

SEPTEMBER 2, 1998

OLYMPIA, WASHINGTON

ISSUE 98-17



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## CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: the 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 34.05 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (360) 786-6697.

## REPUBLICATION OF OFFICIAL DOCUMENTS

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## CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of September 1998 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

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# WASHINGTON STATE REGISTER

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### WASHINGTON STATE REGISTER

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Olympia, WA 98504-0552

The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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*Subscription Clerk*

# STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

## 1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following nine sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Intent that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **EXPEDITED REPEAL**-includes the Preproposal Statement of Inquiry that lists rules being repealed using the expedited repeal process. Expedited repeals are not consistently filed and may not appear in every issue of the register.
- (c) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (d) **EXPEDITED ADOPTION**-includes the full text of rules being changed using the expedited adoption process. Expedited adoptions are not consistently filed and may not appear in every issue of the Register.
- (e) **PERMANENT**-includes the full text of permanently adopted rules.
- (f) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (g) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (h) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (i) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. Each filing is listed under the agency name and then describes the subject matter, type of filing and the WSR number. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

## 2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
  - (i) underlined material is new material;
  - (ii) ~~deleted material is ((lined out between double parentheses))~~;
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

## 3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

## 4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

## 5. EDITORIAL CORRECTIONS

Material inserted by the code reviser's office for purposes of clarification or correction or to show the source or history of a document is enclosed in [brackets].

**1997 - 1998**  
**DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION**

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Hearing Date <sup>3</sup>	Expedited Adoption <sup>4</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS			
<i>For Inclusion in--</i>	<i>File no later than 12:00 NOON--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>	<i>First Agency Adoption Date</i>
97-16	Jul 9	Jul 23	Aug 6	Aug 20	Sep 9	Oct 4
97-17	Jul 23	Aug 6	Aug 20	Sep 3	Sep 23	Oct 18
97-18	Aug 6	Aug 20	Sep 3	Sep 17	Oct 7	Nov 1
97-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21	Nov 15
97-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4	Nov 29
97-21	Sep 24	Oct 8	Oct 22	Nov 5	Nov 25	Dec 20
97-22	Oct 8	Oct 22	Nov 5	Nov 19	Dec 9	Jan 3, 1998
97-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23	Jan 17, 1998
97-24	Nov 5	Nov 19	Dec 3	Dec 17, 1997	Jan 6, 1998	Jan 31
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98-01	Nov 26	Dec 10	Dec 24, 1997	Jan 7, 1998	Jan 27	Feb 21
98-02	Dec 10	Dec 24, 1997	Jan 7, 1998	Jan 21	Feb 10	Mar 7
98-03	Dec 24, 1997	Jan 7, 1998	Jan 21	Feb 4	Feb 24	Mar 21
98-04	Jan 7	Jan 21	Feb 4	Feb 18	Mar 10	Apr 4
98-05	Jan 21	Feb 4	Feb 18	Mar 4	Mar 24	Apr 18
98-06	Feb 4	Feb 18	Mar 4	Mar 18	Apr 7	May 2
98-07	Feb 18	Mar 4	Mar 18	Apr 1	Apr 21	May 16
98-08	Mar 4	Mar 18	Apr 1	Apr 15	May 5	May 30
98-09	Mar 25	Apr 8	Apr 22	May 6	May 26	Jun 20
98-10	Apr 8	Apr 22	May 6	May 20	Jun 9	Jul 4
98-11	Apr 22	May 6	May 20	Jun 3	Jun 23	Jul 18
98-12	May 6	May 20	Jun 3	Jun 17	Jul 7	Aug 1
98-13	May 20	Jun 3	Jun 17	Jul 1	Jul 21	Aug 15
98-14	Jun 3	Jun 17	Jul 1	Jul 15	Aug 4	Aug 29
98-15	Jun 24	Jul 8	Jul 22	Aug 5	Aug 25	Sep 19
98-16	Jul 8	Jul 22	Aug 5	Aug 19	Sep 8	Oct 3
98-17	Jul 22	Aug 5	Aug 19	Sep 2	Sep 22	Oct 17
98-18	Aug 5	Aug 19	Sep 2	Sep 16	Oct 6	Oct 31
98-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27	Nov 21
98-20	Sep 9	Sep 23	Oct 7	Oct 21	Nov 10	Dec 5
98-21	Sep 23	Oct 7	Oct 21	Nov 4	Nov 24	Dec 19
98-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8	Jan 2, 1999
98-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22	Jan 16, 1999
98-24	Nov 4	Nov 18	Dec 2	Dec 16, 1998	Jan 5, 1999	Jan 30

<sup>1</sup>All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

<sup>4</sup>A minimum of forty-five days is required between the distribution date of the Register giving notice of the expedited adoption and the agency adoption date. No hearing is required, but the public may file written objections. See RCW 34.05.230, as amended by section 202, chapter 409, Laws of 1997.

## **REGULATORY FAIRNESS ACT**

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

### **Small Business Economic Impact Statements (SBEIS)**

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

### **Mitigation**

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

### **When is an SBEIS Required?**

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

### **When is an SBEIS Not Required?**

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

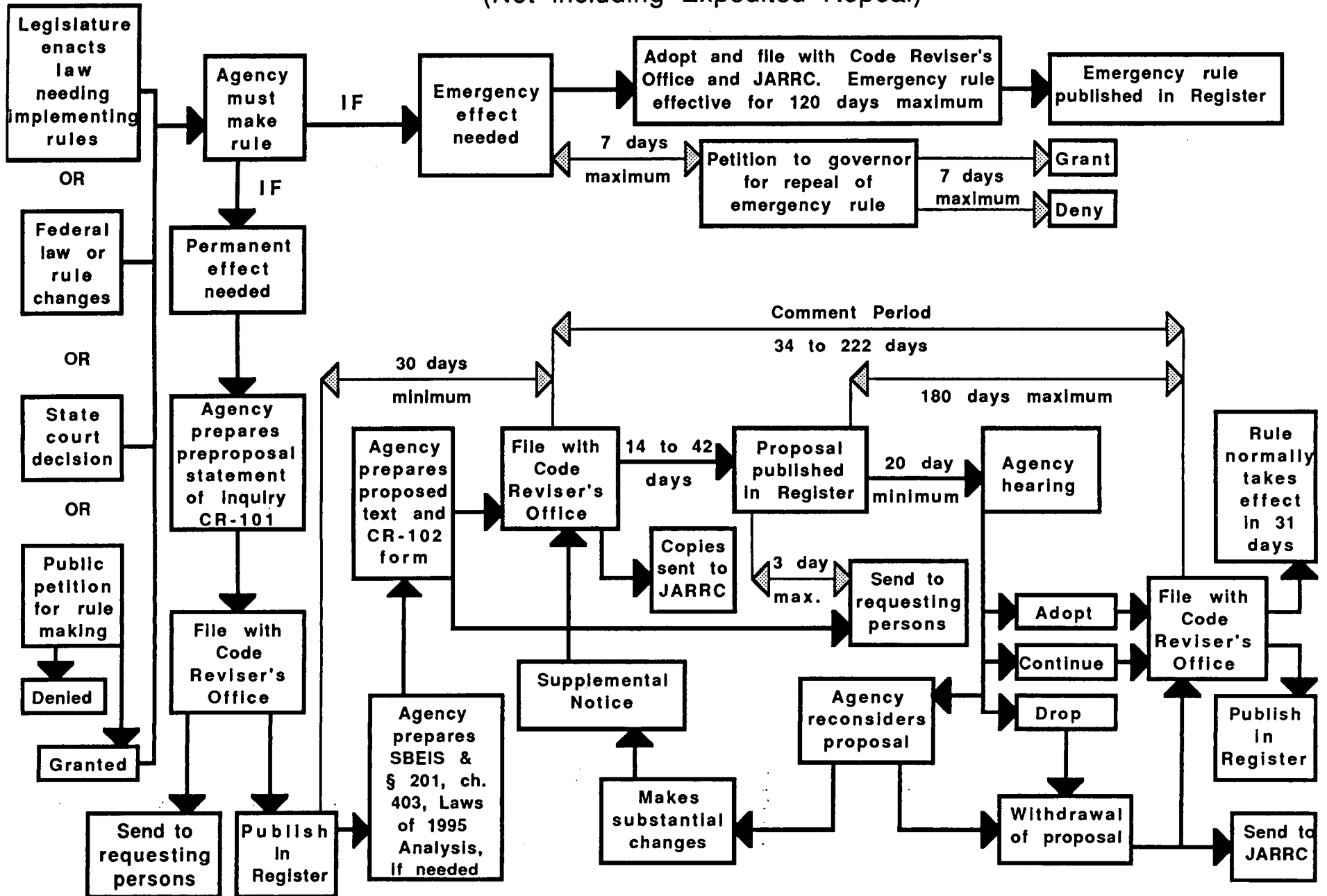
There is less than minor economic impact on business;

The rule **REDUCES** costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

(Not including Expedited Repeal)



**WSR 98-17-028****PREPROPOSAL STATEMENT OF INQUIRY  
SECRETARY OF STATE**

[Filed August 11, 1998, 12:10 p.m.]

Subject of Possible Rule Making: Amendment of rules regarding the conduct of official logic and accuracy tests for primaries and elections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 29.33.350.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 58, Laws of 1998, direct the Office of the Secretary of State to adopt rules for logic and accuracy tests.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Pam Floyd, P.O. Box 40237, Olympia, WA 98504, fax (360) 664-2971; David Elliott, P.O. Box 40237, Olympia, WA 98504, fax (360) 664-2971; or Sheryl Moss, P.O. Box 40232, Olympia, WA 98504, fax (360) 664-3657.

August 11, 1998

Tracy Guerin

Deputy Secretary of State

**WSR 98-17-036****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF TRANSPORTATION**

[Filed August 13, 1998, 8:27 a.m.]

Subject of Possible Rule Making: Chapter 468-310 WAC, Prequalification of ferry system contractors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.60.680, 47.60.690.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Minor revisions to allow contractors who bid on ferry terminals, other marine facilities, and highway construction projects to be prequalified under one rule, chapter 468-16 WAC. Other minor revisions to clarify procedures for determining qualifications of contractors for performing marine vessel construction contracts.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by submitting written comments to Ken Walker, P.O. Box 47360, Olympia, WA 98504-7360, phone (360) 705-7017, fax (360) 705-6966; or Tim McGuigan, 801 Alaskan

Way, TB32, Seattle, WA 98104-1487, phone (206) 515-3601, fax (206) 515-3605.

August 12, 1998

Gerald E. Smith

Deputy Secretary, Operations

**WSR 98-17-062****PREPROPOSAL STATEMENT OF INQUIRY  
HEALTH CARE AUTHORITY**

(Basic Health Plan)

[Filed August 17, 1998, 10:16 a.m.]

Subject of Possible Rule Making: Revision of WAC 182-25-100, 182-25-105, and 182-25-110, to clarify basic health appeals process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.47.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules will be revised for clarification, in compliance with Governor's Executive Order 97-02.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other federal or state agencies regulate Basic Health Plan.

Process for Developing New Rule: Stakeholder mailings and public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rosanne Reynolds (L3), P.O. Box 42683, Olympia, WA 98504-2683, phone (360) 923-2948, fax (360) 412-4276. Draft rules will be mailed to interested parties and will be published in the Washington State Register.

August 17, 1998

Elin Meyer

Rules Coordinator

**WSR 98-17-070****PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
FINANCIAL INSTITUTIONS**

[Filed August 17, 1998, 4:17 p.m.]

Subject of Possible Rule Making: Amendments to reflect statutory changes to definitions, exemptions from licensing, branch office licensing requirements, records retention requirements, bonding requirements, and trust accounting requirements applying to mortgage brokers. This filing supplements a filing made on July 29, 1997.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The Mortgage Brokers Practices Act, chapter 19.146 RCW, as amended in 1997 by SHB 1678, and more specifically, RCW 19.146.225.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These amendments are

required to implement SHB 1678, enacted by the 1997 legislature.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The department will obtain industry and public input through public meetings of the Mortgage Brokerage Commission.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The Mortgage Brokerage Commission meets regularly, using Washington Interactive Television facilities throughout the state. A list of meeting dates and sites can be obtained from Mark Thomson, (360) 902-8787.

August 17, 1998  
Mark T. Thomson  
Assistant Director

**WSR 98-17-071**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF LICENSING**  
[Filed August 18, 1998, 8:21 a.m.]

Subject of Possible Rule Making: Chapter 308-04 WAC, General provisions, WAC 308-04-010 and 308-04-020.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110 and 43.24.023.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify processes. Eliminate procedures that no longer apply. Raise the dishonored check handling fee for vehicle services to \$25.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties are invited to participate in this rule making. Please contact Walt Fahrner, Rules Coordinator, 1125 Washington Street S.E., Box 9020, Olympia, WA 98507-9020, phone (360) 902-3640, fax (360) 753-7500, e-mail wfahrner@dol.wa.gov.

August 17, 1998  
Walt Fahrner  
Rules Coordinator

**WSR 98-17-076**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**TRANSPORTATION**  
(Washington State Ferries)  
[Filed August 18, 1998, 9:30 a.m.]

Subject of Possible Rule Making: WAC 468-300-700 Preferential loading.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.56.030, 47.60.140, 47.60.326.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current preferential loading WAC needed to be streamlined, updated, and made current with changing state policies and enabling legislation.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington State Department of Transportation; Washington State Patrol; Prof. Scott Rutherford, University of Washington/Transportation Engineer; Lt. Gary Trunkey, Washington State Patrol; Sgt. Tim Braniff, Washington State Patrol; Lt. Steve Boyer, Washington State Patrol; Sgt. Ken Boad, Washington State Patrol; John Shaddof, Washington State Department of Transportation/Urban Mobility TDM Administrator; Bob Caldwell, Washington State Department of Transportation/Northwest Region TDM Manager; Gordon Kirkemo, Washington State Department of Transportation/Mobility Planning Administrator; Mike Dornfeld, Washington State Department of Transportation Bicycle/Pedestrian Coordinator; Jack Pour, Senior Services of Island County; Michael Nortness, Washington State Volunteer Chore Services Director; Bill Tracy, Volunteer Chore Services; Tom Hingson, Superintendent of Public Instruction/Region Transportation Coordinator; Bonnie Allen, Washington Utilities and Transportation Commission; John Foster, Washington Utilities and Transportation Commission; and Peggy Shapiro, Washington State Hospital Association/Medical Preparedness.

Process for Developing New Rule: Negotiated rule making; and agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ed Johnson, Transportation Planning Specialist, Washington State Ferries, 801 Alaskan Way, Seattle, WA 98104, (206) 515-3495, fax (206) 515-3499, e-mail JohnsonE@wsdot.wa.gov.

August 17, 1998  
Paul Green  
Director/CEO



**WSR 98-17-081**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 (WorkFirst Division)

[Filed August 18, 1998, 11:29 a.m.]

Subject of Possible Rule Making: Cash assistance need standards, WAC 388-478-0015.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.200.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The cash assistance need standard is used by the department and other agencies to determine eligibility for various services. The standard is updated to reflect the increase in the cost of living.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: The Department of Social and Health Services welcomes the public to take part in developing the rule(s). Anyone interested in participating should contact the staff person indicated below. After the rule(s) is drafted, the Department of Social and Health Services will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Betty Brinkman, Program Manager, WorkFirst Division, 1009 College Street S.E., P.O. Box 45480, Lacey, WA 98504-5480, (360) 413-3091, fax (360) 413-3482, e-mail Brinkmbm.

August 17, 1998

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**WSR 98-17-084**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**INSURANCE COMMISSIONER'S OFFICE**

[Insurance Commissioner Matter No. R 98-18—Filed August 18, 1998, 4:02 p.m.]

Subject of Possible Rule Making: Out-of-state groups, WAC 284-30-600 and 284-30-610.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060 and 48.30.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These rules were identified in the commissioner's regulatory improvement process as rules that may need to be updated and clarified. Additionally, the commissioner will review the overall regulatory scheme to determine if it is the most complete, efficient, and effective way of regulating this area and protecting consumers receiving coverage in Washington state. The commissioner will

consider developing an alternate regulatory scheme or modifying the current regulatory program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and any comments regarding the proposed rules should be mailed to Kacy Brandeberry, P.O. Box 40256, Olympia, WA 98504-0256, fax (360) 407-0186, Internet KacyB@oic.wa.gov.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Brandeberry, P.O. Box 40256, Olympia, WA 98504-0256, phone (360) 407-0729, fax (360) 407-0186, Internet KacyB@oic.wa.gov.

August 18, 1998

Greg J. Scully

Chief Deputy Commissioner

**WSR 98-17-085**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF ECOLOGY**

[Order 98-21—Filed August 18, 1998, 4:32 p.m.]

Subject of Possible Rule Making: Human health sediment criteria; revised chemical and biological criteria, revised cleanup implementation procedures, revised definitions (as amendments to the sediment management standards, chapter 173-204 WAC).

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 90.48 RCW, the Water Pollution Control Act; chapter 70.105D RCW, the Model Toxics Control Act; chapter 90.70 RCW, the Puget Sound Water Quality Authority Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Numeric, health-based sediment criteria are intended to reduce and ultimately eliminate significant health threats to humans via the ingestion of fish and shellfish contaminated by toxic, bioaccumulative and persistent compounds by: (1) Establishing standards for the quality of surface sediments; (2) applying these standards as the basis for management and reduction of pollution discharges; and (3) providing a management and decision process for the cleanup of contaminated sediments. Revisions to chemical and biological criteria, cleanup implementation procedures and definitions are responding to annual review comments by the public and will clarify requirements, reduce duplication with other ecology rules and update methods and criteria to accurately reflect the latest scientific knowledge.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: U.S. EPA Region 10, Army Corps of Engineers, Washington Department of Natural Resources, Washington Department of Transportation, and the Puget Sound Water Quality Authority. Each of these agencies participate in the cooperative sediment management program and the Sediment Management Standards Implementation Committee. Ecology routinely briefs these groups on the sediment man-

agement standards rule development process and accepts their comments and recommendations.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brett Betts, Department of Ecology, P.O. Box 47703, Olympia, WA 98504-7703, phone (360) 407-6914, fax (360) 407-6904, e-mail [bbet461@ecy.wa.gov](mailto:bbet461@ecy.wa.gov), (email) <http://www.wa.gov/ecology/sea/smu/sediment.html>.

August 12, 1998

Gordon White  
Program Manager

**WSR 98-17-086**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed August 18, 1998, 4:55 p.m.]

Subject of Possible Rule Making: Declaring ocean spot prawns an emerging commercial fishery under the Emerging Fishery Act and amending rules to accommodate the changes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080 and 75.30.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The ocean spot prawn fishery is rapidly developing and creating conditions for an over capitalized fishery on spot prawn stocks of limited productive capability. Putting limits on fishery growth will allow an orderly and economically viable fishery to develop while information is gathered on the stocks and the fishery effort levels appropriate to harvest those stocks.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Crawford, (360) 902-2325 or fax (360) 902-2944 by October 20, 1998.

August 18, 1998

Evan Jacoby  
Rules Coordinator

**WSR 98-17-087**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed August 18, 1998, 4:58 p.m.]

Subject of Possible Rule Making: Seasonal area closures for coastal Dungeness crab.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Certain periods of the current fishing season in deeper waters have a very high inci-

dence of soft shell crab which create a significant degree of product wastage and handling mortality. Removing fishing effort from this segment of the crab population shifts the harvest of those soft shelled crab to a later time frame when they are in hard shell condition and represent a higher economic value to the commercial crab industry.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Pacific Fisheries Management Council, through the National Marine Fisheries Service, coordinates with the coastal states any necessary rule-making activities in the United States Exclusive Economic Zone.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Crawford, (360) 902-2325 or fax (360) 902-2944 by October 20, 1998.

August 18, 1998

Evan Jacoby  
Rules Coordinator

**WSR 98-17-088**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
[Filed August 18, 1998, 4:59 p.m.]

Subject of Possible Rule Making: Transfer of shellfish aquaculture products and defining the green crab as a deleterious and exotic species.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 75.08.080.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Green crab have invaded Washington's marine waters and these rules will be necessary to minimize further population expansion while controlling and monitoring those populations to protect native fauna and the shellfish industry.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The National Aquatic Nuisance Species Task Force administered by the National Oceanic and Atmospheric Administration and the United States Fish and Wildlife Service is coordinating activities at the federal and interstate level.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Crawford, (360) 902-2325 or fax (360) 902-2944 by October 20, 1998.

August 18, 1998

Evan Jacoby  
Rules Coordinator

**WSR 98-17-089**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 18, 1998, 5:00 p.m.]

Subject of Possible Rule Making: Spring bear and cougar seasons; private lands wildlife management area (PLWMA) seasons; auctions and raffles of big game/turkey.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To provide recreational opportunity.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mike Kuttel, Assistant Director, Wildlife Management Program, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2504, fax (360) 902-2162. Contact by September 25, 1998, rule filing expected October 2, 1998.

August 18, 1998

Evan Jacoby

Rules Coordinator

**WSR 98-17-095**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE TOXICOLOGIST**

[Filed August 19, 1998, 9:01 a.m.]

Subject of Possible Rule Making: Administration of breath test program, chapter 448-13 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.61.506.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify language regarding changing the simulator solution, interpretation of test results, definition of foreign object, and to make external standard test parameters consistent with changes to statute chapter 46.61 RCW regarding per se breath alcohol limit.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal government DOT (NHTSA) approves devices for this purpose, and is referenced in rule.

Process for Developing New Rule: Consultation with Washington State Patrol.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barry K. Logan, Ph.D., Washington State Toxicologist, 2203 Airport Way South, Seattle, WA

98134, phone (206) 343-5435, fax (206) 343-5435, e-mail logan@u.washington.edu.

August 7, 1998

Barry K. Logan Ph.D.

State Toxicologist

**WSR 98-17-096**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE TOXICOLOGIST**

[Filed August 19, 1998, 9:01 a.m.]

Subject of Possible Rule Making: Approval of breath alcohol screening devices for probable cause purposes.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.61.506.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Case law suggests the need for these rules (*State v. Smith*, 130 Wn.2d 215, 922 P.2d 811 (1996)) to allow the use of portable breath testing devices for probable cause purposes.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: NHTSA maintains an approved product list for these devices, which is referenced in the proposed rules.

Process for Developing New Rule: Pilot rule making; and consultation with Washington State Patrol.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barry K. Logan Ph.D., Washington State Toxicologist, 2203 Airport Way South, Seattle, WA 98134, phone (206) 343-5435, fax (206) 731-8564, e-mail logan@u.washington.edu.

August 7, 1998

Barry K. Logan Ph.D.

State Toxicologist

**WSR 98-17-100**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF HEALTH**

[Filed August 19, 1998, 11:05 a.m.]

Subject of Possible Rule Making: The Office of Laboratory Quality Assurance (LQA) will rewrite the medical test site rules, chapter 246-338 WAC, to make them clearer, easier to understand, and better organized.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.42 RCW, Medical test sites.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules are already in place. The rewrite will be done to improve the organization and clarity of the current rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The federal Health Care Financing Administration (HCFA) has granted an exemption to federal regulation (CLIA) for clinical laboratories in Washington, as they have

judged the state medical test site rules as equivalent to CLIA. All changes to the medical test site rules must be approved by HCFA for the state to retain its exemption.

**Process for Developing New Rule:** We will work with all interested parties and licensees in drafting the new rules through workgroups and mailout of drafts for input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. An initial workgroup of interested parties will assist the Office of Laboratory Quality Assurance in completing a first draft of the new rules. This draft will be passed on to a secondary group for review and comment. The draft will then be sent to all licensees for input and comment. If you wish to participate on the initial draft, and can attend workgroup meetings, or if you wish to have your name added to the secondary review group, please contact Gail Neuen-schwander, Office of Laboratory Quality Assurance, 1610 N.E. 150th Street, Seattle, WA 98155, (206) 361-2805, fax (206) 361-2813, e-mail gvn0303@hub.doh.wa.gov.

July 29, 1998

K. Van Gorkom  
Deputy Secretary

#### WSR 98-17-101

#### PREPROPOSAL STATEMENT OF INQUIRY

#### DEPARTMENT OF HEALTH

(Podiatric Medical Board)

[Filed August 19, 1998, 11:06 a.m.]

**Subject of Possible Rule Making:** Implementation of retired active status.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 18.22.015, 18.130.250.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** The disciplining authority must adopt rules to permit licensees to have a retired active status license. This would permit those not interested in practicing full time to work on a part-time basis. They may provide services in underserved areas and/or fill in for another practitioner when they are on vacation or attending continuing education courses. The retired active status would be renewable at a reduced fee.

**Process for Developing New Rule:** Solicit input from professional association, licensees, public. Provide information to individuals on the mailing list.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Arlene Robertson, Program Manager, Podiatric Medical Board, P.O. Box 47870, Olympia, WA 98504-7870, phone (360) 664-3722, fax (360) 586-0745. The public and licensees may submit written comments or attend regular board meetings that this issue is on the agenda for discussion.

July 27, 1998

Robert J. Nicoloff  
Executive Director

#### WSR 98-17-102

#### PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed August 19, 1998, 11:08 a.m.]

**Subject of Possible Rule Making:** Accounting procedures for pull-tab games with carry-over jackpots.

**Statutes Authorizing the Agency to Adopt Rules on this Subject:** RCW 9.46.070.

**Reasons Why Rules on this Subject may be Needed and What They Might Accomplish:** This change would clarify the record keeping requirements for licensees that offer pull-tab games with carry-over jackpots.

**Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies:** None.

**Process for Developing New Rule:** Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ben Bishop, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7640; Sherri Winslow, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654, ext. 301, or Susan Arland, Public Information Officer, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654, ext. 374.

Meetings at the DoubleTree Inn, 1507 North First Street, Yakima, WA 98901, (509) 248-7850, on September 10 and 11; at the Silverdale on the Bay Hotel, 3037 Bucklin Hill Road, Silverdale, WA 98310, (360) 698-1000, on October 8-9; and at the Heathman Lodge, 7801 N.E. Greenwood Drive, Vancouver, WA 98662, (360) 254-3100, on November 12 and 13.

August 19, 1998

Susan Arland  
Public Information Officer

**WSR 98-17-034**  
**EXPEDITED REPEAL**  
**DEPARTMENT OF COMMUNITY,**  
**TRADE AND ECONOMIC DEVELOPMENT**

[Filed August 12, 1998, 9:55 a.m.]

The Following Sections are Proposed for Expedited Repeal: Chapter 194-18 WAC, Receipt of funds.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Any person who objects to the repeal of the rule must file a written objection to the repeal within thirty days after publication of this preproposal statement of inquiry.

Address Your Objection to: Cory Plantenberg, Energy Policy, Department of Community, Trade and Economic Development, P.O. Box 43173, Olympia, WA 98504-3173.

Reason the Expedited Repeal of the Rule is Appropriate: This rule is one of the leftover rules from the now defunct Washington State Energy Office that enabled the Energy Office to receive funds. The Department of Community, Trade and Economic Development has a rule that enables it to receive funds making this rule redundant.

August 11, 1998  
Kathy Kreiter  
Deputy Director  
for Tim Douglas  
Director

EXPEDITED REPEAL



**WSR 98-17-035  
PROPOSED RULES  
DEPARTMENT OF LICENSING**

(Board of Funeral Directors and Embalmers)

[Filed August 12, 1998, 11:44 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-10-087.

Title of Rule: Funeral establishments and crematories, license expiration.

Purpose: To change the annual license expiration dates of funeral establishments, branch funeral establishments, and crematories from June 30 to January 31; and to change the period for which crematory license renewal fees are determined from "June 1 to May 31" to "previous calendar year."

Statutory Authority for Adoption: RCW 18.39.175(4).

Statute Being Implemented: Chapter 18.39 RCW.

Reasons Supporting Proposal: Currently, there is a significant number of renewal documents which are mailed in one fiscal year, i.e., before June 30, but are received by the department in the next fiscal year, July 1 or later. The number of late receipts varies from year to year making it difficult for the department to accurately predict the revenue for a fiscal year. A change to January 31 will permit accurate tracking and estimation of these revenues.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Jon Donnellan, Department of Licensing, 405 Black Lake Boulevard, Olympia, (360) 586-4905.

Name of Proponent: Board of Funeral Directors and Embalmers, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: Changes annual renewal dates for funeral establishment, branch funeral establishment, and crematory licenses from June 30 to January 31, and changes the period for which crematory license renewal fees are determined. This proposal also repeals WAC 308-48-790 which is duplicative.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Board of Funeral Directors and Embalmers has determined there is no impact on small business as a result of this rule.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Holiday Inn - Renton Ballroom "A", One South Grady Way, Renton, WA 98055, on October 1, 1998, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jon Donnellan by telephone, TDD (360) 586-2788, or (360) 586-4905.

Submit Written Comments to: Jon Donnellan, Administrator, Funeral and Cemetery Unit, P.O. Box 9012, Olympia, WA 98507-9012, fax (360) 664-2550.

Date of Intended Adoption: October 1, 1998.

Jon Donnellan  
Administrator

AMENDATORY SECTION (Amending Order PL 273, filed 8/1/77)

**WAC 308-48-185 Funeral establishments and crematories—License expiration.** Funeral establishment, branch funeral establishment, and crematory licenses issued pursuant to chapter 18.39 RCW, as now or hereafter amended, shall expire annually on (~~June 30~~) January 31.

AMENDATORY SECTION (Amending WSR 91-11-023, filed 5/7/91, effective 6/7/91)

**WAC 308-48-800 Funeral director/embalmer fees.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
<b>Embalmer((s)):</b>	
State examination or reexamination	\$150.00
Renewal	100.00
Late renewal penalty	50.00
Duplicate	15.00
Certification	25.00
<b>Embalmer apprentice:</b>	
Apprentice application	75.00
Apprentice renewal	45.00
Duplicate	15.00
Certification	25.00
<b>Funeral director:</b>	
State examination or reexamination	150.00
Renewal	100.00
Late renewal penalty	50.00
Duplicate	15.00
Certification	25.00
<b>Funeral director apprentice:</b>	
Apprentice application	75.00
Apprentice renewal	45.00
Duplicate ( <del>license</del> )	15.00
Certification	25.00
<b>Funeral establishment:</b>	
Original application	350.00
Renewal	300.00
Branch registration and renewal	250.00
Preneed application	200.00
<b>Preneed renewal:</b>	
0-25 sales	25.00
26-99 sales	100.00
100 or more sales	150.00

PROPOSED

Title of Fee	Fee
Financial statement fee	50.00
Crematory endorsement registration	100.00
Crematory endorsement renewal \$50.00 plus fifty cents per cremation performed during previous <del>((twelve-month period of June 1 to May 31))</del> <u>calendar year.</u>	

Submit Written Comments to: Fax (360) 586-0386, by October 15, 1998.  
 Date of Intended Adoption: October 29, 1998.  
 August 13, 1998  
 Eric P. Berger  
 Executive Director

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-48-790 Crematory endorsements—Registration—Expiration.

**WSR 98-17-051  
 PROPOSED RULES  
 COUNTY ROAD  
 ADMINISTRATION BOARD**  
 [Filed August 14, 1998, 11:21 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Title 136 WAC.

Purpose: Amending sections of chapters 136-01, 136-02, 136-03, 136-04, 136-10, 136-11, 136-12, 136-14, 136-15, 136-16, 136-18, 136-20, 136-28, 136-40, 136-60, 136-70, 136-100, 136-130, 136-150, 136-161, 136-163, 136-165, 136-167, 136-170, 136-180, 136-210, 136-300, and 136-400 WAC.

Statutory Authority for Adoption: Chapter 36.79 RCW.

Summary: Revisions regarding the rural arterial program and the standards of good practice.

Name of Agency Personnel Responsible for Drafting: Chris Mudgett, Olympia, (360) 753-5989; Implementation: Karen Pendleton, Olympia, (360) 753-5989; and Enforcement: Eric Berger, Olympia, (360) 753-5989.

Name of Proponent: County Road Administration Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: This amendment will revise the rural arterial program and the standards of good practice.

Proposal Changes the Following Existing Rules: Amends sections of Title 136 WAC.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: County Road Administration Board, 2404 Chandler Court S.W., Suite 240, Olympia, WA 98504, on October 29, 1998, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact TDD (800) 833-6384, or (360) 753-5989.

**WAC 136-01-010 Purpose and ~~((membership))~~ authority.** The county road administration board is a nine member board, organized under the provision of RCW 36.78.010 through 36.78.110 ~~((for the purpose of establishing and administering:~~

~~(1) Standards of good practice for county road administration within the counties of the state;~~

~~(2) The rural arterial program established by chapter 36.79 RCW;~~

~~(3) The county arterial preservation program established by RCW 46.68.095(4); and~~

~~(4) The ferry capital improvement program established by RCW 47.56.725(4)).~~

AMENDATORY SECTION (Amending Order 86, filed 6/10/92, effective 7/11/92)

**WAC 136-01-030 Meetings and voting procedures.** Regular public meetings of the county road administration board shall be held quarterly, at times and locations set by the board. ~~((One of the quarterly meetings shall be the annual meeting, which shall be held at the time required by RCW 36.78.050, and at which))~~ At the summer meeting, the board shall elect a ~~((chairman and vice-chairman))~~ chair and vice-chair, who shall both hold office until the next ~~((annual))~~ summer meeting. Additional meetings necessary to discharge the business of the board may be called from time to time by the ~~((chairman))~~ chair. Each member of the board shall be entitled to one vote. No proxies shall be allowed. All questions shall be decided by majority vote. A quorum of five members of the board shall be required to vote or conduct any board business.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 136-01-020 Appointment of executive director.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-02-010 Purpose and authority.** This chapter is promulgated pursuant to the directions of chapter 43.21C RCW (SEPA) and chapter 197-11 WAC (SEPA rules). The adoption of this chapter is deemed to be in compliance with the requirements of chapter 43.21C RCW and chapter 197-11 WAC.

PROPOSED



AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-02-020 Statement of exempt activities.** The county road administration board has reviewed its authorized activities and found them all to be exempt under chapter 43.21C RCW and SEPA rules, WAC 197-11-800 (13), (15), (16), (18), (19) ~~((and))~~, (20) and (23). This statement is adopted in accordance with RCW 43.21C.135 (1)(a).

AMENDATORY SECTION (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-010 Purpose and authority.** The purpose of this chapter is to establish rules for compliance by the Washington county road administration board ~~((CRAB))~~ with the provisions of RCW 42.17.250 through 42.17.340 dealing with public records. This chapter describes ~~((the CRAB and))~~ the places at which, the employees from whom, and the methods whereby persons may obtain information, make submittals or requests, or obtain copies of agency decisions. Other chapters in Title 136 WAC describe the general course and method of the ~~((CRAB's))~~ board's operations and the nature and requirements of all of its formal and informal procedures. For a description of the ~~((CRAB's))~~ board's organization, see chapter 136-01 WAC.

AMENDATORY SECTION (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-020 Public records officer.** The ~~((CRAB's))~~ board's public records officer shall be the ~~((confidential secretary))~~ executive assistant to the ~~((CRAB))~~ county road administration board. The public records officer shall be officed at 2404 Chandler ~~((Ct.))~~ Court S.W., Suite 240, Olympia, Washington. The public records officer shall be responsible for:

(1) Implementation of RCW 42.17.250 through 42.17.340 and these rules and regulations regarding release of public records;

(2) Coordinating staff efforts of the ~~((CRAB))~~ county road administration board in this regard; and

(3) Ensuring compliance of the ~~((CRAB))~~ staff with RCW 42.17.250 through 42.17.340 and these regulations.

The public records officer shall establish and maintain the index system required by RCW 42.17.260(4).

AMENDATORY SECTION (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-030 Public records available.** All public records of the ~~((CRAB))~~ county road administration board not exempted by RCW 42.17.310, or other statute which exempts or prohibits disclosure (see RCW 47.17.260(1)), shall be available for public inspection and copying pursuant to these rules.

AMENDATORY SECTION (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-040 Requests for public records.** Public records of the ~~((CRAB))~~ county road administration board shall be obtainable by persons who comply with the following procedures:

(1) A written ~~((or oral))~~ request for public records shall be addressed to the public records officer. Such request shall include the following:

(a) The name of the person requesting the records (requestor).

(b) The calendar date on which the request was made.

(c) If the requested records are referenced in the current index maintained by the ~~((CRAB))~~ county road administration board, a reference to the requested record as it is described in such current index.

(d) If the requested records are not referenced in the ~~((CRAB's))~~ current index, a statement that identifies the specific records requested.

(e) Where the requested records might be used for such a purpose, a verification that the records requested shall not be used to compile a commercial sales list.

(2) The public records officer shall inform the requestor whether and when the requested records will be available for inspection or copying at 2404 Chandler ~~((Ct.))~~ Court S.W., Suite 240, Olympia, Washington. If the requestor asks that the records be mailed to him or her, the public records officer shall do so, provided the records can be copied and sent without unreasonably disrupting the operations of the ~~((CRAB))~~ county road administration board, as provided in RCW 42.17.270.

(3) When it appears that a request for a record is made by or on behalf of a party to a lawsuit or a controversy to which the ~~((CRAB))~~ county road administration board is also a party (or when such a request is made by or on behalf of an attorney for such a party) the request shall be referred to the assistant attorney general assigned to the ~~((CRAB))~~ county road administration board for appropriate response.

AMENDATORY SECTION (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-050 Availability for public inspection and copying of public records—Office hours.** Public records shall be available for inspection and copying during the normal business hours of the ~~((CRAB))~~ county road administration board. For the purposes of this chapter, these normal business hours shall be from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

AMENDATORY SECTION (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-060 Inspection and copying costs.** (1) No fee shall be charged for inspection of public records.

(2) The ~~((CRAB))~~ county road administration board shall impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy records; such charges shall not exceed the amount

necessary to reimburse the ((CRABoard)) county road administration board for its actual costs incident to such copying. Actual costs shall include:

- (a) The labor and overhead costs of staff associated with responding to the request;
- (b) Computer and/or copying machine costs and overhead; and
- (c) Paper and/or other duplicating medium costs.

**AMENDATORY SECTION** (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-070 Protection of public records.** In order to protect ((the CRABoard's)) records from damage or disorganization:

(1) Copying of public documents shall be done by ((CRABoard)) county road administration board personnel or, ((in)) at the discretion of the ((CRABoard)) county road administration board, under their supervision.

(2) No document shall be physically removed by a requestor from the area designated by the ((CRABoard)) county road administration board for the public inspection of documents. The ((CRABoard)) board may require that all inspection be done in the presence of a ((CRABoard)) county road administration board employee.

(3) When a requestor requests to examine an entire file or group of documents, as distinguished from certain individual documents which can be identified and supplied by themselves, the ((CRABoard)) county road administration board shall be allowed a reasonable time to inspect the file to determine whether information protected from disclosure is contained therein, and the ((CRABoard)) board shall not be deemed in violation of its obligation to reply promptly to requests for public documents by reason of performing such inspection.

**AMENDATORY SECTION** (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-090 Review of denial of public records request.** (1) Any person who objects to the denial of a request for a public record may petition the public records officer for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) If the public records officer decides to affirm the denial, then the written request for review shall immediately be referred to the assistant attorney general assigned to the ((CRABoard)) county road administration board. The assistant attorney general shall promptly consider the matter and either affirm or reverse such denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the public records officer has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

**AMENDATORY SECTION** (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-100 Records index.** (1) The ((CRABoard)) county road administration board shall have available to all persons at its offices in Olympia a current index which provides identifying information as to the following records:

(a) All records issued before July 1, 1990, for which the ((CRABoard)) county road administration board has maintained an index;

(b) Final orders entered after June 30, 1990, that are issued in adjudicative proceedings as defined in RCW 34.05.010(1) and that contain an analysis or decision of substantial importance to the ((CRABoard)) county road administration board in carrying out its duties;

(c) Declaratory orders entered after June 30, 1990, that are issued pursuant to RCW 34.05.240 and that contain an analysis or decision of substantial importance to the ((CRABoard)) county road administration board in carrying out its duties;

(d) Interpretive statements as defined in RCW 34.05.010(8) that were entered after June 30, 1990;

(e) Policy statements as defined in RCW 34.05.010(14) that were entered after June 30, 1990; and

(f) Minutes of ((CRABoard)) county road administration board meetings.

(2) The system of indexing shall be as follows:

(a) The indexing system shall be administered by the ((CRABoard's)) board's public records officer and shall be located at 2404 Chandler ((Et.,)) Court S.W., Suite 240, Olympia, Washington.

(b) Copies of all indexes shall be available for public inspection and copying in the manner provided for the inspection and copying of public records.

(c) The public records officer shall establish and maintain a separate index for each item contained in subsection (1)(a) through (f) of this section as follows:

(i) All final orders and declaratory orders determined by the ((CRABoard)) county road administration board to contain analyses or decisions of substantial importance to the ((CRABoard)) board shall be listed alphabetically by the titles of the hearing or controversy and shall contain a phrase describing the important issue or issues.

(ii) Interpretive statements and policy statements shall be indexed by the applicable program administered by the ((CRABoard)) county road administration board.

(iii) ((CRABoard)) County road administration board minutes shall be indexed chronologically.

(d) The public records officer shall update all indexes at least once a year and shall revise such indexes when deemed necessary by the ((CRABoard)) county road administration board.

**AMENDATORY SECTION** (Amending Order 87, filed 6/10/92, effective 7/11/92)

**WAC 136-03-110 Availability.** The current indexes promulgated by the ((CRABoard)) county road administration board shall be available to all persons under the same

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rules and on the same conditions as are applied to public records available for inspection.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-010 Purpose.** The county road administration board (~~(, hereinafter referred to as the CRABoard,)~~) is authorized by RCW 36.78.090 through 36.78.100 to transmit to the state treasurer certificates of good practice, hereinafter referred to as certificates, on behalf of the counties which during the preceding calendar year have reasonably complied with provisions of law relating to county road administration and with the standards of good practice as formulated and adopted by the ~~((CRABoard))~~ county road administration board or to issue conditional certificates. This section sets forth the procedure to be followed by the ~~((CRABoard))~~ county road administration board in the issuance and revocation of such certificates.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-020 Inquiry by the ~~((CRABoard))~~ county road administration board.** The executive director shall formulate a questionnaire for use by the counties designed to demonstrate to the ~~((CRABoard))~~ county road administration board each county's level of compliance with pertinent laws and regulations. The proposed questionnaire shall be reviewed and approved by the ~~((CRABoard))~~ county road administration board at its first meeting of each calendar year and may be revised and modified from year to year to reflect changes in statutory and regulatory requirements. The approved questionnaire shall be distributed to all counties no later than fifteen days after said meeting.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-040 Review by the ~~((CRABoard))~~ county road administration board.** The executive director shall receive the completed questionnaires and prepare a report for the ~~((CRABoard))~~ county road administration board regarding the level of each county's compliance with pertinent laws and regulations. The ~~((CRABoard))~~ board shall review the executive director's report at its second regular meeting of each calendar year.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-050 Certificate of good practice.** The ~~((CRABoard))~~ county road administration board shall transmit a certificate to the state treasurer prior to May 1st of each year on behalf of those counties found to be in reasonable compliance with provisions of law relating to county road administration and with the standards of good practice as formulated and adopted by the ~~((CRABoard))~~ county road administration board.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-055 Revocation of certificate of good practice.** Whenever the ~~((CRABoard))~~ county road administration board finds that after issuance of a certificate a county fails to meet the requirements of such certification, the ~~((CRABoard))~~ board may revoke the previously issued certificate, or substitute a conditional certificate therefor, in the manner provided in WAC 136-04-080 and 136-04-090.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-060 Conditional certificate of good practice.** Whenever the ~~((CRABoard))~~ board finds that a county has failed to be in reasonable compliance with provisions of law or standards of good practice, ~~((the CRABoard))~~ it may transmit to the state treasurer on behalf of such county a conditional certificate, in the manner provided in WAC 136-04-080 and 136-04-090. Any such conditional certificate shall be issued subject to terms and conditions as deemed by the ~~((CRABoard))~~ board to be appropriate, and will authorize continued distribution to such county of all or a designated portion of its share of motor vehicle fuel taxes. A copy of such conditional certificate shall be sent to the legislative authority of the county on whose behalf it was issued. One of the conditions of such conditional certificate shall be a review by the ~~((CRABoard))~~ county road administration board at a subsequent meeting of the situation which caused its issuance.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-070 Review of conditional certificates.** At a designated subsequent meeting, the ~~((CRABoard))~~ county road administration board shall receive a report from the executive director pursuant to each conditional certificate. The ~~((CRABoard))~~ board shall issue a certificate upon finding that the county has complied or is diligently attempting to comply with the terms and conditions of the conditional certificate. If the ~~((CRABoard))~~ board finds that the county has not satisfied or diligently attempted to satisfy the terms and conditions of the conditional certificate, it may, in the manner provided in WAC 136-04-080 and 136-04-090:

- (1) Continue such conditional certificate for further review;
- (2) Modify such conditional certificate; or
- (3) Revoke such conditional certificate.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-080 Notice of pending revocation or substitution.** The ~~((CRABoard))~~ board shall not consider revocation of a certificate or substitution of a conditional certificate or adverse modification of a conditional certificate for any county unless written notice of hearing thereon shall have been given to the legislative authority or county execu-

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tive at least ~~((two weeks))~~ thirty days prior to the ~~((CRA-Board))~~ board meeting at which such revocation, substitution or modification is to be considered. Such notice shall include an invitation for representation by the county at such hearing.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-090 Hearing on revocation or substitution.** At the time appointed for the hearing, the ~~((CRA-Board))~~ county road administration board shall receive a report from the executive director detailing those laws or regulations with which the county is not in reasonable compliance, or those terms and conditions of the conditional certificate which the county has failed to meet. The ~~((CRA-Board))~~ board shall provide opportunity for presentation of written and/or oral testimony on behalf of the county and may thereupon:

- (1) Continue or modify a conditional certificate;
- (2) Substitute a conditional certificate for a certificate; or
- (3) Revoke either the certificate or conditional certificate.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-100 Revocation of certificate.** Upon revocation of a certificate or a conditional certificate by the ~~((CRA-Board))~~ county road administration board, notice thereof shall be given to the state treasurer and to the legislative authority or county executive of the affected county. If any certificate is revoked without a conditional certificate being substituted therefore, the ~~((CRA-Board))~~ board shall review the affected county's(ies)' compliance with pertinent laws and regulations at each subsequent regularly scheduled meeting until such time as the ~~((CRA-Board))~~ board finds that the county has reasonably complied or is diligently attempting to comply with such laws and regulations.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-04-110 Effect of noncompliance with standards of good practice.** Failure of a county to receive and maintain a certificate of good practice or a conditional certificate of good practice will, upon notification to the state treasurer by the ~~((CRA-Board))~~ county road administration board, result in the withholding from the county of a part of or its entire share of motor vehicle fuel tax distributable pursuant to RCW 46.68.120.

## Chapter 136-10 WAC

### ~~((DUTIES))~~ RELATIONSHIP OF COUNTY ~~((ROAD))~~ ENGINEER ~~((—))~~ AND COUNTY LEGISLATIVE AUTHORITY

AMENDATORY SECTION (Amending Order 73, filed 3/21/90, effective 4/21/90)

**WAC 136-10-010 Purpose and authority.** The ~~((laws of the state of Washington have established the))~~ powers and duties of the county legislative authority in relation to roads and bridges, and the qualifications and duties of the county ~~((road))~~ engineer are set forth in Title 36 RCW. ~~((Their))~~ The purpose of these laws is to designate the county ~~((road))~~ engineer as the chief administrative officer of the county road department. This chapter defines the formal relationship between the legislative authority and its county ~~((road))~~ engineer ~~((must be adequately defined))~~ in order to assure ~~((an))~~ the efficient and productive operation of the road department ~~((operation)).~~

In this chapter and throughout Title 136 WAC, the term "county engineer" shall mean both "county road engineer" and "county engineer," as those terms are used in Title 36 RCW.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-10-020 Duties of county legislative authority.** Certain specific powers and duties are set forth in RCW 36.75.040, 36.75.050, 36.80.010, 36.81.121 and 36.81.130. In addition to specific statutory duties the county legislative authority shall have the duty to develop written policies regarding county road department operation for the information and guidance of the county ~~((road))~~ engineer.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-10-030 Duties of the county** ~~((road))~~ engineer. The various duties and responsibilities of the county ~~((road))~~ engineer are set forth in chapter 36.80 RCW. In addition to these specifically defined duties the county ~~((road))~~ engineer shall be guided by written policies regarding county road department operation as promulgated by the county legislative authority.

AMENDATORY SECTION (Amending Order 73, filed 3/21/90, effective 4/21/90)

**WAC 136-10-040 Organization of county road department.** It shall be the county ~~((road))~~ engineer's duty to organize the road department in accordance with policy of the county legislative authority into such departments, divisions, districts or units as may be necessary to meet statutory requirements and to perform such additional services as may be directed by policy of the legislative authority.

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**AMENDATORY SECTION** (Amending Order 73, filed 3/21/90, effective 4/21/90)

**WAC 136-10-050 Written policy.** In order to implement the requirements of this chapter, the county legislative authority shall develop and by resolution adopt written policy covering any matters relating to road department operation as they may see fit. ~~((Certain specific))~~ The following matters ~~((enumerated herein))~~, at a minimum, must be covered by such ~~((policy to wit))~~ policies:

(1) Policy regarding organization. A chart or pictorial representation showing in detail the interrelationship of all positions in the road department from the county legislative authority through all employees. The chart shall clearly show the complete line of command throughout the entire organization. Copies of such chart shall be prominently posted in the office of the county ~~((road))~~ engineer and road department shops in such a manner that it will be readily available to all road department employees and the general public.

(2) Policy regarding personnel practices. A complete written statement of all ~~((policy))~~ policies relating to the personnel of the road department including but not limited to recruitment, appointment, promotion, dismissal, hours of work, overtime, annual leave, sick leave, military leave, holidays, classification, union relationship where applicable, and general work rules. Copies of such statement shall be prominently posted in the office of the county ~~((road))~~ engineer and road department shops in such a manner that it will be readily available to all road department employees and prospective employees.

(3) Policy regarding handling of complaints. A written statement setting forth ~~((a))~~ the method by which complaints from the general public related to any road department activity will be handled. The purpose is to assure that each county will have an orderly procedure to ~~((assure))~~ insure that citizen complaints receive prompt attention.

(4) Policy regarding approval of work for other public agencies and county departments. A written statement ~~((to supplement chapter 136-32 WAC including))~~ that includes, but is not limited to, the following:

(a) Statement of intent indicating whether or not the legislative authority will accept requests for work for other public agencies or other county departments.

(b) Statement indicating procedures to be followed in processing such requests in accordance with applicable statutes ~~((and chapter 136-32 WAC))~~.

(c) Statement indicating any delegation of authority in processing such requests.

(5) Policy regarding accommodation of utilities on county road right of way. A written statement setting forth the county's administrative, procedural, and technical requirements regarding the installation, replacement, adjustment, relocation, and maintenance of all utilities in, on, or above the county road right of way.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-11-010 Purpose and authority.** The laws of the state of Washington specify in RCW 36.80.030 that the

county road engineer shall have supervision, under the direction of the county legislative authority, of maintaining all county roads of the county. The purpose of maintenance management is to recognize that the majority of road maintenance activities can be planned, scheduled and accomplished in a predetermined manner which will result in improved economics of operation, public safety and welfare, and preservation of investment of county roads: *Provided, however*, That maintenance management shall not be mandatory and shall not be considered in the issuance of certificates of good practice.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-11-020 Goal.** This chapter is intended to encourage each county ~~((road))~~ engineer to apply basic management principles to road maintenance activities and to set forth specific goals and objectives relative to the results to be achieved.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-11-030 Objectives.** For the guidance and information of the county ~~((road))~~ engineer developing a maintenance management program the following objectives merit serious consideration:

(1) To provide, annually, opportunities for key personnel to receive initial training or refresher training in the principles of maintenance management.

(2) To develop countywide maintenance standards or levels of service for each major maintenance activity.

(3) To develop standards of performance for individuals and work crews setting forth both the quality and quantity of results anticipated.

(4) To prepare an annual maintenance program for adoption coincident with the annual budget and construction program which is to identify resource requirements in terms of manpower, equipment and materials, and the costs of each.

(5) To schedule, on an annual basis, major maintenance activities based on available budgeted maintenance funds so as to achieve an optimum balance of resources in the available time.

(6) To develop, and annually update, a long range equipment replacement program encompassing all major road department equipment so as to meet the equipment demands of the maintenance program.

(7) To establish an information reporting system capable of compiling data needed to allow comparison of actual performance with established performance standards and budgetary constraints.

(8) To discuss, at least biennially, with appropriate supervisory personnel the data regarding utilization of ~~((manpower))~~ staff resources, equipment and materials so as to assure the lowest attainable unit cost for each maintenance activity.

(9) To provide adequate information to all maintenance personnel regarding goals and objectives of the county's maintenance management program.

(10) To explore and evaluate new techniques, products, equipment and ideas which show promise of significantly improving performance or decreasing cost in any segment of the maintenance management effort.

### Chapter 136-12 WAC

#### STANDARD OF GOOD PRACTICE—VACANCY IN POSITION OF COUNTY ((ROAD)) ENGINEER

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-12-010 Purpose and authority.** The laws of the state of Washington make detailed provisions in chapter 36.80 RCW, for the employment of a county ((road)) engineer in each county. This chapter specifies that he/she shall be employed full time: *Provided*, That in counties with a population of less than eight thousand he/she may be employed on a part-time basis and may be the county engineer of another county; that he/she shall be a registered and licensed professional civil engineer under the laws of this state; that he/she shall have supervision, under the direction of the county legislative authority, of all activities related to the county roads of the county, including maintenance; that he/she shall certify to the county legislative authority all bills with respect to county roads; that he/she shall keep complete public records of all road department activities; that he/she shall prepare plans and specifications for all construction work on the county road system. Since it is unavoidable that vacancies will occur from time to time in the position of county ((road)) engineer, the following ((policy)) rule has been formulated to cover an interim period.

AMENDATORY SECTION (Amending Order 74, filed 3/21/90, effective 4/21/90)

**WAC 136-12-020 Procedure during vacancy.** When a vacancy occurs in the office of county ((road)) engineer due to resignation, retirement, death or for any other reason, the county legislative authority shall take immediate steps to find a replacement, either by promotion from within the organization if a competent and eligible person is available, or by advertisement for, and interview of, qualified applicants. The county legislative authority or county executive shall immediately notify the county road administration board of the vacancy, and of the procedure to be followed during the period of vacancy.

AMENDATORY SECTION (Amending Order 74, filed 3/21/90, effective 4/21/90)

**WAC 136-12-030 Acting county engineer.** If for any reason, it is impossible to employ a new county ((road)) engineer immediately, the county legislative authority shall designate, by resolution, ((the assistant county road engineer, or other road department employee, as the)) an acting county ((road)) engineer for an interim period, not to exceed six months, except as provided in WAC 136-12-060. A copy of

such resolution shall be forwarded to the county road administration board.

((If the assistant county road engineer or other road department employee is a Washington state licensed professional civil engineer and is appointed as the acting county road engineer during the interim period, said acting county road engineer shall perform all the duties of the county road engineer as specified in chapter 36.80 RCW.))

If the acting county ((road)) engineer ((or other road employee)) is not a licensed professional civil engineer, the legislative authority shall designate a licensed professional civil engineer to perform all engineering services during the interim period as required by chapter 18.43 RCW, and the acting county ((road)) engineer shall perform only those functions of the office not requiring a professional civil engineer's license.

AMENDATORY SECTION (Amending Order 74, filed 3/21/90, effective 4/21/90)

**WAC 136-12-060 Failure to comply with ruling.** When the county legislative authority has made final arrangements for the employment of a new county ((road)) engineer meeting the requirements of chapter 36.80 RCW the county road administration board shall be notified accordingly. If no such notification is received within six months of the beginning of the vacancy, the matter of the vacancy will be considered at the next regular meeting of the county road administration board. The county road administration board may require that all day labor construction projects be shut down and/or that all distribution of gas tax funds to the county ((shall)) cease: *Provided however*, That it may continue to grant reasonable extensions of the interim period in the event the affected county can give adequate proof or demonstrate at the next regularly scheduled board meeting that a diligent effort has been made to secure the services of a qualified engineer. ((If the vacancy continues to exist at the end of an extended interim period, the suspension of funds and cessation of day labor projects shall become mandatory. The acting county road engineer shall continue to perform the duties of the county road engineer until such time as the vacancy is filled.))

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-12-070 County engineer in counties with a population of less than eight thousand.** When the legislative authority of a county with a population of less than eight thousand chooses to employ a county ((road)) engineer on a part-time basis the terms of such employment shall be set forth in a contract adopted by resolution of the legislative authority. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of such resolution and contract shall be forwarded to the office of the county road administration board.

When the legislative authority chooses to contract with another county for services such contract shall be approved

by resolution of both legislative authorities. Such contract shall specify, but need not be limited to: Statement of legal responsibility, salary or wage arrangements, meetings with the legislative authority, travel expenses and relationship with regular employees. A copy of the contract and both resolutions shall be forwarded to the office of the county road administration board. Any such contract shall be in accordance with the procedures of the Interlocal Cooperation Act, chapter 39.34 RCW.

**AMENDATORY SECTION** (Amending Order 75, filed 3/21/90, effective 4/21/90)

**WAC 136-14-010 Purpose and authority.** The requirement to develop and adopt both long range and short range programs as a prerequisite to road construction is established ~~((by law))~~ in RCW 36.81.121 and 36.81.130. Numerous studies have shown that road construction needs far exceed available revenue. Priority programming is the development and application of techniques designed to rank any array of potential projects in order of importance to serve as a guide in assisting a county legislative authority in the formulation of road programs and distribution of limited resources. Priority programming procedures for counties must be adaptable to a wide variety of situations.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-14-030 Process.** Each county engineer will be required to develop a priority programming process tailored to meet the overall roadway system development policy determined by his or her county legislative authority. Items to be included and considered in the technique for roads shall include, but need not be limited to the following:

- (1) Traffic volumes;
- (2) Roadway condition;
- (3) Geometrics;
- (4) Safety and accident history; and
- (5) Matters of significant local importance.

The manner in which these various items are treated may vary from county to county.

Bridge priorities shall be established in accordance with WAC 136-20-060. Accident records may be considered where their use will make a legitimate contribution. A description of the priority programming technique to be used shall be submitted by each county engineer to the county road administration board.

The county road administration board, upon request, will provide assistance to counties in the development, evaluation or modification of their priority programming process in order to meet the requirements of this rule.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-14-040 Application of process.** The priority programming process for roads shall be applied by the county engineer to all potential arterial projects in the county, and to local access road projects if directed by the legislative author-

ity. The resulting priority array shall be updated not later than June 1<sup>st</sup> of each odd-numbered year and shall be consulted together with bridge priorities by the county legislative authority and county engineer during the preparation of the proposed six-year transportation program as described in chapter 136-15 WAC.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-14-060 Inventory records.** Each priority programming process will be based, at least in part, on existing road conditions. It is required, therefore, that in each county an adequate road inventory system be maintained. The inventory system shall be updated no later than May 1<sup>st</sup> of each year to reflect work done and improvements made during the previous year in accordance with requirements of chapter 136-60 WAC.

**AMENDATORY SECTION** (Amending WSR 97-24-068, filed 12/2/97, effective 1/2/98)

**WAC 136-15-010 Purpose and authority.** ~~((The laws of the state of Washington))~~ RCW 36.81.121~~((+))~~ requires the preparation and annual updating of a six-year comprehensive transportation program. The program shall be adopted by the county legislative authority at any time before adoption of the annual budget and shall include all anticipated road and bridge construction projects, capital ferry expenditures, paths and trails projects and any other specified capital outlays for the following six-year period. The purpose of this chapter is to implement these statutory requirements with assurance that the program is based on a realistic assessment of available funding during the program period.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-15-020 Contents of six-year program.** Each adopted program shall designate the six-year time period included, the name of the county, the county number as assigned by the state office of financial management, the date(s) of the public hearing held to provide public input to the program, the date of the adoption by the legislative authority and the adopting resolution number. The adopted program for submittal to ~~((CRAB))~~ the county road administration board shall consist of two parts:

- (1) A road fund revenue and expenditure analysis for the six-year time period; and
- (2) A program listing of specific projects.

**AMENDATORY SECTION** (Amending Order 68, filed 7/25/88)

**WAC 136-15-030 Road fund revenue and expenditure analysis.** The road fund revenue and expenditure analysis shall include the county's best estimates of future road fund revenues and expenditures over each year of the six-year program period.

The anticipated revenues should include a line item for motor vehicle fuel tax, the road levy after diversion, federal transportation program grants (by program), TIB funds, RATA funds, RID funds, public works trust fund loans, state forest funds, federal forest funds, and other miscellaneous revenues.

The anticipated road fund expenditures should include line items for administration, maintenance, facilities, transfers and loan repayments, reimbursable work and miscellaneous expenditures ~~((showing))~~ and shall show by subtraction the amount available for construction during each year of the program period.

#### NEW SECTION

**WAC 136-15-045 RAP projects in the six-year program.** Each county's six-year transportation program in each even-numbered year shall include all projects for which the county may request RATA funds during the succeeding biennium. Project cost estimates for prospective RAP projects shall be considered preliminary and subject to revision until a project application is submitted.

AMENDATORY SECTION (Amending WSR 97-24-068, filed 12/2/97, effective 1/2/98)

**WAC 136-15-050 Adoption and submittal of six-year program.** A six-year program shall be adopted by resolution of the county legislative authority after appropriate public hearing at any time before adoption of the annual budget. The resolution of adoption shall include reference to availability of:

- (1) A priority array as required by WAC 136-14-050 ~~((and of))~~;
- (2) An engineer's bridge condition report as required by WAC 136-20-060; and
- (3) The multiyear financing plan of the transportation element of the county's comprehensive plan if required by chapter 36.70A RCW.

Within ~~((30))~~ thirty days of adoption, the county legislative authority shall submit the six-year program to the county road administration board.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-16-010** ~~((Submission of recommended annual road program))~~ **Purpose and authority.** As provided for in RCW 36.81.130, the county ~~((road))~~ engineer shall submit a recommended annual road program, hereinafter referred to as the annual program, to the county legislative authority on the first ~~((meeting))~~ Monday in ~~((July))~~ October or at such other time as may be specified pursuant to RCW 36.40.071. The annual program shall include recommendations for all road and bridge construction projects and all road equipment purchases for the ensuing year. The county legislative authority shall consider the recommended program and make any revisions deemed necessary.

AMENDATORY SECTION (Amending Order 76, filed 3/21/90, effective 4/21/90)

**WAC 136-16-018 Adoption of annual program.** The county legislative authority shall adopt a final annual program at any time prior to the adoption of the budget.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-16-022 Day labor limit.** The statutory day labor limit shall be computed in accordance with RCW 36.77.065 in the following manner:

(1) When the ~~((sum of all construction costs is in excess of))~~ total annual county road construction budget four million dollars or more, the day labor limit is eight hundred thousand dollars or fifteen percent of ~~((said sum))~~ total annual county road construction budget, whichever is greater.

(2) When the ~~((sum of all construction costs))~~ total annual county road construction budget is in excess of one million five hundred thousand dollars and less than four million dollars, the day labor limit is five hundred twenty-five thousand dollars or twenty percent of ~~((said sum))~~ total annual county road construction budget, whichever is greater.

(3) When the ~~((sum of all construction costs))~~ total annual county road construction budget is in excess of five hundred thousand dollars and less than one million five hundred thousand dollars, the day labor limit is two hundred and fifty thousand dollars or thirty-five percent of ~~((said sum))~~ total annual county road construction budget, whichever is greater.

(4) When the ~~((sum of all construction costs))~~ total annual county road construction budget is less than five hundred thousand dollars, the day labor limit shall be two hundred and fifty thousand dollars, unless the county legislative authority, by resolution, elects the alternate procedure. When such alternate procedure is chosen, an individual project limit of thirty-five thousand dollars shall apply, and each project shall be administered in accordance with chapter 136-18 WAC.

Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-16-030 Requirements of listing equipment.** The annual program shall also include a list of all major road equipment purchases and repairs contemplated for the year, together with the estimated costs thereof. The total estimated cost of all equipment listed shall be approximately equal to the amount budgeted for equipment purchase



in the annual equipment rental and revolving fund budget. The equipment list may include an item for miscellaneous minor equipment in any amount up to ~~((40%))~~ ten percent of the estimated total cost. The list may also include a list of alternate or additional items of equipment totaling up to ~~((45%))~~ fifteen percent of the basic list cost to allow for unforeseen conditions.

#### NEW SECTION

**WAC 136-16-035 Requirements of listing maintenance and special maintenance.** In accordance with RCW 36.81.130, the annual program shall also include the amounts to be expended for maintenance and special maintenance but details of these proposed expenditures shall not be made.

AMENDATORY SECTION (Amending Order 21, filed 4/19/73)

**WAC 136-16-040 Forwarding of program.** A copy of the adopted annual program and appropriate resolution shall be forwarded to the county road administration board within ~~((30))~~ thirty days of its adoption but not later than December 31<sup>st</sup> of each year.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-16-042 Modification of program.** The adopted annual program may not be changed, revised or increased except by unanimous vote of the members of the legislative authority who are present when the vote is taken. Such modifications shall be by resolution of the legislative authority ~~((listing))~~ and shall list each changed, revised or added project. A copy of each such resolution shall be forwarded to the county road administration board within thirty-days of its adoption.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-16-050 Annual construction report.** At any time prior to April 1<sup>st</sup> of the year following the annual program year, the county ~~((road))~~ engineer shall submit an annual construction report to the county road administration board in accordance with forms and instructions provided by the county road administration board. The construction report shall show actual expenditures for all construction work including construction administration and engineering done during the previous budget year. Upon receipt of each county's annual construction report, the day labor limit as described in WAC 136-16-022 will again be calculated based upon the actual accomplishments as set forth in the annual construction report. A county which exceeds the day labor limit as computed as part of the annual program or as computed as part of the annual construction report shall be in violation of this standard of good practice.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-010 Purpose and authority.** Chapter 36.77 RCW ~~((36.77.065))~~ provides for the construction and improvement of county roads by contract, by day labor or by a combination of day labor and contract. The purpose of this standard of good practice is to assure that all day labor construction work is accomplished within statutory limitations.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-030 Authorization of day labor projects.** Every proposed day labor county road project and special day labor county road project shall be a part of the county's annual construction program as defined in RCW 36.81.130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the county legislative authority at any time as provided in RCW 36.81.130. No construction work shall be done on any project until it has been authorized by resolution of said authority. The resolution shall include:

- (1) A brief description of the project;
- (2) A vicinity map showing the location of the project and its limits, provided that in lieu of individual vicinity maps, a single vicinity map showing the location of all projects may be included with the resolution adopting the annual program;
- (3) Identification of the project in terms of the officially adopted annual program;
- (4) The county ~~((road))~~ engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering; and
- (5) Construction plans as shall be necessary and sufficient.

#### NEW SECTION

**WAC 136-18-035 Special day labor limit for electrical and traffic control projects.** Projects that consist of electrical and traffic control work are subject to the specific day labor limits as set forth in RCW 36.77.065.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-060 Day labor project records.** All day labor and special day labor project cost records shall be kept in the manner prescribed by the BARS manual. Records of quantities shall be kept in a manner consistent with original project estimates. The project records shall contain, but shall not be limited to, the following:

- (1) Dated authorizing resolution;
- (2) Vicinity map showing project location and limits;
- (3) County ~~((road))~~ engineer's estimate;
- (4) Affidavit of preconstruction publication required by RCW 36.77.070;
- (5) Documentation of start and end of construction dates;

(6) Affidavit of post-construction publication showing true and complete project cost as required by RCW 36.77.070.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-070 Special day labor project reporting to ~~((CRAB)) the county road administration board~~.** Each county engineer shall submit to ~~((CRAB)) the county road administration board~~ a copy of each resolution authorizing a special day labor county road project whose estimated construction cost exceeds ~~((75)) seventy-five~~ percent of the day labor limit. Upon completion of each of these projects, or no later than March 1<sup>st</sup> of the succeeding year, the county engineer shall furnish to ~~((CRAB)) the county road administration board~~ a copy of the record of true and complete construction costs. On any project where true and complete construction costs have exceeded the statutory day labor limit, the county engineer shall also provide to ~~((CRAB)) the county road administration board~~ an explanation of the circumstances resulting in such over-expenditure.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-080 Review of day labor compliance by ~~((CRAB)) the county road administration board~~.** The executive director of the county road administration board shall have authority to investigate cases of apparent violations of day labor limits and, for special day labor projects, prepare a listing of all such projects for which actual expenditures have exceeded the statutory day labor limit during the previous calendar year for review by the county road administration board at its second regular meeting of each calendar year.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-18-090 Action on day labor compliance by ~~((CRAB)) the county road administration board~~.** Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

## Chapter 136-20 WAC

### STANDARDS OF GOOD PRACTICE—INSPECTION OF BRIDGES ON COUNTY ROADS

AMENDATORY SECTION (Amending Order 78, filed 8/16/90, effective 9/16/90)

**WAC 136-20-010 Purpose and authority.** Bridges of many kinds are an integral part of every county road system. The safety and adequacy of these bridges is of vital importance to the traveling public. A program of regular periodic inspection and reporting is necessary to fully inform each county legislative authority regarding the condition and adequacy of all bridges. RCW 36.78.070(1) authorizes the county road administration board to establish standards of good practice for the administration of county roads and the efficient movement of people and goods over county roads.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-20-020 Inventory.** Each county ~~((road))~~ engineer shall have available in his or her office a complete inventory of all bridges on the county road system. The inventory shall list the location of each bridge by the state road log number and appropriate milepoint, and shall include such other information as the engineer deems necessary. In addition, all data required for the state of Washington inventory of bridges and structures (SWIBS) data base system as maintained by the Washington state department of transportation (WSDOT) shall be submitted to the WSDOT TransAid Service Center bridge engineer on appropriate media furnished or otherwise approved by the WSDOT.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-20-030 Inspection.** Each county ~~((road))~~ engineer shall be responsible for all routine and special inspections of all bridges on the county road system in accordance with the National Bridge Inspection Standards (NBIS) as promulgated and periodically revised by the WSDOT TransAid Service Center office. The county ~~((road))~~ engineer shall note the date of all inspections and any changes since the previous inspection on the SWIBS form and submit all such forms to the WSDOT TransAid Service Center bridge engineer within ninety days of each inspection.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-20-040 Certification.** Prior to April 1<sup>st</sup> of each calendar year, WSDOT assistant secretary for the TransAid Service Center will provide the following to the ~~((CRA-Board)) county road administration board~~:

(1) A listing on a county-by-county basis of all county bridges which have not had a regular SWIBS inspection report submitted within the previous thirty months; and

(2) A listing on a county-by-county basis of all county bridges which have not had a required special inspection report submitted within six months after the required inspection date; and

(3) A listing of all counties which are not in compliance with the requirements of the National Bridge Inspection Standards and the status of efforts toward achieving such compliance.

Any county which is not in compliance with the NBIS or has a bridge or bridges on any of the above listings shall be assumed to be not in compliance with bridge inspection procedures.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-20-060 Engineer's report.** Each county (~~road~~) engineer shall furnish the county legislative authority with a written resume of the findings of the bridge inspection effort. This resume shall be made available to said authority and shall be consulted during the preparation of the proposed six-year transportation program revision. The resume shall include the county (~~road~~) engineer's recommendations as to replacement, repair or load restriction for each deficient bridge. The resolution of adoption of the six-year transportation program shall include assurances to the effect that the county (~~road~~) engineer's report with respect to deficient bridges was available to said authority during the preparation of the program.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-28-010 Purpose and authority.** RCW 36.78.070(1) authorizes the county road administration board to establish standards of good practice for the administration of county roads and the efficient movement of people and goods over county roads. In order to implement the requirement of the National Highway Safety Act of 1966 that requires ~~that~~ all states, in cooperation with their various local governments, to collect, compile and make reports to the National Highway Safety Bureau of Accident Statistics in each state (~~In order to implement this requirement~~), the county road administration board has acted to coordinate the activities of the county (~~road~~) engineers and the state patrol. Each county (~~road~~) engineer is to cooperate in this effort by following the procedure outlined below.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-28-030 Coding detail.** (1) The county number shall be that particular number assigned to each county by the state office of financial management for county identification purposes.

(2) The county road number shall be that particular five-digit number, including both leading and trailing zeros if applicable, assigned to each county road according to the county's latest county road log. No local names or numbers or other nomenclature shall be used in coding.

(3) The milepoint shall be determined as accurately as practicable from a comparison of information on the accident report with the latest county road log.

(4) Accidents at an intersection with a state highway will be coded by the state department of transportation.

(5) To ensure uniformity, accidents at the intersection of any two county roads shall be coded to a road in the following priority order:

- (a) The road with the higher functional class;
- (b) The road that is the through route;
- (c) The road with the lowest road number.

(6) Accidents on roads and/or at intersections with dual city-county or county-county responsibilities shall be coded in general accordance with the procedures outlined herein based on a mutual understanding between the several jurisdictions involved.

**AMENDATORY SECTION** (Amending Order 80, filed 11/6/90, effective 12/7/90)

**WAC 136-40-010 Purpose and authority.** RCW 36.78.070(1) authorizes the county road administration board to establish standards of good practice for the administration of county roads and the efficient movement of people and goods over county roads. The purpose of this standard of good practice is to set forth the requirement that each county provide for the accommodation of utilities within its right of way. In order to effectively administer its authority to:

(1) Grant utility franchises and permits on county roads as provided in chapter 36.55 RCW;

(2) Exercise overall responsibility for county roads and bridges as provided in chapter 36.75 RCW; and

(3) Exercise its police power; each county legislative authority shall adopt a generally applicable written policy ("utility policy") to provide administrative, procedural, and technical guidance for the installation, replacement, adjustment, relocation, and maintenance of all above and below ground utilities and other transmission or transport facilities located within all county road rights of way.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-60-010 Purpose and authority.** RCW 46.68.124(2) provides that the county road administration board (~~CRAB~~) shall maintain the county road log for the purpose of computing estimated county road replacement costs and estimated annual maintenance costs for county fuel tax allocations. It further provides that each county shall submit changes, corrections and deletions (i.e., "updates") to the (~~CRAB~~) county road administration board which in turn are subject to validation prior to inclusion in the road log maintained by the (~~CRAB~~) county road administration board. This WAC chapter describes the manner in which the (~~CRAB~~) county road administration board will administer this responsibility.

AMENDATORY SECTION (Amending Order 64-P, filed 11/19/86)

**WAC 136-60-020 Definitions.** For purposes of implementing procedures for updating, validating and maintaining the county road log, the following definitions shall apply:

(1) County road log - the listing, by county, of all roads under county jurisdiction including their description, length, milepost identification, functional class, surface type, traffic volume, and other administrative and physical inventory items that may be included.

(2) Computer data base (CDB) - the computer data base software by which the county road log data is updated and maintained by all counties and the ~~((CRABoard))~~ county road administration board.

(3) Updates - periodic changes to the county road log involving any or all of the included data elements.

(4) Control fields - those fields within the county road log for which all updates need to be verified by the ~~((CRABoard))~~ county road administration board prior to inclusion in the master county road log. Control fields are only those utilized for the computation of gas tax allocations in accordance with RCW 46.68.120.

(5) Master county road log - the combination of all county road logs as kept by the ~~((CRABoard))~~ county road administration board containing all updates (including validation of control fields) as of July 1<sup>st</sup> of each year.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-60-030 Submittal of annual updates.** Each county shall be responsible for maintaining current information regarding its road log and, no later than May 1<sup>st</sup> of each year, shall submit an updated road log for its complete road system with all data elements as of December 31<sup>st</sup> of the preceding year. This annual update must be on the computer-readable medium written in the computer data base program format as prescribed by the ~~((CRABoard))~~ county road administration board. All updates involving changes in control fields must include supporting documentation as required in WAC 136-60-050.

AMENDATORY SECTION (Amending Order 64-P, filed 11/19/86)

**WAC 136-60-040 Validation of annual updates.** All control field updates will be subject to review, approval and acceptance (i.e., "validation") by the ~~((CRABoard))~~ county road administration board. This process will involve reviewing the submitted documentation and conducting spot-checks as may be necessary. All such updates which are reviewed, approved and accepted by July 1<sup>st</sup> of each year will be entered into the master county road log. Noncontrol field updates will be entered into the master county road log file without review. The master county road log as of July 1<sup>st</sup> of each year will be utilized by the ~~((CRABoard))~~ county road administration board for general informational purposes and, on each odd-numbered year, for computation of motor vehicle fuel tax allocations to the counties.

AMENDATORY SECTION (Amending Order 64-P, filed 11/19/86)

**WAC 136-60-050 Validation requirements for control fields.** Each update of a road log segment that involves a change in a control field (including additions or deletions of road segments) will be validated by the ~~((CRABoard))~~ county road administration board. Documentation necessary to support ~~((the following))~~ control field changes is as follows:

**Functional class** - notice of FHWA approval from WSDOT.

**Pavement type** - statement signed by county engineer with list of pavement type changes. A suitable scale map showing the limits of the change(s) must also be included.

**Responsible agency** - see requirements under "Addition of mileage" and "Deletion of mileage".

**Addition of mileage** - statement signed by county engineer describing the circumstances of the addition. For example, additions can occur through commissioner approval of new plat, construction/reconstruction on new alignment, or a change in jurisdiction. Appropriate map(s) showing the changes must also be included.

**Deletion of mileage** - statement signed by county engineer describing the circumstances of the deletion. For example, deletions can occur through vacations or a change in jurisdiction. Appropriate map(s) showing the changes must also be included.

**Traffic volume** - statement signed by county engineer with list of segments affected by change in traffic volume. A statement is required **only** if it involves road segments with urban classification and with an ACP or PCC surface type and it involves a volume change crossing the 5000 ADT value.

All maps furnished in support of control field changes will be forwarded by the ~~((CRABoard))~~ county road administration board to WSDOT for future map base updates.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-60-060 Utilization of common computer data base.** Each county shall utilize a common computer data base for the maintenance and updating of its county road log. This data base shall be prescribed by the ~~((CRABoard))~~ county road administration board and each county shall be responsible for the purchase and installation of the requisite software on its own DOS-compatible microcomputer.

**Chapter 136-70 WAC****STANDARDS OF GOOD PRACTICE—PAVEMENT MANAGEMENT SYSTEM REQUIREMENT FOR**

## COUNTY ARTERIAL PRESERVATION PROGRAM ELIGIBILITY

### NEW SECTION

**WAC 136-70-010 Purpose and authority.** RCW 46.68.095 authorizes the county road administration board to adopt rules for administering the county arterial preservation account, including the requirement that each county implement a pavement management system. This chapter outlines the method by which the use of a pavement management system will be assured.

### NEW SECTION

**WAC 136-70-020 Definition.** A pavement management system (PMS) is a systematic method used to manage the preservation, rehabilitation, and maintenance of paved road systems by analyzing pavement life cycles, to assess overall system performance and costs, and to determine the alternative strategies and costs necessary to prevent significant road deterioration. A key element of a PMS is its ability to provide pavement preservation alternatives based upon a predictive pavement deterioration model.

### NEW SECTION

**WAC 136-70-030 Application.** A pavement management system shall be used by all counties to guide the pavement preservation and rehabilitation activities on all county paved arterial roads. Beginning January 1, 1996, each county shall utilize a computer-based PMS meeting the requirements of WAC 136-70-040 on all county paved arterial roads in order to retain eligibility for CAPP funds. Application of the PMS to the local access system will not be required to retain eligibility for CAPP funds.

### NEW SECTION

**WAC 136-70-040 Pavement management system requirements.** Each county's PMS shall meet the following minimum standards:

(1) All county jurisdiction paved arterials, as defined by the most recently approved county road log as described in chapter 136-60 WAC, shall be surveyed for visual pavement distress at least biennially. Distress rating information must be keyed to the county road log by both road number and mileposts.

(2) All visual distresses (or defects) for both flexible and rigid pavements, both in severity and extent, shall be as defined within the "*Pavement Surface Condition Rating Manual*" (March 1992, produced by the Washington state transportation center in cooperation with the northwest pavement management systems users group and the Washington state department of transportation). Only those distresses noted as "core program defect" are required to be surveyed. Measurement may be at the project, segment, or sample unit level. Measurement for each distress will be by one of the following:

(a) Selection of the most predominant severity and extent combination; or

(b) Measurement may be by a manual or automated visual condition rating process. The distress information will be converted to a pavement condition rating in accordance with a standard deduct matrix or continuous deduct value curves as provided by the county road administration board. Alternate deduct matrices may be used by a county for internal management analyses. Alternate distress determination and evaluation methodologies may be used if approved by the county road administration board in accordance with WAC 136-70-050. The PMS shall provide for the recording and storage of pavement resurfacing, rehabilitation and reconstruction history data, including surfacing and base layer types and thicknesses, and year of application. Counties will not be required to determine such information for any work done prior to the county's implementation date.

(3) The PMS shall include a future pavement condition prediction model that uses the periodic pavement condition distress data to forecast future pavement condition and to determine an estimate of service life.

(4) The PMS shall provide for annual downloading to the county road administration board of one of the following for all paved arterials surveyed for pavement condition in the previous twelve months:

(a) The individual pavement distresses;

(b) The resultant pavement condition rating based on the standard deduct matrix provided by the county road administration board; or

(c) The resultant pavement condition rating for an approved alternative PMS as described in WAC 136-70-050.

Such downloading shall be called the pavement condition data file. It shall be keyed to the county road log, and shall be transmitted in the electronic medium and format specified by the county road administration board, along with the annual road log update required by chapter 136-60 WAC.

### NEW SECTION

**WAC 136-70-050 Alternative pavement management system requirements.** Alternative PMS distress determination and evaluation methodologies, processes or systems may be used if they yield pavement condition ratings comparable to the process described in WAC 136-70-040(2). Counties intending to use an alternative process must satisfactorily demonstrate to the county road administration board that the alternative process is based on sound pavement engineering principles and is comparable in quality and scale thorough research results, documented conversion equations, statistical sampling, or other methods.

### NEW SECTION

**WAC 136-70-060 State-wide pavement condition data file.** The county road administration board shall maintain a pavement condition data file, organized by county, containing the pavement condition ratings as provided annually by each county.

NEW SECTION

**WAC 136-70-070 Annual review.** On an annual basis, beginning in calendar year 1993, the executive director of the county road administration board shall review the implementation of and, beginning in calendar year 1995, the compliance with, the requirements of WAC 136-70-040 and report the results to the county road administration board.

NEW SECTION

**WAC 136-70-080 County road administration board assistance.** To enable each county to meet its eligibility requirements, the county road administration board shall provide a PMS software, application and training as part of its agency-supported county road information system. The county road administration board shall also provide to counties, upon request, administrative and technical assistance related to defining, developing, operating, managing and utilizing pavement management technology.

NEW SECTION

**WAC 136-70-090 Use of pavement management system data for distribution of county arterial preservation account funds.** The results and/or data from the individual or collective county pavement management systems will not be used to distribute CAPA funds nor to establish priorities for specific projects or otherwise alter the statutory fund distribution. Said results and/or data will be used to evaluate regional or state-wide arterial preservation and rehabilitation needs and to demonstrate compliance with the enabling legislation.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-100-010 Purpose and authority.** RCW 36.79.060 provides that the county road administration board (~~((CRAB))~~) shall administer the rural arterial program (RAP) established by chapter 36.79 RCW. This chapter describes the manner in which the (~~((CRAB))~~) county road administration board will implement the several provisions of chapter 36.79 RCW.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-100-020 Adoption of rules.** The (~~((CRAB))~~) county road administration board shall adopt rules in accordance with the provisions of the statute for purposes of administering the RAP regarding the following:

- (1) Apportionment of rural arterial trust account (RATA) funds to regions.
- (2) RAP projects in the six-year program.
- (3) Regional prioritization of RAP projects.
- (4) Preparation of RAP budget and program.
- (5) Eligibility for RATA funds.
- (6) Allocation of RATA funds to approved RAP projects.
- (7) CRAB/county contract.

- (8) Processing of vouchers.
- (9) Audit responsibilities.
- (10) Functional classification.
- (11) Design standards for RAP projects.
- (12) Matching requirements.
- (13) Joint county RAP/Rural UAB projects.
- (14) Emergent projects.
- (15) Reports to the legislature.
- (16) Other matters deemed necessary by the (~~((CRAB))~~) county road administration board.

**AMENDATORY SECTION** (Amending WSR 97-24-069, filed 12/2/97, effective 1/2/98)

**WAC 136-100-030 (~~Major collectors and minor~~) Rural arterials and collectors.** The statute specifies that rural arterials and collectors shall be eligible for RATA funding. In developing project priorities and in approving RAP projects the (~~((CRAB))~~) county road administration board shall prioritize all prospectus applications to determine the priority rating of each proposed project in each region in relation to all other proposed projects in each region.

NEW SECTION

**WAC 136-100-035 Functional classification verification.** Each RAP projected application submitted in accordance with WAC 136-161-020 shall show the functional classification of the road or roads included in the project. Prior to project approval, the county road administration board shall verify that the road on which the RAP project is requested is classified as a rural arterial or collector.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-100-040 Delegation of authority.** In order to assure effective and timely administration of the RAP, the (~~((CRAB))~~) county road administration board may delegate authority in specific matters to its executive director. Delegation may be relative to signing of contracts, approval of RAP project vouchers, approval of change of scope of a project and other matters as may be determined by the (~~((CRAB))~~) county road administration board.

NEW SECTION

**WAC 136-100-050 Apportionment of RATA funds to regions.** RCW 36.79.040 sets forth the apportionment formula to be used in distributing RATA funds to the five regions. Following are the computations used in the apportionment formula:

(1) Computation of land area ratio. The ratio that the total county rural land area of each region bears to the total rural land area of all counties of the state shall be computed from information provided by the office of financial management as of July 1, 1993, and each two years thereafter.

(2) Computation of road mileage ratio. The ratio that the mileage of county arterials and collectors in rural areas of each region bears to the total mileage of county arterials and

collectors in all rural areas of the state shall be computed from information shown in the county road log maintained by the county road administration board as of July 1st of each odd-numbered year.

#### NEW SECTION

**WAC 136-100-060 Provisions for audit of RAP projects.** (1) Audit provisions. RAP project audits may be conducted by the state auditor's office and will normally be conducted in conjunction with the audits of the different counties of the state as required by RCW 43.09.260 and 36.80.080. Special audits of specific RAP projects may be accomplished at the request of the county road administration board. If a special audit is conducted outside the confines of those audits required by the above statutes, then the costs of the special audit shall be the responsibility of the county road administration board.

(2) Scope of audits. The audit of any RAP project shall include, but not be limited to, the review of the county's compliance with:

(a) The provisions of the act; and

(b) The rules in Title 136 WAC regarding implementation and administration of the act, with detailed review of uses of county road taxes, application of RATA funds, and the various reporting requirements.

The audit shall also include a review of the financial accounting and reporting of those funds associated with and received for the RAP project.

(3) Noncompliance, questioned costs, and post-audit penalty. If the audit of a RAP project reveals any area of non-compliance and/or questioned costs, then such exceptions shall be subject to comment by the examiner within the audit report. In the event an exception has been noted within the audit report, it shall be the duty of the county road administration board to discuss and evaluate the noted discrepancy. Discrepancies may be cause for the county road administration board to order the payback of any RATA funds that have been expended on ineligible activities and/or withdrawal or denial of the certificate of good practice of the county in question as provided in chapter 136-04 WAC.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-130-010 Purpose and authority.** RCW 36.79.080 (~~and 36.79.090 provide that the CRABoard shall determine~~) sets forth the criteria that will be used in determining the priority of specific improvement projects (based upon the rating of each proposed improvement in relation to all other proposed improvements within each region, taking into account, but not limited to, the following five factors:

- (1) Its structural ability to carry loads upon it;
- (2) Its capacity to move traffic at reasonable speeds;
- (3) Its adequacy of alignment and related geometries;
- (4) Its accident experience; and
- (5) Its fatal accident experience).

This chapter describes how (~~this statutory language will be implemented by the CRABoard~~) each RAP region will rate and prioritize proposed projects.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

**WAC 136-130-020 Priorities by region.** The (~~CRABoard~~) county road administration board has determined that the interests of the counties in the several regions will be best served by encouraging development of a distinct project priority rating system for each region. These rating systems, described in WAC 136-130-030, 136-130-040, 136-130-050, 136-130-060, and 136-130-070, shall be used in the prioritization of proposed projects requesting RATA funds submitted by counties in the respective regions. (~~Detailed procedures for implementing the regional rating systems are published by the CRABoard in a pamphlet entitled: Procedures for Priority Rating of Proposed RAP Project (RAP Rating Procedures).~~)

AMENDATORY SECTION (Amending WSR 98-09-070, filed 4/20/98, effective 5/21/98)

**WAC 136-130-030 Project prioritization in Puget Sound region (PSR).** Each county in the PSR may submit projects requesting RATA funds not to exceed (~~80% of the regional allocation total. Each project shall be rated in accordance with the PSR RAP rating procedures. The PSR biennial apportionment shall have a minimum of 25% of the regional allocation committed to projects on roads classified as major collectors (07) or minor collectors (08)~~) five hundred thousand dollars per project. Each project shall be rated in accordance with the PSR RAP rating procedures. PSR RAP rating points shall be assigned on the basis of (~~20~~) twenty points for traffic volume, (~~25~~) twenty-five points for accident history, (~~15~~) fifteen points for structural condition, (~~25~~) twenty-five points for geometric condition, and (~~15~~) fifteen points for special use and need. Prioritization of PSR projects shall be on the basis of total PSR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending WSR 98-09-070, filed 4/20/98, effective 5/21/98)

**WAC 136-130-040 Project prioritization in north-west region (NWR).** Each county in the NWR may submit projects requesting RATA funds not to exceed (~~\$500,000~~) five hundred thousand dollars per project and (50%) fifty percent of the regional allocation total. No bridge replacement projects will be funded. Each project shall be rated in accordance with the NWR RAP rating procedures. NWR RAP rating points shall be assigned on the basis of (~~40~~) forty points for structural condition, (~~40~~) forty points for geometrics, (~~10~~) ten points for traffic volume, (~~10~~) ten points for traffic accidents (~~5~~) and five points for any project on a major collector (07) (~~and 10 points for any project on a rural principle arterial (02) or a rural minor arterial (06)~~). Prioritization of NWR projects shall be on the basis of total NWR RAP rating points shown on the project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 88, filed 6/10/92, effective 7/11/92)

**WAC 136-130-050 Project prioritization in northeast region (NER).** Each county in the NER may submit projects requesting RATA funds not to exceed ~~((25%))~~ twenty-five percent of the NER biennial apportionment. Each project shall be rated in accordance with the NER RAP rating procedures. The NER biennial apportionment shall be divided into the following categories at the percentages shown, provided sufficient projects are submitted for prioritization in each category:

- Category 1 - ~~((10%))~~ Ten percent for bridge projects where RATA funds are used as a match for federal bridge replacement funds;
- Category 2 - ~~((45%))~~ Forty-five percent for reconstruction of rural collectors; and
- Category 3 - ~~((45%))~~ Forty-five percent for resurfacing, restoration, rehabilitation (3R) type projects ~~((of))~~ on rural collectors.

In the event that no projects or an insufficient number of projects are submitted in any of the above categories to utilize the RATA funds set aside for the category, all remaining funds in that category or categories shall be divided among the remaining categories as the ~~((CRABoard))~~ county road administration board deems appropriate. The intent is to divide all available funds into categories having a sufficient number of submitted projects to fully utilize the funds available at each allocation during the biennium.

Bridge projects may be submitted requesting RATA funds under one of the following conditions:

~~((1-))~~ (1) Bridges must be approved for federal bridge replacement funding and RATA funds shall be used only as a match for such federal funding. Bridges will be ranked for RATA funding using the WSDOT priority list and may be added to the NER Category 1 priority array at any time during the biennium upon approval of the Bridge for Federal Bridge replacement funding.

~~((2-))~~ (2) A stand-alone bridge project may be submitted as an ordinary RAP project provided that its priority rating has been computed by the bridge rating method in the NER RAP rating procedures. Such projects shall not be considered for funding from the bridge reserve described above.

~~((3-))~~ (3) A RAP project may include a bridge when the cost of the bridge does not exceed ~~((20%))~~ twenty percent of the total project cost.

NER RAP rating points for reconstruction projects, 3R projects or non-federal bridge replacement projects shall be assigned on the basis of ~~((100))~~ one hundred points for a condition rating and ~~((50))~~ fifty points for a service rating. The priority rating equals the sum of two and one half times the product of the service rating to the 1.25 power and the common logarithm of the number obtained by dividing ~~((100))~~ one hundred by the condition rating. A total of ~~((10))~~ ten points representing local significance may be added to one project included in each county's biennial submittal. Prioritization of NER projects shall be on the basis of total NER

RAP rating points shown on the appropriate project worksheet and the prospectus form of the project application.

AMENDATORY SECTION (Amending WSR 97-06-006, filed 4/27/94 [2/24/97], effective 5/28/94 [3/27/97])

**WAC 136-130-060 Project prioritization in southeast region (SER).** Each county in the SER may submit projects requesting RATA funds not to exceed twice the per county percent limit of the SER biennial apportionment which is listed as follows:

Asotin County	<del>((10%))</del> <u>ten percent</u>
Benton County	<del>((14%))</del> <u>fourteen percent</u>
Columbia County	<del>((11%))</del> <u>eleven percent</u>
Franklin County	<del>((13%))</del> <u>thirteen percent</u>
Garfield County	<del>((10%))</del> <u>ten percent</u>
Kittitas County	<del>((13%))</del> <u>thirteen percent</u>
Klickitat County	<del>((14%))</del> <u>fourteen percent</u>
Walla Walla County	<del>((14%))</del> <u>fourteen percent</u>
Yakima County	<del>((20%))</del> <u>twenty percent</u>

Each project shall be rated in accordance with the SER RAP rating procedures. ~~((10%))~~ Ten percent of the SER biennial apportionment shall be reserved for bridge projects. Federally funded bridges for which counties are seeking matching funds shall receive first consideration for these funds, ranked against each other according to the WSDOT priority array. Bridges receiving federal funding may be added to this list at any time during the biennium. Stand-alone bridges may compete for funds in this reserve that remain after all bridges seeking match for federal funds have been funded. These bridges will be rated against each other according to their total points assigned from the RAP Rating Worksheets for the ~~((southeast region))~~ SER. Whatever part of the bridge reserve that is not allocated to bridge projects shall be available for allocation to other RAP projects.

SER RAP rating points shall be assigned on the basis of ~~((45))~~ forty-five points for structural condition, ~~((30))~~ thirty points for geometrics, ~~((22))~~ twenty-two points for traffic volume, ~~((5))~~ five points for traffic accidents. A total of ~~((20))~~ twenty points representing local significance may be added to one project in each county's biennial submittal. Prioritization of SER projects shall be on the basis of total SER RAP rating points shown on the project worksheet and the prospectus form of the project application.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

AMENDATORY SECTION (Amending Order 88, filed 6/10/92, effective 7/11/92)

**WAC 136-130-070 Project prioritization in southwest region (SWR).** Each county in the SWR may submit projects requesting RATA funds not to exceed ~~((30%))~~ thirty percent of the SWR biennial apportionment. No bridge replacement projects will be funded. Each project shall be rated in accordance with the SWR RAP rating procedures.

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SWR RAP rating points shall be assigned on the basis of ~~((50))~~ fifty road condition points, consisting of ~~((25))~~ twenty-five points for structural condition and ~~((25))~~ twenty-five points for surface condition, ~~((30))~~ thirty points for geometrics, ~~((40))~~ ten points for traffic volume and ~~((40))~~ ten points for traffic accidents, except that Portland cement surfaces and asphalt surfaces with cement concrete bases shall have ~~((50))~~ fifty points for road surface condition and no points for structural condition and except that gravel roads shall have ~~((35))~~ thirty-five points maximum for surface condition, and ~~((15))~~ fifteen points maximum for roadbed width in geometrics and no other geometric points. Prioritization of SWR projects shall be on the basis of total SWR RAP rating points shown on the project worksheets and the prospectus form of the project application.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

**WAC 136-130-080 Limitation on rating points.** In each of the project prioritization methods described in WAC 136-130-030, 136-130-040, 136-130-050, 136-130-060, and 136-130-070 rating points are assigned to a variety of structural and geometric conditions. For purposes of the RAP project prospectus submitted to the ~~((CRABoard))~~ county road administration board, geometric condition points shall be assigned only for those conditions which will be corrected by construction of the project.

AMENDATORY SECTION (Amending WSR 97-24-069, filed 12/2/97, effective 1/2/98)

**WAC 136-150-010 Purpose and authority.** RCW 36.79.140 ~~((provides that only those counties that, during the preceding twelve months, have spent all revenues collected for road purposes only for such purposes, including traffic law enforcement, as are allowed to the state by Article II, section 40 of the state Constitution))~~ sets forth the conditions under which counties are eligible to receive funds from the rural arterial trust account (RATA) ~~((; provided, however, that counties with a population of less than 8,000 shall be exempt from this requirement))~~. This chapter describes how ~~((this statutory language))~~ these provisions will be implemented by the ~~((CRABoard))~~ county road administration board.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-150-020 Implementing the eligibility requirement.** The ~~((CRABoard))~~ county road administration board will ascertain the amount of the total road levy fixed in each county and the amount diverted, if any, for any services to be provided in the unincorporated area of the county in accordance with RCW 36.33.220. The ~~((CRABoard will compare the))~~ amount actually spent each year for traffic law enforcement will be compared with the amount diverted to determine whether or not the county is eligible to receive RATA funds.

AMENDATORY SECTION (Amending Order 66, filed 10/15/87)

**WAC 136-150-021 Ascertaining the road levy.** The ~~((CRABoard))~~ county road administration board will ~~((request))~~ require that every county legislative authority submit, no later than February 1st of each year, a certification showing the amount of the road levy fixed and the amount, if any, budgeted ~~((in accordance with RCW 36.33.220))~~ for traffic law enforcement and/or any other purpose ~~((from diverted road levy no later than February 1st of each year))~~ in accordance with RCW 36.33.220.

AMENDATORY SECTION (Amending WSR 97-24-069, filed 12/2/97, effective 1/2/98)

**WAC 136-150-022 Ascertaining the expenditures for traffic law enforcement.** In those counties ~~((where))~~ in which diverted road levy has been budgeted for traffic law enforcement, and for which ~~((have))~~ a RAP project is awaiting approval by the ~~((CRABoard))~~ county road administration board, the county sheriff will be required to submit a certification showing the actual expenditure for traffic law enforcement in the previous budget year, provided that counties with a population of less than ~~((8,000))~~ eight thousand shall be exempt from this requirement.

AMENDATORY SECTION (Amending WSR 97-24-069, filed 12/2/97, effective 1/2/98)

**WAC 136-150-023 Identifying eligible counties.** Counties eligible to receive RATA funds shall be:

- (1) Those in which there has been no diversion of the county road levy;
- (2) Those in which the actual expenditures for traffic law enforcement have been equal to, or greater than, the amount of diverted road levy budgeted for traffic law enforcement;
- (3) Those with a population of less than ~~((8,000))~~ eight thousand; and
- (4) Those expending revenues collected for road purposes only on other governmental services after authorization from the voters of that county under RCW 84.55.050.

AMENDATORY SECTION (Amending Order 66, filed 10/15/87)

**WAC 136-150-024 Constraint on contract execution.** ~~((No CRAB/County contract shall be executed on behalf of the CRABoard))~~ The county road administration board shall not execute a contract for any RAP project unless the appropriate certifications have been submitted and unless the county has been identified as being eligible to receive RATA funds.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

**WAC 136-150-030 Certification required.** The contract between ~~((CRAB))~~ the county road administration board and a county relative to a RAP project shall contain a certifi-

ation, signed by the county executive or ((chairman)) chair of the board of county commissioners, that the county is in compliance with the provisions of this chapter.

AMENDATORY SECTION (Amending Order 61, filed 2/20/86)

**WAC 136-150-040 Post audit penalty.** Every RAP project shall be subject to final examination and audit by the state auditor. In the event such an examination reveals an improper certification on the part of a county relative to compliance with provisions of this chapter, the matter shall be placed on the agenda of the next ((CRAB)) county road administration board meeting and may be cause for the ((CRAB)) county road administration board to withdraw or deny the certificate of good practice of that county; and/or to require that all, or part of, the RATA funds received by the county be returned to the ((CRAB)) county road administration board.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

**WAC 136-161-010 Purpose and authority.** RCW ((36.79.050, 36.79.090, 36.79.140, and 36.79.150 provide for the submittal of, selection of, and RATA allocations to, eligible projects within each of the regions by the CRAB)) 36.79.060 provides that the county road administration board shall administer the rural arterial program (RAP) established by chapter 36.79 RCW. This chapter describes the manner in which counties may request RATA funds for specific rural arterial projects and the manner in which the ((CRAB)) county road administration board will select projects and allocate RATA funds to such projects.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

**WAC 136-161-020 RAP program cycle—General.** The RAP biennial program cycle consists of the following basic steps:

(1) Each county prepares and submits a preliminary prospectus to ((CRAB)) the county road administration board;

(2) ((CRAB)) County road administration board staff conducts a field review of each preliminary prospectus and provides to each submitting county an evaluation and scoring of all priority elements which are based on a visual examination, using that region's priority rating process;

(3) Each county prepares and submits a final prospectus to ((CRAB)) the county road administration board;

(4) For each final prospectus submitted, ((CRAB)) county road administration board staff computes the total priority rating score and assembles all projects into rank-ordered arrays by region; and

(5) The ((CRAB)) county road administration board reviews the rank-ordered arrays in each region and, based upon the RATA funds projected to be available for the next project program period (see WAC 136-161-070), selects and approves specific projects for RATA funding.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

**WAC 136-161-030 RAP program cycle—Preliminary prospectus.** By March 1<sup>st</sup> of each even-numbered year, each eligible county shall, for each project for which it seeks RATA funds estimated to be available in the next project program period, submit a preliminary prospectus to ((CRAB)) the county road administration board. The format and content of the preliminary prospectus shall be prescribed by ((CRAB)) the county road administration board. Each preliminary prospectus shall be signed by the county engineer. The number of preliminary prospectuses submitted and the total amount of RATA funds requested by each eligible county shall be sufficient to assure that, based upon such prospectuses, each county will be able to compete up to its county limit within its region.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

**WAC 136-161-040 RAP program cycle—((CRAB)) Field review by county road administration board.** After all preliminary prospectuses are received, ((CRAB)) the county road administration board will schedule and conduct an on-site field review of each project. During the field review, conducted jointly with the county engineer or his/her designee (unless waived by the county engineer), the assigned ((CRAB)) county road administration board staff person will review the overall project scope with the county representative and, using that region's priority rating process, determine the rating score of all priority elements which are based on a visual examination. To ensure both uniformity and professional ((judgement)) judgment in the visual ratings, the assigned ((CRAB)) county road administration board staff person shall be a licensed professional civil engineer in the state of Washington, and the same person shall review and rate all projects within a region. All field reviews will be completed, and the visual rating scores returned to each submitting county, by July 1<sup>st</sup> of each even-numbered year.

AMENDATORY SECTION (Amending WSR 94-16-111, filed 8/2/94, effective 9/2/94)

**WAC 136-161-050 RAP program cycle—Final prospectus.** By September 1<sup>st</sup> of each even-numbered year, each eligible county shall submit a final prospectus for each project for which it seeks RATA funds. Each final prospectus shall be submitted on forms provided by ((CRAB)) the county road administration board and shall include a vicinity map, a typical cross-section (existing and proposed), and, if a design deviation is required, an evaluation and determination by the county engineer. If a project is for the improvement of a road which continues into an adjacent county and the project terminus is within ((1000)) one thousand feet of the county line, the prospectus shall include a statement signed by the county engineer of the adjacent county certifying that the adjacent county will cooperate with the applicant county to the extent necessary to achieve a mutually acceptable design. All final prospectuses shall indicate that the construc-

tion of the project shall begin not later than six years from the date of project approval by the ((CRAB)) county road administration board. All final prospectuses shall come from the pool of preliminary prospectuses submitted and field reviewed as specified in WAC 136-161-030 and 136-161-040.

**AMENDATORY SECTION** (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-161-060 RAP program cycle—Total project rating and priority array.** ((CRAB)) county road administration board staff will review all final prospectuses and ensure that:

- (1) All necessary information is included;
- (2) The project is from the pool of preliminary prospectuses;
- (3) The project is eligible for RATA funding;
- (4) The project is on the current, adopted six-year transportation program;
- (5) The project schedule indicates that the construction of the project will begin not later than six years from the date of project approval by the ((CRAB)) county road administration board; and
- (6) The total project priority rating is mathematically correct and the visual rating scores determined during the ((CRAB)) field review are included.

After ((CRAB)) county road administration board staff review, all accepted final prospectuses within each region will be placed in a declining total project rating array in accordance with procedures specified in chapter 136-130 WAC. After review by the ((CRAB)) county road administration board at its next regular meeting, the priority array for each region will be provided to each county in the region. These arrays will be preliminary only and will be provided to the counties to assist them in their internal budgeting and programming. No notations as to whether a particular project will or will not be funded will be included.

**AMENDATORY SECTION** (Amending WSR 98-09-070, filed 4/20/98, effective 5/21/98)

**WAC 136-161-070 RAP program cycle—Selection and approval of projects for RATA funding.** (1) At its last regular meeting before the beginning of each biennium, the ((CRAB)) county road administration board will select projects and allocate anticipated RATA funds to projects in each region. The preliminary priority arrays as developed in WAC 136-161-060 will be updated to exclude any county which is ineligible under chapter 136-150 WAC, and projects will be selected from these arrays. Selections will be made in each region in declining priority rank order, provided that:

- (a) No county shall be allocated RATA funds in excess of its regional county limit as specified in WAC 136-161-080; and
- (b) Any projects which were partially funded in the prior biennium shall, unless otherwise requested by the county, be fully funded before new projects are selected. Ties in total rating points will be broken by the ((CRAB)) county

road administration board in favor of the county having the lesser total amount of previously allocated RATA funds.

(2) The state-wide net amount of RATA funds available for allocation to projects in the project program period will be based on the most recent state fuel tax revenue forecast prepared quarterly by the department of transportation, less estimated administrative costs, and less any amounts set aside for emergent projects as described in WAC 136-161-163. The total amount of RATA funds available for allocation to projects in a region (i.e., "forecasted regional apportionment amount") will be based on the regional apportionment percentages of the state-wide net amount as determined in chapter ((136-110)) 136-100 WAC.

(3) For the biennium beginning July 1, 1995, the project program period will be the next four state fiscal years (1996, 1997, 1998 and 1999, beginning July 1, 1995, and ending June 30, 1999). For the biennium beginning July 1, 1997, the project program period will begin July 1, 1999 and end June 30, 2001. For each biennium thereafter, the project program period will be two years in length, beginning and ending two years later than the preceding project program period.

(4) The RATA amounts allocated to projects in the first year of the biennium are limited to ((90%)) ninety percent of the net amount estimated to be available to each region for the project program period, with the remaining ((10%)) ten percent allocated at such time as deemed appropriate by the ((CRAB)) county road administration board.

(5) Acceptance of the RATA allocation for a project by the full execution of a CRAB/county contract as described in chapter 136-170 WAC constitutes agreement to complete the project in compliance with the scope, design and project limits in the final prospectus. All material changes to the scope, design or project limits must be approved by the ((CRAB)) county road administration board prior to the commencement of construction.

**AMENDATORY SECTION** (Amending WSR 98-09-070, filed 4/20/98, effective 5/21/98)

**WAC 136-161-080 Limitations on allocations of RATA funds to counties.** For any project program period, no county shall receive a RATA fund allocation greater than the following maximum project RATA contribution, or percentage of the forecasted regional apportionment amount:

- (1) PSR: ((No)) Maximum project RATA contribution is five hundred thousand dollars; ((40%)) no limit on percentage of the forecasted regional apportionment amount;
- (2) NWR: Maximum project RATA contribution is ((500,000; 25%)) five hundred thousand dollars; twenty-five percent limit on percentage of the forecasted regional apportionment amount;
- (3) NER: No maximum project RATA contribution; ((12.5%)) twelve and one-half percent limit on percentage of the forecasted regional apportionment amount;
- (4) SWR: No maximum project RATA contribution; ((15%)) fifteen percent limit on percentage of the forecasted regional apportionment amount;
- (5) SER: No maximum project RATA contribution; percentage varies by county as follows:

(a) Asotin County	(( <del>10%</del> ) <u>ten percent</u> )
(b) Benton County	(( <del>14%</del> ) <u>fourteen percent</u> )
(c) Columbia County	(( <del>11%</del> ) <u>eleven percent</u> )
(d) Franklin County	(( <del>13%</del> ) <u>thirteen percent</u> )
(e) Garfield County	(( <del>10%</del> ) <u>ten percent</u> )
(f) Kittitas County	(( <del>13%</del> ) <u>thirteen percent</u> )
(g) Klickitat County	(( <del>14%</del> ) <u>fourteen percent</u> )
(h) Walla Walla County	(( <del>14%</del> ) <u>fourteen percent</u> )
(i) Yakima County	(( <del>20%</del> ) <u>twenty percent</u> )

**AMENDATORY SECTION** (Amending WSR 98-09-070, filed 4/20/98, effective 5/21/98)

**WAC 136-161-090 Limitations on use of RATA funds.** RATA funds requested and allocated to a project are limited to ((~~80%~~) eighty percent) in the NWR, and ((~~90%~~) ninety percent) in the PSR, SWR, NER and SER, of the total eligible project development costs, which include preliminary engineering and construction costs in all regions, and right of way costs in the PSR, NWR, NER and SER. Even though additional and eligible project development costs may be incurred by a county for a specific project, the maximum amount of RATA funds for that project is limited to the amount allocated and shown in the CRAB/county contract (see chapter 136-170 WAC), unless the allocation is increased pursuant to chapter 136-165 WAC.

**NEW SECTION**

**WAC 136-161-110 Use of other funds to match RATA funds.** A county with an approved RAP project may use any other funds available for such project including federal, other state, private, and local funds, provided that the county will be required to use such other funds to match any RATA funds allocated to the project with a minimum of twenty percent other funds in the NWR and ten percent other funds in the PSR, SWR, NER, and SER.

**AMENDATORY SECTION** (Amending WSR 96-17-014, filed 8/12/96, effective 9/12/96)

**WAC 136-163-010 Purpose and authority.** RCW 36.79.140 provides for the authorization of RATA funds for projects of an emergent nature. This chapter describes the manner in which counties may request RATA funds for such projects and the manner in which the ((~~CRAB~~) county road administration board) will respond to such requests.

**AMENDATORY SECTION** (Amending WSR 96-17-014, filed 8/12/96, effective 9/12/96)

**WAC 136-163-020 Definitions.** For the purposes of this chapter, the term "emergent nature" as used in RCW 36.79.140 shall mean both "emergent" and "emergency" projects as follows:

- (1) **Emergency project:** Work of ((~~both~~) either) a temporary ((~~and~~) or) permanent nature which restores roads and

bridges to the predisaster condition and may include reconstruction to current design standards. This work is the result of a sudden natural or man-made event which results in the destruction or severe damage to RATA-eligible roadway sections or structures such that, in the consideration of public safety and use, the roadway sections or structures must be immediately closed or substantially restricted to normal traffic. Work of an emergency nature is also beyond the scope of work done by a county in repairing damages normally or reasonably expected from seasonal or other natural conditions, and is beyond what would be considered maintenance, regardless of how extensive the maintenance may be.

(2) **Emergent project:** RATA-eligible work necessitated by sudden and unanticipated development, growth, access needs, or legal decisions. This work is not the result of an emergency situation as previously defined. This work, in consideration of good transportation capital facilities management, will also require a county to commit resources beyond its current six-year transportation program and prior to the next six-year transportation program annual update as provided for in RCW 36.81.121.

**AMENDATORY SECTION** (Amending WSR 96-17-014, filed 8/12/96, effective 9/12/96)

**WAC 136-163-030 Limitations and conditions—Emergency projects.** To be eligible for emergency project approval, the county must declare an emergency as provided for in RCW 36.04.180. If there is not yet a state declaration of emergency, the county must also, in consultation with the state military department, emergency management division and the WSDOT, evaluate the probability of receiving a state declaration of emergency. A state declaration of emergency is required as a condition of receiving federal funding for road-related damages via the Emergency Relief Program or FEMA. If such federal funding has been approved or is likely to be approved, the ((~~CRAB~~) county road administration board) may provide up to ((~~100%~~) one hundred percent) of a county's required matching funds for such federal funding but only after the approval of the federal funds.

Should such federal funding not be forthcoming, or if the emergency is of such a scope and size that federal funding is clearly improbable, the ((~~CRAB~~) county road administration board) may provide up to ((~~80% or 90%~~) eighty percent or ninety percent) of the estimated eligible damages depending upon the regional limitations as provided for in WAC 136-161-090, with the total project cost limited to the actual expenditures by the county.

**AMENDATORY SECTION** (Amending WSR 96-17-014, filed 8/12/96, effective 9/12/96)

**WAC 136-163-040 Limitations and conditions—Emergent projects.** To be eligible for emergent project approval, the project shall be evaluated by the ((~~CRAB~~) county road administration board) grant programs engineer, with the participation of the county ((~~road~~) engineer), on the same point system as all other projects within the region. The proposed emergent project must rank at or above the regional funding cut off line on the current regional array based upon

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~~((100%))~~ one hundred percent of the current estimated regional allocation as determined by ~~((CRAB))~~ the county road administration board.

**AMENDATORY SECTION** (Amending WSR 96-17-014, filed 8/12/96, effective 9/12/96)

**WAC 136-163-050 Limitations and conditions—Emergency and emergent projects.** All projects for which RATA funding is being requested under this chapter are subject to the following:

(1) The requesting county has the sole burden of making a clear and conclusive showing that the project is either emergent or emergency as described in WAC 136-163-020 through 136-163-040; ~~((and))~~

(2) The requesting county shall clearly demonstrate that the need for the project was unable to be anticipated at the time the current six-year transportation program was developed; and

(3) The requesting county agrees to a reduction in the next biennium's maximum RATA eligibility to the county equal to the RATA that may be provided; however, should that region not have a maximum RATA eligibility for each county, the requesting county agrees to withdraw, amend or delay an existing approved project or portion thereof in an amount equal to the RATA that may be provided for the project.

**AMENDATORY SECTION** (Amending WSR 96-17-014, filed 8/12/96, effective 9/12/96)

**WAC 136-163-060 Action by the ~~((CRAB))~~ county road administration board.** Counties may request consideration and action by the ~~((CRAB))~~ county road administration board at any time, however, the ~~((CRAB))~~ county road administration board will address all such requests at its next regular quarterly meeting. A county may request, and the ~~((CRAB))~~ county road administration board chairperson convene, a special meeting to consider such a request as provided for in WAC 136-01-030.

**AMENDATORY SECTION** (Amending WSR 94-16-109, filed 8/2/94, effective 9/2/94)

**WAC 136-165-010 Purpose and ~~((effective date))~~ authority.** RCW 36.79.150 provides for increasing the amount of RATA funds allocated to a project. This chapter describes the manner in which counties may request an increase in the amount of RATA funds allocated to a project and the manner in which the ~~((CRAB))~~ county road administration board will respond to such requests. This chapter will apply only to projects for which RATA funds have been allocated after July 1, 1995.

**AMENDATORY SECTION** (Amending WSR 94-16-109, filed 8/2/94, effective 9/2/94)

**WAC 136-165-020 Requirements for consideration of RATA fund increases.** (1) When a county submits its final prospectus as described in WAC 136-161-050,

~~((CRAB))~~ the county road administration board presumes that the amount of RATA funds requested, plus any non-RATA funds that may be designated for the project, are sufficient to fully, and in a timely manner, complete the project as described.

(2) In extraordinary circumstances, a county may request an increase in the amount of RATA funds allocated to a project. A county may request an increase in a project's RATA allocation only twice in the course of a project's development: At the completion of preliminary engineering, and prior to commencing construction. All cost increases during the course of construction shall be the responsibility of the county. Requests for increases in excess of ~~((50%))~~ fifty percent of the original RATA allocation will not be considered or granted; the county must secure other funds, withdraw or request the termination of the project, or request a change in scope and/or project limits.

(3) A request by a county for an increase in RATA funds allocated to a project shall demonstrate that:

(a) The county at the time of preparing its final project prospectus considered the factors listed in subsection (4) ~~((below))~~ of this section;

(b) The request for an increased allocation is based on extraordinary and unforeseeable circumstances of the type listed in subsection (5) ~~((below))~~ of this section;

(c) It is not feasible to reduce the scope and/or project limits so the project can be substantially constructed within the initial RATA allocation; and

(d) The request is not to pay for an expansion of the originally approved project.

(4) At the time of preparation and submittal of the final project prospectus, a county is expected to consider all information which may affect the cost of the project. In cases where the information is incomplete or poorly defined, the county is to exercise good professional ~~((judgement))~~ judgment and/or seek outside professional assistance and advice in order to prepare a reasonable RATA fund request. The information which a county is expected to consider includes, but is not limited to, the following:

(a) The availability at the needed time of matching funds and other supplementary funds;

(b) All technical data reasonably available such as topographic maps, reconnaissance reports, surface and subsurface geotechnical data, hydraulic and hydrological data, sources of materials, applicable design standards, and any earlier preliminary engineering;

(c) Required permits, including pre-project scoping consultations with the permitting agencies and an estimate of the costs of complying with permit requirements;

(d) Required right of way or other easements, and the time and cost of acquisition;

(e) Availability of qualified contractors to perform the work;

(f) Ownership, type, amount, and time requirements of any required utility relocation;

(g) Historical and projected labor, equipment and material costs; and

(h) The project development timetable leading to completed construction and the interrelation of this project to all other work activities under the control of the county engineer.

(5) The ~~((CRABoard))~~ county road administration board will increase RATA funds allocated to a project only if it finds that the request for an increased allocation is based on extraordinary and unforeseeable circumstances, including but not limited to the following:

(a) The county relied on existing technical data which were later found to be in error, and which will necessitate a significant design change prior to proceeding with construction;

(b) Project permit requirements were substantially changed, or new permits were required;

(c) Supplementary funds, such as impact fees, developer contributions, grants, etc., which were forecasted to be available for the project, were withdrawn or otherwise became unavailable;

(d) Design or other standards applicable to the project were changed; and/or

(e) The start of construction will be significantly delayed or additional construction requirements will be added as a direct result of legal action; provided however, that the failure of a county to exercise its statutory powers, such as condemnation, will not be grounds for increasing RATA funds.

AMENDATORY SECTION (Amending WSR 94-16-109, filed 8/2/94, effective 9/2/94)

**WAC 136-165-030 ~~((CRABoard))~~ County road administration board evaluation, consideration and action.** (1) In deciding whether to grant a request for a RATA allocation increase submitted under the provisions of WAC 136-165-020, the ~~((CRABoard))~~ county road administration board will consider the following factors:

(a) Whether the county, at the time of preparing its final project prospectus, considered the factors listed in WAC 136-165-020(4);

(b) Whether the county's request for an increased allocation is based on extraordinary and unforeseeable circumstances of the type listed in WAC 136-165-020(5);

(c) Whether it is feasible to reduce the scope and/or project limits so the project can be substantially constructed within the initial RATA allocation;

(d) Whether the request is to pay for an expansion of the project; and

(e) Whether the increased allocation will have an adverse effect on other approved or requested RATA funded projects.

(2) Where the requested increase is less than or equal to ~~((25%))~~ twenty-five percent of the original RATA allocation, and ~~(((\$100,000))~~ one hundred thousand dollars, the request may be acted upon by the executive director; all approvals or denials will be appropriately documented and described to the ~~((CRABoard))~~ county road administration board at its next quarterly meeting. Where the requested increase is more than ~~((25%))~~ twenty-five percent of the original RATA allocation, or ~~(((\$100,000))~~ one hundred thousand dollars, the request will be acted upon by the ~~((CRABoard))~~ county road administration board.

(3) If the ~~((CRABoard))~~ county road administration board finds that an increase in RATA funds for a previously approved project is justified, some or all of the requested increase may be allocated.

AMENDATORY SECTION (Amending WSR 94-16-109, filed 8/2/94, effective 9/2/94)

**WAC 136-165-040 Effect of receiving RATA increase.** A county's increased RATA funds for a project program period shall correspondingly reduce the amount of any RATA funds for which it is eligible to compete in the next project program period; provided that the ~~((CRABoard))~~ county road administration board may grant a county's request to decrease such a reduction by the total amount of increased but unexpended RATA funds.

All reductions and reduction adjustments as described shall be effective in the project program period following the period in which the increase in the RATA funds is approved.

AMENDATORY SECTION (Amending WSR 94-16-109, filed 8/2/94, effective 9/2/94)

**WAC 136-165-050 Amendment of CRAB/county contract.** All changes in approved RATA allocations and other ~~((CRABoard))~~ county road administration board actions taken under the provisions of this chapter shall be reflected by amending the CRAB/county contract. Failure of a county to execute an amended CRAB/county contract within ~~((45))~~ forty-five days of receipt shall nullify all allocation increases and other ~~((CRABoard))~~ county road administration board actions.

AMENDATORY SECTION (Amending WSR 94-16-110, filed 8/2/94, effective 9/2/94)

**WAC 136-167-010 Purpose and authority.** RCW 36.79.060 ~~((provides for))~~ authorizes the ~~((CRABoard))~~ county road administration board to adopt rules relating to the allocation of funds in the rural arterial trust account (RATA). This chapter describes the manner in which the ~~((CRABoard))~~ county road administration board will administer project withdrawals, early termination, and lapsing of approved projects.

AMENDATORY SECTION (Amending WSR 94-16-110, filed 8/2/94, effective 9/2/94)

**WAC 136-167-020 Withdrawal of approved project before RATA reimbursement.** At any time after the submittal of a final prospectus and prior to the time the first RATA reimbursement has been sent to the county, a county may withdraw a RATA funded project. Withdrawal may occur either before or after the ~~((CRABoard))~~ county road administration board has allocated RATA funds to the project. The statement of withdrawal must be in writing and signed by the ~~((chairman))~~ chair of the board of county commissioners or the county executive, as appropriate. The withdrawal shall be effective upon receipt by the ~~((CRABoard))~~ county road administration board. If RATA funds have been allocated to the project and a CRAB/county contract has been executed, the contract will be voided and, at the next regular ~~((CRABoard))~~ county road administration board meeting, the RATA funds will be allocated to other projects within the region.

AMENDATORY SECTION (Amending WSR 94-16-110, filed 8/2/94, effective 9/2/94)

**WAC 136-167-030 Termination of approved project after RATA reimbursement.** (1) If a county terminates an uncompleted RATA funded project for which RATA reimbursement has been made and is prepared to repay the RATA for all RATA funds received, the county shall, by means of a letter signed by the ~~((chairman))~~ chair of the board of county commissioners or the county executive as appropriate, inform the ~~((CRABoard))~~ county road administration board of its termination of the project. The letter shall state the reasons for termination and commit to repaying all RATA funds received for the project. Upon acknowledgement of such termination by the ~~((CRABoard))~~ county road administration board, the county shall repay the ~~((CRABoard))~~ county road administration board for all RATA funds paid to the county on that project within ~~((60))~~ sixty days of such ~~((CRABoard))~~ acknowledgement. Upon receipt of the RATA repayment, the ~~((CRABoard))~~ county road administration board will void the CRAB/county contract and, at the next regular ~~((CRABoard))~~ county road administration board meeting, allocate the RATA funds to other projects within the region.

(2) If a county terminates an uncompleted RATA funded project for which RATA reimbursement has been made and does not want to be required to repay the ~~((CRABoard))~~ county road administration board for all RATA funds received, a letter of request signed by the ~~((chairman))~~ chair of the board of county commissioners or the county executive as appropriate must be sent to the ~~((CRABoard))~~ county road administration board. The request must include:

- (a) An explanation of the reasons that the project will not proceed to completion~~((;))~~;
- (b) A statement of the amount of RATA funds which the county does not want to repay~~((;))~~; and
- (c) An explanation of why the county believes full repayment should not be made.

If the ~~((CRABoard))~~ county road administration board grants the request, the county shall repay all RATA funds not exempted from repayment ~~((by the CRABoard))~~, the CRAB/county contract will be amended, and the remaining RATA funds will be allocated to other projects within the region. If the ~~((CRABoard))~~ county road administration board denies the request, full repayment shall be made as provided in subsection (1) of this section.

AMENDATORY SECTION (Amending WSR 94-16-110, filed 8/2/94, effective 9/2/94)

**WAC 136-167-040 Lapsing of RATA allocation for approved projects.** To encourage timely development and construction of approved projects, all projects for which RATA funds have been allocated must meet certain project development milestones. Failure to meet the milestones will result in ~~((CRABoard))~~ action by the county road administration board to withdraw RATA funds from the project. This provision will only apply to those projects for which RATA funds have been allocated after July 1, 1995.

(1) For the purposes of this section, a project will be subject to lapsing and withdrawal of its RATA allocation if:

(a) The project has not begun the preliminary engineering phase within four years of project approval by the ~~((CRABoard;))~~ county road administration board; or

(b) The project has not begun construction within six years of the date of project approval by the ~~((CRABoard))~~ county road administration board.

(2) A project shall be considered in preliminary engineering if authorization to expend funds for preliminary engineering has been granted by the county legislative authority as provided for in RCW 36.75.050. A project shall be considered in construction if:

(a) The construction contract for the work has been advertised for bids as provided for in RCW 36.77.020~~((;))~~;

(b) A contract has been awarded under the provisions of the small works roster contract award process~~((;))~~; or

(c) If done by day labor, the work has commenced.

If an approved project does not meet a required project development milestone, the ~~((CRABoard))~~ county road administration board will, at its next regular meeting, withdraw RATA funds from the project. At any time up to ~~((10))~~ ten days before such meeting, the county may, in writing, request an extension of the lapse date. The ~~((CRABoard))~~ county road administration board may grant such an extension if it finds that the delay in project development was for reasons that were both unanticipated and beyond the control of the county.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-170-010 Purpose and authority.** RCW ~~((36.79.050 and))~~ 36.79.060 ~~((provide for CRABoard administration of))~~ authorizes the county road administration board to adopt rules to implement the rural arterial program (RAP). This chapter describes the individual project contract between the ~~((CRABoard))~~ county road administration board and a county (CRAB/county contract) to be used to administer each approved RAP project.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

**WAC 136-170-020 Notification of counties.** The ~~((CRABoard))~~ county road administration board shall, within ten days of its RAP project approval meeting, notify each county having an approved project of such approval and of the amount of RATA funds allocated to each approved project. The ~~((CRABoard))~~ county road administration board shall offer a contract for each such approved project setting forth the terms and conditions under which RATA funds will be provided.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-170-030 Terms of CRAB/county contract.** (1) For projects for which RATA funds are allocated before July 1, 1995, the CRAB/county contract shall include, but not be limited to, the following provisions:

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(a) The contract shall be valid and binding (and the county shall be entitled to receive RATA funds) only if such contract is signed and returned to the ((CRAB~~Board~~)) county road administration board within forty-five calendar days of its mailing by the ((CRAB~~Board~~)) county road administration board.

(b) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(c) The project will be constructed in accordance with the scope, design and project limits as described in the final prospectus and in accordance with the plans and specifications approved by the county engineer.

(d) The county will notify the ((CRAB~~Board~~)) county road administration board when a construction contract has been awarded and/or when construction has commenced, and when the project has been completed.

(e) The ((CRAB~~Board~~)) county road administration board will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the ((CRAB)) county road administration board office, subject to the availability of RATA funds apportioned to the region; provided however, that if insufficient RATA funds are available or the legislature fails to appropriate sufficient RATA funds, payment of vouchers may be delayed or denied.

(f) The county will reimburse the RATA in the event a project postaudit reveals ((improper)) ineligible expenditure of RATA funds.

