

Washington State Register

July 5, 2000

OLYMPIA, WASHINGTON

ISSUE 00-13



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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

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

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

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 July 2000 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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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.

John G. Schultz
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

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Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
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].

2000 - 2001

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

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

¹ 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.

² 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.

³ 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.

⁴ 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 and 1.12.040.

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;

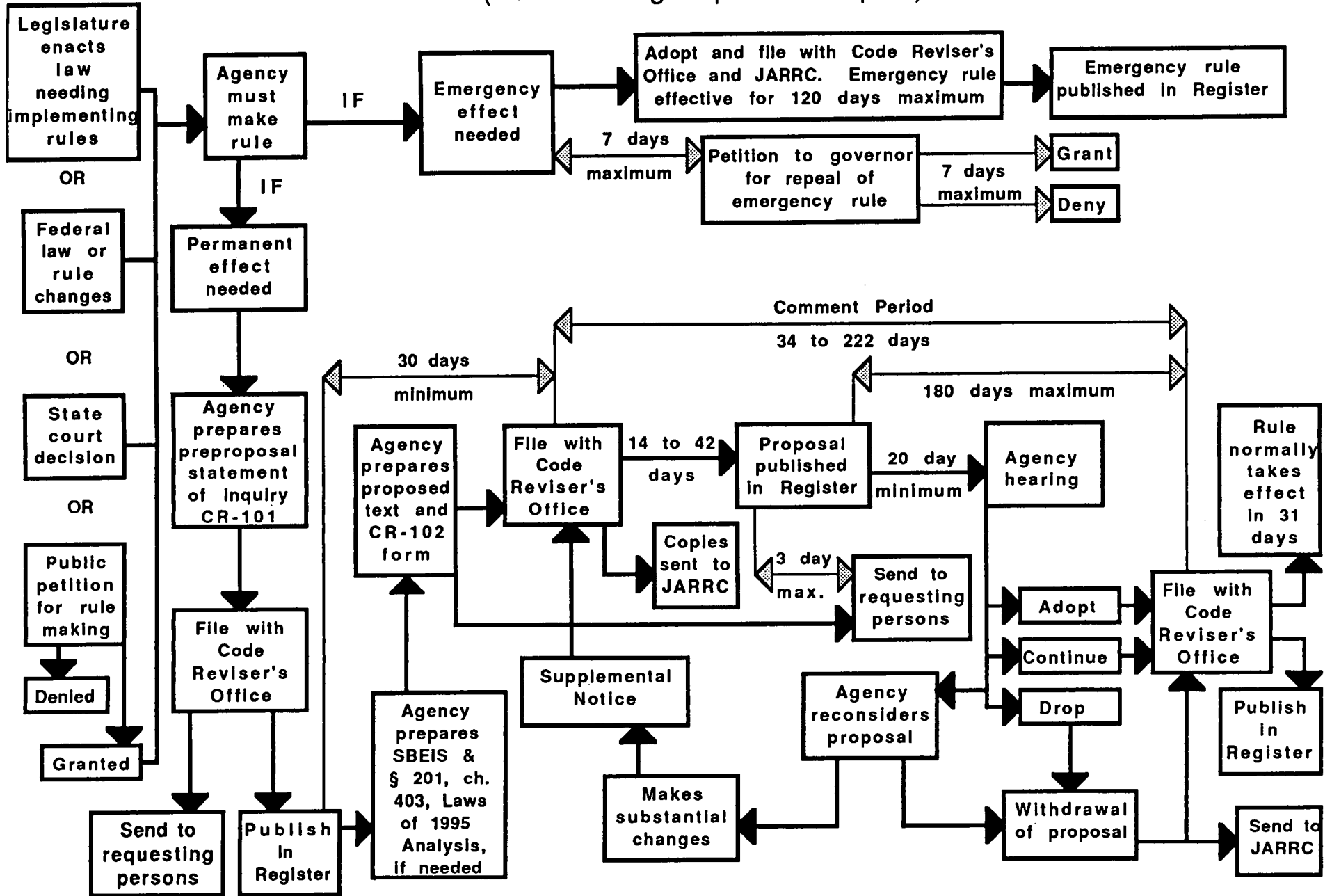
The rule REDUCES costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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.

RULE-MAKING PROCESS

(Not including Expedited Repeal)



WSR 00-13-002**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed June 7, 2000, 1:22 p.m.]

Subject of Possible Rule Making: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 17.10.080, 17.10.070, and 17.10.010(5).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The State Noxious Weed Control Board is charged with updating the state noxious weed list on an annual basis to ensure it accurately reflects noxious weed control priorities and noxious weed distribution.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state agencies regulate this subject. Federal agencies are subject to federal noxious weed laws that require them to coordinate with state regulations. Federal agencies in Washington are invited to participate in all stages of noxious weed rule making.

Process for Developing New Rule: The State Noxious Weed Control Board (board) annually solicits suggestions from county programs, state and federal agencies, interest groups, and the general public by a series of extensive mailings. Comments are welcome in written or oral form. The Noxious Weed Committee of the board, which includes representation from the Washington Native Plant Society, county weed boards, the public interest, and several scientific advisors, meets at least twice to review and research the suggestions. These draft suggestions are sent out again for public comment before the Noxious Weed Committee drafts its final recommendation to the board. The board will then consider these recommendations and draft a final rule-making proposal. Public comment is welcome at all committee and board meetings. A press release and information mailing is prepared on the recommended changes and a public hearing is scheduled. The board makes its final decision after considering the public input received at the hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa E. Lantz, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031-7507, phone (253) 872-2972, fax (253) 872-6320. Contact Lisa for information on preparing a recommended change or for meeting dates and other participation opportunities.

June 7, 2000
Lisa E. Lantz
Executive Secretary

WSR 00-13-027**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed June 13, 2000, 9:24 a.m.]

Subject of Possible Rule Making: WAC 458-20-264 National uniform tobacco settlement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 70.157.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 70.157.010 requires that the Department of Revenue promulgate regulations as necessary to ascertain the amount of state excise tax paid on the cigarettes of certain tobacco product manufacturers. The department is considering adopting a rule via the public rule-making process to satisfy this statutory requirement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The manufacture, transportation, and sale of cigarettes and certain tobacco products are regulated by both federal and state agencies. However, the information to be supplied pursuant to this rule is not regulated by any other agency.

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Anne Solwick, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6129, fax (360) 664-0693, e-mail annes@dor.wa.gov.

Location and Date of Public Meeting: General Administration Building, 1st Floor Auditorium, 210 West 11th and Columbia Streets, Olympia, WA, on July 27, 2000, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985 or (360) 570-6176.

June 13, 2000
Claire Hesselholt
Rules Manager
Legislation and Policy Division

WSR 00-13-029**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed June 13, 2000, 12:18 p.m.]

Subject of Possible Rule Making: Pull-tabs.

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: As a result of a bingo net return task force, new marketing opportunities for pull-tab games will be addressed for gambling businesses.

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, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654 ext. 374.

Meeting at the WestCoast Bellevue Hotel, 625 116th Avenue N.E., Bellevue, WA 98004, (425) 455-9444, on July 13 and 14, 2000; at The Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, (253) 858-1111, on August 10 and 11, 2000; and at the WestCoast Wenatchee Center Hotel, 201 North Wenatchee Avenue, Wenatchee, WA 98801, (509) 662-1234, on September 14 and 15, 2000.

June 13, 2000

Susan Arland

Rules Coordinator

WSR 00-13-030

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed June 13, 2000, 2:53 p.m.]

Subject of Possible Rule Making: Rules relating to restricted use herbicides state-wide, WAC 16-230-600 through 16-230-675.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 15.58 and 17.21 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rules currently in place are necessary to prevent damage to vineyards and other crops from pesticide (phenoxy) drift. These rules mandate how, when and under what conditions the phenoxy herbicides may be applied, purchased and distributed. Several sections of the rules relating to container size and distribution needs are being looked at to provide further clarification.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal organizations have jurisdiction relating to state-wide restricted use herbicides.

Process for Developing New Rule: A rules review was conducted in accordance with the Governor's Executive Order 97-02. Results of this review will be shared with representatives of the rule stakeholders for input.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Cliff Weed, Washington State Department of Agriculture, Pesticide Management Division, P.O. Box 42589, Olympia, WA 98504-2589, (360) 902-2040, fax

(360) 902-2093. Comments must be received by April 14, 2000.

June 13, 2000
Bob Arrington
Assistant Director

WSR 00-13-035

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed June 13, 2000, 3:47 p.m.]

Subject of Possible Rule Making: WAC 388-478-0055 SSI standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.057, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To reduce SSI state supplement amounts to hold total state spending for SSI state supplements to levels mandated by the Washington state 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: All interested parties are invited to review and provide input on proposed draft language. Obtain draft material by contacting the identified representative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carla Gira, Program Manager, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470, Street Address: 1009 College S.E., Lacey, WA 98503, phone (360) 413-3264, fax (360) 413-3493, e-mail giracg@dshs.wa.gov.

June 13, 2000
Marie Myerchin-Redifer
Manager

WSR 00-13-040

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed June 14, 2000, 11:20 a.m.]

Subject of Possible Rule Making: Revision of WAC 458-20-190 Sales to and by the United States, its departments, institutions and instrumentalities—Sales to foreign governments; and repealing WAC 458-20-191 Federal reservations and 458-20-9999 Appendix—The Buck Act.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.32.300.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule 190 is being revised to incorporate legislation providing a special B&O tax rate for persons cleaning up radioactive waste and other byproducts

of weapons production and nuclear research, clarifying when a sale to the United States or foreign government is tax exempt and the documentation requirements for tax-exempt sales, and incorporating information now found in Rule 191 into Rule 190. Rule 191 is incorporated into the revised Rule 190 and, therefore, will be repealed. Rule 99999, which recites the federal Buck Act, will be repealed and a reference to the United States Code (citing the Buck Act) will be placed in Rule 190.

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

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Cindy Evans, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6134, fax (360) 664-0693, Internet cindyev@dor.wa.gov.

Location and Date of Public Meeting: On July 26, 2000, at 1:30 p.m., Capitol Plaza Building, 4th Floor, Room 4000, Large Conference Room, 1025 Union Avenue, Olympia, WA.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date TDD 1-800-451-7985 or (360) 570-6176.

June 14, 2000

Claire Hesselholt
Rules Manager

Legislation and Policy Division

WSR 00-13-060

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Assistance Programs)

[Filed June 15, 2000, 2:29 p.m.]

Subject of Possible Rule Making: WAC 388-412-0025 Issuing food assistance benefits; 388-412-0040 Replacing lost, stolen, or destroyed food assistance allotments; and related sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510, 74.04.050, and 74.04.057.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: These WACs are being revised because the department has changed the way food benefits are issued. They are being revised to remove the mention of FCA coupons.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agen-

cies: The United State Department of Agriculture, Food and Nutrition Service sets federal requirements of the food stamp program and publishes them in a Code of Federal Regulations and Administrative Notices. The department will incorporate the federal requirements as we create rules on this subject.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. After the rules are drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making. A copy of the draft will be sent to everyone on the mailing list and to anyone 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 Samarra Lowe, Program Manager, Division of Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570, phone (360) 413-3032, fax (360) 413-3493, e-mail lowesm@dshs.wa.gov.

June 14, 2000

Marie Myerchin-Redifer
Manager

WSR 00-13-061

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Assistance Programs)

[Filed June 15, 2000, 2:32 p.m.]

