

(6) The Cowlitz or Thurston County noxious weed control board may designate and clearly mark portions of the site as free from infestation and allow removal of sand or soil from these areas without specific permit to nonagricultural sites: *Provided*, That adequate precautions are taken to prevent commingling of infested and noninfested soils and equipment used in the infested area is thoroughly cleaned before use in the area designated as uninfested.

[Statutory Authority: Chapter 17.10 RCW. 98-01-056, § 16-752-315, filed 12/11/97, effective 1/11/98; 91-03-045 (Order 2069), § 16-752-315, filed 1/11/91, effective 2/11/91; 89-24-090, § 16-752-315, filed 12/6/89, effective 1/6/90.]

**WAC 16-752-320 Costs of quarantine.** The costs of serving the notice required by RCW 17.10.210(2) shall be borne by the department. The costs of control work shall be borne by the landowner unless otherwise determined by the Cowlitz or Thurston County noxious weed control board or the director in consultation with the Washington state noxious weed control board.

[Statutory Authority: Chapter 17.10 RCW. 98-01-056, § 16-752-320, filed 12/11/97, effective 1/11/98; 91-03-045 (Order 2069), § 16-752-320, filed 1/11/91, effective 2/11/91; 89-24-090, § 16-752-320, filed 12/6/89, effective 1/6/90.]

**WAC 16-752-330 Violation and penalty.** Any person who violates this quarantine shall have committed a civil infraction and shall be subject to the provisions of RCW 17.10.310 and 17.10.350 and WAC 16-750-020 which provides monetary penalties of up to one thousand dollars per infraction.

[Statutory Authority: Chapter 17.10 RCW. 98-01-056, § 16-752-330, filed 12/11/97, effective 1/11/98; 91-03-045 (Order 2069), § 16-752-330, filed 1/11/91, effective 2/11/91; 89-24-090, § 16-752-330, filed 12/6/89, effective 1/6/90.]

**Title 25 WAC  
COMMUNITY, TRADE, AND  
ECONOMIC  
DEVELOPMENT,  
DEPARTMENT OF  
(ARCHAEOLOGY AND  
HISTORIC  
PRESERVATION)**

**Chapters**  
**25-30 Washington state heritage council.**

**Chapter 25-30 WAC  
WASHINGTON STATE HERITAGE COUNCIL**

**WAC**  
25-30-010 through 25-30-050 Repealed.

**DISPOSITION OF SECTIONS FORMERLY  
CODIFIED IN THIS CHAPTER**

- 25-30-010 Purpose. [Statutory Authority: Chapter 27.34 RCW. 84-23-004 (Order 7), § 25-30-010, filed 11/8/84.] Repealed by 97-19-018, filed 9/8/97, effective 10/9/97. Statutory Authority: RCW 43.330.040 (2)(g).
- 25-30-020 Definitions. [Statutory Authority: Chapter 27.34 RCW. 84-23-004 (Order 7), § 25-30-020, filed 11/8/84.] Repealed by 97-19-018, filed 9/8/97, effective 10/9/97. Statutory Authority: RCW 43.330.040 (2)(g).
- 25-30-030 Description of purpose and staff. [Statutory Authority: Chapter 27.34 RCW. 84-23-004 (Order 7), § 25-30-030, filed 11/8/84.] Repealed by 97-19-018, filed 9/8/97, effective 10/9/97. Statutory Authority: RCW 43.330.040 (2)(g).
- 25-30-040 Procedures. [Statutory Authority: Chapter 27.34 RCW. 84-23-004 (Order 7), § 25-30-040, filed 11/8/84.] Repealed by 97-19-018, filed 9/8/97, effective 10/9/97. Statutory Authority: RCW 43.330.040 (2)(g).
- 25-30-050 Public records available. [Statutory Authority: Chapter 27.34 RCW. 84-23-004 (Order 7), § 25-30-050, filed 11/8/84.] Repealed by 97-19-018, filed 9/8/97, effective 10/9/97. Statutory Authority: RCW 43.330.040 (2)(g).