(2) For projects for which RATA funds are allocated on or after July 1, 1995, the CRAB/county contract shall include, but not be limited to, the following provisions:

(a) The contract shall be valid and binding, and the county shall be entitled to receive RATA funding in accordance with the vouchering/payment process as described in chapter 136-180 WAC, only if the contract is properly signed and returned to the ((CRAB~~Board~~)) county road administration board within ((45)) forty-five calendar days of its mailing by the ((CRAB~~Board~~)) county road administration board.

(b) The county certifies that it is in compliance with the provisions of chapter 136-150 WAC.

(c) The project will be constructed in accordance with the scope, design and project limits as described in the final prospectus and in accordance with the plans and specifications approved by the county engineer.

(d) The county will notify the ((CRAB~~Board~~)) county road administration board when a construction contract has been awarded and/or when construction has commenced, and when the project has been completed.

(e) The ((CRAB~~Board~~)) county road administration board will reimburse counties on the basis of monthly progress payment vouchers received and approved on individual projects in the order in which they are received in the ((CRAB)) county road administration board office, subject to the availability of RATA funds apportioned to the region; provided however, that if insufficient RATA funds are available or the legislature fails to appropriate sufficient RATA funds, payment of vouchers may be delayed or denied.

(f) The county will reimburse the RATA in the event a project postaudit reveals ((improper)) ineligible expenditures of RATA funds.

(g) The county may be required to reimburse the RATA in the event of early termination in accordance with the provisions of chapter 136-167 WAC.

(h) The county agrees to amend the contract in cases where:

(i) Additional RATA funds have been requested and approved under chapter 136-165 WAC;

(ii) Other relief from the original scope, design or project limits has been approved by the ((CRAB~~Board~~)) county road administration board under chapter 136-165 WAC; or

(iii) A project has been terminated without full RATA reimbursement under WAC 136-167-030(2).

(i) The county agrees to provide periodic project development progress reports as requested by the ((CRAB~~Board~~)) county road administration board.

AMENDATORY SECTION (Amending WSR 94-16-112, filed 8/2/94, effective 9/2/94)

**WAC 136-170-040 Combining of CRAB/county contracts.** In those cases where a county desires to combine two or more adjacent RATA funded projects into a single construction contract, the county, prior to advertising for the construction contract, or prior to commencing construction should any of the projects be ((prosecuted)) scheduled for completion by day labor, may request the ((CRAB~~Board~~)) county road administration board to combine the projects into a single project, regardless of the applicable maximum project RATA contribution. Upon receipt of a letter of request to combine, a revised CRAB/county contract will be prepared and sent to the county for its execution and return in the same manner as for the original contracts. Projects shall be considered adjacent if they have a common terminus.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-180-010 Purpose and authority.** RCW 36.79.160 provides that counties shall submit vouchers for payment of the RATA share of the cost of work completed on each RAP project. This chapter describes the manner in which the ((CRAB~~Board~~)) county road administration board will implement the provisions related to payment of vouchers.

AMENDATORY SECTION (Amending Order 56, filed 7/30/84)

**WAC 136-180-020 Voucher form.** The ((CRAB~~Board~~)) county road administration board shall prepare and distribute to all counties with approved RAP projects, voucher forms for use in requesting progress payments and final payment for each approved RAP project.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-180-030 Voucher approval.** The county constructing each RAP project may submit vouchers monthly as the work progresses and shall submit a final voucher after



completion of each RAP project for the payment of the RATA share of the project cost. The ~~((chairperson))~~ chair of the ~~((CRABoard))~~ county road administration board or his/her ~~((designated agent(s)))~~ designee shall approve such vouchers for payment to the county submitting the voucher.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-180-040 Payment of vouchers.** Upon approval of each RAP project voucher by the ~~((chairperson))~~ chair of the ~~((CRABoard))~~ county road administration board or his/her ~~((designated agent(s)))~~ designee, it shall be transmitted to the state treasurer for preparation of the RATA warrant. The RATA warrant will be returned to ~~((CRAB))~~ the county road administration board and transmitted directly to each county submitting a voucher.

AMENDATORY SECTION (Amending WSR 97-24-069, filed 12/2/97, effective 1/2/98)

**WAC 136-210-010 Purpose and authority.** RCW 36.79.060(2) provides that the ~~((CRABoard))~~ county road administration board shall adopt reasonably uniform design standards for county rural arterials and collectors that meet the requirements for trucks transporting commodities. This chapter describes how this statutory requirement will be implemented by the ~~((CRABoard))~~ county road administration board.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-300-010 Purpose and authority.** RCW 46.68.095(4) provides that the county road administration board ~~((CRABoard))~~ shall administer the county arterial preservation program (CAPP) and the county arterial preservation account (CAPA) established by this statute. This chapter describes the manner in which the ~~((CRABoard))~~ county road administration board will implement the several provisions of the statute.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-300-020 Adoption of rules.** The ~~((CRABoard))~~ county road administration board shall adopt rules in accordance with the provisions of the statute for purposes of administering the CAPP regarding the following:

- (1) Distribution of ~~((county arterial preservation account))~~ (CAPA) funds.
- (2) Pavement management systems.
- (3) Preparation of annual county arterial preservation programs.
- (4) Allowable activities for CAPA funding.
- (5) Accounting and audit provisions.
- (6) Annual CAPP report.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

**WAC 136-300-030 Delegation of authority.** In order to assure effective and timely administration of the CAPP the ~~((CRABoard))~~ county road administration board may, by resolution, delegate specific administrative authorities to its executive director.

AMENDATORY SECTION (Amending Order 81, filed 11/6/90, effective 12/7/90)

**WAC 136-300-040 Staff services and facilities.** The ~~((CRABoard))~~ county road administration board shall arrange for all necessary staff services and facilities necessary for the efficient administration of the county arterial preservation program. The costs of such services and facilities as well as all other lawful expenses of the ~~((CRABoard))~~ county road administration board that are attributable to CAPP shall be paid from the county arterial preservation account in the motor vehicle fund.

NEW SECTION

**WAC 136-300-050 Distribution of CAPA funds.** Certification of county arterial mileage.

(1) Classification. The statute specifies that expenditure of CAPA funds is restricted to paved arterials in the unincorporated area of each county. Arterials are defined as being those county roads:

- (a) In urban areas, classified within the federal functional classification system as arterials or collectors;
- (b) In rural areas, classified within the federal functional classification system as arterials, major collectors, or minor collectors.

(2) Paved roads are defined as those roads which, at the time of CAPA allocation determination, are hard-surfaced through the application of a bituminous surface treatment (BST), asphaltic concrete pavement (ACP), or portland cement concrete (PCC). Brick or block surfaces shall also be considered as paved.

(3) Source of information. The master county road log as maintained by the county road administration board in accordance with chapter 136-60 WAC shall be the source of official paved road mileage to be used for CAPA distribution.

NEW SECTION

**WAC 136-300-060 Annual county arterial preservation programs.** Each county engineer shall, in conjunction with the county's annual road construction program as required by RCW 36.81.130 and chapter 136-16 WAC, prepare an annual county arterial preservation program. Appropriate forms will be provided by the county road administration board.

The county's annual arterial preservation program shall consist of a list of all proposed county arterial preservation projects and activities for the ensuing year. In order to evaluate the relative ability of CAPA funds to meet the county's total arterial pavement preservation needs, the annual county

arterial preservation program shall identify those projects for which CAPA funding is available.

The county engineer shall submit the proposed county arterial preservation program to the county road administration board along with the county's annual road program and budget in accordance with chapter 136-16 WAC.

**NEW SECTION**

**WAC 136-300-070 Allowable activities within CAPP.**

For all CAPA-funded projects that involve structural resurfacing, the existing road must meet the following minimum width standards:

Shouldered roadway sections:

<u>Current ADT</u>	<u>Lane width</u>	<u>Shoulder width</u>
0 to 100	9 feet	2 feet
101 to 400	10 feet	2 feet
401 to 4000	10 feet	2 feet
Over 4000	11 feet	4 feet

Curbed roadway sections (minimum lane width):

<u>Current ADT</u>	<u>Two-way undivided</u>	<u>One-way &amp; two-way divided</u>
All	10 feet	9 feet

All roadways built to less than the above standards for which a county proposes to perform structural resurfacing must be widened with other than CAPA funds.

Use of county arterial preservation account funds shall be limited to the following three groups of activities:

(1) Implementation of computerized systems to include:

(a) Acquisition of computer hardware and software that may be necessary to operate a computer-based pavement management system.

(b) Pavement management system training not otherwise provided by the county road administration board. This can include software usage, pavement condition surveying, and other specialized training directly related to the operation and maintenance of a computer-based pavement management system.

(c) Payment for related services such as data entry, pavement condition surveys, and rental of specialized PMS-related equipment such as road raters.

Acquisition of equipment other than computer hardware as described in (a) of this subsection is not eligible.

(2) Direct and attributable indirect costs associated with paved surface preservation and rehabilitation activities on existing roadways, including the following:

(a) Nonstructural resurfacing projects. These include thin asphalt concrete overlays (one-inch or less); bituminous seal coats (single and double); slurry seals, sand seals, and fog seals; associated tack coats, paving fabrics, and preleveling; and associated surface grinding and planing.

(b) Structural resurfacing projects. These include thick asphalt concrete overlays (greater than one inch); portland cement concrete overlays; associated tack coats, paving fab-

rics, and preleveling; associated surface grinding and planing; and hot/cold bituminous road mixes.

(c) Associated activities. These include crack sealing (bituminous and portland cement pavements); full-depth, structural patching done in preparation for structural or non-structural overlays or seals; portland cement pavement joint reconstruction undersealing, panel jacking and panel replacement; and other related activities as are directly attributable to nonstructural and structural resurfacing projects.

(3) Resurfacing work associated with the reconstruction and/or widening of existing paved arterials. This participation is limited as follows:

(a) The present roadway is a paved county arterial as defined by WAC 136-300-050;

(b) The county's approved pavement management system has identified the existing pavement as requiring resurfacing within two years of the expected reconstruction/widening project completion date;

(c) The reconstruction/widening project will bring the roadway to at least the lane and shoulder width standards and non-CAPA funding requirements of this section;

(d) The CAPA participation will be limited to the resurfacing portion of the project as described in this section.

**NEW SECTION**

**WAC 136-300-080 Accounting and audit provisions.**

(1) Accounting requirements:

(a) Deposits. Upon receipt of CAPA funds from the state treasurer, each county shall deposit them in a separate BARS revenue account within the county road fund or in a fund separate from the county road fund. The county engineer shall evaluate the capabilities of the county road fund accounting system and select the method of deposit and related accounting.

(b) Expenditures. Expenditures of these funds shall be solely for CAPA-eligible work and must be separately identified within each county's road fund expenditure reporting system.

(2) Audit provisions. CAPA audits may be conducted by the state auditor's office and will normally be conducted in conjunction with the audits required by RCW 43.09.260 and 36.80.080. Special audits of specific CAPP activities or projects may be accomplished at the request of the county road administration board. The costs of such special audits shall be the responsibility of the county road administration board.

(3) Scope of audits. The audit of any CAPP project or activity shall include, but not be limited to, the review of the county's compliance with:

(a) The provisions of the enabling legislation; and

(b) The rules in Title 136 WAC regarding implementation and administration, with detailed review of the application of CAPA funds and the various reporting requirements. The audit shall also include a review of the financial accounting and reporting of all CAPA funds.

(4) Noncompliance, questioned costs, and post-audit penalty. If the audit of a CAPP activity or project reveals any area of noncompliance and/or questioned costs, then such exceptions shall be subject to comment by the examiner

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within the audit report. In the event an exception has been noted within the audit report, it shall be the duty of the county road administration board to evaluate the noted discrepancy. Discrepancies may be cause for the county road administration board to order the payback of any CAPA funds that have been expended on ineligible activities and/or withdrawal or denial of the certificate of good practice of the county in question as provided in chapter 136-04 WAC.

#### NEW SECTION

**WAC 136-300-090 Submittal of annual report.** The county road administration board shall prepare and distribute to all counties standard reporting forms for use by the county engineer to annually summarize the pavement preservation activities, both CAPA and non-CAPA funded, in his or her county. For all CAPA-funded work, the report will require a specific listing of roads improved including a definition of scope of work and the amount of CAPA funds expended.

At any time prior to April 1st of the year following, the county engineer shall, in conjunction with the annual construction report required by WAC 136-16-050 submit an annual summary of pavement preservation activities on the entire paved road system. This report shall be on the approved forms or in an equivalent format.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-400-010 Purpose and authority.** RCW 47.56.725(4) provides that the county road administration board (~~((CRABoard))~~) may evaluate requests for ferry capital improvement funds by Pierce, Skagit, Wahkiakum, and Whatcom counties, and, if approved by the board, submit said requests to the legislature for funding. This chapter describes the manner in which the (~~((CRABoard))~~) county road administration board will implement the provisions of the act.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

**WAC 136-400-040 Six-year and fourteen-year plan submittal.** Each county's six-year program(~~(s)~~) and fourteen-year long range ferry capital improvement plan(~~(s)~~) shall be prepared and adopted in accordance with RCW 36.81.121 and 36.54.015, respectively, and one copy shall be forwarded to the (~~((CRAB office))~~) county road administration board no later than December 31st of each year. The county's six-year program and fourteen-year ferry capital improvement plan submitted in each odd-numbered year shall include all projects for which the county may request ferry capital improvement funds during the biennium beginning on July 1st of that year. Project cost estimates shall be considered preliminary until a project application is submitted.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

**WAC 136-400-050 Project application.** Each application by a county for ferry capital improvement funds shall be

made no later than January 1st of even-numbered years for the biennium beginning on July 1st of the next odd-numbered year. The information submitted to the (~~((CRABoard))~~) county road administration board shall include the application form and sufficient engineering drawings to accurately describe the project.

Project applications shall be submitted on application forms supplied by the (~~((CRABoard))~~) county road administration board and shall include the following information:

- (1) Project description and scope;
- (2) Engineering analysis and cost estimate;
- (3) Evidence of application for outside funding through the public works trust fund or any other available revenue source;
- (4) Plan for utilization of outside funding that has been, will be, or may be awarded; and
- (5) Comprehensive project amortization and cash flow schedules.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-400-060 Technical review committee.** A technical review committee shall be created to review project applications for ferry capital improvement funds composed of the following members or their designees: Executive director of the (~~((CRABoard))~~) county road administration board, WSDOT assistant secretary for transaid, a WSDOT marine division engineer, and public works department representatives from each of the four participating counties. The county representatives shall serve as ex officio, nonvoting members of the technical review committee. The technical review committee shall recommend approval of projects that have been submitted in a timely manner and that:

- (1) Meet the applicable statutes and the standards of this chapter; and
- (2) Adhere to commonly held engineering practices and cost effectiveness.

The technical review committee shall recommend an appropriate local match on a project-by-project basis based upon the availability of local matching funds. Written reports on each project recommended for approval shall be submitted to the (~~((CRABoard))~~) county road administration board no later than thirty days prior to its regularly scheduled spring meeting. Technical review committee meetings shall be convened on an "as needed" basis by the executive director of the (~~((CRABoard))~~) county road administration board, who shall serve as chairperson.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

**WAC 136-400-070 (~~((CRABoard))~~) County road administration board action.** The (~~((CRABoard))~~) county road administration board shall review project applications, along with the recommendations of the technical review committee, at its regular spring meeting in even-numbered years. At that time it shall approve those projects which it finds:

(1) Meet the applicable statutes and the standards of this chapter; and

(2) Adhere to commonly held engineering practices and cost effectiveness, specifying the amount of approved funding which it recommends for such projects.

The board shall determine a local matching percentage on a case-by-case basis, considering the availability of local matching funds and the recommendation of the technical review committee. Emergent projects may be considered by the ~~((CRABoard))~~ county road administration board at any time upon recommendation by the executive director. The board shall require evidence that each applicant has first sought funding through the public works trust fund, and other available revenue sources.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

**WAC 136-400-080 Funding by the legislature.**

County ferry capital improvement project requests approved by the ~~((CRABoard))~~ county road administration board shall be submitted to the legislature for funding out of amounts available under RCW 46.68.100(3) as part of the ~~((CRABoard's))~~ biennial or supplemental budget request of the county road administration board.

The ~~((CRABoard))~~ county road administration board shall, within ten days of the signing of the transportation budget, notify each county having an approved project of such approval and of the amount of ferry capital improvement funding allocated to each approved project. The ~~((CRABoard))~~ county road administration board shall offer ~~((such))~~ each county a contract for each approved project setting forth the terms and conditions under which funds will be provided.

AMENDATORY SECTION (Amending Order 85, filed 10/23/91, effective 11/23/91)

**WAC 136-400-090 Limitation on use of ferry capital improvement funds.** Ferry capital improvement funds may be used for project design, construction, and ~~((right of way))~~ right of way costs incurred after legislative approval. Emergency project costs may be eligible for retroactive payment upon approval by the ~~((CRABoard))~~ county road administration board.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-400-100 Terms of CRAB/county contract.**

The CRAB/county contract shall include, but not be limited to, the following provisions:

(1) Such contract shall be valid and binding (and the county shall be entitled to receive ferry capital improvement funds) only if such contract is signed and returned to the ~~((CRABoard))~~ county road administration board within forty-five days of its mailing by the ~~((CRABoard))~~ county road administration board.

(2) The project will be constructed in accordance with:

(a) The information furnished to the ~~((CRABoard))~~ county road administration board; and

(b) The plans and specifications prepared under the supervision of the county engineer.

(3) The county will notify the ~~((CRABoard))~~ county road administration board when a contract has been awarded and when construction has started, and when the project has been completed.

(4) The ~~((CRABoard))~~ county road administration board will reimburse counties on the basis of progress vouchers received and approved on individual projects, subject to the availability of ferry capital improvement funds appropriated by the legislature.

(5) The county will reimburse the ~~((CRABoard))~~ county road administration board in the event that a project post audit reveals ~~((improper))~~ ineligible expenditure of ferry capital improvement funds. Said funds will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-400-110 Voucher approval and payment.**

The ~~((CRABoard))~~ county road administration board shall prepare and distribute to all counties with approved ferry capital improvement projects, voucher forms for use in requesting progress and final payments for each approved ferry capital improvement project.

The county constructing each ferry capital improvement project may submit vouchers monthly as the work progresses and shall submit a final voucher after completion of each project for payment of the approved and funded share of the project cost.

The ~~((CRABoard))~~ county road administration board shall approve such vouchers for payment to the county submitting the voucher. Ferry capital improvement fund warrants shall be transmitted directly to each county submitting a voucher. In the event that project funds remain unspent after the final project payment has been made, the unspent balance will be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

AMENDATORY SECTION (Amending WSR 96-17-013, filed 8/12/96, effective 9/12/96)

**WAC 136-400-120 Audit requirements.** Audits of county ferry capital improvement projects may be conducted by the state auditor's office and will normally be conducted in conjunction with the county audits required by RCW 43.09.260 and 36.80.080. Special audits of specific ferry capital improvement projects not required by these statutes may be accomplished at the request, and at the expense, of the ~~((CRABoard))~~ county road administration board.

An audit of any county ferry capital improvement project shall include, but not be limited to, a review of the county's compliance with ~~((the))~~ the provisions of the statute ~~((and))~~ and these rules. The audit shall also include a review of the financial accounting and reporting of those funds associated with and received for the ferry capital improvement project.

In the event that an exception is noted in the audit report the ~~((CRABoard))~~ county road administration board shall

evaluate the noted discrepancy. Discrepancies may be cause for the ((CRAB~~Board~~)) county road administration board to order the payback of improperly expended ferry capital improvement funds as provided in the ((CRAB~~Board~~)) county road administration board/county contract. Any such funds returned by a county to the ((CRAB~~Board~~)) county road administration board shall be returned to the county-wide fuel tax account for distribution in accordance with RCW 46.68.120.

**AMENDATORY SECTION** (Amending Order 85, filed 10/23/91, effective 11/23/91)

**WAC 136-400-130 Delegation of authority.** In order to ensure effective and timely administration of the county ferry capital improvement program, the ((CRAB~~Board~~)) county road administration board or its executive director may delegate, in writing, its authority under this chapter.

**WSR 98-17-052**

**PROPOSED RULES**

**WORKFORCE TRAINING AND  
EDUCATION COORDINATING BOARD**

[Filed August 14, 1998, 2:02 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-14-088.

Title of Rule: Chapter 490-105 WAC, Private vocational school licensing.

Purpose: To make chapter 490-105 WAC more accessible to users and more easily understood; and to repeal former chapter 490-100 WAC.

Statutory Authority for Adoption: RCW 28C.10.040(2).

Statute Being Implemented: Chapter 28C.10 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting and Implementation: Peggy Rudolph, Olympia, (360) 586-8683; and Enforcement: Peggy Rudolph and Charles Johnson, Olympia, (360) 586-8683 and 586-8682.

Name of Proponent: Workforce Training and Education Coordinating Board, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: To update and clarify regulations governing the operation of private vocational schools.

Proposal Changes the Following Existing Rules: Existing rules, chapter 490-100 WAC, will be repealed.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Basic rules did not change. Rules were just updated and clarified to be more easily understood.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Business Computer Training Institute, 15445 53 Avenue South, Tukwila, WA 98188-2338, on October 5, 1998, at 5 to 7 p.m.; and at the Perry Technical

Institute, 2011 West Washington Avenue, Yakima, WA 98903-1296, on October 7, 1998, at 5:15 to 7:15 p.m.

Assistance for Persons with Disabilities: Contact 'cita Waller by September 18, 1998, (360) 753-5673.

Submit Written Comments to: Peggy Rudolph, fax (360) 586-5862, by October 2, 1998.

Date of Intended Adoption: October 21, 1998.

August 11, 1998

Ellen O'Brien Saunders

Executive Director

**Chapter 490-105 WAC**

**REGULATION OF PRIVATE VOCATIONAL  
SCHOOLS**

**NEW SECTION**

**WAC 490-105-010 What is the purpose of these regulations?** These regulations are adopted under chapter 28C.10 RCW in order to establish procedures for the licensing and regulation of private vocational schools.

**NEW SECTION**

**WAC 490-105-020 Who administers these rules?** (See RCW 28C.10.060.) Unless otherwise indicated, the agency delegates authority for administering the act and these rules to the executive director, who may further delegate as necessary and appropriate.

**NEW SECTION**

**WAC 490-105-030 How are words and phrases used in these rules?** (1) The following clarifies the statutory exemptions under RCW 28C.10.030:

(a) "Avocational" or "recreational" means instruction that is primarily intended for leisure; it is not offered to provide a student with employable skills or competencies. Instruction offered as a prerequisite for a vocational program does not qualify for this exemption.

(b) "Entities not otherwise exempt offering only workshops or seminars lasting no longer than three calendar days" means instruction that can be completed within three eight-hour days. A vocational education program divided into a series of supplementary seminars does not qualify for this exemption.

(c) "Programs of continuing professional education" include:

(i) Review programs offered solely as preparation for tests leading to certification in specific disciplines but not offered to provide occupational competencies. For example, this exemption applies to test preparation programs that lead to: Certification by a state board of accountancy (CPA); certification by the institute of certified management accounting (CMA); admission to practice before a state bar; certification in health occupations initiated by the American Medical Association, American Dental Association, and their respec-

tive professional auxiliaries; and, acquisition of other public certificates of convenience and necessity; and

(ii) Programs offered to conform with rules adopted by state agencies that require practitioners to undergo continuing professional education as a condition to renewing certification or licensure.

(2) The term "revoke" as used in RCW 28C.10.050(3) means an agency action that terminates a school's license. The agency's executive director or designee may revoke a school's license for just cause.

(3) The term "suspend" as used in RCW 28C.10.050(3) means an action by which the agency interrupts the school's authority to make offers of training. The agency's executive director or designee may suspend a school's license for just cause. An order of suspension prohibits the school from beginning instruction of new students for a maximum of thirty days. The school may remain in operation to continue training students in regular attendance on the date the suspension takes effect.

(4) The term "private vocational school" is further defined to include instruction at the postsecondary level that is intended for use by individuals who have either completed high school or are beyond the age of compulsory school attendance. Instruction or training offered to pre-kindergarten, kindergarten, elementary, or secondary school students is not encompassed by the act.

#### NEW SECTION

**WAC 490-105-040 What does it take to obtain a private vocational school license?** (See RCW 28C.10.050 and 28C.10.060.) An entity that wishes to operate a private vocational school must apply for a license on forms provided by the agency. If the agency determines an application is deficient, the applicant will be so notified. The applicant must correct the deficiencies within thirty days of notification. If that fails to occur, the application will be returned to the applicant. The license application fee will not be refunded. The agency's executive director or designee may deny a license application for just cause.

The application must include the following information attested to by the school's chief administrative officer:

(1) An identification of owners, shareholders, and directors.

(a) The complete legal name, current telephone number, and current mailing address of the owner;

(b) The form of ownership; e.g., sole proprietorship, partnership, limited partnership, or corporation;

(c) Names, addresses, phone numbers, birth dates, and prior school affiliations if any, of all individuals with ten percent or more ownership interest;

(d) A school that is a corporation or a subsidiary of another corporation must submit:

(i) Current evidence that the corporation is registered with the Washington secretary of state's office; and

(ii) The name, address and telephone number of the corporation's registered agent;

(e) "Ownership" of a school means:

(i) In the case of a school owned by an individual, that individual;

(ii) In the case of a school owned by a partnership, all full, silent and limited partners having a ten percent or more ownership interest;

(iii) In the case of a school owned by a corporation, the corporation, each corporate director, officer, and each shareholder owning shares of issued and outstanding stock aggregating at least ten percent of the total of the issued and outstanding shares;

(f) Schools under common ownership may designate a single location as the principal facility for recordkeeping via written notice to the agency.

(2) Financial statement.

(a) The school must submit information reflecting its financial condition at the close of its most recent fiscal year to demonstrate that it has sufficient financial resources to fulfill its commitments to students. The financial statement must be completed in a format supplied by the agency.

(b) If inadequate time exists to produce a financial statement in the interval between the ending date of the school's fiscal year and the due date of an application, the agency will adjust the school's license period to provide a reasonable interval.

(c) New schools must submit a proposed operating budget for the initial twelve months of operation rather than the financial statement described in (a) of this subsection. The proposed operating budget must be completed in a format supplied by the agency.

(d) New schools that have operated another business for at least one year, must submit, in addition to the proposed operating budget described in (c) of this subsection, a financial statement for that business. The financial statement must cover the existing business' most recently completed fiscal year and be prepared by a certified public accountant or be certified by the business' chief administrative officer.

(e) Owners of multiple schools may file financial information that consists of a single, consolidated financial statement and balance sheet for the corporation. The consolidated financial statement must be accompanied by data that documents total tuition earnings for each separate school under the corporation's ownership at the close of its most recent fiscal year. If historical data is not available, the data must project total tuition earnings for the school in its first or next completed twelve months of operation.

(3) Financial references.

(a) The school must furnish the names of at least one bank or other financial institution and two other entities that the agency may consult as financial references.

(b) A statement must be included authorizing the agency to obtain financial information from the references.

(4) A copy of the school's catalog. (See RCW 28C.10.050 (1)(c).) The school must publish a catalog or brochure that explains its operations and requirements. The catalog must be current, comprehensive, and accurate. The school must disclose the following in some combination of a catalog, brochure or other written material and furnish a copy of each to every prospective student prior to completing an enrollment agreement:

(a) Date of publication;

(b) Names of owners having a ten percent or more equity ownership and officers, including any governing boards, and

the name and address of its parent corporation, if a subsidiary;

(c) Names, addresses, and telephone numbers of the school's administrative offices and all auxiliary facilities;

(d) Names and qualifications of faculty. The list must be accurate as of the date of catalog publication. Any changes of faculty must be noted on a catalog errata sheet;

(e) The school calendar, including hours of operation, holidays, enrollment periods, and the beginning and ending dates of terms, courses, or programs as may be appropriate;

(f) Admission procedures including policies describing all prerequisites needed by entering students to:

(i) Successfully complete the programs of study in which they are interested; and

(ii) Qualify for the fields of employment for which their education is designed;

(g) A description of the placement assistance offered, if any. If no assistance is offered, the school must make that fact known;

(h) The school's policy regarding student conduct, including causes for dismissal and conditions for readmission;

(i) The school's policy regarding leave, absences, class cuts, makeup work, tardiness, and interruptions for unsatisfactory attendance;

(j) The school's policy regarding standards of progress required of the student. This policy must define the grading system, the minimum grades considered satisfactory, conditions for interruption for unsatisfactory progress, a description of the probationary period, if any, allowed by the school, conditions for reentrance for those students dismissed for unsatisfactory progress; and information that a statement will be furnished to the student regarding satisfactory or unsatisfactory progress;

(k) An accurate description of the school's facilities and equipment available for student use, the maximum or usual class size and the average student/teacher ratio;

(l) The total cost of training including registration fee, if any, tuition, books, supplies, equipment, laboratory usage, special clothing, student activities, insurance and all other charges and expenses necessary for completion of the program;

(m) A description of each program of instruction, including:

(i) Specific program objectives including the job titles for which the program purports to train;

(ii) The number of clock or credit hours of instruction, the method of instruction (e.g., correspondence, classroom, lab, computer assisted), and the average length of time required for successful completion;

(iii) If instruction is calculated in credit hours, the catalog must contain at least one prominent statement describing the contact hour conversion formula applied by the school; i.e., the number of contact hours applicable to each quarter or semester credit hour of lecture, laboratory/practicum, and/or internship/externship;

(iv) For the purpose of home study schools, instructional sequences must be described in numbers of lessons. "Home study school" means the instructional format of the school involves the sequential distribution of lessons to the student,

who studies the material, completes an examination, and returns the examination to the school. The school then grades the examination (and, in some instances, provides additional comments and instruction), and returns the graded examination to the student along with the next set of instructional materials;

(n) The scope and sequence of courses or programs required to achieve the educational objective;

(o) A statement indicating the type of educational credential that is awarded upon successful completion;

(p) The school's cancellation and refund policy;

(q) The following statement must appear prominently on either the first or last printed page or inside the front or back cover: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD, BUILDING 17, AIRDUSTRIAL PARK, P.O. BOX 43105, OLYMPIA, WASHINGTON 98504-3105 (360/753-5673);

(r) The availability of financial aid, if any;

(s) Supplements or errata sheets for the catalog and other written materials related to enrollment must be filed with the agency prior to being used (see RCW 28C.10.110(2)):

(i) Supplements or errata sheets must be made an integral part of that publication;

(ii) The supplement or errata sheet must include its publication date;

(iii) In the event information on a supplement or errata sheet supplants information contained in the catalog, the insert must identify the information it replaces, including at the least an appropriate page reference.

(5) A copy of the school's enrollment agreement/contract. (See RCW 28C.10.050 (1)(d).) An enrollment agreement is any agreement that creates a binding obligation to purchase a course of instruction from a school. Each school must use an enrollment contract or agreement that includes:

(a) The school's cancellation and refund policy, in accordance with these rules, displayed in a type size no smaller than that used to meet any other requirements of this section;

(b) The following statement: THIS SCHOOL IS LICENSED UNDER CHAPTER 28C.10 RCW; INQUIRIES OR COMPLAINTS REGARDING THIS OR ANY OTHER PRIVATE VOCATIONAL SCHOOL MAY BE MADE TO THE: WORK FORCE TRAINING AND EDUCATION COORDINATING BOARD, BUILDING 17, AIRDUSTRIAL PARK, P.O. BOX 43105, OLYMPIA, WASHINGTON 98504-3105 (360/753-5673);

(c) Information that will clearly and completely define the terms of the agreement between the student and the school, including at least the following:

(i) The name and address of the school and the student;

(ii) The program or course title as it appears in the school's catalog, date training is to begin, and the number of hours or units of instruction or lessons for which the student is enrolled;

(iii) An itemization of all charges, fees, and required purchases being incurred by the student or his/her sponsor in order to complete the training. The student enrollment agreement must also contain the methods of payment and/or payment schedule being established;

(iv) Language explaining that the agreement will be binding only when it has been fully completed, signed and

dated by the student and an authorized representative of the school prior to the time instruction begins;

(d) A statement that any changes in the agreement will not be binding on either the student or the school unless such changes have been acknowledged in writing by an authorized representative of the school and by the student or the student's parent or guardian if he/she is a minor;

(e) A "NOTICE TO THE BUYER" section which includes the following statements in a position above the space reserved for the student's signature:

(i) "DO NOT SIGN THIS AGREEMENT BEFORE YOU READ IT OR IF IT CONTAINS ANY BLANK SPACES. THIS IS A LEGAL INSTRUMENT.

(ii) ALL PAGES OF THE CONTRACT ARE BINDING.

(iii) READ BOTH SIDES OF ALL PAGES BEFORE SIGNING.

(iv) YOU ARE ENTITLED TO AN EXACT COPY OF THE AGREEMENT, SCHOOL CATALOG AND ANY OTHER PAPERS YOU SIGN AND ARE REQUIRED TO SIGN A STATEMENT ACKNOWLEDGING RECEIPT OF THOSE.

(v) IF YOU HAVE NOT STARTED TRAINING, YOU MAY CANCEL THIS CONTRACT BY PROVIDING WRITTEN NOTICE OF CANCELLATION TO THE SCHOOL AT ITS ADDRESS SHOWN ON THE CONTRACT. THE NOTICE MUST BE POSTMARKED NOT LATER THAN MIDNIGHT OF THE FIFTH BUSINESS DAY (EXCLUDING SUNDAYS AND HOLIDAYS) FOLLOWING YOUR SIGNING THIS CONTRACT OR THE WRITTEN NOTICE MAY BE PERSONALLY OR OTHERWISE DELIVERED TO THE SCHOOL WITHIN THAT TIME. IN EVENT OF DISPUTE OVER TIMELY NOTICE, THE BURDEN TO PROVE SERVICE RESTS ON THE APPLICANT.

(vi) IT IS AN UNFAIR BUSINESS PRACTICE FOR THE SCHOOL TO SELL, DISCOUNT OR OTHERWISE TRANSFER THIS CONTRACT OR PROMISSORY NOTE WITHOUT THE SIGNED WRITTEN CONSENT OF THE STUDENT OR HIS/HER FINANCIAL SPONSORS AND A WRITTEN STATEMENT NOTIFYING ALL PARTIES THAT THE CANCELLATION AND REFUND POLICY CONTINUES TO APPLY."

(f) Attached to each contract must be a form provided by the agency that contains statements relating to the student's rights, responsibilities, and loan repayment obligations; and the school's responsibility to counsel the student against incurring excessive debt;

(g) The school must provide the student a copy of the signed enrollment agreement.

(6) Information regarding the qualifications of administrative and instructional personnel. (See RCW 28C.10.050 and 28C.10.060.) The education and experience of administrators, faculty, and other staff must be adequate to insure students will receive educational services consistent with the stated program objectives.

(a) The school must file the qualifications of all affected individuals with the agency within thirty calendar days of their employment. The information must be submitted on forms provided by the agency.

(b) The school must establish and enforce written policies for the qualification, supervision, and periodic evaluation of administrators, faculty, and staff.

(c) School directors must have at least two years of experience in either school or business administration, teaching,

or other experience related to their duties within the organization.

(d) Faculty who teach a course related to an occupation for which the student must subsequently be licensed or certified must:

(i) Hold or be qualified to hold such a license or certificate and possess at least two years of work experience, post-secondary training or a combination of both in the subject they instruct; or

(ii) Possess current evidence of being qualified to teach that has been issued by a regulatory agency of this or another state.

(e) If the school uses teacher assistants, aides, or trainees, it must maintain policies governing their duties and functions. Such personnel may provide services to students only under the direct supervision of a qualified instructor. They may not act as substitutes for the instructor.

(f) Administrators, faculty, agents and other staff must be of good moral character and reputation. The agency may find that a person is not of good moral character and reputation if the person has been convicted of:

(i) Any felony within the prior seven years;

(ii) A misdemeanor which involved the illegal use, possession, or sale of a controlled substance; or

(iii) A misdemeanor that involved any sexual offense.

(g) If the person has been convicted of a felony, the agency will consider the relationship of the facts supporting the conviction to the performance of his or her occupational responsibilities with the licensed school and to that school's students.

(h) In making such determinations the agency will request a letter of recommendation from the employing school and may consider any other related materials submitted by the school and/or affected individual prior to making a finding under this section.

#### NEW SECTION

**WAC 490-105-050 How does a school register its sales agents? (See RCW 28C.10.060.)**

(1) Each school must register its sales agents with the agency within thirty calendar days of their hire.

(2) An application to register a sales agent must be in writing on forms supplied by the agency.

(3) Each individual applying to be registered as an agent is considered to be acting as an agent of the school designated on the application. No person can be independently registered to perform the functions of an agent.

(4) If an individual is applying to represent a private vocational school that is located in another state and does not operate a training facility within Washington state, the application must be accompanied by the fee in WAC 490-100-120(2).

(5) Each school to whom the agent is registered must notify the agency in writing within thirty calendar days following the date that the registered agent ceases to perform those services.

(6) Each school must provide training to sales agents prior to their representing the school. The training must include at a minimum:



(a) Provisions of the Private Vocational School Act (chapter 28C.10 RCW) and the regulations contained in this chapter;

(b) A detailed review of the school's catalog, enrollment contract, and refund policy;

(c) An organized review of the school's policies and practices governing the ethical conduct of sales agents.

**NEW SECTION**

**WAC 490-105-060 Do off-campus activities require licensing?** (1) The agency may grant exemptions from licensing for off-campus activities that either:

(a) Absorb a temporary overload that the licensed facility cannot accommodate; or

(b) Provide a single, specialized kind of training activity, generally on a short-term basis, under circumstances that cannot readily be accommodated at the licensed facility; or

(c) Provide training under contract with a public agency, private company, or other sponsor as long as no contractual responsibility is created between students and the school and the training is not open to the general public.

(2) The school must obtain approval from the agency before conducting operations at an auxiliary facility. To obtain approval, the school must document that:

(a) The facility meets one of the above definitions;

(b) The instructional program, site administration, and training are significantly integrated with the school's primary facility;

(c) The facility will not be represented as a school location and its address will not be advertised; and

(d) No enrollment will be solicited or executed at the auxiliary facility.

(3) Activities occurring at an auxiliary facility must be incorporated into operational and financial data the school reports to the agency. However, income derived from activities conducted under contract should not be reported for purposes of calculating license fees or contributions to the tuition recovery trust fund (see subsection (1)(c) of this section).

**NEW SECTION**

**WAC 490-105-070 How much does it cost to obtain a license?** (See RCW 28C.10.060(3).)

(1) Annual fee:

(a) A school located within the state of Washington must pay an annual license application fee based on total annual tuition income.

(b) A school located outside the state of Washington must pay an annual license application fee based on the total annual tuition income received from or on behalf of Washington state residents.

(c) A new school that has not been in operation prior to the date of initial licensing must base its application fee on estimated total annual tuition income.

If the school's total annual tuition income is:	Its Annual License Fee is:
\$0 - \$25,000	\$250

If the school's total annual tuition income is:	Its Annual License Fee is:
\$25,001 - \$50,000	\$500
\$50,001 - \$100,000	\$600
\$100,001 - \$250,000	\$750
\$250,001 - \$500,000	\$1,000
\$500,001 - \$1,000,000	\$1,500
\$1,000,001 - \$2,500,000	\$2,000
\$2,500,001 +	\$2,500

(2) Other fees:

Sales Agents representing out-of-state schools	\$120 annually per agent
Late filing of renewal application	\$25 per day to a maximum of 30 calendar days
Auxiliary location certificate, reissuance of license/auxiliary certificate, change of school name or location	\$25

(3) All fees related to licensing, except for the initial deposit to the tuition recovery trust fund, are nonrefundable. No right to a license or registration is established or implied through the payment of fees.

**NEW SECTION**

**WAC 490-105-080 How are contributions to the tuition recovery trust fund calculated?** (See RCW 28C.10.082 and 28C.10.084.)

(1) Establishment of fund liability limits. The amount of liability that can be satisfied by this fund on behalf of each individual school licensed under this chapter is identified in the table in subsection (4) of this section.

(a) If the school is located within the state of Washington, its liability limit will be based on the total annual tuition income received from or on behalf of all students, as reported in the financial statement required by WAC 490-105-040 (2)(a);

(b) If the school is located outside the state of Washington, its liability limit is based on the total annual tuition income received from or on behalf of Washington state residents, as reported in the financial statement required by WAC 490-105-040 (2)(a);

(c) If the school was not in operation prior to the date of initial licensing, its liability limit is based on the total annual tuition estimate supplied under the provisions of WAC 490-105-040 (2)(c);

(d) The minimum liability established in any circumstance is five thousand dollars.

(2) Matrices for calculating initial deposits and any assessments necessary under subsection (7) of this section:

Level of Liability:	Prorated Share:
\$5,000	0.15%
\$7,500	0.23%

PROPOSED

Level of Liability:	Prorated Share:
\$10,000	0.30%
\$15,000	0.46%
\$20,000	0.61%
\$25,000	0.76%
\$35,000	1.07%
\$50,000	1.52%
\$75,000	2.28%
\$100,000	3.05%
\$125,000	3.81%
\$150,000	4.57%
\$175,000	5.33%
\$200,000	6.10%

Level of Liability:	Prorated Share:
\$225,000	6.86%
\$250,000	7.62%
\$275,000	8.38%

(3) Initial deposit. When the school submits its initial license application, it must include for deposit into the tuition recovery trust fund, the amount identified in the third column of the table below.

(4) Contribution schedule. In order to remain licensed under this chapter, the school must remit to the agency semi-annual payments for deposit into the tuition recovery trust fund. The amount of the deposits is calculated by applying the two matrices and/or formula displayed under subsection (2) of this section to an amount totaling one million dollars.

If the school's total annual tuition income is:	Its liability limit under the Tuition Recovery Trust Fund is:	Based on its liability limit, the school will make an initial deposit to the fund of:	The school will make the following semiannual payments for the first five years it is licensed:	The school will make the following semiannual payments for the second five years it is licensed:
\$0 - \$50,000	\$5,000	\$305	\$122	\$61
\$50,001 - \$75,000	\$7,500	\$457	\$183	\$92
\$75,001 - \$100,000	\$10,000	\$609	\$244	\$122
\$100,001 - \$150,000	\$15,000	\$914	\$366	\$183
\$150,001 - \$200,000	\$20,000	\$1,219	\$487	\$487
\$200,001 - \$250,000	\$25,000	\$1,523	\$609	\$609
\$250,001 - \$350,000	\$35,000	\$2,133	\$853	\$853
\$350,001 - \$500,000	\$50,000	\$3,046	\$1,219	\$1,219
\$500,001 - \$750,000	\$75,000	\$4,570	\$1,828	\$1,828
\$750,001 - \$1,000,000	\$100,000	\$6,093	\$2,437	\$2,437
\$1,000,001 - \$1,250,000	\$125,000	\$7,616	\$3,046	\$3,046
\$1,250,001 - \$1,500,000	\$150,000	\$9,139	\$3,656	\$3,656
\$1,500,001 - \$1,750,000	\$175,000	\$10,663	\$4,265	\$4,265
\$1,750,001 - \$2,000,000	\$200,000	\$12,186	\$4,874	\$4,874
\$2,000,001 - \$2,250,000	\$225,000	\$13,710	\$5,483	\$5,483
\$2,250,001 - \$2,500,000	\$250,000	\$15,233	\$6,092	\$6,092
>\$2,500,000	\$275,000	\$16,757	\$6,702	\$6,702

(5) The agency will send semiannual notices of the due dates and amounts of deposits required under subsection (4) of this section. The fee for late filings under WAC 490-105-070(2) of this chapter applies to late payments of deposits into the fund for a period cumulating to thirty calendar days. Failure to make a deposit within thirty calendar days is a violation of RCW 28C.10.050 (1)(f).

(6) Each semiannual notice will include:

(a) The school's aggregated prior deposits into the fund;

(b) The school's balance of remaining payments, based on the most recent deposit received and adjusted to the current contribution level;

(c) The cumulated balance existing in the fund at the most recent half-year accounting; and

(d) A summary showing any disbursements made from the fund to satisfy claims in the period since the last summary was disseminated.

(7) If disbursements made to settle claims reduce the operating balance below one million dollars and recovery of such funds has not been ensured under the provisions of RCW 28C.10.084 (10)(d), the agency will assess each school a pro rata share of the amount required to restore the deficiency. The assessment will be made within thirty calendar days of the date deficiency is created. Each school's share of the assessment will be calculated using the percentages established under subsection (2) of this section. If the school's assessment equals or is less than the semiannual amount of deposit established for the school under subsection (4) of this

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section, the assessment must be paid within thirty calendar days of notice. If the assessment exceeds the amount of the school's semiannual deposit, it may apply to the agency for a schedule of deferred payments. The agency will grant deferrals on application, but in no case will the extension exceed one year beyond the date of the assessment.

(8) Funds disbursed to settle claims against a currently licensed school will be recovered by the agency under a schedule to be negotiated with the affected school on a case-by-case basis. To secure deferral of payment more than thirty calendar days after demand for recovery is made, the burden to prove manifest hardship rests on the school but in no case will the time extended exceed one year beyond the date of the initial demand notice.

(9) Claimant, as referenced under RCW 28C.10.084 (10)(a) is further defined to mean an enrolled student in regular attendance or on an authorized leave of absence at the time of closure.

#### NEW SECTION

**WAC 490-105-090 How often must a license be renewed?** (See RCW 28C.10.060.) Private vocational school licenses must be renewed annually. The renewal application must include a financial statement attested to by the chief administrative officer; amendments to any statements or materials on file that are no longer accurate; and the required fees.

#### NEW SECTION

**WAC 490-105-100 Who is exempt from licensing?** To qualify for an exemption as test preparation or continuing education under WAC 490-100-030 (1)(c), a school must apply to the agency on a form created for that purpose and obtain approval. Exemptions must be renewed annually.

#### NEW SECTION

**WAC 490-105-110 Display of licenses—Loss or destruction—Status changes.** (See RCW 28C.10.060.) The school must display its license or auxiliary facility certificate prominently in the licensed premises.

(1) If the license or auxiliary facility certificate is lost or destroyed, the school must apply for a duplicate and pay the reissuance fee described in WAC 490-105-070(2) (Other fees).

(2) If the school plans to change its name, it must notify the agency in advance and pay the certificate reissuance fee described in WAC 490-105-070(2) (Other fees).

(3) If the school plans to change its location or that of an auxiliary facility it must notify the agency in advance and pay the certificate reissuance fee described in WAC 490-105-070(2) (Other fees).

#### NEW SECTION

**WAC 490-105-120 What if the school changes ownership?** (See RCW 28C.10.060.) Private vocational school licenses are not transferable. When a sale takes place, the

school's license expires. The new owner must secure a new license.

(1) The following are considered changes of ownership:

(a) A sale by the sole proprietor of a school, unless the seller becomes the majority stockholder of the buying corporation;

(b) A change in the majority interest of general partners of a partnership; or

(c) A sale or transfer of stock that creates a change in the majority interest in the issued and outstanding shares of a corporation.

(2) To assure there is no disruption in students' training the agency may extend the existing license for up to sixty calendar days beyond the date the ownership changes. To obtain this extension, the new owner must:

(a) Apply for a new license no less than fifteen calendar days prior to the sale; and

(b) Furnish a written statement that the school will continue to meet all conditions in the act and regulations during the time the new license is pending.

(3) If the new owner fails to become licensed within sixty calendar days of the date of sale the school may not continue to operate unless the agency has granted an extension of time. Continued operation without an extension is a violation of RCW 28C.10.090.

#### NEW SECTION

**WAC 490-105-130 What are minimum requirements for student refunds?** (See RCW 28C.10.050 (1)(b).) At a minimum, schools must use the following cancellation and refund policies; however, the agency may approve refund policies whose terms are more favorable to students than the following established minimums. Refunds must be paid within thirty calendar days.

(1) For resident programs:

(a) The school must refund all money paid if the applicant is not accepted. This includes instances where a starting class is canceled by the school;

(b) The school must refund all money paid if the applicant cancels within five business days (excluding Sundays and holidays) after the day the contract is signed or an initial payment is made, as long as the applicant has not begun training;

(c) The school may retain an established registration fee equal to ten percent of the total tuition cost, or one hundred dollars, whichever is less, if the applicant cancels after the fifth business day after signing the contract or making an initial payment. A "registration fee" is any fee charged by a school to process student applications and establish a student records system;

(d) If training is terminated after the student enters classes, the school may retain the registration fee established under (c) of this subsection, plus a percentage of the total tuition as described in the following table:

If the student completes this amount of training:	The school may keep this percentage of the tuition cost:
One week or up to 10%, whichever is less	10%
More than one week or 10% whichever is less but less than 25%	25%
25% through 50%	50%
More than 50%	100%

If the student completes this percentage of lessons:	The school may keep this percentage of the tuition cost:
11% through 25%	25%
26% through 50%	50%
More than 50%	100%

(iv) Calculate the amount of the course completed by dividing the number of lesson assignments contained in the program by the number of completed lessons received from the student.

(e) When calculating refunds, the official date of a student's termination is the last date of recorded attendance:

(4) Combination home study/resident training programs:

(a) The following is a minimum refund policy for a home study program that includes mandatory resident training courses.

(i) Tuition for the home study and resident portions of the program must be stated separately on the enrollment agreement. The total of the two is the price of the program.

(ii) For settlement of the home study portion of the combination program, the provisions of the table in subsection (2)(b)(iii) of this section apply.

(iii) For the resident portion of the program, beginning with the first resident class session if the student requests a cancellation, the provisions of the table in subsection (1)(d) of this section apply.

(iv) Calculate the amount of resident training completed by dividing the total number of training days provided in the resident training program by the number of instructional days the student attends resident training.

(b) A home study student who cancels after paying full tuition is entitled to receive all course materials, including kits and equipment.

**NEW SECTION**

**WAC 490-105-140 What are student admission standards?** (See RCW 28C.10.050 (1)(g).) Prior to enrolling students the school must assess their basic skills and relevant aptitudes to determine that they have the ability to complete and benefit from the training they are considering.

(1) When a school applies for initial licensing under chapter 28C.10 RCW, it must submit a description of the method it will use to comply with the requirements under this section. Any subsequent change in that method must be reported to the agency no more than fifteen calendar days after the change is adopted.

(2) The school must measure all applicants' ability to benefit against current prerequisites for employment in the job objective established for the program, e.g., prior work and health history, driving and arrest records, and evaluations of any applicable physiological factors such as vision acuity, color perception, lifting and weight bearing capabilities, and manual dexterity.

(3) Applicants who have earned a high school diploma or General Educational Development (GED) certificate may be considered to have adequate academic abilities to meet learning needs.

(4) Applicants who have not earned a high school diploma or GED must be tested. The school must adopt or

(i) When the school receives notice of the student's intention to discontinue the training program;

(ii) When the student is terminated for a violation of a published school policy which provides for termination;

(iii) When a student, without notice, fails to attend classes for thirty calendar days.

(2) Discontinued programs:

(a) If instruction in any program is discontinued after training has begun or if the school moves from one location to another, it must either:

(i) Provide students pro rata refunds of all tuition and fees paid; or

(ii) Arrange for comparable training at another public or private vocational school. Students must accept comparable training in writing.

(b) If the school plans to discontinue a program it must notify the agency and affected students in advance. The notification must be in writing and must include at least data required under WAC 490-105-210(3).

(c) Students affected by a discontinuation must request a refund within ninety days.

(3) For home study programs:

(a) A student may request cancellation in any manner.

(b) The following is a minimum refund policy for home study courses without mandatory resident training:

(i) An applicant may cancel up to five business days after signing the enrollment agreement. In the event of a dispute over timely notice, the burden to prove service rests on the applicant.

(ii) If a student cancels after the fifth calendar day but before the school receives the first completed lesson, the school may keep only a registration fee of either fifty dollars or an amount equal to fifteen percent of the tuition (in no case is the school entitled to keep a registration fee greater than one hundred fifty dollars).

(iii) After the school receives the student's first completed lesson and until the student completes half the total number of lessons in the program, the school is entitled to keep the registration fee and a percentage of the total tuition as described in the following table:

If the student completes this percentage of lessons:	The school may keep this percentage of the tuition cost:
0% through 10%	10%

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devise a test to assess the applicants' academic abilities. The test must have the capability of:

(a) Validating that applicants possess skills, competencies, and knowledge that correlate with grades, course or program completion or other measures of success in the program of study; or

(b) Validating that applicants' academic skills, competencies, and knowledge are at a level equivalent to that of persons completing a high school education;

(c) Comparing success ratios of accepted students with test cut-off scores and incorporating appropriate cut-off adjustments.

(5) Any ability to benefit (ATB) test that has been published by the American College Testing Service (ACT) or reviewed and approved by the American Council on Education (ACE) is acceptable evidence of meeting the criteria in subsection (4) of this section.

(6) The following must be part of the methodology developed for assessment:

(a) In the event tests are administered by school officials, evidence the tests are being administered as intended by the publisher;

(b) Information about the test security procedures employed, evidencing that students have no advance information about the exact questions or tasks and that answers cannot be supplied by a third party while completing the test(s);

(c) Information about test scoring procedures employed, evidencing that if tests are scored by school officials the tests are being evaluated as intended by the publisher;

(d) Information that the tests are free from information that is offensive with regard to gender, age, native language, ethnic origin, or handicapping conditions.

(7) Records resulting from the ability to benefit assessment must be included as a regular part of all students' records.

#### NEW SECTION

**WAC 490-105-150 What are program, facility and equipment standards?** (See RCW 28C.10.050 and 28C.10.060.)

(1) The school must design and implement programs that will adequately achieve the stated objectives for which they are offered. In evaluating programs, the agency will use as a guideline their comparability to similar programs that have been established by other comparable schools.

(2) The school must have an exact physical location which:

(a) Is adequate to meet the needs of its students and the objectives of the program;

(b) Provides a modern and effective learning environment with enough classroom, laboratory, and shop space for the number of students to be trained; and

(c) Is maintained in compliance with state laws and local ordinances related to safety and health.

(3) The school must have equipment, furniture, instructional devices and aids, machinery and other physical features that are:

(a) Adequate in number and condition to achieve the stated educational objectives of the course;

(b) Comparable in number and quality with those used by comparable schools with similar programs;

(c) Comparable to those in current use by the appropriate trade, business or profession; and

(d) Of sufficient quantity for the number of enrolled students.

#### NEW SECTION

**WAC 490-105-160 What reports are required?** (See RCW 28C.10.050 and 28C.10.060.) In addition to the minimum licensing standards described in RCW 28C.10.050, each school must:

(1) Complete and submit to the agency an annual Impact Data Survey; and

(2) Submit the following information for each enrolled student. The information will be used to compile consumer reports that will be published in the future:

(a) Student name, address, telephone number and Social Security number if provided by the student;

(b) Start date of training and date of completion or drop-out;

(c) Whether or not the student graduated;

(d) Previous education before starting the current training program;

(e) Ethnicity;

(f) Date of birth;

(g) Gender;

(h) Program or major (for larger schools with multiple programs).

#### NEW SECTION

**WAC 490-105-170 What actions are prohibited?** (1) The term "unfair business practice" under RCW 28C.10.110(11) is further defined to mean those practices described as prohibited under RCW 28C.10.090.

(2) In addition to the actions described in RCW 28C.10.110 it is an unfair business practice for a private vocational school or its agent to:

(a) Advertise, offer, sell, or award any educational credential without requiring the consumer to enroll in and successfully complete a prescribed program of study, as outlined in the school's catalog or brochure;

(b) Sell, discount, or transfer contracts or promissory notes for tuition to third parties without the signed consent of the student or the student's financial sponsors, and a statement notifying all parties that the cancellation and refund policy continues to apply;

(c) Misrepresent to students the potential amount of federal financial aid available;

(d) Employ the term "accredited" in advertising unless:

(i) The school holds a current grant of accreditation; and

(ii) The term "accredited" is accompanied with equal prominence by the full name and/or seal of the agency from whom the school holds a current grant of accreditation.

(iii) If the accrediting agency is not recognized by the United States Secretary of Education under the provisions of

the Higher Education Act (Chapter 34 CFR), as amended, the school must provide the agency with documentation of its grant of accreditation and other related information required by the agency to establish the nature and scope of the accrediting agency. The agency will approve or disapprove its use in advertising after reviewing submitted documentation.

(3) Schools are prohibited under RCW 28C.10.110(3) from advertising educational programs under the "help wanted" section of publications. Schools may, however, advertise under a help wanted classification for the purposes of:

- (a) Recruiting for bona fide job openings; or
- (b) Soliciting job opportunities for available graduates.

(4) To establish consistency in the implementation of this section, the following definitions will apply:

(a) "Advertise" means the publishing by a school of information that establishes its identity, location, and nature of its training programs. It may or may not contain an offer of training.

(b) "Help wanted" section means any classified advertising section in a publication that contains job listings. The particular wording the publication uses to identify such a section is not material.

(c) "Newspaper" means a printed publication containing news, editorials, advertisements, etc. The definition extends to tabloids such as "nickel-savers" that contain primarily or exclusively advertising. It is not material whether the publication is sold or given away.

(d) For purposes of this section, it is not considered "advertising" if a school inserts a notice in a "help wanted" section referring the reader to a different classified heading in the same issue of the same publication, as long as:

(i) An offer of training is being made by the school under an appropriate other section in the same issue of the same publication; and

(ii) The referral notice contains only the name of the school and not its address, telephone number, or description of program(s); and

(iii) The overall size and general appearance of what appears as a notice is consistent with its purpose only to refer readers elsewhere.

(5) Schools are prohibited from making offers of training without including the full name and/or d/b/a under which the school is licensed. Permutations of the name and/or d/b/a such as initials or nicknames can be used only with prior written permission of the agency.

(6) RCW 28C.10.110(12) makes it an unfair business practice for a school to attempt to recruit students within forty feet of a building that contains a welfare or unemployment office. The term "recruiting" is defined by statute. Other terms employed in the statute are further defined as follows:

(a) The distance of "forty feet from a building" is measured as a straight line from any doorway affording public access. In instances of buildings with multiple entrances, the distance is measured from any part of the structure.

(b) When applied to state government, "welfare or unemployment office" means buildings offering public access to provide services to clients of the Washington state employment security department or the department of social and health services.

(c) When applied to county and municipal agencies, "welfare or unemployment office" means those buildings offering public access for the purpose of providing shelter, food, employment, health, and social services.

(d) The term "welfare or unemployment office" includes established locations operated by community-based, non-profit organizations for the purpose of providing shelter, food, employment, health, and social services to disadvantaged populations.

#### NEW SECTION

**WAC 490-105-180 How are student complaints handled?** (See RCW 28C.10.084(10) and 28C.10.120.)

- (1) A complaint must be filed no more than:
- (a) One calendar year following:
    - (i) A resident student's last recorded date of attendance; or
    - (ii) The date the school received a home study student's last completed lesson; or
  - (b) Sixty calendar days from the date a school ceases to provide educational services.

(2) The agency may extend the time a student has to file a complaint if the student can establish that good faith efforts to obtain satisfaction from the school were being made during the time elapsed.

(3) The term "a person" used to reference a complainant under RCW 28C.10.120(1) is further defined to mean only individuals who established a contractual relationship through their enrollment in a school or, in the case of a minor, the minor's parent or guardian.

(a) Private or public agencies, employers, or others who contract with a private vocational school to provide training services to a particular individual or individuals do not have access to the complaint process.

(b) When a person establishes a financial obligation for only a portion of the contracted costs and is subsidized for the remainder as described under (a) of this subsection, that student's claim will be prorated to recognize only the unsubsidized amount.

(4) The agency may consider the following costs when determining losses suffered by a complainant:

- (a) Tuition and fees;
- (b) Transportation costs;
- (c) Books, supplies, equipment, uniforms and protective clothing, rental charges; and
- (d) Insurance required by the school.

(5) In estimating a student's attendance related expenses other than tuition, the agency may use standards developed under Title IV of the Higher Education Act or those of the Washington state departments of employment security and social and health services.

- (6) When the agency receives a complaint, it will:
- (a) Evaluate the complaint for completeness and to determine eligibility within ten working days after receipt;
  - (b) Accept or reject the complaint and so notify the complainant within an additional five working days;
  - (c) Forward a copy of a bona fide complaint and related attachments to the school by certified mail.

(7) The school has fifteen working days after receipt to respond to the student's complaint. If a school fails to submit a timely response the agency will conclude the school has no defense to offer.

(8) Based on all information then available, the agency will:

- (a) Investigate the facts;
  - (b) Secure additional information if so indicated;
  - (c) Attempt to bring about a negotiated solution;
  - (d) Adjudicate the complaint by making findings, conclusions, and determinations; and
  - (e) Notify all parties of the determinations and remedies.
- (9) If a student can document that the procedures used by the agency to resolve a complaint were either unreasonable, unfair, or not in keeping with the intent of the law, the student may request a review of the decision.

(a) The student must request the review in writing within twenty days following receipt of the complaint determination. A timely request stays the agency's determination during the review process.

(b) When the agency receives a request for review it will:

- (i) Notify the school that the student has requested a review and that the complaint determination will not take effect until the review has been completed;
- (ii) Schedule an informal hearing to be conducted by agency staff; and
- (iii) Make a final determination regarding the complaint within fifteen working days following the hearing.

#### NEW SECTION

**WAC 490-105-190 What agency actions can a school appeal?** (1) In addition to the action described under RCW 28C.10.120(5), a school may appeal the following:

- (a) A denial of an exemption under RCW 28C.10.030(6).
- (b) A denial, suspension or revocation of licensing under RCW 28C.10.050.

(2) An appeal filed by a school will result in an administrative hearing conducted by a designated hearings officer in accordance with the Administrative Procedure Act, chapter 34.05 RCW (see RCW 28C.10.120):

(a) The hearings officer will make findings and conclusions in accordance with the Administrative Procedure Act, chapter 34.05 RCW. The findings, conclusions, and any recommendations for action will be submitted to the executive director for final action pursuant to RCW 34.05.461.

(b) The executive director may accept or reject, in whole or in part, any recommendations made by the hearings officer, may remand for further findings, or take any other action deemed appropriate under the circumstances, pursuant to the provisions of the act and these rules.

#### NEW SECTION

**WAC 490-105-200 What are the minimum requirements for record retention?** (See RCW 28C.10.160.) The school must keep student educational records for a minimum of fifty years from the date of each student's enrollment or until the school ceases to be licensed under this chapter, whichever comes first.

(1) "Educational records" include single page transcripts for each student, indicating:

- (a) School name, address and telephone number;
- (b) Student name, address, telephone number, and Social Security number;
- (c) Dates of attendance;
- (d) Course of instruction or subjects attempted;
- (e) Amount of credit, if any, awarded for each subject;
- (f) Grade for each subject completed;
- (g) Date of completion or termination along with notation of the document issued signifying satisfactory completion, if achieved (degree, diploma, certificate);
- (h) If terminated, the reason(s) for termination;
- (i) Signature and title of the certifying officer; and
- (j) Date that transcript is prepared.

(2) On request, the school must provide, without charge, a transcript, described under subsection (1) of this section, to students who have satisfied financial obligations currently due and payable directly to the school. The school may establish and collect a fee for subsequent copies requested.

(3) "Financial records" include the following and must be kept for a minimum of three years from the student's date of enrollment:

- (a) Signed and completed enrollment agreements and other training related contracts; and
  - (b) The student's payment record.
- (4) Financial aid records related to Title IV student financial assistance are not under state jurisdiction, and should be kept in accordance with appropriate federal regulations.

(5) Catalogs, catalog supplements, and errata sheets must be kept for one year from their respective dates of publication.

#### NEW SECTION

**WAC 490-105-210 What if a school closes?** (See RCW 28C.10.060(4); 28C.10.084(9) and 28C.10.160.)

(1) "Ceases to provide educational services" means that a stoppage of training has occurred because:

- (a) Facilities are rendered continuously unusable for a period of thirty calendar days or more; or
- (b) Faculty or qualified substitutes assigned to a specific class are not available or otherwise fail to perform instructional duties for five or more successive days of scheduled instruction; or
- (c) Bankruptcy proceedings or other financial conditions exist that result in the school interrupting scheduled instruction for five or more successive days; or
- (d) Adverse action has been taken by a federal, state, or local jurisdiction which result in the school interrupting scheduled instruction for five or more successive days.

(2) The school must take measures to protect the contractual rights of present and former students if it ceases to provide educational services. The school must return its license certificate to the agency within ten calendar days of ceasing to provide educational services or expiration of the school's license, whichever occurs first.

(3) If the school ceases to provide educational services, either voluntarily or involuntarily, it must:

(a) Inform the agency promptly by the most expeditious means available and send confirmation by certified mail within three business days;

(b) Provide the name, address, and telephone number of the person(s) designated to be responsible for fulfilling the requirements of this section;

(c) Provide the agency with the following information for each student who has not completed a course or program:

- (i) Name;
- (ii) Social Security number;
- (iii) Address and telephone number of record;
- (iv) Program name and amount of tuition and fees charged;

(v) Amount of tuition and fees paid to date;

(vi) Amount of class time left to complete the course or program; and

(vii) If the tuition and fees were paid through federal student aid, the amount and type of aid;

(d) A written notice must be distributed to all enrolled students at least three business days prior to a planned cessation. The notice must explain the procedures students are to follow to secure refunds or continue their education. A copy of the notice must also be submitted to the agency within three business days;

(e) File with the agency procedures for disbursement of refunds to students and set a date no longer than thirty calendar days from the last day of instruction to issue refund checks in the full amount for which students are entitled;

(4) File with the agency its plans if any, for teach-out; ensuring that all affected students will continue to receive training at another institution of the same quality and content as that for which they contracted:

(a) Arrangements for teaching out students must be filed with the agency;

(b) The agency will verify that students will receive the same kind of program and instructional services as those for which they contracted;

(5) Make pro rata refunds to any student who does not agree, in writing, to comparable training. Refunds must be paid to either the student or his/her parent, guardian or sponsor based on a day-by-day proportion of the services provided compared to the total length of the program.

(6) Make specific arrangements to transfer transcripts and other student records described under WAC 490-105-210 to the agency's custody.

**NEW SECTION**

**WAC 490-105-220 Notice of adverse actions—Change of circumstances.** (See RCW 28C.10.060.) When a school applies for an initial license or license renewal, it must advise the agency of any consent orders with the Federal Trade Commission or any adverse actions that have been taken by a federal or state agency, the courts, or accrediting commissions. The school must inform the agency in writing of actions being taken to correct deficiencies cited. Any change of circumstance, including bankruptcy, which would amend information reported in the application for initial license or license renewal must be filed with the agency within ten calendar days of the change.

**NEW SECTION**

**WAC 490-105-230 Do these rules apply to degree-granting private vocational schools?** (See RCW 28C.10.040(4).) Nondegree programs offered by degree-granting private vocational schools are regulated pursuant to the terms of an interagency agreement executed between the higher education coordinating board and the work force training and education coordinating board. Copies of the agreement are available from either agency on request.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 490-100-010	Authority.
WAC 490-100-015	Delegation.
WAC 490-100-030	Definitions.
WAC 490-100-035	Auxiliary facilities.
WAC 490-100-040	Cancellation and refund policy.
WAC 490-100-050	Catalog, brochure, or other written material.
WAC 490-100-060	Enrollment contract or agreement.
WAC 490-100-070	Time of application.
WAC 490-100-080	Display of licenses—Loss or destruction—Change of name—Change of location.
WAC 490-100-090	Change of ownership—License nontransferable.
WAC 490-100-100	Application contents.
WAC 490-100-105	Application to operate as agent of private vocational school.
WAC 490-100-110	Notice of actions by governmental entities or accrediting commissions—Change of circumstances.
WAC 490-100-120	Fees.
WAC 490-100-130	Financial standards.
WAC 490-100-135	Admissions standards.
WAC 490-100-140	Program standards.
WAC 490-100-150	Staff qualifications.
WAC 490-100-160	Facilities.
WAC 490-100-170	Equipment and materials.
WAC 490-100-180	Tuition recovery trust fund.
WAC 490-100-190	Prohibitions.

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WAC 490-100-200	Complaints.
WAC 490-100-205	Appeals.
WAC 490-100-208	Hearings.
WAC 490-100-210	Record retention.
WAC 490-100-220	School closing/change of status.
WAC 490-100-230	Declaratory rulings.
WAC 490-100-240	Declaratory rulings—Forms.
WAC 490-100-250	Degree-granting private vocational schools—Applicable rules.

**WSR 98-17-060  
PROPOSED RULES  
DEPARTMENT OF  
FINANCIAL INSTITUTIONS**

[Filed August 17, 1998, 8:53 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 98-14-070.

**Title of Rule:** Financial statements and reports, chapter 460-60A WAC.

**Purpose:** Pursuant to Executive Order 97-02 and the Securities Division's rules review plan, update chapter 460-60A WAC.

**Statutory Authority for Adoption:** RCW 21.20.450.

**Statute Being Implemented:** Chapter 21.20 RCW.

**Summary:** Amend WAC 460-60A-025 to grant the administrator the authority to require quarterly reports of certain issuers. Repeal WAC 460-60A-040 through 460-60A-055.

**Reasons Supporting Proposal:** WAC 460-60A-025 is overly broad as currently written. Quarterly reports are only necessary in certain circumstances, which the administrator may decide on a case-by-case basis. The sections to be repealed required reports that are no longer necessary for the division to accomplish its regulatory mission.

**Name of Agency Personnel Responsible for Drafting:** William M. Beatty, 210 11th Avenue S.W., Olympia, WA 98504, (360) 902-8760; **Implementation:** John L. Bley, 210 11th Avenue S.W., Olympia, WA 98504, (360) 902-8760; and **Enforcement:** Deborah R. Bortner, 210 11th Avenue S.W., Olympia, WA 98504, (360) 902-8760.

**Name of Proponent:** Department of Financial Institutions, Securities Division, governmental.

Rule is not necessitated by federal law, federal or state court decision.

**Explanation of Rule, its Purpose, and Anticipated Effects:** Amend WAC 460-60A-025 to grant the administrator the authority to require quarterly reports of certain issuers. Repeal WAC 460-60A-040 through 460-60A-055. WAC 460-60A-025 is overly broad as currently written. Quarterly reports are only necessary in certain circumstances, which the

administrator may decide on a case-by-case basis. The sections to be repealed required reports that are no longer necessary for the division to accomplish its regulatory mission. The proposed revisions to WAC 460-60A-025 will give the administrator sufficient authority to require reports in the appropriate circumstances.

**Proposal Changes the Following Existing Rules:** See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposal does not impose additional costs on business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Department of Financial Institutions is not one of the agencies listed in section 201.

**Hearing Location:** Department of Financial Institutions, Securities Division, Executive Conference Room, 210 11th Avenue S.W., Suite 300, Olympia, WA 98504, on September 24, 1998, at 10:00 a.m.

**Assistance for Persons with Disabilities:** Contact Darlene Christianson by September 18, 1998, TDD (360) 664-8126, or (360) 902-8760.

**Submit Written Comments to:** William M. Beatty, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, fax (360) 704-6923, e-mail bbeatty@dfi.wa.gov, by September 23, 1998.

**Date of Intended Adoption:** September 25, 1998.

August 17, 1998

John L. Bley

Director

**AMENDATORY SECTION** (Amending Order 304, filed 2/28/75, effective 4/1/75)

**WAC 460-60A-025 Quarterly reports required of certain issuers.** ~~((Quarterly reports will be submitted by all issuers who register by qualification and by those issuers who are filing pursuant to the Regulation A Exemption of the Federal Security Act. Copies of quarterly report forms are available upon request. Such reports are required only during the term of the offering.))~~ As a condition to registration pursuant to RCW 21.20.180 or 21.20.210, the administrator may require an issuer, whose securities are being offered and sold directly by or for its own account, to file quarterly reports during the term of the offering on a form specified by the administrator. Each filing shall be accompanied by the fee required by RCW 21.20.340 (5)(b).

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 460-60A-040	Reports after termination of public offerings.
WAC 460-60A-045	Annual reporting requirements of RCW 21.20.740.
WAC 460-60A-050	Contents of reports under RCW 21.20.740.

WAC 460-60A-055

Reports maintained—Time period required.

**WSR 98-17-064****WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed August 17, 1998, 10:59 a.m.]

Please withdraw WAC 388-508-0805, 388-509-0920, and 388-509-0960 which were proposed for permanent adoption under WSR 98-15-053 on July 10, 1998. These rules were repealed under WSR 98-16-050, which was filed for permanent adoption on July 31, 1998. The proposed changes have already been incorporated in WSR 98-16-044, which was filed for permanent adoption on July 31, 1998.

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**WSR 98-17-066****PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(Health and Rehabilitative Services Administration)

[Filed August 17, 1998, 11:05 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-09-093.

Title of Rule: WAC 440-26-010 Definitions, 440-26-210 Program requirements—Substance abuse testing, and 440-26-215 Program requirements—Clean card program.

Purpose: Establish rules allowing "clean card" program whereby employers who hire large numbers of employees for short-term work can eliminate repetitive preemployment drug testing and be eligible for certification in the worker compensation discount program. Amending definitions to include clean card program and random testing pool.

Statutory Authority for Adoption: RCW 49.82.130.

Statute Being Implemented: RCW 49.82.130.

Summary: Chapter 440-26 WAC requires a preemployment drug test for each new hire, a disincentive for the implementation of drug-free workplace programs by many employers who hire large numbers of workers for short-term work. The revision proposed in this rule would require (1) constitution of discreet groups of employers and any participating employee groups into identified clean card programs; (2) involvement of all clean card program employees in a random drug testing program; and (3) compliance of employers will [with] all other requirements of chapter 440-26 WAC. This will increase employer participation and labor support, and will further the goals and objectives of the program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Henry Govert, DASA, P.O. Box 45330, Olympia, 98504-5330, (360) 438-8092.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: The original chapter 440-26 WAC authorizes employers to receive a discount on their worker compensation premiums upon certification by DSHS that they have implemented a drug-free workplace program combining enumerated provisions. Among these are provisions that all new hires must have a preemployment drug test, paid for by the employer. This provision has proved to be a disincentive for employers, such as in the construction industry, who hire multiple short-term employees for specific projects, and has been seen as unnecessary and insulting to workers required to be tested often. The proposed rule would allow an exception in the form of a "clean card" program, whereby, following an initial negative preemployment test, deterrence to further alcohol or drug use would be provided by all the employees within the specified group being in a pool from which employees would be randomly selected for occasional drug testing. It is anticipated that upwards of one hundred fifty additional employers will apply for certification in the drug-free workplace discount program, thus helping promote the objectives of decreased employer costs through safer workplaces and increased employee health and welfare through rehabilitation.

Proposal Changes the Following Existing Rules: WAC 440-26-010 Definitions, is amended to add definitions of clean card program, random testing, and random testing pool. WAC 440-26-210 Program requirements—Substance abuse testing, is amended to allow exception of repeated preemployment testing for employees in clean card program.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Participation in the drug-free workplace discount program, including the clean card program, is voluntary for employers. Employers are not required to apply for the discount. For those employers who do, a minimal application fee (\$25 or \$50) has been set, at the suggestion of representatives of small business associations.

RCW 34.05.328 applies to this rule adoption. These rules meet the definition of a "significant legislative rule" and a cost benefit analysis has been prepared. To receive a copy, contact Henry Govert, Division of Alcohol and Substance Abuse, P.O. Box 45330, Olympia, WA 98504-5330, (360) 438-8092, fax (360) 438-8078.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 22, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by September 10, 1998, phone (360) 902-7540, TTY (360) 902-8324, e-mail pwall@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 902-8292, by September 22, 1998.

Date of Intended Adoption: September 29, 1998.

August 13, 1998

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 96-16-015, filed 7/25/96, effective 8/25/96)

**WAC 440-26-010 Definitions.** Unless the context clearly indicates otherwise, the definitions in this section apply throughout this chapter.

(1) "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

(2) "Alcohol test" means a chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of alcohol within an individual's body systems.

(3) "Clean card program" means a drug-free workplace program which allows employers with rotating groups of employees an alternative method of participating in the drug-free workplace discount program. In addition to the other requirements of this chapter, clean card programs require random testing instead of repetitive pre-employment testing.

(4) "Department" means the department of social and health services, division of alcohol and substance abuse.

~~((4))~~ (5) "Drug" means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any such substances.

~~((5))~~ (6) "Drug test" means a chemical, biological, or physical instrumental analysis administered on a specimen sample for the purpose of determining the presence or absence of a drug or its metabolites within the sample.

~~((6))~~ (7) "Drug-free workplace program" means a set of workplace-based policies and procedures designed to reduce workplace involvement with alcohol and other drugs, and increase safety, productivity, and worker health. For the purpose of these regulations, "drug-free workplace program" is synonymous with "substance abuse testing program" as used in chapter 127, Laws of 1996.

~~((7))~~ (8) "Employee" means a person who is employed for salary, wages, or other remuneration by an employer.

~~((8))~~ (9) "Employee assistance program" means a program designed to assist in the identification and resolution of job performance problems associated with employees impaired by personal concerns. A minimum level of core services must include: Consultation and professional, confidential, appropriate, and timely problem assessment services; short-term problem resolution; referrals for appropriate diagnosis, treatment, and assistance; follow-up and monitoring; employee education; and supervisory training. Any employee assistance program under this chapter must contain a two-year employee follow-up and monitoring component.

~~((9))~~ (10) "Employer" means an employer subject to Title 51 RCW but does not include the state or any department, agency, or instrumentality of the state; any county; any city; any school district or educational service district; any municipal corporation, or any self-insured employer.

~~((10))~~ (11) "Injury" means a sudden and tangible happening, of a traumatic nature, producing an immediate or prompt result and occurring from without, and such physical conditions as result therefrom.

~~((11))~~ (12) "Job applicant" means a person who has applied for employment with an employer and has been offered employment conditioned upon successfully passing a drug test and may have begun work pending the results of the drug test.

~~((12))~~ (13) "L & I" means the department of labor and industries.

~~((13))~~ (14) "Last-chance agreement" means a notice to an employee who is referred to the employee assistance program due to a verified positive alcohol or drug test or for violating an alcohol or drug-related employer rule that states the terms and conditions of continued employment with which the employee must comply.

~~((14))~~ (15) "Random testing" means a method of selecting employees for alcohol or drug testing through a scientifically valid method, such as computer-based generation of employee identification numbers, in which each employee has an equal chance of being chosen each time selections are made. Random testing is sometimes called "lottery" testing.

(16) "Random testing pool" means the total of all employees of the employers in a clean card program.

(17) "Rehabilitation program" means a chemical dependency treatment program approved by the department that is capable of providing expert identification, assessment, and treatment of employee drug or alcohol abuse in a confidential and timely service. Any rehabilitation program under this chapter must contain the capacity to provide a two-year continuing care component.

~~((15))~~ (18) "Substance abuse test" or "test" means a chemical, biological, or physical instrumental analysis administered on a specimen sample for the purpose of determining the presence or absence of a drug or its metabolites in a urine sample or of alcohol within a breath sample.

~~((16))~~ (19) "Verified positive test result" means a confirmed positive test result obtained by a laboratory meeting the standards specified in this chapter that has been reviewed and verified by a medical review officer in accordance with medical review officer guidelines promulgated by the United States Department of Health and Human Services.

~~((17))~~ (20) "Workers' compensation premium" means the medical aid fund premium and the accident fund premium under Title 51 RCW.

**AMENDATORY SECTION** (Amending WSR 96-16-015, filed 7/25/96, effective 8/25/96)

**WAC 440-26-210 Program requirements—Substance abuse testing.** (1) To be certified for the worker compensation premium discount, an employer shall provide a drug-free workplace program that includes substance abuse testing. In conducting substance abuse testing the program shall:

(a) Require all job applicants not enrolled in a clean card program as described in WAC 440-26-215 to submit to a drug test after extending a conditional offer of employment. The employer may use a refusal to submit to a drug test or a

verified positive test as a basis for not hiring the job applicant.

(b) Investigate each workplace injury that results in a worker needing off-site medical attention and require an employee to submit to drug and alcohol tests if the employer reasonably believes the employee has caused or contributed to an injury which resulted in the need for off-site medical attention. An employer need not require that an employee submit to drug and alcohol tests if a supervisor, trained in accordance with WAC 440-26-230, reasonably believes that the injury was due to the inexperience of the employee or due to a defective or unsafe product or working condition, or other circumstances beyond the control of the employee. Under this chapter, a first-time verified positive test result may not be used as a sole basis to terminate an employee's employment. However, nothing in this section prohibits an employee from being terminated for reasons other than the positive test result.

(c) Require employees referred to the employee assistance program as a result of a verified positive drug or alcohol test or an alcohol or drug-related incident in violation of employer rules to submit to drug and alcohol testing in conjunction with any recommended rehabilitation program. If the employee assistance program determines that the employee does not require treatment services, the employee shall still be required to participate in follow-up testing. However, if an employee voluntarily enters an employee assistance program, without a verified positive drug or alcohol test or a violation of any drug or alcohol related employer rule, follow-up testing is not required. If follow-up testing is conducted, the employer shall ensure the frequency of the testing is at least four times a year for a two-year period after completion of the rehabilitation program and advance notice of the testing date may not be given. A verified positive follow-up test result shall normally require termination of employment.

(2) This section does not prohibit an employer from conducting other drug or alcohol testing, such as upon reasonable suspicion or a random basis, although neither reasonable suspicion nor random testing is required under this chapter.

(3) Laboratory analysis of drug specimens, both initial and confirmatory, must be performed by laboratories approved either by the substance abuse and mental health administration, or the College of American Pathologists under the Forensic Urine Drug Testing program (FUDT).

(4) Specimen collection and substance abuse testing under this section must be performed in accordance with regulations and procedures approved by the United States Department of Health and Human Services and/or the United States Department of Transportation Regulations (~~(including)~~) as described in 49 C.F.R. Sec. 382.305 (1994). These regulations and procedures include:

(a) Cutoff levels for alcohol and drug testing; and

(b) Controlled substances for which testing must be done: marijuana, cocaine, amphetamines, opiates, and phencyclidine.

Employers may test for any drug listed in WAC 440-26-010(4).

Employers certified through a clean card program must also comply with department of transportation regulations regarding the selection process for random testing and conduct a minimum fifty percent annual random testing rate for controlled substances as described in 49 C.F.R. Sec. 382.305 (1994).

(5) Within five working days after receipt of a verified positive test result from the laboratory, an employer shall inform an employee or job applicant in writing of the positive test result, the consequences of the result, and the options available to the employee or job applicant, and shall furnish to the employee or job applicant, upon request, a copy of the test result.

(6) An employer shall pay the cost of all drug or alcohol tests that the employer requires of employees and job applicants under this chapter.

(7) An employee or job applicant shall pay the cost of additional tests not required by the employer.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

#### NEW SECTION

**WAC 440-26-215 Program requirements—How employers get certified through a clean card program.** Employers wishing to be certified for the drug-free workplace discount program through a clean card program must observe the application procedures in WAC 440-26-100. They must submit application materials to the department which include:

(1) A signed application form which contains an assurance of the employer's involvement in a clean card program;

(2) A statement that the employer's policy has been negotiated with employee unions where applicable; and

(3) A policy statement which, in addition to the other requirements of WAC 440-26-200, also includes:

(a) A requirement that:

(i) New employees either verify status in the clean card program, or submit to a pre-employment test; and

(ii) All company employees be subject to random testing.

(b) A description of the major provisions of the employer's clean card program.

**WSR 98-17-068**

**PROPOSED RULES**

**UTILITIES AND TRANSPORTATION  
COMMISSION**

[Commission Docket No. UT-970301—Filed August 17, 1998, 12:15 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-08-036.

Title of Rule: Amending rules relating to pay telephones and alternate operator services.

Purpose: To ensure continued consumer protection for Washington state consumers of pay phone and operator ser-

VICES, consistent with the requirements of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 276), and FCC orders 96-388, 96-439, 97-678, 97-805 and 98-9. To provide for a minimum standard of service and means for imposing restrictions that may be needed for public purposes.

Statutory Authority for Adoption: RCW 80.01.040(4), 80.04.160, 80.36.520.

Summary: The proposed rule amendments would require pay phone service providers and operator service providers to provide a consistent level of service; to comply on an intrastate level with the mandates of the recent federal orders. The rules would also preserve, to the extent possible, continued consumer protections in a largely-deregulated environment by measures including adequate disclosure to consumers at the pay phone itself, at the time of a call. Rules are also rewritten under standards set out in Executive Order 97-02.

Reasons Supporting Proposal: The rules recognize federal mandates lifting economic regulation from pay telephones and operator services. They are designed to delete provisions no longer applicable or unduly burdensome, to maintain a minimum level of service; to provide a means to obtain restrictions on service when needed for public purposes; to impose consumer protections through disclosure at the pay phone site and to inform consumers of their rights as pay phone users. The rules are also designed to reduce the level of bureaucratic involvement in this business to the minimum consistent with adequate consumer protection.

Name of Agency Personnel Responsible for Drafting: Suzanne Stillwell, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1103; Implementation and Enforcement: Carole Washburn, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, (360) 664-1174.

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Rule is necessary because of federal law, [47 U.S.C. Section 276].

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules and rule amendments would require each pay phone service provider and/or operator service provider to post consumer disclosures at each pay phone. The disclosure includes information essential for consumers to make appropriate choices about the use of a pay phone; and to inform consumers of their rights regarding use of a pay phone. For example, the rules require companies to disclose the amount of a local coin call; the amount for use of information services; any restrictions on the pay phone (such as limited to outgoing calls only); notice that the pay phone does not make change, if appropriate; the emergency number associated with the pay phone; etc. The rules also require access to certain services without charge (i.e., dial tone, emergency calling, TRS, and the operator). The rules also describe the process by which local authorities may limit or place restrictions on the use of pay phones.

This rule gives consumers clear information about pay phone use; it will provide without charge access to essential basic services such as emergency services; and ensures that appropriate processes are followed before restrictions are placed on pay phone services.

Proposal Changes the Following Existing Rules: The proposal would amend WAC 480-120-021 to update and add definitions. It would repeal current WAC 480-120-137, 480-120-142 and 480-120-143, and includes in amended WAC 480-120-138 and 480-120-141 the provisions from all five (repealed and amended sections) that remain current. It revises language for clarity and understanding, and it removes or lessens bureaucratic or enforcement requirements when doing so is consistent with consumer protection and federal regulatory requirements. Provisions for restricting service at pay telephones are clarified and made more simple when requested by a local government.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

As it Relates to Pay Phone and Operator Service Provider Rule Changes

Docket No. UT-970301

The Washington Utilities and Transportation Commission (commission) is proposing changes to the rules relating to pay phone and operator service providers. The need for the changes is due to the Telecommunications Act of 1996, Federal Communications Commission's (FCC) rules and policies, and the general procompetitive deregulatory framework which is now redefining the telecommunications industry.

The goal of the proposed rule is to make Washington's intrastate pay phone rules consistent with the FCC's rules, maintain appropriate consumer protections, and eliminate sections of the rules that are no longer necessary.

The impact of the proposed amendment is the one time expense of revising and replacing placards/instruction cards on pay phones.

Total costs	Small Company		Large Company	
	A	B	C	D
Costs of redesign, printing of instruction cards, labor to replace the cards.	\$300	\$10,000	\$26,150	\$20,000

Comparisons of Costs

By number of pay phones	Small Company		Large Company	
	A	B	C	D
No. of pay phones	50	1,500	17,000	4,650
Costs	\$300	\$10,000	\$26,150	\$20,000
Costs per pay phone	\$6	\$6.67	\$1.54	\$4.30

By number of employees	Small Company		Large Company	
	A	B	C	D
No. of employees	1	13	7,500	2,450
Costs	\$300	\$10,000	\$26,150	\$20,000
Costs per employee	\$300	\$769	\$3.49	\$8.16

Staff recognizes that there is a disproportionate impact on small business. The purpose for the requirement causing those costs, however, is accurate and timely public notice to consumers using pay phones.

Commission staff has considered and ruled out several possible mitigation alternatives. Less expensive placards are no solution because experience shows that they would not

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last. Extending replacement schedules would reduce the incremental cost of compliance, but would mean that incorrect information would be posted, and correct information not posted for extended periods is operating to the detriment of the public.

We have been unable to discover changes in the proposed rules to mitigate this impact on small business in ways that preserve notification to the public. The commission asks for suggestions during the comment period on how to mitigate the impact on small business.

A copy of the statement may be obtained by writing to Washington Utilities and Transportation Commission, Records Center, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, phone (360) 664-1234, fax (360) 586-1150.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 does not apply to the commission. This rule change is not a significant legislative rule as defined in this statute.

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on October 28, 1998, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Pat Valentine by October 26, 1998, TDD (360) 586-8203, or (360) 664-1133.

Submit Written Comments to: Carole J. Washburn, Secretary, P.O. Box 47250, Olympia, WA 98504, or e-mail to <records@wutc.wa.gov>, fax (360) 586-1150, by September 18, 1998. Please include the Docket No. UT-970301 in your communication.

Date of Intended Adoption: October 28, 1998.

August 17, 1998  
Terrance Stapleton  
for Carole J. Washburn  
Secretary

**AMENDATORY SECTION** (Amending Order R-384, Docket No. UT-921192, filed 2/26/93, effective 3/29/93)

**WAC 480-120-021 Glossary.** Access line - a circuit between a subscriber's point of demarcation and a serving switching center. Access code - sequence of numbers that, when dialed, connect the caller to the provider of operator services associated with that sequence.

Aggregator - is referenced in these rules as a call aggregator, defined below.

~~Alternate operator services company - ((any corporation, company, partnership, or person other than a local exchange company providing a connection to intrastate or interstate long distance or to local services from locations of call aggregators. The term "operator services" in this rule means any intrastate telecommunications service provided to a call aggregator location that includes as a component any automatic or live assistance to a consumer to arrange for billing or completion, or both, of an intrastate telephone call through a method other than: Automatic completion with billing to the telephone from which the call originated; or completion through an access code used by the consumer with billing to~~

~~an account previously established by the consumer with the carrier)) is referenced in these rules as an operator service provider (OSP), defined below.~~

Applicant - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., applying to the utility for new service or reconnection of discontinued service.

Automatic dialing-announcing device - any automatic terminal equipment which incorporates the following features:

- (1)(a) Storage capability of numbers to be called; or
- (b) A random or sequential number generator that produces numbers to be called; and
- (c) An ability to dial a call; and
- (2) Has the capability, working alone or in conjunction with other equipment, of disseminating a prerecorded message to the number called.

Automatic location identification/data management system (ALI/DMS) - ALI/DMS is a feature that forwards to the public safety answering point (PSAP) a caller's telephone number, the name and service address associated with the telephone number, and supplementary information as defined in the DMS for automatic display at the PSAP. The DMS is a combination of manual procedures and computer programs used to create, store, manipulate, and update data required to provide selective routing, ALI, emergency service numbers, and other information associated with the calling party's telephone number.

Billing agent - a person such as a clearing house which facilitates billing and collection between a carrier and an entity such as a local exchange company which presents the bill to and collects from the consumer.

Base rate area or primary rate area - the area or areas within an exchange area wherein mileage charges for primary exchange service do not apply.

Call aggregator - ((~~any corporation, company, partnership, or person, who, in the ordinary course of its operations, makes telephones available ((for intrastate service)) to the public or to users of its premises for telephone calls using a provider of operator services, including but not limited to hotels, motels, hospitals, campuses, and pay ((telephones)) phones (see also pay phone service provider).~~

Centrex - a telecommunications service providing a subscriber with direct inward dialing to telephone extensions and direct outward dialing from them.

Central office - a switching unit in a telephone system having the necessary equipment and operating arrangements for terminating and interconnecting subscribers' lines, farmer lines, toll lines and interoffice trunks. (More than one central office may be located in the same building or in the same exchange.)

Commission (agency) - in a context meaning a state agency, the Washington utilities and transportation commission.

Commission (financial) - in a context referring to compensation for telecommunications services, a payment from an AOS company to an aggregator based on the dollar volume of business, usually expressed as a percentage of tariffed message toll charges.

Competitive telecommunications company - a telecommunications company which is classified as such by the commission pursuant to RCW 80.36.320.

Competitive telecommunications service - a service which is classified as such by the commission pursuant to RCW 80.36.330.

Consumer - user not classified as a subscriber.

Customer premises equipment (CPE) - telecommunications terminal equipment, including inside wire, located at a subscriber's premises on the subscriber's side of the standard network interface/point of demarcation (excluding pay telephones provided by the serving local exchange company).

Emergency calling - the ability to access emergency services by dialing 911, or dialing a local number to police and/or fire where 911 is not available, without the use of a coin or the entering of charge codes. Where enhanced 911 is operational, the address displayed to the public safety answering point (PSAP) shall be that of the phone instrument if different from the public access line demarcation point and the phone number must be that of the pay phone.

Exchange - a unit established by a utility for communication service in a specific geographic area, which unit usually embraces a city, town or community and its environs. It usually consists of one or more central offices together with the associated plant used in furnishing communication service to the general public within that area.

Exchange area - the specific area served by, or purported to be served by an exchange.

Farmer line - outside plant telephone facilities owned and maintained by a subscriber or group of subscribers, which line is connected with the facilities of a telecommunications company for switching service. (Connection is usually made at the base rate area boundary.)

Farmer station - a telephone instrument installed and in use on a farmer line.

Foreign exchange service - a communications exchange service that uses a private line to connect a subscriber's local central office with a distant central office in a community outside the subscriber's local calling area.

Interexchange telecommunications company - a telecommunications company, or division thereof, that does not provide basic local service.

Interoffice facilities - facilities connecting two or more telephone switching centers.

Local coin call - a connection within the local calling area of not less than fifteen minutes.

Location surcharge - a flat, per-call charge assessed by an (~~alternate operator services company~~) operator service provider (OSP) on behalf of a call aggregator/pay phone service provider in addition to message toll charges, local call charges, and operator service charges. A location surcharge is remitted, in whole or in part, to the call (~~aggregator customer~~) aggregator/pay phone service provider.

Operator service charge - a charge, in addition to the message toll charge or local call charge, assessed for use of a calling card, a credit card, or for automated or live operator service in completing a call.

Operator service provider (OSP) - any corporation, company, partnership, or person providing a connection to intrastate or interstate long-distance or to local services from

locations of call aggregators. The term "operator services" in this rule means any intrastate telecommunications service provided to a call aggregator location that includes as a component any automatic or live assistance to a consumer to arrange for billing or completion, or both, of an intrastate telephone call through a method other than: Automatic completion with billing to the telephone from which the call originated; or completion through an access code used by the consumer with billing to an account previously established by the consumer with the carrier.

Outside plant - the telephone equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights-of-way between the central office and subscribers' locations or between central offices.

Pay phone or pay telephone - any telephone made available to the public on either a fee-per-call basis, independent of any other commercial transaction, for the purpose of making telephone calls, whether the telephone is coin-operated or is activated by calling collect or using a calling card.

Pay phone access line, public access line, pay telephone access line, pay station service, pay phone service (PAL) - is referenced in these rules as an access line, see above.

Pay phone services - access to local exchange or interexchange service, or access to an operator service provider via a telephone instrument that is available to the public.

Pay phone service provider (PSP) - any corporation, company, partnership, or person who owns or operates and makes pay phones available to the public.

Presubscribed provider of operator services - the provider of operator services to which the consumer is connected when a call is placed without dialing an access code.

Person - unless the context indicates otherwise, any natural person or an entity such as a corporation, partnership, municipal corporation, agency, or association.

Private branch exchange (PBX) - customer premises equipment installed on the subscriber's premises that functions as a switch, permitting the subscriber to receive incoming calls, to dial any other telephone on the premises, to access a tie trunk leading to another PBX or to access an outside trunk to the public switched telephone network.

Private line - a dedicated, nonswitched telecommunications channel provided between two or more points.

Public safety answering point (PSAP) - an answering location for enhanced 911 (E-911) calls originating in a given area. PSAPs are designated as a primary or secondary. Primary PSAPs receive E-911 calls directly from the public; secondary PSAPs receive E-911 calls only on a transfer or relay basis from the primary PSAP. Secondary PSAPs generally serve as centralized answering locations for a particular type of emergency call.

Reverse search of ALI/DMS data base - a query of the automatic location identification (ALI/DMS) data base initiated at the public safety answering point (PSAP) to obtain electronically the ALI data associated with a known telephone number for purposes of handling an emergency call when the searched telephone line is not connected to the PSAP.

Special circuit - an access line specially conditioned to give it characteristics suitable for handling special or unique services.

Standard network interface (SNI) - the point of interconnection between telecommunications company communications facilities and terminal equipment, protective apparatus, or wiring at a subscriber's premises. The network interface or demarcation point is located on the subscriber's side of the telecommunications company's protector, or the equivalent thereof in cases where a protector is not employed.

Station - a telephone instrument installed for the use of a subscriber to provide toll and exchange service.

Subscriber - any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., supplied with service by any utility.

Toll station - a telephone instrument connected for toll service only and to which message telephone toll rates apply for each call made therefrom.

Trunk - a single or multichannel telecommunications medium between two or more switching entities which may include a PBX.

Utility - any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any telephone plant within the state of Washington for the purpose of furnishing telephone service to the public for hire and subject to the jurisdiction of the commission.

AMENDATORY SECTION (Amending Order R-422, Docket No. UT-940049, filed 9/22/94, effective 10/23/94)

**WAC 480-120-138 ((Pay telephones—Local and intrastate)) Pay phone service providers (PSPs).** ((Every telecommunications company operating an exchange within the state of Washington may allow pay telephones to be connected to the company's network for purposes of interconnection and use of registered devices for local and intrastate communications. Every such telecommunications company offering such service shall file tariffs with the commission setting rates and conditions applicable to the connection of pay telephones to the local and intrastate network under the following terms and conditions. Local exchange companies that do not have a public access line tariff on file with the commission shall not be subject to these rules.

For purposes of these rules "pay telephone" is defined as equipment connected to the telephone network in one of the following modes:

(a) Coin operated: A telephone capable of receiving nickels, dimes, and quarters to complete telephone calls. Credit card or other operator assisted billing may be used from a coin operated instrument.

(b) Coinless: A pay telephone where completion of calls, except emergency calls, must be billed by an alternative billing method such as credit card, calling cards, collect, third party billing, or billed in connection with the billing of meals, goods, and/or services. These pay phones include, but are not limited to, charge a call, cordless, tabletop, and credit card stations. The term does not include in room telephones provided by hotels, motels, hospitals, campuses or similar facilities for the use of guests or residents.

For purposes of these rules, the term "subscriber" is defined as a party requesting or using a public access line for

the purpose of connecting a pay telephone to the telephone network.

(1) Pay telephones connected to the company network must comply with Part 68 of the Federal Communications Commission rules and regulations and the National Electric Code and National Electric Safety Code as they existed on January 1, 1991, and must be registered with the Federal Communications Commission, or installed behind a coupling device which has been registered with the Federal Communications Commission.

(2) All pay telephones shall provide dial tone first to assure emergency access to operators without the use of a coin.

(3) The caller must be able to access the operator and 911 where available without the use of a coin.

(4) The charge for each directory assistance call paid by the consumer shall not exceed the prevailing per call charge for comparable directory assistance. In the absence of persuasive contrary evidence, the charge of U S WEST Communications for intraLATA directory assistance or AT&T for interLATA directory assistance shall be accepted as the prevailing charge. A location surcharge is not permitted.

(5) Emergency numbers (e.g., operator assistance and 911) must be clearly posted on each pay telephone.

(6) Information consisting of the name, address, telephone number of the owner, or the name of the owner and a toll free telephone number where a caller can obtain assistance in the event the pay telephone malfunctions in any way, and procedures for obtaining a refund from the subscriber must be displayed on the front of the pay telephone.

The following information shall also be posted on or adjacent to the telephone instrument:

(a) The method by which the consumer may obtain without charge an accurate quotation of rates, fees and surcharges; and

(b) The notices required by WAC 480-120-141(4).

In no case will the charges to the user exceed the quoted costs.

(7) The telephone number of the pay telephone must be displayed on each instrument.

(8) The subscriber shall ensure that the pay telephone is compatible for use with hearing aids and its installation complies with all applicable federal, state, and local laws and regulations concerning the use of telephones by disabled persons.

(9) The pay telephone, if coin operated, must return the coins to the caller in the case of an incomplete call and must be capable of receiving nickels, dimes, and quarters. Local exchange company pay telephones shall not be subject to the requirements of this subsection.

(10) All pay telephones must provide access to all inter-exchange carriers where such access is available. If requested by the subscriber, the local exchange company providing the public access line shall supply, where available, (a) restriction which prevents fraud by selective blocking of 10XXX 1+ codes and (b) call screening to identify the line as one to which charges may not be billed, at appropriate tariffed rates.

(11) Except for service provided to hospitals, libraries, or similar public facilities in which a telephone ring might cause undue disturbance, or upon written request of a law enforce-



ment agency, coin-operated pay telephones must provide two-way service, and there shall be no charge imposed by the subscriber for incoming calls. This subsection will not apply to pay telephones arranged for one-way service and in service on May 1, 1990. Should an existing one-way service be disconnected, change telephone number, or change financial responsibility, the requirements of this subsection shall apply. All pay telephones confined to one-way service shall be clearly marked on the front of the instrument.

(12) Pay telephones shall be connected only to public access lines in accordance with the approved tariffs offered by the local exchange company. Local exchange company pay telephones are not subject to this requirement.

(13) A subscriber must order a separate pay telephone access line for each pay telephone installed. Extension telephones may be connected to a pay telephone access line when the instrument:

(a) Prevents origination of calls from the extension station; and

(b) Prevents third-party access to transmission from either the extension or the pay telephone instrument.

Local exchange companies are exempted from (b) of this subsection.

(14) Credit card-operated pay telephones shall clearly identify all credit cards that will be accepted.

(15) Involuntary changes in telephone numbers upon conversion of pay telephones from local exchange company-owned to privately owned pay telephones are prohibited.

(16) No fee shall be charged for nonpublished numbers on a public access line.

(17) Cordless and tabletop pay telephones shall not be connected to the telephone network except under the following conditions:

(a) The bill for usage is tendered to the user before leaving the premises where the bill was incurred or alternatively billed at the customer's request; and

(b) The user is notified verbally or on the instrument that privacy on cordless and tabletop telephones is not guaranteed; and

(c) When other electrical devices are equipped with filters, as necessary, to prevent interference with the pay telephone.

(18) Violations of the tariff, commission rules pertaining to pay telephone service, or other requirements contained in these rules, including interexchange carrier access requirements, will subject the pay telephone to disconnection of service as follows. When the local exchange company becomes aware of a violation, prior to disconnection of service, it shall immediately send written notification to the subscriber outlining all deficiencies. If any deficiency is not corrected within five days from the date of written notification to the subscriber, the local exchange company shall discontinue service. Prior to effecting the disconnection of service, the local exchange company shall make two bona fide attempts to reach the subscriber by telephone to advise the subscriber of the impending disconnection. WAC 480-120-081 shall not apply to such disconnections. The local exchange company shall ensure that any costs associated with the field visits for public access lines services be recovered from the subscriber of the public access line service in question.

It shall be the responsibility of every local exchange company to assure that any subscriber taking service pursuant to these rules and to tariffs filed pursuant to these rules meets all of the terms and conditions contained within these rules and the tariffs so filed. It shall be the duty of the local exchange company to enforce the terms and conditions contained herein.

It shall be the responsibility of the local exchange company to provide free of charge one current telephone directory each year for each public access line. It shall be the responsibility of the subscriber to make a reasonable effort to assure a current directory is available at every pay telephone location.

Public access lines will be charged at rates according to the relevant tariff as approved by the commission.

(19) Disconnection of, or refusal to connect, a pay telephone for violation of these rules may be reviewed by the commission in a formal complaint under WAC 480-09-420(5) through an adjudicative or a brief adjudicative proceeding under the provisions of chapters 34.05 RCW and 480-09 WAC.) (1) **General.** This section sets out the standards applicable to providing pay phone service in the state of Washington. All pay phone service providers (PSPs) must comply with this and all other rules relating to pay phone services.

Every local exchange company within the state of Washington must allow pay phones to be connected to its network, and must file a tariff or price list with the commission to include the rates and conditions applicable to providing service to pay phones via its network.

The absence in these rules of specific ADA requirements and other local, state or federal requirements does not excuse PSPs from compliance with those requirements.

**(2) Registration and application of rules.**

(a) Pay phone service providers (PSPs) operating a pay phone within the state of Washington must register by:

(i) Submitting a master business application to the master license service, department of licensing; and

(ii) Obtaining a unified business identifier (UBI) number. A PSP that already has a UBI number need not reapply.

(b) Except where pay phone services or PSPs are specifically referenced, the rules of general applicability to public service companies or telecommunications companies do not apply to pay phone services. This does not exempt pay phone service providers from rules applicable to remedies or sanctions for violations of rules applicable to PSP operations.

(3) **Access.** Pay phones must provide access to:

(a) Dial tone;

(b) Emergency calling;

(c) Operator;

(d) Telecommunications relay service calls for the hearing impaired;

(e) All available subscriber toll-free services; and

(f) All available interexchange carriers, including the local exchange company.

Access to services (a) through (e) of this subsection, must be provided at no charge to the calling party.

(4) **Disclosure - What must be posted.** The following information must be clearly and legibly posted on or near the

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front of the pay phone, and must not be obstructed by advertising or otherwise:

(a) The rate for local calls, including any restrictions on the length of calls. Clear and legible posting of the rate can be accomplished by using 30 point or larger type print, or contrasting color;

(b) The rate for presubscribed directory assistance calls. If the rate is different for intraLATA and interLATA directory assistance, both rates must be posted;

(c) Notice that the pay phone does not make change, if applicable;

(d) The emergency number (911);

(e) The name, address, phone number, and unified business identifier (UBI) number of the owner or operator;

(f) A without-charge number to obtain assistance if the pay phone malfunctions, and procedures for obtaining a refund;

(g) The name, address, and without-charge number of all presubscribed operator service providers, as registered with the commission. This information must be updated within thirty days of a change in the OSP.

(h) Notice to callers that they can access other long distance carriers;

(i) The phone number including area code of the pay phone. When the pay phone is in an area that has had an area code change, that area code change must be promptly reflected on the pay phone within thirty days of the initial area code conversion;

(j) In contrasting colors, the commission compliance number for consumer complaints, to include the following information: "If you have a complaint about service from this pay phone and are unable to resolve it with the pay phone owner or operator, please call the commission at 1-888-333-WUTC (9882) (the commission's current toll-free number); and

(k) Placarding shall be in place within sixty days after the effective date of an applicable rule change.

#### **(5) Operation and functionality.**

(a) The pay phone, if coin operated, must return coins to the caller in the case of an incomplete call and must be capable of receiving nickels, dimes, and quarters.

(b) Pay phone keypads must include both numbers and letters.

(c) A PSP must order a separate pay phone access line (PAL) for each pay phone installed. The commission may waive this requirement if a company demonstrates that technology accomplishes the same result as one to one ratio by means other than through a PAL, that the service provided to consumers is fully equivalent, and that all emergency calling requirements are met. This PAL must pass the appropriate screening codes to the connecting carrier to indicate that the call is originating from a pay phone.

(d) Extension telephones may be connected to a pay phone access line for the purpose of monitoring emergency use only. An extension phone must be activated only when 911 is dialed from the pay phone, and the extension phone must be equipped with a "push to talk" switch or other mechanism to prevent inadvertent interruption of the caller's conversation with the public safety answering point. The pay

phone must be clearly labeled to indicate that "911 calls are monitored locally."

(e) Cordless and tabletop pay phones may be connected to the telephone network only when the bill is presented to the user before leaving the premises where the bill was incurred, unless the consumer requests that the call be alternatively billed.

(f) The pay phone may not restrict the number of digits or letters that may be dialed.

(g) Pay phones may provide credit-only service, or coin and credit service.

(h) Pay phones must provide two-way service, and there must be no charge imposed by the PSP for incoming calls. Exceptions are allowed for service provided to hospitals and libraries to outgoing only service where a telephone ring might cause undue disturbance, and the exceptions set forth in subsection (6) of this section pertaining to criminal or illicit activity. Each pay phone confined to one-way service must be clearly marked on or near the front of the pay phone.

**(6) Restrictions.** A PSP must limit the operational capabilities of pay phones only when directed by the commission. The commission may direct such limitations upon request of local governing jurisdictions (or other governmental agencies) in their efforts to prevent or limit criminal or illicit activities. Restrictions may include, but are not limited to, blocking of incoming calls, limiting touch tone capabilities and coin restriction during certain hours.

Requests for a commission order directing the restriction of a pay phone (or pay phones in a certain geographic area) must be made by petition to the commission for waiver of this subsection to allow one or more specific restrictions and for an order directing restriction of the phone. The petition may be made on a form provided by the commission. The petition must include a request for the restriction signed by an agent of the local government jurisdiction in which the pay phone is located who has authority from the jurisdiction to submit the request and must state the jurisdiction's reasons for the request.

The petitioner must serve a copy of the petition on the pay phone service provider no later than the date the petition is filed with the commission. The petitioner must post a notice prominently visible at the pay phone(s) of the proposed restriction, no later than the day it is filed with the commission, and maintain it at the location until the commission acts on the petition. The notice must explain what is proposed and how to file an objection to the petition with the commission. The PSP must be notified of the petition and may comment on it. The petition is for an administrative, and not an adjudicative, decision and will be processed administratively.

If no objection is made by any person or by commission staff within the thirty-day comment period, the commission will enter an order directing the restriction. If an objection is filed, the commission will hear the petition after notice to the objector and the petitioner.

Once restrictions are in place at the telephone, the PSP must post on or near each pay phone so limited, in legible and prominent type, a description of each limitation in effect, times when the restrictions will be in effect, and the name and without-charge number of the governmental agency that rec-

ommended the restriction so the consumer may place complaints about the restrictions.

(7) Telephone directories. The provider of the pay phone access line must furnish without charge one current telephone directory each year for each pay phone access line (PAL).

The PSP must ensure that a current directory is available at every pay phone.

(8) Malfunctions and rule violations. Malfunctions of the pay phone, or rule violations reported to the repair/refund number or the commission, must be corrected within five days.

(9) Complaints and disputes. Complaints and disputes regarding pay phone service providers shall be treated in accordance with WAC 480-120-101.

AMENDATORY SECTION (Amending Order R-430, Docket No. UT-950134, filed 4/28/95, effective 5/29/95)

WAC 480-120-141 ((Alternate operator services.) Operator service providers (OSPs). ((All telecommunications companies providing alternate operator services (AOS), as defined in WAC 480-120-021, shall comply with this and all other rules relating to telecommunications companies not specifically waived by order of the commission.

(1) Each alternate operator services company shall maintain, revise and provide to the commission upon request a current list of operator services customers which it serves and the locations and telephone numbers to which such service is provided to each customer. A customer list provided pursuant to this rule is proprietary information and, if identified when filed as required in WAC 480-09-015, is subject to the protections of that rule.

(2) Each AOS company is responsible for assuring that each of its customers complies fully with contract and tariff provisions which are specified in this rule. Failure to secure compliance constitutes a violation by the AOS company.

(a) The AOS company shall withhold on a location-by-location basis the payment of compensation, including commissions, from a call aggregator, if the AOS company reasonably believes that the call aggregator is blocking access to interexchange carriers in violation of these rules.

(b) Violations of tariff, contract or other statements of conditions of service, in commission rules pertaining to AOS company service, or of other requirements contained in these rules, including interexchange carrier access requirements, will subject an aggregator to termination of alternate operator services as follows. When the AOS becomes aware of a violation, prior to disconnection of service, it shall immediately send written notification to the aggregator outlining all deficiencies. If any deficiency is not corrected within five days from the date of written notification to the aggregator, the AOS shall terminate service. Prior to effecting the termination of service, the AOS company shall make two bona fide attempts to reach the subscriber by telephone to advise the subscriber of the impending termination. WAC 480-120-081 shall not apply to such terminations.

(c) AOS company actions in furtherance of this rule may be reviewed by the commission in a formal complaint under WAC 480-09-420 through an adjudicative or a brief adjudicative proceeding under the provisions of chapters 34.05 RCW and 480-09-WAC.

(d) An AOS company shall refuse to provide operator services to a call aggregator who the commission has found to have knowingly and repeatedly violated commission rules regarding the provision of alternate operator service until the commission has found that the call aggregator will comply with relevant law and rule.

(3) For purposes of this section, "consumer" means the party initiating and/or paying for an interexchange or local call. "Customer" means the call aggregator, i.e., the hotel, motel, hospital, prison, campus, pay telephone, etc., contracting with an AOS for service.

(4) An alternate operator services company shall require, as a part of any contract with its customer and as a term and condition of service stated in its tariff, that the customer:

(a) Post on the telephone instrument in plain view of anyone using the telephone, in eight point or larger **Stymie Bold** type, the information provided in the following notice:

SERVICE ON THIS INSTRUMENT MAY BE PROVIDED AT RATES THAT ARE HIGHER THAN NORMAL. YOU HAVE THE RIGHT TO CONTACT THE OPERATOR FOR INFORMATION REGARDING CHARGES BEFORE PLACING YOUR CALL. INSTRUCTIONS FOR REACHING YOUR PREFERRED CARRIER ARE ALSO AVAILABLE FROM THE OPERATOR.

(b) Post and maintain in legible condition on or near the telephone:

(i) The name, address, and without charge number of the alternate operator services company, as registered with the commission;

(ii) Dialing directions so that a consumer may reach the AOS operator without charge to receive specific rate information; and

(iii) Directions to allow the consumer to reach the consumer's preferred carrier and to make it clear that the consumer has access to the other providers.

(c) Provide access from every instrument to 1-800 services and all available interexchange carriers; and

(d) Shall post, on or near the instrument, a notice stating whether a location surcharge or any other fee is imposed for telecommunications access through the instrument, the amount of any fee or location surcharge, and the circumstances when it will apply.

(e) Posting under these rules shall begin no later than October 1, 1991, and shall be completed no later than January 31, 1992. In the interim, posting in compliance with the immediate prior posting provisions of WAC 480-120-141 is required and shall constitute compliance with this rule.

(5) The alternate operator services company shall:

(a) Identify the AOS company providing the service audibly and distinctly at the beginning of every call, and again before the call is connected, including an announcement to the called party on calls placed collect.

(i) For purposes of this rule the beginning of the call is no later than immediately following the prompt to enter billing information on automated calls and, on live and automated operator calls, when the call is initially routed to the operator.

(ii) The message used by the AOS company shall state the name of the company as registered with the commission whenever referring to the AOS company. Terms such as "company," "communications," "incorporated," "of the northwest," etc., when not necessary to clear consumer identification of the entity providing service may be omitted when authorized by letter from the secretary of the commission.

(iii) The consumer shall be permitted to terminate the telephone call at no charge before the call is connected.

(iv) The AOS company shall immediately, upon request, and at no charge to the consumer, disclose to the consumer:

(A) A quote of the rates or charges for the call, including any surcharge;

(B) The method by which the rates or charges will be collected; and

(C) The methods by which complaints about the rates, charges, or collection practices will be resolved.

(b) Provide to the local exchange company such information as may be necessary for billing purposes, as well as an address and toll-free telephone number for consumer inquiries.

(c) Reoriginate calls to another carrier upon request and without charge, when equipment is in place which will accomplish reorigination with screening and allow billing from the point of origin of the call. If reorigination is not available, the AOS company shall give dialing instructions for the consumer's preferred carrier.

(d) Assure that a minimum of ninety percent of all calls shall be answered by the operator within ten seconds from the time the call reaches the carrier's switch.

(e) Maintain adequate facilities in all locations so the overall blockage rate for lack of facilities, including as pertinent the facilities for access to consumers' preferred interexchange carriers, does not exceed one percent in the time consistent busy hour. Should excessive blockage occur, it shall be the responsibility of the AOS company to determine what caused the blockage and take immediate steps to correct the problem. This subsection does not apply to blockage during unusually heavy traffic, such as national emergency, local disaster, holidays, etc.

(6) The alternate operator services company shall assure that persons are not billed for calls which are not completed. For billing purposes, calls shall be itemized, identified, and rated from the point of origination to the point of termination. No call shall be transferred to another carrier by an AOS which cannot or will not complete the call, unless the call can be billed in accordance with this subsection.

(7) For purposes of emergency calls, every alternate operator services company shall have the following capabilities:

(a) Automatic identification at the operator's console of the location from which the call is being made;

(b) Automatic identification at the operator's console of the correct telephone numbers of emergency service providers that serve the telephone location, including but not limited to, police, fire, ambulance, and poison control;

(c) Automatic ability at the operator's console of dialing the appropriate emergency service with a single keystroke;

(d) Ability of the operator to stay on the line with the emergency call until the emergency service is dispatched.

No charge shall be imposed on the caller by the telephone company or the alternate operator services company for the emergency call.

If the alternate operator services company does not possess these capabilities, all calls in which the consumer dials zero (0) and no other digits within five seconds shall be routed directly to the local exchange company operator, or to an entity fully capable of complying with these requirements. AOS companies lacking sufficient facilities to provide such routing shall cease operations until such time as the requirements of this section are met.

(8) Complaints and disputes shall be treated in accordance with WAC 480-120-101, Complaints and disputes.

(9) Charges billed to a credit card company (e.g., American Express or Visa) need not conform to the call detail requirements of this section. However, the AOS shall provide specific call detail in accordance with WAC 480-120-106 upon request.

(10) "Public convenience and advantage"; surcharges; variable rates.

(a) For services, public convenience and advantage means at a minimum that the provider of alternate operator services offers operator services which equal or exceed the industry standards in availability, technical quality and response time and which equal or exceed industry standards in variety or which are particularly adapted to meet unique needs of a market segment. In the absence of other persuasive evidence, a demonstration that operator service equals or exceeds that provided by US WEST Communications for intraLATA services or AT&T for interLATA services will be accepted as demonstrating public convenience and advantage.

(b) Charges no greater than those prevailing charges in the relevant market—~~intraLATA or interLATA~~—will be accepted as demonstrating that charges are for the public convenience and advantage. In the absence of persuasive contrary evidence, \$0.25 higher per call than AT&T daytime charges for intraLATA and interLATA service will be accepted as the prevailing charges.

(c) Surcharges; variable rates. No location surcharge may be added to without charge calls nor to a charge for directory assistance. No tariff may provide for rate levels which vary at the option of a call aggregator, provided, that an aggregator may waive application of the surcharge to calls from its instruments, and provided further, that an AOS company may establish a tariff rate for high cost locations if the conditions for application of the rate confine it to locations with substantially higher than average operating costs.

(11) Rates to the consumer for the provision of alternate operator services, including directory assistance, shall not exceed the prevailing rates for such services in the relevant market—~~intraLATA or interLATA~~—unless need for the excess to produce rates which are fair, just and reasonable is demonstrated to the satisfaction of the commission. In the absence of persuasive contrary evidence, \$0.25 higher per call than AT&T daytime charges for intraLATA and interLATA service will be considered the prevailing rate.

(12) Fraud prevention.

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(a) A company providing interexchange telecommunications service may not bill a call aggregator for charges billed to a line for calls which originated from that line through the use of 10XXX+0; 10XXX+01; 950 XXXX; or 1-800 access codes, or when the call originating from that line otherwise reached an operator position, if the originating line subscribed to outgoing call screening and the call was placed after the effective date of the outgoing call screening order.

(b) A company providing interexchange telecommunications service may not bill to a call aggregator any charges for collect or third number billed calls, if the line serving to which the call was billed was subscribed to incoming call screening and the call was placed after the effective date of the call screening service order.

(c) Any calls billed through the local exchange carrier in violation of subparagraphs (a) or (b) above must be removed from the call aggregator's bill by the local exchange company upon identification. If investigation by the local exchange company determines that the pertinent call screening was operational when the call was made, the local exchange company may return the charges for the call to the interexchange telecommunications company as not billable.

(d) Any call billed directly by an alternate operator service company, or through a billing method other than the local exchange company, which is billed in violation of subparagraphs (a) and (b), above, must be removed from the call aggregator's bill. The telecommunications company providing the service may request an investigation by the local exchange company. If the local exchange company, after investigation, determines that call screening which would have protected the call, which is offered by the LEC and was subscribed to by the call aggregator, was not operational at the time the call was placed, the AOS company shall bill the LEC for the call.) (1) **General.** This section gives information to operator service providers (OSPs) that provide operator services from pay phones and other aggregator locations within Washington. All telecommunications companies providing operator services (both live and automated) must comply with this and all other rules relating to telecommunications companies not specifically waived by order of the commission. The absence in these rules of specific ADA requirements and other local, state or federal requirements does not excuse OSPs from compliance with those requirements.

(a) Each operator service provider (OSP) must maintain a current list of the customers it serves in Washington and the locations and telephone numbers where the service is provided.

(b) No OSP shall provide service to a PSP that is not fully in compliance with the rules.

(c) For purposes of this section, "consumer" means the party initiating and/or paying for a call using operator services. In collect calls, both the originating party and the party on the terminating end of the call are consumers. "Customer" means the call aggregator or pay phone service provider, i.e., the hotel, motel, hospital, correctional facility/prison, or campus, contracting with an OSP for service.

(2) **Disclosure.**

(a) **What must be posted.** The following information must be clearly and legibly posted on or near the front of a

pay phone, and must not be obstructed by advertising or other messages:

(i) The name, address, and without-charge number of all presubscribed operator service providers, as registered with the commission. This information must be updated within thirty days after a change of OSPs;

(ii) Notice to consumers that they can access other long distance carriers;

(iii) In contrasting colors, the commission compliance number for consumer complaints, to include the following information: "If you have a complaint about service from this pay phone and are unable to resolve it with the pay phone owner or operator or operator service provider, please call the commission at 1-888-333-WUTC (9882)"; and

(iv) Placarding as a result of rule changes shall be in place within sixty days after the effective date of the rule change.

(b) **Verbal disclosure of rates.** Before an operator-assisted call from an aggregator location may be connected by a presubscribed OSP, the OSP must verbally advise the consumer how to receive a rate quote, such as by pressing a specific key or keys, but no more than two keys, or by staying on the line. This message must precede any further verbal information advising the consumer how to complete the call, such as to enter the consumer's calling card number. This rule applies to all calls from pay phones or other aggregator locations, including prison phones, and store-and-forward pay phones or "smart" telephones. After hearing an OSP's message, a consumer may waive their right to obtain specific rate quotes for the call they wish to make by choosing not to press the key specified in the OSP's message to receive such information or by hanging up. The rate quoted for the call must include any applicable surcharge. Charges to the user must not exceed the quoted rate.

(3) **Access.** Pay phones must provide access to:

(a) Dial tone;

(b) Emergency calling;

(c) Operator;

(d) Telecommunications relay service calls for the hearing impaired;

(e) All available subscriber toll-free services; and

(f) All available interexchange carriers, including the local exchange company.

Access to services (a) through (e) of this subsection, must be provided at no additional charge to the calling party.

(4) **Branding.** The operator service provider must:

(a) Identify the OSP providing the service audibly and distinctly at the beginning of every call, including an announcement to the called party on calls placed collect.

(b) Ensure that the beginning of the call is no later than immediately following the prompt to enter billing information on automated calls and, on live and automated operator calls, when the call is initially routed to the operator.

(c) State the name of the company as registered with the commission (or its registered "doing business as" name) whenever referring to the OSP. Terms such as "company," "communications," "incorporated," "of the northwest," etc., may be omitted when not necessary to identify clearly the OSP.

(5) **Billing.** The operator service provider must:

(a) Provide to the billing company applicable call detail necessary for billing purposes, as well as an address and toll free telephone number for consumer inquiries.

(b) Ensure that consumers are not billed for calls that are not completed. For billing purposes, calls must be itemized, identified, and rated from the point of origination to the point of termination. No call may be transferred to another carrier by an OSP unless the call can be billed from the point of origin of the call.

(c) Charges billed to a credit card need not conform to the call detail requirements of this section. However, the OSP must provide specific call detail in accordance with WAC 480-120-106, Form of bills, upon request.

(6) Operational capabilities. The operator service provider must:

(a) Answer at least ninety percent of all calls within ten seconds from the time the call reaches the carrier's switch.

(b) Maintain adequate facilities in all locations so the overall blockage rate for lack of facilities, including as pertinent the facilities for access to consumers' preferred interexchange carriers, does not exceed one percent in the time-consistent busy hour. Should excessive blockage occur, it is the responsibility of the OSP to determine what caused the blockage and take immediate steps to correct the problem.

(c) Offer operator services that equal or exceed the industry standards in availability, technical quality, response time, and that also equal or exceed industry standards in variety or are particularly adapted to meet unique needs of a market segment.

(d) Reoriginate calls to another carrier upon request and without charge when the capability to accomplish reorigination with screening and allow billing from the point of origin of the call, is in place. If reorigination is not available, the OSP must give dialing instructions for the consumer's preferred carrier.

(7) Emergency calls. For purposes of emergency calls, every OSP must have the following capabilities:

(a) Be able to transfer the caller into the appropriate E-911 system and to the public safety answering point (PSAP) serving the location of the caller with a single keystroke from the operator's console, to include automatic identification of the exact location and address from which the call is being made;

(b) Have the ability for the operator to stay on the line with the emergency call until the PSAP representative advises the operator that they are no longer required to stay on the call; and

(c) Be able to provide a without-charge number for direct access to public safety answering points should additional information be needed when responding to a call for assistance from a phone utilizing the provider's services. That emergency contact information must not be considered proprietary.

**(8) Fraud protection.**

(a) A company providing telecommunications service may not bill a call aggregator for the following:

(i) Charges billed to a line for calls which originated from that line through the use of carrier access codes (i.e., 10XXX+0, 10XXX+01, 950-XXXX), toll-free access codes, or when the call originating from that line otherwise reached

an operator position, if the originating line subscribed to outgoing call screening or pay phone specific ANI coding digits and the call was placed after the effective date of the outgoing call screening or pay phone specific ANI coding digits order; or

(ii) Collect or third-number billed calls, if the line serving the call that was billed had subscribed to incoming call screening (also termed billed number screening) and the call was placed after the effective date of the call screening service order.

(b) Any calls billed through the access line provider in violation of subsection (1) or (2) of this section must be removed from the call aggregator's bill by the access line provider. If investigation by the access line provider determines that the pertinent call screening or pay phone specific ANI coding digits was operational when the call was made, the access line provider may return the charges for the call to the telecommunications company as not billable.

(c) Any call billed directly by an OSP, or through a billing method other than the access line provider, which is billed in violation of subsections (1) and (2) of this section, must be removed from the call aggregator's bill. The telecommunications company providing the service may request an investigation by the access line provider. If the access line provider determines that call screening or pay phone specific ANI coding digits (which would have protected the call) was subscribed to by the call aggregator and was not operational at the time the call was placed, the OSP must bill the access line provider for the call.

(9) Enforcement. Operator service providers are subject to all pertinent provisions of law.

(a) Suspension. The commission may suspend the registration of any company providing operator services if the company fails to meet minimum service levels or fails to provide disclosure to consumers of protection available under chapter 80.36 RCW and pertinent rules.

(i) Suspension may be ordered following notice and opportunity for hearing as provided in RCW 80.04.110 and the procedural rules of the commission.

(ii) No operator service provider may operate while its registration is suspended.

(iii) Except as required by federal law, no provider of pay phone access line service may provide service to any operator service provider whose registration is suspended.

(b) Penalty. The commission may assess a penalty as provided in RCW 80.36.522 and 80.36.524, upon any company providing operator services if the company fails to meet minimum service levels or fails to provide disclosure to consumers of protection available under chapter 80.36 RCW.

(c) Alternatives. The commission may take any other action regarding a provider of operator services as authorized by law.

(d) Complaints. Complaints and disputes will be treated in accordance with WAC 480-120-101.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 480-120-137	Customer-owned pay tele- phones—Interstate.
WAC 480-120-142	Alternate operator services— Enforcement.
WAC 480-120-143	Local service to aggregators.

**WSR 98-17-072**

**WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

(By the Code Reviser's Office)

[Filed August 18, 1998, 8:52 a.m.]