Subject of Possible Rule Making: Recipient fraud section, WAC 388-46-010, 388-46-100, 388-46-110, 388-46-120, and related sections need to be repealed. New rules may be added if necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510, 74.04.057, and 47.04.050 [74.04.050].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This section is a duplicate of the current fraud section of the EA-Z manual (WAC 388-446-0005, 388-446-0001, 388-446-0010, 388-446-0020, and 388-446-0015).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Division of Fraud Investigation, the United States Department of Agriculture, Food and Nutrition Service sets federal requirements of the food stamp program and publishes them in a Code of Federal Regulations and Administrative Notices. The department will incorporate the federal requirements as we create rules on this subject.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. After the rules are drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making. A copy

of the draft will be sent to everyone on the mailing list and to anyone 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 Samarra Lowe, Program Manager, Division of Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570, phone (360) 413-3032, fax (360) 413-3493, e-mail lowesm@dshs.wa.gov.

June 14, 2000
Marie Myerchin-Redifer
Manager

WSR 00-13-072

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed June 19, 2000, 1:48 p.m.]

Subject of Possible Rule Making: Increase in real estate appraiser examination and reexamination fees paid directly to testing service, WAC 308-125-120 (2) and (3).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.140.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The charge for taking a real estate appraiser examination is established by contract between the Department of Licensing and an independent testing service. The examination fee is paid by an applicant directly to the testing service. The proposed rate change reflects provisions in the new contract.

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 Cleotis Borner, Jr., Real Estate Appraiser Program, Department of Licensing, P.O. Box 9015, Olympia, WA 98507-9015, phone (360) 753-1062, fax (360) 586-0998.

May 18, 2000
Cleotis Borner, Jr.
Program Manager

WSR 00-13-078

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed June 20, 2000, 10:32 a.m.]

Subject of Possible Rule Making: Chapter 16-663 WAC, Reporting, test procedures and standards by persons servicing and calibrating weighing and measuring devices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.94.190, 19.94.255, 19.94.258, 19.94.2582, 19.94.2584, and 19.94.325.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is reviewing this statute in accordance with Executive Order 97-2 [97-02] and stakeholder comment is being solicited through the

Weights and Measures Advisory Group and service agents currently registered with the department.

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

Process for Developing New Rule: Coordinate with the Weights and Measures Advisory Group for stakeholder comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Department of Agriculture, Weights and Measures, Jerry Buendel, Program Manager, P.O. Box 42560, 1111 Washington Street, Olympia, WA 98504-2506 [98504-2560], (360) 902-1856, fax (360) 902-2086, e-mail jbuendel@agr.wa.gov.

June 19, 2000
Julie C. Sandberg
Assistant Director

WSR 00-13-079

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed June 20, 2000, 10:34 a.m.]

Subject of Possible Rule Making: Chapter 16-674 WAC, Weights and measures—Sealing, marking, retesting devices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 15.80.410, 19.94.175, 19.94.190, 19.94.258, 19.94.2582, and 19.94.2584.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is reviewing this statute in accordance with Executive Order 97-2 [97-02] and stakeholder comment is being solicited through the Weights and Measures Advisory Group.

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

Process for Developing New Rule: Coordinate with the Weights and Measures Advisory Group for stakeholder comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Department of Agriculture, Weights and Measures, Jerry Buendel, Program Manager, P.O. Box 42560, 1111 Washington Street, Olympia, WA 98504-2506 [98504-2560], (360) 902-1865 [902-1856], fax (360) 902-2086, e-mail jbuendel@agr.wa.gov.

June 19, 2000
Julie C. Sandberg
Assistant Director

WSR 00-13-080**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed June 20, 2000, 10:35 a.m.]

Subject of Possible Rule Making: Chapter 16-664 WAC, National type evaluation program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 19.94.190 and 19.94.195.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is reviewing this statute in accordance with Executive Order 97-2 [97-02] and stakeholder comment is being solicited through the Weights and Measures Advisory Group.

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

Process for Developing New Rule: Coordinate with the Weights and Measures Advisory Group for stakeholder comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Department of Agriculture, Weights and Measures, Jerry Buendel, Program Manager, P.O. Box 42560, 1111 Washington Street, Olympia, WA 98504-2506 [98504-2560], (360) 902-1856, fax (360) 902-2086, e-mail jbuendel@agr.wa.gov.

June 19, 2000

Julie C. Sandberg
Assistant Director**WSR 00-13-084****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed June 20, 2000, 1:50 p.m.]

Subject of Possible Rule Making: Defined contribution plan retirement systems under chapter 41.34 RCW.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 41.34 RCW and RCW 41.50.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, there are no rules to provide guidance to members of defined contribution plan retirement systems under chapter 41.34 RCW. The proposed rules would provide such guidance to members, their employers and representatives.

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 did not seek input on the preliminary draft prior to filing the CR-101. Copies of the draft rule will be circulated to interested parties for comment. Interested parties include those persons known to the department, such as state employees who are or will become members of the system, their employers and representatives. We will also make copies of the draft rules

available to any other person who requests a copy and/or opportunity to comment.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Margaret Wimmer, TRS Plan Administrator, (360) 664-7044; Jack Bryant, SERS/PERS Plan Administrator, (360) 664-7193; Tim Valencia, Drafter, (360) 664-7117; or Elyette M. Weinstein, Rules Coordinator, (360) 664-7307; at the Department of Retirement Systems, fax (360) 753-3166, Mailstop 48380, P.O. Box 48380, Olympia, WA 98504-8380.

June 20, 2000

Elyette M. Weinstein
Rules Coordinator**WSR 00-13-088****PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 20, 2000, 3:34 p.m.]

Subject of Possible Rule Making: The rules implement the better schools programs funded in the 2000 state supplemental budget (section 518, chapter 1, Laws of 2000 2nd sp. sess.). These programs provide additional funding to school districts to assist students in meeting the essential academic learning requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules are needed to define how better school allocations are calculated and paid by the Superintendent of Public Instruction; conditions for receipt of mo

neys and grounds for reducing or recovering allocations; and school district requirements for accounting for better schools revenues and expenditures.

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

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, Olympia, WA 98504-7200, fax (360) 753-4201, TDD (360) 664-3631. For telephone assistance contact Allen H. Jones, (360) 753-6708 or Ken Kanikeberg, (360) 586-2353.

June 20, 2000

Dr. Terry Bergeson
Superintendent of
Public Instruction

WSR 00-13-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 20, 2000, 4:31 p.m.]

Subject of Possible Rule Making: Chapter 296-155 WAC, Safety standards for construction work and chapter 296-62 WAC, General occupational health standards.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapters 296-155 and 296-62 WAC are being reviewed for consistency and to combine requirements for the handling of various substances within one rule. The department will conduct this rule-making activity to accomplish that goal.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate this subject.

Process for Developing New Rule: The department must adopt rules identical to or at least as effective as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individuals listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Lewis, Project Manager, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-4568, fax (360) 902-5529, e-mail lewk235@lni.wa.gov.

June 20, 2000

Gary Moore
Director

WSR 00-13-092
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed June 20, 2000, 4:32 p.m.]

Subject of Possible Rule Making: Chapter 296-62 WAC, General occupational health standards (Part E, Respiratory Protection).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The project will make administrative changes to certain sections of chapter 296-62 WAC, Part E, which are not written clearly and could possibly lead to confusion about the requirements. The anticipated minor wording changes were received as stakeholder responses to the department's usability survey of the rule and

internal departmental review. There will be no changes in requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate this subject.

Process for Developing New Rule: The department must adopt rules identical to or at least as effective as OSHA rules as required by the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules for proposal may contact the individuals listed below. The public may also participate by commenting after amendments are proposed by providing written comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Lewis, Project Manager, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-4568, fax (360) 902-5529, e-mail lewk235@lni.wa.gov.

June 20, 2000

Gary Moore
Director

WSR 00-13-093
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed June 21, 2000, 9:31 a.m.]

Subject of Possible Rule Making: WAC 246-843-150 Continuing education requirements for renewal of license, 246-843-180 Expired licenses, and 246-843-330 Inactive credential.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.52.061 and 18.52.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Board of Nursing Home Administrators desires to clarify existing language in their rules for "inactive" and "expired" nursing home administrators. They also desire to add new language to the existing "inactive" and "expired" rules that would add specific requirements for nursing home administrators who have not practiced for more than five years to return to active status. A rule is also being reviewed to change the continued education reporting cycle from "three years" to "two years" to align with other health care professions.

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

Process for Developing New Rule: Collaborative rule making, development of rules will include public input from interested persons who attend Board of Nursing Home Administrator meetings or submit written comments. Mailings will go to interested persons on the mailing list, active and inactive licensees and candidates for license.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barbara A. Hayes, Program Manager, Board of Nursing Home Administrators, P.O. Box 47868,

Olympia, WA 98504-7868, phone (360) 246-4921, fax (360) 246-4922.

June 9, 2000
Barbara A. Hayes
Program Manager

WSR 00-13-098
PREPROPOSAL STATEMENT OF INQUIRY
BOARD OF
PILOTAGE COMMISSIONERS

[Filed June 21, 2000, 10:25 a.m.]

Subject of Possible Rule Making: WAC 363-116-080(4) Licensing of pilots and 363-116-082 (5) and (6) Limitations on new pilots.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 88.16.035(1), 88.16.090(7), and 88.16.105.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Modifications to the rules cited above are necessary in order to provide a comprehensive pilot training program within a reasonable timeframe in the Grays Harbor pilotage district (GHPD).

Also, it is necessary to modify certain license limitations and their removal that properly correspond to current traffic levels in the GHPD.

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 board will begin considering written and oral comments from persons who may be interested in the development of rule amendments as described above. Thereafter, the board will proceed with rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Peggy Larson, 2911 Second Avenue, Seattle, WA 98121, phone (206) 515-3904, fax (206) 515-3969, larsomp@wsdot.wa.gov. Written and oral comments are currently being accepted. A public hearing schedule to consider the proposed new rules will be established pursuant to formal notice requirements.

June 20, 2000
Peggy Larson
Administrator

WSR 00-13-099
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed June 21, 2000, 10:37 a.m.]

Subject of Possible Rule Making: The Department of Financial Institutions is soliciting comment from interested parties regarding reforming the rules governing lending limits of state-chartered commercial banks (Title 30 RCW), including but not limited to eliminating renewals from the

definition of "loans and extensions of credit" and liberalizing the provisions concerning WAC 50-12-230(h).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 30.04.111.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To modernize the state's lending limit regulation and to reduce unnecessary regulatory burden.

Process for Developing New Rule: Consultation with interested parties.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John L. Bley, Director, phone (360) 902-8707, fax (360) 586-5068.

June 21, 2000
John L. Bley
Director

WSR 00-13-110
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION

[Filed June 21, 2000, 11:22 a.m.]

Subject of Possible Rule Making: Bingo.

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: As a result of a bingo net return task force, issues related to bingo will be discussed, including net return requirements.

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, Rules coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654 ext. 374.

Meetings at the WestCoast Bellevue Hotel, 625 116th Avenue N.E., Bellevue, WA 98004, (425) 455-9444, on July 13 and 14, 2000; at The Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, (253) 858-1111, on August 10 and 11, 2000; and at the WestCoast Wenatchee Center Hotel, 201 North Wenatchee Avenue, Wenatchee, WA 98801, (2509) [509] 662-1234, on September 14 and 15, 2000.

June 21, 2000
Susan Arland
Rules Coordinator

WSR 00-13-111**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed June 21, 2000, 11:23 a.m.]

Subject of Possible Rule Making: Bingo.

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: A change is necessary to the rule regarding house rules to clarify that bingo prizes must be paid if a valid bingo is hit by a player.

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, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654 ext. 374.

Meetings at the WestCoast Bellevue Hotel, 625 116th Avenue N.E., Bellevue, WA 98004, (425) 455-9444, on July 13 and 14, 2000; at The Inn at Gig Harbor, 3211 56th Street N.W., Gig Harbor, WA 98335, (253) 858-1111, on August 10 and 11, 2000; and at the WestCoast Wenatchee Center Hotel, 201 North Wenatchee Avenue, Wenatchee, WA 98801, (2509) [509] 662-1234, on September 14 and 15, 2000.

