius indicator.**

(A) Luffing boom tower cranes must have a boom angle indicator readable from the operator's station.

(B) Hammerhead tower cranes manufactured after the effective date of this section must have a hook radius indicator readable from the operator's station. Temporary alternative measures: You must determine hook radii or boom angle by measuring the hook radii or boom angle with a measuring device.

(xi) **Trolley travel deceleration device.** You must automatically reduce the trolley speed prior to the trolley reaching the end limit in both directions. Temporary alternative measures: You must post a notice in the cab of the crane notifying the operator that the trolley travel deceleration device is malfunctioning and instructing the operator to take special care to reduce the trolley speed when approaching the trolley end limits.

(xii) **Boom hoist deceleration device.** You must automatically reduce the boom speed prior to the boom reaching the minimum or maximum radius limit. Temporary alternative measures: You must post a notice in the cab of the crane notifying the operator that the boom hoist deceleration device is malfunctioning and instructing the operator to take special care to reduce the boom speed when approaching the boom maximum or minimum end limits.

(xiii) **Load hoist deceleration device.** You must automatically reduce the load speed prior to the hoist reaching the upper limit. Temporary alternative measures: You must post a notice in the cab of the crane notifying the operator that the load hoist deceleration device is malfunctioning and instructing the operator to take special care to reduce the hoist speed when approaching the upper limit.

(xiv) **Wind speed indicator.** You must provide a device to display the wind speed and it must be mounted at or near the top of the crane structure. Temporary alternative measures: Use of wind speed information from a properly functioning indicating device on another tower crane on the same site, or a qualified person estimates the wind speed.

(xv) **Load indicating device.** Cranes manufactured after the effective date of this section, must have a device that displays the magnitude of the load on the hook. Displays that are part of load moment limiting devices that display the load on the hook meet this requirement. Temporary alternative measures: The weight of the load must be determined from a reliable source (such as the load's manufacturer), by a reliable calculation method (such as calculating a steel beam from measured dimensions and a known per foot weight), or by other equally reliable means. You must provide this information to the operator prior to the lift.

(62) You must not install advertising signs or similar panels on the crane or tower unless size, design, and positioning satisfy the manufacturer's recommendations, in the absence of the manufacturer's recommendations, you must obtain an RPE's written approval.

(63) For night operations, lighting must be adequate to illuminate the working areas while not interfering with the operator's vision.

(64) All welding procedures and welding operator qualifications for use in repair or alteration of load sustaining members must be in accordance with ANSI/AWS D14.3 or

ANSI/AWS D1.1. Where special steels or other materials are used, the manufacturer or a qualified person must provide welding procedure instructions. The type of metal used for load sustaining members must be identified by the manufacturer. In the absence of the manufacturer you must use an RPSE.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-54300 Derricks—General.** (1) This section contains supplemental requirements for derricks, whether temporarily or permanently mounted; all sections of this part apply to derricks unless specified otherwise. A derrick is powered equipment consisting of a mast or equivalent member that is held at or near the end by guys or braces, with or without a boom, and its hoisting mechanism. The mast/equivalent member and/or the load is moved by the hoisting mechanism (typically base-mounted) and operating ropes. Derricks include: A-frame, basket, breast, Chicago boom, gin pole (except gin poles used for erection of communication towers), guy, shearleg, stiffleg, and variations of such equipment.

(2) **Derricks.** All derricks in use must meet the applicable requirements for design, construction, installation, inspection, testing, maintenance, and operation as prescribed in American National Standard Institute B30.6-2010, Safety Standard for Derricks. It is not the intent of this rule to require retrofitting of existing derricks. However, when an item is being modified, its performance needs to be reviewed by a qualified person and compared to the applicable sections of this rule. For modification requirements see WAC 296-155-53400 (58) and (59). For derricks manufactured prior to the effective date of this rule the design and construction criteria must meet at a minimum, ASME B30.6-1990.

(3) Derricks must be constructed to meet all stresses imposed on members and components when installed and operated in accordance with the manufacturer's/builder's procedures and within its rated capacity.

(4) You must follow the manufacturer's recommendations when installing, erecting, operating, maintenance and dismantling derricks. If the manufacturer's recommendations are not available, follow the requirements in ASME B30.6-2010.

(5) When derricks are erected/dismantled, written instructions by the manufacturer or qualified person and a list of the weights of each subassembly to be erected/dismantled must be at the site.

(6) You must establish procedures before beginning derrick erection/dismantling work to implement the instructions and adapt them to the particular needs of the site.

(7) A qualified person must supervise the erection and dismantling of the derrick.

(8) Derricks and their crane assembly parts/components must be inspected by an accredited certifier, prior to assembly and following erection of the derrick before placing the crane in service (see WAC 296-155-53212). Only inspected and preapproved components are allowed to be used in the assembly of a derrick.

(9) Prior to erecting a derrick on a nonstandard base/structural support, you must ensure that the engineering configuration of this base/structural support has been reviewed and acknowledged as acceptable by an independent registered professional structural engineer (RPSE), licensed under chapter 18.43 RCW.

(10) An RPSE must certify that the derrick foundation, structural supports and underlying soil provide adequate support for the derrick with its applied torsional and overturning moments and the horizontal and vertical forces.

(11) Derricks must be attached to bases/structural supports in compliance with the manufacturer's or an RPSE's instructions.

(12) Prior to installing a derrick that will be attached to an existing building, new construction, or structure, an RPSE must certify that the structural attachments to the building are designed to withstand the torsional and overturning moments and the horizontal and vertical forces created by the derrick to be installed.

(13) You must consult the engineer of record to verify that the host structure is capable of safely resisting the applied derrick forces, if this engineer is not available an RPSE must perform this verification.

(14) Derrick superstructures and machine deck (counterweight jib/counter-jibs) must be arranged to receive counterweights, made in accordance with the manufacturer's specifications for the specified jib or boom length, and to hold them in position. You must provide means to guard against shifting or dislodgement during derrick operation. Manufacturer's specified counterweight weights are not to be exceeded.

(15) For derricks utilizing ballast, bases must include provisions to support and position the ballast. You must provide means to guard against shifting or dislodgement of ballast during derrick operation.

(16) All electrical equipment must be properly grounded and protection must be provided against lightning per the manufacturer's recommendations or if not available, a registered professional electrical engineer.

(17) Each electrically powered derrick must have a main disconnect switch at or near the initial base of the derrick. This switch must have provisions for locking in the "off" position.

(18) You must locate or guard electrical equipment so that live parts are not exposed to inadvertent contact by personnel and equipment under normal operating conditions.

(19) You must protect electrical equipment from dirt, grease, oil, and moisture. Fixtures, wiring, and connections exposed to the weather must be of weather resistant type.

(20) Wiring must conform to the provisions of ANSI/NFPA 70 for temporary wiring. Motors, controls, switches, and other electrical equipment must meet applicable requirements of ANSI/NFPA 70. Hoists, slewing, trolley, and travel controllers must conform to ISO 7752-1, 2010.

(21) You must make provisions to guard against reversing of each motor due to reversed phase connections.

(22) Electrical circuits between the fixed and rotating portions of the derrick must pass through a slip ring assembly that will permit continuous rotation of the upper derrick structure in either direction, unless other means are provided to prevent damage to the electrical conductors.

(23) Individual overload protection must be provided for each motor.

(24) You must protect employees required to perform duties on the boom/jib of derricks against falling in accordance with ((Part C-1 of this)) chapter 296-880 WAC, Unified safety standards for fall protection.

(25) You must not install advertising signs or similar panels on the derrick unless size, design, and positioning satisfy the manufacturer's recommendations, in the absence of the manufacturer's recommendations, you must obtain an RPE's written approval.

(26) For night operations, lighting must be adequate to illuminate the working radius while not interfering with the operator's vision.

(27) All welding procedures and welding operator qualifications for use in repair or alteration of load sustaining members must be in accordance with ANSI/AWS D14.3 or ANSI/AWS D1.1. Where special steels or other materials are used, the manufacturer or a qualified person must provide welding procedure instructions. The type of metal used for load sustaining members must be identified by the manufacturer. In the absence of the manufacturer you must use an RPSE.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-54800 Design of platforms and suspension systems.** (1) Employers that manufacture personnel platforms and/or their suspension systems must be designed, constructed and tested according to ASME B30.23-2005, Personnel Lifting Systems. The design and manufacturer's specifications must be made by a registered professional engineer. Personnel platforms manufactured prior to the effective of this section must comply with ASME B30.23-1998.

(2) Only the crane/derrick manufacturer may approve the design and installation procedures for platform mounting attachment points on lattice type boom cranes and lattice type boom extensions. The design and installation procedures, for platform mounting attachment points on other types of cranes/derricks must be approved by their manufacturer or an RPE. All approvals must be in writing.

(3) Platform mounting attachments on the crane/derrick must be designed to protect against disengagement during lifting operation.

(4) The system used to connect the personnel platform to the equipment must allow the platform to remain within 10 degrees of level, regardless of boom angle.

(5) The suspension system must be designed to minimize tipping of the platform due to movement of employees occupying the platform.

(6) The personnel platform itself (excluding the guardrail system and personal fall arrest system anchorages), must be capable of supporting, without failure, its own weight and at least 5 times the maximum intended load.

(7) The personnel platform must be equipped with a guardrail system which meets the requirements of Part C-1 of this chapter, and must be enclosed at least from the toeboard to mid-rail with either solid construction material or

expanded metal having openings no greater than one-half inch (1.27 cm). Points to which personal fall arrest systems are attached must meet the anchorage requirements in ((Part C-1 of this)) chapter 296-880 WAC, Unified safety standards for fall protection.

(8) You must install a grab rail inside the entire perimeter of the personnel platform except for access gates/doors.

(9) **Access gates/doors.** If installed, access gates/doors of all types (including swinging, sliding, folding, or other types) must:

(a) Not swing outward. If due to the size of the personnel platform, such as a one-person platform, it is infeasible for the door to swing inward and allow safe entry for the platform occupant, then the access gate/door may swing outward.

(b) Be equipped with a device that prevents accidental opening.

(10) Headroom must be sufficient to allow employees to stand upright in the platform.

(11) In addition to the use of hard hats, employees must be protected by overhead protection on the personnel platform when employees are exposed to falling objects. The platform overhead protection must not obscure the view of the operator or platform occupants (such as wire mesh that has up to one-half inch openings), unless full protection is necessary.

(12) All edges exposed to employee contact must be smooth enough to prevent injury.

(13) An identification plate must be located on the platform. The location must protect against damage and allow easy viewing from both interior (while hoisted) and exterior (while not hoisted) of the platform.

(14) The inspection plate must display the following information:

(a) Manufacturer's name and address;

(b) Platform rating in terms of weight and personnel;

(c) Platform identification number;

(d) Suspension system description for suspended platforms, or the intended crane/derrick manufacturer and model for boom attached platforms;

(e) Weight of the empty platform and its suspension system;

(f) Date the platform was manufactured;

(g) Certification of compliance to the design, construction, and testing requirements of ASME B30.23-2005, Personnel Lifting Systems;

(h) Listing of any unique operational environments for which the platform has been designed.

(15) For suspended platforms, the suspension system must be sized by the platform manufacturer, and its installed sling angle established, so as not to cause damage to the platform. Suspension systems must comply with the following:

(a) Hooks and other detachable devices.

(i) Hooks used in the connection between the hoist line and the personnel platform (including hooks on overhaul ball assemblies, lower load blocks, bridle legs, or other attachment assemblies or components) must be:

(A) Of a type that can be closed and locked, eliminating the throat opening.

(B) Closed and locked when attached.

(ii) Shackles used in place of hooks must be of the alloy anchor type, with either:

(A) A bolt, nut and retaining pin, in place; or

(B) Of the screw type, with the screw pin secured from accidental removal.

(iii) Where other detachable devices are used, they must be of the type that can be closed and locked to the same extent as the devices addressed in subsection (a) of this section. You must close and lock devices when attached.

(b) When a rope bridle is used to suspend the personnel platform, each bridle leg must be connected to a master link or shackle (see (a) of this subsection) in a manner that ensures that the load is evenly divided among the bridle legs.

(c) Eyes in wire rope slings shall be fabricated with thimbles.

(d) Wire rope sling suspension systems with pored socket end connections, if used, must be designed in accordance with the manufacturer's or qualified person's application instructions.

(e) All sling suspension systems must utilize a master link for attachment to the crane/derrick hook or bolt type shackle with cotter pin.

(f) You must not use synthetic webbing or natural or synthetic fiber rope slings for suspension systems.

(g) Suspension system legs must be designed and sized according to ASME B30.23-2005.

(h) Wire rope sling suspension systems must have each leg of the system permanently marked with the rated load of the leg. The master link in the system must be permanently marked with the suspension system's rated load and identification as a personnel lifting platform suspension component.

(i) Rigging hardware (including wire rope, shackles, rings, master links, and other rigging hardware) and hooks must be capable of supporting, without failure, at least 5 times the maximum intended load applied or transmitted to that component. A sling made from rotation resistant rope is prohibited.

(j) You must use bridles and associated rigging for suspending the personnel platform only for the platform and the necessary employees, their tools and materials necessary to do their work, and you must not use it for any other purpose when not hoisting personnel.

(16) Overhead protection, when provided for a platform, must allow for a clear view of the crane/derrick components directly overhead, from any position in the platform. Any openings designed in the overhead protection must not allow a sphere of greater than 0.5 in (13 mm) to pass through.

(17) All welding of the personnel platform and its components must be performed by a certified welder familiar with the weld grades, types and material specified in the platform design.

(18) Bolted connections of load sustaining members or components of the platform must be in accordance with the AISC Specification for Structural Joints Using ASTM A 325 or A 490 Bolts.

(19) You must provide a weatherproof compartment suitable for storage of the operator's manual and assorted other documents, or a weatherproof placard displaying the operator's manual, and readable from the platform, when

motion controls that are operational from the platform are installed.

(20) Motion controls, if installed on the platform, must:

(a) Be clearly identified as to their function;

(b) Be protected from inadvertent actuation;

(c) Be inside the platform and readily accessible to the operator;

(d) When possible be oriented and move in the approximate direction of the function that they control;

(e) Return to their neutral position and stop all motion when released.

(21) Boom motion controls, if provided, must additionally:

(a) Include a control that must be continuously activated for controls to be operational;

(b) Include an emergency stop control that does not require continuous actuation for a stop condition;

(c) Have motion controls, accessible at ground level, that can override platform controls.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-55300 Personnel lifting requirements.**

(1) Conditions must provide clear visibility. When conditions such as darkness, fog, or snow prevent clear visibility, you must not perform a personnel lift.

(2) Personnel platforms cannot be used in winds (sustained or gusts) in excess of 20 mph (32.2 km/hr) or in electric storms, snow, ice, sleet, or other adverse weather conditions which could affect the safety of personnel.

(3) Other weather and environmental conditions. A qualified person must determine if, in light of indications of dangerous weather conditions, or other impending or existing danger, it is not safe to lift personnel. If it is not, you must not begin the lifting operation (or, if already in progress, you must terminate operations).

(4) You must only use personnel platforms for personnel, their tools, and sufficient material to do their work. You must not use them solely for transporting bulk materials.

(5) The number of employees occupying the personnel platform must not exceed the maximum number the platform was designed to hold or the number required to perform the work, whichever is less.

(6) A qualified person must evaluate the safety concerns of the operational environment and verify the platform and crane/derrick are suitable for use. Additionally, special work circumstances may require further precautions. You must take precautions such as, but not limited to, the following:

(a) When welding is to be accomplished from the personnel platform, you must provide suitable electrode holders to protect them from contact with any conducting components of the platform.

(b) You must instruct operators of cranes/derricks, installed on floating vessels, not to lift personnel when the list or trim of the vessel exceeds 5 degrees. If a mobile crane/derrick is placed on floating vessels, operators must not lift personnel when the list or trim of the vessel exceeds one degree.

(c) You must provide personnel fall protection devices with quick release features and require them to be worn. The

fall protection device must be appropriately attached while personnel are lifted over land and detached while personnel are lifted over water. See ((Part C 1 of this)) chapter 296-880 WAC, Unified safety standards for fall protection for requirements for fall arrest system, including the attachment point (anchorage) used to comply with this subsection. When personnel lifts are conducted over water, you must provide U.S. Coast Guard approved (Type I, II, III, or V) personnel flotation devices and require them to be worn.

(d) A boat/skiff with appropriate rescue personnel must be readily available at all times during a personnel lift over water.

(e) You must provide appropriate personnel protective equipment and require it to be used around toxic, flammable, or hazardous substances or fumes.

(f) You must review any concentrated loading of the platform to preclude the overstressing of any component or impairing the platform stability.

(g) Where the rotation of the platform, while hoisted, can create a hazard, you must provide appropriate restraining methods and require them to be used.

(7) In order to safely perform the personnel lift, make sure the following are met:

(a) The personnel platform is **not** loaded with more than its rated load capacity;

(b) Materials and tools being lifted by a platform are:

(i) Secured to prevent movement;

(ii) Evenly distributed on the platform.

(c) The personnel platform is hoisted slowly, with no sudden movements;

(d) Tag lines are used to control the motion of suspended platforms, unless using them creates a hazard;

(e) The platform is secured to the structure where the work will be performed before employees exit or enter the platform, unless securing to the structure is unsafe;

(f) No other load lines on the crane or derrick are used to lift anything while personnel are on a platform;

(g) Brakes and locking devices are engaged when the personnel platform is occupied and in a stationary working position;

(h) The lowering motion of the hoist line and/or the boom is power-controlled only. Free fall is **not** allowed;

(8) The platform operation instructions in this rule are intended as minimum criteria. You must consult the platform manufacturer's information for specific instruction on the platform's operation.

(9) Traveling.

(a) Rubber tired cranes are not allowed to travel while lifting personnel. Hoisting of employees while the crane is traveling is only allowed when:

(i) The crane travels on fixed rails; or

(ii) The crane has crawlers and is on a runway, and the employer demonstrates that there is no less hazardous way to perform the work.

(b) Where employees are hoisted while the crane is traveling, you must meet the following criteria:

(i) You must restrict crane travel to a fixed track or runway.

(ii) Where a runway is used, it must be a firm, level surface designed, prepared and designated as a path of travel for

the weight and configuration of the crane/derrick being used to lift and travel with the personnel platform. An existing surface may be used as long as it meets these criteria.

(iii) You must limit travel to boom length.

(iv) The boom must be parallel to the direction of travel, except where it is safer to do otherwise.

(v) You must perform a complete trial run to test the route of travel before employees are allowed to occupy the platform. This trial run can be performed at the same time as the trial lift required by WAC 296-155-55115 which tests the lift route.

(10) Derricks are prohibited from traveling while personnel are hoisted.

(11) Platform occupants must remain in continuous sight or in communication with the operator and in sight and communication of a signal person.

(12) Platform occupants must use personnel protective equipment, such as hard hats, safety glasses, hearing protection, and gloves, in conditions where a hazard of injury exists.

(13) Platform occupants must wear personnel fall protection devices with lanyards attached to a specific anchorage point(s), unless special work circumstance requirements dictate otherwise, such as working over water.

(14) Platform occupants must keep all parts of the body inside the platform during raising, lowering, and horizontal movement. This provision does not apply to an occupant of the platform when necessary to position the platform or while performing the duties of a signal person.

(15) Platform occupants must not stand, sit on, or work from the top rail, intermediate rail, toe board, or use any other device to enhance their vertical height working capability.

(16) Platform occupants must not pull the platform out of plumb in relation to the crane/derrick.

(17) Platform occupants must not enter or exit a suspended platform while it is raised unless the platform has an installed gate and is physically secured to the structure to which the occupants are entering or exiting unless the employer can demonstrate that securing to the structure would create a greater hazard.

(18) Platform occupants must not operate a platform with motion controls without the platform operation manual available in the platform.

(19) If the platform is tied to the structure, the operator must not move the platform until the operator receives confirmation that it is freely suspended.

(20) You must inspect the platform prior to each lift to verify all attachments and the platform are safe to use.

(21) Verify the platform is evenly loaded, material secured, and the total platform weight does not exceed the platform rating or the reduced crane/derrick lift capacity.

(22) Communication requirements.

(a) Hand signals to the operator must be in accordance with the applicable crane/derrick portion of this part.

(b) Signals must be discernable or audible to the operator.

(c) You must post hand signals conspicuously at the following locations:

(i) On the crane/derrick as required by this part.

(ii) Inside the personnel platform.

(iii) At any platform motion control locations.

(d) Some operations may require additions to or modifications of standard signals.

(i) Any special signals must be agreed upon and understood by the signal persons and crane/derrick operator.

(ii) Special signs must not conflict with the crane/derrick standard signals.

(e) No response must be made unless signals are clearly understood.

(f) If communications between operator and platform occupants are disrupted, you must stop all operations until communication is reestablished.

(g) You must verify communication systems to be used during the lift as functioning and effective prior to commencing the lift.

**Note:** If radios or other electronic means of communication are used, they should operate on a secure channel.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-655 General protection requirements.**

(1) **Surface encumbrances.** You must remove or support surface encumbrances that are located so as to create a hazard to employees, as necessary, to safeguard employees.

(2) **Underground installations.**

(a) You must locate utility installations, such as sewer, telephone, fuel, electric, water lines, or any other underground installations that reasonably may be expected to be encountered during excavation work, prior to opening an excavation.

(b) You must contact utility companies or owners within established or customary local response times, advised of the proposed work, and asked to locate the underground utility installation prior to the start of actual excavation.

(c) When excavation operations approach the location of underground installations, you must determine the exact location of the installations by safe and acceptable means.

(d) While the excavation is open, you must protect underground installations, supported, or removed as necessary to safeguard employees.

(3) **Access and egress.**

(a) **Structural ramps.**

(i) Structural ramps that are used solely by employees as a means of access or egress from excavations must be designed by a competent person. Structural ramps used for access or egress of equipment must be designed by a competent person qualified in structural design, and must be constructed in accordance with the design.

(ii) Ramps and runways constructed of two or more structural members must have the structural members connected together to prevent displacement.

(iii) Structural members used for ramps and runways must be of uniform thickness.

(iv) Cleats or other appropriate means used to connect runway structural members must be attached to the bottom of the runway or must be attached in a manner to prevent tripping.

(v) Structural ramps used in lieu of steps must be provided with cleats or other surface treatments on the top surface to prevent slipping.

(b) Means of egress from trench excavations. A stairway, ladder, ramp or other safe means of egress must be located in trench excavations that are 4 feet (1.22 m) or more in depth so as to require no more than 25 feet (7.62 m) of lateral travel for employees.

(4) **Exposure to vehicular traffic.** You must provide employees exposed to vehicular traffic with, and they must wear, high-visibility garments meeting the requirements of WAC 296-155-200, General requirements for personal protective equipment (PPE).

(5) **Exposure to falling loads.** You must not permit any employee underneath loads handled by lifting or digging equipment. You must require employees to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials. Operators may remain in the cabs of vehicles being loaded or unloaded when the vehicles are equipped, in accordance with WAC 296-155-610 (2)(g), to provide adequate protection for the operator during loading and unloading operations.

(6) **Warning system for mobile equipment.** When mobile equipment is operated adjacent to an excavation, or when such equipment is required to approach the edge of an excavation, and the operator does not have a clear and direct view of the edge of the excavation, you must utilize a warning system such as barricades, hand or mechanical signals, or stop logs. If possible, the grade should be away from the excavation.

(7) **Hazardous atmospheres.**

(a) Testing and controls. In addition to the requirements set forth in parts B-1, C, and C-1 of this chapter (296-155 WAC) to prevent exposure to harmful levels of atmospheric contaminants and to assure acceptable atmospheric conditions, the following requirements apply:

(i) Where oxygen deficiency (atmospheres containing less than 19.5 percent oxygen) or a hazardous atmosphere exists or could reasonably be expected to exist, such as in excavations in landfill areas or excavations in areas where hazardous substances are stored nearby, you must test the atmospheres in the excavation before employees enter excavations greater than 4 feet (1.22 m) in depth.

(ii) You must take adequate precautions to prevent employee exposure to atmospheres containing less than 19.5 percent oxygen and other hazardous atmospheres. These precautions include providing proper respiratory protection or ventilation in accordance with chapter 296-842 WAC.

(iii) You must take adequate precaution such as providing ventilation, to prevent employee exposure to an atmosphere containing a concentration of a flammable gas in excess of 10 percent of the lower flammable limit of the gas.

(iv) When controls are used that are intended to reduce the level of atmospheric contaminants to acceptable levels, you must conduct testing as often as necessary to ensure that the atmosphere remains safe.

(b) **Emergency rescue equipment.**

(i) Emergency rescue equipment, such as breathing apparatus, a safety harness and line, or a basket stretcher, must be readily available where hazardous atmospheric con-

ditions exist or may reasonably be expected to develop during work in an excavation. This equipment must be attended when in use.

(ii) Employees entering bell-bottom pier holes, or other similar deep and confined footing excavations, must wear a harness with a lifeline securely attached to it. The lifeline must be separate from any line used to handle materials, and must be individually attended at all times while the employee wearing the lifeline is in the excavation.

Note: See chapter 296-62 WAC, Part M for additional requirements applicable to confined space operations.

**(8) Protection from hazards associated with water accumulation.**

(a) Employees must not work in excavations in which there is accumulated water, or in excavations in which water is accumulating, unless adequate precautions have been taken to protect employees against the hazards posed by water accumulation. The precautions necessary to protect employees adequately vary with each situation, but could include special support or shield systems to protect from cave-ins, water removal to control the level of accumulating water, or use of a safety harness and lifeline.

(b) If water is controlled or prevented from accumulating by the use of water removal equipment, the water removal equipment and operations must be monitored by a competent person to ensure proper operation.

(c) If excavation work interrupts the natural drainage of surface water (such as streams), you must use diversion ditches, dikes, or other suitable means to prevent surface water from entering the excavation and to provide adequate drainage of the area adjacent to the excavation. Excavations subject to runoff from heavy rains will require an inspection by a competent person and compliance with subdivisions (a) and (b) of this subsection.

**(9) Stability of adjacent structures.**

(a) Where the stability of adjoining buildings, walls, or other structures is endangered by excavation operations, you must provide support systems such as shoring, bracing, or underpinning to ensure the stability of such structures for the protection of employees.

(b) You must not permit excavation below the level of the base or footing of any foundation or retaining wall that could be reasonably expected to pose a hazard to employees except when:

(i) A support system, such as underpinning, is provided to ensure the safety of employees and the stability of the structure; or

(ii) The excavation is in stable rock; or

(iii) A registered professional engineer has approved the determination that the structure is sufficiently removed from the excavation so as to be unaffected by the excavation activity; or

(iv) A registered professional engineer has approved the determination that such excavation work will not pose a hazard to employees.

(c) Sidewalks, pavements, and appurtenant structure must not be undermined unless a support system or another method of protection is provided to protect employees from the possible collapse of such structures.

**(10) Protection of employees from loose rock or soil.**

(a) You must provide adequate protection to protect employees from loose rock or soil that could pose a hazard by falling or rolling from an excavation face. Such protection must consist of scaling to remove loose material; installation of protective barricades at intervals as necessary on the face to stop and contain falling material; or other means that provide equivalent protection.

(b) You must protect employees from excavated or other materials or equipment that could pose a hazard by falling or rolling into excavations. Protection must be provided by placing and keeping such materials or equipment at least two feet (.61 m) from the edge of excavations, or by the use of retaining devices that are sufficient to prevent materials or equipment from falling or rolling into excavations, or by a combination of both if necessary.

**(11) Inspections.**

(a) Daily inspections of excavations, the adjacent areas, and protective systems must be made by a competent person for evidence of a situation that could result in possible cave-ins, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions. An inspection must be conducted by the competent person prior to the start of work and as needed throughout the shift. Inspections must also be made after every rainstorm or other hazard increasing occurrence. These inspections are only required when employee exposure can be reasonably anticipated.

(b) Where the competent person finds evidence of a situation that could result in a possible cave-in, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions, you must remove exposed employees from the hazardous area until the necessary precautions have been taken to ensure their safety.

**(12) Fall protection.**

(a) You must provide walkways where employees or equipment are required or permitted to cross over excavations. You must provide guardrails which comply with chapter ((296-155 WAC, Part C-1)) 296-880 WAC, Unified safety standards for fall protection where walkways are 4 feet or more above lower levels.

(b) You must provide adequate barrier physical protection at all remotely located excavations. You must barricade or cover all wells, pits, shafts, etc. Upon completion of exploration and similar operations, you must backfill temporary wells, pits, shafts, etc.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-706 Structural steel assembly.** (1) You must maintain structural stability at all times during the erection process.

Note: Federal Highway Administration (FHWA) regulations incorporate by reference a number of standards, policies, and standard specifications published by the American Association of State Highway and Transportation Officials (AASHTO) and other organizations. (See 23 C.F.R. 625.4.) Many of these incorporated provisions may be relevant to maintaining structural stability during the erection process. For instance, as of May 17, 2010, in many cases FHWA requires a registered engineer to

prepare and seal working drawings for falsework used in highway bridge construction. (See *AASHTO Specifications for Highway Bridges, Div. II, Sec. 3.2.1, 15th edition, 1992*, which FHWA incorporates by reference in 23 C.F.R. 625.4.) FHWA also encourages compliance with AASHTO Specifications that the FHWA regulations do not currently incorporate by reference. (See <http://www.fhwa.dot.gov/bridge/lrfd/index.htm>.)

• Make sure that multistory structures have the following:

- Permanent floors installed as the erection of structural members progress;
- No more than 8 stories between the erection floor and the upper-most permanent floor; and
- No more than 4 floors or 48 feet (14.6 m), whichever is less, of unfinished bolting or welding above the foundation or uppermost permanent secured floor.

Exception: The above applies except where the structural integrity is maintained as a result of design.

## (2) Walking/working surfaces.

(a) Shear connectors and other similar devices.

(i) Shear connectors, reinforcing bars, deformed anchors or threaded studs must not be attached to the top flanges of beams, joists or beam attachments so they project vertically from or horizontally across the top flange of the member until after the metal decking, or other walking/working surface has been installed. This becomes a tripping hazard. Examples of shear connectors are headed steel studs, steel bars or steel lugs.

(ii) Installation of shear connectors on composite floors. When shear connectors are used in construction of composite floors, roofs and bridge decks, employees must lay out and install the shear connectors after the metal decking has been installed, using the metal decking as a working platform.

(b) Slip resistance of metal decking.

(c) You must provide safe access to the working level. Employees must not slide down ropes, columns, or ladders.

## (3) Plumbing-up.

(a) When deemed necessary by a competent person, you must install plumbing-up equipment in conjunction with the steel erection process to ensure the stability of the structure.

(b) When used, plumbing-up equipment must be in place and properly installed before the structure is loaded with construction material such as loads of joists, bundles of decking or bundles of bridging.

(c) You must only remove plumbing-up equipment with the approval of a competent person.

## (4) Metal decking.

(a) Hoisting, landing and placing of metal decking bundles.

(i) You must not use bundle packaging and strapping for hoisting unless specifically designed for that purpose.

(ii) If loose items such as dunnage, flashing, or other materials are placed on the top of metal decking bundles to be hoisted, you must secure such items to the bundles.

(iii) You must land bundles of metal decking on joists in accordance with WAC 296-155-709 (5)(d).

(iv) You must land metal decking bundles on framing members so that enough support is provided to allow the bundles to be unbanded without dislodging the bundles from the supports.

(v) At the end of the shift or when environmental or job site conditions require, you must secure metal decking against displacement.

(b) Roof and floor holes and openings. You must install metal decking at roof and floor holes and openings as follows:

(i) Framed metal deck openings must have structural members turned down to allow continuous deck installation except where not allowed by structural design constraints or constructibility.

(ii) Roof and floor holes and openings must be decked over. Where large size, configuration or other structural design does not allow openings to be decked over (such as elevator shafts, stair wells, etc.) you must protect employees in accordance with chapter ~~((296-155 WAC, Part C-1, Fall protection requirements for construction))~~ 296-880 WAC, Unified safety standards for fall protection.

(iii) You must not cut metal decking holes and openings until immediately prior to them being permanently filled with the equipment or structure needed or intended to fulfill its specific use and which meets the strength requirements of (c) of this subsection, or they must be immediately covered.

(c) **Covering roof and floor openings.** Smoke dome or skylight fixtures that have been installed are not considered covers for the purpose of this section unless they meet the strength requirements of chapter ~~((296-155 WAC, Part C-1, Fall protection requirements for construction))~~ 296-880 WAC, Unified safety standards for fall protection.

(d) **Decking gaps around columns.** You must install wire mesh, exterior plywood, or equivalent, around columns where planks or metal decking do not fit tightly. The materials used must be of sufficient strength to provide fall protection for personnel and prevent objects from falling through.

## (e) Installation of metal decking.

(i) You must lay metal decking tightly and immediately secure it upon placement to prevent accidental movement or displacement.

(ii) During initial placement, you must place metal decking panels to ensure full support by structural members.

## (f) Derrick floors.

(i) You must fully deck and plank a derrick floor and complete the steel member connections to support the intended floor loading.

(ii) Temporary loads placed on a derrick floor must be distributed over the underlying support members so as to prevent local overloading of the deck material.

**AMENDATORY SECTION** (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

## **WAC 296-155-716 Fall protection. (1) General requirements.**

(a) Fall protection will be in accordance with chapter ~~((296-155 WAC, Part C-1, Fall protection requirements for construction))~~ 296-880 WAC, Unified safety standards for fall protection.

(b) During steel erection activities, fall protection must be as required by chapter ~~((296-155 WAC, Part C-1))~~ 296-880 WAC, Unified safety standards for fall protection. Additionally, on multistory structures, you must install perimeter

safety cables at the final interior and exterior perimeters of the floors as soon as metal decking has been installed. See Appendix D.

(2) **Connectors.** Each connector must: Have completed connector training in accordance with WAC 296-155-717.

(3) **Custody of fall protection.** Fall protection provided by the steel erector must remain in the area where steel erection activity has been completed, to be used by other trades, only if the controlling contractor or its authorized representative:

(a) Has directed the steel erector to leave the fall protection in place; and

(b) Has inspected and accepted control and responsibility of the fall protection prior to authorizing persons other than steel erectors to work in the area.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-717 Training.** (1) **Training personnel.** Training required by this section must be provided by a qualified person(s).

(2) **Fall hazard training.** You must train each employee exposed to a fall hazard in accordance with the requirements of this chapter. You must institute a training program as required by chapter ((296-155 WAC, Part C-1, and ensure employee participation in the program)) 296-880 WAC, Unified safety standards for fall protection.

(3) **Special training programs.** In addition to the training required in subsection (2) of this section, you must provide special training to employees engaged in the following activities:

(a) Multiple lift rigging procedure. You must ensure that each employee who performs multiple lift rigging has been provided training in the following areas:

(i) The nature of the hazards associated with multiple lifts; and

(ii) The proper procedures and equipment to perform multiple lifts required by WAC 296-155-704(5).

(b) Connector procedures. You must ensure that each connector has been provided training in the following areas:

(i) The nature of the hazards associated with connecting (see Appendix D for nonmandatory training guidelines); and

(ii) The establishment, access, proper connecting techniques, double connections, and work practices, required by WAC 296-155-708(3) and ((Part C-1, chapter 296-155 WAC)) chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-730 Tunnels and shafts.** (1) **Scope and application.**

(a) This section applies to the construction of underground tunnels, shafts, chambers, and passageways. This section also applies to cut-and-cover excavations which are both physically connected to ongoing underground construction operations within the scope of this section, and covered in such a manner as to create conditions characteristic of underground construction.

(b) This section does not apply to excavation and trenching operations covered by Part N of this chapter, such as foundation operations for above-ground structures that are not physically connected to underground construction operations, and surface excavation.

(c) You must comply with the requirements of this part and chapter in addition to applicable requirements of chapter 296-36 WAC, Safety standards—Compressed air work.

(2) **Access and egress.**

(a) Each operation must have a check-in/check-out system that will provide positive identification of every employee underground. You must keep an accurate record of identification and location of the employees on the surface. This procedure is not required when the construction of underground facilities designed for human occupancy has been sufficiently completed so that the permanent environmental controls are effective, and when the remaining construction activity will not cause any environmental hazard, or structural failure within the facilities.

(b) You must provide and maintain safe means of access and egress to all work stations.

(c) You must provide access and egress in such a manner that employees are protected from being struck by excavators, haulage machines, trains, and other mobile equipment.

(d) You must control access to all openings to prevent unauthorized entry underground. Unused chutes, manways, or other openings must be tightly covered, bulkheaded, or fenced off, and must be posted with warning signs indicating "keep out" or similar language. Completed or unused sections of the underground facility must be barricaded.

(3) **Safety instruction.** You must instruct all employees in the recognition and avoidance of hazards associated with underground construction activities including, where appropriate, the following subjects:

(a) Air monitoring;

(b) Ventilation;

(c) Confined space entry procedures;

(d) Permit-required confined space entry procedures;

(e) Illumination;

(f) Communications;

(g) Flood control;

(h) Mechanical equipment;

(i) Personal protective equipment;

(j) Explosives;

(k) Fire prevention and protection; and

(l) Emergency procedures, including evacuation plans and check-in/check-out systems.

(4) **Notification.**

(a) You must inform oncoming shifts of any hazardous occurrences or conditions that have affected, or might affect employee safety, including liberation of gas, equipment failures, earth or rock slides, cave-ins, floodings, fire(s), or explosions.

(b) You must record information specified in (a) of this subsection in a shift journal which must be current prior to the end of each shift, and must be located aboveground.

(c) Oncoming supervisory personnel must read the notification prior to going underground, and must signify their understanding of the contents by affixing their respective initials to the log.

(d) You must retain the hazard notification log on the site until the completion of the project.

(e) You must establish and maintain direct communications for coordination of activities with other employers whose operations at the job site affect or may affect the safety of employees underground.

**(5) Communications.**

(a) When natural unassisted voice communication is ineffective, you must use a power-assisted means of voice communication to provide communication between the work face, the bottom of the shaft, and the surface.

(b) You must provide two effective means of communication, at least one of which must be voice communication, in all shafts which are being developed or used either for personnel access or for hoisting. Additional requirements for hoist operator communication are contained in subsection (22)(c)(xv) of this section.

(c) Powered communication systems must operate on an independent power supply, and must be installed so that the use of or disruption of any one phone or signal location will not disrupt the operation of the system from any other location.

(d) You must test communication systems upon initial entry of each shift to the underground, and as often as necessary at later times, to ensure that they are in working order.

(e) You must provide any employee working alone underground in a hazardous location, who is both out of the range of natural unassisted voice communication and not under observation by other persons, with an effective means of obtaining assistance in an emergency.