WAC 388-76-561, proposed by the Department of Social and Health Services in WSR 98-04-032 appearing in issue 98-04 of the State Register, which was distributed on February 18, 1998, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 98-17-073**

**WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF ECOLOGY**

(By the Code Reviser's Office)

[Filed August 18, 1998, 8:53 a.m.]

WAC 173-202-020, proposed by the Department of Ecology in WSR 98-04-021 appearing in issue 98-04 of the State Register, which was distributed on February 18, 1998, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor  
Washington State Register

**WSR 98-17-078**

**PROPOSED RULES  
DEPARTMENT OF  
LABOR AND INDUSTRIES**

[Filed August 18, 1998, 10:45 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 98-11-075.

Title of Rule: Chapter 296-305 WAC, Safety standards for fire fighters and chapter 296-24 WAC, Part G-2, Fire protection.

Purpose: General safety and health standards, chapter 296-24 WAC and Safety standards for fire fighters, chapter 296-305 WAC.

Federal-initiated amendments relating to the above-referenced standards are proposed for adoption as a result of an OSHA letter dated December 9, 1997. Upon federal review, the state standard was found to be "not-at-least-as-effective-as" the federal rule in several relatively minor areas. These federal-initiated proposed amendments will not establish additional compliance requirements beyond what is necessary to ensure that the state standard is "at-least-as-effective-as" the federal standard.

The state is also proposing state-initiated amendments for clarity and to correct housekeeping errors, which will not establish additional compliance requirements. The proposed amendments are "at-least-as-effective-as" the federal standard.

Amended section WAC 296-24-58503 Scope, application and definitions applicable, federal-initiated proposed amendments are made to:

- Change the definition of "fire brigade" to make it identical and consistent with the proposed definition of "Industrial fire brigade" in chapter 296-305 WAC, Safety standards for fire fighters.

Amended section WAC 296-24-58505 Fire brigades, federal-initiated proposed amendments are made to:

- Clarify the scope of this section to avoid misinterpretation or confusion with the scope of chapter 296-305 WAC, Safety standards for fire fighters.

Amended section WAC 296-305-01003 Scope and application, federal-initiated proposed amendments are made to:

- Clarify the scope of this section to avoid misinterpretation or confusion with the scope of chapter 296-24 WAC, Part G-2, Fire protection (fire brigades).

Amended section WAC 296-305-01005 Definitions, federal-initiated proposed amendments are made to:

- Modify the definition of "Industrial fire brigade" to make it at-least-as-effective-as the federal standard.
- Modify the definition of "Initial stage (initial action)" for clarification.

Amended section WAC 296-305-01509 Management's responsibility, federal-initiated proposed amendments are made to:

- Clarify that employers must assure that employees are physically capable to do interior structural fire fighting.

Amended section WAC 296-305-02001 Personal protective equipment and protective clothing, state-initiated proposed amendments are made to:

- Update NFPA references.
- Subsection (7)(e), this language is proposed to be deleted because there are no specific proximity protection requirements for SCBA in NFPA, and because it may not be possible for fire departments to comply with the second sentence of this subdivision. The language proposed for deletion reads, "Where the SCBA is worn over or outside the proximity protective garment, the fire department shall inform the member of the potential high levels of radiant heat that may result in the failure of the SCBA. The fire department shall require additional approved radiant reflective criteria, including but not limited to a protective cover, for the expected proximity fire fighting exposures when the SCBA is worn over or outside the proximity protective garment."

Amended section WAC 296-305-02003 Eye and face protection, federal-initiated proposed amendments are made to:

- Clarify that all eye and face protection shall meet the requirements of ANSI Z87.1.

Amended section WAC 296-305-02007 Hand protection, state-initiated proposed amendments are made to:

- Update an NFPA reference.

Amended section WAC 296-305-02013 Foot protection for structural fire fighting, state-initiated proposed amendments are made to:

- Update an NFPA reference.

Amended section WAC 296-305-02015 Head protection, state-initiated proposed amendments are made to:

- Update an NFPA reference.

Amended section WAC 296-305-04001 Respiratory equipment protection, state-initiated proposed amendments are made to:

- Correct housekeeping errors.

- Reorder and reformat this section for better organization of information and clarity.

Amended section WAC 296-305-04501 Automotive fire apparatus design and construction, state-initiated proposed amendments are made to:

- Update CFR references.

Amended section WAC 296-305-04503 Automotive fire apparatus equipment, state-initiated proposed amendments are made to:

- Allow the employer options on hose loading operations.

- Provide clarification on the scope of the requirement that all persons riding on a fire apparatus shall be seated and secured while the vehicle is in motion. The proposed amendment states that members actively performing necessary emergency medical care while the vehicle is in motion shall be restrained to the extent consistent with the effective provision of such emergency care.

Amended section WAC 296-305-05001 Emergency fire-ground operations—Structural, state-initiated proposed amendments are made to:

- Clarify the requirements during the "initial stage" of a structural fire.

Amended section WAC 296-305-05007 Trench rescue operations, state-initiated proposed amendments are made to:

- Add the words "trench rescue" that were inadvertently left out of the previous proposal.

Amended section WAC 296-305-05009 Watercraft rescue operations, state-initiated proposed amendments are made to:

- Change the approved personal flotation device (PFD) from a Type II to a Type III. A Type III PFD has the same minimum buoyancy as a Type II PFD.

Amended section WAC 296-305-06005 Ground ladders, state-initiated proposed amendments are made to:

- Add clarifying language relating to the procedures for strength service testing.

Amended section WAC 296-305-06007 Electrical, state-initiated proposed amendments are made to:

- Correct an error relating to appropriately sized plugs and sockets. This was inadvertently left out of the previous proposal.

Statutory Authority for Adoption: RCW 49.17.040.

Statute Being Implemented: RCW 49.17.010, [49.17].050, [49.17].060.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is necessary because of federal law, 29 C.F.R. 1910, et al.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Regulatory Fairness Act, chapter 19.85 RCW, requires that the economic impact of proposed regulations be analyzed in relation to small business. Preparation of a small business economic impact statement is required when a proposed rule has the potential of placing a more than minor economic impact on business. "Small business" includes a business entity that has the purpose of making a profit and has fifty or fewer employees.

The proposed amendments apply to fire fighting organizations in Washington state which are nonprofit. Therefore, by definition, a small business economic impact statement is not required. In addition, because the proposed amendments adopt federal regulations and national consensus codes by reference without material change, correct typographical errors, and clarify language without changing its effect, the small business economic impact statement is not required.

If a small business economic impact statement is not required, the department must "file a statement citing, with specificity, the federal statute or regulation with which the rule is being adopted to conform or comply, and describing the consequences to the state if the rule is not adopted" (RCW 19.85.061). The Occupational Safety and Health Administration (OSHA) determined the state standard was not-as-effective-as 29 C.F.R. 1910.133, 155, and 156. If the state does not adopt these rules it would be in violation of the OSHA Act of 1970, 29 U.S.C. Sec. 657 and 667 and RCW 49.17.050 which require Washington's safety and health regulations to be at-least-as-effective-as OSHA's. As a result, OSHA may decertify the state's program.

RCW 34.05.328 does not apply to this rule adoption. Significant rule-making criteria does not apply to these rule amendments because they meet the exempt criteria outlined in RCW 34.05.328 (5)(b)(iii) and (iv). Significant rule-making criteria does not apply when adopting federal regulations without material change, or when adopting rules to correct information that is housekeeping in nature (typographical errors, address/name changes, or clarification of rule language without changing its effect). The C.F.R. cites for the



federal changes in this proposal are 29 C.F.R. 1910.133, 155, and 156.

Hearing Location: Department of Labor and Industries Building, Auditorium, 7273 Linderson Way, Tumwater, WA, on September 22, 1998, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Linda Dausener by September 8, 1998, at (360) 902-5516.

Submit Written Comments to: Tracy Spencer, Standards Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98507-4620, by 5:00 p.m. on September 30, 1998. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: December 15, 1998.

August 18, 1998

Gary Moore  
Director

**AMENDATORY SECTION** (Amending WSR 95-22-015, filed 10/20/95, effective 1/16/96)

**WAC 296-24-58503 Scope, application and definitions applicable.** (1) Scope. This section contains requirements for fire brigades, and all portable and fixed fire suppression equipment, fire detection systems, and fire or employee alarm systems installed to meet the fire protection requirements of this chapter.

(2) Application. This section applies to all employments except for maritime, construction and agriculture.

(3) Definitions applicable to this section.

(a) "After-flame," means the time a test specimen continues to flame after the flame source has been removed.

(b) "Aqueous film forming foam (AFFF)," means a fluorinated surfactant with a foam stabilizer which is diluted with water to act as a temporary barrier to exclude air from mixing with the fuel vapor by developing an aqueous film on the fuel surface of some hydrocarbons which is capable of suppressing the generation of fuel vapors.

(c) "Approved," means acceptable to the director under the following criteria:

(i) If it is accepted, or certified, or listed, or labeled or otherwise determined to be safe by a nationally recognized testing laboratory; or

(ii) With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency and found in compliance with the provisions of the applicable National Fire Protection Association Fire Code; or

(iii) With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director; and

(iv) For the purposes of (c) of this subsection:

(A) Equipment is listed if it is of a kind mentioned in a list which is published by a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and which states that such equipment

meets nationally recognized standards or has been tested and found safe for use in a specified manner;

(B) Equipment is labeled if there is attached to it a label, symbol, or other identifying mark of a nationally recognized testing laboratory which makes periodic inspections of the production of such equipment and whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner;

(C) Equipment is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes;

(D) Equipment is certified if it has been tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner or is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and if it bears a label, tag, or other record of certification; and

(E) Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(d) "Automatic fire detection device," means a device designed to automatically detect the presence of fire by heat, flame, light, smoke or other products of combustion.

(e) "Buddy-breathing device," means an accessory to self-contained breathing apparatus which permits a second person to share the same air supply as that of the wearer of the apparatus.

(f) "Carbon dioxide," means a colorless, odorless, electrically nonconductive inert gas (chemical formula CO<sub>2</sub>) that is a medium for extinguishing fires by reducing the concentration of oxygen or fuel vapor in the air to the point where combustion is impossible.

(g) "Class A fire," means a fire involving ordinary combustible materials such as paper, wood, cloth, and some rubber and plastic materials.

(h) "Class B fire," means a fire involving flammable or combustible liquids, flammable gases, greases and similar materials, and some rubber and plastic materials.

(i) "Class C fire," means a fire involving energized electrical equipment where safety to the employee requires the use of electrically nonconductive extinguishing media.

(j) "Class D fire," means a fire involving combustible metals such as magnesium, titanium, zirconium, sodium, lithium and potassium.

(k) "Dry chemical," means an extinguishing agent composed of very small particles of chemicals such as, but not limited to, sodium bicarbonate, potassium bicarbonate, urea-based potassium bicarbonate, potassium chloride, or monoammonium phosphate supplemented by special treatment to provide resistance to packing and moisture absorption (caking) as well as to provide proper flow capabilities. Dry chemical does not include dry powders.

(l) "Dry powder," means a compound used to extinguish or control Class D fires.

(m) "Education," means the process of imparting knowledge or skill through systematic instruction. It does not require formal classroom instruction.

(n) "Enclosed structure," means a structure with a roof or ceiling and at least two walls which may present fire hazards to employees, such as accumulations of smoke, toxic gases and heat similar to those found in buildings.

(o) "Extinguisher classification," means the letter classification given an extinguisher to designate the class or classes of fire on which an extinguisher will be effective.

(p) "Extinguisher rating," means the numerical rating given to an extinguisher which indicates the extinguishing potential of the unit based on standardized tests developed by Underwriters' Laboratories, Inc.

~~(q) ("Fire brigade," (private fire department, industrial fire department) means an organized group of employees who are knowledgeable, trained, and skilled in at least basic fire fighting operations.~~

~~(r)) "Fixed extinguishing system," means a permanently installed system that either extinguishes or controls a fire at the location of the system.~~

~~((s)) (r) "Flame resistance," is the property of materials, or combinations of component materials, to retard ignition and restrict the spread of flame.~~

~~((t)) (s) "Foam," means a stable aggregation of small bubbles which flow freely over a burning liquid surface and form a coherent blanket which seals combustible vapors and thereby extinguishes the fire.~~

~~((u)) (t) "Gaseous agent," is a fire extinguishing agent which is in the gaseous state at normal room temperature and pressure. It has low viscosity, can expand or contract with changes in pressure and temperature, and has the ability to diffuse readily and to distribute itself uniformly throughout an enclosure.~~

~~((v)) (u) "Halon 1211," means a colorless, faintly sweet smelling, electrically nonconductive liquefied gas (chemical formula CBrClF<sub>2</sub>) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromochlorodifluoromethane.~~

~~((w)) (v) "Halon 1301," means a colorless, odorless, electrically nonconductive gas (chemical formula CBrF<sub>3</sub>) which is a medium for extinguishing fires by inhibiting the chemical chain reaction of fuel and oxygen. It is also known as bromotrifluoromethane.~~

~~((x)) (w) "Helmet," is a head protective device consisting of a rigid shell, energy absorption system and chin strap intended to be worn to provide protection for the head or portions thereof, against impact, flying or falling objects, electric shock, penetration, heat and flame.~~

~~((y)) (x) "Incipient stage fire," means a fire which is in the initial or beginning stage and which can be controlled or extinguished by portable fire extinguishers, Class II standpipe or small hose systems without the need for protective clothing or breathing apparatus.~~

(y) Industrial fire brigade: An organized group of employees whose primary employment is other than fire fighting who are knowledgeable, trained and skilled in specialized operations based on site-specific hazards present at a single commercial facility or facilities under the same management.

(z) "Inspection," means a visual check of fire protection systems and equipment to ensure that they are in place, charged, and ready for use in the event of a fire.

(aa) "Interior structural fire fighting," means the physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage.

(bb) "Lining," means a material permanently attached to the inside of the outer shell of a garment for the purpose of thermal protection and padding.

(cc) "Local application system," means a fixed fire suppression system which has a supply of extinguishing agent, with nozzles arranged to automatically discharge extinguishing agent directly on the burning material to extinguish or control a fire.

(dd) "Maintenance," means the performance of services on fire protection equipment and systems to assure that they will perform as expected in the event of a fire. Maintenance differs from inspection in that maintenance requires the checking of internal fitting, devices and agent supplies.

(ee) "Multipurpose dry chemical," means a dry chemical which is approved for use on Class A, Class B and Class C fires.

(ff) "Outer shell," is the exterior layer of material on the fire coat and protective trousers which forms the outermost barrier between the fire fighter and the environment. It is attached to the vapor barrier and liner and is usually constructed with a storm flap, suitable closures, and pockets.

(gg) "Positive-pressure breathing apparatus," means self-contained breathing apparatus in which the pressure in the breathing zone is positive in relation to the immediate environment during inhalation and exhalation.

(hh) "Predischage employee alarm," means an alarm which will sound at a set time prior to actual discharge of an extinguishing system so that employees may evacuate the discharge area prior to system discharge.

(ii) "Quick disconnect valve," means a device which starts the flow of air by inserting of the hose (which leads from the facepiece) into the regulator of self-contained breathing apparatus, and stops the flow of air by disconnection of the hose from the regulator.

(jj) "Sprinkler alarm," means an approved device installed so that any waterflow from a sprinkler system equal to or greater than that from single automatic sprinkler will result in an audible alarm signal on the premises.

(kk) "Sprinkler system," means a system of piping designed in accordance with fire protection engineering standards and installed to control or extinguish fires. The system includes an adequate and reliable water supply, and a network of specially sized piping and sprinklers which are interconnected. The system also includes a control valve and a device for actuating an alarm when the system is in operation.

(ll) "Standpipe systems:"

(i) "Class I standpipe system," means a two and one-half-inch (6.3 cm) hose connection for use by fire departments and those trained in handling heavy fire streams.

(ii) "Class II standpipe system," means a one and one-half-inch (3.8 cm) hose system which provides a means for the control or extinguishment of incipient stage fires.

(iii) "Class III standpipe system," means a combined system of hose which is for the use of employees trained in the use of hose operations and which is capable of furnishing effective water discharge during the more advanced stages of fire (beyond the incipient stage) in the interior of workplaces. Hose outlets are available for both one and one-half-inch (3.8 cm) and two and one-half-inch (6.3 cm) hose.

(iv) "Small hose system," means a system of hose ranging in diameter from five-eighths-inch (1.6 cm) up to one and one-half-inch (3.8 cm) which is for the use of employees and which provides a means for the control and extinguishment of incipient stage fires.

(mm) "Total flooding system," means a fixed suppression system which is arranged to automatically discharge a predetermined concentration of agent into an enclosed space for the purpose of fire extinguishment or control.

(nn) "Training," means the process of making proficient through instruction and hands-on practice in the operation of equipment, including respiratory protection equipment, that is expected to be used in the performance of assigned duties.

(oo) "Vapor barrier," means that material used to prevent or substantially inhibit the transfer of water, corrosive liquids and steam or other hot vapors from the outside of a garment to the wearer's body.

**AMENDATORY SECTION** (Amending Order 81-32, filed 12/24/81)

**WAC 296-24-58505 Fire brigades.** Scope and application.

(1) Scope. This section applies only to fire brigades and contains requirements for the organization, training and required personal protective equipment of fire brigades whenever they are established by an employer.

(2) Application. The requirements of this section apply to fire brigades, industrial fire departments and private or contractual type fire departments. Personal protective equipment requirements apply only to members of fire brigades performing interior structural fire fighting. The requirements of this section do not apply to airport crash rescue or forest fire fighting operations.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-01003 Scope and application.** (1) The rules of this chapter shall apply with respect to any and all activities, operations and equipment of employers and employees involved in providing fire protection services which are subject to the provisions of the Washington Industrial Safety and Health Act of 1973 (chapter 49.17 RCW).

(2) The provisions of this chapter apply to all fire fighters and their work places, including the fire combat scene. Although enforcement of applicable standards will result from provable violations of these standards at the fire combat scene, agents of the department will not act in any manner that will reduce or interfere with the effectiveness of the emergency response of a fire fighting unit. Activities directly related to the combating of a fire will not be subjected to the immediate restraint provisions of RCW 49.17.130.

(3) In the development of this document many consensus standards of the industry were considered and evaluated as to adaptability to the Washington state fire service industry. Where adaptable and meaningful, the fire fighter safety elements of these standards were incorporated into this WAC. Chapter 296-305 WAC, shall be considered as the fire fighter safety standards for the state of Washington.

(4) The provisions of this chapter cover existing requirements that apply to all fire departments. All fire departments shall have in place their own policy statement and operating instructions that meet or exceed these requirements. This chapter contains state and/or federal performance criteria that fire departments shall meet.

(5) Unless specifically stated otherwise by rule, if a duplication of regulations, or a conflict exists between the rules regulating wildland fire fighting and other rules in the chapter, only the rules regulating wildland fire fighting shall apply to wildland fire fighting activities and equipment.

(6) The provisions of this chapter shall be supplemented by the provisions of the general safety and health standards of the department of labor and industries, chapters 296-24 (including Part G-2, Fire protection) and 296-62 WAC. In the event of conflict between any provision(s) of this chapter and any provision(s) of the general safety and health standards, the provision(s) of this chapter shall apply.

(7) The provisions of this standard do not apply to industrial fire brigades, as defined in this chapter. Industrial fire brigades are covered under the provisions of chapter 296-24 WAC, Part G-2, Fire protection.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-01005 Definitions.** Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

**Accident:** An unexpected event that interrupts or interferes with the orderly progress of the fire department operations and may or may not include personal injury or property damage.

**Accountability system:** A system of fire fighter accountability that provides for the tracking and inventory of all members.

**ACGIH:** American Conference of Governmental Industrial Hygienists.

**Aerial ladder:** A ladder mounted on top of an apparatus, hydraulic or pneumatic controlled.

**Aerial tower:** Telescopic elevating platform or water tower assembly usually with a ladder on top of the section.

**Aerial platform:** A device consisting of two or more booms or sections with a passenger carrying platform assembly.

**ANSI:** American National Standards Institute.

**Apparatus:** A mobile piece of fire equipment such as a pumper, aerial, tender, automobile, etc.

**Approved:**

(1) A method, equipment, procedure, practice, tool, etc., which is sanctioned, consented to, confirmed or accepted as good or satisfactory for a particular purpose or use by a person, or organization authorized to make such a judgment.

(2) Means approved by the director of the department of labor and industries or his/her authorized representative: *Provided, however,* That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as

Underwriters' Laboratories or the Bureau of Mines, the provisions of chapter 296-24 WAC, Part A-1, shall apply.

**Audiogram:** A chart, graph, or table resulting from an audiometric test showing an individual's hearing threshold levels as a function of frequency.

**Authorized person:** A person approved or assigned by the employer to perform a specific type of duty or duties or to be at a specific location or locations at the job site.

**Beacon:** A flashing or rotating light.

**Bloodborne pathogens:** Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

**Blowup (wildfire):** Sudden increase in fire intensity or rate of spread sufficient to preclude direct control or to upset existing control plans. Often accompanied by violent convection and may have other characteristics of a fire storm.

**Chemical-protective clothing:** Items made from chemical-resistive materials, such as clothing, hood, boots, and gloves, that are designed and configured to protect the wearer's torso, head, arms, legs, hands, and feet from hazardous materials. Chemical-protective clothing (garments) can be constructed as a single, or multi-piece, garment. The garment may completely enclose the wearer either by itself or in combination with the wearer's respiratory protection, attached or detachable hood, gloves, and boots.

**Chief:** The employer representative highest in rank who is responsible for the fire department's operation.

**Combat scene:** The site where the suppression of a fire or emergency exists.

**Confinement:** Those procedures taken to keep a material in a defined or local area.

**Confined space:** Means a space that:

- (1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and
- (2) Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry.); and
- (3) Is not designed for continuous employee occupancy.

**Containment:** The actions taken to keep a material in its container (e.g. stop the release of the material or reduce the amount being released.)

**Contaminated:** The presence or the reasonably anticipated presence of nuisance materials foreign to the normal atmospheres, blood, hazardous waste, or other potentially infectious materials on an item or surface.

**Contaminated laundry:** Laundry which has been soiled with blood or other potentially infectious materials or may contain contaminated sharps.

**Contamination:** The process of transferring a hazardous material from its source to people, animals, the environment, or equipment, which may act as a carrier.

**dBA:** A measure of noise level expressed as decibels measured on the "A" scale.

**Deck pipe:** A permanently mounted device which delivers a large stream of water.

**Decontamination:**

(1) The physical or chemical process of reducing and preventing the spread of contamination from persons or equipment used at a hazardous materials incident.

(2) The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

**Department:** Department of labor and industries.

**Director of fire department:** The chief or principle administrator of the fire department.

**Director:** The director of the department of labor and industries, or his/her designated representative.

**Disinfection:** A procedure which inactivates virtually all recognized pathogenic microorganisms, but not necessarily all microbial forms (example: bacterial endospores) on inanimate objects.

**Drill tower:** A structure which may or may not be attached to the station and which is principally used for training fire fighters in fire service techniques.

**Driver:** A person having satisfactorily completed the fire department's "requirements of driver" of a specific piece of fire apparatus.

**Emergency:** A sudden and unexpected event calling for immediate action.

**Emergency incident:** A specific emergency operation.

**Emergency medical care:** The provision of treatment to, and/or transportation of, patients which may include first-aid, cardiopulmonary resuscitation, basic life support, advanced life support, and other medical procedures that occur prior to arrival at a hospital or other health care facility.

**Emergency operations:** Activities of the fire department relating to rescue, fire suppression, emergency medical care, and special operations, including response to the scene of an incident and all functions performed at the scene.

**Employee:** An employee of an employer who is employed in the business of his/her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is their personal labor for an employer under this chapter whether by way of manual labor or otherwise. Also see "Member."

**Employer:** Any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations.

**Employer representative:** A fire department officer authorized by the chief or director of the fire department to act in his/her behalf.

**Engine (pumper):** A piece of apparatus equipped with hose and a pump for the purpose of supplying water under pressure through hose lines.

**Engineering control:** Any procedure other than an administrative control that reduces exposures by modifying

the source or reducing the exposure to an individual. Examples of engineering controls include the use of isolation, containment, encapsulation, sound absorbing materials for noise control, and ventilation.

**Explosion proof equipment:** Equipment enclosed in a case that is capable of withstanding an explosion or a specified gas or vapor which may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and which operates at such an external temperature that it will not ignite a surrounding flammable atmosphere.

**Fastest means available:** The (nearest-closest) telephone, portable radio, mobile radio, telephone/radio dispatcher or any other mode of mechanical communication.

**Fire apparatus:** A fire department emergency vehicle used for rescue, fire suppression, or other specialized functions.

**Fire boat:** A fire department watercraft having a permanent, affixed fire fighting capability.

**Fire combat training:** Training received by fire fighters on the drill ground, drill tower, or industrial site to maintain the fire fighter's proficiency.

**Fire department:** An organization providing any or all of the following: Rescue, fire suppression, and other related activities. For the purposes of this standard the term "Fire Department" shall include any public, private, or military organization engaging in this type of activity.

**Fire department facility:** Any building or area owned, operated, occupied, or used by a fire department on a routine basis. This does not include locations where a fire department may be summoned to perform emergency operations or other duties, unless such premises are normally under the control of the fire department.

**Fire department safety officer:** The member of the fire department assigned and authorized as the principal safety officer to perform the duties and responsibilities specified in this standard.

**Fire fighter:** A member of a fire department whose duties require the performance of essential fire fighting functions or substantially similar functions.

**Fire retardant:** Any material used to reduce, stop or prevent the flame spread.

**Fly:** Extendible sections of ground or aerial ladders.

**Foot stand, ladder:** Devices attached to inside of beams of ladders that when folded down, provide foot space.

**Ground jack:** Heavy jacks attached to frame of chassis of aerial-equipped apparatus to provide stability when the aerial portion of the apparatus is used.

**Ground mobile attack:** The activities of wildland fire fighting with hose lines being used by personnel working around a moving engine. See mobile attack.

**Guideline:** An organizational directive that establishes a standard course of action.

**Halyard:** Rope used on extension ladders for the purpose of raising or lowering fly section(s). A wire cable may be referred to as a halyard when used on the uppermost fly section(s) of three or four section extension ladders.

**Hazard communication program:** A procedure to address comprehensively the issue of evaluating the potential

hazards of chemicals and communicating information concerning hazards and appropriate protective measures to employees. See chapter 296-62 WAC, Part C, Hazard Communications.

**Hazardous area:** The immediate area where members might be exposed to a hazard.

**Hazardous atmosphere:** Any atmosphere, either immediately or not immediately dangerous to life or health, which is oxygen deficient or which contains a toxic or disease-producing contaminant.

**Hazardous condition:** The physical condition or act which is causally related to accident occurrence. The hazardous condition is related directly to both the accident type and the agency of the accident.

**Hazardous material:** A substance (solid, liquid, or gas) that when released is capable of creating harm to people, the environment, and property.

**Hazardous substances:** Substances that present an unusual risk to persons due to properties of toxicity, chemical activity, corrosivity, etiological hazards of similar properties.

**HEPA filtration:** High efficiency particulate air filtration found in vacuum system capable of filtering 0.3 micron particles with 99.97% efficiency.

**Hose bed:** Portion of fire apparatus where hose is stored.

**Hose tower:** A vertical enclosure where hose is hung to dry.

**Hot zone:** Area immediately surrounding a hazardous materials incident, which extends far enough to prevent adverse effects from hazardous materials releases to personnel outside the zone. This zone is also referred to as the exclusion zone or the restricted zone in other documents.

**Identify:** To select or indicate verbally or in writing using recognized standard terms. To establish the identity of; the fact of being the same as the one described.

**IDLH:** Immediately dangerous to life and health.

**Imminent hazard (danger):** An act or condition that is judged to present a danger to persons or property and is so immediate and severe that it requires immediate corrective or preventative action.

**Incident commander:** The person in overall command of an emergency incident. This person is responsible for the direction and coordination of the response effort.

**Incident command system (ICS):** A system that includes: Roles, responsibilities, operating requirements, guidelines and procedures for organizing and operating an on-scene management structure.

**Incipient (phase) fire:** The beginning of a fire; where the oxygen content in the air has not been significantly reduced and the fire is producing minute amounts of water vapor, carbon dioxide, carbon monoxide and other gases; the room has a normal temperature and can be controlled or extinguished with a portable fire extinguisher or small hose, e.g., a kitchen fire.

**Industrial fire brigade:** An organized group of employees whose primary employment is other than fire fighting(±) who are knowledgeable, trained and skilled in ((the safe evacuation of employees during emergency situations, and in assisting in fire fighting operations)) specialized

operations based on site-specific hazards present at a single commercial facility or facilities under the same management.

**Initial stage (initial action):** Shall encompass the control efforts taken by resources which are first to arrive at an incident (~~(requiring immediate action to prevent or mitigate the loss of life or serious injury to citizenry and fire fighters)~~).

**Injury:** Physical damage suffered by a person that requires treatment by a practitioner of medicine (a physician, nurse, paramedic or EMT) within one year of the incident regardless of whether treatment was actually received.

**Life safety or rescue rope:** Rope dedicated solely for the purpose of constructing lines for supporting people during rescue, fire fighting, or other emergency operations, or during training evolutions.

**Line:** Rope when in use.

**Live fire training:** Any fire set within a structure, tank, pipe, pan, etc., under controlled conditions to facilitate the training of fire fighters under actual fire conditions.

**Locking in:** The act of securing oneself to a ladder by hooking a leg over a rung and placing top of foot against the other leg or against the ladder.

**Manned station:** See staffed station.

**May:** A permissive use or an alternative method to a specified requirement.

**Member:** A person involved in performing the duties and responsibilities of a fire department under the auspices of the organization. A fire department member may be a full-time or part-time employee or a paid or unpaid volunteer, may occupy any position or rank within the fire department, and engages in emergency operations. Also see Employee.

**Mobile attack:** The act of fighting wildland fires from a moving engine.

**Monitor:** A portable appliance that delivers a large stream of water.

**Mop up:** The act of making a wildfire/wildland fire safe after it is controlled, such as extinguishing or removing burning materials along or near the control line, felling snags, trenching logs to prevent rolling.

**NFPA:** National Fire Protection Association.

**NIIMS:** National Interagency Incident Management System.

**NIOSH:** National Institute of Occupational Safety and Health.

**Nondestructive testing:** A test to determine the characteristics or properties of a material or substance that does not involve its destruction or deterioration.

**Nonskid:** The surface treatment that lessens the tendency of a foreign substance to reduce the coefficient of friction between opposing surfaces.

**Occupational exposure:** Means reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

**Officer:** (1) Person in charge of a particular task or assignment.

(2) A supervisor.

**OSHA:** Occupational Safety and Health Administration.

**Other potentially infectious materials (OPIM):** (1) The following body fluids: Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;

(2) Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and

(3) HIV-containing cell or tissue cultures, organ cultures, and HIV-or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

**Outrigger:** Manually or hydraulically operated metal enclosures and jacks which are extended and placed in contact with the ground to give the apparatus a wide, solid base to support different loads.

**Overhauling:** That portion of fire extinguishment involving discovery of hidden fires or smoldering material.

**PASS:** Personal alert safety system.

**PEL:** Permissible exposure limit.

**Personal protective equipment (PPE):** (1) The equipment provided to shield or isolate a person from the chemical, physical, and thermal hazards that may be encountered at a hazardous materials incident. Personal protective equipment includes both personal protective clothing and respiratory protection. Adequate personal protective equipment should protect the respiratory system, skin, eyes, face, hands, feet, head, body, and hearing.

(2) Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

**Place of employment:** Any premises, room or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control. For the purposes of this code, fireground and emergency scenes are also considered places of employment.

**Platform:** The portion of a telescoping or articulating boom used as a working surface.

**Positive communication:** Visual, audible, physical, safety guide rope, or electronic means which allows for two way message generation and reception.

**PPE:** Personal protective equipment.

**Prefire training:** The training of fire fighters in recognizing sources and locations of potential fires and the method of fire combat to be used.

**Probable fatality:** (1) An occupational injury or illness, which, by the doctor's prognosis, could lead to death.

(2) An occupational injury or illness, which by its very nature, is considered life threatening.

**Protective clothing:** Equipment designed to protect the wearer from heat and/or hazardous materials contacting the skin or eyes. Protective clothing is divided into five types:

(1) Structural fire fighting protective clothing;

(2) Liquid splash-protective clothing;

(3) Vapor-protective clothing;

- (4) High temperature-protective proximity clothing; and
- (5) Wildland fire fighting clothing.

Note: See Protective ensemble.

**Protective ensemble:** Multiple elements of clothing and equipment designed to provide a degree of protection for fire fighters from adverse exposures to the inherent risks of structural fire fighting operations and certain other emergency operations. The elements of the protective ensemble are helmets, coats, trousers, gloves, footwear, interface components (hoods), and if applicable, personal alert system (PASS) devices, and self-contained breathing apparatus.

**Pumper:** See engine.

**Qualified:** One who by possession of a recognized degree, certificate or professional standing, or who by knowledge, training or experience has successfully demonstrated his/her ability to solve or resolve problems related to the subject matter, the work or the project.

**RCW:** Revised Code of Washington.

**Rescue:** Those activities directed at locating endangered persons at an emergency incident and removing those persons from danger.

**Rescue craft:** Any fire department watercraft used for rescue operations.

**Respiratory equipment:** Self-contained breathing apparatus designed to provide the wearer with a supply of respirable atmosphere carried in or generated by the breathing apparatus. When in use, this breathing apparatus requires no intake of air or oxygen from the outside atmosphere.

(1) Respirators (closed circuit): Those types of respirators which retain exhaled air in the system and recondition such air for breathing again.

(2) Respirators (open circuit): Those types of respirators which exhaust exhaled air to the outside of the mask into the ambient air.

(3) Respirators (demand): Those types of respirators whose input air to the mask is started when a negative pressure is generated by inhalation.

(4) Respirators (pressure demand): Those types of respirators which constantly and automatically maintain a positive pressure in the mask by the introduction of air when the positive pressure is lowered (usually from .018 psi to .064 psi) through the process of inhalation or leakage from the mask.

**Respiratory protection:** Equipment designed to protect the wearer from the inhalation of contaminants. Respiratory protection is divided into three types:

(1) Positive pressure self-contained breathing apparatus (SCBA);

(2) Positive pressure airline respirators;

(3) Negative pressure air purifying respirators.

**Responding:** The usual reference to the act of responding or traveling to an alarm or request for assistance.

**Risk assessment:** To set or determine the possibility of suffering harm or loss, and to what extent.

**Safe and healthful working environment:** The work surroundings of an employee with minimum exposure to unsafe acts and/or unsafe conditions.

**Safety officer:** Either the fire department safety officer or an assistant safety officer (see fire department safety officer).

**Safety net:** A rope or nylon strap net not to exceed 6-inch mesh, stretched and suspended above ground level at the base of drill tower, and at such a height that a falling body would be arrested prior to striking the ground.

**Scabbard:** A guard which will prevent accidental injury and covers the blade and pick of an axe or other sharp instrument when worn by the fire fighter.

**SCBA:** Self contained breathing apparatus.

**Service testing:** The regular, periodic inspection and testing of apparatus and equipment according to an established schedule and procedure, to insure that it is in safe and functional operating condition.

**Shall:** Mandatory.

**Should:** Recommended.

**Signalman:** A person so positioned that he/she can direct the driver when the drivers vision is obstructed or obscured.

**SOP:** Standard operating procedure or guidelines.

**Staffed station:** A fire station continuously occupied by fire fighters on scheduled work shifts. The staffed station may also serve as headquarters for volunteers.

**Standard operating procedure or guidelines:** An organizational directive that establishes a standard course of action. See SOP.

**Station (fire station):** Structure in which fire service apparatus and/or personnel are housed.

**Structural fire fighting:** The activities of rescuing, fire suppression, and property conservation involving buildings, enclosed structures, vehicles, vessels, or similar properties that are involved in a fire or emergency situation.

**Structural fire fighting protective clothing:** This category of clothing, often called turnout or bunker gear, means the protective clothing normally worn by fire fighters during structural fire fighting operations. It includes a helmet, coat, pants, boots, gloves, and a hood. Structural fire fighters' protective clothing provides limited protection from heat but may not provide adequate protection from the harmful gases, vapors, liquids, or dusts that are encountered during hazardous materials incidents.

**Support function:** A hazardous chemical operation involving controlled chemical uses or exposures in nonflammable atmospheres with minimum threats in loss of life, personnel injury, or damage to property or to the environment. Functions include decontamination, remedial cleanup of identified chemicals, and training.

**Support function protective garment:** A chemical-protective suit that meets the requirements of NFPA Standard on Support Function Garments, 1993.

**Tail/running board:** Standing space on the side or rear of an engine or pumper apparatus.

**Team:** Two or more individuals who are working together in positive communication with each other through visual, audible, physical, safety guide rope, electronic, or other means to coordinate their activities and who are in close proximity to each other to provide assistance in case of emergency.

**Tillerman:** Rear driver of tractor-trailer aerial ladder.

**Trench:** A narrow excavation made below the surface of the ground. The depth is generally greater than the width, but the width of a trench is not greater than 15 feet.

**Turnout clothing:** See structural fire fighting protective clothing.

**Turntable:** The rotating surface located at the base of an aerial ladder, or boom, on aerial apparatus.

**Universal precaution:** An approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

**Vapor barrier:** Material used to prevent or substantially inhibit the transfer of water, corrosive liquids and steam or other hot vapors from the outside of a garment to the wearer's body.

**Variance:** An allowed or authorized deviation from specific standard(s) when an employer substitutes measures which afford an equal degree of safety. Variances are issued as temporary or permanent with interim measures issued, when requested, until a determination or decision is made.

**Vessel:** Means every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on water, including special-purpose floating structures not primarily designed for or used as a means of transportation on water.

**WAC:** Washington Administrative Code.

**Wheel blocks (chocks):** A block or wedge placed under a wheel to prevent motion.

**Wildfire:** An unplanned and unwanted fire requiring suppression action; an uncontrolled fire, usually spreading through vegetative fuels and often threatening structures.

**Wildland fire:** A fire burning in natural vegetation that requires an individual or crew(s) to expend more than one hour of labor to confine, control and extinguish. Agencies may substitute crews to avoid the one hour bench mark or increase crew size to complete the job in less than one hour. One hour was chosen as the maximum time that individuals should work in high temperatures in structural protective clothing.

**Wildland fire fighting enclosure:** A fire apparatus enclosure with a minimum of three sides and a bottom.

**WISHA:** Washington Industrial Safety Health Act.

**Work environment:** The surrounding conditions, influences or forces to which an employee is exposed while working.

**Workplace:** See place of employment.

**WRD:** WISHA regional directive.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-01509 Management's responsibility.**

(1) It shall be the responsibility of management to establish, supervise, maintain, and enforce, in a manner which is effective in practice:

(a) A safe and healthful working environment, as it applies to noncombat conditions or to combat conditions at a

fire scene after the fire has been extinguished, as determined by the officer in charge.

(b) An accident prevention program as required by this chapter.

(c) Programs for training employees in the fundamentals of accident prevention.

(d) Procedures to be used by the fire department safety officer and incident commander to ensure that emergency medical care is provided for members on duty.

(e) An accident investigation program as required by this chapter.

(2) The fire department shall be responsible for providing suitable expertise to comply with all testing requirements in this chapter. Such expertise may be secured from within the fire department, from equipment and apparatus manufacturers, or other suitable sources.

(3) Members who are under the influence of alcohol or drugs shall not participate in any fire department operations or other functions. This rule does not apply to persons taking prescription drugs as directed by a physician or dentist providing such use does not endanger the worker or others.

(4) Alcoholic beverages shall not be allowed in station houses, except at those times when station houses are used as community centers, with the approval of management.

(5) A bulletin board or posting area exclusively for safety and health and large enough to display the required safety and health posters. The WISHA poster (WISHA form F416-081-000) and other safety education material shall be provided. A bulletin board of "white background" and "green trim" is recommended.

(6) The fire department shall develop and maintain a hazard communication program as required by chapter 296-62 WAC, Part C, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may routinely be exposed to, in the course of their employment.

(7) Personnel. The employer shall assure that employees who are expected to do interior structural fire fighting are physically capable of performing duties which may be assigned to them during emergencies. The employer shall not permit employees with known heart disease, epilepsy, or emphysema, to participate in structural fire fighting emergency activities unless a physician's certificate of the employees' fitness to participate in such activities is provided.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-02001 Personal protective equipment and protective clothing.**

Note: For wildland fire fighting personal protective equipment and clothing requirements see WAC 296-305-07003, Personal protective clothing and equipment for wildland fire fighting.

(1) Employers shall provide and maintain at no cost to the employee the appropriate protective ensemble/protective clothing to protect from the hazards to which the member is or is likely to be exposed. Employers shall ensure the use of all protective equipment and clothing required by this stan-



dard. Employers shall assure that the protective clothing and equipment ordered or purchased after the effective date of this standard meets the requirements of this standard. Full protective equipment designated for the task, shall be worn for all department activities.

(2) Fire fighters shall be trained in the function, donning and doffing, care, use, inspection, maintenance and limitations of the protective equipment assigned to them or available for their use.

(3) Protective clothing and protective equipment shall be used and maintained in accordance with manufacturer's instructions. A written maintenance, repair, retirement, servicing, and inspection program shall be established for protective clothing and equipment. Specific responsibilities shall be assigned for inspection and maintenance. This requirement applies to fire fighter's personally owned equipment as well as equipment issued by the employer.

(4) The fire department shall provide for the cleaning of protective clothing and contaminated station/work uniforms at no cost to the employee. Such cleaning shall be performed by either a cleaning service, or at a fire department facility, that is equipped to handle contaminated clothing.

Note: See Appendix A.

(5) Personal protective equipment and clothing shall be of a type specified by NIOSH, MSHA, NFPA, ANSI, or as specifically referenced in the appropriate section of this chapter.

(6) Station/work uniforms. Station/work uniforms are not themselves intended as primary protective garments.

(a) Station/work uniforms if provided, shall meet the requirements as specified in NFPA 1975 Standard, 1990 or 1994 edition.

(b) All station/work uniforms purchased after the effective date of this regulation shall meet the requirements set forth in this standard.

(c) Station/work uniforms include trousers, and/or coveralls, but exclude shirts, underwear, and socks.

(d) Members shall not wear any clothing that is determined to be unsafe due to poor thermal stability or poor flame resistance when engaged in or exposed to the hazards of structural fire fighting. Because it is impossible to ensure that every member will respond to an incident in a station/work uniform or will change out of fabrics that have poor thermal stability or ignite easily, before donning protective garments, the fire department shall inform members of the hazards of fabrics that melt, drip, burn, stick to the skin and cause burns to the wearer due to poor thermal stability or poor flame resistance.

(e) Garments meeting the requirements of WAC 296-305-07003(1), meet the intent of this section.

(f) Station/work uniforms purchased prior to the effective date of this chapter shall be acceptable for a period of two years or until the employers current inventory has been exhausted, whichever comes first.

(7) Turnout clothing/pants and coat:

Proximity clothing:

(a) All turnout clothing used as proximity clothing shall meet the requirements of NFPA, 1976 Standard on Protective Clothing for Proximity Fire Fighting, 1992 edition.

(b) There shall be at least a two-inch overlap of all layers of the protective coat and the protective trousers so there is no gaping of the total thermal protection when the protective garments are worn. The minimum overlap shall be determined by measuring the garments on the wearer, without SCBA, with the wearer in the most stretched position, hands together reaching overhead as high as possible.

(c) Single piece protective coveralls shall not be required to have an overlap of all layers as long as there is continuous full thermal protection.

(d) Fire departments that provide protective coats with protective resilient wristlets secured through a thumb opening may provide gloves of the gauntlet type for use with these protective coats. Fire departments that do not provide such wristlets attached to all protective coats shall provide gloves of the wristlet type for use with these protective coats.

~~((e) Where the SCBA is worn over or outside the proximity protective garment, the fire department shall inform the member of the potential high levels of radiant heat that may result in the failure of the SCBA. The fire department shall require additional approved radiant reflective criteria, including but not limited to a protective cover, for the expected proximity fire fighting exposures when the SCBA is worn over or outside the proximity protective garment.))~~

(8) Structural fire fighting clothing.

(a) All turnout clothing purchased after the effective date of these regulations shall meet the requirements of NFPA, Standard on Protective Clothing for Structural Fire Fighting 1971, 1991 edition or NFPA 1971 Standard on Protective Ensemble for Structural Fire Fighting, 1997 edition. In no case, shall fire fighters wear personal protective clothing manufactured prior to the 1986 edition, NFPA, Standard on Protective Clothing for Structural Fire Fighting 1971.

(b) Turnout clothing shall be maintained as specified by the manufacturer.

(c) Repairs to turnout clothing shall be done to the manufacturer's specification by qualified individuals approved by the manufacturer. Repairs must be made using materials and methods in accordance with the applicable standards under which the article was produced. Repairs include any and all alterations, modifications, additions, deletions or any other change made to the manufacturer's PPE article.

(d) Turnout clothing which is damaged or does not comply with this section shall not be used.

(e) All turnout clothing shall be inspected semi-annually by an individual qualified by the employer. Inspection intervals shall not exceed six months.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-02003 Eye and face protection.** (1) Face and eye protection shall be provided for and used by fire fighters engaged in fire suppression and other operations involving hazards to the eye and face at all times when the face is not protected by the full facepiece of the SCBA. Primary face and eye protection appropriate for a given specific hazard shall be provided for, and used by, members exposed to that specific hazard. Such primary face and eye protection shall meet the requirements of ANSI Z87.1.

(2) Persons whose vision requires the use of corrective lenses in spectacles, and who are required by this standard to wear eye protection, shall wear goggles or spectacles of one of the following types:

(a) Spectacles with protective lenses that provide optical correction.

(b) Goggles that can be worn over corrective spectacles without disturbing the adjustment of the spectacles.

(c) Goggles that incorporate corrective lenses mounted behind the protective lens.

(3) When limitations or precautions are indicated by the manufacturer, they shall be transmitted to the user and care taken to see such limitations and precautions are strictly observed.

(4) Care, use, and maintenance for any type of eye or face protection shall follow the manufacturers suggested recommendations.

(5) Goggles shall be inspected, cleaned and disinfected prior to being reissued to other employees.

Note: The helmet face shield alone does not always provide adequate eye protection against flying particles, splash, gases and vapors. For known eye hazards, such as, but not limited to, cutting with power saws, chopping, drilling and using extrication equipment, the face shield should be worn with additional eye protection.

(6) Helmet face shields shall meet the requirements of NFPA, Standard Helmets for Structural Fire Fighting 1972, 1992 edition.

(7) For fire fighters that do not have a helmet face shield for eye and face protection, flexible or cushioned fitting goggles shall be provided.

(8) Goggles shall consist of a wholly flexible frame, forming a lens holder or a rigid frame with integral lens or lenses, having a separate, cushioned fitting surface on the full periphery of the facial contact area.

(a) Materials used shall be chemical-resistant, nontoxic, nonirritating and slow burning.

(b) There shall be a positive means of support on the face, such as an adjustable headband of suitable material or other appropriate means of support to retain the frame comfortable and snugly in front of the eyes.

~~((e) Goggles shall meet the requirements of ANSI Z87.1.))~~

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-02007 Hand protection.** (1) Fire fighters' gloves shall when worn with turnout clothing, provide protection to the wrist area. In turnout clothing where wristlet protection is not provided fire fighters' gloves shall be closed at the top.

(2) Fire departments shall establish written policy and procedure for the care, use, cleaning, replacement and/or retirement criteria, and maintenance of gloves issued.

(3) Gloves purchased after the effective date of this chapter shall comply with this section.

(4) Fire fighters' gloves used during structural fire fighting operations including rescue of victims from fires, and emergency medical operations where sharp or rough surfaces

are likely to be encountered such as victim extrications shall meet the requirements of NFPA, Standard on Gloves for Structural Fire Fighting 1973, 1993 edition or NFPA 1971 Standard on Protective Ensemble for Structural Fire Fighting, 1997 edition.

(5) Fire fighters gloves are not designed to provide protection to all environments. For gloves desired to fill the needs of a specific requirement see that specific section of this chapter. It is the intent of this section to provide protection from intrusion throughout the glove body by certain common chemicals, and from bloodborne pathogens. Fire departments shall consult the manufacturer's recommendation.

Note: Fire fighters should have their hands sized for compliance with the sizing chart as specified in NFPA, Standard on Gloves for Structural Fire Fighting 1973, 1993 edition.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-02013 Foot protection for structural fire fighting.** (1) Protective footwear purchased after the effective date of this standard shall comply with NFPA 1974, Standard on Protective Footwear for Structural Fire Fighting, 1992 edition or NFPA 1971 Standard on Protective Ensemble for Structural Fire Fighting, 1997 edition.

(2) Fire departments shall establish written policy and procedure, care, use, maintenance, and retirement criteria for footwear in conjunction with the manufacturer's recommendations.

Note: Fire departments should establish cleaning and drying instruction including applicable warning regarding detergents, soaps, cleaning additives and bleaches for protective footwear.

(3) Fire fighter footwear may be resoled but the footwear upon resoling shall meet the requirements specified in this section.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-02015 Head protection.** (1) Fire fighters who engage in or are exposed to the hazards of structural fire fighting shall be provided with and use helmets that meet the requirements of NFPA 1972, Standard on Helmets for Structural Fire Fighting, 1987 edition.

(2) Helmets purchased thirty days after the adoption of this chapter shall meet the requirements of NFPA, Standard on Helmets for Structural Fire Fighting 1972, 1992 edition or NFPA 1971 Standard on Protective Ensemble for Structural Fire Fighting, 1997 edition.

(3) Fire departments shall establish a written policy and procedure for the care, use, maintenance, and retirement criteria for helmets.

(4) Helmets shall be provided with face shields or goggles.

(5) Helmet accessories shall not interfere with the function of the helmet or its components parts and shall not degrade the helmets performance.

(6) Helmets shall be maintained in accordance with the manufacturer's recommendations. No modifications shall be made without prior written approval from the manufacturer.

(7) Fire fighters shall follow the manufacturer's recommendations regarding cleaning, painting, marking, storage, and frequency and details of inspection.

Note: Helmets should be stored at room temperature and out of direct sunlight.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-04001 Respiratory equipment protection.** (1) Fire fighter's self-contained breathing apparatus (SCBA) shall:

- (a) Be pressure demand type (positive pressure);
- (b) Operate in the positive pressure mode only;
- (c) Have a minimum of thirty minutes service duration;
- (d) Be NIOSH certified; and
- (e) Meet the requirements of NFPA, Standard on Open Circuit Self Contained Breathing Apparatus for Fire Fighters 1981, 1992 edition.

(2) Closed circuit SCBA shall:

- (a) Be positive pressure;
- (b) Be NIOSH certified; and
- (c) Have a minimum thirty-minute service duration.

(3) Members using SCBA's shall operate in teams of two or more.

(4) Except as otherwise provided in this chapter, fire departments shall adopt and maintain a written respiratory protection program that addresses the requirements of chapter 296-62 WAC, Part E, Respiratory protection and Part I-1, Asbestos, Tremolite, Anthophyllite, and Actinolite. This includes program administration, medical limitations, equipment limitations, equipment selection, inspection, use, maintenance, training, fit testing procedures, air quality, and program evaluation.

Note: Additional information on respirators and respirator usage can be found in ANSI Z88.2 - American National Standard for Respiratory Protection; ANSI Z88.5 - Practices for Respiratory Protection for Fire Service; various NFPA publications (1981, 1404, 1500, etc.), and the Washington State Fire Service Training Program for respiratory training and usage.

(5) When fire departments purchase compressed breathing air from a vendor, the fire department shall require the vendor to provide certification and documentation of breathing air quality quarterly as specified in subsection ~~((22))~~ (21) of this section.

(6) When the fire department makes its own breathing air or uses vendor purchased breathing air, the air quality from compressors, cascade systems cylinders, shall be tested at least quarterly as specified in subsection ~~((22))~~ (21) of this section.

(7) Qualitative or quantitative fit testing shall be conducted.

(a) Each new member shall be tested before being permitted to use SCBA's in a hazardous atmosphere.

(b) Only fire fighters with a properly fitting facepiece shall be permitted by the fire department to function in a hazardous atmosphere with SCBA. (Reference WAC 296-62-07115(3) Respiratory Sealing Problems.)

(c) Fit testing shall be repeated:

(i) At least once every twelve months.

(ii) Whenever there are changes in the type of SCBA or facepiece used.

(iii) Whenever there are significant physical changes in the user. Example: Weight change of ten percent or more, scarring of face seal area, dental changes, cosmetic surgery, or any other condition that may affect the fit of the facepiece seal.

(d) The fit testing is done only in a negative-pressure mode. If the facepiece is modified for fit testing, the modification shall not affect the normal fit of the device. Such modified devices shall only be used for fit testing.

(e) The fit test procedures and test exercises described in WAC 296-62-07739, Asbestos, Appendix C, shall be followed unless stated otherwise in this chapter.

(f) Respirator fit test records shall include:

- (i) Written guidelines for the respirator fit testing program including pass/fail criteria;
- (ii) Type of respirator tested including manufacturer, model, and size;
- (iii) Type of fit test and instrumentation or equipment used;
- (iv) Name or identification of test operator;
- (v) Name of person tested;
- (vi) Date of test; and
- (vii) Results of test.

Note: Fire fighters should be issued individual facepieces.

(8) Facial hair, contact lenses, and eye and face protective devices.

(a) A negative pressure respirator, any self-contained breathing apparatus, or any respirator which is used in an atmosphere immediately dangerous to life or health (IDLH) equipped with a facepiece shall not be worn if facial hair comes between the sealing periphery of the facepiece and the face or if facial hair interferes with the valve function.

(b) The wearer of a respirator shall not be allowed to wear contact lenses if the risk of eye damage is increased by their use.

(c) If a spectacle, goggle, or face shield must be worn with a facepiece, it shall be worn so as to not adversely affect the seal of the facepiece to the face. See WAC 296-62-07115(3).

(d) Straps or temple bars shall not pass between the seal or surface of the respirator and the user's face.

(9) At the end of suppression activities (to include fire overhaul) and before returning to quarters:

(a) Fire fighters shall be decontaminated prior to removal of respirators whenever fire fighting activities resulted in exposure to a hazardous substance.

(b) When exchanging air supply bottles during suppression or overhaul activities, reasonable precautions shall be taken to maintain uncontaminated atmosphere to the breathing zone and facepiece supply hose.

(10) Self-contained respiratory equipment shall be available and used by all fire fighters who enter into hazardous atmospheres during structural fire fighting activities.

PROPOSED

~~((a))~~ (11) Positive pressure air line respirators may be used only for atmospheres other than IDLH and must be equipped with a five minute minimum capacity positive pressure escape bottle.

~~((b))~~ The self-contained air supply shall only be used for escape unless the service life of the air supply is greater than fifteen minutes.

~~(c)~~ If the service life of the self-contained air supply is greater than fifteen minutes, it may be used to enter an IDLH atmosphere breathing from the self-contained air supply, provided that not more than twenty percent of the noted air supply is used during entry.

~~(11))~~ (a) If the service life of the auxiliary air supply is fifteen minutes or less it shall not be used for entry into an IDLH atmosphere but it may be used for escape purposes. The auxiliary air supply may be used for entry into an IDLH atmosphere only when the service life of the unit exceeds fifteen minutes and when not more than twenty percent of the noted air supply will be used during entry.

(b) The maximum length of hose for supplied air respirators is 300 feet (91 meters). Such hose shall be heavy duty nonkinking and NIOSH approved.

(12) Respirators shall be provided for, and shall be used by, all personnel working in areas where:

- (a) The atmosphere is hazardous;
- (b) The atmosphere is suspected of being hazardous; or
- (c) The atmosphere may rapidly become hazardous;

(13) Anytime fire fighters are working inside a confined space, such persons shall be provided with SCBA or air line respirator with escape bottle, and shall use the equipment unless the safety of the atmosphere can be established by testing and continuous monitoring.

(14) Fire fighters using a properly functioning SCBA shall not compromise the protective integrity of the SCBA by removing the facepiece for any reason in hazardous atmospheres or in atmospheres where the quality of air is unknown.

(15) Fire fighters shall receive training for each type and manufacturer of respiratory equipment available for their use, the step-by-step procedure for donning the respirator and checking it for proper function. Required training shall include:

- (a) Recognizing hazards that may be encountered;
- (b) Understanding the components of the SCBA;
- (c) Understanding the safety features and limitations of the SCBA; and
- (d) Donning and doffing the SCBA.

(16) After completing such training, each fire fighter shall practice at least quarterly, for each type and manufacturer of respirator available for use, the step-by-step procedure for donning the respirator and checking it for proper function.

(17) Members shall be tested at least annually on the knowledge of SCBA equipment operation, safety, organizational policies and procedures, and facepiece seals, to the fire department's standard. Such records shall remain part of the member training file.

(18) Members shall be allowed to use only the make, model, and size respirator for which they have passed a fit test within the last twelve months.

(19) In cases where there is a reported failure of an SCBA the unit shall be removed from service, tagged and recorded as such, and tested before being returned to service.

(20) Fire fighters shall be thoroughly trained in accordance with the manufacturer's instructions on emergency procedures such as use of regulator bypass valve, corrective action for facepiece and breathing tube damage, and breathing directly from the regulator (where applicable).

(21) Compressed gaseous breathing air in the SCBA cylinder shall meet the requirements of ANSI/CGA G7.1 - Commodity Specification for Air, with a minimum air quality of grade D, as well as meeting a water vapor level of 24 ppm or less.

(22) SCBA cylinders shall be hydrostatically tested within the periods specified by the manufacturer and the applicable governmental agencies.

Additional reference: Chapter 296-62 WAC, Part E.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-04501 Automotive fire apparatus design and construction.** (1) All new fire apparatus with the exception of specialized equipment, shall conform to the following minimum safety standards contained in NFPA Booklets No. 1901, 1902, 1903, 1904, and other 1900's.

(2) Fire apparatus, purchased after December 17, 1977, weighing 10,000 pounds or more shall conform with the following U.S. Department of Transportation standards, when applicable:

- (a) ~~((571-121 Standard 121, Air brake systems;~~
- (b) ~~571-106 Standard 106, Hydraulic brake hoses;~~
- (c) ~~571-211 Standard 211, Wheel nuts, wheel discs, hub caps.)~~ 49 CFR Ch. V (10-93 edition) 571.121 "Air brake systems";

(b) 49 CFR Ch. V (10-93 edition) 571.106 "Hydraulic brake hoses";

(c) 49 CFR Ch. V (10-93 edition) 571-211 "Hydraulic brake hoses".

(3) Employers acquiring used apparatus or used equipment shall not be required to bring it under a more stringent code than the one in force at the time the apparatus was manufactured. However, such vehicle must meet applicable U.S. Department of Transportation standards and WAC 296-24-233.

(4) Fire apparatus tailboards and steps shall have a non-skid rough surface.

(5) Exhaust systems shall be installed and maintained in proper condition, and shall be so designed as to minimize the exposure of the fire fighter to the exhaust gases and fumes.

(6) Spinner knobs shall not be attached to the steering handwheel of fire apparatus.

(7) The transmission shifting pattern of the apparatus shall be clearly stenciled or labeled and posted so it can be clearly read by the driver while operating the apparatus.

(8) The height of any apparatus, over seven feet in height from the ground to the top of the beacon or highest point of the apparatus, shall be clearly labeled in a place where it can be easily and clearly read by the driver while operating the apparatus.

(9) All apparatus in excess of 10,000 pounds loaded weight, shall have the weight of the vehicle in pounds and tons clearly labeled in a place where it can be easily and clearly read by the driver while operating the apparatus.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-04503 Automotive fire apparatus equipment.** (1) Vehicles used to transport fire fighters and employer representatives shall have compartments for carrying sharp tools, saws, chisels, axes, etc., or if carried on the outside of the apparatus, equipment with sharp points and edges shall be covered to prevent injury to fire fighters and employer representatives.

(2) Personnel restraints for traveling.

(a) All persons riding on fire apparatus shall be seated and secured to the vehicle by seatbelts or safety harnesses at any time the vehicle is in motion.

(b) Seatbelts shall comply with U.S. Department of Transportation Part 49 CFR Section 571, Standards 209 and 210.

(c) Riding on tailsteps or in any other exposed position such as sidesteps or running boards shall be specifically prohibited.

(d) Standing while riding shall be specifically prohibited.

(e) Members actively performing necessary emergency medical care while the vehicle is in motion shall be restrained to the extent consistent with the effective provision of such emergency medical care. All other persons in the vehicle shall be seated and belted in approved seating positions while the vehicle is in motion.

(f) Fire departments permitting hose loading operations while the vehicle is in motion shall develop a written policy and guidelines addressing all safety aspects.

Note: Policy and operating guidelines should address:

- The assigning of a member as a safety observer who should have an unobstructed view of the hose loading operation and be in visual and voice contact with the driver.
- Allowed maximum fire apparatus speed when hose loading;
- Control of nonfire department vehicular traffic; and
- Allowing members in the hose bed, but limit standing to only when the vehicle is not moving.

Note: See WAC 296-305-07011(3) for exceptions for wildland vehicles.

(3) Each fire apparatus shall carry a current U.S. Department of Transportation chemical identification book or the equivalent.

(4) Ladders stowed on the sides of apparatus, which protrude past the tailboard, shall have guards over the protruding ends.

(5) No employer shall permit automotive fire apparatus equipment which has an obstructed view to the rear, to be used in reverse gear unless the equipment has in operation a reverse signal alarm distinguishable from the surrounding noise level.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-05001 Emergency fireground operations—Structural.** (1) The fire department shall establish an incident command system (ICS) with written guidelines applying to all members involved in emergency operations. All members involved in emergency operations shall be familiar with the ICS system. Personnel shall be trained and qualified by their department in the incident command system prior to taking a supervisory role at an emergency scene.

(2) At an emergency incident, the incident commander shall be responsible for the overall safety of all members and all activities occurring at the scene.

(3) All emergency incidents shall be managed by an ICS(;;); the incident commander shall establish an organization with sufficient supervisory personnel to control the position and function of all members operating at the scene and to ensure that safety requirements are satisfied.

(4) At an emergency incident, the incident commander shall have the responsibility to:

(a) Assume and confirm command and take an effective command position.

(b) Perform situation evaluation that includes risk assessment.

(c) Initiate, maintain, and control incident communication.

(d) Develop an overall strategy and attack plan and assign units to operations.

(e) Develop an effective incident organization by managing resources, maintaining an effective span of control, and maintaining direct supervision over the entire incident by creating geographical and/or functional areas as appropriate for the scope and size of the incident.

(f) Review, evaluate, and revise the operational plan as required.

(g) Continue, transfer, and terminate command.

(5) The fire department shall develop a risk management policy that can be implemented into the function of incident command and the development of incident strategies.

The risk management policy should include direction and guidance to the incident commander in formulating incident planning relating to the level of risk that may be undertaken in any given incident to save lives and to save property in as safe a manner as dictated by the situation.

(6) The fire department shall establish written procedures and guidelines for tracking all members operating at an emergency incident.

(7) The incident command system shall provide for control of access to hazardous areas of the incident scene by department members.

(8) Fire fighters operating in hazardous areas at emergency structural fire incidents shall operate in teams of two or more.

Team members operating in hazardous areas shall be in communication with each other through visual, audible, physical, safety guide rope, or electronic means, or by other means in order to coordinate their activities. Team members shall be in close proximity to each other to provide assistance in case of emergency.

PROPOSED

(9) The fire department shall provide personnel for the rescue of members operating at emergency incidents as the need arises.

(10) ~~((In the "initial stage" of a structure fire incident where only one team is operating in the hazardous area, at least one additional fire fighter shall be assigned to stand by outside of the hazardous area where the team is operating.~~

~~(a) The responsibility of the standby fire fighter shall be the maintaining awareness of the status of fire fighters in the hazardous area.~~

~~(b) The standby fire fighter shall remain in positive communication with the entry team, in full protective clothing with SCBA donned, in the standby mode.~~

~~(c) The standby fire fighter shall be permitted to perform other duties outside the hazardous area, provided constant communications is maintained with the team in the hazardous area.~~

~~(11) Once additional crews are on the scene and assigned, the incident shall no longer be considered in the initial stage. At this point, the incident commander shall evaluate the situation and risks to operating crews. First and primary consideration shall be given to providing a rapid intervention team(s) commensurately with the needs of the situation.~~

~~(a) A rapid intervention team shall consist of at least two members and shall be available for the rescue of a member or a crew if the need arises.~~

~~(b) A rapid intervention team(s) shall be fully equipped with the appropriate protective clothing, protective equipment, SCBA, and specialized rescue equipment needed, based on the specifics of the operation underway.~~

~~(c) The composition and structure of rapid intervention teams shall be flexible based on the type of incident, the size and complexity of the operation.) Before engaging in an interior entry during a structural fire that has gone beyond the incipient stage, the incident commander must evaluate the situation and risks to operating crews. First and primary consideration must be given to providing a rapid intervention team(s) commensurate with the needs of the situation.~~

~~(a) A rapid intervention team must consist of at least two members and must be available for the rescue of a member or a crew if the need arises. Except as provided in WAC 296-305-05001(11), fire fighters must not engage in an interior entry in the absence of at least two stand-by fire fighters.~~

~~(b) A rapid intervention team(s) must be fully equipped with the appropriate protective clothing, protective equipment, SCBA, and specialized rescue equipment needed, based on the specifics of the operation underway.~~

~~(c) The composition and structure of rapid intervention teams shall be flexible based on the type of incident, the size and complexity of the operation.~~

~~(11) In the "initial stage" of a structure fire-incident where only one team is operating in the hazardous area, where additional resources can reasonably be expected, and where exceptional circumstances indicate that immediate action may be necessary to prevent or mitigate the loss of life or serious injury to citizenry or fire fighters, at least one additional fire fighter must be assigned to stand by outside the hazardous area where the team is operating.~~

(a) The standby fire fighter must remain aware of the status of fire fighters in the hazardous area.

(b) The standby fire fighter must remain in positive communication with the entry team, in full protective clothing with SCBA donned in the standby mode.

(c) The standby fire fighter may be permitted to perform other duties outside the hazardous area, provided, constant communications is maintained with the team in the hazardous area, and provided that those duties will not interfere with his or her ability to initiate a rescue as appropriate.

(d) Once additional resources have arrived on the scene, the incident may no longer be considered in its initial stage and all the requirements of WAC 296-305-05001(10) must be met.

(12) The fire department shall develop and maintain written guidelines for the safety of members at incidents that involve violence, unrest, or civil disturbance. Such situations may include but not be limited to riots, fights, violent crimes, drug related situations, family disturbances, deranged individuals, and people interfering with fire department operations.

(13) Officers at emergency scenes shall maintain an awareness of the physical condition of members operating within their span of control and ensure that adequate steps are taken to provide for their safety and health. The command structure shall be utilized to request relief and reassignment of fatigued crews.

(14) Wildfire suppression personal protective clothing/equipment shall not be utilized for interior attacks on structures.

(15) Teams in the hazardous area shall have positive communication capabilities with the incident command structure. Incident radio communication capabilities within the incident command structure shall include monitoring of incident-assigned frequencies (including mutual aid radio frequencies).

(16) Prior to overhaul, buildings shall be surveyed for possible safety and health hazards. Fire fighters shall be informed of hazards observed during the survey.

(17) During the overhaul phase officers shall identify materials likely to contain asbestos, limiting the breaching of structural materials to that which is necessary to prevent rekindle.

(18) Floatation devices shall be made available to fire fighters at incidents where drowning is a possibility. This is not intended to include pools and hot tubs.

(19) Fire fighters shall not cut the electrical drip loop providing power to the structure nor pull the electrical meter.

(20) Traffic cones or other traffic control devices shall be utilized when vehicular traffic hazards exist at an emergency operation.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-05007 Trench rescue operations.** (1) Fire departments that engage in trench rescue operations shall adopt and maintain a written response program that addresses training and procedures to follow in emergency life threatening situations.

(2) Employees that directly engage in trench rescue operations shall be properly trained or shall be under the direct supervision of person(s) properly trained in operational procedures according to a Washington state accredited sixteen-hour trench rescue emergency course or its equivalent.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-05009 Watercraft rescue operations.**

(1) If a manufacturer's specifications are such that an engineer is required for the operation of a vessel, then one shall be provided.

(2) When fire boats perform rescue activities they shall have two dedicated personnel. Any member not specifically required to operate the vessel, e.g., an operator (pilot) or engineer (if required by the manufacturer's specification) may be used as a deck hand. This may include the boat officer if his/her duties do not include operating the fire boat.

(3) Watercraft load capabilities shall not exceed the manufacturer's specifications.

(4) Each fire department shall determine the function of their watercraft; as fire fighting, rescue, or both.

(5) Watercraft operating within navigable waters of the state of Washington (as defined by the United States Coast Guard) shall comply with all of the rules of the United States Coast Guard.

(6) Fire boats operating within navigable waters of the state of Washington (as defined by the United States Coast Guard) shall have a fully dedicated pilot.

(7) The operator (pilot) of the watercraft is responsible for its safe operation.

(8) Training for all personnel shall represent the intent of the employer and physical characteristics of the vessel involved and shall be included in the employer's accident prevention program.

(a) All assigned personnel shall be trained in safe operation of watercraft and the operations the craft is intended to perform.

(b) All employees involved in water rescue shall be trained in water rescue techniques and wear Coast Guard approved personal flotation devices, Type ((2)) III, minimum.

Exception: Employees working below deck or in enclosed cabins.

(9) All employers operating watercraft in nonnavigable waters shall be responsible for training all employees to local hazards.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-06005 Ground ladders.** This section establishes the minimum requirements for the construction, care and use of the common types of ladders used in fire combat.

(1) Ladder locks or pawls on extension ladders shall be so fastened or secured to the beams that vibration and use will not cause loosening of bolts and nuts.

(a) Pawls or ladder locks shall be so constructed that the hook portion of the pawl that engages the rung shall have sufficient bearing surface or area to prevent the hook from cutting into rungs when engaged.

(b) Such hooks shall be properly finished to eliminate sharp edges and points.

(2) Staypoles or tormenters shall be furnished on all extension ladders extending over forty feet. Staypole or tormenters spikes shall not project beyond the butt of the ladder when nested.

(3) All ladders shall be stored in a manner to provide ease of access for inspection, and to prevent danger of accident when withdrawing them for use.

(4) Fire fighters shall climb and descend ground ladders with the fly in, for safety purposes, when not in conflict with the manufacturer's recommendations. Even when ladders are routinely used in the fly out configuration, in adverse conditions fire fighters shall be permitted to climb and descend ground ladders with the fly in to assure secure footing.

(5) All ladders regardless of type shall be inspected thoroughly after each use. Records shall be kept of the inspections and repairs.

(6) The following metal ladder components shall be checked:

(a) Rungs for welds, damage or weakness caused by overloading or bumping against other objects, looseness and cracks, etc.

(b) Beams for welds, rivets and bolts, signs of strain or metal fatigue, and deformation from heat or overloading.

(c) Bolts and rivets for tightness.

(d) Butt spurs for excessive wear or other defects.

(e) Halyards for the same defects listed for wood ladder halyards and cable halyards, for fraying or breaking.

(f) Heat sensor label, when provided, for change indicating heat exposure.

(7) The following wood ladder components shall be checked:

(a) Bolts for snugness and tightness without crushing the wood.

(b) Beams for dark streaks; when a wood ground ladder develops dark streaks in the beams, the ladder shall be removed from service and service tested as specified in this chapter, prior to further use.

(c) Protective varnish finish for damage or wear, at least once a month and redone annually or at such frequency as specified by the manufacturer. If the protective finish becomes charred or blistered, the ladder shall be removed from service and service tested as specified in this chapter, prior to further use.

(8) Methods of fastening ladder halyards, either of wire or fibrous material, shall be in a manner that the connection is stronger than the halyard.

(9) Any defect noted in above visual inspection shall be corrected prior to testing.

(10) Every portable ladder shall be tested following the correction of defects disclosed by the visual inspections.

(11) New ground ladders purchased after the effective date of this chapter shall be constructed and certified in accordance with the requirements of NFPA Standard 1931, 1994 edition.

(12) All fireground ladders shall be inspected and maintained in accordance with the requirements of NFPA Standard 1932, 1994 edition. When metal ground ladders are tested, they shall be tested in accordance with the ~~((requirements))~~ strength service testing procedures of NFPA Standard 1932, 1984 edition.

(a) Extension ladders that were constructed prior to the adoption of the 1984 edition of NFPA 1931, may, when tested in accordance with this chapter, be tested with a minimum test load of 400 pounds and a preload of 300 pounds. Ladders tested under this exception shall be used with a maximum load limit of 500 pound distributed or 400 pound concentrated. Ladders shall be tested in the configuration they are used.

(b) Additional requirements for wooden ground ladders; whenever any wood ground ladder has been exposed or is suspected of having been exposed to direct flame contact the ladder shall be service tested as specified in section 5-2 of NFPA Standard 1932, 1984 edition.

Note 1: Hardness testing and eddy current NDE testing is not required in the fire department annual maintenance inspection unless the individual ladder has been subjected to a high heat exposure which could have annealed the metal and diminished the structural integrity. The ladder manufacturer's recommendations should be followed with respect to hardness and eddy current testing.

Note 2: Testing should follow the recommended procedures taught by Washington State Fire Protection Bureau.

Additional references: Chapter 296-24 WAC, Part J-1.

**AMENDATORY SECTION** (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

**WAC 296-305-06007 Electrical.** (1) Temporary lighting with the use of 110 - 120 VAC equipment.

(a) All lighting equipment shall be provided with heavy duty flexible cords with SO or SJ jackets or equivalent. All lighting equipment shall be used with heavy duty flexible extension cords with 12-3 conductors with SO or SJ jackets or equivalent.

(b) Electrical cords shall have weather tight bodies and caps, 20 amp rated at 120 VAC with appropriately sized plugs and sockets.

(c) Temporary lights that are used in moist, damp, and/or other hazardous locations shall be approved for the purpose.

(d) Temporary lights shall be constructed so that water cannot enter or accumulate in wireways, lampholders or other electrical parts.

(e) Temporary lights that are used in moist and/or other hazardous locations shall have 120 VAC single-phase 15 and/or 20 amp in-line resettable ground fault circuit interrupters.

(f) Temporary lights shall be equipped with a handle and be insulated from heat and possible electrical shock.

(g) Temporary lights shall not be suspended by their electrical cords unless cords and lights are designed and labeled for this means of suspension.

(h) Temporary lights shall be protected by guards of a nonconductive or insulated material to prevent accidental contact with the bulb.

(2) 120 VAC cord reels shall be approved for use in damp or hazardous locations.

(a) Bodies and caps shall be weather tight, 20 amp rated at 120 VAC.

(b) Cords on cord reels that do not exceed 150 feet in length shall be SO or SJ type jackets or equivalent.

(c) Cords that exceed 150 feet in length on reels, shall have 10-3 conductors.

(d) Cord reels that are not permanently mounted on a vehicle shall be insulated from the ground when in use.

(3) Twelve volt portable type hand lanterns shall be constructed of molded composition or other type approved for the purpose.

(a) Portable hand lanterns used in moist and/or other hazardous locations shall be operated at a maximum of 12 volts.

(b) Hand lamps shall be equipped with a handle and a substantial guard over the bulb and attached to the lampholder.

(4) Portable and vehicle-mounted generators.

(a) Portable generators. Under the following conditions, the frame of a portable generator shall not be required to be grounded and shall be permitted to serve as the grounding electrode for a system supplied by the generator:

(i) The generator supplies only equipment mounted on the generator or cord-connected and plug-connected equipment through receptacles mounted on the generator, or both, and

(ii) The noncurrent-carrying metal part of equipment and the equipment grounding conductor terminals of the receptacles are bonded to the generator frame.

(b) Vehicle-mounted generators. Under the following conditions, the frame of a vehicle may serve as the grounding electrode for a system supplied by a generator located on the vehicle:

(i) The frame of the generator is bonded to the vehicle frame; and

(ii) The generator supplies only equipment located on the vehicle and/or cord-connected and plug-connected equipment through receptacles mounted on the vehicle or on the generator; and

(iii) The noncurrent-carrying metal parts of equipment and the equipment grounding conductor terminals of the receptacles are bonded to the generator frame.

Additional references: Article 250 National Electrical Code. Chapter 296-24 WAC, Part L.

**WSR 98-17-079**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 [Filed August 18, 1998, 10:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-12-080.

Title of Rule: Longshore, stevedore and related waterfront operations, chapter 296-56 WAC.



Purpose: Longshore, stevedore and related waterfront operations, chapter 296-56 WAC.

The Occupational Safety and Health Administration (OSHA) recently adopted federal requirements after a lengthy nationwide consultation with the marine cargo handling industry. These federal-initiated amendments are proposing to amend worker safety rules for longshore, stevedore and related waterfront operations. Federal-initiated proposed amendments as published in Federal Register Volume 62, Number 143, dated July 25, 1997 are made to be at-least-as-effective-as the federal standard. The federal-initiated amendments will establish additional compliance requirements.

OSHA requires that worker protection rules adopted under authority of the Washington Industrial Safety and Health Act (WISHA) be "at-least-as-effective-as" federal requirements. The proposed amendments will bring WISHA's existing rules into compliance with the new federal requirements.

Also, in keeping with the agency's on-going effort to make WISHA regulations easier to read and understand, this proposal will update, simplify and streamline the existing rules by making state-initiated proposed changes for minor housekeeping errors and clarifications.

Amended section WAC 296-56-60001 Scope and applicability, federal-initiated proposed amendments are made to:

- Add a requirement relating to employee emergency plans and fire prevention plans by adding a reference to chapter 296-24 WAC.

State-initiated proposed amendments are made to:

- Delete outdated language relating to the department.
- Add a requirement relating to first-aid by adding a reference to chapter 296-24 WAC.

Amended section WAC 296-56-60005 Definitions, state-initiated proposed amendments are made to:

- Replace outdated language relating to the department.
- Delete numbering of definitions according to code reviser guidelines.

New section WAC 296-56-60006 Personnel, state-initiated proposed amendments are made to add existing requirements from WAC 296-56-60069 for better organization of information.

Amended section WAC 296-56-60009 Accident prevention program, federal-initiated proposed amendments are made to:

- Add a requirement relating to employee emergency plans and fire prevention plans by adding a reference to chapter 296-24 WAC.

State-initiated proposed amendments are made to:

- Replace outdated language relating to the department.
- Add a requirement relating to first-aid by adding a reference to chapter 296-24 WAC.

Amended section WAC 296-56-60011 Slinging, federal-initiated proposed amendments relating to slinging are made to replace existing language with federal-identical language. No new federal requirements are added.

Amended section WAC 296-56-60057 Fumigants, pesticides, insecticides and hazardous preservatives, federal-initiated proposed amendments relating to shipments of fumi-

gated tobacco are made to be identical to the federal standard. Amendments will add the following federal requirements:

- Containerized shipments of fumigated tobacco shall be aerated by opening the container doors for a period of forty-eight hours after the completion of fumigation and prior to loading.

- A written warranty from the fumigation facility stating that the appropriate aeration period has been met.

Repealed section WAC 296-56-60059 First-aid and life-saving facilities, state-initiated proposed amendments are made to:

- Move requirements relating to reporting injuries, stretchers, communication readily available, personal flotation devices, and life ladders to WAC 296-56-60115.

- Delete this section and the requirements for first-aid. Requirements for first-aid are incorporated by referencing chapter 296-24 WAC, General safety and health standards, Part A-1, in other areas of chapter 296-56 WAC.

Repealed section WAC 296-56-60060 First-aid training and certification, 296-56-60062 First-aid kit, 296-56-60065 First-aid station, and 296-56-60067 First-aid room, state-initiated proposed amendments are made to delete these sections. Requirements for first-aid are incorporated by referencing chapter 296-24 WAC, General safety and health standards, Part A-1, in other areas of chapter 296-56 WAC.

Repealed section WAC 296-56-60069 Personnel, state-initiated proposed amendments are made to move existing requirements from this section to WAC 296-56-60006 for better organization of information. This section number is proposed to be deleted.

Amended section WAC 296-56-60073 Miscellaneous auxiliary gear, federal-initiated proposed amendments relating to miscellaneous auxiliary gear is made to be identical to the federal standard, which add federal requirements. This amendment:

- Adds a requirement that synthetic web slings shall be removed from service if they display visible warning threads or markers designed to indicate excessive wear.

Amended section WAC 296-56-60077 Powered industrial trucks, federal-initiated proposed amendment relating to powered industrial trucks is made to be identical to the federal standard. This amendment will add the following federal requirement:

- Bulk cargo-moving vehicles are required to be equipped with rollover protection after July 26, 1999.

Amended section WAC 296-56-60079 General rules applicable to vehicles, federal-initiated proposed amendments relating to vehicle general rules are made to replace existing language with federal-identical language. This amendment is made to correct a measurement.

Amended section WAC 296-56-60083 Cranes and derricks, federal-initiated proposed amendments are made to either replace existing language with federal-identical language or add federal language to be identical to the federal standard. These amendments add the following federal requirements:

- A seat (lap) belt shall be installed on the operator's seat of high speed container gantry cranes where the seat trolleys.
- Limit switch bypass systems shall be secured during all cargo operations.

• Employees shall not be hoisted on intermodal container spreaders while a load is engaged.

State-initiated proposed amendments are made to:

• Clarify that WAC 296-56-60083 through 296-56-60103 apply to every kind of crane and derrick and to any other type of equipment performing the functions of a crane or derrick, except as noted.

• Clarify that WAC 296-56-60083 through 296-56-60099 apply to cranes, derricks and crane operations.

Amended section WAC 296-56-60085 Crane load and limit devices, state-initiated proposed amendments are made to:

• Clarify that limit switches shall be installed on the main line and whip line assemblies of all cranes and derricks.

• Require malfunctioning line limit switches be repaired prior to use.

Amended section WAC 296-56-60087 Winches, state-initiated proposed amendments are made to correct a reference.

Amended section WAC 296-56-60093 Certification of marine terminal material handling devices, state-initiated proposed amendments are made to replace outdated language relating to the department.

Amended section WAC 296-56-60097 Unit proof load test and inspection, state-initiated proposed amendments are made to clarify the need for manufacturer or engineer approved design specifications.

Amended section WAC 296-56-60098 Examination and inspection of cranes and derricks, federal-initiated proposed amendments relating to examination and inspection of cranes and derricks are made to be identical to the federal standard. These amendments add the following federal requirements:

• Special stevedoring gear must be inspected and tested as a unit before initial use.

• Cargo handling gear with a SWL greater than five short tons are required to be proof load tested.

• The safe working gear load, as specified in the standard, shall not be exceeded.

• All cargo handling gear with a safe working load greater than five short tons shall have its safe working load plainly marked on it.

State-initiated amendments are made to be at-least-as-effective-as and consistent with the federal standard. These amendments:

• Require (in the absence of specific requirements) that wire rope and replacement wire rope shall be of a size and construction suitable for the purpose, and shall have the capacity to handle 5 (currently 4) times the expected load. Due to wire rope deterioration in the marine environment, a 5 to 1 safety factor is more appropriate. This amendment is consistent with federal requirements, as well as other existing WISHA requirements in chapter 296-56 WAC and other standards, and is "at-least-as-effective-as" the federal standard.

• Delete the second sentence in subsection (10). Currently, cranes and derricks brought into the state from another jurisdiction are not required to be recertified in Washington provided they were certified with requirements similar to WISHA requirements. Because WISHA's existing certification requirements are more effective than those in other fed-

eral and state jurisdictions, it has historically been WISHA's practice to require recertification upon initial transfer of cranes and derricks to this state.

• Replace outdated language relating to the department.

Amended section WAC 296-56-60103 Terminals handling intermodal containers or roll-on roll-off operations, federal-initiated proposed amendments are made to either replace existing language with federal-identical language or to add federal language to be identical to the federal standard. These amendments add the following federal requirements:

• Containers must carry only completely assembled vehicles and no other cargo.

• Containers must be marked on the outside indicating the container is carrying vehicles.

• Vehicles must be loaded into a container at the marine terminal.

• Each employee working in the immediate area of container handling equipment or in the terminal's traffic lanes shall wear a high visibility vest.

• When hoisting containers by the top fittings, a less than vertical lift is permitted only:

• If the container being lifted is an ISO closed box container.

• The condition of the box is sound.

• The speed of hoisting and lowering is moderated when heavily laden containers are encountered.

• The lift angle is at 80 to 90 degrees.

• The distance between the lifting beam and the load is at least 8 feet and 2.4 inches.

• The length of the spreader beam is at least 16.3 feet for a 20-foot container, and at least 36.4 feet for a 40-foot container.

• Flat bed, low boy trailers and other similar equipment used to transport containers shall be marked with their cargo capacities.

• Each tractor shall have all brake air lines connected when pulling trailers equipped with air brakes and have the brakes tested before operations.

Amended section WAC 296-56-60113 Foot protection, federal-initiated proposed amendments relating to foot protection are made to be identical to the federal standard. These amendments add the following federal requirements:

• The employer shall ensure that each employee wears protective footwear when working in areas where there is a danger of foot injuries.

• An ANSI reference is updated.

Amended section WAC 296-56-60115 Other protective measures, state-initiated proposed amendments are made to:

• Correct the spelling of "flotation."

Amended section WAC 296-56-60123 Guarding of edges, federal-initiated proposed amendments relating to guarding of edges are made to correct a centimeter measurement.

Amended section WAC 296-56-60211 Portable ladders, federal-initiated proposed amendments relating to portable ladders are made to:

• Update ANSI standards.

• Correct Newton value measurements.

Amended section WAC 296-56-60217 Spiral stairways, federal-initiated proposed amendments relating to spiral stairways are made to correct Newton value measurements.

Statutory Authority for Adoption: RCW 49.17.040.

Statute Being Implemented: RCW 49.17.010, [49.17].050, [49.17].060.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is necessary because of federal law, 29 C.F.R. Part 1917, et al., (62 Fed. Reg. 40142, (1997)).

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose above.

Proposal Changes the Following Existing Rules: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The economic analysis requirements of the Regulatory Fairness Act do not apply to "rules that only correct typographical errors... or clarify language of a rule without changing its effect" or to rules that adopt or incorporate by reference, without material change, federal statutes or regulations or national consensus codes that generally establish industry standards. Since the proposed amendments incorporate federal regulations and national consensus codes by reference without material change, correct typographical errors, and clarify language without changing its effect, a small business economic impact statement is not required.

If a small business economic impact statement is not required, the department must "file a statement citing, with specificity, the federal statute or regulation with which the rule is being adopted to conform or comply, and describing the consequences to the state if the rule is not adopted" (RCW 19.85.061). In accordance with this statute, the Occupational Safety and Health Administration (OSHA) adopted new federal maritime requirements to 29 C.F.R. 1917 (as published in Federal Register, Vol. 62, No. 143, dated July 25, 1997). If the federal requirements are not adopted, the agency's administrative laws on this subject would be in violation of the OSHA Act of 1970, 29 U.S.C. Sec. 657 and 667 which require Washington's safety and health regulations to be at least-as-effective-as OSHA's. As a result, OSHA may decertify the state's program.

RCW 34.05.328 does not apply to this rule adoption. Significant rule-making criteria does not apply to these rule amendments because they meet the exempt criteria outlined in RCW 34.05.328 (5)(b)(iii) and (iv). Significant rule-making criteria does not apply when adopting federal regulations without material change, or when adopting rules to correct information that is housekeeping in nature (typographical errors, address/name changes, or clarification of rule language without changing its effect).

Hearing Location: Department of Labor and Industries Building, Auditorium, 7273 Linderson Way, Tumwater, WA, on September 22, 1998, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Linda Dausener by September 8, 1998, at (360) 902-5516.

Submit Written Comments to: Tracy Spencer, Standards Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98507-4620, by 5:00 p.m. on September 30, 1998. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: December 15, 1998.

August 18, 1998

Gary Moore

Director

**AMENDATORY SECTION** (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60001 Scope and applicability.** (1) The rules included in this chapter apply throughout the state of Washington, to any and all waterfront operations under the jurisdiction of the department of labor and industries (~~(division of consultation and compliance)~~).

(2) These minimum requirements are promulgated in order to augment the general safety and health standards, and any other safety and health standards promulgated by the department of labor and industries which are applicable to all places of employment under the jurisdiction of the department of labor and industries. The rules of this chapter, and the rules of chapters 296-24 and 296-62 WAC are applicable to all longshore, stevedore and related waterfront operations: *Provided*, That such rules shall not be applicable to those operations under the exclusive safety jurisdiction of the federal government.

(3) The provisions of this chapter shall prevail in the event of a conflict with, or duplication of, provisions contained in chapters 296-24 and 296-62 WAC. Specific standards which are applicable include, but are not limited to:

(a) Electrical—Chapter 296-24 WAC Part L.

(b) Toxic and hazardous substances are regulated by chapter 296-62 WAC. Where references to this chapter are given they are for informational purposes only. Where specific requirements of this chapter conflict with the provisions of chapter 296-62 WAC this chapter prevails. Chapter 296-62 WAC does not apply when a substance or cargo is contained within a manufacturer's original, sealed, intact means of packaging or containment complying with the department of transportation or International Maritime Organization requirements.

(c) Hearing conservation—Chapter 296-62 WAC Part K.

(d) Standards for commercial diving operations—Chapter 296-37 WAC.

(e) Safety requirements for scaffolding—Chapter 296-24 WAC Part J-1.

(f) Safe practices of abrasive blasting operations—Chapter 296-24 WAC Part H-2.

(g) Access to employee exposure and medical records—Chapter 296-62 WAC Part B.

(h) Respiratory protection—Chapter 296-62 WAC Part E.

(i) Safety standards for grain handling facilities—Chapter 296-99 WAC.

(j) Hazard communication purpose—Chapter 296-62 WAC Part C.

(k) Asbestos—Chapters 296-62 Part I-1 and 296-65 WAC.

(l) Permit - required confined spaces and confined space—Chapter 296-62 WAC Part M.

(m) Servicing multi-piece and single-piece rim wheels—Chapter 296-24 WAC Part D.

(n) First aid requirements—Chapter 296-24 WAC Part A-1.

(o) Employee emergency plans and fire prevention plans—Chapter 296-24 WAC Part G-1.

(4) The provisions of this chapter do not apply to the following:

(a) Fully automated bulk coal handling facilities contiguous to electrical power generating plants.

(b) Facilities subject to the regulations of the office of pipeline safety regulation of the materials transportation bureau, department of transportation, to the extent such regulations apply.

(5) WAC 296-62-074 shall apply to the exposure of every employee to cadmium in every employment and place of employment covered by chapter 296-56 WAC in lieu of any different standard on exposures to cadmium that would otherwise be applicable by virtue of those sections.

**AMENDATORY SECTION** (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60005 Definitions.** ~~((+))~~ "Apron" means that open portion of a marine terminal immediately adjacent to a vessel berth and used in the direct transfer of cargo between the terminal and vessel.

~~((2))~~ "Assistant director for the division of ~~((consultation and compliance))~~ **WISHA services**" means the assistant director of ~~((consultation and compliance))~~ **WISHA services**, department of labor and industries or his/her authorized representative.

~~((3))~~ "Authorized," in reference to an employee's assignment, means selected by the employer for that purpose.

~~((4))~~ "Cargo door" (transit shed door) means a door designed to permit transfer of cargo to and from a marine terminal structure.

~~((5))~~ "Cargo packaging" means any method of containment for shipment, including cases, cartons, crates and sacks, but excluding large units such as intermodal containers, vans or similar devices.

~~((6))~~ "Confined space" means a space that:

~~((a))~~ • Is large enough and so configured that an employee can bodily enter and perform assigned work; and

~~((b))~~ • Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and

~~((c))~~ • Is not designed for continuous employee occupancy.

~~((7))~~ "Conveyor" means a device designed exclusively for transporting bulk materials, packages or objects in a pre-

determined path and having fixed or selective points of loading or discharge.

~~((8))~~ "Danger zone" means any place in or about a machine or piece of equipment where an employee may be struck by or caught between moving parts, caught between moving and stationary objects or parts of the machine, caught between the material and a moving part of the machine, burned by hot surfaces or exposed to electric shock. Examples of danger zones are nip and shear points, shear lines, drive mechanisms, and areas beneath counterweights.

~~((9))~~ "Designated person" means a person who possesses specialized abilities in a specific area and is assigned by the employer to perform a specific task in that area.

~~((10))~~ "Dock" means a wharf or pier forming all or part of a waterfront facility, including marginal or quayside berthing facilities; not to be confused with "loading dock" as at a transit shed or container freight station, or with the body of water between piers or wharves.

~~((11))~~ "Dock facilities" includes all piers, wharves, sheds, aprons, dolphins, cranes, or other gear or equipment owned or controlled by the dock or facility owner, where cargo or materials are loaded, moved or handled to or from a vessel.

~~((12))~~ "Dockboard" (bridge plate or car plate) means a device utilized to span the gap between railroad cars, or between railroad cars or highway vehicles and the loading dock or platform. A car plate may be fixed, adjustable, portable, powered, or unpowered.

~~((13))~~ "Enclosed space" means an indoor space, other than a confined space, that may contain or accumulate a hazardous atmosphere due to inadequate natural ventilation. Examples of enclosed spaces are trailers, railcars, and storage rooms.

~~((14))~~ "Examination," as applied to material handling devices required to be certified by this chapter, means a comprehensive survey consisting of the criteria outlined in WAC 296-56-60093 through 296-56-60097. The examination is supplemented by a unit proof test in the case of annual survey.

~~((15))~~ "Flammable atmosphere" means an atmosphere containing more than ten percent of the lower flammable limit (LEL) of a flammable or combustible vapor or dust mixed with air. Such atmospheres are usually toxic as well as flammable.

~~((16))~~ "Front-end attachments."

~~((a))~~ • As applied to power-operated industrial trucks; means the various devices, such as roll clamps, rotating and sideshifting carriages, magnets, rams, crane arms or booms, load stabilizers, scoops, buckets, and dumping bins, attached to the load end for handling lifts as single or multiple units.

~~((b))~~ • As applied to cranes, means various attachments applied to the basic machine for the performance of functions such as lifting, clamshell or magnet services.

~~((17))~~ "Fumigant" is a substance or mixture of substances, used to kill pests or prevent infestation, which is a gas or is rapidly or progressively transformed to the gaseous state even though some nongaseous or particulate matter may remain and be dispersed in the treatment space.

~~((18))~~ "Hazardous cargo, material, substance or atmosphere" means:

((a)) • Any substance listed in chapter 296-62 WAC;  
 ((b)) • Any material in the hazardous materials table and hazardous materials communications regulations of the Department of Transportation, 49 CFR Part 172;

((c)) • Any article not properly described by a name in the hazardous materials table and hazardous materials communications regulations of the Department of Transportation, 49 CFR Part 172, but which is properly classified under the definition of those categories of dangerous articles given in 49 CFR Part 173;

((d)) • Atmospheres having concentrations of airborne chemicals in excess of permissible exposure limits as defined in chapter 296-62 WAC; or

((e)) • Any atmosphere with an oxygen content of less than nineteen and one-half percent by volume.

((19)) "House falls" means spans and supporting members, winches, blocks, and standing and running rigging forming part of a marine terminal and used with a vessel's cargo gear to load or unload by means of married falls.

((20)) "Inspection," as applied to material handling devices required to be certified by this chapter, includes a complete visual examination of all visible parts of the device.

((21)) "Intermodal container" means a reusable cargo container of rigid construction and rectangular configuration intended to contain one or more articles of cargo or bulk commodities for transportation by water and one or more other transport modes without intermediate cargo handling. The term includes completely enclosed units, open top units, fractional height units, units incorporating liquid or gas tanks and other variations fitting into the container system, demountable or with attached wheels. It does not include cylinders, drums, crates, cases, cartons, packages, sacks, unitized loads or any other form of packaging.

((22)) "Loose gear" means removable or replaceable components of equipment or devices which may be used with or as a part of assembled material handling units for purposes such as making connections, changing line direction and multiplying mechanical advantage. Examples include shackles and snatch blocks.

((23)) "Marina" means a small harbor or boat basin providing dockage, supplies, and services for small craft.

((24)) "Marine terminal" means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or contiguous areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel. It includes structures which are devoted to receiving, handling, holding, consolidation, loading or delivery of waterborne shipments and passengers, and areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas having their own docking facilities and located at a marine terminal nor storage facilities directly associated with those production or manufacturing areas.

((25)) "Permit-required confined space (permit space)" means a confined space that has one or more of the following characteristics:

((a)) • Contains or has a potential to contain a hazardous atmosphere;

((b)) • Contains a material that has the potential for engulfing an entrant;

((c)) • Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or

((d)) • Contains any other recognized serious safety or health hazard.

#### NEW SECTION

**WAC 296-56-60006 Personnel.** (1) Qualifications of machinery operators.

(a) Only those employees determined by the employer to be competent by reason of training or experience, who understand the signs, notices, and operating instructions and are familiar with the signal code in use shall be permitted to operate a crane, winch, or other power-operated cargo handling apparatus, or any power-operated vehicle, or give signals to the operator of any hoisting apparatus. Employees being trained and supervised by a designated individual may operate such machinery and give signals to operators during training.

(b) No employee known to have defective uncorrected eyesight or hearing, or to be suffering from heart disease, epilepsy, or similar ailments which may suddenly incapacitate the employee shall be permitted to operate a crane, winch, other power-operated cargo handling apparatus, or a power-operated vehicle.

(c) Persons who have recovered from a heart attack shall be exempted from the provisions of (b) of this subsection, as it pertains to their heart condition, provided:

(i) A medical release is obtained from their attending medical doctor.

(ii) The release shall state that the operation of a crane, winch, power-operated cargo handling apparatus, or power-operated vehicle, will not present a hazard to themselves or others.

(iii) An examination by a medical doctor, and renewal of the work release certification is required annually.

(2) Supervisory accident prevention proficiency.

(a) Immediate supervisors of cargo-handling operations of more than five persons shall satisfactorily complete a course in accident prevention. Employees newly assigned to supervisory duties shall be required to meet the provisions of this subsection (2)(a) within ninety days of such assignment.

(b) The course shall consist of instruction suited to the particular operations involved.

(c) No minor under eighteen years of age shall be employed in occupations involving the operation of any power-operated hoisting apparatus or assisting in such operations by performing work such as hooking on or landing drafts, rigging gear, etc.

AMENDATORY SECTION (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60009 Accident prevention program.**

(1) An accident prevention program, which provides equitable management-employee participation, shall be established in all establishments, industrial plants, or operations.

(2) It shall be the responsibility of the employer to initiate and maintain the accident prevention program necessary to comply with this section. The division of ~~((consultation and compliance))~~ WISHA services may be contacted for assistance in initiating and maintaining an effective accident prevention program.

(3) All accident prevention programs shall be tailored to the needs of the particular operation.

(4) Employer and employee representatives, as elected, delegated or appointed, shall attend and actively take part in frequent and regular safety committee meetings.

(5) Accident prevention programs shall provide for employer-employee safety meetings and frequent and regular safety inspections of job sites, materials, equipment, and operating procedures.

(6) A record of safety activities, such as inspections and meetings, shall be maintained by the employer for a period covering the previous twelve months and shall be made available, upon request, to noncompliance personnel of the department of labor and industries.

(7) Employees shall individually comply with all safety rules and cooperate with management in carrying out the accident prevention program.

(8) To make effective the preceding statement and promote on-the-job accident prevention, committees shall be established in each port. These committees shall consist of an equal number of port or stevedore company and longshoremen representatives at the job level with the industry or company safety supervisor serving as secretary and coordinator. Some functions of the committee are to maintain the interest of the workers in accident prevention by providing for their actual participation in the program, to direct their attention to the real causes of accidents, and to provide a means for making practical use of their intimate knowledge of working conditions and practices.

(9) It is intended that this program will produce mutually practical and effective recommendations regarding correction of accident-producing circumstances and conditions.

**Note:** For first aid requirements, see chapter 296-24 WAC Part A-1.

**Note:** For emergency plan and fire prevention plan requirements, see chapter 296-24 WAC Part G-1.

#### AMENDATORY SECTION (Amending Order 86-02, filed 1/17/86)

**WAC 296-56-60011 Slinging.** (1) Drafts shall be safely slung before being hoisted. Loose dunnage or debris hanging or protruding from loads shall be removed.

(2) Bales of cotton, wool, cork, wood pulp, gunny bags, or similar articles shall be hoisted only by straps strong enough to support the weight of the bale. At least two hooks, each in a separate strap, shall be used.

(3) Unitized loads bound by bands or straps shall only be hoisted by the banding or strapping if the banding or strapping is suitable for hoisting and is strong enough to support the weight of the load.

(4) Additional means of hoisting shall be employed to ensure safe lifting of unitized loads having damaged banding or strapping.

(5) Case hooks shall be used only with cases designed to be hoisted by these hooks.

(6) Loads requiring continuous manual guidance during handling shall be guided by guide ropes (tag lines) that are long enough to control the load.

(7) Intermodal containers shall be handled in accordance with WAC 296-56-60103.

(8) The employer shall require employees to stay clear of the area beneath overhead drafts or descending lifting gear.

(9) Employees shall not be permitted to ride the hook or the load.

(10) Cargo handling bridles, such as pallet bridles, which are to remain attached to the hoisting gear while hoisting successive drafts, shall be attached by shackles, or other positive means shall be taken to prevent them from becoming accidentally disengaged from the cargo hook.

~~((9))~~ (11) Drafts of lumber, pipe, dunnage and other pieces, the top layer of which is not bound by the sling, shall be slung in such a manner as to prevent sliders. Double slings shall be used on unstrapped dunnage, except, when due to the size of hatch or deep tank openings, it is impractical to use them.

~~((10))~~ (12) Hand loaded buckets, tubs, bins and baskets used in handling bulk cargo shall not be loaded above their rim.

#### AMENDATORY SECTION (Amending Order 92-06, filed 10/30/92, effective 12/8/92)

**WAC 296-56-60057 Fumigants, pesticides, insecticides and hazardous preservatives.** (1) Whenever cargo in a space is or has been stowed, handled, or treated with a fumigant, pesticide, insecticide, or hazardous preservative, a determination shall be made as to whether a hazardous atmosphere is present in the space. Only employees protected as required in subsection (5) of this section shall enter the space if it is hazardous.

(2) Tests to determine the atmospheric concentration of chemicals used to treat cargo shall be:

- (a) Appropriate for the hazard involved;
- (b) Conducted by designated persons; and

(c) Performed at the intervals necessary to ensure that employee exposure does not exceed the permissible exposure limit for the chemical involved, see chapter 296-62 WAC.

(3) Results of any tests shall be available for at least thirty days.

(4) Chemicals shall only be applied to cargoes by designated persons.

(5) Only designated persons shall enter hazardous atmospheres. Whenever a hazardous atmosphere is entered the following provisions apply.

(a) Persons entering a space containing a hazardous atmosphere shall be protected by respiratory and emergency protective equipment meeting the requirements of ~~((subpart))~~ part G of this standard; and

(b) Persons entering a space containing a hazardous atmosphere shall be instructed in the nature of the hazard,

precautions to be taken, and the use of protective and emergency equipment. Standby observers, similarly equipped and instructed, shall continuously monitor the activity of employees within such a space.

(6) Signs shall be clearly posted where fumigants, pesticides or hazardous preservatives have created a hazardous atmosphere. These signs shall note the danger, identify specific chemical hazards, and give appropriate information and precautions, including instructions for the emergency treatment of employees affected by any chemical in use.

(7) In the case of containerized shipments of fumigated tobacco, the contents of the container shall be aerated by opening the container doors for a period of forty-eight hours after the completion of fumigation and prior to loading. When tobacco is within shipping cases having polyethylene or similar bag liners, the aeration period shall be seventy-two hours. The employer shall obtain a written warranty from the fumigation facility stating that the appropriate aeration period has been met.

**((PART D—FIRST AID, OPERATOR QUALIFICATIONS))**

**AMENDATORY SECTION** (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60073 Miscellaneous auxiliary gear.** (1) Routine inspection.

(a) At the completion of each use, loose gear such as slings, chains, bridles, blocks, and hooks shall be so placed as to avoid damage to the gear. Loose gear shall be inspected and any defects corrected before re-use.

(b) All loose gear shall be inspected by the employer or his/her authorized representative before each use and, when necessary, at intervals during its use, to ensure that it is safe. Any gear which is found upon inspection to be unsafe shall not be used until it is made safe.

(c) Defective gear shall not be used. Distorted hooks, shackles, or similar gear shall be discarded.

(d) Chains or other gear which have been lengthened, altered, or repaired by welding shall be properly heat treated, and before again being put into use, shall be tested and reexamined in the manner set forth in WAC 296-56-60097 and 296-56-60098.

(2) The employer shall maintain a record of the dates and results of the tests with each unit of gear concerned clearly identified. The records shall be available for examination by division of consultation and compliance personnel and the employee safety committee.

(3) Wire rope and wire rope slings.

(a) The employer shall ascertain and adhere to the manufacturer's recommended ratings for wire rope and wire rope slings and shall have such ratings available at the terminal. When the manufacturer is unable to supply such ratings, the employer shall use the tables for wire rope and wire rope slings found in American National Safety Standard for Slings, ANSI/ASME B30.9-1984. A design safety factor of at least five shall be maintained for the common sizes of running wire used as falls, in purchases or in such uses as light

load slings. Wire rope with a safety factor of less than five may be used only:

(i) In specialized equipment, such as cranes designed to be used with lesser wire rope safety factors;

(ii) In accordance with design factors in standing rigging applications; or

(iii) For heavy lifts or other purposes for which a safety factor of five is impractical and for which the employer can demonstrate that equivalent safety is ensured.

(b) Wire rope or wire rope slings exhibiting any of the following conditions shall not be used:

(i) Ten randomly distributed broken wires in one rope lay or three or more broken wires in one strand in one rope lay;

(ii) Kinking, crushing, bird caging, or other damage resulting in distortion of the wire rope structure;

(iii) Evidence of heat damage;

(iv) Excessive wear, corrosion, deformation or other defect in the wire or attachments, including cracks in attachments;

(v) Any indication of strand or wire slippage in end attachments; or

(vi) More than one broken wire in the close vicinity of a socket or swaged fitting.

(c) Four by twenty-nine (4 x 29) wire rope shall not be used in any running rigging.

(d) Protruding ends of strands in splices on slings and bridles shall be covered or blunted. Coverings shall be removable so that splices can be examined. Means used to cover or blunt ends shall not damage the wire.

(e) Where wire rope clips are used to form eyes, the employer shall adhere to the manufacturer's recommendations, which shall be available at the terminal. If "U" bolt clips are used and the manufacturer's recommendations are not available, Table C-1 shall be used to determine the number and spacing of clips. "U" bolts shall be applied with the "U" section in contact with the dead end of the rope.

Table C-1— Number and Spacing of U-Bolt Wire Rope Clips

Improved plow steel, rope diameter	Minimum number of clips		Minimum spacing
	Drop forged	Other material	
inches/(cm)			inches/(cm)
1/2 or less (1.3)	3	4	3 (7.6)
5/8 (1.6)	3	4	3 3/4 (9.5)
3/4 (1.9)	4	5	4 1/2 (11.4)
7/8 (2.2)	4	5	5 1/4 (13.3)
1 (2.5)	5	7	6 (15.2)
1 1/8 (2.7)	6	7	6 3/4 (17.1)
1 1/4 (3.2)	6	8	7 1/2 (18.1)
1 3/8 (3.5)	7	8	8 1/4 (21.0)
1 1/2 (3.8)	7	9	9 (22.9)

(f) Wire rope shall not be secured by knots.

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(g) Eyes in wire rope bridles, slings, bull wires, or in single parts used for hoisting shall not be formed by wire rope clips or knots.

(h) Eye splices in wire ropes shall have at least three tucks with a whole strand of the rope and two tucks with one-half of the wire cut from each strand. Other forms of splices or connections which are demonstrated to be equally safe may be used.

(i) Except for eye splices in the ends of wires and for endless rope slings, each wire rope used in hoisting or lowering, or in bulling cargo, shall consist of one continuous piece without knot or splice.

(4) Natural fiber rope.

(a) The employer shall ascertain the manufacturer's ratings for the specific natural fiber rope used and have such ratings available at the terminal. The manufacturer's ratings shall be adhered to and a minimum design safety factor of five maintained.

(b) Eye splices shall consist of at least three full tucks. Short splices shall consist of at least six full tucks, three on each side of the center line.

(5) Synthetic rope.

(a) The employer shall adhere to the manufacturer's ratings and use recommendations for the specific synthetic fiber rope used and shall have such ratings available at the terminal.

(b) Unless otherwise recommended by the manufacturer, when synthetic fiber ropes are substituted for manila ropes of less than three inches (7.62 cm) circumference, the substitute shall be of equal size. Where substituted for manila rope of three inches or more in circumference, the size of the synthetic rope shall be determined from the formula:

$$C = \sqrt{.6(C_s^2) + .4(C_m^2)}$$

Where C = the required circumference of the synthetic rope in inches, C<sub>s</sub> = the circumference to the nearest one-quarter inch of a synthetic rope having a breaking strength not less than that of the size manila rope that would be required by subsection (4) of this section, and C<sub>m</sub> = the circumference of manila rope in inches which would be required by subsection (4) of this section. In making such substitution, it shall be ascertained that the inherent characteristics of the synthetic fiber are suitable for hoisting.

(6) Removal of natural and synthetic rope from service. Natural or synthetic rope having any of the following defects shall be removed from service:

- (a) Abnormal wear;
  - (b) Powdered fiber between strands;
  - (c) Sufficient cut or broken fibers to affect the capacity of the rope;
  - (d) Variations in the size or roundness of strands;
  - (e) Discolorations other than stains not associated with rope damage;
  - (f) Rotting; or
  - (g) Distortion or other damage to attached hardware.
- (7) Thimbles. Properly fitting thimbles shall be used where any rope is secured permanently to a ring, shackle or attachment, where practical.
- (8) Synthetic web slings.

(a) Slings and nets or other combinations of more than one piece of synthetic webbing assembled and used as a single unit (synthetic web slings) shall not be used to hoist loads in excess of the sling's rated capacity.

(b) Synthetic web slings shall be removed from service if they exhibit any of the following defects:

- (i) Acid or caustic burns;
- (ii) Melting or charring of any part of the sling surface;
- (iii) Snags, punctures, tears or cuts;
- (iv) Broken or worn stitches; (~~(e)~~)
- (v) Distortion or damage to fittings; or
- (vi) Display of visible warning threads or markers designed to indicate excessive wear or damage.

(c) Defective synthetic web slings removed from service shall not be returned to service unless repaired by a sling manufacturer or similar entity. Each repaired sling shall be proof tested by the repairer to twice the slings' rated capacity prior to its return to service. The employer shall retain a certificate of the proof test and make it available for examination.

(d) Synthetic web slings provided by the employer shall only be used in accordance with the manufacturer's recommendations, which shall be made available upon request.

(e) Fittings shall have a breaking strength at least equal to that of the sling to which they are attached and shall be free of sharp edges.

(9) Chains and chain slings used for hoisting.

(a) The employer shall adhere to the manufacturer's recommended ratings for safe working loads for the sizes of the wrought iron and alloy steel chains and chain slings used and shall have such ratings available. When the manufacturer is unable to provide such ratings, the employer shall use the tables for chains and chain slings found in American National Safety Standard for Slings, ANSI B30.9-1971.

(b) Proof coil steel chain, also known as common or hardware chain, and other chain not recommended by the manufacturer for slinging or hoisting shall not be used for slinging or hoisting.

(c)(i) Sling chains, including end fastenings, shall be inspected for visible defects before each day's use and as often as necessary during use to ensure integrity of the sling.

(ii) Thorough inspections of chains in use shall be made quarterly to detect wear, defective welds, deformation, increase in length or stretch. The month of inspection shall be indicated on each chain by color of paint on a link or by other effective means.

(iii) Chains shall be removed from service when maximum allowable wear, as indicated in Table C-2, is reached at any point of link.

(iv) Chain slings shall be removed from service when stretch has increased the length of a measured section by more than five percent; when a link is bent, twisted or otherwise damaged; or when a link has a raised scarf or defective weld.

(v) Only designated persons shall inspect chains used for slinging and hoisting.



Table C-2 — Maximum Allowable Wear at Any Point of Link

Chain size		Maximum allowable wear	
Inches		Inches	(cm)
1/4 (9/32)	(0.6)	3/64	(0.1)
3/8	(1.0)	5/64	(0.2)
1/2	(1.3)	7/64	(0.3)
5/8	(1.6)	9/64	(0.4)
3/4	(1.9)	5/32	(0.4)
7/8	(2.2)	11/64	(0.4)
1	(2.5)	3/16	(0.5)
1 1/8	(2.9)	7/32	(0.6)
1 1/4	(3.2)	1/4	(0.6)
1 3/8	(3.5)	9/32	(0.7)
1 1/2	(3.8)	5/16	(0.8)
1 3/4	(4.4)	1 1/32	(0.9)

(d) Chains shall only be repaired under qualified supervision. Links or portions of chain defective under any of the criteria of WAC 296-56-60073 (9)(c) shall be replaced with properly dimensioned links or connections of material similar to that of the original chain. Before repaired chains are returned to service, they shall be tested to the proof test load recommended by the manufacturer for the original chain. Tests shall be performed by the manufacturer or shall be certified by an agency accredited for the purpose under WAC 296-56-60093. Test certificates shall be available at the terminal.

(e) Wrought iron chains in constant use shall be annealed or normalized at intervals not exceeding six months. Heat treatment certificates shall be available at the terminal. Alloy chains shall not be annealed.

(f) Kinked or knotted chains shall not be used for lifting. Chains shall not be shortened by bolting, wiring or knotting. Makeshift links or fasteners such as wire, bolts or rods shall not be used.

(g) Hooks, rings, links and attachments affixed to sling chains shall have rated capacities at least equal to that of the chains to which they are attached.

(h) Chain slings shall bear identification of size, grade and rated capacity.

(10) Shackles.

(a) If available, the manufacturer's recommended safe working loads for shackles shall not be exceeded. In the absence of manufacturer's recommendations, Table C-3 shall apply.

(b) Screw pin shackles used aloft in house fall or other gear, except in cargo hook assemblies, shall have their pins moused or otherwise effectively secured.

Table C-3 — Safe Working Loads for Shackles

Material size		Pin diameter		Safe working load in 2,000 lb tons
Inches		Inches	(cm)	
1/2	(1.3)	5/8	(1.6)	1.4

Material size		Pin diameter		Safe working load in 2,000 lb tons
Inches		Inches	(cm)	
5/8	(1.6)	3/4	(1.9)	2.2
3/4	(1.9)	7/8	(2.2)	3.2
7/8	(2.2)	1	(2.5)	4.3
1	(2.5)	1 1/8	(2.9)	5.6
1 1/8	(2.9)	1 1/4	(3.2)	6.7
1 1/4	(3.2)	1 3/8	(3.5)	8.2
1 3/8	(3.5)	1 1/2	(3.8)	10.0
1 1/2	(3.8)	1 3/4	(4.4)	11.9
1 3/4	(4.4)	2	(5.0)	16.2
2	(5.0)	2 1/4	(5.7)	21.2

(c) Tables G-2 through G-5 shall be used to determine the safe working loads of various sizes and classifications of improved plow steel wire rope slings with various types of terminals. For sizes, classifications and grades not included in these tables the safe working load recommended by the manufacturer for specific, identifiable products shall be followed, however, a safety factor of not less than five shall be maintained.

Circumferences	Diameter in inches	Single Leg	60 Degrees	45 Degrees	30 Degrees
		Lbs.	Lbs.	Lbs.	Lbs.
3/4	1/4	120	204	170	120
1	5/16	200	346	232	200
1 1/8	3/8	270	467	380	270
1 1/4	7/16	350	605	493	350
1 3/8	15/32	450	775	635	450
1 1/2	1/2	530	915	798	530
1 3/4	9/16	690	1190	973	690
2	5/8	880	1520	1240	880
2 1/4	3/4	1080	1870	1520	1080
2 1/2	13/16	1300	2250	1830	1300
2 3/4	7/8	1540	2660	2170	1540
3	1	1800	3120	2540	1800
		Tons	Tons	Tons	Tons
3 1/4	1-1/16	1.0	1.7	1.4	1.0
3 1/2	1-1/8	1.2	2.1	1.7	1.2
3 3/4	1-1/4	1.35	2.3	1.9	1.35
4	1-5/16	1.5	2.6	2.1	1.5
4 1/2	1-1/2	1.5	3.1	2.5	1.5
5	1-5/8	2.25	3.9	3.2	2.25
5 1/2	1-3/4	2.6	4.5	3.7	2.6
6	2	3.1	5.4	4.4	3.1
6 1/2	2-1/8	3.6	6.2	5.1	3.6

In making such a substitution it should be ascertained that the inherent characteristics of the synthetic fiber are suitable for the intended service of the rope.

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**TABLE G-2 RATED CAPACITIES FOR IMPROVED PLOW STEEL, INDEPENDENT WIRE ROPE CORE, WIRE ROPE AND WIRE SLINGS (IN TONS OF 2,000 POUNDS)**

Rope Diameter Inches	Single Leg					
	Vertical			Choker		
	A	B	C	A	B	C
<b>6 x 19 Classification</b>						
1/4"	.59	.56	.53	.44	.42	.40
3/8"	1.3	1.2	1.1	.98	.93	.86
1/2"	2.3	2.2	2.0	1.7	1.6	1.5
5/8"	3.6	3.4	3.0	2.7	2.5	2.2
3/4"	5.1	4.9	4.2	3.8	3.6	3.1
7/8"	6.9	6.6	5.5	5.2	4.9	4.1
1"	9.0	8.5	7.2	6.7	6.4	5.4
1-1/8"	11	10	9.0	8.5	7.8	6.8
<b>6 x 37 Classification</b>						
1-1/4"	13	12	10	9.9	9.2	7.9
1-3/8"	16	15	13	12	11	9.6
1-1/2"	19	17	15	14	13	11
1-3/4"	26	24	20	19	18	15
2"	33	30	26	25	23	20
2-1/4"	41	38	33	31	29	25

(A) — Socket or Swaged Terminal attachment.  
 (B) — Mechanical Sleeve attachment.  
 (C) — Hand Tucked Splice attachment.

**TABLE G-4 RATED CAPACITIES FOR IMPROVED PLOW STEEL, FIBER CORE, WIRE ROPE AND WIRE ROPE SLINGS (In Tons of 2,000 pounds)**

Rope dia. Inches	Single leg					
	Vertical			Choker		
	A	B	C	A	B	C
<b>6 x 19 Classification</b>						
1/4	.55	.51	.49	.41	.38	.37
3/8	1.2	1.1	1.1	.91	.85	.80
1/2	2.1	2.0	1.8	1.6	1.5	1.4
5/8	3.3	3.1	2.8	2.5	2.3	2.1
3/4	4.8	4.4	3.9	3.6	3.3	2.9
7/8	6.4	5.9	5.1	4.8	4.5	3.9
1	8.4	7.7	6.7	6.3	5.8	5.0
1-1/8	10	9.5	8.4	7.9	7.1	6.3
<b>6 x 37 Classification</b>						
1-1/4	12	11	9.8	9.2	8.3	7.4
1-3/8	15	13	12	11	10	8.9
1-1/2	17	16	14	13	12	10
1-3/4	24	21	19	18	16	14
2	31	28	25	23	21	18

(A) — Socket or Swaged Terminal attachment.  
 (B) — Mechanical Sleeve attachment.  
 (C) — Hand Tucked Splice attachment.

**TABLE G-3 RATED CAPACITIES FOR IMPROVED PLOW STEEL, INDEPENDENT WIRE ROPE CORE, WIRE ROPE SLINGS (IN TONS OF 2,000 POUNDS)**

Rope dia. inches	Two-leg bridle or basket hitch											
	Vertical			60 degree			45 degree			30 degree		
	A	B	C	A	B	C	A	B	C	A	B	C
<b>6 x 19 Classification</b>												
1/4"	1.2	1.1	1.0	1.0	.97	.92	.83	.79	.75	.59	.56	.53
3/8"	2.6	2.5	2.3	2.3	2.1	2.0	1.8	1.8	1.6	1.3	1.3	1.1
1/2"	4.6	4.4	3.9	4.0	3.8	3.4	3.2	3.1	2.8	2.3	2.2	2.0
5/8"	7.2	6.8	6.0	6.2	5.9	5.2	5.1	4.8	4.2	3.6	3.4	3.0
3/4"	10	9.7	8.4	8.9	8.4	7.3	7.2	6.9	5.9	5.1	4.9	4.2
7/8"	14	13	11	12	11	9.6	9.8	9.3	7.8	6.9	6.6	5.5
1"	18	17	14	15	15	12	13	12	10	9.0	8.5	7.1
1-1/8"	23	21	18	19	18	16	16	15	13	11	10	9.0
<b>6 x 37 Classification</b>												
1-1/4"	26	24	21	23	21	18	19	17	15	13	12	10
1-3/8"	32	29	25	28	25	22	23	21	18	16	15	13
1-1/2"	38	35	30	33	30	26	27	25	21	19	17	15
1-3/4"	51	47	41	44	41	35	36	33	29	26	24	20
2"	66	61	53	57	53	46	47	43	37	33	30	26
2-1/4"	83	76	66	72	66	57	58	54	47	41	38	33





(A) — Socket or Swaged Terminal Attachment.  
 (B) — Mechanical Sleeve Attachment.  
 (C) — Hand Tucked Splice Attachment.

**TABLE G-5 RATED CAPACITIES FOR IMPROVED PLOW STEEL, FIBER CORE, WIRE ROPE SLINGS (In Tons of 2,000 Pounds)**

Rope dia. Inches	Two-leg bridle or basket hitch											
	Vertical			60 Degree			45 Degree			30 degree		
	A	B	C	A	B	C	A	B	C	A	B	C
<b>6 x 19 Classification</b>												
1/4	1.1	1.0	.99	.95	.88	.85	.77	.72	.70	.55	.51	.49
3/8	2.4	2.3	2.1	2.1	1.9	1.8	1.7	1.6	1.5	1.2	1.1	1.1
1/2	4.3	3.9	3.7	3.7	3.4	3.2	3.0	2.8	2.6	2.1	2.0	1.8
5/8	6.7	6.2	5.6	5.8	5.3	4.8	4.7	4.4	4.0	3.3	3.1	2.8
3/4	9.5	8.8	7.8	8.2	7.6	6.8	6.7	6.3	5.5	4.8	4.4	3.9
7/8	13	12	10	11	10	8.9	9.1	8.4	7.3	6.4	5.9	5.1
1	17	15	13	14	13	11	12	11	9.4	8.4	7.7	6.7
1-1/2	21	19	17	18	16	14	15	13	12	10	9.5	8.4
<b>6 x 37 Classification</b>												
1-1/4	25	22	20	21	19	17	17	16	14	12	11	9.8
1-3/8	30	27	24	26	23	20	21	19	17	15	13	12
1-1/2	35	32	28	30	27	24	25	22	20	17	16	14
1-3/4	48	43	38	41	37	33	34	30	27	24	21	19
2	62	55	49	53	48	43	43	39	35	31	28	25

(A) — Socket or Swaged Terminal attachment.  
 (B) — Mechanical Sleeve attachment.  
 (C) — Hand Tucked Splice attachment.

**TABLE G-6 ALLOY STEEL CHAIN**  
(In Tons of 2,000 Pounds)

Nominal size chain stock Inch.	Single leg 	60 degree 	45 degree 	30 degree 
1/4	1.62	2.82	2.27	1.62
3/8	3.30	5.70	4.65	3.30
1/2	5.62	9.75	7.90	5.62
5/8	8.25	14.25	11.65	8.25
3/4	11.5	19.9	16.2	11.5
7/8	14.3	24.9	20.3	14.3
1	19.3	33.5	27.3	19.8
1-1/8	22.2	38.5	31.5	22.2
1-1/4	28.7	49.7	40.5	28.7
1-3/8	33.5	58.0	47.0	33.5
1-1/2	39.7	68.5	56.0	39.7
1-5/8	42.5	73.5	59.5	42.5
1-3/4	47.0	81.5	62.0	47.0

(11) Hooks other than hand hooks.

(a) The manufacturer's recommendations shall be followed in determining the safe working loads of the various sizes and types of specific and identifiable hooks. All hooks for which no applicable manufacturer's recommendations are available shall be tested to twice the intended safe working load before they are initially put into use. The employer shall maintain a record of the dates and results of such tests.

(b) Loads shall be applied to the throat of the hook since loading the point may overstress, bend, or spring the hook.

(c) Hooks shall be inspected once a month to see that they have not been bent by overloading. Bent or sprung hooks shall not be used.

(d) Crane hooks. Magnetic particle or other suitable crack detecting inspection shall be performed at least once each year. When testing by x-ray, the pertinent provisions of the Nuclear Regulatory Commission's standards for protection against radiation, relating to protection against occupational radiation exposure, shall apply.

(e) Any activity which involves the use of radioactive materials or x-rays, whether or not under license from the Nuclear Regulatory Commission, shall be performed by competent persons specially trained in the proper and safe operation of such equipment. In the case of materials used under commission license, only persons actually licensed, or competent persons under direction and supervision of the licensee, shall perform such work.

(f) Teeth of case hooks shall not be split, cracked, or deformed.

(g) Jaws of patent clamp type plate hooks shall be kept in safe condition so that they will grip plates securely.

(12) Pallets.

(a) Pallets shall be made and maintained to safely support and carry loads being handled. Fastenings of reusable pallets used for hoisting shall be bolts and nuts, drive screws (helically threaded nails), annular threaded nails or fastenings of equivalent holding strength.

(b) Damaged pallets shall be stored in designated areas and identified.

(c) Reusable wing or lip-type pallets shall be hoisted by bar bridles or other suitable gear and shall have an overhanging wing or lip of at least three inches (76.2 mm). They shall not be hoisted by wire slings alone.

(d) Loaded pallets that do not meet the requirements of this paragraph shall be hoisted only after being placed on pallets meeting such requirements or shall be handled by other means providing equivalent protection.

(e) Bridles for handling flush end or box-type pallets shall be designed to prevent disengagement from the pallet under load.

(f) Pallets shall be stacked or placed to prevent falling, collapsing or otherwise causing a hazard under standard operating conditions.

(g) Disposable pallets intended only for one use shall not be re-used for hoisting.

AMENDATORY SECTION (Amending Order 86-02, filed 1/17/86)

**WAC 296-56-60077 Powered industrial trucks.** (1) Applicability. This section applies to every type of powered industrial truck used for material or equipment handling within a marine terminal. It does not apply to over-the-road vehicles.

(2) General.

(a) Modifications, such as adding counterweights, that might affect the vehicle's capacity or safety shall not be performed without either the manufacturer's prior written approval or the written approval of a professional engineer experienced with the equipment who has consulted with the manufacturer, if available. Capacity, operation and maintenance instruction plates, tags or decals shall be changed to conform to the equipment as modified.

(b) Unauthorized personnel shall not ride on powered industrial trucks. A safe place to ride shall be provided when riding is authorized.

(c) When a powered industrial truck is left unattended, load-engaging means shall be fully lowered, controls neutralized and brakes set. Unless the truck is in view and within twenty-five feet (7.6 m) of the operator, power shall be shut off. Wheels shall be blocked or curbed if the truck is on an incline.

(d) Powered industrial trucks shall not be operated inside highway vehicles or railcars having damage which could affect operational safety.

(e) Powered industrial trucks shall be marked with their rated capacities, which shall be visible to the operator.

(f) Only stable and safely arranged loads within the rated capacity of the truck shall be handled.

(g) Drivers shall ascend and descend grades slowly.

(h) Drivers shall slow down and sound the horn at cross-aisles and other locations where visibility is obstructed.

(i) If the load obstructs the forward view drivers shall travel with the load trailing.

(j) Steering knobs shall not be used unless the truck is equipped with power steering.

(k) When powered industrial trucks use cargo lifting devices that have a means of engagement hidden from the operator, a means shall be provided to enable the operator to determine that the cargo has been engaged.