**WAC 25-30-010 through 25-30-050 Repealed.** See Disposition Table at beginning of this chapter.

**Title 44 WAC  
ATTORNEY GENERAL'S  
OFFICE**

**Chapters**  
**44-06 Public records.**

**Chapter 44-06 WAC  
PUBLIC RECORDS**

- WAC**
- 44-06-030 Function—Organization—Administrative offices.
  - 44-06-040 Public records available.
  - 44-06-050 Index.
  - 44-06-060 Public records officer.
  - 44-06-080 Requests for public records.
  - 44-06-085 Response to public records requests.
  - 44-06-090 Copying fees.
  - 44-06-140 Adoption of form.
  - 44-06-150 Availability of pamphlet.

**WAC 44-06-030 Function—Organization—Administrative offices.** The attorney general's office is charged by the constitution and statutes with the general

obligation of advising and legally representing the state of Washington, its officials, departments, boards, commissions and agencies but not the local units of government. In response to requests from state officers, legislators and prosecuting attorneys, the attorney general's office issues attorney general opinions. The published opinions of the attorney general's office are numbered as AGO (year of issue and number; i.e., AGO 1974 No. 1). Inquiries and correspondence concerning a matter where a specific assistant attorney general is identified as representing a specific agency should be directed to the specifically named assistant attorney general, if known; or the appropriate section of the office, if known.

Consumer protection complaints should be directed to the Consumer Protection Division, 900 Fourth Avenue, Suite 2000, Seattle, Washington 98164-1012 or to local division offices located in Tacoma, Olympia, or Spokane. Communication concerning the New Motor Vehicles Warranty Act (the lemon law) should be directed to the Lemon Law Administration, 900 Fourth Avenue, Suite 2000, Seattle, Washington 98164-1012. Other inquiries, including requests for attorney general's opinions, should be directed to the Attorney General's Office, P.O. Box 40100, State of Washington, Olympia, Washington 98504-0100.

In addition to the areas mentioned above, the office is divided into several divisions which provide legal advice to state agencies in particular subject matter areas. Because regional office addresses may change from time to time, current division addresses and telephone numbers should be obtained from the local telephone directory or you may obtain an organizational chart and the addresses and telephone numbers of the regional offices of the attorney general by requesting it from the Attorney General's Office, P.O. Box 40100, State of Washington, Olympia, Washington 98504-0100, phone (206) 753-6200. Attorney general offices are located in other cities in the state and are denominated as regional offices.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-030, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-030, filed 6/6/94, effective 7/7/94. Statutory Authority: RCW 42.17.250 through 42.17.320. 84-10-031 (Order 103), § 44-06-030, filed 4/30/84; Order 102, § 44-06-030, filed 2/20/74.]

**WAC 44-06-040 Public records available.** Public records are available for public inspection and copying pursuant to these rules except as otherwise provided by chapter 42.17 RCW, any other law and these rules.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-040, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-040, filed 6/6/94, effective 7/7/94; Order 102, § 44-06-040, filed 2/20/74.]

**WAC 44-06-050 Index.** The attorney general's office has indexed by subject matter the published opinions of the attorney general. An index is maintained in the law library, Olympia, Washington, indexing all published attorney general opinions, as described in WAC 44-06-030, by subject matter. Retrieval capability is maintained in the central office, Olympia, Washington, for cases which have

been filed involving the state, giving the name, the county and the cause number.

The volume of correspondence received by the attorney general's office is such that it would be unduly burdensome to formulate and maintain an index for all such correspondence. In lieu of an index the following filing system is utilized.

(1) Consumer protection complaints received by the consumer protection division are filed by firm name of the subject of the complaint, or by the subject matter of the complaint if no specific firm is named.

(2) Records of the new motor vehicle arbitration board as well as the lemon law administration are filed in the Seattle office, Lemon Law Administrator, Office of the Attorney General, 900 Fourth Avenue, Suite 2000, Seattle, Washington 98164-1012.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-050, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-050, filed 6/6/94, effective 7/7/94. Statutory Authority: RCW 42.17.250 through 42.17.320. 84-10-031 (Order 103), § 44-06-050, filed 4/30/84; Order 102, § 44-06-050, filed 2/20/74.]