June 21, 2000

Susan Arland
Rules Coordinator

WSR 00-13-114**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2000-05—Filed June 21, 2000, 11:43 a.m.]

Subject of Possible Rule Making: The commissioner will consider new rules to implement the recently enacted "patient bill of rights," chapter 5, Laws of 2000 (E2SSB 6199). This rule making will focus specifically on the issue of health information privacy. In addition, the commissioner will consider ways to coordinate issues of health information privacy with federal privacy initiatives.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.18.120, 48.20.450, 48.20.460, 48.30.010, 48.44.050, 48.46.100, 48.46.200, section 5, chapter 5, Laws of 2000.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature granted rule-making authority or mandated rules to implement this aspect

of the patient bill of rights which cannot be implemented by their effective dates without rules. The legislature expressly provided that the commissioner consider national and local standards to create more detailed guidance for insurers. More detailed guidance is particularly necessary for privacy in order to create uniform standards across all health plans.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Other state agencies are expressly subject to any rules adopted under the patient bill of rights. The commissioner will work with these state agencies to develop a coordinated approach to consumer protection. The commissioner will also consider relevant federal agency activity to avoid conflicting standards.

Process for Developing New Rule: Agency study; and please send any comments regarding this rule to Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, e-mail Kacyb@oic.wa.gov, fax (360) 664-2782, by August 5, 2000.

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 40255, Olympia, WA 98504-0255, e-mail Kacyb@oic.wa.gov, fax (360) 664-2782, by August 5, 2000.

June 21, 2000

D. J. Patin
Deputy Commissioner

WSR 00-13-116**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE**

[Filed June 21, 2000, 11:56 a.m.]

Subject of Possible Rule Making: Chapter 458-40 WAC, Taxation of forest land and timber, WAC 458-40-500 Property tax, forest land—Statement of purpose, 458-40-510 Property tax, forest land—Definitions, 458-40-520 Property tax, forest land—Classification, designation, removal by assessor, compensating taxes, 458-40-530 Property tax, forest land—Land grades, 458-40-535 Property tax, forest land—Operability classes, 458-40-600 Timber excise tax—Statement of purpose, 458-40-610 Timber excise tax—Definitions, 458-40-615 Timber excise tax—Stumpage values—Reporting of private stumpage sales to the department, 458-40-620 Timber excise tax—Tax liability—Harvester as taxpayer, harvester defined, 458-40-622 Timber excise tax—Tax liability—Government entity as harvester, 458-40-624 Timber excise tax—Tax liability—Reclassified reforestation lands, 458-40-626 Timber excise tax—Tax liability—Private timber, tax due when timber harvested, 458-40-628 Timber excise tax—Tax liability—Public timber lump sum vs. scale sales, 458-40-630 Timber excise tax—Stumpage value—General definition, 458-40-632 Timber excise tax—Taxable stumpage value—Private timber, 458-40-634 Timber excise tax—Taxable stumpage value—Small harvester option, 458-40-636 Timber excise tax—Taxable stumpage value—Public timber, 458-40-640 Timber excise tax—Stumpage value area (map), 458-40-670 Timber excise tax—Stumpage value adjustments—Chipwood and small log destinations, 458-40-

680 Timber excise tax—Volume harvested—Approved scaling and grading methods, 458-40-682 Timber excise tax—Volume harvested—Sample scaling, 458-40-684 Timber excise tax—Volume harvested—Conversions to Scribner Decimal C Scale for Western Washington, 458-40-686 Timber excise tax—Volume harvested—Conversions to Scribner Decimal C Scale for Eastern Washington, and 458-40-690 Timber excise tax—Credit for property tax.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 84.33.096 and 82.32.300.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering a general revision/rewrite of the information provided in chapter 458-40 WAC, with the exception of the information provided in the rules specifically noted above. The purpose of this revision is to update, reorganize, and consolidate the information currently provided in this chapter, and to eliminate rules that are no longer needed.

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

Process for Developing New Rule: Modified negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Written comments may be submitted by mail, fax, or at the public meeting. Oral comments will be accepted at the public meeting. A preliminary draft of the proposed changes is available upon request. Written comments on and/or requests for copies of the rule may be directed to Robert L. Smith, Forest Tax, P.O. Box 47472, Olympia, WA 98504-7472, phone (360) 753-1385, fax (360) 664-8438, e-mail robertsm@dor.wa.gov.

Location and Date of Public Meeting: At 10:00 a.m. on August 15, 2000, Department of Revenue Conference Room, Target Place Building No. 4, 2735 Harrison Avenue N.W., Olympia, WA.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6176.

June 21, 2000
 Claire Hesselholt
 Rules Manager
 Legislation and Policy Division



NO EXPEDITED REPEALS FILED IN THIS ISSUE

EXPEDITED REPEAL



WSR 00-13-003
PROPOSED RULES
HORSE RACING COMMISSION

[Filed June 8, 2000, 2:06 p.m.]

WSR 00-13-004
PROPOSED RULES
HORSE RACING COMMISSION

[Filed June 8, 2000, 2:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-22-021.

Title of Rule: WAC 260-52-080 Official time of the race.

Purpose: Delete references to rules that no longer exist; add on the correct reference.

Statutory Authority for Adoption: RCW 67.16.040.

Summary: Update rule references.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bruce Batson, Olympia, Washington, (360) 459-6462.

Name of Proponent: Washington Horse Racing Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Remove obsolete references, replace with correct reference.

Proposal Changes the Following Existing Rules: Amending WAC 260-52-080.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes will not affect more than 20% or less than 10% of the population. A small business economic impact statement was not prepared.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Playfair Race Course, North Altamont and East Main, Spokane, Washington, on September 15, 2000, at 1:00 p.m.

Submit Written Comments to: Bruce Batson, Washington Horse Racing Commission, 7912 Martin Way, Suite D, Olympia, WA 98516, fax (360) 459-6461, by September 14, 2000.

Date of Intended Adoption: September 15, 2000.

June 8, 2000

Bruce Batson

Executive Secretary

AMENDATORY SECTION (Amending Rule 277, filed 4/21/61)

WAC 260-52-080 Official time of the race. That the time recorded for the first horse to cross the finish line shall be the official time of the race. (Except as provided by ~~((WAC 260-68-110 [WAC 260-70-130]))~~ **WAC 260-70-710**, namely, that if a horse establishes a track record and it later develops in the chemical analysis of the sample that there is the presence of a drug, then such track record shall be null and void.)

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-01-131.

Title of Rule: WAC 260-12-180 Safety equipment required, 260-24-650 Clocker(s), and 260-52-010 Post position.

Purpose: Update rules to conform with nationally accepted model rules, remove gender specific wording.

Statutory Authority for Adoption: RCW 67.16.040.

Summary: Update rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bruce Batson, Olympia, Washington, (360) 459-6462.

Name of Proponent: Washington Horse Racing Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Update rules to conform with nationally accepted model rules, remove gender specific language.

Proposal Changes the Following Existing Rules: Amending WAC 260-12-180, 260-24-650, and 260-52-020.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes will not affect more than 20% or less than 10% of the population. A small business economic impact statement was not prepared.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Playfair Race Course, North Altamont and East Main, Spokane, Washington, on September 15, 2000, at 1:00 p.m.

Submit Written Comments to: Bruce Batson, Washington Horse Racing Commission, 7912 Martin Way, Suite D, Olympia, 98516, fax (360) 459-6461, by September 14, 2000.

Date of Intended Adoption: September 15, 2000.

June 8, 2000

Bruce Batson

Executive Secretary

AMENDATORY SECTION (Amending Rules of racing, § 24, filed 4/21/61)

WAC 260-12-180 Safety ((helmets)) equipment required. ~~((All owners and trainers, when exercising horses, and all jockeys, apprentice jockeys, exercise boys, outriders, pony boys and pony girls when performing these duties shall wear a safety helmet approved by the commission.))~~

All persons while on horseback shall wear a safety helmet and safety vest. Safety equipment shall be approved by the commission.

AMENDATORY SECTION (Amending WSR 98-01-145, filed 12/19/97)

WAC 260-24-650 Clocker(s). (1) The clocker(s) shall be present during training hours at each track on association grounds, which is open for training, to identify each horse working out and to accurately record the distances and times of each horse's workout.

(2) Each day, the clocker(s) shall prepare a list of workouts that describes the name of each horse which worked, along with the distance and time of each horse's workout.

(3) At the conclusion of training hours, the clocker shall deliver a copy of the list of workouts to the stewards and the racing secretary.

(4) The clocker(s) and his/her representative shall report the time and distance of the horse that best represents the workout which is in the best interest of the public.

AMENDATORY SECTION (Amending Order 3, filed 5/12/69)

WAC 260-52-020 Post position. Post position shall be determined publicly by lot in the presence of the racing secretary or his deputy. After a regular carded horse or horses have been excused from a race, all horses shall move up in post position order; except in the case of a race on the straightaway, in which case the also-eligible shall take the stall of the horse declared out or scratched. The above rule shall apply unless the association specifically states otherwise in its stakes or condition book.

~~((Horses shall take their position at the post in the order in which their names have been drawn, beginning from the inside rail, but vicious and unruly horses may be placed on the outside, if necessary.))~~

WSR 00-13-005**PROPOSED RULES****HORSE RACING COMMISSION**

[Filed June 8, 2000, 2:12 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-22-023.

Title of Rule: WAC 260-72-020 Transmission of race results.

Purpose: Remove language referring to transmission of results of races due to new technology speeding up transmission by computer technology.

Statutory Authority for Adoption: RCW 67.16.040.

Summary: Update rules.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bruce Batson, Olympia, Washington, (360) 459-6462.

Name of Proponent: Washington Horse Racing Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Update rules to conform to new technology.

Proposal Changes the Following Existing Rules: Amending WAC 260-72-020.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The changes will not affect more than 20% or less than 10% of the population. A small business economic impact statement was not prepared.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Playfair Race Course, North Altamont and East Main, Spokane, Washington, on September 15, 2000, at 1:00 p.m.

Submit Written Comments to: Bruce Batson, Washington Horse Racing Commission, 7912 Martin Way, Suite D, Olympia, WA 98516, fax (360) 459-6461, by September 14, 2000.

Date of Intended Adoption: September 15, 2000.

June 8, 2000

Bruce Batson

Executive Secretary

AMENDATORY SECTION (Amending WSR 94-04-003, filed 1/20/94)

WAC 260-72-020 Transmission of race results. (1) No association licensed by this commission shall knowingly transmit or allow to be transmitted by telephone, telegraph, teletype, semaphore, signal device, radio, television or other method of electrical, manual or visual communication from the enclosure of its track the result of any race until (~~at least fifteen minutes after~~) said race is declared official (~~with the exception of the final race of the program~~): Provided, however, associations licensed by this commission may allow radio or television broadcasts of racing programs upon approval of the commission, as stipulated in WAC 260-72-030.

(2) A racing association may seek approval to broadcast its races for the purpose of satellite wagering as authorized in RCW 67.16.200 Satellite locations—Parimutuel wagering. The association shall ensure that the audio-visual signal of such broadcast shall be encrypted or manipulated to mask the original video content of the signal and so cause such signal to be indecipherable and unrecognizable to any unauthorized receiver.

WSR 00-13-008**PROPOSED RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed June 9, 2000, 7:59 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-07-042.

Title of Rule: Repealing WAC 388-86-100 Durable medical equipment, prosthetics, orthotics and medical supplies and 388-87-110 Durable medical equipment—Prosthetic devices; and new chapter 388-543 WAC, Durable med-

ical equipment and related supplies, prosthetics, orthotics, medical supplies, and related services.