(l) When cargo is being towed on pipe trucks or similar equipment, a safe means shall be provided to protect the driver from sliding loads.

PROPOSED

## (3) Maintenance.

(a) Only designated persons shall perform maintenance and repair.

(b) Batteries on all powered trucks shall be disconnected during repairs to the primary electrical system unless power is necessary for testing and repair. On trucks equipped with systems capable of storing residual energy, that energy shall be safely discharged before work on the primary electrical system begins.

(c) Replacement parts whose function might affect operational safety shall be equivalent in strength and performance capability to the original parts which they replace.

(d) Braking systems or other mechanisms used for braking shall be operable and in safe condition.

(e) Powered industrial trucks shall be maintained in safe working order. Safety devices shall not be removed or made inoperative except as otherwise provided in this section. Trucks with a fuel system leak or any other safety defect shall not be operated.

(f) Those repairs to the fuel and ignition systems of industrial trucks which involve fire hazards shall be conducted only in locations designated as safe for such repairs.

## (4) Approved trucks.

(a) "Approved power-operated industrial truck" means one listed or approved for the intended use by a nationally recognized testing laboratory.

(b) Approved trucks acquired and used after February 15, 1972, shall bear a label or other identification indicating testing laboratory approval.

(c) When the atmosphere in an area is hazardous and the provisions of United States Coast Guard regulations at 33 CFR 126.15(e) do not apply, only power-operated industrial trucks approved for such locations shall be used.

## (5) Duties of operator.

(a) A power-driven vehicle operator's special duties are:

(i) To operate the vehicle in a safe manner.

(ii) To test brakes, steering gear, lights, horns, or other warning devices, clutches, etc., before starting work.

(iii) To have the vehicle at all times under control so that it can be brought to an emergency stop in the clear space in front of the vehicle.

(iv) To back down any incline of two percent or more when traveling with a load on the fork lift jitney.

(b) Unobstructed view. When traveling, power-propelled vehicles shall at all times be operated in a manner giving the operator a reasonably unobstructed view in the direction of travel. Where this is impractical, the operator shall be directed in travel, by a person designated to do so.

(c) Employee riding safety. Operators and authorized passengers shall not be permitted to ride with legs or arms extending outside any vehicle nor shall they be permitted to ride while standing unless the vehicle is designed to be operated from a standing position.

(d) Moving vehicles. Vehicles shall be controlled manually while being pushed or towed except when a tow bar is used. Special precautions shall be taken when pushing vehicles where view is obstructed. Vehicles shall not be pushed with blades of a forklift.

(e) Moving highway trailers. In all cargo operations involving the use of highway trailers, trailers shall be moved

in such a manner that the moving trailer is completely under control at all times. Special caution shall be exercised when such trailers are moving on inclines. Trailers shall be loaded in a manner which will prevent the cargo from shifting, and the load in the trailer shall be evenly distributed so as not to cause the trailer to tip to one side.

(f) Prohibited forms of riding. Riding on tongue or handles of trailers or forks of power-propelled vehicles is prohibited.

(g) Regular seats for riders. No one except the operator shall ride on power-driven vehicles unless regular seats are provided to accommodate passengers.

(h) Jumping on or off moving vehicles. Employees shall not jump on or off moving vehicles.

(i) Reporting defects. If a power-driven vehicle is at any time found to be in any way unsafe, the operator shall report same immediately to the person in charge and such vehicle shall not be used for production work until it has been made safe.

## (6) Vehicle equipment and maintenance.

(a) Horns and lights. All power-propelled vehicles shall be provided with horns or other warning devices.

(b) Power-propelled vehicles used for night work, when required to travel away from an illuminated work area shall be equipped with a light or lights directed in the direction of travel in order to safely travel about the area.

(c) Guards on operator's platform. Every power truck operated from an end platform or standing position shall be equipped with a substantial guard securely attached to the platform or frame of the vehicle in such a manner as to protect the operator from falling objects and so designed that the operator can easily mount or dismount from the operating station.

(d) Seat cushions. All vehicles having a driver's seat shall be provided with resilient seat cushions fixed in place.

(e) Securing of counterbalances. Counterbalances of all power-driven vehicles shall be positively secured to prevent accidental dislodging, but may be a removable type which may be removed, if desired, prior to hoisting the vehicle.

(f) Exhaust pipes and mufflers. Exhaust pipes and mufflers of internal combustion engines, where workers are exposed to contact shall be isolated or insulated. Exhaust pipes shall be constructed to discharge not less than seventy-two inches above the floor on jitneys and eighty-four inches on forklifts or less than twenty inches from the floor.

(g) Ventilation where internal combustion vehicles are used. Internal combustion engines may be used only in areas where adequate ventilation is provided.

(h) Concentration levels of carbon monoxide gas created by powered industrial truck operations shall not exceed the levels specified in WAC 296-56-60055.

(i) When disputes arise concerning degree of concentration, methods of sampling to ascertain the conditions should be referred to a qualified industrial hygienist.

(j) Cargo truck couplings. Couplings installed on cargo trucks (four-wheelers) shall be of a type which will prevent accidental disengaging.

(k) Operating levers. Operating levers on power-driven vehicles shall be so placed as not to project toward the operator's body.

(l) Front axle assembly. The front axle assembly on all trailers shall be securely fastened to the truck bed.

(m) Air line hook-up. Tractors hauling heavy duty highway trailers shall have an air line brake hook-up.

(n) Floor mats. On power-driven vehicles where the operator stands on a platform, resilient foot mats shall be securely attached.

(o) Cleaning vehicles. All power-propelled vehicles shall be cleaned at frequent intervals to remove any accumulation of dust and grease that may present a hazard.

(7) Forklift trucks.

(a) Overhead guards.

(i) When operators are exposed to overhead falling hazards, forklift trucks shall be equipped with securely attached overhead guards. Guards shall be constructed to protect the operator from falling boxes, cartons, packages, or similar objects.

(ii) Overhead guards shall not obstruct the operator's view, and openings in the top of the guard shall not exceed six inches (15.2 cm) in one of the two directions, width or length. Larger openings are permitted if no opening allows the smallest unit of cargo being handled to fall through the guard.

(iii) Overhead guards shall be built so that failure of the vehicle's mast tilting mechanism will not displace the guard.

(iv) An overhead guard, otherwise required by this paragraph, may be removed only when it would prevent a truck from entering a work space and if the operator is not exposed to low overhead obstructions in the work space.

(v) Overhead guards shall be large enough to extend over the operator during all truck operations, including forward tilt.

(b) Supplies to ship's rail. Cargo or supplies shall not be hoisted to or from ship's rail with a forklift. This does not apply to ramp or side port loading.

(c) Position of forks. When standing, lift forklift forks shall be lowered to floor. When moving, lift forklift forks shall be kept as low as possible.

(d) Forklift use in gangplank moving. Not less than two forklifts shall be used to place or remove gangplanks unless fork width prevents tipping and manufacturer's rated lifting capacity of the forklift is not exceeded.

(e) Forklift seat covers. Seats on forklifts shall be provided with a removable waterproof cover when they are exposed to the weather.

(f) Raised equipment to be blocked. Workers shall not work below the raised bed of a dump truck, raised buckets of front end loaders, raised blades of tractors or in similar positions without blocking the equipment in a manner that will prevent it from falling. When working under equipment suspended by use of jacks, safety stands or blocking shall be used in conjunction with the jack.

(g) Maximum speed. The maximum speed for forklifts on all docks shall not exceed eight miles per hour. The speed limit shall be prominently posted on such docks.

(h) Load backrest extensions. Where necessary to protect the operator, forklift trucks shall be fitted with a vertical load backrest extension to prevent the load from hitting the mast when the mast is positioned at maximum backward tilt. For this purpose, a "load backrest extension" means a device

extending vertically from the fork carriage frame to prevent raised loads from falling backward.

(i) Forks. Forks, fork extensions and other attachments shall be secured so that they cannot be accidentally dislodged, and shall be used only in accordance with the manufacturer's recommendations.

(j) Counterweights. Counterweights shall be so affixed that they cannot be accidentally dislodged.

(k) Capacities and weights.

(i) Forklift truck rated capacities, with and without removable counterweights, shall not be exceeded. Rated capacities shall be marked on the vehicle and shall be visible to the operator. The vehicle weight, with and without counterweight, shall be similarly marked.

(ii) If loads are lifted by two or more trucks working in unison, the total weight of the load shall not exceed the combined rated lifting capacity of all trucks involved.

(l) Lifting of employees. Employees may be elevated by forklift trucks only when a platform is secured to the lifting carriage or forks. The platform shall meet the following requirements:

(i) The platform shall have a railing complying with WAC 296-56-60123(3).

(ii) The platform shall have toeboards complying with WAC 296-56-60123(4), if tools or other objects could fall on employees below.

(iii) When the truck has controls which are elevated with the lifting carriage, means shall be provided for employees on the platform to shut off power to the vehicle.

(iv) Employees on the platform shall be protected from exposure to moving truck parts.

(v) The platform floor shall be skid resistant.

(vi) A truck operator shall be at the truck's controls when employees are elevated unless the truck's controls are elevated with the lifting carriage.

(vii) While employees are elevated, the truck may be moved only to make minor placement adjustments.

(8) Bulk cargo-moving vehicles.

(a) Where a seated operator may come into contact with projecting overhead members, crawler-type bulk-cargo-moving vehicles that are rider operated shall be equipped with operator guards.

(b) Guards and their attachment points shall be so designed as to be able to withstand, without excessive deflection, a load applied horizontally at the operator's shoulder level equal to the drawbar pull of the machine.

(c) After July 26, 1999, bulk cargo-moving vehicles shall be equipped with rollover protection of such design and construction as to prevent the possibility of the operator being crushed because of a rollover or upset.

(9) Straddle trucks.

(a) Accessibility. Straddle trucks shall have a permanent means of access to the operator's station, including any handholds necessary for safe ascent and descent.

(b) Guarding.

(i) Main sprockets and chains to the wheels shall be guarded as follows:

(A) The upper sprocket shall be fully enclosed;

(B) The upper half of the lower sprocket shall be enclosed; and

(C) The drive chain shall be enclosed to a height of eight feet (2.6 m) except for that portion at the lower half of the lower sprocket.

(ii) Gears shall be fully enclosed and revolving parts which may be contacted by the operator shall be guarded.

(iii) When straddle trucks are used in the vicinity of employees, personnel-deflecting guards shall be provided around leading edges of front and rear wheels.

(c) Visibility. Operator visibility shall be provided in all directions of movement.

(10) Trailer-spotting tractors.

(a) Trailer-spotting tractors (fifth wheels) shall be fitted with any hand grabs and footing necessary for safe access to the fifth wheel.

(b) Rear cab windows shall be of safety glass or equivalent material.

**AMENDATORY SECTION** (Amending Order 92-06, filed 10/30/92, effective 12/8/92)

**WAC 296-56-60079 General rules applicable to vehicles.** (1) The requirements of this section apply to general vehicle use within marine terminals except in cases where the provisions of subsections (3) and (13) of this section are preempted by regulations of the department of transportation.

(2) Private vehicle parking in marine terminals shall be allowed only in designated areas.

(3) Trailers shall not be disconnected from tractors at loading docks until the road wheels have been immobilized. The road wheels shall be immobilized from the time the brake system is disconnected until braking is again provided. Supplementary front end support shall be employed as necessary to prevent tipping when a trailer is entered by a material handling vehicle. Rear end support shall be employed if rear wheels are so far forward as to allow tipping when the trailer is entered.

(4) The employer shall direct motor vehicle operators to comply with any posted speed limits, other traffic control signs or signals, and written traffic instructions.

(5) Stop signs shall be posted at main entrances and exits of structures where visibility is impaired, and at blind intersections, unless direct traffic control, warning mirror systems or other systems of equivalent safety are provided.

(6) Vehicular routes, traffic rules and parking areas shall be established, identified and used.

(7) Vehicle drivers shall warn anyone in traffic lanes of the vehicle's approach.

(8) Signs indicating pedestrian traffic shall be clearly posted at vehicular check-in and check-out lines and similar locations where employees may be working.

(9) A distance of not less than twenty feet (~~((4.5 m))~~) (6.1 m) shall be maintained between the first two vehicles in a check-in (~~((ø))~~), check-out (~~((line))~~), road ability, or vessel loading (~~((ø))~~) /discharging line. This distance shall be maintained between any subsequent vehicles behind which employees are required to work.

(10) No unattended vehicle shall be left with its engine running unless secured against movement (see WAC 296-56-60077 for powered industrial trucks).

(11) When the rear of a vehicle is elevated to facilitate loading or discharging, a ramp shall be provided and secured. The vehicle shall be secured against accidental movement during loading or discharging.

(12) Only vehicle floors in safe condition shall be used.

(13) When flatbed trucks, platform containers or similar conveyances are loaded or discharged and the cargo consists of pipe or other products which could spread or roll to endanger employees, the cargo shall be contained to prevent movement.

(14) Vehicles used to transport employees within a terminal shall be maintained in safe working order and safety devices shall not be removed or made inoperable.

**AMENDATORY SECTION** (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60083 Cranes and derricks.** (1) Scope.

(a) This section through WAC 296-56-60103 applies to every kind of crane and derrick and to any other type of equipment performing the functions of a crane or derrick except as noted in (b) of this subsection.

(b) This section does not apply to small industrial truck-type cranes, container handling toploaders and sideloaders, chain hoists, and mobile straddle-type cranes incapable of straddling two or more intermodal containers (sixteen feet (4.88 m) in width).

(2) Ratings.

(a) Except for bridge cranes covered by subsection (7) of this section, cranes and derricks having ratings that vary with boom length, radius (outreach) or other variables shall have a durable rating chart visible to the operator, covering the complete range of the manufacturer's (or design) capacity ratings. The rating chart shall include all operating radii (outreach) for all permissible boom lengths and jib lengths as applicable, with and without outriggers, and alternate ratings for optional equipment affecting such ratings. Precautions or warnings specified by the owner or manufacturer shall be included.

(b) The manufacturer's (or design) rated loads for the conditions of use shall not be exceeded.

(c) Designated working loads shall not be increased beyond the manufacturer's ratings or original design limitations unless such increase receives the manufacturer's approval. When the manufacturer's services are not available or where the equipment is of foreign manufacture, engineering design analysis shall be performed or approved by a person accredited for certifying the equipment under WAC 296-56-60093. Cranes shall conform with the manufacturer's specifications or any current ANSI standards that apply. Engineering design analysis shall be performed by a registered professional engineer competent in the field of cranes and derricks. Any structural changes necessitated by the change in rating shall be carried out.

(3) Radius indicator. When the rated load varies with the boom radius, the crane or derrick shall be fitted with a boom angle or radius indicator visible to the operator.

(4) Prohibited usage.

(a) Equipment shall not be used in a manner that exerts sideloading stresses upon the crane or derrick boom.

(b) No crane or derrick having a visible or known defect that affects safe operation shall be used.

(5) Protective devices.

(a) When exposed moving parts such as gears, chains and chain sprockets present a hazard to employees during crane and derrick operations, those parts shall be securely guarded.

(b) Crane hooks shall be latched or otherwise secured to prevent accidental load disengagement.

(c) When hoisting personnel in an approved man basket, the hook shall have a positive safety latch to prevent rollouts.

(6) General.

(a) Operating controls.

(i) Crane and derrick operating controls shall be clearly marked, or a chart indicating their function shall be posted at the operator's position.

(ii) All crane controls shall operate in a uniform manner within a given port.

(iii) Overhead bridge and container gantry crane operating control levers shall be self-centering so that they will automatically move to the "off" position when the operator releases the control.

(b) Booms. Cranes with elevatable booms and without operable automatic limiting devices shall be provided with boom stops if boom elevation can exceed maximum design angles from the horizontal.

(c) Foot pedals. Foot pedals shall have a nonskid surface.

(d) Access. Ladders, stairways, stanchions, grab irons, foot steps or equivalent means shall be provided as necessary to ensure safe access to footwalks, cab platforms, the cab and any portion of the superstructure which employees must reach.

(i) Footwalks shall be of rigid construction, and shall be capable of supporting a load of one hundred pounds (4.79 kPa) per square foot.

(ii) If more than twenty feet (6.1 m) in height, vertical ladders shall comply with WAC 296-56-60209 (4), (5)(a), (5)(b)(iii) and (5)(b)(iv).

(iii) Stairways on cranes shall be equipped with rigid handrails meeting the requirements of WAC 296-56-60123 (5)(a).

(iv) If the top of a ladder or stairway or any position thereof is located where a moving part of a crane, such as a revolving house, could strike an employee ascending or descending the ladder or stairway, a prominent warning sign shall be posted at the foot of the ladder or stairway. A system of communication (such as a buzzer or bell) shall be established and maintained between the foot of the ladder or stairway and the operator's cab.

(e) Operator's station. The cab, controls, and mechanism of the equipment shall be so arranged that the operator has a clear view of the load or signal person, when one is used. Cab glass, when used, shall be safety plate glass or equivalent and good visibility shall be maintained through the glass. Clothing, tools and equipment shall be stored so as not to interfere with access, operation, or the operator's view.

(f) A seat (lap) belt, meeting the requirements of 49 C.F.R. 571.208-210 for a Type 1 seat belt assembly, shall be installed on the operator's seat of high speed container gantry cranes where the seat trolleys.

(g) Counterweights or ballast. Cranes shall be operated only with the specified type and amount of ballast or counterweights. Ballast or counterweight shall be located and secured only as provided in the manufacturer's or design specifications, which shall be available.

~~((g))~~ (h) Outriggers. Outriggers shall be used according to the manufacturer's specifications or design data, which shall be available. Floats, when used, shall be securely attached to the outriggers. Wood blocks or other support shall be of sufficient size to support the outrigger, free of defects that may affect safety and of sufficient width and length to prevent the crane from shifting or toppling under load.

~~((h))~~ (i) Exhaust gases. Engine exhaust gases shall be discharged away from the normal position of crane operating personnel.

~~((i))~~ (j) Electrical equipment shall be so located or enclosed that live parts will not be exposed to accidental contact. Designated persons may work on energized equipment only if necessary during inspection, maintenance, or repair.

~~((j))~~ (k) Fire extinguisher.

(i) At least one portable fire extinguisher of at least 5-BC rating or equivalent shall be accessible in the cab of the crane or derrick.

(ii) No portable fire extinguisher using carbon tetrachloride or chlorobromomethane extinguishing agents shall be used.

~~((k))~~ (l) Rope on drums. At least three full turns of rope shall remain on ungrooved drums, and two turns on grooved drums, under all operating conditions. Wire rope shall be secured to drums by clamps, U-bolts, shackles, or equivalent means. Fiber rope fastenings are prohibited.

~~((l))~~ (m) Assembly or disassembly of boom sections. Mobile crane booms being assembled or disassembled on the ground with or without the support of the boom harness shall be blocked to prevent dropping of the boom or boom sections.

~~((m))~~ (n) Brakes.

(i) Each independent hoisting unit of a crane shall be equipped with at least one holding brake, applied directly to the motor shaft or gear train.

(ii) Each independent hoisting unit of a crane, except worm geared hoists, the angle of whose worm is such as to prevent the load from accelerating in the lowering direction, shall, in addition to a holding brake, be equipped with a controlled braking means to control lowering speeds.

(iii) Holding brakes for hoist units shall have not less than the following percentage of the rated load hoisting torque at the point where the brake is applied:

(A) One hundred twenty-five percent when used with a controlled braking means.

(B) One hundred percent when used with a mechanically-controlled braking means.

(C) One hundred percent when two holding brakes are provided.

(iv) All power control braking means shall be capable of maintaining safe lowering speeds of rated loads.

~~((n))~~ (o) Each crane or derrick shall be equipped with sufficient lights to maintain five foot candles in the working area around the load hook. All crane ladders and machinery

houses shall be illuminated at a minimum of two candle power.

~~((p))~~ (p) Light fixtures connected to the boom, gantry legs, or machinery house shall be provided with safety devices which will prevent the light fixture from falling in case of bracket failure.

~~((q))~~ (q) Electronic devices may be installed to prevent collision subject to approval of the accredited certification agency.

~~((r))~~ (r) On all rail gantry cranes, truck guards shall extend on the ends of the trucks, close to the top of the rail to prevent worker's feet from being caught between the rail and wheel. This subsection does not apply if rail sweeps are present.

~~((s))~~ (s) All hydraulic cylinders used to control crane booms or to provide crane stability (outriggers) shall be equipped with a pilot operated check valve or a device which will prevent the boom or outrigger from retracting in case of failure of a component of the hydraulic system.

~~((t))~~ (t) Gantry cranes shall be provided with automatic rail clamps or other devices to prevent the crane from moving when not being used or when power is off.

(7) Rail-mounted cranes (excluding locomotive types).

(a) For the purposes of this section, rail-mounted cranes include bridge cranes and portal cranes.

(b) Rated load marking. The rated loads of bridge cranes shall be plainly marked on each side of the crane and in the cab. If there is more than one hoisting unit, each hoist shall have its rated load marked on it or on its load block. Marking shall be legible from the ground level.

(c) Wind-indicating devices.

(i) Each rail-mounted bridge and portal crane located outside of an enclosed structure shall be fitted with an operable wind-indicating device.

(ii) The wind indicating device shall provide a visible or audible warning to alert the operator of high wind conditions. That warning shall be transmitted whenever the following circumstances are present:

(A) When wind velocity reaches the warning speed, not exceeding the crane manufacturer's recommendations; and

(B) When wind velocity reaches the shutdown speed, not exceeding the crane manufacturer's recommendations, at which work is to be stopped and the crane secured.

(iii) Instructions. The employer shall post operating instructions for high wind conditions in the operator's cab of each crane. Operators shall be directed to comply with these instructions. The instructions shall include procedures for responding to high wind alerts and for any coordination necessary with other cranes.

(d) Securing of cranes in high winds.

(i) When the wind reaches the crane's warning speed:

(A) Gantry travel shall be stopped; and

(B) The crane shall be readied for shutdown.

(ii) When the wind reaches the crane's shutdown speed:

(A) Any portion of the crane spanning or partially spanning a vessel shall be moved clear of the vessel if safe to do so; and

(B) The crane shall be secured against travel, using all available means of securing.

(e) The employer shall monitor local weather conditions by subscribing to a weather service or using equally effective means.

(f) Stops and bumpers.

(i) The ends of all tracks shall be equipped with stops or bumpers. If a stop engages the tread of the wheel, it shall be of a height not less than the radius of the wheel.

(ii) When more than one crane operates on the same runway or more than one trolley on the same bridge, each crane or trolley shall be equipped with bumpers or equivalent devices at adjacent ends subject to impact.

(g) Employee exposure to crane movement. When employees may be in the vicinity of the tracks, crane trucks shall be equipped with personnel-deflecting guards.

(h) Pedestrian clearance. If the track area is used for employee passage or for work, a minimum clearance of three feet (0.9 m) shall be provided between trucks or the structures of rail-mounted cranes and any other structure or obstruction. When the required clearance is not available on at least one side of the crane's trucks, the area shall not be used and shall be marked and identified.

(i) Warning devices. Rail-mounted cranes shall be equipped with an effective audible and visible travel warning device which shall be used to warn employees who may be in the path of the moving crane.

(j) Communications.

(i) Means of communication shall be provided between the operator's cab and the base of the gantry of all rail-mounted cranes. This requirement may be met by telephone, radio, sound-signaling system or other effective methods, but not solely by hand-signaling.

(ii) All rail-mounted cranes thirty ton and above capacity shall be equipped with a voice hailing device (PA system) from the operator to the ground, audible within one hundred feet.

(k) Limit switch bypass systems shall be secured during all cargo operations. Such bypass systems shall not be used except in an emergency or during noncargo handling operations such as stowing cranes or derricks or performing repairs. When a situation requiring the use of a bypass system or the readjustment of a limit switch arises, it shall be done only under the direction of a crane mechanic.

(l) Cranes and crane operations—Scope and application. The sections of this chapter, WAC 296-56-60083 through 296-56-60099, apply to cranes, derricks, and crane operations.

~~((m))~~ (m) Signal persons. A signal person shall be required when a crane operator's visibility is obstructed. When a signal person is required to transmit hand signals, they shall be in such a position that the operator can plainly see the signals.

~~((n))~~ (n) Signals. All operators and signal persons shall use standard signals as illustrated for longshore crane operations. (See Appendices C and D, at the end of this chapter.)

~~((o))~~ (o) Signal person for power units. Where power units, such as cranes and winches are utilized and signaling is required, the operator shall be instructed as to who is authorized to give signals. The operator shall take signals only from such authorized person. In case of emergency, any worker shall be authorized to give a stop signal.



(i) No draft shall be hoisted unless the winch or crane operator can clearly see the draft itself or see the signals of any signal person associated with the operation.

(ii) Loads requiring continuous manual guidance while in motion shall be provided with tag lines.

~~((e))~~ (p) Landing loads. Persons assisting in landing a load shall face the load and use caution to prevent themselves from getting in a position where they may be caught between the load and a fixed object.

(8) Stabilizing of locomotive cranes. Loads may be hoisted by locomotive cranes only if outriggers are in place, unless means are taken to prevent the load being carried by the truck spings of the crane.

(9) Operations.

(a) Use of cranes together. When two or more cranes hoist a load in unison, a designated person shall direct the operation and instruct personnel in positioning, rigging of the load and movements to be made.

(b) Guarding of swing radius. Accessible areas within the swing radius of the body of a revolving crane shall be physically guarded during operations to prevent an employee from being caught between the body of the crane and any fixed structure or between parts of the crane.

(c) Securing mobile crane components in transit. The crane's superstructure and boom shall be secured against rotation and carried in line with the direction of travel except when negotiating turns with an operator in the cab or when the boom is supported on a dolly. The empty hook or other attachment shall be secured.

(d) Unattended cranes. The following steps shall be taken before leaving a crane unattended between work periods:

(i) Suspended loads, such as those hoisted by lifting magnets or clamshell buckets, shall be landed unless the storage position or maximum hoisting of the suspended device will provide equivalent safety;

(ii) Clutches shall be disengaged;

(iii) The power supply shall be shut off;

(iv) The crane shall be secured against accidental travel; and

(v) The boom shall be lowered or secured against movement.

(e) Operating near electric power lines.

(i) Clearance. Unless electrical distribution and transmission lines are deenergized and visibly grounded at point of work, or unless insulating barriers not a part of or an attachment to the crane have been erected to prevent physical contact with lines, cranes may be operated near power lines only in accordance with following:

(A) For lines rated 50 kV or below, minimum clearance between the lines and any part of the crane or load shall be ten feet (3 m);

(B) For lines rated over 50 kV, minimum clearance between the lines and any part of the crane or load shall be either 10 feet (3 m) plus 0.4 inch (10 mm) for each 1 kV over 50 kV, or twice the length of the line insulator, but never less than ten feet; and

(C) In transit with no load and boom lowered, the clearance shall be a minimum of four feet (1.2 m).

(ii) Boom guards. Cage-type boom guards, insulating links or proximity warning devices may be used on cranes, but they shall not be used in place of the clearances required by subsection (9)(e)(i) of this section.

(iii) Determination of energized lines. Any overhead line shall be presumed to be energized until the owner of the line indicates that it is not energized.

(10) Protection for employees being hoisted.

(a) No employee shall be hoisted by the load hoisting apparatus of a crane or derrick except:

(i) On intermodal container spreaders, equipped in accordance with this subsection; or

(ii) In a boatswain's chair or other device rigged to prevent it from accidental disengagement from the hook or supporting member; or

(iii) On a platform meeting the following requirements:

(A) Enclosed by a railing or other means providing protection equivalent to that described in WAC 296-56-60123(3). If equipped with open railings, the platform shall be fitted with toe boards;

(B) Having a safety factor of four based on ultimate strength;

(C) Bearing a plate or permanent marking indicating maximum load rating, which shall not be exceeded, and the weight of the platform itself;

(D) Equipped with a device to prevent access doors, when used, from opening accidentally;

(E) Equipped with overhead protection for employees on the platform if they are exposed to falling objects or overhead hazards;

(F) Secured to the load line by means other than wedge and socket attachments, unless the free (bitter) end of the line is secured back to itself by a clamp placed as close above the wedge as possible.

(b) Except in an emergency, the hoisting mechanism of all overhead and container gantry cranes used to hoist personnel shall operate in power up and power down, with automatic brake application when not hoisting or lowering.

(c) Variable radius booms of a crane or derrick used to hoist personnel shall be so constructed or secured as to prevent accidental boom movement.

(d) Platforms or devices used to hoist employees shall be inspected for defects before each day's use and shall be removed from service if defective.

(e) Employees being hoisted shall remain in continuous sight of and communication with the operator or signal person.

(f) Operators shall remain at the controls when employees are hoisted.

(g) Cranes shall not travel while employees are hoisted, except in emergency or in normal tier to tier transfer of employees during container operations.

(h) When intermodal container spreaders are used to transfer employees to or from the tops of containers, the spreaders shall be equipped with a personnel platform equipped with fixed railings, provided that the railings have one or more openings for access. The openings shall be fitted with a means of closure, such as chains with hooks. Existing railings shall be at least thirty-six inches (0.91 m) in height. New railings installed after October 3, 1983 shall be forty-

two inches (1.07 m), plus or minus three inches (7.6 cm), in height. The provisions of (a)(iii)(C), (D), and (F) of this subsection also apply to personnel platforms when container spreaders are used.

(i) Positive safety latch-type hooks or moused hooks shall be used.

(j) Employees shall not be hoisted on intermodal container spreaders while a load is engaged.

(11) Routine inspection.

(a) Designated persons shall visually inspect each crane and derrick on each day of use for defects in functional operating components and shall report any defect found to the employer. The employer shall inform the operator of the findings.

(b) A designated person shall thoroughly inspect all functional components and accessible structural features of each crane or device at monthly intervals.

(c) Any defects found during such inspections which may create a safety hazard shall be corrected before further use. Repairs shall be performed only by designated persons.

(d) A record of monthly inspections shall be maintained for six months in or on the crane or derrick or at the terminal.

**AMENDATORY SECTION** (Amending Order 92-06, filed 10/30/92, effective 12/8/92)

**WAC 296-56-60085 Crane load and limit devices.** (1) Except as provided in subsection (8) of this section, every crane shall be fitted with a load indicating device or alternative device in proper working condition.

The type or model or any load indicating or alternate device which is used shall provide:

(a) A direct indication in the cab of actual weight hoisted or a means of determining this by referencing a weight indication to crane ratings posted and visible to the operator. The use of a dynamometer or simple scale alone shall not meet this requirement; or

(b) Indications in the cab according to the radius and load at the moment; or

(c) A direct means to prevent an overload from occurring.

(2) Accuracy of the devices required by this section shall be such that any indicated load (or limit), including the sum of actual weight hoisted and additional equipment or "add ons" such as slings, sensors, blocks, etc., is within the range from no less than ninety-five percent of the actual true total load (five percent overload) to one hundred ten percent of the actual true total load (ten percent underload). Such accuracy shall be required over the range of the daily operating variables to be expected under the conditions of use.

(3) The device shall permit the operator to determine, before making any lift, that the indicating or substitute system is operative. In the alternative, if a device is so mounted or attached to preclude such a determination, it may not be used unless it has been certified by the manufacturer to remain operable within the limits stated in subsection (2) of this section for a specific period of use. Checks for accuracy, using known values of load, shall be performed at the time of every certification survey (see WAC 296-56-60093) and at

such additional times as may be recommended by the manufacturer.

(4) When a load indicating device or alternative system is so arranged in the supporting system (crane structure) that its failure could cause the load to be dropped, its strength shall not be the limiting factor of the supporting system (crane structure).

(5) Marking shall be conspicuously placed giving: Units of measure in pounds or both pounds and kilograms, capacity of the indicating system, accuracy of the indicating system, and operating instructions and precautions. In the case of systems utilizing indications other than actual weights, the marking shall include data on: The means of measurement, capacity of the system, accuracy of the system, operating instructions and precautions. If the system used provides no read-out, but it is such as to automatically cease crane operation when the rated load limit under any specific condition of use is reached, marking shall be provided giving the make and model of the device installed, a description of what it does, how it is operated, and any necessary precautions regarding the system. All weight indications, other types of loading indications, and other data required shall be readily visible to the operator.

(6) All load indicating devices shall be operative over the full operating radius. Overall accuracy shall be based on actual applied load and not on full scale (full capacity) load.

Explanatory note. For example, if accuracy of the load indicating device is based on full scale load and the device is arbitrarily set at plus or minus ten percent, it would accept a reading between ninety thousand and one hundred ten thousand pounds, at full capacity of a machine with one hundred thousand pounds, maximum rating, but would also allow a reading between zero and twenty thousand pounds, at that outreach (radius) at which the rating would be ten thousand pounds capacity—an unacceptable figure. If, however, accuracy is based on actual applied load under the same conditions, the acceptable range would remain the same with the one hundred thousand pound load but becomes a figure between nine thousand and eleven thousand pounds, a much different and acceptable condition, at the ten thousand pound load.

(7) When the device uses the radius as a factor in its use or in its operating indications, the indicated radius (which may be in feet and/or meters, or degrees of boom angle, depending on the system used) shall be a figure which is within the range of a figure no greater than one hundred ten percent of the actual radius to a figure which is no less than ninety-seven percent of the actual (true) radius. A conversion chart shall be provided whenever it is necessary to convert between degrees of radius and feet or meters.

(8) The load indicating device requirements of this section do not apply to a crane:

(a) Of trolley equipped bridge type while handling container known to be and identified as empty, or loaded, and in either case in compliance with the provisions of WAC 296-56-60103, or while hoisting other lifts by means of a lifting beam supplied by the crane manufacturer for the purpose, and in all cases within the crane rating;

(b) While handling bulk commodities or cargoes by means of clamshell bucket or magnet;

(c) While used to handle or hold hoses in connection with transfer of bulk liquids or other hose handled products; or

(d) While the crane is used exclusively to handle cargo or equipment the total actual gross weight of which is known by means of marking of the unit or units hoisted, when such total actual gross weight never exceeds eleven thousand two hundred pounds, and when eleven thousand two hundred pounds, is less than the rated capacity of the crane at the maximum outreach that is possible under the conditions of use at the time.

(9) Limit switches shall be installed on the main line and whip line assemblies, of all cranes and derricks, which will deactivate the hoisting power when a load reaches the upper limits of travel and at such other places as required by this chapter. Line limit switches shall be tested prior to or at the beginning of each shift to determine if they are functioning properly. Any malfunction shall be reported to the person in charge immediately and shall be repaired (~~at the first reasonable opportunity~~) prior to use.

**AMENDATORY SECTION** (Amending Order 86-02, filed 1/17/86)

**WAC 296-56-60087 Winches.** (1) Moving winch parts which present hazards to employees shall be guarded.

(2) Winches shall have clearly identifiable and readily accessible stop controls.

(3) Portable winches shall be secured against accidental shifting while in use.

(4) Portable winches shall be fitted with limit switches if employees have access to areas from which it is possible to be drawn into the winch.

(5) The provisions of WAC 296-56-60083 (6)(~~4~~) (1) apply to winches.

**AMENDATORY SECTION** (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60093 Certification of marine terminal material handling devices.** (1) The employer shall not use any material handling device listed in WAC 296-56-60098(8) until he/she has ascertained that the device has been certified, as evidenced by current and valid documents attesting to compliance with the requirements of WAC 296-56-60097 and 296-56-60098.

(2) Certification surveys are to be completed for the conditions of use found at the time such surveys are performed. Equipment owners or users may change the configurations of the equipment according to the manufacturer's specifications without affecting the established certification status for the equipment.

(3) These rules apply to employment within a marine terminal including the loading, unloading, movement, or other handling of cargo, ship's stores, or gear within the terminal or into or out of any land carrier, holding or consolidation area, or any other activity within and associated with the overall operation and functions of the terminal, such as the use and routine maintenance of facilities and equipment.

(4) Inspection and test certificates shall be issued only for that equipment which meets or exceeds the requirements specified in these rules. All inspection and test certificates shall be issued through the office of the assistant director of the division of consultation and compliance, department of labor and industries, and shall be valid for a period not to exceed one year from the date of issuance.

(5) Equipment requiring certification shall be inspected by (~~representatives of the division of consultation and compliance; or~~) individuals who have received a "certificate of competency" from the assistant director, division of (~~consultation and compliance~~) WISHA services indicating that they are qualified and capable of performing such work.

(6) When deficiencies are found they shall be noted on forms provided for such purpose by the division of consultation and compliance. Copies shall be delivered to the owner of the equipment and the division of consultation and compliance at the headquarter's office by the person conducting such tests or inspections.

(7) A certificate of unit test or examination of equipment shall not be issued for any equipment found not to be in compliance with the provisions of this chapter.

(8) Persons desiring a "certificate of competency" shall demonstrate and document their capabilities and qualifications to the assistant director of the division of consultation and compliance, who will issue certificates to those persons who have demonstrated competency. The assistant director reserves the right to revoke such certificates at any time for cause. A "certificate of competency" shall be issued for a period of not more than three years. Applications for renewal may be made not more than sixty days prior to the expiration date shown on the certificate.

(9) The assistant director of the division of consultation and compliance or his/her representative, reserves the right to inspect such equipment or to witness or attend any test or inspection in order to ascertain the adequacy of any certification activity performed.

(10) Unless otherwise exempted, all cranes or derricks required to be certificated by these regulations shall have a current test certificate posted in the operator's cab or station. No person shall operate such crane or derrick unless a current valid certificate is posted.

**AMENDATORY SECTION** (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60097 Unit proof load test and inspection.** Cranes and derricks shall be proof load tested, rated and certified in tons (2,000 lbs. = 1 ton). Cranes and derricks shall be inspected and unit proof load tested prior to being put into use, after any significant modification or repairs of structural parts, or when deemed necessary by the assistant director of consultation and compliance or his/her designee. However, each crane or derrick shall be unit proof load tested at least once during each twelve-month period. Unit proof load tests shall be carried out by the use of weights as a dead load. When use of weights for unit proof load tests is not possible or reasonable a dynamometer or other recording test equipment may be used. Such equipment shall be tested for accuracy with certified calibrating equipment within twelve

months prior to being used and a copy of the certified calibration test shall be made available to authorized representatives of the division of consultation and compliance upon request.

The weight of the objects used for a dead load weight test shall be certified and a record of the weight shall be made available upon request. Any replacements or repairs deemed necessary by the person conducting a test shall be carried out before application of the required proof load unit test.

(1) The proof load tests for derricks shall be conducted as follows:

Safe Working Load	Proof Load
to 20 tons	25% in excess
20-50 tons	5 tons in excess
over 50 tons	10% in excess of manufacturer's recommended lifting capacity.

Proof load shall be applied at the designed maximum and minimum boom angles or radii, or if this is impractical, as close to these as practical. The angles or radii of test shall be stated in the certificate of test. Proof loads shall be swung as far as possible in all directions. The weight of auxiliary handling devices such as spreader bars, robots, clams, magnets, or other gear shall be considered a part of the load. Brakes shall be tested by holding the proof load suspended without other mechanical assistance. After satisfactory completion of a unit proof load test the derrick and all component parts thereof shall be carefully examined and nondestructive tests may be conducted to assure that the equipment is safe for use and has not been damaged in the unit proof load testing process.

(2) Unit proof load tests for cranes shall be carried out with the boom in the least stable direction relative to the mounting, based on the manufacturer's specifications.

Unit proof load tests for cranes shall be based on the manufacturer's load ratings for the conditions of use and shall, except in the case of bridge type cranes utilizing a trolley, consist of application of a proof load of ten percent in excess of the load ratings at maximum and minimum radius, and at such intermediate radii as the certifying authority may deem necessary in the circumstances. (The manufacturer's load ratings are usually based upon percentage of tipping loads under some conditions and upon limitations of structural competence at others, as well as on other criteria such as type of crane mounting, whether or not outriggers are used, etc. Some cranes utilizing a trolley may have only one load rating assigned and applicable at any outreach. It is important that the manufacturer's ratings be used.) Trolley equipped cranes shall be subject to a proof load of twenty-five percent in excess of the manufacturer's load rating. In cases of foreign manufacture, the manufacturer's specifications shall be subject to approval by the certifying authority. The weight of all auxiliary handling devices such as magnets, hooks, slings, and clamshell buckets shall be considered part of the load.

(3) ~~(In the event neither manufacturer's data nor design data on safe working loads (including any applicable limitations) are obtainable, the safe working load ratings assigned shall be based on the owner's information and warranty that~~

~~those so assigned are correct. Unit test certificates shall state the basis for any safe working load assignment.~~

(4)) If the operation in which equipment is engaged never utilizes more than a fraction of the safe working load rating, the owner of the equipment may, at his/her option, have the crane or derrick certified for and operated at a lesser maximum safe working load in keeping with the use and based on radius and other pertinent factors, however, the equipment concerned shall be physically capable of operation at the original load rating and the load reduction shall not be for the purpose of avoiding correction of any deficiency.

((5)) (4) Safe working load ratings shall not be increased beyond the manufacturer's ratings or original design limitations without prior approval by the accredited certification agency. Such prior approval shall be based on the manufacturer's approval of such increase or documented engineering design analysis or both. All necessary structural changes shall be completed prior to approval by the accredited certification agency.

AMENDATORY SECTION (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

**WAC 296-56-60098 Examination and inspection of cranes and derricks.** (1) An examination shall be carried out in conjunction with each annual unit proof load test. The accredited person, or their authorized representative, shall make a determination as to correction of deficiencies found. The examination shall include the following: (Refer to WAC 296-56-60093(8) for definition of accredited person.)

(a) All functional operating mechanisms shall be examined for improper function, maladjustment, and excessive component wear, with particular attention to sheaves, pins, and drums. The examinations shall include operation with partial load, in which all functions and movements, including maximum possible rotation in both directions, are checked.

(b) All safety devices shall be examined for malfunction.

(c) Lines, tanks, valves, drains, pumps, and other parts of air or hydraulic systems shall be examined for deterioration or leakage.

(d) Rope reeving shall comply with the manufacturer's recommendations.

(e) Deformed, cracked, or excessively corroded members in crane structure and boom shall be repaired or replaced as necessary.

(f) Loose bolts, rivets, or other connections shall be corrected.

(g) Worn, cracked, or distorted parts affecting safe operation shall be corrected.

(h) All brakes, used to control the load, boom or travel of the crane, shall be tested. Air, hydraulic, or electrically operated brakes shall be of such design as to set and stop the load if the source of power fails.

(i) Brake and clutch system parts, linings, pawls, and ratchets shall be examined for excessive wear and free operation.

(j) Load, boom angle, or other indicators shall be checked over their full range. Defects in such indicators shall be immediately corrected.

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(k) Where used, clamshell buckets or other similar equipment, such as magnets, shall be carefully examined in all respects, with particular attention to closing line wires and sheaves. The accredited person may supplement such examination by requesting any operational tests deemed appropriate.

(l) Careful examination of the junction areas of removable boom sections, particularly for proper seating, cracks, deformities, or other defects in securing bolts and in the vicinity of such bolts, shall be made.

(m) All platforms, steps and footwalks located on cranes where workers are exposed to the hazard of slipping shall be of a nonslip material. Wire rope used for railings on cranes shall be kept taut at all times.

**Note:** In critical areas such as footwalks along booms, a grating material should be used.

(n) No counterweights in excess weight of the manufacturer's specifications shall be fitted or used.

(o) Such other examination or supplemental functional tests shall be made as may be deemed necessary by the accredited person under the circumstances.

(2) Wire rope.

(a) All wire rope shall be inspected at least once a month, dependent upon conditions to which the wire ropes are subjected, and at intervals not exceeding a twelve-month period. Records of inspection of wire rope shall be kept and shall be available to the department of labor and industries representative. Records shall be kept for one year. Refer to the general safety and health standards, WAC 296-24-24013.

(b) Wire rope shall not be used if in any length of eight diameters, the total number of visible broken wires exceeds ten percent of the total number of wires, or if the rope shows other signs of excessive wear, corrosion, or defect. Particular attention shall be given to the condition of those sections of wire rope adjacent to any terminal connections, those sections exposed to abnormal wear, and those sections not normally exposed for examination.

(c) Documentation available for inspection shall include wire rope test certificates relating to any replacements made since the last unit test or annual examination as required.

(d) Wire rope and replacement wire rope shall be of the same size, same or better grade, and same construction as originally furnished by the equipment manufacturer or contemplated in the design, unless otherwise recommended by the equipment or wire rope manufacturer due to actual working conditions. In the absence of specific requirements, wire rope shall be of a size and construction suitable for the purpose, and shall have the capacity to handle ~~((four))~~ five times the heaviest expected load, verified by wire rope test certificate.

(e) Wire rope in use on equipment previously constructed and prior to initial certification of said equipment shall not be required to be tested but shall be subject to thorough examination at the time of initial certification of the equipment.

(3)(a) Accessory components. Container spreader bar twist locks shall be carefully examined periodically and at the time of annual examination and inspection. Cracked or

deformed hooks shall be discarded immediately and not reused.

(b) Crane hooks and container spreader bar twist lock. Magnetic particle or other suitable crack detecting inspection shall be performed at least once each year. When testing by x-ray, the pertinent provisions of the Nuclear Regulatory Commission's standards for protection against radiation, relating to protection against occupational radiation exposure, shall apply.

(4) In the event that heat treatment of any loose gear is recommended by the manufacturer, the latest heat treatment certificate attesting to compliance with the manufacturer's specifications shall be part of the available documentation. Heat treatment shall be carried out in accordance with the specifications of the manufacturer by persons competent to perform such work.

(5) Replacement parts shall be of equal or better quality than the original equipment and suitable for the purpose. Repairs or modifications shall be such as to render the equipment equal to or better than the original construction or design.

(6) In cases of foreign manufactured cranes, there shall be an owner's warranty that the design is adequate for the intended use. The warranty shall be based on a thorough examination of the design specifications by a registered professional engineer familiar with the equipment.

(7) The certifications required by this section shall be performed in accordance with WAC 296-56-60093 by persons accredited by the assistant director of ~~((consultation and compliance))~~ WISHA services.

(8) The marine terminal material handling devices listed below shall be certified in the following manner:

(a) Each crane and derrick shall be tested and examined as a unit annually. A copy of the certificate of tests and examinations shall be posted in the crane operator's cab.

(b) Bulk cargo spouts and suckers, together with any portable extensions and rigging or outriggers supporting them vertically, shall be examined annually. Certificates attesting to the required examination shall be made readily available for inspection.

(c) Vertical pocket or bucket conveyors such as banana, sugar, and grain marine legs (other than those within a grain elevator structure) used within a marine terminal facility shall be examined annually. The annual examination shall include all supporting structures, rigging, mechanical components and observation of all steps of operations. Certificates attesting to the required examinations shall be readily available for inspection.

(d)(i) House fall cargo-handling gear shall be proof load tested as a unit upon initial certification and every fourth year thereafter. An examination shall be carried out in conjunction with each unit proof load test and annually thereafter. The unit test shall consist of a proof load of twenty-five percent in excess of the rated safe working load. Examinations shall include all supporting structures and components. Certificates attesting to the required tests and examinations shall be readily available for inspection.

(ii) House fall span beams or other house fall block supports shall be marked with the safe working load, which shall not be exceeded.

(e) Special gear.

(i) Special stevedoring gear provided by the employer, the strength of which depends upon components other than commonly used stock items such as shackles, ropes or chains, shall be tested as a unit in accordance with the following table before initially being put into use.

Table A

Safe Working Load	Proof Load
Up to 20 short tons . . . . .	25 percent in excess
Over 20 to 50 short tons . . . . .	5 short tons in excess
Over 50 short tons . . . . .	10 percent in excess

(ii) Special stevedoring gear provided by the employer that has a SWL of five short tons (10,000 or 4.5 metric tons) or less shall be inspected and tested as a unit before initial use according to (d) and (e) of this subsection or by a designated person (see Table A).

(iii) Every spreader not a part of ship's gear and used for hoisting intermodal containers shall be tested to a proof load equal to twenty-five percent in excess of its rated capacity. Additionally, any spreader which suffers damage necessitating structural repair shall be retested after repair and before being returned to service.

~~((iii))~~ (iv) Certificates attesting to the required tests shall be available for inspection.

(v) All cargo handling gear covered by this section with a SWL greater than five short tons (10,000 lbs. or 4.5 metric tons) shall be proof load tested according to Table A every four years in accordance with subsection (7) of this section or by a designated person.

(f) Wire rope and loose gear used for material handling shall be tested and certified before being placed into use in accordance with the provisions of WAC 296-56-60097. Certificates attesting to the required tests, inspections and examinations shall be available.

(9) Disassembly and reassembly of equipment does not require recertification of the equipment provided that the equipment is reassembled and used in a manner consistent with its certification.

(10) Equipment certified in Washington and transferred to a site in another state does not require recertification in this state upon its return, until the next inspection or examination becomes due as if it had not been moved. ~~(Equipment certified in accordance with similar provisions of another jurisdiction and moved to a site in this state does not require certification upon initial transfer to this state.)~~

(11) Certification procedures shall not be construed as a substitute for, or cause for elimination of, normal operational inspection and maintenance routine throughout the year.

(12)(a) Every unit of equipment requiring annual certification shall have had such annual certification within the previous twelve months. Equipment requiring annual certification shall have had such annual certification within the previous twelve months, except that no annual certification is required within twelve months after any required certification. Annual examinations for certification may be accom-

plished up to one month early without effect on subsequent due dates.

(b) When certified equipment is out of service for six months or more beyond the due date of a certification inspection, an examination equivalent to an initial certification, including unit proof load test, shall be performed before the equipment re-enters service.

(13) Loose gear shall bear a legible mark indicating that it has been tested (see WAC 296-56-60097). Single sheave blocks shall be marked with safe working loads and proof test loads. Marks relating to testing shall be identifiable on the related certificates, which shall be available.

(14) The certification requirements of this section do not apply to the following equipment:

- (a) Industrial trucks and small industrial crane trucks; and
- (b) Any straddle truck not capable of straddling two or more intermodal containers sixteen feet (4.88 m) in width.

(15) Safe working load.

(a) The safe working load of gear as specified in this section shall not be exceeded.

(b) All cargo handling gear provided by the employer with a safe working load greater than five short tons (10,000 lbs. or 4.5 metric tons) shall have its safe working load plainly marked on it.

AMENDATORY SECTION (Amending Order 92-06, filed 10/30/92, effective 12/8/92)

**WAC 296-56-60103 Terminals handling intermodal containers or roll-on roll-off operations.** (1) Every intermodal container shall be legibly and permanently marked with:

- (a) The weight of the container when empty, in pounds;
- (b) The maximum cargo weight the container is designed to carry, in pounds; and
- (c) The sum of the maximum weight of the container with cargo, in pounds (gross container capacity).

(2) No container shall be hoisted by any crane or derrick unless the following conditions have been met:

(a) The employer shall ascertain from the carrier whether a container to be hoisted is loaded or empty. Empty containers shall be identified before loading or discharge in such a manner as will inform every supervisor and foreman on the site and in charge of loading or discharging, and every crane or other hoisting equipment operator and signalman, if any, that the container is empty. Methods of identification may include cargo plans, manifests or markings on the container.

(b) In the case of a loaded container:

(i) The actual gross weight shall be plainly marked so as to be visible to the crane operator, other hoisting equipment operator, signalman, and to every supervisor and foreman on the site and in charge of the operation; or

(ii) The cargo stowage plan or equivalent permanently recorded display serving the same purpose, containing the actual gross weight and the serial number or other positive identification of that specific container, shall be provided to the crane or other hoisting equipment operator and signalman, if any, and to every supervisor and foreman on the site and in charge of the operation.

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(c) Every outbound loaded container which is received at a marine terminal ready to load aboard a vessel without further consolidation or loading shall be weighed to obtain the actual gross weight before being hoisted.

(d)(i) When container weighing scales are located at a marine terminal, any outbound container with a load consolidated at that terminal shall be weighed to obtain an actual weight before being hoisted.

(ii) If the terminal has no scales, the actual gross weight may be calculated on the basis of the container's contents and the container's empty weight. The weights used in the calculation shall be posted conspicuously on the container, with the name of the person making the calculation and the date.

(iii) Container weights shall be subject to random sample weight checks at the nearest weighing facility. In cases where such weight checks or experience otherwise indicate consistently inaccurate weights, the weight of containers so calculated at the source from which the inaccurate weights originated shall no longer be recognized as true gross weights. Such containers shall not be hoisted unless actual gross weights have been obtained by weighing.

(e) The following containers are exempted from the requirements of (c) and (d) of this subsection:

(i) Open type vehicle containers.

(ii) ~~(Dry, or closed type containers, which are being used to transport vehicles and which contain no other cargo, and have the contents clearly marked on the outside)~~ The container is marked on the outside in such a manner that an employee can readily discern that the container is carrying vehicles.

(iii) Containers built specifically for the carriage of compressed gases.

(iv) The container carries only completely assembled vehicles and no other cargo.

(v) The vehicles were loaded into the container at the marine terminal.

(f) The weight of loaded inbound containers from foreign ports shall be determined by weighing or by the method of calculation described in (d)(ii) of this subsection or by shipping documents.

(g) Any scale used within Washington state to weigh containers for the purpose of the requirements of this section shall meet the accuracy standards of the state or local public authority in which the scale is located.

(3) No container shall be hoisted if its actual gross weight exceeds the weight marked as required in subsection (1)(c) of this section, or if it exceeds the capacity of the crane or other hoisting device intended to be used.

(4)(a) Marked or designated areas shall be set aside within a container or roll-on roll-off terminal for passage of employees to and from active cargo transfer points, except where transportation to and from those points is provided by the employer.

(b) The employer shall direct employees to stay clear of the area beneath a suspended container. Employees shall stay clear of the area beneath a suspended container.

(5) Each employee((s)) working in the immediate area of container handling equipment or in the terminal's traffic lanes shall wear a high visibility vest((s, decals, reflectors)) (or equivalent protection).

Note to subsection (5): High visibility vests or equivalent protection means high visibility/retroreflective materials which are intended to provide conspicuity of the user by day through the use of high visibility (fluorescent) material and in the dark by vehicle headlights through the use of retroreflective material. The minimum area of material for a vest or equivalent protection is .5m(2)(760 in.(2)) for fluorescent (background) material and .13m(2)(197 in.(2)) for retroreflective material.

(6) Containers shall be handled using lifting fittings or other arrangements suitable and intended for the purposes as set forth in (a) and (c) of this subsection, except when damage to an intermodal container makes special means of handling necessary.

(a) Loaded intermodal containers of twenty feet (6.1 m) or more in length shall be hoisted as follows:

(i) When hoisting by the top fittings, the lifting forces shall be applied vertically from at least four top fittings or by means which will safely lift the container without damage. The lifting fittings provided shall be used.

(A) The container being lifted is an ISO closed box container;

(B) The condition of the box is sound;

(C) The speed of hoisting and lowering is moderated when heavily laden containers are encountered;

(D) The lift angle is at eighty to ninety degrees;

(E) The distance between the lifting beam and the load is at least eight feet and 2.4 inches (2.5m); and

(F) The length of the spreader beam is at least 16.3 feet (5 m) for a twenty-foot container, and at least 36.4 feet (11 m) for a forty-foot container.

(ii) If hoisted from bottom fittings, the hoisting connections shall bear on the fittings only, making no other contact with the container. The angles of the four bridle legs shall not be less than thirty degrees to the horizontal in the case of forty foot (12.2 m) containers, thirty-seven degrees in the case of thirty foot (9.1 m) containers, or forty-five degrees in the case of twenty foot (6.1 m) containers.

(iii) Lifting containers by fork lift trucks or by grappling arms from above or from one side may be done only if the container is designed for this type of handling.

(b) Other means of hoisting may be used only if the containers and hoisting means are designed for such use.

(c)(i) When using intermodal container spreaders that employ lanyards for activation of load-disengagement, all possible precautions shall be taken to prevent accidental release of the load.

(ii) Intermodal container spreader twistlock systems shall be designed and used so that a suspended load cannot accidentally be released.

(d) Flat bed trucks or container chassis used to move intermodal containers shall be equipped with pins, flanges, or other means to prevent the container from shifting.

(e) Flat bed, low boy trailers (mafis) and other similar equipment used to transport containers shall be marked with their cargo capacities and shall not be overloaded.

(f) Each tractor shall have all brake air lines connected when pulling trailers equipped with air brakes and shall have the brakes tested before commencing operations.

(7)(a) Intermodal containers shall be inspected for defects in structural members or fittings before handling.

(b) Any intermodal container found to be unsafe shall be identified as such, promptly removed from service and repaired before being returned to service.

(8) Containers shall not be hoisted unless all engaged chassis twist locks are released.

**AMENDATORY SECTION** (Amending Order 86-02, filed 1/17/86)

**WAC 296-56-60113 Foot protection.** (1) The employer shall ~~((direct that employees exposed to impact, falling objects, or puncture hazards wear safety shoes, or equivalent protection))~~ ensure that each affected employee wears protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects or objects piercing the sole.

(2) Protective shoes shall bear identifying marks or labels indicating compliance with the manufacturing provisions of American National Standard for Men's Safety Toe Footwear, ANSI Z41.1-~~((1983))~~ 1991.

(3) The employer shall, through means such as vendors or local stores, make safety shoes readily available to all employees.

**AMENDATORY SECTION** (Amending Order 92-06, filed 10/30/92, effective 12/8/92)

**WAC 296-56-60115 Other protective measures.** (1) Protective clothing.

(a) Employees performing work that requires special protective clothing shall be directed by the employer to wear the necessary special protective clothing.

(b) When necessary, protective clothing previously worn shall be cleaned and disinfected before reissuance.

(2) Personal ~~((floatation))~~ flotation devices.

(a) The employer shall provide, and shall direct the wearing of personal ~~((floatation))~~ flotation devices for those employees, such as line handlers, who are engaged in work in which they may fall into the water:

(i) When such employees are working in isolation: or

(ii) Where physical limitations of available working space creates a hazard of falling into the water; or

(iii) Where the work area is obstructed by cargo or other obstacles so as to prevent employees from obtaining safe footing for their work.

(b) Employees working on, over or along water, where the danger of drowning exists, shall be provided with and shall wear approved personal flotation devices.

(i) Employees are not considered exposed to the danger of drowning when:

(A) The water depth is known to be less than chest deep on the exposed individual;

(B) Working behind standard height and strength guardrails;

(C) Working inside operating cabs or stations which eliminate the possibility of accidental falling into the water;

(D) Wearing approved safety belts with lifeline attached so as to preclude the possibility of falling into the water.

(ii) Prior to and after each use, personal ~~((floatation))~~ flotation devices shall be inspected for defects which would reduce their designed effectiveness. Defective personal ~~((floatation))~~ flotation devices shall not be used.

(iii) To meet the requirement of (b) of this subsection, a personal ~~((floatation))~~ flotation device shall be approved by the United States Coast Guard as a Type I PFD, Type II PFD, Type III PFD, or Type V PFD, or equivalent, pursuant to 46 CFR 160 (Coast Guard Lifesaving Equipment Specifications) and 33 CFR 175.23 (Coast Guard Table of Devices Equivalent to Personal ~~((floatation))~~ Flotation Devices). Ski belt or inflatable type personal ~~((floatation))~~ flotation devices are specifically prohibited.

(c) Life rings.

(i) Along docks, walkways or other fixed installations on or adjacent to open water more than five feet deep, approved life rings with line attached shall be provided. The life rings shall be spaced at intervals not to exceed two hundred feet and shall be kept in easily visible and readily accessible locations.

(ii) When employees are assigned work at other casual locations where exposure to drowning exists, at least one approved life ring with line attached shall be provided in the immediate vicinity of the work.

(iii) Work assigned over water where the vertical drop from an accidental fall exceeds fifty feet, is subject to specific procedures approved by the department.

(iv) Lines attached to life rings shall be at least ninety feet in length, at least one-quarter inch in diameter and have a minimum breaking strength of five hundred pounds.

(v) Life rings must be United States Coast Guard approved thirty inch size.

(vi) Life rings and attached lines must be maintained to retain at least seventy-five percent of their designed buoyancy and strength.

(3) Emergency facilities. When employees are exposed to hazardous substances which may require emergency bathing, eye washing or other facilities, the employer shall provide such facilities and maintain them in good working order.

(4) Employers shall instruct employees to report every injury, regardless of severity, to the employer.

(5) Stretchers permanently equipped with bridles for hoisting shall be readily accessible. A blanket or other suitable covering shall be available.

(6) Telephone or equivalent means of communication shall be readily available.

(7) Employees working on any bridge or structure leading to a detached vessel berthing installation shall wear United States Coast Guard approved personal flotation devices except where protected by railings, nets, or safety belts and lifelines.

(8) Life ladders. On all docks there shall be substantial built-in-place ladders, spaced at intervals not to exceed four hundred feet, to reach the lowest water use. When portable ladders are to be used, ladders may be bolted to the bullrail or dock structure, or ladders can be secured to an embedded eye bolt in a concrete dock surface. The immediate area where such ladders or fastenings are located shall be painted with a bright color or of a color which contrasts with the surrounding area. There shall be a ladder at each end of the dock.

PROPOSED



**AMENDATORY SECTION** (Amending Order 92-06, filed 10/30/92, effective 12/8/92)

**WAC 296-56-60123 Guarding of edges.** (1) Vehicle protection.

(a) Vehicle curbs, bull rails, or other effective barriers at least six inches (~~((13.74))~~ 15.24 cm) in height and six inches in width, shall be provided at the waterside edges of aprons and bulkheads, except where vehicles are prohibited. Curbs or bull rails installed after January 1, 1985, shall be at least ten inches (22.9 cm) in height.

(b) The provisions of (a) of this subsection also apply at the edge of any fixed level above the common floor area from which vehicles may fall, except at loading docks, platforms and skids where cargo is moved by vehicles.

(2) Employee protection.

(a) Guardrails shall be provided at locations where employees are exposed to falls of more than four feet from floor or wall openings or waterside edges, including bridges or gangway-like structures leading to pilings, vessel mooring or berthing installations.

(b) Guardrails are not required:

(i) At loading platforms and docks;

(ii) At waterside edges used for cargo or mooring line handling;

(iii) On the working sides of work platforms, skids, or similar workplaces which abut the work area; or

(iv) On railroad rolling stock, highway vehicles, intermodal containers, or similar equipment.

(c) Where guardrails are impractical due to machinery requirements or work processes, an alternate means of fall protection, such as nets, shall be used.

(3) Criteria for guardrails. Guardrails shall meet the following criteria:

(a) They shall be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction at mid-span of the top rail (when used), or at the uppermost point if there is no guard rail.

(b) If not of solid baluster, grillwork, slatted, or similar construction, guardrails shall consist of top rails and midrails. Midrails, when used, shall be positioned at approximately half the height of the top rail.

(c) The top surface of guardrails installed before October 3, 1983, shall be at least thirty-six inches (.091 m) high. Those installed after October 3, 1983, shall be forty-two inches (1.07 m) high, plus or minus two inches (5.1 cm), high.

(d) Any nonrigid railing such as chain or wire rope shall have a maximum sag, at the mid-point between posts, of not more than six inches (15.2 cm).

(e) Top rails shall be free of sharp edges and maintained in good repair.

(f) Rail ends shall not overhang. This does not prohibit scrollwork, boxed ends or similar nonhazardous projections.

(4) Toeboards. Toeboards shall be provided when employees below could be exposed to falling objects such as tools. Toeboards shall be at least three and one-half inches (8.9 cm) in height from top edge to floor level, and be capable of withstanding a force of fifty pounds (220 N) applied in any

direction. Drainage clearance not in excess of one-eighth inch under toeboards is permitted.

(5) Stair railings. Stair railings shall be capable of withstanding a force of at least two hundred pounds (890 N) applied in any direction, and shall not be more than thirty-six inches (0.9 m) nor less than thirty-two inches (0.8 m) in height from the upper top rail surface to the tread surface in line with the leading edge of the tread. Railings and midrails shall be provided at any stairway having four or more risers, as follows:

(a) For stairways less than forty-four inches (1.12 m) wide, at least one railing; and

(b) For stairways more than forty-four inches (1.12 m) but less than eighty-eight inches (2.24 m) wide, a stair rail or handrail on each side, and if eighty-eight or more inches wide, an additional intermediate handrail.

(6) Condition. Railings shall be maintained free of sharp edges and in good repair.

**AMENDATORY SECTION** (Amending Order 86-02, filed 1/17/86)

**WAC 296-56-60211 Portable ladders.** (1) Scope and applicability. This section applies to all portable ladders, including job-made ladders for temporary use, unless otherwise specified.

(2) Standards for existing manufactured portable ladders.

(a) Rungs of manufactured portable ladders obtained before October 3, 1983, shall be capable of supporting a two hundred pound (~~((896))~~ 890 N) load without deformation.

(b) Rungs shall be evenly spaced from nine to sixteen and one-half inches (22.9 to 41.9 cm), center to center.

(c) Rungs shall be continuous members between rails. Each rung of a double-rung ladder (two side rails and a center rail) shall extend the full width of the ladder.

(d) Width between side rails at the base of the ladder shall be at least twelve inches (30 cm) for ladders ten feet (3.05 m) or less in overall length, and shall increase at least one-fourth inch (0.6 cm) for each additional two feet (0.61 m) of ladder length.

(3) Standards for manufactured portable ladders. Manufactured portable ladders obtained after October 3, 1983, shall bear identification indicating that they meet the appropriate ladder construction requirements of the following standards:

ANSI A14.1-~~((1981))~~ 1990 Safety Requirements for Portable Wood Ladders

ANSI A14.2-~~((1982))~~ 1990 Safety Requirements for Portable Metal Ladders

ANSI A14.5-~~((1981))~~ 1992 Safety Requirements for Portable Reinforced Plastic Ladders

(4) Standards for job-made portable ladders. Job-made ladders shall:

(a) Have a minimum and uniform distance between rungs of twelve inches (30 cm), center to center;

(b) Be capable of supporting a two hundred fifty pound (~~((1400))~~ 1112 N) load without deformation; and

(c) Have a minimum width between side rails of twelve inches (30 cm) for ladders ten feet (3.05 m) in height. Width

between rails shall increase at least one-fourth inch (0.6 cm) for each additional two feet (0.61 m) of ladder length.

(5) Maintenance and inspection.

(a) The employer shall maintain portable ladders in safe condition. Ladders with the following defects shall not be used and either shall be tagged as unusable if kept on the premises or shall be removed from the worksite:

- (i) Broken, split or missing rungs, cleats, or steps;
- (ii) Broken or split side rails;
- (iii) Missing or loose bolts, rivets, or fastenings;
- (iv) Defective ropes; or
- (v) Any other structural defect.

(b) Ladders shall be inspected for defects prior to each day's use, and after any occurrence, such as a fall, which could damage the ladder.

(6) Ladder usage.

(a) Ladders made by fastening rungs or devices across a single rail are prohibited.

(b) Ladders shall not be used:

- (i) As guys, braces, or skids; or
- (ii) As platforms, runways, or scaffolds.

(c) Metal and wire-reinforced ladders with wooden side rails shall not be used when employees on the ladder might come into contact with energized electrical conductors.

(d) Individual sections from different multisectional ladders or two or more single straight ladders shall not be tied or fastened together to achieve additional length.

(e) Except for combination ladders, self-supporting ladders shall not be used as single straight ladders.

(f) Unless intended for cantilever operation, nonself-supporting ladders shall not be used to climb above the top support point.

(g) Ladders shall extend at least thirty-six inches (0.91 m) above the upper support level if employees are to leave or mount the ladder at that level, except that where such extension is impractical other equivalent means such as grab bars may be used to provide a hand grip.

(h) Ladders shall be securely positioned on a level and firm base.

(i) Ladders shall be fitted with slip-resistant bases and secured at top or bottom to prevent the ladder from slipping.

(j) Ladders shall be placed so that employees climbing are not exposed to injury from projecting objects or doors that open toward the ladder.

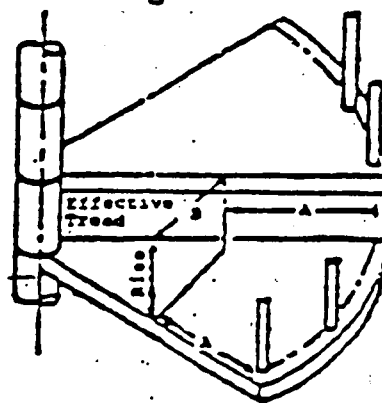
**AMENDATORY SECTION** (Amending Order 86-02, filed 1/17/86)

**WAC 296-56-60217 Spiral stairways.** (1) Definition. "Spiral stairway" means one with closed circular form, uniform sector-shaped treads and a supporting column.

(2) Requirements. Spiral stairways shall meet the following requirements:

(a) Stairways shall conform to the minimum dimensions of Figure F-1;

Figure F-1



Spiral Stairway—Minimum Dimensions

	A (Half-tread width)	B
Normal use by employees . . . . .	11 inches (27.9 cm)	6 inches (15.2 cm)
Limited access . . . . .	9 inches (22.9 cm)	5 inches (12.7 cm)

(b) Stairway risers shall be uniform and shall range from six and one-half to ten and one-half inches (16.5 to 26.7 cm) in height;

(c) Minimum loading capability shall be one hundred pounds per square foot ((448) 445 N), and minimum tread center concentrated loading shall be three hundred pounds ((1344) 1334 N);

(d) Railing shall conform to the requirements of WAC 296-56-60123(3). If balusters are used, there shall be a minimum of one per tread. Handrails shall be a minimum of one and one-fourth inches (3.3 cm) in outside diameter; and

(e) Vertical clearance shall be at least six feet, six inches (1.98 m) above the top step.

(3) Maintenance. Spiral stairways shall be maintained in safe condition.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 296-56-60059 First-aid and lifesaving facilities.
- WAC 296-56-60060 First-aid training and certification.
- WAC 296-56-60062 First-aid kit.
- WAC 296-56-60065 First-aid station.
- WAC 296-56-60067 First-aid room.
- WAC 296-56-60069 Personnel.

PROPOSED

**WSR 98-17-080**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Economic Services Administration)  
[Filed August 18, 1998, 11:24 a.m.]

## Original Notice.

Preproposal statement of inquiry was filed as WSR 98-08-075.

Title of Rule: WAC 388-290-010 Subsidized child care—Purpose and income limit and 388-290-055 Payment for subsidized child care.

Purpose: These amendments to chapter 388-290 WAC will expand eligibility under the working connections child care (WCCC) program as well as improve access to quality child care. The changes are essential to assist clients who are involved in approved WorkFirst activities or employed, with working connections child care (WCCC). This amendment will support low-income families in seeking, obtaining and maintaining employment as well as increasing their chances for wage progression.

Statutory Authority for Adoption: RCW 74.04.050, 74.13.0903, 74.08.090.

Statute Being Implemented: Public Law 104-193, Sections 104 and 605.

Summary: To expand eligibility under the working connections child care (WCCC) program as well as improve access to quality child care.

Reasons Supporting Proposal: It will help low-income families who would not otherwise be able to afford quality child care.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Debbie Miller, Mailstop 45480, (360) 413-3101.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal Changes the Following Existing Rules: It allows low-income, non-TANF families to access child care subsidies for post employment activities such as basic education, job skills training, job retention and labor exchange services.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required because rule does not impact small businesses.

RCW 34.05.328 applies to this rule adoption. It meets the definition of a significant legislative rule but the Department of Social and Health Services is exempt from preparing a cost benefit analysis because RCW 34.05.328 (5)(b)(vii) exempts the Department of Social and Health Services rules that relate only to client medical or financial eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on September 22, 1998, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by September 10, 1998, phone (360) 902-7540, TTY (360) 902-8324, e-mail pwall@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Paige Wall, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 902-8292, by September 22, 1998.

Date of Intended Adoption: October 9, 1998.

August 17, 1998

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 97-20-130, filed 10/1/97, effective 11/1/97)

**WAC 388-290-055 Payment for subsidized child care.** (1) The department pays for child care for:

(a) A consumer's hours of participation in an approved WorkFirst activity and/or hours of employment;

(b) Transportation time between the place of employment or approved WorkFirst activity and the location of child care, if needed;

(c) Self-employment under WAC 388-290-070;

(d) A consumer's hours of participation in education and training programs for up to thirty-six months total, including up to twelve months while on TANF if:

(i) The education and training programs are adult basic education (ABE), English as a second language (ESL), high-school/GED, or vocational education and job skills training as defined under chapter 388-310 WAC; and

(ii) The consumer is working twenty hours or more per week and does not have a prior approved JOBS plan.

(e) Education and training programs for TANF consumers who:

(i) Have prior approved JOBS plans; and

(ii) Are working at least twenty hours per week.

(f) A consumer's hours of participation in an employment retention activity if:

(i) The consumer is a TANF recipient working twenty hours or more per week. Child care may be authorized as needed;

(ii) The consumer is a former TANF recipient working twenty hours or more each week and earning below one hundred seventy-five percent of the FPL. Child care may be authorized for up to one year following the consumer's exit from TANF.

(g) A consumer's hours of participation in a labor exchange activity if:

(i) The consumer is a TANF recipient working twenty hours or more each week. Child care may be authorized as needed;

(ii) The consumer is a former TANF recipient working twenty hours or more each week and earning below one hundred seventy-five percent of the FPL. Child care may be authorized for up to two years following the consumer's exit from TANF.

(2) Consumers under subsection (1)(d) and (e) of this section, must be making satisfactory progress in their education or training programs.

PROPOSED

WSR 98-17-082  
PROPOSED RULES  
OFFICE OF MINORITY AND  
WOMEN'S BUSINESS ENTERPRISES

[Filed August 18, 1998, 2:07 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-11-093.

Title of Rule: WAC 326-30-041 Annual goals.

Purpose: To implement RCW 39.19.030(4) and encourage MWBE participation in state contracting and procurement.

Statutory Authority for Adoption: RCW 39.19.030(7).

Statute Being Implemented: RCW 39.19.030(4).

Summary: This proposal maintains goals at the 1998 levels for each class of contract. The state will continue to administer this rule flexibly.

Reasons Supporting Proposal: The office's review of reasonable obtainable information indicates that current goal levels are consistent with the statutory mandate. This is an interim measure to avoid disruption of the state's ongoing contracting activity while the state reviews new data reported in a recently completed study.

Name of Agency Personnel Responsible for Drafting: Juan Huey-Ray, 406 South Water, Olympia, WA 98504, (360) 704-1188; Implementation and Enforcement: James A. Medina, 406 South Water, Olympia, WA 98504, (360) 753-9679.

Name of Proponent: Office of Minority and Women's Business Enterprises, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Hearing Location: Office of Minority and Women's Business Enterprises, 406 South Water, Olympia, WA 98504, on September 22, 1998, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Tammi Hazlitt by September 16, 1998, (360) 753-9691.

Submit Written Comments to: Juan Huey-Ray, Rules Coordinator, fax (360) 586-7079, by September 21, 1998.

Date of Intended Adoption: September 23, 1998.

August 7, 1998

James A. Medina

Director

AMENDATORY SECTION (Amending WSR 97-16-073, filed 8/4/97, effective 9/4/97)

**WAC 326-30-041 Annual goals.** The annual overall goals for participation by certified firms in the public works, other contracting, and procurement of each state agency and educational institution, subject to this chapter, shall be as follows:

July 1, <del>((1997))</del> 1998, through June 30, <del>((1998))</del> 1999,		
Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods	8% MBE	4% WBE

(3) The department may authorize child care payments for up to two weeks for a TANF consumer waiting to enter an approved WorkFirst activity.

~~((3))~~ (4) The department may authorize child care payments for up to four weeks for a consumer who experiences a gap in employment, or approved WorkFirst activity, if all the following conditions are met:

(a) The gap is for reasons out of the consumer's control;

(b) Employment, or the approved WorkFirst activity, will resume within that period or the consumer is looking for alternate employment; and

(c) The consumer received subsidized child care immediately before the gap in employment, or approved WorkFirst activity~~(; and~~

~~(d) Child care arrangements would otherwise be lost).~~

~~((4))~~ (5) The department pays initial and ongoing annual registration/equipment fees only if the fees are:

(a) Required of all parents whose (child(ren) are in care with that provider; and

(b) Needed to maintain a child care arrangement.

~~((5))~~ (6) The department may pay ongoing activity fees to the child care provider if the conditions in subsection ~~((4))~~ (5)(a) and (b) of this section are met.

~~((6))~~ (7) The department may pay child care providers a one-time bonus for each infant they newly enroll into care if the following conditions are met:

(a) The child who is being cared for is an infant less than twelve months of age; and

(b) The child care provider is licensed by the department as required by chapters 388-73, 388-150 or 388-155 WAC; and

(c) Care is provided for a minimum of five days.

(8) The department may establish a protective payee due to mismanagement of funds for consumers who fail to pay the in-home/relative child care provider, when:

(a) The department issued a child care warrant to the correct address and twelve or more working days have passed since the issuance date; and

(b) The consumer has not reported the warrant lost, stolen, or destroyed.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 98-08-021, filed 3/19/98, effective 4/19/98)

**WAC 388-290-010 Subsidized child care—Purpose and income limit.** The purpose of this program is to provide child care services necessary to assist families with dependent children to become or remain employed. The department may provide subsidized child care services to families with ~~((gross))~~ incomes at or below one hundred seventy-five percent of the Federal Poverty Level (FPL) adjusted for family size.

PROPOSED

Purchased Services	10% MBE	4% WBE
Professional Services	10% MBE	4% WBE

**WSR 98-17-091**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Filed August 19, 1998, 8:05 a.m.]

**Original Notice.**

Preproposal statement of inquiry was filed as WSR 98-14-089 and 98-14-090.

Purpose: To amend WAC 232-28-280 1998 and 1999 Deer general seasons and 1998 special permits, 232-12-011 Wildlife classified as protected shall not be hunted or fished, and 232-12-014 Wildlife classified as endangered species.

Statutory Authority for Adoption: RCW 77.12.020 and 77.12.040.

Statute Being Implemented: RCW 77.12.020 and 77.12.040.

Summary: WAC 232-28-280 is proposed to be amended by adding a whitetail deer hunting season in GMUs 248-284 for any whitetail buck for modern firearm hunters October 17-30, 1998, and October 16-29, 1999. We also proposed to add these units to a September 1-5 any whitetail buck archery season and September 6-30 any whitetail deer archery season.

WAC 232-12-011, adds the margined sculpin and the pygmy whitefish to protected wildlife designated as sensitive species in Washington.

WAC 232-12-014, adds the fisher to endangered species classification in Washington.

Reasons Supporting Proposal: WAC 232-28-280, provide recreation opportunity and help alleviate deer depredation on private property.

WAC 232-12-011, the margined sculpin is found only in the Blue Mountains of Oregon and Washington. In Washington it is found only in parts of the Tucannon and Walla Walla drainages. Most of the waters inhabited by the margined sculpin have degraded habitat. Problems are caused by development, logging, agriculture, grazing, and channelization. Because of its small range and degraded habitat conditions, it is vulnerable and likely to become threatened or endangered without cooperative management.

Pygmy whitefish are most commonly found in cool lakes and streams of mountainous regions. Historically, they resided in at least fifteen lakes in Washington. Currently they inhabit only nine. Their demise in six lakes is attributed to rotenone, introduction of exotic fish species and/or declining water quality. Pygmy whitefish, particularly in smaller lakes, are vulnerable to exotic fish species introductions and declining water quality, both of which may constrict their habitat. Because of their very limited range in Washington and their vulnerability to exotic fish species introductions and declining water quality, pygmy whitefish are likely to become endangered or threatened in a significant portion of their remaining range without cooperative management.

WAC 232-12-014, fisher historically occurred throughout much of the forested areas of Washington. They were over-trapped in the late 1800s and early 1900s. Trapping, predator and pest control programs, and loss and alteration of habitat combined to push the fisher to near extirpation. Despite being protected from legal harvest for 65 years, the fisher has not recovered. The fisher population was likely kept from recovering by a combination of factors: A reduction in quality and quantity of habitat due to development and logging; past predator and pest control programs; low inherent reproductive capacity of the species; and demographic and genetic effects of small population size. The fisher will require special management considerations and development of a recovery plan in order to restore them to viable levels.

Name of Agency Personnel Responsible for Drafting and Implementation: Mike Kuttel, Assistant Director, Wildlife Management, Olympia, (360) 902-2504; and Enforcement: Ron Swatfigure, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Fish and Wildlife Commission, governmental.

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 232-28-280, the proposed rule will open GMUs 248-284 to whitetail deer hunting for modern firearm and archery deer hunters. This will provide recreation opportunity and help alleviate damage complaints.

WAC 232-12-011 identifies species of wild animals to be managed by the Department of Fish and Wildlife as protected species in one of three categories: Threatened, sensitive, and other protected wildlife. This amendment adds margined sculpin and pygmy whitefish to protected wildlife designated as sensitive species. Sensitive species are in need of special management consideration to keep them from becoming threatened or endangered. Land managing agencies and local, state and federal governments may use these lists to consider the needs of species of special concern in land management decisions.

WAC 232-12-014 identifies species of wild animals to be managed by the Department of Fish and Wildlife as endangered species. This amendment adds fisher as a state endangered species. Endangered species are in need of special management consideration to recover populations to healthy levels and to keep them from becoming extirpated from Washington. Land managing agencies and local, state and federal governments may use these lists to consider the needs of species of special concern in land management decisions.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. These rules are not related to the hydraulics code.

Hearing Location: Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA, on October 2-3, 1998, at 8:00 a.m.

PROPOSED

Assistance for Persons with Disabilities: Contact Debbie Nelson by September 25, 1998, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Mike Kuttel, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by September 25, 1998.

Date of Intended Adoption: October 2, 1998.

August 19, 1998  
Evan Jacoby  
Rules Coordinator

**AMENDATORY SECTION** (Amending Order 98-60, filed 4/22/98, effective 5/23/98)

**WAC 232-28-280 1998 and 1999 Deer general seasons and 1998 special permits.**

**Bag Limit:** One (1) deer per hunter during the 1998 hunting season. The Fish and Wildlife Commission may authorize two doe permits for damage areas. Any multiple doe permits will be identified by special permit.

**Hunting Method:** Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Any Buck Deer Seasons:** Open only to the taking of male deer with visible antlers (buck fawns illegal).

**Branched Antler Restrictions:** APPLIES TO ALL HUNTERS DURING ANY OPEN SEASON! Buck deer taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points include eye guards but all antler points must be at least one inch long. The following GMUs have 2 or 3 point minimum requirements on buck deer taken.

**2 Point GMUs:** 437, 478, 558, 574, 636, 681, and GMU 485 (by permit only).

**3 Point GMUs:** All Mule Deer in eastern Washington (see definition of eastern Washington); Whitetail Deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, 186, 203, and 231.

**Permit Only Units:** The following GMUs are closed during general seasons: 242 (Alta), 290 (Desert), 329 (Quilomene), 330 (West Bar), 342 (Umtanum), 371 (Alkali), and 485 (Green River).

**GMUs Closed to Deer Hunting:** 157 (Mill Creek Watershed) and 522 (Loo-wit).

**Blacktail Deer:** Any member of blacktail/mule deer (species *Odocoileus hemionus*) found west of the Pacific Crest Trail and in Klickitat County west of Highway 97.

**Mule Deer:** Any member of blacktail/mule deer (species *Odocoileus hemionus*) found east of the Pacific Crest Trail and in Klickitat County east of Highway 97.

**Harvest Report Card:** Successful hunters must fill out and return a Game Harvest Report Card within 10 days after taking a deer.

**Modern Firearm Deer Seasons**

**License Required:** Hunting license.

**Tag Required:** Valid modern firearm deer tag on his/her person for the area hunted.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	1998 Season Dates	1999 Season Dates	Game Management Units (GMUs)	Legal Deer
<b>HIGH BUCK HUNTS</b>				
	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten and Olympic Peninsula Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
<b>GENERAL SEASON HUNTS</b>				
<b>Western Washington Blacktail Deer</b>	Oct. 17-31	Oct. 16-31	407, 418, 426, 448 through 472, 484, 490, 501 through 520, 524 through 556, 560, 568, 572, 601 through 633, 638 through 673, 684	Any buck
			410, 564	Any deer
			437, 478, 558, 574, 578, 588, 636, 681	2 pt. min.

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Hunt Season	1998 Season Dates	1999 Season Dates	Game Management Units (GMUs)	Legal Deer
<b>Eastern Washington Whitetail Deer</b>	Oct. 17-30	Oct. 16-29	101 through 124	Any whitetail buck
	Oct. 17-25	Oct. 16-24	145 through 154, 162 through 186, 203, 231	Whitetail, 3 pt. min.
	Oct. 17-30	Oct. 16-29	127 through 142	Whitetail, 3 pt. min.
	Oct. 17-25	Oct. 16-24	204 through 224, 233, 239, 300	Any whitetail buck
	<u>Oct. 17-30</u>	<u>Oct. 16-29</u>	<u>248 through 284</u>	<u>Any whitetail buck</u>
<b>Mule Deer</b>	Oct. 17-25	Oct. 16-24	All eastern Washington GMUs except closed in GMUs 157, 242, 290, 329, 330, 342, 371, and PLWMA 201	3 pt. min.
<b>LATE BUCK HUNTS</b>				
<b>Western Washington Blacktail Deer</b>	Nov. 19-22	Nov. 18-21	All 400, 500, and 600 GMUs except closed in GMUs 418, 426, 437, 448, 460, 485, 522, 574, 578, 582, and 588	Any buck except 2 pt. min. in GMUs 478, 558, 636, 681 and any deer in GMUs 410 and 564
<b>Eastern Washington Whitetail Deer</b>	Nov. 9-22	Nov. 8-21	105 through 124	Any whitetail buck
			127 through 142	Whitetail-3 pt. min.
<b>DISABLED, SENIOR, OR YOUTH HUNTS</b>				
<b>Eastern Washington Whitetail Deer</b>	Oct. 17-30	Oct. 16-29	101 through 124	Any whitetail deer
			127 through 142	Whitetail-3 pt. min. or antlerless

**Archery Deer Seasons**

**License Required:** Hunting license.

**Tag Required:** Valid archery deer tag on his/her person for the area hunted.

**Special Notes:** Archery tag holders can only hunt with archery equipment during archery seasons.

Hunt Area	1998 Season Dates	1999 Season Dates	Game Management Units (GMUs)	Legal Deer
<b>Early Archery Deer Seasons</b>				
<b>Western Washington Blacktail Deer</b>	Sept. 1-30	Sept. 1-30	407 through 426, 448 through 472, 484, 490 through 520, 524 through 556, 560 through 572, 601 through 633, 638 through 673, 684 and Long Island. Bangor Submarine Base within GMU 627 is open for archers with disabilities by permit from the Navy. For information on this hunt call Tom Jones at (360) 396-5097. Special Restrictions: Must be a U.S. Citizen and hunting is open on weekends only.	Any Deer
			437, 478, 558, 574, 578, 588, 636, 681	2 pt. min. or antlerless
			Alpine Lakes, Glacier Peak, and Olympic Peninsula Wilderness Areas	3 pt. min. or antlerless

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PROPOSED

Eastern Wash- ington Mule Deer	Sept. 1-15	Sept. 1-15	101 through 127, 181 through 239, 260, 262, 278, 281, 300, 301, 302, 304, 306, 308, 314, 316, 328, 334 through 340, 346 through 368, 372	3 pt. min.
	Sept. 1-5	Sept. 1-5	130 through 154, 162 through 178, 248, 254, 266, 269, 272, 284, 582	3 pt. min.
	Sept. 6-15	Sept. 6-15	130 through 154, 162 through 178, 248, 254, 266, 269, 272, 284, 582	3 pt. min. or antlerless
Eastern Wash- ington White- tail Deer	Sept. 1-5	Sept. 1-5	101 through 124, 204 through 224, 233, 239, 248 through 284, 300	Any whitetail buck
			127 through 154, 162 through 186, 203, 231	Whitetail 3 pt. min.
	Sept. 6-30	Sept. 6-30	101 through 124, 204 through 224, 233, 239, 248 through 284, 300	Any whitetail deer
			127 through 154, 162 through 186, 231	Whitetail 3 pt. min. or antlerless
<b>Late Archery Deer Seasons</b>				
Western Wash- ington Blacktail Deer	Nov. 25-Dec. 8	Nov. 24-Dec. 8	588	2 pt. min. or antlerless
	Nov. 25-Dec. 15	Nov. 24-Dec. 15	558, 636, 681	2 pt. min. or antlerless
			460, 466, 510 through 520, 524, 530, 556, 560, 572, 601, 607 through 618, 638, 648, 673 and Long Island	Any deer
	Nov. 25-Dec. 31	Nov. 24-Dec. 31	407, 410, 454, 484, 505, 506, 564, 568, 603, 624, 627, 642, 660 through 672	Any deer
437			2 pt. min. or antlerless	
Eastern Wash- ington Mule Deer	Nov. 25-Dec. 15	Nov. 24-Dec. 15	127, 130, 133, 145, 178	3 pt. min. or antlerless
	Nov. 25-Dec. 8	Nov. 24-Dec. 8	209, 215, 233, 300, 316, 346, 352, 360 north of Carmack Canyon & Bethel Ridge Rd, 364, 368	3 pt. min.
			272	3 pt. min. or antlerless
Eastern Wash- ington Whitetail Deer	Nov. 10-Dec. 15	Nov. 10-Dec. 15	101	Any Whitetail
	Nov. 25-Dec. 15	Nov. 24-Dec. 15	105, 117, 121, 124	Any Whitetail
			127, 130, 133, 145, 178	3 pt. min. or antlerless
Nov. 25-Dec. 8	Nov. 24-Dec. 8	209, 215, 233	Any Whitetail	

**Muzzleloader Deer Seasons**

**License Required:** Hunting license.

**Tag Required:** Valid muzzleloader deer tag on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only.

**Special Notes:** Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment. Muzzleloader deer tag holders may apply for all either sex, antlerless only, and branched antler deer special hunting permits except on Private Lands Wildlife Management Area 201.



Hunt Area	1998 Season Dates	1999 Season Dates	Game Management Units	Legal Deer	
<b>High Buck Hunts</b>	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten and Olympic Peninsula Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.	
<b>Early Muzzleloader Deer Seasons</b>					
<b>Western Washington Blacktail Deer</b>	Oct. 10-16	Oct. 9-15	407, 410, 520, 530, 568, 603, 612, 624, 672	Any buck	
			454, 484, 564, 666	Any deer	
<b>Eastern Washington Whitetail Deer</b>	Oct. 10-16	Oct. 9-15	109, 117, 209, 300	Whitetail, any buck	
<b>Eastern Washington Mule Deer</b>	Oct. 10-16	Oct. 9-15	109, 117, 209, 300, 304, 316, 336, 352, 360	Mule deer, 3 pt. min.	
<b>Late Muzzleloader Deer Seasons</b>					
Hunt Area	1998 Season Dates	1999 Season Dates	Game Management Units (GMUs)	Legal Deer	
<b>Western Washington Blacktail Deer</b>	Nov. 25-Dec. 15	Nov. 24-Dec. 15	410, 501, 504, 564, 666, 684, and Muzzleloader Area 926	Any deer	
			478	2 pt. min.	
			550, 602, 633, 651	Any buck	
	Nov. 25-Dec. 8	Nov. 24-Dec. 8	578, 588	2 pt. min.	
<b>Eastern Washington Whitetail Deer</b>	Nov. 25-Dec. 15	Nov. 24-Dec. 15	113	Whitetail, any buck	
				139	Whitetail, 3 pt. min.
				130, 136, 172, 181	Whitetail, 3 pt. min. or antlerless
<b>Eastern Washington Mule Deer</b>	Nov. 25-Dec. 15	Nov. 24-Dec. 15	130, 136	Mule deer, 3 pt. min. or antlerless	
	Dec. 1-31	Dec. 1-31	Muzzleloader Area 925	Mule deer, antlerless only	

**Firearm Restricted Deer Hunts Open To All Deer Hunters**

**License Required:** Hunting license.

**Tag Required:** Valid modern firearm, archery or muzzleloader deer tag on his/her person for the area hunted.

**Hunting Method:** Must use weapon in compliance with tag. Firearm restrictions apply in some GMUs.

<b>Firearm Restricted Hunts Open To All Deer Hunters</b>				
Hunting license and deer tag required. Must use hunting method in compliance with tag. Check firearm restrictions. Hunter Orange required. Archery, Shotgun, Muzzleloader or revolver type handgun only.				
Hunt Area	1998 Season Dates	1999 Season Dates	Game Management Units (GMUs)	Legal Deer
<b>Western Washington Blacktail Deer</b>	Oct. 17-31	Oct. 16-31	410	Any deer
	Oct. 17-31	Oct. 16-31	Vashon and Maury Islands	Any deer
	Nov. 25-Dec. 31	Nov. 24-Dec. 31	564	Any deer
	Sept. 1-Dec. 31	Sept. 1-Dec. 31	Indian Island. Restricted Access*	Any deer
*Archery only except for one day persons of disability hunt. Archers must qualify during the June to August period to hunt. For information call Bill Kalina at (360) 396-5353.				

**Special Deer Permit Hunting Seasons**  
(Open to Permit Holders Only)

PROPOSED

Hunters must purchase a hunting license and deer tag prior to purchase of a permit application.

Hunt Name	1998 Permit Season	Special Restrictions	Boundary Description	1998 Permits
<b>Modern Firearm Deer Permit Hunts (Only modern firearm and muzzleloader deer tag holders may apply)</b>				
Sherman	Oct. 17-30	Whitetail, Antlerless Only	GMU 101	50
Kelly Hill	Oct. 17-30	Whitetail, Antlerless Only	GMU 105	100
Threeforks	Oct. 17-30	Whitetail, Antlerless Only	GMU 109	250
Selkirk	Oct. 17-30	Whitetail, Antlerless Only	GMU 113	30
49 Degrees North	Oct. 17-30	Whitetail, Antlerless Only	GMU 117	150
Huckleberry	Oct. 17-30	Whitetail, Antlerless Only	GMU 121	300
Mt. Spokane	Oct. 17-30	Whitetail, Antlerless Only	GMU 124	600
Mica Peak	Oct. 17-30	Whitetail, Antlerless Only	GMU 127	160
Cheney	Oct. 17-30	Antlerless Only	GMU 130	150
Roosevelt	Oct. 17-30	Antlerless Only	GMU 133	375
Harrington	Oct. 17-30	Antlerless Only	GMU 136	125
Steptoe	Oct. 17-30	Antlerless Only	GMU 139	200
Almota	Oct. 17-30	Antlerless Only	GMU 142	225
Mayview	Oct. 17-30	Antlerless Only	GMU 145	250
Prescott A	Nov. 9-17	Antlerless Only	GMU 149	250
Blue Creek	Nov. 9-17	Whitetail, Antlerless Only	GMU 154	150
Dayton	Nov. 9-17	Whitetail, Antlerless Only	GMU 162	100
Marengo A	Nov. 9-17	Whitetail, Antlerless Only	GMU 163	125
Marengo B	Nov. 9-17	Antlerless Only	GMU 163	150
Peola	Nov. 9-17	Antlerless Only	GMU 178	50
Blue Mtns.Foothills A	Nov. 9-23	Whitetail, 3 Pt. Min. or Antlerless	GMUs 149, 154, 162-166	100
Blue Mtns.Foothills B	Nov. 9-23	Whitetail, 3 Pt. Min. or Antlerless	GMUs 145, 172-181	75
East Okanogan	Nov. 1-15	Any Whitetail	GMU 204	150
West Okanogan	Nov. 1-15	Any Whitetail	GMUs 209, 218-239	200
Sinlahekin	Nov. 1-15	Any Whitetail	GMU 215	50
Alta A	Nov. 7-22	3 Pt. Min.	GMU 242	47
Desert A	Nov. 7-22	3 Pt. Min.	GMU 290	9
Quilomene A	Nov. 7-22	3 Pt. Min.	GMU 329, 330	56
Umtanum A	Nov. 7-22	3 Pt. Min.	GMU 342	59
Alkali A	Nov. 7-22	3-Pt. Min.	GMU 371	59
Green River A	Oct. 10-16	Any Buck	GMU 485	15
Green River B	Oct. 10-16	Antlerless Only	GMU 485	15
Lincoln	Oct. 17-30	Any Deer	GMU 501	175
Stella	Oct. 17-30	Any Deer	GMU 504*	75
Mossyrock	Oct. 17-30	Any Deer	GMU 505	150
Willapa Hills	Oct. 17-30	Any Deer	GMU 506	85
Stormking	Oct. 17-30	Any Deer	GMU 510	75
South Rainier	Oct. 17-30	Any Deer	GMU 513	75
Packwood	Oct. 17-30	Any Deer	GMU 516	100
Winston	Oct. 17-30	Any Deer	GMU 520	100
Ryderwood	Oct. 17-30	Any Deer	GMU 530	85

Coweeman	Oct. 17-30	Any Deer	GMU 550	175
Yale	Oct. 17-30	Any Deer	GMU 554*	50
Marble	Oct. 17-30	2 Pt. Min. or Antlerless	GMU 558	75
Lewis River	Oct. 17-30	Any Deer	GMU 560	100
Washougal	Oct. 17-30	Any Deer	GMU 568	35
Siouxon	Oct. 17-30	Any Deer	GMU 572	100
West Klickitat	Oct. 17-30	2 Pt. Min. or Antlerless	GMU 578	25
East Klickitat	Oct. 17-30	2 Pt. Min. or Antlerless	GMU 582	25
Grayback	Oct. 17-30	2 Pt. Min. or Antlerless	GMU 588	25
Pysht	Oct. 17-30	Any Deer	GMU 603	30
Olympic	Oct. 17-30	Any Deer	GMU 621	40
Coyle	Oct. 17-30	Any Deer	GMU 624	40
Kitsap	Oct. 17-30	Any Deer	GMU 627	20
Mason Lake	Oct. 17-30	Any Deer	GMU 633	60
Skokomish	Oct. 17-30	2 Pt. Min. or Antlerless	GMU 636	80
Wynoochee	Oct. 17-30	Any Deer	GMU 648	75
Satsop	Oct. 17-30	Any Deer	GMU 651	150
North River	Oct. 17-30	Any Deer	GMU 658	40
Minot Peak	Oct. 17-30	Any Deer	GMU 660	100
Capitol Peak	Oct. 17-30	Any Deer	GMU 663	100
Deschutes	Oct. 17-30	Any Deer	GMU 666	80
Skookumchuck A	Oct. 17-30	Any Deer	GMU 667	90
Fall River	Oct. 17-30	Any Deer	GMU 672	90
Williams Creek	Oct. 17-30	Any Deer	GMU 673	50

\*Firearm Restriction Areas - Muzzleloader or archery equipment only.

**Muzzleloader Only Deer Permit Hunts (Only muzzleloader tag holders may apply.)**

Colville	Oct. 10-16	Antlerless Only	GMUs 109, 117	50
Alta B	Oct. 10-16	3 Pt. Min.	GMU 242	8
Moses Coulee	Dec. 1-31	Antlerless Only	GMU 269	25
Desert B	Oct. 10-16	3 Pt. Min.	GMU 290	1
Quilomene B	Oct. 1-10	3 Pt. Min.	GMUs 329, 330	4
Umtanum B	Oct. 1-10	3 Pt. Min.	GMU 342	5
Alkali B	Oct. 1-10	3-Pt. Min.	GMU 371	10
Satsop	Oct. 1-10	Any Deer	GMU 651	50

**Archery Only Buck Permit Hunts (Only archery deer tag holders may apply.)**

Alta C	Sept. 1-30	3 Pt. Min.	GMU 242	32
Desert C	Sept. 1-15	3 Pt. Min.	GMU 290	13
Quilomene C	Sept. 1-15	3 Pt. Min.	GMUs 329, 330	86
Umtanum C	Sept. 1-15	3 Pt. Min.	GMU 342	86
Alkali C	Sept. 1-15	3-Pt. Min.	GMU 371	155

**Advanced Hunter Education (AHE) Graduate Special Deer Permit Hunts (Only AHE graduates may apply.)**

Cheney/Roosevelt	Dec. 1-7	Antlerless Only	GMUs 130, 133	75
Mt. Adams	Oct. 1-10	2-Pt. Min. or Antlerless	Elk Area 059	10
Skookumchuck	Oct. 17-30	Any Deer	GMU 667	10

**Persons of Disability Special Deer Permit Hunts (Only Persons of Disability may apply.)**

Blue Mtns. Foothills C	Nov. 9-24	Whitetail, 3-Pt. Min. or Antlerless	GMUs 149, 154, 162-166	10
Green River C	Oct. 11-17	Antlerless Only	GMU 485	5
Margaret	Oct. 17-Nov. 1	Antlerless Only	GMU 524	25
Trout Creek Hill	Oct. 17-31	Any Deer	GMU 572	3
Eleven Mile Ridge	Oct. 17-31	Any Deer	GMU 572	2
Red Mountain	Oct. 17-31	Any Deer	GMU 572	2
Paradise Ridge	Oct. 17-31	Any Deer	GMU 572	2
Proverbial Creek	Oct. 17-31	Any Deer	GMU 572	2
Gobbler's Knob	Oct. 17-31	2-Pt. Min. or Antlerless	GMU 574	2
Lone Butte	Oct. 17-31	Any Deer	GMU 560	3
Skookumchuck B	Oct. 17-Nov. 1	Any Deer	GMU 667	15
Bear River	Oct. 17-Nov. 1	2-Pt. Min. or Antlerless	GMU 681	20

**Senior Special Deer Permit Hunts (Must be 65 or older on opening day of the permit season to apply.)**

Walla Walla	Oct. 17-25	3-Pt. Min or Antlerless	GMUs 149, 163	75
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**Youth Special Deer Permit Hunts (Must be 16 or younger on opening day of permit season & accompanied by adult during the hunt.)**

Blue Mtns. Foothills D	Oct. 17-25	3-Pt. Min. or Antlerless	GMUs 149, 154, 162-166	100
Blue Mtns. Foothills E	Oct. 17-25	3-Pt. Min. or Antlerless	GMUs 145, 172-181	75
Big Bend C	Oct. 17-25	3-Pt. Min. or Antlerless	GMU 248	25
Toutle	Oct. 17-Nov. 1	Any Deer	GMU 556	100
Wind River	Oct. 17-Nov. 1	2-Pt. Min. or Antlerless	GMU 574	75
Satsop	Oct. 11-Nov. 1	Any Deer	GMU 651	10
Skookumchuck C	Oct. 11-Nov. 1	Any Deer	GMU 667	60

**AMENDATORY SECTION** (Amending Order 98-71, filed 4/22/98, effective 5/23/98)

**WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished.** Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife species native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

Common Name	Scientific Name
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>
North American lynx	<i>Lynx canadensis</i>
Aleutian Canada goose	<i>Branta Canadensis leucopareia</i>
bald eagle	<i>Haliaeetus leucocephalus</i>

Common Name	Scientific Name
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>
sage grouse	<i>Centrocercus urophasianus</i>
sharp-tailed grouse	<i>Phasianus columbianus</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as sensitive include:

Common Name	Scientific Name
Gray whale	<i>Eschrichtius gibbosus</i>
Larch Mountain salamander	<i>Plethodon larselli</i>
Pygmy whitefish	<i>Prosopium coulteri</i>
Margined sculpin	<i>Cottus marginatus</i>

PROPOSED

(3) Other protected wildlife include:

Common Name	Scientific Name
cony or pika	<i>Ochotona princeps</i>
least chipmunk	<i>Tamias minimus</i>
yellow-pine chipmunk	<i>Tamias amoenus</i>
Townsend's chipmunk	<i>Tamias townsendii</i>
red-tailed chipmunk	<i>Tamias ruficaudus</i>
hoary marmot	<i>Marmota caligata</i>
Olympic marmot	<i>Marmota olympus</i>
Cascade golden-mantled ground squirrel	<i>Spermophilus saturatus</i>
golden-mantled ground squirrel	<i>Spermophilus lateralis</i>
Washington ground squirrel	<i>Spermophilus washingtoni</i>
red squirrel	<i>Tamiasciurus hudsonicus</i>
Douglas squirrel	<i>Tamiasciurus douglasii</i>
northern flying squirrel	<i>Glaucomys sabrinus</i>
fisher	<i>Martes pennanti</i>
wolverine	<i>Gulo gulo</i>
painted turtle	<i>Chrysemys picta</i>
California mountain kingsnake	<i>Lampropeltis zonata;</i>

Common Name	Scientific Name
grizzly bear	<i>Ursus arctos</i>
sea otter	<i>Enhydra lutris</i>
sei whale	<i>Balaenoptera borealis</i>
fin whale	<i>Balaenoptera physalus</i>
blue whale	<i>Balaenoptera musculus</i>
humpback whale	<i>Megaptera novaeangliae</i>
black right whale	<i>Balaena glacialis</i>
sperm whale	<i>Physeter macrocephalus</i>
Columbian white-tailed deer	<i>Odocoileus virginianus leucurus</i>
woodland caribou	<i>Rangifer tarandus caribou</i>
American white pelican	<i>Pelecanus erythrorhynchos</i>
brown pelican	<i>Pelecanus occidentalis</i>
peregrine falcon	<i>Falco peregrinus</i>
sandhill crane	<i>Grus canadensis</i>
snowy plover	<i>charadrius alexandrinus</i>
upland sandpiper	<i>Bartramia longicauda</i>
spotted owl	<i>Strix occidentalis</i>
western pond turtle	<i>Clemmys marmorata</i>
leatherback sea turtle	<i>Dermochelys coriacea</i>
Oregon silverspot butterfly	<i>Speyeria zerene hippolyta</i>
Oregon spotted frog	<i>Rana pretiosa</i>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats, except when found in or immediately adjacent to a dwelling or other occupied building; (~~all wildlife within Titlow Beach Marine Preserve Area and the conservation areas defined in chapter 220-16 WAC;~~) all wildlife within Titlow Beach Marine Preserve Area and the conservation areas defined in chapter 220-16 WAC; mammals of the order *Cetacea*, including whales, porpoises, and mammals of the order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

**AMENDATORY SECTION** (Amending Order 97-167, filed 8/25/97, effective 9/25/97)

**WAC 232-12-014 Wildlife classified as endangered species.** Endangered species include:

Common Name	Scientific Name
pygmy rabbit	<i>Brachylagus idahoensis</i>
fisher	<i>Martes pennanti</i>
gray wolf	<i>Canis lupus</i>

**WSR 98-17-098**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**  
 [Filed August 19, 1998, 10:57 a.m.]

Supplemental Notice to WSR 98-10-100.  
 Preproposal statement of inquiry was filed as WSR 98-07-091.

Title of Rule: 1998 Salmon license buy back.

Purpose: Hold a second hearing.

Other Identifying Information: See WSR 98-10-100 and 98-14-096.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: See WSR 98-10-100. Additional testimony being taken because of inclusion of salmon charter vessels in program.

Reasons Supporting Proposal: See WSR 98-10-100.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Bruce Crawford, 1111 Washington Street, Olympia, (360) 902-2325; and Enforcement: Ron Swatfigure, 1111 Washington Street, Olympia, (360) 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

PROPOSED

Rule is not necessitated by federal law, federal or state court decision.

Explanation of Rule, its Purpose, and Anticipated Effects: See WSR 98-10-100. Additionally, salmon charter boats are eligible to participate in the program pursuant to a determination by the National Marine Fisheries Service.

Proposal Changes the Following Existing Rules: See WSR 98-10-100.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

See WSR 98-10-100. Additionally, salmon charter boats will be able to submit either trip tickets or a letter of endorsement from a charter house. This will assist salmon charter boats in verifying eligibility.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Auditorium, Office Building 2, 14th and Jefferson, Olympia, on September 23, 1998, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Robin Ayers by September 9, 1998, TDD (360) 902-2295, or (360) 902-2293.

Submit Written Comments to: Evan Jacoby, 600 North Capitol Way, Olympia, WA 98501-1091, fax (360) 902-2947, by September 22, 1998.

Date of Intended Adoption: September 23, 1998.  
 August 19, 1998  
 Evan Jacoby  
 Rules Coordinator

AMENDATORY SECTION (Amending Order 95-20, filed 3/3/95, effective 4/3/95)

**WAC 220-95-013 ((1995)) 1998 Salmon ((disaster relief)) license buy-back program established—Fund allocation—Expiration.** (1) The National Marine Fisheries Service (NMFS) has designated the department as the administering agency for distribution of ((Northwest Emergency Assistance Plan)) Magnuson-Stevens Fisheries Conservation and Management Act (the act) funds to buy back salmon licenses from commercial license holders who ((are)) have been affected by reductions in salmon fishing ((needed to conserve Columbia River threatened and endangered salmon stocks. The state of Washington in consultation with the National Marine Fisheries Service believes the program should be designed to purchase licenses from fisheries that are dependent on chinook and coho salmon and are affected by the Endangered Species Act)) caused by winter flooding in Washington state. The department hereby designates ((this program)) the fund distribution as the ((1995)) 1998 salmon ((disaster relief)) license buy-back program (program). The licenses eligible to participate in the program are salmon charter, salmon delivery, salmon troll, salmon gill net, salmon purse seine and salmon reef net.

(2) The ((rules provided for in this chapter implement the provisions of the Northwest Emergency Assistance Plan as published in the Federal Register, and appeals as to which fishery license holders may apply for relief and the maximum

level of monetary relief offered are to be made to the National Marine Fisheries Service)) goal of the program is to provide economic relief to Washington commercial salmon fishers, and to reduce the number of Washington commercial salmon licenses. To accomplish this, the department is proposing a two-step process, first an open purchase of licenses for a fixed sum (Phase One), then, if any funds remain available, an income-based purchase plan (Phase Two).

(3) ((The department allocates the available federal funding for the program to the following categories in the following amounts:)) The department will allocate the \$4,670,000 available under Section 312(a) as follows:

- (a) Program administration - \$123,000.
- (b) Salmon charter - \$152,000.
- (c) Salmon troll and salmon delivery - \$750,000.
- (d) Willapa-Columbia River and Grays Harbor-Columbia River gill net - \$840,000.
- (e) Puget Sound salmon gill net - \$2,040,000.
- (f) Salmon purse seine - \$660,000.
- (iii) Reef net - \$105,000.

((a))	Salmon troll licenses and salmon delivery licenses	\$1,700,000.00
((b))	Willapa Harbor Columbia River and Grays Harbor Columbia River gill net licenses	\$1,700,000.00
((c))	Salmon charter licenses	\$ 300,000.00
((d))	Program administration	\$ 300,000.00))

Program administration funds that will not be used will be reallocated to license purchases.

(4) The program expires ((March 31, 1996, or)) upon the distribution of all available funds((, whichever occurs first)).

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 95-20, filed 3/3/95, effective 4/3/95)

**WAC 220-95-018 Program eligibility.** Only persons meeting the following criteria are eligible to participate in the program.

(1) ((The person participated in the coastal, Columbia River, Grays Harbor or Willapa Bay commercial salmon fisheries and had income derived from one of those fisheries in at least one year during the period 1986 through 1991 and has not participated nor will participate in a Northwest Emergency Assistance Plan jobs program; and

(2)) For phase one applicants, the person possessed or was eligible to possess in 1997 one of the ((following)) Washington state salmon ((fishery licenses in 1994:

- (a) Salmon troll license (RCW 75.28.110 (1)(f));
- (b) Salmon delivery license (RCW 75.28.113);
- (c) Salmon gill net—Grays Harbor Columbia River (RCW 75.28.110 (1)(a));
- (d) Salmon gill net—Willapa Bay Columbia River (RCW 75.28.110 (1)(e));
- (e) Salmon charter (RCW 75.28.095 (1)(b)); and

PROPOSED

~~(3) The person incurred an uninsured loss computed under the federal plan requirements as follows: The maximum amount of uninsured loss under the program is the difference between the highest gross income derived from designated salmon fishing activity (including incidental catch provided that some salmon are included within the catch) during any calendar year 1986 through 1991 (the base year), less the sum of the least amount of gross income derived from salmon fishing activities during any calendar year from 1992 through 1994, plus any federal unemployment compensation received during that year, plus any federally funded training received during that year (the comparison year). The maximum amount payable under the program is 2.25 times the uninsured loss, but not to exceed \$100,000.00 to any individual for all payments received from the program. For purposes of calculating income, the license holder must and may only use income from salmon fisheries in the coastal waters of Washington, Oregon, and California, the waters of Grays Harbor and Willapa Bay, and the waters of the Columbia River)) fishing licenses issued pursuant to RCW 75.28.110 or 75.28.113 or a salmon charter license issued pursuant to RCW 75.28.095, and is eligible to possess the same license in 1998.~~

(2) For phase two applicants:

(a) The person possessed or was eligible to possess in 1997 one of the Washington state salmon fishing licenses issued pursuant to RCW 75.28.110 or 75.28.113 or a salmon charter license issued pursuant to RCW 75.28.095 and is eligible to possess the same license in 1998, and had income derived under the license from 1986 through 1991;

(b) The person had a salmon income loss greater than \$0, computed as follows:

The salmon income loss under the program is the difference between the highest gross income derived from Washington state and offshore salmon fishing activity (including incidental catch provided that some salmon are shown on the fish receiving ticket documenting the catch) during any calendar year 1986 through 1991 (the base year), less the sum of the least amount of gross income derived from the same salmon fishing activity during any calendar year from 1992 through 1997 (the comparison year), multiplied by 2.5. For purposes of calculating income, the license holder must and may only use income from salmon fisheries in the coastal waters of Washington, the waters of Grays Harbor, Willapa Bay, and the Columbia River, and waters of Puget Sound easterly of the Bonilla-Tatoosh Line. Income that was used in calculating uninsured loss in the 1995 salmon disaster relief license buy-back program or salmon decline impact in the 1996 Washington salmon license buy-out program may not be used to calculate salmon income loss in the 1998 program if the license offered in either the 1995 or 1996 program was purchased and retired.

AMENDATORY SECTION (Amending Order 95-20, filed 3/3/95, effective 4/3/95)

**WAC 220-95-022 Program application.** (1) A ~~((license holder))~~ person may make only one offer per license ~~((during an offer period))~~ per phase under the program.

~~(2) ((An offer to sell a license must be made on department forms and must be received by the department's licensing division during the period 8:30 a.m., March 29 through 4:30 p.m., May 12, 1995.~~

~~(3)) Income used in the calculation of offers that are accepted may not be used in the calculation of any other offer.~~

~~((4) The license holder may offer the license for any amount up to the maximum allowable under the program.~~

~~(5)) (3) Phase one applications:~~

~~(a) Phase one applications must be submitted to the department's licensing division on a department offer form. A completed offer form must contain the following information:~~

~~The applicant's name, Social Security number, mailing address during the offer period, telephone number (if applicable), and the license type and license number being offered;~~

~~(b) The offer amounts for phase one are:~~

~~(i) Salmon troll and salmon delivery: \$7,500.~~

~~(ii) Grays Harbor-Columbia and Willapa Bay-Columbia gill net: \$10,000.~~

~~(iii) Puget Sound gill net: \$12,000.~~

~~(iv) Reef net: \$15,000.~~

~~(v) Salmon purse seine: \$30,000.~~

~~(vi) Salmon charter: \$1,000 per angler permit not to exceed \$10,000, and including only angler permits that were on the license as of August 1, 1998.~~

~~(c) Phase one applications will be accepted October 26, 1998, through 4:30 p.m., October 30, 1998. Any application received before October 26, 1998, will be treated as being received on October 26, 1998, for purposes of prioritizing the applications. Any amounts remaining in the area and gear category from phase one will be used in phase two, unless the department deems that there are insufficient funds remaining to conduct a phase two plan.~~

~~(4) Phase two applications:~~

~~(a) Phase two applications must be made on department forms and must be received by the department's licensing division between November 16, 1998, and 4:30 p.m., November 30, 1998.~~

~~(b) The licensee may offer the license for any amount up to the salmon income loss incurred under the license or \$75,000, whichever is the lesser amount.~~

~~(c) An offer is not made unless a complete offer is received by the department. In order for an offer to be complete, the following must be received:~~

~~((a)) (i) A complete offer sheet, showing:~~

~~((i)) (A) The applicant's name, Social Security number, mailing address during the offer period and telephone number (if applicable);~~

~~((ii)) (B) The license type and license number that is being offered;~~

~~((iii)) (C) The offer amount;~~

~~((iv)) (D) The base year income (1986-1991);~~

~~((v)) (E) The comparison year income (1992-((1994, including federal unemployment funds and the amount of any federally funded training received)) 1997); and~~

~~((vi) The amount of uninsured loss;) (F) The offer ratio, defined as the offer amount divided by the salmon income loss.~~

~~((b))~~ (ii) Salmon income supporting documents~~((-~~

~~(i) For salmon troll, salmon delivery and gill net license fishing activity, the only acceptable supporting documents)) other than salmon charter are defined as official state fish receiving tickets documenting landings under a Washington license, ~~((official state fish landing receipts,))~~ or computer generated landing lists that have been certified by ~~((a state agency))~~ the department or the Pacific States Marine Fisheries Commission to be true and correct copies of Washington or Columbia River landings. All landings count in calculation of base and comparison year incomes.~~

~~((ii))~~ (iii) For salmon charter license fishing activity, acceptable supporting documents are trip tickets identifying the species targeted, the number of anglers, and the date of the trip or, if such tickets are unavailable, the department will accept a letter of endorsement from a charterboat association or charterboat booking office indicating salmon fishing was a major component of earnings, and, if such a letter is provided, will review the total income of the applicant for the base and comparison years.

~~((e))~~ NOTE: Commercial salmon licensee applicants who submitted complete offers in the 1996 Washington salmon license buy-out program need not resubmit supporting documents for offers based on the same base and comparison years if all landings are from Washington state. Such persons must submit a new offer sheet to participate in the 1998 program, but the offer amount may differ from the 1996 offer amount, provided it does not exceed the 1998 program limits.

(iv) Records disclosure authorization that allows the department to receive copies of the applicant's Internal Revenue Service returns for the base and comparison years ~~((are required from salmon charter license applicants who use income other than that shown on trip tickets and may be required for salmon troll, salmon delivery, and gill net license applicants claiming a percentage of income shown on fish tickets-~~

~~(d) A signed permission form that allows the department to receive copies of the applicant's Internal Revenue Service returns for the base and comparison years,))~~ and to receive landing information from the Pacific States Marine Fisheries Commission ~~((and the states of Oregon and California)).~~

~~((e))~~ (v) A signed statement certifying that all information provided is true and correct.

(vi) A completed 1998 license application if the person has not already renewed for 1998 the license offered for sale. If the applicant is not reached on the ranked offers, the 1998 license fee will be required within 30 days of notification.

**AMENDATORY SECTION** (Amending Order 95-20, filed 3/3/95, effective 4/3/95)

**WAC 220-95-027 Ranking of offers.** ~~((1) Incomplete offers will be returned-~~

~~(2) Complete offers will be verified prior to ranking-~~

~~(3) Ranking of complete offers will occur at the close of the offer period and offers will be ranked within the following three categories-~~

~~(a) Salmon troll and salmon delivery licenses-~~

~~(b) Willapa Bay Columbia River and Grays Harbor Columbia River gill net licenses-~~

~~(c) Salmon charter licenses-~~

~~(4) Ranking will be established in ascending order from the lowest offer to the highest offer in each license category-~~

~~(5) In the event of a tie, the offer of the person with the highest uninsured loss will be accepted-))~~ Phase two offers will be ranked by the offer ratio, beginning with the lowest ratio.

**AMENDATORY SECTION** (Amending Order 95-20, filed 3/3/95, effective 4/3/95)

**WAC 220-95-032 Offer acceptance—Acknowledgment—Retirement of licenses.** (1) ~~((Offers will be accepted in rank order, beginning with the lowest offer-~~

~~(2))~~ Phase one. The department will accept applications for phase one on a first come, first serve basis. Applicants will be prioritized on the basis of the date the application was received by the department. Phase one applicants may apply in person at the department licensing office in Olympia, by FAX to the license office at (360) 902-2925, or by mail to Fish and Wildlife Licensing, 600 Capitol Way North, Olympia, Washington 98501-1091. If insufficient funds are remaining to process all applications received on a given day, a random drawing will be made of that day's applicants to determine which applications will be accepted to participate in the program.

(2) Phase two. The department will accept applications for phase two in rank order, beginning with the lowest offer ratio. In the event of a tie between identical offer ratios, the lowest offer amount will be given preference.

(3) The department will notify license holders that it has accepted a license offer by sending an acceptance and acknowledgment to the license holder by registered mail to the address provided on the offer form or offer sheet. The acknowledgment must be signed and returned to the department ((and must be received by the license division at or before 4:30 p.m. on June 14, 1995. Any acknowledgment received after that date)) within ten days of the date of the mailing of the acceptance. Any acknowledgment received after the 10-day period is void and the acceptance is withdrawn.

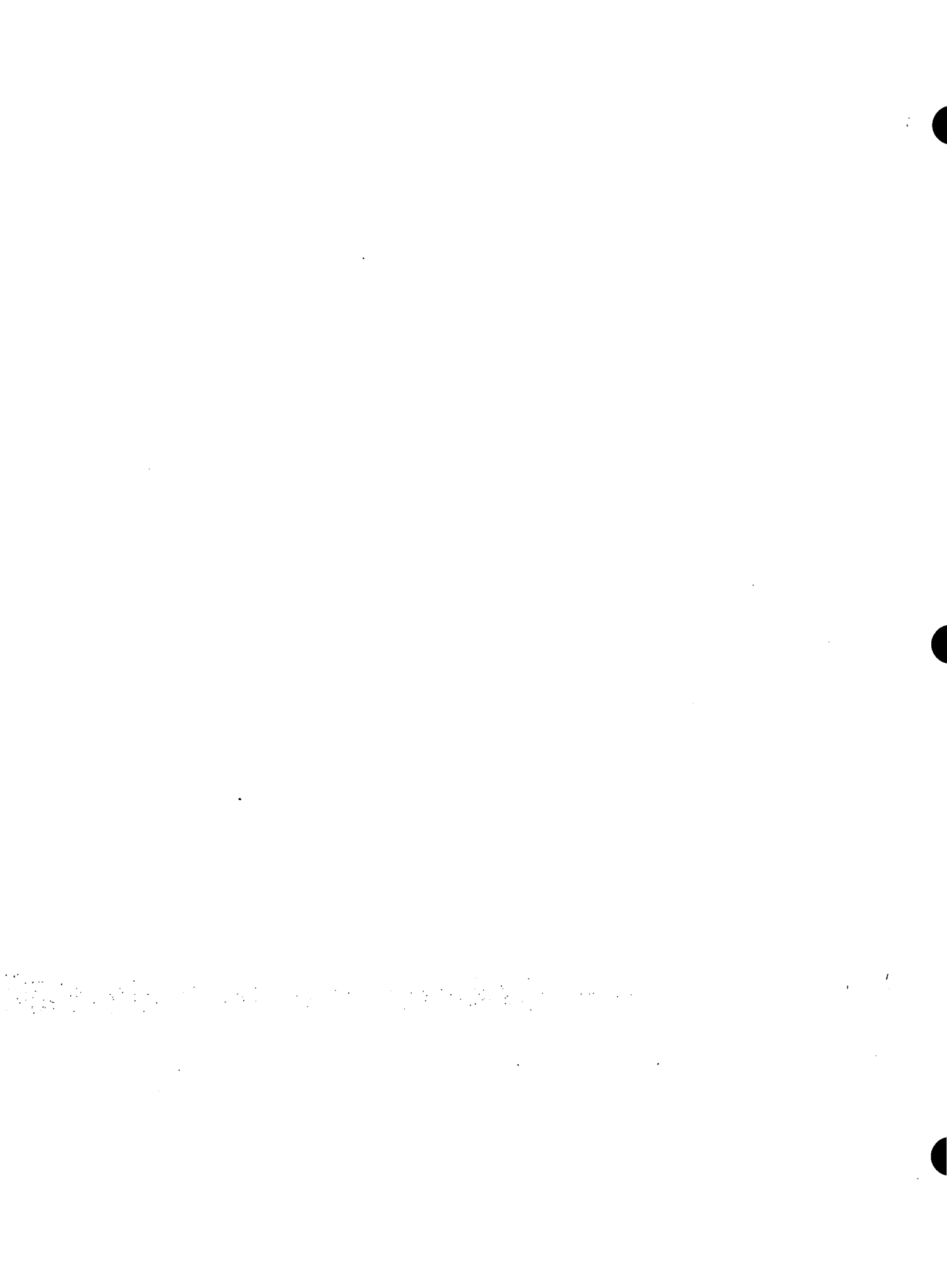
~~((3) If the license being offered has been issued for 1995,))~~ (4) The department will tender the amount of the offer upon ((return of the license card)) receipt of a valid acknowledgment.

~~((4) If the license being offered has not been issued for 1995, the department will tender the amount of the offer upon receipt of a valid acknowledgment-))~~ (5) Persons who sell a license in phase two of the program cannot purchase or operate a commercial license listed in RCW 75.28.110 or 75.28.113 for ten years or a salmon charter license listed in RCW 75.28.095, beginning January 1, 1999, except that persons may operate such a license if the license was owned or operated by that person in 1997.



**NO EXPEDITED ADOPTIONS FILED IN THIS ISSUE**

**EXPEDITED ADOPTION**



**WSR 98-17-003**  
**PERMANENT RULES**  
**JAIL INDUSTRIES BOARD**

[Filed August 6, 1998, 3:36 p.m.]

Date of Adoption: August 6, 1998.

Purpose: To establish the policy and procedure under which the Jail Industries Board will certify private sector inmate employment programs per federal criteria and manage the program.

Citation of Existing Rules Affected by this Order: New chapter 288-04 WAC, WAC 288-04-010 through 288-04-060.

Statutory Authority for Adoption: RCW 36.110.060.

Adopted under notice filed as WSR 98-14-060 on June 29, 1998.

Changes Other than Editing from Proposed to Adopted Version: Editing only to correct typographical error.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 6, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 6, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 6, 1998

Jill Will

Executive Director

**Title 288 WAC**

**JAIL INDUSTRIES BOARD**

**Chapter 288-04 WAC**

**POLICY AND PROCEDURE ON ADMINISTRATION  
OF THE PRISON INDUSTRIES ENHANCEMENT  
CERTIFICATION PROGRAM (PIECP)**

**NEW SECTION**

**WAC 288-04-010 Authority.** 18 U.S.C. 1761 authorizes the prison industries enhancement certification program (PIECP).

**RCW 36.110.060**, jail industries programs, establishes the jail industries board of directors as responsible for certifying private sector inmate employment programs per federal prison industries enhancement certification program criteria.

**NEW SECTION**

**WAC 288-04-020 Purpose.** To establish the policy and procedure under which the jail industries board will certify private sector inmate employment programs per federal prison industries enhancement certification program criteria and meet its management obligations under Washington state law toward private sector employment programs.

**NEW SECTION**

**WAC 288-04-030 Applicability.** Any county or city seeking to certify a cost accounting center (CAC) under the prison industries enhancement certification program.

**NEW SECTION**

**WAC 288-04-040 Definitions.** Definitions found in chapter 36.110 RCW and U.S. Department of Justice/Bureau of Justice Assistance (BJA) guidelines.

(Copies available from the jail industries board.)

**NEW SECTION**

**WAC 288-04-050 Policy statement.** It is the policy of the jail industries board of directors to meet all the requirements of chapter 36.110 RCW, 18 U.S.C. 1761, and BJA guidelines for the administration of the prison industries enhancement certification program (PIECP). A city or county housing jail inmates that produce goods for sale in interstate commerce will not be certified under PIECP unless the city or county meets these requirements. The board will provide technical assistance to help jurisdictions meet these requirements. The board may create a special revenue fund to help offset jail industries board costs funded by an amount equal to seven and one-half percent of inmates' gross wages. This amount shall be remitted to the jail industries board from the local jurisdictions' authorized deductions from inmate wages.

**NEW SECTION**

**WAC 288-04-060 Procedure. Application for participation in PIECP.**

Jurisdictions seeking to participate in PIECP will complete the following one-time information request to assist with program planning and ensure initial compliance with local, state and federal requirements. The information will be reviewed by jail industries board staff for completeness and forwarded to the jail industries board for approval.

