Chapter 456-12 WAC
PUBLIC RECORDS

WAC
456-12-010  Purpose of this chapter.
456-12-020  Definitions.
456-12-030  Description of the board.
456-12-040  Public records available.
456-12-050  Public records officer.
456-12-060  Communications with the board.
456-12-070  Records indexes.
456-12-080  Fees.
456-12-090  Requesting public records.
456-12-100  Exemptions.
456-12-110  Denying requests for public records.
456-12-120  Protection of public records.
456-12-130  Records index.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER
456-12-025  Definitions.
456-12-035  Description of organization and public meeting.
456-12-045  Public records available.
456-12-055  Public records officer.
456-12-065  Communications with the board.
456-12-075  Records indexes.
456-12-085  Fees.
456-12-095  Requesting public records.
456-12-105  Denying requests for public records.
456-12-115  Reviewing denials of requests for public records.

The board's office is located at 910 5th Avenue S.E., Olympia, WA 98504-0915.

The three members of the board are appointed by the governor, with the consent of the senate, for a term of six years.

The executive director is identified as the board's public records officer and is responsible for implementing board directions and for directing the board's staff.

(6/15/99)
WAC 456-12-065 Communications with the board. The board's office is located at 910 5th Avenue S.E., Olympia, WA 98504-0915. The board's mailing address is Post Office Box 40915, Olympia, WA 98504-0915. The board's telephone number is (360) 753-5446. The board's fax number is (360) 586-9020. The board's e-mail address is bta@bta.state.wa.us.

WAC 456-12-075 Records indexes. (1) The board maintains current indexes which provide identifying information for the following:

(a) Final decisions and orders of the board, including concurring and dissenting opinions;
(b) Proposed decisions and orders of the board;
(c) Policy statements adopted by the board; and
(d) Budget documents which include the board's strategic plans and goals.

(2) The board's current indexes are available to all persons for inspection and copying under the same rules and on the same conditions that apply to the board's public records.

(3) The board's final decisions, issued after January 1, 1990, are also available on its internet home page at bta.state.wa.us, where the board's custom index program will allow a search by subject matter, word, phrase, statute, or rule.

WAC 456-12-085 Fees. (1) No fee will be charged for inspecting the board's public records.

(2) The board will charge ten cents per page for copies of requested public records. Payment will be made by check payable to the board. The board may require that all charges be paid before the copies are released. The executive director may decide that no fee will be charged for the copies if the expense of processing the payment is greater than the cost of providing the copies.

WAC 456-12-095 Requesting public records. (1) A person may make an informal request to inspect or copy the board's public records, or to receive a copy of an identifiable public record, by contacting the board's office. The board will accept informal requests that are received in person or by mail, telephone, fax, or e-mail.

(2) The board may require a person making an informal request to submit a formal written request.

(3) All formal written requests will include the following information:
   (a) The name and address of the person making the request.
   (b) The date on which the request is made.
   (c) A description of the requested records by docket number, appellant name, subject matter, or other means that will allow the board's staff to identify the requested records and make them available.
   (d) A signed statement that the requested records will not be used for commercial purposes if a list of individuals is included in the material requested.
   (4) The board's staff will assist any person making an informal or a formal request in identifying the requested records.
   (5) No public record will be removed from the board's office.
   (6) No public record will be marked or damaged in any way during inspection or copying.
   (7) Within five business days of receiving a request for public records, the board will respond by either:
      (a) Providing the records;
      (b) Acknowledging in writing that the board has received the request and providing a reasonable estimate of the time the board will need to respond to the request; or
      (c) Denying the request.

WAC 456-12-105 Denying requests for public records. (1) The board may determine that a requested public record is exempt under chapter 42.17 RCW or other law and may not be inspected or copied.

(2) All denials of a request for public records will contain a written statement from the executive director stating the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

(3) The board may remove identifying details when it makes available or publishes any public record when there is reason to believe that revealing such details would be an invasion of personal privacy protected by chapter 42.17 RCW.

WAC 456-12-115 Reviewing denials of requests for public records. (1) Any person objecting to a denial of a request for public records may submit a written request for review to the board.

(2) Upon receiving the written request for review, the executive director will call a meeting of the board to review the denial.

(3) The board will issue a written decision within two business days of receiving the request for review.

(4) The board's written decision regarding the request for review will be the final action by the agency.

[Ch. 456-12 WAC p. 2]