Purpose: The department is establishing a new chapter for durable medical equipment, chapter 388-543 WAC, so that all the rules relating to this subject will be contained in one WAC chapter. The new chapter codifies current policy and payment methodology, in compliance with *Failor's Pharmacy v. DSHS* lawsuit. The proposed rules have been written to comply with the Governor's Executive Order 97-02.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.530.

Statute Being Implemented: Chapters 74.08, 74.09 RCW.

Summary: The proposed new WAC chapter consolidates all DME rules in one chapter for ease of use. The new chapter codifies current policy and payment methodology.

Reasons Supporting Proposal: To comply with the Governor's Executive Order 97-02. To comply with *Failor's Pharmacy* lawsuit judgment.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45530, Olympia, WA 98504, (360) 725-1345; **Implementation and Enforcement:** Sharon Morrison, DHSQS, P.O. Box 45506, Olympia, WA 98504, (360) 725-1671.

Name of Proponent: Department of Social and Health Services, Medical Assistance Administration, governmental.

Rule is necessary because of state court decision, *Failor's Pharmacy v. DSHS*, 125 WN.2d 488, 886 P.2d 147 (1994).

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rule codifies current policy and payment methodology for durable medical equipment, prosthetics, and orthotics. The proposed rule implements a policy change that requires MAA to provide wheelchairs to clients in nursing facilities.

The purpose is to clearly state current policy and payment methodology, and to codify the changed policy regarding wheelchairs for clients in nursing facilities.

The anticipated effect is that providers and clients will have a clearer understanding of MAA policy, and that clients in nursing facilities will have greater access to wheelchairs.

Proposal Changes the Following Existing Rules: WAC 388-86-100 and 388-87-110 will be repealed and replaced with new chapter 388-543 WAC that incorporates a change in policy regarding wheelchairs for clients in nursing homes.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule and concludes that no new costs will be imposed on the small businesses affected by them.

RCW 34.05.328 applies to this rule adoption. The department has analyzed the proposed rule and concludes that it meets the definition of a "significant legislative rule." An analysis of the probable costs and probable benefits is available from the person listed above.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 8, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by July 28, 2000, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 8, 2000.

Date of Intended Adoption: No sooner than August 9, 2000.

June 1, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

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 00-14 issue of the Register.

WSR 00-13-012

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed June 9, 2000, 2:32 p.m.]

Supplemental Notice to WSR 99-24-133.

Preproposal statement of inquiry was filed as WSR 98-15-016.

Title of Rule: Organic crop production standards.

Purpose: Chapter 16-154 WAC are the rules for organic crop production. The rules provide standards for organic crop production and set record-keeping requirements for organic crop producers.

Statutory Authority for Adoption: Chapter 15.86 RCW.

Statute Being Implemented: Chapter 15.86 RCW.

Summary: The proposed amendments to chapter 16-154 WAC update the organic crop production standards. The amendments specify the food production guidelines, record-keeping requirements, and give a comprehensive list of the materials and practices that are approved and prohibited in crop production. The amendments include two new sections that outline the organic farm plan requirements and mushroom standards. The supplemental includes changes that were made based on the comments from the first hearing.

Reasons Supporting Proposal: Applicants to the organic food program will benefit from the rule update and from the clarification of the definitions, crop production standards, materials that are approved and prohibited for use in organic production, and record-keeping requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Miles McEvoy, Olympia, (360) 902-1924.

Name of Proponent: Organic food program, Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The organic crop production standards, chapter 16-154 WAC, were first adopted in 1987. The rules provide the standards for organic crop production and include a list of generically approved materials that may be used by producers of organic crops. The standards include a list of approved

fertilizers, soil amendments, crop production aids, pest control materials and post-harvest materials. The standards also include a list of prohibited materials and practices. In addition the rule specify the requirements regarding buffer zones, borders at risk, treated wood, roadside vegetation management, genetically engineered organisms, organic farm plan and record keeping for organic crop production.

The organic crop production standards are being revised for a number of reasons. One, they will clarify the standards regarding genetic engineering, transplants, seeds, sprouts, and transitional requirements. Two, they will align Washington's organic standards with national and international organic standards. Three, the proposed amendments will enhance organic integrity through the requirements for notification and nonchemical vegetation management. Fourth, the list of approved and prohibited materials will be clarified and updated to national organic standards.

Proposal Changes the Following Existing Rules: See addendum.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Introduction: The organic crop production standards, chapter 16-154 WAC, were first adopted in 1987. The rules provide the standards for organic crop production. The standards include a list of approved fertilizers, soil amendments, crop production aids, pest control materials and post harvest materials that may be used by producers of organic crops. The standards also include a list of prohibited materials and practices. In addition the rules specify the requirements regarding buffer zones, borders at risk, treated wood, roadside vegetation management, genetically engineered organisms, organic farm plan and record keeping for organic crop production.

Purpose for the Rule Amendment: The organic crop production standards are being revised for a number of reasons. One, they will clarify the standards regarding genetic engineering, transplants, seeds, sprouts, and transitional requirements. Two, they will more closely align Washington's organic standards with national and international organic standards. Three, the proposed amendments will enhance organic integrity through the requirements for notification and nonchemical vegetation management. Fourth, the list of approved and prohibited materials will be clarified and updated.

The Washington State Department of Agriculture's (WSDA) Organic Advisory Board has worked in collaboration with the WSDA organic food program staff to develop the proposed amendments. The Organic Advisory Board utilized the recommendations from the United States Department of Agriculture's National Organic Standards Board and the Organic Trade Association's American Organic Standards in developing the proposed amendments.

Summary of Amendments: Twenty-two definitions are added to the definition section. Two definitions are amended. The organic crop production standards, WAC 16-154-050, adds sections on buffers at risk, roadside vegetation management, notification, sprouts, genetic engineering, tran-

sitional requirements and treated wood standards. Record-keeping requirements are expanded to include sales and yield information along with records of complaints received by producers.

WAC 16-154-070, 16-154-080, 16-154-090, 16-154-100, 16-154-110, and 16-154-120 include approved and prohibited materials for organic crop production. These sections have been rewritten to clarify the materials approved for use in organic crop production. They also propose to prohibit leather meal, strychnine and sodium nitrate to bring Washington's organic standards in harmony with organic standards in the United States and Europe.

Two new sections are added to the rule. The organic farm plan, WAC 16-154-053, will require producers to document soil quality and pest management strategies utilized on their farm. The mushroom standards, WAC 16-154-180, will codify organic mushroom standards.

Businesses Affected by the Rule: Chapter 16-154 WAC affects all individuals and businesses that produce organic crops and transition to organic crops in Washington state. All producers of organic and transition to organic crops are small businesses (less than fifty full-time, year-round employees). The proposed amendments would impact all organic producers and would not impose a disproportionate impact on small businesses.

All producers of organic and transition to organic food products in Washington state within the following SIC codes are impacted by chapter 16-156 WAC: 019 general farms, primarily crop; 515 farm product—raw materials. As of 1999 this includes four hundred forty-five producers of organic and transition to organic food products.

Reporting, Record-keeping and Compliance Requirements: **Notification:** The proposal requires producers to notify adjoining land owners of the sites in organic crop production. As part of the application packet, the organic food program (OFP) provides an informational letter regarding organic crop production and methods to prevent pesticide drift. This letter may be copied and sent to adjoining land owners or the OFP will mail the letter to adjoining land owners upon request.

We estimate that the notification process will take producers an average of thirty minutes to contact their neighbors concerning their organic crop production.

Roadside Vegetation Management: In order to protect the integrity of organic crops many organic producers obtain non-chemical vegetation management agreements with the appropriate road or highway department. These agreements take approximately one hour of time for the producers to establish an agreement.

Farm Plan: As part of the current application process, applicants are required to complete a farm management plan. The completion of this form, as proposed, will take producers approximately one hour to complete. The completion of a farm plan is a standards organic industry requirement. Organic producers in Washington state have been completing farm plans as a component of the application process since 1989. This is not a new requirement.

Soil Testing: The proposal requires each producer to conduct soil tests once every three years. The cost of soil

tests are from \$35 to \$65 per sample. Soil testing is a common agronomic practice that many organic producers already conduct on a regular basis.

Sales and Yield Records: Organic producers are required to maintain these records under the organic certification rules, chapter 16-156 WAC. The inclusion of this requirement in chapter 16-154 WAC reiterates that these records must be maintained. It is not a new requirement.

Maintaining Records of Complaints: The proposal includes a requirement that producers must maintain records of complaints received and the action that they take. This requirement is added to comply with the International Standards Organization requirements for ISO 65 accreditation. ISO 65 accreditation is needed to maintain access to many export markets. Organic producers receive very few complaints and this requirement should have minimal impact on organic producers.

Professional Services: The reporting, record-keeping and compliance requirements would not necessitate the need for professional services. No professional service expenses would be incurred by the small businesses affected by chapter 16-154 WAC.

Cost of Compliance: The cost of complying with the new requirements in chapter 16-154 WAC will average about \$50 per producer in direct costs (soil tests) and \$45 in indirect costs (time valued at \$30/hour).

Mitigation: The organic food program will provide record-keeping forms for sales and yield records, organic farm plans, and complaints. Application packets for organic certification will include information on how to comply with the soil testing, roadside vegetation management and notification requirements. The soil testing requirements have been changed in the supplemental proposal. Instead of requiring a soil test for each site the supplemental proposal only requires soil tests from each organic producer. This will mitigate the costs of soil testing for producers with multiple sites.

Industry Outreach: The WSDA has worked closely with the Organic Advisory Board (OAB) on the proposed amendments to chapter 16-154 WAC. The OAB is comprised of organic industry members including farmers, packers, processors, consumers and farm input suppliers. The proposed amendments are being sent to all organic producers, processors and handlers as well as distributors and suppliers of materials used by organic producers. The proposal will include a comment form in order to facilitate the affected industry's ability to comment on the proposal.

Hearing Location: At 1 p.m., on July 27, 2000, Room 259, Natural Resources Building, 1111 Washington Street, Olympia, WA 98504-2560.

Send Comments To: Comments can be e-mailed to Miles McEvoy at mmcevoy@agr.wa.gov or mailed to WSDA Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560 or faxed to (360) 902-2087, attention: Organic Food Program. Questions about the proposed amendments should be directed to Miles McEvoy at (360) 902-1924.

Date of Intended Adoption: August 8, 2000.

A copy of the statement may be obtained by writing to Miles McEvoy, Organic Food Program, P.O. Box 42560,

Olympia, WA 98504-2560, phone (360) 902-1924, fax (360) 902-2087.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: Room 259, Natural Resources Building, 1111 Washington Street, Olympia, WA 98504-2560, on July 27, 2000, at 1 p.m.

Assistance for Persons with Disabilities: Contact Julie Carlson by July 20, 2000, TDD (360) 902-1996, or (360) 902-1880.

Submit Written Comments to: Miles McEvoy, Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2087, by 5 p.m., July 27, 2000.

Date of Intended Adoption: August 8, 2000.

June 9, 2000

Candace Jacobs, DVM

Assistant Director

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-030 Definitions. As used in this chapter:

(1) "Active ingredient" means any ingredient which will prevent, destroy, repel, control, or mitigate pests, or which will act as a plant regulator, defoliant, desiccant, or spray adjuvant.

(2) "Aged manure" means manure that has been piled or held for six months or more but which has not been composted.

(3) "Approved" means any material or practice which meets the required criteria or standards for use in organic food production.

((3)) (4) "Commercially unavailable" means the documented inability to obtain a production input or ingredient in an appropriate form, quality, quantity or variety to be feasibly used to fulfill an essential function in a system of organic farming, processing or handling.

(5) "Compost" means a material produced from a controlled process in which organic materials are digested by microbial action.

(6) "Composting" means a process in which organic materials are digested by microbial action.

(7) "Crop production aid" means any substance, material, structure or device that is used to aid a producer of an agricultural product except for fertilizers and pesticides.

(8) "Defoliant" means any substance or mixture of substances intended to cause the leaves or foliage to drop from a plant with or without causing abscission.