**Information request items.**

**PIECP Application Cover Sheet**

**PIECP Application and Attachments**

**Designation of cost accounting centers.**

Jurisdictions that have been approved to participate in PIECP will complete an information request to designate a cost accounting center (CAC) under PIECP. A completed checklist with attached documentation is required each time a jurisdiction designates a new CAC. The information will be

reviewed by jail industries board staff for completeness. Jail industries board staff will forward the employment analysis to the employment security department, labor market and economic analysis branch, for its review and response. Upon receipt of determination of prevailing wage and nondisplacement response from employment security, the entire package will be forwarded to the jail industries board for approval.

**Information request item.**

**PIECP cost accounting center mandatory criteria checklist, documentation, and notice of designation.**

Sample documentation will be provided to assist the jurisdiction in completing the information request including:

Employment security department employment analysis.

Inmate wage agreement.

Business/labor notification letter.

National Environmental Policy Act (NEPA) statement of nonimpact.

National Environmental Policy Act (NEPA) environmental assessment.

**Samples available from the jail industries board.**

**Jail industries board review process.**

The chair of the jail industries board will appoint from among the members of the board a five person PIECP standing committee to review applications for participation and designation of cost accounting centers. The committee will include members representing business, labor, jail staff, the board executive committee, and an at large position. The executive director of the jail industries board will serve as an ex officio member. The PIECP committee will review all applications for participation and designations of cost accounting centers submitted. It will forward a recommendation for approval or denial to the full board with an executive summary of the information provided. The full board will review the information at the next board meeting and vote to approve or deny the application for participation and/or designation of a cost accounting center.

**Notice to the bureau of justice assistance.**

The executive director of the jail industries board will send a notice of designation of a cost accounting center to the bureau of justice assistance for cost accounting centers that have been approved.

**Documentation to BJA.**

**PIECP cost accounting center mandatory criteria checklist, documentation, and notice of designation.**

**Compliance reporting and review.**

Each jurisdiction that has designated a cost accounting center is responsible to ensure compliance with local, state and federal requirements. The jurisdiction will receive from each CAC it has designated complete monthly payroll information for each inmate working including name, Social Security number, wage rate, total hours worked, total pay, and any deductions taken from pay for taxes or other purposes. The jurisdiction should verify that wages paid are appropriate per the employment security department wage finding and that overtime is being paid for any time over forty hours in one week. The jurisdiction will record any deductions it takes from each inmate's wages and ensure the total deductions do not exceed eighty percent of gross wages and are for approved purposes.

The jurisdiction will forward copies of payroll and deduction information each month to the jail industries board for review. Jail industries board staff are responsible to verify the information submitted reflects compliance with local, state and federal requirements and to submit all required reports to the bureau of justice assistance. Jail industries board staff are responsible to request annual wage updates from the employment security department and forward the information to local jurisdictions for their action.

Each jurisdiction with active CACs will be visited at least annually for an on-site compliance check. Jurisdictions participating in the program will agree to make available all documentation required to verify compliance with requirements and participate in the on-site compliance reviews.

**Decertification.**

The jail industries board has the final authority to determine if a jurisdiction is in compliance with Washington requirements as stated in chapter 36.110 RCW. The board may decertify a jurisdiction or one of its designated cost accounting centers if it determines the jurisdiction is out of compliance and is unable to work with the jurisdiction to ensure compliance.

The bureau of justice assistance (BJA) has the final authority to determine if a cost accounting center is in compliance with federal requirements. Should BJA find a CAC out of compliance, the jail industries board and the jurisdiction will work with BJA to bring the CAC into compliance. If compliance issues cannot be resolved, the jail industries board will decertify the CAC per BJA guidelines. A decertified CAC may not employ inmates to produce goods for sale in interstate commerce.

State of Washington  
Jail Industries Board  
Prison Industries Enhancement Certification Program (PIECP)  
Application Cover Sheet

AGENCY: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

STAFF CONTACT FOR PIECP ISSUES:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

To the best of my knowledge, the information submitted in this application and its attachments is correct. I agree to allow the bureau of justice assistance access to records necessary to document compliance with PIECP requirements. I am duly authorized to submit this application\* on behalf of:

AGENCY: \_\_\_\_\_

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

\*If the person signing the application is not the agency head, please attach a letter of designation from the agency head giving signature authority.

PERMANENT

State of Washington  
Jail Industries Board  
PIECP Application and Attachments

AGENCY: \_\_\_\_\_

- 1. A Local Advisory Group has been formed, including an equal number of representatives from:  
labor (required)  
business (required)

The group also includes representatives from:  
sheltered workshops (recommended)  
crime victims advocates (recommended)

Attachments: Statement of when the advisory group was established and roster of members, including name and affiliation

- 2. A Special Revenue Fund has been created to receive inmate wage deductions, including deductions taken to help offset jail industries costs.

Attachment: Not Required  
(Note: Documentation may be examined during on-site compliance reviews.)

- 3. The jurisdiction has in place the appropriate statutory and administrative authority to meet all mandatory program criteria.

Attachment: Not Required  
(Note: Documentation may be examined during on-site compliance reviews.)

- 4. Documentation is available to show compliance with all mandatory program criteria.

Attachment: Submitted when a cost accounting center is designated

PERMANENT

State of Washington  
Jail Industries Board

PIECP Cost Accounting Center  
Mandatory Criteria Checklist, Documentation, and Notice of Designation

Cost Accounting Center Name:

Model: \_\_\_\_\_ Employer \_\_\_\_\_ Customer \_\_\_\_\_ Manpower \_\_\_\_\_ Other \_\_\_\_\_

(define)

Facility Name:

Location:

Product Line:

Number of inmate workers:

Geographic distribution of product:

**1. Eligibility**

This organization, \_\_\_\_\_, is authorized by law to administer PIECP programs.

Attachment: Not Required

**2. Private Sector Wage Rates**

All PIECP inmate workers will be paid wages per bureau of justice assistance program guidelines and the wage scale verified in writing by the appropriate state agency which verifies wage rates.

Attachment:

Written definition of locality used to in wage rate finding

Written wage determination

Written wage plan (if any)

(Attach employment analysis and employment security department wage and nondisplacement determination.)

If wage verification cannot be obtained from the appropriate state agency responsible for determination, the PIE participant agency is responsible for establishing a reasonable prevailing wage.

Attachment:

Written documentation that the appropriate state agency responsible for determination cannot provide the determination

Written definition of locality used in wage rate finding

Written wage determination by the PIE certificate holder

Relevant wage data from a sufficient number of competitors in the locality

Data analyses for determining a reasonable prevailing wage

If possible, a written assessment of the reasonableness of the resulting prevailing wage determination by the appropriate state agency which normally determines wage rates

**3. Free Worker Displacement**

This operation will not displace free-world workers, as verified in writing by the appropriate state agency which verifies nondisplacement.

Attachment:

Written nondisplacement determination

Written definition of locality used in nondisplacement finding

Letter of agreement from company on nondisplacement of free-world workers employed by the company

(Attach employment security department wage and nondisplacement determination.)

PERMANENT

In cases where the appropriate state agency cannot make a nondisplacement determination, the CAC should propose and confer with BJA on alternative measures to address this requirement on a case-by-case basis.

Attachment:

Written agreement from BJA approving alternative measures of nondisplacement

Written definition of locality used in nondisplacement determination

Letter of agreement from company on nondisplacement of free-world workers employed by the company

**4. Benefits**

All inmate workers are covered by the following benefits: Workers compensation and Social Security, or written exemption(s) from the relevant federal agency(ies) for benefits coverage is on file.

Attachment: Written statement on benefits coverage of workers

**5. Deductions**

(a) Deductions from gross wages, if made, in aggregate will not exceed eighty percent of gross wage and may be withheld only for:

Taxes - federal, state, local - (if claiming exemption from tax withholding, provide letter of exemption from the appropriate federal, state, or local authority)

\_\_\_\_\_ % Room and board

\_\_\_\_\_ % Allocations for support of family pursuant to state statute, court order, or agreement by the offender.

\_\_\_\_\_ % Contributions of gross wages to any fund established by law to compensate the victims of crime (if taken, must be 5 to 20%)

(b) Deductions from net wages may include:

\_\_\_\_\_ Mandatory savings

\_\_\_\_\_ Repayment of legal financial obligations

Attachment: Inmate wage deduction policy

(c) If this CAC is housed in or managed by a private prison, written authority exists from each remanding jurisdiction for any deductions taken. Victims' Compensation payments must be returned to the remanding jurisdiction(s). Disposition of Room and Board payments must be determined by the remanding jurisdiction(s).

Attachment: Written approval from each remanding jurisdiction with inmates participating in PIECP

**6. Voluntary Worker Participation**

All inmate workers will indicate in writing that they agree voluntarily to participate and for any deductions made they agree voluntarily and in advance to all wage deductions and all other financial arrangements made as to wages.

Attachment: Sample inmate participation and wage deduction agreement(s)

**7. Consultation with Organized Labor**

The local union central labor council, or the state labor council if no local council exists, has been consulted.

Attachment: Letter to labor council or minutes of board meeting, or public notice containing pertinent information relating to the proposed project. (Attach notice letter.)

**8. Consultation with Local Private Business**

The local economic development council, chamber of commerce or similar local business organization, or a similar statewide business organization if no local organization exists, has been consulted.

PERMANENT



Attachment: Letter to business organization or minutes of board meeting, or public notice containing pertinent information relating to the proposed project. (Attach notice letter.)

9. Compliance with the National Environmental Policy Act (NEPA) (Check One Box)

A. Designation of this CAC includes only minor renovation or remodeling which does not require an environmental impact statement or an environmental assessment.

Attachment: Statement of Nonimpact

B. Designation of this CAC includes renovations that change the basic prior use of the facility or significantly change the size; new construction; research and technology whose application could affect the environment; or use of chemicals.

Attachment: Environmental Assessment

C. Assessments made under B. which result in findings of significant impact require submittal of an environmental impact statement.

Attachment: Environmental Impact Statement

I certify the above information to be true to the best of my knowledge.

Name of the Authorized Signatory: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Effective Date of Designation: \_\_\_\_\_

(must be prior to the start-up of inmate employment)

**WSR 98-17-004**  
**PERMANENT RULES**  
**JAIL INDUSTRIES BOARD**  
[Filed August 6, 1998, 3:41 p.m.]

Date of Adoption: August 6, 1998.

Purpose: To provide an appeal process to board certification and decertification actions.

Citation of Existing Rules Affected by this Order: New chapter 288-06 WAC, WAC 288-06-010 through 288-06-070.

Statutory Authority for Adoption: RCW 36.110.060; chapter 34.05 RCW, Administrative Procedure Act.

Adopted under notice filed as WSR 98-14-059 on June 29, 1998.

Changes Other than Editing from Proposed to Adopted Version: Editing only to correct typographical errors.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 7, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.  
 August 6, 1998  
 Jill Will  
 Executive Director

### Chapter 288-06 WAC

## PRISON INDUSTRIES ENHANCEMENT CERTIFICATION PROGRAM ADJUDICATIVE PROCEEDINGS

### NEW SECTION

**WAC 288-06-010 Application of brief adjudicative proceedings.** The board adopts the brief adjudicative proceedings procedures permitted by RCW 34.05.482 through 34.05.494 and WAC 10-08-080 computation of time for adjudicative proceedings requested by applicants who:

- (1) Are denied certification; or
- (2) Are the subject of decertification actions taken under the authority of board policies on the prison industries enhancement certification program and RCW 36.110.060.

The sole issue at the brief adjudicative proceeding shall be whether:

- (a) The applicant meets the requirements for certification; or
- (b) A certified program participant is out of compliance with program requirements and should be decertified.

### NEW SECTION

**WAC 288-06-020 Application of adjudicative proceedings.** If the full board finds that the issue and interests raised in the request for adjudicative proceeding warrant the use of procedures of RCW 34.05.410 through 34.05.479, the board may conduct a formal adjudicative proceeding and hereby adopts the model rules of procedure as set forth in WAC 10-08-035 through 10-08-230 for the conduct of formal adjudicative proceedings.

### NEW SECTION

**WAC 288-06-030 Request for adjudicative proceeding.** Requests for an adjudicative proceeding must be made in writing to the board within twenty-one days of receiving notice of a certification or decertification action. Requests may be made by:

- (1) The correctional facility and/or business seeking certification; or
- (2) The correctional facility and/or business being decertified.

### NEW SECTION

**WAC 288-06-040 Failure to apply or participate.** Failure to apply for an adjudicative proceeding within the times set forth in WAC 288-06-020 shall result in the adoption of the board's initial determination as its final determination.

Failure to attend or otherwise participate in an adjudicative proceeding may result in a finding of default.

### NEW SECTION

**WAC 288-06-050 Preliminary record in brief adjudicative proceedings.** (1) The preliminary record with respect to an application for a prison industries enhancement certification program certification is:

- (a) The application for the certification and all associated documents;
- (b) All documents relied upon by the board in proposing to deny the application; and
- (c) All correspondence between the applicant for certification and the board regarding the application.

(2) The preliminary record with respect to decertification of a program is:

- (a) The existing certification file;
- (b) All reports or other documents submitted to the board by the certified program participant which is the subject of decertification; and
- (c) All correspondence between the participant and the board regarding compliance with program requirements.

### NEW SECTION

**WAC 288-06-060 Conduct of brief adjudicative proceedings.** (1) Brief adjudicative proceedings shall be conducted by the chair of the board or other presiding officer for brief adjudicative proceedings as designated by the chair.

(2) The parties or their representatives may present written documentation. The presiding officer for brief adjudicative proceedings shall designate the date by which written documents must be submitted by the parties.

(3) The presiding officer for brief adjudicative proceedings may, in his or her discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify and no discovery other than reproduction of the preliminary record as specified will occur.

(5) In addition to the record, the presiding officer for brief adjudicative proceedings may employ agency expertise as a basis for decision.

(6) The presiding officer for brief adjudicative proceedings shall not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer for brief adjudicative proceedings shall enter a written initial order.

(7) Initial orders on brief adjudicative proceedings shall become final twenty-one days after service of the initial order.

(8) Further appeals to board decisions regarding certification and decertification issues can be made to superior court as specified in chapter 34.05 RCW, Administrative Procedure Act, Part V, Judicial Review and Civil Enforcement.

**NEW SECTION**

**WAC 288-06-070 Agency record in brief proceedings.** The agency record of brief adjudicative proceedings shall consist of:

- (1) The preliminary record as set forth in WAC 288-06-050;
- (2) All initiating documents including the notice of opportunity to defend;
- (3) The request for adjudicative proceeding;
- (4) All documents submitted in the proceeding;
- (5) Any transcript or recording of any testimony or arguments presented; and
- (6) All orders issued in the case.

**WSR 98-17-007**

**PERMANENT RULES  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION**

[Order 98-08—Filed August 7, 1998, 10:57 a.m.]

Date of Adoption: August 5, 1998.

Purpose: The purpose is to amend chapter 392-141 WAC, and add a new section to the chapter. These amendments will allow in some cases, basic education students to ride on school buses previously routed to exclusively transport special needs students. The amendments will allow school districts more flexibility in reporting the transportation service of basic students on a special needs route.

Citation of Existing Rules Affected by this Order: Amending WAC 392-141-146, 392-141-148, 392-141-150, and 392-141-160.

Statutory Authority for Adoption: RCW 28A.150.290.

Adopted under notice filed as WSR 98-14-011 on June 19, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 4, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 1, Amended 4, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 5, 1998

Terry Bergeson  
Superintendent of  
Public Instruction

**AMENDATORY SECTION** (Amending Order 92-03, filed 3/23/92, effective 4/23/92)

**WAC 392-141-146 Definition—Basic transportation.**

As used in this chapter, "basic transportation" means students transported from home to school for their basic education and classified as either basic, transit tripper, in-lieu, private party contract or pass or token transportation. Basic transportation shall include those students who qualify under RCW 28A.155.020 for special services and are capable of protecting his or her own welfare while traveling to or from schools or agencies where special education services are provided and those students who are qualified for gifted, bilingual, and homeless programs that do not require special transportation.

**AMENDATORY SECTION** (Amending Order 92-12, filed 10/2/92, effective 11/2/92)

**WAC 392-141-148 Definition—Special transportation.**

As used in this chapter, "special transportation" means students transported from home to school (~~for their gifted, bilingual, or homeless programs, or~~) for special education programs pursuant to chapter 28A.155 RCW and (~~chapter 392-141 WAC~~) who are either not ambulatory or capable of protecting his or her own welfare while traveling to or from schools or agencies where special education services are provided. Also included are students who require special transportation to special education, gifted, bilingual, or homeless programs located outside their basic transportation service area or at an alternative program time.

**AMENDATORY SECTION** (Amending Order 92-03, filed 3/23/92, effective 4/23/92)

**WAC 392-141-150 Definition—Midday transportation.**

As used in this chapter, "midday transportation" means a separate route exclusively used for kindergarten and/or basic preschool students, except special education students, that is operated to or from home and between the beginning and end of the regular school day.

**NEW SECTION****WAC 392-141-152 Definition—Combined transportation route.**

As used in this chapter, "combined transportation route" means a special transportation route as defined in WAC 392-141-148 on which a student or students, who would otherwise qualify for basic transportation as defined in WAC 392-141-146, are allowed to ride. The number of basic transportation students allowed on a designated combined route shall not exceed thirty percent of the actual number of seating positions on a type A school bus, twenty percent of the actual number of seating positions on a type B school bus, or ten percent of the actual number of seating positions on a type C or D school bus used on the combined route. If the total number of seating positions multiplied by the appropriate percentage results in a fractional number of students, the result shall be rounded to the next highest whole number.

AMENDATORY SECTION (Amending Order 96-09, filed 7/25/96, effective 8/25/96)

**WAC 392-141-160 District reporting and record-keeping requirements.** Annual or supplementary reports shall be submitted by each school district to the superintendent of public instruction prior to the third Monday in October. This report shall reflect to the extent practical the planned pupil transportation program for the entire school year and which is in operation during ridership count week. Reports shall be submitted with a cover letter signed by the chief school district administrator attesting to the completeness of the requirements below and the accuracy of the data contained therein. The superintendent of public instruction shall have the authority to make modifications or adjustments in accordance with the intent of RCW 28A.160.150, 28A.160.160, and 28A.160.170. Each district shall submit the data required on a timely basis as a condition to the continuing receipt of student transportation allocations. These reports shall be maintained for a period of three school years or until audited and include the following but are not limited to:

- (1) School bus route logs completed in ink by bus drivers for five consecutive days. These logs shall include state school bus numbers, each bus stop, the number of students boarding the bus at each stop, and destination schools, transfer points, learning centers, or agencies; and
- (2) The number of kindergarten through fifth grade students enrolled during ridership count week and living one radius mile or less from their destination school; and
- (3) Other operational data and descriptions, as required by the superintendent of public instruction to determine operation allocation requirements for each district; and
- (4) An annual school bus mileage report including the beginning and ending year odometer reading, the total miles for each bus for the school year, an estimate of to and from school mileage for the upcoming school year, and miles for extended day routes, field trips, extracurricular, and other contractual uses of school buses; and
- (5) Copies of any and all correspondence, publications, news articles, or campaign materials which encourage ridership during count week of the report that is beyond the normal activity experienced during the school year. School districts shall not utilize incentive programs that provide tangible gifts to reward increases in ridership counts.

School districts shall maintain at least a weekly one-day route log containing the school bus driver's name, state bus number, route number, route type, day of the week, beginning and ending odometer readings, destinations, destination times and student counts. These route logs shall be maintained in the school district files for a period of three years or until audited.

**WSR 98-17-012**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**  
 (Securities Division)  
 [Filed August 10, 1998, 8:38 a.m.]

Date of Adoption: August 6, 1998.

Purpose: Adopt NASAA's uniform manual exemption. RCW 21.20.320(2) was amended during the 1997 legislative session to grant the director rule-making authority concerning nonissuer transactions by registered salespersons of registered broker-dealers. The intent behind this amendment was to authorize the director to adopt the NASAA uniform manual exemption. The proposed amendment will foster uniformity with other jurisdictions and decrease the compliance burden on persons conducting secondary trading.

Statutory Authority for Adoption: RCW 21.20.450.

Other Authority: RCW 21.20.320(2).

Adopted under notice filed as WSR 98-14-073 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 2, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 0, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: No rule may be made unless the director of the Department of Financial Institutions finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of chapter 21.20 RCW.

Effective Date of Rule: Thirty-one days after filing.

August 6, 1998

John L. Bley

Director

NEW SECTION

**WAC 460-44A-100 Nonissuer transactions pursuant to RCW 21.20.320(2)—Manual exemption.** Any nonissuer transaction by a registered salesperson of a registered broker-dealer, and any resale transaction by a sponsor of a unit investment trust registered under the Investment Company Act of 1940, in a security of a class that has been outstanding in the hands of the public for at least ninety days shall be exempt pursuant to RCW 21.20.320(2) provided that, at the time of the transaction:

(1) The issuer of the security is actually engaged in business and not in the organizational stage, bankruptcy, or receivership;

(2) The issuer is not a blank check, blind pool or shell company whose primary plan of business is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person or persons;

(3) The security is sold at a price reasonably related to the current market price of the security;

(4) The security does not constitute all or part of an unsold allotment to, or a subscription or participation by, the broker-dealer as an underwriter of the security;

(5) A nationally recognized securities manual designated by the director pursuant to WAC 460-10A-160 or a document filed with and publicly available through the U.S. Securities & Exchange Commission's Electronic Data Gathering and Retrieval System (EDGAR) contains:

(a) A description of the business and operations of the issuer;

(b) The names of the issuer's officers and the names of the issuer's directors, if any, or, in the case of a non-U.S. issuer, the corporate equivalents of such persons in the issuer's country of domicile;

(c) An audited balance sheet of the issuer as of a date within eighteen months or, in the case of a reorganization or merger where parties to the reorganization or merger had such audited balance sheet, a pro forma balance sheet; and

(d) An audited income statement for each of the issuer's immediately preceding two fiscal years, or for the period of existence of the issuer, if in existence for less than two years or, in the case of a reorganization or merger where the parties to the reorganization or merger had such audited income statement, a pro forma income statement; and

(e) The issuer of the security has a class of equity securities listed on a national securities exchange registered under the Securities Exchange Act of 1934, or designated for trading on the National Association of Securities Dealers Automated Quotation System (NASDAQ), unless:

(a) The issuer of the security is a unit investment trust registered under the Investment Company Act of 1940;

(b) The issuer of the security has been engaged in continuous business (including predecessors) for at least three years; or

(c) The issuer of the security has total assets of at least \$2,000,000 based on an audited balance sheet as of a date within eighteen months or, in the case of a reorganization or merger where parties to the reorganization or merger had such audited balance sheet, a pro forma balance sheet.

#### NEW SECTION

**WAC 460-44A-110 Nonissuer transactions pursuant to RCW 21.20.320(2)—Senior securities.** Any nonissuer transaction in a security by a registered salesperson of a registered broker-dealer shall be exempt pursuant to RCW 21.20.320(2) if:

(1) The issuer of the security is actually engaged in business and not in the organizational stage, bankruptcy or receivership;

(2) The issuer is not a blank check, blind pool or shell company whose primary plan of business is to engage in a merger or combination of the business with, or an acquisition of, an unidentified person or persons;

(3) The security is senior in rank to the common stock of the issuer both as to payment of dividends or interest and upon dissolution or liquidation of the issuer;

(4) Such security has been outstanding in the hands of the public for at least three years; and

(5) Neither the issuer nor any predecessors has defaulted, within the current fiscal year or the three immediately preceding fiscal years, in the payment of any dividend, interest, principal, or sinking fund instalment on the security when due and payable.

#### **WSR 98-17-013**

#### **PERMANENT RULES DEPARTMENT OF FINANCIAL INSTITUTIONS (Securities Division)**

[Filed August 10, 1998, 8:40 a.m.]

Date of Adoption: August 6, 1998.

Purpose: To foster greater uniformity, the Securities Division is adopting certain NASAA Statements of Policy in place of state-specific regulations on the same subjects. It is anticipated that such action would ease the burden of securities registration in this state by eliminating nonuniform regulations. In addition, the division is codifying various interpretive and policy statements as required pursuant to the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 460-10A-050, 460-10A-060, 460-10A-130, 460-10A-180, 460-10A-190 through 460-10A-210, 460-16A-035, 460-16A-075, 460-16A-090 through 460-16A-111, 460-16A-150 through 460-16A-175, 460-16A-190 and 460-16A-210; and amending WAC 460-10A-160, 460-16A-020, 460-16A-115, 460-16A-120, 460-16A-205, 460-17A-030, 460-17A-040, and 460-17A-070.

Statutory Authority for Adoption: RCW 21.20.450.

Adopted under notice filed as WSR 98-14-074 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 8, Repealed 24.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 8, Repealed 24.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 8, Repealed 24.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: No rule may be made unless the director of the Department of Financial Institutions finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of chapter 21.20 RCW.

Effective Date of Rule: Thirty-one days after filing.  
 August 6, 1998  
 John L. Bley  
 Director

**AMENDATORY SECTION** (Amending Order 304, filed 2/28/75, effective 4/1/75)

**WAC 460-10A-00101 Definitions.** The terms used in these rules shall have the meanings set forth in the statutes pursuant to which these rules are adopted, if defined therein, or the meanings expressed in the definitions contained in these rules.

Note: Additional definitions may be found in the North American Securities Administrators Association (NASAA) statement of policy regarding corporate securities definitions, which has been adopted pursuant to WAC 460-16A-205 (1)(m).

**AMENDATORY SECTION** (Amending Order SDO-161-89, filed 10/11/89, effective 11/11/89)

**WAC 460-10A-160 Nationally recognized securities manual.** For the purpose of ((RCW 21.20.320(2)")) WAC 460-44A-100, "Nationally recognized securities manual" shall mean: *Fitch Investors Service, Moodys Investors Service* ((except for *Moodys International Manual*)), and *Standard and Poor's Corporation Records*((; provided that the outstanding securities of issuers meet the following requirements:

(1) An entry describing the issuer and meeting the informational requirements of RCW 21.20.320(2) was published in *Moodys Investors Service OTC Industrial Manual* and such an entry has appeared continuously in that manual since August 9, 1986 and the issuer has not subsequently reorganized, merged, consolidated, or had a stock split; or

(2) An entry describing the issuer and meeting the informational requirements of RCW 21.20.320(2) was published in *Fitch Investors Service, Standard and Poor's Corporation Records or Moody's Investor Services* (other than the *OTC Industrial Manual and Moody's International Manual*) and such an entry has appeared continuously in that manual since September 30, 1989, and the issuer has not subsequently reorganized, merged, consolidated, or had a stock split; or

(3) Securities of the issuer have been registered with the Securities and Exchange Commission pursuant to section 12 of the Securities and Exchange Act of 1934, and the issuer has been subject to the reporting requirements of section 13 of that act, and has promptly filed all reports required by section 13 for the three reporting periods immediately preceding the claim of the RCW 21.20.320(2) transactional exemption; or

(4) The issuer is a unit investment trust registered under section 8 of the Investment Company Act of 1940 and securities involved were initially registered under RCW 21.20.140; or

(5)(a) The security is of a class which has been outstanding in the hands of the public for at least ninety days; (b) the issuer of the security is a going concern actually engaged in business and not in the developmental stage or in bankruptcy or receivership; and (c) the issuer of the security, including any predecessors, has been in continuous operation for at least five years)).

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 460-10A-050 Promotional shares defined.
- WAC 460-10A-060 Affiliate.
- WAC 460-10A-130 Person.
- WAC 460-10A-180 Promoter.
- WAC 460-10A-185 Control.
- WAC 460-10A-190 Equity security.
- WAC 460-10A-195 Promotional or developmental stage corporation.
- WAC 460-10A-200 Public market.
- WAC 460-10A-205 Significant earnings.
- WAC 460-10A-210 Unaffiliated institutional investor.

**AMENDATORY SECTION** (Amending Order 304, filed 2/28/75, effective 4/1/75)

**WAC 460-16A-020 Interpretive opinions and no-action letters.** ((Each request for a written interpretive opinion of the administrator shall be made in writing and shall fully set forth the question presented and the particular facts and circumstances upon which the opinion is requested. Each interpretive opinion is applicable only to the transaction identified in the request therefor, and may not be relied upon in connection with any other transaction, and are discretionary with the division.)) The administrator, in his or her discretion, may honor requests from interested persons for no-action letters and interpretive opinions. The following procedures must be followed in requesting a no-action or interpretive opinion from the division:

(1) The request must be submitted to the administrator in writing. The letter should be captioned with the name of the party who will be relying upon the administrator's response and should indicate that a no-action or interpretive opinion is sought. The filing fee required by RCW 21.20.340 must accompany the request.

(2) The requesting letter should cite the particular statutes or rules for which interpretation or no-action is sought.

PERMANENT

(3) The names of all involved companies and parties should be disclosed. The division cannot issue interpretive or no-action letters relating to unnamed companies or individuals or hypothetical situations, nor on matters of pending, or in preparation for, litigation.

(4) The request should be tailored to resolving the immediate issues and should not attempt to discuss every possible situation that may arise in the future.

(5) The letter should be concise and contain all material facts necessary to resolve the issues at hand. Relevant supporting documents may be included, but are not a substitute for subsection (6) of this section.

(6) It is important that the letter identify the issues at hand, the proposed resolution, and the precedents or other legal authority supporting that position.

(7) The administrator will not issue no-action or interpretive opinions regarding the availability of exemptions pursuant to RCW 21.20.320(1).

Letters that are not prepared in accordance with the above-listed procedures may be returned to the sender for compliance.

AMENDATORY SECTION (Amending Order 304, filed 2/28/75, effective 4/1/75)

**WAC 460-16A-115 Reimbursement of expenses incurred by promoters.** Actual and necessary expenses paid by a promoter in connection with the founding or organizing of a business enterprise, the offering of its securities and the acquisition of assets with which the issuer is to carry on its business may be reimbursed out of the proceeds of the sale of securities, subject, however, in the case of selling expenses to the limitation on total selling expenses contained in WAC ~~((460-16A-075 of these rules))~~ 460-16A-205 (1)(t).

AMENDATORY SECTION (Amending WSR 96-11-021, filed 5/6/96, effective 6/6/96)

**WAC 460-16A-120 Price variance.** (1) Securities of the same class to be offered under the same registration statement should be offered and sold at the same price.

(2) The administrator may waive the provision of subsection (1) of this section to allow reduced sales commissions for purchases of large blocks of the issuer's securities, provided the net proceeds from such sales are the same as those realized from the sale of securities at the full commission price.

AMENDATORY SECTION (Amending WSR 96-11-017, filed 5/6/96, effective 6/6/96)

**WAC 460-16A-205 Adoption of NASAA statements of policy.** (1) In order to promote uniform regulation, the administrator adopts the following North American Securities Administrators Association (NASAA) statements of policy for offerings registering pursuant to RCW 21.20.180 or 21.20.210:

(a) Registration of publicly offered cattle feeding programs, as adopted September 17, 1980;

(b) Registration of commodity pool programs, as adopted with amendments through August 30, 1990;

(c) Equipment programs, as adopted with amendments through ~~((March 29, 1992))~~ October 24, 1991;

(d) Registration of oil and gas programs, as adopted with amendments through ~~((March 29, 1992))~~ October 24, 1991;

(e) Real estate investment trusts, as adopted with amendments through September 29, 1993;

(f) Real estate programs, as adopted with amendments through ~~((March 29, 1992))~~ October 24, 1991;

(g) Loans and other material affiliated transactions, as adopted with amendments through ~~((April 25, 1993))~~ November 18, 1997;

(h) Options and warrants, as adopted with amendments through ~~((April 25, 1993))~~ November 18, 1997;

(i) Registration of direct participation programs - omnibus guidelines, as adopted March 29, 1992;

(j) ~~((Registration of periodic payment plans, as adopted March 29, 1992;))~~ Mortgage program guidelines, as adopted September 10, 1996;

(k) Church bonds, as adopted April 29, 1981;

(l) Health care facility offerings, pertaining to the offering of nonprofit health care facility bonds, as adopted April 5, 1985;

~~((Investment companies investing in debt securities rated below investment grade, as adopted April 17, 1994;))~~ Corporate securities definitions, as adopted April 27, 1997;

~~((Registration of master fund/feeder funds, as adopted September 15, 1992;))~~ Impoundment of proceeds, as adopted with amendments through April 27, 1997;

~~((Telephone transactions, as adopted September 29, 1993; and))~~ Preferred stock, as adopted with amendments through April 27, 1997;

(p) Promotional shares, as adopted ~~((September 3, 1987))~~ November 18, 1997, except that the term promotional shares shall be limited to those equity securities which were issued within the last three years and that all promotional shares in excess of twenty-five percent of the shares to be outstanding upon completion of the offering may be required to be deposited in escrow absent adequate justification that escrow of such shares is not in the public interest and not necessary for the protection of investors; ~~((and))~~

(q) Registration of asset-backed securities, as adopted October 25, 1995, except for offerings registering or required to register pursuant to chapter 460-33A WAC or RCW 21.20.705 through 21.20.855;

(r) Promoters' equity investment, as adopted with amendments through April 27, 1997;

(s) Specificity in use of proceeds, as adopted April 27, 1997;

(t) Underwriting expenses, underwriter's warrants, selling expenses, and selling security holders, as adopted with amendments through April 27, 1997;

(u) Unsound financial condition, as adopted April 27, 1997; and

(v) Unequal voting rights, as adopted October 24, 1991.

(2) An offering registering pursuant to RCW 21.20.180 or 21.20.210 that falls within one or more of the statements of policy listed in subsection (1) of this section must comply with the requirements of said statement of policy or policies.

(3) The statements of policy referred to in subsection (1) of this section are found in *CCH NASAA Reports* published by Commerce Clearing House. Copies are also available at the office of the securities administrator.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 460-16A-035	Voting rights of common stock.
WAC 460-16A-075	Selling expenses.
WAC 460-16A-090	Pro rata options to shareholders.
WAC 460-16A-095	Options to purchasers of debt securities.
WAC 460-16A-110	Rights of promotional shares.
WAC 460-16A-111	Equity investment of promoters.
WAC 460-16A-150	Imposition of impound condition.
WAC 460-16A-155	Operation of impound condition.
WAC 460-16A-156	Source of impound deposits.
WAC 460-16A-160	Subscription agreements and purchase receipts.
WAC 460-16A-165	Depository.
WAC 460-16A-170	Release of impounds.
WAC 460-16A-175	Failure to comply with impound condition.
WAC 460-16A-190	Petition for repeal or adoption of new rules.
WAC 460-16A-210	Prohibited practices with regard to preferred stock.

**AMENDATORY SECTION** (Amending WSR 96-11-027, filed 5/6/96, effective 6/6/96)

**WAC 460-17A-030 Availability.** (1) SCOR is intended to allow small companies to conduct limited offerings of securities. SCOR uses a simplified offering format designed to provide adequate disclosure to investors concerning the issuer, the securities offered, and the offering itself. Certain issuers may not be able to make adequate disclosure using the SCOR format and will, therefore, be unable to utilize SCOR. The administrator finds that SCOR is generally unsuitable for the following issuers and programs and that, therefore, they will not be allowed to utilize SCOR unless written permission is obtained from the administrator based upon a showing that adequate disclosure can be made to investors using the SCOR format:

(a) Holding companies, companies whose principal purpose is owning stock in, or supervising the management of, other companies;

(b) Portfolio companies, such as a real estate investment trusts (~~as defined in Section (1)(q) of the North American Securities Administrators Association's Statement of Policy regarding real estate investment trusts as adopted by the administrator in WAC 460-16A-205 (1)(c))~~);

(c) Issuers with complex capital structures;

(d) Commodity pools;

(e) Equipment leasing programs; and

(f) Real estate programs.

(2) These rules are available only to the issuer of the securities and not to any affiliate of that issuer or to any other person for resale of the issuer's securities. In addition, each of the following requirements must be met:

(a) The issuer must be a corporation or centrally managed limited liability company organized under the law ~~(of one of the states or possessions)~~ of the United States or Canada, or any state, province, or territory or possession thereof, or the District of Columbia, and have its principal place of business in one of the foregoing.

(b) The issuer must engage in a business other than petroleum exploration or production or mining or other extractive industries.

(c) ~~((The offering is not a "blind pool" or other offering for which the specific business to be engaged in or property to be acquired by the issuer cannot be specified.))~~ The issuer is not a development stage company that either has no specific business plan or purpose or has indicated that its business plan is to engage in merger or acquisition with an unidentified company or companies or other entity or person.

(d) The offering price for common stock (and the exercise price, if the securities offered are options, warrants or rights for common stock, and the conversion price if the securities are convertible into common stock) must be equal to or greater than \$1.00 per share. The offering price for common ownership interests in limited liability company (and the exercise price, if the securities are options, warrants, or rights for common ownership interests, and the conversion price if the securities are convertible into common ownership interests) must be equal to or greater than ~~(\$100.00)~~ \$1.00 per unit of interest.

(e) The aggregate offering price of the securities offered (within or outside this state) shall not exceed \$1,000,000 less the aggregate offering price of all securities sold within the twelve months before the start of and during the offering of the securities under Securities and Exchange Commission Rule 504 in reliance on any exemption under section 3(b) of the Securities Act of 1933, in reliance on the exemption under section 3 (a)(11) of that act, or in violation of section 5(a) of that act.

(3) SCOR registration is not available to investment companies subject to the Investment Company Act of 1940, nor is it available to issuers subject to the reporting requirements of section 13 or section 15(d) of the Securities Exchange Act of 1934.

PERMANENT



**AMENDATORY SECTION** (Amending WSR 96-11-027, filed 5/6/96, effective 6/6/96)

**WAC 460-17A-040 Disqualification from use of SCOR registration.** (1) SCOR registration shall not be available for securities of any issuer if that issuer or any of its officers, directors, ten percent shareholders, promoters or any selling agents of the securities to be offered, or any officer, director, or partner of such selling agent:

~~((1))~~ (a) Has filed ~~((a))~~ an application for registration ~~((statement))~~ which is the subject of a currently effective registration stop order entered pursuant to any federal ~~((or))~~, state, or provincial securities law within five years prior to the filing of the SCOR registration application;

~~((2))~~ (b) Has been convicted within five years prior to the filing of the SCOR registration application of any felony or misdemeanor in connection with the offer, purchase or sale of any security or any felony involving fraud or deceit, including, but not limited to, forgery, embezzlement, obtaining money under false pretenses, larceny, or conspiracy to defraud;

~~((3))~~ (c) Is currently subject to any federal ~~((or))~~, state, or provincial administrative enforcement order or judgment entered by any state or provincial securities administrator or the Securities and Exchange Commission within five years prior to the filing of the SCOR registration application ~~((or))~~;

(d) Is subject to any federal ~~((or))~~, state, or provincial administrative enforcement order or judgment in which fraud or deceit, including but not limited to making untrue statements of material facts and omitting to state material facts, was found and the order or judgment was entered within five years prior to the filing of the SCOR registration application;

~~((4))~~ (e) Is subject to any federal ~~((or))~~, state, or provincial administrative enforcement order or judgment which prohibits, denies, or revokes the use of any exemption from registration in connection with ~~((this))~~ the offer, purchase, or sale of securities;

~~((5))~~ (f) Is currently subject to any order, judgment, or decree of any court of competent jurisdiction temporarily ~~((or))~~, preliminarily ~~((restraining or enjoining, or is subject to any order, judgment, or decree of any court of competent jurisdiction))~~, or permanently ~~((restraining or enjoining))~~ restrains or enjoins such party from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security, or involving the making of any false filing with any state or with the Securities and Exchange Commission, entered within five years prior to the filing of the SCOR registration application; ~~((provided, however;))~~ or

(g) Has violated the law of a foreign jurisdiction governing or regulating any aspect of the business of securities or banking or, within the past five years, has been the subject of an action of a securities regulator of a foreign jurisdiction denying, revoking, or suspending the right to engage in the business of securities as a broker-dealer, agent, or investment adviser or is the subject of an action of any securities exchange or self-regulatory organization operating under the authority of the securities regulator of a foreign jurisdiction suspending or expelling such person from membership in such exchange or self-regulatory organization.

~~((2))~~ The prohibitions of ~~((this subsection and))~~ subsection ~~((s))~~ (1) ~~((a))~~ through ~~((3))~~ (c) and (e) of this section shall not apply if the person subject to the disqualification is duly licensed or registered to conduct securities related business in the state or province in which the administrative order or judgment was entered against such person, or if the broker-dealer employing such ~~((party))~~ person is licensed or registered in this state and the Form BD filed in this state discloses the order, conviction, judgment, or decree relating to such person.

(3) No person disqualified under this section may act in any capacity other than that for which the person is licensed or registered. Any disqualification caused by this section is automatically waived if the ~~((state securities administrator or other state or federal agency))~~ jurisdiction which created the basis for disqualification determines upon a showing of good cause that it is not necessary under the circumstances that ~~((the exemption))~~ registration be denied.

**AMENDATORY SECTION** (Amending WSR 96-11-027, filed 5/6/96, effective 6/6/96)

**WAC 460-17A-070 Application of chapter 460-16A WAC to registrations under this chapter.** The provisions of chapter 460-16A WAC shall not apply to registrations under this chapter except:

(1) The promotional shares rules adopted in WAC 460-16A-205 (1)(p) shall apply except that promotional shares need be escrowed only to the extent that such shares exceed sixty percent of the shares to be outstanding upon the completion of the offering;

(2) ~~((The impound provisions of WAC 460-16A-150 through 460-16A-175 shall apply;~~

~~((3) WAC 460-16A-035 shall apply;~~

~~((4) WAC 460-16A-075 shall apply except that for offerings with an aggregate offering price of under \$500,000 selling expenses which do not exceed twenty percent of the offering price will be considered reasonable so long as total compensation paid to any underwriter does not exceed fifteen percent;~~

~~((5) WAC 460-16A-200 shall apply;~~

~~((6) WAC 460-16A-210 shall apply;~~

~~((7))~~ The loan and material affiliated transaction provisions of WAC 460-16A-205 (1)(g) shall apply except that the independent director requirements may be waived;

(3) The options and warrants provisions of WAC 460-16A-205 (1)(h) shall apply;

(4) WAC 460-16A-205 (1)(t), concerning selling and underwriting expenses, shall apply;

(5) The impoundment of proceeds provisions of WAC 460-16A-205 (1)(n) shall apply;

(6) WAC 460-16A-205 (1)(s), concerning specificity in the use of proceeds, shall apply;

(7) WAC 460-16A-205 (1)(u) may be applied to issuers in unsound financial condition;

(8) The preferred stock provisions of WAC 460-16A-205 (1)(o) shall apply;

(9) WAC 460-16A-205 (1)(v), concerning unequal voting rights, shall apply; and

(10) The administrator reserves the right to apply chapter 460-16A WAC (or any provision therein) to offerings under this chapter if the administrator determines that such application, even in the small business offering context, is necessary for the protection of investors.

**WSR 98-17-014**  
**PERMANENT RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**  
 [Filed August 10, 1998, 8:47 a.m.]

Date of Adoption: August 9, 1998.

Purpose: To amend OAPCA's Regulation 1 to reflect the changes to WAC 173-491-040(5) as adopted by the Washington State Department of Ecology on January 14, 1998.

Citation of Existing Rules Affected by this Order: Amending OAPCA Regulation 1, Section 15.09.

Statutory Authority for Adoption: RCW 70.94.141.

Adopted under notice filed as WSR 98-11-076 on May 19, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 9, 1998

Charles Peace

Executive Director

**AMENDATORY SECTION**

**SECTION 15.09 VAPOR RECOVERY STAGE II**

~~(a) ((For purposes of attainment or maintenance of the National Ambient Air Quality Standard for ozone s))~~ Stage II vapor recovery ~~((may only be))~~ is required at a ~~((service station, or any other))~~ gasoline dispensing facility supplying fuel to the general public~~((, in any of))~~ under the following circumstances:

~~((a)) (1) ((The))~~ Any facility that ~~((sells))~~ dispenses in excess of ~~((six))~~ one million two hundred thousand gallons ~~((600,000))~~ (1,200,000) of gasoline per year and is located in ~~((a e))~~ Thurston County. ~~((, any part of which is designated as nonattainment for ozone under the federal clean air act, 42 USC Section 7407; or))~~ This requirement will end on December 31, 2002, unless the department of ecology determines

that Stage II is important to achieving or maintaining the National Ambient Air Quality Standard for Ozone in a nonattainment or maintenance plan county.

~~((b) The facility sells in excess of six hundred thousand gallons of gasoline per year and is located in a county where a maintenance plan has been adopted by a local air pollution control authority or the department of ecology that includes gasoline vapor recovery devices as a control strategy; or))~~

~~((c) From the effective date of this section until December 31, 1998, in any facility that sells in excess of one million two hundred thousand gallons (1,200,000) of gasoline per year and is located in an ozone contributing county. For purposes of this section, an ozone contributing county means a county in which the emissions have contributed to the formation of ozone in any county where violations of federal ozone standards have been measured, and includes Thurston County; or~~

~~(d) After December 31, 1998, in any facility that sells in excess of eight hundred forty thousand (840,000) gallons of gasoline per year and is located in any county, no part of which is designated as nonattainment for ozone under the federal clean air act, 42 USC Section 7407, provided that the department of ecology determines by December 31, 1997, that the use of gasoline vapor control devices in the county is important to achieving or maintaining attainment status in any other county;))~~

**WSR 98-17-015**  
**PERMANENT RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**  
 [Filed August 10, 1998, 8:50 a.m.]

Date of Adoption: August 9, 1998.

Purpose: Adjust Notice of Construction fees to cover program costs.

Citation of Existing Rules Affected by this Order: Amending OAPCA's Regulation 1, Article 7, Notice of Construction.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 98-11-079 on May 19, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

PERMANENT

Effective Date of Rule: Thirty-one days after filing.  
August 9, 1998  
Charles Peace  
Executive Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 98-18 issue of the Register.

**WSR 98-17-016**  
**PERMANENT RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**

[Filed August 10, 1998, 8:52 a.m.]

Date of Adoption: August 9, 1998.

Purpose: Adjust air operating permit fees to cover program costs.

Citation of Existing Rules Affected by this Order: Amending OAPCA's Regulation 1, Article 6, Air Operating Permits.

Statutory Authority for Adoption: Chapter 70.94 RCW. Adopted under notice filed as WSR 98-11-080 on May 19, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
August 9, 1998  
Charles Peace  
Executive Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 98-18 issue of the Register.

**WSR 98-17-017**  
**PERMANENT RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**

[Filed August 10, 1998, 8:55 a.m.]

Date of Adoption: August 9, 1998.

Purpose: Amend the articles and definitions to conform with changes to chapter 70.94 RCW imposed by SHB 1354 as passed by the legislature in 1998.

Citation of Existing Rules Affected by this Order: Amending OAPCA's Regulation 1, Articles 1 and 8.  
Statutory Authority for Adoption: Chapter 70.94 RCW. Adopted under notice filed as WSR 98-11-077 on May 19, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
August 9, 1998  
Charles Peace  
Executive Director

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 98-18 issue of the Register.

**WSR 98-17-018**  
**PERMANENT RULES**  
**OLYMPIC AIR POLLUTION**  
**CONTROL AUTHORITY**

[Filed August 10, 1998, 8:57 a.m.]

Date of Adoption: August 9, 1998.

Purpose: Adjust the registration fees.

Citation of Existing Rules Affected by this Order: Amending OAPCA's Regulation 1, Article 5, Registration.

Statutory Authority for Adoption: Chapter 70.94 RCW. Adopted under notice filed as WSR 98-11-078 on May 19, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.  
 August 9, 1998  
 Charles Peace  
 Executive Director

**AMENDATORY SECTION**

**SECTION 5.05 ANNUAL REGISTRATION FEES**

(a) The Authority shall charge Initial and ~~((a))~~ Annual registration fees pursuant to RCW 70.94.151. Annual registration fees shall be assessed according to the annual fee schedules set forth in section 5.05(b) below. Initial registration fees shall be assessed upon initial registration of a source and shall equal the annual registration fee based on projected emissions and prorated for the remaining months in the fiscal year. Initial and Annual registration fees ~~((collected by the Authority))~~ shall provide revenue to fund the Authority's ongoing Registration Program.

(b) All sources requiring annual registration shall be assessed an annual registration fee consisting of the sum of a "facility fee", "generating equipment fee", "stack fee", "class fee", "emissions fee", and "source specific monitoring fee" according to items (1) through ~~((14))~~ 9 of this subsection and amounts as specified in Table 5.3. Sources assessed annual operating permit fees under Article 6 of Regulation 1 shall not be assessed annual fees under this section.

(1) FACILITY FEE - All sources requiring registration shall pay an annual "facility fee" of an amount as indicated in Table 5.3; and

(2) A GENERATING EQUIPMENT FEE of an amount as indicated in Table 5.3 for each item of air contaminant generating equipment located at the source; and

(3) A STACK FEE of an amount as indicated in Table 5.3 for each stack located at the source; and

(4) An EMISSIONS FEE of an amount as indicated in Table 5.3 per ton of each air contaminant listed in Table 5.1 emitted by the source in excess of 10 tons, evaluated on a pollutant by pollutant basis, during the previous calendar year, or as contained in the file or permit; and

(5) A CLASS FEE of an amount as specified in Table 5.3; and

(6) A SOURCE SPECIFIC MONITORING FEE of an amount as specified in Table 5.3 if ambient monitoring is a requirement for the source;

(7) The authority shall assess the emissions fee based on actual emissions from the source for the last calendar year when available;

(8) The annual registration fees required by this section shall be based on process rates, equipment specifications, and emissions data from the previous calendar year on file with the Authority. For purposes of assessing annual registration fees, the Authority shall consider updates and revisions to any source's file, received prior to August 1 of the current year. If process rates, equipment specifications, and emissions data from the previous calendar year is not on file with the Authority, the Authority may base the annual fee on the enforceable emissions limitations for the source and maximum capacities and production rates.

(9) For purposes of assessing annual registration fees, definitions for air contaminant generating equipment and stacks shall be consistent with the definitions in section 5.00, and air contaminant generating equipment and stacks which are identical in size, capacity, function, and emissions may be counted as one unit as approved by the Authority.

(c) The Authority shall assess annual registration fees after August 1 of each year to cover the cost of administering the program for the current fiscal year commencing on July 1 and ending on June 30. The Authority shall assess annual registration fees based on the most recent information on file with the Authority including any updates to the source's file received prior to August 1 of that year.

(d) Upon assessment by the Authority, annual registration fees are due and payable and shall be deemed delinquent if not fully paid within thirty (30) days. However,

~~((e))~~ S sources classified as RC1 or RC2 shall be given the option to pay their annual fee in quarterly installments. RC1 and RC2 sources may choose to pay their annual fees in quarterly installments by indicating so on the first invoice received and remitting payment of the first installment ~~((back))~~ to the Authority along with the duplicate copy of the invoice. Quarterly installments shall be equal to 25% of the total annual registration fee ~~((Installments))~~ and shall be due within 30 days of each quarter following initial ~~((from))~~ assessment by the Authority.

~~((f))~~ G Any source which does not pay their annual registration fee or annual registration fee installment within thirty (30) days of the due date, shall be assessed a late penalty in the amount of 25% of their annual registration fee. This late penalty shall be in addition to the annual registration fee.

~~((g))~~ D Annual registration fees may be appealed according to the procedure specified in section 3.17

**TABLE 5.3: ANNUAL REGISTRATION FEES**

ANNUAL FEE COMPONENT	FEE COMPONENT DESCRIPTION	FEE AMOUNT
Facility Fee	Fee assessed to all sources requiring registration or an operating permit.	<del>\$((103.00))</del> <u>107.00</u>
Generating Equip. Fee	Fee assessed per each item of air contaminant generating equipment located at the source.	<del>\$((43.00))</del> <u>45.00</u>
Stack Fee	Fee assessed per each stack located at the source.	<del>\$((26.00))</del> <u>27.00</u>
Emissions Fee	Fee assessed per ton of TSP, SO2, NOx, VOC, and toxic air contaminants emissions which exceeded 10 tons per year for the previous calendar year based on actual emissions.	<del>\$((10.00))</del> <u>11.00</u>

PERMANENT

Class Fees:		
RC1	Major sources (≥100 tpy)	\$ <del>((1300))</del> <u>1345</u>
RC2	Major toxic sources	\$ <del>((1100))</del> <u>1138</u>
RC3	Criteria pollutants ≥ 30 tpy	\$ <del>((560))</del> <u>580</u>
RC4	Criteria pollutants ≥ 10 tpy	\$ <del>((120))</del> <u>124</u>
RC5	Criteria pollutant < 10 tpy	\$ <del>((30))</del> <u>31</u>
RC6	Toxic air contaminants < 10 tpy	\$ <del>((120))</del> <u>124</u>
RC7	< 100 gal/mo VOC containing materials	\$ <del>((60))</del> <u>62</u>
RC8	Incinerators < 30 tpy emissions	\$ <del>((210))</del> <u>217</u>
RC9	Potential odor sources.	\$ <del>((60))</del> <u>62</u>
RC10	Maj. gasoline terminals & bulk plants	\$ <del>((150))</del> <u>155</u>
RC11	Min. gasoline terminals & bulk plants	\$ <del>((100))</del> <u>104</u>
RC12	Gas stations requiring Stage II	\$ <del>((10))</del> <u>11</u>
RC13	Gas stations ≥ 100 thousand gal/yr	\$ 0
RC14	VACANT CLASSIFICATION	<del>((na))</del>
RC15	Other sources requiring registration	\$ <del>((100))</del> <u>104</u>
SOURCE SPECIFIC AMBIENT AIR MONITORING FEES	Fees charged a source for OAPCA to establish and operate a special purpose source specific monitoring station will be determined on a case by case basis when such monitoring is required.	variable

((TABLE 5.3 NOTES: "na" means non-applicable.))

((h)g) On a annual basis, starting with calendar year 1994, the Authority shall conduct a workload analysis to determine the adequacy and fairness of the annual registration fee schedule. The workload analysis shall be based on the Authority's historical record of time and resource expenditures associated with the registration program. The workload analysis shall be made available if ~~((upon))~~ made to the Authority. Any proposed revisions to the annual registration fee schedule shall be presented to the Board for adoption after public noticing pursuant to Regulation 1 public noticing requirements and opportunity for a public hearing.

**AMENDATORY SECTION**

**SECTION 5.06 NOTICE OF INTENT TO OPERATE**

(a) For portable air contaminant sources which locate temporarily at particular sites and move within the OAPCA region a Notice of Intent to Operate must be filed with the Authority pursuant to Article 7, section 7.01(a). The Authority shall not commence processing of a Notice of Intent to Operate until it has received fees as shown in Table 5.4.

(b) For portable air contaminant sources which come from outside the OAPCA region a Notice of Construction and Application for Approval must be filed pursuant to Article 7, section 7.01.

**TABLE 5.4: PORTABLE AIR CONTAMINANT SOURCE FEES**

PORTABLE AIR CONTAMINANT SOURCE	FEE AMOUNT
Asphalt Plant	\$ <del>((375))</del> <u>500</u>
Soil Remediation Plant	\$ <del>((375))</del> <u>1,000</u>
Rock Crusher	\$300
Chipper	\$100
Other	\$100

**WSR 98-17-031**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 (Division of Child Support)  
 [Filed August 11, 1998, 3:20 p.m.]

Date of Adoption: August 11, 1998.

Purpose: These rules establish the policy and procedure for the Division of Child Support's (DCS) license suspension program established by RCW 74.20A.320, whereby DCS will certify a noncustodial parent to the Department of Licensing or other appropriate licensing agency as someone who is not in compliance with a child support order.

Statutory Authority for Adoption: RCW 74.20A.320(10).

Adopted under notice filed as WSR 98-13-081 on June 16, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 7, Amended 0, Repealed 0; Federal Rules or Standards: New 7, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 7, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 7, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

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ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 11, 1998

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

#### NEW SECTION

**WAC 388-14-510 What is the division of child support's license suspension program?** (1) RCW 74.20A.320 provides that, in some circumstances, the division of child support (DCS) may certify a responsible parent as someone who is not in compliance with a child support order.

(a) "Certify" means to establish that the parent is not in compliance with a child support order and to ask the department of licensing and other state licensing entities to take appropriate action against licenses held by the noncustodial parent.

(b) "Responsible parent" is defined in WAC 388-11-011(22). The responsible parent is also called the "noncustodial parent."

(2) "Noncompliance with a child support order" is defined in RCW 74.20A.020(18) and in WAC 388-14-530(2).

(3) When DCS certifies the noncustodial parent, the department of licensing or other licensing entities take action to deny, suspend, or refuse to renew the noncustodial parent's license, according to the terms of RCW 74.20A.320(8) and (12).

(4) This section and sections WAC 388-14-520 through 388-14-570 cover the DCS license suspension program.

(5) DCS may certify a noncustodial parent who is not in compliance with a child support order to the department of licensing or any appropriate licensing entity. In determining which licensing entity receives the certification, DCS shall consider:

(a) The number and kind of licenses held by the parent; and

(b) The effect that suspension of a particular license will have in motivating the parent to pay support or to contact DCS to make appropriate arrangements for other relief.

(6) DCS may certify a parent to any licensing agency through which it believes the parent has obtained a license. DCS may certify a parent to as many licensing agencies as DCS feels necessary to accomplish the goals of the license suspension program.

#### NEW SECTION

**WAC 388-14-520 The notice of noncompliance and intent to suspend licenses.** (1) Before certifying a noncustodial parent for noncompliance, the division of child support (DCS) must serve the noncustodial parent with a notice of noncompliance and intent to suspend licenses. This notice tells the noncustodial parent that DCS intends to submit the parent's name to the department of licensing and any other appropriate licensing entity as a licensee who is not in compliance with a child support order.

(2) The notice must be served by certified mail, return receipt requested. If DCS is unable to serve the notice by certified mail, DCS must serve the notice by personal service, as provided in RCW 4.28.080.

(3) The notice must include a copy of the noncustodial parent's child support order and must contain the address and phone number of the DCS office which issued the notice.

(4) The notice must contain the information required by RCW 74.20A.320(2), telling the noncustodial parent that:

(a) The noncustodial parent may request an administrative hearing, but that the hearing is limited in scope (see WAC 388-14-570);

(b) DCS will certify the noncustodial parent unless the parent makes a request for hearing within twenty days of the date of service of the notice;

(c) The noncustodial parent may avoid certification by agreeing to make timely payments of current support and agreeing to a reasonable payment schedule on the support debt;

(d) Certification by DCS will result in suspension or nonrenewal of the parent's license by the licensing entity until DCS issues a release stating that the parent is in compliance with the child support order;

(e) Suspension of a license may affect the noncustodial parent's insurance coverage, depending on the terms of any policy;

(f) Filing a petition to modify the support obligation may stay (or put a hold on) the certification process; and

(g) Even after certification, the parent may obtain a release from certification by complying with the support order.

#### NEW SECTION

**WAC 388-14-530 Who is subject to the DCS license suspension program?** (1) The division of child support (DCS) may certify a person as being in noncompliance with a child support order when:

(a) The person is required to pay child support under a court order or administrative order;

(b) The person is at least six months in arrears; and

(c) The person is not:

(i) In jail or prison, except if the person has other resources available;

(ii) A recipient of temporary assistance for needy families (TANF), Supplemental Security Income (SSI) or other exempt public assistance program; or

(iii) A WorkFirst participant who does not receive a cash grant.

(d) The person is not currently making payments to the Washington state support registry under a wage withholding action issued by DCS.

(2) "Noncompliance with a child support order" for the purposes of the license suspension program means a noncustodial parent has:

(a) Accumulated a support debt, also called an arrearage or arrears, totaling more than six months of child support payments;

(b) Failed to make payments pursuant to a written agreement with DCS towards a support debt in an amount that exceeds six months of payments; or

(c) Failed to make payments required by a superior court order or administrative order towards a support debt in an amount that exceeds six months of payments.

(3) There is no minimum dollar amount for the six months of arrears. The following are examples of when a parent is at least six months in arrears:

(a) The child support order requires monthly payments of five hundred dollars. The noncustodial parent has not made a single payment since the order was entered seven months ago. This noncustodial parent is at least six months in arrears;

(b) The child support order requires monthly payments of one hundred dollars. The noncustodial parent has paid for the last few months, but owes a back debt of over six hundred dollars. This noncustodial parent is at least six months in arrears;

(c) The noncustodial parent owes a support debt according to a superior court judgment, which requires payments of one hundred dollars per month. The noncustodial parent has not made payment for eight months. This noncustodial parent is at least six months in arrears; or

(d) The child support order required monthly payments of two hundred dollars, but the child is over eighteen so no current support is owed. However, the noncustodial parent has a debt of over twelve hundred dollars. This noncustodial parent is at least six months in arrears.

(4) For the purposes of the license suspension program, a noncustodial parent is in compliance with the child support order when the amount owed in arrears is less than six months' worth of support.

**NEW SECTION**

**WAC 388-14-540 How do I avoid having my license suspended for failure to pay child support?** (1) DCS will stay certification action if the noncustodial parent takes the following action within twenty days of service of the notice:

(a) Requests an administrative hearing under WAC 388-14-570; or

(b) Contacts DCS to negotiate a reasonable payment schedule on the arrears and agrees to make timely payments of current support.

(i) The stay for negotiation may last a maximum of thirty calendar days after the parent contacts DCS; and

(ii) If no payment schedule has been agreed to in writing after thirty calendar days have passed, DCS may proceed with certification of noncompliance;

(iii) A reasonable payment schedule is described in WAC 388-14-550, below; and

(iv) The noncustodial parent may request a conference board review under WAC 388-14-385 if the parent feels that DCS has not negotiated in good faith.

(2) If the noncustodial parent files a court or administrative action to modify the child support obligation, the certification action is stayed.

(3) The stay for modification action shall not exceed six months unless DCS finds good cause to extend the stay.

(4) The noncustodial parent must notify DCS that a modification proceeding is pending and must provide a copy of the motion or request for modification to DCS.

**NEW SECTION**

**WAC 388-14-550 Signing a repayment agreement will avoid certification for noncompliance.** (1) If a noncustodial parent signs a repayment agreement, the certification action must be stayed. The noncustodial parent must agree to pay current support in a timely manner and to make regular payments on the support debt.

(2) The repayment agreement must state that If a noncustodial parent fails to make payments under the terms of the agreement, DCS may resume certification action.

(3) In setting the repayment amount, DCS must take into account the financial situation of the noncustodial parent and the needs of all children who rely on the noncustodial parent for support. The noncustodial parent must supply sufficient financial information to allow DCS to analyze and document the parent's financial situation and requirements, including normal living expenses and emergencies.

(4) A reasonable monthly arrears payment is defined as a percentage of the noncustodial parent's "adjusted net income," which is the parent's net monthly income minus any current support obligation. The following table sets forth the suggested monthly payments on arrears:

Monthly Adjusted Net Income (ANI)	Monthly Arrears Payment = Percentage of ANI
\$1,000 or less	2%
\$1,001 to \$1,200	3%
\$1,201 to \$1,500	4%
\$1,501 to \$1,900	5%
\$1,901 to \$2,400	6%
\$2,401 to \$3,000	7%
\$3,001 or more	8%

(5) Examples of how to calculate the arrears payment are as follows:

(a) Monthly Net income	= \$1,500
Current support	= \$ 300
Adjusted Net Income	= \$1,200
Arrears payment = 3% of ANI (\$1,200)	= \$36
(b) Monthly Net income	= \$3,100
Current support	= \$-0-
Adjusted Net income	= \$3,100
Arrears payment = 8% of ANI (\$3,100)	= \$248

(6) The noncustodial parent must document any factors which make the parent eligible for an arrears payment less than the amount shown in the table in subsection (4). Such factors include, but are not limited to:

- (a) Special needs children, or
- (b) Uninsured medical expenses.

(7) The custodial parent and/or DCS must document any factors which make the noncustodial parent eligible for an

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arrears payment higher than the amount shown in the table in subsection (4). Such factors include, but are not limited to the factors listed in RCW 26.19.075 for deviation from the standard calculation for child support obligations.

**NEW SECTION**

**WAC 388-14-560 How to obtain a release of certification for noncompliance.** (1) After DCS has certified a noncustodial parent to a licensing entity, the noncustodial parent may obtain a release from DCS by taking the following actions:

- (a) Paying the support debt in full; or
- (b) Signing a repayment agreement under 388-14-550 and paying the first installment due under the agreement.
- (2) DCS must provide a copy of the release to any licensing entity to which DCS has certified the noncustodial parent.
- (3) The noncustodial parent must comply with any requirements of the licensing entity to get the license reinstated or reissued.

**NEW SECTION**

**WAC 388-14-570 Administrative hearings regarding license suspension are limited in scope.** (1) An administrative hearing on a notice of noncompliance under WAC 388-14-520 is limited to the following issues:

- (a) Whether the person named in the child support order is the noncustodial parent;
- (b) Whether the noncustodial parent is required to pay child support under a child support order; and
- (c) Whether the noncustodial parent is at least six months in arrears.
- (2) The administrative law judge (ALJ) is not required to calculate the outstanding support debt beyond determining whether the noncustodial parent is at least six months in arrears. Any debt calculation shall not be binding on the department or the noncustodial parent beyond the determination that there is at least six months' of arrearage.
- (3) If the noncustodial parent requests a hearing on the notice, DCS stays the certification process until the hearing results in a finding that the parent is not in compliance with the order, or that DCS is authorized to certify the parent.

**WSR 98-17-032**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Economic Services Administration)  
 (Division of Child Support)  
 [Filed August 11, 1998, 3:25 p.m.]

Date of Adoption: August 11, 1998.

Purpose: Under the governor's and secretary's executive orders on regulatory improvement, the Division of Child Support has reviewed and revised the regulation dealing with oral requests for hearing and conference board.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14-500.

Statutory Authority for Adoption: RCW 34.05.220(1), 74.08.090.

Adopted under notice filed as WSR 98-05-079 on February 18, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 11, 1998

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 97-13-092, filed 6/18/97, effective 7/19/97)

**WAC 388-14-500 The division of child support will accept oral requests for hearing or conference board.** (1) ~~((Notwithstanding the requirement for a written request for hearing found in))~~ Except for the instances listed in subsection (8), DCS will accept either a written or a oral request for hearing or conference board, even though other sections of chapters 388-11 and 388-14 WAC ~~((the IV-D agency shall accept an oral request for hearing from a person who wishes to contest any action taken by the IV-D agency for which a hearing right exists. If a person wishes to petition for modification of an existing administrative support order, or to petition for relief under WAC 388-14-376, the request for hearing must be in writing.~~

~~(2) The effective date of an oral hearing request is the date that a complete oral hearing request is communicated to any IV-D agency representative. An oral hearing request is deemed "complete" if it advises the IV-D agency of the following:~~

- ~~(a) Requestor's name;~~
- ~~(b) Identifying information such as requestor's social security number, case number, or names of the children and of the physical custodian;~~
- ~~(c) Requestor's mailing address;~~
- ~~(d) Requestor's daytime phone number, if available;~~
- ~~(e) Agency action to which the requestor is objecting; or~~
- ~~(f) Other pertinent information that would assist the IV-D agency in identifying the specific case or cases involved in the hearing request.~~

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(3) An oral request for hearing may be left on the hearing request voice mail box of the automated phone system of each IV-D agency field office.

(4) The IV-D agency will process incomplete requests when the appellant provides adequate information to identify the appellant's case.

(5) The IV-D agency will process an oral hearing request in the same manner as a written hearing request. If the IV-D agency determines that an oral hearing request deals with matters that are properly before the conference board under WAC 388-14-385, the agency shall process that request as a request for conference board, absent a specific request for administrative hearing under chapter 34.05 RCW)) provide that objections and hearing requests should be in writing.

(2) The subject matter of the objection determines whether the matter is set as a conference board or hearing, unless there is a specific request for administrative hearing under chapter 34.05 RCW.

(3) DCS will process oral and written requests for hearing in the same manner.

(4) An oral request for hearing is complete if it contains sufficient information to identify the person making the request, the DCS action, and the case or cases involved in the hearing request.

(5) The effective date of an oral request for hearing is the date that a complete oral request for hearing is communicated to any DCS representative in person or by leaving a message on the automated voice mail system of any DCS field office.

(6) When making an oral request, you are not required to specify whether you want a hearing under chapter 34.05 RCW or a conference board under WAC 388-11-385.

(7) You can make an oral request for hearing or conference board on behalf of another person, if you have written authorization to act on their behalf. The effective date of an oral request for hearing or conference board made on behalf of another person is the date that DCS receives the written authorization.

(8) There are two types of hearing request which must be in writing:

(a) A petition for prospective modification under WAC 388-11-140; and

(b) A petition for relief under WAC 388-14-376.

### WSR 98-17-033

#### PERMANENT RULES

#### DEPARTMENT OF

#### SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Child Support)

[Filed August 11, 1998, 3:29 p.m.]

Date of Adoption: August 11, 1998.

Purpose: In accordance with the governor's and secretary's executive orders on regulatory improvement, the Division of Child Support has reviewed and revised the regulation dealing with conference boards.

Citation of Existing Rules Affected by this Order: New sections WAC 388-14-386, 388-14-387, and 388-14-388; and amending WAC 388-14-385.

Statutory Authority for Adoption: RCW 74.20A.310, 26.23.035, 74.08.090.

Adopted under notice filed as WSR 98-05-078 on February 18, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 11, 1998

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 97-13-092, filed 6/18/97, effective 7/19/97)

WAC 388-14-385 **The division of child support's grievance and dispute resolution method is called a conference board.** (1) The division of child support (DCS) provides conference boards for the resolution of complaints and problems regarding DCS cases, and for granting exceptional or extraordinary relief. A conference board ((may inquire into, determine facts of, and attempt to resolve matters in which a responsible parent, physical custodian, payee under a court order, or other person feels aggrieved by an action taken by the office under:

(a) Chapters 26.23, 74.20, 74.20A RCW; or

(b) Title IV-D of the Social Security Act (Title 42 U.S.C.);

(2) The intent and purpose of the conference board is to facilitate the informal speedy resolution of grievances;

(3) The director, or director's designee may assemble a conference board on application of an aggrieved person or on the director's own motion. The conference board shall dissolve upon issuance of a decision on the matter for which it was appointed;

(4) An applicant for a conference board shall have made a reasonable attempt and have failed to resolve the grievance before a conference board may act to attempt to resolve the issue;

(5) The conference board's jurisdiction shall include, but shall not be limited to, the following areas:

(a) A complaint as to the conduct of an individual staff member while acting within the scope of the staff member's

duties. The board shall send a copy of the decision to the staff member's first line supervisor for action as appropriate;

(b) Review of a denial of an application for or termination of nonassistance support enforcement services;

(c) Review of an allegation of error as to the distribution of support moneys;

(d) Review of a denial to collect support arrears in nonassistance cases under RCW 74.20.040;

(e) Resolution of the amount of arrears claimed due and rate of repayment;

(f) A request to release or refund money taken under RCW 26.23.060 or 74.20A.080 to provide for the reasonable necessities of a responsible parent and minor children in the responsible parent's home;

(g) A request for deferral of support enforcement action;

(h) A request for partial or total charge off of support arrears under RCW 74.20A.220;

(i) A request to waive interest;

(j) A request to waive or defer the nonassistance support enforcement fee under RCW 74.20.040;

(k) Review of a determination that a support obligation has been satisfied or is no longer legally enforceable;

(l) A specific request for administrative review of cases submitted to the IRS for offset of a tax refund in accordance with federal statutes and regulations;

(m) Any other matter requiring explanation of or application of policy or law to an issue in a specific case or clarification of facts in said case;

(n) The IV-D agency's action in reporting a support debt to a consumer reporting agency;

(o) Review of a total versus total calculation under WAC 388-14-276; and

(p) A request to release a payroll deduction notice on a claim that:

(i) The support obligation was not due at the time the payroll deduction notice was issued and the support order did not authorize immediate wage withholding; or

(ii) The payroll deduction causes extreme hardship or substantial injustice.

(6) When a person states a grievance or requests a conference board, the IV-D agency shall provide a copy of the conference board information form.

(7) The effective date of a conference board request is the date the IV-D agency receives the request.

(8) When a person requests a conference board, the director or the director's designee may take such action, as deemed appropriate, and may exercise any of the authority provided for in this regulation, when the:

(i) Grievance does not involve a factual dispute; or

(ii) Disputed fact or facts even if resolved in favor of the person would not provide a basis upon which relief could be granted to the person by a conference board.

(9) When a person requests a conference board and the grievance involves an apparent factual dispute:

(a) The director or director's designee shall assemble a conference board composed of the director or director's designee, who shall serve as chair and two staff members, if deemed necessary;

(b) The chair shall mail a notice of conference board to the applicant, the applicant's representative, and any other

person or agency who is a party in interest to the proceeding. The notice of conference board shall state that a conference board has been scheduled and inform the parties of the time and place of the conference board;

(e) Where the department is not providing public assistance to the payee under a court order, and the responsible parent timely requests a conference board to contest the debt stated in a notice of support debt, the conference board shall be scheduled for a date at least thirty days after the notice of conference board is issued, and the notice shall include statements that:

(i) The payee has twenty days (or sixty days under the circumstances described in WAC 388-14-440(4)) from the date the notice of conference board was given to request that the grievance be addressed in a hearing under WAC 388-14-435;

(ii) If the payee does not timely request a hearing, the department will deem that the payee has elected to have the grievance heard in a conference board and the:

(A) Conference board decision will become the final agency position on the debt claimed under the notice of support debt; and

(B) A payee's late application for a hearing shall be denied unless the payee shows good cause for the late application;

(iii) If the payee does not appear at either a conference board or a hearing, the presiding officer's or the board's decision may be adverse to the payee's interest including, but not limited to, a reduction in the support debt stated in the notice of support debt.

(d) If the payee requests a hearing under WAC 388-14-435, the office shall inform the:

(i) Responsible parent that the parent's request for conference board is declined, and the responsible parent must appear at the hearing requested by the payee to raise objections to the notice of support debt; and

(ii) Payee that the conference board previously scheduled has been declined due to the payee's application for a hearing.

(10) The conference board chair may issue subpoenas under RCW 74.04.290 and administer oaths, take testimony, and compel the production of such papers, books, records, and documents deemed relevant to the resolution of the grievance under consideration. The conference board chair may take additional evidence by affidavit or other written submission when necessary or practicable together with written or oral argument. The chair may designate persons having specific familiarity with the matter at issue or technical expertise with the subject to advise the board.

(11) The conference board chair shall make a written decision stating the facts found, policies applied, and the board's decision.

(a) The board's decision, including a decision to deny a request for a conference board, shall be in accordance with applicable statutes, case law, department rules and regulations, published office manuals, support enforcement policy bulletins, and the exercise of reasonable administrative discretion.

(b) The board shall base a decision under RCW 74.20A.220 to grant partial or total charge off of arrears

owed to the department under RCW 74.20A.030, 74.20A.250, 74.20.320, 74.20.330, or 42 U.S.C. 602 (a)(26)(A) on the following considerations:

(i) Error in law or bona fide legal defects that materially diminish chances of collection; or

(ii) Substantial hardship to minor children in the household of the responsible parent or other minor children for whom the responsible parent actually provides support; or

(iii) Costs of collection action in the future that are greater than the amount to be charged off;

(iv) Settlement from lump sum cash payment that is beneficial to the state considering future costs of collection and likelihood of collection; or

(v) Excessive debt arising from a default administrative order to the extent that an assignment of child support rights covers the arrears period, upon a finding of substantial hardship under subsection (12) or (13) of this section.

(e) If the decision is the result of a conference board, that decision shall represent the decision of a majority of the board. The director shall vacate decisions inconsistent with the standards in this section and remand the application for issuance of a new decision in compliance with the standards.

(12) In making a determination of substantial hardship under subsection (11) of this section, the board shall measure the net income and all available assets and resources of the responsible parent against the need standard for public assistance for the appropriate family size, as stated in WAC 388-250-1250. The board shall consider the necessity to apportion the responsible parent's income and resources on an equitable basis with the child for whom the arrears accrued. When reviewing a claim of substantial hardship, the board may consider the following information including, but not limited to:

(a) The child on whose behalf support is owed is reunited with the responsible parent because the:

(i) Formerly separated parents have reconciled; or

(ii) Child has returned to the responsible parent from foster care, the care of a relative, or the care of a nonrelative custodian.

(b) The responsible parent is aged, blind, or disabled and receiving Supplemental Security Income, Social Security, or other similar benefits;

(c) The mother of the child is seeking charge off of debt accrued on behalf of a child who was conceived as a result of incest or rape, and presents evidence of rape or incest, acceptable under 45 CFR 232.43(e);

(d) Payment on the arrears obligation interferes with the responsible parent's payment of current support to a child living outside the home;

(e) The responsible parent has limited earning potential due to:

(i) Dependence on seasonal employment that is not considered in the child support order;

(ii) Illiteracy;

(iii) Limited English proficiency; or

(iv) Other similar factors limiting employability or earning capacity;

(f) The responsible parent's past efforts to pay support and the extent of the parent's participation in the child's parenting;

(g) The size of the responsible parent's debt and the prospects for increased income and resources; and

(h) The debt arises from a default administrative order and an assignment of child support rights covers the arrears period.

(13) The board may find that substantial hardship exists for a responsible parent, without finding hardship to a dependent child.

(a) In making a determination of substantial hardship to an individual without a dependent child, the board shall measure the applicant's income, assets, and resources against the need standard. In combination with the income test, the board may consider the following factors when reviewing a claim of substantial hardship:

(i) The responsible parent is aged, blind, or disabled and receiving Supplemental Security Income, Social Security, or other similar benefits;

(ii) The mother of a child is seeking relief from debt accrued on behalf of a child who was conceived as a result of incest or rape, and presents evidence of rape or incest, acceptable under 45 CFR 232.43(e);

(iii) The responsible parent has limited earning potential due to:

(A) Dependence on seasonal employment that is not considered in the child support order;

(B) Illiteracy;

(C) Limited English proficiency; or

(D) Other similar factors limiting employability or earning capacity.

(iv) The debt arises from a default administrative order and an assignment of child support rights covers the arrears period.

(b) The board may agree to a reduced payment on the support debt, or a conditional reduced payment on the support debt, when there is substantial hardship to the responsible parent but not a hardship to a dependent child. The other remedies for substantial hardship under this section are not available when there is no showing of hardship to a dependent child.

(14) The board may:

(a) Reduce collection on the responsible parent's support debt to an amount that alleviates the hardship without altering the amount of the support to address situations in which substantial hardship exists, but the circumstances creating the hardship are temporary. Temporary hardship situations may include the factors listed under subsection (12) or (13) of this section and the applicant's receipt of public assistance on:

(i) Applicant's behalf; or

(ii) Behalf of a child in the applicant's home.

(b) Create incentives to promote payment or family unity by agreeing to a conditional:

(i) Total or partial charge off, if charge off is available under subsection (11) of this section; or

(ii) Reduced payment on the support debt.

(c) Condition reduced payment, or total or partial charge off on:

(i) Continued payment according to a payment schedule imposed by the board; or

(ii) Continued reconciliation; or

(iii) A family remaining off of cash assistance.

~~(15) When creating incentives or providing conditional relief under subsection (14) of this section, the board shall:~~

~~(a) Not create a conditional charge off without specifying a period of performance after which the charge off is irrevocable;~~

~~(b) Not create a charge off conditioned on the parties remaining reconciled unless the parties have been reconciled for at least six months at the time of the conference board;~~

~~(c) Consider whether the conditions would create:~~

~~(i) Incentives for abuse or intimidation of the other party to the order;~~

~~(ii) Incentives for fraud; or~~

~~(iii) Unreasonable reluctance to obtain financial or medical assistance necessary for the health and best interests of the children.~~

~~(16) When the responsible parent violates the terms of the conditional charge off or reduced repayment rate imposed by a conference board decision under subsection (14) of this section:~~

~~(a) Any amount charged off by the board under the decision prior to the violation shall remain uncollectible;~~

~~(b) The IV-D agency may collect any further amount that would have been charged off under the decision after the date of violation with no further notice to the responsible parent; and~~

~~(c) The responsible parent may not reinstate terms of the decision by renewed compliance with the terms of the decision, unless the IV-D agency agrees in writing to reinstate the conditional charge off or repayment rate.~~

~~(17) The board shall distribute a copy of the decision to the applicant, the applicant's representative, other parties in interest, the appropriate field office for action consistent with the decision of the board, and the director.~~

~~(18) A conference board is not an adjudicative proceeding subject to review by the superior court and is not a substitute for any constitutionally or statutorily required hearing. An aggrieved party may be represented before the board by a person of the party's choice. The department shall not pay any costs incurred by the aggrieved person in connection with the conference board)) is an informal review of case actions and of the circumstances of the parties and children related to a child support case.~~

(a) The term **conference board** can mean either of the following, depending on the context:

(i) The process itself, including the review and any meeting convened; or

(ii) The DCS staff who make up the panel which convenes the hearing and makes factual and legal determinations.

(b) A **conference board chair** is an attorney employed by DCS in the conference board unit. In accordance with new section WAC 388-14-387, the conference board chair reviews a case and:

(i) Issues a decision without a hearing, or

(ii) Sets a hearing to take statements from interested parties before reaching a decision.

(2) A person who disagrees with any DCS action related to establishing, enforcing or modifying a support order may ask for a conference board.

(3) DCS uses the conference board process to:

(a) Help resolve complaints and problems over agency actions;

(b) Determine when hardship in the paying parent's household, as defined in RCW 74.20A.160, justifies the release of collection action or the refund of a support payment;

(c) Set a repayment rate on a support debt; and

(d) Determine when it is appropriate to write off support debts owed to the department based on:

(i) Hardship to the paying parent or that parent's household;

(ii) Settlement by compromise of disputed claims;

(iii) Probable costs of collection in excess of the support debt; or

(iv) An error or legal defect that reduces the possibility of collection.

(4) A conference board is not a formal hearing under the administrative procedure act, chapter 34.05 RCW.

(5) A conference board does not replace any formal hearing right created by chapters 388-11, 388-13 and 388-14 WAC, or by chapters 26.23, 74.20 or 74.20A RCW.

(6) This section and WAC 388-14-386 through 388-14-388 govern the conference board process in DCS cases.

#### NEW SECTION

**WAC 388-14-386 How to apply for a conference board.** (1) A person may request a conference board, orally or in writing, at any division of child support (DCS) office.

(2) Oral requests for conference boards are governed by WAC 388-14-500.

(3) DCS may start conference board proceedings in appropriate circumstances.

#### NEW SECTION

**WAC 388-14-387 Explanation of the conference board process.** (1) An applicant for a conference board must make reasonable efforts to resolve the dispute with division of child support (DCS) staff before the conference board can act in the case.

(2) A conference board chair reviews each application to determine appropriate action:

(a) If there are questions of both law and fact or if the dispute involves only facts, the chair may schedule a conference board hearing to gather evidence;

(b) If the factual dispute would not provide a basis on which the conference board could grant relief, even if all facts were resolved in favor of the applicant, the chair may issue a decision without a hearing; or

(c) If the dispute can be resolved as a matter of law without relying upon disputed facts, the conference board chair may issue a decision without scheduling a hearing.

(3) If the conference board chair schedules a hearing, the conference board is made up of the conference board chair and staff from the DCS field office which handles the child support case, if needed.

(a) At the hearing, the conference board makes determinations of relevant disputed facts. Decisions on factual issues are made by a majority of the conference board.

(b) Decisions on issues of law are made by the conference board chair alone.

(c) The DCS worker regularly assigned to a case shall not be part of a conference board dealing with that case.

(4) The conference board chair will prepare a decision, if necessary, and provide that decision to the parties to the conference board, and to the DCS staff responsible for the case.

(5) The director of DCS, or a person designated by the director, may review conference board decisions, and may alter, amend, vacate or remand decisions that are inconsistent with Washington law or DCS policy, or are grossly unfair.

#### NEW SECTION

**WAC 388-14-388 Scope of authority of conference board chair defined.** The conference board chair has the authority to:

(1) Subpoena witnesses and documents, administer oaths and take testimony;

(2) Grant relief by setting payment plans, writing off debt owed to the department, or refunding collected money;

(3) Adjust support debts based on evidence gathered during the conference board process;

(4) Direct distribution of collected support; and

(5) Take any action consistent with Washington law and DCS policy to resolve disputes, grant relief or address issues of equity.

#### **WSR 98-17-037**

#### **PERMANENT RULES DEPARTMENT OF FISH AND WILDLIFE**

[Order 98-160—Filed August 13, 1998, 4:55 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To adopt WAC 232-16-810 Port Susan Bay Canada goose closure.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-104 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

#### NEW SECTION

**WAC 232-16-810 Port Susan Bay Canada goose closure** It shall be unlawful to hunt Canada geese within the following boundary in Snohomish County: Beginning at the intersection of SR 532 and Marine Drive in Stanwood; then south along Marine Drive to Warm Beach Road; then west along Warm Beach Road to Port Susan Bay; then west to the Island/Snohomish County line; then north along the Island/Snohomish County line to SR 532; then east along SR 532 to the point of beginning. Hunting of coot, snipe, and waterfowl other than Canada geese is allowed in this area.

#### **WSR 98-17-038**

#### **PERMANENT RULES DEPARTMENT OF FISH AND WILDLIFE**

[Order 98-159—Filed August 13, 1998, 4:56 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To adopt WAC 232-28-422 1998-99 Migratory waterfowl seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-107 on June 30, 1998.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-422 1998-99 Migratory waterfowl seasons and regulations, differs from the version filed with the code reviser in the following specifics:

Page 1, duck bag limits for Western and Eastern Washington changed to 1 daily (pintail) and 2 possession (pintail), to conform to federal framework restrictions. Also on page 1, duck season dates for Western and Eastern Washington changed to Oct. 3-11, 1998, and Oct. 13, 1998-Jan. 17, 1999.

Page 2, Western Washington Goose Management Area 1, season dates adjusted to: Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 3 1999 for snow geese. For other geese: Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999. Also on page 2, Western Washington Goose Management Area 2, spelling of "Grays Harbor" corrected. Also on Page 2, Western Washington Goose Management Area 2, part of county area of Grays Harbor County north of U.S. Highway 12 and west of U.S. Highway 101 excluded from management area description to maintain recreation in areas with few dusks; hunting days changed to Saturdays, Sundays, and Wednesdays to conform to Oregon hunt days; closing date changed to January 17, 1999 to conform to change in hunting days.

Page 4, Western Washington Goose Management Area 3, season dates changed to Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999.

Page 5, Eastern Washington Goose Management Area 2, season dates changed to Oct. 10-11, 1998, and Oct. 13, 1998-

PERMANENT

Jan. 17, 1999. Also on page 5, Pacific County brant season language moved to top of brant section and Option B was deleted.

Page 6, Western and Eastern Washington duck and coot falconry season dates changed to Oct. 3-11, 1998, and Oct. 13, 1998-Jan. 17, 1999. The geese falconry season dates changed to Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999, state-wide and Nov. 25, 1998-Jan. 17, 1999, and Jan. 23-Mar. 10, 1999 in Western Washington Goose Management Area 2. The snipe falconry season dates changed to Oct. 3-11, 1998, and Oct. 13, 1998-Jan. 17, 1999.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

## NEW SECTION

### **WAC 232-28-422 1998-99 Migratory waterfowl seasons and regulations**

#### **DUCKS**

##### **Western Washington**

Oct. 3-11, 1998 and Oct. 13, 1998-Jan. 17, 1999

Special youth hunting day open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 26, 1998

Daily bag limit: 7 ducks—to include not more than 2 hen mallards, 1 pintail, 2 redheads, 1 canvasback, 1 harlequin, 4 scoters, and 4 oldsquaws.

Possession limit: 14 ducks—to include not more than 4 hen mallards, 2 pintails, 4 redheads, 2 canvasbacks, 1 harlequin, 8 scoters, and 8 oldsquaws.

##### **Eastern Washington**

Oct. 3-11, 1998 and Oct. 13, 1998-Jan. 17, 1999

Special youth hunting day open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 26, 1998

Daily bag limit: 7 ducks—to include not more than 2 hen mallards, 1 pintail, 2 redheads, and 1 canvasback.

Possession limit: 14 ducks—to include not more than 4 hen mallards, 2 pintails, 4 redheads, and 2 canvasbacks.

#### **COOT (Mudhen)**

Same areas, dates (including Youth Hunting Day), and shooting hours as the general duck season.

Daily bag limit: 25 coots.

Possession limit: 25 coots.

#### **COMMON SNIPE**

Same areas, dates (except Youth Hunting Day), and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

#### **GEESE (except Brant and Aleutian Canada Geese)**

Special youth hunting day open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 26, 1998, statewide except Western Washington Goose Management Area 2

Daily bag limit: 4 Canada geese

#### **Western Washington Goose Seasons**

##### **Western Washington Goose Management Area 1**

Island, Skagit, Snohomish counties

Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 3, 1999 for snow geese

Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999 for other geese (except brant and Aleutian Canada geese)

Daily bag limit: 4 geese, to include not more than 3 white geese (snow, Ross', blue)

Possession limit: 8 geese, to include not more than 6 white geese (snow, Ross', blue)

#### **WRITTEN AUTHORIZATION REQUIRED TO HUNT SNOW**

**GEESE.** All persons hunting snow geese in this season are required to obtain a written authorization and Harvest Report from the Washington Department of Fish and Wildlife. Hunters who held a 1997 authorization and returned the Harvest Report prior to the deadline will be mailed a 1998 authorization in early October. Hunters who did not possess a 1997 authorization must fill out an application (available at Washington Department of Fish and Wildlife Olympia and regional offices). Application forms must be delivered to a Department office no later than September 25 or postmarked on or before September 25 in order for applicants to be mailed a 1998 authorization before the season starts. No applications will be accepted after October 31, 1998. Immediately after taking a snow goose into possession, hunters must record in ink the information required on the Harvest Report. Return of the Harvest Report is mandatory. Those hunters not returning the Harvest Report to the Washington Department of Fish and Wildlife by January 15, 1999 will be ineligible to participate in the 1999 snow goose season.

##### **Western Washington Goose Management Area 2**

Grays Harbor, Pacific, Wahkiakum, Cowlitz, and Clark counties, except the area of Clark County south of the Wash-

ougal River, and except the area of Grays Harbor County north of U.S. Highway 12 and west of U.S. Highway 101.

Open on the following days from 8:00 a.m. to 4:00 p.m.:

Saturdays, Sundays, and Wednesdays only, Nov. 25, 1998-Jan. 17, 1999.

Bag limits for all of Western Washington Goose Management Area 2:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose, and not more than 3 white geese (snow, Ross', blue).

Possession limit: 8 geese, to include not more than 1 dusky Canada goose, and not more than 6 white geese (snow, Ross', blue).

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

The Canada goose season for Western Washington Goose Management Area 2 will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 80 geese. The Fish and Wildlife Commission has authorized the Director to implement emergency area closures in accordance with the following quotas: A total of 80 dusks, to be distributed 10 for Zone 1 (Ridgefield NWR); 25 for Zone 2 (Cowlitz County south of the Kalama River); 20 for Zone 3 (Clark County private lands); 10 for Zone 4 (Cowlitz County north of the Kalama River and Wahkiakum County); 10 for Zone 5 (Pacific County); and 5 for Zone 6 (Grays Harbor County). Quotas may be shifted to other zones during the season to optimize use of the statewide quota and minimize depredation.

Hunting is only permitted by written authorization from the Washington Department of Fish and Wildlife. Hunters who maintained a valid 1997 written authorization will be mailed a 1998 authorization card prior to the 1998 season. New hunters and those who did not maintain a valid 1997 authorization must review goose identification training materials and demonstrate adequate performance on a goose identification test to receive written authorization. Information on training materials and testing dates/locations is available at the Olympia and regional offices.

With written authorization, hunters will receive a Harvest Report. Hunters must carry the authorization card and Harvest Report while hunting. Immediately after taking a Canada goose (dusky, lesser/Taverner, cackling, or other subspecies) into possession, hunters must record in ink the information required on the Harvest Report. Hunters must go directly to the nearest check station and have geese tagged when leaving a hunt site, before 6:00 p.m. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding checking of birds and recording harvest on the Harvest Report, written authorization will be revoked and the hunter will not be able to hunt in Western Washington Goose Management Area 2 for the remainder of the season and the Special Late Canada Goose Season. It is unlawful to fail to comply with all provi-

sions listed above for Western Washington Goose Management Area 2.

### **Western Washington Goose Management Area 2**

#### **Special Late Canada Goose Season**

Open to Washington Department of Fish and Wildlife Advanced Hunter Education (AHE) program graduates possessing a valid 1998 southwest Washington Canada goose hunting authorization. Hunters qualifying for the season will be notified of available hunting dates and selected at random for participation.

Open in Agricultural Goose Damage Areas in Western Washington Goose Management Area 2 on selected dates within the following period from 7:00 a.m. to 4:00 p.m.:

January 23-March 10, 1999

Daily bag limit: 4 Canada geese, to include not more than 1 dusky Canada goose.

Possession limit: 4 Canada geese, to include not more than 1 dusky Canada goose.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted Canada goose (as shown in the Munsell color chart 10 YR, 5 or less) with a culmen (bill) length of 40-50 mm.

The Special Late Canada Goose Season will be closed by emergency action if the harvest of dusky Canada geese exceeds 85 for the regular and late seasons. Hunting is only permitted by written authorization from the Washington Department of Fish and Wildlife. Hunters who maintained a valid 1997 written authorization will be mailed a 1998 authorization card prior to the 1998 season. New hunters and those who did not maintain a valid 1997 authorization must review goose identification training materials and demonstrate adequate performance on a goose identification test to receive written authorization. Information on training materials and testing dates/locations is available at the Olympia and Regional offices.

With written authorization, hunters will receive a Special Late Canada Goose Season authorization card and Harvest Report. Hunters must carry the authorization card and Harvest Report while hunting. Immediately after taking a Canada goose (dusky, lesser/Taverner, or other subspecies) into possession, hunters must record in ink the information required on the Harvest Report. Hunters must check in prior to the hunt, and after the hunt must go directly to the nearest check station when leaving a hunt site, before 6:00 p.m. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding check station reporting and recording harvest on the Harvest Report, written authorization will be revoked and the hunter will not be able to hunt in the Special Late Canada Goose Season for the remainder of the season. It is unlawful to fail to comply with all requirements listed above for the Special Late Canada Goose Season.

### **Western Washington Goose Management Area 3**

Includes all parts of western Washington not included in Western Washington Goose Management Areas 1 and 2.

Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999

Daily bag limit: 4 geese, to include not more than 3 white geese (snow, Ross', blue).

Possession limit: 8 geese, to include not more than 6 white geese (snow, Ross', blue).

### Eastern Washington Goose Seasons

#### Eastern Washington Goose Management Area 1

Okanogan, Douglas, Kittitas, Grant, Adams, Franklin, Benton, Lincoln, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only, from Oct. 10, 1998-Jan. 10, 1999, Nov. 26, 27, Dec. 25, 1998, Jan. 1, 1999, and every day Jan. 11-17, 1999.

#### Eastern Washington Goose Management Area 2

Includes all other parts of eastern Washington not included in Eastern Washington Goose Management Area 1.

Every day, from Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999.

Bag limits for all Eastern Washington Goose Management Areas:

Daily bag limit: 4 geese, to include not more than 3 white geese (snow, Ross', blue).

Possession limit: 8 geese, to include not more than 6 white geese (snow, Ross', blue).

### BRANT

Open in Skagit and Pacific counties only

Open in Pacific County on the following dates: Jan. 2, 3, 9, 16, 17, 1999

Daily bag limit: 2 brant.

Possession limit: 4 brant.

In 1998, the brant wintering population in northern Puget Sound remained significantly below objective levels. If the 1998-99 pre-season wintering brant population in northern Puget Sound is below 6,000 (as determined by the winter survey in late December/early January), the brant season in Skagit County will be closed.

Open in Skagit County on the following dates: Jan. 9, 10, 13, 16, 17, 1999

Daily bag limit: 2 brant.

Possession limit: 4 brant.

**WRITTEN AUTHORIZATION REQUIRED:** All hunters participating in this season are required to obtain a written authorization and Harvest Report from the Washington Department of Fish and Wildlife. Hunters who held a 1997 authorization and returned the Harvest Report prior to the deadline will be mailed a 1998 authorization in December. Hunters who did not possess a 1997 authorization must fill out an application (available at Washington Department of Fish and Wildlife regional offices). Application forms must be delivered to a Department office no later than 5:00 p.m. on November 10 or postmarked on or before November 10, after which applicants will be mailed a 1998 authorization in early December. Late applications will not be accepted. Immediately after taking a brant into possession, hunters must record in ink the

information required on the Harvest Report. Return of the Harvest Report is mandatory. Those hunters not returning the Harvest Report to the Washington Department of Fish and Wildlife by January 22, 1999 will be ineligible to participate in the 1999 brant season.

### ALEUTIAN CANADA GEESE AND SWANS

Season closed statewide.

### FALCONRY SEASONS

#### DUCKS AND COOTS (Falconry)

(Bag limits include geese, snipe, and mourning doves.)

#### Western Washington (Falconry)

Oct. 3-11, 1998 and Oct. 13, 1998-Jan. 17, 1999

Daily bag limit: 3, straight or mixed bag with geese, snipe, and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese, snipe, and mourning doves during established seasons.

#### Eastern Washington (Falconry)

Oct. 3-11, 1998 and Oct. 13, 1998-Jan. 17, 1999

Daily bag limit: 3, straight or mixed bag with geese, snipe, and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese, snipe, and mourning doves during established seasons.

#### GEESE (Falconry)

(Bag limits include ducks, coot, snipe, and mourning doves.)

Oct. 10-11, 1998, and Oct. 13, 1998-Jan. 17, 1999, statewide, except:

Nov. 25, 1998-Jan. 17, 1999 and Jan. 23-Mar. 10, 1999 in Western Washington Goose Management Area 2.

Daily bag limit: 3, straight or mixed bag with ducks, coot, snipe, and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with ducks, coot, snipe, and mourning doves during established seasons.

#### SNIPE (Falconry)

(Bag limits include ducks, coots, geese, and mourning doves.)

Oct. 3-11, 1998 and Oct. 13, 1998-Jan. 17, 1999, statewide

Daily bag limit: 3, straight or mixed bag with ducks, coots, geese and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with ducks, coots, geese and mourning doves during established seasons.

WSR 98-17-039

PERMANENT RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 98-154—Filed August 13, 1998, 4:57 p.m.]

Date of Adoption: August 8, 1998.



Purpose: To amend WAC 232-28-264 1997-98, 1998-99 and 1999-2000 Official hunting hours and small game seasons.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-264.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-102 on June 30, 1998.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-264 1997-98, 1998-99, 1999-2000 Official hunting hours and small game seasons, differs from the version filed with the code reviser in the following specifics:

Pages 2, 3, 5, 6, spelling of "Grays Harbor" corrected. In addition, part of county (... areas north of U.S. Highway 12 and west of U.S. Highway 101), excluded from management area description to maintain recreation in areas with few duskys.

Page 9, bird dog training season, last sentence in first paragraph changed to allow year around dog training on posted portions of Shillapoo Wildlife Area, to be consistent with language in second paragraph.

Page 10, Canada goose September season, after September 8-14, 1998 add, except closed in that area of Quilcene Bay lying north and east of Quilcene Boat Haven; ...

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** (Amending Order 97-166 [98-55], filed 8/25/97 [4/22/98], effective 9/25/97 [5/23/98])

**WAC 232-28-264 1997-98, 1998-99, and 1999-2000 Official hunting hours and small game seasons.**

1997-98 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*

September 1, 1997 to January 31, 1998

Dates (Inclusive)	Western Washington			Eastern Washington		
	A.M.	to	P.M.	A.M.	to	P.M.
Daylight Savings Time						
Mon. Sept. 1 - Sun. Sept. 7	6:00		7:45	5:50		7:30
Mon. Sept. 8 - Sun. Sept. 14	6:10		7:30	6:00		7:20
Mon. Sept. 15 - Sun. Sept. 21	6:20		7:15	6:10		7:05
Mon. Sept. 22 - Sun. Sept. 28	6:30		7:00	6:15		6:50
Mon. Sept. 29 - Sun. Oct. 5	6:40		6:45	6:30		6:35
Mon. Oct. 6 - Fri. Oct. 10	6:45		6:30	6:35		6:25
Oct. 11 - Sat.	6:50		6:30	6:40		6:15
Oct. 12 - Sun.	6:50		6:30	6:40		6:15
Mon. Oct. 13 - Sun. Oct. 19	7:00		6:20	6:50		6:10
Mon. Oct. 20 - Sat. Oct. 25	7:10		6:10	7:00		5:55
Pacific Standard Time						
Mon. Oct. 27 - Sun. Oct. 26	6:15		5:00	6:00		4:50
Mon. Nov. 3 - Sun. Nov. 9	6:20		4:55	6:15		4:45
Mon. Nov. 10 - Sun. Nov. 16	6:30		4:45	6:20		4:30
Mon. Nov. 17 - Sun. Nov. 23	6:40		4:35	6:30		4:25
Mon. Nov. 24 - Sun. Nov. 30	6:50		4:30	6:40		4:15
Mon. Nov. 24 - Sun. Nov. 30	7:00		4:20	6:50		4:10

PERMANENT

1997-98 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*

September 1, 1997 to January 31, 1998

Dates (Inclusive)					Western Washington from		Eastern Washington from	
	A.M.	to	P.M.	A.M.	to	P.M.		
Mon. Dec. 1 - Sun. Dec. 7	7:10		4:20	7:00		4:10		
Mon. Dec. 8 - Sun. Dec. 14	7:15		4:20	7:05		4:05		
Mon. Dec. 15 - Sun. Dec. 21	7:20		4:20	7:10		4:10		
Mon. Dec. 22 - Sun. Dec. 28	7:25		4:25	7:15		4:10		
Mon. Dec. 29 - Sun. Jan. 4	7:25		4:30	7:15		4:15		
Mon. Jan. 5 - Sun. Jan. 11	7:25		4:35	7:15		4:25		
Mon. Jan. 12 - Sun. Jan. 18	7:25		4:45	7:10		4:35		
Mon. Jan. 19 - Sun. Jan. 25	7:20		4:55	7:05		4:45		
Mon. Jan. 26 - Sat. Jan. 31	7:10		5:00	7:00		4:50		

\*These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. November-January; and 7:00 a.m. to 4:00 p.m. February-March.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1998-99 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*

September 1, 1998 to January 31, 1999

Dates (Inclusive)					Western Washington from		Eastern Washington from	
	A.M.	to	P.M.	A.M.	to	P.M.		
Daylight Savings Time								
Tues. Sept. 1 - Sun. Sept. 6	6:00		7:45	5:50		7:35		
Mon. Sept. 7 - Sun. Sept. 13	6:10		7:35	6:00		7:20		
Mon. Sept. 14 - Sun. Sept. 20	6:20		7:20	6:05		7:05		
Mon. Sept. 21 - Sun. Sept. 27	6:30		7:05	6:15		6:50		
Mon. Sept. 28 - Sun. Oct. 4	6:40		6:50	6:25		6:35		
Mon. Oct. 5 - Sun. Oct. 11	6:45		6:35	6:25		6:25		
Mon. Oct. 12 - Sun. Oct. 18	6:55		6:20	6:45		6:10		
Mon. Oct. 19 - Sat. Oct. 24	7:05		6:10	6:55		6:00		
Pacific Standard Time								
Mon. Oct. 26 - Sun. Nov. 1	6:20		5:00	6:00		4:50		
Mon. Nov. 2 - Sun. Nov. 8	6:30		4:45	6:05		4:45		
Mon. Nov. 9 - Sun. Nov. 15	6:40		4:35	6:30		4:25		
Mon. Nov. 16 - Sun. Nov. 22	6:50		4:30	6:40		4:15		
Mon. Nov. 23 - Sun. Nov. 29	7:00		4:25	6:50		4:10		
Mon. Nov. 30 - Sun. Dec. 6	7:10		4:20	6:55		4:10		

1998-99 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*  
September 1, 1998 to January 31, 1999

Dates (Inclusive)				Western Washington from			Eastern Washington from		
				A.M.	to	P.M.	A.M.	to	P.M.
Mon.	Dec. 7	-	Sun.	Dec. 13	7:15	4:20	7:05		4:05
Mon.	Dec. 14	-	Sun.	Dec. 20	7:20	4:20	7:10		4:10
Mon.	Dec. 21	-	Sun.	Dec. 27	7:25	4:20	7:15		4:10
Mon.	Dec. 28	-	Sun.	Jan. 3	7:25	4:30	7:15		4:15
Mon.	Jan. 4	-	Sun.	Jan. 10	7:25	4:35	7:15		4:25
Mon.	Jan. 11	-	Sun.	Jan. 17	7:25	4:45	7:10		4:30
Mon.	Jan. 18	-	Sun.	Jan. 24	7:20	4:55	7:05		4:40
Mon.	Jan. 25	-	Sat.	Jan. 31	7:10	5:00	7:00		4:50

\*These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark (except areas south of the Washougal River), Cowlitz, Grays Harbor, (except areas north of U.S. Highway 12 and west of U.S. Highway 101), Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. ((November-January; and)), except 7:00 a.m. to 4:00 p.m. ((February-March-)) during the late goose season.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1999-2000 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*  
September 1, 1999 to January 31, 2000

Dates (Inclusive)				Western Washington from			Eastern Washington from		
				A.M.	to	P.M.	A.M.	to	P.M.
Daylight Savings Time									
Wed.	Sept. 1	-	Sun.	Sept. 5	6:00	7:45	5:45		7:35
Mon.	Sept. 6	-	Sun.	Sept. 12	6:05	7:35	5:50		7:20
Mon.	Sept. 13	-	Sun.	Sept. 19	6:15	7:20	6:05		7:10
Mon.	Sept. 20	-	Sun.	Sept. 26	6:25	7:10	6:15		6:50
Mon.	Sept. 27	-	Sun.	Oct. 3	6:35	6:50	6:25		6:40
Mon.	Oct. 4	-	Sun.	Oct. 10	6:45	6:40	6:35		6:25
Mon.	Oct. 11	-	Sun.	Oct. 17	6:50	6:25	6:45		6:15
Mon.	Oct. 18	-	Sun.	Oct. 24	7:05	6:15	6:55		6:00
Mon.	Oct. 25	-	Sat.	Oct. 30	7:15	6:00	7:05		5:45
Pacific Standard Time									
Sun.	Oct. 31	-	Sun.	Nov. 7	6:25	4:45	6:15		4:35
Mon.	Nov. 8	-	Sun.	Nov. 14	6:35	4:40	6:25		4:25
Mon.	Nov. 15	-	Sun.	Nov. 21	6:50	4:30	6:35		4:20
Mon.	Nov. 22	-	Sun.	Nov. 28	7:00	4:25	6:45		4:10
Mon.	Nov. 29	-	Sun.	Dec. 5	7:05	4:20	6:50		4:10
Mon.	Dec. 6	-	Sun.	Dec. 12	7:10	4:20	7:00		4:05
Mon.	Dec. 13	-	Sun.	Dec. 19	7:20	4:20	7:05		4:05

PERMANENT

1999-2000 OFFICIAL HUNTING HOURS  
FOR MIGRATORY GAME BIRDS, UPLAND BIRDS, AND WILD TURKEYS\*  
September 1, 1999 to January 31, 2000

Dates (Inclusive)				Western Washington from			Eastern Washington from		
	A.M.	to	P.M.	A.M.	to	P.M.			
Mon. Dec. 20 - Sun. Dec. 26	7:25		4:25	7:10		4:10			
Mon. Dec. 27 - Sun. Jan. 2	7:30		4:25	7:15		4:15			
Mon. Jan. 3 - Sun. Jan. 9	7:30		4:35	7:15		4:20			
Mon. Jan. 10 - Sun. Jan. 16	7:25		4:40	7:10		4:30			
Mon. Jan. 17 - Sun. Jan. 23	7:20		4:50	7:05		4:45			
Mon. Jan. 24 - Mon. Jan. 31	7:15		5:00	7:00		4:50			

\*These are lawful hunting hours (one-half hour before sunrise to sunset) for migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon); upland birds (pheasant, quail, partridge); and turkey during established seasons.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark (except areas south of the Washougal River), Cowlitz, Grays Harbor (except areas north of U.S. Highway 12 and west of U.S. Highway 101), Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. (~~November-January; and~~), except 7:00 a.m. to 4:00 p.m. ((February-March)) during the late goose season.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1997-1998 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1997 to January 31, 1998

Dates (Inclusive)				Western Washington from			Eastern Washington from		
	A.M.	to	P.M.	A.M.	to	P.M.			
Daylight Savings Time									
Mon. Sept. 1 - Sun. Sept. 7	6:00		8:15	5:50		8:00			
Mon. Sept. 8 - Sun. Sept. 14	6:10		8:00	6:00		7:50			
Mon. Sept. 15 - Sun. Sept. 21	6:20		7:45	6:10		7:35			
Mon. Sept. 22 - Sun. Sept. 28	6:30		7:30	6:15		7:20			
Mon. Sept. 29 - Sun. Oct. 5	6:40		7:15	6:30		7:05			
Mon. Oct. 6 - Fri. Oct. 10	6:45		7:00	6:35		6:55			
Oct. 11 - Sat.	6:50		7:00	6:40		6:45			
Oct. 12 - Sun.	6:50		7:00	6:40		6:45			
Mon. Oct. 13 - Sun. Oct. 19	7:00		6:50	6:50		6:40			
Mon. Oct. 20 - Sat. Oct. 25	7:10		6:40	7:00		6:25			
Pacific Standard Time									
Mon. Oct. 27 - Sun. Oct. 26	6:15		5:30	6:00		5:20			
Mon. Nov. 2 - Sun. Nov. 9	6:20		5:25	6:15		5:15			
Mon. Nov. 10 - Sun. Nov. 16	6:30		5:15	6:20		5:00			
Mon. Nov. 17 - Sun. Nov. 23	6:40		5:05	6:30		4:55			
Mon. Nov. 24 - Sun. Nov. 30	6:50		5:00	6:40		4:45			
Mon. Dec. 1 - Sun. Dec. 7	7:00		4:50	6:50		4:40			
Mon. Dec. 8 - Sun. Dec. 14	7:10		4:50	7:00		4:40			
Mon. Dec. 15 - Sun. Dec. 21	7:15		4:50	7:05		4:35			

PERMANENT

1997-1998 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1997 to January 31, 1998

Dates (Inclusive)					Western Washington from			Eastern Washington from		
					A.M.	to	P.M.	A.M.	to	P.M.
Mon. Dec. 15	-	Sun. Dec. 21		7:20		4:50	7:10		4:40	
Mon. Dec. 22	-	Sun. Dec. 28		7:25		4:55	7:15		4:40	
Mon. Dec. 29	-	Sun. Jan. 4		7:25		5:00	7:15		4:45	
Mon. Jan. 5	-	Sun. Jan. 11		7:25		5:05	7:15		4:55	
Mon. Jan. 12	-	Sun. Jan. 18		7:25		5:15	7:10		5:05	
Mon. Jan. 19	-	Sun. Jan. 25		7:20		5:25	7:05		5:15	
Mon. Jan. 26	-	Sat. Jan. 31		7:10		5:30	7:00		5:20	

\*These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and migratory game birds (except duck, goose, coot, snipe, mourning dove, and band-tailed pigeon pheasant, quail, partridge, and turkey) during established seasons.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark (except areas south of the Washougal River), Cowlitz, Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. November-January; and 7:00 a.m. to 4:00 p.m. February-March.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1998-1999 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1998 to January 31, 1999

Dates (Inclusive)					Western Washington from			Eastern Washington from		
					A.M.	to	P.M.	A.M.	to	P.M.
Daylight Savings Time										
Tues. Sept. 1	-	Sun. Sept. 6		6:00		8:15	5:50		8:05	
Mon. Sept. 7	-	Sun. Sept. 13		6:10		8:05	6:00		7:50	
Mon. Sept. 14	-	Sun. Sept. 20		6:20		7:50	6:05		7:35	
Mon. Sept. 21	-	Sun. Sept. 27		6:30		7:35	6:15		7:20	
Mon. Sept. 28	-	Sun. Oct. 4		6:40		7:20	6:25		7:05	
Mon. Oct. 5	-	Sun. Oct. 11		6:45		7:05	6:25		6:55	
Mon. Oct. 12	-	Sun. Oct. 18		6:55		6:50	6:45		6:40	
Mon. Oct. 19	-	Sat. Oct. 24		7:05		6:40	6:55		6:30	
Pacific Standard Time										
		Sun. Oct. 25		6:10		5:30	6:00		5:20	
Mon. Oct. 26	-	Sun. Nov. 1		6:20		5:25	6:05		5:15	
Mon. Nov. 2	-	Sun. Nov. 8		6:30		5:15	6:15		5:05	
Mon. Nov. 9	-	Sun. Nov. 15		6:40		5:05	6:30		4:55	
Mon. Nov. 16	-	Sun. Nov. 22		6:50		5:00	6:40		4:45	
Mon. Nov. 23	-	Sun. Nov. 29		7:00		4:55	6:50		4:40	
Mon. Nov. 30	-	Sun. Dec. 6		7:10		4:50	6:55		4:40	
Mon. Dec. 7	-	Sun. Dec. 13		7:15		4:50	7:05		4:35	
Mon. Dec. 14	-	Sun. Dec. 20		7:20		4:50	7:10		4:40	

1998-1999 OFFICIAL HUNTING HOURS  
 FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
 September 1, 1998 to January 31, 1999

Dates (Inclusive)				Western Washington			Eastern Washington		
				A.M.	to	P.M.	A.M.	to	P.M.
Mon. Dec. 21	-	Sun. Dec. 27		7:25		4:50	7:15		4:40
Mon. Dec. 28	-	Sun. Jan. 3		7:25		5:00	7:15		4:45
Mon. Jan. 4	-	Sun. Jan. 10		7:25		5:05	7:15		4:55
Mon. Jan. 11	-	Sun. Jan. 17		7:25		5:15	7:10		5:00
Mon. Jan. 18	-	Sun. Jan. 24		7:20		5:25	7:05		5:10
Mon. Jan. 25	-	Sat. Jan. 31		7:10		5:30	7:00		5:20

\* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and game birds (except duck, goose, coot, snipe, mourning dove, band-tailed pigeon, pheasant, quail, partridge and turkey) during established seasons.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark (except areas south of the Washougal River), Cowlitz, Grays Harbor, (except areas north of U.S. Highway 12 and west of U.S. Highway 101), Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. ((~~November-January~~ and)), except 7:00 a.m. to 4:00 p.m. ((~~February-March~~)) during the late goose season.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

1999-2000 OFFICIAL HUNTING HOURS  
 FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
 September 1, 1999 to January 31, 2000

Dates (Inclusive)				Western Washington			Eastern Washington		
				A.M.	to	P.M.	A.M.	to	P.M.
Daylight Savings Time									
Wed. Sept. 1	-	Sun. Sept. 5		6:00		8:15	5:45		8:05
Mon. Sept. 6	-	Sun. Sept. 12		6:05		8:05	5:50		7:50
Mon. Sept. 13	-	Sun. Sept. 19		6:15		7:50	6:05		7:40
Mon. Sept. 20	-	Sun. Sept. 26		6:25		7:40	6:15		7:20
Mon. Sept. 27	-	Sun. Oct. 3		6:35		7:20	6:25		7:10
Mon. Oct. 4	-	Sun. Oct. 10		6:45		7:10	6:35		6:55
Mon. Oct. 11	-	Sun. Oct. 17		6:50		6:55	6:45		6:45
Mon. Oct. 18	-	Sun. Oct. 24		7:05		6:45	6:55		6:30
Mon. Oct. 25	-	Sat. Oct. 30		7:15		6:30	7:05		6:15
Pacific Standard Time									
Sun. Oct. 31	-	Sun. Nov. 7		6:25		5:15	6:15		5:05
Mon. Nov. 8	-	Sun. Nov. 14		6:35		5:10	6:25		4:55
Mon. Nov. 15	-	Sun. Nov. 21		6:50		5:00	6:35		4:50
Mon. Nov. 22	-	Sun. Nov. 28		7:00		4:55	6:45		4:40
Mon. Nov. 29	-	Sun. Dec. 5		7:05		4:50	6:50		4:40
Mon. Dec. 6	-	Sun. Dec. 12		7:10		4:50	7:00		4:35
Mon. Dec. 13	-	Sun. Dec. 19		7:20		4:50	7:05		4:35
Mon. Dec. 20	-	Sun. Dec. 26		7:25		4:55	7:10		4:40
Mon. Dec. 27	-	Sun. Jan. 2		7:30		4:55	7:15		4:45

PERMANENT

1999-2000 OFFICIAL HUNTING HOURS  
FOR GAME ANIMALS & GAME BIRDS (EXCEPT MIGRATORY AND UPLAND GAME BIRDS)\*  
September 1, 1999 to January 31, 2000

Dates (Inclusive)					Western Washington		Eastern Washington		
					from	to	from	to	
	A.M.		P.M.	A.M.		P.M.	A.M.		P.M.
Mon. Jan. 3 - Sun. Jan. 9	7:30		5:05	7:15		4:50			
Mon. Jan. 10 - Sun. Jan. 16	7:25		5:10	7:10		5:00			
Mon. Jan. 17 - Sun. Jan. 23	7:20		5:20	7:05		5:15			
Mon. Jan. 24 - Mon. Jan. 31	7:15		5:30	7:00		5:20			

\* These are lawful hunting hours (one-half hour before sunrise to one-half hour after sunset) for all game animals and game birds (except duck, goose, coot, snipe, mourning dove, band-tailed pigeon, pheasant, quail, partridge and turkey) during established seasons.

Exceptions:

- 1) Western Washington - Pheasant and quail hunting hours are 8:00 a.m. to 4:00 p.m. in all areas.
- 2) Clark (except areas south of the Washougal River), Cowlitz, Grays Harbor, (except areas north of U.S. Highway 12 and west of U.S. Highway 101), Pacific, and Wahkiakum counties - Goose hunting hours are 8:00 a.m. to 4:00 p.m. ((November-January; and)), except 7:00 a.m. to 4:00 p.m. ((February-March-)) during the late goose season.
- 3) Bobcat and raccoon are exempt from hunting hour restrictions during established bobcat and raccoon seasons except when that area is open to modern firearm hunting of deer or elk, hunting hours shall be one-half hour before sunrise to one-half hour after sunset.
- 4) Hunting hours for falconry seasons (except migratory game bird seasons) are exempt from these hunting hours, except on designated pheasant release sites.

Hound Hunting During Deer and Elk Hunting Seasons

It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a center-fire rifle deer or elk season. The use of hounds to hunt black bear, cougar, and bobcat is prohibited year around.

BOBCAT

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, except CLOSED in GMU 522.

Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

RACCOON

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, except CLOSED on Long Island within Willapa National Wildlife Refuge and in GMU 522.

Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

FOX

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, except CLOSED within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407, 410, and 522.

Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000.

COYOTE

Bag and Possession Limits: No Limit

OPEN SEASON: Statewide, year around except ((CLOSED in GMU 522 and)) CLOSED from September 15 to November 30 in the Pasayten Wilderness, GMUs 426 and 450, and those portions of GMUs 218, 304, and 448 within the external boundaries of the Mount Baker-Snoqualmie, Okanogan, and Wenatchee National Forests. However, coyote may only be killed and/or pursued with hounds during the following period: Sept. 2, 1997-Mar. 15, 1998; Sept. 8, 1998-Mar. 15, 1999; Sept. 7, 1999-Mar. 15, 2000; except coyote may be hunted year around with hounds in Grant, Adams, Benton, and Franklin counties. GMU 522 is closed to coyote hunting.

FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)

Bag and Possession Limits: Three (3) grouse per day, with a total of nine (9) grouse in possession at any time; straight or mixed bag.

Statewide: Sept. 1-Dec. 31 during 1997, 1998, and 1999; except CLOSED in GMU 522.

PTARMIGAN

Season closed statewide.

Upland Birds

Eastern Washington

Ring-necked Pheasant

Bag and Possession Limits: Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time.

Youth Season: Sept. 27 & 28, 1997; September 26 & 27, 1998 (((Commission will adopt in August))) : Open only to youth hunters age 15 and under. Youth hunters must be accompanied by an adult of at least 18 years old who is not hunting.

PERMANENT

Regular Season: Oct. 11-Dec. 31, 1997; Oct. 10-Dec. 31, 1998; Oct. 9-Dec. 31, 1999.

#### Chukar Partridge

Bag and Possession Limits: Six (6) chukar per day, with a total of eighteen (18) chukar in possession at any time.

Regular Season: Oct. 1, 1997-Jan. 11, 1998; Oct. 1, 1998-Jan. 10, 1999; Oct. 1, 1999-Jan. 9, 2000.

#### Gray (Hungarian) Partridge

Bag and Possession Limits: Six (6) gray partridges per day, with a total of eighteen (18) gray partridges in possession at any time.

Regular Season: Oct. 1, 1997-Jan. 11, 1998; Oct. 1, 1998-Jan. 10, 1999; Oct. 1, 1999-Jan. 9, 2000.

#### Mountain Quail

##### Season closed throughout eastern Washington

#### Valley and Bobwhite Quail

Bag and Possession Limits: Ten (10) quail per day, with a total of thirty (30) quail in possession at any time, straight or mixed bag.

Youth Season: Sept. 27 & 28, 1997; September 26 & 27, 1998 (~~Commission will adopt in August~~): Open only to youth hunters age 15 and under. Youth hunters must be accompanied by an adult of at least 18 years old who is not hunting.

Regular Season: Oct. 11, 1997-Jan. 11, 1998; Oct. 10, 1998-Jan. 10, 1999; Oct. 9, 1999-Jan. 9, 2000.

Yakama Indian Reservation: The 1997-98, 1998-99, 1999-2000 Upland Bird Seasons within the Yakama Indian Reservation shall be the same as the season established by the Yakama Indian Nation.

#### Western Washington

#### Ring-necked Pheasant

Bag and Possession Limits: Two (2) pheasants of either sex per day, with a total of fifteen (15) pheasants in possession at any time.

Early season: Sept. 20-26, 1997; Sept. 26-Oct. 2, 1998; and Sept. 25-Oct. 1, 1999 for juvenile hunters 14 and under and senior hunters 65 years of age or older. Juvenile hunters must be accompanied by an adult.

Sept. 27-Nov. 30, 1997; Oct. 3-Nov. 30, 1998; and Oct. 2-Nov. 30, 1999; 8 a.m. to 4 p.m.; except Dungeness Recreation site (Clallam County) starting Oct. 11, 1997; Oct. 17, 1998; Oct. 16, 1999; except CLOSED in GMU 522.

A Western Washington Upland Bird Permit is required to hunt pheasant, quail, and partridge in western Washington, in addition to a current hunting license. Pheasant kills only must be recorded. Upon taking a pheasant, the holder of a Western Washington Upland Bird Permit must immediately enter on the corresponding space the date and location of kill.

There are three options available for the 1997, 1998, 1999 hunting season:

- (1) Full Season Option: Allows the harvest of ten (10) pheasants.
- (2) Juvenile (under 15): Allows the harvest of six (6) pheasants.
- (3) 2-Day Option: Allows the harvest of four (4) pheasants during two consecutive days.

Every person possessing a Western Washington Upland Bird Permit must by December 31, return the permit to the Department of Fish and Wildlife. The number of permits purchased per year is not limited.

A hunter shall select one valid option at the time they purchase their Western Washington Upland Bird Permit.

Special Restriction: Non-toxic shot must be used in a shotgun to hunt pheasant on the Skagit Wildlife Area. Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and must indicate their choice on the western Washington upland bird permit by choosing "odd" or "even." It is unlawful to purchase an additional permit until the ten pheasant allowed on the current permit are taken. Hunters that select the two day option, senior hunters 65 years of age or older, and juvenile hunters 14 years of age or younger may hunt during either weekend day morning. Juvenile hunters must be accompanied by an adult with an appropriately marked upland bird permit.

#### Mountain Quail

Bag and Possession Limits: Two (2) mountain quail per day, with a total of four (4) mountain quail in possession at any time.

Oct. 11-Nov. 30, 1997; Oct. 10-Nov. 30, 1998; Oct. 9-Nov. 30, 1999; except CLOSED in GMU 522.

#### Valley and Bobwhite Quail

Bag and Possession Limits: Ten (10) valley or bobwhite quail per day, with a total of thirty (30) valley or bobwhite quail in possession at any time; straight or mixed bag.

Oct. 11-Nov. 30, 1997; Oct. 10-Nov. 30, 1998; Oct. 9-Nov. 30, 1999; except CLOSED in GMU 522.

#### TURKEY

##### Spring Season

Gobblers and Turkeys with Visible Beards Only.

Statewide: April 15-May 15, 1997; April 15-May 15, 1998; and April 15-May 15, 1999.

##### Fall Season

##### Either Sex

Klickitat and Skamania counties: Nov. 27-Dec. 1, 1997; Nov. 26-30, 1998; Nov. 25-29, 1999.



Asotin, Columbia, Garfield, and Walla Walla counties: Nov. 27-Dec. 1, 1997; Nov. 26-30, 1998; Nov. 25-29, 1999. Only hunters that successfully complete the Department of Fish and Wildlife's Advanced Hunter Education (AHE) program will be eligible to hunt turkeys during this season. A certification card will be issued to all AHE graduates and must be in possession in addition to a valid hunting license and turkey tag while hunting in this area.

#### OFFICIAL HUNTING HOURS/BAG LIMITS:

**Bag and Possession Limit:** One turkey per day, with a total of three (3) per year; only one turkey from each subspecies may be killed per year in 1997, 1998 and 1999; Subspecies are defined by county of kill.

**Eastern Wild Turkey:** All of western Washington excluding Skamania and Klickitat counties.

**Rio Grande Wild Turkey:** All of eastern Washington excluding Klickitat, Ferry, Pend Oreille, and Stevens counties.

**Merriam's Wild Turkey:** Skamania, Klickitat, Pend Oreille, Ferry and Stevens counties.

**Tag Sale Cutoff:** All multiple tags must be purchased by April 14 each year; a single statewide tag may be purchased at any time.

**Hunting Hours:** One-half hour before sunrise to sunset during spring and fall seasons.

#### SPECIAL REGULATIONS:

1. Turkey season is open for shotgun and bow-and-arrow hunting only.
2. A turkey tag is required for hunting turkey.
3. Each successful hunter must complete and return a game harvest report card to the Department of Fish and Wildlife within ten days after taking a turkey.
4. It is unlawful to use dogs to hunt turkeys.

#### SAGE AND SHARP-TAILED GROUSE

Season Closed Statewide.

#### BIRD DOG TRAINING SEASON

Aug. 1, 1997-Mar. 15, 1998; Aug. 1, 1998-Mar. 15, 1999; and Aug. 1, 1999-Mar. 15, 2000, except from Sept. 27-Nov. 30, 1997, Oct. 3-Nov. 30, 1998, and Oct. 2-Nov. 30, 1999, dog training is prohibited except from 8:00 a.m. to 4:00 p.m. on designated western Washington pheasant release sites. Dog training is prohibited from Jan. 15 - Mar. 15 on the Shillapoo Wildlife Area (Region 50 EXCEPT on posted portions open for year around dog training.

Dog training may be conducted year around on posted portions of: Region One - Espanola (T 24 N, R 40 E, E 1/2 of Sec. 16); Region Two - Wahluke Wildlife Area north of Highway 24; Region Three - South L.T. Murray Wildlife Area; Region Four - Fort Lewis Military Base, Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area; Region Five - Shillapoo/Vancouver Lake Wildlife Area; Region Six - Scatter Creek Wildlife Area.

All adult hunters (age 16 and over) of migratory game birds (duck, goose, coot, snipe, mourning dove) are required to complete a Harvest Information Program (HIP) survey form at a license dealer, and possess a Washington Migratory Bird Stamp as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters (age 15 and under) are required to complete a HIP survey form available through WDFW offices, and possess a free Washington Youth Migratory Bird Stamp as evidence of compliance with this requirement when hunting migratory game birds.

