

IV. Thinning (see WAC 458-40-610(20))

Class 1	Average log volume of 50 board feet or more.	- \$25.00
Class 2	Average log volume of less than 50 board feet.	- \$125.00

**TABLE 2—Harvest Adjustment Table  
Stumpage Value Areas 6 and 7  
January 1 through June 30, 1994**

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
<b>I. Volume per acre</b>		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
<b>II. Logging conditions</b>		
Class 1	Generally slopes less than 40%. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	Generally slopes between 40% and 60%. Some rock outcrops or swamp barriers.	- \$18.00
Class 3	Generally rough, broken ground with slopes in excess of 60%. Numerous rock outcrops and bluffs.	- \$25.00
Class 4	For logs which are yarded from stump to landing by helicopter. This does not include special forest products.	- \$69.00
<b>III. Remote island adjustment:</b>		
	For timber harvested from a remote island	- \$50.00

**TABLE 3—Domestic Market Adjustment**

**Public Timber**

Harvest of timber not sold by a competitive bidding process which is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber which must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska Yellow Cedar. (Stat. Ref. - 36 CFR 223.10)

State, and Other Nonfederal, Public Timber Sales: Western Red Cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

**Private timber**

Harvest of private timber which is legally restricted from foreign export, under the authority of The Forest Resources Conservation and Shortage Relief Act (Public Law 101-382), (16 U.S.C. Sec. 620 et seq.); the Export Administration Act of 1979 (50 U.S.C. App. 2406(i); a Cooperative Sustained Yield Unit Agreement made pursuant to the Act of March 29, 1944, (16 U.S.C. Sec. 583-583i); or Washington Administrative Code (WAC 240-15-015(2)) is also eligible for the Domestic Market Adjustment.

The adjustment amounts shall be as follows:

Class 1:	SVA's 1 through 6, and 10	\$0.00 per MBF
Class 2:	SVA 7	\$0.00 per MBF

Note: The adjustment will not be allowed on special forest products.

[Statutory Authority: RCW 84.33.091, 84.32.300 [82.32.300] and 84.33.096. 94-02-047, § 458-40-670, filed 12/30/93, effective 1/1/94; 93-14-051, § 458-40-670, filed 6/30/93, effective 7/1/93; 93-02-025, § 458-40-670, filed 12/31/92, effective 1/1/93; 92-14-083, § 458-40-670, filed 6/29/92, effective 7/1/92; 92-02-067, § 458-40-670, filed 12/31/91, effective

1/1/92. Statutory Authority: RCW 84.33.096 and 82.32.300. 91-14-077, § 458-40-670, filed 6/28/91, effective 7/1/91; 91-02-088, § 458-40-670, filed 12/31/90, effective 1/31/91; 90-14-033, § 458-40-670, filed 6/29/90, effective 7/30/90; 90-02-049, § 458-40-670, filed 12/29/89, effective 1/29/90. Statutory Authority: Chapter 84.33 RCW and RCW 84.33.091. 89-14-051 (Order FT-89-2), § 458-40-670, filed 6/30/89; 89-02-027 (Order FT-88-5), § 458-40-670, filed 12/30/88; 88-14-032 (Order FT-88-2), § 458-40-670, filed 6/30/88; 88-02-026 (Order FT-87-5), § 458-40-670, filed 12/31/87. Statutory Authority: Chapter 84.33 RCW. 87-14-042 (Order 87-2), § 458-40-670, filed 6/30/87; 87-02-023 (Order 86-4), § 458-40-670, filed 12/31/86.]

**Title 460 WAC  
SECURITIES DIVISION  
(DEPARTMENT OF LICENSING)**

**Chapters**

**460-24A Investment advisers.**

**Chapter 460-24A WAC  
INVESTMENT ADVISERS**

**WAC**

460-24A-150 Performance compensation arrangements.

**WAC 460-24A-150 Performance compensation arrangements.** An investment adviser may, without violating RCW 21.20.030(1), enter into a performance compensation arrangement with a customer that complies with Securities and Exchange Commission Rule 205-3, as made effective in Release No. IA-996, under the Investment Advisers Act of 1940. Rule 205-3 is found in the CCH Federal Securities Law Reports published by Commerce Clearing House. Copies of the rule are also available at the office of the securities administrator.

[Statutory Authority: RCW 21.20.450 and 1993 c 114. 93-20-012, § 460-24A-150, filed 9/23/93, effective 10/24/93.]