((4)) (9) "Department" means the department of agriculture of the state of Washington.

((5)) (10) "Desiccant" means any substance or mixture of substances intended to artificially accelerate the drying of plant tissues.

((6)) (11) "Director" means the director of the department of agriculture or his or her duly authorized representative.

((7)) (12) "EPA" means the United States Environmental Protection Agency.

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(13) "EPA's List 1" means the United States Environmental Protection Agency's List 1 of other (inert) pesticide ingredients of toxicological concern. This list is available at EPA's website www.epa.gov/oppr001/inerts/lists.html.

(14) "EPA's List 2" means the United States Environmental Protection Agency's List 2 of other (inert) pesticide ingredients of suspected toxicological concern. This list is available at EPA's website www.epa.gov/oppr001/inerts/lists.html.

(15) "EPA's List 4A" means the United States Environmental Protection Agency's List 4A of other (inert) pesticide ingredients that are generally regarded as safe. This list is available at EPA's website www.epa.gov/oppr001/inerts/lists.html.

(16) "EPA's List 4B" means the United States Environmental Protection Agency's List 4B of other (inert) pesticide ingredients that have sufficient data to substantiate they can be used safely in pesticide products. This list is available at EPA's website www.epa.gov/oppr001/inerts/lists.html.

(17) "Fertilizer" means any substance containing one or more recognized plant nutrients.

(18) "Genetic engineering" means techniques that alter the molecular or cell biology of an organism by means that are not possible under natural conditions or processes. Genetic engineering includes, but is not limited to, recombinant DNA, cell fusion, micro- and macro-encapsulation, gene deletion, introducing a foreign gene, and changing the positions of genes. It does not include breeding, conjugation, fermentation, hybridization, in-vitro fertilization and tissue culture.

(19) "Growing medium" means any material that fungi may grow in.

(20) "Growing medium amendment" means a nutritional supplement added to the growing medium to enhance vigor and yields.

(21) "Inert ingredient" means an ingredient ~~((which))~~ in a pesticide formulation that is not an active ingredient.

~~((8))~~ (22) "Manure" means feces, urine, bedding, and other waste incidental to an animal. It does not include sewage sludge, biosolids or human waste products.

(23) "Material" means any pesticide, ~~((plant regulator, defoliant, desiccant,))~~ spray adjuvant, fertilizer, soil amendment, growth regulator, crop production aid, post-harvest material or other substance or mixture of substances which is intended to be used in agricultural production or post-harvest use.

~~((9))~~ (24) "Organic food" means any agricultural product, including meat, dairy and beverage, that (a) is marketed using the term organic or any derivative of organic in its labeling or advertising; (b) has had no applications of prohibited substances within three years prior to the harvest of the crop; and (c) is produced in compliance with standards defined in chapter 15.86 RCW and rules adopted thereunder.

(25) "Pesticide" means, but is not limited to:

(a) Any substance or mixture of substances intended to prevent, destroy, control, repel, or mitigate any insect, rodent, nematode, mollusk, fungus, weed, and any other form of plant or animal life or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the director may declare to be a pest;

(b) Any substance or mixture of substances intended to be used as a plant regulator, defoliant, or desiccant;

(c) Any substance or mixture of substances intended to be used as a spray adjuvant; and

(d) Any other substances intended for such use as may be named by the director by regulation.

~~((10))~~ (26) "Plant regulator" means any substance or mixture of substances intended through physiological action, to accelerate or retard the rate of growth or maturation, or to otherwise alter the behavior of ornamental or crop plants but shall not include substances insofar as they are intended to be used as plant nutrients, trace elements, nutritional chemicals, plant inoculant, or soil amendments.

~~((11))~~ (27) "Practice" means the physical action of doing something.

(28) "Prohibited" means any material or practice which is disallowed in organic food production, handling, or processing.

~~((12))~~ (29) "Raw manure" means manure that is less than six months old and has not been composted.

(30) "Site" means a designated farm, field, orchard, block, pasture, paddock, garden, circle, plot or other contiguous area under the same management (e.g., organic or transitional). A site may contain multiple crops.

(31) "Soil amendment" means any substance that is intended to improve the quality of the soil.

(32) "Spawn" means a medium that has been colonized with the desired fungal mycelia. It is used to inoculate growing medium.

(33) "Spray adjuvant" means any wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own intended to be used with any other pesticide as an aid to the application or to the effect thereof, and which is in a package or container separate from that of the pesticide with which it is to be used.

(34) "Transition to organic food" means any agricultural product that:

(a) Is marketed using the term transition to organic or transitional in its labeling and advertising; and

(b) Satisfies all of the requirements of organic food except that it has had no applications of prohibited substances within one year prior to the harvest of the crop.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-050 Organic crop production standards. (1) Buffer zones. Crops harvested and marketed as "organic," "organically grown," or "transition to organic" shall be grown, raised, or produced within the meaning of RCW 15.86.030 at least twenty-five feet from the nearest application of prohibited materials. Crops grown in the buffer zone may not be marketed as "organic" or "transition to organic."

(2) ~~((Soil building.~~

~~(a) In order for a crop to be considered "organically grown" a soil building program must be in place for at least three years, except for those crops grown hydroponically. In~~

~~order for a crop to be considered "transition to organic" a soil building program must be in place for at least one year, except for those crops grown hydroponically.~~

~~(b) Upon request by the department producers of organic crops shall demonstrate their soil building programs and the department shall restrict producers from using the terms "organic," "organically grown," or "transition to organic" on crops grown without adequate soil building programs. An adequate soil building program includes using humic building materials such as manure, compost, cover crops, and rock minerals which build or maintain soil organic matter. Demonstration of soil building programs shall entail documentation of soil inputs and soil testing.~~

~~(3) Transplants:~~

~~(a) Annuals must be grown in an organic environment from seed through harvest. Annual transplants must be organically grown in order to meet the organic crop production standards.~~

~~(b) Nonorganically grown perennial transplants will be considered "organic" after they have been grown in organic soil for one year.~~

~~(4) Seeds. Untreated seeds and/or seeds treated with materials approved for organic food production are permitted for organic food production. The use of synthetic insecticides on or in seeds is prohibited. Seeds treated with fungicides may be used if the grower can demonstrate through written documentation that untreated seeds are unavailable. Strawberry crowns and potatoes are considered seeds for the purpose of this section.)) Boundaries of site: The boundaries of each site in organic or transition to organic production must be clearly and unambiguously identified along all borders. Identification may consist of flagging, fences, posts, signs, roads or other markers.~~

~~(3) Borders at risk: Organic and transition to organic crops produced in proximity to the aerial or airblast application of prohibited materials are considered borders at risk. The department may periodically sample crops grown in borders at risk to assure that pesticide drift does not affect the integrity of the organic crops.~~

~~(4) Roadside and right of way vegetation management: Nonchemical vegetation management agreements must be established with road departments, railroads, irrigation districts, and other rights of way that are in proximity to organic and transition to organic food production, or, where no agreement is possible, adequate buffer zones must be established.~~

~~(5) Notification: Producers of organic and transition to organic crops must notify owners and/or managers of adjoining land that they are producing organic and/or transition to organic crops. The notification must state the location of the sites in organic and transition to organic food production. Notification must be made on an annual basis.~~

~~(6) Transitional requirements: Organic crops must have had no applications of prohibited materials to the crops or land for three years prior to the harvest of the organic crop. Transition to organic crops must have had no applications of prohibited materials to the crops or land for one year prior to the harvest of the transition to organic crop.~~

~~(7) Transplants and seedlings:~~

~~(a) Annual and biennial seedlings and transplants must be organically produced from seed.~~

(b) Perennial transplants must be grown on a certified organic site for at least twelve months prior to the harvest of an organic crop except for: Strawberries and fall bearing raspberries may be from a nonorganic source provided that organically grown transplants are commercially unavailable.

(8) Seeds: Seeds treated with prohibited materials are prohibited except for seeds treated with fungicides provided that untreated seeds are commercially unavailable. Garlic cloves, potatoes and crops with similar life cycles are considered seeds for the purpose of this section.

(9) Sprouts produced for human consumption must be produced from certified organic seeds.

(10) Genetic engineering: Genetically engineered organisms and their derivatives are prohibited from being considered organic or transition to organic. Genetically engineered organisms must not be used as seeds, transplants or sources of any crops used in organic or transition to organic food production.

(11) Treated wood: Lumber treated with pentachlorophenol, creosote, and copper chromium arsenate is prohibited in raised beds and in greenhouses where there is contact with soil used to produce organic crops, except for: Raised beds and greenhouses that were installed three years prior to the harvest of organic crops.

NEW SECTION

WAC 16-154-053 Organic farm plan. Producers of organic and/or transition to organic food products must have an organic plan that consists of the following elements:

(1) Soil quality - The organic plan must contain provisions designed to foster soil quality, primarily through the management of the organic matter of the soil. The producer must conduct a baseline assessment of soil quality. The baseline assessment must include measurement of percent organic matter, cation exchange capacity, pH, nitrogen, phosphorus, potassium, and copper. Each producer must conduct an assessment of soil quality at least once every three years.

(2) Pest management - The organic plan must contain provisions that include an integrated approach to pest management that stresses biointensive pest control and limits the use of botanical insecticides and copper compounds.

The principles of biointensive pest control are:

(a) Building prevention into pest management systems to lessen need for treatments.

(b) Identify and enhance the ability of beneficial organisms to directly control pest populations, compete with them for habitat, food and water, or repel them.

(c) Alter the pests' ability to reproduce or progress through its normal life cycle.

(d) Strengthen plant or tree defense mechanisms, and ability to overcome stress caused by pests and other environmental factors, through good cultural practices.

The department shall require producers to complete an organic plan and the plans shall be updated annually. The department shall restrict producers from selling, offering for sale or representing food products as organic and/or transition to organic food products when an organic plan is not implemented.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-060 Records. ~~((All producers who sell farm products identified as organic shall keep accurate records of the location of the acreage used for growing such products and the additions, excluding water, made to the soil or applied to the plant or added to irrigation water. Such records shall be retained for two years after date of such sale.))~~ All producers who sell farm products identified as organic and/or transition to organic shall keep accurate records of:

(1) The location of the acreage used for growing such products;

(2) The materials applied, excluding water, made to the soil or applied to the plant or added to irrigation water. The records of materials applied shall include the date the material was applied, the quantity of the material applied, the application rate and the name of the material applied. Brand name materials must be identified by the complete brand name. Unbranded materials must be identified by type of material (e.g., chicken manure) and source (e.g., XYZ poultry farm). This information must be recorded on the same day that the material was applied;

(3) Sales of all certified organic and transition to organic food products produced and sold by the farm;

(4) Yield records for all organic and transition to organic food products sold in the wholesale market or to processors;

(5) Any complaints received and actions taken to address those complaints;

(6) Such records shall be retained for five years;

(7) The department shall keep confidential any business related information obtained under this chapter and such information shall be exempt from public inspection and copying as provided in RCW 15.86.110 and 42.17.310 (1)(ff).

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-070 ((Materials list for organic food production—)) Fertilizers, growth promoters, crop production aids and soil amendments. (1) Approved materials and practices. The following list of fertilizers, growth promoters, crop production aids and soil amendments are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) Acetic acid. Used as a drip irrigation cleaner and as an adjuvant to adjust pH of solutions.

(b) Alfalfa meal.

(c) Algae.

((b) Animal manure: Excessive use of animal manure can lead to nitrate contamination of ground water. Heavy nitrogen use can also lead to high nitrate levels in leafy greens. Raw manure may be applied to:

(i) Any green manure crop;

(ii) Any perennial crop;

(iii) Any crop not for human consumption; and

(iv) Any crop for human consumption, if such crop is harvested after a reasonable period of time after the most recent application of raw manure, but in no event shall such period be less than sixty days.