#### CANADA GOOSE SEPTEMBER SEASON

**Bag and Possession Limits:** Three (3) Canada geese per day with a total of six (6) in possession at any time.

**Statewide:** September 8-14, 1998, except closed in that area of Quilcene Bay lying north and east of Quilcene Boat Haven; September 7-13, 1999.

#### BAND-TAILED PIGEON

Closed Season Statewide.

#### MOURNING DOVE

**Bag and possession limits:** Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time.

**Statewide:** Sept. 1-15, 1997; Sept. 1-15, 1998; and Sept. 1-15, 1999; except CLOSED in GMU 522.

#### RABBIT AND HARE

Cottontail, Snowshoe Hare (or Washington Hare), and Jack-rabbit.

**Bag and Possession Limits:** Five (5) rabbits or hares per day, with a total of fifteen (15) in possession at any time; straight or mixed bag.

**Statewide:** Sept. 1, 1997-Mar. 15, 1998; Sept. 1, 1998-Mar. 15, 1999; Sept. 1, 1999-Mar. 15, 2000; except CLOSED in GMU 522 and CLOSED Jan. 15-Mar. 15 on Shillapoo Wildlife Area (Region 5).

#### CROWS

**Bag and possession limits:** No limits

**Statewide:** Oct. 1, 1997-Jan. 31, 1998; Oct. 1, 1998-Jan. 31, 1999; Oct. 1, 1999-Jan. 31, 2000.

#### FALCONRY SEASONS

##### Upland Game Bird - Falconry

**Daily bag:** Two (2) pheasants (either sex), six (6) partridge, five (5) quail, and three (3) forest grouse (blue, ruffed, spruce) per day.

**Statewide:** Sept. 1, 1997-Mar. 15, 1998; Sept. 1, 1998-Mar. 15, 1999; Sept. 1, 1999-Mar. 15, 2000.

Mourning Dove - Falconry

Daily Bag: Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons.

Statewide: Sept. 1-15 and Oct. 1-Dec. 31, 1997; Sept. 1-15 and Oct. 1-Dec. 31, 1998; and Sept. 1-15 and Oct. 1-Dec. 31, 1999.

Cottontail and Hare - Falconry

Daily bag: Five (5) rabbits or hares per day; straight or mixed bag.

Statewide: Aug. 1, 1997-Mar. 15, 1998; Aug. 1, 1998-Mar. 15, 1999; Aug. 1, 1999-Mar. 15, 2000, for cottontail, snowshoe hare (or Washington hare), white-tailed and black-tailed jackrabbits.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 98-17-040****PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-161—Filed August 13, 1998, 4:58 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To repeal WAC 232-28-421 1997-98 Migratory waterfowl seasons and regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-421.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-100 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**REPEALER**

The following section of the Washington Administrative Code is hereby repealed:

WAC 232-28-421

1997-98 Migratory waterfowl seasons and regulations

**WSR 98-17-041****PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-155—Filed August 13, 1998, 4:59 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-16-800 Debay's Slough Game Reserve.

Citation of Existing Rules Affected by this Order: Amending WAC 232-16-800.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-103 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending Order 97-162, filed 8/25/97)]

**WAC 232-16-800 Johnson/Debay's Slough Game Reserve** In Skagit County, beginning at the intersection of Francis Road and Debay's Slough Road; then south and west along Francis Road (3090 feet) to white corner marker; then north (1265 feet) to the middle of Debay's Slough (white corner marker); then westerly (2087 feet) along the channel of Debay's Slough to the western tip of the farmed portion of

Debay's Island; then northerly (1485 feet) to the south bank of the Skagit River (white corner marker); then easterly (1600 feet) along the south bank of the Skagit River to fence line (white corner marker); then south along fence line (855 feet) to corner post; then east along fence line (435 feet) to fence intersection; then south (300 feet) along fence line to existing tree line (white corner marker); then continue south (835 feet) to south shoreline of Debay's Slough (white corner marker); then easterly and southerly along the west shoreline of Debay's Slough (1770 feet) to the south side of Debay's Slough Road (white corner marker); then east along the south side of Debay's Slough Road to the intersection of Francis Road and the point of beginning.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-042**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-153—Filed August 13, 1998, 5:00 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-16-770 Skagit Wildlife Area shotgun shell restriction.

Citation of Existing Rules Affected by this Order: Amending WAC 232-16-770.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-101 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending Order 96-126, filed 8/22/96)]

**WAC 232-16-770** (~~(Skagit wildlife area)~~) **Shotgun shell restriction areas** It is unlawful to have in possession more than 15 shotgun shells or to fire (~~shoot~~) more than 15 shells in one day on the following areas:

Section 1. The farmed island segment of the Skagit Wildlife Area (~~(public hunting area)~~), between the south fork of the Skagit River and Fresh Water Slough in Skagit County.

Section 2. The Spencer Island Unit of the Snoqualmie Wildlife Area in Snohomish County.

Section 3. The Welts (West 90) Unit of the Skagit Wildlife Area in Skagit County.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-043**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-158—Filed August 13, 1998, 5:00 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-16-700 Swinomish Spit Game Reserve.

Citation of Existing Rules Affected by this Order: Amending WAC 232-16-700.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-099 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending Order 249, filed 10/12/84)]

**WAC 232-16-700 Swinomish Spit Game Reserve.** It shall be unlawful to hunt wild animals and wild birds within the following described boundary November 1 through March 31, and it shall be unlawful to hunt brant at any time within the following described boundary: Beginning at the Burlington Northern railroad tracks on the west shoreline of the Swinomish Channel; thence in a northwesterly direction along the west side of the Swinomish Channel to the red channel mark buoy N "20" (as indicated on Navigation Map #18427, 13th Ed., July 16, 1983); thence 6,000 feet ENE (east-northeast); thence 3,300 feet SSE (south-southeast);

thence 4,200 feet SW (southwest) to the dike at the south end of Padilla Bay; thence continue westerly along said dike to the intersection of the Burlington Northern railroad tracks and the east shoreline of the Swinomish Channel; thence continue along said railroad tracks (across swing bridge) to the west shoreline of the Swinomish Channel and the point of beginning.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-044  
PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-152—Filed August 13, 1998, 5:00 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-12-068 Nontoxic shot requirement for waterfowl, coot, and snipe hunting.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-068.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-098 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending Order 97-164, filed 8/25/97)]

**WAC 232-12-068 Nontoxic shot requirement for waterfowl, coot, and snipe hunting.** It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading) other than steel shot (~~((+))~~), bismuth-tin (~~((shot))~~) shot (nominally 97 parts bismuth:3 parts tin with <1 percent residual lead), (~~((s))~~) tungsten-iron shot (nominally 40 parts tungsten:60 parts iron with <1 percent residual lead), or tungsten-polymer shot (nominally 95.5 parts tungsten:4.5 parts polymer with <1 percent residual lead) (~~((white))~~) (~~((when))~~) when hunting for waterfowl, coot, or snipe.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-045  
PERMANENT RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-151—Filed August 13, 1998, 5:00 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-12-131 Permits for special hunting and trapping seasons.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-131.

Statutory Authority for Adoption: RCW 77.12.040

Adopted under notice filed as WSR 98-14-105 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending WSR 96-04-027, filed 2/1/96)]

**WAC 232-12-131 Permits for special hunting and trapping seasons.** (1) Holders of valid hunting licenses may apply for permits for special hunting seasons as prescribed by the commission.

(2) Holders of valid trapping licenses may apply for permits for special trapping seasons as prescribed by the commission.

(3) It is unlawful for a person receiving a special hunting season permit for mountain sheep to apply for another permit for that species.

(4) It is unlawful for a person receiving a special hunting season permit for moose to apply for another permit for that species((-)), except as prescribed by the commission for the Mount Spokane, youth only moose hunt.

(5) It is unlawful for a person receiving a special hunting season permit for mountain goat to apply for another permit for that species.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-046**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-156—Filed August 13, 1998, 5:00 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-16-540 Yakima River Game Reserve.

Citation of Existing Rules Affected by this Order: Amending WAC 232-16-540.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-106 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending Order, filed 7/29/64)]

**WAC 232-16-540 Yakima River Game Reserve.** ((Beginning at the NW corner of SW 1/4 of Section 36, Township 9 north, Range 24E.W.M., at which point State Highway #3 and the Old Cherry Lane intersect; thence east following the south edge of said Old Cherry Lane Road to its junction with the north bank of the U.S. Bureau of Reclamation Power Canal; thence in an easterly direction following the said north bank of said canal to the end of the canal; thence continuing in an easterly direction following the north edge of the U.S. Bureau of Reclamation Power Line right of way to its intersection with the east line of Section 31, Township 9 north, Range 25E.W.M.; thence south following said section line to its intersection with State Highway #410; thence in a westerly direction following the north edge of the pavement of said State Highway #410 to its intersection with 10th Street, city of Prosser; thence northwest following the northeast edge of said 10th Street to its intersection with Grand Avenue; thence NE following the SE edge of said

~~Grant Avenue to County Bridge #6; thence continuing NE across said bridge to the beginning of State Highway #3; thence north following the east edge of said State Highway #3 to point of beginning.)) Beginning in Prosser at the intersection of Tenth Street and Grant Avenue; then west to the Yakima River and Prosser Dam; then west across Prosser Dam and the Yakima River to the U.S. Bureau of Reclamation Maintenance Road; then north to Old Inland Empire Highway; then northeasterly on Old Inland Empire Highway to Interstate I-82; then east on the south side of I-82 to the Chandler Canal; then east along the north side of the Chandler Canal to the powerline going across the Yakima River (approximately .4 Miles east of Bunn Road); then south along the powerlines and across the Yakima River to Wine Country Road; then west on Wine Country Road to Tenth Street and the point of beginning.~~

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-047**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-157—Filed August 13, 1998, 5:00 p.m.]

Date of Adoption: August 8, 1998.

Purpose: To amend WAC 232-16-690 Bayview Game Reserve.

Citation of Existing Rules Affected by this Order: Amending WAC 232-16-690.

Statutory Authority for Adoption: RCW 77.12.040.

Adopted under notice filed as WSR 98-14-097 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 12, 1998

Lisa Pelly, Chair

Fish and Wildlife Commission

**AMENDATORY SECTION** [(Amending Order 217, filed 9/1/83)]

**WAC 232-16-690 Bayview Game Reserve.** It shall be unlawful to hunt wild animals and wild birds within the fol-

lowing described boundary November 1 through March 31, and it shall be unlawful to hunt brant at any time within the following described boundary: Beginning at a point on the Bayview-Edison Road 750 feet south of the intersection of the Bayview Cemetery entrance road; thence 4,000 feet WNW (west-northwest); thence 5,750 feet NNW (north-northwest); thence 3,750 feet ENE (east-northeast) to the northwest corner of Padilla Bay tract no. 532; thence east to the northeast corner of Padilla Bay tract no. 532; thence SSE (south-southeast) to the Bayview-Edison Road; thence south-erly along said road to the point of beginning.

**Reviser's note:** The bracketed material preceding the section above was supplied by the code reviser's office.

**WSR 98-17-058**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

(Securities Division)

[Filed August 17, 1998, 8:47 a.m.]

Date of Adoption: August 17, 1998.

Purpose: Repeal chapter 460-70 WAC, Commodity broker-dealers. This chapter was adopted pursuant to the Commodities Act, chapter 21.30 RCW, as passed in 1986. A subsequent amendment to that act expanded the exemptions to commodity broker-dealer registration. The Securities Division has not had an application for commodity broker-dealer registration in over ten years. It therefore appears that the exemptions in the Commodities Act have eliminated the requirement for commodity broker-dealer registration.

Citation of Existing Rules Affected by this Order: Repealing chapter 460-70 WAC.

Statutory Authority for Adoption: RCW 21.30.400.

Adopted under preproposal statement of inquiry filed as WSR 98-14-072 on June 30, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 11.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 11.

Effective Date of Rule: Thirty-one days after filing.

August 17, 1998

John L. Bley  
 Director

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

- WAC 460-70-005 Net capital requirements for commodity broker-dealers.
- WAC 460-70-010 Commodity broker-dealer notice of net capital deficiency.
- WAC 460-70-015 Bond requirements for commodity broker-dealers and commodity sales representatives.
- WAC 460-70-020 Application for registration and post-effective requirements for a commodity broker-dealer and commodity sales representatives.
- WAC 460-70-025 Financial statements for commodity broker-dealers.
- WAC 460-70-030 Segregation of accounts by commodity broker-dealers.
- WAC 460-70-035 Confirmations.
- WAC 460-70-040 Records required of commodity broker-dealers.
- WAC 460-70-045 Records to be preserved by commodity broker-dealers.
- WAC 460-70-050 Denial, revocation, and suspension of registration.
- WAC 460-70-060 Promotional materials to be filed, materials permitted without filing and prohibited materials.

**WSR 98-17-059**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**FINANCIAL INSTITUTIONS**

(Securities Division)

[Filed August 17, 1998, 8:50 a.m.]

Date of Adoption: August 17, 1998.

Purpose: Repeal various sections of chapter 460-52A WAC, Nonprofit organizations. These provisions merely duplicate the enabling statute, RCW 21.20.310(11), and are therefore unnecessary.

Citation of Existing Rules Affected by this Order: Repealing WAC 460-52A-010, 460-52A-030, 460-52A-040, 460-52A-050, and 460-52A-060.

Statutory Authority for Adoption: RCW 21.20.450.

Adopted under preproposal statement of inquiry filed as WSR 98-14-071 on June 30, 1998.

PERMANENT

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 5.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 5.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: No rule may be made unless the director of the Department of Financial Institutions finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of chapter 21.20 RCW.

Effective Date of Rule: Thirty-one days after filing.

August 17, 1998

John L. Bley

Director

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 17, 1998

Elin Meyer

Rules Coordinator

**AMENDATORY SECTION** (Amending WSR 97-21-125, filed 10/21/97, effective 11/21/97)

**WAC 182-04-070 Request for inspection of records.** The HCA hereby adopts for use by all persons requesting inspection and/or copying of its records, the form set out below, entitled "Request for Inspection of Records."

The information requested in Blocks ((+)) 4 through 6 is not mandatory, however, the completion of these blocks will enable this office to expedite your request and contact you should the record you seek not be immediately available.

- |             |                                 |
|-------------|---------------------------------|
| 1. Name     | 4. Phone Number                 |
| .....       | .....                           |
| 2. Address  | 5. Representing (if applicable) |
| .....       | .....                           |
| 3. Zip Code | 6. If urgent - date needed      |
| .....       | .....                           |

Below please state what record(s) you wish to inspect and be as specific as possible. If you are uncertain as to the type or identification of specific record or records we will assist you.

I certify that the information requested from the above record(s) will not be part of a list of individuals to be used for commercial purposes.

(Signed) .....

Date .....

Return the request for inspection of records to:

Public Disclosure Office  
Health Care Authority  
676 Woodland Square Loop S.E.  
Post Office Box 42705  
Olympia, Washington 98504-2705

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- |                 |  |
|-----------------|--|
| WAC 460-52A-010 | Definitions.   |
| WAC 460-52A-030 | Exemption for securities of nonprofit organizations. |
| WAC 460-52A-040 | Exemption notice.                                    |
| WAC 460-52A-050 | Filing fee.  |
| WAC 460-52A-060 | Duration of offering.                                |

**WSR 98-17-063**  
**PERMANENT RULES**  
**HEALTH CARE AUTHORITY**  
[Filed August 17, 1998, 10:19 a.m.]

Date of Adoption: August 17, 1998.

Purpose: Correct typographical error in WAC 182-04-070.

Citation of Existing Rules Affected by this Order: Amending WAC 182-04-070.

Statutory Authority for Adoption: RCW 41.05.160, chapter 41.05 RCW.

Adopted under notice filed as WSR 98-13-078 on June 16, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

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## WSR 98-17-069

## PERMANENT RULES

## DEPARTMENT OF AGRICULTURE

[Filed August 17, 1998, 3:44 p.m.]

Date of Adoption: August 17, 1998.

Purpose: To define freedom from infestation by plant pests and updating existing rules implementing chapter 15.13 RCW.

Statutory Authority for Adoption: Chapter 15.13 RCW.

Adopted under notice filed as WSR 98-13-129 on June 17, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 17, 1998

James M. Jesernig

Director

## Chapter 16-402 WAC

## FREEDOM FROM INFESTATION BY

## PLANT PESTS

NEW SECTION

**WAC 16-402-005 Freedom from infestation—General.** Issuance of any document stating that horticultural plants are apparently free from plant pests means only that the plants were inspected and found to meet the standards for freedom from infestation by plant pests described in this chapter. The department disclaims all expressed or implied warranties, including without limitations implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant material under this chapter. The department is not responsible for disease, genetic disorders, failure of performance or otherwise in connection with this chapter. No grower, nursery dealer, government official or other person is authorized to give any expressed or implied warranties on behalf of the department regarding this chapter.

NEW SECTION

**WAC 16-402-010 Definitions.** The definitions in this section shall apply throughout this chapter.

(1) "Department" means the Washington State Department of Agriculture.

(2) "Director" means the director of the Washington State Department of Agriculture or the director's duly authorized representative.

(3) "Established" means a reproducing population of a pest that is expected to have a permanent presence.

(4) "Harmful" means injurious or potentially injurious to horticultural plants.

(5) "Quarantine pest" means any pest listed in current Washington State quarantines as promulgated in chapter 17.24 RCW.

(6) "Practically free" means horticultural plants which do not exceed:

(a) a 2% infestation level; or

(b) an infestation in an amount expected to result from and be consistent with good culturing and handling practices employed in the production and marketing of the horticultural plants.

NEW SECTION

**WAC 16-402-015 Standards for freedom from infestation by plant pests.** Horticultural plants sold, held for sale, shipped or transported into the state must be:

(1) free of quarantine pests;

(2) free of pests that would be harmful if allowed to become established within the state or county; and

(3) practically free of plant pests.

Determination of this standard shall be based on visual inspection by the department.

NEW SECTION

**WAC 16-402-020 Compliance with standards required.** (1) Horticultural plants sold, held for sale, shipped or transported in the state must comply with the standards described in this chapter.

(2) The director may deny, suspend or revoke the license of any person selling, holding for sale, shipping or transporting horticultural plants in violation of this chapter, pursuant to RCW 15.13.350. The director may also issue civil penalties in accordance with RCW 15.13.490 for violations of this chapter.

(3) Any horticultural plant sold, held for sale, shipped or transported in violation of this chapter shall be subject to a hold order, issued pursuant to RCW 15.13.430, or an order of condemnation, issued pursuant to RCW 15.13.440. Upon issuance of a hold order or an order of condemnation, the seller or holder of the plant material is entitled to request a hearing under chapter 34.05 RCW.

(4) The department shall issue a Nursery Inspection Record or other official document(s) certifying compliance to this chapter.



**WSR 98-17-074**  
**PERMANENT RULES**  
**EVERETT COMMUNITY COLLEGE**

[Filed August 18, 1998, 8:55 a.m.]

Date of Adoption: August 12, 1998.

Purpose: To set forth statutes to protect and control vehicular and pedestrian traffic on property maintained by District 5.

Citation of Existing Rules Affected by this Order: Amending WAC 132E-16-003, 132E-16-008, 132E-16-010, 132E-16-012, 132E-16-040, 132E-16-070, 132E-16-215, 132E-16-280, 132E-16-240, 132E-16-300, 132E-16-330, and 132E-16-340.

Statutory Authority for Adoption: Chapter 34.05 RCW, RCW 28B.50.140(10).

Adopted under notice filed as WSR 98-14-109 on July 1, 1998.

Changes Other than Editing from Proposed to Adopted Version: Reason for Adoption of Rule: The purpose of chapter 132E-16 WAC is to provide college regulations to protect and control traffic and parking on property managed and maintained by Everett Community College.

Prior to the August 12, 1998, rule revision, chapter 132E-16 WAC was last codified in 1969. The revision was made to bring the regulations current to meet present day conditions.

The authority to adopt campus traffic regulations is among those powers vested in the board of trustees by RCW 28B.50.140.

Description of Changes in Text: The college published text of the proposed WAC revision in the state register. That text was provided to the board of trustees for review in a study session conducted on July 22, 1998.

As a result of response to public comment (summarized in the section below), the text of the revision, as adopted by the board of trustees on August 12, 1998, was different than the published text. The material changes to the text are described as follows:

1. Clarifications to the definitions of staff, guests and visitors, WAC 132E-16-003.

2. A clarification that permits are to be issued for parking of vehicles upon the college's property rather than for the operation of them while on the college's property, WAC 132E-16-008.

3. A clarification of permit requirements for vendor and delivery activities, WAC 132E-16-010.

4. A stipulation that the parking provisions of labor agreements will be honored, WAC 132E-16-010.

5. The addition of a provision for the issuance of temporary parking permits for short term activities and events, WAC 132E-16-010.

6. The addition of a provision relating to the payment of parking fees by clientele of tenants of the college, WAC 132E-16-010.

7. A clarification relating to the display of permits, WAC 132E-16-012.

8. An expansion of the WAC text governing right of way issues involving pedestrians, WAC 132E-16-040.

9. Clarification of the provisions relating to the impounding of vehicles, WAC 132E-16-070.

10. A clarification relating to the setting of fees and fines and to the place of payment for those fees and fines, WAC 132E-16-215.

11. Clarifications relating to publishing of the schedule of fines and service fees, WAC 132E-16-240, 132E-16-280.

12. A clarification related to the use on sidewalks of wheelchairs or like conveyances by handicapped persons, WAC 132E-16-300.

13. A stipulation that persons involved in orientation, registration, testing and admissions activities would be considered as guests for purposes of the traffic and parking regulations, WAC 132E-16-330.

14. A revision of the provision for metered visitor parking to address visitor parking in situations either with or without metered spaces, WAC 132E-16-330.

15. A clarification relating to complimentary parking passes, WAC 132E-16-330.

16. A clarification that a carpool permit would be issued to each student carpool group, WAC 132E-16-330.

17. A stipulation that the intended effective date of the revised rule would be according to the provisions of WAC 3-05-380 [RCW 34.05.380], WAC 132E-16-340.

Summary of Public Comments and Agency Consideration of Comments: A rule-making hearing was conducted on August 4, 1998, to receive oral public comment. Written public comments were also received.

By subject matter, the public comments and the college's response to them are summarized as follows:

1) The proposed WAC was in conflict with provision of negotiated labor agreements.

- The WAC was revised to provide assurance that provisions of negotiated labor agreements would be honored.

2) A concern was expressed about the arbitrary and unilateral setting of fees set by the college president.

- The WAC was revised to stipulate that fees would be established by the president in collaboration with others.

3) The need for charging parking fees to employees was questioned.

- The practice of charging parking fees to employees is considered to be equitable as a user fee; employees who choose not to bring a car onto the campus for parking are not expected to pay parking fees.

4) An equitable rate structure among employees should exist for parking charges.

- The provision for established parking rates for employees in the WAC is not considered to be inherently inequitable.
- The WAC was revised to stipulate that parking and traffic regulations will honor provisions of negotiated labor agreements, including those related to parking fees.
- The WAC was revised to stipulate that fees and fines will be established in collaboration with the college administration, the employee bargaining units and students.

5) Provisions of the WAC for visitor parking were problematic.

- The WAC was revised to indicate that persons coming to campus for registration, orientation, testing and admissions activities would be considered as guests.
- The WAC was revised [to] make the issuance of complimentary parking permits more flexible.

6) Various concerns were expressed about the enforcement of certain provisions of the WAC.

- Staffing is expected to be adequate to enforce the regulations during special events and at remote locations.
- Office hours for the Security Office are adequate to assure presence of someone to issue visitor permits.
- The requirement for a handicapped person to go to the Security Office and then return to his/her car to display the issued permit is not considered to be a hardship.
- The time and trouble to follow up on fine collection is an extension of the enforcement of regulations and is necessary.
- The WAC was revised to clarify the permit requirements for vendor and delivery personnel.
- The WAC was revised to more clearly state the provisions relating to right of way matters which involve pedestrians.
- The WAC was revised to allow the use of any type of wheelchairs or like conveyances on college sidewalks by disabled persons.

7) The WAC seems to conflict with RCW 11.08.070 which covers parking for handicapped persons.

- RCW 11.08.070 is not a valid citation. A review of RCW Title 46 RCW for Motor Vehicles did not reveal a conflict between the proposed WAC and state law.

8) The WAC was not clear with respect to the number of student car pool passes that could be issued.

- The WAC was revised to clarify that a permit would be issued to each student car pool.

9) The WAC contains an internal conflict in that tourists are allowed to drive through the campus without a permit and that anyone operating a vehicle on campus is required to obtain a permit.

- The WAC was revised to remove the conflict.

10) The hearing officer should be directed to rule on a motion during the rule-making hearing.

- The hearing is of a legislative nature for the purpose of receiving public comment and is not of an adjudicative nature.

11) The setting of parking permit fees is subject to collective bargaining.

- As a result of collective bargaining, there are labor agreements in place for both faculty and for classified personnel. Both agreements speak definitively to the payment of fees by union members.
- The proposed WAC does not include fee or fine rates and thus is not in conflict with negotiated agreements.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 11, Amended 19, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 11, Amended 19, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 4, Amended 8, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 14, 1998

Juli Boyington

Rules Coordinator

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-001 Objectives of traffic rules and regulations.** ~~((1) To protect and control pedestrian and vehicular traffic;~~

~~(2) To assure access at all times for emergency equipment;~~

~~(3) To minimize traffic disturbance during class hours;~~

~~(4) To facilitate the work of the college by assuring access to its vehicles and to assign the limited parking space for the most efficient use.))~~ (1) To facilitate the operations of Everett Community College (EvCC) by assuring access to it by vehicles; and

(2) To provide safe pedestrian, bicycle, and vehicular traffic ingress and egress to the EvCC campus and satellite sites; and

(3) To assure access to the EvCC campus and satellite sites at all times for emergency, maintenance and custodial equipment; and

(4) To minimize traffic disturbance during class hours; and

(5) To manage and to enforce vehicular traffic and parking on the EvCC campus and satellite sites.

NEW SECTION

**WAC 132E-16-003 Definitions. Everett Community College (EvCC):** For the purpose of these rules and regulations, the EvCC campus includes all property owned or operated by the college including the main campus, the EvCC Fitness Center (gym), Aviation Training Center at Paine Field, the Advanced Technology Training Center (ATTC) in South Everett, and the Cosmetology facility in Marysville, or any street, roadway, or parking lot owned, leased, or maintained by EvCC.

These rules and regulations shall also be applicable to all state lands which are or may hereafter be devoted mainly to

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educational, research, recreational, or parking activities of Everett Community College.

**Staff:** All employees - full-time and part-time - of Everett Community College and those employees of Western Washington University and Edmonds Community College whose duty station is on the EvCC campus.

**EvCC parking lots:** Located as follows:

Between North Broadway on the east, Wetmore Avenue on the west, Tower Street on the north and 10th Street on the south.

East and west of Waverly Avenue at Tower Street.

Physical Education/Fitness Center (gym) - 1220 Rockefeller Street.

Aviation training site - Paine Field.

ATTC - south Everett.

Cosmetology - Marysville.

**Guest:** A person or group of people who are on the EvCC campus at the invitation of the college or who are attending an event, training, a seminar, or a class for which space has been rented, leased, or provided by the college, tenants of the college and their clientele. Note: Clientele of tenants of EvCC are subject to the provisions of this code: Payment of parking fees of clientele of tenants may be arranged through the tenant lease agreement or paid by the client.

**Visitor:** A person or group of people visiting the EvCC campus who are not employees, students, or guests of the college.

**Unresolved violation notice:** An unresolved traffic violation notice is one for which the violator has failed to pay the fine in the time required; or for which the appeal has been completed and the judgment on review was "sustained," but the violator has failed to pay the fine.

**AMENDATORY SECTION** (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-005 Applicable traffic rules and regulations**~~((—Areas affected)). ((The traffic regulations which are applicable upon state lands devoted mainly to the educational activities of Everett Community College are as follows:~~

~~(1) The motor vehicle and other)) In addition to these rules and regulations, the traffic laws and regulations of the state of Washington ((shall be applicable upon all lands located within the state of Washington.~~

~~(2) The traffic code of Everett, Washington, and)), Snohomish County ((shall also be applicable to all state lands which are or may hereafter be devoted mainly to educational, research, recreational, or parking activities of Everett Community College)), city of Everett and city of Marysville apply.~~

## NEW SECTION

**WAC 132E-16-008 Authority.** (1) The Everett Community College director of campus safety and the security staff have the authority to enforce these rules and regulations. They may issue parking and traffic citations, impose fines, impound and/or immobilize vehicles, and control and regulate traffic as set forth in these rules and regulations.

(2) The college security office is authorized to issue all permits to park a motor vehicle on the EvCC campus.

(3) The EvCC security office is authorized to place signs, barricades, and other structures and to paint marks and other pedestrian and traffic directions upon/or in the EvCC campus parking lots for the regulation of traffic and parking that will provide safe ingress to and egress from the EvCC campus.

(4) The authority and powers conferred upon the Everett Community College director of campus safety by these regulations shall be subject to delegation by him/her to his/her subordinates, or a designee in writing.

**AMENDATORY SECTION** (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-010 Permits required for vehicles on campus.** ~~((All students, faculty members, administrative staff members and employees using motor vehicles for transportation to and from Everett Community College are required to register their vehicles and must park said vehicle on campus.~~

~~Except as provided in WAC 132E-16-015 and 132E-16-090 of these regulations,)) (1) No person shall ~~((drive any vehicle, nor shall any person))~~ stop, park, or leave ~~((any))~~ a motor vehicle ~~((, whether attended or unattended,))~~ upon ~~((the campus of))~~ grounds maintained by Everett Community College without a parking permit issued by the ~~((security department))~~ college security office.~~

~~((1) Permission to drive on campus or to park thereon will be shown by display of a valid permit issued by the security department.~~

~~(2) A valid permit is:))~~

~~(a) ((An)) Businesses engaged in delivery service to the campus are exempt from obtaining a parking permit.~~

~~(b) Vendors and those engaged in product sales are required to obtain a "vendor" parking permit.~~

~~(2) Upon payment of the parking permit fee and registration of their vehicles at the security office, students and staff shall be issued the appropriate staff or student parking permits. A current, unexpired parking ~~((decal properly registered and))~~ permit which is displayed ~~((in accordance with instructions; or~~~~

~~(b) A temporary permit authorized by the security department and displayed in accordance with instructions on the permit; or~~

~~(c) A parking permit issued by a security department attendant, which must be displayed on the vehicle in accordance with instructions.~~

~~(3) Parking permits are not transferable)) as directed by the security office, shall constitute a valid permit and evidence of permission by EvCC to stop, park or leave a vehicle upon grounds owned, operated, or maintained by Everett Community College.~~

~~A temporary parking permit may be authorized by the security office for short-term classes, seminars, conferences, and/or events.~~

~~(3) When a staff member or student acquires a new or different vehicle it shall be necessary to register the new vehicle with the college security office when it is first driven onto~~

campus. No new fees for parking will be required and a new permit will be issued if necessary.

(4) Guests of EvCC may obtain "guest" parking permits by registering their vehicles at the security office. The guest will be instructed to display the parking permit on the dashboard at the driver's side of the vehicle with the permit date able to be read from outside the vehicle.

(5) Failure to purchase or obtain an EvCC parking permit and to properly display the permit is a violation of these rules and regulations.

(6) Parking permits will not be required of government owned and licensed vehicles.

(7) Provisions within negotiated labor agreements of the college will be honored.

(8) Clientele of tenants of EvCC are subject to the provisions of this code. Payment of parking fees of clientele of tenants may be arranged through the tenant's lease agreement or paid by the client.

#### NEW SECTION

**WAC 132E-16-011 Failure to register.** Persons other than those exempted elsewhere in these regulations who park a motor vehicle on the EvCC campus and who fail to obtain a valid parking permit are in violation of these rules and regulations.

#### NEW SECTION

**WAC 132E-16-012 Display of permits.** The EvCC parking permit shall be displayed in accordance with these regulations. Expired student parking permits shall be removed before the new permit is attached to the vehicle. The permit shall be displayed in or on a vehicle and must be positioned so that the permit number and any expiration date are clearly visible to parking enforcement staff. Expired staff parking permits should be removed. Parking permits not displayed in accordance with the provisions of this section is a violation of these rules and regulations. Parking permits shall be displayed by the first day of the second week of each academic quarter.

#### NEW SECTION

**WAC 132E-16-013 Permit holder responsibilities.** Pursuant to these regulations, any person issued a valid parking permit shall be responsible for all violations involving the vehicle for which the permit was issued. Improper operation of a vehicle with a valid EvCC parking permit on the EvCC campus by someone other than the registered holder of the parking permit shall not relieve the registrant of responsibility for his/her vehicle.

#### NEW SECTION

**WAC 132E-16-014 Permit periods.** All staff parking on the EvCC campus shall be on a permit basis. Staff permits may be purchased by the quarter or annually. Student parking permits shall be purchased quarterly.

#### NEW SECTION

**WAC 132E-16-015 Parking.** (1) The director of campus safety is authorized to designate and to mark the various parking areas and spaces on the EvCC campus with numbers or letters and by the posting of signs in these areas.

(2) No vehicle shall be parked on the EvCC campus except in those areas specifically set aside and designated as vehicle parking areas. Every vehicle parked on campus must be parked within a single defined parking space. The fact that other vehicles are parked so as to require occupying a portion of more than one space shall not constitute an excuse for a violation of this section.

(3) No vehicle shall be parked in a parking space without a permit for that specific area or space, except as provided for in other sections of these regulations.

(4) Only vehicles needed for maintenance and landscaping may be parked on planted grounds, or on any walkways or pathways intended for pedestrians.

(5) No vehicle may be parked in colored curb zones, fire lanes, driveways, pedestrian walkways, or loading and service areas.

(6) No vehicle shall be parked in such a manner that when the parked vehicle reenters the traffic, entry will be against the designated parking lot traffic flow.

(7) Parking spaces will be designated for staff, visitor, car pool, disabled persons, and reserved. The allocated parking spaces are exclusively for use by those designated, provided that the appropriate parking permits are obtained by the users and are displayed properly upon their vehicles. People with disabilities - staff, visitors, and students - shall be given parking priority whenever possible within close proximity to offices, classrooms, or access ways.

(8) No student or staff member shall park in a handicapped designated parking space without possessing either a Washington state permanent handicapped permit or an EvCC temporary handicapped parking permit approved by the center for disability services and issued by the college security office. A visitor to EvCC may park in a handicapped space only with a valid Washington state handicapped parking permit and an EvCC visitor's pass issued by the security office.

(9) After 1:00 p.m., student "car pool" parking on the EvCC campus will be "open parking," and after 7:00 p.m., parking on the EvCC campus will be "open parking."

(10) The exception to the "open parking" section will be during an emergency or during a special event involving the EvCC campus.

#### AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-020 Speed.** (1) No ~~((vehicle))~~ person shall ~~((be operated on))~~ drive a motor vehicle upon the EvCC campus at a speed ((in excess of ten miles per hour or such lower speed as)) greater than is reasonable and prudent ((in the circumstances)) under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle, or other conveyance on or

entering the campus in compliance with legal requirements and the duty of all persons to use due care.

(2) ~~No one shall operate a motor vehicle ((of any type shall at any time use the campus and/or lands devoted to educational, research, recreational or parking for Everett Community College,)) on EvCC grounds, streets, walks, parking lots or maintained sites for the purpose of testing, racing or other activities deemed unlawful by code WAC 132E-16-005.~~

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-030 Regulatory signs and directions.** Drivers of vehicles operated on the EvCC campus shall obey all posted regulatory traffic and parking signs ((posted by the college)). Drivers ~~((of vehicles))~~ shall also comply with reasonable verbal directions given ((them)) by ((officers)) employees of the EvCC security ((department in the control and regulation of traffic)) office.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-040 Pedestrians—Right of way.** (1) ~~((The operator of a vehicle shall yield the right of way, slowing down or stopping, if need be, to so yield to any pedestrian crossing any street or roadway within a crosswalk, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.~~

(2) ~~Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross a crosswalk, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.~~

(3) ~~Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection, shall yield the right of way to all vehicles upon the street or roadway.~~

(4) ~~Pedestrian traffic on a street or roadway where a sidewalk is provided shall proceed upon such a sidewalk. Pedestrians upon a street or roadway where no sidewalk is provided shall proceed on the extreme left hand side of the roadway, facing oncoming traffic, and upon meeting an oncoming vehicle shall stop to their left and clear of the street or roadway.) Stopping for pedestrian. The operator of an approaching vehicle shall stop and remain stopped to allow a pedestrian to cross the roadway within a crosswalk unmarked or marked when the pedestrian is upon or within one lane of the half of the roadway upon which the vehicle is traveling or onto which it is turning.~~

(2) Pedestrian sudden movements. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to stop.

(3) Subsection (1) of this section shall not apply under the conditions stated in subsection (6) of this section.

(4) Overtaking vehicles stopped for pedestrian. Whenever any vehicle is stopped at a marked crosswalk or at any

unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

(5) Yield right of way. Every pedestrian crossing a roadway at any point other than in a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

(6) Curb ramps. Where curb ramps exist at or adjacent to intersections or at marked crosswalks in other locations, disabled persons may enter the roadway from the curb ramps and cross the roadway within or as closely as practicable to the crosswalk. All other pedestrian rights and duties as defined elsewhere in this code remain applicable.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-070 ((Disabled and)) Inoperative vehicles—Impounding.** No ~~((disabled or inoperative))~~ vehicle shall be parked on the EvCC campus for a period in excess of ~~((forty-eight))~~ twenty-four hours without the approval of the college security office. Students and members of EvCC staff may leave their vehicles parked in a designated campus parking area in excess of the twenty-four hour rule only while away from EvCC on official EvCC business and upon proper notification to the security office. Vehicles ~~((which have been))~~ parked ~~((for periods))~~ in excess of ~~((forty-eight))~~ twenty-four hours ~~((and which appear to be disabled or inoperative))~~ may be impounded and stored at the expense of ~~((either or both))~~ the registered owner ((and operator thereof)) of the vehicle. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from ~~((such))~~ impounding and storage.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-090 Special traffic and parking regulations and restrictions authorized.** ~~((Upon))~~ During special events or occasions ((causing additional heavy)) that result in a greater than normal traffic flow and during ((emergencies)) any emergency, the college security ((department is authorized to)) office may impose additional traffic and parking regulations and/or restrictions ((for the achievement of the objectives in WAC 132E-16-001 of these regulations)) involving vehicle speed and/or parking as deemed appropriate for the situation. Special traffic and parking restrictions will only be in effect as long as the situation dictates.

NEW SECTION

**WAC 132E-16-094 Motorcycle parking.** In order to provide space on the EvCC campus, motorcycles shall only be parked in spaces designated and reserved for motorcycles. Motorcycles require an EvCC parking permit.

NEW SECTION

**WAC 132E-16-095 Bicycle parking.** No bicycle shall be parked on a path or sidewalk, or on any landscaped area on the EvCC campus. Bicycles shall only be parked in areas designated and reserved for bicycles. No parking permit is required for the operation or parking of a bicycle on the EvCC campus.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-130 Permit revocation.** ~~((+))~~ Parking permits ~~((are the property of the college and))~~ may be ~~((recalled by the dean of students))~~ revoked for any of the following reasons:

~~((a))~~ (1) When the purpose for which the permit was issued changes or no longer exists.

~~((b))~~ (2) When a permit is used ~~((by an unregistered))~~ on a vehicle ~~((or by an unauthorized individual))~~ not registered with the college security office.

~~((c))~~ Falsification on a parking permit application.

~~((d))~~ Continued violations of parking regulations.

~~((e))~~ Counterfeiting or altering of stickers.

~~((f))~~ When it is in the best interest of the college ~~((3))~~ For willful or continued violation of college parking regulations.

(4) For falsification of information provided on the permit application.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-140** ~~((Duplicate permits for faculty and staff personnel))~~ Transferable parking permits—Staff member. ~~((Full-time faculty and staff personnel may apply on a separate application for a second car permit without charge.))~~ A parking permit assigned to a vehicle owned by a staff member and registered with the security office is transferable to any vehicle owned by the staff member provided the alternate vehicle is also registered with the security office.

NEW SECTION

**WAC 132E-16-215 Parking permit fee, service fee and parking fine.** (1) Parking permit fees, service fees and parking fines shall be established by the EvCC college president in collaboration with the bargaining units, administration and students, and published in a fee schedule.

(2) Payment for parking permits shall be made to the cashiers' office or by payroll deduction for employees who choose this method.

(3) The date established to file for payroll deduction for staff parking permits will be established each academic year by the payroll office.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-220 Procedure—Issuance of** ~~((summons—Traffic tickets))~~ traffic violation notice. Upon violation of any of these regulations, an ~~((officer))~~ employee or designee of the college security ~~((department))~~ office may issue ~~((a summons or traffic ticket))~~ an EvCC traffic violation notice setting forth the date, ~~((the approximate))~~ violation time, ~~((the locality, and the nature of the))~~ violation location, the vehicle license number and general description of the vehicle, and nature of the violation. ~~((Such summons may))~~ The traffic violation notice will be served by attaching ~~((or affixing a))~~ the pink copy ~~((thereof))~~ to the vehicle ~~((allegedly involved in such violation, or by placing a copy thereof in some prominent place outside such vehicle.))~~ or by personally serving the ~~((operator))~~ traffic violation notice to the alleged violator.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

**WAC 132E-16-230** ~~((Grievance proceedings—Bond for appearance—Date of hearing.))~~ Traffic violation notice—Appeal procedure. (1) ~~((The summons or))~~ Any traffic ~~((ticket))~~ violation notice issued pursuant to ~~((WAC 132E-16-220 and 132E-16-240 of))~~ these regulations shall direct the alleged violator to ~~((appear at the business office within forty-eight hours.))~~

(2) ~~All appeals on traffic violations (tickets) may go through the following procedure: Security officer, dean of students, disciplinary committee and the college president.~~

(3) ~~The dean of students, upon receipt of the student's written grievance, will arrange time and place to discuss the violation with the student.~~

(4) ~~A representative of the security department may be present when violators are brought before the dean of students) pay the specified fine at the security office or cashier's office. If the alleged violator elects to appeal the traffic violation notice, she/he shall provide the director of campus safety with a written explanation of the circumstances surrounding the alleged traffic violation within five working days of the issue date of the traffic violation notice. No appeal shall be accepted after five working days following issuance of the violation notice.~~

(2) Upon receipt of the written appeal for an alleged violation, the director of campus safety shall set a mutually agreeable date, time and location to review the alleged violation and written explanation of the circumstances surrounding the alleged violation. During the review, a representative of the college security office and a representative of the alleged violator may be present. The review shall be set for no later than five working days from receipt of the written appeal. Within three working days following the completion of the review, the director of campus safety shall issue a written decision concerning the appeal. The written decision shall be limited to: Traffic violation notice sustained - the violation occurred as stated; traffic violation not sustained - the violation did not occur as stated (case dismissed for lack of proper violation); traffic violation notice dismissed - the

violation did not occur; traffic violation notice warning - the violation did occur and an admonishment given in lieu of a fine.

(3) In the event that the violator is a student and she/he fails to comply with the final decision of the director of campus safety, all further EvCC parking privileges of the student shall be forfeited, and the student may not be able to obtain college records or to register for subsequent quarters until all fines are paid.

(4) Staff members are responsible for following the procedures established in this section to resolve parking violation notices.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-240 Fines and penalties. ~~((The))~~ Fines ~~((or penalties to be assessed))~~ for violations of these regulations shall be as follows:

(1) ~~((A))~~ Fines ~~((of \$2.00))~~ will be levied for ~~((all violations on campus and for unauthorized))~~ parking ~~((in restricted areas))~~ violations that occur on the EvCC campus. A schedule of fines shall be published in the EvCC Student Handbook and on the parking citation form, and a copy of the fine schedule shall be available in the security office.

(2) All violators ~~((who fail to report within a forty-eight hour period on a violation will be subject to a fine of \$4.00.~~

~~((3) A student who has an accumulation of traffic violations will be referred to the dean of students, and if necessary, to the disciplinary committee for further action))~~ who pay fines within two working days will have the assessed fines reduced by fifty percent.

(3) All EvCC staff and students who fail to display a current permit by the second week of classes shall be subject to receive a parking violation notice.

(4) If a student fails or refuses to pay an uncontested fine that has been outstanding for over five working days, the student may not be able to obtain college records or to register for subsequent quarters until all fines are paid.

(5) Upon the showing of mitigating circumstances, the college security office may grant an extension of time within which to comply with a traffic violation notice.

(6) Resolution of traffic violations is the responsibility of the violator.

(7) Unpaid traffic violations are unpaid debt owed to Everett Community College.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-280 Impounding of vehicles. Any vehicle parked ~~((upon state lands devoted mainly to the educational purposes of Everett Community College))~~ with more than five unresolved parking violations of these regulations or parked in violation of these regulations ~~((including the motor vehicle and other traffic laws of the state of Washington, and the traffic code of the city of Everett as incorporated in WAC 132E-16-005,))~~ in excess of twenty-four hours may be impounded ~~((and taken to such place for storage as the security officer selects. The expenses of such impoundings~~

~~and storage shall be charged to the owner or operator of the vehicle and paid by him prior to its release))~~ from the EvCC campus. The vehicle may be impounded and stored following the issuance of a traffic violation notice by the EvCC security department. The traffic violation notice shall be posted at a conspicuous place on the vehicle. The cost incurred for the towing and storage of an impounded vehicle is the responsibility of the vehicle owner. Payment of impounding and storage fees is between the owner of the impounded vehicle and the tow/storage company. Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule depicted in the EvCC Student Handbook. The college and its employees shall not be liable for loss or damage of any kind resulting from ~~((such))~~ impounding and storage.

#### NEW SECTION

WAC 132E-16-285 Impoundment without notice. A vehicle may be impounded without notice to the owner and/or operator under the following circumstances:

(1) When, in the judgment of the director of campus safety, or his/her designee, the vehicle is obstructing or impeding the flow of traffic on the EvCC campus; or

(2) When, in the judgment of the director of campus safety, or his/her designee, the vehicle poses an immediate threat to public safety.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-290 ~~((Accidents, must report,))~~ **Traffic accident—Reporting.** The operator of any vehicle involved in ~~((an))~~ a traffic accident on the EvCC campus ~~((resulting in))~~ which results in vehicle damage, property damage, and/or injury ~~((to))~~ or death ~~((of any))~~ to another person ~~((or total or claimed damage to either or both vehicles of any amount)),~~ shall ~~((within twenty-four hours after such accident))~~ make a written report ~~((thereof))~~ to the ~~((security office on forms to be furnished by said office. This))~~ EvCC director of campus safety within twenty-four hours following the accident. The written report of the accident shall include complete details of the vehicle operator, the complete description of vehicles and persons involved, including vehicle passengers, and any witnesses present at the time of the accident. The report shall also include a detailed narrative describing the accident. Reporting a traffic accident to the EvCC director of campus safety does not relieve any person ~~((so))~~ involved in ~~((an))~~ a traffic accident on the EvCC campus from ~~((their))~~ the responsibility to file a state of Washington motor vehicle accident report form.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-300 ~~((Two-wheeled motor bikes or bicycles,))~~ **Motor bikes, bicycles, skateboards, roller blades, etc.—Operation on the EvCC campus.** ~~((1))~~ All two-wheeled vehicles empowered by motor or foot shall park in a space designated by the security office.

~~(2) No vehicle shall be ridden on the sidewalks on campus at any time.))~~ No motor bike, bicycle, skateboard, roller blade or other variation of motorized or self-propelled device, excluding a wheelchair (or like conveyance) used by a disabled person, shall be driven or ridden on EvCC sidewalks or other pedestrian accesses at any time except for those specifically authorized by the EvCC security office.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-320 Tourists ~~((and visitors — Exemption from permit requirements)). ((The security department may allow))~~ A tourist ~~((s and visitors))~~ may drive through the EvCC campus parking lots without a parking permit ~~((s to drive through the campus without parking, provided, however, that said parties may be required to wait at the entrance to the campus during the time at which classes change)).~~ If a tourist decides to park his/her vehicle on campus, the vehicle operator or designee must obtain a guest parking permit from the EvCC security office.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-330 Visitors ~~((and)),~~ guests and special parking. (1) ~~((All visitors and))~~ A guest ~~((s, salesmen, maintenance or service personnel and all other members))~~ of the ~~((public who are not))~~ college ~~((employees or students, will park in available space as))~~ shall be directed by the security ~~((department))~~ office to park in any unrestricted parking space available on the EvCC campus. Those persons involved in testing, orienting, registering and admission to EvCC shall be considered guests for the purposes of this code.

(a) ~~((Members of the board of trustees and others designated by the college may be given complimentary annual permits.))~~ Complimentary parking permits may be given at the direction of the president of Everett Community College.

(b) Federal, state, county, city and school district personnel on official business and in vehicles with tax exempt ~~((licenses will be allowed to park in designated areas))~~ license plates are exempt from obtaining an EvCC parking permit. A guest parking permit will be issued upon request by the vehicle operator.

(c) Vehicles owned by contractors and their employees working on campus construction ~~((will))~~ shall be parked in designated areas as directed by the director of campus safety. A special permit shall be issued by the security office for each contractor's vehicle ~~((se))~~ parking on the EvCC campus.

(d) Visiting academic or administrative personnel from other colleges or universities and guest speakers will be ~~((parked, as far as possible, in a visitors section))~~ issued "guest parking permits" and may park in any unrestricted parking space available on the EvCC campus.

~~((Responsibility for making parking arrangements for guests will rest with the sponsoring department.))~~

(e) ~~((Members of the press, television and radio on official business will park in designated areas.))~~ Responsibility

for making parking arrangements for guests will rest with the sponsoring department through the director of campus safety.

(f) Visitor parking may be metered. If visitor parking is metered, visitors to the college shall be directed to park in metered "visitor" parking stalls. Those parking at metered "visitor" parking stalls with "expired" time will be subject to a traffic violation notice. If visitor parking is not metered, visitors shall be directed to park in visitor parking stalls.

(2) Special permits.

(a) ~~((A special))~~ Guest parking permit will be issued to ~~((those using a car))~~ a person using vehicles other than their primary vehicles, on a temporary basis.

(b) The security ~~((department))~~ office will assist college departments which sponsor functions such as conferences, seminars, dinners, and similar events in arranging reserved parking. Advance notice must be given in writing by the sponsoring department to the ~~((security department))~~ director of campus safety at least ten days prior to the event.

(c) One student car pool parking permit capable of being moved from one registered vehicle to another within a student car pool membership will be issued to each designated student car pool.

(d) Individual car pool permits will be issued to each member of a registered staff car pool.

AMENDATORY SECTION (Amending Order 1969-2, filed 2/3/69)

WAC 132E-16-340 Adoption. The board of trustees of the Community College District No. 5 acting for the Everett Community College ~~((, find that the immediate adoption of the foregoing traffic regulations of Everett Community College is necessary for the preservation of public safety and general welfare. The observance of the requirements of notice and opportunity to present views on the proposed traffic regulations would be contrary to the public interest, therefore, the board adopts the traffic regulations as an emergency rule. The reason for the finding is that due to an oversight, notice and hearing on the regulations were not regularly scheduled and it is imperative that regulations be in effect for 90 days to provide time for notice and hearing. That regulations are necessary for the safety of the students and other users of the Everett Community College campus and for the safety of the general public and the general welfare of the public and property owners adjacent or near to the campus of the Everett Community College))~~ do hereby adopt these rules and regulations for the safety of the students, staff and other users of the Everett Community College campus and for the safety of the general public and the general welfare of the public and property owners adjacent or near to the campus of Everett Community College.

Approved August 12, 1998, by motion 98-08-003.

This code is effective on the date established in RCW 34.05.380, following the code's adoption by the board of trustees, and shall remain in full force until revised or repealed.



**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 132E-16-050	Parking—Permits required.
WAC 132E-16-060	Parking within designated spaces.
WAC 132E-16-080	Exceptions from traffic and parking restrictions.
WAC 132E-16-100	Authorization for issuance of permits.
WAC 132E-16-110	Number of parking areas.
WAC 132E-16-120	Allocation of parking space.
WAC 132E-16-150	Faculty and staff permit periods.
WAC 132E-16-160	Fees for permits for student upper lot parking.
WAC 132E-16-170	Payment for parking permits.
WAC 132E-16-180	Display of permits.
WAC 132E-16-190	Responsibility of person to whom permit issued.
WAC 132E-16-200	Issuance of parking permits.
WAC 132E-16-210	Location of parking areas.
WAC 132E-16-250	Mitigation and suspension of penalties.
WAC 132E-16-260	Enforcement of determination of the dean of students.
WAC 132E-16-270	Regulatory signs, markings, barricades, etc.
WAC 132E-16-310	Delegations of authority.

**WSR 98-17-075**  
**PERMANENT RULES**  
**SECRETARY OF STATE**  
 [Filed August 18, 1998, 9:21 a.m.]

Date of Adoption: August 17, 1998.

Purpose: Amending WAC 434-110-060 to establish rules to accept and file facsimile transmissions of documents to be filed pursuant to Title 23, 23B, 24 or 25 RCW or chapter 18.100 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 434-110-060.

Statutory Authority for Adoption: Chapter 38, Laws of 1998, RCW 43.07.120.

Adopted under notice filed as WSR 98-13-099 on June 17, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 17, 1998

Tracy Guerin

Deputy Secretary of State

**AMENDATORY SECTION** (Amending WSR 94-19-004, filed 9/8/94, effective 10/9/94)

**WAC 434-110-060 In-person or expedited ((counter)) service—Special fees.** (1) The corporations division counter is open to in-person requests from 8:00 a.m. to 5:00 p.m. each business day. Staff provides expedited, same-day processing of corporate documents or requests received prior to 4:30 p.m. on that day. These services are available for the following transactions:

- Charter document review and filing;
- Name reservation review and filing;
- Document certification;
- Document copying or status certificates;
- Status change filings; and
- Trademark filings.

(2) The fee for same-day service is twenty dollars for single or multiple transactions within each new or existing corporation or trademark file. In addition, a regulatory fee for each transaction may apply.

(3) All documents submitted for filing via facsimile transmission are treated as expedited processing requests. Documents transmitted via facsimile will receive expedited forty-eight hour processing when the documents are received between 8:00 a.m. and 5:00 p.m. each business day. The fee for facsimile filings is twenty dollars for single or multiple transactions within each new or existing corporation or trademark file. In addition, a regulatory fee for each transaction may apply.

(4) There is no expedited fee for the following transactions, unless they are submitted via facsimile transmission as set forth under subsection (3) of this section:

- Registered agent or address change;
- Initial reports;
- License renewal and required annual report;
- Amended annual reports;
- Reinstatements;
- In-person inspection or review of corporation files or other public documents located in the corporations division office;

(g) Documents left at the counter for processing with mail-in documents received the same day; or

(h) A search for nonactive corporations less than twenty years old or trademark files less than six years old.

A request for search of nonactive corporation files more than twenty years old or trademark files more than six years old should be made directly to the archives division of the office of the secretary of state.

~~((4))~~ (5)(a) If staff cannot complete the expedited service request before the end of the same day, or the second consecutive business day for facsimile filings, the transaction will be completed first on the following business day.

(b) Emergency services needed outside regular business hours requiring employee overtime are one hundred fifty dollars per hour plus regulatory or statutory fees due for the form of the filing. When the division receives an emergency request, staff notifies the customer of the service fee and any other reasonable conditions set by the director. The customer must agree to pay the fees before emergency services are provided.

~~((5))~~ (6) Over-the-counter service hours may be shortened under extraordinary circumstances. Separate service requests by one person may be limited to those relating to three corporations per day. Documents submitted by courier services or document-handling companies may receive twenty-four-hour service. A customer may make alternate arrangements with the director prior to bringing or sending in documents, if a sudden, unexpected situation occurs during the business day.

Under special circumstances, the filing party may petition the Secretary in writing to request a waiver of emergency or penalty fees.

**WSR 98-17-083**

**PERMANENT RULES**

**DEPARTMENT OF LICENSING**

[Filed August 18, 1998, 3:59 p.m.]

Date of Adoption: August 17, 1998.

Purpose: Incorporation by reference of the 1998 edition of the Uniform Standards of Professional Appraisal Practice, the generally recognized national organized standards of real estate appraisal. Incorporation by reference is required because to incorporate the whole text would be unduly cumbersome and expensive.

Citation of Existing Rules Affected by this Order: Amending WAC 308-125-200.

Statutory Authority for Adoption: RCW 43.24.086.

Adopted under notice filed as WSR 98-12-065 on June 1, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 18, 1998

Alan E. Rathbun

Assistant Director, BPD

**AMENDATORY SECTION** (Amending WSR 91-04-074, filed 2/5/91, effective 3/8/91)

**WAC 308-125-200 Standards of practice.** (1) The standard of practice governing real estate appraisal activities will be the 1998 edition of the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation. A copy of the Uniform Standards of Professional Appraisal Practice is available for review and inspection at the office of the Real Estate Appraiser Unit Office, Olympia, Washington. The Uniform Standards of Professional Appraisal Practice is a copyright document. Copy of the full text may be obtained from the Appraisal Foundation at The Appraisal Foundation, P.O. Box 96734, Washington, DC 20090-6734.

(2) Expert review appraisers as defined by RCW 18.140.010(11) while performing expert reviews pursuant to chapter 18.140 RCW are exempt from the Uniform Standards of Professional Appraisal Practice. Standard 3 review provisions while performing expert reviews for the director.

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

**WSR 98-17-099**

**PERMANENT RULES**

**DEPARTMENT OF HEALTH**

[Filed August 19, 1998, 11:02 a.m.]

Date of Adoption: August 1, 1998.

Purpose: Certificate of need program regulates health planning services to Washington state citizens.

Citation of Existing Rules Affected by this Order: Amending WAC 246-310-395 and 246-310-397; and new section WAC 246-310-045.

Statutory Authority for Adoption: Chapter 70.38 RCW.

Adopted under notice filed as WSR 98-12-067 on June 1, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 2, Repealed 0.

PERMANENT

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 17, 1998

K. Van Gorkom

Deputy Secretary

## NEW SECTION

**WAC 246-310-045 Exemption from certificate of need requirements for a change in bed capacity at a residential hospice care center.** (1) A change in bed capacity at a residential hospice care center shall not be subject to certificate of need review under this chapter if the department determined prior to June 1994 that the construction, development, or other establishment of the residential hospice care center was not subject to certificate of need review under this chapter.

(2) For purposes of this section, a "residential hospice care center" means any building, facility, place, or equivalent that opened in December 1996 and is organized, maintained, and operated specifically to provide beds, accommodations, facilities, and services over a continuous period of twenty-four hours or more for palliative care to two or more individuals, not related to the operator, who are diagnosed as being in the latter stages of an advanced disease that is expected to lead to death.

**AMENDATORY SECTION** (Amending WSR 98-10-053, filed 4/29/98, effective 5/30/98)

**WAC 246-310-395 Nursing home bed banking for alternative use notice requirements.** In the case of a nursing home licensee, requesting to convert some of the nursing home beds to an alternative use, as defined in RCW 70.38.111(8), or reduce the number of beds per room to two or one, or otherwise enhance the quality of life for residents and preserve the right to later convert the original portion of the facility back to skilled nursing care, the nursing home shall give notice of intent to preserve its conversion options to the department of health.

(1) Notice of the nursing homes intent to preserve conversion options shall be given to the department of health no later than thirty days after the effective date of the license modification made by the nursing home licensing authority. Such notices shall be signed by the licensee and include the following:

(a) A description of the alternative service to be provided or a description of how the proposed bed banking will have a

direct and immediate benefit to the quality of life of the residents and a listing of the number of beds, by room number;

(b) A projected timeline for implementation; and

(c) In the event the nursing home licensee, as defined by WAC 246-310-010, is not the nursing home owner, the licensee shall document whether the building owner has a secured interest in the beds.

- If the building owner does have a secured interest in the beds, the licensee shall provide a written statement, signed by the building owner, indicating approval of the bed reduction.
- If the building owner does not have a secured interest in the beds, the licensee shall provide documentation showing that the building owner has been notified of the bed reduction.

(2) The department shall notify the nursing home, as to whether the proposal meets the requirements of RCW 70.38.111 (8)(a) and if conversion rights are recognized. The nursing home does not forfeit its right to bank beds under this section if the department does not respond within this thirty-day time frame, nor does the nursing home obtain rights that it otherwise would not have under applicable statutes or rules if the department does not respond within the thirty-day time frame.

(3) The licensee shall notify the department of health at the time the alternative service or services commences.

(4) In the event the facility decides to modify the room numbers or alternative uses for the beds that have been banked, notification to the department is necessary to assure continued compliance with RCW 70.38.111 (8)(a) and WAC 246-310-395.

(5) Notice of intent to convert beds back to nursing home bed use shall be given to the department of health and the department of social and health services a minimum of ninety days prior to the effective date of the licensure modification made by the nursing home licensing authority reflecting the restored beds unless construction is required to convert the beds back. In the event the beds are not converted back to nursing home beds within sixty days of the date stated in the notice of intent, a notice of intent will need to be resubmitted a minimum of ninety days prior to the effective date of the licensure modification.

~~((5))~~ (6) In the event construction is required to convert beds back to nursing home bed use, notice shall be given to the department of health and department of social and health services a minimum of one year prior to the effective date of licensure modification made by the nursing home licensing authority reflecting the restored beds. The same life and safety code requirements as existed at the time the nursing home voluntarily reduced its licensed beds shall be complied with unless waivers from such requirements were issued, in which case the converted beds shall reflect the conditions or standards that then existed pursuant to the approved waivers. In the event the beds are not converted back to nursing home beds within sixty days of the date stated in the notice of intent, a notice of intent will need to be resubmitted a minimum of one year prior to the effective date of the licensure modification. The term "construction," as used in this section, is limited to those projects that are expected to equal or

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exceed the expenditure minimum amount, as determined under chapter 70.38 RCW.

~~((6))~~ (7) Prior to any license modification to convert beds back to nursing home beds under this section, the licensee must demonstrate that the nursing home meets the certificate of need exemption requirements under WAC 246-310-043.

**AMENDATORY SECTION** (Amending WSR 96-24-052, filed 11/27/96, effective 12/28/96)

**WAC 246-310-397 Nursing home bed replacement notice requirements.** In the case of a nursing home licensee wanting to replace nursing home beds pursuant to WAC 246-310-044, the nursing home shall give notice of intent to replace the beds to the department of health.

Notice of the nursing home licensee's intent to replace the nursing home beds shall be given to the department a minimum of thirty days prior to initiating the replacement project. Such notices shall be signed by the licensee and include the following:

(1) Documentation that the applicant is the existing licensee at all affected facilities and has operated the beds at all affected facilities for at least one year immediately preceding the replacement exemption request fulfilling the notice requirements of this section;

(2) An affidavit from the applicant that the applicant intends to be the licensee at all affected facilities at the time of project completion. This affidavit shall include a statement that the applicant acknowledges the project can not be completed if the applicant is not the licensee at the time of project completion except as allowed for under the provisions of RCW 70.38.115(14);

(3) In the event the nursing home licensee, as defined by WAC 246-310-010, is not the nursing home owner, the licensee shall document whether the building owner has a secured interest in the beds.

(a) If the building owner does have a secured interest in the beds, the licensee shall provide a written statement, signed by the building owner, indicating approval of the bed replacement. In the event that the licensee is unable to complete the replacement project, as referenced in RCW 70.38.-115(14), the building owner shall be permitted to complete the project.

(b) If the building owner does not have a secured interest in the beds, the licensee shall provide documentation showing that the building owner has been notified of the proposed project. In the event that the licensee is unable to complete the replacement project, as referenced in RCW 70.38.-115(14), the building owner shall not be permitted to complete the project.

(4) The number of beds currently licensed at each affected facility and the number of licensed beds to be replaced at each affected facility;

(5) Geographic location of both the existing nursing home beds and the proposed replacement beds;

(6) Documentation that the nursing home beds being replaced will not be used for nursing home services once the replacement beds are licensed; ~~((and))~~

(7) A projected timeline for completion of the project; and

(8) Estimated capital expenditure. (This figure will be used by department of social and health services as part of the rate calculation.)

**WSR 98-17-103  
PERMANENT RULES  
GAMBLING COMMISSION**

[Administrative Order 360-A—Filed August 19, 1998, 11:16 a.m.]

Date of Adoption: July 10, 1998.

Purpose: Rule change enables an operator to remove a pull-tab game, which is being held for a customer, from display and replace it with a new pull-tab game. This enables an operator to offer more games for play to patrons.

Citation of Existing Rules Affected by this Order: Amending WAC 230-30-050.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 98-10-068 on May 1, 1998 with a publication date of May 20, 1998.

THIS FILING IS TO CORRECT AN OVERSIGHT BY THE COMMISSION TO STATE ON THE RECORD AT THE JULY 1998 MEETING TO HAVE THIS RULE BECOME EFFECTIVE AS SOON AS POSSIBLE. THIS CORRECTION WAS STATED ON THE RECORD AT THE AUGUST 1998 COMMISSION MEETING. THIS CORRECTED CR-103 REFLECTS THAT THE COMMISSION DESIRES TO HAVE AN EARLIER EFFECTIVE DATE FOR THIS RULE.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

August 19, 1998

Susan Arland

Public Information Officer

**AMENDATORY SECTION** (Amending WSR 97-14-012, filed 6/20/97, effective 7/21/97)

**WAC 230-30-050 Punch board and pull-tab operating restrictions and dispensing limitations.** The following operating restrictions and dispensing limitations apply to punch boards and pull-tabs:

(1) No person under the age of eighteen years and no person visibly intoxicated or visibly under the influence of any

narcotic, shall be allowed to play or sell any punch board or pull-tab series. It shall be the responsibility of both the licensee and the person physically operating the punch board or pull-tab series to determine and ensure that no unauthorized person is allowed to play or sell.

(2) No operator shall permit the display or operation of any punch board or pull-tab which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner, which may deceive the public or which affects the chances of winning or losing upon the taking of any chance thereon.

(3) No punch board or pull-tab series shall be placed out for play unless it meets the requirements of WAC 230-30-080.

(4) Once placed out for play, a punch board or pull-tab series flare may not be modified or otherwise changed, except for the deletion of prizes as required by WAC 230-30-070.

(5) All records, reports and receipts relating to a punch board or pull-tab series in play must be retained on the licensed premises so long as the series or punch board is in play and be made available on demand to law enforcement officers and representatives of the commission.

(6) Pull-tab dispensing limitations:

(a) No pull-tab shall be added to a series of pull-tabs after that series has been shipped from its place of manufacture;

(b) All pull-tabs must be sold from a commission approved dispensing device or a transparent container. If sold from a transparent container, the pull-tabs must be visible to the players so that the players are able to estimate the number of chances remaining in the series;

(c) All pull-tabs in a series must be thoroughly mixed prior to being placed in a dispensing device or clear container and being offered for sale. Failure to mix may result in a minimum five-day suspension of license for each series not mixed;

(d) Licensees may assemble pull-tabs into bundles with a sales price of up to twenty dollars: *Provided*, That the bundles must be thoroughly mixed prior to sale to the public;

(e) No person shall put out any pull-tab series for play unless the series of pull-tabs is wholly contained within the device or container used for dispensing that series. In cases where a spindle is used, the series of pull-tabs may sit upon the device or container used for dispensing that series: *Provided*, That progressive jackpot pull-tab games, as authorized by WAC 230-30-025, may utilize more than one machine for a series;

(f) No pull-tab series, or any portion thereof, shall be placed in any pull-tab dispensing device or container until any other series of pull-tabs previously in the device or container has been played out or permanently removed from play: *Provided*, That in the use of a multiple series dispensing device, each series shall be played independently and in accordance with this provision;

(g) Once placed out for play, no pull-tab shall be removed from the dispensing device or container until it is sold or the series is permanently removed from play, except only:

(i) Those pull-tabs removed by commission representatives or other law enforcement agency inspecting the device; or

(ii) Those tabs temporarily removed during necessary repair or maintenance of the dispensing device or container; ~~((and))~~ or

(iii) Those pull-tab series that are being permanently held for a player. A series may be permanently held for a specific player who leaves the premises, but intends to return and play the series at a later date, under the following conditions:

(A) The player meets the criteria set forth in the operator's house rules. House rules shall be developed and posted in a manner that all players can observe. House rules shall be clear in meaning and shall contain the conditions and length of time a player can permanently hold a series;

(B) The series is wholly contained in a secure manner, clearly identified as a permanently held series, and stored in the immediate vicinity of the pull-tab area on the premises;

(C) Adequate accounting records shall be maintained showing the status of all held series;

(D) The series is not placed out for further public play once the specific player is finished playing it;

(E) The maximum time a player may permanently hold a series is seven days without play, not to exceed a total held time of fourteen days; and

(F) Operators may not have more than twenty-five series permanently held for players at one time.

(7) Any punch board or pull-tab series that is permanently removed from play shall not be placed out for further play under any circumstances: *Provided*, That boards or series may be temporarily removed from play for any of the following reasons and returned to normal play at a later time:

(a) Pull-tab series removed under authority of subsection (6)(g);

(b) To reserve a game for a specific player when:

(i) The licensee has established house rules for reserving games that include reasons or conditions for reserving such games and the maximum time for which a game may be reserved;

(ii) The house rules are clear in meaning and posted in a manner that players can observe; and

(iii) The board or series is clearly identified as reserved;

(c) A board or series is designated to be played during certain hours of the licensee's operation, such as "happy hour." Such games shall be clearly identified and house rules shall be posted regarding hours of play and/or other conditions affecting play.



**WSR 98-17-002  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-144—Filed August 5, 1998, 4:25 p.m.]

Date of Adoption: August 5, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 232-12-619.

Statutory Authority for Adoption: RCW 77.12.040.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Nonbuoyant lure restrictions and night closures are necessary in these areas where salmon returning to spawn tend to congregate or "mil" in order to protect them from potential fisheries. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 5, 1998

J. D. Brittell  
for Bern Shanks  
Director

NEW SECTION

**WAC 232-12-61900C Permanent Washington statewide game fish regulations.** Notwithstanding the provisions of WAC 232-12-619, effective immediately until further notice, in the following waters and during the periods shown, it is unlawful to use a non-buoyant lure that has more than one single hook or has a hook measuring more than 3/4 inch point to shank and a night closure is in effect.

Area	Time Period
Naselle River (including all forks) Hwy 101 Bridge to North Fork	September 1 - November 30

Willapa River Hwy 6 Bridge to Fork Creek and South Fork	September 1 - November 30
Upstream from Fork Creek	September 1- October 31
Lewis River - North Fork From Johnson Creek to Merwin Dam	August 5 - October 31
Deschutes River From 400 feet below lowest Tumwater Falls fish ladder to the Old Hwy 99 Bridge on Capitol Boulevard	August 5 - November 30
Soos Creek	September 1 - October 31

**WSR 98-17-005  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-145—Filed August 6, 1998, 4:48 p.m.]

Date of Adoption: August 6, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-32500S; and amending WAC 220-56-325.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These rules are needed to ensure an orderly fishery, manage within court-ordered sharing requirements, and to ensure conservation. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

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ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 6, 1998  
Larry W. Peck  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-32500U Shrimp - Areas and seasons.**

Notwithstanding the provisions of WAC 220-56-325 and WAC 220-56-310, effective immediately until further notice, it is unlawful to fish for or possess shrimp from those waters of Shrimp District one and Shrimp District three except as provided for in this section:

(1) Effective immediately until further notice, recreational fishing is allowed for all species of shrimp in Shrimp District one (waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay) except that:

(a) No spot shrimp may be taken - all spot shrimp must be returned immediately to the water unharmed.

(b) The daily bag limit is 10 pounds. No spot shrimp are to be retained.

(2) Effective immediately until further notice, recreational fishing is allowed for all species of shrimp in Shrimp District three (Port Angeles Harbor - Waters inside Ediz Hook west of a line from the tip of Ediz Hook to the ITT Rayonier Dock) except that:

(a) Spot shrimp may be retained on Saturdays only as part of the daily limit of 10 pounds of shrimp. Spot shrimp caught on all other days must be returned immediately to the water unharmed.

(b) There is no minimum size for spot shrimp in Port Angeles Harbor.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-56-32500S Shrimp—Areas and seasons. (98-81)

**WSR 98-17-006  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-146—Filed August 6, 1998, 4:49 p.m., effective August 7, 1998, 12:01 a.m.]

Date of Adoption: August 6, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-48-015.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The non-Indian allowable harvest of Pacific cod is predicted to have been taken by August 6, 1998. This action is necessary to conserve the stock of Pacific cod and to provide a Pacific cod reserve to allow the opportunity for an anticipated tribal harvest of bottomfish in these areas. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 7, 1998, 12:01 a.m.

August 6, 1998

Larry W. Peck  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-48-01500G Otter trawl seasons.** Notwithstanding the provisions of WAC 220-48-015, effective 12:01 a.m. August 7, 1998, until further notice, it is unlawful to take, fish for or possess bottomfish taken with otter trawl gear in Marine Fish/Shellfish Management and Catch Reporting Areas 23C and 29.

**WSR 98-17-009  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-147—Filed August 7, 1998, 4:54 p.m.]

Date of Adoption: August 7, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-57A-145.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or

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general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This rule will allow for the harvest of surplus hatchery chinook destined for the Issaquah Hatchery. Data from salmon counts conducted at the Ballard Locks indicates that the run will be approximately 10,000 fish; much stronger than the 3800 chinook preseason forecast. The limitation of the fishery to Lake Sammamish only, will offer protection to other stocks of chinook entering Lake Washington such as the Cedar River and Bear Creek stocks. The chinook will pass through the lake and arrive at the hatchery by the middle of October. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 7, 1998  
J. D. Brittell  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-57A-14500A Sammamish Lake.** Notwithstanding the provisions of WAC 220-57A-145, open effective immediately until further notice, special daily limit of two salmon, release all sockeye salmon. There is no minimum size limit.

**WSR 98-17-010  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-148—Filed August 7, 1998, 4:55 p.m., effective August 7, 1998, 5:00 p.m.]

Date of Adoption: August 7, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-330001; and amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: There is a harvestable surplus of hardshell Dungeness crab in the areas opened under this regulation. Test fishing data from the northern portion of Catch Record Card Area 7 indicates that many crab in waters deeper than sixty feet are in a softshell condition and the crab pot season opening must be delayed. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 7, 1998, 5:00 p.m.

August 7, 1998  
J. D. Brittell  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-33000J Crab—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-330, effective 5:00 p.m. August 7, 1998 until further notice, it is unlawful to fish for and possess crab taken for personal use with shellfish pot gear from all waters deeper than sixty feet (mean low low water) in the portion of Catch Record Card Area 7 north of a line projected from Village Point on Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island and from the westernmost point of Patos Island due east to the international boundary; and in Hale Passage west of a line from Point Francis through the marker north of Inati Bay, Lummi Island to Lummi Island

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 5:00 p.m. August 7, 1998:

WAC 220-56-33000I Crab—Areas and seasons. (98-130)

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**WSR 98-17-011  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-149—Filed August 7, 1998, 4:56 p.m., effective August 10, 1998, 12:01 a.m.]

Date of Adoption: August 7, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000Q; and amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: It is projected that they will have achieved their quota in Catch Record Card Areas 1 and 3. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 10, 1998, 12:01 a.m.

August 7, 1998

Evan Jacoby  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-19000R Coastal salmon—Seasons and limits.** Notwithstanding the provisions of WAC 220-56-190, effective 12:01 a.m. August 10, 1998 until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 1 through 4 except as provided for in this section:

(1) Area 1 - Closed until further notice.

(2) Area 2 - Special daily limit of two salmon not more than one of which may be a chinook salmon. Special cumulative limit of four salmon in any Sunday through the following Thursday period - Sunday through Thursdays only, immediately through September 24, 1998 except closed 0-3 miles offshore.

(3) Area 3 - Closed until further notice.

(4) Area 4

(a) Waters west of the Bonilla-Tatoosh line - Closed until further notice.

(b) Waters east of the Bonilla-Tatoosh line - Special daily limit of two salmon, except release chinook salmon - immediately through September 24, 1998.

(5) Size limits - Chinook salmon minimum size 24 inches in length. Coho salmon minimum size 16 inches in length.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 9, 1998:

WAC 220-56-19000Q Coastal salmon—Seasons and limits. (98-139)

**WSR 98-17-027  
EMERGENCY RULES  
DEPARTMENT OF  
NATURAL RESOURCES**

[Order 636—Filed August 11, 1998, 11:12 a.m.]

Date of Adoption: August 10, 1998.

Purpose: Establish regions of extra fire hazard which are closed to entry due to the high fire risk.

Statutory Authority for Adoption: RCW 76.04.305.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Certain areas of the state are particularly exposed to fire danger due to the high fire risk. In order to prevent a fire from starting whereby lives and property would be at risk, it is necessary to post these lands as closed to entry.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

EMERGENCY

Effective Date of Rule: Immediately.

August 10, 1998  
Kaleen Cottingham  
Deputy Commissioner  
for Charlie Baum  
Department Supervisor

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

Jennifer Belcher, Commissioner

NOTICE OF DECLARATION OF AREAS OF  
EXTREME FIRE HAZARD

### NEW SECTION

**WAC 332-26-010 Southwest region closures COWLITZ COUNTY:** Township 10 North, Range 1 West, W.M: Section 11 parts E1/2 NW1/4, parts NE1/4, parts E1/2 SE1/4.

When in the opinion of the Regional Manager, the fire hazard is sufficiently low on the lands herein described to permit public access thereto, he/she may suspend this Notice by issuing a news release to the newspapers of general circulation in the Region and to radio and television stations serving the Region, specifying the date and time of the suspension and by removing the posted notice of the hazardous area closure at the access points.

When, in the opinion of the Regional Manager, the fire hazard is no longer sufficiently low to permit public access to the above-described lands, he/she will reinstate this hazardous area notice by giving the same notice to the public, specifying the date and time this notice again becomes effective, and replacing the posted notice of the hazardous area closure at the access points.

For protection of the above described areas against fire, the following rule will be enforced:

"Entry into this area is prohibited except as provided by law with reference to permanent residents and industrial operations."

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

Effective tentatively midnight Monday, August 10, 1998, to midnight Saturday, October 15, 1998.

JENNIFER M. BELCHER  
Commissioner of Public Lands

### WSR 98-17-029

EMERGENCY RULES  
SECRETARY OF STATE  
[Filed August 11, 1998, 12:12 p.m.]

Date of Adoption: August 11, 1998.

Purpose: To amend and adopt rules for logic and accuracy tests conducted for primaries and elections as required by chapter 58, Laws of 1998.

Citation of Existing Rules Affected by this Order: Repealing WAC 434-334-115; and amending WAC 434-334-055, 434-334-065, 434-334-070, 434-334-075, 434-334-080, 434-334-085, 434-334-090, 434-334-095, 434-334-100, 434-334-105, and 434-334-110.

Statutory Authority for Adoption: RCW 29.33.350.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Rules are required to be in effect for the state primary and general election of 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 15, Amended 6, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 15, Amended 11, Repealed 1; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 11, 1998

Tracy Guerin  
Deputy Secretary of State

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-055 Acceptance testing of voting systems and equipment.** Whenever a county acquires a new system or an upgrade to an existing system that has been certified by the secretary of state, the county must perform acceptance tests of the equipment before it may be used to count votes at any election. The equipment must be operating correctly, pass all tests and must be ~~((identical to))~~ substantially the same as the equipment certified by the secretary of state. The minimum testing standards are described as follows:

(1) The model number, version number, release number, and any other number, name or description that identifies the

product must be the same as the identifying numbers for the product that has been certified by the secretary of state.

(2) The county must receive all manuals, and training necessary for the proper operation of the system.

(3) The county shall perform a series of functional and programming tests that will test all functions of the ballot counting system. This must include processing a substantial number of test ballots of various prepunch or ballot codes, including split precincts, rotated races, multiple candidates, precinct committee officer local races, cumulative reports, precinct reports, canvass reports, and any other tests the county elections authority finds necessary.

#### NEW SECTION

**WAC 434-334-063 Definition of official logic and accuracy test.** As used in this chapter, "official logic and accuracy test" means the test performed in accordance with RCW 29.33.350.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-065 Logic and accuracy test conduct.** The county shall provide adequate personnel to properly operate the ballot counting equipment. Whenever possible, the equipment should be operated during the test by the same persons who will be ~~((conducting))~~ responsible for the ~~((actual))~~ ballot count on election day. ~~((At the scheduled time the test decks shall be run through the ballot counting system and ballot results produced. The results shall then be compared with the preaudit expected results.))~~ If any error in programming or mechanical function is detected, the cause shall be determined and corrected, and an errorless ~~((total produced))~~ test completed before the primary or election.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-070 Logic and accuracy test observers.** The official logic and accuracy test shall be observed by at least one representative of each major political party, if representatives have been appointed by the parties and are present at the test. The party observers shall be instructed as election observers, by the county auditor ~~((prior to observing an election))~~. The official logic and accuracy test shall be open to candidates, the press, and the public. If ~~((a party))~~ any observer hinders or disturbs the ~~((L & A))~~ logic and accuracy test process, the county ~~((election authority))~~ auditor or representative may remove that observer from the test area. ~~((The))~~ An observer ~~((may also be barred from future tests))~~ who has been removed from a logic and accuracy test may also be barred from future tests. The absence of observers shall not delay or stop the test from being conducted.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-075 Logic and accuracy testing of voting systems and equipment—State primary and general**

**election.** At least three days before each state primary or general election the office of the secretary of state shall provide for a test of the programming for ~~((each))~~ the vote tallying system to be used at that primary or election ~~((shall be tested by the office of the secretary of state))~~. The test should verify that the system will correctly count the votes cast for all candidates and all measures appearing on the ballot. The test shall ~~((be conducted by processing a preaudited group of ballots, marked with a predetermined number of votes, for each candidate and for or against each measure. For each office where there are two or more candidates and for each measure there will be an undervote and overvote))~~ also verify that the machine(s) is/are functioning to specifications.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-080 Logic and accuracy test** ~~((deck))~~ preparation—State primary and general election—Punchcard systems. The test deck or decks used for the official logic and accuracy test ~~((may be prepared by either the office of the secretary of state, the county, or the vendor))~~ are maintained by the county auditor. Information describing the candidates, offices, ballot formats, ballot positions, pages applicable or planning matrix, accurate list of prepunches, list of the number of appearances of each office and each rotation, and all other information required to ~~((create))~~ select the test ~~((decks))~~ precincts and predict the results must be available to the office of the secretary of state at the very latest by the 30th day prior to the primary or election. If a county is delayed due to complications related to lawsuits or late filing periods, the county should advise the office of the secretary of state before the 30th day prior to the primary or election.

#### NEW SECTION

**WAC 434-334-082 Procedure for conduct of delayed primary or general election emergency logic and accuracy test.** If the official logic and accuracy test cannot be completed at the scheduled time and place, an emergency test shall be scheduled by the county auditor. The emergency test must be conducted and properly completed prior to the processing of any official ballots through the tabulating system. If no representative of the office of the secretary of state is able to attend the emergency test, the county auditor and another member of the county canvassing board or their designated representative shall observe the test and certify the results. Observers and notification shall be provided for pursuant to WAC 434-334-070 and 434-334-085.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-085 Logic and accuracy test scheduling and preparation—State primary and general election.** Prior to each state primary and general election the office of the secretary of state will prepare a schedule of logic and accuracy tests. The office of the secretary of state will notify each county of the date and time of their test at least ~~((two weeks))~~ thirty days before the test. The county is responsible

for preparing the counting system and testing it before the actual logic and accuracy test. The ballot counting system shall be ~~((one hundred percent programmed))~~ fully programmed, cleaned, maintained, tested and functional before the official logic and accuracy test. The county shall notify the parties, the press, the public, and candidates of the date and time of the test.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-090 Logic and accuracy test certification—State primary and general election.** The ~~((secretary of state, the))~~ county auditor~~((;))~~ or deputy, and, if present, the office of the secretary of state representative and any political party observers shall certify that the test has been conducted in accordance with RCW 29.33.350. Copies of this certification shall be retained by the secretary of state and the county auditor. All programming materials~~((;))~~ and test results~~((, and test ballots))~~ shall be ~~((securely sealed until the day of the primary or election))~~ secured.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-095 Logic and accuracy testing of voting systems and equipment—Special elections.** At least three days before each special election the programming for ~~((each))~~ the vote tallying system to be used at that election shall be tested for logic and accuracy. The test should verify that the system will correctly count the votes cast for all candidates and all measures appearing on the ballot. The test shall be conducted by processing a preaudited group of ballots, marked with a predetermined number of votes, for each candidate and for or against each measure. For each office where there are two or more candidates and for each measure there will be an undervote and overvote.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-100 Logic and accuracy test deck preparation—Special elections.** When a new test deck is required under WAC 434-334-095, the test deck or decks used for the official logic and accuracy test will be prepared by the county elections office.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-105 Logic and accuracy test scheduling and preparation—Special election.** The county is responsible for preparing the counting system and testing it before the ~~((actual))~~ official logic and accuracy test. The ballot counting system shall be ~~((one hundred percent))~~ fully programmed, cleaned and maintained, tested, and functional before the official logic and accuracy test. The county shall notify the parties, the press, the public, and candidates of the date and time of the official logic and accuracy test.

AMENDATORY SECTION (Amending WSR 97-21-045, filed 10/13/97, effective 11/13/97)

**WAC 434-334-110 Logic and accuracy test certification—Special election.** The county auditor~~((;))~~ or deputy and any political party observers, if present, shall certify that the test has been conducted in accordance with RCW 29.33.350. Copies of this certification shall be retained by the county auditor. All programming materials~~((;))~~ and official test results~~((, and test ballots))~~ shall be ~~((securely sealed until the day of the primary or election))~~ secured.

## PUNCHCARD SYSTEMS

### NEW SECTION

**WAC 434-334-125 Punchcard test deck maintenance and storage.** Each county employing a punchcard balloting system shall maintain a permanent deck of logic and accuracy test ballots. The test ballots shall contain a distinct pattern of votes. The deck may be used for all official logic and accuracy tests and for programming tests conducted in preparation for official logic and accuracy tests. The permanent test deck shall be maintained in secure storage except when being used for actual testing.

### NEW SECTION

**WAC 434-334-130 Punchcard test precinct selection—State primary and general elections.** Prior to the official logic and accuracy test the office of the secretary of state shall review the election materials provided by the county and select a representative sample of precincts and ballot styles sufficient to cover all offices and issues contained in the election. The representative sample shall constitute the official logic and accuracy test. This provision does not limit the ability of the office of the secretary of state to conduct a complete test of every precinct if conditions warrant.

### NEW SECTION

**WAC 434-334-135 Punchcard testing requirements prior to official logic and accuracy test.** Prior to the official logic and accuracy test, each county employing a punchcard balloting system shall thoroughly test all programming and system components. The test must at least verify the office programming by thoroughly testing each individual office, test the ballot style logic to insure that all offices are included in the intended precincts and combinations, and verify that the program is accumulating all offices. The county auditor or deputy shall certify that these tests have been completed prior to the official logic and accuracy test.

## OPTICAL SCAN SYSTEMS

### NEW SECTION

**WAC 434-334-140 Definitions.** For optical scan voting systems:

(1) "Voting response area" means the area defined by ballot instructions which the voter places their mark to indicate their vote.

(2) "Scanning area" means the portions of each ballot that the system scans in order to read the vote marks made by voters.

#### NEW SECTION

**WAC 434-334-145 Logic and accuracy test deck preparation—State primary and general election—Optical scan systems.** The test deck or decks used for the official logic and accuracy test for optical scan systems may, at the discretion of the secretary of state, be prepared by either the office of the secretary of state, the county, or the vendor. Information describing the candidates, offices, ballot formats, ballot positions, ballot styles, list of the number of appearances of each office and each rotation, and all other information required to create the test decks must be available to the office of the secretary of state by the 20th day prior to the primary or election. If a county is delayed due to complications related to lawsuits or late filing periods, the county should advise the office of the secretary of state before the 20th day prior to the primary or election.

#### NEW SECTION

**WAC 434-334-150 Optical scan test ballot selection—State primary and general elections.** Prior to the official logic and accuracy test the office of the secretary of state shall review the provided election materials with the county and select a representative sample of ballot styles sufficient to cover all offices and issues contained in the election. This representative sample shall constitute the official logic and accuracy test. This provision does not limit the ability of the office of the secretary of state to conduct a complete test of every precinct if conditions warrant. If the office of the secretary of state is preparing the test deck, the county auditor shall send blank ballots of the selected ballot styles to the office of the secretary of state as soon as the ballots are available.

#### NEW SECTION

**WAC 434-334-155 Optical scan read head adjustment standards and tests.** Prior to all state primaries, read heads of optical scan central counting systems shall be cleaned and tested to insure that the reader is functioning within system standards.

#### NEW SECTION

**WAC 434-334-160 Optical scan read head and ballot scan area alignment tests.** Prior to all official logic and accuracy tests, a test shall be conducted by each county employing an optical scan balloting system to confirm that the voting response areas printed on all ballot faces are aligned properly with the scanning area of the ballot counter.

#### NEW SECTION

**WAC 434-334-165 Optical scan ballot marking code program test.** Prior to the official logic and accuracy test each county employing an optical scan balloting system shall thoroughly test all programming and system components. The test must at least verify the office programming by thoroughly testing each individual office, test the ballot style logic to insure that all offices are included on the intended ballot faces, and verify that the program is accumulating all offices. The county auditor or deputy shall certify that these tests have been completed prior to the official logic and accuracy test.

#### **PRECINCT-BASED OPTICAL SCAN SYSTEMS**

#### NEW SECTION

**WAC 434-334-170 Precinct-based optical scan ballot counter preparation and testing.** All logic and accuracy testing of precinct-based systems shall be performed by the county during the preparation of the precinct ballot counters prior to system distribution. As each ballot counter is programmed and set up for distribution a test of the ballot counter and ballot styles shall be performed. It shall be established by these tests that the ballot counter(s) are functioning within system standards. All balloting styles shall be processed by each machine in order to insure that the machine is correctly counting and accumulating every office. The tests shall also establish that the printed ballot voter response areas are correctly aligned with the scanning area. After all tests are performed and the machine is ready for distribution, the machine shall be sealed and the seal number recorded. This will serve as the official logic and accuracy test of these precinct ballot counters.

#### NEW SECTION

**WAC 434-334-175 Precinct-based optical scan ballot counter test notices, observers, and log of process.** A log shall be created during the testing of the precinct-based ballot counters. The log shall record the time and place of each test, the precinct number, seal number and machine number of each ballot counter and the initials of each person testing and observing the test for each machine. This log shall be included in the official logic and accuracy test materials. The processes described in WAC 434-334-170 shall be open to observation and subject to all notices and observers pursuant to WAC 434-334-070 and 434-334-085.

#### NEW SECTION

The following section of the Washington Administrative Code, as amended, is recodified as follows:

Old WAC Number	New WAC Number
434-344-080	434-334-120

**Reviser's note:** The above section, filed by the agency as a recodification of WAC 434-344-080, appears to be a recodification of WAC 434-334-080, there being no WAC 434-344-080 in existence. Pursuant to RCW 34.08.040, the section is published in the same form as filed by the agency.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 434-334-115      Logic and accuracy tests for direct recording electronic equipment.

**WSR 98-17-030****EMERGENCY RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Aging and Adult Services Administration)

[Filed August 11, 1998, 3:16 p.m.]

Date of Adoption: August 11, 1998.

Purpose: The 1998 supplemental budget contains sufficient funding for FY 1998 to negate recent rule changes to program eligibility for the COPEs, chore and Medicaid personal care programs which were adjusted to reduce expenditures. As a result, the department will restore the previous functional eligibility requirements for these programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-15-201, 388-15-209, 388-15-222, 388-15-610, 388-15-830, 388-15-890, and 388-15-895.

Statutory Authority for Adoption: RCW 74.39A.120 and sections 205 (1)(c) and 206(3), chapter 346, Laws of 1998, RCW 74.39A.030 and 74.09.520.

Other Authority: RCW 74.39A.110 and [74.39A.]130.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The legislature provided additional funding in the 1999 [1998] supplemental budget (sections 205 (1)(c) and 206(3), chapter 346, Laws of 1998) to allow for caseload growth in the chore, Medicaid personal care and COPEs programs. The department finds that these emergency rules are necessary to restore prior eligibility requirements so as to preclude 4000 clients from having their chore, COPEs and Medicaid personal care services terminated. This second emergency filing is necessary to keep the rules in effect until they are adopted permanently. The rules were proposed for adoption on July 22, 1998, as WSR 98-15-138 and are scheduled for hearing on August 25, 1998.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 7, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 7, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 11, 1998

Marie Myerchin-Redifer, Manager  
Rules and Policies Assistance Unit

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-201 Long-term care functional eligibility.** In order to receive ((COPEs,)) Medicaid personal care or chore services, a client must ((~~be at risk of institutionalization within the next thirty days and~~)) be assessed by the department or designee as having an unmet need requiring ((~~substantial or total~~)) assistance with one or more of the following critical self-care tasks as defined in WAC 388-15-202(38), and 388-15-203:

- (1) Eating;
- (2) Toileting;
- (3) Ambulation;
- (4) Transfer;
- (5) Positioning;
- (6) Bathing; ((~~or~~))
- (7) Self-medication;
- (8) Dressing;
- (9) Personal hygiene; or
- (10) Body care.

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-209 Chore personal care services—Eligibility.** A chore personal care eligible person shall:

- (1) Be eighteen years of age and over;
- (2) Meet the requirements listed in WAC 388-15-201((-));
- (3) Not be eligible for Medicaid personal care or community options program entry system (COPEs) services, and the person's needs cannot be met through Medicare home health or another program for which the person is eligible((-));
- (4) Meet the following chore personal care service financial eligibility requirements:

(a) Have net household income as described in WAC 388-505-0590 (3) and (4) and WAC 388-511-1130 and 388-511-1140 not exceeding the sum of the cost of the client's chore personal care services and one hundred percent of the federal poverty level adjusted for family size; and

(b) Participate in the cost of chore personal care services as described under WAC 388-15-219; and

(c) Have financial resources as described under WAC 388-511-1150 and 388-511-1160 with a value not exceeding

~~((limits set in WAC 388-513-1310(2)(a)(b) except for clients identified under WAC 388-15-222, and be)):~~

~~(i) Ten thousand dollars for a one-person family;~~

~~(ii) Fifteen thousand dollars for a two-person family;~~

~~(iii) A sum calculated by adding an additional one thousand dollars for each additional family member; and~~

~~(d) Be subject to transfer of assets penalties as described in WAC 388-513-1365 for assets transferred on or after November 1, 1995; and~~

~~(e) Not be within a period of ineligibility due to assets transferred on or after November 1, 1995 for less than fair market value as described under WAC 388-513-1365.~~

~~(5) Be deemed to meet the financial eligibility requirements set forth in subsection (4) if the person is an adult protective service client at risk of placement in a long-term care facility; and the chore personal care services are:~~

~~(a) An integral but subordinate part of the adult protective services plan; and~~

~~(b) Provided only until the situation necessitating the service has stabilized; and~~

~~(c) Limited to a maximum of ninety days during any twelve-month period; and~~

~~(d) Provided without regard to the client's income or resources.~~

~~(6) Be reassessed at least every eighteen months or more often as deemed necessary, per WAC 388-15-204.~~

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-222 Chore personal care services—Employed disabled—Incentive income and resource exemption.** (1) The department shall exempt fifty percent of net earned income after work expenses above one hundred percent of the federal poverty level.

(2) The department shall only apply this exemption to:

(a) Clients determined disabled according to WAC 388-511-1105;

(b) The client, not the client's spouse or other household members.

~~((3) The department shall allow an employed disabled client to have resources as described under WAC 388-511-1150 and 388-511-1160 with a value not exceeding:~~

~~(a) Ten thousand dollars for a one person family;~~

~~(b) Fifteen thousand dollars for a two person family;~~

~~(c) A sum calculated by adding an additional one thousand dollars for each additional family member.)~~

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-610 COPES—Eligibility.** A COPES-eligible person shall:

(1) Be assessed by the department or designee as meet the requirements in ((WAC 388-15-204)) 42 CFR 441.302(c) (as published in the Code of Federal Regulations and in effect in April, 1998); and

(2) Be an aged, blind, or disabled client, as defined under WAC 388-511-1105 (1)(a), (b), and (c)(i) and (ii);

(3) Be eighteen years of age or older;

~~((4)) (4) Be assessed as defined under WAC 388-15-202 through 388-15-205; and~~

~~(5) Have medical problems or cognitive impairment and be unable to maintain or coordinate the treatment plan; and~~

~~(6) Be likely to need the level of care provided in a nursing facility as defined under WAC 388-97-005(20) within the next thirty days, but for the provision of COPES payments for home or community-based waiver services as defined under WAC 388-15-620;~~

~~(7) Require services that must be provided by or under the supervision of a registered nurse or a licensed practical nurse on a daily basis; or~~

~~(8) Have an unmet need requiring substantial or total assistance with two or more of the following critical self-care tasks as defined under WAC 388-15-202(38) and 388-15-203(3):~~

~~(a) Eating;~~

~~(b) Toileting;~~

~~(c) Ambulation;~~

~~(d) Transfer;~~

~~(e) Positioning;~~

~~(f) Bathing;~~

~~(g) Self-medication; or~~

~~(9)(a) Have cognitive supervision needs due to one or more of the following:~~

~~(i) Disorientation;~~

~~(ii) Memory impairment;~~

~~(iii) Impaired judgment; or~~

~~(iv) Wandering; and~~

~~(b) Have an unmet need requiring substantial or total assistance with one or more of the critical self-care tasks in subsection (7)(a) through (g) of this section; or~~

~~(10) Have an unmet need requiring minimal, substantial or total assistance in three or more of the critical self-care tasks in subsection (7)(a) through (g) of this section; or~~

~~(11) Currently reside in a nursing facility, as defined under WAC 388-97-005(20), and be unable to return to and remain in the community without assistance with one or more of the services provided by the COPES program as defined under WAC 388-15-620; or~~

~~(12) Meet the definition of a person functionally or clinically eligible for nursing facility care as defined under WAC 388-97-235;~~

~~(13) Have a feasible written plan of care. The department shall ensure the plan is less than ninety percent of the average state-wide nursing facility rate; and~~

~~((4)) (14)(a) Not be financially eligible for Medicaid personal care services; or~~

~~(b) Be financially eligible for Medicaid personal care services; however, the department determines the Medicaid personal care services are not sufficient in amount, duration, or scope to meet the person's needs.~~

~~((5)) (15) Have gross monthly income not exceeding three hundred percent of the Supplemental Security Income (SSI) program, Title XVI federal grant excluding the supplementary state money payment (SSP) as described under WAC 388-500-0005;~~

~~((6)) (16) Have resources at or below the Medicaid standard as defined under WAC 388-513-1315 (1)(b) and (c) and 388-513-1350; and~~



((7)) (17) Be reassessed at least every twelve months or more often as deemed necessary, per WAC 388-15-204.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-830 Medicaid personal care services—Eligibility.** (1) An eligible Medicaid personal care person shall:

(a) Meet the requirements in WAC 388-15-201; and  
(b) Be certified as a Title XIX categorically needy medical assistance client;

((b-)) and

(c) Reside in the client's own residence, in a licensed and contracted adult family home, a licensed boarding home under department contract, a children's foster family home, or a children's group care facility.

(2) ((The department shall determine)) A person's eligibility for Medicaid personal care services begins upon the date of the department's service authorization.

(3) ((Meet the requirements in WAC 388-15-201.

(4)) For an applicant through seventeen years of age or until the applicant transfers out of DCFS foster care or group care, the DCFS or DDD assessor shall only assess the need for personal care services exceeding the level of age appropriate personal care and not already being provided for through the child's natural/unpaid support systems. The assessor shall use a comprehensive assessment form specific to children for children from birth through seventeen years of age or until the age of transfer out of DCFS foster care or group care.

((5)) (4) The client shall be reassessed at least annually or more often as deemed necessary as defined under WAC 388-15-204.

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-890 Medicaid personal care services—Program limitations.** (1) Because Medicaid services are specific to the eligible client and based on medical necessity, the department shall not authorize Medicaid personal care services for:

(a) Teaching, including teaching clients how to perform personal care tasks or other community living skills;

(b) Personal care services provided over the telephone;

(c) Services provided at a site other than the client's residence, unless authorized by the department in the written service plan;

(d) Developing social, behavioral, recreational, communication, or other types of skills;

(e) Companionship; ((ø))

(f) Travel to medical services, essential shopping, meal preparation, housework, laundry, wood supply, or supervision as defined under WAC 388-15-202, unless the client is assessed as needing assistance with one or more direct personal care tasks as described in WAC 388-15-202(17), i.e.,

personal hygiene, dressing, bathing, eating, toileting, ambulation, transfer, positioning, body care, or self-medication; or

(g) Assisting or supporting other household members not eligible for Medicaid personal care.

(2) The department shall adjust payment for services according to department-established rates which take into account the provision of household tasks done at the same time for all of the household clients by a personal care provider, e.g., essential shopping, meal preparation, laundry, housework, wood supply, travel to medical services and supervision when:

(a) More than one client lives in the same household; or

(b) The client is in a shared living arrangement.

(3) The department shall not authorize the following as Medicaid personal care tasks to clients who live in an adult family home, licensed boarding home, or children's foster/group home:

(a) Meal preparation((ø));

(b) Wood supply((ø));

(c) Laundry((ø));

(d) Housework((ø)); or

(e) Supervision, unless the supervision is directly related to an unscheduled task as defined in WAC 388-15-202(51).

(4) Personal care tasks do not include assistance requiring a licensed health professional.

**AMENDATORY SECTION** (Amending WSR 98-04-026, filed 1/28/98, effective 2/28/98)

**WAC 388-15-895 Termination of services.** Clients who do not meet the functional eligibility requirements in WAC 388-15-201 or WAC 388-15-610, as evidenced by the department's or designee's assessment performed in the last twelve months for clients receiving Medicaid personal care or COPES and in the last eighteen months for clients receiving chore personal care, shall be ineligible for continued service.

## WSR 98-17-053

### EMERGENCY RULES

### DEPARTMENT OF

### FISH AND WILDLIFE

[Order 98-150—Filed August 14, 1998, 3:05 p.m.]

Date of Adoption: August 14, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-56-38000M; and amending WAC 220-56-380.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These closures ensure conservation and/or court ordered sharing of the allowable oyster

harvest. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 14, 1998  
Mike Kuttel  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-38000N Oysters—Areas and seasons.** Notwithstanding the provisions of WAC 220-56-380, effective immediately until further notice it is unlawful to harvest or possess oysters taken for personal from the following public tidelands except as provided below:

- (1) Point Whitney Tidelands - **Closed** until further notice.
- (2) Potlatch State Park - **Closed** August 16 until further notice.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 220-56-38000M Oysters—Areas and seasons. (98-131)

**WSR 98-17-054  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE**

[Order 98-162—Filed August 14, 1998, 3:10 p.m., effective August 15, 1998, 12:01 a.m.]

Date of Adoption: August 13, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500U; and amending WAC 220-56-325.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These regulations are needed to ensure an orderly fishery, manage within court-ordered sharing requirements, and to ensure conservation. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 15, 1998, 12:01 a.m.

August 13, 1998  
Mike Kuttel  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-32500V Shrimp - Areas and seasons.** Notwithstanding the provisions of WAC 220-56-325 and WAC 220-56-310, effective 12:01 a.m. August 15, 1998:

(1) It is unlawful to fish for or possess spot shrimp taken for personal use from Catch Record Card Areas 8-1 and 8-2, that portion of Catch Record Card Area 9 south and east of a line from Foulweather Bluff to Double Bluff, Catch Record Card Area 10, and Shrimp District one (waters south of a line from McMurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay). All spot shrimp taken in the above described waters must be returned immediately to the water unharmed.

(2) It is lawful to fish for and possess all species of shrimp taken for personal use in Shrimp District three (port Angeles Harbor inside Ediz Hook west of a line from the tip of Ediz Hook to the ITT Rayonier Dock) except that:

(a) Spot shrimp may be retained on Saturdays only as part of the personal daily limit of ten pounds of shrimp. Spot shrimp caught on all other days must be returned immediately to the water unharmed.

(b) There is no minimum size for spot shrimp in Shrimp District three.

EMERGENCY

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 14, 1998:

WAC 220-56-32500U Shrimp—Areas and seasons. (98-145)

**WSR 98-17-055**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-163—Filed August 14, 1998, 3:16 p.m., effective August 17, 1998, 12:01 a.m.]

Date of Adoption: August 14, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000R; and amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The harvestable quota has been taken in Catch Record Card Areas 1 and 3. It is projected that they will have achieved their quota in Catch Record Area 2. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 17, 1998, 12:01 a.m.

August 14, 1998

Mike Kuttel  
for Bern Shanks  
Director

**NEW SECTION**

**WAC 220-56-19000S Coastal salmon—Seasons and limits.** Notwithstanding the provisions of WAC 220-56-190,

effective 12:01 a.m. August 17, 1998 until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 1 through 4 except as provided for in this section: (1) Area 1 - Closed until further notice.

(2) Area 2 - Closed until further notice

(3) Area 3 - Closed until further notice.

(4) Area 4

(a) Waters west of the Bonilla-Tatoosh line - Closed until further notice.

(b) Waters east of the Bonilla-Tatoosh line - Special daily limit of two salmon, except release chinook salmon - immediately through September 24, 1998.

(5) Size limits - Chinook salmon minimum size 24 inches in length. Coho salmon minimum size 16 inches in length.

**REPEALER**

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 16, 1998:

WAC 220-56-19000R Coastal salmon—Seasons and limits. (98-149)

**WSR 98-17-056**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-164—Filed August 14, 1998, 4:52 p.m.]

Date of Adoption: August 14, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100E; and amending WAC 220-56-191.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: During August and September waters within 3/4 mile of the mainland shore and the shore of Whidbey Island in Catch Record Card Areas 5 and 6 are closed to salmon angling. This regulation will provide salmon fishing opportunities for persons with disabilities who are shorebound and would otherwise not be able to participate in the sport salmon fishing openings in Areas 5 and 6 at those times. This action will not compromise the conservation measures for salmon stocks contained in the North of Falcon plan. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 14, 1998

Mike Kuttel  
for Bern Shanks  
Director

### NEW SECTION

**WAC 220-56-19100E Puget Sound salmon - Saltwater seasons and daily limits.** Notwithstanding the provisions of WAC 220-56-191, effective immediately through September 30, 1998:

(1) Those persons who are in possession of a free personal use fishing license and catch record card issued, under provisions of RCW 75.25.110, by the license supervisor of the department, may fish in Areas 5 and 6 from the mainland shore and the shore of Whidbey Island.

(2) Those persons who have been issued a card for a permanent disability under RCW 46.16.381, and who are entitled to use that card in place of a fishing license, may fish in Areas 5 and 6 from the mainland shore and the shore of Whidbey Island if they also have in possession a catch record card.

### **WSR 98-17-057**

#### **EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE**

[Order 98-165—Filed August 14, 1998, 4:54 p.m.]

Date of Adoption: August 14, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:  
Amending WAC 220-47-307.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This action is consistent with policies of the Fish and Wildlife Commission, presented in the 1998 North of Falcon meetings, that are aimed at: Structuring fisheries to minimize gear conflicts, providing mean-

ingful recreational fishing opportunities for chinook and coho, and providing harvest benefits of sockeye to commercial fisheries. It is an effort to achieve these competing objectives without elimination of either recreational or commercial fishing. This measure will clearly reduce competition between recreational and commercial gears, and it has the least effect possible on the ability of commercial fishers to take available Fraser River sockeye salmon. Specifically, it restricts commercial fishing in part but not all of the recreational fishing area. It leaves the Salmon Banks, an important commercial fishing area, open, but closes the area west and north of Eagle Point in Haro Strait. It is recognized that portions of the closure area is also a significant area of sockeye catch, but the Washington Department of Fish and Wildlife does not think this will reduce the non-Indian fleet's ability to take its full share of sockeye.

An emergency exists in that there is insufficient time to adopt and implement permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 14, 1998

Mike Kuttel  
for Bern Shanks  
Director

### NEW SECTION

**WAC 220-47-30700B Closed areas - Puget Sound** Notwithstanding the provisions of WAC 220-47-307, effective immediately through August 30, 1998, it is unlawful at any time to take, fish for or possess salmon taken for commercial purposes with any type gear, from the following portion of Puget Sound Salmon Management and Catch Reporting Area 7, except that closures listed in this section shall not apply to reef net fishing areas listed in RCW 75.12.140:

Waters lying westerly and northerly of a line drawn due south from the Area 7/7A boundary line to Pt. Thompson on Orcas Island, then following the shore of Orcas Island in a westerly and southerly manner to a point due east from the northernmost point of Jones Island, then due west to the northernmost point on Jones Island, then to Limestone Point on San Juan Island, then around the shore of San Juan Island in a westerly, then southerly, and then southeasterly manner to Eagle Point, and then due west from Eagle Point.

**WSR 98-17-067**  
**RESCISSION OF EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (Aging and Adult Services)  
 (Office of Rates Management)  
 [Filed August 17, 1998, 11:08 a.m.]

Date of Adoption: August 13, 1998.

Purpose: This emergency rule filing rescinds the emergency rule filed on June 30, 1998, as WSR 98-14-087. The department has decided to adopt the boarding home license fee increase by regular adoption.

Citation of Existing Rules Affected by this Order: Amending WAC 246-316-990.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This emergency rule filing rescinds the emergency rule filed on June 30, 1998, as WSR 98-14-087. The ruled filed on June 30, 1998, effective July 1, 1998, raised boarding home license fees. The department has decided to raise the fees by regular adoption.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

August 13, 1998

Marie Myerchin-Redifer, Manager  
 Rules and Policies Assistance Unit

**WSR 98-17-090**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**FISH AND WILDLIFE**

[Order 98-166—Filed August 18, 1998, 5:03 p.m., effective August 20, 1998, 12:01 a.m.]

Date of Adoption: August 18, 1998.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19000S; and amending WAC 220-56-190.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The harvestable quota has been achieved in Catch Record Areas 1, 2, and 3. It is projected that they will have achieved their quota in Catch Record Area 4 in those waters east of the Bonilla-Tatoosh line. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: August 20, 1998, 12:01 a.m.

August 18, 1998

Evan Jacoby

for Bern Shanks

Director

NEW SECTION

**WAC 220-56-19000T Coastal salmon—Seasons and limits.** Notwithstanding the provisions of WAC 220-56-190, effective 12:01 a.m. August 20, 1998 until further notice it is unlawful to fish for or possess salmon taken for personal use from Catch Record Card Areas 1 through 4.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. August 19, 1998:

WAC 220-56-19000S Coastal salmon—Seasons and limits. (98-163)

EMERGENCY



## WSR 98-16-051

## AGENDA

DEPARTMENT OF  
LABOR AND INDUSTRIES

[Filed July 31, 1998, 4:16 p.m.]

DEPARTMENT OF LABOR AND INDUSTRIES  
Semi-annual Rules Development Agenda  
(July 1, 1998 - December 31, 1998)

WAC CHAPTER	CHAPTER TITLE	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
<b>INSURANCE SERVICES</b>				
Chapter 296-23A WAC	Hospitals	Marilyn Gisser, 902-6801	CR101 - 8/98 or 9/98 CR102 - 11/98-12/98 or later CR103 - First half of 1999	To adopt a new system for paying hospitals and free standing ambulatory surgery centers for their services.
WAC 296-20-135 WAC 296-23-220 WAC 296-23-230	Medical Aid Conversion Factors Physical Therapy Rules Occupational Therapy Rules	Simone Stilson, 902-4744	CR101 - 12/98 CR102 - 3/99 CR103 - end of 4/99 or first part of 5/99	To amend the dollar amounts for the Resource Based Relative Value Scale, the anesthesia conversion factors, and the physical and occupational therapy daily maximum rates.
WAC 296-17-310 through 930	Workers' Compensation Insurance-Classification Descriptions and General Reporting Rules	Ken Woehl, 902-4775	CR101 - 7/23/97 CR102 - 6/3/98 Hearing - 7/9/98 CR103 - 8/28/98 Effective - 10/1/98	To amend the manual of rules, rates and rating system, and the classification plan, and to comply with EO 97-02 on regulatory reform.
WAC 296-14-900, 910, 920, 930, and 940	Industrial Insurance Rules - Third Party Rules	James Nylander, 902-5118	CR101 - 4/22/98 CR102 - 6/17/98 Hearing - 7/21/98 CR103 - 9/1/98 Effective - 11/1/98	To amend the third party rules, and to rewrite the rules to comply [with] EO 97-02 on regulatory reform.
WAC 296-17-855, 875, 880, 885, 890, 895, 919, 920	Workers' Compensation Insurance - Rate Changes	Ken Woehl, 902-4775 Sandra Chakones, 902-4748	CR101 - 7/1/98 CR102 - 9/23/98 Hearing - 11/2/98 CR103 - 11/30/98 Effective - 1/1/99	To adopt the 1999 industrial insurance rates and related tables.
WAC 296-17-904, 910, 912, 913, 916, 91601, 917, 918, 919-91905	Workers' Compensation Insurance-Retrospective Rating Rules	Frank Romero, 902-4835	CR101 - 5/20/98 CR102 - 8/98-9/98 Hearing - 9/23/98 CR103 - 10/30/98 Effective - 1/1/99	To amend the retrospective rating rules, and to rewrite the rules to comply with EO 97-02 on regulatory reform.
WAC 296-15-02606, 070, 072, 100, 160, 180, 190, 21002, 230, 240, and 250	Rules and Regulations for Self Insured Employers	Joyce Walker, 902-6907	CR101 - 7/8/98 CR102 - 9/2/98 Hearing - 10/7/98 CR103 - 11/18/98 Effective - 12/21/98	To amend the self insurance claim processes, and to rewrite the rules to comply with EO 97-02 on regulatory reform.

MISC.

WAC CHAPTER	CHAPTER TITLE	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
WAC 296-30-020, 060, 170, and 900  WAC 296-31-040, 070, 071, 072, 073, 075, and 100	Rules for the Crime Victims Compensation Program  Crime Victims Compensation Mental Health Treatment Rules and Fees	Brian Huseby, 902-5369  Cletus Nnanabu, 902-5340	CR101 - 10/15/98 CR102 - 12/1/98 Hearing - 1/8/99 CR103 - 1/29/99 Effective - 3/1/99	To amend the rules of the Crime Victims Compensation Program, and to comply with EO 97-02 on regulatory reform.
WAC 296-31-069	Crime Victims Compensation Mental Health Treatment Rules and Fees - Independent Assessments	Brian Huseby, 902-5369  Cletus Nnanabu, 902-5340	CR101 - 7/1/98 CR102 - 8/14/98 Hearing - 9/16/98 CR103 - 10/16/98 Effective - 12/1/98	To amend the rules of the Crime Victims Compensation Program to comply with EO 97-02 on regulatory reform.
WAC 296-20-029	General Rules - Medical Coverage Rule Criteria	Jami Lifka, 902-4941	CR101 - 6/3/98 CR102 - 9/23/98 Hearing - 10/20/98 CR103 - 12/4/98 Effective - 2/1/99	To adopt the criteria on which the department will make medical coverage decisions.
WAC 296-20-03004	General Rules - Chemo-nucleolysis	Amy Levinson, 902-6324	CR101XR - 4/22/98 CR103 - 6/264/98 Effective - 7/28/98	To repeal the rule to comply with EO 97-02 because it regulates an obsolete medical procedure.
WAC 296-20-03003	General Rules - Drugs and Medication	Amy Levinson, 902-6324	CR101 - 7/24/98 CR102 - 8/19/98 Hearing - 9/22/98 CR103 - 11/2/98 Effective - 12/7/98	To amend the rule to include current medical standards, and to comply with EO 97-02 on regulatory reform.
<b>ADMINISTRATIVE SERVICES</b>				
WAC 296-14-900 through 940	Special Assistant Attorneys General	James Nylander, 902-5118	Hearing - 7/21/98 CR103 - 9/2/98 Effective - 10/5/98	To amend the rules to: <ul style="list-style-type: none"> <li>• Allow the Attorney General's Office to appoint out-of-state attorneys as Special Assistant - Attorneys General for actions brought in other states.</li> <li>• Remove an attorney for cause from the list of attorneys eligible for appointment.</li> <li>• Comply with EO 97-02 on regulatory reform.</li> </ul>
<b>WASHINGTON INDUSTRIAL SAFETY AND HEALTH ACT (WISHA)</b>				
Chapter 296-24 WAC	General Safety and Health Standards	Michael McCauley, 902-5779	CR101 - 6/2/98 CR102 - 9/1/98 Hearing - 10/7/98 CR103 - 12/29/98 Effective - 7/1/99	To adopt a federal OSHA requirement on abatement certification procedures.
Chapter 296-24 WAC	General Safety and Health Standards	Ken Lewis, 902-4568	CR102XA - 10/1/98 CR103 - 1/12/99 Effective - 4/12/99	To adopt WISHA written program requirements on accident prevention to comply with EO 97-02 on regulatory reform.

MISC.



WAC CHAPTER	CHAPTER TITLE	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
Chapter 296-307 WAC	Safety Standards for Agriculture	Laura Brand-Bauer, 902-4504	CR101 - 2/4/98 and 4/24/98 CR102 - 8/4/98 4 Hearings Week of 9/8/98 (Tumwater, Mt. Vernon, Wenatchee, Yakima) CR103 - 12/1/98 Effective - 3/1/98	<ul style="list-style-type: none"> <li>To adopt rules to comply with chapter 362, Laws of 1997 on the definition of agriculture, and chapter 37, Laws of 1997 on providing electricity in all temporary worker housing.</li> <li>To adopt rules on the health hazards an employee orientation must contain.</li> </ul>
Chapter 296-52 WAC	Possession and Handling of Explosives	Chuck Blocher, 902-5523	CR102XA - 6/3/98 CR103 - 9/8/98 Effective - 12/12/98	<p>To adopt a federal OSHA requirement on underground transportation requirements for the possession and handling of explosives. Changes include:</p> <ul style="list-style-type: none"> <li>Adding requirements for housing or lowering explosives in a powder car.</li> <li>Requiring explosives be taken to the point of use without delay.</li> <li>Limitation on the amount transported.</li> </ul>
Chapter 296-62 WAC	General Occupational Health Standards	Ken Lewis, 902-4568	CR101 - 6/2/98 CR102 - 10/21/98 Hearing - 12/10/98 CR103 - 3/17/99	To amend the requirements for emergency eyewashing facilities, and to comply with EO 97-02 on regulatory reform.
Chapter 296-305 WAC	Safety Standards for Firefighters	Cindy Ireland, 902-5522	CR101 - 5/19/98 CR102 - 8/18/98 Hearing - 9/22/98 CR103 - 12/15/98 Effective - 3/15/99	<p>To adopt federal OSHA requirements to make the state's requirements at least as effective as OSHA's. Changes include:</p> <ul style="list-style-type: none"> <li>Narrowing the scope and application of the fire brigade standard.</li> <li>Clarifying eye and face protection.</li> <li>Clarifying physical requirements.</li> <li>Clarifying the 2-in, 2-out requirement.</li> </ul>
Chapter 296-24 WAC	General Safety and Health Standards	Laura Brand-Bauer, 902-4504	CR102XA - 12/31/98	To amend ladder requirements in chapter 296-24 WAC that were intended for manufacturers rather than employers, and to comply with EO 97-02 on regulatory reform.
Chapter 296-24 WAC	General Safety and Health Standards	Laura Brand-Bauer, 902-4504	CR102XA - 12/31/98	To amend lawnmower requirements in chapter 296-24 WAC that were intended for manufacturers rather than employers, and to comply with EO 97-02 on regulatory reform.

WAC CHAPTER	CHAPTER TITLE	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
Chapter 296-54 WAC	Safety Standards for Logging Operations	Laura Brand-Bauer, 902-4504	CR101 - 5/7/97 CR102 - 9/22/98 Hearing - 10/27/98 CR103 - 1/20/99 Effective - 4/20/99	To amend the logging standards, and to comply with EO 97-02 on regulatory reform.
Chapter 296-56 WAC	Longshore, Stevedore and Related Waterfront Operations	Cindy Ireland, 902-5522	CR101 - 6/2/98 CR102 - 8/18/98 Hearing - 9/22/98 CR103 - 12/15/98 Effective - 3/15/99	To adopt federal OSHA requirements on longshore standard.
Chapter 296-24 WAC	General Safety and Health Standards	Laura Brand-Bauer, 902-4504	CR101 - 8/31/98 CR102 - 10/20/98 Hearing - 11/24/98 CR103 - 2/24/99 Effective - 5/24/99	To adopt a federal OSHA egress standard, and to comply with EO 97-02 on regulatory reform.
Chapter 296-61 WAC	Mines, Quarries, Pits and Crushing Operations	Chuck Blocher, 902-5523	CR101 - 6/30/98 CR102 - 8/31/98 Hearing - 10/7/98 CR103 - 12/29/98 Effective - 4/1/99	To amend the rules to comply with EO 97-02 on regulatory reform.
Chapter 296-62 WAC	General Occupational Health Standards	Ken Lewis, 902-4568	CR101 - 6/2/98 CR102 - 9/22/98 Hearing - 10/27/98 CR103 - 1/20/99 Effective - 4/20/99	To adopt rules on Hazardous Waste Operations and Emergency Response requirements, and to comply with EO 97-02 on regulatory reform.
Chapter 296-79 WAC	Pulp, Paper, Paperboard Mills and Converters	Laura Brand-Bauer, 902-4504	CR101 - 8/24/94 CR102 - 9/22/98 Hearing - 10/27/98 CR103 - 1/20/99 Effective - 4/20/99	To adopt the pulp and paper standard with the assistance of an industry labor/management committee and an advisory committee.
Chapter 296-62 WAC	General Occupational Health Standards	Christi Wood, 902-5524	CR101 - 4/1/98 CR102 - 11/17/98 Hearings - 1/5/98 (Tumwater) and 1/7/98 (Yakima) Adoption - 5/3/99 Effective - 9/1/99	To adopt a federal OSHA respiratory protection requirement.
Chapter 296-24 WAC	General Safety and Health Standards	Cindy Ireland, 902-5522	CR101 - 8/5/98 CR102 - 9/22/98 Hearing - 10/27/98 CR103 - 1/20/99 Effective - 4/20/99	To adopt rules on scaffolding, and to comply with EO 97-02 on regulatory reform.
<b>SPECIALTY COMPLIANCE SERVICES</b>				
Chapter 296-04 WAC	Rules and Regulations of the Washington State Apprenticeship and Training Council	Nancy Mason, 902-5321	CR101 - 4/22/98 To be determined: CR102 - Hearing - CR103 - Effective -	The Washington State Apprenticeship and Training Council and a representative ad hoc committee are rewriting the apprenticeship and training rules. The rules will comply with EO 97-02 on regulatory reform.

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WAC CHAPTER	CHAPTER TITLE	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
Chapter 296-46 WAC  Chapter 296-401A WAC	Safety Standards-Installing Electric Wires and Equipment-Administrative Rules (296-46)  Certification of Competency for Journeyman Electricians (296-401A)	Janet Lewis, 902-5249	CR101 - 6/17/98 CR102 - 11/4/98 Hearing - 12/8 and 12/10/98 CR103 - 1/25/99 Effective - 2/26/99	<ul style="list-style-type: none"> <li>• To adopt the 1999 National Electrical Code.</li> <li>• To implement recent legislation regarding temporary worker housing.</li> <li>• To implement recent legislation granting a partial exemption to manufacturers of electrical generators from the licensing requirements of chapter 19.28 RCW.</li> <li>• To implement EO 97-02 on regulatory reform by incorporating certain electrical board policies into the electrical rules.</li> <li>• To amend chapter 296-46 WAC and chapter 296-401A WAC.</li> </ul>
Chapter 296-13 WAC  Chapter 296-402 WAC  Chapter 296-403 WAC	Practice and Procedure-Electrical Board (296-13)  Electrical Testing Laboratory Accreditation (296-402)  Amusement Rides or Structures (296-403)	Janet Lewis, 902-5249	CR101 12/02/98 CR102 - 07/99 Hearing - 08/99 CR103 - 11/99 Effective - 12/99	<ul style="list-style-type: none"> <li>• To rewrite chapter 296-13 WAC to comply with EO 97-02 on regulatory reform.</li> <li>• To adopt fee schedules in chapter 296-402 WAC and chapter 296-403 WAC.</li> </ul>
Chapter 296-96 WAC (New chapter)	Safety Regulations and Fees for All Elevators, Dumbwaiters, Escalators and Other Lifting Devices	Ernie LaPalm, 902-5329	CR101 - 6/17/98 CR102 - 9/2/98 Hearing - 10/6, 10/7, and 10/9/98 CR103 - 1/13/99 Effective - 2/15/99	<p>To rewrite the rules to comply with EO 97-02 on regulatory reform.</p> <p>To rewrite, and incorporate into a new chapter (chapter 296-96 WAC), provisions on safety regulations and fees for all elevators, dumbwaiters, escalators, and other lifting devices.</p> <p>In addition, the new rule would implement recent legislation on elevator civil penalties, and the authority of the department to inspect conveyances in grain elevators and grain terminals.</p>

WAC CHAPTER	CHAPTER TITLE	AGENCY CONTACT	TIMING	SCOPE OF RULE CHANGES
Chapter 296-150C WAC Chapter 296-150F WAC Chapter 296-150M WAC	Commercial Coaches Factory-Built Housing and Commercial Structures Manufactured Homes	Dan Wolfenbarger, 902-5225	CR101 - 10/22/97 CR102 - 3/18/98 Hearing - 4/24/98 CR103 - 6/26/98 Effective - 7/27/98	<ul style="list-style-type: none"> <li>To amend chapter 296-150C WAC, Commercial Coaches, chapter 296-150F WAC, Factory-Built Housing and Commercial Structures, and chapter 296-150M WAC, Manufactured Homes to comply with EO 97-02 on regulatory reform.</li> <li>To bring the department into compliance with chapter 43.22 RCW, concerning the state electrical and building codes and reciprocal agreements with other states.</li> <li>To eliminate duplication and redundancy and incorporate rule sections inadvertently omitted in 1996.</li> </ul>
Chapter 296-150C WAC Chapter 296-150F WAC Chapter 296-150M WAC Chapter 296-150P WAC Chapter 296-150R WAC	Commercial Coaches Factory-Built Housing and Commercial Structures Manufactured Homes Recreational Park Trailers Recreational Vehicles	Dan Wolfenbarger, 902-5225	CR101 - 10/7/98 CR102 - 2/3/99 Hearing - 3/99 CR103 - 5/99 Effective - 6/99	<ul style="list-style-type: none"> <li>To incorporate a number of factory assembled structure (FAS) policies into rule.</li> <li>To amend the rules to accommodate recent changes in the Washington State Building Code regarding plan reviews for medical gas systems.</li> <li>To implement recent legislation regarding temporary worker housing.</li> <li>To comply with EO 97-02 on regulatory reform.</li> </ul>
<b>EMPLOYMENT STANDARDS</b>				
Chapter 296-125 WAC	Nonagricultural Employment of Minors	Greg Mowat, 902-5310	CR101 - 1/7/98 CR102 - 10/7/98 Hearing - Five or six planned for 10/98 CR103 - 12/31/98 Effective - 2/1/99	To amend chapter 296-125 WAC on nonagricultural employment of minors, and to comply with EO 97-02 on regulatory reform.
WAC 296-124-010, 020, 021, 022, 040, 050	Rules and Regulations for the Administration of the Theatrical Enterprise Act	Greg Mowat, 902-5310	CR101XR - 3/18/98 CR103 - 6/24/98 Effective - 7/25/98	To repeal chapter 296-124 WAC on the administration of theatrical enterprises.
<b>BOARD OF BOILER RULES</b>				
Chapter 296-104 WAC	Board of Boiler Rules— Substantive	Dick Barkdoll, 902-5270	CR101 - 4/20/98 CR102 - 7/98 Hearing - 9/98 CR103 - 9/30/98 Effective - 11/1/98	To amend chapter 296-104 WAC on the Board of Boiler Rules.