**WAC 44-06-060 Public records officer.** (1) The public records officer for the attorney general's office shall be responsible for responses to requests for public records. Except as provided in subsections (2) and (3) of this section, all requests for public records shall be directed to Public Records Officer, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100.

(2) For those records maintained for lemon law administration for the New Motor Vehicles Warranty Act (chapter 19.118 RCW) the disclosure coordinator shall be located at the Office of Lemon Law Administration, Office of the Attorney General, 900 Fourth Avenue, Suite 2000, Seattle, Washington 98164-1012.

(3) For those records maintained by the "business and fair practices division" aka consumer protection division (chapter 19.86 RCW), the disclosure coordinator shall be located at the Office of the Attorney General, 900 Fourth Avenue, Suite 2000, Seattle, Washington 98164-1012.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-060, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-060, filed 6/6/94, effective 7/7/94. Statutory Authority: RCW 42.17.250 through 42.17.320. 84-10-031 (Order 103), § 44-06-060, filed 4/30/84; Order 102, § 44-06-060, filed 2/20/74.]

**WAC 44-06-080 Requests for public records.** In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing (or by FAX or electronic mail if desired) upon a form prescribed by the office which shall be available at the offices where records are maintained. A request that is made other than upon the form prescribed by the office is permissible, but must provide the information listed in (a) through (f) of this

subsection. The form shall be presented to the public records officer; or to a member of the staff designated by him or her, if the public records officer is not available, at the office during the office hours specified in WAC 44-06-070. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within a current index maintained by the records officer, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to a current index maintained by the office, an appropriate description of the record requested.

(f) If the request is for a list of individuals, the requester shall certify that the request is not for commercial purposes except as provided in RCW 42.17.260(7).

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or designated staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

(3) The requester may be required to provide additional information necessary to determine the application of an exemption or other law to the record(s) requested.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-080, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-080, filed 6/6/94, effective 7/7/94; Order 102, § 44-06-080, filed 2/20/74.]

**WAC 44-06-085 Response to public records requests.** (1) The office shall respond promptly to requests for disclosure. Within five business days of receiving a public record request, the office will respond by:

- (a) Providing the record;
- (b) Acknowledging that the office has received the request and providing a reasonable estimate of the time the office will require to respond to the request; or
- (c) Denying the public record request. Agency responses refusing in whole or in part the inspection of a public record shall include a statement of the specific exemption authorizing the withholding of the record (or any part) and a brief explanation of how the exemption applies to the record(s) withheld.

(2) Additional time for the office to respond to a request may be based upon the need to:

- (a) Clarify the intent of the request;
- (b) Locate and assemble the information requested;
- (c) Notify third persons or agencies affected by the request; or
- (d) Determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

(3) In acknowledging receipt of a public record request that is unclear, the office may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request, the office need not respond to it.

(4)(a) If the office does not respond in writing within five working days of receipt of the request for disclosure, the person seeking disclosure shall be entitled to:

- (i) Consider the request denied; and
- (ii) Petition the public records officer under WAC 44-06-120.

(b) If the office responds within five working days acknowledging receipt of the request and providing an estimate of the time required to respond to the request, and the requester feels the amount of time stated is not reasonable, the person seeking disclosure shall be entitled to petition the public records officer for a review of the estimate of time. The procedures set out in WAC 44-06-120 shall apply to this review.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-085, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-085, filed 6/6/94, effective 7/7/94.]

**WAC 44-06-090 Copying fees.** No fee shall be charged for the inspection of a public record. The office, however, will for requests under this chapter, charge ten cents per copy. The public records officer may waive the fee for copies when the expense of processing the payment exceeds the costs of providing the copies. These charges are necessary to reimburse the office for the costs of providing the copies of the public records and the use of the copying equipment. Payment should be made by check to the attorney general's office. The office may require that all charges be paid in advance of release of the copies of the records.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-090, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-090, filed 6/6/94, effective 7/7/94; Order 102, § 44-06-090, filed 2/20/74.]

**WAC 44-06-140 Adoption of form.** The attorney general's office hereby adopts use by all persons requesting inspection and/or copies of records of the form set out below, entitled "Request for public records."