**(6) Emergency provisions.** Hoisting capability. When a shaft is used as a means of egress, you must make advance arrangements for power-assisted hoisting capability to be readily available in an emergency, unless the regular hoisting means can continue to function in the event of an electrical power failure at the job site. Such hoisting means must be designed so that the load hoist drum is powered in both directions of rotation and so that the brake is automatically applied upon power release or failure.

**(7) Self-rescuers.** You must provide self-rescuers certified by the National Institute for Occupational Safety and Health under 42 C.F.R. Part 84. The respirators must be immediately available to all employees at work stations in underground areas where employees might be trapped by smoke or gas. The selection, issuance, use, and care of respirators must be in accordance with the requirements of chapter 296-842 WAC.

**(8) Designated person.** At least one designated person must be on duty aboveground whenever any employee is working underground. This designated person must be responsible for securing immediate aid and keeping an accurate record of the number, identification, and location of employees who are underground in case of emergency. The designated person must not be so busy with other responsibilities that the personnel counting and identification function is encumbered.

**(9) Emergency lighting.** Each employee underground must have an acceptable portable hand lamp or cap lamp in his or her work area for emergency use, unless natural light or

an emergency lighting system provides adequate illumination for escape.

**(10) Rescue teams.**

(a) On job sites where 25 or more employees work underground at one time, you must provide (or make arrangements in advance with locally available rescue services to provide) at least two 5-person rescue teams, one on the job site or within 1/2 hour travel time from the entry point, and the other within 2 hours travel time.

(b) On job sites where less than 25 employees work underground at one time, you must provide (or make arrangements in advance with locally available rescue services to provide) at least one 5-person rescue team to be either on the job site or within 1/2 hour travel time from the entry point.

(c) Rescue team members must be qualified in rescue procedures, the use and limitations of breathing apparatus, and the use of firefighting equipment. You must review qualification not less than annually.

(d) On job sites where flammable or noxious gases are encountered or anticipated in hazardous quantities, rescue team members must practice donning and using pressure demand mode, self-contained breathing apparatuses monthly.

(e) You must ensure that rescue teams are familiar with conditions at the job site.

**(11) Hazardous classifications.**

(a) Potentially gassy operations. Underground construction operations must be classified as potentially gassy if either:

(i) Air monitoring discloses 10% or more of the lower explosive limit for methane or other flammable gases measured at 12 inches (304.8 mm) +/- 0.25 inch (6.35 mm) from the roof, face, floor, or walls in any underground work area for more than a 24-hour period; or

(ii) The history of the geographical area or geological formation indicates that 10% or more of the lower explosive limit for methane or other flammable gases is likely to be encountered in such underground operations.

(b) Gassy operations. Underground construction operations must be classified as gassy if:

(i) Air monitoring discloses 10 percent or more of the lower explosive limit for methane or other flammable gases measured at 12 inches (304.8 mm) +/- 0.25 inch (6.35 mm) from the roof, face, floor, or walls in any underground work area for 3 consecutive days; or

(ii) There has been an ignition of methane or of other flammable gases emanating from the strata that indicates the presence of such gases; or

(iii) The underground construction operation is both connected to an underground work area which is currently classified as gassy and is also subject to a continuous course of air containing the flammable gas concentration.

(c) Declassification to potentially gassy operations. Underground construction gassy operations may be declassified to potentially gassy when air monitoring results remain under 10% of the lower explosive limit for methane or other flammable gases for 3 consecutive days.

**(12) Gassy operations—Additional requirements.**

You must only use acceptable equipment, maintained in suitable condition, in gassy operations.

(a) Mobile diesel-powered equipment used in gassy operations must be either approved in accordance with the requirements of 30 C.F.R. Part 36 (formerly Schedule 31) by MSHA, or you must demonstrate it to be fully equivalent to such MSHA-approved equipment, and it must be operated in accordance with that part.

(b) You must prominently post each entrance to a gassy operation with signs notifying all entrants of the gassy classification.

(c) Smoking must be prohibited in all gassy operations and you must be responsible for collecting all personal sources of ignition, such as matches and lighters, from all persons entering a gassy operation.

(d) You must maintain a fire watch as described in chapter 296-155 WAC, Part H, when hot work is performed.

(e) Once an operation has met the criteria in subsection (11)(a)(i) of this section, warranting classification as gassy, you must discontinue all operations in the affected area, except the following, until the operation either is in compliance with all of the gassy operation requirements or has been declassified in accordance with (c) of this subsection:

(i) Operations related to the control of the gas concentration;

(ii) Installation of new equipment, or conversion of existing equipment, to comply with this subsection; and

(iii) Installation of above-ground controls for reversing the air flow.

**(13) Air quality and monitoring.**

(a) General. Air quality limits and control requirements specified in chapter 296-841 WAC apply except as modified by this subsection.

(b) You must assign a competent person who must perform all air monitoring required by this section.

(c) Where this section requires monitoring of airborne contaminants "as often as necessary," the competent person must make a reasonable determination as to which substances to monitor and how frequently to monitor, considering at least the following factors:

(i) Location of job site: Proximity to fuel tanks, sewers, gas lines, old landfills, coal deposits, and swamps;

(ii) Geology: Geological studies of the job site, particularly involving the soil type and its permeability;

(iii) History: Presence of air contaminants in nearby job sites, changes in levels of substances monitored on the prior shift; and

(iv) Work practices and job site conditions: The use of diesel engines, use of explosives, use of fuel gas, volume and flow of ventilation, visible atmospheric conditions, decompression of the atmosphere, welding, cutting and hot work, and employees' physical reactions to working underground.

(d) You must provide testing and monitoring instruments which are capable of achieving compliance with the provisions of this subsection, and:

(i) Must maintain the testing and monitoring instruments in good condition;

(ii) Must calibrate the instruments on a frequency not to exceed 6 months.

(e) Exposure to airborne contaminants must not exceed the levels established by chapter 296-841 WAC.

(f) You must not substitute respirators for environmental control measures. However, where environmental controls have not yet been developed, or when necessary by the nature of the work involved (for example, welding, sand blasting, lead burning), an employee may work for short periods of time in concentrations of airborne contaminants which exceed the limit of permissible exposure referred to in (d) of this subsection, if the employee wears a respiratory protective device certified by MSHA-NIOSH for protection against the particular hazards involved, and the selection and use of respirators complies with the provisions of chapter 296-842 WAC.

(g) You must withdraw employees from areas in which there is a concentration of an airborne contaminant which exceeds the permissible exposure limit listed for that contaminant, except as modified in (t)(i) and (ii) of this subsection.

(h) You must test the atmosphere in all underground work areas as often as necessary to assure that the atmosphere at normal atmospheric pressure contains at least 19.5% oxygen and no more than 22% oxygen.

(i) You must perform tests for oxygen content before tests for air contaminants.

(j) You must use field-type oxygen analyzers, or other suitable devices, to test for oxygen deficiency.

(k) You must test the atmosphere in all underground work areas quantitatively for carbon monoxide, nitrogen dioxide, hydrogen sulfide, and other toxic gases, dust, vapors, mists, and fumes as often as necessary to ensure that the permissible exposure limits prescribed in chapter 296-62 WAC, Part H, are not exceeded.

(l) You must test the atmosphere in all underground work areas quantitatively for methane and other flammable gases as often as necessary to determine:

(i) Whether action is to be taken under (q), (r), and (s) of this subsection; and

(ii) Whether an operation is to be classified potentially gassy or gassy under subsection (11) of this section.

(m) If diesel-engine or gasoline-engine driven ventilating fans or compressors are used, you must make an initial test of the inlet air of the fan or compressor, with the engines operating, to ensure that the air supply is not contaminated by engine exhaust.

(n) You must perform testing as often as necessary to ensure that the ventilation requirements of subsection (15) of this section are met.

(o) When rapid excavation machines are used, you must operate a continuous flammable gas monitor at the face with the sensor(s) placed as high and close to the front of the machine's cutter head as practicable.

(p) Whenever air monitoring indicates the presence of 5 ppm or more of hydrogen sulfide, you must conduct a test in the affected underground work area(s), at least at the beginning and midpoint of each shift, until the concentration of hydrogen sulfide has been less than 5 ppm for 3 consecutive days.

(i) Whenever hydrogen sulfide is detected in an amount exceeding 10 ppm, you must use a continuous sampling and indicating hydrogen sulfide monitor to monitor the affected work area.

(ii) You must inform employees when a concentration of 10 ppm hydrogen sulfide is exceeded.

(iii) The continuous sampling and indicating hydrogen sulfide monitor must be designed, installed, and maintained to provide a visual and aural alarm when the hydrogen sulfide concentration reaches 15 ppm to signal that additional measures, such as respirator use, increased ventilation, or evacuation, might be necessary to maintain hydrogen sulfide exposure below the permissible exposure limit.

(q) When the competent person determines, on the basis of air monitoring results or other information, that air contaminants may be present in sufficient quantity to be dangerous to life, you must:

(i) Prominently post a notice at all entrances to the underground job site to inform all entrants of the hazardous condition; and

(ii) Immediately increase sampling frequency levels to insure workers are not exposed to identified contaminants in excess of the permissible exposure limit(s); and

(iii) Ensure that all necessary precautions are taken to comply with pertinent requirements of this section, and chapter 296-62 WAC.

(r) Whenever 5% or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area(s) or in the air return, you must take steps to increase ventilation air volume or otherwise control the gas concentration, unless the employer is operating in accordance with the potentially gassy or gassy operation requirements. Such additional ventilation controls may be discontinued when gas concentrations are reduced below 5% of the lower explosive limit, but must be reinstated whenever the 5% level is exceeded.

(s) Whenever 10% or more of the lower explosive limit for methane or other flammable gases is detected in the vicinity of welding, cutting, or other hot work, you must suspend such work until the concentration of such flammable gas is reduced to less than 10% of the lower explosive limit.

(t) Whenever 20% or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area(s) or in the air return:

(i) You must immediately withdraw all employees, except those necessary to eliminate the hazard, to a safe location above ground; and

(ii) Employees who remain underground to correct or eliminate the hazard described in (t) above must be equipped with approved, pressure demand mode, self-contained breathing apparatus, and must have received adequate training in the proper use of that equipment.

(iii) You must cut off electrical power, except for acceptable pumping and ventilation equipment, to the area endangered by the flammable gas until the concentration of such gas is reduced to less than 20% of the lower explosive limit.

**(14) Additional monitoring for potentially gassy and gassy operations.** Operations which meet the criteria for potentially gassy and gassy operations set forth in subsection (13) of this section must be subject to the additional monitoring requirements of this subsection.

(a) You must conduct a test for oxygen content in the affected underground work areas and work areas immedi-

ately adjacent to such areas at least at the beginning and midpoint of each shift.

(b) When using rapid excavation machines, you must use continuous automatic flammable gas monitoring equipment to monitor the air at the heading, on the rib, and in the return air duct. The continuous monitor must signal the heading, and shut down electric power in the affected underground work area, except for acceptable pumping and ventilation equipment, when 20% or more of the lower explosive limit for methane or other flammable gases is encountered.

(i) You must use a manual flammable gas monitor as needed, but at least at the beginning and midpoint of each shift, to ensure that the limits prescribed in subsections (11) and (13) of this section are not exceeded. In addition, you must provide a manual electrical shut down control (~~must be provided~~) near the heading.

(ii) You must make local gas tests prior to and continuously during any welding, cutting, or other hot work.

(iii) In underground operations driven by drill-and-blast methods, you must test the air in the affected area for flammable gas prior to re-entry after blasting, and continuously when employees are working underground.

(c) Recordkeeping. You must maintain a record of all air quality tests above ground at the worksite and be made available to the director or his/her representatives upon request. The record must include the location, date, time, substance and amount monitored. You must retain records of exposures to toxic substances in accordance with Part B, chapter 296-62 WAC. You must retain all other air quality test records until completion of the project.

**(15) Ventilation.**

(a)(i) You must supply fresh air to all underground work areas in sufficient quantities to prevent dangerous or harmful accumulation of dust, fumes, mists, vapors, or gases.

(ii) You must provide mechanical ventilation in all underground work areas except when the employer can demonstrate that natural ventilation provides the necessary air quality through sufficient air volume and air flow.

(b) You must supply a minimum of 200 cubic feet (5.7 m<sup>3</sup>) of fresh air per minute for each employee underground.

(c) The linear velocity of air flow in the tunnel bore, in shafts, and in all other underground work areas must be at least 30 feet (9.15 m) per minute where blasting or rock drilling is conducted, or where other conditions likely to produce dust, fumes, mists, vapors, or gases in harmful or explosive quantities are present.

(d) The direction of mechanical air flow must be reversible.

(e) You must not use air that has passed through underground oil or fuel-storage areas to ventilate working areas.

(f) Following blasting, ventilation systems must exhaust smoke and fumes to the outside atmosphere before work is resumed in affected areas.

(g) Ventilation doors must be designed and installed so that they remain closed when in use, regardless of the direction of the air flow.

(h) When ventilation has been reduced to the extent that hazardous levels of methane or flammable gas may have accumulated, a competent person must test all affected areas after ventilation has been restored and must determine

whether the atmosphere is within flammable limits before any power, other than for acceptable equipment, is restored or work is resumed.

(i) Whenever the ventilation system has been shut down with all employees out of the underground area, you must only allow competent persons authorized to test for air contaminants underground until the ventilation has been restored and all affected areas have been tested for air contaminants and declared safe.

(j) When drilling rock or concrete, you must take appropriate dust control measures to maintain dust levels within limits set in chapter 296-155 WAC, Part B-1. Such measures may include, but are not limited to, wet drilling, the use of vacuum collectors, and water mix spray systems.

(k)(i) Internal combustion engines, except diesel-powered engines on mobile equipment, are prohibited underground.

(ii) Mobile diesel-powered equipment used underground in atmospheres other than gassy operations must be either approved by MSHA in accordance with the provisions of 30 C.F.R. Part 32 (formerly Schedule 24), or you must prove it to be fully equivalent to such MSHA-approved equipment, and it must be operated in accordance with that Part. (Each brake horsepower of a diesel engine requires at least 100 cubic feet (28.32 m<sup>3</sup>) of air per minute for suitable operation in addition to the air requirements for personnel. Some engines may require a greater amount of air to ensure that the allowable levels of carbon monoxide, nitric oxide, and nitrogen dioxide are not exceeded.)

(iii) You must submit an application to the mining/explosives section, department of labor and industries, for permission to use specified diesel equipment in a specified underground area and it must include the following:

(A) The type of construction and complete identification data and specifications including analysis of the undiluted exhaust gases of the diesel equipment.

(B) The location where the diesel equipment is to be used.

(C) Before the diesel equipment is taken underground, you must obtain written permission from the department of labor and industries or its duly authorized representative. A satisfactory test on surface, to show that the exhaust gases do not exceed the maximum percentage of carbon monoxide permitted, is required.

(D) You must only use diesel equipment underground where the ventilation is controlled by mechanical means and must not be operated if the ventilating current is less than 100 CFM per horsepower based on the maximum brake horsepower of the engines.

(E) You must take air measurements at least once daily in the diesel engine working area and the measurements entered in the Underground Diesel Engine Record Book. Permissible maximum amounts of noxious gases are as follows:

At engine exhaust ports	Carbon Monoxide	.10%	1,000 ppm <sup>3</sup>
Next to equipment	Carbon Monoxide	.0035%	35 ppm
General atmosphere	Carbon Monoxide	.0035%	35 ppm
General atmosphere	Nitrogen Dioxide	.0001%	1 ppm
General atmosphere	Aldehydes	.0002%	2 ppm

<sup>3</sup>Parts of vapor or gas per million parts of contaminated air by volume at 25°C and 760 mm Hg. pressure.

(l) Potentially gassy or gassy operations must have ventilation systems installed which must:

(i) Be constructed of fire-resistant materials; and

(ii) Have acceptable electrical systems, including fan motors.

(m) You must provide gassy operations with controls located aboveground for reversing the air flow of ventilation systems.

(n) In potentially gassy or gassy operations, wherever mine-type ventilation systems using an offset main fan installed on the surface are used, they must be equipped with explosion-doors or a weak-wall having an area at least equivalent to the cross-sectional area of the airway.

**(16) Illumination.**

(a) You must provide sufficient lighting in accordance with the requirements of chapter 296-155 WAC, Part B-1, to permit safe operations at the face as well as in the general tunnel or shaft area and at the employees' workplace.

(b) You must only use acceptable portable lighting within 50 feet (15.24 m) of any underground heading during explosive handling.

(17) Fire prevention and control. Fire prevention and protection requirements applicable to underground construction operations are found in Part D of this chapter except as modified by the following additional standards.

(a) Open flames and fires are prohibited in all underground construction operations except as permitted for welding, cutting, and other hot work operations.

(i) Smoking may be allowed only in areas free of fire and explosion hazards.

(ii) You must post readily visible signs prohibiting smoking and open flames in areas having fire or explosion hazards.

(iii) You must prohibit the carrying of matches, lighters, or other flame-producing smoking materials in all underground operations where fire or explosion hazards exist.

(b) You may store underground no more than a 24-hour supply of diesel fuel for the underground equipment used at the worksite.

(c) The piping of diesel fuel from the surface to an underground location is permitted only if:

(i) Diesel fuel is contained at the surface in a tank whose maximum capacity is no more than the amount of fuel required to supply for a 24-hour period the equipment serviced by the underground fueling station; and

(ii) The surface tank is connected to the underground fueling station by an acceptable pipe or hose system that is controlled at the surface by a valve, and at the shaft bottom by a hose nozzle; and

(iii) The pipe is empty at all times except when transferring diesel fuel from the surface tank to a piece of equipment in use underground; and

(iv) Hoisting operations in the shaft are suspended during refueling operations if the supply piping in the shaft is not protected from damage.

(d)(i) You must not carry, store, or use gasoline underground.

(ii) Acetylene, liquefied petroleum gas, and methylacetylene propadiene stabilized gas may be used underground only for welding, cutting and other hot work, and only in accordance with Part H of this chapter and subsections (13), (15), (17), and (18) of this section.

(e) You must keep oil, grease, and diesel fuel stored underground in tightly sealed containers in fire-resistant areas at least 300 feet (91.44 m) from underground explosive magazines, and at least 100 feet (30.48 m) from shaft stations and steeply inclined passageways. Storage areas must be positioned or diked so that the contents of ruptured or overturned containers will not flow from the storage area.

(f) You must not store flammable or combustible materials above ground within 100 feet (30.48 m) of any access opening to any underground operation. Where this is not feasible because of space limitations at the job site, such materials may be located within the 100-foot limit, provided that:

(i) They are located as far as practicable from the opening; and

(ii) Either a fire-resistant barrier of not less than one-hour rating is placed between the stored material and the opening, or additional precautions are taken which will protect the materials from ignition sources.

(g) You must use fire-resistant hydraulic fluids in hydraulically actuated underground machinery and equipment unless such equipment is protected by a fire suppression system or by multipurpose fire extinguisher(s) rated at a sufficient capacity for the type and size of hydraulic equipment involved, but rated at least 4A:4OB:C.

(h)(i) You must only use electrical installations in underground areas where oil, grease, or diesel fuel are stored for lighting fixtures.

(ii) Lighting fixtures in storage areas, or within 25 feet (7.62 m) of underground areas where oil, grease, or diesel fuel are stored, must be approved for Class I, Division 2 locations, in accordance with Part I of this chapter.

(i) You must clean up leaks and spills of flammable or combustible fluids immediately.

(j) You must provide a fire extinguisher of at least 4A:4OB:C rating or other equivalent extinguishing means at the head pulley and at the tail pulley of underground belt conveyors, and at 300-foot intervals along the belt.

(k) Any structure located underground or within 100 feet (30.48 m) of an opening to the underground must be constructed of material having a fire-resistance rating of at least one hour.

(18) **Welding, cutting, and other hot work.** In addition to the requirements of Part H of this chapter, the following requirements apply to underground welding, cutting, and other hot work.

(a) You must not permit more than the amount of fuel gas and oxygen cylinders necessary to perform welding, cutting, or other hot work during the next 24-hour period underground.

(b) You must install noncombustible barriers below welding, cutting, or other hot work being done in or over a shaft or raise.

(19) **Ground support.**

(a) In tunnels (other than hard rock) you must use timber sets, steel rings, steel frames, concrete liners, or other engi-

neered tunnel support systems. Every tunnel support system must be designed by a licensed professional engineer. Design specifications must be available at the worksite.

(b) Portal areas. You must guard portal openings and access areas by shoring, fencing, head walls, shotcreting, or other equivalent protection to ensure safe access of employees and equipment. Adjacent areas must be sealed or otherwise secured to prevent loose soil, rock, or fractured materials from endangering the portal and access area.

(c) Subsidence areas. You must ensure ground stability in hazardous subsidence areas by shoring, by filling in, or by erecting barricades and posting warning signs to prevent entry.

(d) Underground areas.

(i)(A) A competent person must inspect the roof, face, and walls of the work area at the start of each shift and as often as necessary to determine ground stability.

(B) You must protect competent persons conducting such inspections from loose ground by location, ground support, or equivalent means.

(ii) You must inspect ground conditions along haulage-ways and travelways as frequently as necessary to ensure safe passage.

(iii) You must take down, scale, or support loose ground that might be hazardous to employees.

(iv) You must use torque wrenches wherever bolts that depend on torsionally applied force are used for ground support.

(v) A competent person must determine whether rock bolts meet the necessary torque, and must determine the testing frequency in light of the bolt system, ground conditions, and the distance from vibration sources.

(vi) You must provide suitable protection for employees exposed to the hazard of loose ground while installing ground support systems.

(vii) You must install support sets so that the bottoms have sufficient anchorage to prevent ground pressures from dislodging the support base of the sets. You must provide lateral bracing (collar bracing, tie rods, or spreaders) between immediately adjacent sets to ensure added stability.

(viii) You must promptly repair or replace damaged or dislodged ground supports that create a hazardous condition. When replacing supports, you must install the new supports before the damaged supports are removed.

(ix) You must use a shield or other type of support to maintain a safe travelway for employees working in dead-end areas ahead of any support replacement operation.

(e) Shafts.

(i) Shafts and wells over 4 feet (1.219 m) in depth that employees must enter must be supported by a steel casing, concrete pipe, timber, solid rock, or other suitable material.

(ii)(A) The full depth of the shaft must be supported by casing or bracing except where the shaft penetrates into solid rock having characteristics that will not change as a result of exposure. Where the shaft passes through earth into solid rock, or through solid rock into earth, and where there is potential for shear, the casing or bracing must extend at least 5 feet (1.53 m) into the solid rock. When the shaft terminates in solid rock, the casing or bracing must extend to the end of

the shaft or 5 feet (1.53 m) into the solid rock, whichever is less.

(B) The casing or bracing must extend 42 inches (1.07 m) plus or minus 3 inches (8 cm) above ground level, except that the minimum casing height may be reduced to 12 inches (0.3 m), provided that a standard railing is installed; that the ground adjacent to the top of the shaft is sloped away from the shaft collar to prevent entry of liquids; and that effective barriers are used to prevent mobile equipment operating near the shaft from jumping over the 12-inch (0.3 m) barrier.

(iii) After blasting operations in shafts, a competent person must determine if the walls, ladders, timbers, blocking, or wedges have loosened. If so, you must make necessary repairs before employees other than those assigned to make the repairs are allowed in or below the affected areas.

(f) **Blasting.** This subsection applies in addition to the requirements for blasting and explosives operations, including handling of misfires, which are found in chapter 296-52 WAC.

(i) You must keep blasting wires clear of electrical lines, pipes, rails, and other conductive material, excluding earth, to prevent explosives initiation or employee exposure to electric current.

(ii) Following blasting, an employee must not enter a work area until the air quality meets the requirements of subsection (13) of this section.

(g) **Drilling.**

(i) A competent person must inspect all drilling and associated equipment prior to each use. You must correct equipment defects affecting safety before the equipment is used.

(ii) You must inspect the drilling area for hazards before the drilling operation is started.

(iii) You must not allow employees on a drill mast while the drill bit is in operation or the drill machine is being moved.

(iv) When a drill machine is being moved from one drilling area to another, you must secure drill steel, tools, and other equipment and the mast must be placed in a safe position.

(v) You must provide receptacles or racks for storing drill steel located on jumbos.

(vi) You must warn employees working below jumbo decks whenever drilling is about to begin.

(vii) You must anchor drills on columns firmly before starting drilling, and you must retighten them as necessary thereafter.

(viii) You must provide mechanical means on the top deck of a jumbo for lifting unwieldy or heavy material.

(ix) When jumbo decks are over 10 feet (3.05 m) in height, (~~the~~) you must install stairs wide enough for two persons.

(x) Jumbo decks more than 10 feet (3.05 m) in height must be equipped with guardrails on all open sides, excluding access openings of platforms, unless an adjacent surface provides equivalent fall protection.

(xi) You must only allow employees assisting the operator to ride on jumbos, unless the jumbo meets the requirements of subsection (20)(e) of this section.

**Note:** For additional requirements relating to portable fire extinguishers see WAC 296-800-300.

(xii) Jumbos must be chocked to prevent movement while employees are working on them.

(xiii) You must maintain walking and working surfaces of jumbos to prevent the hazards of slipping, tripping, and falling.

(xiv) Jumbo decks and stair treads must be designed to be slip-resistant and secured to prevent accidental displacement.

(xv) Scaling bars must be available at scaling operations and you must maintain them in good condition at all times. You must not use blunted or severely worn bars.

(xvi) Before commencing the drill cycle, you must examine the face and lifters for misfires (residual explosives) and, if found, you must remove them before drilling commences at the face. You must not drill blasting holes through blasted rock (muck) or water.

(xvii) You must protect employees in a shaft either by location or by suitable barrier(s) if powered mechanical loading equipment is used to remove muck containing unfired explosives.

(xviii) You must post a caution sign reading "buried line," or similar wording where air lines are buried or otherwise hidden by water or debris.

## (20) **Haulage.**

(a) A competent person must inspect haulage equipment before each shift.

(i) You must correct equipment defects affecting safety and health before the equipment is used.

(ii) Powered mobile haulage equipment must be provided with adequate brakes.

(iii) Power mobile haulage equipment, including trains, must have audible warning devices to warn employees to stay clear. The operator must sound the warning device before moving the equipment and whenever necessary during travel.

(iv) The operator must ensure that lights which are visible to employees at both ends of any mobile equipment, including a train, are turned on whenever the equipment is operating.

(v) In those cabs where glazing is used, the glass must be safety glass, or its equivalent, and you must maintain and clean it so that vision is not obstructed.

(b) You must install antirollback devices or brakes on inclined conveyor drive units to prevent conveyors from inadvertently running in reverse. You must not permit employees to ride a power-driven chain, belt, or bucket conveyor unless the conveyor is specifically designed for the transportation of persons.

(c) Endless belt-type manlifts are prohibited in underground construction.

(d) General requirements also applicable to underground construction for use of conveyors in construction are found in chapter 296-155 WAC, Part R.

(e) No employee must ride haulage equipment unless it is equipped with seating for each passenger and protects passengers from being struck, crushed, or caught between other equipment or surfaces. Members of train crews may ride on a locomotive if it is equipped with handholds and nonslip steps or footboards. Requirements applicable to underground construction for motor vehicle transportation of employees are found in chapter 296-155 WAC, Part M.

(f) Conveyor lockout.

(i) Conveyors must be deenergized and locked out with a padlock, and tagged out with a "Do Not Operate" tag at any time repair, maintenance, or clean-up work is being performed on the conveyor.

(ii) Tags or push button stops are not acceptable.

(iii) You must not allow people to walk on conveyors except for emergency purposes and then only after the conveyor has been deenergized and locked out in accordance with (f) above, and persons can do so safely.

(g) You must not leave powered mobile haulage equipment, including trains, unattended unless the master switch or motor is turned off; operating controls are in neutral or park position; and the brakes are set, or equivalent precautions are taken to prevent rolling.

(h) Whenever rails serve as a return for a trolley circuit, both rails must be bonded at every joint and crossbonded every 200 feet (60.96 m).

(i) When dumping cars by hand, the car dumps must have tiedown chains, bumper blocks, or other locking or holding devices to prevent the cars from overturning.

(j) Rocker-bottom or bottom-dump cars must be equipped with positive locking devices to prevent unintended dumping.

(k) You must load and secure equipment to be hauled to prevent sliding or dislodgement.

(l)(i) You must stop mobile equipment, including rail-mounted equipment, for manual connecting or service work, and;

(ii) Employees must not reach between moving cars during coupling operations.

(iii) You must not align, shift, or clean couplings on moving cars or locomotives.

(iv) You must use safety chains or other connections in addition to couplers to connect person cars or powder cars whenever the locomotive is uphill of the cars.

(v) When the grade exceeds one percent and there is a potential for runaway cars, you must use safety chains or other connections in addition to couplers to connect haulage cars or, as an alternative, the locomotive must be downhill of the train.

(vi) Such safety chains or other connections must be capable of maintaining connection between cars in the event of either coupler disconnect, failure or breakage.

(m) Parked rail equipment must be chocked, blocked, or have brakes set to prevent inadvertent movement.

(n) You must provide berms, bumper blocks, safety hooks, or equivalent means to prevent overtravel and over-turning of haulage equipment at dumping locations.

(o) You must provide bumper blocks or equivalent stopping devices at all track dead ends.

(p)(i) Only small handtools, lunch pails, or similar small items may be transported with employees in person cars, or on top of a locomotive.

(ii) When small hand tools or other small items are carried on top of a locomotive, the top must be designed or modified to retain them while traveling.

(q)(i) Where switching facilities are available, you must pull occupied personnel cars; you must not push them. If personnel cars must be pushed and visibility of the track ahead is

hampered, then a qualified person must be stationed in the lead car to give signals to the locomotive operator.

(ii) Crew trips must consist of personnel loads only.

(21) **Electrical safety.** This subsection applies in addition to the general requirements for electrical safety which are found in Part I of this chapter.

(a) Electric power lines must be insulated or located away from water lines, telephone lines, air lines, or other conductive materials so that a damaged circuit will not energize the other systems.

(b) Lighting circuits must be located so that movement of personnel or equipment will not damage the circuits or disrupt service.

(c) You must not use oil-filled transformers underground unless they are located in a fire-resistant enclosure suitably vented to the outside and surrounded by a dike to retain the contents of the transformers in the event of rupture.

(22) Hoisting unique to underground construction except as modified by this section, the provisions of chapter 296-155 WAC, Part L apply. Requirements for personnel hoists, material hoists, and elevators are found in Part R of this chapter and in this subsection.

(a) General requirements for cranes and hoists.

(i) You must secure or stack materials, tools, and supplies being raised or lowered, whether within a cage or otherwise, in a manner to prevent the load from shifting, snagging, or falling into the shaft.

(ii) A warning light suitably located to warn employees at the shaft bottom and subsurface shaft entrances must flash whenever a load is above the shaft bottom or subsurface entrances, or the load is being moved in the shaft. This subsection does not apply to fully enclosed hoistways.

(iii) Whenever a hoistway is not fully enclosed and employees are at the shaft bottom, you must stop conveyances or equipment at least 15 feet (4.57 m) above the bottom of the shaft and held there until the signalperson at the bottom of the shaft directs the operator to continue lowering the load, except that the load may be lowered without stopping if the load or conveyance is within full view of a bottom signalperson who is in constant voice communication with the operator.

(iv)(A) Before maintenance, repairs, or other work is commenced in the shaft served by a cage, skip, or bucket, you must inform the operator and other employees in the area and give them suitable instructions.

(B) You must install a sign warning that work is being done in the shaft at the shaft collar, at the operator's station, and at each underground landing.

(v) Any connection between the hoisting rope and the cage or skip must be compatible with the type of wire rope used for hoisting.

(vi) You must maintain spin-type connections, where used, in a clean condition and protected from foreign matter that could affect their operation.

(vii) Cage, skip, and load connections to the hoist rope must be made so that the force of the hoist pull, vibration, misalignment, release of lift force, or impact will not disengage the connection. You must use only closed shackles for cage and skip rigging.

(viii) When using wire rope wedge sockets, you must provide means to prevent wedge escapement and to ensure that the wedge is properly seated.

(b) Additional requirements for cranes. Cranes must be equipped with a limit switch to prevent overtravel at the boom tip. Limit switches are to be used only to limit travel of loads when operational controls malfunction and you must not use them as a substitute for other operational controls.

(c) Additional requirements for hoists.

(i) Hoists must be designed so that the load hoist drum is powered in both directions of rotation, and so that brakes are automatically applied upon power release or failure.

(ii) Control levers must be of the "deadman type" which return automatically to their center (neutral) position upon release.

(iii) When a hoist is used for both personnel hoisting and material hoisting, load and speed ratings for personnel and for materials must be assigned to the equipment.

(iv) You must not use hoist machines with cast metal parts.

(v) Material hoisting may be performed at speeds higher than the rated speed for personnel hoisting if the hoist and components have been designed for such higher speeds and if shaft conditions permit.

(vi) Employees must not ride on top of any cage, skip, or bucket except when necessary to perform inspection or maintenance of the hoisting system, in which case you must protect them by a body belt/harness system to prevent falling in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.

(vii) You must not hoist personnel and materials (other than small tools and supplies secured in a manner that will not create a hazard to employees) together in the same conveyance. However, if the operator is protected from the shifting of materials, then the operator may ride with materials in cages or skips which are designed to be controlled by an operator within the cage or skip.

(viii) Line speed must not exceed the design limitations of the systems.

(ix) Hoists must be equipped with landing level indicators at the operator's station. Marking of the hoist rope does not satisfy this requirement.

(x) Whenever glazing is used in the hoist house, it must be safety glass, or its equivalent, and be free of distortions and obstructions.

(xi) A fire extinguisher that is rated at least 2A:10B:C (multipurpose, dry chemical) must be mounted in each hoist house.

(xii) Hoist controls must be arranged so that the operator can perform all operating cycle functions and reach the emergency power cutoff without having to reach beyond the operator's normal operating position.

(xiii) Hoists must be equipped with limit switches to prevent overtravel at the top and bottom of the hoistway.

(xiv) You must not use limit switches are to be used only to limit travel of loads when operational controls malfunction and as a substitute for other operational controls.

(xv) You must provide hoist operators with a closed-circuit voice communication system to each landing station, with speaker-microphones so located that the operator can

communicate with individual landing stations during hoist use.

(xvi) When sinking shafts 75 feet (22.86 m) or less in depth, cages, skips, and buckets that may swing, bump, or snag against shaft sides or other structural protrusions must be guided by fenders, rails, ropes, or a combination of those means.

(xvii) When sinking shafts more than 75 feet (22.86 m) in depth, all cages, skips, and buckets must be rope or rail-guided to within a rail length from the sinking operation.

(xviii) Cages, skips, and buckets in all completed shafts, or in all shafts being used as completed shafts, must be rope or rail-guided for the full length of their travel.

(xix) Wire rope used in load lines of material hoists must be capable of supporting, without failure, at least 5 times the maximum intended load or the factor recommended by the rope manufacturer, whichever is greater. Refer to chapter 296-155 WAC, Part R, for design factors for wire rope used in personnel hoists. The design factors must be calculated by dividing the breaking strength of wire rope, as reported in the manufacturer's rating tables, by the total static load, including the weight of the wire rope in the shaft when fully extended.

(xx) A competent person must visually check all hoisting machinery, equipment, anchorages, and hoisting rope at the beginning of each shift and during hoist use, as necessary.

(xxi) Each safety device must be checked by a competent person at least weekly during hoist use to ensure suitable operation and safe condition.

(xxii) In order to ensure suitable operation and safe condition of all functions and safety devices, you must inspect and load-test each hoist assembly to 100% of its rated capacity: At the time of installation; after any repairs or alterations affecting its structural integrity; after the operation of any safety device; and annually when in use. You must prepare a certification record which includes the date each inspection and load-test was performed; the signature of the person who performed the inspection and test; and a serial number or other identifier for the hoist that was inspected and tested. You must maintain the most recent certification record on file until completion of the project.

(xxiii) Before hoisting personnel or material, the operator must perform a test run of any cage or skip whenever it has been out of service for one complete shift, and whenever the assembly or components have been repaired or adjusted.

(xiv) You must correct unsafe conditions before using the equipment.

(d) Additional requirements for personnel hoists.

(i) Hoist drum systems must be equipped with at least two means of stopping the load, each of which must be capable of stopping and holding 150% of the hoist's rated line pull. A broken-rope safety, safety catch, or arrestment device is not a permissible means of stopping under this subsection.

(ii) The operator must remain within sight and sound of the signals at the operator's station.

(iii) All sides of personnel cages must be enclosed by one-half inch (12.70 mm) wire mesh (not less than No. 14 gauge or equivalent) to a height of not less than 6 feet (1.83 m). However, when the cage or skip is being used as a work platform, its sides may be reduced in height to 42 inches (1.07 m) when the conveyance is not in motion.

(iv) All personnel cages must be provided with a positive locking door that does not open outward.

(v) All personnel cages must be provided with a protective canopy. The canopy must be made of steel plate, at least 3/16-inch (4.763 mm) in thickness, or material of equivalent strength and impact resistance. The canopy must be sloped to the outside, and so designed that a section may be readily pushed upward to afford emergency egress. The canopy must cover the top in such a manner as to protect those inside from objects falling in the shaft.

(vi) Personnel platforms operating on guide rails or guide ropes must be equipped with broken-rope safety devices, safety catches, or arrestment devices that will stop and hold 150 percent of the weight of the personnel platform and its maximum rated load.

(vii) During sinking operations in shafts where guides and safeties are not yet used, the travel speed of the personnel platform must not exceed 200 feet (60.96 m) per minute. You must install governor controls set for 200 feet (60.96 m) per minute in the control system and they must be used during personnel hoisting.

(viii) The personnel platform may travel over the controlled length of the hoistway at rated speeds up to 600 feet (182.88 m) per minute during sinking operations in shafts where guides and safeties are used.

(ix) The personnel platform may travel at rated speeds greater than 600 feet (182.88 m) per minute in complete shafts.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-740 Cofferdams.** (1) If overtopping of the cofferdam by high waters is possible, you must provide means for controlled flooding of the work area.

(2) You must develop and post signals for evacuation of employees in case of emergency.

(3) You must provide cofferdam walkways, bridges, or ramps with at least two means of rapid exit and guardrails as specified in (~~Part C-1 of this~~) chapter 296-880 WAC, Unified safety standards for fall protection.

(4) You must install manways and ladderways separately from the hoistways and partitioned off to prevent hoisted materials from protruding into or falling into manways and/or ladderways.