**Title 463 WAC  
ENERGY FACILITY SITE EVALUATION  
COUNCIL  
(Formerly: Thermal Power Plant Evaluation  
Council)**

**Chapters**

**463-30 Procedure—Adjudicative proceedings.**  
**463-39 General and operating permit regulations for air pollution sources.**

## Chapter 463-30 WAC

## PROCEDURE—ADJUDICATIVE PROCEEDINGS

## WAC

463-30-055 Applicant funding of council members salaries and fringe benefits for extended adjudications.

**WAC 463-30-055 Applicant funding of council members salaries and fringe benefits for extended adjudications.** When more than ten days of adjudicative hearings will be necessary to review an application for site certification, it shall be the responsibility of the applicant for site certification to pay the normal salary and fringe benefits expenses of such members of the council for the period in excess of ten days that they spend in adjudicative hearings. For the purposes of this rule, time spent in preparation for adjudicative hearings shall not be considered. Such salary and fringe benefits expenses for designated council members shall be considered to be part of the council's normal expenses pursuant to RCW 80.50.071 (1)(b).

[Statutory Authority: RCW 80.50.040. 93-12-013, § 463-30-055, filed 5/20/93, effective 6/20/93.]

## Chapter 463-39 WAC

## GENERAL AND OPERATING PERMIT REGULATIONS FOR AIR POLLUTION SOURCES

## WAC

463-39-005 Adoption by reference.  
 463-39-020 Applicability.  
 463-39-030 Additional definitions.  
 463-39-100 Registration.  
 463-39-120 Monitoring and special report.  
 463-39-140 Appeals procedure.

**WAC 463-39-005 Adoption by reference.** (1) The energy facility site evaluation council adopts the following sections or subsections of chapter 173-400 WAC by reference.

WAC 173-400-030: Definitions.  
 WAC 173-400-040: General standards for maximum emissions.  
 WAC 173-400-050: Emission standards for combustion and incineration units.  
 WAC 173-400-060: Emission standards for general process units.  
 WAC 173-400-081: Startup and shutdown.  
 WAC 173-400-090: Voluntary limits on emissions.  
 WAC 173-400-105: Records, monitoring, and reporting.  
 WAC 173-400-107: Excess emissions.  
 WAC 173-400-110: New source review (NSR).  
 WAC 173-400-112: Requirements for new sources in nonattainment areas.  
 WAC 173-400-113: Requirements for new sources in attainment or unclassifiable areas.  
 WAC 173-400-114: Requirements for replacement or substantial alteration of emission control technology at an existing stationary source.

WAC 173-400-120: Bubble rules.  
 WAC 173-400-131: Issuance of emission reduction credits.  
 WAC 173-400-136: Use of emission reduction credits.  
 WAC 173-400-141: Prevention of significant deterioration (PSD).  
 WAC 173-400-151: Retrofit requirements for visibility protection.  
 WAC 173-400-161: Compliance schedules.  
 WAC 173-400-171: Public involvement.  
 WAC 173-400-180: Variance.  
 WAC 173-400-190: Requirements for nonattainment areas.  
 WAC 173-400-200: Creditable stack height and dispersion techniques.  
 WAC 173-400-205: Adjustment for atmospheric conditions.

(2) The energy facility site evaluation council adopts the following sections or subsections of chapter 173-401 WAC by reference.

WAC 173-401-100: Program overview.  
 WAC 173-401-200: Definitions.  
 WAC 173-401-300: Applicability.  
 WAC 173-401-500: Permit applications.  
 WAC 173-401-520: Certification.  
 WAC 173-401-600: Permit content.  
 WAC 173-401-605: Emission standards and limitations.  
 WAC 173-401-610: Permit Duration.  
 WAC 173-401-615: Monitoring and related record-keeping and reporting requirements.  
 WAC 173-401-620: Standard terms and conditions. Except (2)(i)  
 WAC 173-401-625: Federally enforceable requirements.  
 WAC 173-401-630: Compliance requirements.  
 WAC 173-401-635: Temporary sources.  
 WAC 173-401-640: Permit shield.  
 WAC 173-401-645: Emergency provision.  
 WAC 173-401-650: Operational flexibility.  
 WAC 173-401-700: Action on application.  
 WAC 173-401-705: Requirement for a permit.  
 WAC 173-401-710: Permit renewal, revocation and expiration.  
 WAC 173-401-720: Administrative permit amendments.  
 WAC 173-401-722: Changes not requiring permit revisions.  
 WAC 173-401-725: Permit modifications.  
 WAC 173-401-730: Reopening for cause.  
 WAC 173-401-750: General permits.  
 WAC 173-401-800: Public involvement.  
 WAC 173-401-810: EPA Review.  
 WAC 173-401-820: Review by affected states.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-005, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 92-09-013, § 463-39-005, filed 4/2/92, effective 5/3/92.]