(e) Blood meal.

(d) Blue-green algae or cyanobacteria.

(e) Bone meal.

(f) Boron products.

(g) Biodynamic preparations.

(h) Chelates: Chelated micronutrient sprays may be used in conjunction with soil and/or plant tissue tests. Amino acid, ligno-sulphate, citric acid, malic acid, tartaric acid, and other di- and tri- acid chelates are acceptable.

(i) Chilean nitrate (see sodium nitrate).

(j) Cocoa bean hulls: Needs to be tested for pesticide residues.

(k) Compost.

(l) Cottonseed meal: Needs to be tested for pesticide residues.

(m) Cyanobacteria or blue-green algae.

(n) Diatomaceous earth: Use a dust mask when applying to prevent lung irritation.

(o) Dolomite: May cause buildup of magnesium.

(p) Enzymes: Acceptable if derived microbiologically from natural materials and not fortified with synthetic plant nutrients.

(q) Epsom salts or magnesium sulphate.

(r) Fish emulsions: Forms which are "fortified" with urea or other synthetic plant nutrients are prohibited. Phosphoric acid used as a stabilizer in fish emulsion cannot exceed one percent by weight of P₂O₅.

(s) Fish meal.

(t) Gibberellic acid: Acceptable if made without synthetic substances.

(u) Grape, apple, and other pomaces.

(v) Greensand.

(w) Guano, bat, or bird.

(x) Gypsum.

(y) Hoof and horn meal.

(z) Humates: Humates are usually natural deposits which are mined and may contain high trace mineral contents. Acceptable if derived from leonardite, lignite, or coal.

(aa) Humic acid derivatives: These are extracts of humates which may be made with either natural or unnatural processes. These are only acceptable if derived from natural sources and not fortified.

(bb) Iron sulfate.

(cc) Kelp extracts.

(dd) Kelp meal.

(ee) Kieserite.

(ff) K-mag or sul-po-mag.

(gg) Leather meal or tankage: Needs to be tested for heavy metals.

(hh) Limestone.

(ii) Manure: See (b) animal manure.

(jj) Microbial soil inoculants.

(kk) Mined materials.

(ll) Mulches: Plastic mulches must not be incorporated into soil.

(mm) Mushroom compost: Needs to be tested for pesticide residues.

(nn) Peat moss: Unfortified forms only.

(oo) Perlite.

(pp) Phosphate rock.

(qq) Potassium sulfate.

(rr) Rock phosphate.

(ss) Shells, ground: Oyster, clam, lobster, and crab.

(tt) Sodium nitrate: Discouraged because of high sodium content. Cannot be used as the primary source of nitrogen. Sodium nitrate can be used for up to twenty percent of total nitrogen inputs. Total nitrogen is defined as pounds of nitrogen from all sources including, in part, manure, blood meal, compost, green manures, cover crops, and fish meal.

(uu) Spent controlled atmosphere lime.

(vv) Sugar beet lime: Needs to be tested for pesticide residues.

(ww) Sulfur, elemental: Direct application to soil discouraged.

(xx) Sulfates of zinc or iron.

(yy) Sul-po-mag or K-Mag.

(zz) Vermiculite.

(aaa) Wood ashes.

(bbb) Worm castings.

(ccc) Zinc sulfate.))

(d) Amino acids from naturally occurring organisms are allowed. Amino acids produced from genetically engineered organisms are prohibited.

(e) Animal byproducts including bone meal, blood meal, feather meal, hoof meal, horn meal, shrimp meal, crab meal and crab meat. Leather by-products are prohibited.

(f) Ascorbic acid. Used as a drip irrigation cleaner and as an adjuvant to adjust pH of solutions.

(g) Biodynamic preparations.

(h) Blood meal.

(i) Bone meal.

(j) Boron products. Mined sources are allowed including sodium tetraborate, sodium octaborate.

(k) Calcium chloride.

(l) Cardboard. Unwaxed cardboard may be used as mulch or as a compost feedstock. Waxed cardboard is prohibited.

(m) Chelates: Chelated micronutrient sprays may be used in conjunction with soil and/or plant tissue tests. Amino acid, lignin-sulfonate, citric acid, malic acid, tartaric acid and other di- and tri-acid chelates are acceptable. Synthetic chelating agents such as EDTA and HEDTA are prohibited.

(n) Citric acid. Used as a drip irrigation cleaner and as an adjuvant to adjust pH of solutions.

(o) Cocoa bean hulls: Must be composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(p) Compost: The materials (feedstocks) used to produce compost must consist of approved materials. Approved feedstocks include materials approved under WAC 16-154-070(1) and any uncontaminated natural materials including animal manure, food processing waste, and crop residue.

Prohibited feedstocks include mixed municipal solid waste, sewage sludge, biosolids, glossy paper, gypsum by-product and other materials prohibited under this chapter.

(q) Corn calcium.

(r) Corn gluten.

(s) Cottonseed meal: Must be composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(t) Cover crops.

(u) Cyanobacteria or blue-green algae.

(v) Diatomaceous earth.

(w) Dolomite lime: (Magnesium carbonate and calcium carbonate.) May cause buildup of magnesium. Must be from a natural mined source.

(x) Enzymes: Acceptable if derived microbiologically from natural materials and not fortified with synthetic plant nutrients. Enzymes produced from genetically engineered organisms are prohibited.

(y) Epsom salts or magnesium sulphate.

(z) Feather meal.

(aa) Fish emulsions: Forms which are "fortified" with urea or other synthetic plant nutrients are prohibited. Sulfuric, citric and/or phosphoric acid may be used to lower the pH to 3.5.

(bb) Fish meal.

(cc) Food processing waste. Must be from a certified organic source, composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion. The department may require additional testing to ensure pesticide residues will not affect the integrity of the organic crops.

(dd) Gibberellic acid: Acceptable if made from a fermentation process.

(ee) Grape, apple and other pomaces: Must be from certified organic source, composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(ff) Greensand or glauconite.

(gg) Guano, bat or bird.

(hh) Gypsum (calcium sulfate): Must be from a naturally mined source. Gypsum by-product from drywall or other sources is prohibited.

(ii) Hoof and horn meal.

(jj) Humates: Acceptable if derived from leonardite, lignite or coal.

(kk) Humic acid derivatives: Extracts from natural humates by hydrolysis or potassium hydroxide extraction are allowed. These are only acceptable if derived from a natural source and not fortified.

(ll) Kelp meal and extracts.

(mm) Ligno sulfonates. Includes calcium lignosulfate, lignosulfonic acid and sodium lignosulfate. Allowed as a chelating agent, inert ingredient and dust suppressant.

(nn) Lime and limestone. Naturally mined lime including dolomite lime (magnesium carbonate) and agricultural lime (calcium carbonate) are approved for use. Synthetic

sources (hydrated lime) and industrial sources (cement kiln lime, spent controlled atmosphere lime) are prohibited.

(oo) Manure: Raw and aged manure must not be applied within sixty days prior to harvest.

(pp) Meat meal.

(qq) Microbial products, for use with leguminous crops, as compost starters and as soil amendments. Microbial products cannot contain any synthetic ingredients, such as synthetic forms of nitrogen. Genetically engineered organisms and their products are prohibited.

(rr) Mined materials. Approved mined materials include boron products, calcium chloride, kieserite, langbenite, leonardite, rock phosphate, gypsum, and greensand. Prohibited mined materials include potassium chloride and potassium nitrate.

(ss) Mulches: The materials used to produce mulch must consist of approved materials. Approved materials include uncontaminated natural vegetation, materials approved under WAC 16-154-070(1), newspaper and nonglossy paper. Prohibited materials include colored ink, glossy paper and waxed cardboard. Plastic mulches may be used and must not be incorporated into soil. Biodegradable paper mulch that contain fungicides or other prohibited materials are prohibited.

(tt) Mushroom compost: Must be certified organic, composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(uu) Paint: Latex, plant and milk based paints are allowed as a tree seal for painting tree trunks, wounds and grafting purposes and may be used for painting greenhouses.

(vv) Peat moss: Unfortified forms only.

(ww) Perlite.

(xx) Potting soil. Must consist of approved materials. Potting soil that contains synthetic fertilizer, prohibited wetting agents or other prohibited materials is prohibited.

(yy) Pumice.

(zz) Rock phosphate.

(aaa) Row covers. Must not be incorporated into soil.

(bbb) Shells from oysters, crabs, clams and other shellfish.

(ccc) Soaps. Sodium and potassium salts of fatty acids are approved. Synthetic detergents are prohibited.

(ddd) Sodium nitrate: Discouraged because of high sodium content. Cannot be used as the primary source of nitrogen. Sodium nitrate can be used for up to twenty percent of total nitrogen inputs through the year 2002. Total nitrogen is defined as pounds of nitrogen from all sources including, in part, manure, blood meal, compost, green manures, cover crops and fish meal.

(eee) Sugar beet lime: Must be composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(fff) Sulfur burners: Alkaline well water may be sweetened with sulfur burners.

(ggg) Sulfur, elemental.

(hhh) Sulfates of zinc or iron. May be used only to correct for deficiencies determined by soil or plant tissue testing.

(iii) Sul po mag.

(jii) Vermiculite.

(kkk) Vitamin B-1.

(lll) Wetting agents. Natural wetting agents including soaps, saponins and microbial wetting agents are allowed. Synthetic wetting agents are prohibited.

(mmm) Wood ashes, from nonindustrial sources only.

(nnn) Worm castings.

(ooo) Yard waste. Yard waste from certified organic sources is approved. Yard waste from conventional sources must be source separated composted or tested for pesticide residues of organochlorines and organophosphates. Testing of product must indicate that organochlorines and organophosphates residues are below 10 parts per billion.

(2) Prohibited materials. The fertilizers, growth promoters, and soil amendments that are prohibited for use in organic crop production includes but is not limited to the following:

(a) ((Ammonia products.

(b) Calcium nitrate.

(c) Fortified humic acid derivatives.

(d) Growth regulators, synthetic.

(e) Hydrated lime.

(f) Magnesium nitrate.

(g) Mono ammonium phosphate.

(h) Muriate of potash.

(i) Phosphoric acid.

(j) Potassium nitrate.

(k) Super phosphate.

(l) Triple phosphate.

(m) Urea.

(n) Vitamin B-1.)) Ammonia products.

(b) Biosolids.

(c) Calcium hydroxide (hydrated lime).

(d) Calcium nitrate.

(e) Calcium oxide or quicklime.

(f) Detergents.

(g) Enzymes produced from genetically engineered organisms.

(h) Fortified humic acid derivatives.

(i) Gypsum by-product from drywall and other sources.

(j) Hydrated lime (calcium hydroxide).

(k) Leather meal and leather by-products.

(l) Magnesium nitrate.

(m) Mono-ammonium phosphate.

(n) Muriate of potash (potassium chloride).

(o) Phosphoric acid.

(p) Plant regulators, synthetic.

(q) Potassium nitrate.

(r) Sewage sludge.

(s) Sodium nitrate is prohibited starting in the year 2003.

(t) Super phosphate.

(u) Synthetic chelating agents such as EDTA and HEDTA.

(v) Synthetic fertilizers.

(w) Synthetic wetting agents.

(x) Triple phosphate.

(y) Urea.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-080 (~~(Materials list for organic food production)~~) **Insect pest control materials and practices.** (1) Approved materials and practices. The following list of pest control materials and practices for insects, mites, and other invertebrates are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. Materials with active ingredients may contain inert ingredients from EPA's List 4A and List 4B. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) (~~*Bacillus thuringiensis*: Liquid forms containing xylene are prohibited.~~

(b) Beneficial insects.

(c) Boric acid: Cannot be used on edible plant parts.

(d) Codling moth granulosis virus.

(e) Cryolite or sodium fluoaluminatate: The mined material from Greenland is permitted.