Return to:

Public Records Officer  
Office of the Attorney General  
P.O. Box 40100  
Olympia, Washington 98504-0100

OFFICE OF THE ATTORNEY GENERAL  
REQUEST FOR PUBLIC RECORDS

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

Name .....

Address .....

.....

Phone number where you can be reached during day .....

Description of Records:

.....  
.....  
.....

If my request is for a list of individuals, I certify that the information obtained through this request will not be used for commercial purposes.

.....  
Signature

Number of copies .....  
Number of pages .....  
Per page charge \$. .....  
Total charge \$. .....

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-140, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-140, filed 6/6/94, effective 7/7/94. Statutory Authority: RCW 42.17.250 through 42.17.320. 84-10-031 (Order 103), § 44-06-140, filed 4/30/84; Order 102, § 44-06-140, filed 2/20/74.]

**WAC 44-06-150 Availability of pamphlet.** The office has available a pamphlet, written in plain language, explaining the provisions of the Public Records Act. Requests for a copy of the pamphlet should be directed to the Public Records Officer, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100.

[Statutory Authority: RCW 43.10.110, chapters 42.17 and 34.05 RCW. 98-01-013, § 44-06-150, filed 12/5/97, effective 1/5/98. Statutory Authority: RCW 43.10.110, chapters 42.17, 19.118 and 34.05 RCW. 94-13-039, § 44-06-150, filed 6/6/94, effective 7/7/94.]

**Title 51 WAC  
COMMUNITY, TRADE, AND  
ECONOMIC  
DEVELOPMENT,  
DEPARTMENT OF—  
BUILDING CODE COUNCIL**

**Chapters**  
**51-11 Washington State Energy Code.**

**Chapter 51-11 WAC  
WASHINGTON STATE ENERGY CODE**

**WAC**  
51-11-1210 Application of terms.  
51-11-1301 Scope.

**WAC 51-11-1210 Application of terms.** For the purposes of this Code, certain abbreviations, terms, phrases, words and their derivatives, shall be as set forth in this chapter. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. In the event there is a question about the definition of a term, the definitions for terms in the Codes enumerated in RCW 19.27.031 and the edition of Webster's dictionary referenced therein shall be considered as the sources for providing ordinarily accepted meanings.

**AAMA:** American Architectural Manufacturers Association.

**ADDITION:** See the Washington State Building Code.

**ADVANCED FRAMED CEILING:** Advanced framing assumes full and even depth of insulation extending to the outside edge of exterior walls. (See **Standard Framing** and Section 2007.2 of this Code.)

**ADVANCED FRAMED WALLS:** Studs framed on twenty-four inch centers with double top plate and single bottom plate. Corners use two studs or other means of fully insulating corners, and one stud is used to support each header. Headers consist of double 2X material with R-10 insulation between the header and exterior sheathing. Interior partition wall/exterior wall intersections are fully insulated in the exterior wall. (See **Standard Framing** and Section 2005.2 of this Code.)

**AFUE - ANNUAL FUEL UTILIZATION EFFICIENCY:** Unlike steady state conditions, this rating is based on average usage including on and off cycling as set out in the standardized Department of Energy Test Procedures.

**AIR CONDITIONING, COMFORT:** The process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet requirements of the conditioned space.

**ARI:** Air Conditioning and Refrigeration Institute.

**ASHRAE:** American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc.

**ASTM:** American Society for Testing and Materials.

**AUTOMATIC:** Self-acting, operating by its own mechanism when actuated by some impersonal influence, as for example, a change in current strength, pressure, temperature or mechanical configuration. (See **Manual**.)

**BELOW GRADE WALLS:** Walls or the portion of walls which are entirely below the finished grade or which extend two feet or less above the finish grade.

**BOILER CAPACITY:** The rate of heat output in Btu/h measured at the boiler outlet, at the design inlet and outlet conditions and rated fuel/energy input.

**BUILDING ENVELOPE:** The elements of a building which enclose conditioned spaces through which thermal energy may be transferred to or from the exterior, or to or from unconditioned spaces, or to or from semi-heated spaces, or to or from spaces exempted by the provisions of Section 1301.

**BUILDING, EXISTING:** See the Washington State Building Code.