**WAC 463-39-020 Applicability.** The provisions of this chapter shall apply state-wide for those sources under the jurisdiction of the energy facility site evaluation council. The provisions of this chapter shall not apply to those facilities incorporated by reference in chapters 173-400 and 173-401 WAC which are not under the jurisdiction of the energy facility site evaluation council.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-020, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 79-09-006 (Order 79-1), § 463-39-020, filed 8/6/79.]

**WAC 463-39-030 Additional definitions.** (1) "Council" means the energy facility site evaluation council.

(2) In addition to the definitions contained in WAC 173-400-030 and 173-401-200, "ecology" and "authority" shall be synonymous with the energy facility site evaluation council unless a different meaning is plainly required by context.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-030, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 92-09-013, § 463-39-030, filed 4/2/92, effective 5/3/92; 79-09-006 (Order 79-1), § 463-39-030, filed 8/6/79.]

**WAC 463-39-100 Registration.** (1) The owner or operator of each stationary source subject to chapter 80.50 RCW shall register the source with the council.

Registration shall be on forms which have been adopted for use by the department of ecology within the time specified thereon.

A report of closure shall be filed with the council within ninety days after operations producing emissions permanently ceased at any source within the council's jurisdiction.

(2) The council shall ensure that the following, as it pertains to sources covered under this rule, is passed on to ecology in a timely manner for inclusion in its permit register:

(a) Public meetings or hearings on draft operating permits;

(b) Receipt of complete applications;

(c) Permit appeals;

(d) Issuance or denial of final permit, permit modifications, or renewals;

(e) Authorization for a source to operate without an operating permit by limiting its potential to emit to levels below those that would require the source to obtain an operating permit;

(f) Periodic summaries of enforcement order and changes made without revising the permit pursuant to WAC 173-401-722.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-100, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 79-09-006 (Order 79-1), § 463-39-100, filed 8/6/79.]

**WAC 463-39-120 Monitoring and special report.** The department of ecology or its designee shall conduct a surveillance program to monitor the quality of the ambient atmospheres to concentrations and movements of air contaminants in accordance with the requirements of chapters 173-400 and 173-401 WAC.

As a part of this program, the director of the department of ecology or an authorized representative of the director may recommend that any source under the jurisdiction of the

council conduct stack and/or ambient air monitoring, and to report the results to the council and department of ecology.

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-120, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 80.50.040(1). 92-09-013, § 463-39-120, filed 4/2/92, effective 5/3/92; 79-09-006 (Order 79-1), § 463-39-120, filed 8/6/79.]

**WAC 463-39-140 Appeals procedure.** Appeals from notices of violation issued by the council will be handled via the council's appellate review procedure as provided in WAC 463-54-070 (4)(c).

[Statutory Authority: RCW 80.50.040(1) and chapter 70.94 RCW. 93-23-035, § 463-39-140, filed 11/10/93, effective 12/11/93.]

## Title 468 WAC

### TRANSPORTATION, DEPARTMENT OF (Formerly: Highway Commission, etc.)

#### Chapters

- 468-16 Prequalification of contractors.
- 468-38 Vehicle size and weight—Restricted highways—Equipment.
- 468-52 Highway access management—Access control classification system and standards.
- 468-95 Manual on uniform traffic control devices for streets and highways.
- 468-300 State ferries and toll bridges.

#### Chapter 468-16 WAC

##### PREQUALIFICATION OF CONTRACTORS

#### WAC

- 468-16-030 Definitions.
- 468-16-040 Criteria for a determination of an unsatisfactory record of performance.
- 468-16-050 Criteria for a determination of an unsatisfactory record of integrity and judgment.
- 468-16-060 Criteria for a determination of inability to comply with performance schedules.
- 468-16-070 Criteria for a determination of the lack of necessary experience, organization, or technical qualifications.
- 468-16-090 Standard questionnaire.
- 468-16-100 Conditional qualification.
- 468-16-120 Work class ratings.
- 468-16-130 Prequalification work classes.
- 468-16-140 Maximum capacity rating.
- 468-16-150 Prime contractor performance reports.
- 468-16-160 Interim reports.
- 468-16-170 Refusal to issue proposal.
- 468-16-180 Suspension of qualification.
- 468-16-190 Revocation of qualification.
- 468-16-200 Hearings procedure.

**WAC 468-16-030 Definitions.** The definitions set forth in this section apply throughout this chapter and have the following meanings, unless the context clearly indicates otherwise.