(5) Pumping equipment must be located on substantially constructed platforms and where installed in such a position that persons must work below, toe boards must be installed on the platform.

(6) You must protect cofferdams located close to navigable shipping channels from vessels in transit, where possible.

AMENDATORY SECTION (Amending WSR 16-09-085, filed 4/19/16, effective 5/20/16)

**WAC 296-155-745 Compressed air.** (1) **General provisions.**

(a) There must be present, at all times, at least one competent person designated by and representing the employer, who must be familiar with this part in all respects and respon-

sible for full compliance with these and other applicable parts.

(b) You must instruct every employee in the rules and regulations which concern their safety or the safety of others.

(2) **Medical attendance, examination, and regulations.**

(a) You must retain one or more licensed physicians familiar with and experienced in the physical requirements and the medical aspects of compressed air work and the treatment of decompression illness. They must be available at all times while work is in progress in order to provide medical supervision of employees employed in compressed air work. They must be physically qualified and be willing to enter a pressurized environment.

(b) You must not permit any employee to enter a compressed air environment until they have been examined by the physician and reported to be physically qualified to engage in such work.

(c) In the event an employee is absent from work for 10 days, or is absent due to sickness or injury, they must not resume work until they are reexamined by the physician, and their physical condition reported, as provided in this subsection, to be such as to permit them to work in compressed air.

(d) After an employee has been employed continuously in compressed air for a period designated by the physician, but not to exceed one year, the employee must be reexamined by the physician to determine if they are still physically qualified to engage in compressed air work.

(e) Such physician must at all times keep a complete and full record of examinations made by themselves. The physician must also keep an accurate record of any decompression illness or other illness or injury incapacitating any employee for work, and of all loss of life that occurs in the operation of a tunnel, caisson, or other compartment in which compressed air is used.

(f) Records must be available for the inspection by the director or their representatives, and a copy thereof must be forwarded to the department within 48 hours following the occurrence of the accident, death, injury, or decompression illness. It must state as fully as possible the cause of said death or decompression illness, and the place where the injured or sick employee was taken, and such other relative information as may be required by the director.

(g) You must provide a fully equipped first-aid station at each tunnel project regardless of the number of persons employed. An ambulance or transportation suitable for a litter case must be at each project.

(h) Where tunnels are being excavated from portals more than 5 road miles apart, you must provide a first-aid station and transportation facilities at each portal.

(i) You must establish and maintain a medical lock in immediate working order whenever air pressure in the working chamber is increased above the normal atmosphere.

(j) The medical lock must:

(i) Have at least 6 feet of clear headroom at the center, and be subdivided into not less than two compartments;

(ii) Be readily accessible to employees working under compressed air;

(iii) Be kept ready for immediate use for at least 5 hours subsequent to the emergence of any employee from the working chamber;

(iv) Be properly heated, lighted and ventilated;

(v) Be maintained in a sanitary condition;

(vi) Have a nonshatterable port through which the occupant(s) may be kept under constant observation;

(vii) Be designed for a working pressure of 75 p.s.i.g.;

(viii) Be equipped with internal controls which may be overridden by external controls;

(ix) Be provided with air pressure gauges to show the air pressure within each compartment to observers inside and outside the medical lock;

(x) Be equipped with a manual type sprinkler system that can be activated inside the lock or by the outside lock tender;

(xi) Be provided with oxygen lines and fittings leading into external tanks. The lines must be fitted with check valves to prevent reverse flow. The oxygen system inside the chamber must be of a closed circuit design and be so designed as to automatically shut off the oxygen supply whenever the fire system is activated.

(xii) Be in constant charge of an attendant under the direct control of the retained physician. You must train the attendant in the use of the lock and suitably instructed regarding steps to be taken in the treatment of employee exhibiting symptoms compatible with a diagnosis of decompression illness;

(xiii) Be adjacent to an adequate emergency medical facility;

(xiv) The medical facility must be equipped with demand-type oxygen inhalation equipment approved by the U.S. Bureau of Mines or Mine Safety and Health Administration (MSHA) and the National Institute for Occupational Safety and Health (NIOSH);

(xv) Be capable of being maintained at a temperature, in use, not to exceed 90°F. nor be less than 70°F.; and

(xvi) Be provided with sources of air, free of oil and carbon monoxide, for normal and emergency use, which are capable of raising the air pressure in the lock from 0 to 75 p.s.i.g. in 5 minutes.

(k) You must furnish identification badges to all employees, indicating that the wearer is a compressed air worker. You must keep a permanent record of all identification badges issued. The badge must give the employee's name, address of the medical lock, the telephone number of the licensed physician for the compressed air project, and contain instructions that in case of emergency of unknown or doubtful cause or illness, the wearer must be rushed to the medical lock. The badge must be worn at all times—off the job, as well as on the job.

(3) **Telephone and signal communication.** You must maintain effective and reliable means of communication, such as bells, whistles, or telephones, at all times between all the following locations;

(a) The working chamber face;

(b) The working chamber side of the man lock near the door;

(c) The interior of the man lock;

(d) Lock attendant's station;

(e) The compressor plant;

(f) The first-aid station;

(g) The emergency lock (if one is required); and

(h) The special decompression chamber (if one is required).

(4) Signs and records.

(a) You must post the time of decompression in each man lock as follows:

TIME OF DECOMPRESSION FOR THIS LOCK

..... pounds to ..... pounds in ..... minutes.

..... pounds to ..... pounds in ..... minutes.

(Signed by) .....

(Superintendent)

You must post this form in the man lock at all times.

(b) You must conspicuously post any code of signals used near workplace entrances and such other locations as may be necessary to bring them to the attention of all employees concerned.

(c) For each 8-hour shift, you must keep a record of employees employed under air pressure by an employee who must remain outside the lock near the entrance. This record must show the period each employee spends in the air chamber and the time taken from decompression. You must submit a copy to the appointed physician after each shift.

(5) **Compression.**

(a) You must instruct every employee going under air pressure for the first time on how to avoid excessive discomfort.

(b) During the compression of employees, you must not increase the pressure to more than 3 p.s.i.g. within the first minute. You must hold the pressure at 3 p.s.i.g. and again at 7 p.s.i.g. sufficiently long to determine if any employees are experiencing discomfort.

(c) After the first minute you must raise the pressure uniformly and at a rate not to exceed 10 p.s.i. per minute.

(d) If any employee complains of discomfort, you must hold the pressure to determine if the symptoms are relieved. If, after 5 minutes the discomfort does not disappear, the lock attendant must gradually reduce the pressure until the employee signals that the discomfort has ceased. If the employee does not indicate that the discomfort has disappeared, the lock attendant must reduce the pressure to atmospheric and the employee must be released from the lock.

(e) You must not subject any employee to pressure exceeding 50 pounds per square inch except in an emergency.

(6) **Decompression.**

(a) Decompression to normal condition must be in accordance with the decompression tables in Appendix A of this part.

(b) In the event it is necessary for an employee to be in compressed air more than once in a 24-hour period, the appointed physician must be responsible for the establishment of methods and procedures of decompression applicable to repetitive exposures.

(c) If decanting is necessary, the appointed physician must establish procedures before any employee is permitted to be decompressed by decanting methods. The period of time that the employees spend at atmospheric pressure

between the decompression following the shift and recompression must not exceed 5 minutes.

**(7) Man locks and special decompression chambers.**

**(a) Man locks.**

(i) Except in emergency, you must not permit any employees employed in compressed air to pass from the working chamber to atmospheric pressure until after decompression, in accordance with the procedures in this part.

(ii) The lock attendant in charge of a man lock must be under the direct supervision of the appointed physician. The lock attendant must be stationed at the lock controls on the free air side during the period of compression and decompression and must remain at the lock control station whenever there are persons in the working chamber or in the man lock.

(iii) Except where air pressure in the working chamber is below 12 p.s.i.g., each man lock must be equipped with automatic controls which, through taped programs, cams, or similar apparatus, must automatically regulate decompressions. It must also be equipped with manual controls to permit the lock attendant to override the automatic mechanism in the event of an emergency, as provided in item (viii) of this subdivision.

(iv) A manual control, which can be used in the event of an emergency, must be placed inside the man lock.

(v) A clock, thermometer, and continuous recording pressure gauge with a 4-hour graph must be installed outside of each man lock and must be changed prior to each shift's decompression. The chart must be of sufficient size to register a legible record of variations in pressure within the man lock and must be visible to the lock attendant. You must submit a copy of each graph to the appointed physician after each shift. In addition, a pressure gauge, clock, and thermometer must also be installed in each man lock. Additional fittings must be provided so that the test gauges may be attached whenever necessary.

(vi) Except where air pressure is below 12 p.s.i.g. and there is no danger of rapid flooding, all caissons having a working area greater than 150 square feet, and each bulkhead in tunnels of 14 feet or more in diameter, or equivalent area, must have at least two locks in perfect working condition, one of which must be used exclusively as a man lock, the other, as a materials lock.

(vii) Where only a combination man-and-materials lock is required, this single lock must be of sufficient capacity to hold the employees constituting two successive shifts.

(viii) Emergency locks must be large enough to hold an entire heading shift and a limit maintained of 12 p.s.i.g. There must be a chamber available for oxygen decompression therapy to 28 p.s.i.g.

(ix) The man lock must be large enough so that those using it are not compelled to be in a cramped position and must not have less than 5 feet clear head room at the center and a minimum of 30 cubic feet of air space per occupant.

(x) Locks on caissons must be so located that the bottom door must be not less than 3 feet above the water level surrounding the caisson on the outside. (The water level, where it is affected by tides, is construed to mean high tide.)

(xi) In addition to the pressure gauge in the locks, you must maintain an accurate pressure gauge on the outer and

inner side of each bulkhead. These gauges must be accessible at all times and you must keep them in accurate working order.

(xii) Man locks must have an observation port at least 4 inches in diameter located in such a position that all occupants of the man lock may be observed from the working chamber and from the free air side of the lock.

(xiii) You must provide adequate ventilation in the lock.

(xiv) You must maintain man locks at a minimum temperature of 70°F.

(xv) When locks are not in use and employees are in the working chamber, you must keep lock doors open to the working chamber, where practicable.

(xvi) You must make provisions to allow for rescue parties to enter the tunnel if the working force is disabled.

(xvii) You must provide a special decompression chamber of sufficient size to accommodate the entire force of employees being decompressed at the end of a shift whenever the regularly established working period requires total time of decompression exceeding 75 minutes.

**(b) Special decompression chamber.**

(i) The headroom in the special decompression chamber must be not less than a minimum 7 feet and the cubical content must provide at least 50 cubic feet of airspace for each employee. For each occupant, you must provide 4 square feet of free walking area and 3 square feet of seating space, exclusive of area required for lavatory and toilet facilities. You must base the rated capacity on the stated minimum space per employee and you must post it at the chamber entrance. You must not exceed the posted capacity shall not be exceeded, except in case of emergency.

(ii) Each special decompression chamber must be equipped with the following:

(A) A clock or clocks suitably placed so that the attendant and the chamber occupants can readily ascertain the time;

(B) Pressure gauges which will indicate to the attendants and to the chamber occupants the pressure in the chamber;

(C) Valves to enable the attendant to control the supply and discharge of compressed air into and from the chamber.

(D) Valves and pipes, in connection with the air supply and exhaust, arranged so that the chamber pressure can be controlled from within and without;

(E) Effective means of oral intercommunication between the attendant, occupants of the chamber, and the air compressor plant; and

(F) An observation port at the entrance to permit observation of the chamber occupants.

(iii) Seating facilities in special decompression chambers must be so arranged as to permit a normal sitting posture without cramping. You must provide seating space, not less than 18 inches by 24 inches wide, per occupant.

(iv) You must provide adequate toilet and washing facilities, in a screened or enclosed recess. Toilet bowls must have a built-in protector on the rim so that an air space is created when the seat lid is closed.

(v) Fresh and pure drinking water must be available. This may be accomplished by either piping water into the special decompression chamber and providing drinking fountains, or

by providing individual canteens, or by some other sanitary means. Community drinking vessels are prohibited.

(vi) No refuse or discarded material of any kind must be permitted to accumulate, and you must keep the chamber clean.

(vii) Unless the special decompression chamber is serving as the man lock to atmospheric pressure, the special decompression chamber must be situated, where practicable, adjacent to the man lock on the atmospheric pressure side of the bulkhead. You must provide a passageway, connecting the special chamber with the man lock, to permit employees in the process of decompression to move from the man lock to the special chamber without a reduction in the ambient pressure from that designated for the next stage of decompression. The passageway must be so arranged as to not interfere with the normal operation of the man lock, nor with the release of the occupants of the special chamber to atmospheric pressure upon the completion of the decompression procedure.

**(8) Compressor plant and air supply.**

(a) At all times there must be a thoroughly experienced, competent, and reliable person on duty at the air control valves as a gauge tender who must regulate the pressure in the working areas. During tunneling operations, one gauge tender may regulate the pressure in not more than two headings: Provided; That the gauges and controls are all in one location. In caisson work, there must be a gauge tender for each caisson.

(b) The low air compressor plant must be of sufficient capacity to not only permit the work to be done safely, but must also provide a margin to meet emergencies and repairs.

(c) Low air compressor units must have at least two independent and separate sources of power supply and each must be capable of operating the entire low air plant and its accessory systems.

(d) The capacity, arrangement, and number of compressors must be sufficient to maintain the necessary pressure without overloading the equipment and to assure maintenance of such pressure in the working chamber during periods of breakdown, repair, or emergency.

(e) You must periodically switch from one independent source of power supply to the other to ensure that workability of the apparatus in an emergency.

(f) You must provide duplicate low-pressure air feedlines and regulating valves between the source of air supply and a point beyond the locks with one of the lines extending to within 100 feet of the working face.

(g) All high-pressure and low-pressure air supply lines must be equipped with check valves.

(h) Low-pressure air must be regulated automatically. In addition, you must provide manually operated valves for emergency conditions.

(i) The air intakes for all air compressors must be located at a place where fumes, exhaust gases, and other air contaminants will be at a minimum.

(j) Gauges indicating the pressure in the working chamber must be installed in the compressor building, the lock attendant's station, and at the employer's field office.

**(9) Ventilation and air quality.**

(a) You must provide and operate exhaust valves and exhaust pipes so that the working chamber is well ventilated, and there are no pockets of dead air. Outlets may be required at intermediate points along the main low-pressure air supply line to the heading to eliminate such pockets of dead air. The quantity of ventilation air must be not less than 30 cubic feet per minute.

(b) You must analyze the air in the workplace not less than once each shift, and you must keep records of such tests on file at the place where the work is in progress. The test results must be within the threshold limit values specified in part B of this chapter, for hazardous gases, and within 10 percent of the lower explosive limit of flammable gases. If these limits are not met, you must take immediate action to correct the situation.

(c) You must maintain the temperature of all working chambers which are subjected to air pressure, by means of after-coolers or other suitable devices, at a temperature not to exceed 85°F.

(d) You must provide forced ventilation during decompression. During the entire decompression period, you must provide forced ventilation through chemical or mechanical air purifying devices that will ensure a source of fresh air.

(e) Whenever heat-producing machines (moles, shields) are used in compressed air tunnel operations, you must provide a positive means of removing the heat build-up at the heading.

**(10) Electricity.**

(a) All lighting in compressed-air chambers must be by electricity exclusively, and you must use two independent electric-lighting systems with independent sources of supply. You must arrange the emergency source to become automatically operative in the event of failure of the regularly used source.

(b) The minimum intensity of light on any walkway, ladder, stairway, or working level must be not less than 10 foot-candles, and in all workplaces the lighting must at all times be such as to enable employees to see clearly.

(c) All electrical equipment, and wiring for light and power circuits, must comply with requirements of Part I, of this standard, for use in damp, hazardous, high temperature, and compressed air environments.

(d) External parts of lighting fixtures and all other electrical equipment, when within 8 feet of the floor, must be constructed of noncombustible, nonabsorptive, insulating materials, except that metal may be used if it is effectively grounded.

(e) Portable lamps must be equipped with noncombustible, nonabsorptive, insulating sockets, approved handles, basket guards, and approved cords.

(f) The use of worn or defective portable and pendant conductors is prohibited.

**(11) Sanitation.**

(a) You must provide sanitary, heated, lighted, and ventilated dressing rooms and drying rooms for all employees engaged in compressed air work. Such rooms must contain suitable benches and lockers. You must provide bathing accommodations (showers at the ratio of one to 10 employees per shift), equipped with running hot and cold water, and suit-

able and adequate toilet accommodations. You must provide one toilet for each 15 employees, or fractional part thereof.

(b) When the toilet bowl is shut by a cover, there should be an air space so that the bowl or bucket does not implode when pressure is increased.

(c) You must keep all parts of caissons and other working compartments in a sanitary condition.

**(12) Fire prevention and protection.**

(a) Firefighting equipment must be available at all times and you must maintain it in working condition.

(b) While welding or flame-cutting is being done in compressed air, a firewatch with a fire hose or approved extinguisher must stand by until such operation is completed.

(c) You must provide shafts and caissons containing flammable material of any kind, either above or below ground, with a waterline and a fire hose connected thereto, so arranged that all points of the shaft or caisson are within reach of the hose stream.

(d) Fire hose must be at least 1 1/2 inches in nominal diameter; the water pressure must at all times be adequate for efficient operation of the type of nozzle used; and the water supply must be such as to ensure an uninterrupted flow. Fire hose, when not in use, must be located or guarded to prevent injury thereto.

(e) You must provide the power house, compressor house, and all buildings housing ventilating equipment, with at least one hose connection in the waterline, with a fire hose connected thereto. You must maintain a fire hose within reach of structures of wood over or near shafts.

(f) Tunnels must be provided with a two-inch minimum diameter waterline extending into the working chamber and to within 100 feet of the working face. Such line must have hose outlets with 100 feet of fire hose attached and maintained as follows: One at the working face; one immediately inside of the bulkhead of the working chamber; and one immediately outside such bulkhead. In addition, hose outlets must be provided at 200-foot intervals throughout the length of the tunnel, and 100 feet of fire hose must be attached to the outlet nearest to any location where flammable material is being kept or stored or where any flame is being used.

(g) In addition to fire hose protection required by this part, on every floor of every building not under compressed air, but used in connection with the compressed air work, you must provide at least one approved fire extinguisher of the proper type for the hazards involved. You must provide at least two approved fire extinguishers in the working chamber as follows: One at the working face and one immediately inside the bulkhead (pressure side). Extinguishers in the working chamber must use water as the primary extinguishing agent and must not use any extinguishing agent which could be harmful to the employees in the working chamber. You must protect the fire extinguisher from damage.

(h) You must not use or store highly combustible materials in the working chamber. You must not use wood, paper, and similar combustible material in the working chamber in quantities which could cause a fire hazard. The compressor building must be constructed of noncombustible material.

(i) Man locks must be equipped with a manual type fire extinguisher system that can be activated inside the man lock and also by the outside lock attendant. In addition, you must

provide a fire hose and portable fire extinguisher inside and outside the man lock. The portable fire extinguisher must be the dry chemical type.

Note: For additional requirements relating to portable fire extinguishers see WAC 296-800-300.

(j) Equipment, fixtures, and furniture in man locks and special decompression chambers must be constructed of non-combustible materials. Bedding, etc., must be chemically treated so as to be fire resistant.

(k) Head frames must be constructed of structural steel or open frame-work fireproofed timber. Head houses and other temporary surface buildings or structures within 100 feet of the shaft, caisson, or tunnel opening must be built of fire-resistant materials.

(l) You must not store any oil, gasoline, or other combustible materials within 100 feet of any shaft, caisson, or tunnel opening, except that oils may be stored in suitable tanks in isolated fireproof buildings, provided such buildings are not less than 50 feet from any shaft, caisson, or tunnel opening, or any building directly connected thereto.

(m) You must take positive means to prevent leaking flammable liquids from flowing into the areas specifically mentioned in the preceding subdivision.

(n) All explosives used in connection with compressed air work must be selected, stored, transported, and used as specified in part T of this chapter.

**(13) Bulkheads and safety screens.**

(a) Intermediate bulkheads with locks, or intermediate safety screens or both, are required where there is danger of rapid flooding.

(b) In tunnels 16 feet or more in diameter, you must provide hanging walkways from the face to the man lock as high in the tunnel as practicable, with at least 6 feet of head room. Walkways must be constructed of noncombustible material. You must securely install standard railings throughout the length of all walkways on open sides in accordance with (~~Part C-1 of this~~) chapter 296-880 WAC, Unified safety standards for fall protection. Where walkways are ramped under safety screens, you must skidproof the walkway surface by cleats or by equivalent means.

(c) You must test bulkheads used to contain compressed air, where practicable, to prove their ability to resist the highest air pressure which may be expected to be used.

**PART C-1**

**FALL PROTECTION REQUIREMENTS FOR CONSTRUCTION**

**NOTE:** Requirements relating to fall protection for construction have been moved to chapter 296-880 WAC, Unified safety standards for fall protection.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 296-155-24601 Scope and application.

WAC 296-155-24603 Definitions.

- WAC 296-155-24605 General requirements.
- WAC 296-155-24607 Fall protection required regardless of height.
- WAC 296-155-24609 Fall protection required at four feet or more.
- WAC 296-155-24611 Fall protection required at ten feet or more.
- WAC 296-155-24613 Fall arrest specifications.
- WAC 296-155-24615 Fall restraint specifications.
- WAC 296-155-24617 Positioning device system specifications.
- WAC 296-155-24619 Other specifications.
- WAC 296-155-24621 Training.
- WAC 296-155-24623 Appendix A—Determining roof widths—Nonmandatory guidelines for complying with WAC 296-155-24615.
- WAC 296-155-24624 Appendix B—Calculating fall clearance distance using a shock-absorbing lanyard and D-ring anchorage connector—Nonmandatory guidelines for complying with WAC 296-155-24613 (1)(d).

AMENDATORY SECTION (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-301-095 Gray and white bins.** Guard rails conforming to ~~((WAC 296-24-750 through 296-24-75011, of the general safety and health standards,))~~ chapter 296-880 WAC, Unified safety standards for fall protection must be provided where workers are required to plait by hand from the top of the bin so as to protect the worker from falling to a lower level.

AMENDATORY SECTION (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-304-01001 Definitions. Additional safety measure.** A component of the tags-plus system that provides an impediment (in addition to the energy-isolating device) to the release of energy or the generalization or start-up of the machinery, equipment, or system being serviced. Examples of additional safety measures include, but are not limited to, removing an isolating circuit element; blocking a controlling switch; blocking, blanking, or bleeding lines; removing a valve handle or wiring it in place; opening an extra disconnecting device.

**Affected employee.** An employee who normally operates or uses the machinery, equipment, or system that is going to be serviced under lockout/tags-plus or who is working in the area where servicing is being performed under lockout/tags-plus. An affected employee becomes an authorized employee when the employer assigns the employee to service

any machine, equipment, or system under a lockout/tags-plus application.

**Alarm.** A signal or message from a person or device that indicates that there is a fire, medical emergency, or other situation that requires emergency response or evacuation. At some shipyards, this may be called an "incident" or a "call for service."

**Alarm system.** A system that warns employees at the worksite of danger.

**Anchorage.** A secure point ~~((to attach))~~ of attachment for lifelines, lanyards, or deceleration devices which is capable of withstanding the forces specified in this chapter.

**Authorized employee:**

~~((1))~~ (a) An employee who performs one or more of the following lockout/tags-plus responsibilities:

~~((a))~~ (i) Executes the lockout/tags-plus procedures;

~~((b))~~ (ii) Installs a lock or tags-plus system on machinery, equipment, or systems; or

~~((c))~~ (iii) Services any machine, equipment, or system under lockout/tags-plus application.

~~((2))~~ (b) An affected employee becomes an authorized employee when the employer assigns the employee to service any machine, equipment, or system under a lockout/tags-plus application.

**Body belt.** A strap with means to both secure it around the waist and to attach it to a lanyard, lifeline, or deceleration device. Body belts may be used only in fall restraint or positioning device systems and may not be used for fall arrest. Body belts must be at least one and five-eighths inches (4.13 cm) wide.

**Body harness.** Straps to secure around an employee so that fall arrest forces are distributed over at least the thighs, shoulders, chest and pelvis with means to attach it to other components of a personal fall arrest system.

**Capable of being locked out.** An energy-isolating device is capable of being locked out if it has a locking mechanism built into it, or it has a hasp or other means of attachment to which, or through which, a lock can be affixed. Other energy-isolating devices are capable of being locked out if lockout can be achieved without the need to dismantle, rebuild, or replace the energy-isolating device or permanently alter its energy-control capability.

**Class II standpipe system.** A one and one-half inch (3.8 cm) hose system which provides a means for the control or extinguishment of incipient stage fires.

**Cold work.** Work that does not involve riveting, welding, burning, or other fire-producing or spark-producing operations.

**Contract employer.** An employer, such as a painter, joiner, carpenter, or scaffolding subcontractor, who performs work under contract to the host employer or to another employer under contract to the host employer at the host employer's worksite. This excludes employers who provide incidental services that are not directly related to shipyard employment (such as mail delivery or office supply and food vending services).

**Competent person.** A person who can recognize and evaluate employee exposure to hazardous substances or to other unsafe conditions and can specify the necessary protec-

tion and precautions necessary to ensure the safety of employees as required by these standards.

**Confined space.** A small compartment with limited access such as a double bottom tank, cofferdam, or other small, confined space that can readily create or aggravate a hazardous exposure.

**Connector.** A device used to connect parts of a personal fall arrest system or parts of a positioning device system together. It may be:

(a) An independent component of the system (such as a carabiner); or

(b) An integral component of part of the system (such as a buckle or D-ring sewn into a body belt or body harness or a snaphook spliced or sewn to a lanyard or self-retracting lanyard).

**Dangerous atmosphere.** An atmosphere that may expose employees to the risk of death, incapacitation, injury, acute illness, or impairment of ability to self-rescue (i.e., escape unaided from a confined or enclosed space).

**Deceleration device.** A mechanism, such as a rope grab, rip stitch lanyard, specially woven lanyard, tearing or deforming lanyard, or automatic self-retracting lifeline/lanyard, that serves to dissipate a substantial amount of energy during a fall arrest, or to limit the energy imposed on an employee during fall arrest.

**Deceleration distance.** The additional vertical distance a falling employee travels, excluding lifeline elongation and free fall distance, before stopping, from the point at which the deceleration device begins to operate. It is measured from the location of an employee's body belt or body harness attachment point at the moment of activation (at the onset of fall arrest forces) of the deceleration device during a fall, to the location of that attachment point after the employee comes to a full stop.

**Designated area.** An area established for hot work after an inspection that is free of fire hazards.

**Director.** The director of the department of labor and industries or a designated representative.

**Drop test.** A method utilizing gauges to ensure the integrity of an oxygen fuel gas burning system. The method requires that the burning torch is installed to one end of the oxygen and fuel gas lines and then the gauges are attached to the other end of the hoses. The manifold or cylinder supply valve is opened and the system is pressurized. The manifold or cylinder supply valve is then closed and the gauges are watched for at least sixty seconds. Any drop in pressure indicates a leak.

**Dummy load.** A device used in place of an antenna to aid in the testing of a radio transmitter that converts transmitted energy into heat to minimize energy radiating outward or reflecting back to its source during testing.

**Emergency operations.** Activities performed by fire response organizations that are related to: Rescue, fire suppression, emergency medical care, and special operations or activities that include responding to the scene of an incident and all activities performed at that scene.

**Employee.** Any person engaged in ship repairing, ship building, or ship breaking or related employment as defined in these standards.

**Employer.** An employer with employees who are employed, in whole or in part, in ship repair, ship building and ship breaking, or related employment as defined in these standards.

**Enclosed space.** A space, other than a confined space, that is enclosed by bulkheads and overhead. It includes cargo holds, tanks, quarters, and machinery and boiler spaces.

**Energy-isolating device.** A mechanical device that, when utilized or activated, physically prevents the release or transmission of energy. Energy-isolating devices include, but are not limited to, manually operated electrical circuit breakers; disconnect switches; line valves; blocks; and any similar device used to block or isolate energy. Control-circuit devices (for example, push buttons, selector switches) are not considered energy isolating devices.

**Equivalent.** Alternative designs, materials, or methods to protect against a hazard which the employer can demonstrate and will provide an equal or greater degree of safety for employees than the ~~((method or item))~~ methods, materials, or designs specified in ~~((the))~~ this standard.

**Fire hazard.** A condition or material that may start or contribute to the spread of fire.

**Fire protection.** Methods of providing fire prevention, response, detection, control, extinguishment, and engineering.

**Fire response.** The activity taken by the employer at the time of an emergency incident involving a fire at the worksite, including fire suppression activities carried out by internal or external resources or a combination of both, or total or partial employee evacuation of the area exposed to the fire.

**Fire response employee.** A shipyard employee who carries out the duties and responsibilities of shipyard firefighting in accordance with the fire safety plan.

**Fire response organization.** An organized group knowledgeable, trained, and skilled in shipyard firefighting operations that responds to shipyard fire emergencies, including: Fire brigades, shipyard fire departments, private or contractual fire departments, and municipal fire departments.

**Fire suppression.** The activities involved in controlling and extinguishing fires.

**Fire watch.** The activity of observing and responding to the fire hazards associated with hot work in shipyard employment and the employees designated to do so.

**Fixed extinguishing system.** A permanently installed fire protection system that either extinguishes or controls fire occurring in the space it protects.

**Flammable liquid.** Means any liquid having a flashpoint at or below 199.4°F (93°C). Flammable liquids are divided into four categories as follows:

(a) Category 1 shall include liquids having flashpoints below 73.4°F (23°C) and having a boiling point at or below 95°F (35°C).

(b) Category 2 shall include liquids having flashpoints below 73.4°F (23°C) and having a boiling point above 95°F (35°C).

(c) Category 3 shall include liquids having flashpoints at or above 73.4°F (23°C) and at or below 140°F (60°C). When a Category 3 liquid with a flashpoint at or above 100°F (37.8°C) is heated for use to within 30°F (16.7°C) of its flash-

point, it shall be handled in accordance with the requirements for a Category 3 liquid with a flashpoint below 100°F (37.8°C).

(d) Category 4 shall include liquids having flashpoints above 140°F (60°C) and at or below 199.4°F (93°C). When a Category 4 flammable liquid is heated for use to within 30°F (16.7°C) of its flashpoint, it shall be handled in accordance with the requirements for a Category 3 liquid with a flashpoint at or above 100°F (37.8°C).

(e) When liquid with a flashpoint greater than 199.4°F (93°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it shall be handled in accordance with the requirements for a Category 4 flammable liquid.

**Free fall.** To fall before a personal fall arrest system begins to apply force to arrest the fall.

**Free fall distance.** The vertical displacement of the fall arrest attachment point on the employee's body harness between onset of the fall and just before the system begins to apply force to arrest the fall. This distance excludes deceleration distance, and lifeline/lanyard elongation, but includes any deceleration device slide distance or self-retracting lifeline/lanyard extension before the device operates and fall arrest forces occur.

**Gangway.** A ramp-like or stair-like means to board or leave a vessel including accommodation ladders, gangplanks and brows.

**Hazardous energy.** Any energy source, including mechanical (for example, power transmission apparatus, counterbalances, springs, pressure, gravity), pneumatic, hydraulic, electrical, chemical, and thermal (for example, high or low temperature) energies, that could cause injury to employees.

**Hazardous substance.** A substance likely to cause injury, illness or disease, or otherwise harm an employee because it is explosive, flammable, poisonous, corrosive, oxidizing, irritating, or otherwise harmful.

**Health care professional.** A physician or any other health care professional whose legally permitted scope of practice allows the provider to independently provide, or be delegated the responsibility to provide, some or all of the advice or consultation this subpart requires.

**Hose systems.** Fire protection systems consisting of a water supply, approved fire hose, and a means to control the flow of water at the output end of the hose.

**Host employer.** An employer who is in charge of coordinating work or who hires other employers to perform work at a multiemployer workplace.

**Hot work.** Riveting, welding, burning or other fire or spark producing operations.

**Incident management system.** A system that defines the roles and responsibilities to be assumed by personnel and the operating procedures to be used in the management and direction of emergency operations; the system is also referred to as an "incident command system (ICS)."

**Incipient stage fire.** A fire, in the initial or beginning stage, which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.

**Inerting.** The displacement of the atmosphere in a permit space by noncombustible gas (such as nitrogen) to such an extent that the resulting atmosphere is noncombustible. This procedure produces an IDLH oxygen-deficient atmosphere.

**Interior structural firefighting operations.** The physical activity of fire response, rescue, or both involving a fire beyond the incipient stage inside of buildings, enclosed structures, vessels, and vessel sections.

**Isolated location.** An area in which employees are working alone or with little assistance from others due to the type, time, or location of their work. Such locations include remote locations or other work areas where employees are not in close proximity to others.

**Lanyard.** A flexible line of webbing, rope, ~~((wire rope, or strap which generally has a connector at each end for connecting the body belt or body harness to a deceleration device, lifeline, or anchorage.~~

**Lifeline.** ~~A component consisting of a flexible line to connect to an anchorage at one end to hang vertically (vertical lifeline), or to connect to anchorages at both ends to stretch horizontally (horizontal lifeline), and which serves as a means for connecting other components of a personal fall arrest system to the anchorage)) or cable used to secure a positioning harness or full body harness to a lifeline or an anchorage point usually two, four, or six feet long.~~

**Lifeline.** A vertical line from a fixed anchorage or between two horizontal anchorages, independent of walking or working surfaces, to which a lanyard or device is secured. Lifeline as referred to in this text is one which is part of a fall protection system used as back-up safety for an elevated worker or as a restraint for workers on a flat or sloped surface.

**Lock.** A device that utilizes a positive means, either a key or combination lock, to hold an energy isolating device in a "safe" position that prevents the release of energy and the start-up or energization of the machinery, equipment, or system to be serviced.

**Lockout.** The placement of a lock on an energy-isolating device in accordance with an established procedure, thereby ensuring that the energy-isolating device and the equipment being controlled cannot be operated until the lock is removed.

**Lockout/tags-plus coordinator.** An employee whom the employer designates to coordinate and oversee all lockout and tags-plus applications on vessels or vessel sections and at landside work areas when employees are performing multiple servicing operations on the same machinery, equipment, or systems at the same time, and when employees are servicing multiple machinery, equipment, or systems on the same vessel or vessel section at the same time. The lockout/tags-plus coordinator also maintains the lockout/tags-plus log.

**Lockout/tags-plus materials and hardware.** Locks, chains, wedges, blanks, key blocks, adapter pins, self-locking fasteners, or other hardware used for isolating, blocking, or securing machinery, equipment, or systems to prevent the release of energy or the start-up or energization of machinery, equipment, or systems to be serviced.

**Lower levels.** Those areas or surfaces to which an employee can fall. Such areas or surfaces include but are not limited to ground levels, floors, ramps, tanks, materials,

water, excavations, pits, vessels, structures, or portions thereof.

**Motor vehicle.** Any motor-driven vehicle operated by an employee that is used to transport employees, material, or property. For the purposes of this subpart, motor vehicles include passenger cars, light trucks, vans, motorcycles, all-terrain vehicles, small utility trucks, powered industrial trucks, and other similar vehicles. Motor vehicles do not include boats, or vehicles operated exclusively on a rail or rails.

**Motor vehicle safety equipment.** Systems and devices integral to or installed on a motor vehicle for the purpose of effecting the safe operation of the vehicle, and consisting of such systems or devices as safety belts, airbags, headlights, tail lights, emergency/hazard lights, windshield wipers, defogging or defrosting devices, brakes, horns, mirrors, windshields and other windows, and locks.

**Multiemployer workplace.** A workplace where there is a host employer and at least one contract employer.

**Normal production operations.** The use of machinery or equipment, including, but not limited to, punch presses, bending presses, shears, lathes, keel press rollers, and automated burning machines, to perform a shipyard-employment production process.

**Personal alert safety system (PASS).** A device that sounds a loud signal if the wearer becomes immobilized or is motionless for thirty seconds or more.

**Personal fall arrest system.** A system used to arrest an employee in a fall from a working level. It consists of an anchorage, connectors, body harness and may include a lanyard, a deceleration device, a lifeline, or a suitable combination.

**Physical isolation.** The elimination of a fire hazard by removing the hazard from the work area (at least thirty-five feet for combustibles), by covering or shielding the hazard with a fire-resistant material, or physically preventing the hazard from entering the work area.

**Physically isolated.** Positive isolation of the supply from the distribution piping of a fixed extinguishing system. Examples of ways to physically isolate include: Removing a spool piece and installing a blank flange; providing a double block and bleed valve system; or completely disconnecting valves and piping from all cylinders or other pressure vessels containing extinguishing agents.

**Portable toilet.** A nonsewered portable facility for collecting and containing urine and feces. A portable toilet may be either flushable or nonflushable. For purposes of this section, portable toilets do not include privies.

**Portable unfired pressure vessel.** A pressure container or vessel used aboard ship, other than the ship's equipment, containing liquids or gases under pressure. This does not include pressure vessels built to Department of Transportation regulations under 49 C.F.R. Part 178, Subparts C and H.

**Positioning device system.** A ~~((body belt or body harness system rigged to allow an employee to be supported at an elevated vertical surface, such as a wall or window, and to be able to work with both hands free while leaning))~~ full body harness or positioning harness that is worn by an employee, and is rigged to allow an employee to be supported on an ele-

vated vertical or inclined surface, such as a wall, pole or column, and work with both hands free from the body support.

**Potable water.** Water that meets the standards for drinking purposes of the state or local authority having jurisdiction, or water that meets the quality standards prescribed by the U.S. Environmental Protection Agency's National Primary Water Regulations (40 C.F.R. Part 141).

**Powder actuated fastening tool.** A tool or machine that drives a stud, pin, or fastener by means of an explosive charge.

**Protected space.** Any space into which a fixed extinguishing system can discharge.

**Proximity firefighting.** Specialized firefighting operations that require specialized thermal protection and may include the activities of rescue, fire suppression, and property conservation at incidents involving fires producing very high levels of conductive, convective, and radiant heat such as aircraft fires, bulk flammable gas fires, and bulk flammable liquid fires. Proximity firefighting operations usually are exterior operations but may be combined with structural firefighting operations. Proximity firefighting is not entry firefighting.

**Qualified instructor.** A person with specific knowledge, training, and experience in fire response or fire watch activities to cover the material found in WAC 296-304-01019 (2) or (3).

**Qualified person.** ~~((A person who has successfully demonstrated the ability to solve or resolve problems related to the subject matter and work by possessing a recognized degree or certificate of professional standing or by extensive knowledge, training, and experience.))~~ One who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his/her ability to solve or resolve problems related to the subject matter, the work, or the project.