(f) Diatomaceous earth: Use a dust mask when applying to prevent lung irritation.

(g) Dormant oils: Use only on woody plants as a dormant spray.

(h) Garlic.

(i) Herbal preparations: May not be extracted with synthetic solvents.

(j) Insect extracts.

(k) Azadirachtin (neem). May not contain EPA List 1 or 2 Inert Ingredients.

(b) *Bacillus thuringiensis*: May not contain EPA List 1 or 2 Inert Ingredients. Must not be a product of genetically engineered organisms.

(c) Beneficial insects.

(d) Biological control organisms.

(e) Boric acid: Cannot be used on edible plant parts.

(f) Diatomaceous earth: Use a dust mask when applying to prevent lung irritation.

(g) Dormant oils: Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. Use only on woody plants as a dormant spray. May not contain EPA List 1 or 2 Inert Ingredients.

(h) Fungal organisms.

(i) Garlic.

(j) Herbal preparations: May not be extracted with synthetic solvents.

(k) Insect extracts.

(l) Insect traps and monitoring devices.

(m) Lime sulfur. May not contain EPA List 1 or 2 Inert Ingredients.

(n) Microbial products. Microbial products cannot contain any synthetic ingredients, such as synthetic forms of nitrogen. Genetically engineered organisms and their products are prohibited.

(o) Microorganisms.

(p) Neem (azadirachtin). May not contain EPA List 1 or 2 Inert Ingredients.

(q) Nematodes.

((+)) (r) Pheromones.

((m)) (s) Piperonyl butoxide (PBO)(~~California and Oregon no longer allow the use of PBO in the production of organic food~~).

((n)) (t) Plants and plant extracts such as garlic and cayenne pepper.

(u) Pyrethrums: Naturally occurring forms are allowed. The pyrethrums are highly unstable in the presence of air, light, and moisture. They have low mammalian toxicity and can cause dermatitis in humans. Use with caution. May not contain EPA List 1 or 2 Inert Ingredients.

((o)) (v) Rotenone: Use with caution. Rotenone is highly toxic to fish. Its persistence in the soil is unknown, though it loses its effectiveness within one week. Should not be used on crops nearing harvest time. Commercial rotenone comes from tropical leguminous shrubs in the genera *Lonchocarpus* and *Derris*. The active compounds, rotenoids, are present in a variety of legumes including soybeans. May not contain EPA List 1 or 2 Inert Ingredients.

((p)) (w) Ryania: Use with caution. The toxicological properties of ryania are largely unknown. May not contain EPA List 1 or 2 Inert Ingredients.

((q)) (x) Sabadilla: Use with caution.

((r)) (y) Soaps, insecticidal (must be salts of fatty acids). May not contain EPA List 1 or 2 Inert Ingredients.

((s)) (z) Sulfur(~~elemental~~). May not contain EPA List 1 or 2 Inert Ingredients.

((t)) (aa) Summer oils: May be used on woody plants only, carrot and/or weed oils are prohibited. Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. May not contain EPA List 1 or 2 Inert Ingredients.

((u)) (bb) Trapping substances as long as they do not contain prohibited materials.

((v)) (cc) Tree seals: May be petroleum based but may not contain synthetic chemicals or fungicides.

((w) ~~Virus sprays~~) (dd) Vegetable oils.

(ee) Viruses.

(ff) Waxes for grafting or sealing tree wounds.

(2) Prohibited materials and practices. The insect pest control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Abamectin or avermectin.

(b) Carbamates.

(c) Chlorinated hydrocarbons.

(d) Cryolite or sodium fluoaluminatate.

(e) Detergents.

(f) Dimethyl sulfoxide.

((e)) (g) Methyl bromide.

((f)) (h) Methyl sulfoxide.

((g)) (i) Moth balls/crystals.

((h)) (j) Nicotine: Nicotine is prohibited because of ~~(extreme)~~ its acute toxicity.

((i)) (k) Organophosphates.

((j)) (l) Plant protectants, synthetic.

((k)) (m) Pyrethroids, synthetic.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-090 (~~(Materials list for organic food production—)~~) **Weed control materials and practices.** (1) Approved materials and practices. The following list of weed control materials and practices are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) ~~((Flaming: Broadcast and/or field burning is prohibited:~~

~~(b))~~ Biological control organisms.

~~(b)~~ Corn gluten.

~~(c)~~ Cover crops.

~~(d)~~ Flame and steam weeding.

~~(e)~~ Grazing.

~~((e))~~ Herbicidal soaps.

~~(d))~~ (f) Mechanical and cultural controls.

~~((e))~~ Mulches of organic materials.

~~(f))~~ (g) Microbial products. Microbial products cannot contain any synthetic ingredients. Genetically engineered organisms and their products are prohibited.

(h) Mulches: The materials used to produce mulch must consist of approved materials. Approved materials include uncontaminated natural vegetation, materials approved under WAC 16-154-070(1), newspaper and nonglossy paper. Prohibited materials include colored ink, glossy paper and waxed cardboard. Plastic mulches may be used and must not be incorporated into soil. Biodegradable paper mulch that contain fungicides or other prohibited materials are prohibited.

(i) Plant and fungal extracts.

(j) Plastics for mulch, row covers, and solarization must not be incorporated into soil.

~~((g))~~ (k) Weeder geese.

(2) Prohibited materials and practices. The weed control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

(a) Broadcast and/or field burning.

(b) Carrot oil.

(c) Field burning.

(d) Herbicidal soaps.

(e) Synthetic herbicides.

~~((e))~~ (f) Synthetic growth regulators.

~~((f))~~ (g) Weed oils.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-100 (~~(Materials list for organic food production—)~~) **Disease control materials and practices.** (1) Approved materials and practices. The following list of disease control materials and practices are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. Materials with active ingredients may contain inert ingredients from EPA's List 4A and List 4B.

ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

(a) Antibiotics: Naturally derived antibiotics including streptomycin and terramycin are permitted for disease control. May not contain EPA List 1 or 2 Inert Ingredients.

(b) Bordeaux mixes: Use with caution. Excessive use ~~((of bordeaux))~~ may cause buildup of copper in the soil ~~((and limit its continued use))~~. May not contain EPA List 1 or 2 Inert Ingredients.

(c) Calcium hydroxide (hydrated lime). Foliar application only. Must not be used as a liming material. Must not contain EPA List 1 or 2 Inert Ingredients.

(d) Compost tea. The materials (feedstocks) used to produce compost tea must consist of approved materials. Approved feedstocks include materials approved under WAC 16-154-070(1) and any uncontaminated natural materials including animal manure, food processing waste and crop residue. Prohibited feedstocks include materials prohibited under WAC 16-154-070(2), mixed municipal solid waste, sewage sludge, biosolids, waxed cardboard, glossy paper, and gypsum by-product.

(e) Copper hydroxide. May not contain EPA List 1 or 2 Inert Ingredients.

~~((d))~~ (f) Copper sulfate: Use with caution. Excessive use ((of copper sulfate)) may cause buildup of copper in the soil ((and limit its continued use)). May not contain EPA List 1 or 2 Inert Ingredients.

~~((e))~~ (g) Dormant oils: Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. Use only on woody plants as a dormant spray. May not contain EPA List 1 or 2 Inert Ingredients.

~~((f))~~ (h) Hydrated lime: Foliar application as a fungicide only. Shall not be used as a liming material. May not contain EPA List 1 or 2 Inert Ingredients.

~~((g))~~ (i) Hydrogen peroxide.

~~((h))~~ (j) Lime sulfur: ~~((Foliar application as a fungicide only-))~~ May not contain EPA List 1 or 2 Inert Ingredients.

~~((i))~~ (k) Microorganisms and microbial products. Genetically engineered organisms and their products are prohibited.

(l) Paint: Latex, plant and milk based paints are allowed as a tree seal for painting tree trunks, wounds and grafting purposes and may be used for painting greenhouses.

(m) Plant and fungal extracts.

(n) Potassium bicarbonate.

(o) Soil pasteurization.

~~((j))~~ (p) Sulfur, elemental. May not contain EPA List 1 or 2 Inert Ingredients.

~~((k))~~ (q) Tree seals: May be petroleum based but may not contain synthetic chemicals or fungicides.

(r) Summer oils: May be used on woody plants only, carrot and/or weed oils are prohibited. Must have an average fifty percent boiling point at 10mm mercury pressure between 415-470 degrees Fahrenheit. May not contain EPA List 1 or 2 Inert Ingredients.

(s) Vinegar.

(t) Waxes for grafting or sealing tree wounds.

(2) Prohibited materials and practices. The disease control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

- (a) Avermectin.
- (b) Broadcast and/or field burning.
- ~~((b))~~ (c) Soil fumigants.
- ~~((e))~~ (d) Synthetic fungicides, fumigants, sterilizants, and bactericides.

AMENDATORY SECTION (Amending WSR 91-09-028, filed 4/11/91, effective 5/12/91)

WAC 16-154-110 (~~(Materials list for organic food production—)~~) **Vertebrate control materials and practices.** (1) Approved materials and practices. The following list of vertebrate pest control materials and practices are approved for use in organic crop production. Some approved materials have certain restrictions regarding their use. These restrictions are noted in the list. ALWAYS CAREFULLY READ THE LABEL AND ANY OTHER DOCUMENTATION. All materials must be applied with awareness and care for the environment and in compliance with all state and federal laws.

- (a) Airborne projectiles.
- (b) Deer and rabbit repellents: Acceptable if derived from a natural source.
- ~~((b))~~ (c) Predators: Cats, hawks, coyotes(~~(airborne projectiles)~~).
- ~~((e))~~ (d) Rodent traps.
- ~~((d) Strychnine: Underground use only.)~~
- (e) Synthetic vitamin baits.

(2) Prohibited materials and practices. The vertebrate pest control materials and practices that are prohibited for use in organic crop production includes but is not limited to the following:

- (a) Anticoagulant rodent baits
- (b) Aluminum phosphide
- (c) Alpha-Naphthylthiourea
- (d) Coumarins
- (e) Calcium cyanide
- (f) Indandiones
- (g) Organochlorines
- (h) Organo phosphates
- (i) Pyriminilureas
- (j) Phosphorus
- (k) Sodium fluoroacetate
- (l) Strychnine
- (m) Thallium sulfate
- ~~((m))~~ (n) Zinc phosphide.

NEW SECTION

WAC 16-154-180 Mushroom standards. Green plants create tissue from sunlight, carbon dioxide and the soil in which they are grown. In contrast, fungi produce tissue directly and exclusively from the medium on which they are grown since they do not have the ability to manufacture food through photosynthesis. The organic requirements for the growth media for the products of fungi should reflect their complete reliance on their growth media for sustenance.

(1) **Materials and production methods.**

(a) Agar medium: The agar medium does not have to contain certified organic ingredients and can contain antibiotics (see "antibiotics" below in (c) of this subsection).

(b) Growing medium amendments: **All amendments must be certified organic.**

(c) Antibiotics: The agar medium may contain antibiotics not to exceed 1/25th of a gram per liter of agar mix.

(d) Chlorine compounds include calcium hypochlorite, sodium hypochlorite and chlorine dioxide. Chlorine compounds are allowed to sanitize mushroom and growing medium contact surfaces. Chlorine compounds must not be applied to mushrooms or growing medium.

(e) Growing medium: If grain, straw or hay is used, it must be certified organic. If wood is used, see (h) of this subsection.

(f) Hay or straw: Must be certified organic.

(g) Spawn: Grain used for making spawn must be certified organic and must not have any synthetic amendments.

(h) Wood used as a growing medium must be obtained from a source that has had no prohibited materials applied to the trees for at least three years before harvest. Logs and sawdust treated with prohibited materials during the milling process are prohibited for use in organic mushroom production.

