

**WAC 296-37-512 Variance and procedure.** Realizing that conditions may exist in operations under which certain state standards will not have practical application, the director of the department of labor and industries or his/her authorized representative may, pursuant to this section, RCW 49.17.080 and/or 49.17.090 and appropriate administrative rules of this state and the department of labor and industries and upon receipt of application and after adequate investigation by the department, permit a variation from these requirements when other means of providing an equivalent measure of protection are afforded. Such variation granted shall be limited to the particular case or cases covered in the application for variance and may be revoked for cause. The permit for variance shall be conspicuously posted on the premises and shall remain posted during the time it is in effect. All requests for variances from safety and health standards included in this or any other chapter of Title 296 WAC, shall be made in writing to the director of the department of labor and industries at Olympia, Washington, or his/her duly authorized representative, or the assistant director, Department of Labor and Industries, P.O. Box 44600, Olympia, Washington 98504-4600. Variance application forms may be obtained from the department upon request.

[Statutory Authority: Chapter 49.17 RCW. WSR 94-15-096 (Order 94-07), § 296-37-512, filed 7/20/94, effective 9/20/94. Statutory Authority: RCW 49.17.040, 49.17.050, 49.17.240, and chapters 42.30 and 43.22 RCW. WSR 78-10-094 (Order 78-18), § 296-37-512, filed 10/2/78.]