

WAC 173-495-040 Requirements for exempt activities. The following weather modification and control activities are exempt from the license and permit requirements of RCW 43.37.100, and the liability requirements of RCW 43.37.190:

(1) All research and experiments related to weather modification control conducted within laboratories;

(2) Those weather modification operations designed to alleviate sudden, unexpected, hazardous conditions which require expeditious localized action for:

(a) Protection against fire;

(b) Prevention of frost;

(c) Dispersal of fog;

(3) Field research and development by institutions of higher learning;

(4) Any person proposing to conduct weather modification and control activities as described in subsection (2) of this section shall notify the air quality program, department of ecology, headquarters offices in Olympia, Washington, before proceeding. Notification must include the type of activity to be carried out, the person carrying out the activity, and the materials and technique of the application to be used;

(5) Any person proposing to conduct weather modification and control activities as described in subsection (3) of this section shall provide:

(a) A written description of the proposed program;

(b) Notice of actual operations ten days before beginning those activities; and

(c) Quarterly reports of operations and status to the Headquarters Office, Air Quality Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

[Statutory Authority: RCW 79.94.331, chapters 70.94 and 43.37 RCW. WSR 00-01-009 (Order 99-14), § 173-495-040, filed 12/3/99, effective 1/3/00. Statutory Authority: RCW 70.94.331. WSR 90-19-062 (Order 90-10), § 173-495-040, filed 9/17/90, effective 10/18/90; Order DE 77-29, § 173-495-040, filed 12/29/77. Formerly chapter 508-20 WAC.]