**Readily accessible/available.** Capable of being reached quickly enough to ensure, for example, that emergency medical services and first-aid intervention are appropriate or that employees can reach sanitation facilities in time to meet their health and personal needs.

**Related employment.** Any employment related to or performed in conjunction with ship repairing, ship building or ship breaking work, including, but not limited to, inspecting, testing, and serving as a watchman.

**Rescue.** Locating endangered persons at an emergency incident, removing those persons from danger, treating the injured, and transporting the injured to an appropriate health care facility.

**Restraint ~~((tether))~~ line.** A line from ~~((an))~~ a fixed anchorage((?)) or between two anchorages((?)) to which ~~((the))~~ an employee is secured ((sø)) in such a way as to prevent the employee from ~~((walking or))~~ falling ~~((off an elevated work surface))~~ to a lower level.

Note: A restraint line is not necessarily designed to withstand forces resulting from a fall.

**Rope grab.** A ~~((deceleration device that travels on a lifeline and automatically, by friction, engages the lifeline and locks to arrest the fall of an employee. A rope grab usually uses the principle of inertial locking, cam/level locking or~~

both)) fall arrester that is designed to move up or down a lifeline suspended from a fixed overhead or horizontal anchorage point, or lifeline, to which the full body harness is attached. In the event of a fall, the rope grab locks onto the lifeline rope through compression to arrest the fall. The use of a rope grab device is restricted for all restraint applications. See WAC 296-880-40025.

**Sanitation facilities.** Facilities, including supplies, maintained for employee personal and health needs such as potable drinking water, toilet facilities, hand-washing and hand-drying facilities, showers (including quick-drenching or flushing) and changing rooms, eating and drinking areas, first-aid stations, and on-site medical-service areas. Sanitation supplies include soap, waterless cleaning agents, single-use drinking cups, drinking water containers, toilet paper, and towels.

**Serviceable condition.** The state or ability of supplies or goods, or of a tool, machine, vehicle, or other device, to be used or to operate in the manner prescribed by the manufacturer.

**Servicing.** Workplace activities that involve the construction, installation, adjustment, inspection, modification, testing, or repair of machinery, equipment, or systems. Servicing also includes maintaining machines, equipment, or systems when performing these activities would expose the employee to harm from the start-up or energization of the system being serviced, or the release of hazardous energy.

**Sewered toilet.** A fixture maintained for the purpose of urination and defecation that is connected to a sanitary sewer, septic tank, holding tank (bilge), or on-site sewage-disposal treatment facility, and that is flushed with water.

**Shall or must.** Mandatory.

**Shield.** To install a covering, protective layer, or other effective measure on or around steam hoses or temporary steam-piping systems, including metal fittings and couplings, to protect employees from contacting hot surfaces or elements.

**Ship breaking.** Breaking down a vessel's structure to scrap the vessel, including the removal of gear, equipment or any component part of a vessel.

**Ship building.** Construction of a vessel, including the installation of machinery and equipment.

**Ship repairing.** Repair of a vessel including, but not limited to, alterations, conversions, installations, cleaning, painting, and maintenance.

**Shipyards firefighting.** The activity of rescue, fire suppression, and property conservation involving buildings, enclosed structures, vehicles, vessels, aircraft, or similar properties involved in a fire or emergency situation.

**Short bight.** A loop created in a line or rope that is used to tie back or fasten objects such as hoses, wiring, and fittings.

**Small hose system.** A system of hoses ranging in diameter from 5/8" (1.6 cm) up to 1 1/2" (3.8 cm) which is for the use of employees and which provides a means for the control and extinguishment of incipient stage fires.

**Standpipe.** A fixed fire protection system consisting of piping and hose connections used to supply water to approved hose lines or sprinkler systems. The hose may or may not be connected to the system.

**Tag.** A prominent warning device that includes a means of attachment that can be securely fastened to an energy-isolating device in accordance with an established procedure to indicate that the energy-isolating device and the equipment being controlled must not be operated until the tag is removed by an authorized employee.

**Tags-plus system.** A system to control hazardous energy that consists of an energy-isolating device with a tag affixed to it, and at least one additional safety measure.

**Verification of isolation.** The means necessary to detect the presence of hazardous energy, which may involve the use of a test instrument (for example, a voltmeter), and, for other than electric shock protection, a visual inspection, or a deliberate attempt to start-up the machinery, equipment, or system.

**Vermin.** Insects, birds, and other animals, such as rodents, that may create safety and health hazards for employees.

**Vessel.** Every watercraft for use as a means of transportation on water, including special purpose floating structures not primarily designed for or used as a means of transportation on water.

**Vessel section.** A subassembly, module, or other component of a vessel being built or repaired.

**Walkway.** Any surface, whether vertical, slanted, or horizontal, on which employees walk, including areas that employees pass through, to perform their job tasks. Walkways include, but are not limited to, access ways, designated walkways, aisles, exits, gangways, ladders, ramps, stairs, steps, passageways, and scaffolding. If an area is, or could be, used to gain access to other locations, it is to be considered a walkway.

**Work area.** A specific area, such as a machine shop, engineering space, or fabrication area, where one or more employees are performing job tasks.

**Working surface.** Any surface where work is occurring, or areas where tools, materials, and equipment are being staged for performing work.

**Worksite.** A general work location where one or more employees are performing work, such as a shipyard, pier, barge, vessel, or vessel section.

**AMENDATORY SECTION** (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-304-05005 Guarding of deck openings and edges.** ~~((1) When employees are working in the vicinity of flush manholes and other small openings of comparable size in the deck and other working surfaces, such openings must be suitably covered or guarded to a height of not less than 30 inches, except where the use of such guards is made impracticable by the work actually in progress.~~

~~(2) When employees are working around open hatches not protected by coamings to a height of 24 inches or around other large openings, the edge of the opening must be guarded in the working area to a height of 36 to 42 inches, except where the use of such guards is made impracticable by the work actually in progress.~~

~~(3) When employees are exposed to unguarded edges of decks, platforms, flats, and similar flat surfaces, more than 5~~

feet above a solid surface, the edges must be guarded by adequate guardrails meeting the requirements of WAC 296-304-05001 (9)(a) and (b), unless the nature of the work in progress or the physical conditions prohibit the use or installation of such guardrails.

(4) When employees are working near the unguarded edges of decks of vessels afloat, they must be protected by buoyant personal flotation devices, meeting the requirements of WAC 296-304-09017(1).

(5) Sections of bilges from which floor plates or gratings have been removed must be guarded by guardrails except where they would interfere with work in progress. If these open sections are in a walkway at least two 10 inch planks placed side by side, or equivalent, must be laid across the opening to provide a safe walking surface.

(6) Gratings, walkways, and catwalks, from which sections or ladders have been removed, must be barricaded with adequate guardrails. See chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-304-05013 Working surfaces.** (1) When firebox floors present tripping hazards of exposed tubing or of missing or removed refractory, sufficient planking to afford safe footing must be laid while work is being carried on within the boiler.

(2) You must provide and ensure the use of fall protection when employees work aloft or elsewhere at elevations more than 5 feet above a solid surface.

(a) Employees must be protected by the use of scaffolds, ladders, or personal protection equipment according to ((WAC 296-304-09021, or 296-304-09023)) chapter 296-880 WAC, Unified safety standards for fall protection.

(b) Employees must work from scaffolds when visually restricted by:

- (i) Blasting hoods;
- (ii) Welding helmets; and
- (iii) Burning goggles; except:

(A) For the initial and final welding or burning operation to start or complete a job such as the erection and dismantling of hung scaffolding; or

(B) Other similar, nonrepetitive jobs of brief duration.

(3) For work performed in restricted quarters, such as behind boilers and in between congested machinery units and piping, work platforms at least 20 inches wide meeting the requirements of WAC 296-304-05001 (8)(b) must be used. Backrails may be omitted if bulkheading, boilers, machinery units, or piping afford proper protection against falling.

(4) When employees are boarding, leaving, or working from small boats or floats, they must be protected by personal flotation devices meeting the requirements of WAC 296-304-09017(1).

AMENDATORY SECTION (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-304-09019 Fall protection—General requirement.** You must provide and ensure the use of fall protection when employees work aloft or elsewhere at eleva-

tions more than 5 feet above a solid surface in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-304-09021 Personal fall arrest systems (PFAS).** Personal fall arrest systems must ((meet the requirements of this section.

(1) You must ensure that connectors and anchorages meet the following criteria:

(a) Connectors are made of drop forged, pressed, or formed steel or of materials with equivalent strength.

(b) Connectors have a corrosion-resistant finish, and all surfaces and edges are smooth to prevent damage to the interfacing parts of the system.

(c) D-rings and snaphooks can sustain a minimum tensile load of 5,000 pounds (22.24 Kn).

(d) D-rings and snaphooks are proof-tested to a minimum tensile load of 3,600 pounds (16 Kn) without cracking, breaking, or being permanently deformed.

(e) Snaphooks lock and are designed and used to prevent disengagement of the snaphook by contact of the snaphook keeper with the connected part.

(f) On suspended scaffolds or similar work platforms with horizontal lifelines that may become vertical lifelines, the devices used for connection to the horizontal lifeline can lock in any direction on the lifeline.

(g) Anchorages used for attachment of personal fall arrest equipment are independent of any anchorage used to support or suspend platforms.

(h) Anchorages can support at least 5,000 pounds (22.24 Kn) per employee attached, or are designed, installed, and used as follows:

(i) As part of a complete personal fall arrest system that maintains a safety factor of at least two; and

(ii) Under the direction and supervision of a qualified person.

(2) You must ensure that lifelines, lanyards, and personal fall arrest systems meet the following criteria:

(a) When vertical lifelines are used, each employee has a separate lifeline.

(b) Vertical lifelines and lanyards have a minimum tensile strength of 5,000 pounds (22.24 Kn).

(c) Self-retracting lifelines and lanyards that automatically limit free fall distances to 2 feet (0.61 m) or less can sustain a minimum tensile load of 3000 pounds (13.34 Kn) applied to a self-retracting lifeline or lanyard with the lifeline or lanyard in the fully extended position.

(d) Self-retracting lifelines and lanyards which do not limit free fall distance to 2 feet (0.61 m) or less, ripstitch lanyards and tearing and deforming lanyards can sustain a minimum static tensile load of 5,000 pounds (22.24 Kn) applied to the device when they are in the fully extended position.

(e) Horizontal lifelines are designed, installed, and used under the supervision of a qualified person, and only used as part of a complete personal fall arrest system that maintains a safety factor of at least two.

Note: The system strength needs below are based on a maximum combined weight of employee and tools of 310 pounds. If combined weight is more than 310 pounds (140.62 kg), appropriate allowances must be made or the system will not be in compliance.

(f) Effective April 20, 1998, you must ensure that personal fall arrest systems:

(i) Limit the maximum arresting force on a falling employee to 1,800 pounds (8 Kn) when used with a body harness;

(ii) Bring a falling employee to a complete stop and limit the maximum deceleration distance an employee travels to 3.5 feet (1.07 m); and

(iii) Are strong enough to withstand twice the potential impact energy of an employee free falling a distance of 6 feet (1.8 m), or the free fall distance permitted by the system, whichever is less.

(g) You must ensure that personal fall arrest systems are rigged so that an employee can neither free fall more than 6 feet (1.83 m) nor contact any lower level.

(3) You must select, use, and care for systems and system components according to the following requirements:

(a) Lanyards are attached to employees using personal fall arrest systems, as follows:

The attachment point of a body harness is in the center of the wearer's back near the shoulder level, or above the wearer's head. If the maximum free fall distance is less than 20 inches, the attachment point may be located in the chest position.

(b) Ropes and straps (webbing) used in lanyards, lifelines and strength components of body harnesses are made from synthetic fibers or wire rope.

(c) Ropes, harnesses, and lanyards are compatible with their hardware.

(d) Lifelines and lanyards are protected against cuts, abrasions, burns from hot work operations and deterioration by acids, solvents, and other chemicals.

(e) Personal fall arrest systems are inspected before each use for mildew, wear, damage, and other deterioration. Defective components are removed from service.

(f) Personal fall arrest systems and components subjected to impact loading are immediately removed from service and not used again for employee protection until inspected and determined by a qualified person to be undamaged and suitable for reuse.

(g) You must provide for prompt rescue of employees in the event of a fall or must ensure that employees are able to rescue themselves.

(h) Personal fall arrest systems and components are used only for employee fall protection and not to hoist materials.

(4) Training. Before using personal fall arrest equipment, you must ensure that each affected employee is trained to understand the application limits of the equipment and proper hook-up, anchoring, and tie-off techniques. Affected employees must also be trained to demonstrate the proper use, inspection, and storage of their equipment)) be in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 17-18-075, filed 9/5/17, effective 10/6/17)

**WAC 296-304-09023 Positioning device systems.** You must ensure that positioning device systems and their use ((meet the requirements of this section.

(1) You must ensure that connectors and anchorages meet the following criteria:

(a) Connectors have a corrosion-resistant finish, and all surfaces and edges are smooth to prevent damage to interfacing parts of this system.

(b) Connecting assemblies have a minimum tensile strength of 5,000 pounds (22.24 Kn).

(c) Positioning device systems are secured to an anchorage that can support at least twice the potential impact load of an employee's fall.

(d) Only locking type snaphooks are used in positioning device systems.

(2) You must ensure that positioning device systems meet the following criteria:

(a) Restraint (tether) lines have a minimum breaking strength of 3,000 pounds (13.34 Kn).

(b) Beginning April 20, 1998, the following system performance criteria for positioning device systems are met:

(i) A window cleaner's positioning system can withstand without failure, a drop test consisting of a 6-foot (1.83 m) drop of a 250-pound (113.34 kg) weight. The system limits the initial arresting force to a maximum of 2,000 pounds (8.89 Kn), with a maximum duration of 2 milliseconds. The system limits any subsequent arresting forces imposed on the falling employee to a maximum of 1,000 pounds (4.45 Kn);

(ii) All other positioning device systems can withstand without failure a drop test consisting of a 4-foot (1.22 m) drop of a 250-pound (113.34 kg) weight.

(3) You must ensure that a positioning device system is used and cared for according to the following requirements:

(a) Positioning device systems are inspected before each use for mildew, wear, damage, and other deterioration. Defective components are removed from service.

(b) A positioning device system or component subjected to impact loading is immediately removed from service and not used again for employee protection, unless inspected and determined by a qualified person to be undamaged and suitable for reuse.

(4) Training. Before using a positioning device system, you must ensure that employees are trained in the application limits, proper hook-up, anchoring and tie-off techniques, methods of use, inspection, and storage of positioning device systems)) be in accordance with chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 97-09-013, filed 4/7/97, effective 4/7/97)

**WAC 296-307-25003 What definitions apply to this section?** ("Floor hole" means an opening with the smallest dimension between one and 12 inches, in any floor, platform, pavement, or yard, through which materials may fall but not people. Examples are a belt hole, pipe opening, or slot opening.

~~"Floor opening" means an opening with the smallest dimension of 12 inches or more, in any floor, platform, pavement, or yard, through which people may fall. Examples are a hatchway, stair or ladder opening, pit, or large manhole. Floor openings occupied by elevators, dumb waiters, conveyors, machinery, or containers are excluded from this definition.~~

~~"Handrail" means a single bar or pipe supported on brackets from a wall or partition to furnish persons with a handhold in case of tripping.) "Handrail" is a rail used to provide employees with a handhold for support.~~

~~"Hole" means gap or void two inches or more in its least dimension, in a floor, roof, or other surface.~~

~~"Opening" means a gap or void thirty inches (76 cm) or more high and eighteen inches (48 cm) or more wide, in a wall or partition, through which employees can fall to a lower level.~~

~~"Platform" means a ((working space for people that is) work surface elevated above the surrounding floor or ground((, such as a balcony or platform for the operation of machinery and equipment)).~~

~~"Runway" means a passageway ((used by people that is) for persons, elevated above the surrounding floor or ground level, such as a footwalk along shafting or a walkway between buildings.~~

~~"Stair railing" means a vertical barrier along exposed sides of a stairway to prevent people from falling.~~

~~"Standard railing" means a vertical barrier along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent people from falling.~~

~~"Standard strength and construction" means any construction of railings, covers, or other guards that meets the requirements of this section.~~

~~("Stair railing" means a vertical barrier along exposed sides of a stairway to prevent people from falling.)~~

~~"Toeboard" means a vertical barrier at floor level along ((exposed) open sides or edges of a floor opening, ((wall opening,)) platform, runway, ((or) ramp, or other walking/working surface to prevent materials, tools, or debris from falling onto persons passing through or working in the area below.~~

~~("Wall hole" means an opening between one and 30 inches high, of any width, in any wall or partition, such as a ventilation hole or drainage seupper.~~

~~"Wall opening" means an opening at least 30 inches high and 18 inches wide, in any wall or partition, through which people may fall, such as a yard-arm doorway or chute opening.)~~

AMENDATORY SECTION (Amending WSR 97-09-013, filed 4/7/97, effective 4/7/97)

**WAC 296-307-25009 What protection must an employer provide for ((floor)) openings?** (1) Every stairway floor opening must be guarded by a standard railing constructed according to this section. The railing must guard all exposed sides (except the entrance to the stairway). Infrequently used stairways where traffic across the opening prevents using a fixed standard railing (as when located in aisle spaces, etc.), may use an alternate guarding method. In these

cases, the guard must have a hinged floor opening cover of standard strength and construction and removable standard railings on all exposed sides (except at the entrance to the stairway). See chapter 296-880 WAC, Unified safety standards for fall protection.

~~(2) ((Every ladderway floor opening or platform must be guarded by a standard railing with standard toeboard on all exposed sides (except at the entrance to the opening). The passage through the railing must have either a swinging gate or offset so that a person cannot walk directly into the opening.~~

~~(3) Every hatchway and chute floor opening must be guarded by one of the following:~~

~~(a) A hinged floor opening cover of standard strength and construction with standard railings, or a permanent cover with only one side exposed. When the opening is not in use, the cover must be closed or the exposed side must be guarded at both the top and middle by removable standard railings.~~

~~(b) A removable railing with toeboard on a maximum of two sides of the opening and with fixed standard railings and toeboards on all other exposed sides. The removable railings must be kept in place when the opening is not in use and should be hinged or mounted to be easily replaced.~~

~~(4)) When employees must feed material into any hatchway or chute opening, you must provide protection to prevent people from falling through the opening. See chapter 296-880 WAC, Unified safety standards for fall protection.~~

~~((5)) (3) When practical, the area under floor openings must be fenced off. Otherwise, the area must be plainly marked with yellow lines and telltales hanging within 5-1/2 feet of the ground or floor level.~~

~~((6)) (4) Where floor openings are used to drop materials from one level to another, audible warning systems must be installed and used to indicate to employees on the lower level when material is dropped.~~

~~((7) Every skylight opening and hole must be guarded by a standard skylight screen or a fixed standard railing on all exposed sides.~~

~~(8) Every infrequently used pit and trapdoor floor opening must be guarded by a floor opening cover of standard strength and construction that should be hinged in place. When the cover is not in place, the pit or trap opening must be constantly attended or protected on all exposed sides by removable standard railings.~~

~~(9) Every manhole floor opening must be guarded by a standard manhole cover. The manhole cover may be left unhinged. When the cover is removed, the manhole opening must be constantly attended or protected by removable standard railings.~~

~~(10) Every temporary floor opening must have standard railings or must be constantly attended.~~

~~(11) Every floor hole that people can accidentally walk into must be guarded by either:~~

~~(a) A standard railing with standard toeboard on all exposed sides; or~~

~~(b) A floor hole cover of standard strength and construction that should be hinged in place. While the cover is not in place, the floor hole must be constantly attended or protected by a removable standard railing.~~

(12) Every floor hole surrounded by fixed machinery, equipment, or walls that prevent people from walking into it, must be protected by a cover that leaves openings a maximum of one inch wide. The cover must be securely held in place to prevent tools or materials from falling through.

(13) Where doors or gates open directly on a stairway, a platform must be provided so that the swing of the door does not reduce the platform width to less than 20 inches.)

AMENDATORY SECTION (Amending WSR 98-24-096, filed 12/1/98, effective 3/1/99)

**WAC 296-307-25012 What protection must an employer provide for ((wall)) openings and holes? (((1) Every wall opening from which there is a drop of more than 4 feet must be guarded by one of the following:**

(a) A rail, roller, picket fence, half door, or equivalent barrier.

The guard may be removable but should be hinged or mounted so it can be easily replaced. When employees working below the opening are exposed to falling materials, a removable toeboard or the equivalent must also be provided. When the opening is unused, the guard must be kept in position even with a door on the opening. In addition, a grab handle must be provided on each side of the opening with its center approximately 4 feet above floor level and of standard strength and mounting.

(b) An extension platform onto which materials can be hoisted for handling, and that has side rails or equivalent guards of standard specifications.

(2) Every chute wall opening from which there is a drop of more than 4 feet must be guarded according to subsection (1) of this section or as required by the conditions.

(3) Every window wall opening at a stairway landing, floor, platform, or balcony, from which there is a drop of more than 4 feet, and where the bottom of the opening is less than 3 feet above the platform or landing, must be guarded by standard slats, standard grillwork according to WAC 296-307-25042(3), or a standard railing.

Where the window opening is below the landing, or platform, a standard toeboard must be provided.

(4) Every temporary wall opening must have adequate guards that may be of less than standard construction.

(5) Where there is a hazard of materials falling through a wall hole, and the lower edge of the near side of the hole is less than 4 inches above the floor, and the far side of the hole is more than 5 feet above the next lower level, the hole must be protected by a standard toeboard or a solid enclosing screen, or according to WAC 296-307-25042(3).) See requirements in chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 98-24-096, filed 12/1/98, effective 3/1/99)

**WAC 296-307-25015 What protection must an employer provide for open-sided floors, platforms, and runways? (((1) Every open-sided floor or platform 4 feet or more above an adjacent floor or ground level must be guarded by a standard railing (or the equivalent according to WAC 296-307-25027) on all open sides, except where there**

is an entrance to a ramp, stairway, or fixed ladder. The railing must have a toeboard wherever, beneath the open sides:

(a) A person can pass; or

(b) There is moving machinery; or

(c) Materials falling onto equipment would create a hazard.

(2) Every runway must be guarded by a standard railing (or the equivalent according to WAC 296-307-25027) on all open sides that are 4 feet or more above floor or ground level. Wherever tools, machine parts, or materials are likely to be used on the runway, a toeboard must also be provided on each exposed side.

Runways used exclusively for special purposes (such as oiling, shafting, or filling tank cars) may have the railing on one side omitted when operating conditions require, if the hazard is minimized by using a runway at least 18 inches wide. Where people entering runways become exposed to machinery, electrical equipment, or hazards other than from falling, additional guarding may be necessary.

(3) Regardless of height, all open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, or similar hazardous equipment, must be guarded with a standard railing and toeboard.

(4) Tools and loose materials must not be left on overhead platforms and scaffolds.) See requirements in chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 97-09-013, filed 4/7/97, effective 4/7/97)

**WAC 296-307-25039 How must skylight screens be constructed and mounted? ((Skylight screens must be constructed and mounted to withstand a load of at least two hundred pounds applied perpendicularly anywhere on the screen. Skylight screen must be constructed and mounted so that, under ordinary loads or impacts, they will not deflect downward enough to break the glass below them. They must be constructed of grillwork with openings a maximum of four inches long or of slatwork with openings a maximum of two inches wide and any length.)) See requirements in chapter 296-880 WAC, Unified safety standards for fall protection.**

AMENDATORY SECTION (Amending WSR 97-09-013, filed 4/7/97, effective 4/7/97)

**WAC 296-307-25042 What protection must an employer provide for ((wall)) openings? (((1) Wall opening barriers (rails, rollers, picket fences, and half doors) must be constructed and mounted, to withstand a load of at least two hundred pounds applied in any direction (except upward) at any point on the top rail.**

(2) Wall opening grab handles must be at least twelve inches long and must be mounted to give 1-1/2 inches clearance from the side framing of the wall opening. The size, material, and anchoring of the grab handle must form a structure that can withstand a load of at least two hundred pounds applied in any direction at any point of the handle.

(3) Wall opening screens must be constructed and mounted to withstand a load of at least two hundred pounds applied horizontally anywhere on the near side of the screen.

~~They must be of solid construction, of grillwork with openings a maximum of four inches long, or of slatwork with openings a maximum of two inches wide and any length.)~~  
See requirements in chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 18-22-116, filed 11/6/18, effective 12/7/18)

**WAC 296-800-099 Definitions. Abatement action plans.** Refers to your written plans for correcting a WISHA violation.

**Abatement date.** The date on the citation when you must comply with specific safety and health standards listed on the citation and notice of assessment or the corrective notice of redetermination.

**Acceptable.** As used in Electrical, WAC 296-800-280 means an installation or equipment is acceptable to the director of labor and industries, and approved:

- If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or
- With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or
- With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his/her authorized representatives. Refer to federal regulation 29 C.F.R. 1910.7 for definition of nationally recognized testing laboratory.

**Accepted.** As used in Electrical, WAC 296-800-280 means an installation is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

**Access.** As used in safety data sheets (SDSs) as exposure records, WAC 296-901-14014 means the right and opportunity to examine and copy exposure records.

**Affected employees.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means employees exposed to hazards identified as violations in a citation.

**Analysis using exposure or medical records.**

- An analysis using exposure records or medical records can be any collection of data or a statistical study. It can be based on either:
  - Partial or complete information from individual employee exposure or medical records; or
  - Information collected from health insurance claim records.
- The analysis is not final until it has been:
  - Reported to the employer; or
  - Completed by the person responsible for the analysis.

**ANSI.** This is an acronym for the American National Standards Institute.

**Approved.**

- Approved by the director of the department of labor and industries or their authorized representative, or by an organization that is specifically named in a rule, such as Underwriters' Laboratories (UL), Mine Safety and Health Administration (MSHA), or the National Institute for Occupational Safety and Health (NIOSH).

- As used in Electrical, WAC 296-800-280 means acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of acceptable indicates what is acceptable to the director and therefore approved.

**Assistant director.** The assistant director for the WISHA services division at the department of labor and industries or his/her designated representative.

**ASTM.** This is an acronym for American Society for Testing and Materials.

**Attachment plug or plug.** As used in the basic electrical rules, WAC 296-800-280 means the attachment at the end of a flexible cord or cable that is part of a piece of electrical equipment. When it is inserted into an outlet or receptacle, it connects the conductors supplying electrical power from the outlet to the flexible cable.

**Bare conductor.** A conductor that does not have any covering or insulation.

**Bathroom.** A room maintained within or on the premises of any place of employment, containing toilets that flush for use by employees.

**Biological agents.** Organisms or their by-products.

**Board.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means the board of industrial insurance appeals.

**Ceiling.** An exposure limit that must not be exceeded during any part of the employee's workday. The ceiling must be determined over the shortest time period feasible and should not exceed fifteen minutes.

**Certification.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means refers to an employer's written statement describing when and how a citation violation was corrected.

**C.F.R.** This is an acronym for Code of Federal Regulations.

**Chemical.** Any element, chemical compound, or mixture of elements and/or compounds.

**Chemical agents (airborne or contact).** A chemical agent is any of the following:

- Airborne chemical agent which is any of the following:
  - Dust, solid particles suspended in air, that are created by actions such as:
    - Handling.
    - Drilling.
    - Crushing.
    - Grinding.
    - Rapid impact.
    - Detonation.
  - Decrepiation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

- Fume, solid particles suspended in air, that are created by condensation from the gaseous state.

- Gas, a normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

- Mist, liquid droplets suspended in air. Mist is created by:

- Condensation from the gaseous to the liquid state; or
- Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

- Vapor. The gaseous form of a substance that is normally in the solid or liquid state.

- Contact chemical agent which is any of the following:

- Corrosive. A substance that, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above.

- Irritant. A substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

- Toxicant. A substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

**Chemical manufacturer.** An employer with a workplace where one or more chemicals are produced for use or distribution.

**Chemical name.** The scientific designation of a chemical in accordance with one of the following:

- The nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC).
- The Chemical Abstracts Service (CAS) rules of nomenclature.

- A name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

**Circuit breaker.**

- Is a device used to manually open or close a circuit. This device will also open the circuit automatically and without damage to the breaker when a predetermined overcurrent is applied. (600 volts nominal or less.)

- Is a switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit. (Over 600 volts nominal.)

**Citation.** Refers to the citation and notice issued to an employer for any violation of WISHA safety and health rules. A citation and notice may be referred to as a citation and notice of assessment but is more commonly referred to as a citation.

**Commercial account.** As used in Hazard communication, WAC 296-901-140 means an arrangement in which a retail distributor sells hazardous chemical(s) to an employer, generally in large quantities over time, and/or at costs that are below the regular retail price.

**Common name.** As used in Hazard communication, WAC 296-901-140 means any designation or identification such as:

- Code name.
- Code number.
- Trade name.

- Brand name.

- Generic name used to identify a chemical other than by its chemical name.

**Compressed gas.** A gas or mixture of gases that, when in a container, has an absolute pressure exceeding:

- 40 psi at 70°F (21.1°C); or

- 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C).

Compressed gas can also mean a liquid with a vapor pressure that exceeds 40 psi at 100°F (37.8°C).

**Conductor.** Wire that transfers electric power.

**Container.** As used in Hazard communication, WAC 296-901-140 means any container, except for pipes or piping systems, that contains a hazardous chemical. It can be any of the following:

- Bag.
- Barrel.
- Bottle.
- Box.
- Can.
- Cylinder.
- Drum.
- Reaction vessel.
- Storage tank.

**Correction date.** The date by which a violation must be corrected. Final orders or extensions that give additional time to make corrections establish correction dates. A correction date established by an order of the board of industrial insurance appeals remains in effect during any court appeal unless the court suspends the date.

**Corrective notice.** Refers to a notice changing a citation and is issued by the department after a citation has been appealed.

**Corrosive.** A substance that, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above.

**Covered conductor.** A conductor that is covered by something else besides electrical insulation.

**Damp location.** As used in basic electrical rules, WAC 296-800-280 means partially protected areas that are exposed to moderate moisture. Outdoor examples include roofed open porches and marquees. Interior examples include basements and barns.

**Department.** Those portions of the department of labor and industries responsible for enforcing the Washington Industrial Safety Act (WISHA).

**Designated representative.**

- Any individual or organization to which an employee gives written authorization.

- A recognized or certified collective bargaining agent without regard to written authorization.

- The legal representative of a deceased or legally incapacitated employee.

**Director.** The director means the director of the department of labor and industries or their designee.

**Distributor.** A business, other than a chemical manufacturer or importer, that supplies hazardous chemicals to other distributors or to employers.

**Documentation.** As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means material that you submit to prove that a correction is completed. Documentation includes, but is not limited to, photographs, receipts for materials and/or labor.

**Dry location.** As used in basic electrical rules, WAC 296-800-280 means areas not normally subjected to damp or wet conditions. Dry locations may become temporarily damp or wet, such as when constructing a building.

**Dust.** Solid particles suspended in air that are created by actions such as:

- Handling.
- Drilling.
- Crushing.
- Grinding.
- Rapid impact.
- Detonation.
- Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

**Electrical outlets.** Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.

**Emergency washing facilities.** Emergency washing facilities are emergency showers, eyewashes, eye/face washes, hand-held drench hoses, or other similar units.

~~((**Electrical outlets.** Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.))~~

**Employee.** Based on chapter 49.17 RCW, the term employee and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise.

**Employee exposure record.** As used in safety data sheets (SDSs) as exposure records, WAC 296-901-14014 means a record containing any of the following kinds of information:

- Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;
- Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs;
- Safety data sheets indicating that the material may pose a hazard to human health; or
- In the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity (e.g., chemical, common or trade name) of a toxic substance or harmful physical agent.

**Employer.** Based on chapter 49.17 RCW, an employer is any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the Industrial Insurance Act must be considered both an employer and an employee.

**Exit.** Provides a way of travel out of the workplace.

**Exit route.** A continuous and unobstructed path of exit travel from any point within a workplace to safety outside.

**Explosive.** A chemical that causes a sudden, almost instant release of pressure, gas, and heat when exposed to a sudden shock, pressure, or high temperature.

**Exposed live parts.** Electrical parts that are:

- Not suitably guarded, isolated, or insulated; and
- Capable of being accidentally touched or approached closer than a safe distance.

**Exposed wiring methods.** Involve working with electrical wires that are attached to surfaces or behind panels designed to allow access to the wires.

**Exposure or exposed.** As used in Hazard communication, WAC 296-901-140 and safety data sheets (SDSs) as exposure records, WAC 296-901-14014. An employee has been, or may have possibly been, subjected to a hazardous chemical, toxic substance or harmful physical agent while working. An employee could have been exposed to hazardous chemicals, toxic substances, or harmful physical agents in any of the following ways:

- Inhalation.
- Ingestion.
- Skin contact.
- Absorption.
- Related means.

The terms exposure and exposed only cover workplace exposure involving a toxic substance or harmful physical agent in the workplace different from typical nonoccupational situations in the way it is:

- Used.
- Handled.
- Stored.
- Generated.
- Present.

**Exposure record.** See definition for employee exposure record.

**Extension ladder.** A portable ladder with 2 or more sections and is not self-supporting. The 2 or more sections travel in guides or brackets that let you change the length. The size of a portable ladder is determined by adding together the length of each section.

**Failure-to-abate.** Any violation(s) resulting from not complying with an abatement date.

**Final order.** Any of the following (unless an employer or other party files a timely appeal):

- Citation and notice;

- Corrective notice;
- Decision and order from the board of industrial insurance appeals;
- Denial of petition for review from the board of industrial insurance appeals; or
- Decision from a Washington State superior court, court of appeals, or the state supreme court.

**Final order date.** The date a final order is issued.

**First aid.** The extent of treatment you would expect from a person trained in basic first aid, using supplies from a first-aid kit.

Tests, such as X-rays, must not be confused with treatment.

**Flammable.** A chemical covered by one of the following categories:

- Aerosol flammable means a flammable aerosol as defined by WAC 296-901-14024, Appendix B—Physical hazard criteria;

- Gas, flammable means:

- A gas that, at temperature and pressure of the surrounding area, forms a flammable mixture with air at a concentration of 13% by volume or less; or

- A gas that, at temperature and pressure of the surrounding area, forms a range of flammable mixtures with air wider than 12% by volume, regardless of the lower limit.

- Liquid, flammable means any liquid having a flashpoint at or below 199.4°F (93°C). Flammable liquids are divided into four categories as follows:

- Category 1 must include liquids having flashpoints below 73.4°F (23°C) and having a boiling point at or below 95°F (35°C).

- Category 2 must include liquids having flashpoints below 73.4°F (23°C) and having a boiling point above 95°F (35°C).

- Category 3 must include liquids having flashpoints at or above 73.4°F (23°C) and at or below 140°F (60°C). When a Category 3 liquid with a flashpoint at or above 100°F (37.8°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 3 liquid with a flashpoint below 100°F (37.8°C).

- Category 4 must include liquids having flashpoints above 140°F (60°C) and at or below 199.4°F (93°C). When a Category 4 flammable liquid is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 3 liquid with a flashpoint at or above 100°F (37.8°C).

- When liquid with a flashpoint greater than 199.4°F (93°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 4 flammable liquid.

- Solid, flammable means a solid, other than a blasting agent or explosive as defined in 29 C.F.R. 1910.109(a), that is likely to cause fire through friction, moisture absorption, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily. Solid, inflammable also means that when the substance is ignited, it burns so powerfully and persistently that it creates a serious hazard. A chemical must be considered to be a flammable solid if, when tested by the method described in 16

C.F.R. 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

#### **Flashpoint.**

- The minimum temperature at which a liquid gives off a vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid and must be determined as follows:

- The flashpoint of liquids having a viscosity less than 45 Saybolt Universal Second(s) at 100°F (37.8°C) and a flashpoint below 175°F (79.4°C) must be determined in accordance with the Standard Method of Test for Flash Point by the Tag Closed Tester, ASTM D-56-69, or an equivalent method as defined by WAC 296-901-14024, Appendix B—Physical hazard criteria.

**Flexible cords and cables.** Typically used to connect electrical equipment to an outlet or receptacle. These cords can have an attachment plug to connect to a power source or can be permanently wired into the power source. Flexible cords, extension cords, cables and electrical cords are all examples of flexible cord.

~~(**Floor hole.** An opening in any floor, platform, pavement, or yard that measures at least one inch but less than 12 inches at its smallest dimension and through which materials and tools (but not people) can fall.~~

~~Examples of floor holes are:~~

- ~~• Belt holes.~~

- ~~• Pipe openings.~~

- ~~• Slot openings.~~

~~**Floor opening.** An opening in any floor, platform, pavement, or yard that measures at least 12 inches in its smallest dimension and through which a person can fall.~~

~~Examples of floor openings are:~~

- ~~• Hatchways.~~

- ~~• Stair or ladder openings.~~

- ~~• Pits.~~

- ~~• Large manholes.~~

~~The following are NOT considered floor openings:~~

- ~~• Openings occupied by elevators.~~

- ~~• Dumbwaiters.~~

- ~~• Conveyors.~~

- ~~• Machinery.~~

- ~~• Containers.))~~

**Foreseeable emergency.** As used in Hazard communication, WAC 296-901-140 means any potential event that could result in an uncontrolled release of a hazardous chemical into the workplace. Examples of foreseeable emergencies include equipment failure, rupture of containers, or failure of control equipment.

**Fume.** Solid particles suspended in air that are created by condensation from the gaseous state.

**Gas.** A normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

**Ground.** As used in Electrical, WAC 296-800-280, a connection between an electrical circuit or equipment and the earth or other conducting body besides the earth. This connection can be intentional or accidental.

**Grounded.** A connection has been made between an electrical circuit or equipment and the earth or another conducting body besides the earth.

**Grounded conductor.** A system or circuit conductor that is intentionally grounded.

**Ground-fault circuit-interrupter.** A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

**Grounding conductor.** Is used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

**Grounding conductor, equipment.** A conductor used to connect noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

**Guarded.** Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of being accidentally touched or approached closer than a safe distance.

**Hand-held drench hoses.** Hand-held drench hoses are single-headed emergency washing devices connected to a flexible hose that can be used to irrigate and flush the face or other body parts.

**Handrail.** ~~((A single bar or pipe supported on brackets from a wall or partition to provide a continuous handhold for persons using a stair-))~~ A rail used to provide employees with a handhold for support.

