

WAC 456-09-765 Official notice. (1) The board may take official notice of the following:

(a) Any judicially cognizable facts;

(b) Any matter of public record;

(c) Technical or scientific facts within the agency's specialized knowledge; and

(d) Codes or standards that have been adopted by any state or federal agency or by a nationally recognized organization or association.

(2) Any party may controvert such a fact by filing a petition for review of an initial decision pursuant to WAC 456-09-930 or by a petition for reconsideration of a final decision pursuant to WAC 456-09-955. The petition must concisely and clearly set forth the sources, authority, and other data relied upon to show the existence or nonexistence of the fact assumed or denied in the decision.

(3) A party asking the board to take official notice may be required to produce a copy of the material to be noticed.

[Statutory Authority: RCW 82.03.170. WSR 22-05-051, § 456-09-765, filed 2/9/22, effective 3/12/22; WSR 05-13-141, § 456-09-765, filed 6/21/05, effective 8/1/05; WSR 89-10-056 (Order 89-02), § 456-09-765, filed 5/2/89.]