

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

ENVIRONMENTAL HEARINGS OFFICE

(agency name)

Administrative Order No. 82-1

(1) I, Nat W. Washington, Chief Executive Officer of the Environmental Hearings Office

do promulgate and adopt at 4224-6th Avenue SE, Lacey, Washington (place)

the annexed rules relating to: regulations concerning the disclosure of public records and public meetings, amending chapter 198-12 WAC.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on 7/10/81. Such rules shall take effect: WSR 81-15-023
XX pursuant to RCW 34.04.040(2).
|| at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

X (a) This rule is promulgated pursuant to RCW 34.04.940 and 42.17.250 and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED August 26, 19 81 FILED

SEP 9 1981

By Nat W. Washington Chief Executive Officer Title

CODE REVISER'S OFFICE WSR 81-19-024

AMENDATORY SECTION (Amending Order 79-1, filed 11/16/79)

WAC 198-12-020 DEFINITIONS. The following definitions shall apply:

(1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sound, or symbols, or any combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punch cards, discs, drums and other documents.

(3) The environmental hearings office, created by (~~chapter-47, Laws-of-1979-ex.-sess.-~~) RCW 43.21B.005, shall hereinafter be referred to as the "hearings office." Where appropriate, the term "hearings office" also refers to the staff and employees of the environmental hearings office.

AMENDATORY SECTION (Amending Order 79-1, filed 11/16/79)

WAC 198-12-030 ORGANIZATION, OPERATION AND PUBLIC MEETING. (1) Organization. The hearings office is created for the purpose of consolidating administratively the pollution control hearings board, the forest practices appeals board and the shorelines hearings board into one agency of state government with minimum disturbance to these boards. Membership powers, functions and duties of the pollution control hearings board, the forest practices appeals board and the shorelines hearings board shall be as provided by law.

(2) Operation. The chairman of the pollution control hearings board is the chief executive officer of the hearings office. The lawyer member of the pollution control hearings board is designated the chief administrative law judge of the hearing office.

(3) Public meeting. There is no regular meeting of the hearings office.

AMENDATORY SECTION (Amending Order 79-1, filed 11/16/79)

WAC 198-12-050 PUBLIC RECORDS OFFICER. The public records officer for the hearings office shall be the (~~administrator~~) administrative officer, who shall be responsible for the following: The implementation of the hearings office rules regarding release of public records, and assurance of compliance with the public records disclosure requirements of chapter 42.17 RCW.

AMENDATORY SECTION (Amending Order 79-1, filed 11/16/79)

WAC 198-12-130 COMMUNICATION WITH THE HEARINGS OFFICE. All communications with the hearings office regarding the administration or the enforcement of chapter 42.17 RCW, and these rules, requests for decisions by the hearings office and other matters, shall be addressed as follows: The Environmental Hearings Office, c/o (~~Administrator, #4-South-Sound-Center~~) Administrative officer, 4224 6th Avenue S.E., Building 2 Rowesix, MS: PY-21, Lacey, Washington, 98504.

AMENDATORY SECTION (Amending Order 79-1, filed 11/16/79)

WAC 198-12-140 ADOPTION OF FORM. The hearings office hereby prescribes for use by all persons requesting inspection and/or copying or copies of its records, the form set out below, entitled "Request for Public Records."

We have received your request for copies of our public records. Please complete the form (~~on-the-right~~) and return it with the amount required. We will forward the requested copies to you as soon as we receive this form.

Thank you.

Return to:

The Environmental Hearings Office
(~~#1-South-Sound-Center~~)
4224 6th Avenue S.E.
Building 2 Rowesix, MS: PY-21
Lacey, Washington 98504

THE ENVIRONMENTAL HEARINGS OFFICE

REQUEST FOR PUBLIC RECORDS

Date Time

Name

Address

Description of Records (see index):
.....
.....
.....

I certify that the information obtained through this request for public records will (~~not-be-used-for-commercial-purposes~~) be used in compliance with chapter 42.17 RCW.

.....
Signature

Number of copies

Number of pages

Per page charge \$.....

Total charge \$.....