**Harmful physical agent.** Any physical stress such as noise, vibration, repetitive motion, heat, cold, ionizing and nonionizing radiation, and hypo- or hyperbaric pressure which:

- Is listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS); or
- Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer; or
- Is the subject of a safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

**Hazard.** Any condition, potential or inherent, which can cause injury, death, or occupational disease.

**Hazard warning.** As used in Hazard communication, WAC 296-901-140 can be a combination of words, pictures, symbols, or combination appearing on a label or other appropriate form of warning which shows the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s).

**Note:** See definition for physical hazard and health hazard to determine which hazards must be covered.

**Hazardous chemical.** Any chemical that is a physical or health hazard.

**Health hazard.** A chemical, mixture, biological agent, or physical agent that may cause health effects in short- or long-term exposed employees. Based on statistically signifi-

cant evidence from at least one study conducted using established scientific principles. Health hazards include:

- Carcinogens.
- Toxic or highly toxic agents.
- Reproductive toxins.
- Irritants.
- Corrosives.
- Sensitizers.
- Hepatotoxins (liver toxins).
- Nephrotoxins (kidney toxins).
- Neurotoxins (nervous system toxins).
- Substances that act on the hematopoietic system (blood or blood-forming system).
- Substances that can damage the lungs, skin, eyes, or mucous membranes.
- Hot or cold conditions.

**Hole.** A gap or void two inches or more in its least dimension, in a floor, roof, or other surface.

**Identity.** As used in Hazard communication, WAC 296-901-140 means any chemical or common name listed on the safety data sheet (SDS) for the specific chemical. Each identity used must allow cross-references among the:

- Required list of hazardous chemicals.
- Chemical label.
- MSDSs.

**Imminent danger violation.** Any violation(s) resulting from conditions or practices in any place of employment, which are such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately or before such danger can be eliminated through the enforcement procedures otherwise provided by the Washington Industrial Safety and Health Act.

**Importer.** The first business within the Customs Territory of the USA that:

- Receives hazardous chemicals produced in other countries; and
- Supplies them to distributors or employers within the USA.

**Inpatient hospitalization.** To be admitted into a hospital or equivalent facility for medical treatment.

**Insulated.** A conductor has been completely covered by a material that is recognized as electrical insulation and is thick enough based on:

- The amount of voltage involved; and
- The type of covering material.

**Interim waiver.** An order granted by the department allowing an employer to vary from WISHA requirements until the department decides to grant a permanent or temporary waiver.

**Irritant.** A substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

**Ladder.** Consists of 2 side rails joined at regular intervals by crosspieces called steps, rungs, or cleats. These steps are used to climb up or down.

**Listed.** Equipment is listed if it:

- Is listed in a publication by a nationally recognized laboratory (such as UL, underwriters laboratory) that inspects the production of that type of equipment; and

- States the equipment meets nationally recognized standards or has been tested and found safe to use in a specific manner.

**Medical treatment.** Treatment provided by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first-aid treatment even if provided by a physician or registered professional personnel.

**Mist.** Liquid droplets suspended in air. Mist is created by:

- Condensation from the gaseous to the liquid state; or
- Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

**Mixture.** As used in Hazard communication, WAC 296-901-140, any combination of 2 or more chemicals (if that combination did not result from a chemical reaction).

**Movable equipment.** As used in WAC 296-800-35052, a hand-held or nonhand-held machine or device;

- That is powered or nonpowered; and
- Can be moved within or between worksites.

**Must.** Mandatory.

**NEMA.** These initials stand for National Electrical Manufacturing Association.

**NFPA.** This is an acronym for National Fire Protection Association.

**Nose.** The portion of the stair tread that projects over the face of the riser below it.

**Occupational Safety and Health Administration (OSHA).** Created in 1970 when the U.S. Congress passed the Occupational Safety and Health Act, the Occupational Safety and Health Administration (OSHA) provides safety on the job for workers. OSHA oversees state plans (such as WISHA in Washington) that have elected to administer the safety and health program for their state. OSHA requires WISHA rules to be at least as effective as OSHA rules.

**Office work environment.** An indoor or enclosed occupied space where clerical work, administration, or business is carried out.

In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.
- Office areas of manufacturing and production facilities, not including process areas.
- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

**Open riser.** A stair step with an air space between treads has an open riser.

**Opening.** A gap or void thirty inches (76 cm) or more high and eighteen inches (48 cm) or more wide, in a wall or partition, through which employees can fall to a lower level.

**Organic peroxide.** This is an organic compound containing the bivalent-O-O-structure. It may be considered a structural derivative of hydrogen peroxide if one or both of the hydrogen atoms has been replaced by an organic radical.

**Outlet.** See definition for electrical outlets.

**Oxidizer.** A chemical other than a blasting agent or explosive as defined in WAC 296-52-60130 or C.F.R. 1910.109(a), that starts or promotes combustion in other

materials, causing fire either of itself or through the release of oxygen or other gases.

**Permissible exposure limits (PELs).** Permissible exposure limits (PELs) are employee exposures to toxic substances or harmful physical agents that must not be exceeded. PELs are specified in applicable WISHA rules.

**Person.** Based on chapter 49.17 RCW, one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

**Personal eyewash units.** Personal eyewash units are portable, supplementary units that support plumbed units or self-contained units, or both, by delivering immediate flushing for less than fifteen minutes.

**Personal service room.** Used for activities not directly connected with a business' production or service function such as:

- First aid.
- Medical services.
- Dressing.
- Showering.
- Bathrooms.
- Washing.
- Eating.

**Personnel.** See the definition for employees.

**Physical hazard.** Means a chemical that is classified as posing one of the following hazardous effects: Explosive; flammable (gases, aerosols, liquids, or solids); oxidizer (liquid, solid or gas); self-reactive; pyrophoric (liquid or solid); self-heating; organic peroxide; corrosive to metal; gas under pressure; or in contact with water emits flammable gas. WAC 296-901-14024, Appendix B—Physical hazard criteria.

**Platform.** ~~((Platform means an extended step or landing that breaks a continuous run of stairs.))~~ A work surface elevated above the surrounding floor or ground.

**Plug.** See definition for attachment plug.

**Potable water.** Water that is suitable for drinking by the public and meets the requirements of chapter 246-290 or 246-291 WAC.

**Predictable and regular basis.** Employee functions such as, but not limited to, inspection, service, repair and maintenance which are performed:

- At least once every 2 weeks; or
- Four man-hours or more during any sequential 4-week period (to calculate man-hours multiply the number of employees by the number of hours during a 4-week period).

**Produce.** As used in Hazard communication, WAC 296-901-140, any one of the following:

- Manufacture.
- Process.
- Formulate.
- Blend.
- Extract.
- Generate.
- Emit.
- Repackage.

**Purchaser.** As used in Hazard communication, WAC 296-901-140, an employer who buys one or more hazardous chemicals to use in their workplace.

**Pyrophoric.** A chemical is pyrophoric if it will ignite spontaneously in the air when the temperature is 130°F (54.4°C) or below.

**Qualified person.** A person who has successfully demonstrated the ability to solve problems relating to the subject matter, work, or project, either by:

- Possession of a recognized degree, certificate, or professional standing; or
- Extensive knowledge, training and experience.

**Railing or standard railing.** A vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of persons.

**Reassume jurisdiction.** The department has decided to take back its control over a citation and notice being appealed.

**Receptacle or receptacle outlet.** As used in basic electrical rules, WAC 296-800-280 means outlets that accept a plug to supply electric power to equipment through a cord or cable.

**Record.** A record is any item, collection, or grouping of information. Examples include:

- Paper document.
- Microfiche.
- Microfilm.
- X-ray film.
- Computer record.

**Refuge area.**

• A protected space along an exit route that is separated from other spaces inside the building by a barrier with at least a one-hour fire resistance rating; or

• A floor in a building with an automatic sprinkler system that has at least two spaces that are separated by smoke-resistant partitions. See WAC 296-24-607 for requirements for automatic sprinkler systems.

**Repeat violation.** A violation is a repeat violation if the employer has been cited one or more times previously for a substantially similar hazard.

**Responsible party.** As used in Hazard communication, WAC 296-901-140. Someone who can provide appropriate information about the hazardous chemical and emergency procedures.

**Rise.** The vertical distance from the top of a tread to the top of the next higher tread.

**Riser.** The vertical part of the step at the back of a tread that rises to the front of the tread above.

**Rungs.** Rungs are the cross pieces on ladders that are used to climb up and down the ladder.

**Runway.** ~~((An elevated walkway above the surrounding floor or ground level. Examples of runways are))~~ A passage-way for persons, elevated above the surrounding floor or ground level, such as a footwalk(§) along shafting or a walkway(§) between buildings.

**Safety data sheet (SDS).** Written, printed, or electronic information (on paper, microfiche, or on-screen) that informs manufacturers, distributors, employers or employees about a hazardous chemical, its hazards, and protective measures as required by safety data sheet and label preparation, WAC 296-901-140.

**Safety factor.** The term safety factor means the ratio of when something will break versus the actual working stress or safe load when it is used.

**Self-lighting or self-luminous.** A light source that:

- Is illuminated by a self-contained power source other than batteries; and
- Operates independently from external power sources.

**Serious violation.** Serious violation must be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use in such workplace, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

**Short-term exposure limit (STEL).** An exposure limit, averaged over a short time period (usually measured for 15 minutes) that must not be exceeded during any part of an employee's workday.

**Should.** Should means recommended.

**Single ladder.** A type of portable ladder with one section.

It is distinguished by all of the following:

- It has one section.
- It cannot support itself.
- Its length cannot be adjusted.

**Smoking.** A person is smoking if they are:

- Lighting up.
- Inhaling.
- Exhaling.
- Carrying a pipe, cigar or cigarette of any kind that is burning.

**Specific chemical identity.** This term applies to chemical substances. It can mean the:

- Chemical name.
- Chemical Abstracts Service (CAS) registry number.
- Any other information that reveals the precise chemical designation of the substance.

**Stair railing.** A vertical barrier attached to a stairway with an open side to prevent falls. The top surface of the stair railing is used as a handrail.

**Stairs or stairway.** A series of steps and landings:

- Leading from one level or floor to another.
- Leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment.
- Used more or less continuously or routinely by employees, or only occasionally by specific individuals.
- With three or more risers.

**Standard safeguard.** Safety devices that prevent hazards by their attachment to:

- Machinery.
- Appliances.
- Tools.
- Buildings.
- Equipment.

These safeguards must be constructed of:

- Metal.
- Wood.
- Other suitable materials.

The department makes the final determination about whether a safeguard is sufficient for its use.

**Step ladder.** A portable ladder with:

- Flat steps.
- A hinge at the top allowing the ladder to fold out and support itself.
- Its length that cannot be adjusted.

**Time weighted average (TWA<sub>8</sub>).** An exposure limit, averaged over 8 hours, that must not be exceeded during an employee's work shift.

**Toeboard.** A vertical barrier at floor level erected along ((exposed)) all open sides or edges of a floor opening, ((wall opening,)) platform, runway, ((or)) ramp, or other walking/working surface to prevent ((falls of)) materials, tools, or debris from falling onto persons passing through or working in the area below.

**Toxic chemical.** As used in first aid, WAC 296-800-150, is a chemical that produces serious injury or illness when absorbed through any body surface.

**Toxic substance.** Any chemical substance or biological agent, such as bacteria, virus, and fungus, which is any of the following:

- Listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS).
- Shows positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer.
- The subject of a safety data sheet kept by or known to the employer showing the material may pose a hazard to human health.

**Toxicant.** A substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

**Trade secret.** Any confidential:

- Formula.
- Pattern.
- Process.
- Device.
- Information.
- Collection of information.

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who do not know or use it.

See WAC 296-901-14018 for requirements dealing with trade secrets.

**Tread.** As used in stairs and stair railings, WAC 296-800-250 means the horizontal part of the stair step.

**Tread run.** As used in stairs and stair railings, WAC 296-800-250 means the distance from the front of one stair tread to the front of an adjacent tread.

**Tread width.** The distance from front to rear of the same tread including the nose, if used.

**UL (Underwriters' Laboratories, Inc.).** You will find these initials on electrical cords and equipment. The initials mean the cord or equipment meets the standards set by the Underwriters' Laboratories, Inc.

**Unstable (reactive).** As used in Hazard communication, WAC 296-901-140. An unstable or reactive chemical is one that in its pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become

self-reactive under conditions of shocks, pressure or temperature.

**Use.** As used in Hazard communication, WAC 296-901-140, means to:

- Package.
- Handle.
- React.
- Emit.
- Extract.
- Generate as a by-product.
- Transfer.

**Vapor.** The gaseous form of a substance that is normally in the solid or liquid state.

**Voltage of a circuit.** The greatest effective potential difference between any two conductors or between a conductor and ground.

**Voltage to ground.** The voltage between a conductor and the point or conductor of the grounded circuit. For underground circuits, it is the greatest voltage between the conductor and any other conductor of the circuit.

**Voltage, nominal.** Nominal voltage is a value assigned to a circuit or system to designate its voltage class (120/240, 480Y/277, 600, etc.). The actual circuit voltage can vary from the value if it is within a range that permits the equipment to continue operating in a satisfactory manner.

**WAC.** This is an acronym for Washington Administrative Code, which are rules developed to address state law.

**Water-reactive.** As used in Hazard communication, WAC 296-901-140, a water-reactive chemical reacts with water to release a gas that is either flammable or presents a health hazard.

**Watertight.** Constructed so that moisture will not enter the enclosure or container.

**Weatherproof.** Constructed or protected so that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

**Wet location.** As used in basic electrical rules, WAC 296-800-280 means:

- Underground installations or in concrete slabs or masonry that are in direct contact with the earth.
- Locations that can be saturated by water or other liquids.
- Unprotected locations exposed to the weather (like vehicle washing areas).

**WISHA.** This is an acronym for the Washington Industrial Safety and Health Act.

**Work area.** As used in Hazard communication, WAC 296-901-140, a room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.

**Worker.** See the definition for employee.

**Working days.** Means a calendar day, except Saturdays, Sundays, and legal holidays. Legal holidays include:

- New Year's Day - January 1;
- Martin Luther King, Jr. Day;
- Presidents' Day;
- Memorial Day;

- Independence Day - July 4;
- Labor Day;
- Veterans' Day - November 11;
- Thanksgiving Day;
- The day after Thanksgiving Day; and
- Christmas Day - December 25.

The number of working days must be calculated by not counting the first working day and counting the last working day.

**Workplace.**

- The term workplace means:

- Any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

- As used in Hazard communication, WAC 296-901-140 means an establishment, job site, or project, at one geographical location containing one or more work areas.

**You.** See definition of employer.

**Your representative.** Your representative is the person selected to act in your behalf.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-800-260	Summary.
WAC 296-800-26005	Guard or cover floor openings and floor holes.
WAC 296-800-26010	Protect open-sided floors and platforms.

AMENDATORY SECTION (Amending WSR 17-18-075 [20-03-154], filed 9/5/17 [1/21/20], effective 10/6/17 [2/21/20])

**WAC 296-863-099 Definitions. ANSI.** The American National Standards Institute.

**Authorized person (maintenance).** A person who has been designated to perform maintenance on a PIT.

**Authorized person (training).** A person approved or assigned by the employer to perform training for powered industrial truck operators.

**Approved.** Listed or approved by a nationally recognized testing laboratory or a federal agency that issues approvals for equipment such as the Mine Safety and Health Administration (MSHA); the National Institute for Occupational Safety and Health (NIOSH); Department of Transportation; or U.S. Coast Guard, which issue approvals for such equipment.

**Bridge plate (dock-board).** A device used to span the distance between rail cars or highway vehicles and loading platforms.

**Classified location or hazardous location.** Areas that could be hazardous because of explosive or flammable atmospheres. These locations are broken down into the following categories:

(a) Class I locations are areas where flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures.

(b) Class II locations are areas where the presence of combustible dust could be sufficient to produce explosions.

(c) Class III locations are areas where the presence of easily ignitable fibers are suspended in the air but are not in large enough quantities to produce ignitable mixtures.

**Counterweight.** A weight used to counteract or the load being carried by the truck, or to increase the load carrying capacity of a truck.

**Designations.** A code used to show the different types of hazardous (classified) locations where PITs can be safely used:

(a) **D** refers to trucks that are diesel engine powered that have minimum safeguards against inherent fire hazards.

(b) **DS** refers to diesel powered trucks that, in addition to meeting all the requirements for type D trucks, are provided with additional safeguards to the exhaust, fuel and electrical systems.

(c) **DY** refers to diesel powered trucks that have all the safe-guards of the DS trucks and, in addition, any electrical equipment is completely enclosed. They are equipped with temperature limitation features.

(d) **E** refers to electrically powered trucks that have minimum acceptable safeguards against inherent fire hazards.

(e) **ES** refers to electrically powered trucks that, in addition to all of the requirements for the E trucks, have additional safeguards to the electrical system to prevent emission of hazardous sparks and to limit surface temperatures.

(f) **EE** refers to electrically powered trucks that have, in addition to all of the requirements for the E and ES type trucks, have their electric motors and all other electrical equipment completely enclosed.

(g) **EX** refers to electrically powered trucks that differ from E, ES, or EE type trucks in that the electrical fittings and equipment are designed, constructed and assembled to be used in atmospheres containing flammable vapors or dusts.

(h) **G** refers to gasoline powered trucks that have minimum acceptable safeguards against inherent fire hazards.

(i) **GS** refers to gasoline powered trucks that are provided with additional exhaust, fuel, and electrical systems safeguards.

(j) **LP** refers to liquefied petroleum gas-powered trucks that, in addition to meeting all the requirements for type G trucks, have minimum acceptable safeguards against inherent fire hazards.

(k) **LPS** refers to liquefied petroleum gas powered trucks that in addition to meeting the requirements for LP type trucks, have additional exhaust, fuel, and electrical systems safeguards.

**Electrolyte.** A chemical, usually acid, that is mixed with water to produce electricity.

**Flammable liquid.** Any liquid having a flashpoint at or below 199.4°F (93°C). Flammable liquids are divided into four categories as follows:

(a) Category 1 includes liquids having flashpoints below 73.4°F (23°C) and having a boiling point at or below 95°F (35°C).

(b) Category 2 includes liquids having flashpoints below 73.4°F (23°C) and having a boiling point above 95°F (35°C).

(c) Category 3 includes liquids having flashpoints at or above 73.4°F (23°C) and at or below 140°F (60°C). When a Category 3 liquid with a flashpoint at or above 100°F (37.8°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 3 liquid with a flashpoint below 100°F (37.8°C).

(d) Category 4 includes liquids having flashpoints above 140°F (60°C) and at or below 199.4°F (93°C). When a Category 4 flammable liquid is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 3 liquid with a flashpoint at or above 100°F (37.8°C).

(e) When liquid with a flashpoint greater than 199.4°F (93°C) is heated for use to within 30°F (16.7°C) of its flashpoint, it must be handled in accordance with the requirements for a Category 4 flammable liquid.

**Flashpoint.** The minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid, and shall be determined as follows:

(a) For a liquid which has a viscosity of less than 45 SUS at 100°F (37.8°C), does not contain suspended solids, and does not have a tendency to form a surface film while under test, the procedure specified in the Standard Method of Test for Flashpoint by Tag Closed Tester (ASTM D-56-70), WAC 296-901-14024 Appendix B—Physical hazard criteria shall be used.

(b) For a liquid which has a viscosity of 45 SUS or more at 100°F (37.8°C), or contains suspended solids, or has a tendency to form a surface film while under test, the Standard Method of Test for Flashpoint by Pensky-Martens Closed Tester (ASTM D-93-71) or an equivalent method as defined by WAC ((296-91-14024)) 296-901-14024 Appendix B—Physical hazard criteria, shall be used, except that the methods specified in Note 1 to section 1.1 of ASTM D-93-71 may be used for the respective materials specified in the note.

(c) For a liquid that is a mixture of compounds that have different volatilities and flashpoints, its flashpoint shall be determined by using the procedure specified in (a) or (b) of this subsection on the liquid in the form it is shipped.

(d) Organic peroxides, which undergo auto-accelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified in this section.

**Front-end attachment.** A device that is attached to the forks or lifting device of the truck.

**Lanyard.** A flexible line of webbing, rope, or cable used to secure a harness to an anchor point.

**Liquefied petroleum gas.** Any gas that is composed predominantly of the following hydrocarbons, or mixtures of them; propane, propylene, butanes (normal butane or isobutane), and butylenes.

**Listed by report.** A report listing the field assembly, installation procedures, or both, for a UL listed product that does not have generally recognized installation requirements.

**Load engaging.** A device attached to a powered industrial truck and used to manipulate or carry a load.

**Motorized hand truck.** A powered truck with wheeled forks designed to go under or between pallets and is controlled by a walking or riding operator.

**Nationally recognized testing laboratory.** An organization recognized by the Occupational Safety and Health Administration that conducts safety tests on equipment and materials.

**Order picker.** A truck controlled by an operator who is stationed on a platform that moves with the load engaging means.

**Powered industrial truck (PIT).** A mobile, power-driven vehicle used to carry, push, pull, lift, stack, or tier material.

**Rough terrain forklift truck.** A truck intended to be used on unimproved natural terrain and at construction sites.

**Safety harness (full body harness).** A configuration of connected straps that meets the requirements specified in ANSI Z359.1, that may be adjustable to distribute a fall arresting force over at least the thighs, shoulders and pelvis, with provisions for attaching a lanyard, lifeline, or deceleration devices.

**Tie-off point (anchorage).** A secure point to attach a lanyard that meets the requirements of ((WAC 296-24-88050, Appendix C Personal fall arrest systems)) chapter 296-880, Unified safety standards for fall protection.

**Vertical load backrest extension.** A device that extends vertically from the fork carriage frame.

**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 17-01-119, filed 12/20/16, effective 1/20/17)

#### **WAC 296-870-099 Definitions.**

**Anemometer.** An instrument for measuring wind velocity.

**Angulated roping.** A suspension method where the upper point of suspension is inboard from the attachments on the suspended unit, thus causing the suspended unit to bear against the face of the building.

**Building face rollers.** A specialized form of guide roller designed to ride on the face of the building wall to prevent the platform from abrading the face of the building and to assist in stabilizing the platform.

**Building maintenance.** Operations such as window cleaning, caulking, metal polishing, reglazing, and general maintenance on building surfaces.

**Cable.** A conductor, or group of conductors, enclosed in a weatherproof sheath, that may be used to:

(a) Supply electrical power or control current for equipment; or

(b) Provide voice communication circuits.

**Carriage.** A wheeled vehicle used for the horizontal movement and support of other equipment.

**Certification.** A written, signed, and dated statement confirming the performance of a requirement.

**Combination cable.** A cable having both steel structural members capable of supporting the platform, and copper or

other electrical conductors insulated from each other and the structural members by nonconductive barriers.

**Competent person.** Someone who:

- (a) Is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees; and
- (b) Has the authority to take prompt corrective measures to eliminate them.

**Continuous pressure.** Operation of a control by requiring constant manual actuation for the control to function.

**Control.** A system or mechanism used to regulate or guide the operation of equipment.

**Davit.** A device, used singly or in pairs, for suspending a powered platform from work, storage and rigging locations on the building being serviced. Unlike outriggers, a davit reacts its operating load into a single roof socket or carriage attachment.

**Design factor.** The ratio of the rated strength of the suspension wire rope to the rated working load. It is calculated using the following formula:

$$F = (S \times N)/W$$

Where:

F = Design factor

S = Manufacturer's rated strength of one suspension rope

N = Number of suspension ropes under load

W = Rated working load on all ropes at any point of travel.

**Equivalent.** Alternative design, material or method to protect against a hazard. You have to demonstrate it provides an equal or greater degree of safety for employees than the method, material or design specified in the rule.

**Existing installation.** A permanent powered platform installation that:

- (a) Was completed before July 23, 1990; and
- (b) Has had no major modification done after July 23, 1990.

**Ground rigged davit.** A davit which cannot be used to raise a suspended working platform above the building face being serviced.

**Ground rigging.** A method of suspending a working platform starting from a safe surface to a point of suspension above the safe surface.

**Guide button.** A building face anchor designed to engage a guide track mounted on a platform.

**Guide roller.** A rotating cylindrical member that provides continuous engagement between the suspended or supported equipment and the building guides. It may operate separately or as part of a guide assembly.

**Guide shoe.** A device that is similar to a guide roller but is designed to provide a sliding contact between the shoe and the building guides.

**Hoisting machine.** A device intended to raise and lower a suspended or supported unit.

**Installation.** A powered platform installation consists of all the equipment and the parts of the building involved with using the powered platform for building maintenance.

**Interlock.** A device designed to ensure that operations or motions occur in proper sequence.

**Intermittent stabilization.** A method of platform stabilization in which the angulated suspension wire ropes are secured to regularly spaced building anchors.

**Lanyard.** A flexible line of rope, wire rope or strap which is used to secure the body harness to a deceleration device, lifeline or anchorage.

**Lifeline.** A component consisting of a flexible line that connects to an anchorage at one end to hang vertically (vertical lifeline), or that connects to anchorages at both ends to stretch horizontally (horizontal lifeline). It serves as a means for connecting other components of a personal fall arrest system to the anchorage.

**Live load.** The total static weight of workers, tools, parts, and supplies that the equipment is designed to support.

**New installation.** A permanent powered platform installation that was completed, or an existing installation that has had major modifications done, after July 23, 1990.

**Operating control.** A mechanism regulating or guiding the operation of equipment that makes sure the equipment operates in a specific mode.

**Operating device.** A push button, lever, or other manual device used to actuate a control.

**Outrigger.** A device, used singly or in pairs, for suspending a working platform from work, storage, and rigging locations on the building being serviced. Unlike davits, an outrigger reacts its operating moment load as at least two opposing vertical components acting into two or more distinct roof points and/or attachments.

**Poured socket.** A method of providing wire rope termination in which the ends of the rope are held in a tapered socket by means of poured spelter or resins.

**Primary brake.** A brake designed to be applied automatically whenever power to the prime mover is interrupted or discontinued.

**Prime mover.** The source of mechanical power for a machine.

**Rated load.** The manufacturer's specified maximum load.

**Rated strength.** The strength of wire rope, as designated by its manufacturer or vendor, based on standard testing procedures or acceptable engineering design practices.

**Rated working load.** The combined static weight of workers, materials, and suspended or supported equipment.

**Registered professional engineer.** A person who has been duly and currently registered and licensed by an authority within the United States or its territories to practice the profession of engineering.

**Roof-powered platform.** A powered platform having the raising and lowering mechanism located on the roof.

**Roof-rigged davit.** A davit used to raise the suspended working platform above the building face being serviced. This type of davit can also be used to raise a suspended working platform which has been ground rigged.

**Rope.** The equipment, such as wire rope, that is used to suspend a component of an equipment installation.

**Safe surface.** A horizontal surface that provides ((reasonable)) assurance that personnel occupying the surface will be protected from falls. This protection can be provided by ((location)) a standard guardrail system or equivalent, a personal fall protection system, or other equivalent method.

**Secondary brake.** A brake designed to arrest the descent of the suspended or supported equipment in the event of an overspeed condition.

**Stability factor.** The ratio of the stabilizing moment to the overturning moment.

**Stabilizer tie.** A flexible line connecting the building anchor and the suspension wire rope supporting the platform.

**Supported equipment.** Building maintenance equipment that is held in or moved to its working position by means of attachment directly to the building or extensions of the building being maintained.

**Suspended equipment.** Building maintenance equipment that is suspended and raised or lowered to its working position by means of ropes or combination cables attached to some anchorage above the equipment.

**Tie-in guides.** The portion of a building that provides continuous positive engagement between the building and a suspended or supported unit during its vertical travel on the face of the building.

**Transportable outriggers.** Outriggers designed to be moved from one work location to another.

**Type F powered platform.** A powered platform that has both of the following characteristics:

(a) The working platform is suspended by at least four wire ropes and designed so that failure of any one wire rope will not substantially alter the normal position of the working platform; and

(b) Only one layer of hoisting rope is permitted on the winding drums.

**Type T powered platform.** A powered platform installation that has a working platform suspended by at least two wire ropes. The platform will not fall to the ground if a wire rope fails, but the working platform's normal position would be upset.

**Verified.** Accepted by design, evaluation, or inspection by a registered professional engineer.

**Weatherproof.** Constructed or protected so that exposure to the weather will not interfere with successful operation.

**Winding drum hoist.** A type of hoisting machine that accumulates the suspension wire rope on the hoisting drum.

**Working platform.** The suspended or supported equipment intended to provide access to the face of the building and manned by persons engaged in building maintenance.

**Wrap.** One complete turn of the suspension wire rope around the surface of a hoist drum.

AMENDATORY SECTION (Amending WSR 15-23-086, filed 11/17/15, effective 12/18/15)

**WAC 296-870-20005 Building owner certifications.** You must obtain written certification from the building owner of any building with a powered platform installation that was completed or had major modification done after July 23, 1990, that the building and equipment meets the requirements of new installations-buildings, (~~WAC 296-870-600 and new installations-equipment, WAC 296-870-700 of this chapter~~) chapter 296-880 WAC, Unified safety standards for fall protection.

**Note:** The building owner needs to base the certification on:

1. The field test of the installation done before it is first placed into service or following any major modification to an existing installation;

AND

2. All other relevant available information, including but not limited to:

a. Test data;

b. Equipment specifications;

c. Verification by a registered professional engineer.

You must obtain written certification from the building owner that the installation:

(1) Has been inspected, tested, and maintained as required by inspection, testing, and maintenance, WAC 296-870-300 of this chapter; and

(2) All fall protection anchorages meet the requirements of (~~Appendix C—Personal fall arrest system, WAC 296-24-88050, found in the General safety and health standards, chapter 296-24~~) WAC 296-880-40020 Personal fall arrest system requirements.

AMENDATORY SECTION (Amending WSR 15-23-086, filed 11/17/15, effective 12/18/15)

**WAC 296-870-20040 Fall protection.** You must protect employees on working platforms with a personal fall arrest system that meets the requirements of (~~Appendix C—Personal fall arrest system, WAC 296-24-88050, found in the General safety and health standards, chapter 296-24 WAC~~) chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 17-01-119, filed 12/20/16, effective 1/20/17)

**WAC 296-870-50010 Fall protection.** (1) You must make sure the fall protection system of both Type F and Type T powered platforms meet the requirements of (~~Appendix C—Personal fall arrest system, WAC 296-24-88050, found in the General safety and health standards, chapter 296-24 WAC~~) chapter 296-880 WAC, Unified safety standards for fall protection.

(2) You must make sure working platforms have permanent guardrails that meet all of the following requirements:

(a) Guardrails on the building side (front) of the platform have a top rail that is not less than (~~thirty-eight~~) thirty-nine inches and not more than forty-five inches high.

(b) Guardrails on the other three sides have a top rail that is not less than forty-five inches high.

(c) Top rails are able to withstand a force of at least two hundred pounds.

(d) Guardrails have a midrail around the entire platform between the top rail and the toeboard.

**Reference:** Ramps and walkways that are four feet (1.2 m) or more above a lower level need to have a guardrail system. These requirements are found in (~~Working Surfaces, Guarding Floors and Wall Openings, Ladders, Part J-1, in the General safety and health standards, chapter 296-24 WAC~~) chapter 296-880 WAC, Unified safety standards for fall protection.

AMENDATORY SECTION (Amending WSR 15-23-086, filed 11/17/15, effective 12/18/15)

**WAC 296-870-60040 Guarding roofs and other elevated areas.** (1) You must make sure employees working on a roof or other elevated working area four feet (1.2 m) or more above an adjacent safe surface are protected by a perimeter guarding system.

**Reference:** Requirements for the perimeter guarding system are found in ((Guarding floor and wall openings and holes, WAC 296-24-750, found in the General safety and health standards, chapter 296-24 WAC)) chapter 296-880 WAC. Unified safety standards for fall protection.

(2) You must make sure the inboard face of the perimeter guard is:

(a) Not more than six inches (152 mm) inboard of the inside face of a barrier such as the parapet wall or roof edge curb; and

(b) Not more than eighteen inches (457 mm) from the face of the building.

(3) You must make sure an elevated track system that is designed to be traversed by carriage-supported equipment and located four feet (1.2 m) or more above an adjacent safe surface is either:

(a) Provided with a walkway and guardrail system; or

(b) Has a working platform that can be lowered, as part of normal operations, to the lower safe surface.

(4) You must make sure personnel have a safe way to access and to egress from the lower safe surface.

AMENDATORY SECTION (Amending WSR 15-23-086, filed 11/17/15, effective 12/18/15)

**WAC 296-874-099 Definitions.**

**Adjustable suspension scaffold.** A suspended scaffold equipped with one or more hoists that can be operated by employees on the scaffold.

**Bearer.** A horizontal scaffold member (which may be supported by ledgers or runners) upon which the scaffold platform rests and which joins scaffold uprights, posts, poles, and similar members.

**Boatswain's chair.** A single-point adjustable suspended scaffold consisting of a seat or sling designed to support one employee in a sitting position.

**Brace.** A rigid connection that holds one scaffold member in a fixed position with respect to another member, or to a building or structure.

**Bricklayers' square scaffold.** A supported scaffold composed of framed squares which support a platform.

**Carpenters' bracket scaffold.** A supported scaffold consisting of a platform supported by brackets attached to building or structural walls.

**Catenary scaffold.** A suspended scaffold consisting of a platform supported by two essentially horizontal and parallel ropes attached to structural members of a building or other structure. Additional support may be provided by vertical pickups.

**Cleat.** A structural block used at the end of a platform to prevent the platform from slipping off its supports. Cleats are also used to provide footing on sloped surfaces such as access ramps.

**Competent person.** Someone who:

(a) Is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees; and

(b) Has the authority to take prompt corrective measures to eliminate them.

**Coupler.** A device for locking together the tubes of a tube and coupler scaffold.

**Double-pole (independent pole) scaffold.** A supported scaffold consisting of one or more platforms resting on cross beams (bearers) supported by ledgers and a double row of uprights independent of support (except ties, guys, braces) from any structure.

**Equivalent.** Alternative design, material, or method to protect against a hazard. You have to demonstrate that it provides an equal or greater degree of safety for employees than the method, material, or design specified in the rule.

**Exposed power lines.** Electrical power lines which are accessible to and may be contacted by employees. Such lines do not include extension cords or power tool cords.

**Eye or eye splice.** A loop at the end of a wire rope.

**Fabricated frame scaffold (tubular welded frame scaffold).** A scaffold consisting of platforms supported on fabricated frames with integral posts, horizontal bearers, and intermediate members.

**Failure.** Load refusal, breaking, or separation of component parts. Load refusal is the point where the ultimate strength is exceeded.

**Float (ship) scaffold.** A suspended scaffold consisting of a braced platform resting on two parallel bearers and hung from overhead supports by ropes of fixed length.

**Form scaffold.** A supported scaffold consisting of a platform supported by brackets attached to formwork.

**Guardrail system.** A vertical barrier consisting of, but not limited to, top rails, mid rails, and posts, erected to prevent employees from falling off a scaffold platform or walkway.

**Handrails (ladder stands).** A rail connected to a ladder stand running parallel to the slope and/or top step.

**Hoist.** A manual or power-operated mechanical device to raise or lower a suspended scaffold.

**Horse scaffold.** A supported scaffold consisting of a platform supported by construction horses (saw horses). Horse scaffolds constructed of metal are sometimes known as trestle scaffolds.

**Independent pole scaffold.** (See double-pole scaffold.)

**Interior hung scaffold.** A suspended scaffold consisting of a platform suspended from the ceiling or roof structure by fixed length supports.

**Ladder jack scaffold.** A supported scaffold consisting of a platform resting on brackets attached to ladders.

**Ladder stand.** A mobile, fixed-size, self-supporting ladder consisting of a wide flat tread ladder in the form of stairs.

**Landing.** A platform at the end of a flight of stairs.

**Large area scaffold.** A pole scaffold, tube and coupler scaffold, system scaffold, or fabricated frame scaffold erected over substantially the entire work area. For example: A scaffold erected over the entire floor area of a room.

**Lean-to scaffold.** A supported scaffold which is kept erect by tilting it toward and resting it against a building or structure.

**Ledger.** (See runner.)

~~((**Lifeline.** A component consisting of a flexible line that connects to an anchorage at one end to hang vertically (vertical lifeline), or that connects to anchorages at both ends to stretch horizontally (horizontal lifeline). It serves as a means for connecting other components of a personal fall arrest system to the anchorage.))~~

**Lower levels.** Areas below the level where the employee is located and to which an employee can fall. Such areas include, but are not limited to, ground levels, floors, roofs, ramps, runways, excavations, pits, tanks, materials, water, and equipment.

**Masons' adjustable supported scaffold.** (See self-contained adjustable scaffold.)

**Masons' multipoint adjustable suspension scaffold.** A continuous run suspended scaffold designed and used for masonry operations.

**Maximum intended load.** The total load of all persons, equipment, tools, materials, transmitted loads, and other loads reasonably anticipated to be applied to a scaffold or scaffold component at any one time.

**Midrail.** A rail, approximately midway between the toprail of a guardrail system and the platform, and secured to the uprights erected along the exposed sides and ends of a platform.

**Mobile scaffold.** Supported scaffold mounted on casters or wheels.

**Multilevel suspended scaffold.** A two-point or multipoint adjustable suspension scaffold with a series of platforms at various levels resting on common stirrups.

**Multipoint adjustable suspension scaffold.** A suspended scaffold consisting of a platform(s) which is suspended by more than two ropes from overhead supports and equipped with means to raise and lower the platform to desired work levels.

**Needle beam scaffold.** A suspended scaffold which has a platform supported by two bearers (needle beams) suspended from overhead supports.

**Outrigger.** A structural member of a supported scaffold which increases the base width of a scaffold. This provides support for and increases the stability of the scaffold.

**Outrigger beam (suspended and supported).** The structural member of a suspended scaffold or outrigger scaffold which provides support for the scaffold by extending the scaffold point of attachment to a point out and away from the structure or building.

**Outrigger scaffold.** A supported scaffold consisting of a platform resting on outrigger beams which projects beyond the wall or face of the building or structure. The inboard ends of the outrigger beams are secured inside the building or structure.

**Overhand bricklaying.** The process of laying bricks and masonry so that the surface of the wall is on the opposite side of the wall from the mason, requiring the mason to lean over the wall to complete the work. It includes mason tending and electrical installation incorporated into the brick wall during the overhand bricklaying process.

~~((**Personal fall arrest system.** A system used to arrest an employee's fall. It consists of an anchorage, connectors, and~~

~~body harness and may also include a lanyard, deceleration device, lifeline, or combinations of these.))~~

**Platform.** A work surface used in scaffolds, elevated above lower levels. Platforms can be constructed using individual wood planks, fabricated planks, fabricated decks, and fabricated platforms.