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## WSR 98-16-064

## AGENDA

## DEPARTMENT OF HEALTH

[Filed August 3, 1998, 4:52 p.m.]

Department of Health July 1998 Rules Agenda					
DIVISION/ PROGRAM	WAC NUMBER	WAC TITLE/SUBJECT	STATUTORY AUTHORITY	ADOPTING AUTHORITY	STATUS
<b>OFFICE OF THE SECRETARY</b>					
Policy and Planning	246-05	Local Public Health Guidelines	RCW 43.20.050 RCW 70.46.080 RCW 43.70.580	SBOH Secretary	CR-101s Filed
Disease and Condition Reporting	246-100-006, 011, 016, 021, 031, 042, 071, 076, 081, 086, 091, 176, 216, 231, 236, 241	Creation of an integrated public health surveillance reporting system.	RCW 43.20.050 RCW 70.24.130 RCW 70.28.032 RCW 70.104.055	SBOH Secretary	CR-101 Filed (Interdivisional Effort)
Disease and Condition Reporting	246-100-196, 217	Creation of an integrated public health surveillance reporting system.	RCW 43.20.050 RCW 70.104.055	SBOH	CR-101 Filed (Interdivisional Effort)
Disease and Condition Reporting	246-100-211, 218, 246-420, 246-430	Creation of an integrated public health surveillance reporting system.	RCW 70.28.032 RCW 43.70.545 RCW 70.58.350 RCW 70.54.270	SBOH Secretary	CR-101s Filed (Interdivisional Effort)
<b>COMMUNITY AND FAMILY HEALTH</b>					
HIV/AIDS - STD	246-100-072, 206, 207, 208, 209	Updates for consistency with current medical practice regarding HIV and STD prevention, counseling, and control.	RCW 70.24.022 RCW 70.24.130 RCW 70.24.340	SBOH	CR-101 Filed
WIC Program	246-780	Farmer's market WIC program.	RCW 43.70.120	Secretary	CR-101 Filed
Coordinated Children's Services	246-710	Updates for consistency with current state and federal laws, as well as current operational practice.	RCW 43.20.140	SBOH	CR-101 Filed
<b>ENVIRONMENTAL HEALTH PROGRAMS</b>					
Radiation Protection	246-246	Radioactivity Cleanup Standards	RCW 70.98.050(4)	Secretary	CR-101 Filed
Radiation Protection	246-249-080	NORM	RCW 70.98.050 RCW 70.98.080	Secretary	CR-101 Filed
Radiation Protection	246-221-265	Deleting Reporting Requirement on Radiation Dosimetry Results		Secretary	CR-101 Filed
Shellfish Program	246-282	Sanitary Control of Shellfish	RCW 69.30.030	SBOH	Pending Adoption
Shellfish Program	246-282-005	Shellfish HACCP	RCW 69.30.030	SBOH	Pending Adoption
Shellfish Program	246-282-990	Limited Commercial Shellfish License	RCW 43.20B.020 RCW 43.70.040	Secretary	CR-101 Filed
Drinking Water	246-290	Public Water Supplies — Chapter Revision	RCW 43.20.090	SBOH	CR-101 Filed
Drinking Water	246-XXX	Joint Rules on Federal Drinking Water State Revolving Fund	RCW 70.119A.170	Secretary	CR-101 Filed
Community and Environmental Health	246-217	Food and Beverage Service Worker's Permits		Secretary	CR-101 Filed
Community and Environmental Health	246-366	Primary and Secondary Schools	RCW 43.20.050	SBOH	Planned
<b>EPIDEMIOLOGY, HEALTH STATISTICS AND PUBLIC HEALTH LABORATORIES</b>					
Center for Health Statistics	246-XXX	Release of Birth Certificates		Secretary	CR-101 Filed, anticipate adoption by 12/98
Laboratory Certification	246-390	Drinking Water Certification	RCW 43.20.050	SBOH	Planned
Center for Health Statistics	246-490-019	New Record for Child/Paternity	RCW 43.70.040	Secretary	CR-101X Filed

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Department of Health July 1998 Rules Agenda					
DIVISION/ PROGRAM	WAC NUMBER	WAC TITLE/SUBJECT	STATUTORY AUTHORITY	ADOPTING AUTHORITY	STATUS
<b>HEALTH SYSTEMS QUALITY ASSURANCE</b>					
Health Professions Quality Assurance	246-XXX	Complaint Investigation Time Periods	RCW 18.130.095	Secretary	CR-101 Filed
Community and Rural Health	246-560	Community Rural Health	RCW 70.175 RCW 70.185	Secretary	CR-101 Filed, sections 015-030 and 080-120 Expedited Repeal 9/97
Community and Rural Health	246-562 - New Chapter	Community Rural Health— Physician Visa Waivers	RCW 70.185	Secretary	CR-102 Filed
Assistant Secretary	246-312	Hospital Acquisition	Chapter 332, Laws of 1997	Secretary	Adopted 6/15/98
Emergency Medical Services and Trauma Prevent.	246-976-001, 010 and 910 through 990	Purpose, Definition, System Administration	RCW 18.71 RCW 18.73 RCW 70.168	Secretary	CR-101 Filed
EMS	246-976-020 -120 (except sec. 076, 077 and 090)	Emergency Medical Services and Trauma Care Systems (Training Sections)	RCW 18.73 RCW 18.71	Secretary	CR-101 Filed
EMS	246-976-076, 077, 165 and 181	Intermediate Life Support (training, CME, certification and definition)	RCW 18.71 RCW 18.73	Secretary	CR-101 Filed
EMS	246-976-140 -240 (except sec. 165 and 181)	Emergency Medical Services and Trauma Care Systems (Cer- tification Sections)	RCW 18.71 RCW 18.73	Secretary	CR-101 Filed
EMS	246-976-260 through 400	Licensure; Verification	RCW 18.73 RCW 70.168	Secretary	CR-101 Filed
EMS	246-976-420 -450	Emergency Medical Services and Trauma Care Systems (Trauma Registry)	RCW 70.168	Secretary	CR-101 Filed
EMS	246-976-470 -890	Emergency Medical Services and Trauma Care Systems (Designation)	RCW 70.168	Secretary	Adopted
EMS	246-976-935	Trauma Care Funding	Chapter 331, Laws of 1997	Secretary	Adopted
EMS	246-976-600, 650, 720, 730, 770, 780, 810, 820, 840, 860	Housekeeping Changes Desig- nation of Trauma Care Services	RCW 70.168.050	Secretary	Pending Adoption
Facilities and Services Licensing	246-100-181	Communicable and certain other diseases - Special set- tings—Child day care facilities	RCW 43.20.050	Secretary	Planned
Facilities and Services Licensing	246-100-186	Communicable and certain other diseases - Special set- tings—Health care facilities	RCW 43.20.050	Secretary	Planned
Facilities and Services Licensing	246-XXX	Fees and Fines For Temporary Worker Housing	RCW 43.70.340	Secretary	CR-101 Filed
Facilities and Services Licensing	246-316, 246-316-990	Boarding Homes	RCW 18.20.090	Secretary	Plan to repeal per 1998 legislative session
Facilities and Services Licensing	246-318	Hospitals	RCW 70.41.030	Secretary	CR-101 Filed, antici- pate adoption end of 1998
Facilities and Services Licensing	246-323	Residential Treatment Facilities	RCW 71.12	Secretary	Planned
Facilities and Services Licensing	246-325	Adult Res. Rehab Centers and Private Adult Treatment Homes	RCW 71.12	Secretary	Planned
Facilities and Services Licensing	246-325-001	Adult Residential Rehab Cen- ters—Purpose and Scope	RCW 43.70.040	Secretary	Expedited Repeal 4/98
Facilities and Services Licensing	246-340-085	Second Trimester Abortion Facilities—Criminal History Background Checks	RCW 43.43.830-842	Secretary	Expedited Repeal 4/98
Facilities and Services Licensing	246-380	Sanitation and Health Care Standards for Medical Facilities	RCW 43.70.040 and 130	Secretary	CR-101 Filed

Department of Health July 1998 Rules Agenda					
DIVISION/ PROGRAM	WAC NUMBER	WAC TITLE/SUBJECT	STATUTORY AUTHORITY	ADOPTING AUTHORITY	STATUS
Facilities and Services Licensing	New Chapter	Child Care Centers	RCW 74.15.060	Secretary	CR-101 Filed
Acupuncture	246-802	Acupuncture Chapter	RCW 18.06.160 RCW 43.70.040	Secretary	CR-101 Filed
Acupuncture	246-802-020 246-802-025 246-802-240	License Renewal Inactive Status Cooperation w/ Investigation	RCW 43.70.040	Secretary	Expedited Repeal 3/98
Chemical Dependency Counselors	246-XXX	Regulating Chemical Depen- dency Counselors	Chapter 145, Laws of 1998	Secretary	CR-101 Filed
Health Care Assistants	246-826-010	Definitions		Secretary	Planned
Health Care Assistants	246-826-080	Updating the Health Care Assistants Chapter	RCW 18.135.030	Secretary	CR-101 Filed
Health Professions Quality Assurance	246-XXX	Student Loan Defaults		Secretary	CR-101 Filed
Health Professions Quality Assurance	246-12	Administrative procedures relating to health professions licensing	RCW 43.70.280	Secretary	Adopted
Denture Technicians	246-812	Defining Denturism	RCW 18.30.070	Board	CR-101 Filed
Denture Technicians	246-812	Changing References from Sec- retary to Board	Court Case	Board	CR-101 Filed
Denture Technicians	246-812	Denturist Licensure—Training Courses	RCW 18.30.070	Secretary	CR-101X Withdrawn due to objection
Hearing/Speech	246-828	Housekeeping Amendments	RCW 18.35.161	Board	Adopted 3/98
Hearing/Speech	246-828-020, 025	Hearing Aid Fitters Examina- tions; Definitions	RCW 18.35.161	Board/Secretary	Adopted 6/98
Hearing/Speech	246-828-510	Continuing Education	RCW 18.35.090	Secretary	CR-101 Filed
Hearing/Speech	246-828	Standards of practice for speech, language pathologists and audiologists	RCW 18.35.161	Board	CR-101 Filed
Massage Board	246-830	Massage Therapy Chapter	RCW 18.108.025 RCW 18.108.085	Board	Problem Identified
Massage Board	246-830-690 246-830-220 246-830-230 246-830-240 246-830-250 246-830-260 246-830-270 246-830-280	Cooperation w/investigation Exams Grading of Exams Frequency of Exams Exam Appeal Re-exams Special Exam Dismissal from Exam	RCW 18.108.085 RCW 18.108.025	Board	Expedited Repeal CR- 101X Filed
Nursing Home Admin- istrators	246-843-001, 030, 040, 050	Board Authority, Meetings, Powers and Duties	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-010	Definitions	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-090, 095	Pre-exam Requirements, Administrators in Training	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-070, 080, 100 to 122, 170 and 230	Examinations	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-125, 130, 150, 155	Continuing Education	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-200, 205	Standards of Conduct	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-220, 225, 340	Procedures Relating to Disci- plinary Authority	RCW 18.52.061	Board	CR-101 Filed
Nursing Home Admin- istrators	246-843-990	Fees		Secretary	Problem Identified
Medical Commission	246-918-008, 009 and 246-919-500, 510	Adjudicative Proceedings	RCW 18.71.017	Commission	Expedited Repeal CR-101X Filed

Department of Health July 1998 Rules Agenda					
DIVISION/ PROGRAM	WAC NUMBER	WAC TITLE/SUBJECT	STATUTORY AUTHORITY	ADOPTING AUTHORITY	STATUS
Medical Commission	246-918-160	Physician Assistants—Discipline	RCW 18.130	Commission	Expedited Repeal 4/98
Medical Commission	246-919	Witness; International Medical Grads; Cont. Ed.	RCW 18.71.017	Commission	Planned
Medical Commission	246-919-520	Revocation of License	RCW 18.71.017	Commission	CR-102 Filed 7/23/97
Medical Commission	246-XXX	Sexual Misconduct and Patient Abuse		Commission	CR-101 Filed
Midwifery	246-834-060 thru 080	Application for Exam	RCW 18.50.045	Secretary	CR-101 Filed
Midwifery	246-834-010	Housekeeping (definitions)	RCW 18.50.045	Secretary	Problem Identified
Midwifery	246-834-180	Application for Accreditation	RCW 18.50.045	Secretary	Problem Identified
Midwifery	246-834-220, 230 and 240	Credit toward education required for licensure	RCW 18.50.045	Secretary	CR-101 Filed
Midwifery	246-834-350	Repeal of Cooperation with Investigation	RCW 18.50.130	Secretary	Expedited Repeal CR-101X Filed
Naturopath Board	246-836	Education, Licensure, Fees	RCW 18.36A.060 RCW 43.70.040	Secretary	Planned
Naturopath Board	246-836-990	Fees	RCW 18.36A.060 RCW 43.70.040	Secretary	Pending Adoption
Naturopath Board	246-836-070 246-836-090 246-836-190 246-836-400	Renewal License Reinstatement Mechanotherapy Cooperation w/Investigation		Secretary	Expedited Repeal CR-101X Filed
Nursing Commission	246-838 246-839 246-840	Interstate Endorsement	RCW 18.79.110	Board	
Nursing Commission	246-838-010	Definition of LPN Supervision	RCW 18.79.110	Board	
Nursing Commission	246-838-130 246-839-120	Lapsed licenses	RCW 18.79.110	Board	
Nursing Commission	246-839	Equivalency of non-traditional nursing education to WA approved	RCW 18.79.110	Board	
Nursing Commission	246-839-830	Pronouncement of Death (on hold for now)	RCW 18.79	Board	Problem Identified
Nursing Commission	246-840-010	Sexual Misconduct	RCW 18.130.180(24)	Board	Pending Adoption
Nursing Commission	246-840-730	Mandatory Reporting	RCW 18.79.110	Board	CR-101 Filed
Nursing Commission	246-841-710, 730, 740, 750	Nursing Assistants-Housekeeping	RCW 18.88A	Board	Expedited Repeal CR-101X Filed
Nursing Commission	New Chapter per RCW 18.79.260	Accepting orders from naturopaths	RCW 18.79.260, 270	Board	Problem Identified
Nursing Commission	New Chapter	Defining minor surgery	RCW 18.79	Board	Problem Identified
Nursing Pool Program	246-845-990	Nursing Pool Program Fees	RCW 18.52C.030	Secretary	CR-101 Filed
Occupational Therapy	246-847-010, 115	Definitions Limited permits	RCW 18.59.130	Board/Secretary	Problem Identified
Board of Optometry	246-851-XXX	Definitions of vision therapy and low vision rehab	RCW 18.54.070(2)	Board	Problem Identified
Board of Optometry	246-851-XXX	Credentialing by endorsement	RCW 18.54.070	Board	Problem Identified
Dispensing Opticians	246-824	Dispensing Opticians	RCW 43.70.040 RCW 18.130.070	Secretary	CR-101 Filed
Dispensing Opticians	246-824-010, 020	Definitions/Registration of Apprentices	RCW 43.70.040	Secretary	CR-101 Filed
Orthotists and Prosthetists	246-XXX	Licensing Exam for Orthotists and Prosthetists	RCW 18.200.050	Secretary	CR-101 Filed
Orthotists and Prosthetists	246-XXX	Orthotic and Prosthetic Services	RCW 18.200.050	Secretary	CR-101 Filed
Board of Pharmacy	246-XXX	Electronic Communication of Prescription Information	RCW 18.64.005, 69.41, 69.50	Board	CR-101 Filed



Department of Health July 1998 Rules Agenda					
DIVISION/ PROGRAM	WAC NUMBER	WAC TITLE/SUBJECT	STATUTORY AUTHORITY	ADOPTING AUTHORITY	STATUS
Board of Pharmacy	246-XXX	Medication Assistance in Community Based Settings	RCW 18.64.005, 69.41, 69.50	Board	CR-101 Filed
Board of Pharmacy	246-861	Professional Pharmaceutical Education		Board	Planned
Board of Pharmacy	246-865	Extended Care Facilities	RCW 18.64.005	Board	CR-101 Filed
Board of Pharmacy	246-869	Pharmacy Licensing	RCW 18.64.005	Board	CR-101 Filed
Board of Pharmacy	246-869-200	Patient Information Required	RCW 18.65.005 [18.64.005]	Board	CR-101 Filed
Board of Pharmacy	246-871	Parenteral Products for Non-hospitalized Patients		Board	Problem Identified
Board of Pharmacy	246-872	Automated Drug Dispensing Devices	RCW 18.64.005	Board	CR-101 Filed
Board of Pharmacy	246-873	Hospital Standards		Board	CR-101 Filed
Board of Pharmacy	246-875	Patient Medication Record Systems		Board	CR-101 Filed
Board of Pharmacy	246-879	Drug Destruction Companies	RCW 18.64.005 RCW 69.50.201	Board	CR-101 Filed
Board of Pharmacy	246-883	Ephedrine Prescription Requirements	RCW 18.64.150	Board	CR-101 Filed
Board of Pharmacy	246-883-050	Theophylline		Board	Expedited Repeal CR-101X Filed
Board of Pharmacy	246-887	Uniform Controlled Substances Act		Board	Planned
Board of Pharmacy	246-887-160	DHEA	RCW 69.50.201	Board	CR-101 Filed
Board of Pharmacy	246-887-170	SOMA	RCW 18.64.005 RCW 69.50.201	Board	CR-101 Filed
Board of Pharmacy	246-901	Board to track all pharmacy employees	RCW 18.64.005	Board	CR-101 Filed
Board of Pharmacy	246-903	Nuclear Pharmacies		Board	Problem Identified
Board of Pharmacy	246-904	Health Care Entity Definitions	RCW 18.64.005	Board	CR-101 Filed
Board of Pharmacy	246-XXX	Registration of Level B Pharmacy Assistants		Board	Problem Identified
Physical Therapy Board	246-915	Sexual Misconduct	RCW 18.74.023	Board	CR-101 Filed
Physical Therapy Board	246-915-010 and 085	Continuing Competency	RCW 18.74.023	Board	CR-101 Filed
Physical Therapy Board	246-915-020, 030, 120	Application Requirements	RCW 18.74.023	Board	CR-101 Filed
Physical Therapy Board	246-915-010, 078, 140, 170	Defining Professional Responsibilities	RCW 18.74.023	Board	CR-101 Filed
Physical Therapy Board	246-915-150	Physical Therapy Supervision Ratio	RCW 18.74.023	Board	CR-101 Filed
Physical Therapy Board	246-915-210 thru 280	Mandatory Reporting	RCW 18.74.023	Board	CR-101 Filed
Podiatric Board	246-922-010, 100, 990	Delegation to Unlicensed Persons	RCW 18.22.015	Board	CR-101 Filed
Psychology	246-924-040(2)	Education prerequisites to licensing	RCW 18.83.050	Board	CR-101 Filed
Psychology	246-924-080, 250, 470	License Application Fees, Continuing Ed., Psychological Exam	RCW 18.83.050 RCW 18.130.250	Board	CR-101 Filed
Psychology	246-924-240, 500	Definition of categories of CPE, retired active psychologists	RCW 18.83.050 RCW 18.130.250	Board	CR-101 Filed
Psychology	246-924-370	Child Custody Evaluation	RCW 18.83.050(5)	Board	CR-101 Filed
Psychology	246-924-480, 485	Temporary Permits, Issuance and Duration	RCW 18.83.040 RCW 18.130.075	Board	CR-101 Filed
Psychology	246-924-990	Fees	RCW 43.70.250	Secretary	CR-101 Filed

Department of Health July 1998 Rules Agenda					
DIVISION/ PROGRAM	WAC NUMBER	WAC TITLE/SUBJECT	STATUTORY AUTHORITY	ADOPTING AUTHORITY	STATUS
Radiologic Technicians	246-926	Cooperation w/Investigations; Approved Schools; Alternative Training	RCW 18.89.140	Secretary	Problem Identified
Respiratory Care Practitioners	246-928	Respiratory Care Practitioners	RCW 18.89.050	Secretary	CR-101 Filed
SOTP	246-930	Education/Certification/Fees	RCW 18.155.040	Secretary	CR-101 Filed
Veterinarian	246-933	Requirements for facilities, practice, qualifications and fees	RCW 18.92.030 RCW 34.05	Board/ Secretary	CR-101 Filed
Veterinarian	246-935	Responsibilities, tasks, eligibility, fees	RCW 18.92.030 RCW 34.05	Board/ Secretary	CR-101 Filed

**WSR 98-17-001**  
**NOTICE OF PUBLIC MEETINGS**  
**COMMUNITY ECONOMIC**  
**REVITALIZATION BOARD**

[Memorandum—August 5, 1998]

**CHANGE OF LOCATION AND TIME:**

**DATE AFFECTED:** September 17, 1998

**NEW TIME:** Start at 8:00 a.m. (change from 9:00 a.m.)

**NEW LOCATION:** Department of Community, Trade and Economic Development  
 Davis Williams Building  
 906 Columbia Street S.W.  
 Olympia, WA 98504-8300

If you have any questions or need further clarification call (360) 586-0657.

**WSR 98-17-008**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
 (Apprenticeship and Training Council)

[Memorandum—August 7, 1998]

The Washington State Apprenticeship and Training Council will hold its quarterly meetings for 1999 at the following locations:

- January 21-22, 1999 Tumwater, Washington
- April 15-16, 1999 Mt. Vernon, Washington
- July 15-16, 1999 Vancouver, Washington
- October 21-22, 1999 Spokane, Washington

All council meetings convene at 9:00 a.m.

**WSR 98-17-019**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF LICENSING**

(Title and Registration Advisory Committee)

[Memorandum—July 2, 1998]

Following is a public meeting notice for the Title and Registration Advisory Committee (TRAC):

**DATE:** September 24, 1998

**TIME:** 1:30 p.m. to 3:30 p.m.

**PLACE:** North Park Community Center  
 13735 24th Avenue South  
 SeaTac, WA 98188

**WSR 98-17-020**  
**NOTICE OF PUBLIC MEETINGS**  
**PUBLIC EMPLOYEES**  
**BENEFITS BOARD**

[Memorandum—August 6, 1998]

This is to confirm that the August 11 (tentatively scheduled) meeting of the Public Employees Benefits Board (PEBB) has been canceled. The next meeting of the PEBB will be held on September 15, 1998, at the Lacey/Woodland Community Center in Lacey, Washington.

If you have any questions during the interim, please contact the board assistant, Judy Lamm, at (360) 923-2828.

MISC.

**WSR 98-17-021**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF CORRECTIONS**  
 [Memorandum—August 11, 1998]

Department of Corrections  
 Correctional Industries  
 Board of Directors  
 CORRECTION

- September 18, 1998      Cavanaugh's at Yakima Center, Yakima  
 3:00 p.m. to 5:00 p.m.
- September 19, 1998      Cavanaugh's at Yakima Center, Yakima  
 8:00 a.m. to 1:00 p.m.

Contact Sheila Pearson, (360) 753-5861.

**WSR 98-17-022**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF CORRECTIONS**  
 [Memorandum—August 11, 1998]

Department of Corrections  
 Correctional Industries  
 Board of Directors  
 Special Meeting

- August 19, 1998      10:00 a.m. Conference Call  
 To review a Class I Partnership Proposal from ASAP

Contact Sheila Pearson, (360) 753-5861.

**WSR 98-17-023**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF HEALTH**  
 (Board of Nursing Home Administrators)  
 [Memorandum—August 7, 1998]

The Board of Nursing Home Administrators (BNHA) is canceling its meeting scheduled for August 20, 1998.

**WSR 98-17-024**  
**NOTICE OF PUBLIC MEETINGS**  
**WASHINGTON STATE LIBRARY**  
 (Library Commission)  
 [Memorandum—August 10, 1998]

The Washington State Library Commission is scheduled to meet as listed below:

- DATE:              Thursday, August 27, 1998
- TIME:              10:00 a.m. to noon
- SUBJECT:          WSL Commission Business Meeting

LOCATION:          John Cherberg Building  
 Hearing Room #4  
 Olympia, Washington 98504

For additional information, please do not hesitate to contact Cathy M. Stussy at (360) 753-2914, fax (360) 586-7575 or INTERNET cstussy@statelib.wa.gov.

**WSR 98-17-025**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF FISH AND WILDLIFE**  
 (Fish and Wildlife Commission)  
 [Memorandum—August 10, 1998]

The Fish and Wildlife Commission would like to publish a notice of change from the meeting schedule filed under WSR 97-22-071 as follows:

<u>DATE</u>	<u>FUNCTION</u>	<u>LOCATION</u>
October 2-3	meeting	Olympia (changed from Wenatchee)

Additional meetings, workshops, and conference calls may be scheduled on an as-needed basis.

**WSR 98-17-026**  
**PROCLAMATION**  
**OFFICE OF THE GOVERNOR**  
 [July 23, 1998]

**AMENDMENT TO STATE OF EMERGENCY**

WHEREAS, heavy rains, flash flooding, and slides continued to occur on July 9 and 10, 1998, threatening citizens and property of Washington State;

WHEREAS, the heavy rains, flash flooding, and slides caused extensive damage to public utilities, public facilities and infrastructure in Benton, Franklin, Lincoln, and Asotin counties;

NOW, THEREFORE, I, Gary Locke, Governor of the state of Washington, as a result of the aforementioned situation and under RCW 38.08, 38.52, and 43.06, do hereby amend the Proclamation of July 15, 1998, and further proclaim that a state of emergency exists in Benton, Franklin, Lincoln and Asotin counties.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia, this twenty-third day of July, A.D., nineteen hundred and ninety-eight.

MISC.

Brad Owen

Lt. Governor and Acting  
Governor for Governor of  
Washington

BY THE GOVERNOR

Donald F. Whiting

Assistant Secretary of State

**WSR 98-17-048**

**NOTICE OF PUBLIC MEETINGS  
WORKFORCE TRAINING AND  
EDUCATION COORDINATING BOARD**

[Memorandum—August 13, 1998]

MEETING NOTICE  
WASHINGTON STATE  
WORKFORCE TRAINING AND EDUCATION  
COORDINATING BOARD  
MEETING NO. 62  
SEPTEMBER 2 and 3, 1998  
YAKIMA JOB SERVICE CENTER  
306 DIVISION STREET  
YAKIMA, WA 98902  
(509) 574-0147

October 1

informal discussions at various locations along the way. Spokane Transit Bus will depart from the WSDOT Eastern Region Headquarters, 2714 North Mayfair Street, Spokane, at 9:00 a.m. The commission recommends that individuals interested in participating on the tour contact the commission office at (360) 705-7070 prior to September 25, 1998.

Spokane: Commission will tour Spokane area state transportation facilities. Spokane Transit Bus will depart from Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, at 8:00 a.m. Joint meeting with Idaho Transportation Board at 1 p.m., WSDOT Eastern Region Headquarters, 2714 North Mayfair Street, Spokane.

September 2, 1998, 5:30 p.m. - 7:30 p.m., the board will gather for an informal dinner with area representatives at the Yakima Valley Community College in Yakima, Washington.

September 3, 1998, 8:30 a.m. - 3:30 p.m., the Workforce Training and Education Coordinating Board will hold its regular business meeting on September 3, 1998, at the Yakima Job Service Center in Yakima, Washington. The board will discuss the recommendations of the Career-Related Information Workgroup; the Carl D. Perkins Vocational Education expenditures and draft plan amendment; and the contents and impact of the federal Workforce Investment Act of 1998. The board will take action on the draft comprehensive plan including recommendations; the draft annual report to the governor and legislature; the WTECB legislative proposals and the biennial budget proposal for 99-01, and legislative proposals for the '99 session from the Employment Security Department.

The meeting site is barrier free. People needing special accommodations, please call Caroline Haggard at least 10 days in advance at (360) 753-5677.

**WSR 98-17-050**

**NOTICE OF PUBLIC MEETINGS  
INTERAGENCY COMMITTEE  
FOR OUTDOOR RECREATION**

[Memorandum—August 13, 1998]

The Interagency Committee for Outdoor Recreation (IAC) will meet Thursday, September 24th and Friday, September 25th beginning at 8:30 a.m. in Room 172 of the Natural Resources Building in Olympia, Washington.

Agenda items include approval of the FY 2000 Washington Wildlife and Recreation Program (WWRP) project rankings and funding levels, adoption of the 1999 meeting schedule, and discussion of the Youth Athletic Facilities Account program. In addition, committee members will participate in a facilitated strategic planning session on Thursday afternoon from 1:30 - 5:00 p.m.

If you plan to participate or have materials for committee review, please submit information to IAC no later than August 27, 1998. This will allow for distribution to committee members in a timely fashion.

IAC public meetings are held in locations accessible to people with disabilities. Arrangements for individuals with hearing or visual impairments can be provided by contacting IAC by August 27 at (360) 902-3000 or TDD (360) 902-1996.

**WSR 98-17-049**

**NOTICE OF PUBLIC MEETINGS  
TRANSPORTATION COMMISSION**

[Memorandum—August 12, 1998]

New Dates

September 30

Locations

Spokane: Commission will tour SR 395 North and participate in

MISC.

**WSR 98-17-061****DEPARTMENT OF ECOLOGY**

[Filed August 17, 1998, 9:33 a.m.]

Notice of Comment Period and  
Public Hearing on Washington State's  
Plan to Implement EPA's Emissions  
Guidelines and Compliance Schedules  
for Municipal Waste Combustors

The Washington State Department of Ecology is accepting comments on a proposed plan to implement EPA's *Municipal Waste Combustor Emission Guidelines*.

The department will accept written comments until the close of business on November 13, 1998.

The department will hear testimony at a public hearing:

Date: Thursday, November 5, 1998  
Time: 8:30 a.m.  
Location: Spokane County Public Works Building  
1026 West Broadway  
Hearing Room, Lower Level  
Spokane, WA

A copy of the proposed plan, *Washington Plan to Implement EPA's Municipal Waste Combustor Emission Guidelines*, is available for public review at the Spokane County Air Pollution Control Authority, Spokane County Public Health Building, Room 403, West 1101 College Street, Spokane, WA 99201.

To receive a copy of the proposed plan, or for more information, contact Kitty Gillespie, Air Quality Program, Washington State Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, e-mail kgil461@ecy.wa.gov, phone (360) 407-6862, fax (360) 407-6802.

If you have special accommodation needs or require this information in alternative format, please call Tami Dahlgren, (360) 407-6830 (voice) or (360) 407-6006 (TDD only).

**WSR 98-17-065**

**INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES**

[Filed August 17, 1998, 11:02 a.m.]

**DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT**

Document Title: DCS Support Enforcement Handbook.  
Subject: Policy and procedural handbook for DCS staff use.

Effective date: August 1998.

Document Description: This is the desk reference for use by Division of Child Support staff. It has been rewritten to conform to the governor's regulatory reform standards.

To receive a copy of the interpretive or policy statement, contact Stephanie Schiller, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 586-

3293, TDD (360) 753-9122, fax (360) 586-3274, e-mail sschille@dshs.wa.gov.

August 10, 1998  
Stephanie E. Schiller

**WSR 98-17-077**

**NOTICE OF PUBLIC MEETINGS  
CENTRALIA COLLEGE**

[Memorandum—August 14, 1998]

The Community College District Twelve board of trustees will change the date of their regular meeting originally scheduled for September 10, 1998, to September 17, 1998, due to a lack of quorum on September 10, 1998.

**WSR 98-17-092****ATTORNEY GENERAL OPINION**

Cite as: AGO 1998 No. 8  
[July 30, 1998]

**PUBLIC FUNDS - SCHOOLS - RELIGION - EMPLOYERS AND EMPLOYEES** - Constitutionality of proposed legislation providing background checks for private school employees at public expense.

1. It would not be a gift of public funds or lending of state credit to require fingerprint-background checks of current employees of private schools, and to appropriate state funds to pay for such checks.
2. A proposed bill which would appropriate state funds to pay for fingerprint-background checks on all employees of private schools would not, as written, violate the state constitutional prohibitions against applying public funds or property in support of religion.

The Honorable Harold Hochstatter  
State Senator, 13th District  
The Honorable Rosemary McAuliffe  
State Senator, 1st District  
Senate Committee on Education  
219 John A. Cherberg Building  
PO Box 40482  
Olympia, Washington 98504-0482

**WSR 98-17-093****ATTORNEY GENERAL OPINION**

Cite as: AGO 1998 No. 9  
[July 30, 1998]

**CITIES AND TOWNS - LEOFF RETIREMENT SYSTEM - OPTIONAL MUNICIPAL CODE** - Authority of a code city to enact an ordinance to designate a chair of a local LEOFF disability board.

A code city lacks authority to determine, by local ordinance, who shall serve as chair of the city's LEOFF disability board; this

subject is pre-empted by state statute.

The Honorable Mary Margaret Haugen  
State Senator, 10th Legislative District  
Chair, Municipal Research Council  
1200 5th Avenue, Suite 1300  
Seattle, Washington 98101-1159

**WSR 98-17-094**

**ATTORNEY GENERAL OPINION**

Cite as: AGO 1998 No. 10  
[August 11, 1998]

**CITIES - OPTIONAL MUNICIPAL CODE - ELECTIONS - "Waiting period"** between elections on change in form of city government.

When a code city has conducted an election on the question of abandonment of plan of government pursuant to chapter 35A.06 RCW, and the result of the election was to retain the city's current plan of government, there is no statutory "waiting period" before another election on the same question may be conducted.

The Honorable Georgia Gardner  
State Representative, 42nd District  
PO Box 40600  
Olympia, Washington 98504-0600

**WSR 98-17-097**

**NOTICE OF PUBLIC MEETINGS  
WASHINGTON STATE LIBRARY**

[Memorandum—August 13, 1998]

The Washington State Library Commission will meet as indicated below:

DATE: Thursday, August 27, 1998  
TIME: 10:00 a.m.  
LOCATION: John Cherberg Building  
Hearing Room #4  
Olympia, Washington  
SUBJECT: WSL Commission Business Meeting

For additional information please contact Cathy M. Stussy. Ms. Stussy can be reached at (360) 753-2914 or fax (360) 586-7575 or [cstussy@statelib.wa.gov](mailto:cstussy@statelib.wa.gov).

MISC.

**Table of WAC Sections Affected**

**KEY TO TABLE**

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

**Symbols:**

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

**Suffixes:**

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- XA = Expedited adoption
- XR = Expedited repeal

No suffix means permanent action.

**WAC #** shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

**WSR #** shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
1-21-010	AMD-XA	98-09-083	16-154	PREP	98-16-016	16-212-082	AMD-P	98-07-106
1-21-010	AMD	98-14-048	16-160	PREP	98-16-015	16-212-082	AMD	98-12-058
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4-25	AMD-C	98-07-025	16-167-020	AMD	98-09-048	16-316-474	PREP	98-06-093
4-25-410	AMD	98-12-020	16-167-030	AMD-XA	98-04-076	16-316-474	AMD-P	98-09-101
4-25-520	AMD	98-12-021	16-167-030	AMD	98-09-048	16-316-474	AMD	98-12-032
4-25-540	AMD	98-12-022	16-167-040	AMD-XA	98-04-076	16-316-525	PREP	98-06-093
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16-23	PREP	98-15-067	16-168-090	AMD	98-03-089	16-325-025	NEW	98-09-071
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16-96-003	REP-P	98-15-157	16-200-7064	NEW-E	98-12-018	16-333-230	REP-XR	98-07-108
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Table of WAC Sections Affected

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16-334-050	NEW-XA	98-07-109	16-471-080	REP-W	98-13-127	16-607-130	NEW-P	98-15-157
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16-334-060	NEW-XA	98-07-109	16-532-010	AMD-P	98-02-073	16-607-140	NEW-P	98-15-157
16-334-060	NEW	98-11-048	16-532-010	AMD	98-13-122	16-607-145	NEW-P	98-15-157
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16-354-005	AMD-P	98-06-082	16-532-0408	REP-P	98-02-073	16-620-030	REP-P	98-15-157
16-354-005	AMD	98-09-049	16-532-0408	REP	98-13-122	16-620-080	REP-P	98-15-157
16-354-010	AMD-P	98-06-082	16-532-0410	REP-P	98-02-073	16-620-100	REP-P	98-15-157
16-354-010	AMD	98-09-049	16-532-0410	REP	98-13-122	16-620-105	REP-P	98-15-157
16-354-020	AMD-P	98-06-082	16-532-0412	REP-P	98-02-073	16-620-150	REP-P	98-15-157
16-354-020	AMD	98-09-049	16-532-0412	REP	98-13-122	16-620-205	REP-P	98-15-157
16-354-030	AMD-P	98-06-082	16-532-0414	REP-P	98-02-073	16-620-210	REP-P	98-15-157
16-354-030	AMD	98-09-049	16-532-0414	REP	98-13-122	16-620-230	REP-P	98-15-157
16-354-040	AMD-P	98-06-082	16-557	PREP	98-08-099	16-620-240	REP-P	98-15-157
16-354-040	AMD	98-09-049	16-557-010	AMD-P	98-12-017	16-620-250	REP-P	98-15-157
16-354-050	AMD-P	98-06-082	16-557-010	AMD	98-16-081	16-620-260	REP-P	98-15-157
16-354-050	AMD	98-09-049	16-557-025	NEW-P	98-12-017	16-620-275	REP-P	98-15-157
16-354-070	AMD-P	98-06-082	16-557-025	NEW	98-16-081	16-620-280	REP-P	98-15-157
16-354-070	AMD	98-09-049	16-561	PREP	98-13-120	16-620-290	REP-P	98-15-157
16-354-100	AMD-P	98-06-082	16-561-030	AMD-P	98-16-080	16-620-340	REP-P	98-15-157
16-354-100	AMD	98-09-049	16-565	PREP	98-13-119	16-620-350	REP-P	98-15-157
16-400	AMD-P	98-07-032	16-573-010	NEW	98-04-093	16-620-380	REP-P	98-15-157
16-400	AMD	98-10-083	16-573-020	NEW	98-04-093	16-620-390	REP-P	98-15-157
16-400-007	AMD-P	98-07-032	16-573-030	NEW	98-04-093	16-620-400	REP-P	98-15-157
16-400-007	AMD	98-10-083	16-573-040	NEW	98-04-093	16-620-410	REP-P	98-15-157
16-400-040	AMD-P	98-07-032	16-573-041	NEW	98-04-093	16-657	PREP	98-07-068
16-400-040	AMD	98-10-083	16-573-050	NEW	98-04-093	16-657-040	AMD-P	98-10-120
16-400-100	AMD-P	98-07-032	16-573-060	NEW	98-04-093	16-657-040	AMD	98-13-074
16-400-100	AMD	98-10-083	16-573-070	NEW	98-04-093	16-659	PREP	98-07-067
16-400-210	AMD-P	98-07-032	16-573-080	NEW	98-04-093	16-659-001	REP-P	98-10-119
16-400-210	AMD	98-10-083	16-575	PREP	98-06-096	16-659-001	REP	98-13-073
16-402-005	NEW-P	98-13-129	16-600-020	REP-XR	98-08-019	16-659-002	NEW-P	98-10-119
16-402-005	NEW	98-17-069	16-600-020	REP	98-13-030	16-659-002	NEW	98-13-073
16-402-010	NEW-P	98-13-129	16-604-001	REP-P	98-15-157	16-659-010	AMD-P	98-10-119
16-402-010	NEW	98-17-069	16-604-002	REP-P	98-15-157	16-659-010	AMD	98-13-073
16-402-015	NEW-P	98-13-129	16-604-003	REP-P	98-15-157	16-662	PREP	98-07-069
16-402-015	NEW	98-17-069	16-604-008	REP-P	98-15-157	16-662-105	AMD-P	98-10-118
16-402-020	NEW-P	98-13-129	16-604-010	REP-P	98-15-157	16-662-105	AMD	98-13-072
16-402-020	NEW	98-17-069	16-604-012	REP-P	98-15-157	16-662-115	AMD-P	98-10-118
16-470-100	AMD-P	98-08-108	16-604-015	REP-P	98-15-157	16-662-115	AMD	98-13-072
16-470-100	AMD	98-12-091	16-604-030	REP-P	98-15-157	16-675-030	AMD-P	98-09-099
16-470-120	AMD-P	98-08-108	16-605A-001	REP-P	98-15-157	16-675-030	AMD	98-12-030
16-471	PREP	98-07-107	16-605A-005	REP-P	98-15-157	16-675-040	AMD-P	98-09-099
16-471-010	REP-P	98-10-115	16-605A-010	REP-P	98-15-157	16-675-040	AMD	98-12-030
16-471-010	REP-W	98-13-127	16-607-005	NEW-P	98-15-157	16-750	PREP	98-12-069
16-471-010	REP-P	98-13-128	16-607-010	NEW-P	98-15-157	16-752	PREP	98-04-077
16-471-015	REP-P	98-10-115	16-607-015	NEW-P	98-15-157	16-752-610	AMD-P	98-08-109
16-471-015	REP-W	98-13-127	16-607-020	NEW-P	98-15-157	16-752-610	AMD	98-13-008
16-471-015	REP-P	98-13-128	16-607-025	NEW-P	98-15-157	24-12-010	AMD-P	98-13-121
16-471-020	REP-P	98-10-115	16-607-035	NEW-P	98-15-157	25-18-010	REP	98-05-027
16-471-020	REP-W	98-13-127	16-607-040	NEW-P	98-15-157	25-18-020	REP	98-05-027
16-471-020	REP-P	98-13-128	16-607-045	NEW-P	98-15-157	25-18-030	REP	98-05-027
16-471-030	REP-P	98-10-115	16-607-050	NEW-P	98-15-157	25-18-040	REP	98-05-027
16-471-030	REP-W	98-13-127	16-607-055	NEW-P	98-15-157	25-18-050	REP	98-05-027
16-471-030	REP-P	98-13-128	16-607-060	NEW-P	98-15-157	25-18-060	REP	98-05-027
16-471-040	REP-P	98-10-115	16-607-065	NEW-P	98-15-157	25-18-070	REP	98-05-027
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16-471-040	REP-P	98-13-128	16-607-075	NEW-P	98-15-157	25-18-090	REP	98-05-027
16-471-050	REP-P	98-10-115	16-607-080	NEW-P	98-15-157	25-18-100	REP	98-05-027
16-471-050	REP-W	98-13-127	16-607-085	NEW-P	98-15-157	25-18-110	REP	98-05-027
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16-471-060	REP-P	98-10-115	16-607-095	NEW-P	98-15-157	25-18-130	REP	98-05-027
16-471-060	REP-W	98-13-127	16-607-100	NEW-P	98-15-157	25-36-010	REP	98-05-027
16-471-060	REP-P	98-13-128	16-607-105	NEW-P	98-15-157	25-36-020	REP	98-05-027
16-471-070	REP-P	98-10-115	16-607-110	NEW-P	98-15-157	25-36-030	REP	98-05-027



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25-36-050	REP	98-05-027	50-52-280	REP-XR	98-13-096	50-52-640	REP	98-16-105
25-36-060	REP	98-05-027	50-52-280	REP	98-16-105	51-04	PREP	98-13-052
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25-36-100	REP	98-05-027	50-52-300	REP	98-16-105	51-04-060	AMD-P	98-15-150
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30-08-070	PREP	98-09-082	50-52-330	REP-XR	98-13-096	51-11	PREP	98-14-110
30-12-150	PREP	98-09-082	50-52-330	REP	98-16-105	51-11-0101	AMD	98-03-003
30-18-040	PREP	98-09-082	50-52-340	REP-XR	98-13-096	51-11-0101	AMD-P	98-15-151
30-22-070	PREP	98-09-082	50-52-340	REP	98-16-105	51-11-0104	AMD	98-03-003
30-22-090	PREP	98-09-082	50-52-350	REP-XR	98-13-096	51-11-0201	AMD	98-03-003
44-01-140	REP-XR	98-07-053	50-52-350	REP	98-16-105	51-11-0402	AMD	98-03-003
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50-36	PREP	98-15-148	50-52-360	REP	98-16-105	51-11-0503	AMD	98-03-003
50-52	PREP	98-13-096	50-52-370	REP-XR	98-13-096	51-11-0503	AMD-E	98-15-080
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50-52-010	REP	98-16-105	50-52-380	REP-XR	98-13-096	51-11-0504	AMD	98-03-003
50-52-020	REP-XR	98-13-096	50-52-380	REP	98-16-105	51-11-0505	AMD-W	98-05-064
50-52-020	REP	98-16-105	50-52-390	REP-XR	98-13-096	51-11-0525	AMD	98-03-003
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50-52-040	REP-XR	98-13-096	50-52-400	REP	98-16-105	51-11-0541	AMD	98-03-003
50-52-040	REP	98-16-105	50-52-410	REP-XR	98-13-096	51-11-0602	AMD	98-03-003
50-52-050	REP-XR	98-13-096	50-52-410	REP	98-16-105	51-11-0606	REP	98-03-003
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50-52-070	REP-XR	98-13-096	50-52-430	REP	98-16-105	51-11-0626	AMD	98-03-003
50-52-070	REP	98-16-105	50-52-440	REP-XR	98-13-096	51-11-0627	AMD	98-03-003
50-52-080	REP-XR	98-13-096	50-52-440	REP	98-16-105	51-11-0628	AMD	98-03-003
50-52-080	REP	98-16-105	50-52-450	REP-XR	98-13-096	51-11-0629	AMD	98-03-003
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50-52-090	REP	98-16-105	50-52-460	REP-XR	98-13-096	51-11-0701	AMD	98-03-003
50-52-100	REP-XR	98-13-096	50-52-460	REP	98-16-105	51-11-0800	AMD	98-03-003
50-52-100	REP	98-16-105	50-52-470	REP-XR	98-13-096	51-11-1002	AMD	98-03-003
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50-52-110	REP	98-16-105	50-52-480	REP-XR	98-13-096	51-11-1004	AMD	98-03-003
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50-52-120	REP	98-16-105	50-52-490	REP-XR	98-13-096	51-11-1006	AMD	98-03-003
50-52-130	REP-XR	98-13-096	50-52-490	REP	98-16-105	51-11-1007	AMD	98-03-003
50-52-130	REP	98-16-105	50-52-500	REP-XR	98-13-096	51-11-1008	AMD	98-03-003
50-52-140	REP-XR	98-13-096	50-52-500	REP	98-16-105	51-11-1009	AMD	98-03-003
50-52-140	REP	98-16-105	50-52-510	REP-XR	98-13-096	51-11-1010	REP	98-03-003
50-52-150	REP-XR	98-13-096	50-52-510	REP	98-16-105	51-11-1120	AMD	98-03-003
50-52-150	REP	98-16-105	50-52-520	REP-XR	98-13-096	51-11-1130	AMD	98-03-003
50-52-160	REP-XR	98-13-096	50-52-520	REP	98-16-105	51-11-1132	AMD	98-03-003
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50-52-170	REP-XR	98-13-096	50-52-530	REP	98-16-105	51-11-1210	AMD	98-03-003
50-52-170	REP	98-16-105	50-52-540	REP-XR	98-13-096	51-11-1310	AMD-W	98-05-064
50-52-180	REP-XR	98-13-096	50-52-540	REP	98-16-105	51-11-1312	AMD	98-03-003
50-52-180	REP	98-16-105	50-52-550	REP-XR	98-13-096	51-11-1322	AMD-W	98-05-064
50-52-190	REP-XR	98-13-096	50-52-550	REP	98-16-105	51-11-1323	AMD	98-03-003
50-52-190	REP	98-16-105	50-52-560	REP-XR	98-13-096	51-11-1331	AMD	98-03-003
50-52-200	REP-XR	98-13-096	50-52-560	REP	98-16-105	51-11-1334	AMD	98-03-003
50-52-200	REP	98-16-105	50-52-570	REP-XR	98-13-096	51-11-1411	AMD	98-03-003
50-52-210	REP-XR	98-13-096	50-52-570	REP	98-16-105	51-11-1412	AMD	98-03-003
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50-52-230	REP-XR	98-13-096	50-52-590	REP	98-16-105	51-11-1423	AMD	98-03-003
50-52-230	REP	98-16-105	50-52-600	REP-XR	98-13-096	51-11-1433	AMD	98-03-003
50-52-240	REP-XR	98-13-096	50-52-600	REP	98-16-105	51-11-1452	AMD	98-03-003
50-52-240	REP	98-16-105	50-52-610	REP-XR	98-13-096	51-11-1454	AMD	98-03-003
50-52-250	REP-XR	98-13-096	50-52-610	REP	98-16-105	51-11-1512	AMD	98-03-003
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50-52-260	REP	98-16-105	50-52-630	REP-XR	98-13-096	51-11-2005	AMD	98-03-003
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51-11-99903	AMD	98-03-003	51-30-0900	REP	98-02-054	51-32-003	REP	98-02-056
51-11-99904	AMD	98-03-003	51-30-0902	REP	98-02-054	51-32-004	REP	98-02-056
51-13-106	AMD	98-02-047	51-30-0904	REP	98-02-054	51-32-005	REP	98-02-056
51-13-402	AMD	98-02-047	51-30-1000	REP	98-02-054	51-32-007	REP	98-02-056
51-13-502	AMD	98-02-047	51-30-1001	REP	98-02-054	51-32-008	REP	98-02-056
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51-26-008	REP	98-02-055	51-30-1009	REP	98-02-054	51-32-0500	REP	98-02-056
51-26-0300	REP	98-02-055	51-30-1014	REP	98-02-054	51-32-0504	REP	98-02-056
51-26-0310	REP	98-02-055	51-30-1019	REP	98-02-054	51-32-0600	REP	98-02-056
51-26-0315	REP	98-02-055	51-30-1030	REP	98-02-054	51-32-0601	REP	98-02-056
51-26-0400	REP	98-02-055	51-30-1100	REP	98-02-054	51-32-0605	REP	98-02-056
51-26-0401	REP	98-02-055	51-30-1101	REP	98-02-054	51-32-1100	REP	98-02-056
51-26-0500	REP	98-02-055	51-30-1102	REP	98-02-054	51-32-1101	REP	98-02-056
51-26-0503	REP	98-02-055	51-30-1103	REP	98-02-054	51-32-1102	REP	98-02-056
51-26-0909	REP	98-02-055	51-30-1104	REP	98-02-054	51-32-1103	REP	98-02-056
51-26-1000	REP	98-02-055	51-30-1105	REP	98-02-054	51-32-1104	REP	98-02-056
51-26-1004	REP	98-02-055	51-30-1106	REP	98-02-054	51-32-1105	REP	98-02-056
51-26-1007	REP	98-02-055	51-30-1107	REP	98-02-054	51-32-1106	REP	98-02-056
51-26-1009	REP	98-02-055	51-30-1108	REP	98-02-054	51-32-1107	REP	98-02-056
51-26-1020	REP	98-02-055	51-30-1109	REP	98-02-054	51-32-1108	REP	98-02-056
51-26-1301	REP	98-02-055	51-30-1110	REP	98-02-054	51-32-1300	REP	98-02-056
51-26-1800	REP	98-02-055	51-30-1111	REP	98-02-054	51-32-1312	REP	98-02-056
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51-26-1803	REP	98-02-055	51-30-1114	REP	98-02-054	51-34-002	REP	98-02-053
51-26-1804	REP	98-02-055	51-30-1120	REP	98-02-054	51-34-003	REP	98-02-053
51-26-1810	REP	98-02-055	51-30-1121	REP	98-02-054	51-34-007	REP	98-02-053
51-26-1820	REP	98-02-055	51-30-1122	REP	98-02-054	51-34-008	REP	98-02-053
51-26-1830	REP	98-02-055	51-30-1123	REP	98-02-054	51-34-0200	REP	98-02-053
51-26-1840	REP	98-02-055	51-30-1124	REP	98-02-054	51-34-0206	REP	98-02-053
51-26-1845	REP	98-02-055	51-30-1125	REP	98-02-054	51-34-0216	REP	98-02-053
51-26-2200	REP	98-02-055	51-30-1200	REP	98-02-054	51-34-0219	REP	98-02-053
51-26-2300	REP	98-02-055	51-30-1203	REP	98-02-054	51-34-0223	REP	98-02-053
51-26-2301	REP	98-02-055	51-30-1600	REP	98-02-054	51-34-0900	REP	98-02-053
51-27-001	REP	98-02-055	51-30-1614	REP	98-02-054	51-34-0901	REP	98-02-053
51-27-002	REP	98-02-055	51-30-1700	REP	98-02-054	51-34-0902	REP	98-02-053
51-27-003	REP	98-02-055	51-30-1702	REP	98-02-054	51-34-1000	REP	98-02-053
51-27-004	REP	98-02-055	51-30-1900	REP	98-02-054	51-34-1003	REP	98-02-053
51-27-008	REP	98-02-055	51-30-1909	REP	98-02-054	51-34-1007	REP	98-02-053
51-30-001	REP	98-02-054	51-30-2200	REP	98-02-054	51-34-2500	REP	98-02-053
51-30-002	REP	98-02-054	51-30-2211	REP	98-02-054	51-34-2501	REP	98-02-053
51-30-003	REP	98-02-054	51-30-2400	REP	98-02-054	51-34-5200	REP	98-02-053
51-30-004	REP	98-02-054	51-30-2406	REP	98-02-054	51-34-5201	REP	98-02-053
51-30-005	REP	98-02-054	51-30-2900	REP	98-02-054	51-34-5204	REP	98-02-053
51-30-007	REP	98-02-054	51-30-2902	REP	98-02-054	51-34-6100	REP	98-02-053
51-30-008	REP	98-02-054	51-30-2903	REP	98-02-054	51-34-6103	REP	98-02-053
51-30-009	REP	98-02-054	51-30-2904	REP	98-02-054	51-34-6104	REP	98-02-053
51-30-0100	REP	98-02-054	51-30-2910	REP	98-02-054	51-34-6105	REP	98-02-053
51-30-0104	REP	98-02-054	51-30-3102	REP	98-02-054	51-34-6106	REP	98-02-053
51-30-0200	REP	98-02-054	51-30-31200	REP	98-02-054	51-34-6107	REP	98-02-053
51-30-0204	REP	98-02-054	51-30-31201	REP	98-02-054	51-34-6301	REP	98-02-053
51-30-0207	REP	98-02-054	51-30-31202	REP	98-02-054	51-34-6302	REP	98-02-053
51-30-0217	REP	98-02-054	51-30-31203	REP	98-02-054	51-34-6303	REP	98-02-053
51-30-0220	REP	98-02-054	51-30-31204	REP	98-02-054	51-34-6304	REP	98-02-053
51-30-0300	REP	98-02-054	51-30-31205	REP	98-02-054	51-34-6305	REP	98-02-053
51-30-0302	REP	98-02-054	51-30-31206	REP	98-02-054	51-34-6306	REP	98-02-053
51-30-0304	REP	98-02-054	51-30-31207	REP	98-02-054	51-34-6307	REP	98-02-053
51-30-0305	REP	98-02-054	51-30-31208	REP	98-02-054	51-34-6308	REP	98-02-053
51-30-0307	REP	98-02-054	51-30-31209	REP	98-02-054	51-34-6309	REP	98-02-053
51-30-0310	REP	98-02-054	51-30-31210	REP	98-02-054	51-34-6310	REP	98-02-053
51-30-0313	REP	98-02-054	51-30-3400	REP	98-02-054	51-34-6311	REP	98-02-053
51-30-0400	REP	98-02-054	51-30-3404	REP	98-02-054	51-34-6312	REP	98-02-053
51-30-0403	REP	98-02-054	51-30-93115	REP	98-02-054	51-34-6313	REP	98-02-053
51-30-0405	REP	98-02-054	51-30-93116	REP	98-02-054	51-34-6314	REP	98-02-053
51-30-0500	REP	98-02-054	51-30-93117	REP	98-02-054	51-34-6315	REP	98-02-053
51-30-0510	REP	98-02-054	51-30-93118	REP	98-02-054	51-34-6316	REP	98-02-053
51-30-0600	REP	98-02-054	51-30-93119	REP	98-02-054	51-34-6317	REP	98-02-053
51-30-0601	REP	98-02-054	51-30-93120	REP	98-02-054	51-34-6318	REP	98-02-053

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-34-6319	REP	98-02-053	51-40-1003	NEW	98-02-054	51-42-1107	NEW	98-02-056
51-34-6320	REP	98-02-053	51-40-1004	NEW	98-02-054	51-42-1108	NEW	98-02-056
51-34-6321	REP	98-02-053	51-40-1007	NEW	98-02-054	51-42-1311	NEW	98-02-056
51-34-6322	REP	98-02-053	51-40-1091	NEW	98-02-054	51-42-1312	NEW	98-02-056
51-34-6323	REP	98-02-053	51-40-1100	NEW	98-02-054	51-42-1401	NEW	98-02-056
51-34-6324	REP	98-02-053	51-40-1101	NEW	98-02-054	51-44-001	NEW	98-02-053
51-34-7800	REP	98-02-053	51-40-1102	NEW	98-02-054	51-44-002	NEW	98-02-053
51-34-7802	REP	98-02-053	51-40-1103	NEW	98-02-054	51-44-003	NEW	98-02-053
51-34-7900	REP	98-02-053	51-40-1104	NEW	98-02-054	51-44-007	NEW	98-02-053
51-34-7902	REP	98-02-053	51-40-1105	NEW	98-02-054	51-44-007	PREP	98-13-051
51-34-7904	REP	98-02-053	51-40-1106	NEW	98-02-054	51-44-007	AMD-P	98-15-151
51-34-8000	REP	98-02-053	51-40-1107	NEW	98-02-054	51-44-008	NEW	98-02-053
51-34-8001	REP	98-02-053	51-40-1108	NEW	98-02-054	51-44-0103	NEW	98-02-053
51-34-8003	REP	98-02-053	51-40-1109	NEW	98-02-054	51-44-0200	NEW	98-02-053
51-34-9100	REP	98-02-053	51-40-1110	NEW	98-02-054	51-44-0900	NEW	98-02-053
51-34-9101	REP	98-02-053	51-40-1111	NEW	98-02-054	51-44-1003	NEW	98-02-053
51-34-9102	REP	98-02-053	51-40-1112	NEW	98-02-054	51-44-1007	NEW	98-02-053
51-34-9103	REP	98-02-053	51-40-1113	NEW	98-02-054	51-44-10210	NEW	98-02-053
51-34-9104	REP	98-02-053	51-40-1114	NEW	98-02-054	51-44-1109	NEW	98-02-053
51-34-9105	REP	98-02-053	51-40-1191	NEW	98-02-054	51-44-2500	NEW	98-02-053
51-34-9106	REP	98-02-053	51-40-1192	NEW	98-02-054	51-44-5200	NEW	98-02-053
51-34-9107	REP	98-02-053	51-40-1193	NEW	98-02-054	51-44-6100	NEW	98-02-053
51-34-9108	REP	98-02-053	51-40-1194	NEW	98-02-054	51-44-6300	NEW	98-02-053
51-35-001	REP	98-02-053	51-40-1195	NEW	98-02-054	51-44-7404	NEW	98-02-053
51-35-002	REP	98-02-053	51-40-1196	NEW	98-02-054	51-44-7802	NEW	98-02-053
51-35-003	REP	98-02-053	51-40-1203	NEW	98-02-054	51-44-7900	NEW	98-02-053
51-35-007	REP	98-02-053	51-40-1506	NEW-W	98-05-065	51-44-8000	NEW	98-02-053
51-35-008	REP	98-02-053	51-40-1616	NEW	98-02-054	51-45-001	NEW	98-02-053
51-35-52000	REP	98-02-053	51-40-1702	NEW	98-02-054	51-45-002	NEW	98-02-053
51-35-52400	REP	98-02-053	51-40-1909	NEW	98-02-054	51-45-003	NEW	98-02-053
51-35-52440	REP	98-02-053	51-40-23110	NEW	98-02-054	51-45-007	NEW	98-02-053
51-35-52441	REP	98-02-053	51-40-23110	REP-P	98-16-065	51-45-008	NEW	98-02-053
51-35-52442	REP	98-02-053	51-40-2406	NEW	98-02-054	51-45-80400	NEW	98-02-053
51-35-52500	REP	98-02-053	51-40-2900	NEW	98-02-054	51-46-001	NEW	98-02-055
51-35-52510	REP	98-02-053	51-40-2929	NEW	98-02-054	51-46-002	NEW	98-02-055
51-35-52520	REP	98-02-053	51-40-3004	NEW	98-02-054	51-46-003	NEW	98-02-055
51-35-52530	REP	98-02-053	51-40-3102	NEW	98-02-054	51-46-007	NEW	98-02-055
51-35-52540	REP	98-02-053	51-40-31200	NEW	98-02-054	51-46-007	PREP	98-13-051
51-35-52550	REP	98-02-053	51-40-3404	NEW	98-02-054	51-46-007	AMD-P	98-15-151
51-35-52560	REP	98-02-053	51-40-93115	NEW	98-02-054	51-46-008	NEW	98-02-055
51-35-52570	REP	98-02-053	51-40-93116	NEW	98-02-054	51-46-0100	NEW	98-02-055
51-35-52580	REP	98-02-053	51-40-93117	NEW	98-02-054	51-46-0101	NEW	98-02-055
51-35-52590	REP	98-02-053	51-40-93118	NEW	98-02-054	51-46-0102	NEW	98-02-055
51-35-52600	REP	98-02-053	51-40-93119	NEW	98-02-054	51-46-0103	NEW	98-02-055
51-40	PREP	98-14-125	51-40-93120	NEW	98-02-054	51-46-0200	NEW	98-02-055
51-40-001	NEW	98-02-054	51-42-001	NEW	98-02-056	51-46-0205	NEW	98-02-055
51-40-002	NEW	98-02-054	51-42-002	NEW	98-02-056	51-46-0215	NEW	98-02-055
51-40-003	NEW	98-02-054	51-42-003	NEW	98-02-056	51-46-0218	NEW	98-02-055
51-40-004	NEW	98-02-054	51-42-004	NEW	98-02-056	51-46-0300	NEW	98-02-055
51-40-005	NEW	98-02-054	51-42-005	NEW	98-02-056	51-46-0301	NEW	98-02-055
51-40-007	NEW	98-02-054	51-42-007	NEW	98-02-056	51-46-0310	NEW	98-02-055
51-40-007	PREP	98-13-051	51-42-007	PREP	98-13-051	51-46-0311	NEW	98-02-055
51-40-007	AMD-P	98-15-151	51-42-007	AMD-P	98-15-151	51-46-0313	NEW	98-02-055
51-40-008	NEW	98-02-054	51-42-008	NEW	98-02-056	51-46-0314	NEW	98-02-055
51-40-009	NEW	98-02-054	51-42-0200	NEW	98-02-056	51-46-0316	NEW	98-02-055
51-40-0200	NEW	98-02-054	51-42-0223	NEW	98-02-056	51-46-0392	NEW	98-02-055
51-40-0302	NEW	98-02-054	51-42-0303	NEW	98-02-056	51-46-0400	NEW	98-02-055
51-40-0303	NEW	98-02-054	51-42-0504	NEW	98-02-056	51-46-0402	NEW	98-02-055
51-40-0304	NEW	98-02-054	51-42-0600	NEW	98-02-056	51-46-0412	NEW	98-02-055
51-40-0305	NEW	98-02-054	51-42-0601	NEW	98-02-056	51-46-0413	NEW	98-02-055
51-40-0307	NEW	98-02-054	51-42-0605	NEW	98-02-056	51-46-0500	NEW	98-02-055
51-40-0308	NEW	98-02-054	51-42-0901	NEW	98-02-056	51-46-0501	NEW	98-02-055
51-40-0310	NEW	98-02-054	51-42-1000	NEW	98-02-056	51-46-0502	NEW	98-02-055
51-40-0311	NEW	98-02-054	51-42-1002	NEW	98-02-056	51-46-0505	NEW	98-02-055
51-40-0313	NEW	98-02-054	51-42-1004	NEW	98-02-056	51-46-0507	NEW	98-02-055
51-40-0403	NEW	98-02-054	51-42-1005	NEW	98-02-056	51-46-0509	NEW	98-02-055
51-40-0405	NEW	98-02-054	51-42-1100	NEW	98-02-056	51-46-0512	NEW	98-02-055
51-40-0510	NEW	98-02-054	51-42-1101	NEW	98-02-056	51-46-0513	NEW	98-02-055
51-40-0804	NEW	98-02-054	51-42-1102	NEW	98-02-056	51-46-0514	NEW	98-02-055
51-40-0902	NEW	98-02-054	51-42-1103	NEW	98-02-056	51-46-0515	NEW	98-02-055
51-40-0904	NEW	98-02-054	51-42-1104	NEW	98-02-056	51-46-0516	NEW	98-02-055
51-40-1000	NEW	98-02-054	51-42-1105	NEW	98-02-056	51-46-0517	NEW	98-02-055
51-40-1002	NEW	98-02-054	51-42-1106	NEW	98-02-056	51-46-0518	NEW	98-02-055

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-46-0519	NEW	98-02-055	82-28-080	REP-XR	98-14-065	131-08-005	AMD	98-15-002
51-46-0520	NEW	98-02-055	82-28-090	REP-XR	98-14-065	131-08-007	AMD-P	98-06-071
51-46-0521	NEW	98-02-055	82-28-100	REP-XR	98-14-065	131-08-007	AMD-P	98-10-074
51-46-0522	NEW	98-02-055	82-28-110	REP-XR	98-14-065	131-08-007	AMD	98-15-002
51-46-0523	NEW	98-02-055	82-28-120	REP-XR	98-14-065	131-08-008	AMD-P	98-06-071
51-46-0524	NEW	98-02-055	82-28-130	REP-XR	98-14-065	131-08-008	AMD-P	98-10-074
51-46-0525	NEW	98-02-055	82-28-135	REP-XR	98-14-065	131-08-008	AMD	98-15-002
51-46-0600	NEW	98-02-055	82-28-140	REP-XR	98-14-065	131-12	AMD-C	98-07-059
51-46-0603	NEW	98-02-055	82-28-150	REP-XR	98-14-065	131-12-020	AMD-P	98-06-069
51-46-0604	NEW	98-02-055	82-28-160	REP-XR	98-14-065	131-12-020	AMD	98-15-011
51-46-0608	NEW	98-02-055	82-28-170	REP-XR	98-14-065	131-12-030	AMD-P	98-06-069
51-46-0609	NEW	98-02-055	82-28-180	REP-XR	98-14-065	131-12-030	AMD	98-15-011
51-46-0610	NEW	98-02-055	82-28-190	REP-XR	98-14-065	131-12-040	AMD-P	98-06-069
51-46-0700	NEW	98-02-055	82-28-200	REP-XR	98-14-065	131-12-040	AMD	98-15-011
51-46-0701	NEW	98-02-055	82-28-210	REP-XR	98-14-065	131-12-041	AMD-P	98-06-069
51-46-0704	NEW	98-02-055	82-28-220	REP-XR	98-14-065	131-12-041	AMD	98-15-011
51-46-0710	NEW	98-02-055	82-28-230	REP-XR	98-14-065	131-16	AMD-C	98-08-028
51-46-0713	NEW	98-02-055	82-36-010	REP-XR	98-14-016	131-16-010	AMD-P	98-06-075
51-46-0793	NEW	98-02-055	82-36-020	REP-XR	98-14-016	131-16-010	AMD-E	98-09-044
51-46-0800	NEW	98-02-055	82-36-030	REP-XR	98-14-016	131-16-010	AMD	98-14-033
51-46-0810	NEW	98-02-055	82-36-033	REP-XR	98-14-016	131-16-011	AMD-P	98-06-075
51-46-0814	NEW	98-02-055	82-36-035	REP-XR	98-14-016	131-16-011	AMD-E	98-09-044
51-46-0815	NEW	98-02-055	82-36-040	REP-XR	98-14-016	131-16-011	AMD	98-14-033
51-46-0900	NEW	98-02-055	82-36-050	REP-XR	98-14-016	131-16-015	REP-P	98-06-075
51-46-0903	NEW	98-02-055	82-36-060	REP-XR	98-14-016	131-16-021	AMD-P	98-06-075
51-46-1000	NEW	98-02-055	82-36-070	REP-XR	98-14-016	131-16-021	AMD-E	98-09-044
51-46-1003	NEW	98-02-055	82-36-080	REP-XR	98-14-016	131-16-021	AMD	98-14-033
51-46-1012	NEW	98-02-055	82-36-090	REP-XR	98-14-016	131-16-031	AMD-P	98-06-075
51-46-1300	NEW	98-02-055	82-36-120	REP-XR	98-14-016	131-16-031	AMD-E	98-09-044
51-46-1301	NEW	98-02-055	82-36-130	REP-XR	98-14-016	131-16-031	AMD	98-14-033
51-46-1302	NEW	98-02-055	82-36-140	REP-XR	98-14-016	131-16-040	REP-P	98-06-075
51-46-1303	NEW	98-02-055	82-36-150	REP-XR	98-14-016	131-16-045	AMD-P	98-06-075
51-46-1304	NEW	98-02-055	82-40-010	REP-XR	98-14-017	131-16-045	AMD-E	98-09-044
51-46-1305	NEW	98-02-055	82-40-020	REP-XR	98-14-017	131-16-045	AMD	98-14-033
51-46-1400	NEW	98-02-055	82-40-030	REP-XR	98-14-017	131-16-050	AMD-P	98-06-075
51-46-1401	NEW	98-02-055	82-40-040	REP-XR	98-14-017	131-16-050	AMD-E	98-09-044
51-46-1491	NEW	98-02-055	82-40-050	REP-XR	98-14-017	131-16-050	AMD	98-14-033
51-46-97120	NEW	98-02-055	82-40-060	REP-XR	98-14-017	131-16-055	AMD-P	98-06-075
51-46-97121	NEW	98-02-055	82-40-070	REP-XR	98-14-017	131-16-055	AMD-E	98-09-044
51-46-97122	NEW	98-02-055	82-44-010	REP-XR	98-14-015	131-16-055	AMD	98-14-033
51-46-97123	NEW	98-02-055	82-44-020	REP-XR	98-14-015	131-16-056	AMD-P	98-06-075
51-46-97124	NEW	98-02-055	82-44-030	REP-XR	98-14-015	131-16-056	AMD-E	98-09-044
51-46-97125	NEW	98-02-055	82-44-040	REP-XR	98-14-015	131-16-056	AMD	98-14-033
51-46-97126	NEW	98-02-055	82-44-050	REP-XR	98-14-015	131-16-060	REP-P	98-06-075
51-46-97127	NEW	98-02-055	82-44-060	REP-XR	98-14-015	131-16-061	AMD-P	98-06-075
51-46-97128	NEW	98-02-055	82-44-070	REP-XR	98-14-015	131-16-061	AMD-E	98-09-044
51-46-97129	NEW	98-02-055	82-44-080	REP-XR	98-14-015	131-16-061	AMD	98-14-033
51-47-001	NEW	98-02-055	82-44-090	REP-XR	98-14-015	131-16-062	REP-P	98-06-075
51-47-002	NEW	98-02-055	82-50-021	AMD-P	98-09-084	131-16-065	REP-P	98-06-075
51-47-003	NEW	98-02-055	82-50-021	AMD	98-14-079	131-16-066	REP-P	98-06-075
51-47-007	NEW	98-02-055	98-70-010	PREP	98-11-039	131-16-080	AMD-P	98-10-113
51-47-008	NEW	98-02-055	98-70-010	AMD-P	98-15-100	131-16-210	REP-P	98-10-113
82-24-010	REP-XR	98-14-066	118-40-010	AMD	98-07-028	131-16-220	REP-P	98-10-113
82-24-020	REP-XR	98-14-066	118-40-020	AMD	98-07-028	131-16-400	AMD-P	98-10-113
82-24-030	REP-XR	98-14-066	118-40-030	AMD	98-07-028	131-16-450	AMD-P	98-10-046
82-24-040	REP-XR	98-14-066	118-40-040	AMD	98-07-028	131-16-450	AMD	98-15-007
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136-220-030	AMD	98-09-070	173-03-020	AMD-XA	98-11-099	173-160-241	NEW	98-08-032
136-300-010	AMD-P	98-17-051	173-03-020	AMD	98-16-052	173-160-245	REP	98-08-032
136-300-020	AMD-P	98-17-051	173-03-030	AMD-XA	98-11-099	173-160-251	NEW	98-08-032
136-300-030	AMD-P	98-17-051	173-03-030	AMD	98-16-052	173-160-255	REP	98-08-032
136-300-040	AMD-P	98-17-051	173-03-040	AMD-XA	98-11-099	173-160-261	NEW	98-08-032
136-300-050	NEW-P	98-17-051	173-03-040	AMD	98-16-052	173-160-265	REP	98-08-032
136-300-060	NEW-P	98-17-051	173-03-050	AMD-XA	98-11-099	173-160-271	NEW	98-08-032
136-300-070	NEW-P	98-17-051	173-03-050	AMD	98-16-052	173-160-275	REP	98-08-032
136-300-080	NEW-P	98-17-051	173-03-060	AMD-XA	98-11-099	173-160-281	NEW	98-08-032
136-300-090	NEW-P	98-17-051	173-03-060	AMD	98-16-052	173-160-285	REP	98-08-032
136-300-050	NEW-P	98-17-051	173-03-070	AMD-XA	98-11-099	173-160-291	NEW	98-08-032
136-400-010	AMD-P	98-17-051	173-03-070	AMD	98-16-052	173-160-291	AMD-XA	98-14-075
136-400-040	AMD-P	98-17-051	173-03-080	AMD-XA	98-11-099	173-160-295	REP	98-08-032
136-400-050	AMD-P	98-17-051	173-03-080	AMD	98-16-052	173-160-301	NEW	98-08-032
136-400-060	AMD-P	98-17-051	173-03-090	AMD-XA	98-11-099	173-160-305	REP	98-08-032
136-400-070	AMD-P	98-17-051	173-03-090	AMD	98-16-052	173-160-311	NEW	98-08-032
136-400-080	AMD-P	98-17-051	173-03-100	AMD-XA	98-11-099	173-160-315	REP	98-08-032
136-400-090	AMD-P	98-17-051	173-03-100	AMD	98-16-052	173-160-321	NEW	98-08-032
136-400-100	AMD-P	98-17-051	173-20-640	AMD	98-09-098	173-160-325	REP	98-08-032
136-400-110	AMD-P	98-17-051	173-98	PREP	98-12-044	173-160-331	NEW	98-08-032
136-400-120	AMD-P	98-17-051	173-152	NEW-C	98-04-019	173-160-335	REP	98-08-032
136-400-130	AMD-P	98-17-051	173-152-010	NEW-E	98-04-018	173-160-341	NEW	98-08-032
137-28-150	AMD	98-04-086	173-152-010	NEW	98-06-042	173-160-345	REP	98-08-032
137-28-190	AMD	98-04-086	173-152-020	NEW-E	98-04-018	173-160-351	NEW	98-08-032
137-100-001	AMD-P	98-02-074	173-152-020	NEW	98-06-042	173-160-355	REP	98-08-032
137-100-002	NEW	98-15-084	173-152-025	NEW-E	98-04-018	173-160-361	NEW	98-08-032
137-100-010	AMD-P	98-02-074	173-152-030	NEW	98-06-042	173-160-365	REP	98-08-032
137-100-011	NEW	98-15-084	173-152-040	NEW-E	98-04-018	173-160-371	NEW	98-08-032
137-100-020	AMD-P	98-02-074	173-152-040	NEW	98-06-042	173-160-375	REP	98-08-032
137-100-021	NEW	98-15-084	173-152-050	NEW-E	98-04-018	173-160-381	NEW	98-08-032
137-100-030	AMD-P	98-02-074	173-152-050	NEW	98-06-042	173-160-385	REP	98-08-032
137-100-031	NEW	98-15-084	173-152-060	NEW	98-06-042	173-160-390	NEW	98-08-032
137-100-040	NEW-P	98-02-074	173-160	AMD-C	98-04-020	173-160-395	REP	98-08-032
137-100-040	NEW-W	98-15-117	173-160-010	AMD	98-08-032	173-160-400	NEW	98-08-032
162-22-010	AMD	98-08-035	173-160-020	REP-XR	98-08-061	173-160-405	REP	98-08-032
162-22-020	AMD	98-08-035	173-160-020	AMD-W	98-08-093	173-160-406	NEW	98-08-032
162-22-030	AMD	98-08-035	173-160-020	REP	98-13-112	173-160-410	NEW	98-08-032
162-22-040	AMD	98-08-035	173-160-030	AMD	98-08-032	173-160-415	REP	98-08-032
162-22-050	AMD	98-08-035	173-160-040	AMD	98-08-032	173-160-420	AMD	98-08-032
162-22-060	AMD	98-08-035	173-160-050	AMD	98-08-032	173-160-420	AMD-XA	98-14-075
162-22-070	AMD	98-08-035	173-160-055	REP	98-08-032	173-160-425	REP	98-08-032
162-22-080	AMD	98-08-035	173-160-061	NEW	98-08-032	173-160-430	NEW	98-08-032
162-22-090	AMD	98-08-035	173-160-065	REP	98-08-032	173-160-435	REP	98-08-032
162-22-100	NEW	98-08-035	173-160-071	NEW	98-08-032	173-160-440	NEW	98-08-032
162-26	AMD	98-08-035	173-160-075	REP	98-08-032	173-160-445	REP	98-08-032
162-26-010	AMD	98-08-035	173-160-085	REP	98-08-032	173-160-450	NEW	98-08-032
162-26-020	AMD	98-08-035	173-160-095	REP	98-08-032	173-160-455	REP	98-08-032
162-26-030	AMD	98-08-035	173-160-101	NEW	98-08-032	173-160-460	NEW	98-08-032
162-26-040	AMD	98-08-035	173-160-105	REP	98-08-032	173-160-460	AMD-XA	98-14-075
162-26-050	AMD	98-08-035	173-160-106	NEW	98-08-032	173-160-465	REP	98-08-032
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162-26-090	AMD	98-08-035	173-160-121	NEW	98-08-032	173-160-520	REP	98-08-032
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162-26-120	AMD	98-08-035	173-160-135	REP	98-08-032	173-160-550	REP	98-08-032
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162-38-010	AMD	98-08-035	173-160-201	NEW-E	98-10-033	173-162-030	AMD	98-08-031
162-38-040	AMD	98-08-035	173-160-201	AMD-XA	98-14-075	173-162-040	AMD	98-08-031
162-38-050	AMD	98-08-035	173-160-205	REP	98-08-032	173-162-050	AMD	98-08-031
162-38-060	AMD	98-08-035	173-160-211	NEW	98-08-032	173-162-055	NEW	98-08-031
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173-162-120	AMD-W	98-08-093	173-303-910	AMD	98-03-018	173-806-058	AMD-P	98-12-092
173-162-127	NEW-W	98-08-093	173-303-9903	AMD	98-03-018	173-806-065	AMD-P	98-12-092
173-162-130	AMD-W	98-08-093	173-303-9904	AMD	98-03-018	173-806-090	AMD-P	98-12-092
173-162-140	AMD	98-08-031	173-303-9905	AMD	98-03-018	173-806-100	AMD-P	98-12-092
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173-162-170	REP	98-08-031	173-308-020	NEW	98-05-101	173-806-130	AMD-P	98-12-092
173-162-190	AMD	98-08-031	173-308-030	NEW	98-05-101	173-806-132	NEW-P	98-12-092
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173-202-020	AMD-XA	98-03-071	173-308-070	NEW	98-05-101	173-806-175	AMD-P	98-12-092
173-202-020	AMD-S	98-04-021	173-308-080	NEW	98-05-101	173-806-180	AMD-P	98-12-092
173-202-020	AMD-W	98-04-069	173-308-090	NEW	98-05-101	173-806-185	AMD-P	98-12-092
173-202-020	AMD	98-07-026	173-308-100	NEW	98-05-101	173-806-190	AMD-P	98-12-092
173-202-020	AMD-E	98-07-103	173-308-110	NEW	98-05-101	180-08-007	PREP	98-16-094
173-202-020	AMD	98-08-058	173-308-120	NEW	98-05-101	180-16	PREP	98-16-098
173-202-020	AMD-E	98-13-083	173-308-130	NEW	98-05-101	180-16-002	AMD-P	98-04-088
173-202-020	AMD-S	98-13-115	173-308-140	NEW	98-05-101	180-16-002	AMD	98-08-039
173-202-020	AMD-W	98-17-073	173-308-150	NEW	98-05-101	180-16-180	REP-P	98-04-088
173-204	PREP	98-17-085	173-308-160	NEW	98-05-101	180-16-180	REP	98-08-039
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173-224-050	AMD	98-03-046	173-308-190	NEW	98-05-101	180-25	PREP	98-06-007
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173-303-070	AMD	98-03-018	173-308-230	NEW	98-05-101	180-25-040	AMD-P	98-14-145
173-303-071	AMD	98-03-018	173-308-240	NEW	98-05-101	180-25-045	AMD-P	98-14-145
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173-303-081	AMD	98-03-018	173-308-270	NEW	98-05-101	180-25-070	AMD-P	98-14-145
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173-303-104	AMD	98-03-018	173-308-295	NEW	98-05-101	180-26-020	AMD-P	98-14-146
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173-303-120	AMD	98-03-018	173-308-310	NEW	98-05-101	180-26-040	AMD-P	98-14-146
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173-303-145	AMD	98-03-018	173-308-900	NEW	98-05-101	180-26-058	REP-P	98-14-146
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173-303-230	AMD	98-03-018	173-400-060	AMD	98-15-129	180-27-019	AMD-P	98-14-149
173-303-280	AMD	98-03-018	173-400-070	AMD-XA	98-10-034	180-27-030	AMD-P	98-14-149
173-303-282	AMD	98-03-018	173-400-070	AMD	98-15-129	180-27-035	AMD-P	98-14-149
173-303-300	AMD	98-03-018	173-400-075	AMD-XA	98-10-034	180-27-045	AMD-P	98-14-149
173-303-335	AMD-W	98-05-062	173-400-075	AMD	98-15-129	180-27-050	AMD-P	98-14-149
173-303-350	AMD	98-03-018	173-400-105	AMD-XA	98-10-034	180-27-052	REP-P	98-14-149
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173-303-573	NEW	98-03-018	173-430-030	AMD	98-12-016	180-27-060	AMD-P	98-14-149
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173-303-807	AMD	98-03-018	173-563-020	AMD	98-08-062	180-27-420	AMD-P	98-14-149
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180-27-530	AMD-P	98-14-149	180-30-470	REP-P	98-14-148	180-39-028	REP	98-05-004
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180-29-021	AMD-P	98-14-147	180-30-500	REP-P	98-14-148	180-58-015	REP	98-05-006
180-29-025	AMD-P	98-14-147	180-30-505	REP-P	98-14-148	180-58-020	REP	98-05-006
180-29-030	REP-P	98-14-147	180-30-510	REP-P	98-14-148	180-58-030	REP	98-05-006
180-29-035	AMD-P	98-14-147	180-30-515	REP-P	98-14-148	180-58-040	REP	98-05-006
180-29-080	AMD-P	98-14-147	180-30-520	REP-P	98-14-148	180-58-045	REP	98-05-006
180-29-085	AMD-P	98-14-147	180-30-575	REP-P	98-14-148	180-58-055	REP	98-05-006
180-29-090	AMD-P	98-14-147	180-30-610	REP-P	98-14-148	180-58-065	REP	98-05-006
180-29-1075	AMD-P	98-14-147	180-30-620	REP-P	98-14-148	180-58-075	REP	98-05-006
180-29-1076	REP-P	98-14-147	180-30-625	REP-P	98-14-148	180-58-085	REP	98-05-006
180-29-115	AMD-P	98-14-147	180-30-630	REP-P	98-14-148	180-58-090	REP	98-05-006
180-29-116	REP-P	98-14-147	180-30-635	REP-P	98-14-148	180-59-005	REP	98-05-007
180-29-155	AMD-P	98-14-147	180-30-640	REP-P	98-14-148	180-59-010	REP	98-05-007
180-29-200	AMD-P	98-14-147	180-30-645	REP-P	98-14-148	180-59-015	REP	98-05-007
180-30	PREP	98-06-001	180-30-650	REP-P	98-14-148	180-59-020	REP	98-05-007
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180-30-005	REP-P	98-14-148	180-30-660	REP-P	98-14-148	180-59-030	REP	98-05-007
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180-30-030	REP-P	98-14-148	180-30-720	REP-P	98-14-148	180-59-037	REP	98-05-007
180-30-035	REP-P	98-14-148	180-30-725	REP-P	98-14-148	180-59-040	REP	98-05-007
180-30-040	REP-P	98-14-148	180-30-730	REP-P	98-14-148	180-59-045	REP	98-05-007
180-30-050	REP-P	98-14-148	180-30-735	REP-P	98-14-148	180-59-047	REP	98-05-007
180-30-055	REP-P	98-14-148	180-30-740	REP-P	98-14-148	180-59-050	REP	98-05-007
180-30-060	REP-P	98-14-148	180-30-750	REP-P	98-14-148	180-59-055	REP	98-05-007
180-30-065	REP-P	98-14-148	180-30-755	REP-P	98-14-148	180-59-060	REP	98-05-007
180-30-071	REP-P	98-14-148	180-30-760	REP-P	98-14-148	180-59-065	REP	98-05-007
180-30-075	REP-P	98-14-148	180-30-765	REP-P	98-14-148	180-59-070	REP	98-05-007
180-30-100	REP-P	98-14-148	180-30-770	REP-P	98-14-148	180-59-075	REP	98-05-007
180-30-105	REP-P	98-14-148	180-30-775	REP-P	98-14-148	180-59-080	REP	98-05-007
180-30-110	REP-P	98-14-148	180-30-780	REP-P	98-14-148	180-59-090	REP	98-05-007
180-30-115	REP-P	98-14-148	180-30-800	REP-P	98-14-148	180-59-095	REP	98-05-007
180-30-116	REP-P	98-14-148	180-30-805	REP-P	98-14-148	180-59-100	REP	98-05-007
180-30-117	REP-P	98-14-148	180-30-807	REP-P	98-14-148	180-59-105	REP	98-05-007
180-30-120	REP-P	98-14-148	180-30-810	REP-P	98-14-148	180-59-110	REP	98-05-007
180-30-125	REP-P	98-14-148	180-30-815	REP-P	98-14-148	180-59-115	REP	98-05-007
180-30-130	REP-P	98-14-148	180-30-820	REP-P	98-14-148	180-59-120	REP	98-05-007
180-30-135	REP-P	98-14-148	180-30-825	REP-P	98-14-148	180-59-125	REP	98-05-007
180-30-200	REP-P	98-14-148	180-30-830	REP-P	98-14-148	180-59-130	REP	98-05-007
180-30-205	REP-P	98-14-148	180-30-845	REP-P	98-14-148	180-59-135	REP	98-05-007
180-30-210	REP-P	98-14-148	180-31	PREP	98-06-003	180-59-140	REP	98-05-007
180-30-215	REP-P	98-14-148	180-31-005	AMD-P	98-14-150	180-59-145	REP	98-05-007
180-30-220	REP-P	98-14-148	180-31-020	AMD-P	98-14-150	180-59-150	REP	98-05-007
180-30-225	REP-P	98-14-148	180-31-025	AMD-P	98-14-150	180-59-155	REP	98-05-007
180-30-230	REP-P	98-14-148	180-31-035	AMD-P	98-14-150	180-59-160	REP	98-05-007
180-30-250	REP-P	98-14-148	180-31-040	AMD-P	98-14-150	180-59-165	REP	98-05-007
180-30-350	REP-P	98-14-148	180-31-045	NEW-P	98-14-150	180-77-122	PREP	98-16-096
180-30-355	REP-P	98-14-148	180-32	PREP	98-06-002	180-77A-170	PREP	98-16-097
180-30-360	REP-P	98-14-148	180-32-005	AMD-P	98-14-151	180-78A	PREP	98-06-030
180-30-365	REP-P	98-14-148	180-32-020	AMD-P	98-14-151	180-78A	PREP	98-16-098
180-30-370	REP-P	98-14-148	180-32-025	AMD-P	98-14-151	180-78A-165	AMD	98-05-022
180-30-380	REP-P	98-14-148	180-32-035	AMD-P	98-14-151	180-79A	PREP	98-16-098
180-30-400	REP-P	98-14-148	180-32-040	AMD-P	98-14-151	180-79A-117	AMD	98-05-024
180-30-405	REP-P	98-14-148	180-32-050	AMD-P	98-14-151	180-79A-220	AMD-P	98-04-089
180-30-406	REP-P	98-14-148	180-32-055	REP-P	98-14-151	180-79A-220	AMD	98-08-068
180-30-407	REP-P	98-14-148	180-33	PREP	98-06-008	180-79A-340	AMD	98-05-023
180-30-408	REP-P	98-14-148	180-33-005	AMD-P	98-14-144	180-79A-420	PREP	98-04-087
180-30-410	REP-P	98-14-148	180-33-025	AMD	98-09-052	180-79A-420	AMD-P	98-10-102
180-30-415	REP-P	98-14-148	180-33-040	AMD-P	98-14-144	180-79A-420	AMD	98-15-027
180-30-420	REP-P	98-14-148	180-33-042	AMD-P	98-14-144	180-79A-422	PREP	98-04-087
180-30-425	REP-P	98-14-148	180-33-043	REP-P	98-14-144	180-79A-422	AMD-P	98-10-102
180-30-430	REP-P	98-14-148	180-34-010	AMD	98-05-002	180-79A-422	AMD	98-15-027
180-30-435	REP-P	98-14-148	180-34-015	REP	98-05-002	180-79A-433	AMD-P	98-10-103
180-30-440	REP-P	98-14-148	180-34-020	REP	98-05-002	180-79A-433	AMD	98-15-028
180-30-450	REP-P	98-14-148	180-34-025	REP	98-05-002	180-82	PREP	98-16-098
180-30-455	REP-P	98-14-148	180-36-007	NEW	98-05-021	180-85	PREP	98-16-098

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180-90-125	PREP	98-10-024	192-130-050	NEW	98-14-068	196-08-240	REP-P	98-08-078
182-04-070	AMD-XA	98-13-078	192-210-005	NEW-E	98-13-015	196-08-240	REP	98-12-045
182-04-070	AMD	98-17-063	192-210-010	NEW-E	98-13-015	196-08-250	REP-P	98-08-078
182-25-010	AMD	98-07-002	192-210-015	NEW-E	98-13-015	196-08-250	REP	98-12-045
182-25-010	AMD-XA	98-10-086	192-310-010	NEW	98-14-068	196-08-260	REP-P	98-08-078
182-25-010	AMD	98-15-018	192-310-020	NEW	98-14-068	196-08-260	REP	98-12-045
182-25-020	AMD	98-07-002	192-310-025	NEW	98-14-068	196-08-270	REP-P	98-08-078
182-25-030	AMD	98-07-002	192-310-030	NEW	98-14-068	196-08-270	REP	98-12-045
182-25-040	AMD	98-07-002	194-10-010	REP	98-05-027	196-08-280	REP-P	98-08-078
182-25-070	AMD	98-07-002	194-10-020	REP	98-05-027	196-08-280	REP	98-12-045
182-25-080	AMD	98-07-002	194-10-030	REP	98-05-027	196-08-290	REP-P	98-08-078
182-25-090	AMD	98-07-002	194-10-040	REP	98-05-027	196-08-290	REP	98-12-045
182-25-100	AMD	98-07-002	194-10-050	REP	98-05-027	196-08-300	REP-P	98-08-078
182-25-100	PREP	98-17-062	194-10-060	REP	98-05-027	196-08-300	REP	98-12-045
182-25-105	AMD	98-07-002	194-10-070	REP	98-05-027	196-08-310	REP-P	98-08-078
182-25-105	PREP	98-17-062	194-10-080	REP	98-05-027	196-08-310	REP	98-12-045
182-25-110	PREP	98-17-062	194-10-090	REP	98-05-027	196-08-320	REP-P	98-08-078
192-12-030	AMD-P	98-09-106	194-10-100	REP	98-05-027	196-08-320	REP	98-12-045
192-12-030	REP	98-14-068	194-10-110	REP	98-05-027	196-08-330	REP-P	98-08-078
192-12-040	AMD-P	98-09-105	194-10-120	REP	98-05-027	196-08-330	REP	98-12-045
192-12-040	REP	98-14-068	194-10-130	REP	98-05-027	196-08-340	REP-P	98-08-078
192-12-041	AMD-P	98-09-105	194-10-140	REP	98-05-027	196-08-340	REP	98-12-045
192-12-041	REP	98-14-068	194-18-010	REP-XR	98-17-034	196-08-350	REP-P	98-08-078
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192-12-141	AMD	98-06-097	196-04	PREP	98-11-025	196-08-360	REP	98-12-045
192-16-024	REP-XR	98-15-146	196-04-010	REP-P	98-15-019	196-08-370	REP-P	98-08-078
192-16-051	PREP	98-08-072	196-04-020	REP-P	98-15-019	196-08-370	REP	98-12-045
192-16-051	REP-E	98-13-015	196-04-025	REP-P	98-15-019	196-08-380	REP-P	98-08-078
192-16-052	PREP	98-08-072	196-04-030	REP-P	98-15-019	196-08-380	REP	98-12-045
192-16-052	REP-E	98-13-015	196-04-040	REP-P	98-15-019	196-08-390	REP-P	98-08-078
192-16-057	PREP	98-08-072	196-08-010	REP-P	98-08-078	196-08-390	REP	98-12-045
192-18-010	REP-XR	98-07-023	196-08-010	REP	98-12-045	196-08-400	REP-P	98-08-078
192-18-010	REP	98-14-031	196-08-040	REP-P	98-08-078	196-08-400	REP	98-12-045
192-18-012	REP-XR	98-07-023	196-08-040	REP	98-12-045	196-08-410	REP-P	98-08-078
192-18-012	REP	98-14-031	196-08-050	REP-P	98-08-078	196-08-410	REP	98-12-045
192-18-020	REP-XR	98-07-023	196-08-050	REP	98-12-045	196-08-420	REP-P	98-08-078
192-18-020	REP	98-14-031	196-08-060	REP-P	98-08-078	196-08-420	REP	98-12-045
192-18-030	REP-XR	98-07-023	196-08-060	REP	98-12-045	196-08-430	REP-P	98-08-078
192-18-030	REP	98-14-031	196-08-070	REP-P	98-08-078	196-08-430	REP	98-12-045
192-18-040	REP-XR	98-07-023	196-08-070	REP	98-12-045	196-08-440	REP-P	98-08-078
192-18-040	REP	98-14-031	196-08-080	REP-P	98-08-078	196-08-440	REP	98-12-045
192-18-050	REP-XR	98-07-023	196-08-080	REP	98-12-045	196-08-450	REP-P	98-08-078
192-18-050	REP	98-14-031	196-08-090	REP-P	98-08-078	196-08-450	REP	98-12-045
192-18-060	REP-XR	98-07-023	196-08-090	REP	98-12-045	196-08-460	REP-P	98-08-078
192-18-060	REP	98-14-031	196-08-100	REP-P	98-08-078	196-08-460	REP	98-12-045
192-18-070	REP-XR	98-07-023	196-08-100	REP	98-12-045	196-08-470	REP-P	98-08-078
192-18-070	REP	98-14-031	196-08-110	REP-P	98-08-078	196-08-470	REP	98-12-045
192-20-010	REP-XR	98-07-024	196-08-110	REP	98-12-045	196-08-480	REP-P	98-08-078
192-20-010	REP	98-14-032	196-08-120	REP-P	98-08-078	196-08-480	REP	98-12-045
192-23-018	AMD	98-06-097	196-08-120	REP	98-12-045	196-08-490	REP-P	98-08-078
192-32	AMD	98-05-042	196-08-130	REP-P	98-08-078	196-08-490	REP	98-12-045
192-32-001	REP	98-05-042	196-08-130	REP	98-12-045	196-08-500	REP-P	98-08-078
192-32-010	AMD	98-05-042	196-08-140	REP-P	98-08-078	196-08-500	REP	98-12-045
192-32-015	REP	98-05-042	196-08-140	REP	98-12-045	196-08-510	REP-P	98-08-078
192-32-025	REP	98-05-042	196-08-150	REP-P	98-08-078	196-08-510	REP	98-12-045
192-32-035	AMD	98-05-042	196-08-150	REP	98-12-045	196-08-520	REP-P	98-08-078
192-32-045	AMD	98-05-042	196-08-160	REP-P	98-08-078	196-08-520	REP	98-12-045
192-32-050	AMD	98-05-042	196-08-160	REP	98-12-045	196-08-530	REP-P	98-08-078
192-32-055	AMD	98-05-042	196-08-170	REP-P	98-08-078	196-08-530	REP	98-12-045
192-32-065	AMD	98-05-042	196-08-170	REP	98-12-045	196-08-540	REP-P	98-08-078
192-32-075	AMD	98-05-042	196-08-180	REP-P	98-08-078	196-08-540	REP	98-12-045
192-32-085	AMD	98-05-042	196-08-180	REP	98-12-045	196-08-550	REP-P	98-08-078
192-32-095	AMD	98-05-042	196-08-190	REP-P	98-08-078	196-08-550	REP	98-12-045
192-32-100	NEW	98-05-042	196-08-190	REP	98-12-045	196-08-560	REP-P	98-08-078
192-32-105	AMD	98-05-042	196-08-200	REP-P	98-08-078	196-08-560	REP	98-12-045
192-32-115	AMD	98-05-042	196-08-200	REP	98-12-045	196-08-570	REP-P	98-08-078
192-32-120	REP	98-05-042	196-08-210	REP-P	98-08-078	196-08-570	REP	98-12-045
192-32-125	REP	98-05-042	196-08-210	REP	98-12-045	196-08-580	REP-P	98-08-078
192-32-130	NEW	98-05-042	196-08-220	REP-P	98-08-078	196-08-580	REP	98-12-045
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196-09-010	NEW	98-12-045	208-444-040	AMD	98-10-072	220-20-010	AMD-P	98-09-089
196-09-020	NEW-P	98-08-078	208-444-050	AMD	98-10-072	220-20-010	AMD-P	98-11-086
196-09-020	NEW	98-12-045	208-464	PREP	98-13-084	220-20-010	AMD	98-15-031
196-12-010	AMD-P	98-08-105	208-472	PREP	98-13-084	220-20-010	AMD	98-15-081
196-12-010	AMD	98-12-052	208-480	PREP	98-13-084	220-20-01000A	NEW-E	98-05-014
196-12-020	AMD-P	98-08-105	212-17-185	AMD	98-04-007	220-20-01000A	REP-E	98-05-014
196-12-020	AMD	98-12-052	212-17-190	REP-XR	98-07-019	220-20-01000B	NEW-E	98-08-046
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196-12-030	AMD	98-12-052	212-17-190	REP-E	98-13-039	220-20-015	AMD	98-15-031
196-12-045	NEW-P	98-08-105	212-17-195	REP-XR	98-07-019	220-20-020	AMD-P	98-09-089
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196-12-060	REP-P	98-08-105	212-17-200	REP	98-13-038	220-22-410	AMD	98-05-043
196-12-060	REP	98-12-052	212-17-200	REP-E	98-13-039	220-24-02000E	NEW-E	98-10-031
196-12-085	REP-P	98-08-105	212-17-205	REP-XR	98-07-019	220-24-02000E	REP-E	98-11-020
196-12-085	REP	98-12-052	212-17-205	REP	98-13-038	220-24-02000F	NEW-E	98-11-020
196-24-030	REP-P	98-08-105	212-17-205	REP-E	98-13-039	220-24-02000F	REP-E	98-12-076
196-24-030	REP	98-12-052	212-17-210	REP-XR	98-07-019	220-24-02000G	NEW-E	98-11-085
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196-24-105	AMD	98-12-052	212-17-21503	NEW	98-04-007	220-32-05100E	REP-E	98-04-068
196-25-001	NEW-P	98-08-106	212-17-21505	NEW	98-04-007	220-32-05100E	REP-E	98-07-057
196-25-001	NEW	98-12-053	212-17-21507	NEW	98-04-007	220-32-05500M	NEW-E	98-09-022
196-25-002	NEW-P	98-08-106	212-17-21509	NEW	98-04-007	220-32-05500M	REP-E	98-09-022
196-25-002	NEW	98-12-053	212-17-21511	NEW	98-04-007	220-32-05500M	REP-E	98-13-006
196-25-005	NEW-P	98-08-106	212-17-21513	NEW	98-04-007	220-32-05500N	NEW-E	98-11-041
196-25-005	NEW	98-12-053	212-17-21515	NEW	98-04-007	220-32-05500N	REP-E	98-11-041
196-25-010	NEW-P	98-08-106	212-17-21517	NEW	98-04-007	220-32-05500P	NEW-E	98-13-006
196-25-010	NEW	98-12-053	212-17-21519	NEW	98-04-007	220-32-05500P	REP-E	98-13-006
196-25-020	NEW-P	98-08-106	220-12-010	AMD	98-06-031	220-32-05500P	REP-E	98-14-037
196-25-020	NEW	98-12-053	220-12-020	AMD	98-06-031	220-32-05500Q	NEW-E	98-14-037
196-25-030	NEW-P	98-08-106	220-16-002	NEW-P	98-11-086	220-32-05700X	NEW-E	98-04-006
196-25-030	NEW	98-12-053	220-16-002	NEW	98-15-081	220-32-05700X	REP-E	98-04-006
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196-26-020	AMD	98-12-046	220-16-475	NEW	98-06-031	220-33-01000B	NEW-E	98-16-077
196-26-030	AMD-P	98-09-051	220-16-480	NEW-P	98-09-089	220-33-01000B	REP-E	98-16-077
196-26-030	AMD	98-12-046	220-16-480	NEW-W	98-11-049	220-33-01000Z	NEW-E	98-08-046
197-11-680	AMD	98-06-092	220-16-480	NEW	98-15-031	220-33-01000Z	REP-E	98-08-046
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220-57-425	AMD	98-15-081	220-95-018	AMD-P	98-10-100	230-30-040	AMD-P	98-09-058
220-57-42500D	NEW-E	98-15-106	220-95-018	AMD-C	98-14-096	230-30-040	AMD	98-15-074
220-57-42500D	REP-E	98-15-106	220-95-018	AMD-S	98-17-098	230-30-045	AMD-P	98-09-058
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220-57-432	NEW-P	98-11-086	220-95-022	AMD-S	98-17-098	230-30-050	AMD	98-15-075
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246-812-990	AMD	98-05-060	246-828-530	AMD	98-05-060	246-847-190	AMD	98-05-060
246-812-990	RE-AD-P	98-14-124	246-828-540	REP	98-05-060	246-847-200	REP	98-05-060
246-812-995	NEW	98-05-060	246-828-560	REP	98-05-060	246-847-990	AMD	98-05-060
246-812-995	RE-AD-P	98-14-124	246-828-990	AMD	98-05-060	246-849-110	AMD	98-05-060
246-815-020	AMD	98-05-060	246-830-035	AMD	98-05-060	246-849-210	AMD	98-05-060
246-815-040	REP	98-05-060	246-830-050	REP	98-05-060	246-849-220	AMD	98-05-060
246-815-060	REP-XR	98-07-087	246-830-460	AMD	98-05-060	246-849-260	AMD	98-05-060
246-815-060	REP	98-14-123	246-830-465	REP	98-05-060	246-849-990	AMD	98-05-060
246-815-070	REP-XR	98-07-087	246-830-470	REP	98-05-060	246-849-995	NEW	98-05-060
246-815-070	REP	98-14-123	246-830-480	REP	98-05-060	246-851-020	REP	98-05-060
246-815-080	REP-XR	98-07-087	246-830-990	AMD	98-05-060	246-851-090	AMD	98-05-060
246-815-080	REP	98-14-123	246-834-060	AMD	98-05-060	246-851-100	REP	98-05-060
246-815-090	REP-XR	98-07-087	246-834-060	PREP	98-11-064	246-851-220	REP	98-05-060
246-815-090	REP	98-14-123	246-834-065	AMD	98-05-060	246-851-240	REP	98-05-060
246-815-100	AMD	98-05-060	246-834-070	PREP	98-11-064	246-851-430	AMD	98-05-060
246-815-140	AMD	98-05-060	246-834-080	PREP	98-11-064	246-851-510	REP	98-05-060
246-815-150	REP	98-05-060	246-834-170	AMD	98-05-060	246-851-990	AMD	98-05-060
246-815-300	REP	98-05-060	246-834-200	AMD	98-05-060	246-853-040	REP	98-05-060
246-815-990	AMD	98-05-060	246-834-260	AMD	98-05-060	246-853-045	AMD	98-05-060
246-817-110	AMD	98-05-060	246-834-400	NEW	98-05-060	246-853-060	AMD	98-05-060
246-817-150	AMD	98-05-060	246-834-500	REP	98-05-060	246-853-080	AMD	98-05-060
246-817-201	REP	98-05-060	246-834-990	AMD-P	98-07-085	246-853-210	AMD	98-05-060
246-817-210	AMD	98-05-060	246-834-990	AMD	98-11-069	246-853-230	AMD	98-05-060
246-817-990	AMD	98-05-060	246-836-080	AMD	98-05-060	246-853-240	REP	98-05-060
246-822-110	REP	98-05-060	246-836-090	REP	98-05-060	246-853-270	REP	98-05-060
246-822-120	AMD	98-05-060	246-836-410	AMD	98-05-060	246-853-275	REP	98-05-060
246-822-990	AMD	98-05-060	246-836-990	AMD-W	98-05-058	246-853-990	AMD	98-05-060
246-824-020	AMD	98-05-060	246-836-990	AMD	98-05-060	246-854-050	AMD	98-05-060
246-824-040	AMD	98-05-060	246-840-010	AMD	98-05-060	246-854-080	AMD	98-05-060
246-824-071	AMD	98-05-060	246-840-010	AMD-C	98-08-116	246-854-110	AMD	98-05-060
246-824-073	AMD	98-05-060	246-840-010	AMD-W	98-09-040	246-855-100	AMD	98-05-060
246-824-074	NEW	98-05-060	246-840-020	AMD	98-05-060	246-861-010	AMD	98-05-060
246-824-075	AMD	98-05-060	246-840-040	AMD	98-05-060	246-861-020	AMD	98-05-060
246-824-170	AMD	98-05-060	246-840-080	AMD	98-05-060	246-861-120	REP	98-05-060
246-824-990	AMD	98-05-060	246-840-090	AMD	98-05-060	246-863-030	AMD	98-05-060
246-824-995	NEW	98-05-060	246-840-100	REP	98-05-060	246-863-050	REP	98-05-060
246-826-050	AMD	98-05-060	246-840-110	REP	98-05-060	246-863-070	AMD	98-05-060
246-826-230	AMD	98-05-060	246-840-111	NEW	98-05-060	246-863-080	AMD	98-05-060
246-826-990	AMD	98-05-060	246-840-115	REP	98-05-060	246-863-090	AMD	98-05-060
246-826-995	NEW-W	98-05-059	246-840-120	AMD	98-05-060	246-863-120	AMD	98-05-060
246-828-005	AMD	98-06-079	246-840-340	AMD	98-05-060	246-869-050	REP	98-05-060
246-828-005	REP-XR	98-08-112	246-840-350	AMD	98-05-060	246-869-220	PREP	98-11-065
246-828-005	REP	98-15-089	246-840-360	AMD	98-05-060	246-879-070	AMD	98-05-060
246-828-015	REP-XR	98-08-113	246-840-365	AMD	98-05-060	246-883-050	REP-XR	98-07-088
246-828-015	REP	98-15-089A	246-840-410	AMD	98-05-060	246-887-020	AMD	98-05-060
246-828-020	AMD-P	98-07-084	246-840-440	AMD	98-05-060	246-887-170	AMD	98-02-084
246-828-020	AMD	98-13-110	246-840-450	AMD	98-05-060	246-901-065	AMD	98-05-060
246-828-025	NEW-P	98-07-083	246-840-730	PREP	98-09-115	246-901-120	AMD	98-05-060
246-828-025	NEW	98-13-109	246-840-985	NEW-C	98-08-116	246-904	PREP	98-04-037
246-828-030	AMD	98-06-079	246-840-985	NEW-W	98-09-040	246-907-020	REP	98-05-060
246-828-050	REP	98-05-060	246-840-990	AMD	98-05-060	246-907-030	AMD	98-05-060
246-828-075	AMD	98-06-079	246-840-990	PREP	98-10-108	246-907-030	AMD-P	98-07-086
246-828-080	AMD	98-06-079	246-841-520	NEW	98-05-060	246-907-030	AMD	98-10-052
246-828-090	AMD	98-06-079	246-841-610	AMD	98-05-060	246-907-995	NEW	98-05-060
246-828-095	NEW-P	98-08-117	246-841-990	AMD	98-05-060	246-915-010	AMD	98-05-060
246-828-095	NEW	98-14-055	246-843-150	AMD	98-05-060	246-915-050	AMD	98-05-060
246-828-100	AMD	98-06-079	246-843-155	REP	98-05-060	246-915-060	REP	98-05-060
246-828-105	NEW-P	98-08-117	246-843-160	REP	98-05-060	246-915-085	AMD	98-05-060
246-828-105	NEW	98-14-055	246-843-162	AMD	98-05-060	246-915-110	AMD	98-05-060
246-828-270	AMD	98-06-079	246-843-180	AMD	98-05-060	246-915-990	AMD	98-05-060
246-828-280	AMD	98-06-079	246-843-230	AMD	98-05-060	246-918-006	REP	98-05-060
246-828-295	AMD-W	98-05-058	246-843-250	REP	98-05-060	246-918-008	REP	98-09-118



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246-918-081	NEW	98-05-060	246-976-520	AMD	98-04-038	250-16-050	REP	98-08-007
246-918-085	REP	98-05-060	246-976-550	AMD	98-04-038	250-16-060	REP	98-08-007
246-918-160	REP	98-09-119	246-976-560	AMD	98-04-038	250-18-020	AMD	98-08-004
246-918-170	AMD	98-05-060	246-976-560	AMD-XA	98-14-121	250-18-060	AMD	98-08-004
246-918-180	AMD	98-05-060	246-976-570	AMD	98-04-038	250-55-010	REP	98-08-009
246-918-990	AMD	98-05-060	246-976-600	AMD	98-04-038	250-55-020	REP	98-08-009
246-919-030	REP	98-05-060	246-976-610	AMD	98-04-038	250-55-030	REP	98-08-009
246-919-305	REP	98-05-060	246-976-610	AMD-XA	98-14-121	250-55-040	REP	98-08-009
246-919-380	AMD	98-05-060	246-976-615	NEW	98-04-038	250-55-050	REP	98-08-009
246-919-400	REP	98-05-060	246-976-620	NEW	98-04-038	250-55-060	REP	98-08-009
246-919-410	REP	98-05-060	246-976-640	AMD	98-04-038	250-55-070	REP	98-08-009
246-919-420	REP	98-05-060	246-976-650	AMD	98-04-038	250-55-080	REP	98-08-009
246-919-430	AMD	98-05-060	246-976-650	AMD-XA	98-14-121	250-55-090	REP	98-08-009
246-919-440	REP	98-05-060	246-976-680	AMD	98-04-038	250-55-100	REP	98-08-009
246-919-460	AMD	98-05-060	246-976-690	AMD	98-04-038	250-55-110	REP	98-08-009
246-919-480	AMD	98-05-060	246-976-720	AMD	98-04-038	250-55-120	REP	98-08-009
246-919-500	REP	98-09-118	246-976-720	AMD-XA	98-14-121	250-55-130	REP	98-08-009
246-919-510	REP	98-09-118	246-976-730	AMD	98-04-038	250-55-140	REP	98-08-009
246-919-990	AMD	98-05-060	246-976-730	AMD-XA	98-14-121	250-55-150	REP	98-08-009
246-922-070	AMD	98-05-060	246-976-740	AMD	98-04-038	250-55-160	REP	98-08-009
246-922-275	REP	98-05-060	246-976-770	AMD	98-04-038	250-55-170	REP	98-08-009
246-922-280	REP	98-05-060	246-976-770	AMD-XA	98-14-121	250-55-180	REP	98-08-009
246-922-285	NEW	98-05-060	246-976-780	AMD	98-04-038	250-55-190	REP	98-08-009
246-922-290	AMD	98-05-060	246-976-780	AMD-XA	98-14-121	250-55-200	REP	98-08-009
246-922-295	AMD	98-05-060	246-976-790	AMD	98-04-038	250-55-210	REP	98-08-009
246-922-300	AMD	98-05-060	246-976-810	AMD	98-04-038	250-55-220	REP	98-08-009
246-922-320	REP	98-05-060	246-976-810	AMD-XA	98-14-121	250-61-060	AMD-XA	98-08-001
246-922-990	AMD	98-05-060	246-976-820	AMD	98-04-038	250-61-090	AMD-XA	98-08-002
246-922-995	NEW	98-05-060	246-976-820	AMD-XA	98-14-121	250-61-150	REP	98-08-005
246-924-110	AMD	98-05-060	246-976-822	NEW	98-04-038	250-71-050	AMD	98-08-003
246-924-120	REP	98-05-060	246-976-830	AMD	98-04-038	250-72-015	AMD-E	98-14-008
246-924-230	AMD	98-05-060	246-976-840	AMD	98-04-038	250-72-020	AMD-E	98-14-008
246-924-290	REP	98-05-060	246-976-850	AMD	98-04-038	250-72-025	AMD-E	98-14-008
246-924-320	REP	98-05-060	246-976-860	AMD	98-04-038	250-72-030	REP-E	98-14-008
246-924-490	REP	98-05-060	246-976-860	AMD-XA	98-14-121	250-72-035	AMD-E	98-14-008
246-924-500	AMD	98-05-060	246-976-870	NEW	98-04-038	250-72-040	AMD-E	98-14-008
246-924-990	AMD	98-05-060	246-976-880	REP	98-04-038	250-72-045	AMD-E	98-14-008
246-926-160	REP	98-05-060	246-976-881	NEW	98-04-038	250-72-015	AMD-E	98-14-007
246-926-170	AMD	98-05-060	246-976-885	AMD	98-04-038	250-73-020	AMD-E	98-14-007
246-926-200	AMD	98-05-060	246-976-890	AMD	98-04-038	250-73-025	AMD-E	98-14-007
246-926-990	AMD	98-05-060	246-976-935	NEW	98-05-035	250-73-030	REP-E	98-14-007
246-926-995	NEW-W	98-05-059	250-10-010	REP	98-08-006	250-73-035	AMD-E	98-14-007
246-928	PREP	98-08-114	250-10-020	REP	98-08-006	250-73-040	AMD-E	98-14-007
246-928-090	REP	98-05-060	250-10-022	REP	98-08-006	250-73-045	AMD-E	98-14-007
246-928-190	AMD	98-05-060	250-10-026	REP	98-08-006	251-01-018	NEW-P	98-15-036
246-928-990	AMD	98-05-060	250-10-028	REP	98-08-006	251-01-030	AMD-P	98-15-036
246-930-020	AMD	98-05-060	250-10-030	REP	98-08-006	251-01-045	AMD-P	98-15-036
246-930-400	REP	98-05-060	250-10-040	REP	98-08-006	251-01-065	AMD-P	98-16-053
246-930-410	AMD	98-05-060	250-10-050	REP	98-08-006	251-01-110	AMD-P	98-15-036
246-930-420	AMD	98-05-060	250-10-060	REP	98-08-006	251-01-150	AMD-P	98-15-036
246-930-430	REP	98-05-060	250-10-070	REP	98-08-006	251-01-160	AMD-P	98-15-036
246-930-431	NEW	98-05-060	250-10-080	REP	98-08-006	251-01-201	NEW-P	98-15-036
246-930-990	AMD	98-05-060	250-10-090	REP	98-08-006	251-01-205	REP-P	98-15-036
246-930-995	NEW	98-05-060	250-10-100	REP	98-08-006	251-01-305	AMD-P	98-15-036
246-933-180	REP	98-05-060	250-10-110	REP	98-08-006	251-01-365	AMD-P	98-15-036
246-933-305	AMD	98-05-060	250-10-120	REP	98-08-006	251-01-410	AMD-P	98-15-036
246-933-420	AMD	98-05-060	250-10-130	REP	98-08-006	251-04-030	AMD-P	98-15-036
246-933-430	REP	98-05-060	250-10-140	REP	98-08-006	251-04-040	AMD-P	98-15-036
246-933-470	REP	98-05-060	250-10-150	REP	98-08-006	251-04-050	AMD-P	98-15-036
246-933-480	AMD	98-05-060	250-10-160	REP	98-08-006	251-04-060	AMD-P	98-15-036
246-933-990	AMD	98-05-060	250-10-170	REP	98-08-006	251-04-070	AMD-P	98-15-036
246-935-130	AMD	98-05-060	250-12-010	REP	98-08-008	251-04-150	REP-P	98-15-036
246-935-990	AMD	98-05-060	250-12-020	REP	98-08-008	251-04-160	AMD-P	98-15-036
246-937-050	AMD	98-05-060	250-12-030	REP	98-08-008	251-04-170	NEW-C	98-06-014
246-937-080	AMD	98-05-060	250-12-040	REP	98-08-008	251-04-170	NEW	98-08-024
246-937-990	AMD	98-05-060	250-12-050	REP	98-08-008	251-04-170	AMD-P	98-15-036
246-976-470	REP	98-04-038	250-12-060	REP	98-08-008	251-05-010	AMD-P	98-15-036
246-976-475	REP	98-04-038	250-12-070	REP	98-08-008	251-05-030	AMD-P	98-15-036
246-976-480	REP	98-04-038	250-16-001	REP	98-08-007	251-05-040	AMD-P	98-15-036
246-976-485	NEW	98-04-038	250-16-010	REP	98-08-007	251-05-050	AMD-P	98-16-053
246-976-490	NEW	98-04-038	250-16-020	REP	98-08-007	251-05-060	AMD-P	98-15-036