**Pole scaffold.** (See single-pole scaffold and double (independent) pole scaffold.)

**Pump jack scaffold.** A supported scaffold consisting of a platform supported by vertical poles and movable support brackets.

**Qualified person.** A person who has successfully demonstrated the ability to solve problems relating to the subject matter, work, or project, either by:

(a) Possession of a recognized degree, certificate, or professional standing; or

(b) Extensive knowledge, training and experience.

**Rated load.** The manufacturer's specified maximum load to be lifted by a hoist or to be applied to a scaffold or scaffold component.

**Repair bracket scaffold.** A supported scaffold consisting of a platform supported by brackets. The brackets are secured in place around the circumference or perimeter of a chimney, stack, tank, or other supporting structure by one or more wire ropes placed around the supporting structure.

**Roof bracket scaffold.** A supported scaffold used on a sloped roof. It consists of a platform resting on angular-shaped supports so that the scaffold platform is level.

**Runner (ledger).** The lengthwise horizontal spacing or bracing member which may support the bearers.

**Scaffold.** A temporary elevated platform, including its supporting structure and anchorage points, used for supporting employees or materials.

**Self-contained adjustable scaffold.** A combination supported and suspended scaffold consisting of an adjustable platform mounted on an independent supporting frame, not a part of the object being worked on, which is equipped with a means to raise and lower the platform. Such systems include rolling roof rigs, rolling outrigger systems, and some masons' adjustable supported scaffolds.

**Shore scaffold.** A supported scaffold which is placed against a building or structure and held in place with props.

**Single-point adjustable suspension scaffold.** A suspended scaffold consisting of a platform suspended by one rope from an overhead support and equipped with means to permit the movement of the platform to desired work levels.

**Single-pole scaffold a supported scaffold.** Consisting of platforms resting on bearers, the outside ends of which are supported on runners secured to a single row of posts or uprights, and the inner ends of which are supported on or in a structure or building wall.

**Stair tower (scaffold stairway/tower).** A tower comprised of scaffold components which contains internal stairway units and rest platforms. These towers are used to provide access to scaffold platforms and other elevated points such as floors and roofs.

**Stall load.** The load at which the prime mover of a power-operated hoist stalls or the power to the prime mover is automatically disconnected.

**Step, platform, and trestle ladder scaffold.** A platform resting directly on the rungs of a step, platform, or trestle ladder.

**Stilts.** A pair of poles or similar supports with raised footrests, used to permit walking above the ground or working surface.

**Stonesetters' multipoint adjustable suspension scaffold.** A continuous run suspended scaffold designed and used for stonesetters' operations.

**Supported scaffold.** One or more platforms supported by rigid means such as outrigger beams, brackets, poles, legs, uprights, posts, or frames.

**Suspended scaffold.** One or more platforms suspended from an overhead structure by ropes or other nonrigid means.

**System scaffold.** A scaffold consisting of posts with fixed connection points that accept runners, bearers, and diagonals that can be interconnected at predetermined levels.

**Toeboard (scaffold).** A barrier erected along the exposed sides and ends of a scaffold platform at platform level to prevent material, tools, and other loose objects from falling from the platform.

**Top plate bracket scaffold.** A scaffold supported by brackets that hook over or are attached to the top of a wall. This type of scaffold is similar to carpenters' bracket scaffolds and form scaffolds.

**Tube and coupler scaffold.** A scaffold consisting of platforms supported by tubing, erected with coupling devices connecting uprights, braces, bearers, and runners.

**Tubular welded frame scaffold.** (See fabricated frame scaffold.)

**Tubular welded sectional folding scaffold.** A sectional, folding metal scaffold either of ladder frame or inside stairway design. It is substantially built of prefabricated welded sections, which consist of end frames, platform frame, inside inclined stairway frame and braces, or hinged connected diagonal and horizontal braces. It can be folded into a flat package when the scaffold is not in use.

**Two-point suspension scaffold (swing stage).** A suspended scaffold consisting of a platform supported by hangers (stirrups), suspended by two ropes from overhead supports, and equipped with a means to permit the raising and lowering of the platform to desired work levels.

**Unstable objects.** Items whose strength, configuration, or lack of stability may allow them to become dislocated and shift and therefore may not properly support the loads imposed on them. Unstable objects do not constitute a safe base support for scaffolds, platforms, or employees. Examples include, but are not limited to, barrels, boxes, loose brick, and concrete blocks.

**Vertical pickup.** A rope used to support the horizontal rope in a catenary scaffold.

**Walkway (scaffold).** Part of a scaffold used only for access and not as a working level.

**Window jack scaffold.** A platform resting on a bracket or jack that projects through a window opening.

**Work level.** The elevated platform, used for supporting workers and their materials.

AMENDATORY SECTION (Amending WSR 15-23-086, filed 11/17/15, effective 12/18/15)

**WAC 296-874-20052 Provide fall protection for employees on scaffolds.** ~~((1) You must protect each employee on a scaffold more than ten feet (3.1 m) above a lower level, from falling to the lower level, by providing either:~~

- ~~(a) A personal fall arrest system; or~~
- ~~(b) Guardrails.~~

REFERENCE		
<del>Fall protection requirements for employees:</del>	<del>Are located in the following chapters:</del>	<del>In the following sections:</del>
<del>On walkways within scaffolds</del>	<del>Chapter 296-874-WAC, Scaffolds</del>	<del>WAC 296-874-20056</del>
<del>Erecting or dismantling supported scaffolds</del>	<del>Chapter 296-874-WAC, Scaffolds</del>	<del>WAC 296-874-40010</del>
<del>Erecting or dismantling suspended scaffolds in general industry</del>	<del>Chapter 296-24-WAC, General safety and health standards</del>	<del>Part J-1 Working surfaces, guarding floors and wall openings, ladders and Part J-3 Powered platforms</del>
<del>Erecting or dismantling suspended scaffolds in construction work</del>	<del>Chapter 296-155-WAC, Safety standards for construction work</del>	<del>Part C-1 Fall protection requirements for construction</del>

~~(2) You must make sure employees erecting the scaffold install the guardrail system, if required, before the scaffold is used by any other employees.) See requirements in chapter 296-880 WAC, Unified safety standards for fall protection.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-874-20054 Provide fall protection if a scaffold is too far from the work face.
- WAC 296-874-20056 Provide specific fall protection for specific types of scaffolds.
- WAC 296-874-20058 Make sure personal fall arrest systems meet these requirements.
- WAC 296-874-20060 Make sure vertical lifelines used with personal fall arrest systems meet these requirements.
- WAC 296-874-20062 Make sure horizontal lifelines used with personal fall arrest systems meet these requirements.

- WAC 296-874-20064 Make sure guardrail systems meet these requirements.
- WAC 296-874-40010 Provide fall protection for persons erecting or dismantling supported scaffolds.

AMENDATORY SECTION (Amending WSR 14-09-095, filed 4/22/14, effective 7/1/14)

**WAC 296-878-15025 Use fall protection equipment.**

(1) You must make sure the fall arrest system meets the requirements of ~~((WAC 296-24-88050 mandatory Appendix C, Part I, Personal fall arrest systems))~~ chapter 296-880 WAC, Unified safety standards for fall protection.

(2) You must use and inspect fall arrest equipment in accordance with the requirements of ~~((WAC 296-24-88050; mandatory Appendix C, Part I, Personal fall arrest systems.~~

~~(3) You must make sure all workers suspended from a boatswain's chair or rope descent system use an independent fall arrest system where the fall arrest anchorage is separate from the suspension system anchorage))~~ chapter 296-880 WAC, Unified safety standards for fall protection.

~~((4))~~ (3) You must make sure workers operating powered platforms wear and use a fall arrest system.

NEW SECTION

**WAC 296-880-090 Quick reference guide.**

**Unified Fall Protection Quick Reference Guide**

General fall protection for all industries	Threshold height	WAC
Above or adjacent to dangerous equipment	Regardless of height	296-880-10010(1)
Holes into which an employee can trip, step into, or step through	Regardless of height	296-880-10010(2)
Falling into or onto impalement hazards	Regardless of height	296-880-10010(3)
When on a walking/working surface	Four feet or more	296-880-20005
Ramps, runways, and inclined walkways	Four feet or more	296-880-20005(2)
Holes where work is being performed	Four feet or more	296-880-20005(3)
Skylights	Four feet or more	296-880-20005 (3)(b)
Hatchway and chute holes	Four feet or more	296-880-20005 (3)(c)
Ladderways	Four feet or more	296-880-20005 (3)(d)
Pits and trap door holes	Four feet or more	296-880-20005 (3)(e)
Repair pits and service pits	Four feet or more	296-880-20005 (3)(f)
Manholes	Four feet or more	296-880-20005 (3)(g)
Openings	Four feet or more	296-880-20005(4)
Formwork and reinforcing work	Four feet or more	296-880-20005(5)
Steep pitch roof - Regardless of task	Four feet or more	296-880-20005(6)
Low pitch roof - Other than roofing work or constructing a leading edge	Four feet or more	296-880-20005(7)
Hazardous slopes	Four feet or more	296-880-20005(9)
Vehicles and rolling stock - If suitable anchorages cannot be provided or creates a greater hazard	Four feet or more	296-880-20005(10)

~~((5) You must make sure workers assemble and wear their personal fall arrest equipment before they approach the point of suspension.~~

~~(6) You must make sure workers are connected at all times to the fall arrest system while they are suspended.~~

~~(7))~~ (4) You must make sure the boatswain's chair or rope descent system is connected at all times to the suspension line.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-878-21005 Prohibit equipment from use.

**Chapter 296-880 WAC**

**UNIFIED SAFETY STANDARDS FOR FALL PROTECTION**

NEW SECTION

**WAC 296-880-080 Scope.** This chapter sets forth requirements for employers to provide and enforce the use of fall protection for employees performing activities covered under this chapter.

General fall protection for all industries	Threshold height	WAC
<b>Specific requirements not addressed in WAC 296-880-200 (above)</b>		
<b>Construction work</b> *See also chapter 296-155 WAC		
Roofing work on a low pitch roof	Ten feet	296-880-30005(1)
Constructing a leading edge	Ten feet	296-880-30005(1)
Engaged in the erection or placement of structural members	Ten feet	296-880-30005(1)
Engaged in excavation and trenching operations	Ten feet	296-880-30005(1)
<b>Order pickers (PITS)</b> *See also chapter 296-863 WAC		
Operators of order pickers	Regardless of height	296-880-30010 (1) and (2)
<b>Elevating work platforms</b> *See also chapter 296-869 WAC		
Vehicle mounted aerial devices	Regardless of height	296-880-30015(1)
Manually propelled and self-propelled elevating work platforms	Regardless of height if required by manufacturer	296-880-30015(2)
Boom supported elevating work platforms	Regardless of height	296-880-30015(3)
<b>Powered platforms</b> *See also chapter 296-870 WAC		
Working on a roof or other elevated working area	Four feet or more	296-880-30020(5)
<b>Window cleaning</b> *See also chapter 296-878 WAC		
Working on a roof or other elevated working area	Four feet or more	296-880-30025(1)
<b>Scaffolds</b> *See also chapter 296-874 WAC		
Working on a scaffold	Ten feet or more	296-880-30030(1)
<b>Cranes - Under the scope of chapter 296-155 WAC, Part L</b>		
For nonassembly/disassembly work	Six feet or more	296-880-30035(2)
For assembly/disassembly work	Ten feet or more	296-880-30035(3)
Towercranes - Work other than erecting, climbing, and dismantling	Six feet or more	296-880-30035 (4)(a)
Towercranes - Erecting, climbing, and dismantling work	Ten feet or more	296-880-30035 (4)(b)
<b>Telecommunications work</b> *See also chapter 296-32 WAC	Four feet or more	296-880-200 and 296-880-30040
<b>Qualified electrical workers</b> *See also chapter 296-45 WAC	Four feet or more	296-880-200
<b>Ship repairing, shipbuilding and shipbreaking</b> *See also chapter 296-304 WAC		
Working aloft or elsewhere at elevation	Five feet or more	296-880-30045
<b>Longshore, stevedore and waterfront related operations</b> *See also chapter 296-56 WAC		
Maintenance work on cranes, spouts, or similar types of equipment	Eight feet or more	296-880-30050(1)
Floor or wall openings or waterside edges, including bridges or gangway-like structures	Four feet or more	296-880-30050 (2)(a)
<b>Ski area facilities and operations</b> *See also chapter 296-59 WAC		
Working at unprotected elevated locations	More than ten feet	296-880-30055 (1)(a)

**NEW SECTION**

**WAC 296-880-095 Definitions.** For the purposes of this chapter the following definitions apply:

**Aerial device.** A vehicle-mounted device, telescoping or articulating, or both, which is used to position personnel.

**Affected area.** The distance away from the edge of an excavation equal to the depth of the excavation up to a maximum distance of fifteen feet. For example, an excavation ten feet deep has an affected area extending ten feet from the edge of any side of the excavation.

**Anchorage.** A secure point of attachment for lifelines, lanyards, or deceleration devices which is capable of withstanding the forces specified in this chapter.

**Boom-supported elevating work platform.** A self-propelled, integral chassis, elevating work platform with a boom-supported platform that can be positioned completely beyond the base.

**Catch platform.** A type of fall arrest system that consists of a platform installed within four vertical feet of the fall hazard, is at least forty-five inches wide and is equipped with a standard guardrail system on all exposed sides.

**Catenary line.** See "horizontal lifeline."

**Competent person.** An individual knowledgeable of fall protection equipment, including the manufacturer's recommendations and instructions for the proper use, inspection, and maintenance; and who is capable of identifying existing and potential fall hazards; and who has the authority to take prompt corrective action to eliminate those hazards; and who is knowledgeable of the requirements contained in this chapter regarding the installation, use, inspection, and maintenance of fall protection equipment and systems.

**Connector.** A device which is used to connect parts of the personal fall arrest system and positioning device systems together. It may be an independent component of the system, such as a carabiner, or it may be an integral component of part of the system (such as a buckle or D-ring sewn into a harness, or a snap hook spliced or sewn to a lanyard or self-retracting lanyard).

**Construction work.** All or any part of excavation, construction, erection, alteration, repair, demolition, and dismantling of buildings and other structures and all operations in connection therewith; the excavation, construction, alteration and repair of sewers, trenches, caissons, conduits, pipe lines, roads and all operations pertaining thereto; the moving of buildings and other structures, and to the construction, alteration, repair, or removal of wharfs, docks, bridges, culverts, trestles, piers, abutments or any other construction, alteration, repair or removal work related thereto.

**Deceleration device.** Any mechanism, such as a rope grab, ripstitch lanyard, specifically woven lanyard, tearing or deforming lanyards, automatic self-retracting lifelines/lanyards, etc., which serves to dissipate a substantial amount of energy during a fall arrest, or otherwise limit the energy imposed on an employee during fall arrest.

**Deceleration distance.** The additional vertical distance a falling employee travels, excluding lifeline elongation and free fall distance, before stopping, from the point at which the deceleration device begins to operate. It is measured as the distance between the location of an employee's full body harness attachment point at the moment of activation (at the onset of fall arrest forces) of the deceleration device during a fall, and the location of that attachment point after the employee comes to a full stop.

**Dropline.** A vertical lifeline secured to an upper anchorage for the purpose of attaching a lanyard or device.

**Elevating work platform.** A device used to position personnel, along with their necessary tools and materials, at work locations. It includes a platform and an elevating assembly. It may be vehicle-mounted or have an integral chassis for mobility and as a means of support.

**Equivalent.** Alternative designs, materials, or methods to protect against a hazard which the employer can demonstrate and will provide an equal or greater degree of safety for employees than the methods, materials, or designs specified in this standard.

**Fall arrest system.** A fall protection system that will arrest a fall from elevation. Fall arrest systems include personal fall arrest systems that are worn by the user, catch platforms, and safety nets.

**Fall distance.** The actual distance from the worker's support to the level where a fall would stop.

**Fall protection work plan.** A written planning document in which the employer identifies all areas on the job site where a fall hazard of ten feet or more exists. The plan describes the method or methods of fall protection to be used to protect employees, and includes the procedures governing the installation, use, inspection, and removal of the fall protection method or methods which are selected by the employer. See WAC 296-880-10020.

**Fall restraint system.** A system in which all necessary components function together to restrain/prevent an employee from falling to a lower level. Types of fall restraint systems include standard guardrail systems, personal fall restraint systems, warning line systems, or a warning line system and safety monitor.

**Feasible.** It is possible to perform the work using a conventional fall protection system (i.e., guardrail system, safety net system, or personal fall arrest system) or that it is technologically possible to use any one of these systems to provide fall protection.

**Free fall.** The act of falling before a personal fall arrest system begins to apply force to arrest the fall.

**Free fall distance.** The vertical displacement of the fall arrest attachment point on the employee's full body harness between onset of the fall and just before the system begins to apply force to arrest the fall. This distance excludes deceleration distance, and lifeline/lanyard elongation, but includes any deceleration device slide distance or self-retracting lifeline/lanyard extension before they operate and fall arrest forces occur.

**Full body harness.** A configuration of connected straps that meets the requirements specified in ANSI Z359.1, that may be adjustable to distribute a fall arresting force over at least the thighs, shoulders and pelvis, with provisions for attaching a lanyard, lifeline, or deceleration devices.

**Full body harness system.** A full body harness and lanyard which is either attached to an anchorage meeting the requirements of this chapter; or it is attached to a horizontal or vertical lifeline which is properly secured to an anchorage(s) capable of withstanding the forces specified in this chapter.

**Handrail.** A rail used to provide employees with a handhold for support.

**Hardware.** Snap hooks, D-rings, bucklers, carabiners, adjusters, or O-rings, that are used to attach the components of a fall protection system together.

**Hazardous slope.** A slope from which construction work is performed where normal footing cannot be maintained without the use of devices due to the pitch of the surface, weather conditions, or surface material.

**Hole.** A gap or void two inches or more in its least dimension, in a floor, roof, or other surface.

**Horizontal lifeline.** A rail, rope, wire, or synthetic cable that is installed in a horizontal plane between two anchorages and used for attachment of a worker's lanyard or lifeline device while moving horizontally; used to control dangerous pendulum like swing falls.

**Lanyard.** A flexible line of webbing, rope, or cable used to secure a positioning harness or full body harness to a lifeline or an anchorage point usually two, four, or six feet long.

**Leading edge.** The advancing edge of a floor, roof, or formwork which changes location as additional floor, roof, or formwork sections are placed, formed, or constructed. A leading edge is considered to be an "unprotected side or edge" during periods when it is not actively and continuously under construction.

**Lifeline.** A vertical line from a fixed anchorage or between two horizontal anchorages, independent of walking or working surfaces, to which a lanyard or device is secured. Lifeline as referred to in this text is one which is part of a fall protection system used as back-up safety for an elevated worker or as a restraint for workers on a flat or sloped surface.

**Locking snap hook.** A connecting snap hook that requires two separate forces to open the gate; one to deactivate the gatekeeper and a second to depress and open the gate which automatically closes when released; used to minimize roll out or accidental disengagement.

**Low pitched roof.** A roof having a slope equal to or less than four in twelve.

**Maintenance.** The work of keeping a building, machine, roadway, etc., in a state of good repair.

**Manually propelled elevating work platform.** A manually propelled, integral chassis, elevating work platform with a platform that cannot be positioned completely beyond the base.

**Mechanical equipment.** All motor or human propelled wheeled equipment except for wheelbarrows, mopcars, robotic thermoplastic welders, and robotic crimpers.

**Opening.** A gap or void thirty inches (76 cm) or more high and eighteen inches (48 cm) or more wide, in a wall or partition, through which employees can fall to a lower level.

**Personal fall arrest system.** A fall arrest system that is worn by the employee to arrest the employee in a fall from elevation. It consists of an anchor point, connectors, a full body harness, and may include a lanyard, deceleration device, lifeline, or suitable combinations of these.

**Personal fall restraint system.** A fall restraint system that is worn by the employee to keep the employee from reaching a fall point, such as the edge of a roof or elevated work surface. It consists of an anchor point, hardware assemblies, a full body harness and may include a lanyard, restraint lines, or suitable combinations of these.

**Platform.** A work surface elevated above the surrounding floor or ground.

**Positioning device system.** A full body harness or positioning harness that is worn by an employee, and is rigged to allow an employee to be supported on an elevated vertical or inclined surface, such as a wall, pole or column and work with both hands free from the body support.

**Positioning harness.** A body support that meets the requirements specified in ANSI Z359.1 that encircles and closes around the waist and legs with attachment elements appropriate for positioning work.

**Predictable and regular basis.** Employee tasks which are performed either:

(a) At least once every two weeks; or

(b) Four employee-hours or more during any sequential four-week period. (To calculate employee-hours multiply the number of employees by the number of hours during a four-week period).

**Qualified person.** One who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated his/her ability to solve or resolve problems related to the subject matter, the work, or the project.

**Repair.** To restore a building, machine, roadway, etc., to an original state after damage or decay.

**Restraint line.** A line from a fixed anchorage or between two anchorages to which an employee is secured in such a way as to prevent the worker from falling to a lower level.

**Roof.** The exterior surface on the top of a building. This does not include floors or formwork which, because a building has not been completed, temporarily become the top surface of a building.

**Roofing work.** The hoisting, storage, application, and removal of roofing materials and equipment, including related insulation, sheet metal, and vapor barrier work, but not including the construction of the roof deck.

**Rope grab.** A fall arrester that is designed to move up or down a lifeline suspended from a fixed overhead or horizontal anchorage point, or lifeline, to which the full body harness is attached. In the event of a fall, the rope grab locks onto the lifeline rope through compression to arrest the fall. The use of a rope grab device is restricted for all restraint applications. See WAC 296-880-40025.

**Runway.** A passageway for persons, elevated above the surrounding floor or ground level, such as a footwalk along shafting or a walkway between buildings.

**Safety line.** See "lifeline."

**Safety monitoring system.** A type of fall restraint system in which a competent person whose only job responsibility is to recognize and warn employees of their proximity to fall hazards when working between the warning line and the unprotected sides and edges, including the leading edge of a low pitch roof or other walking/working surface.

**Safety net system.** A type of fall arrest system, as described in WAC 296-880-40055.

**Safety watch system.** A fall protection system as described in WAC 296-880-40050, in which a competent person monitors one worker who is engaged in repair work or servicing equipment on low pitch roofs only.

**Scaffold.** A temporary elevated platform, including its supporting structure and anchorage points, used for supporting employees or materials.

**Self-propelled elevating work platform.** A self-propelled, integral chassis, elevating work platform with a platform that cannot be positioned completely beyond the base.

**Self-rescue device.** A piece of equipment designed to allow a person, who is suspended in a personal fall arrest sys-

tem, to independently rescue themselves after the fall by moving the device up or down until they reach a surface and are no longer suspended.

**Self-retracting lifeline.** A deceleration device which contains a wound line which may be slowly extracted from, or retracted onto, the device under slight tension during normal employee movement, and which after onset of a fall, automatically locks the drum and arrests the fall.

**Service.** To repair or provide maintenance for.

**Shock absorbing lanyard.** A flexible line of webbing, cable, or rope used to secure a full body harness to a lifeline or anchorage point that has an integral shock absorber.

**Snap hook.** See "locking snap hook."

**Standard guardrail system.** A type of fall restraint system that is a vertical barrier consisting of a top rail and mid-rail, and toeboard when used as falling object protection for persons who may work or pass below, that is erected along all open sides or edges of a walking/working surface, ramps, platforms, or runways.

**Standard strength and construction.** Any construction of guardrails, handrails, covers, or other guards that meets the requirements of this chapter.

**Static line.** See "horizontal lifeline."

**Steep pitched roof.** A roof having a slope greater than four in twelve.

**Structural member.** A support that is a constituent part of any building or structure. Structural members include columns, girders, beams, trusses, joists, and similar supporting members of a building or structure.

**Suitable.** That which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

**Toeboard.** A vertical barrier at floor level erected along all open sides or edges of a floor opening, platform, runway, ramp, or other walking/working surface to prevent materials, tools, or debris from falling onto persons passing through or working in the area below.

**Unprotected sides and edges.** Any open side or edge of a floor, roof, balcony/deck, platform, ramp, runway, or walking/working surface where there is no standard guardrail system, or parapet wall of solid strength and construction that is at least thirty-nine inches in vertical height.

**Walking/working surface.** Any surface, whether horizontal or vertical on which an employee walks, works, or gains access to a work area or workplace location. Walking/working surfaces include, but are not limited to, floors, the ground, roofs, ramps, bridges, runways, stairs, dockboards, formwork, and reinforcing steel but not including ladders.

**Warning line system.** A barrier erected on a walking and working surface or a low pitch roof (four in twelve or less), to warn employees that they are approaching an unprotected fall hazard(s).

#### NEW SECTION

**WAC 296-880-100 Application.** Requirements that apply to all sections of this chapter.

#### NEW SECTION

**WAC 296-880-10005 General requirements.** (1) The employer must ensure that all surfaces on which employees will be working or walking on are structurally sound and will support them safely prior to allowing employees to work or walk on them.

(2) Inspection criteria.

(a) The employer must inspect all components (including hardware, lanyards, and positioning harnesses or full body harnesses depending on which system is used) of personal fall arrest systems, personal fall restraint systems, and positioning device systems prior to each use according to manufacturer's specifications for mildew, wear, damage, and other deterioration. The employer must remove defective components from service if their function or strength has been adversely affected.

(b) The employer must inspect safety nets at least once a week according to manufacturer's specifications for wear, damage, and other deterioration. The employer must also inspect safety nets after any occurrence which could affect the integrity of the safety net system. The employer must remove defective components from service. The employer must not use defective nets.

(3) The employer must only use personal fall arrest systems, personal fall restraint systems, positioning device systems, and their components for employee protection and not to hoist materials.

(4) The employer must plan for and provide prompt rescue of employees in the event of a fall or must assure the self-rescue capability of employees.

#### NEW SECTION

**WAC 296-880-10010 Fall protection required regardless of height.** (1) Regardless of height, the employer must guard open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, such as dip tanks and material handling equipment, and similar hazards with a standard guardrail system.

(2) The employer must guard holes into which an employee can trip, step into, or step through by a cover of standard strength and construction or a standard guardrail system.

**Note:** Requirements for protecting employees from falling into or through holes where fall hazards of four feet or more are located in WAC 296-880-20005.

(3) Regardless of height the employer must protect employees from falling into or onto impalement hazards, such as: Reinforcing steel (rebar), exposed steel, or wood.

#### NEW SECTION

**WAC 296-880-10015 Training.** (1) Provide fall protection training for employees exposed to fall hazards. The employer must provide training for each employee exposed to fall hazards. The training must enable each employee to recognize the hazards of falling and procedures to be followed in order to minimize those hazards.

(2) Each affected employee must be trained by a competent person to know at least the following:

- (a) The nature of fall hazards in the work area;
  - (b) When fall protection is required;
  - (c) What fall protection is required;
  - (d) The correct procedures for erecting, maintaining, assembling, disassembling, and inspecting the fall protection systems to be used;
  - (e) The use and operation of fall protection systems used;
  - (f) Limitations of fall protection systems used;
  - (g) Proper care, maintenance, useful life, removal from service; and
  - (h) The requirements of this chapter.
- (3) Make sure before an employee is allowed to perform work requiring the use of fall protection that the employee can:

- (a) Demonstrate an understanding of the training specified above; and
- (b) Demonstrate the ability to use fall protection properly.

(4) Retrain employees who use fall protection, if necessary. Retrain an employee when the employer has reason to believe the understanding, motivation, and skills required to use fall protection has not been retained. Circumstances where retraining is required include:

- (a) Changes in the workplace that make previous training out of date;
- (b) Changes in the types of fall protection to be used make previous training out of date; and
- (c) Work habits or demonstrated knowledge indicate that the employee has not retained the necessary understanding, skill, or motivation to use fall protection.

(5) Document fall protection training. Document in writing that each employee has received and understood the required training. This documentation must include:

- (a) Name of each employee;
- (b) Date(s) of training;
- (c) Subject(s) of the training; and
- (d) Name or signature of the competent person who conducted the training, signature of the employer, or employers designee.

**Note:** Documentation may be stored electronically as long as it is available to safety and health personnel from the department of labor and industries.

#### NEW SECTION

**WAC 296-880-10020 Fall protection work plan required at ten feet or more.** (1) The employer must develop and implement a written fall protection work plan including each area of the work place where the employees are assigned and where fall hazards of ten feet or more exist.

- (2) The fall protection work plan must:
  - (a) Identify all fall hazards in the work area;
  - (b) Describe the method of fall arrest or fall restraint to be provided;
  - (c) Describe the proper procedures for the assembly, maintenance, inspection, and disassembly of the fall protection system to be used;
  - (d) Describe the proper procedures for the handling, storage, and securing of tools and materials;

(e) Describe the method of providing overhead protection for workers who may be in, or pass through the area below the work area;

(f) Describe the method for prompt, safe removal of injured workers; and

(g) Be available on-site for inspection by the department.

(3) Prior to permitting employees into areas where fall hazards of ten feet or more exist the employer must ensure employees are trained and instructed in the items described in subsection (2)(a) through (f) of this section.

**Note:** A fall protection work plan is not required where the use of a guardrail system eliminates the fall hazard.

#### NEW SECTION

**WAC 296-880-200 Fall protection required at four feet or more.** This section sets forth requirements for the use of fall protection at four feet or more unless specifically addressed in WAC 296-880-300 of this chapter.

#### NEW SECTION

**WAC 296-880-20005 Fall protection required at four feet or more.** (1) Walking/working surfaces with unprotected sides or edges. Except as required in subsections (2) through (10) of this section, the employer must ensure that each employee on a walking/working surface with an unprotected side or edge four feet or more above the ground or lower level is protected by one of the following fall protection systems:

(a) A standard guardrail system, or the equivalent, as specified in WAC 296-880-40005, on all open sides, except where there is entrance to a ramp, stairway, or ladder. The guardrail must be provided with a standard toeboard wherever: Beneath the open sides, persons can pass, there is moving machinery, or there is equipment with which falling materials could create a hazard.

(i) When employees are using stilts, the height of the top rail or equivalent member of the guardrail system must be increased (or additional rails may be added) an amount equal to the height of the stilts while maintaining the strength specifications of the guardrail system.

(ii) Where employees are working on or from platforms or ladders above the protection of the guardrail system, the employer must either increase the height of the guardrail system (or additional rails may be added) or select and implement another fall protection system as specified in (b), (c), (d), (e), or (f) of this subsection.

(iii) When guardrails must be temporarily removed to perform a specific task, the area must be constantly attended by an employee until the guardrail is replaced. The only duty the employee must perform is to warn persons entering the area of the fall hazard. The employee must be protected from the fall hazard by a personal fall arrest system or personal fall restraint system.

- (b) A personal fall restraint system;
- (c) A personal fall arrest system;
- (d) A safety net system;
- (e) A catch platform; or
- (f) A warning line system.

## (2) Guarding of ramps, runways, and inclined walkways.

(a) Ramps, runways, and inclined walkways that are four feet or more above the ground or lower level must be equipped with a standard guardrail system or the equivalent, as specified in WAC 296-880-40005, along each open side. Wherever tools, machine parts, or materials are likely to be used on the runway, a toeboard must also be installed on each open side to protect persons working or passing below.

(b) Runways used exclusively for special purposes may have the guardrail on one side omitted where operating conditions necessitate such omission, provided the falling hazard is minimized by using a runway not less than eighteen inches wide.

**Note:** See WAC 296-880-40010 for other specific criteria for ramps, runways, and inclined walkways.

## (3) Holes.

(a) The employer must protect employees from falling into or through holes four feet or more to the ground or lower level by one of the following fall protection systems:

(i) A standard guardrail system, or the equivalent, as specified in WAC 296-880-40005, on all open sides, except where there is entrance to a ramp, stairway, or ladder. The guardrail must be provided with a standard toeboard wherever, beneath the open sides, persons can pass, or there is moving machinery, or there is equipment with which falling materials could create a hazard;

(ii) A cover, as specified in WAC 296-880-40015;

(iii) A warning line system erected at least fifteen feet from all unprotected sides or edges of the hole and meets the requirements of WAC 296-880-40040;

(iv) When the cover, guardrail system, or warning line system must be temporarily removed to perform a specific task, an employee must remain at the hole until the cover, guardrail system, or warning line system is replaced. The only duty the employee must perform is to warn persons entering the area of the fall hazard. The employee must be protected from the fall hazard by a personal fall arrest system or personal fall restraint system;

(v) Personal fall arrest systems or personal fall restraint systems.

(b) The employer must guard skylight holes and skylights.

(i) Unprotected skylight holes must be guarded by covers of standard strength and construction, standard guardrail systems on all exposed sides, or employees must be protected by personal fall restraint systems, or personal fall arrest systems.

(ii) If the skylight has been installed and is not capable of supporting, without failure, at least twice the weight of employees, equipment, and materials that may be imposed on the skylight at any one time, the skylight must be guarded by a cover of standard strength and construction, a standard guardrail system on all sides, or employees must be protected by personal fall restraint systems, or personal fall arrest systems.

(c) The employer must guard hatchways and chute holes by one of the following:

(i) Hinged covers of standard strength and construction and a standard guardrail system with only one exposed side. When the hole is not in use, the cover must be closed or the

exposed side must be guarded at both top and intermediate positions by removable standard guardrail systems; or

(ii) A removable standard guardrail system with toeboard on not more than two sides of the hole and fixed standard guardrail system with toeboards on all other exposed sides. The removable guardrail must be kept in a place when the hole is not in use and must be hinged or otherwise mounted so as to be conveniently replaceable.

(d) The employer must guard ladderways or platforms by a standard guardrail system with standard toeboards on all exposed sides, except at the entrance to a hole, with the passage through the guardrail either provided with a swinging gate or so offset that a person cannot walk directly into the hole.

(e) The employer must guard pits and trap door holes by covers of standard strength and construction. While the cover is not in place, the pit or trap door holes must be protected on all exposed sides by a standard guardrail system.

(f) The employer must guard repair pits, service pits, and assembly pits by a cover, a guardrail system, a fall restraint system or fall arrest system.

(g) The employer must guard manholes by standard covers which need not be hinged in place. While the cover is not in place, the hole must be constantly attended or must be protected by a removable standard guardrail system.

(4) Guarding of openings. The employer must ensure that each employee working on, at, above, or near openings (including those with chutes attached) where the outside bottom edge of the opening is four feet or more above a lower level and the inside bottom edge of the opening is less than thirty-nine inches above the working surface, are protected from falling by the use of a guardrail system, a safety net system, a personal fall arrest system, or personal fall restraint system.

(5) Fall protection during form and reinforcing work. The employer must ensure that employees exposed to fall hazards of four feet or more while placing or tying reinforcing steel or working on the face of formwork or reinforcing steel are protected by personal fall arrest systems, positioning device systems, or safety net systems.

(6) Fall protection on steep pitched roofs. Regardless of the work activity, the employer must ensure that employees exposed to fall hazards of four feet or more while working on a roof with a pitch greater than four in twelve use one of the following:

(a) Fall restraint system. Safety monitor systems and warning line systems are prohibited on steep pitched roofs;

(b) A personal fall arrest system; or

(c) A positioning device system.

(7) Fall protection on low pitched roofs. The employer must ensure that employees exposed to fall hazards of four feet or more while engaged in work, other than roofing work or constructing a leading edge on low pitched roofs use one of the following:

(a) A personal fall restraint system;

(b) A personal fall arrest system;

(c) A positioning device system; or

(d) A warning line system.

(8) Safety watch system. When one employee is conducting repair work or servicing equipment on a low pitch

roof four feet or more above a lower level, employers are allowed to use a safety watch system in accordance with WAC 296-880-40050.

(9) Hazardous slopes. Employees exposed to falls of four feet or more while performing construction work on a hazardous slope must use personal fall restraint systems or positioning device systems.

(10) Vehicles and rolling stock. The employer must ensure that employees exposed to fall hazards of four feet or more to the ground or lower level from vehicles or rolling stock on which employees must be located in order to perform their job duties are protected by fall arrest systems, fall restraint systems, or positioning device systems.

**Exception:** Where suitable anchorages cannot be provided or when the use of fall protection creates a greater hazard, work may be performed on vehicles or rolling stock without a fall protection system.

#### NEW SECTION

**WAC 296-880-20010 Exemption from fall protection requirements in this section.** Employees are exempt from WAC 296-880-20005 under the following conditions:

(1) During initial installation of the fall protection anchor prior to engaging in any work activity, or the disassembly of the fall protection anchor after all work activities have been completed.

(2) When employees are inspecting, investigating, or assessing roof level conditions or work to be performed only on low pitch roofs prior to the start of any work activity or after all work activities have been completed.

This exemption does not apply on steep pitch roofs, where construction work is underway, or when fall protection systems or equipment meeting the requirements of this chapter have been installed and are available for workers to use for pre-work and post-work inspections, investigations, or assessments.

**Note:** Examples of activities the department recognizes as inspecting or estimating include:

- Measuring a roof to determine the amount of materials needed for a project;
- Inspecting the roof for damage without removing equipment or components; and
- Assessing the roof to determine what method of fall protection will be provided to employees.

**Note:** Examples the department does not recognize as inspecting or estimating under this exemption include:

- Delivering, staging or storing materials on a roof; and
- Persons estimating or inspecting on roofs that would be considered a "hazardous slope" by definition.

#### NEW SECTION

**WAC 296-880-300 Specific fall protection requirements.** This section addresses specific fall protection requirements not already addressed in WAC 296-880-200 of this chapter.

#### NEW SECTION

**WAC 296-880-30005 Construction work.** This section applies to work activities under the scope of chapter 296-155 WAC, Safety standards for construction work, unless specifically addressed in WAC 296-880-200 of this chapter.

(1) The employer must ensure that a fall arrest system, fall restraint system, or positioning device system is provided, installed, and implemented in accordance with this chapter when employees are exposed to fall hazards of ten feet or more to the ground or lower level while:

- (a) Engaged in roofing work on a low pitched roof;
- (b) Constructing a leading edge;

**Exception:** Employees not directly involved with constructing the leading edge, or are not performing roofing work must comply with WAC 296-880-200 Fall protection required at four feet or more.

(c) Engaged in the erection or placement of structural members.

**Exception:** When the erection or placement of structural members is performed on or from a floor, deck, roof, or similar surface you must comply with WAC 296-880-200 Fall protection required at four feet or more.

(d) Engaged in excavation and trenching operations.

(i) Exceptions. Fall protection is not required at excavations when employees are:

(A) Directly involved with the excavation process and on the ground at the top edge of the excavation; or

(B) Working at an excavation site where appropriate sloping of side walls has been implemented as the excavation protective system.

(ii) Fall protection is required for employees standing in or working in the affected area of a trench or excavation exposed to a fall hazard of ten feet or more; and:

(A) The employees are not directly involved with the excavation process; or

(B) The employees are on the protective system or any other structure in the excavation.

**Note:** Persons considered directly involved in the excavation process include:

1. Foreman of the crew.
2. Signal person.
3. Employee hooking on pipe or other materials.
4. Grade person.
5. State, county, or city inspectors inspecting the excavation or trench.
6. An engineer or other professional conducting a quality-assurance inspection.

(2) Employees are exempt from WAC 296-880-30005 under the following conditions:

(a) During initial installation of the fall protection anchor prior to engaging in any work activity, or the disassembly of the fall protection anchor after all work activities have been completed;

(b) When employees are inspecting, investigating, or assessing roof level conditions or work to be performed only on low pitch roofs prior to the start of construction work or after all construction work has been completed;

This exemption does not apply on steep pitch roofs, where construction work is underway, or when fall protection systems or equipment meeting the requirements of this chapter have been installed and are available for workers to use for pre-work and post-work inspections, investigations, or assessments.

**Note:** Examples of activities the department recognizes as inspecting or estimating include:

- Measuring a roof to determine the amount of materials needed for a project;
- Inspecting the roof for damage without removing equipment or components; and
- Assessing the roof to determine what method of fall protection will be provided to employees.

**Note:** Examples the department does not recognize as inspecting or estimating under this exemption include:

- Delivering, staging, or storing materials on a roof; and
- Persons estimating or inspecting on roofs that would be considered a "hazardous slope" by definition.

(c) When employees must be located on vehicles, or roll-in stock in order to perform their job duties.

#### NEW SECTION

**WAC 296-880-30010 Order pickers (PITS).** This section applies to powered industrial trucks under the scope of chapter 296-863 WAC, Forklifts and other powered industrial trucks.

(1) The employer must ensure all persons operating an order picker are protected by standard guardrails on all open sides; or

(2) A full body harness and lanyard that are connected to a tie-off point that has been approved by the PIT manufacturer.

Additional requirements for powered industrial trucks can be found in chapter 296-863 WAC, Forklifts and other powered industrial trucks.

#### NEW SECTION

**WAC 296-880-30015 Elevating work platforms.** (1) This section applies to the following types of elevating work platforms covered under the scope of chapter 296-869 WAC, Elevating work platforms:

- (a) Aerial lifts;
- (b) Manually propelled elevating work platforms that have a platform that cannot be positioned completely beyond the base;
- (c) Self-propelled elevating work platforms that have a platform that cannot be positioned completely beyond the base;
- (d) Boom-supported elevating work platforms that have a boom-supported platform that can be positioned completely beyond the base.

**EXEMPTION:** This section does not apply to elevating work platforms used:

- 1. By the fire services for fire combat that are covered by chapter 296-305 WAC, Safety standards for firefighters; or

2. For agriculture activities covered by chapter 296-307 WAC, Safety standards for agriculture.

(2) This subsection applies to vehicle mounted aerial devices. Before elevating the platform, the employer must ensure all persons on the platform wear a full body harness with a lanyard attached to either:

- (a) The manufacturer's recommended attachment point; or
- (b) The boom or platform if the manufacturer does not specify an attachment point.

The employee must never attach a lanyard to an adjacent pole, structure, or equipment.

(3) This subsection applies to manually propelled and self-propelled elevating work platforms. Before elevating the platform, the employer must ensure all persons on the platform are wearing fall protection devices and other safety gear, if required by the manufacturer of the platform.

(4) This subsection applies to boom supported elevating work platforms. Before elevating the platform, the employer must ensure all persons on the platform of boom-supported elevating work platforms wear a full body harness and lanyard fixed to manufacturer provided and approved attachment points.

Additional requirements for elevating work platforms can be found in chapter 296-869 WAC, Elevating work platforms.

#### NEW SECTION

**WAC 296-880-30020 Powered platforms.** This section applies to permanent powered platform installations dedicated to interior or exterior building maintenance of a specific structure or group of structures under the scope of chapter 296-870 WAC, Powered platforms.

(1) Building owner certifications. The employer must obtain written certification from the building owner of any building with a powered platform installation that was completed or had major modification done after July 23, 1990, that the building and equipment meets the requirements of new installations-buildings in WAC 296-870-600 and new installations-equipment in WAC 296-870-700.

**Note:** The building owner needs to base the certification on:

- 1. The field test of the installation done before it is first placed into service or following any major modification to an existing installation; and
- 2. All other relevant available information including, but not limited to:
  - a. Test data;
  - b. Equipment specifications;
  - c. Verification by a registered professional engineer.

(2) The employer must obtain written certification from the building owner that the installation:

- (a) Has been inspected, tested, and maintained as required by inspection, testing, and maintenance in WAC 296-870-300; and
- (b) All fall protection anchorages meet the requirements of WAC 296-880-40020.

(3) The employer must prohibit employees from using the installation until the building owner has provided the required written certifications.

(4) The employer must protect employees on working platforms with a personal fall arrest system that meets the requirements of WAC 296-880-40020.

(5) The employer must ensure employees working on a roof or other elevated working surface four feet or more above a lower level are protected in accordance with WAC 296-880-200.

Additional requirements for powered platforms can be found in chapter 296-870 WAC, Powered platforms.

#### NEW SECTION

**WAC 296-880-30025 Window cleaning.** This section applies to all window cleaning activities performed on the inside or outside of a building in which the window cleaner is working from a level that is located more than four feet above grade or lower level under the scope of chapter 296-878 WAC, Safety standards for window cleaning.

(1) The employer must ensure employees working on a roof or other elevated working surface four feet or more above a lower level are protected in accordance with WAC 296-880-200.

(2) The employer must ensure all workers suspended from a boatswain's chair or rope descent system use an independent fall arrest system where the fall arrest anchorage is separate from the suspension system anchorage.

(3) The employer must ensure workers assemble and wear their personal fall arrest equipment before they approach the point of suspension.

(4) The employer must ensure workers are connected at all times to the fall arrest system while they are suspended.

(5) The employer must prohibit use of the following equipment for window-cleaning operations:

- (a) Portable sills;
- (b) Window jacks;
- (c) Capstan devices to suspend workers; and
- (d) Suspension or fall-arrest ropes made entirely of polypropylene that do not have a minimum breaking strength of five thousand pounds (22.2 kN).

Additional requirements for window cleaning can be found in chapter 296-878 WAC, Safety standards for window cleaning.

#### NEW SECTION

**WAC 296-880-30030 Scaffolds.** This section applies to suspended and supported scaffolds under the scope of chapter 296-874 WAC, Scaffolds.

(1) The employer must protect each employee on a scaffold from falling ten feet or more to a lower level, by providing either:

- (a) A personal fall arrest system; or
  - (b) Guardrails.
- (2) The employer must ensure personal fall arrest systems are attached by a lanyard to one of the following:
- (a) Vertical lifeline;
  - (b) Horizontal lifeline; or
  - (c) Appropriate structural member of the scaffold.

**Note:** Specifications for these personal fall arrest systems can be found in WAC 296-880-40020.

**Note:** Specifications for guardrail systems used with scaffolds can be found in subsection (8) of this section.

**Note:** Specifications for vertical lifelines can be found in subsection (9) of this section.

**Note:** Specifications for horizontal lifelines can be found in subsection (10) of this section.

(3) Provide fall protection for persons erecting or dismantling supported scaffolds.

(a) The employer must have a competent person determine the feasibility of providing fall protection for persons erecting or dismantling supported scaffolds.

(b) The employer must provide fall protection if the installation and use of fall protection is:

- (i) Feasible; and
- (ii) Does not create a greater hazard.

(4) The employer must ensure employees erecting the scaffold install the guardrail system, if required, before the scaffold is used by any other employees.

(5) Provide fall protection if a scaffold is too far from the work face. The employer must provide a guardrail system along the front edge of the platform, or have employees use a personal fall arrest system, if the distance from the front edge of the platform to the work face is greater than:

- (a) Eighteen inches (46 cm) for scaffolds used for plastering and lathing operations;
  - (b) Fourteen inches (36 cm) for all other scaffolds.
- (6) Provide specific types of fall protection for specific types of scaffolds.

(a) The employer must use a personal fall arrest system to protect employees on the following scaffolds:

- (i) Boatswain's chair;
- (ii) Catenary scaffold;
- (iii) Float scaffold;
- (iv) Ladder jack scaffold;
- (v) Needle beam scaffold.

(b) The employer must use a personal fall arrest system and a guardrail system to protect employees on:

- (i) Single-point adjustable suspension scaffolds; and
- (ii) Two-point adjustable suspension scaffolds.

(7) The employer must protect employees working on a self-contained adjustable scaffold that has the platform:

- (a) Supported by the frame structure, using a guardrail system with a minimum two-hundred pound top rail capacity;
- (b) Suspended by ropes, using:
  - (i) A guardrail system with a minimum two-hundred pound top rail capacity; and
  - (ii) A personal fall arrest system.

(8) The employer must protect employees on walkways located within a scaffold by using a guardrail system that meets all of the following:

- (a) Has a minimum two-hundred pound top rail capacity;
  - (b) Is installed within nine and one-half inches (24.1 cm) of the walkway; and
  - (c) Is installed along at least one side of the walkway.
- (9) Ensure vertical lifelines used with personal fall arrest systems meet these requirements:

(a) The employer must make sure vertical lifelines are all of the following:

- (i) Fastened to a fixed, safe point of anchorage;
- (ii) Independent of the scaffold; and
- (iii) Protected from sharp edges and abrasion.

**Note:** Safe points of anchorage include structural members of buildings, but do not include:

- 1. Standpipes, vents, or other piping systems;
- 2. Electrical conduit;
- 3. Outrigger beams; and
- 4. Counterweights.

(b) The employer must ensure vertical lifelines, independent support lines, and suspension ropes are not attached to any of the following:

- (i) Each other;
- (ii) The same point of anchorage; or
- (iii) The same point on the scaffold.

(c) The employer must ensure vertical lifelines, independent support lines, and suspension ropes do not use the same point of anchorage.

(d) The employer must ensure independent support lines and suspension ropes are not attached to a personal fall arrest system.

(e) The employer must ensure vertical lifelines are not used with single-point or two-point adjustable suspension scaffolds that have overhead components such as overhead protection or additional platform levels.

(10) Ensure horizontal lifelines used with personal fall arrest systems meet these requirements:

(a) The employer must equip single-point or two-point adjustable suspension scaffolds that use horizontal lifelines or structural members of the scaffold for fall protection with both of the following:

(i) Additional independent support lines that are equal in number and equivalent in strength to the suspension ropes; and

(ii) Automatic locking devices capable of stopping the scaffold from falling if one or both of the suspension ropes fail.

(b) The employer must make sure horizontal lifelines are secured to either:

- (i) Two or more structural members of the scaffold; or
- (ii) Looped around both the suspension ropes and independent support lines above the hoist and brake attached to the end of the scaffold.

(c) The employer must ensure independent support lines and suspension ropes are not:

(i) Attached to each other or the same point on the scaffold;

(ii) Attached to or use the same point of anchorage.

(d) The employer must ensure independent support lines and suspension ropes are not attached to either:

(i) A personal fall arrest system; or

(ii) The same point on the scaffold as a personal fall arrest system.

(e) The employer must ensure, if a horizontal lifeline is used where it may become a vertical lifeline, that the device used to connect a lanyard to the horizontal lifeline is capable of locking in both directions on the lifeline.

(11) The employer must ensure independent support lines and suspension ropes are not:

(a) Attached to each other or the same point on the scaffold;

(b) Attached to or use the same point of anchorage.

(12) The employer must ensure independent support lines and suspension ropes are not attached to either:

(a) A personal fall arrest system; or

(b) The same point on the scaffold as a personal fall arrest system.

(13) The employer must ensure, if a horizontal lifeline is used where it may become a vertical lifeline, that the device used to connect a lanyard to the horizontal lifeline is capable of locking in both directions on the lifeline.

(14) The employer must ensure guardrails, if required, are installed along all open sides and ends of platforms.

**EXEMPTION:** For employees doing overhand bricklaying operations from a supported scaffold, a guardrail is not required on the side next to the wall.

(15) The employer must ensure the height of the top rail, top edge, or the equivalent member, of supported scaffolds is:

(a) At least thirty-six inches (0.9 m) and not more than forty-five inches (1.2 m) above the platform surface for scaffolds manufactured or first placed in service before January 1, 2000;

(b) At least thirty-eight inches (0.97 m) and not more than forty-five inches (1.2 m) above the platform surface for scaffolds manufactured or first placed in service after January 1, 2000;

(c) The employer must ensure the height of the top rail, top edge, or the equivalent member, of suspended scaffolds that require guardrails and personal fall arrest systems, is at least thirty-six inches (0.9 m) and not more than forty-five inches (1.2 m) above the platform surface.

**EXEMPTION:** When conditions warrant, the height of the top edge of the top rail may be greater than forty-five inches if the guardrail meets all other criteria of this section.

(16) The employer must make sure the top edge of the top rail does not drop below the required height when the minimum load, shown in Table 2, Minimum Top Rail and Midrail Strength Requirements, is used.

(17) The employer must make sure each top rail and midrail, or equivalent member, of a guardrail system is able to withstand, without failure, the force shown in Table 1, Minimum Top Rail and Midrail Strength Requirements, when the force is applied as follows:

(a) To the top rail in a downward or horizontal direction at any point along its top edge;

(b) To the midrail in a downward or horizontal direction at any point.

**Note:** Midrail includes screens, mesh, intermediate vertical members, solid panels, and equivalent structural members of the guardrail system.

**Table 1**  
**Minimum Top Rail and Midrail Strength Requirements**

Type of Scaffold	Top Rail Capacity	Midrail Capacity
Single-point adjustable suspension scaffolds	100 pounds (445 N)	75 pounds (333 N)
Two-point adjustable suspension scaffolds		
All other scaffolds	200 pounds (890 N)	150 pounds (666 N)
Walkways within a scaffold		

(18) The employer must install midrails, screens, mesh, intermediate vertical members, solid panels, or equivalent structural members as follows:

- (a) Midrails at a height approximately midway between the top edge of the guardrail system and the platform surface;
- (b) Screens and mesh:
  - (i) From the top edge of the guardrail system to the scaffold platform; and
  - (ii) Along the entire opening between the supports.
- (c) Intermediate members, such as balusters or additional rails, not more than nineteen inches (48 cm) apart.

(19) The employer must make sure steel or plastic banding is not used as a top rail or midrail.

(20) The employer must have a competent person inspect manila rope and plastic or other synthetic rope that is used as a top rail or midrail as frequently as necessary to make sure it continues to meet the strength requirements for a top rail or midrail.

**Note:** Crossbraces may be used as a top rail or midrail in a guardrail system if they meet the following requirements:

- 1. The crossing point of the two braces is between:
  - a. 20" and 30" above the work platform when used as a midrail.
  - b. 38" and 48" above the work platform when used as a top rail.
- 2. The end points at each upright are not more than 48" apart.

Additional requirements for scaffolds can be found in chapter 296-874 WAC, Scaffolds.

**NEW SECTION**

**WAC 296-880-30035 Cranes.** This section applies to all cranes covered under the scope of chapter 296-155 WAC, Part L, Cranes, rigging, and personnel lifting.

- (1) Fall protection systems:
  - (a) Personal fall arrest systems must conform to the criteria in WAC 296-880-40020.
  - (b) Personal fall restraint systems must conform to the criteria in WAC 296-880-40025.
  - (c) Positioning device systems must conform to the criteria in WAC 296-880-40030.

(2) For nonassembly/disassembly work on cranes/derricks except tower cranes, the employer must provide and ensure the use of fall protection equipment for employees six feet or more above a lower level as follows:

- (a) When moving point-to-point:
  - (i) On nonlattice booms (whether horizontal or not horizontal);
  - (ii) On lattice booms that are not horizontal;
  - (iii) On horizontal lattice booms where the fall distance is ten feet or more above a lower level.

- (b) While at a work station on any part of the crane (including the boom, of any type).
 

**Note:** If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled.

(3) For assembly/disassembly work on cranes/derricks except tower cranes, the employer must provide and ensure the use of fall protection equipment for employees ten feet or more above a lower level.

**Note:** If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled.

(4) Tower cranes.

(a) For work other than erecting, climbing, and dismantling, the employer must provide and ensure the use of fall protection equipment for employees six feet or more above a lower level.

**Note:** If the equipment is running and the employee is at or near the draw-works, precautions should be taken to ensure the fall protection gear will not become entangled.

(b) For erecting, climbing, and dismantling work, the employer must provide and ensure the use of fall protection equipment for employees ten feet or more above a lower level.

(5) Anchorage criteria applicable to all cranes.

(a) Anchorages used for attachment of personal fall arrest equipment must be independent of any anchorage being used to support or suspend platforms and capable of supporting at least five thousand pounds (22.2 kN) per employee attached, or must be designed, installed, and used as follows:

- (i) As part of a complete personal fall arrest system which maintains a safety factor of at least two; and
- (ii) Under the supervision of a qualified person.

(b) Positioning devices must be secured to an anchorage capable of supporting at least twice the potential impact load of an employee's fall or three thousand pounds (13.3 kN), whichever is greater.

(c) Anchorages for personal fall arrest and positioning device systems.

(i) Personal fall arrest systems may be anchored to any apparently substantial part of the equipment unless a competent person, from a visual inspection, without an engineering analysis, would conclude that the criteria in (a) of this subsection would not be met.

(ii) Positioning device systems may be anchored to any apparently substantial part of the crane unless a competent person, from a visual inspection, without an engineering analysis, would conclude that the criteria in (b) of this subsection would not be met.

(iii) Attachable anchor devices (portable anchor devices that are attached to the crane) must meet the anchorage criteria in (a) of this subsection for personal fall arrest systems and (b) of this subsection for positioning device systems.

(d) Anchorages for fall restraint systems. Fall restraint systems may be anchored to any part of the crane that is capable of withstanding twice the maximum load that an employee may impose on it during reasonably anticipated conditions of use.

(e) Anchoring to the load line. A personal fall arrest system is permitted to be anchored to the crane/derrick's hook (or other part of the load line) where all of the following requirements are met:

(i) A qualified person has determined that the set-up and rated capacity of the crane/derrick (including the hook, load line, and rigging) meets or exceeds the requirements in (a) of this subsection;

(ii) The crane operator must be at the worksite and informed that the crane is being used for this purpose; and

(iii) No load is suspended from the load line when the personal fall arrest system is anchored to the crane/derrick's hook (or other part of the load line).

(6) Training. The employer must train each employee who may be exposed to fall hazards while on, or hoisted by, cranes/derricks covered by this section in accordance with WAC 296-880-10015.

Additional requirements for cranes can be found in chapter 296-155 WAC, Part L, Cranes, rigging and personnel lifting.

#### NEW SECTION

**WAC 296-880-30040 Telecommunication requirements that apply to wireless.** Requirements for telecommunications can be found in chapter 296-32 WAC, Safety standards for telecommunications.

#### NEW SECTION

**WAC 296-880-30045 Ship repairing, shipbuilding and shipbreaking.** This section applies to all ship repairing, shipbuilding and shipbreaking industries and operations under the scope of chapter 296-304 WAC, Safety standards for ship repairing, shipbuilding and shipbreaking.

(1) The employer must provide and ensure the use of fall protection when employees work aloft or elsewhere at elevations more than five feet above a solid surface.

(2) Guarding of deck openings and edges.

(a) When employees are working in the vicinity of flush manholes and other small openings of comparable size in the deck and other working surfaces, such openings must be suitably covered or guarded to a height of not less than thirty inches, except where the use of such guards is made impracticable by the work actually in progress.

(b) When employees are working around open hatches not protected by coamings to a height of twenty-four inches or around other large openings, the edge of the opening must be guarded in the working area to a height of thirty-six to forty-two inches, except where the use of such guards is made impracticable by the work actually in progress.

(c) When employees are exposed to unguarded edges of decks, platforms, flats, and similar flat surfaces, more than five feet above a solid surface, the edges must be guarded by adequate guardrails meeting the requirements of WAC 296-304-05001 (9)(a) and (b), unless the nature of the work in

progress or the physical conditions prohibit the use or installation of such guardrails.

(d) When employees are working near the unguarded edges of decks of vessels afloat, they must be protected by buoyant personal flotation devices, meeting the requirements of WAC 296-304-09017(1).

(e) Sections of bilges from which floor plates or gratings have been removed must be guarded by guardrails except where they would interfere with work in progress. If these open sections are in a walkway at least two ten-inch planks placed side by side, or equivalent, must be laid across the opening to provide a safe walking surface.

(f) Gratings, walkways, and catwalks, from which sections or ladders have been removed, must be barricaded with adequate guardrails.

Additional requirements for ship repairing, shipbuilding and shipbreaking can be found in chapter 296-304 WAC, Safety standards for ship repairing, shipbuilding and shipbreaking.

#### NEW SECTION

**WAC 296-880-30050 Longshore, stevedore, and waterfront related operations.** This section applies to any and all waterfront operations under the scope of chapter 296-56 WAC, Safety standards—Longshore, stevedore, and waterfront related operations.

(1) The employer must ensure employees doing maintenance work on cranes, spouts or similar types of equipment, eight feet or more above the ground or surface and not in an area that is protected by any standard safeguards such as walkways with standard railings, or ladders with protective cages, wear a full body harness and lanyard which can be attached to the structure.

(2) Guarding of edges. The employer must meet the following requirements for employee protection:

(a) Guardrails must be provided at locations where employees are exposed to falls of more than four feet from floor or wall openings or waterside edges, including bridges or gangway-like structures leading to pilings, vessel mooring or berthing installations.

(b) Guardrails are not required:

(i) At loading platforms and docks;

(ii) At waterside edges used for cargo or mooring line handling;

(iii) On the working sides of work platforms, skids, or similar workplaces which abut the work area; or

(iv) On railroad rolling stock, highway vehicles, intermodal containers, or similar equipment.

(c) Where guardrails are impractical due to machinery requirements or work processes, an alternate means of fall protection, such as nets, must be used.

(3) The employer must ensure guardrails meet the following criteria:

(a) Guardrails must be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction at mid-span of the top rail (when used), or at the uppermost point if there is no guardrail.

(b) If not of solid baluster, grillwork, slatted, or similar construction, guardrails must consist of top rails and midrails.

Midrails, when used, must be positioned at approximately half the height of the top rail.

(c) The top surface of guardrails installed before October 3, 1983, must be at least thirty-six inches (.091 m) high. Those installed after October 3, 1983, must be forty-two inches (1.07 m) high, plus or minus two inches (5.1 cm), high.

(d) Any nonrigid railing such as chain or wire rope must have a maximum sag, at the mid-point between posts, of not more than six inches (15.24 cm).

(e) Top rails must be free of sharp edges and maintained in good repair.

(f) Rail ends must not overhang. This does not prohibit scrollwork, boxed ends or similar nonhazardous projections.

(4) The employer must provide toeboards when employees below could be exposed to falling objects such as tools. Toeboards must be at least three and one-half inches (8.9 cm) in height from top edge to floor level, and be capable of withstanding a force of fifty pounds (222 N) applied in any direction. Drainage clearance not in excess of one-eighth inch under toeboards is permitted.

(5) Stair railings must be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction, and must not be more than thirty-six inches (0.91 m) nor less than thirty-two inches (0.81 m) in height from the upper top rail surface to the tread surface in line with the leading edge of the tread. Railings and midrails must be provided at any stairway having four or more risers, as follows:

(a) For stairways less than forty-four inches (1.12 m) wide, at least one railing; and

(b) For stairways more than forty-four inches (1.12 m) but less than eighty-eight inches (2.24 m) wide, a stair rail or handrail on each side, and if eighty-eight or more inches wide, an additional intermediate handrail.

(6) The employer must maintain railings in good repair and free of sharp edges.

Additional requirements for longshore, stevedore and waterfront related operations can be found in chapter 296-56 WAC, Safety standards for longshore, stevedore and waterfront related operations.

#### NEW SECTION

**WAC 296-880-30055 Ski area facilities and operations.** This section applies to all persons, firms, corporations, or others engaged in the operation of organized ski areas and facilities under the scope of chapter 296-59 WAC, Safety standards for ski area facilities and operations.

(1) Personal protective equipment, general requirements.

(a) Personal fall arrest systems or personal fall restraint systems must be provided and used whenever employees are working in locations which expose them to a fall hazard of more than ten feet.

(b) Employees will not be required to wear personal fall protection systems while riding on a standard lift chair while seated in the normal riding position.

(2) Ski lift facilities and structures. Personal fall arrest systems or personal fall restraint systems must be used when working at unprotected elevated locations. Exception to this requirement must only be permitted for emergency rescue or

emergency inspection if a personal fall arrest system is not immediately available. Required personal protective equipment must be made available as quickly as possible.

(3) Guardrails on ski lift aerial work platforms.

(a) The platform must be equipped with standard height and strength guardrails where such guardrails will pass through the configuration of all lifts on which it is intended to be used.

(b) Where guardrails must be less than thirty-nine inches high in order to clear carriages, guidage, etc., guardrails must be as high as will clear the obstructions but never less than twelve inches high.

(c) If the work platform is equipped with an upper work level, the upper level platform must be equipped with a toeboard at least four inches high.

(d) Each platform must be equipped with a lanyard attachment ring for each permissible occupant to attach a personal fall arrest system or personal fall restraint system.

(e) Each lanyard attachment ring must be of such strength as to sustain five thousand four hundred pounds of static loading for each occupant permitted to be attached to a specific ring.

(f) Attachment rings must be permanently located as close to the center balance point of the platform as is practical.

(g) The rings may be movable, for instance, up and down a central suspension rod, but must not be completely removable.

(4) Work platform use.

(a) Passengers must be provided with and must use the correct personal fall arrest system or personal fall restraint system for the intended work.

(b) Any time a passenger's position is not protected by a standard guardrail at least thirty-nine inches high, the individual must be protected by a personal fall restraint system, which will not permit free-fall over the platform edge.

(c) When personnel are passengers on a work platform and their work position requires the use of a personal fall arrest or personal fall restraint system, the lanyard must be attached to the work platform, not to the haulrope or tower.

All specifications would be in accordance with WAC 296-880-400.

Additional requirements for ski area facilities and operations can be found in chapter 296-59 WAC, Safety standard for ski area facilities and operations.

#### NEW SECTION

**WAC 296-880-400 Fall protection system specifications.** This section applies to all fall protection systems under the scope of this chapter unless specifically addressed in WAC 296-880-300.

#### NEW SECTION

**WAC 296-880-40005 Guardrail systems.** Guardrail systems and their use must conform to the following provisions:

(1) A standard guardrail system must consist of top rail, intermediate rail, and posts, and must have a vertical height of thirty-nine to forty-five inches from upper surface of top

rail to floor, platform, runway, or ramp level. When conditions warrant, the height of the top edge may exceed the forty-five inch height, provided the guardrail system meets all other criteria of this subsection. The intermediate rail must be halfway between the top rail and the floor, platform, runway, or ramp. The ends of the rails must not overhang the terminal posts except where such overhang does not constitute a projection hazard.

(2) Minimum requirements for standard guardrail systems under various types of construction are specified in the following items:

(a) For wood guardrails, the posts must be of at least two-inch by four-inch stock spaced not to exceed eight feet. The top rail must be of at least two-inch by four-inch stock and each length of lumber must be smooth surfaced throughout the length of the guardrail. The intermediate rail must be of at least one-inch by six-inch stock. Other configurations may be used for the top rail when the configuration meets the requirements of (g) of this subsection.

(b) For pipe guardrails, posts and top and intermediate rails must be at least one and one-half inches nominal OD diameter with posts spaced not more than eight feet on centers. Other configurations may be used for the top rail when the configuration meets the requirements of (g) of this subsection.

(c) For structural steel guardrails, posts and top and intermediate rails must be of two-inch by two-inch by three-eighths inch angles or other metal shapes of equivalent bending strength, with posts spaced not more than eight feet on centers. Other configurations may be used for the top rail when the configuration meets the requirements of (g) of this subsection.

(d) For wire rope guardrails, the top and intermediate rails must meet the strength factor and deflection of (g)(ii) of this subsection. The top rail must be flagged at not more than six foot intervals with high visibility material. Posts must be spaced not more than eight feet on centers. The rope must be stretched taut and must be between thirty-nine and forty-five inches in height at all points. Other configurations may be used for the top rail when the configuration meets the requirements of (h) of this subsection.

(e) Guardrail systems must be of such construction that the completed structure is capable of withstanding a load of at least two hundred pounds applied within two inches of the top edge, in any outward or downward direction, at any point along the top edge.

(f) When the two hundred pound test load specified in (e) of this subsection is applied in a downward direction, the top edge of the guardrail must not deflect to a height less than thirty-nine inches above the walking/working surface.

(g) Guardrails receiving heavy stresses from employees trucking or handling materials must be provided additional strength by the use of heavier stock, closer spacing of posts, bracing, or by other means.

(h) Other types, sizes, and arrangements of guardrail construction are acceptable, provided they meet the following conditions:

(i) A smooth surfaced top rail at a height above floor, platform, runway, or ramp level between thirty-nine and forty-five inches;

(ii) When the two hundred pound (890 N) load specified in (e) of this subsection is applied in a downward direction, the top edge of the guardrail must not deflect to a height less than thirty-nine inches (1.0 m) above the walking/working surface. Guardrail system components selected and constructed in accordance with this chapter will be deemed to meet this requirement;

(iii) Protection between top rail and floor, platform, runway, ramp, or stair treads, equivalent at least to that afforded by a standard intermediate rail;

(iv) Elimination of overhang of rail ends unless such overhang does not constitute a hazard.

(3) Toeboard specifications.

(a) A standard toeboard must be a minimum of three and one-half inches in vertical height from the top edge to the level of the walking/working surface. Toeboards may be made of any substantial material, either solid, or with openings not over one inch in greatest dimension. Toeboards must be securely fastened in place with no more than one-quarter inch clearance above the walking/working surface.

(b) Where material is piled to such height that a standard toeboard does not provide protection, paneling, or screening from floor to intermediate rail or to top rail must be provided.

#### NEW SECTION

**WAC 296-880-40010 Ramps, runways, and inclined walkway requirements.** Ramps, runways, and inclined walkways must conform to the following provisions:

(1) Be at least eighteen inches wide; and

(2) Not be inclined more than twenty degrees from horizontal and when inclined, they must be cleated or otherwise treated to prevent a slipping hazard on the walking surface.

**Note:** See WAC 296-880-20005 for guarding ramps, runways, and inclined walkways that are four feet or more above the ground or lower level.

#### NEW SECTION

**WAC 296-880-40015 Cover requirements—Holes and openings.** Covers and their use must conform to the following provisions:

(1) Hole covers must be of any material that meets the following strength requirements:

(a) Conduits, trenches, and manhole covers and their supports, when located in roadways, and vehicular aisles must be designed to carry a truck rear axle load of at least two times the maximum intended load;

(b) Hole covers must be capable of supporting, without failure, at least twice the weight of employees, equipment, and materials that may be imposed on the cover at any one time.

(2) All covers must be secured when installed so as to prevent accidental displacement by wind, equipment, or employees.

(3) All temporary covers must be color coded or they must be marked with the word "hole" or "cover" to provide warning of the hazard.

(4) Barriers and screens used to cover openings must meet the following requirements:

(a) Barriers must be of such construction and mounting that, when in place at the opening, the barrier is capable of withstanding a load of at least two hundred pounds applied in any direction (except upward), with a minimum of deflection at any point on the top rail or corresponding member.

(b) Screens must be of such construction and mounting that they are capable of withstanding a load of at least two hundred pounds applied horizontally at any point on the near side of the screen. They may be of solid construction of either grill work with openings not more than eight inches long, or of slat work with openings not more than four inches wide with length unrestricted.

#### NEW SECTION

**WAC 296-880-40020 Personal fall arrest system requirements.** Personal fall arrest systems and their use must conform to the following provisions:

(1) Personal fall arrest systems:

(a) A full body harness must be used.

(b) The attachment point of the full body harness must be located in the center of the wearer's back near shoulder level, or above the wearer's head.

(c) Lanyards must have a minimum breaking strength of five thousand pounds (22.2 kN).

(d) The employer must protect all safety lines and lanyards against being cut or abraded.

(e) D-rings and snap hooks must be proof-tested to a minimum tensile load of thirty-six hundred pounds (16 kN) without cracking, breaking, or taking permanent deformation.

(f) Snap hooks must be a locking type snap hook designed and used to prevent disengagement of the snap hook by the contact of the snap hook keeper by the connected member.

(g) Unless the snap hook is designed for the following connections, snap hooks must not be engaged:

(i) Directly to the webbing, rope, or wire rope;

(ii) To each other;

(iii) To a D-ring to which another snap hook or other connector is attached;

(iv) To a horizontal lifeline; or

(v) To any object which is incompatibly shaped or dimensioned in relation to the snap hook such that unintentional disengagement could occur by the connected object being able to depress the snap hook keeper and release itself.

(h) Hardware must be drop forged, pressed or formed steel, or made of materials equivalent in strength.

(i) Hardware must have a corrosion resistant finish, and all surfaces and edges must be smooth to prevent damage to the attached full body harness or lanyard.

(j) All components of full body harness systems whose strength is not otherwise specified in this section must be capable of supporting a minimum fall impact load of five thousand pounds (22.2 kN) applied at the lanyard point of connection.

(k) Vertical lifelines (droplines) must have a minimum breaking strength of five thousand pounds (22.2 kN), except that self-retracting lifelines and lanyards which automatically limit free fall distance to two feet (.61 m) or less must have a

minimum breaking strength of three thousand pounds (13.3 kN).

(l) When vertical lifelines (droplines) are used, not more than one employee must be attached to any one lifeline.

(m) Horizontal lifelines must be designed, installed, and used, under the supervision of a qualified person, as part of a complete personal fall arrest system, which maintains a safety factor of at least two.

(2)(a) Anchorages for full body harness systems.

(b) Anchorages for full body harness systems must be capable of supporting (per employee):

(i) Three thousand pounds when used in conjunction with:

(A) A self-retracting lifeline that limits the maximum free fall distances to two feet or less; or

(B) A shock absorbing lanyard that restricts the forces on the body to nine hundred pounds or less.

(ii) Five thousand pounds for all other personal fall arrest system applications, or they must be designed, installed, and used:

(A) As part of a complete personal fall arrest system which maintains a safety factor of at least two; and

(B) Under the supervision of a qualified person.

**Note:** The system strength requirements in this section are based on a total combined weight of employee and tools of no more than three hundred ten pounds. If combined weight is more than three hundred ten pounds, appropriate allowances must be made or the system will not be in compliance. For more information on system testing, see WAC 296-880-510 Appendix C.

(3) When stopping a fall, personal fall arrest systems must:

(a) Be rigged to allow a maximum free fall distance of six feet nor allow an employee to contact any lower level. A free fall may be more than six feet provided the employer can demonstrate the manufacturer designed the system to allow a free fall of more than six feet and the system has been tested to ensure a maximum arresting force of eighteen hundred pounds is not exceeded;

(b) Limit maximum arresting force on an employee to eighteen hundred pounds (8 kN);

(c) Bring an employee to a complete stop and limit maximum deceleration distance an employee travels to three and one-half feet (1.08 m); and

(d) Have sufficient strength to withstand twice the potential impact energy of an employee free falling a maximum distance of six feet (1.8 m).

**Note:** Shock absorbers that meet the requirements of ANSI Z359.1 that are used as a part of a personal fall arrest system in accordance with manufacturer's recommendations and instructions for use and installation will limit the maximum arresting forces on an employee's body to eighteen hundred pounds or less.

To calculate fall clearance distance using a shock absorbing lanyard and D-ring anchorage connector, see WAC 296-880-505 Appendix B.

#### NEW SECTION

**WAC 296-880-40025 Personal fall restraint system requirements.** Personal fall restraint systems and their use must conform to the following provisions.

Personal fall restraint systems must be rigged to allow the movement of employees only as far as the unprotected sides and edges of the walking/working surface, and must consist of:

- (1) A full body harness must be used.
- (2) The full body harness must be attached to securely rigged restraint lines.
- (3) All hardware assemblies for full body harness must be capable of withstanding a tension loading of four thousand pounds without cracking, breaking, or taking a permanent deformation.
- (4) The employer must ensure component compatibility.
- (5) Anchorage points used for fall restraint must be capable of supporting four times the intended load.
- (6) Rope grab devices are prohibited for fall restraint applications unless they are part of a fall restraint system designed specifically for the purpose by the manufacturer, and used in strict accordance with the manufacturer's recommendations and instructions.

#### NEW SECTION

**WAC 296-880-40030 Positioning device system requirements.** Positioning device systems and their use must conform to the following provisions:

- (1) Positioning harnesses or full body harnesses must be used.
- (2) Positioning devices must be rigged to prevent an employee from a free fall greater than two feet.
- (3) Positioning devices must be secured to an anchorage capable of supporting at least twice the potential impact load of an employee's fall or three thousand pounds (13.3 kN), whichever is greater.
- (4) Connectors must be drop forged, pressed or formed steel, or made of equivalent materials.
- (5) Connectors must have a corrosion-resistant finish, and all surfaces and edges must be smooth to prevent damage to interfacing parts of this system.
- (6) Connecting assemblies must have a minimum breaking strength of five thousand pounds (22.2 kN).
- (7) D-rings and snap hooks must be proof-tested to a minimum tensile load of three thousand six hundred pounds (16 kN) without cracking, breaking, or taking permanent deformation.
- (8) Snap hooks must be a locking type snap hook designed and used to prevent disengagement of the snap hook by the contact of the snap hook keeper by the connected member.
- (9) Unless the snap hook is designed for the following connections, snap hooks must not be engaged:
  - (a) Directly to webbing, rope, or wire rope;
  - (b) To each other;
  - (c) To a D-ring to which another snap hook or other connector is attached;
  - (d) To a horizontal lifeline; or
  - (e) To any object which is incompatibly shaped or dimensioned in relation to the snap hook such that unintentional disengagement could occur by the connected object being able to depress the snap hook keeper and release itself.

#### NEW SECTION

**WAC 296-880-40035 Self-rescue device requirements.** Self-rescue devices and their use must conform to the following provisions:

- (1) Self-rescue devices are not to be used as a fall protection system.
- (2) Self-rescue devices must be used according to the manufacturer's instructions.
- (3) The use of self-rescue devices must be addressed in the fall protection work plan.