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251-06-070	AMD-P	98-15-036	255-01-010	NEW	98-07-071	275-27-050	AMD-P	98-16-091
251-06-090	AMD-P	98-15-036	255-01-020	NEW-P	98-04-060	275-27-180	PREP	98-10-040
251-07-100	AMD-P	98-15-036	255-01-020	NEW	98-07-071	275-27-182	PREP	98-10-040
251-08-021	AMD-P	98-15-036	255-01-030	NEW-P	98-04-060	275-27-185	PREP	98-10-040
251-08-040	REP-P	98-15-036	255-01-030	NEW	98-07-071	275-27-190	PREP	98-10-040
251-08-051	AMD-P	98-15-036	255-01-040	NEW-P	98-04-060	275-27-195	PREP	98-10-040
251-08-090	AMD-P	98-15-036	255-01-040	NEW	98-07-071	275-27-200	PREP	98-10-040
251-08-100	AMD-P	98-15-036	255-01-050	NEW-P	98-04-060	275-27-205	PREP	98-10-040
251-08-160	AMD-P	98-15-036	255-01-050	NEW	98-07-071	275-27-210	PREP	98-10-040
251-10-030	AMD	98-03-051	255-01-060	NEW-P	98-04-060	275-27-212	PREP	98-10-040
251-10-030	AMD-P	98-15-036	255-01-060	NEW	98-07-071	275-27-230	AMD-E	98-13-041
251-10-035	AMD-P	98-15-036	255-01-070	NEW-P	98-04-060	275-27-230	AMD-P	98-16-091
251-11-030	AMD-P	98-15-036	255-01-070	NEW	98-07-071	275-27-810	PREP	98-09-094
251-11-050	AMD-P	98-15-036	255-01-080	NEW-P	98-04-060	275-27-820	PREP	98-09-094
251-11-090	AMD-P	98-15-036	255-01-080	NEW	98-07-071	275-31	PREP	98-09-092
251-11-120	AMD-P	98-15-036	255-01-090	NEW-P	98-04-060	275-37	AMD-P	98-14-061
251-11-130	AMD-P	98-15-036	255-01-090	NEW	98-07-071	275-37-010	AMD-P	98-14-061
251-12-073	AMD-P	98-15-036	255-01-100	NEW-P	98-04-060	275-37-030	NEW-P	98-14-061
251-12-075	AMD-P	98-15-036	255-01-100	NEW	98-07-071	275-38	PREP	98-09-092
251-12-076	AMD-P	98-15-036	255-01-110	NEW-P	98-04-060	275-41	PREP	98-09-092
251-12-080	AMD-P	98-15-036	255-01-110	NEW	98-07-071	275-46	AMD-P	98-14-061
251-12-085	REP-P	98-15-036	255-01-120	NEW-P	98-04-060	275-46-010	PREP	98-10-125
251-12-096	REP-P	98-15-036	255-01-120	NEW	98-07-071	275-46-010	AMD-P	98-14-061
251-12-097	REP-P	98-15-036	255-01-130	NEW-P	98-04-060	275-46-015	NEW-P	98-14-061
251-12-099	AMD-P	98-15-036	255-01-130	NEW	98-07-071	275-46-020	PREP	98-10-125
251-12-100	AMD-P	98-15-036	255-01-140	NEW-P	98-04-060	275-46-020	AMD-P	98-14-061
251-12-104	AMD-P	98-15-036	255-01-140	NEW	98-07-071	275-46-030	AMD-P	98-14-061
251-12-105	AMD-P	98-15-036	255-02-010	NEW-P	98-04-059	275-46-040	AMD-P	98-14-061
251-12-220	AMD-P	98-15-036	255-02-010	NEW	98-11-005	275-46-050	AMD-P	98-14-061
251-12-230	AMD-P	98-15-036	255-02-020	NEW-P	98-04-059	275-46-060	PREP	98-10-125
251-12-232	AMD-P	98-15-036	255-02-020	NEW	98-11-005	275-46-060	AMD-P	98-14-061
251-12-260	AMD-P	98-15-036	255-02-030	NEW-P	98-04-059	275-46-065	NEW-P	98-14-061
251-12-290	REP-P	98-15-036	255-02-030	NEW	98-11-005	275-46-070	PREP	98-10-125
251-12-300	REP-P	98-15-036	255-02-040	NEW-P	98-04-059	275-46-070	AMD-P	98-14-061
251-12-500	AMD-P	98-15-036	255-02-040	NEW	98-11-005	275-46-080	NEW-P	98-14-061
251-12-600	AMD-P	98-15-036	255-02-050	NEW-P	98-04-059	275-46-090	NEW-P	98-14-061
251-14-052	AMD-P	98-15-036	255-02-050	NEW	98-11-005	275-46-100	NEW-P	98-14-061
251-14-060	AMD-P	98-15-036	255-02-060	NEW-P	98-04-059	275-59	PREP	98-10-105
251-14-070	AMD-P	98-15-036	255-02-060	NEW	98-11-005	284-01-050	NEW	98-04-063
251-14-082	AMD-P	98-15-036	255-02-070	NEW-P	98-04-059	284-05-040	AMD-XA	98-07-105
251-14-085	AMD-P	98-15-036	255-02-070	NEW	98-11-005	284-05-040	AMD	98-11-089
251-14-087	AMD-P	98-15-036	255-02-080	NEW-P	98-04-059	284-05-060	AMD-XA	98-07-105
251-14-130	AMD-P	98-15-036	255-02-080	NEW	98-11-005	284-05-060	AMD	98-11-089
251-17-120	AMD-P	98-15-036	255-02-090	NEW-P	98-04-059	284-05-070	REP-XA	98-07-105
251-18-180	AMD-P	98-16-053	255-02-090	NEW	98-11-005	284-05-070	REP	98-11-089
251-19-060	AMD-P	98-15-036	255-02-100	NEW-P	98-04-059	284-10	REP-C	98-03-004
251-19-100	AMD-C	98-06-015	255-02-100	NEW	98-11-005	284-10-010	REP	98-04-005
251-19-100	AMD	98-08-026	255-02-110	NEW-P	98-04-059	284-10-015	REP	98-04-005
251-19-105	AMD-C	98-06-013	255-02-110	NEW	98-11-005	284-10-020	REP	98-04-005
251-19-105	AMD	98-08-025	260-24-560	PREP	98-10-110	284-10-030	REP	98-04-005
251-19-110	AMD-P	98-15-036	260-24-560	AMD-P	98-16-103	284-10-050	REP	98-04-005
251-19-120	AMD-P	98-15-036	260-32-180	AMD	98-07-070	284-10-060	REP	98-04-005
251-19-122	AMD-P	98-15-036	260-32-360	REP	98-07-070	284-10-070	REP	98-04-005
251-19-140	AMD-P	98-15-036	260-44	PREP	98-16-102	284-10-090	REP	98-04-005
251-19-154	NEW-P	98-09-067	260-52-070	AMD-P	98-16-104	284-10-140	REP	98-04-005
251-19-154	NEW	98-13-058	263-12-010	PREP	98-15-135	284-17-135	REP	98-06-022
251-19-157	AMD-P	98-15-036	263-12-015	PREP	98-15-136	284-17-220	AMD-XA	98-07-104
251-20-010	AMD-P	98-15-036	263-12-01501	PREP	98-15-134	284-17-220	AMD	98-11-090
251-22-040	AMD-P	98-15-036	263-12-020	PREP	98-15-132	284-17-300	REP-XA	98-04-084
251-22-060	AMD-P	98-15-036	263-12-175	PREP	98-15-133	284-17-300	REP	98-09-041
251-22-127	NEW-P	98-10-121	263-12-180	PREP	98-15-133	284-17-570	REP-XA	98-07-065
251-22-127	NEW-E	98-13-056	275-25	PREP	98-09-092	284-17-570	REP	98-11-088
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251-23-020	AMD-P	98-15-036	275-27-020	AMD-E	98-13-041	284-19-020	AMD	98-13-095
251-23-030	AMD-P	98-15-036	275-27-020	AMD-P	98-16-091	284-19-030	REP-XA	98-08-097
251-24-010	AMD-P	98-15-036	275-27-023	AMD-E	98-13-041	284-19-030	REP	98-13-095
251-24-030	AMD-P	98-15-036	275-27-023	AMD-P	98-16-091	284-19-040	AMD-XA	98-08-097
251-24-040	AMD-P	98-15-036	275-27-030	PREP	98-09-094	284-19-040	AMD	98-13-095
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284-19-070	AMD	98-13-095	284-24-065	AMD-P	98-13-092	284-43-955	NEW	98-04-011
284-19-080	AMD-XA	98-08-097	284-24-070	AMD-P	98-13-092	284-44	REP-C	98-02-063
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284-19-090	AMD	98-13-095	284-24-110	NEW-P	98-13-092	284-44-110	REP	98-04-011
284-19-100	AMD-XA	98-08-097	284-28-001	REP-XA	98-07-065	284-44-120	REP	98-04-011
284-19-100	AMD	98-13-095	284-28-001	REP	98-11-088	284-44-130	REP	98-04-011
284-19-110	AMD-XA	98-08-097	284-30-600	PREP	98-17-084	284-44-140	REP	98-04-011
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284-19-120	AMD-XA	98-08-097	284-36A-010	AMD-XA	98-04-085	284-44-160	REP	98-04-011
284-19-120	AMD	98-13-095	284-36A-010	AMD	98-09-016	284-44-190	REP	98-04-011
284-19-130	AMD-XA	98-08-097	284-36A-020	AMD-XA	98-04-085	284-44-200	REP	98-04-011
284-19-130	AMD	98-13-095	284-36A-020	AMD	98-09-016	284-44-210	REP	98-04-011
284-19-140	AMD-XA	98-08-097	284-36A-025	AMD-XA	98-04-085	284-44-220	REP	98-04-011
284-19-140	AMD	98-13-095	284-36A-025	AMD	98-09-016	284-44-240	REP	98-04-005
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284-19-160	AMD-XA	98-08-097	284-36A-040	NEW-XA	98-04-085	284-44-410	REP	98-04-005
284-19-160	AMD	98-13-095	284-36A-040	NEW	98-09-016	284-46	REP-C	98-03-004
284-19-170	AMD-XA	98-08-097	284-36A-045	NEW-XA	98-04-085	284-46-020	REP	98-04-005
284-19-170	AMD	98-13-095	284-36A-045	NEW	98-09-016	284-46-575	REP	98-04-005
284-19-180	AMD-XA	98-08-097	284-36A-050	NEW-XA	98-04-085	284-50	PREP	98-13-091
284-19-180	AMD	98-13-095	284-36A-050	NEW	98-09-016	284-50-435	REP-XA	98-07-065
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284-20-040	AMD-XA	98-13-093	284-36A-060	NEW	98-09-016	284-54	PREP	98-13-087
284-20-050	AMD-XA	98-13-093	284-36A-065	NEW-XA	98-04-085	284-54	PREP	98-13-089
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284-20-100	AMD-XA	98-13-093	284-43	AMD-C	98-02-063	284-58-010	AMD	98-13-094
284-20-200	AMD-XA	98-13-093	284-43	AMD-C	98-03-004	284-58-020	AMD-XA	98-08-098
284-23	AMD-C	98-02-062	284-43	AMD	98-04-005	284-58-020	AMD	98-13-094
284-23	AMD-C	98-03-076	284-43	PREP	98-13-090	284-58-040	REP-XA	98-04-084
284-23	AMD-C	98-07-062	284-43-040	REP	98-04-005	284-58-040	REP	98-09-041
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284-23-200	AMD	98-11-003	284-43-210	NEW	98-04-005	284-58-250	AMD	98-13-094
284-23-210	AMD-P	98-04-083	284-43-220	NEW	98-04-005	284-58-260	AMD-XA	98-08-098
284-23-210	AMD	98-11-003	284-43-250	NEW	98-04-005	284-58-260	AMD	98-13-094
284-23-220	AMD-P	98-04-083	284-43-300	NEW	98-04-005	284-58-270	REP-XA	98-08-098
284-23-220	AMD	98-11-003	284-43-310	NEW	98-04-005	284-58-270	REP	98-13-094
284-23-230	AMD-P	98-04-083	284-43-320	NEW	98-04-005	284-58-280	REP-XA	98-08-098
284-23-230	AMD	98-11-003	284-43-330	NEW	98-04-005	284-58-280	REP	98-13-094
284-23-235	NEW-P	98-04-083	284-43-340	NEW	98-04-005	284-60	PREP	98-13-087
284-23-235	NEW	98-11-003	284-43-400	NEW-W	98-10-082	284-66	PREP	98-13-088
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284-23-250	AMD	98-11-003	284-43-620	NEW-W	98-10-082	286-04-010	AMD	98-08-014
284-23-260	REP-P	98-04-083	284-43-630	NEW-W	98-10-082	286-04-060	AMD-P	98-04-079
284-23-260	REP	98-11-003	284-43-640	NEW-W	98-10-082	286-04-060	AMD	98-08-014
284-23-270	REP-P	98-04-083	284-43-650	NEW-W	98-10-082	286-06-065	AMD-P	97-04-079
284-23-270	REP	98-11-003	284-43-700	NEW	98-04-005	286-06-065	AMD	98-08-014
284-23-380	REP-XA	98-07-065	284-43-710	NEW	98-04-005	286-13-030	AMD-P	98-04-079
284-23-380	REP	98-11-088	284-43-720	NEW	98-04-005	286-13-030	AMD	98-08-014
284-23-610	AMD	98-05-026	284-43-730	NEW	98-04-005	286-13-040	AMD-P	98-04-079
284-23-620	AMD	98-05-026	284-43-800	NEW	98-04-005	286-13-040	AMD	98-08-014
284-23-640	AMD	98-05-026	284-43-900	NEW	98-04-011	286-13-045	AMD-P	98-04-079
284-23-645	NEW	98-05-026	284-43-905	NEW	98-04-011	286-13-045	AMD	98-08-014
284-23-650	AMD	98-05-026	284-43-910	NEW	98-04-011	286-13-070	AMD-P	98-04-079
284-23-660	AMD	98-05-026	284-43-915	NEW	98-04-011	286-13-070	AMD	98-08-014
284-23-690	AMD	98-05-026	284-43-920	NEW	98-04-011	286-13-085	AMD-P	98-04-079
284-23-710	AMD	98-05-026	284-43-925	NEW	98-04-011	286-13-085	AMD	98-08-014
284-23-730	AMD	98-05-026	284-43-930	NEW	98-04-011	286-13-100	AMD-P	98-04-079
284-24	PREP	98-05-102	284-43-930	AMD-XA	98-07-105	286-13-100	AMD	98-08-014
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286-26-110	AMD	98-08-014	296-04-260	REP-W	98-12-074	296-08-070	REP-XR	98-08-102
286-27-040	AMD-P	98-04-079	296-04-270	REP-W	98-12-074	296-08-080	REP-XR	98-08-102
286-27-040	AMD	98-08-014	296-04-275	REP-W	98-12-074	296-08-090	REP-XR	98-08-102
286-27-055	AMD-P	98-04-079	296-04-280	REP-W	98-12-074	296-08-100	REP-XR	98-08-102
286-27-055	AMD	98-08-014	296-04-295	REP-W	98-12-074	296-08-110	REP-XR	98-08-102
286-27-065	AMD-P	98-04-079	296-04-300	REP-W	98-12-074	296-08-120	REP-XR	98-08-102
286-27-065	AMD	98-08-014	296-04-310	REP-W	98-12-074	296-08-130	REP-XR	98-08-102
286-27-075	AMD-P	98-04-079	296-04-330	REP-W	98-12-074	296-08-140	REP-XR	98-08-102
286-27-075	AMD	98-08-014	296-04-340	REP-W	98-12-074	296-08-150	REP-XR	98-08-102
286-30-050	NEW-P	98-04-079	296-04-350	REP-W	98-12-074	296-08-160	REP-XR	98-08-102
286-30-050	NEW	98-08-014	296-04-351	REP-W	98-12-074	296-08-170	REP-XR	98-08-102
286-35-060	AMD-P	98-04-079	296-04-360	REP-W	98-12-074	296-08-180	REP-XR	98-08-102
286-35-060	AMD	98-08-014	296-04-370	REP-W	98-12-074	296-08-190	REP-XR	98-08-102
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288-04-020	NEW-P	98-14-060	296-04-400	REP-W	98-12-074	296-08-220	REP-XR	98-08-102
288-04-020	NEW	98-17-003	296-04-410	REP-W	98-12-074	296-08-370	REP-XR	98-08-102
288-04-030	NEW-P	98-14-060	296-04-420	REP-W	98-12-074	296-08-380	REP-XR	98-08-102
288-04-030	NEW	98-17-003	296-04-430	REP-W	98-12-074	296-08-390	REP-XR	98-08-102
288-04-040	NEW-P	98-14-060	296-04-440	REP-W	98-12-074	296-08-400	REP-XR	98-08-102
288-04-040	NEW	98-17-003	296-04-460	REP-W	98-12-074	296-08-410	REP-XR	98-08-102
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288-04-060	NEW	98-17-003	296-04A-003	NEW-W	98-07-058	296-08-450	REP-XR	98-08-102
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292-130-140	NEW-P	98-16-006	296-04A-370	NEW-W	98-07-058	296-17-31007	NEW-P	98-12-079
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296-04-005	REP-W	98-12-074	296-04A-400	NEW-W	98-07-058	296-17-31010	NEW-P	98-12-079
296-04-010	REP-W	98-12-074	296-04A-410	NEW-W	98-07-058	296-17-31011	NEW-P	98-12-079
296-04-015	REP-W	98-12-074	296-04A-420	NEW-W	98-07-058	296-17-31012	NEW-P	98-12-079
296-04-040	REP-W	98-12-074	296-04A-430	NEW-W	98-07-058	296-17-31013	NEW-P	98-12-079
296-04-042	REP-W	98-12-074	296-04A-440	NEW-W	98-07-058	296-17-31014	NEW-P	98-12-079
296-04-045	REP-W	98-12-074	296-04A-460	NEW-W	98-07-058	296-17-31015	NEW-P	98-12-079
296-04-05001	REP-W	98-12-074	296-04A-470	NEW-W	98-07-058	296-17-31016	NEW-P	98-12-079
296-04-060	REP-W	98-12-074	296-04A-480	NEW-W	98-07-058	296-17-31017	NEW-P	98-12-079
296-04-090	REP-W	98-12-074	296-08-001	REP-XR	98-08-102	296-17-31018	NEW-P	98-12-079
296-04-105	REP-W	98-12-074	296-08-020	REP-XR	98-08-102	296-17-31019	NEW-P	98-12-079
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296-17-653	AMD-P	98-12-079	296-17-725	AMD-P	98-12-079	296-24-060	REP	98-06-061
296-17-654	AMD-P	98-12-079	296-17-726	AMD-P	98-12-079	296-24-061	NEW	98-06-061
296-17-655	AMD-P	98-12-079	296-17-727	AMD-P	98-12-079	296-24-06105	NEW	98-06-061
296-17-656	AMD-P	98-12-079	296-17-729	AMD-P	98-12-079	296-24-06110	NEW	98-06-061
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296-17-659	AMD-P	98-12-079	296-17-73107	AMD-P	98-12-079	296-24-06130	NEW	98-06-061
296-17-660	AMD-P	98-12-079	296-17-73108	AMD-P	98-12-079	296-24-06135	NEW	98-06-061
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296-17-66004	AMD-P	98-12-079	296-17-737	AMD-P	98-12-079	296-24-06155	NEW	98-06-061
296-17-661	AMD-P	98-12-079	296-17-738	AMD-P	98-12-079	296-24-06160	NEW	98-06-061
296-17-663	AMD-P	98-12-079	296-17-739	AMD-P	98-12-079	296-24-065	REP	98-06-061
296-17-666	AMD-P	98-12-079	296-17-740	AMD-P	98-12-079	296-24-067	REP	98-06-061
296-17-668	AMD-P	98-12-079	296-17-741	AMD-P	98-12-079	296-24-070	REP	98-06-061
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296-17-670	AMD-P	98-12-079	296-17-743	AMD-P	98-12-079	296-24-12503	AMD-P	98-16-100
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296-17-67602	AMD-P	98-12-079	296-17-748	AMD-P	98-12-079	296-24-12511	AMD-P	98-16-100
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296-17-689	AMD-P	98-12-079	296-17-760	AMD-P	98-12-079	296-24-20513	AMD	98-10-073
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296-17-707	AMD-P	98-12-079	296-17-764	AMD-P	98-12-079	296-31-069	PREP	98-14-141
296-17-708	AMD-P	98-12-079	296-17-765	AMD-P	98-12-079	296-44-005	REP	98-07-009
296-17-709	AMD-P	98-12-079	296-17-766	AMD-P	98-12-079	296-44-010	REP	98-07-009
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296-17-712	AMD-P	98-12-079	296-17-777	AMD-P	98-12-079	296-44-015	REP	98-07-009
296-17-713	AMD-P	98-12-079	296-17-778	AMD-P	98-12-079	296-44-016	REP	98-07-009
296-17-71301	AMD-P	98-12-079	296-17-779	AMD-P	98-12-079	296-44-017	REP	98-07-009
296-17-714	AMD-P	98-12-079	296-17-870	AMD-P	98-12-079	296-44-023	REP	98-07-009
296-17-715	AMD-P	98-12-079	296-17-895	AMD-P	98-12-079	296-44-02301	REP	98-07-009
296-17-716	AMD-P	98-12-079	296-20-03004	REP-XR	98-08-101	296-44-02305	REP	98-07-009
296-17-717	AMD-P	98-12-079	296-20-135	AMD-P	98-05-100	296-44-02309	REP	98-07-009
296-17-718	AMD-P	98-12-079	296-20-135	AMD	98-09-125	296-44-02315	REP	98-07-009
296-17-719	AMD-P	98-12-079	296-23-220	AMD-P	98-05-100	296-44-02319	REP	98-07-009
296-17-721	REP-P	98-12-079	296-23-220	AMD	98-09-125	296-44-02323	REP	98-07-009
296-17-722	AMD-P	98-12-079	296-23-230	AMD-P	98-05-100	296-44-02329	REP	98-07-009
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296-45-255	NEW	98-07-009	296-45-65047	REP	98-07-009	296-56-60098	AMD-P	98-17-079
296-45-25505	NEW	98-07-009	296-45-660	REP	98-07-009	296-56-60103	AMD-P	98-17-079
296-45-25510	NEW	98-07-009	296-45-66001	REP	98-07-009	296-56-60113	AMD-P	98-17-079
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296-45-305	NEW	98-07-009	296-45-66009	REP	98-07-009	296-56-60217	AMD-P	98-17-079
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296-45-335	NEW	98-07-009	296-45-680	REP	98-07-009	296-62	PREP	98-12-084
296-45-345	NEW	98-07-009	296-45-690	REP	98-07-009	296-62-07477	AMD-P	98-05-061
296-45-355	NEW	98-07-009	296-45-695	REP	98-07-009	296-62-07477	AMD	98-10-029
296-45-365	NEW	98-07-009	296-45-700	REP	98-07-009	296-62-07515	AMD-P	98-05-061
296-45-375	NEW	98-07-009	296-45-900	NEW	98-07-009	296-62-07515	AMD-E	98-10-028
296-45-385	NEW	98-07-009	296-45-901	NEW	98-07-009	296-62-07515	AMD	98-10-029
296-45-455	NEW	98-07-009	296-45-903	NEW	98-07-009	296-65	PREP	98-08-104
296-45-45505	NEW	98-07-009	296-45-905	NEW	98-07-009	296-78	PREP	98-08-104
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296-45-48510	NEW	98-07-009	296-46-225	AMD-P	98-07-097	296-86-020	REP-P	98-07-094
296-45-48515	NEW	98-07-009	296-46-225	AMD	98-12-042	296-86-020	REP	98-12-043
296-45-48520	NEW	98-07-009	296-46-23028	AMD-P	98-07-097	296-86-030	REP-P	98-07-094
296-45-48525	NEW	98-07-009	296-46-23028	AMD	98-12-042	296-86-030	REP	98-12-043
296-45-48530	NEW	98-07-009	296-46-30001	AMD-P	98-07-097	296-86-040	REP-P	98-07-094
296-45-48535	NEW	98-07-009	296-46-30001	AMD	98-12-042	296-86-040	REP	98-12-043
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296-45-48545	NEW	98-07-009	296-46-348	AMD	98-12-042	296-86-050	REP	98-12-043
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296-45-52525	NEW	98-07-009	296-46-915	AMD-P	98-07-097	296-86-090	REP-P	98-07-094
296-45-52530	NEW	98-07-009	296-46-915	AMD	98-12-042	296-86-090	REP	98-12-043
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296-45-65017	REP	98-07-009	296-56-60011	AMD-P	98-17-079	296-86A-060	NEW-P	98-07-094
296-45-65019	REP	98-07-009	296-56-60057	AMD-P	98-17-079	296-86A-060	NEW	98-12-043
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296-45-65023	REP	98-07-009	296-56-60060	REP-P	98-17-079	296-86A-065	NEW	98-12-043
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296-45-65031	REP	98-07-009	296-56-60069	REP-P	98-17-079	296-86A-073	NEW	98-12-043
296-45-65033	REP	98-07-009	296-56-60073	AMD-P	98-17-079	296-86A-074	NEW-P	98-07-094
296-45-65035	REP	98-07-009	296-56-60077	AMD-P	98-17-079	296-86A-074	NEW	98-12-043
296-45-65037	REP	98-07-009	296-56-60079	AMD-P	98-17-079	296-86A-075	NEW-P	98-07-094
296-45-65038	REP	98-07-009	296-56-60083	AMD-P	98-17-079	296-86A-075	NEW	98-12-043
296-45-65039	REP	98-07-009	296-56-60085	AMD-P	98-17-079	296-86A-080	NEW-P	98-07-094
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296-89	PREP	98-13-124	296-150C-1303	NEW	98-14-078	296-150M-0700	REP-P	98-07-095
296-91	PREP	98-13-124	296-150C-1580	AMD-P	98-07-095	296-150M-0700	REP	98-14-078
296-93A	PREP	98-13-124	296-150C-1580	AMD	98-14-078	296-150M-0710	REP-P	98-07-095
296-94	PREP	98-13-124	296-150C-1590	AMD-P	98-07-095	296-150M-0710	REP	98-14-078
296-95	PREP	98-13-124	296-150C-1590	AMD	98-14-078	296-150M-0720	REP-XR	98-14-077
296-100	PREP	98-13-124	296-150C-1600	AMD-P	98-07-095	296-150M-0730	REP-P	98-07-095
296-104	PREP	98-09-065	296-150C-1600	AMD	98-14-078	296-150M-0730	REP	98-14-078
296-104-010	AMD-P	98-16-079	296-150C-1720	AMD-P	98-07-095	296-150M-3000	AMD-P	98-07-096
296-104-017	NEW-P	98-16-079	296-150C-1720	AMD	98-14-078	296-150M-3000	AMD	98-12-041
296-104-100	AMD-P	98-16-079	296-150C-1730	AMD-P	98-07-095	296-150P-3000	AMD-P	98-07-096
296-104-102	AMD-P	98-16-079	296-150C-1730	AMD	98-14-078	296-150P-3000	AMD	98-12-041
296-104-180	NEW-P	98-16-079	296-150C-1740	AMD-P	98-07-095	296-150R-3000	AMD-P	98-07-096
296-104-200	AMD-P	98-16-079	296-150C-1740	AMD	98-14-078	296-150R-3000	AMD	98-12-041
296-104-265	AMD-P	98-16-079	296-150C-1750	NEW-P	98-07-095	296-155	PREP	98-08-104
296-104-307	NEW-P	98-16-079	296-150C-1750	NEW	98-14-078	296-155-229	NEW-P	98-05-073
296-104-310	AMD-P	98-16-079	296-150C-1751	NEW-P	98-07-095	296-155-229	NEW	98-13-069
296-104-405	AMD-P	98-16-079	296-150C-1751	NEW	98-14-078	296-155-229	DECOD	98-16-067
296-104-502	AMD-P	98-16-079	296-150C-1752	NEW-P	98-07-095	296-155-24525	AMD	98-05-046
296-104-510	AMD-P	98-16-079	296-150C-1752	NEW	98-14-078	296-155-329	RECOD	98-16-067
296-104-515	AMD-P	98-16-079	296-150C-1753	NEW-P	98-07-095	296-155-330	AMD-P	98-05-073
296-104-520	AMD-P	98-16-079	296-150C-1753	NEW	98-14-078	296-155-330	AMD	98-13-069
296-104-525	REP-P	98-16-079	296-150C-1754	NEW-P	98-07-095	296-155-481	AMD	98-05-046
296-104-530	AMD-P	98-16-079	296-150C-1754	NEW	98-14-078	296-155-482	NEW	98-05-046
296-104-535	NEW-P	98-16-079	296-150C-1755	NEW-P	98-07-095	296-155-483	AMD	98-05-046
296-104-540	NEW-P	98-16-079	296-150C-1755	NEW	98-14-078	296-155-484	NEW	98-05-046
296-104-600	REP-P	98-16-079	296-150C-1756	NEW-P	98-07-095	296-155-485	AMD	98-05-046
296-104-700	AMD-P	98-04-017	296-150C-1756	NEW	98-14-078	296-155-48503	REP	98-05-046
296-104-700	AMD	98-09-064	296-150C-1757	NEW-P	98-07-095	296-155-48504	REP	98-05-046
296-104-800	REP-P	98-16-079	296-150C-1757	NEW	98-14-078	296-155-48505	REP	98-05-046
296-104-801	REP-P	98-16-079	296-150C-1758	NEW-P	98-07-095	296-155-48506	REP	98-05-046
296-104-805	REP-P	98-16-079	296-150C-1758	NEW	98-14-078	296-155-48507	REP	98-05-046
296-124-010	REP-XR	98-07-093	296-150C-1759	NEW-P	98-07-095	296-155-48508	REP	98-05-046
296-124-010	REP	98-14-042	296-150C-1759	NEW	98-14-078	296-155-48509	REP	98-05-046
296-124-020	REP-XR	98-07-093	296-150C-1760	NEW-P	98-07-095	296-155-48510	REP	98-05-046
296-124-020	REP	98-14-042	296-150C-1760	NEW	98-14-078	296-155-48511	REP	98-05-046
296-124-021	REP-XR	98-07-093	296-150C-3000	AMD-P	98-07-096	296-155-48512	REP	98-05-046
296-124-021	REP	98-14-042	296-150C-3000	AMD	98-12-041	296-155-48513	REP	98-05-046
296-124-022	REP-XR	98-07-093	296-150F-0020	AMD-P	98-07-095	296-155-48514	REP	98-05-046
296-124-022	REP	98-14-042	296-150F-0020	AMD	98-14-078	296-155-48515	REP	98-05-046
296-124-040	REP-XR	98-07-093	296-150F-0130	NEW-P	98-07-095	296-155-48516	REP	98-05-046
296-124-040	REP	98-14-042	296-150F-0130	NEW	98-14-078	296-155-48517	REP	98-05-046
296-124-050	REP-XR	98-07-093	296-150F-0200	AMD-P	98-07-095	296-155-48518	REP	98-05-046
296-124-050	REP	98-14-042	296-150F-0200	AMD	98-14-078	296-155-48519	REP	98-05-046
296-125	PREP	98-02-079	296-150F-0210	AMD-P	98-07-095	296-155-48523	REP	98-05-046
296-126-098	REP-XR	98-08-103	296-150F-0210	AMD	98-14-078	296-155-48525	REP	98-05-046
296-126-098	REP	98-14-041	296-150F-0460	AMD-P	98-07-095	296-155-48527	REP	98-05-046
296-150C-0020	AMD-P	98-07-095	296-150F-0460	AMD	98-14-078	296-155-48529	REP	98-05-046
296-150C-0020	AMD	98-14-078	296-150F-0500	AMD-P	98-07-095	296-155-48531	REP	98-05-046
296-150C-0310	AMD-P	98-07-095	296-150F-0500	AMD	98-14-078	296-155-48533	REP	98-05-046
296-150C-0310	AMD	98-14-078	296-150F-3000	AMD-P	98-07-096	296-155-48536	REP	98-05-046
296-150C-0320	AMD-P	98-07-095	296-150F-3000	AMD	98-12-041	296-155-487	NEW	98-05-046
296-150C-0320	AMD	98-14-078	296-150M-0020	AMD-P	98-07-095	296-155-488	NEW	98-05-046
296-150C-0410	AMD-P	98-07-095	296-150M-0020	AMD	98-14-078	296-155-489	NEW	98-05-046
296-150C-0410	AMD	98-14-078	296-150M-0306	NEW-P	98-07-095	296-155-490	NEW	98-05-046
296-150C-0460	AMD-P	98-07-095	296-150M-0306	NEW	98-14-078	296-155-493	NEW	98-05-046
296-150C-0460	AMD	98-14-078	296-150M-0307	NEW-P	98-07-095	296-155-494	NEW	98-05-046
296-150C-0500	AMD-P	98-07-095	296-150M-0307	NEW	98-14-078	296-155-496	NEW	98-05-046
296-150C-0500	AMD	98-14-078	296-150M-0310	AMD-P	98-07-095	296-155-497	NEW	98-05-046
296-150C-0560	AMD-P	98-07-095	296-150M-0310	AMD	98-14-078	296-155-498	NEW	98-05-046
296-150C-0560	AMD	98-14-078	296-150M-0331	NEW-P	98-07-095	296-155-528	NEW	98-05-046
296-150C-0800	AMD-P	98-07-095	296-150M-0331	NEW	98-14-078	296-155-605	AMD	98-05-046
296-150C-0800	AMD	98-14-078	296-150M-0400	AMD-P	98-07-095	296-155-615	AMD	98-05-046
296-150C-0820	AMD-P	98-07-095	296-150M-0400	AMD	98-14-078	296-155-683	AMD	98-05-046
296-150C-0820	AMD	98-14-078	296-150M-0600	AMD-P	98-07-095	296-155-688	AMD	98-05-046
296-150C-0960	AMD-P	98-07-095	296-150M-0600	AMD	98-14-078	296-155-689	AMD	98-05-046
296-150C-0960	AMD	98-14-078	296-150M-0610	AMD-P	98-07-095	296-155-700	AMD	98-05-046
296-150C-0980	REP-P	98-07-095	296-150M-0610	AMD	98-14-078	296-155-730	AMD	98-05-046
296-150C-0980	REP	98-14-078	296-150M-0620	AMD-P	98-07-095	296-200A-900	AMD-P	98-07-096
296-150C-1080	AMD-P	98-07-095	296-150M-0620	AMD	98-14-078	296-200A-900	AMD	98-12-041
296-150C-1080	AMD	98-14-078	296-150M-0640	AMD-P	98-07-095	296-301-020	AMD	98-10-073
296-150C-1170	AMD-P	98-07-095	296-150M-0640	AMD	98-14-078	296-305	PREP	98-11-075
296-150C-1170	AMD	98-14-078	296-150M-0660	AMD-P	98-07-095	296-305-01003	AMD-P	98-17-078



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296-400A-005	AMD	98-13-126	296-401A-110	NEW	98-12-042	308-04-010	PREP	98-03-023
296-400A-021	NEW-P	98-09-124	296-401A-120	NEW-P	98-07-097	308-04-010	AMD-P	98-06-080
296-400A-021	NEW	98-13-126	296-401A-120	NEW	98-12-042	308-04-010	AMD-W	98-07-018
296-400A-025	NEW-P	98-09-124	296-401A-130	NEW-P	98-07-097	308-04-010	PREP	98-17-071
296-400A-025	NEW	98-13-126	296-401A-130	NEW	98-12-042	308-04-020	PREP	98-03-023
296-400A-026	NEW-P	98-09-124	296-401A-140	NEW-P	98-07-097	308-04-020	AMD-P	98-06-080
296-400A-026	NEW	98-13-126	296-401A-140	NEW	98-12-042	308-04-020	AMD-W	98-07-018
296-400A-027	NEW-P	98-09-124	296-401A-150	NEW-P	98-07-097	308-04-020	PREP	98-17-071
296-400A-027	NEW	98-13-126	296-401A-150	NEW	98-12-042	308-11-010	REP-P	98-13-027
296-400A-030	AMD-P	98-09-124	296-401A-160	NEW-P	98-07-097	308-11-010	REP	98-16-061
296-400A-030	AMD	98-13-126	296-401A-160	NEW	98-12-042	308-11-030	AMD-P	98-13-027
296-400A-031	AMD-P	98-09-124	296-401A-200	NEW-P	98-07-097	308-11-030	AMD	98-16-061
296-400A-031	AMD	98-13-126	296-401A-200	NEW	98-12-042	308-11-035	AMD-P	98-13-027
296-400A-035	AMD-P	98-09-124	296-401A-210	NEW-P	98-07-097	308-11-035	AMD	98-16-061
296-400A-035	AMD	98-13-126	296-401A-210	NEW	98-12-042	308-11-050	AMD-P	98-13-027
296-400A-045	AMD-P	98-07-096	296-401A-220	NEW-P	98-07-097	308-11-050	AMD	98-16-061
296-400A-045	AMD-P	98-09-124	296-401A-220	NEW	98-12-042	308-11-120	AMD-P	98-13-027
296-400A-045	AMD	98-12-041	296-401A-230	NEW-P	98-07-097	308-11-120	AMD	98-16-061
296-400A-045	AMD	98-13-126	296-401A-230	NEW	98-12-042	308-11-130	AMD-P	98-13-027
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296-400A-070	AMD	98-13-126	296-401A-300	NEW	98-12-042	308-12-025	PREP	98-06-047
296-400A-110	AMD-P	98-09-124	296-401A-310	NEW-P	98-07-097	308-12-025	AMD-P	98-14-043
296-400A-110	AMD	98-13-126	296-401A-310	NEW	98-12-042	308-12-115	AMD-P	98-14-043
296-400A-120	AMD-P	98-09-124	296-401A-320	NEW-P	98-07-097	308-12-326	PREP	98-05-012
296-400A-120	AMD	98-13-126	296-401A-320	NEW	98-12-042	308-12-326	AMD-P	98-09-057
296-400A-140	AMD-P	98-09-124	296-401A-400	NEW-P	98-07-097	308-12-326	AMD	98-12-064
296-400A-140	AMD	98-13-126	296-401A-400	NEW	98-12-042	308-14-200	AMD-P	98-13-026
296-400A-300	AMD-P	98-09-124	296-401A-410	NEW-P	98-07-097	308-14-200	AMD	98-16-060
296-400A-300	AMD	98-13-126	296-401A-410	NEW	98-12-042	308-33-011	AMD-P	98-13-028
296-401-020	REP-P	98-07-097	296-401A-420	NEW-P	98-07-097	308-33-020	REP-P	98-13-028
296-401-020	REP	98-12-042	296-401A-420	NEW	98-12-042	308-33-030	AMD-P	98-13-028
296-401-030	REP-P	98-07-097	296-401A-430	NEW-P	98-07-097	308-33-060	AMD-P	98-13-028
296-401-030	REP	98-12-042	296-401A-430	NEW	98-12-042	308-33-071	AMD-P	98-13-028
296-401-060	REP-P	98-07-097	296-401A-500	NEW-P	98-07-097	308-33-080	REP-P	98-13-028
296-401-060	REP	98-12-042	296-401A-500	NEW	98-12-042	308-33-090	AMD-P	98-13-028
296-401-075	REP-P	98-07-097	296-401A-510	NEW-P	98-07-097	308-33-095	AMD-P	98-13-028
296-401-075	REP	98-12-042	296-401A-510	NEW	98-12-042	308-33-105	AMD-P	98-13-028
296-401-080	REP-P	98-07-097	296-401A-520	NEW-P	98-07-097	308-48-185	AMD-P	98-17-035
296-401-080	REP	98-12-042	296-401A-520	NEW	98-12-042	308-48-790	REP-P	98-17-035
296-401-085	REP-P	98-07-097	296-401A-524	NEW-P	98-07-097	308-48-800	AMD-P	98-17-035
296-401-085	REP	98-12-042	296-401A-524	NEW	98-12-042	308-56A-005	PREP	98-03-024
296-401-087	REP-P	98-07-097	296-401A-530	NEW-P	98-07-097	308-56A-005	REP-P	98-08-049
296-401-087	REP	98-12-042	296-401A-530	NEW	98-12-042	308-56A-005	REP	98-12-099
296-401-090	REP-P	98-07-097	296-401A-540	NEW-P	98-07-097	308-56A-010	PREP	98-03-024
296-401-090	REP	98-12-042	296-401A-540	NEW	98-12-042	308-56A-010	AMD-P	98-08-049
296-401-100	REP-P	98-07-097	296-401A-545	NEW-P	98-07-097	308-56A-010	AMD	98-12-099
296-401-100	REP	98-12-042	296-401A-545	NEW	98-12-042	308-56A-015	PREP	98-03-024
296-401-110	REP-P	98-07-097	296-401A-550	NEW-P	98-07-097	308-56A-015	AMD-P	98-08-049
296-401-110	REP	98-12-042	296-401A-550	NEW	98-12-042	308-56A-015	AMD	98-12-099
296-401-120	REP-P	98-07-097	296-401A-600	NEW-P	98-07-097	308-56A-020	PREP	98-03-024
296-401-120	REP	98-12-042	296-401A-600	NEW	98-12-042	308-56A-020	AMD-P	98-08-049
296-401-150	REP-P	98-07-097	296-401A-610	NEW-P	98-07-097	308-56A-020	AMD	98-12-099
296-401-150	REP	98-12-042	296-401A-610	NEW	98-12-042	308-56A-021	PREP	98-03-024
296-401-160	REP-P	98-07-097	296-401A-620	NEW-P	98-07-097	308-56A-021	AMD-P	98-08-049
296-401-160	REP	98-12-042	296-401A-620	NEW	98-12-042	308-56A-021	AMD	98-12-099
296-401-163	REP-P	98-07-097	296-401A-630	NEW-P	98-07-097	308-56A-022	PREP	98-03-024
296-401-163	REP	98-12-042	296-401A-630	NEW	98-12-042	308-56A-022	AMD-P	98-08-049
296-401-165	REP-P	98-07-097	296-401A-700	NEW-P	98-07-097	308-56A-022	AMD	98-12-099
296-401-165	REP	98-12-042	296-401A-700	NEW	98-12-042	308-56A-023	PREP	98-03-024
296-401-168	REP-P	98-07-097	296-401A-800	NEW-P	98-07-097	308-56A-023	AMD-P	98-08-049
296-401-168	REP	98-12-042	296-401A-800	NEW	98-12-042	308-56A-023	AMD	98-12-099
296-401-170	REP-P	98-07-097	296-401A-810	NEW-P	98-07-097	308-56A-025	PREP	98-14-080
296-401-170	REP	98-12-042	296-401A-810	NEW	98-12-042	308-56A-030	PREP	98-03-024
296-401-175	REP-P	98-07-097	296-401A-900	NEW-P	98-07-097	308-56A-035	PREP	98-14-080
296-401-175	REP	98-12-042	296-401A-900	NEW	98-12-042	308-56A-040	PREP	98-14-080
296-401-180	REP-P	98-07-097	296-401A-910	NEW-P	98-07-097	308-56A-050	PREP	98-14-080
296-401-180	REP	98-12-042	296-401A-910	NEW	98-12-042	308-56A-055	PREP	98-14-080
296-401A	PREP	98-13-123	296-401A-920	NEW-P	98-07-097	308-56A-060	PREP	98-14-080
296-401A-100	NEW-P	98-07-097	296-401A-920	NEW	98-12-042	308-56A-080	REP-P	98-08-049
296-401A-100	NEW	98-12-042	296-401A-930	NEW-P	98-07-097	308-56A-080	REP	98-12-099
296-401A-105	NEW-P	98-07-097	296-401A-930	NEW	98-12-042	308-56A-085	PREP	98-03-024
296-401A-105	NEW	98-12-042	296-401A-935	NEW-P	98-07-097	308-56A-085	REP-P	98-08-049
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308-56A-090	AMD-P	98-08-049	308-93-079	PREP	98-03-026	308-93-470	AMD	98-09-023
308-56A-090	AMD	98-12-099	308-93-080	PREP	98-03-026	308-93-480	REP-P	98-05-068
308-56A-100	PREP	98-14-080	308-93-080	REP-P	98-13-044	308-93-480	REP	98-09-023
308-56A-105	PREP	98-14-080	308-93-080	REP	98-16-030	308-93-520	PREP	98-16-072
308-56A-110	PREP	98-14-080	308-93-085	PREP	98-03-026	308-93-530	PREP	98-16-072
308-56A-125	PREP	98-14-080	308-93-085	REP-P	98-13-044	308-93-540	PREP	98-16-072
308-56A-130	PREP	98-14-080	308-93-085	REP	98-16-030	308-93-550	PREP	98-16-072
308-56A-135	PREP	98-14-080	308-93-087	PREP	98-14-082	308-93-560	PREP	98-16-072
308-56A-335	PREP	98-16-071	308-93-088	PREP	98-14-082	308-93-570	PREP	98-16-072
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308-56A-345	PREP	98-16-071	308-93-110	REP-P	98-16-075	308-93-590	PREP	98-16-072
308-56A-350	PREP	98-16-071	308-93-120	PREP	98-03-027	308-93-600	PREP	98-16-072
308-56A-355	PREP	98-16-071	308-93-120	REP-P	98-16-075	308-93-620	PREP	98-03-026
308-56A-360	PREP	98-16-071	308-93-180	PREP	98-03-027	308-93-620	AMD-P	98-13-044
308-56A-365	PREP	98-16-071	308-93-180	REP-P	98-16-075	308-93-620	AMD	98-16-030
308-66	PREP	98-10-071	308-93-190	PREP	98-03-027	308-93-630	PREP	98-03-026
308-66-110	AMD-P	98-16-007	308-93-190	REP-P	98-16-075	308-93-630	REP-P	98-13-044
308-66-120	AMD-P	98-16-007	308-93-200	PREP	98-03-027	308-93-630	REP	98-16-030
308-66-140	AMD-P	98-16-007	308-93-200	AMD-P	98-16-075	308-93-640	PREP	98-03-026
308-66-145	AMD-P	98-16-007	308-93-210	PREP	98-03-027	308-93-640	AMD-E	98-09-001
308-66-152	AMD-P	98-16-007	308-93-210	REP-P	98-16-075	308-93-640	AMD-P	98-13-044
308-66-155	AMD-P	98-16-007	308-93-215	PREP	98-03-027	308-93-640	AMD	98-16-029
308-66-156	REP-P	98-16-007	308-93-215	REP-P	98-16-075	308-93-660	PREP	98-14-082
308-66-157	AMD-P	98-16-007	308-93-220	PREP	98-03-027	308-93-670	PREP	98-14-082
308-66-160	AMD-P	98-16-007	308-93-220	AMD-P	98-16-075	308-94-030	AMD-P	98-04-072
308-66-170	AMD-P	98-16-007	308-93-230	PREP	98-03-027	308-94-030	AMD	98-08-070
308-66-190	AMD-P	98-16-007	308-93-230	AMD-P	98-16-075	308-94-040	REP-P	98-04-072
308-66-195	AMD-P	98-16-007	308-93-241	PREP	98-03-025	308-94-040	REP	98-08-070
308-66-196	REP-P	98-16-007	308-93-241	AMD-P	98-12-072	308-94-050	AMD-P	98-04-072
308-66-205	REP-P	98-16-007	308-93-241	AMD	98-16-001	308-94-050	AMD	98-08-070
308-66-210	AMD-P	98-16-007	308-93-242	PREP	98-03-025	308-94-070	REP-P	98-04-072
308-66-211	AMD-P	98-16-007	308-93-242	AMD-P	98-12-072	308-94-070	REP	98-08-070
308-66-212	AMD-P	98-16-007	308-93-242	AMD	98-16-001	308-94-080	AMD-P	98-04-072
308-66-214	AMD-P	98-16-007	308-93-243	PREP	98-03-025	308-94-080	AMD	98-08-070
308-66-227	AMD-P	98-16-007	308-93-243	AMD-P	98-12-072	308-94-090	REP-P	98-04-072
308-66-240	AMD-P	98-16-007	308-93-243	AMD	98-16-001	308-94-090	REP	98-08-070
308-72	PREP	98-13-003	308-93-244	PREP	98-03-025	308-94-100	AMD-P	98-04-072
308-77	PREP	98-13-003	308-93-244	AMD-P	98-12-072	308-94-100	AMD	98-08-070
308-93-010	AMD-E	98-09-001	308-93-244	AMD	98-16-001	308-94-110	REP-P	98-04-072
308-93-010	AMD-P	98-13-044	308-93-245	PREP	98-03-025	308-94-110	REP	98-08-070
308-93-010	AMD	98-16-029	308-93-245	AMD-P	98-12-072	308-96A	PREP	98-16-010
308-93-050	AMD-E	98-09-001	308-93-245	AMD	98-16-001	308-96A-005	PREP	98-03-021
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308-93-050	AMD	98-16-029	308-93-285	AMD-P	98-13-044	308-96A-010	REP-P	98-14-012
308-93-055	NEW-E	98-09-001	308-93-285	AMD	98-16-030	308-96A-015	PREP	98-03-021
308-93-055	NEW-P	98-13-044	308-93-290	PREP	98-03-027	308-96A-015	AMD-P	98-14-012
308-93-055	NEW	98-16-029	308-93-290	REP-P	98-16-075	308-96A-021	PREP	98-03-021
308-93-056	NEW-E	98-09-001	308-93-295	PREP	98-03-027	308-96A-021	AMD-P	98-14-012
308-93-056	NEW-P	98-13-044	308-93-295	AMD-P	98-16-075	308-96A-025	PREP	98-03-021
308-93-056	NEW	98-16-029	308-93-300	PREP	98-03-026	308-96A-025	REP-P	98-14-012
308-93-060	PREP	98-03-026	308-93-300	REP-P	98-13-044	308-96A-026	PREP	98-03-021
308-93-060	AMD-P	98-13-044	308-93-300	REP	98-16-030	308-96A-026	AMD-P	98-14-012
308-93-060	AMD	98-16-030	308-93-330	PREP	98-03-026	308-96A-035	PREP	98-03-021
308-93-069	NEW-P	98-13-044	308-93-330	REP-P	98-13-044	308-96A-035	REP-P	98-14-012
308-93-069	NEW	98-16-030	308-93-330	REP	98-16-030	308-96A-040	PREP	98-03-021
308-93-070	PREP	98-03-026	308-93-350	PREP	98-03-026	308-96A-040	REP-P	98-14-012
308-93-070	AMD-P	98-13-044	308-93-350	AMD-P	98-13-044	308-96A-065	AMD-P	98-04-071
308-93-070	AMD	98-16-030	308-93-350	AMD	98-16-030	308-96A-065	AMD	98-09-024
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308-93-071	AMD-P	98-13-044	308-93-360	AMD-P	98-13-044	308-96A-066	AMD	98-09-024
308-93-071	AMD	98-16-030	308-93-360	AMD	98-16-030	308-96A-067	NEW-P	98-04-071
308-93-073	PREP	98-03-026	308-93-420	PREP	98-03-026	308-96A-067	NEW	98-09-024
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308-93-074	REP-P	98-13-044	308-93-430	REP	98-09-023	308-96A-070	AMD	98-09-024
308-93-074	REP	98-16-030	308-93-440	AMD-P	98-05-068	308-96A-071	AMD-P	98-04-071
308-93-075	PREP	98-03-026	308-93-440	AMD	98-09-023	308-96A-071	AMD	98-09-024
308-93-075	REP-P	98-13-044	308-93-450	AMD-P	98-05-068	308-96A-073	AMD-P	98-04-071
308-93-075	REP	98-16-030	308-93-450	AMD	98-09-023	308-96A-073	AMD	98-09-024
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308-96A-080	AMD	98-16-002	308-96A-340	REP-E	98-15-013	314-16-160	AMD-XA	98-12-090
308-96A-085	PREP	98-03-022	308-96A-340	REP-P	98-15-014	314-16-190	AMD-XA	98-12-090
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308-96A-306	AMD-E	98-15-013	308-312-060	NEW	98-03-055	314-24-150	AMD-XA	98-12-090
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308-96A-310	REP-P	98-15-014	308-420-240	AMD-P	98-13-070	314-24-190	AMD-XA	98-12-090
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308-96A-311	NEW-P	98-15-014	314-12-005	NEW	98-14-004	314-24-210	AMD-XA	98-12-090
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308-96A-312	NEW-P	98-15-014	314-12-130	AMD-XA	98-12-090	314-24-230	AMD-XA	98-12-090
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308-96A-315	REP-P	98-15-014	314-12-200	NEW	98-15-068	314-27-010	AMD-XA	98-12-090
308-96A-316	NEW-E	98-15-013	314-14-160	PREP	98-12-089	314-30-010	AMD-XA	98-12-090
308-96A-316	NEW-P	98-15-014	314-15-010	AMD-XA	98-12-090	314-37-010	AMD-XA	98-12-090
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308-96A-320	REP-P	98-15-014	314-15-040	AMD-XA	98-12-090	314-52-005	AMD-XA	98-12-090
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308-96A-325	REP-E	98-15-013	314-16-020	AMD-XA	98-12-090	314-52-040	AMD-XA	98-12-090
308-96A-325	REP-P	98-15-014	314-16-025	AMD-XA	98-12-090	314-52-070	AMD-XA	98-12-090
308-96A-330	PREP	98-09-038	314-16-040	AMD-XA	98-12-090	314-52-080	AMD-XA	98-12-090
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315-02-080	AMD-P	98-04-073	315-11A-157	REP-XR	98-07-090	315-36-120	NEW-C	98-08-064
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315-02-180	REP-P	98-04-073	315-11A-159	REP-XR	98-07-090	315-36-130	NEW-C	98-08-064
315-02-180	REP	98-08-067	315-11A-159	REP	98-13-018	315-36-130	NEW-S	98-12-093
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315-10-024	NEW	98-08-067	315-36-010	NEW-P	98-04-073	317-02-110	REP	98-03-073
315-10-025	AMD-P	98-04-073	315-36-010	NEW-C	98-08-064	317-02-120	REP	98-03-073
315-10-025	AMD	98-08-067	315-36-010	NEW-S	98-12-093	317-02-010	REP	98-03-073
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388-15-19630	NEW-P	98-14-062	388-49-050	REP	98-16-044	388-49-370	REP	98-16-044
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388-15-19650	NEW-P	98-14-062	388-49-060	REP	98-16-044	388-49-380	REP-P	98-11-084
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388-15-830	AMD-E	98-09-042	388-49-290	REP-P	98-11-084	388-49-535	REP	98-16-044
388-15-830	PREP	98-11-032	388-49-290	REP	98-16-044	388-49-550	AMD-P	98-04-039
388-15-830	AMD-P	98-15-138	388-49-300	REP-P	98-11-084	388-49-550	AMD-E	98-04-040
388-15-830	AMD-E	98-17-030	388-49-300	REP	98-16-044	388-49-550	AMD	98-10-025
388-15-880	AMD	98-04-026	388-49-310	REP-P	98-11-084	388-49-550	REP-P	98-11-084
388-15-880	PREP	98-11-031	388-49-310	REP	98-16-044	388-49-550	REP	98-16-044
388-15-890	AMD	98-04-026	388-49-320	REP-P	98-11-084	388-49-560	REP-P	98-04-039
388-15-890	AMD-E	98-09-042	388-49-320	REP	98-16-044	388-49-560	REP-E	98-04-040
388-15-890	PREP	98-11-031	388-49-330	REP-P	98-11-084	388-49-560	AMD	98-10-025
388-15-890	PREP	98-11-032	388-49-330	REP	98-16-044	388-49-560	REP-P	98-11-084
388-15-890	AMD-P	98-15-138	388-49-340	REP-P	98-11-084	388-49-560	REP	98-16-044
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388-49-570	AMD	98-10-025	388-76-595	AMD	98-11-095	388-86-015	REP	98-16-050
388-49-570	REP-P	98-11-084	388-76-600	AMD-S	98-04-032	388-86-024	PREP	98-15-112
388-49-570	REP	98-16-044	388-76-600	AMD	98-12-054	388-86-027	AMD-P	98-11-084
388-49-580	REP-P	98-04-039	388-76-60000	NEW	98-12-054	388-86-027	AMD	98-16-044
388-49-580	REP-E	98-04-040	388-76-60010	NEW	98-12-054	388-86-045	PREP	98-13-086
388-49-580	AMD	98-10-025	388-76-60020	NEW	98-12-054	388-86-080	REP-P	98-13-082
388-49-580	REP-P	98-11-084	388-76-60030	NEW	98-12-054	388-86-080	REP	98-16-050
388-49-580	REP	98-16-044	388-76-60040	NEW	98-12-054	388-86-095	REP-P	98-13-082
388-49-590	REP-P	98-11-084	388-76-60050	NEW	98-12-054	388-86-095	REP-W	98-15-101
388-49-590	REP	98-16-044	388-76-60060	NEW	98-12-054	388-87	PREP	98-10-106
388-49-600	REP-P	98-11-084	388-76-60070	NEW	98-12-054	388-87	PREP	98-13-086
388-49-600	REP	98-16-044	388-76-605	AMD-S	98-02-077	388-96	PREP	98-03-077
388-49-610	REP-P	98-11-084	388-76-605	AMD	98-11-095	388-96	PREP	98-06-066
388-49-610	REP	98-16-044	388-76-610	AMD-S	98-04-032	388-96	AMD-P	98-15-141
388-49-620	REP-P	98-11-084	388-76-610	AMD-W	98-08-091	388-96-010	AMD-P	98-15-141
388-49-620	REP	98-16-044	388-76-610	AMD	98-12-054	388-96-020	AMD-P	98-15-141
388-49-630	REP-P	98-11-084	388-76-61000	NEW	98-12-054	388-96-023	REP-P	98-15-141
388-49-630	REP	98-16-044	388-76-61010	NEW	98-12-054	388-96-026	AMD-P	98-15-141
388-49-640	REP-P	98-11-084	388-76-61020	NEW	98-12-054	388-96-029	REP-P	98-15-141
388-49-640	REP	98-16-044	388-76-61030	NEW	98-12-054	388-96-032	REP-P	98-15-141
388-49-650	REP-P	98-11-084	388-76-61040	NEW	98-12-054	388-96-101	REP-P	98-15-141
388-49-650	REP	98-16-044	388-76-61050	NEW	98-12-054	388-96-104	REP-P	98-15-141
388-49-660	REP-P	98-11-084	388-76-61060	NEW	98-12-054	388-96-108	AMD-P	98-15-141
388-49-660	REP	98-16-044	388-76-61070	NEW	98-12-054	388-96-110	REP-P	98-15-141
388-49-670	REP-P	98-11-084	388-76-61080	NEW	98-12-054	388-96-113	REP-P	98-15-141
388-49-670	REP	98-16-044	388-76-615	AMD-S	98-04-032	388-96-119	AMD-P	98-15-141
388-49-680	REP-P	98-11-084	388-76-615	AMD	98-12-054	388-96-122	AMD-P	98-15-141
388-49-680	REP	98-16-044	388-76-61500	NEW	98-12-054	388-96-128	REP-P	98-15-141
388-49-690	REP-P	98-11-084	388-76-61510	NEW	98-12-054	388-96-131	REP-P	98-15-141
388-49-690	REP	98-16-044	388-76-61520	NEW	98-12-054	388-96-134	REP-P	98-15-141
388-49-700	REP-P	98-11-084	388-76-61530	NEW	98-12-054	388-96-202	NEW-P	98-15-141
388-49-700	REP	98-16-044	388-76-61540	NEW	98-12-054	388-96-204	REP-P	98-15-141
388-55-006	REP-P	98-11-084	388-76-61550	NEW	98-12-054	388-96-207	REP-P	98-15-141
388-55-006	REP	98-16-044	388-76-61560	NEW	98-12-054	388-96-210	REP-P	98-15-141
388-55-008	REP-P	98-11-084	388-76-61570	NEW	98-12-054	388-96-213	REP-P	98-15-141
388-55-008	REP	98-16-044	388-76-620	AMD-S	98-02-077	388-96-218	NEW-P	98-15-141
388-55-010	REP-P	98-11-084	388-76-620	AMD	98-11-095	388-96-220	REP-P	98-15-141
388-55-010	REP	98-16-044	388-76-635	AMD-S	98-02-077	388-96-221	REP-P	98-15-141
388-55-020	REP-P	98-11-084	388-76-635	AMD	98-11-095	388-96-224	REP-P	98-15-141
388-55-020	REP	98-16-044	388-76-640	AMD-W	98-08-091	388-96-226	REP-P	98-15-141
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388-55-030	REP	98-16-044	388-76-655	AMD	98-11-095	388-96-229	REP-P	98-15-141
388-55-040	REP-P	98-11-084	388-76-660	AMD-S	98-02-077	388-96-501	REP-P	98-15-141
388-55-040	REP	98-16-044	388-76-660	AMD	98-11-095	388-96-502	AMD-P	98-15-141
388-55-060	REP-P	98-11-084	388-76-665	AMD-S	98-02-077	388-96-503	REP-P	98-15-141
388-55-060	REP	98-16-044	388-76-665	AMD	98-11-095	388-96-505	AMD-P	98-15-141
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388-76-540	AMD-S	98-02-077	388-76-675	AMD-S	98-02-077	388-96-509	REP-P	98-15-141
388-76-540	AMD	98-11-095	388-76-675	AMD	98-11-095	388-96-513	REP-P	98-15-141
388-76-550	AMD-S	98-02-077	388-76-680	AMD-S	98-02-077	388-96-521	REP-P	98-15-141
388-76-550	AMD	98-11-095	388-76-680	AMD	98-11-095	388-96-523	REP-P	98-15-141
388-76-560	AMD-S	98-02-077	388-76-685	AMD-S	98-02-077	388-96-525	AMD-P	98-15-141
388-76-560	AMD	98-11-095	388-76-685	AMD	98-11-095	388-96-529	REP-P	98-15-141
388-76-561	NEW-S	98-04-032	388-76-690	AMD-S	98-02-077	388-96-530	NEW-P	98-15-141
388-76-561	NEW-W	98-17-072	388-76-690	AMD	98-11-095	388-96-531	REP-P	98-15-141
388-76-570	AMD-S	98-02-077	388-76-695	AMD-S	98-02-077	388-96-532	NEW-P	98-15-141
388-76-570	AMD	98-11-095	388-76-695	AMD	98-11-095	388-96-533	REP-P	98-15-141
388-76-590	AMD-S	98-04-032	388-76-705	AMD-S	98-02-077	388-96-535	AMD-P	98-15-141
388-76-590	AMD-W	98-08-091	388-76-705	AMD	98-11-095	388-96-536	NEW-P	98-15-141
388-76-590	AMD	98-12-054	388-76-765	AMD-W	98-08-091	388-96-540	NEW-P	98-15-141
388-76-59000	NEW	98-12-054	388-79	NEW-C	98-05-053	388-96-542	NEW-P	98-15-141
388-76-59010	NEW	98-12-054	388-79-010	NEW-P	98-03-085	388-96-543	REP-P	98-15-141
388-76-59020	NEW	98-12-054	388-79-010	NEW	98-10-055	388-96-555	REP-P	98-15-141
388-76-59050	NEW	98-12-054	388-79-020	NEW-P	98-03-085	388-96-557	REP-P	98-15-141
388-76-59060	NEW	98-12-054	388-79-020	NEW	98-10-055	388-96-567	REP-P	98-15-141
388-76-59070	NEW	98-12-054	388-79-030	NEW-P	98-03-085	388-96-569	REP-P	98-15-141
388-76-59080	NEW	98-12-054	388-79-030	NEW	98-10-055	388-96-571	REP-P	98-15-141
388-76-59090	NEW	98-12-054	388-79-040	NEW-P	98-03-085	388-96-573	REP-P	98-15-141
388-76-59100	NEW	98-12-054	388-79-040	NEW	98-10-055	388-96-580	AMD-P	98-15-141
388-76-59110	NEW	98-12-054	388-86	PREP	98-10-106	388-96-585	AMD-P	98-15-141
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388-96-709	AMD-P	98-15-141	388-210-1020	REP-P	98-11-084	388-215-1150	REP	98-16-044
388-96-710	AMD-P	98-15-141	388-210-1020	REP	98-16-044	388-215-1160	REP-P	98-11-084
388-96-713	AMD-P	98-15-141	388-210-1050	REP-P	98-11-084	388-215-1160	REP	98-16-044
388-96-716	REP-P	98-15-141	388-210-1050	REP	98-16-044	388-215-1170	REP-P	98-11-084
388-96-717	REP-P	98-15-141	388-210-1100	REP-P	98-11-084	388-215-1170	REP	98-16-044
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388-96-718	NEW-P	98-15-103	388-210-1200	REP-P	98-11-084	388-215-1225	REP	98-16-044
388-96-719	REP-P	98-15-141	388-210-1200	REP	98-16-044	388-215-1230	REP-P	98-11-084
388-96-722	REP-P	98-15-141	388-210-1220	REP-P	98-11-084	388-215-1230	REP	98-16-044
388-96-723	NEW-P	98-15-141	388-210-1220	REP	98-16-044	388-215-1245	REP-P	98-11-084
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388-96-726	NEW-P	98-15-141	388-210-1250	REP-P	98-11-084	388-215-1300	REP	98-16-044
388-96-727	REP-P	98-15-141	388-210-1250	REP	98-16-044	388-215-1320	REP-P	98-11-084
388-96-728	NEW-P	98-15-141	388-210-1300	REP-P	98-11-084	388-215-1320	REP	98-16-044
388-96-729	NEW-P	98-15-141	388-210-1300	REP	98-16-044	388-215-1325	REP-P	98-11-084
388-96-735	REP-P	98-15-141	388-210-1310	REP-P	98-11-084	388-215-1325	REP	98-16-044
388-96-737	REP-P	98-15-141	388-210-1310	REP	98-16-044	388-215-1330	REP-P	98-11-084
388-96-738	NEW-P	98-15-141	388-210-1320	REP-P	98-11-084	388-215-1330	REP	98-16-044
388-96-739	NEW-P	98-15-141	388-210-1320	REP	98-16-044	388-215-1335	REP-P	98-11-084
388-96-740	NEW-P	98-15-141	388-210-1330	REP-P	98-11-084	388-215-1335	REP	98-16-044
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388-96-742	NEW-P	98-15-141	388-210-1340	REP-P	98-11-084	388-215-1340	REP	98-16-044
388-96-744	NEW-P	98-15-141	388-210-1340	REP	98-16-044	388-215-1345	REP-P	98-11-084
388-96-745	REP-P	98-15-141	388-210-1350	REP-P	98-11-084	388-215-1345	REP	98-16-044
388-96-746	NEW-P	98-15-141	388-210-1350	REP	98-16-044	388-215-1350	REP-P	98-11-084
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388-96-752	REP-P	98-15-141	388-210-1400	REP	98-16-044	388-215-1355	REP-P	98-11-084
388-96-754	REP-P	98-15-141	388-210-1410	REP-P	98-11-084	388-215-1355	REP	98-16-044
388-96-757	AMD-P	98-15-141	388-210-1410	REP	98-16-044	388-215-1360	REP-P	98-11-084
388-96-760	AMD-P	98-15-141	388-210-1420	REP-P	98-11-084	388-215-1360	REP	98-16-044
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388-96-763	REP-P	98-15-141	388-212-1000	REP-P	98-11-084	388-215-1365	REP	98-16-044
388-96-764	REP-P	98-15-141	388-212-1000	REP	98-16-044	388-215-1370	REP-P	98-11-084
388-96-765	REP-P	98-15-141	388-212-1050	REP-P	98-11-084	388-215-1370	REP	98-16-044
388-96-768	REP-P	98-15-141	388-212-1050	REP	98-16-044	388-215-1375	REP-P	98-11-084
388-96-769	REP-P	98-15-141	388-212-1100	REP-P	98-11-084	388-215-1375	REP	98-16-044
388-96-774	REP-P	98-15-141	388-212-1100	REP	98-16-044	388-215-1380	REP-P	98-11-084
388-96-776	AMD-P	98-15-141	388-212-1140	REP-P	98-11-084	388-215-1380	REP	98-16-044
388-96-778	REP-P	98-15-141	388-212-1140	REP	98-16-044	388-215-1385	REP-P	98-11-084
388-96-801	REP-P	98-15-141	388-212-1150	REP-P	98-11-084	388-215-1385	REP	98-16-044
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388-96-807	REP-P	98-15-141	388-212-1200	REP-P	98-11-084	388-215-1390	REP	98-16-044
388-96-810	REP-P	98-15-141	388-212-1200	REP	98-16-044	388-215-1400	REP-P	98-11-084
388-96-813	REP-P	98-15-141	388-212-1250	REP-P	98-11-084	388-215-1400	REP	98-16-044
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388-96-901	AMD-P	98-15-141	388-215-1000	REP-P	98-11-084	388-215-1410	REP	98-16-044
388-96-904	AMD-P	98-15-141	388-215-1000	REP	98-16-044	388-215-1420	REP-P	98-11-084
388-96-905	NEW-P	98-15-141	388-215-1010	REP-P	98-11-084	388-215-1420	REP	98-16-044
388-97	PREP	98-06-089	388-215-1010	REP	98-16-044	388-215-1430	REP-P	98-11-084
388-97-235	AMD-W	98-13-077	388-215-1025	REP-P	98-11-084	388-215-1430	REP	98-16-044
388-150-180	PREP	98-02-057	388-215-1025	REP	98-16-044	388-215-1440	REP-P	98-11-084
388-150-190	PREP	98-02-057	388-215-1050	REP-P	98-11-084	388-215-1440	REP	98-16-044
388-150-200	PREP	98-02-057	388-215-1050	REP	98-16-044	388-215-1450	REP-P	98-11-084
388-150-470	PREP	98-02-057	388-215-1060	REP-P	98-11-084	388-215-1450	REP	98-16-044
388-151	PREP	98-10-104	388-215-1060	REP	98-16-044	388-215-1460	REP-P	98-11-084
388-151-180	PREP	98-02-057	388-215-1070	REP-P	98-11-084	388-215-1460	REP	98-16-044
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388-151-200	PREP	98-02-057	388-215-1080	REP-P	98-11-084	388-215-1470	REP	98-16-044
388-151-470	PREP	98-02-057	388-215-1080	REP	98-16-044	388-215-1480	REP-P	98-11-084
388-155-180	PREP	98-02-057	388-215-1100	REP-P	98-11-084	388-215-1480	REP	98-16-044
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388-155-200	PREP	98-02-057	388-215-1110	REP-P	98-11-084	388-215-1490	REP	98-16-044
388-155-470	PREP	98-02-057	388-215-1110	REP	98-16-044	388-215-1500	REP-P	98-11-084
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388-200-1100	REP-P	98-11-084	388-215-1115	REP	98-16-044	388-215-1510	REP-P	98-11-084
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388-200-1150	REP	98-16-044	388-215-1130	REP-P	98-11-084	388-215-1520	REP	98-16-044
388-210-1000	REP-P	98-11-084	388-215-1130	REP	98-16-044	388-215-1540	REP-P	98-11-084
388-210-1000	REP	98-16-044	388-215-1140	REP-P	98-11-084	388-215-1540	REP	98-16-044
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388-220-0050	REP-P	98-11-084	388-235-0020	REP-P	98-11-084	388-245-1740	REP-P	98-11-084
388-220-0050	REP	98-16-044	388-235-0020	REP	98-16-044	388-245-1740	REP	98-16-044
388-225-0010	REP-P	98-11-084	388-235-0030	REP-P	98-11-084	388-245-2010	REP-P	98-11-084
388-225-0010	REP	98-16-044	388-235-0030	AMD-E	98-14-086	388-245-2010	REP	98-16-044
388-225-0020	REP-P	98-11-084	388-235-0030	REP	98-16-044	388-245-2020	REP-P	98-11-084
388-225-0020	REP	98-16-044	388-235-0040	REP-P	98-11-084	388-245-2020	REP	98-16-044
388-225-0050	REP-P	98-11-084	388-235-0040	REP	98-16-044	388-245-2030	REP-P	98-11-084
388-225-0050	REP	98-16-044	388-235-0050	REP-P	98-11-084	388-245-2030	REP	98-16-044
388-225-0060	REP-P	98-11-084	388-235-0050	REP	98-16-044	388-245-2040	REP-P	98-11-084
388-225-0060	REP	98-16-044	388-235-0060	REP-P	98-11-084	388-245-2040	REP	98-16-044
388-225-0070	REP-P	98-11-084	388-235-0060	REP	98-16-044	388-245-2050	REP-P	98-11-084
388-225-0070	REP	98-16-044	388-235-0070	REP-P	98-11-084	388-245-2050	REP	98-16-044
388-225-0080	REP-P	98-11-084	388-235-0070	REP	98-16-044	388-250-1010	REP-P	98-11-084
388-225-0080	REP	98-16-044	388-235-0080	REP-P	98-11-084	388-250-1010	REP	98-16-044
388-225-0090	REP-P	98-11-084	388-235-0080	REP	98-16-044	388-250-1050	REP-P	98-11-084
388-225-0090	REP	98-16-044	388-235-0090	REP-P	98-11-084	388-250-1050	REP	98-16-044
388-225-0100	REP-P	98-11-084	388-235-0090	REP	98-16-044	388-250-1100	REP-P	98-11-084
388-225-0100	REP	98-16-044	388-235-0100	REP-P	98-11-084	388-250-1100	REP	98-16-044
388-225-0120	REP-P	98-11-084	388-235-0100	REP	98-16-044	388-250-1150	REP-P	98-11-084
388-225-0120	REP	98-16-044	388-235-0110	REP-P	98-11-084	388-250-1150	REP	98-16-044
388-225-0150	REP-P	98-11-084	388-235-0110	REP	98-16-044	388-250-1200	REP-P	98-11-084
388-225-0150	REP	98-16-044	388-235-2000	REP-P	98-11-084	388-250-1200	REP	98-16-044
388-225-0160	REP-P	98-11-084	388-235-2000	REP	98-16-044	388-250-1225	REP-P	98-11-084
388-225-0160	REP	98-16-044	388-235-3000	REP-P	98-11-084	388-250-1225	REP	98-16-044
388-225-0170	REP-P	98-11-084	388-235-3000	REP	98-16-044	388-250-1250	AMD	98-08-037
388-225-0170	REP	98-16-044	388-235-4000	REP-P	98-11-084	388-250-1250	REP-P	98-11-084
388-225-0180	REP-P	98-11-084	388-235-4000	REP	98-16-044	388-250-1250	REP	98-16-044
388-225-0180	REP	98-16-044	388-245-1000	REP-P	98-11-084	388-250-1300	REP-P	98-11-084
388-225-0190	REP-P	98-11-084	388-245-1000	REP	98-16-044	388-250-1300	REP	98-16-044
388-225-0190	REP	98-16-044	388-245-1150	AMD	98-04-015	388-250-1310	REP-P	98-11-084
388-230-0010	REP-P	98-11-084	388-245-1150	REP-P	98-11-084	388-250-1310	REP	98-16-044
388-230-0010	REP	98-16-044	388-245-1150	REP	98-16-044	388-250-1350	REP-P	98-11-084
388-230-0030	REP-P	98-11-084	388-245-1160	REP-P	98-11-084	388-250-1350	REP	98-16-044
388-230-0030	REP	98-16-044	388-245-1160	REP	98-16-044	388-250-1400	REP-P	98-11-084
388-230-0050	REP-P	98-11-084	388-245-1170	REP-P	98-11-084	388-250-1400	REP	98-16-044
388-230-0050	REP	98-16-044	388-245-1170	REP	98-16-044	388-250-1450	REP-P	98-11-084
388-230-0060	REP-P	98-11-084	388-245-1210	REP-P	98-11-084	388-250-1450	REP	98-16-044
388-230-0060	AMD-E	98-14-086	388-245-1210	REP	98-16-044	388-250-1500	REP-P	98-11-084
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388-230-0110	REP-P	98-11-084	388-245-1315	REP	98-16-044	388-250-1650	REP-P	98-11-084
388-230-0110	REP	98-16-044	388-245-1320	REP-P	98-11-084	388-250-1650	REP	98-16-044
388-230-0120	REP-P	98-11-084	388-245-1320	REP	98-16-044	388-250-1700	AMD	98-06-057
388-230-0120	REP	98-16-044	388-245-1350	REP-P	98-11-084	388-250-1700	REP-P	98-11-084
388-230-0140	REP-P	98-11-084	388-245-1350	REP	98-16-044	388-250-1700	REP	98-16-044
388-230-0140	REP	98-16-044	388-245-1400	REP-P	98-11-084	388-250-1750	REP-P	98-11-084
388-233-0010	REP-P	98-11-084	388-245-1400	REP	98-16-044	388-250-1750	REP	98-16-044
388-233-0010	REP	98-16-044	388-245-1410	REP-P	98-11-084	388-255-1350	REP-P	98-11-084
388-233-0020	REP-P	98-11-084	388-245-1410	REP	98-16-044	388-255-1350	REP	98-16-044
388-233-0020	REP	98-16-044	388-245-1500	REP-P	98-11-084	388-255-1400	REP-P	98-11-084
388-233-0030	REP-P	98-11-084	388-245-1500	REP	98-16-044	388-255-1400	REP	98-16-044
388-233-0030	REP	98-16-044	388-245-1510	AMD	98-04-016	388-265	PREP	98-07-099
388-233-0035	NEW-E	98-14-086	388-245-1510	REP-P	98-11-084	388-265-1010	REP-P	98-11-084
388-233-0040	REP-P	98-11-084	388-245-1510	REP	98-16-044	388-265-1010	REP	98-16-044
388-233-0040	REP	98-16-044	388-245-1520	REP-P	98-11-084	388-265-1050	REP-P	98-11-084
388-233-0050	REP-P	98-11-084	388-245-1520	REP	98-16-044	388-265-1050	REP	98-16-044
388-233-0050	REP	98-16-044	388-245-1600	REP-P	98-11-084	388-265-1100	REP-P	98-11-084
388-233-0060	REP-P	98-11-084	388-245-1600	REP	98-16-044	388-265-1100	REP	98-16-044
388-233-0060	REP	98-16-044	388-245-1610	REP-P	98-11-084	388-265-1150	AMD-P	98-11-074
388-233-0070	REP-P	98-11-084	388-245-1610	REP	98-16-044	388-265-1155	NEW-P	98-11-074
388-233-0070	REP	98-16-044	388-245-1700	REP-P	98-11-084	388-265-1200	AMD-P	98-11-074
388-233-0080	REP-P	98-11-084	388-245-1700	REP	98-16-044	388-265-1250	AMD-P	98-11-074
388-233-0080	REP	98-16-044	388-245-1710	REP-P	98-11-084	388-265-1275	AMD-P	98-11-074
388-233-0090	REP-P	98-11-084	388-245-1710	REP	98-16-044	388-265-1300	AMD-P	98-11-074
388-233-0090	REP	98-16-044	388-245-1715	REP-P	98-11-084	388-265-1375	NEW-P	98-11-074
388-233-0100	REP-P	98-11-084	388-245-1715	REP	98-16-044	388-265-1400	REP-P	98-11-074
388-233-0100	REP	98-16-044	388-245-1720	REP-P	98-11-084	388-265-1450	AMD-P	98-11-074
388-235	PREP	98-07-038	388-245-1720	REP	98-16-044	388-265-1500	AMD-P	98-11-074
388-235-0010	REP-P	98-11-084	388-245-1730	REP-P	98-11-084	388-265-1500	AMD-W	98-16-038

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-265-1550	REP-P	98-11-074	388-290-050	AMD	98-08-021	388-408-0015	NEW-P	98-11-084
388-265-1550	REP-P	98-11-084	388-290-055	PREP	98-08-075	388-408-0015	NEW	98-16-044
388-265-1550	REP-W	98-16-038	388-290-055	AMD-E	98-16-026	388-408-0020	NEW-P	98-11-084
388-265-1550	REP	98-16-044	388-290-055	RESCIND	98-16-040	388-408-0020	NEW	98-16-044
388-265-1600	AMD-P	98-11-074	388-290-055	AMD-E	98-16-093	388-408-0025	NEW-P	98-11-084
388-265-1700	REP-P	98-11-074	388-290-055	AMD-P	98-17-080	388-408-0025	NEW	98-16-044
388-265-1700	REP-P	98-11-084	388-290-090	AMD-P	98-03-083	388-408-0030	NEW-P	98-11-084
388-265-1700	REP	98-16-044	388-290-090	AMD	98-08-021	388-408-0030	NEW	98-16-044
388-265-1800	REP-P	98-11-084	388-290-090	PREP	98-08-075	388-408-0035	NEW-P	98-11-084
388-265-1800	REP	98-16-044	388-310-0400	AMD-P	98-15-139	388-408-0035	NEW	98-16-044
388-265-1850	REP-P	98-11-084	388-310-0500	AMD-P	98-15-139	388-408-0040	NEW-P	98-11-084
388-265-1850	REP	98-16-044	388-310-1000	AMD-P	98-15-139	388-408-0040	NEW	98-16-044
388-265-1900	REP-P	98-11-084	388-310-1050	NEW-P	98-15-139	388-408-0045	NEW-P	98-11-084
388-265-1900	REP	98-16-044	388-310-1300	NEW-S	98-03-080	388-408-0045	NEW	98-16-044
388-265-1950	REP-P	98-11-084	388-310-1300	NEW-S	98-07-042	388-408-0050	NEW-P	98-11-084
388-265-1950	REP	98-16-044	388-310-1300	NEW	98-10-054	388-408-0050	NEW	98-16-044
388-265-2000	REP-P	98-11-084	388-310-1600	AMD-P	98-15-139	388-408-0055	NEW-P	98-11-084
388-265-2000	REP	98-16-044	388-320-340	REP-P	98-08-076	388-408-0055	NEW	98-16-044
388-270-1005	REP-P	98-11-084	388-320-340	REP	98-11-034	388-410-0001	NEW-P	98-11-084
388-270-1005	REP	98-16-044	388-400-0005	NEW-P	98-11-084	388-410-0001	NEW	98-16-044
388-270-1010	REP-P	98-11-084	388-400-0005	NEW	98-16-044	388-410-0005	NEW-P	98-11-084
388-270-1010	REP	98-16-044	388-400-0010	NEW-P	98-11-084	388-410-0005	NEW	98-16-044
388-270-1025	REP-P	98-11-084	388-400-0010	NEW	98-16-044	388-410-0010	NEW-P	98-11-084
388-270-1025	REP	98-16-044	388-400-0015	NEW-P	98-11-084	388-410-0010	NEW	98-16-044
388-270-1075	REP-P	98-11-084	388-400-0015	NEW	98-16-044	388-410-0015	NEW-P	98-11-084
388-270-1075	REP	98-16-044	388-400-0020	NEW-P	98-11-084	388-410-0015	NEW	98-16-044
388-270-1100	REP-P	98-11-084	388-400-0020	NEW	98-16-044	388-410-0020	NEW-P	98-11-084
388-270-1100	REP	98-16-044	388-400-0025	NEW-P	98-11-084	388-410-0020	NEW	98-16-044
388-270-1110	REP-P	98-11-084	388-400-0025	NEW	98-16-044	388-410-0025	NEW-P	98-11-084
388-270-1110	REP	98-16-044	388-400-0030	NEW-P	98-11-084	388-410-0025	NEW	98-16-044
388-270-1125	REP-P	98-11-084	388-400-0030	NEW	98-16-044	388-410-0030	NEW-P	98-11-084
388-270-1125	REP	98-16-044	388-400-0035	NEW-P	98-11-084	388-410-0030	NEW	98-16-044
388-270-1150	REP-P	98-11-084	388-400-0035	NEW	98-16-044	388-410-0035	NEW-P	98-11-084
388-270-1150	REP	98-16-044	388-400-0040	NEW-P	98-11-084	388-410-0035	NEW	98-16-044
388-270-1200	REP-P	98-11-084	388-400-0040	NEW	98-16-044	388-410-0040	NEW-P	98-11-084
388-270-1200	REP	98-16-044	388-400-0045	NEW-P	98-13-080	388-410-0040	NEW	98-16-044
388-270-1250	REP-P	98-11-084	388-400-0045	NEW	98-16-044	388-412	PREP	98-16-089
388-270-1250	REP	98-16-044	388-404-0005	NEW-P	98-11-084	388-412-0005	NEW-P	98-11-084
388-270-1300	REP-P	98-11-084	388-404-0005	NEW	98-16-044	388-412-0005	NEW	98-16-044
388-270-1300	REP	98-16-044	388-404-0010	NEW-P	98-11-084	388-412-0010	NEW-P	98-11-084
388-270-1400	REP-P	98-11-084	388-404-0010	NEW	98-16-044	388-412-0010	NEW	98-16-044
388-270-1400	REP	98-16-044	388-404-0015	NEW-P	98-11-084	388-412-0015	NEW-P	98-11-084
388-270-1500	REP-P	98-11-084	388-404-0015	NEW	98-16-044	388-412-0015	NEW	98-16-044
388-270-1500	REP	98-16-044	388-406-0005	NEW-P	98-11-084	388-412-0020	NEW-P	98-11-084
388-270-1550	REP-P	98-11-084	388-406-0005	NEW	98-16-044	388-412-0020	NEW	98-16-044
388-270-1550	REP	98-16-044	388-406-0010	NEW-P	98-11-084	388-412-0025	NEW-P	98-11-084
388-270-1600	REP-P	98-11-084	388-406-0010	NEW	98-16-044	388-412-0025	NEW	98-16-044
388-270-1600	REP	98-16-044	388-406-0015	NEW-P	98-11-084	388-412-0030	NEW-P	98-11-084
388-275	PREP	98-07-036	388-406-0015	NEW	98-16-044	388-412-0030	NEW	98-16-044
388-275-0020	REP-P	98-11-084	388-406-0020	NEW-P	98-11-084	388-412-0035	NEW-P	98-11-084
388-275-0020	REP	98-16-044	388-406-0020	NEW	98-16-044	388-412-0035	NEW	98-16-044
388-275-0030	REP-P	98-11-084	388-406-0025	NEW-P	98-11-084	388-412-0040	NEW-P	98-11-084
388-275-0030	REP	98-16-044	388-406-0025	NEW	98-16-044	388-412-0040	NEW	98-16-044
388-275-0050	REP-P	98-11-084	388-406-0030	NEW-P	98-11-084	388-414-0001	NEW-P	98-11-084
388-275-0050	REP	98-16-044	388-406-0030	NEW	98-16-044	388-414-0001	NEW	98-16-044
388-275-0060	REP-P	98-11-084	388-406-0035	NEW-P	98-11-084	388-416-0005	NEW-P	98-11-084
388-275-0060	REP	98-16-044	388-406-0035	NEW	98-16-044	388-416-0005	NEW	98-16-044
388-275-0070	REP-P	98-11-084	388-406-0040	NEW-P	98-11-084	388-416-0010	NEW-P	98-11-084
388-275-0070	REP	98-16-044	388-406-0040	NEW	98-16-044	388-416-0010	NEW	98-16-044
388-275-0090	REP-P	98-11-084	388-406-0045	NEW-P	98-11-084	388-416-0015	NEW-P	98-11-084
388-275-0090	REP	98-16-044	388-406-0045	NEW	98-16-044	388-416-0015	NEW	98-16-044
388-280	PREP	98-07-037	388-406-0050	NEW-P	98-11-084	388-416-0020	NEW-P	98-11-084
388-290	PREP	98-08-075	388-406-0050	NEW	98-16-044	388-416-0020	NEW	98-16-044
388-290-010	AMD-P	98-03-083	388-406-0055	NEW-P	98-11-084	388-416-0025	NEW-P	98-11-084
388-290-010	AMD	98-08-021	388-406-0055	NEW	98-16-044	388-416-0025	NEW	98-16-044
388-290-010	AMD-P	98-17-080	388-406-0060	NEW-P	98-11-084	388-416-0030	NEW-P	98-11-084
388-290-020	AMD-P	98-03-083	388-406-0060	NEW	98-16-044	388-416-0030	NEW	98-16-044
388-290-020	AMD	98-08-021	388-406-0065	NEW-P	98-11-084	388-416-0035	NEW-P	98-11-084
388-290-025	AMD-P	98-03-083	388-406-0065	NEW	98-16-044	388-416-0035	NEW	98-16-044
388-290-025	AMD	98-08-021	388-408-0005	NEW-P	98-11-084	388-418-0005	NEW-P	98-11-084
388-290-035	AMD-P	98-03-083	388-408-0005	NEW	98-16-044	388-418-0005	NEW	98-16-044
388-290-035	AMD	98-08-021	388-408-0010	NEW-P	98-11-084	388-418-0010	NEW-P	98-11-084
388-290-050	AMD-P	98-03-083	388-408-0010	NEW	98-16-044	388-418-0010	NEW	98-16-044

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-418-0015	NEW-P	98-11-084	388-436-0050	NEW	98-16-044	388-450-0045	NEW-P	98-11-084
388-418-0015	NEW	98-16-044	388-437-0001	NEW-P	98-11-084	388-450-0045	NEW	98-16-044
388-418-0020	NEW-P	98-11-084	388-437-0001	NEW	98-16-044	388-450-0050	NEW-P	98-11-084
388-418-0020	NEW	98-16-044	388-438-0100	NEW-P	98-11-084	388-450-0050	NEW	98-16-044
388-418-0025	NEW-P	98-11-084	388-438-0100	NEW	98-16-044	388-450-0055	NEW-P	98-11-084
388-418-0025	NEW	98-16-044	388-438-0110	NEW-P	98-11-084	388-450-0055	NEW	98-16-044
388-418-0030	NEW-P	98-11-084	388-438-0110	NEW	98-16-044	388-450-0060	NEW-P	98-11-084
388-418-0030	NEW	98-16-044	388-440-0001	NEW-P	98-11-084	388-450-0060	NEW	98-16-044
388-420-010	NEW-P	98-11-084	388-440-0001	NEW	98-16-044	388-450-0065	NEW-P	98-11-084
388-420-010	NEW	98-16-044	388-440-0005	NEW-P	98-11-084	388-450-0065	NEW	98-16-044
388-422-0005	NEW-P	98-11-084	388-440-0005	NEW	98-16-044	388-450-0070	NEW-P	98-11-084
388-422-0005	NEW	98-16-044	388-440-0005	NEW	98-16-044	388-450-0070	NEW	98-16-044
388-422-0010	NEW-P	98-11-084	388-442-0010	NEW-P	98-11-084	388-450-0075	NEW-P	98-11-084
388-422-0010	NEW	98-16-044	388-442-0010	NEW	98-16-044	388-450-0075	NEW	98-16-044
388-422-0020	NEW-P	98-11-084	388-444-0005	NEW-P	98-11-084	388-450-0080	NEW-P	98-11-084
388-422-0020	NEW	98-16-044	388-444-0005	NEW	98-16-044	388-450-0080	NEW	98-16-044
388-422-0030	NEW-P	98-11-084	388-444-0005	NEW	98-16-044	388-450-0085	NEW-P	98-11-084
388-422-0030	NEW	98-16-044	388-444-0010	NEW-P	98-11-084	388-450-0085	NEW	98-16-044
388-424-0005	NEW-P	98-11-084	388-444-0015	NEW	98-16-044	388-450-0090	NEW-P	98-11-084
388-424-0005	NEW	98-16-044	388-444-0020	NEW-P	98-11-084	388-450-0090	NEW	98-16-044
388-424-0010	NEW-P	98-11-084	388-444-0020	NEW	98-16-044	388-450-0095	NEW-P	98-11-084
388-424-0010	NEW	98-16-044	388-444-0025	NEW	98-16-044	388-450-0095	NEW	98-16-044
388-424-0015	NEW-P	98-11-084	388-444-0030	NEW-P	98-11-084	388-450-0100	NEW-P	98-11-084
388-424-0015	NEW	98-16-044	388-444-0030	NEW	98-16-044	388-450-0100	NEW	98-16-044
388-424-0020	NEW-P	98-11-084	388-444-0035	NEW-P	98-11-084	388-450-0105	NEW-P	98-11-084
388-424-0020	NEW	98-16-044	388-444-0035	NEW	98-16-044	388-450-0105	NEW	98-16-044
388-424-0025	NEW-P	98-11-084	388-444-0040	NEW-P	98-11-084	388-450-0110	NEW-P	98-11-084
388-424-0025	NEW	98-16-044	388-444-0040	NEW	98-16-044	388-450-0110	NEW	98-16-044
388-426-0005	NEW-P	98-11-084	388-444-0045	NEW-P	98-11-084	388-450-0115	NEW-P	98-11-084
388-426-0005	NEW	98-16-044	388-444-0045	NEW	98-16-044	388-450-0115	NEW	98-16-044
388-428-0005	NEW-P	98-11-084	388-444-0050	NEW-P	98-11-084	388-450-0120	NEW-P	98-11-084
388-428-0005	NEW-W	98-15-113	388-444-0050	NEW	98-16-044	388-450-0120	NEW	98-16-044
388-428-0010	NEW-P	98-11-084	388-444-0055	NEW-P	98-11-084	388-450-0125	NEW-P	98-11-084
388-428-0010	NEW	98-16-044	388-444-0055	NEW	98-16-044	388-450-0125	NEW	98-16-044
388-430-0001	NEW-P	98-11-084	388-444-0060	NEW-P	98-11-084	388-450-0130	NEW-P	98-11-084
388-430-0001	NEW	98-16-044	388-444-0060	NEW	98-16-044	388-450-0130	NEW	98-16-044
388-430-0005	NEW-P	98-11-084	388-444-0065	NEW-P	98-11-084	388-450-0135	NEW-P	98-11-084
388-430-0005	NEW	98-16-044	388-444-0065	NEW	98-16-044	388-450-0135	NEW	98-16-044
388-430-0010	NEW-P	98-11-084	388-444-0070	NEW-P	98-11-084	388-450-0140	NEW-P	98-11-084
388-430-0010	NEW	98-16-044	388-444-0070	NEW	98-16-044	388-450-0140	NEW	98-16-044
388-430-0015	NEW-P	98-11-084	388-444-0075	NEW-P	98-11-084	388-450-0145	NEW-P	98-11-084
388-430-0015	NEW	98-16-044	388-444-0075	NEW	98-16-044	388-450-0145	NEW	98-16-044
388-430-0020	NEW-P	98-11-084	388-444-0080	NEW-P	98-11-084	388-450-0150	NEW-P	98-11-084
388-430-0020	NEW	98-16-044	388-446-0001	NEW-P	98-11-084	388-450-0150	NEW	98-16-044
388-430-0025	NEW-P	98-11-084	388-446-0001	NEW	98-16-044	388-450-0155	NEW-P	98-11-084
388-430-0025	NEW	98-16-044	388-446-0005	NEW-P	98-11-084	388-450-0155	NEW	98-16-044
388-434-0005	NEW-P	98-11-084	388-446-0005	NEW	98-16-044	388-450-0160	NEW-P	98-11-084
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388-434-0010	NEW-P	98-11-084	388-446-0010	NEW	98-16-044	388-450-0165	NEW-P	98-11-084
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388-436-0001	NEW-P	98-11-084	388-446-0015	NEW	98-16-044	388-450-0170	NEW-P	98-11-084
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388-436-0010	NEW-P	98-11-084	388-448-0001	NEW	98-16-044	388-450-0180	NEW-P	98-11-084
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388-436-0015	NEW-P	98-11-084	388-448-0005	NEW	98-16-044	388-450-0185	NEW-P	98-11-084
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388-436-0020	NEW-P	98-11-084	388-450-0005	NEW	98-16-044	388-450-0190	NEW-P	98-11-084
388-436-0020	NEW	98-16-044	388-450-0010	NEW-P	98-11-084	388-450-0190	NEW	98-16-044
388-436-0025	NEW-P	98-11-084	388-450-0010	NEW	98-16-044	388-450-0195	NEW-P	98-11-084
388-436-0025	NEW	98-16-044	388-450-0015	NEW-P	98-11-084	388-450-0195	NEW	98-16-044
388-436-0030	NEW-P	98-11-084	388-450-0015	NEW	98-16-044	388-450-0200	NEW-P	98-11-084
388-436-0030	NEW	98-16-044	388-450-0020	NEW-P	98-11-084	388-450-0200	NEW	98-16-044
388-436-0035	NEW-P	98-11-084	388-450-0020	NEW	98-16-044	388-450-0205	NEW-P	98-11-084
388-436-0035	NEW	98-16-044	388-450-0025	NEW-P	98-11-084	388-450-0205	NEW	98-16-044
388-436-0040	NEW-P	98-11-084	388-450-0025	NEW	98-16-044	388-450-0210	NEW-P	98-11-084
388-436-0040	NEW	98-16-044	388-450-0030	NEW-P	98-11-084	388-450-0210	NEW	98-16-044
388-436-0045	NEW-P	98-11-084	388-450-0030	NEW	98-16-044	388-450-0215	NEW-P	98-11-084
388-436-0045	NEW	98-16-044	388-450-0035	NEW-P	98-11-084	388-450-0215	NEW	98-16-044
388-436-0050	NEW-P	98-11-084	388-450-0035	NEW	98-16-044	388-450-0220	NEW-P	98-11-084
388-436-0050	NEW-W	98-13-054	388-450-0040	NEW-P	98-11-084	388-450-0220	NEW	98-16-044
388-436-0050	NEW-P	98-13-080	388-450-0040	NEW	98-16-044	388-450-0225	NEW-P	98-11-084

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WAC #	ACTION	WSR #
388-450-0225	NEW	98-16-044
388-450-0230	NEW-P	98-11-084
388-450-0230	NEW	98-16-044
388-450-0235	NEW-P	98-11-084
388-450-0235	NEW	98-16-044
388-450-0240	NEW-P	98-11-084
388-450-0240	NEW	98-16-044
388-450-0245	NEW-P	98-11-084
388-450-0245	NEW	98-16-044
388-450-0250	NEW-P	98-11-084
388-450-0250	NEW	98-16-044
388-452-0005	NEW-P	98-11-084
388-452-0005	NEW	98-16-044
388-452-0010	NEW-P	98-11-084
388-452-0010	NEW	98-16-044
388-454-0005	NEW-P	98-11-084
388-454-0005	NEW	98-16-044
388-454-0010	NEW-P	98-11-084
388-454-0010	NEW	98-16-044
388-454-0015	NEW-P	98-11-084
388-454-0015	NEW	98-16-044
388-454-0020	NEW-P	98-11-084
388-454-0020	NEW	98-16-044
388-454-0025	NEW-P	98-11-084
388-454-0025	NEW	98-16-044
388-456-0001	NEW-P	98-11-084
388-456-0001	NEW	98-16-044
388-456-0005	NEW-P	98-11-084
388-456-0005	NEW	98-16-044
388-456-0010	NEW-P	98-11-084
388-456-0010	NEW	98-16-044
388-456-0015	NEW-P	98-11-084
388-456-0015	NEW	98-16-044
388-458-0005	NEW-P	98-11-084
388-458-0005	NEW	98-16-044
388-458-0010	NEW-P	98-11-084
388-458-0010	NEW	98-16-044
388-458-0015	NEW-P	98-11-084
388-458-0015	NEW	98-16-044
388-460-0001	NEW-P	98-11-084
388-460-0001	NEW	98-16-044
388-460-0005	NEW-P	98-11-084
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388-460-0010	NEW-P	98-11-084
388-460-0010	NEW	98-16-044
388-460-0015	NEW-P	98-11-084
388-460-0015	NEW	98-16-044
388-462-0005	NEW-P	98-11-084
388-462-0005	NEW	98-16-044
388-462-0010	NEW-P	98-11-084
388-462-0010	NEW	98-16-044
388-462-0015	NEW-P	98-11-084
388-462-0015	NEW	98-16-044
388-464-0001	NEW-P	98-11-084
388-464-0001	NEW	98-16-044
388-466-0005	NEW-P	98-11-084
388-466-0005	NEW	98-16-044
388-466-0010	NEW-P	98-11-084
388-466-0010	NEW	98-16-044
388-466-0015	NEW-P	98-11-084
388-466-0015	NEW	98-16-044
388-466-0020	NEW-P	98-11-084
388-466-0020	NEW	98-16-044
388-466-0025	NEW-P	98-11-084
388-466-0025	NEW	98-16-044
388-468-0005	NEW	98-16-044
388-468-0010	NEW-P	98-11-084
388-470-0005	NEW-P	98-11-084
388-470-0005	NEW	98-16-044
388-470-0010	NEW-P	98-11-084
388-470-0010	NEW	98-16-044
388-470-0015	NEW-P	98-11-084
388-470-0015	NEW	98-16-044

WAC #	ACTION	WSR #
388-470-0020	NEW-P	98-11-084
388-470-0020	NEW	98-16-044
388-470-0025	NEW-P	98-11-084
388-470-0025	NEW	98-16-044
388-470-0030	NEW-P	98-11-084
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388-470-0035	NEW-P	98-11-084
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388-472-0005	NEW-P	98-11-084
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388-474-0010	NEW-P	98-11-084
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388-474-0015	NEW-P	98-11-084
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388-474-0020	NEW-P	98-11-084
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388-476-0005	NEW-P	98-11-084
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388-478-0005	NEW-P	98-11-084
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388-478-0010	NEW-P	98-11-084
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388-478-0015	NEW-P	98-11-084
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388-478-0020	NEW-P	98-11-084
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388-478-0025	NEW-P	98-11-084
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388-478-0035	NEW-P	98-11-084
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388-478-0065	NEW-P	98-11-084
388-478-0065	NEW	98-16-044
388-478-0070	NEW-P	98-11-084
388-478-0070	NEW	98-16-044
388-478-0075	NEW-P	98-11-084
388-478-0075	NEW	98-16-044
388-478-0080	NEW-P	98-11-084
388-478-0080	NEW	98-16-044

WAC #	ACTION	WSR #
388-478-0085	NEW-P	98-11-084
388-478-0085	NEW	98-16-044
388-480-0001	NEW-P	98-11-084
388-480-0001	NEW	98-16-044
388-482-0005	NEW-P	98-11-084
388-482-0005	NEW	98-16-044
388-484-0005	NEW-P	98-11-084
388-484-0005	NEW	98-16-044
388-486-0005	NEW-P	98-11-084
388-486-0005	NEW	98-16-044
388-486-0010	NEW-P	98-11-084
388-486-0010	NEW	98-16-044
388-488-0005	NEW-P	98-11-084
388-488-0005	NEW	98-16-044
388-488-0010	NEW-P	98-11-084
388-488-0010	NEW	98-16-044
388-490-0005	NEW-P	98-11-084
388-490-0005	NEW	98-16-044
388-500	PREP	98-10-106
388-500-0005	AMD-P	98-08-081
388-500-0005	AMD-E	98-08-088
388-500-0005	AMD	98-15-066
388-501	PREP	98-10-106
388-501-0105	REP-P	98-13-082
388-501-0105	REP	98-16-050
388-501-0110	REP-P	98-13-082
388-501-0110	REP	98-16-050
388-501-0135	AMD-P	98-11-084
388-501-0135	AMD	98-16-044
388-501-0140	REP-P	98-13-082
388-501-0140	REP	98-16-050
388-501-0150	REP-P	98-13-082
388-501-0170	REP-P	98-13-082
388-501-0170	REP	98-16-050
388-501-0190	REP-P	98-13-082
388-501-0190	REP	98-16-050
388-503	PREP	98-10-106
388-503-0305	REP-P	98-13-082
388-503-0310	AMD-P	98-08-081
388-503-0310	AMD-E	98-08-088
388-503-0310	AMD	98-15-066
388-503-0320	REP-P	98-13-082
388-503-0320	REP	98-16-050
388-503-0350	REP-P	98-13-082
388-503-0350	REP	98-16-050
388-503-0370	REP-P	98-13-082
388-503-0370	REP	98-16-050
388-503-0505	NEW-P	98-11-084
388-503-0505	NEW	98-16-044
388-503-0510	NEW-P	98-11-084
388-503-0510	NEW	98-16-044
388-503-0515	NEW-P	98-11-084
388-503-0515	NEW	98-16-044
388-503-0520	NEW-P	98-11-084
388-503-0520	NEW-W	98-16-037
388-504	PREP	98-10-106
388-504-0405	REP-P	98-13-082
388-504-0405	REP	98-16-050
388-504-0410	REP-P	98-13-082
388-504-0410	REP	98-16-050
388-504-0420	REP-P	98-13-082
388-504-0420	REP	98-16-050
388-504-0430	REP-P	98-13-082
388-504-0430	REP	98-16-050
388-504-0440	REP-P	98-13-082
388-504-0440	REP	98-16-050
388-504-0450	REP-P	98-13-082
388-504-0450	REP	98-16-050
388-504-0460	REP-P	98-13-082
388-504-0460	REP	98-16-050
388-504-0470	REP-P	98-13-082
388-504-0470	REP	98-16-050

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388-504-0480	REP	98-16-050	388-509-0905	REP-P	98-13-082	388-517-1715	AMD-P	98-08-083
388-504-0485	REP-P	98-13-082	388-509-0905	REP	98-16-050	388-517-1715	AMD-E	98-08-086
388-504-0485	REP	98-16-050	388-509-0910	REP-P	98-13-082	388-517-1715	AMD	98-11-073
388-505	PREP	98-10-106	388-509-0910	REP	98-16-050	388-517-1715	REP-P	98-13-082
388-505-0110	NEW-P	98-11-084	388-509-0920	PREP	98-07-039	388-517-1715	REP	98-16-050
388-505-0110	NEW	98-16-044	388-509-0920	AMD-E	98-08-085	388-517-1720	REP-P	98-08-083
388-505-0210	NEW-P	98-11-084	388-509-0920	REP-P	98-13-082	388-517-1720	REP-E	98-08-086
388-505-0210	NEW	98-16-044	388-509-0920	AMD-P	98-15-053	388-517-1720	REP	98-11-073
388-505-0220	NEW-P	98-11-084	388-509-0920	AMD-E	98-16-036	388-517-1730	AMD-P	98-08-083
388-505-0220	NEW	98-16-044	388-509-0920	REP	98-16-050	388-517-1730	AMD-E	98-08-086
388-505-0501	REP-P	98-13-082	388-509-0920	AMD-W	98-17-064	388-517-1730	AMD	98-11-073
388-505-0501	REP	98-16-050	388-509-0940	REP-P	98-13-082	388-517-1730	REP-P	98-13-082
388-505-0505	REP-P	98-13-082	388-509-0940	REP	98-16-050	388-517-1730	REP	98-16-050
388-505-0505	REP	98-16-050	388-509-0960	PREP	98-07-039	388-517-1740	REP-P	98-08-083
388-505-0510	REP-P	98-13-082	388-509-0960	AMD-E	98-08-085	388-517-1740	REP-E	98-08-086
388-505-0510	REP	98-16-050	388-509-0960	REP-P	98-13-082	388-517-1740	REP	98-11-073
388-505-0520	AMD-P	98-08-081	388-509-0960	AMD-P	98-15-053	388-517-1750	AMD-P	98-08-083
388-505-0520	AMD-E	98-08-088	388-509-0960	AMD-E	98-16-036	388-517-1750	AMD-E	98-08-086
388-505-0520	REP-P	98-13-082	388-509-0960	REP	98-16-050	388-517-1750	AMD	98-11-073
388-505-0520	AMD	98-15-066	388-509-0960	AMD-W	98-17-064	388-517-1750	REP-P	98-13-082
388-505-0520	REP	98-16-050	388-509-0970	REP-P	98-13-082	388-517-1750	REP	98-16-050
388-505-0530	REP-P	98-13-082	388-509-0970	REP	98-16-050	388-517-1760	REP-P	98-08-083
388-505-0530	REP	98-16-050	388-510	PREP	98-10-106	388-517-1760	REP-E	98-08-086
388-505-0540	AMD-P	98-11-084	388-510-1005	NEW-P	98-08-081	388-517-1760	REP	98-11-073
388-505-0540	AMD	98-16-044	388-510-1005	NEW-E	98-08-088	388-517-1770	NEW-P	98-08-083
388-505-0560	REP-P	98-13-082	388-510-1005	NEW	98-15-066	388-517-1770	NEW-E	98-08-086
388-505-0560	REP	98-16-050	388-510-1020	AMD-P	98-08-081	388-517-1770	NEW	98-11-073
388-505-0570	REP-P	98-13-082	388-510-1020	AMD-E	98-08-088	388-517-1770	REP-P	98-13-082
388-505-0570	REP	98-16-050	388-510-1020	REP-P	98-13-082	388-517-1770	REP	98-16-050
388-505-0580	REP-P	98-13-082	388-510-1020	AMD	98-15-066	388-518	PREP	98-10-106
388-505-0580	REP	98-16-050	388-510-1020	REP	98-16-050	388-518-1805	REP-P	98-13-082
388-505-0590	REP-P	98-13-082	388-510-1030	REP-P	98-13-082	388-518-1805	REP	98-16-050
388-505-0590	REP	98-16-050	388-510-1030	REP	98-16-050	388-518-1810	REP-P	98-13-082
388-506	PREP	98-10-106	388-511	PREP	98-10-106	388-518-1810	REP	98-16-050
388-506-0610	REP-P	98-13-082	388-511-1105	AMD-P	98-15-140	388-518-1820	REP-P	98-13-082
388-506-0610	REP	98-16-050	388-511-1110	REP-P	98-13-082	388-518-1820	REP	98-16-050
388-506-0620	AMD-P	98-15-140	388-511-1110	REP	98-16-050	388-518-1830	REP-P	98-13-082
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388-506-0630	REP	98-16-050	388-511-1115	REP	98-16-050	388-518-1840	REP-P	98-13-082
388-507	PREP	98-10-106	388-511-1140	REP-P	98-13-082	388-518-1840	REP	98-16-050
388-507-0710	AMD-P	98-08-082	388-511-1140	REP	98-16-050	388-518-1850	REP-P	98-13-082
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388-507-0710	AMD	98-11-033	388-511-1150	REP	98-16-050	388-519	PREP	98-10-106
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388-507-0720	REP-P	98-13-082	388-511-1160	REP	98-16-050	388-519-0110	NEW-P	98-11-084
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388-507-0730	REP	98-16-050	388-512	PREP	98-10-106	388-519-0120	NEW	98-16-044
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388-507-0740	AMD-E	98-08-088	388-512-1280	REP	98-04-004	388-519-1905	REP	98-16-050
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388-507-0740	AMD	98-15-066	388-513-1315	AMD	98-04-003	388-519-1910	REP	98-16-050
388-507-0740	REP	98-16-050	388-513-1340	PREP	98-05-052	388-519-1930	REP-P	98-13-082
388-508	PREP	98-10-106	388-513-1345	PREP	98-05-052	388-519-1930	REP	98-16-050
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388-508-0805	AMD-E	98-08-085	388-513-1350	AMD-E	98-08-087	388-519-1950	REP	98-16-050
388-508-0805	REP-P	98-13-082	388-513-1350	AMD	98-11-033	388-521	PREP	98-10-106
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388-508-0835	REP-P	98-13-082	388-517-1710	AMD-P	98-08-083	388-521-2140	REP-P	98-13-082
388-508-0835	REP	98-16-050	388-517-1710	AMD-E	98-08-086	388-521-2140	REP	98-16-050
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388-521-2160	AMD-E	98-08-086	388-555-1000	NEW-S	98-10-107	391-08-630	AMD-P	98-10-101
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388-522-2205	REP-P	98-13-082	388-555-1100	NEW-E	98-07-052	391-08-810	AMD	98-14-112
388-522-2205	REP	98-16-050	388-555-1100	NEW-S	98-10-107	391-25	PREP	98-04-049
388-522-2210	REP-P	98-13-082	388-555-1100	NEW	98-15-054	391-25-050	AMD-P	98-10-101
388-522-2210	REP	98-16-050	388-555-1150	NEW-P	98-07-050	391-25-050	AMD	98-14-112
388-522-2230	REP-P	98-13-082	388-555-1150	NEW-E	98-07-052	391-25-090	AMD-P	98-10-101
388-522-2230	REP	98-16-050	388-555-1150	NEW-S	98-10-107	391-25-090	AMD	98-14-112
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388-523-2305	AMD-P	98-08-081	388-555-1200	NEW	98-15-054	391-25-210	AMD-P	98-10-101
388-523-2305	AMD-E	98-08-088	388-555-1250	NEW-P	98-07-050	391-25-210	AMD	98-14-112
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388-523-2305	REP	98-16-050	388-555-1250	NEW	98-15-054	391-25-230	AMD-P	98-10-101
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388-524-2405	REP	98-16-050	388-555-1350	NEW-P	98-07-050	391-25-270	AMD	98-14-112
388-524-2420	REP-P	98-13-082	388-555-1350	NEW-E	98-07-052	391-25-350	AMD-P	98-10-101
388-524-2420	REP	98-16-050	388-555-1350	NEW-S	98-10-107	391-25-350	AMD	98-14-112
388-525	PREP	98-10-106	388-555-1350	NEW	98-15-054	391-25-370	AMD-P	98-10-101
388-525-2505	REP-P	98-13-082	388-555-1400	NEW-P	98-07-050	391-25-370	AMD	98-14-112
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388-525-2520	REP-P	98-13-082	388-555-1400	NEW-S	98-10-107	391-25-390	AMD	98-14-112
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388-529-0100	NEW	98-16-044	390-16-200	PREP	98-06-052	391-25-630	AMD-P	98-10-101
388-529-0200	NEW-P	98-11-084	390-16-200	REP-P	98-09-020	391-25-630	AMD	98-14-112
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388-529-2920	REP-P	98-13-082	390-16-207	AMD	98-12-034	391-25-660	NEW	98-14-112
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388-529-2960	REP	98-16-050	390-17-405	AMD-P	98-09-017	391-35-170	AMD-P	98-10-101
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388-538-130	AMD	98-16-044	391-08-230	AMD	98-14-112	391-45-030	AMD	98-14-112
388-540-005	AMD-P	98-02-059	391-08-300	AMD-P	98-10-101	391-45-110	AMD-P	98-10-101
388-540-005	AMD	98-06-025	391-08-300	AMD	98-14-112	391-45-110	AMD	98-14-112
388-540-030	AMD-P	98-02-059	391-08-310	AMD-P	98-10-101	391-45-190	AMD-P	98-10-101
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391-45-330	AMD	98-14-112	392-126-040	AMD-P	98-16-055	392-139-611	REP	98-08-096
391-45-350	AMD-P	98-10-101	392-126-053	NEW-P	98-16-055	392-139-616	REP-P	98-05-040
391-45-350	AMD	98-14-112	392-126-075	AMD-P	98-16-055	392-139-616	REP	98-08-096
391-45-370	REP-P	98-10-101	392-126-080	AMD-P	98-16-055	392-139-620	AMD-P	98-05-040
391-45-370	REP	98-14-112	392-126-085	AMD-P	98-16-055	392-139-620	AMD	98-08-096
391-45-390	AMD-P	98-10-101	392-126-087	NEW-P	98-16-055	392-139-621	REP-P	98-05-040
391-45-390	AMD	98-14-112	392-126-090	AMD-P	98-16-055	392-139-621	REP	98-08-096
391-45-430	AMD-P	98-10-101	392-126-092	NEW-P	98-16-055	392-139-622	NEW-P	98-05-040
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391-55-345	AMD-P	98-10-101	392-139-007	AMD-P	98-05-040	392-139-625	AMD	98-08-096
391-55-345	AMD	98-14-112	392-139-007	AMD	98-08-096	392-139-626	REP-P	98-05-040
391-95	PREP	98-04-049	392-139-120	REP-P	98-05-040	392-139-626	REP	98-08-096
391-95-070	AMD-P	98-10-101	392-139-120	REP	98-08-096	392-139-660	AMD-P	98-05-040
391-95-070	AMD	98-14-112	392-139-122	REP-P	98-05-040	392-139-660	AMD	98-08-096
391-95-090	AMD-P	98-10-101	392-139-122	REP	98-08-096	392-139-661	NEW-P	98-05-040
391-95-090	AMD	98-14-112	392-139-126	REP-P	98-05-040	392-139-661	NEW	98-08-096
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391-95-230	AMD	98-14-112	392-139-129	REP-P	98-05-040	392-139-676	AMD	98-08-096
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391-95-260	AMD	98-14-112	392-139-132	REP-P	98-05-040	392-139-681	REP	98-08-096
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391-95-270	AMD	98-14-112	392-139-134	REP-P	98-05-040	392-139-685	REP	98-08-096
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391-95-280	REP	98-14-112	392-139-150	REP-P	98-05-040	392-139-690	REP	98-08-096
391-95-290	AMD-P	98-10-101	392-139-150	REP	98-08-096	392-139-691	REP-P	98-05-040
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392-115-050	AMD	98-05-008	392-139-158	REP	98-08-096	392-140-616	AMD-P	98-04-036
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392-115-060	AMD	98-05-008	392-139-160	REP	98-08-096	392-140-616	AMD	98-08-013
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392-115-151	NEW	98-05-008	392-139-172	REP-P	98-05-040	392-140-660	AMD-P	98-04-036
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392-121-124	NEW	98-07-060	392-139-174	REP	98-08-096	392-140-665	AMD	98-08-013
392-121-138	AMD-P	98-03-066	392-139-176	REP-P	98-05-040	392-140-675	AMD-P	98-04-036
392-121-138	AMD	98-07-060	392-139-176	REP	98-08-096	392-140-675	AMD	98-08-013
392-121-182	AMD-W	98-04-070	392-139-178	REP-P	98-05-040	392-140-680	AMD-P	98-04-036
392-121-550	NEW-P	98-16-106	392-139-178	REP	98-08-096	392-140-680	AMD	98-08-013
392-121-552	NEW-P	98-16-106	392-139-180	REP-P	98-05-040	392-140-685	AMD-P	98-04-036
392-121-554	NEW-P	98-16-106	392-139-180	REP	98-08-096	392-140-685	AMD	98-08-013
392-121-556	NEW-P	98-16-106	392-139-182	REP-P	98-05-040	392-140-700	NEW-P	98-03-067
392-121-558	NEW-P	98-16-106	392-139-182	REP	98-08-096	392-140-700	NEW	98-07-061
392-121-560	NEW-P	98-16-106	392-139-184	REP-P	98-05-040	392-140-701	NEW-P	98-03-067
392-121-562	NEW-P	98-16-106	392-139-184	REP	98-08-096	392-140-701	NEW	98-07-061
392-121-564	NEW-P	98-16-106	392-139-186	REP-P	98-05-040	392-140-702	NEW-P	98-03-067
392-121-566	NEW-P	98-16-106	392-139-186	REP	98-08-096	392-140-710	NEW-P	98-03-067
392-121-568	NEW-P	98-16-106	392-139-215	AMD-P	98-05-040	392-140-710	NEW	98-07-061

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392-140-711	NEW	98-07-061	392-140-832	NEW	98-04-080	415-512-020	AMD-P	98-15-098
392-140-712	NEW-P	98-03-067	392-140-834	NEW	98-04-080	415-512-030	AMD-P	98-15-098
392-140-712	NEW	98-07-061	392-140-836	NEW	98-04-080	415-512-050	AMD-P	98-15-098
392-140-713	NEW-P	98-03-067	392-141	PREP	98-09-091	415-512-070	AMD-P	98-15-098
392-140-713	NEW	98-07-061	392-141-146	AMD-P	98-14-011	415-512-075	AMD-P	98-15-098
392-140-714	NEW-P	98-03-067	392-141-146	AMD	98-17-007	415-512-080	AMD-P	98-15-098
392-140-714	NEW	98-07-061	392-141-148	AMD-P	98-14-011	415-512-090	AMD-P	98-15-098
392-140-715	NEW-P	98-03-067	392-141-148	AMD	98-17-007	415-512-095	NEW-P	98-15-098
392-140-715	NEW	98-07-061	392-141-150	AMD-P	98-14-011	415-512-110	AMD-P	98-15-098
392-140-716	NEW-P	98-03-067	392-141-150	AMD	98-17-007	415-524-010	AMD-P	98-15-098
392-140-716	NEW	98-07-061	392-141-152	NEW-P	98-14-011	415-544-010	AMD-P	98-15-098
392-140-720	NEW-P	98-03-067	392-141-152	NEW	98-17-007	415-548-010	AMD-P	98-15-098
392-140-720	NEW	98-07-061	392-141-160	AMD-P	98-14-011	415-560-010	AMD-P	98-15-098
392-140-721	NEW-P	98-03-067	392-141-160	AMD	98-17-007	434-08-010	DECOD	98-08-010
392-140-721	NEW	98-07-061	392-170-035	AMD	98-12-002	434-08-020	DECOD	98-08-010
392-140-722	NEW-P	98-03-067	392-170-036	NEW	98-12-002	434-26-030	DECOD	98-08-010
392-140-722	NEW	98-07-061	392-170-037	NEW	98-12-002	434-08-040	DECOD	98-08-010
392-140-723	NEW-P	98-03-067	392-170-038	NEW	98-12-002	434-08-050	DECOD	98-08-010
392-140-723	NEW	98-07-061	392-170-042	NEW	98-12-002	434-08-060	DECOD	98-08-010
392-140-724	NEW-P	98-03-067	392-170-047	NEW	98-12-002	434-08-070	DECOD	98-08-010
392-140-724	NEW	98-07-061	392-170-050	AMD	98-12-002	434-08-080	DECOD	98-08-010
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392-140-726	NEW-P	98-03-067	392-170-090	AMD	98-12-002	434-26-005	DECOD	98-08-010
392-140-726	NEW	98-07-061	392-172	PREP	98-05-039	434-26-010	DECOD	98-08-010
392-140-727	NEW-P	98-03-067	392-182-020	AMD	98-04-025	434-26-015	DECOD	98-08-010
392-140-727	NEW	98-07-061	399-10-010	AMD-P	98-07-033	434-26-020	DECOD	98-08-010
392-140-728	NEW-P	98-03-067	399-10-030	AMD-P	98-07-033	434-26-025	DECOD	98-08-010
392-140-728	NEW	98-07-061	399-20-060	AMD-P	98-07-033	434-26-030	DECOD	98-08-010
392-140-730	NEW-P	98-03-067	399-20-070	AMD-P	98-07-033	434-26-035	DECOD	98-08-010
392-140-730	NEW	98-07-061	399-20-100	AMD-P	98-07-033	434-26-040	DECOD	98-08-010
392-140-731	NEW-P	98-03-067	399-20-120	AMD-P	98-07-033	434-26-045	DECOD	98-08-010
392-140-731	NEW	98-07-061	399-30-020	AMD-P	98-07-033	434-26-050	DECOD	98-08-010
392-140-732	NEW-P	98-03-067	399-30-030	AMD-P	98-07-033	434-26-055	DECOD	98-08-010
392-140-732	NEW	98-07-061	399-30-045	AMD-P	98-07-033	434-26-060	DECOD	98-08-010
392-140-733	NEW-P	98-03-067	399-30-060	AMD-P	98-07-033	434-26-065	DECOD	98-08-010
392-140-733	NEW	98-07-061	399-30-065	AMD-P	98-07-033	434-26-900	DECOD	98-08-010
392-140-735	NEW-P	98-03-067	415-108-010	AMD	98-09-059	434-30-150	AMD	98-03-033
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392-140-736	NEW-P	98-03-067	415-108-0111	NEW	98-09-059	434-32-010	DECOD	98-08-010
392-140-736	NEW	98-07-061	415-108-441	NEW	98-09-059	434-57-010	DECOD	98-08-010
392-140-740	NEW-P	98-03-067	415-108-443	NEW	98-09-059	434-57-020	DECOD	98-08-010
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392-140-741	NEW-P	98-03-067	415-108-450	REP	98-09-059	434-57-040	DECOD	98-08-010
392-140-741	NEW	98-07-061	415-108-451	NEW	98-09-059	434-57-050	DECOD	98-08-010
392-140-742	NEW-P	98-03-067	415-108-453	NEW	98-09-059	434-57-070	DECOD	98-08-010
392-140-742	NEW	98-07-061	415-108-455	NEW	98-09-059	434-57-080	DECOD	98-08-010
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392-140-743	NEW	98-07-061	415-108-457	NEW	98-09-059	434-57-100	DECOD	98-08-010
392-140-744	NEW-P	98-03-067	415-108-458	NEW	98-09-059	434-57-120	DECOD	98-08-010
392-140-744	NEW	98-07-061	415-108-459	NEW	98-09-059	434-57-130	DECOD	98-08-010
392-140-745	NEW-P	98-03-067	415-108-460	REP	98-09-059	434-57-150	DECOD	98-08-010
392-140-745	NEW	98-07-061	415-108-463	NEW	98-09-059	434-60-010	DECOD	98-08-010
392-140-746	NEW-P	98-03-067	415-108-464	NEW	98-09-059	434-60-020	DECOD	98-08-010
392-140-746	NEW	98-07-061	415-108-465	NEW	98-09-059	434-60-030	DECOD	98-08-010
392-140-747	NEW-P	98-03-067	415-108-466	NEW	98-09-059	434-60-040	DECOD	98-08-010
392-140-747	NEW	98-07-061	415-108-467	NEW	98-09-059	434-60-050	DECOD	98-08-010
392-140-800	NEW	98-04-080	415-108-468	NEW	98-09-059	434-60-060	DECOD	98-08-010
392-140-802	NEW	98-04-080	415-108-469	NEW	98-09-059	434-60-070	DECOD	98-08-010
392-140-804	NEW	98-04-080	415-108-475	NEW	98-09-059	434-60-080	DECOD	98-08-010
392-140-806	NEW	98-04-080	415-108-477	NEW	98-09-059	434-60-090	DECOD	98-08-010
392-140-808	NEW	98-04-080	415-108-479	NEW	98-09-059	434-60-100	DECOD	98-08-010
392-140-810	NEW	98-04-080	415-108-482	NEW	98-09-059	434-60-110	DECOD	98-08-010
392-140-812	NEW	98-04-080	415-108-483	NEW	98-09-059	434-60-120	DECOD	98-08-010
392-140-814	NEW	98-04-080	415-108-484	NEW	98-09-059	434-60-130	DECOD	98-08-010
392-140-816	NEW	98-04-080	415-108-487	NEW	98-09-059	434-60-140	DECOD	98-08-010
392-140-818	NEW	98-04-080	415-108-488	NEW	98-09-059	434-60-150	DECOD	98-08-010
392-140-820	NEW	98-04-080	415-108-490	REP	98-09-059	434-60-160	DECOD	98-08-010
392-140-822	NEW	98-04-080	415-108-491	NEW	98-09-059	434-60-170	DECOD	98-08-010
392-140-824	NEW	98-04-080	415-112-445	AMD	98-09-059	434-60-180	DECOD	98-08-010
392-140-826	NEW	98-04-080	415-112-4608	AMD	98-09-059	434-60-190	DECOD	98-08-010
392-140-828	NEW	98-04-080	415-112-4609	AMD	98-09-059	434-60-200	DECOD	98-08-010

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434-60-215	DECOD	98-08-010	434-180-200	AMD	98-16-031	434-260-300	RECOD	98-08-010
434-60-220	DECOD	98-08-010	434-180-203	NEW-P	98-13-100	434-260-310	RECOD	98-08-010
434-60-230	DECOD	98-08-010	434-180-203	NEW	98-16-031	434-260-320	RECOD	98-08-010
434-60-240	DECOD	98-08-010	434-180-215	AMD-P	98-13-100	434-260-330	RECOD	98-08-010
434-60-250	DECOD	98-08-010	434-180-215	AMD	98-16-031	434-260-340	RECOD	98-08-010
434-60-260	DECOD	98-08-010	434-180-235	REP-P	98-13-100	434-260-350	RECOD	98-08-010
434-60-270	DECOD	98-08-010	434-180-235	REP	98-16-031	434-291-010	RECOD	98-08-010
434-60-280	DECOD	98-08-010	434-180-240	AMD-P	98-13-100	434-291-020	RECOD	98-08-010
434-60-290	DECOD	98-08-010	434-180-240	AMD	98-16-031	434-291-030	RECOD	98-08-010
434-60-300	DECOD	98-08-010	434-180-245	AMD-P	98-13-100	434-291-040	RECOD	98-08-010
434-60-310	DECOD	98-08-010	434-180-245	AMD	98-16-031	434-291-050	RECOD	98-08-010
434-60-320	DECOD	98-08-010	434-208-010	RECOD	98-08-010	434-291-060	RECOD	98-08-010
434-60-330	DECOD	98-08-010	434-208-020	RECOD	98-08-010	434-291-070	RECOD	98-08-010
434-60-340	DECOD	98-08-010	434-208-030	RECOD	98-08-010	434-291-080	RECOD	98-08-010
434-60-350	DECOD	98-08-010	434-208-040	RECOD	98-08-010	434-291-090	RECOD	98-08-010
434-69-005	DECOD	98-08-010	434-208-050	RECOD	98-08-010	434-291-100	RECOD	98-08-010
434-69-010	DECOD	98-08-010	434-208-060	RECOD	98-08-010	434-291-110	RECOD	98-08-010
434-69-020	DECOD	98-08-010	434-208-070	RECOD	98-08-010	434-291-120	RECOD	98-08-010
434-69-030	DECOD	98-08-010	434-208-080	RECOD	98-08-010	434-291-130	RECOD	98-08-010
434-69-040	DECOD	98-08-010	434-208-090	RECOD	98-08-010	434-291-140	RECOD	98-08-010
434-69-050	DECOD	98-08-010	434-230-030	AMD	98-03-033	434-291-150	RECOD	98-08-010
434-69-060	DECOD	98-08-010	434-230-150	RECOD	98-03-033	434-291-160	RECOD	98-08-010
434-69-070	DECOD	98-08-010	434-230-160	AMD	98-03-033	434-291-170	RECOD	98-08-010
434-69-080	DECOD	98-08-010	434-236-090	AMD	98-03-033	434-324-035	AMD	98-03-033
434-80-010	DECOD	98-08-010	434-236-170	AMD	98-03-033	434-324-050	AMD	98-03-033
434-80-020	DECOD	98-08-010	434-240-190	AMD	98-03-033	434-324-060	AMD	98-03-033
434-80-030	DECOD	98-08-010	434-240-230	AMD	98-03-033	434-324-065	RECOD	98-08-010
434-80-040	DECOD	98-08-010	434-240-235	NEW	98-03-033	434-324-085	AMD	98-03-033
434-80-050	DECOD	98-08-010	434-240-320	NEW	98-03-033	434-324-095	AMD	98-03-033
434-80-060	DECOD	98-08-010	434-253-050	AMD	98-03-033	434-324-105	AMD	98-03-033
434-80-070	DECOD	98-08-010	434-253-110	AMD	98-03-033	434-324-120	AMD	98-03-033
434-81-010	DECOD	98-08-010	434-257-010	RECOD	98-08-010	434-324-130	AMD	98-03-033
434-81-020	DECOD	98-08-010	434-257-020	RECOD	98-08-010	434-326-005	RECOD	98-08-010
434-81-030	DECOD	98-08-010	434-257-030	RECOD	98-08-010	434-326-010	RECOD	98-08-010
434-81-040	DECOD	98-08-010	434-257-040	RECOD	98-08-010	434-326-015	RECOD	98-08-010
434-81-050	DECOD	98-08-010	434-257-050	RECOD	98-08-010	434-326-020	RECOD	98-08-010
434-81-060	DECOD	98-08-010	434-257-070	RECOD	98-08-010	434-326-025	RECOD	98-08-010
434-81-070	DECOD	98-08-010	434-257-080	RECOD	98-08-010	434-326-030	RECOD	98-08-010
434-81-080	DECOD	98-08-010	434-257-090	RECOD	98-08-010	434-326-035	RECOD	98-08-010
434-81-090	DECOD	98-08-010	434-257-100	RECOD	98-08-010	434-326-040	RECOD	98-08-010
434-81-100	DECOD	98-08-010	434-257-120	RECOD	98-08-010	434-326-045	RECOD	98-08-010
434-91-010	DECOD	98-08-010	434-257-130	RECOD	98-08-010	434-326-050	RECOD	98-08-010
434-91-020	DECOD	98-08-010	434-257-150	RECOD	98-08-010	434-326-055	RECOD	98-08-010
434-91-030	DECOD	98-08-010	434-260-010	RECOD	98-08-010	434-326-060	RECOD	98-08-010
434-91-040	DECOD	98-08-010	434-260-020	RECOD	98-08-010	434-326-065	RECOD	98-08-010
434-91-050	DECOD	98-08-010	434-260-030	RECOD	98-08-010	434-326-900	RECOD	98-08-010
434-91-060	DECOD	98-08-010	434-260-040	RECOD	98-08-010	434-332-010	RECOD	98-08-010
434-91-070	DECOD	98-08-010	434-260-050	RECOD	98-08-010	434-334-055	AMD-E	98-17-029
434-91-080	DECOD	98-08-010	434-260-060	RECOD	98-08-010	434-334-063	NEW-E	98-17-029
434-91-090	DECOD	98-08-010	434-260-070	RECOD	98-08-010	434-334-065	AMD-E	98-17-029
434-91-100	DECOD	98-08-010	434-260-080	RECOD	98-08-010	434-334-070	AMD-E	98-17-029
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434-91-140	DECOD	98-08-010	434-260-120	RECOD	98-08-010	434-334-082	NEW-E	98-17-029
434-91-150	DECOD	98-08-010	434-260-130	RECOD	98-08-010	434-334-085	AMD-E	98-17-029
434-91-160	DECOD	98-08-010	434-260-140	RECOD	98-08-010	434-334-090	AMD-E	98-17-029
434-91-170	DECOD	98-08-010	434-260-150	RECOD	98-08-010	434-334-095	AMD-E	98-17-029
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434-110-060	AMD-XA	98-13-099	434-260-170	RECOD	98-08-010	434-334-105	AMD-E	98-17-029
434-110-060	AMD	98-17-075	434-260-180	RECOD	98-08-010	434-334-110	AMD-E	98-17-029
434-120-300	AMD-P	98-13-098	434-260-190	RECOD	98-08-010	434-334-115	REP-E	98-17-029
434-120-305	AMD-P	98-13-098	434-260-200	RECOD	98-08-010	434-334-120	RECOD-E	98-17-029
434-120-310	AMD-P	98-13-098	434-260-210	RECOD	98-08-010	434-334-125	NEW-E	98-17-029
434-120-315	REP-P	98-13-098	434-260-215	RECOD	98-08-010	434-334-130	NEW-E	98-17-029
434-120-317	REP-P	98-13-098	434-260-220	RECOD	98-08-010	434-334-135	NEW-E	98-17-029
434-120-320	AMD-P	98-13-098	434-260-230	RECOD	98-08-010	434-334-140	NEW-E	98-17-029
434-120-335	REP-P	98-13-098	434-260-240	RECOD	98-08-010	434-334-145	NEW-E	98-17-029
434-120-340	REP-P	98-13-098	434-260-250	RECOD	98-08-010	434-334-150	NEW-E	98-17-029
434-120-350	REP-P	98-13-098	434-260-260	RECOD	98-08-010	434-334-155	NEW-E	98-17-029
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434-369-020	RECOD	98-08-010	434-840-210	AMD-P	98-14-006	458-20-104	AMD-E	98-11-006
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434-369-050	RECOD	98-08-010	434-840-220	AMD-P	98-14-006	458-20-192	PREP	98-07-066
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434-369-070	RECOD	98-08-010	434-840-230	AMD-P	98-13-111	458-20-211	PREP	98-15-126
434-369-080	RECOD	98-08-010	434-840-230	AMD-P	98-14-006	458-20-216	PREP	98-11-083
434-380-010	RECOD	98-08-010	434-840-230	AMD-W	98-14-009	458-20-222	PREP	98-14-127
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434-380-030	RECOD	98-08-010	434-840-240	AMD-P	98-14-006	458-20-229	PREP	98-15-127
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434-380-050	RECOD	98-08-010	434-840-300	REP-P	98-13-111	458-20-259	AMD-XA	98-12-004
434-380-060	RECOD	98-08-010	434-840-300	REP-P	98-14-006	458-20-259	AMD	98-16-107
434-380-070	RECOD	98-08-010	434-840-300	REP-W	98-14-009	458-20-262	NEW-P	98-16-025
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434-381-020	RECOD	98-08-010	434-840-310	AMD-P	98-14-006	458-40-660	AMD-P	98-10-124
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434-381-060	RECOD	98-08-010	434-840-320	AMD-W	98-14-009	460-10A-00101	AMD	98-17-013
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434-381-090	RECOD	98-08-010	434-840-330	AMD-W	98-14-009	460-10A-060	REP-P	98-14-074
434-381-100	RECOD	98-08-010	434-840-340	AMD-P	98-13-111	460-10A-060	REP	98-17-013
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434-840-010	AMD-P	98-14-006	434-840-360	AMD-W	98-14-009	460-10A-185	REP	98-17-013
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434-840-020	AMD-P	98-14-006	440-26-210	PREP	98-09-093	460-10A-195	REP-P	98-14-074
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434-840-030	AMD-P	98-14-006	440-26-215	NEW-P	98-17-066	460-10A-200	REP	98-17-013
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434-840-040	AMD-W	98-14-009	446-65-010	AMD-E	98-14-022	460-10A-210	REP	98-17-013
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434-840-050	REP-P	98-14-006	448-13	PREP	98-17-095	460-16A-020	AMD	98-17-013
434-840-050	REP-W	98-14-009	456-09-310	AMD-XA	98-16-046	460-16A-035	REP-P	98-14-074
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434-840-070	AMD-P	98-14-006	456-09-430	AMD-XA	98-16-046	460-16A-090	REP	98-17-013
434-840-070	AMD-W	98-14-009	456-10-310	AMD-XA	98-16-047	460-16A-095	REP-P	98-14-074
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434-840-080	AMD-P	98-14-006	456-10-325	AMD-XA	98-16-047	460-16A-110	REP-P	98-14-074
434-840-080	AMD-W	98-14-009	456-10-360	AMD-XA	98-16-047	460-16A-110	REP	98-17-013
434-840-090	REP-P	98-13-111	456-10-410	AMD-XA	98-16-047	460-16A-111	REP-P	98-14-074
434-840-090	REP-P	98-14-006	456-10-430	AMD-XA	98-16-047	460-16A-111	REP	98-17-013
434-840-090	REP-W	98-14-009	456-10-570	AMD-XA	98-16-047	460-16A-115	AMD-P	98-14-074
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460-16A-170	REP	98-17-013	460-70-030	REP-XR	98-14-072	468-84-240	REP-P	98-07-005
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468-550-030	NEW-P	98-16-049	480-120-045	NEW-P	98-03-011	490-105-200	NEW-P	98-17-052
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