#### NEW SECTION

**WAC 296-880-40040 Warning line system requirements.** Warning line systems and their use must conform to the following provisions:

Warning line system specifications used on roofs with a pitch of four in twelve or less for roofing work, leading edge work and on low pitched open sided surfaces for work activities other than roofing work or leading edge work. The employer must ensure the following:

- (1) Warning lines must be erected around all unprotected sides and edges of the work area.
  - (a) Warning lines used during roofing work:
    - (i) When roofing work is taking place or when mechanical equipment is not being used, the warning line must be erected not less than six feet (1.8 m) from the edge of the roof;
    - (ii) When mechanical equipment is being used, the warning line must be erected not less than six feet (1.8 m) from the roof edge which is parallel to the direction of mechanical equipment operation, and not less than ten feet (3.1 m) from the roof edge which is perpendicular to the direction of mechanical equipment operation.
  - (b) Warning lines erected for leading edge work. Warning lines must be erected to separate employees who are engaged in leading edge work (between the forward edge of the warning line and the leading edge), from other work areas on the low pitched surface. The employer must ensure:
    - (i) The warning line is erected not less than six feet nor more than twenty-five feet from the leading edge; and
    - (ii) When fall arrest systems as described in WAC 296-880-40020, or fall restraint systems as described in WAC 296-880-40025 are not used, the employer must implement a safety monitor system as described in WAC 296-880-40045 to protect employees engaged in constructing the leading edge who are working between the forward edge of the warning line and the leading edge.

(c) Warning lines erected on low pitched open sided surfaces for work activities other than roofing work, or leading edge work must be erected not less than fifteen feet from the unprotected sides or edges of the open sided surface.

(2) The warning line must consist of a rope, wire, or chain and supporting stanchions erected as follows:

- (a) The rope, wire, or chain must be flagged at not more than six foot (1.8 m) intervals with high visibility material. Highly visible caution or danger tape as described in (d) of this subsection, does not need to be flagged.
- (b) The rope, wire, or chain must be rigged and supported in such a way that its lowest point (including sag) is no

less than thirty-six inches from the surface and its highest point is no more than forty-five inches from the surface.

(c) After being erected, with the rope, wire or chain attached, stanchions must be capable of resisting, without tipping over, a force of at least sixteen pounds (71 N) applied horizontally against the stanchion, thirty inches (0.76 m) above the surface, perpendicular to the warning line, and in the direction of the unprotected sides or edges of the surface.

(d) The rope, wire, or chain must have a minimum tensile strength of five hundred pounds (2.22 kN), and after being attached to the stanchions, must be capable of supporting, without breaking, the loads applied to the stanchions. Highly visible caution or danger tape may be used in lieu of rope, wire, or chain as long as it is at least three inches wide and three mils thick, and has a tensile strength of at least two hundred pounds.

(e) The line must be attached at each stanchion in such a way that pulling on one section of the line between stanchions will not result in slack being taken up in adjacent sections before the stanchion tips over.

(3) The employer must erect access paths as follows:

(a) Points of access, materials handling areas, and storage areas must be connected to the work area by a clear access path formed by two warning lines.

(b) When the path to a point of access is not in use, the employer must place a rope, wire, or chain, equal in strength and height to the warning line, across the path at the point where the path intersects the warning line erected around the work area.

#### NEW SECTION

**WAC 296-880-40045 Safety monitor system requirements.** Safety monitor systems and their use must conform to the following provisions:

(1) A safety monitor system may be used in conjunction with a warning line system as a method of fall protection during roofing work on low pitched roofs or leading edge work on low pitched surfaces.

**Note:** The warning line is not required when performing roofing work on low pitched roofs less than fifty feet wide. For information on determining roof widths, see WAC 296-880-500, Appendix A, Determining roof widths.

(2) When selected, the employer must ensure that the safety monitor system is addressed in the fall protection work plan, including the name of the safety monitor(s) and the extent of their training in both the safety monitor and warning line systems. The employer must ensure that the following requirements are met:

(a) The safety monitor system must not be used when adverse weather conditions create additional hazards.

(b) Employees working outside of the warning line system, (between the forward edge of the warning line and the unprotected sides or edges of a low pitched surface), must be readily distinguishable from other members of the crew that are working inside the warning line system by wearing highly visible, distinctive, and uniform apparel.

(c) Employees must promptly comply with fall hazard warnings from the safety monitor.

(d) The employer must train a person acting in the capacity of safety monitor(s) in the function of both the safety monitor and warning line systems, and they must:

(i) Be a competent person as defined in WAC 296-880-095;

(ii) Have control authority over the work as it relates to fall protection;

(iii) Be instantly distinguishable over members of the work crew;

(iv) Perform no other duties while acting as safety monitor;

(v) Be positioned in relation to the workers under their protection, so as to have a clear, unobstructed view and be able to maintain normal voice communication;

(vi) Not supervise more than eight exposed workers at one time; and

(vii) Warn the employee when it appears that the employee is unaware of a fall hazard or is acting in an unsafe manner.

#### NEW SECTION

**WAC 296-880-40050 Safety watch system requirements.** Safety watch systems and their use must conform to the following provisions:

(1) When one employee is conducting any repair work or servicing equipment on a low pitch roof, not within six feet of the edge, and where exposure to falls is infrequent (not on a predictable and regular basis), employers are allowed to use a safety watch system.

(2) The employer must ensure the safety watch system meets the following requirements:

(a) There can only be two people on the roof while the safety watch system is being used: One employee acting as the safety watch and one employee engaged in the repair work or servicing equipment;

(b) The employee performing the repair work or service must comply promptly with fall hazard warnings from the safety watch;

(c) Mechanical equipment is not used; and

(d) The safety watch system is not used when weather conditions create additional hazards.

(3) The employer must ensure the employee acting as the safety watch meets all of the following:

(a) Is a competent person as defined in WAC 296-880-095;

(b) Is trained in the requirements of this section;

(c) Has full control over the work as it relates to fall protection;

(d) Has a clear, unobstructed view of the worker;

(e) Is able to maintain normal voice communication; and

(f) Performs no other duties while acting as the safety watch.

#### NEW SECTION

**WAC 296-880-40055 Safety net system requirements.** Safety net systems and their use must conform with the following provisions:

(1) Safety nets must be installed as close as practicable under the surface on which employees are working, but in no

case more than thirty feet (9.1 m) below such level unless specifically approved in writing by the manufacturer. The potential fall area to the net must be unobstructed.

(2) Safety nets must extend outward from the outermost projection of the work surface as follows:

**Table 2**

Vertical distance from working levels to horizontal plane of net	Minimum required horizontal distance of outer edge of net from the edge of the working surface
Up to 5 feet	8 feet
More than 5 feet up to 10 feet	10 feet
More than 10 feet	13 feet

(3) The employer must install safety nets with sufficient clearance under them to prevent contact with the surface or structures below when subjected to an impact force equal to the drop test specified in subsection (5) of this section.

(4) Safety nets and their installations must be capable of absorbing an impact force equal to that produced by the drop test.

(a) Except as provided in subsection (6) of this section, safety nets and safety net installations must be drop-tested at the job site after initial installation and before being used as a fall protection system, whenever relocated, after major repair, and at six-month intervals if left in one place. The drop-test must consist of a four hundred pound (180 kg) bag of sand, thirty plus or minus two inches (76 plus or minus 5 cm) in diameter dropped into the net from the highest walking/working surface at which employees are exposed to fall hazards, but not from less than forty-two inches (1.1 m) above that level.

(b) When the employer can demonstrate that it is unreasonable to perform the drop-test required by (a) of this subsection, the employer (or a designated competent person) must certify that the net and net installation is in compliance with subsections (2) and (3) of this section by preparing a certification record prior to the net being used as a fall protection system. The certification record must include an identification of the net and net installation for which the certification record is being prepared; the date that it was determined that the identified net and net installation were in compliance with subsection (5) of this section and the signature of the person making the determination and certification. The most recent certification record for each net and net installation must be available at the job site for inspection.

(5) The employer must inspect safety nets at a minimum of once a week for wear, damage, and other deterioration. Defective components must be removed from service. Safety nets must also be inspected after any occurrence which could affect the integrity of the safety net system.

(6) The employer must remove materials, scrap pieces, equipment, and tools which have fallen into the safety net as soon as possible from the net and at least before the next work shift.

(7) The maximum size of each safety net mesh opening must not exceed thirty-six square inches (230 cm<sup>2</sup>) nor be

longer than six inches (15 cm) on any side, and the opening, measured center-to-center of mesh ropes or webbing, must not be longer than six inches (15 cm). All mesh crossings must be secured to prevent enlargement of the mesh opening.

(8) Each safety net (or section of it) must have a border rope or webbing with a minimum breaking strength of five thousand pounds (22.2 kN).

(9) Connections between safety net panels must be as strong as integral net components and must be spaced not more than six inches (15 cm) apart.

#### NEW SECTION

##### **WAC 296-880-40060 Catch platform requirements.**

Catch platforms and their use must comply with the following provisions:

(1) Catch platforms must be installed within four vertical feet of the work area.

(2) Catch platforms must be a minimum of forty-five inches wide and equipped with standard guardrails and toe-boards on all open sides.

(3) Catch platforms must meet the strength and stability requirements of supported scaffolds in chapter 296-874 WAC, Scaffolds.

#### NEW SECTION

**WAC 296-880-40065 Canopy requirements.** Canopies and their use must comply with the following provision: Canopies, when used as falling object protection, must be of sufficient strength to prevent collapse and to prevent penetration by any objects which may fall onto the canopy.

#### NEW SECTION

**WAC 296-880-40070 Roof bracket requirements.** Roof brackets and their use must comply with the following provisions: Roofing brackets are not a fall protection system.

(1) Roofing brackets must be constructed to fit the pitch of the roof.

(2) In addition to securing brackets using the pointed metal projections, brackets must also be secured in place by nailing. When it is impractical to nail brackets, rope supports must be used. When rope supports are used, they must consist of first grade manila of at least three-quarter inch diameter, or equivalent.

#### NEW SECTION

**WAC 296-880-40075 Crawling board and chicken ladder requirements.** Crawling boards, chicken ladders, and their use must conform with the following provisions: Crawling boards and chicken ladders are not fall protection systems.

(1) Crawling boards must be not less than ten inches wide and one inch thick, having cleats one by one and one-half inches:

(a) The cleats must be equal in length to the width of the board and spaced at equal intervals not to exceed twenty-four inches.

(b) Nails must be driven through and clinched on the underside.

(c) The crawling board must extend from the ridge pole to the eaves when used in connection with roof construction, repair, or maintenance.

(2) Crawling boards must be secured to the roof using ridge hooks or other equivalent means.

**NEW SECTION**

**WAC 296-880-40080 Roof edge materials handling and material storage requirements.** Roof edge materials handling areas and materials storage must conform with the following provisions:

(1) When guardrails are used at hoisting areas, a minimum of four feet of guardrail must be erected along each side of the access point through which materials are hoisted.

(2) A chain or gate must be placed across the opening between the guardrail sections when hoisting operations are not taking place.

(3) When guardrails are used at bitumen pipe outlet, a minimum of four feet of guardrail must be erected along each side of the pipe.

(4) Mechanical equipment must be used or stored only in areas where employees are protected using a fall arrest system as described in WAC 296-880-40020, or a fall restraint system as described in WAC 296-880-40025. Mechanical equipment may not be used or stored where the only protection is provided by the use of a safety monitor.

(5) The hoist must not be used as an attachment/anchor-age point for fall arrest or fall restraint systems.

(6) Materials must not be stored within six feet of a roof edge unless guardrails are erected at the roof edge. Guardrails must include a toeboard if employees could be working or passing below.

**NONMANDATORY APPENDICES**

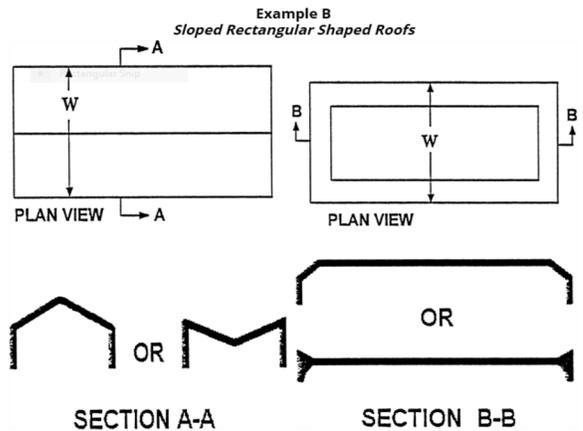
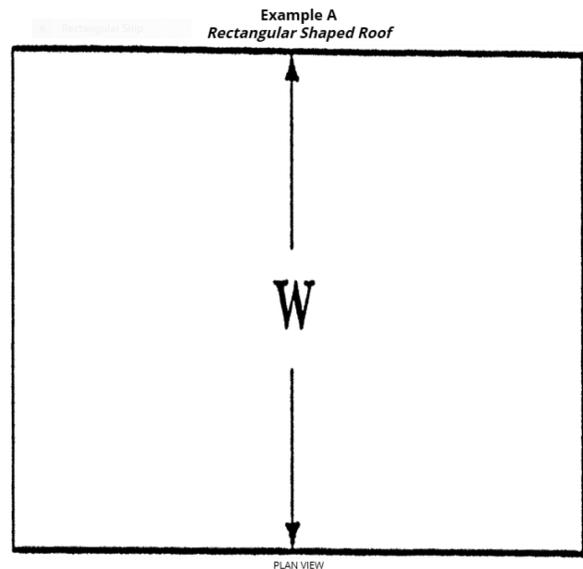
**NEW SECTION**

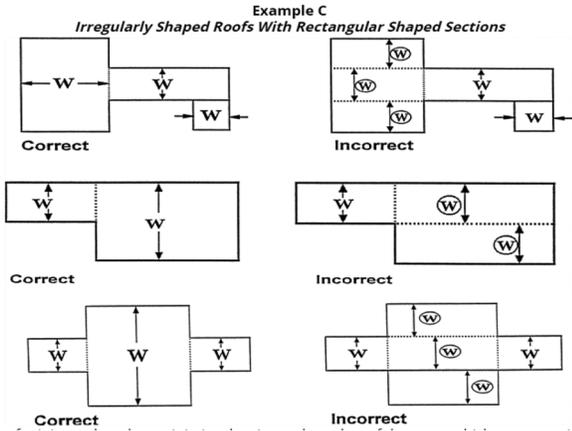
**WAC 296-880-500 Appendix A—Determining roof widths—Nonmandatory guidelines.** Guidelines for complying with fall restraint requirements in this section.

(1) This appendix serves as a guideline to assist employers complying with the requirements of WAC 296-880-40045 which allows the use of a safety monitoring system alone as a means of providing fall protection during the performance of roofing operations on low sloped roofs fifty feet (15.25 m) or less in width. Each example in the appendix shows a roof plan or plans and indicates where each roof or roof area is to be measured to determine its width. Section views or elevation views are shown where appropriate. Some examples show "correct" and "incorrect" subdivisions of irregularly shaped roofs divided into smaller, regularly shaped areas. In all examples, the dimension selected to be the width of an area is the lesser of the two primary dimensions of the area, as viewed from above. Example A shows a simple rectangular roof. The width is the lesser of the two primary overall dimensions, which is also the case with roofs sloped toward or away from the roof center, as shown in Example B.

(2) Many roofs are not simple rectangles. Such roofs may be broken down into subareas as shown in Example C. The process of dividing a roof area can produce many different configurations. Example C gives the general rule of using dividing lines of minimum length to minimize the size and number of the areas which are potentially less than fifty feet (15.25 m) wide. The intent is to minimize the number of roof areas where safety monitoring systems alone are sufficient protection.

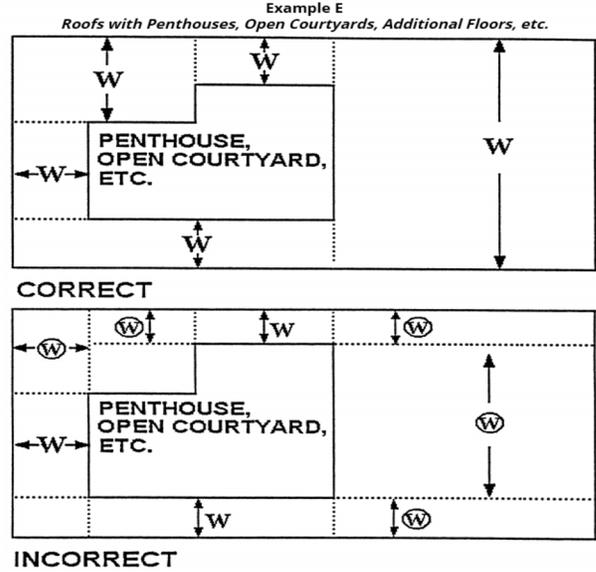
(3) Roofs which are comprised of several separate, non-contiguous roof areas, as in Example D, may be considered as a series of individual roofs. Some roofs have penthouses, additional floors, courtyard openings, or similar architectural features, Example E shows how the rule for dividing roofs into subareas is applied to such configurations. Irregular, nonrectangular roofs must be considered on an individual basis, as shown in Example F.





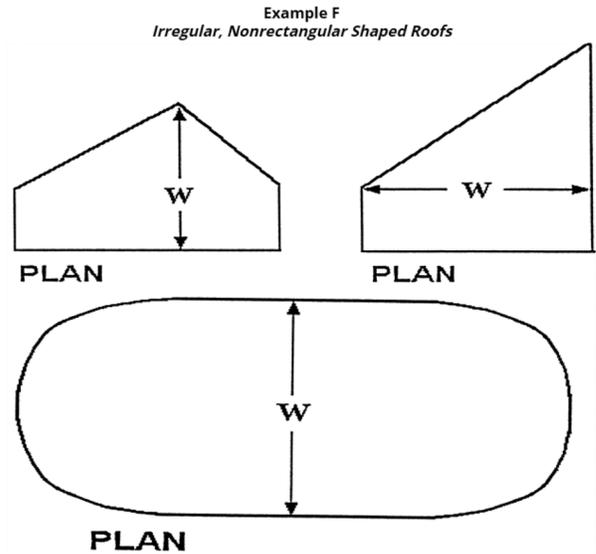
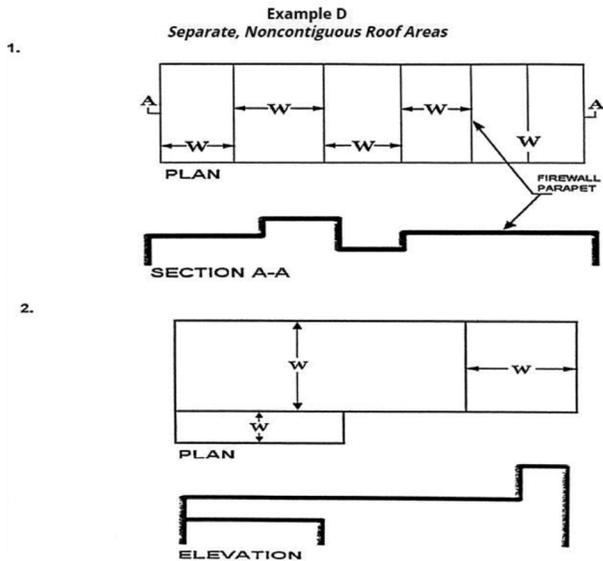
Such roofs are to be divided into subareas by using dividing lines of minimum length to minimize the size and number of the areas which are potentially less than or equal to fifty feet (15.25 m) in width, in order to limit the size of roof areas where the safety monitoring system alone can be used (WAC 296-880-40045(1)). Dotted lines are used in the examples to show the location of dividing lines.

? denotes incorrect measurements of width.



Such roofs are to be divided into subareas by using dividing lines of minimum length to minimize the size and number of the areas which are potentially less than or equal to fifty feet (15.25 m) in width in order to limit the size of roof areas where the safety monitoring system alone can be used. Dotted lines are used in the examples to show the location of dividing lines.

? denotes incorrect measurements of width.



NEW SECTION

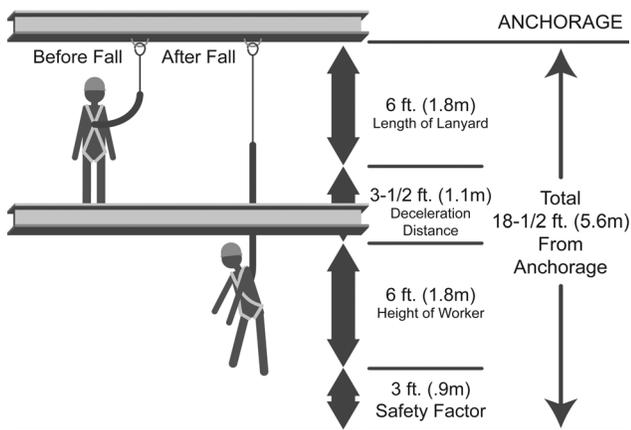
**WAC 296-880-505 Appendix B—Calculating fall clearance distance—Nonmandatory guidelines.** Calculating fall clearance distance using a shock-absorbing lanyard and D-ring anchorage connector - Nonmandatory guidelines for complying with WAC 296-880-40020.

Do the following to calculate the fall clearance distance using a shock-absorbing lanyard and D-ring anchorage connector:

(1) First, add the length of the shock-absorbing lanyard (six feet) to the maximum elongation of the shock absorber during deceleration (three and one-half feet) to the average height of a worker (six feet);

(2) Then, add a safety factor of three feet to allow for the possibility of an improperly fit full body harness, a taller than average worker and/or a miscalculation of distance.

**Note:** The suggested safe fall clearance distance for this example is eighteen and one-half feet.



## NEW SECTION

**WAC 296-880-510 Appendix C—Test methods and additional guidelines for personal fall arrest systems—Nonmandatory guidelines.** (1) General. Subsections (2), (3), (4), and (5) of this appendix set forth test procedures which may be used to determine compliance with the requirements in WAC 296-880-40020.

(2) General conditions for all tests.

(a) Lifelines, lanyards, and deceleration devices should be attached to an anchorage and connected to the body harness in the same manner as they would be when used to protect employees.

(b) The anchorage should be rigid, and should not have a deflection greater than .04 inches (1 mm) when a force of two thousand two hundred fifty pounds (10 kN) is applied.

(c) The frequency response of the load measuring instrumentation should be 120 Hz.

(d) The test weight used in the strength and force tests should be a rigid, metal, cylindrical or torso-shaped object with a girth of thirty-eight inches plus or minus four inches (96 cm plus or minus 10 cm).

(e) The lanyard or lifeline used to create the free fall distance should be supplied with the system, or in its absence, the least elastic lanyard or lifeline available to be used with the system.

(f) The test weight for each test should be hoisted to the required level and should be quickly released without having any appreciable motion imparted to it.

(g) The system's performance should be evaluated taking into account the range of environmental conditions for which it is designed to be used.

(h) Following the test, the system need not be capable of further operation.

(3) Strength test.

(a) During the testing of all systems, a test weight of three hundred pounds plus or minus five pounds (135 kg plus or minus 2.5 kg) should be used. (See subsection (2)(d) of this appendix.)

(b) The test consists of dropping the test weight once. A new unused system should be used for each test.

(c) For lanyard systems, the lanyard length should be six feet plus or minus two inches (1.83 m plus or minus 5 cm) as measured from the fixed anchorage to the attachment on the body harness.

(d) For rope-grab-type deceleration systems, the length of the lifeline above the centerline of the grabbing mechanism to the lifeline's anchorage point should not exceed two feet (0.61 m).

(e) For lanyard systems, for systems with deceleration devices which do not automatically limit free fall distance to two feet (0.61 m) or less, and for systems with deceleration devices which have a connection distance in excess of one foot (0.3 m) (measured between the centerline of the lifeline and the attachment point to the body harness), the test weight should be rigged to free fall a distance of seven and one-half feet (2.3 m) from a point that is one and one-half feet (46 cm) above the anchorage point, to its hanging location (six feet below the anchorage). The test weight should fall without interference, obstruction, or hitting the floor or ground during the test. In some cases a nonelastic wire lanyard of sufficient length may need to be added to the system (for test purposes) to create the necessary free fall distance.

(f) For deceleration device systems with integral lifelines or lanyards which automatically limit free fall distance to two feet (0.61 m) or less, the test weight should be rigged to free fall a distance of four feet (1.22 m).

(g) Any weight which detaches from the harness should constitute failure for the strength test.

(4) Force test.

(a) General. The test consists of dropping the respective test weight specified in (b)(i) or (c)(i) of this subsection once. A new, unused system should be used for each test.

(b) For lanyard systems:

(i) A test weight of two-hundred twenty pounds plus or minus three pounds (100 kg plus or minus 1.6 kg) should be used. (See subsection (2)(d) of this section.)

(ii) Lanyard length should be six feet plus or minus two inches (1.83 m plus or minus 5 cm) as measured from the fixed anchorage to the attachment on the body harness.

(iii) The test weight should fall free from the anchorage level to its hanging location (a total of six feet (1.83 m) free fall distance) without interference, obstruction, or hitting the floor or ground during the test.

(c) For all other systems:

(i) A test weight of two hundred and twenty pounds plus or minus three pounds (100 kg plus or minus 1.6 kg) should be used. (See subsection (2)(d) of this section.)

(ii) The free fall distance to be used in the test should be the maximum fall distance physically permitted by the system during normal use conditions, up to a maximum free fall distance for the test weight of six feet (1.83 m), except as follows:

(A) For deceleration systems which have a connection link or lanyard, the test weight should free fall a distance equal to the connection distance (measured between the centerline of the lifeline and the attachment point to the body harness).

(B) For deceleration device systems with integral lifelines or lanyards which automatically limit free fall distance to two feet (0.61 m) or less, the test weight should free fall a distance equal to that permitted by the system in normal use. (For example, to test a system with a self-retracting lifeline or lanyard, the test weight should be supported and the system allowed to retract the lifeline or lanyard as it would in normal use. The test weight would then be released and the force and deceleration distance measured.)

(d) A system fails the force test if the recorded maximum arresting force exceeds two thousand five hundred pounds (11.2 kN) when using a body harness.

(e) The maximum elongation and deceleration distance should be recorded during the force test.

(5) Deceleration device tests.

(a) General. The device should be evaluated or tested under the environmental conditions, (such as rain, ice, grease, dirt, type of lifeline, etc.), for which the device is designed.

(b) Rope-grab-type deceleration devices.

(i) Devices should be moved on a lifeline one thousand times over the same length of line a distance of not less than one foot (30.5 cm), and the mechanism should lock each time.

(ii) Unless the device is permanently marked to indicate the type(s) of lifeline which must be used, several types (different diameters and different materials), of lifelines should be used to test the device.

(c) Other self-activating-type deceleration devices. The locking mechanisms of other self-activating-type deceleration devices designed for more than one arrest should lock each of one thousand times as they would in normal service.

Additional nonmandatory guidelines for personal fall arrest systems. The following information constitutes additional guidelines for use in complying with requirements for a personal fall arrest system.

(6) Selection and use considerations. The kind of personal fall arrest system selected should match the particular work situation, and any possible free fall distance should be kept to a minimum. Consideration should be given to the particular work environment. For example, the presence of acids, dirt, moisture, oil, grease, etc., and their effect on the system, should be evaluated. Hot or cold environments may also have an adverse effect on the system. Wire rope should not be used where an electrical hazard is anticipated. As required by the standard, the employer must plan to have means available to promptly rescue an employee should a fall occur, since the suspended employee may not be able to reach a work level independently.

Where lanyards, connectors, and lifelines are subject to damage by work operations such as welding, chemical clean-

ing, and sandblasting, the component should be protected, or other securing systems should be used. The employer should fully evaluate the work conditions and environment (including seasonal weather changes) before selecting the appropriate personal fall protection system. Once in use, the system's effectiveness should be monitored. In some cases, a program for cleaning and maintenance of the system may be necessary.

(7) Testing considerations. Before purchasing or putting into use a personal fall arrest system, an employer should obtain from the supplier information about the system based on its performance during testing so that the employer can know if the system meets this standard. Testing should be done using recognized test methods. Part II of this Appendix C contains test methods recognized for evaluating the performance of fall arrest systems. Not all systems may need to be individually tested; the performance of some systems may be based on data and calculations derived from testing of similar systems, provided that enough information is available to demonstrate similarity of function and design.

(8) Component compatibility considerations. Ideally, a personal fall arrest system is designed, tested, and supplied as a complete system. However, it is common practice for lanyards, connectors, lifelines, deceleration devices, and body harnesses to be interchanged since some components wear out before others. The employer and employee should realize that not all components are interchangeable. For instance, a lanyard should not be connected between a body harness and a deceleration device of the self-retracting type since this can result in additional free fall for which the system was not designed. Any substitution or change to a personal fall arrest system should be fully evaluated or tested by a competent person to determine that it meets the standard, before the modified system is put in use.

(9) Employee training considerations. Thorough employee training in the selection and use of personal fall arrest systems is imperative. As stated in the standard, before the equipment is used, employees must be trained in the safe use of the system. This should include the following:

(a) Application limits;

(b) Proper anchoring and tie-off techniques;

(c) Estimation of free fall distance, including determination of deceleration distance, and total fall distance to prevent striking a lower level;

(d) Methods of use; and

(e) Inspection and storage of the system.

Careless or improper use of the equipment can result in serious injury or death. Employers and employees should become familiar with the material in this appendix, as well as manufacturer's recommendations, before a system is used. Of uppermost importance is the reduction in strength caused by certain tie-offs (such as using knots, tying around sharp edges, etc.) and maximum permitted free fall distance. Also, to be stressed are the importance of inspections prior to use, the limitations of the equipment, and unique conditions at the worksite which may be important in determining the type of system to use.

(10) Instruction considerations. Employers should obtain comprehensive instructions from the supplier as to the sys-

tem's proper use and application, including, where applicable:

- (a) The force measured during the sample force test;
- (b) The maximum elongation measured for lanyards during the force test;
- (c) The deceleration distance measured for deceleration devices during the force test;
- (d) Caution statements on critical use limitations;
- (e) Application limits;
- (f) Proper hook-up, anchoring and tie-off techniques, including the proper D-ring or other attachment point to use on the body harness for fall arrest;
- (g) Proper climbing techniques;
- (h) Methods of inspection, use, cleaning, and storage; and
- (i) Specific lifelines which may be used. This information should be provided to employees during training.

(11) Inspection considerations. As stated in WAC 296-880-40020, personal fall arrest systems must be regularly inspected. Any component with any significant defect, such as cuts, tears, abrasions, mold, or undue stretching; alterations or additions which might affect its efficiency; damage due to deterioration; contact with fire, acids, or other corrosives; distorted hooks or faulty hook springs; tongues unfitted to the shoulder of buckles; loose or damaged mountings; non-functioning parts; or wearing or internal deterioration in the ropes must be withdrawn from service immediately, and should be tagged or marked as unusable, or destroyed.

(12) Rescue considerations. As required by WAC 296-880-10005 when personal fall arrest systems are used, the employer must assure that employees can be promptly rescued or can rescue themselves should a fall occur. The availability of rescue personnel, ladders, or other rescue equipment should be evaluated. In some situations, equipment which allows employees to rescue themselves after the fall has been arrested may be desirable, such as devices which have descent capability.

(13) Tie-off considerations.

(a) One of the most important aspects of personal fall protection systems is fully planning the system before it is put into use. Probably the most overlooked component is planning for suitable anchorage points. Such planning should ideally be done before the structure or building is constructed so that anchorage points can be incorporated during construction for use later for window cleaning or other building maintenance. If properly planned, these anchorage points may be used during construction, as well as afterwards.

(b) Employers and employees should at all times be aware that the strength of a personal fall arrest system is based on its being attached to an anchoring system which does not significantly reduce the strength of the system (such as a properly dimensioned eye-bolt/snap-hook anchorage). Therefore, if a means of attachment is used that will reduce the strength of the system, that component should be replaced by a stronger one, but one that will also maintain the appropriate maximum arrest force characteristics.

(c) Tie-off using a knot in a rope lanyard or lifeline (at any location) can reduce the lifeline or lanyard strength by fifty percent or more. Therefore, a stronger lanyard or lifeline should be used to compensate for the weakening effect of the

knot, or the lanyard length should be reduced (or the tie-off location raised) to minimize free fall distance, or the lanyard or lifeline should be replaced by one which has an appropriately incorporated connector to eliminate the need for a knot.

(d) Tie-off of a rope lanyard or lifeline around an "H" or "I" beam or similar support can reduce its strength as much as seventy percent due to the cutting action of the beam edges. Therefore, use should be made of a webbing lanyard or wire core lifeline around the beam; or the lanyard or lifeline should be protected from the edge; or free fall distance should be greatly minimized.

(e) Tie-off where the line passes over or around rough or sharp surfaces reduces strength drastically. Such a tie-off should be avoided or an alternative tie-off rigging should be used. Such alternatives may include use of a snap-hook/D-ring connection, wire rope tie-off, an effective padding of the surfaces, or an abrasion-resistance strap around or over the problem surface.

(f) Horizontal lifelines may, depending on their geometry and angle of sag, be subjected to greater loads than the impact load imposed by an attached component. When the angle of horizontal lifeline sag is less than thirty degrees, the impact force imparted to the lifeline by an attached lanyard is greatly amplified. For example, with a sag angle of fifteen degrees, the force amplification is about 2:1 and at five degrees sag, it is about 6:1. Depending on the angle of sag, and the line's elasticity, the strength of the horizontal lifeline and the anchorages to which it is attached should be increased a number of times over that of the lanyard. Extreme care should be taken in considering a horizontal lifeline for multiple tie-offs. The reason for this is that in multiple tie-offs to a horizontal lifeline, if one employee falls, the movement of the falling employee and the horizontal lifeline during arrest of the fall may cause other employees to also fall. Horizontal lifeline and anchorage strength should be increased for each additional employee to be tied-off. For these and other reasons, the design of systems using horizontal lifelines must only be done by qualified persons. Testing of installed lifelines and anchors prior to use is recommended.

(g) The strength of an eye-bolt is rated along the axis of the bolt and its strength is greatly reduced if the force is applied at an angle to this axis (in the direction of shear). Also, care should be exercised in selecting the proper diameter of the eye to avoid accidental disengagement of snap-hooks not designed to be compatible for the connection.

(h) Due to the significant reduction in the strength of the lifeline/lanyard (in some cases, as much as a seventy percent reduction), the sliding hitch knot should not be used for lifeline/lanyard connections except in emergency situations where no other available system is practical. The "one-and-one" sliding hitch knot should never be used because it is unreliable in stopping a fall. The "two-and-two," or "three-and-three" knot (preferable), may be used in emergency situations; however, care should be taken to limit free fall distance to a minimum because of reduced lifeline/lanyard strength.

(14) Vertical lifeline considerations. As required by the standard, each employee must have a separate lifeline when the lifeline is vertical. The reason for this is that in multiple tie-offs to a single lifeline, if one employee falls, the move-

ment of the lifeline during the arrest of the fall may pull other employees' lanyards, causing them to fall as well.

(15) Snap-hook considerations.

(a) Required by this standard for all connections, locking snap-hooks incorporate a positive locking mechanism in addition to the spring loaded keeper, which will not allow the keeper to open under moderate pressure without someone first releasing the mechanism. Such a feature, properly designed, effectively prevents roll-out from occurring.

(b) As required by WAC 296-880-40020 the following connections must be avoided (unless properly designed locking snap-hooks are used) because they are conditions which can result in roll-out when a nonlocking snap-hook is used:

(i) Direct connection of a snap-hook to a horizontal lifeline;

(ii) Two (or more) snap-hooks connected to one D-ring;

(iii) Two snap-hooks connected to each other;

(iv) A snap-hook connected back on its integral lanyard;

(v) A snap-hook connected to a webbing loop or webbing lanyard;

(vi) Improper dimensions of the D-ring, rebar, or other connection point in relation to the snap-hook dimensions which would allow the snap-hook keeper to be depressed by a turning motion of the snap-hook.

(16) Free fall considerations. The employer and employee should at all times be aware that a system's maximum arresting force is evaluated under normal use conditions established by the manufacturer, and in no case using a free fall distance in excess of six feet (1.8 m). A few extra feet of free fall can significantly increase the arresting force on the employee, possibly to the point of causing injury. Because of this, the free fall distance should be kept at a minimum, and as required by the standard, in no case greater than six feet (1.8 m). To help assure this, the tie-off attachment point to the lifeline or anchor should be located at or above the connection point of the fall arrest equipment to harness. (Since otherwise additional free fall distance is added to the length of the connecting means (i.e., lanyard).) Attaching to the working surface will often result in a free fall greater than six feet (1.8 m). For instance, if a six foot (1.8 m) lanyard is used, the total free fall distance will be the distance from the working level to the body harness attachment point plus the six feet (1.8 m) of lanyard length. Another important consideration is that the arresting force which the fall system must withstand also goes up with greater distances of free fall, possibly exceeding the strength of the system.

(17) Elongation and deceleration distance considerations. Other factors involved in a proper tie-off are elongation and deceleration distance. During the arresting of a fall, a lanyard will experience a length of stretching or elongation, whereas activation of a deceleration device will result in a certain stopping distance. These distances should be available with the lanyard or device's instructions and must be added to the free fall distance to arrive at the total fall distance before an employee is fully stopped. The additional stopping distance may be very significant if the lanyard or deceleration device is attached near or at the end of a long lifeline, which may itself add considerable distance due to its own elongation. As required by the standard, sufficient distance to allow for all of these factors must also be maintained

between the employee and obstructions below, to prevent an injury due to impact before the system fully arrests the fall. In addition, a minimum of twelve feet (3.7 m) of lifeline should be allowed below the securing point of a rope-grab-type deceleration device, and the end terminated to prevent the device from sliding off the lifeline. Alternatively, the lifeline should extend to the ground or the next working level below. These measures are suggested to prevent the worker from inadvertently moving past the end of the lifeline and having the rope grab become disengaged from the lifeline.

(18) Obstruction considerations. The location of the tie-off should also consider the hazard of obstructions in the potential fall path of the employee. Tie-offs which minimize the possibilities of exaggerated swinging should be considered.

(19) Other considerations. Because of the design of some personal fall arrest systems, additional considerations may be required for proper tie-off. For example, heavy deceleration devices of the self-retracting type should be secured overhead in order to avoid the weight of the device having to be supported by the employee. Also, if self-retracting equipment is connected to a horizontal lifeline, the sag in the lifeline should be minimized to prevent the device from sliding down the lifeline to a position which creates a swing hazard during fall arrest. In all cases, manufacturer's instructions should be followed.