(i) Any pest control materials used in the organic production areas or storage areas must be approved for use in organic food production under this chapter. Outside production areas cannot have any prohibited materials applied to the land on which logs, wood chips or other such approved growing medium will lie, for at least three years.

(2) **Mixed operations** - Organic and nonorganic production may exist in the same indoor growing area if:

(a) The organic and nonorganic products are clearly identified at all stages of the growth cycle on all containers or areas that contain spawn, growing medium, substrate or fungi.

(b) No prohibited materials are applied to the organic or nonorganic fungi, spawn or growing medium.

Organic and nonorganic production must be in separate facilities and have separate ventilation systems if prohibited materials are applied to the fungi, spawn or growing medium during any stage of the growth cycle.

(3) **Growth cycle** - For a mushroom product to be sold as certified organic, the operation must comply with these mushroom standards throughout the entire growing cycle of the fungus.

WSR 00-13-025

WITHDRAWAL OF PROPOSED RULES FOREST PRACTICES BOARD

(By the Code Reviser's Office)

[Filed June 13, 2000, 8:27 a.m.]

WAC 222-30-070, proposed by the Forest Practices Board in WSR 99-24-087 appearing in issue 99-24 of the State Register, which was distributed on December 15, 1999, is with-

drawn 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 00-13-026

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

(By the Code Reviser's Office)

[Filed June 13, 2000, 8:28 a.m.]

WAC 16-154-120, proposed by the Department of Agriculture in WSR 99-24-133 appearing in issue 99-24 of the State Register, which was distributed on December 15, 1999, 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 00-13-031

**PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed June 13, 2000, 2:56 p.m.]

Continuance of WSR 00-10-038 [00-10-098].

Preproposal statement of inquiry was filed as WSR 99-11-058.

Title of Rule: Rules relating to the pesticide penalty matrix, WAC 16-228-1100 [16-228-1110] through 16-228-1160.

Purpose: The rule ensures a fair and uniform method when assessing penalties for violations of the pesticide laws and rules. The proposed changes simplify and provide additional clarification to the existing rule. Changes will also provide an increased level of deterrence.

Statutory Authority for Adoption: Chapters 15.58 and 17.21 RCW.

Statute Being Implemented: Chapters 15.58 and 17.21 RCW.

Summary: The primary purpose of these rules is to clarify and simplify the existing matrix. This is accomplished in part by consolidating the existing two matrices into one and eliminating the knowledge element as a factor. The amendments repeal the first level of violation, leaving only four levels on the matrix. The amendments also clearly separate days of license suspension from monetary fines by adding the words and/or in the first level of violation providing flexibility for WSDA [no further information supplied by agency.]

Reasons Supporting Proposal: To provide clarification, to update and adjust penalties; and to increase deterrence effectiveness.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cliff Weed, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-2036.

Name of Proponent: Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The penalty matrix rule was originally established to provide an effective deterrent in relationship to the nature and magnitude of the violation. Specifically, the proposed changes to the rule clarify the manner in which a penalty is assessed [assessed]. The changes also provide for slightly higher civil penalties and license suspensions. The proposal allows for the revocation of a license sooner than allowed by the existing matrix. The proposed changes will provide a greater level of deterrence and allow the department a better method to deal with repeat violators in a more effective manner.

Proposal Changes the Following Existing Rules: Definitions of "knowingly" and "unknowingly" are repealed, definitions of "civil penalty," "technical assistance" and "notice of correction" are added. A provision (aggravating factor) is added for "actions against licenses only" without also seeking a civil penalty. Two penalty assignment schedules are combined into one schedule, the first level of violation is repealed, and penalty determination is clarified. A new section is added to clarify notices of correction. Other proposed changes include adding specific language concerning the length of license revocation, new language to address violations committed during a license suspension/revocation, and a new section concerning licensing actions only.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The imposition of civil penalties and/or license suspension on violators of the state pesticide laws and rules does not disproportionately impact small businesses. There is nothing mandatory in these rules that would require any business to expend additional funds to comply with these rules. Rather, the only way businesses will be affected by these rules would be if they violated the pesticide laws and rules. Therefore, no economic impact consideration is necessary.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. The Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: The videoconference hearing will be held at six sites throughout the state simultaneously. Video-Conference Hearings Sites: LACEY, WA Interactive Technologies, 710 Sleater-Kinney Road S.E., Suite Q, Lacey, WA 98503, (360) 407-9487; SEATTLE, WA Interactive Technologies, 1500 Harvard, Seattle, WA 98122, (206) 720-3050; SPOKANE, WA Interactive Technologies, North 1101 Argonne, Suite 109, Spokane, WA 99201, (509) 921-2371; TRI-CITIES, WA Interactive Technologies, 8551 West Gage Boulevard, Suite H, Kennewick, WA 99336, (509) 734-7180; VANCOUVER, ESD 112, 2500 N.E. 65th Avenue, Vancouver, WA 98661-6812, (360) 750-7500; and YAKIMA, WA Interactive Technologies, Yesterday's Village, 15 West Yakima Avenue, Suite 220, Yakima, WA 98902, (509) 454-7878; on August 2, 2000, at 7:00 p.m.

Assistance for Persons with Disabilities: Contact Laurie Mauerman by July 19, 2000, TDD (360) 902-1996.

Submit Written Comments to: Cliff Weed, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, fax (360) 902-2093, by August 3, 2000.

Date of Intended Adoption: August 18, 2000.

June 13, 2000

Bob Arrington

Assistant Director

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1110 Definitions—Penalty assignment.

In addition to the definitions set forth in RCW 17.21.020, 15.58.030, and WAC 16-228-1010, the following shall apply to WAC 16-228-1100 through 16-228-1150:

(1) "Adverse effect(s)" means ~~((a))~~ that the alleged activity actually causes, or creates the possibility of ((pesticide exposure that could cause)) damage ((or)), injury or public health threat, to humans, animals, plants, property or the environment. In those situations involving a wood destroying organism inspection, adverse effects exist when the inspection has been performed in a faulty, careless or negligent manner.

(2) ~~((("Knowingly" means that the alleged violator knew or should have known that conditions existed that would result in adverse effect(s) or knew that a violation would occur.~~

~~((3))~~ "Level of violation" means that the alleged violation is a first, second, third, fourth, ~~((fifth;))~~ or more violation(s).

(a) First violation. This means the alleged violator has committed no prior incident(s) which resulted in a violation or violations within three years of committing the current alleged violation.

(b) Second violation. This means the alleged violator committed one prior incident which resulted in a violation or violations within three years of committing the current alleged violation.

(c) Third violation. This means the alleged violator committed two prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

(d) Fourth violation. This means the alleged violator committed three prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.

~~((e))~~ ~~((Fifth or more violation. This means the alleged violator committed at least four prior incidents which resulted in a violation or violations within three years of committing the current alleged violation.~~

~~((4))~~ For purposes of calculating the level of violation, prior incidents will be measured from the date that a final order or stipulated order resolved the prior violation(s), and not from the date that the incident(s) occurred.

(3) "Not probable" means that the alleged violator's conduct more likely than not would not have an adverse effect.

~~((5))~~ (4) "Probable" means that the alleged violator's conduct more likely than not would have an adverse effect.

~~((6))~~ ~~"Unknowingly" means that the alleged violator did not act knowingly.~~

~~((7))~~ (5) "Violation" means commission of an act or acts prohibited by chapter 17.21 RCW, chapter 15.58 RCW, and/or rules adopted thereunder.

(6) "Civil penalty" means a monetary penalty administratively issued by a regulatory agency for noncompliance with state or federal law, or rules. The term does not include any criminal penalty, damage assessment, wages, premiums, or taxes owed, or interest or late fees on any existing obligation.

(7) "Notice of correction" means a document issued by the department that describes a condition or conduct that is not in compliance with chapter 15.58 or 17.21 RCW, or the rules adopted under the authority of chapter 15.58 or 17.21 RCW and is not subject to civil penalties as provided for in RCW 43.05.110. A notice of correction is not a formal enforcement action, is not subject to appeal and is a public record.

(8) "Notice of intent" means a document issued by the department that alleges specific violations of chapter 15.58 or 17.21 RCW, or any rules adopted under the authority of those chapters. A notice of intent is a formal enforcement document issued with the intent to assess civil penalties to the alleged violator and/or to suspend, deny or revoke the alleged violator's pesticide license.

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1120 Calculation of penalty. (1) Median penalty selection. In the disposition of administrative cases, the department shall ~~((determine the penalty by first determining))~~ use the penalty assignment schedule ((table)) listed in ((either)) WAC 16-228-1130 ((or 16-228-1140 that is applied based on the type of violation alleged)) to determine appropriate penalties. The department shall ~~((then determine the))~~ calculate the appropriate penalty ((range)) based on the level of violation((;)) and the adverse effect(s) or potential adverse effect(s) at the time of the incident(s) giving rise to the violation((and the knowledge of the alleged violator)). The median penalty ~~((is then selected as the penalty))~~ shall be assessed unless a proportionate adjustment is ((required)) warranted and/or there are aggravating or mitigating factors ((as provided herein)) present. The median penalty ~~((under Table A))~~ as listed in WAC 16-228-1130 may be proportionately adjusted and/or aggravated to a level more than the maximum penalty listed for the violation in the penalty assignment schedule table. The median penalty under ((Table B listed in WAC 16-228-1140 may be proportionately adjusted and/or aggravated to a level more than the maximum penalty listed for the violation. The median penalty under Table A and B)) the penalty assignment schedule may not be proportionately adjusted and/or mitigated to a level less than the minimum penalty listed for the violation.

(2) Proportionate adjustment of median penalty.

(a) The department reserves the right to proportionately increase the civil penalty and proportionately decrease the licensing action ~~((when))~~ under certain circumstances ((in the particular case demonstrate the ineffectiveness of the licens-

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ing action as a deterrent including but not limited to violations by persons who are not licensed and violations by certified private applicator(s), or proportionately decrease the civil penalty and proportionately increase the licensing action when circumstances in the particular case demonstrate the ineffectiveness of a civil penalty action as a deterrent)). Such circumstances include situations where licensing action(s) as a deterrent are ineffective and include, but are not limited to:

(i) Violations by persons who are not licensed; and
 (ii) Situations where the civil penalty assessed is not substantially equivalent to the violator's economic benefit derived from the violation.

(b) The department also reserves the right to proportionately decrease the civil penalty and increase the licensing action in circumstances that demonstrate the ineffectiveness of a civil penalty as a deterrent. Nothing shall prevent the department from proportionally adjusting a licensing action to a level greater than the maximum licensing action listed in the penalty assignment schedule.

(3) Aggravating factors. The department may consider circumstances enhancing the penalty based on the seriousness of the violation(, including). Aggravating factors include, but are not limited to, the following:

(a) ((Each separate additional incident of violation(s) alleged within a single notice of intent to have been committed by the alleged violator within the same calendar year.)) The number of separate alleged violations contained within a single notice of intent.

(b) The high magnitude of the harm, or potential harm, including quantity and/or degree, to humans, animals, plants, property or the environment caused by the violation(s).

(c) The similarity of the current alleged violation to previous violations ((that occurred)) committed within the last three years ((of the current alleged violation)).

(d) The extent to which the ((alleged)) violation is part of a pattern of the same or substantially similar conduct ((by others which necessitates a greater deterrent factor)).

(4) When the department determines that one or more aggravating factors are present, the department may assess the maximum penalty under the penalty schedule or may, in its discretion, increase the penalty to a level greater than that listed in the penalty schedule, including, but not limited to, revocation of the license.

(5) Mitigating factors. The department may consider circumstances reducing the penalty based upon the seriousness of the violation ((including, but)). Mitigating factors include, but are not limited to, the following:

(a) ((A)) Voluntary disclosure of a violation ((by the alleged violator)).

(b) The low magnitude of the harm, or potential harm, including quantity and/or degree, caused by the violation.

(c) Voluntary taking of remedial measures that will result in increased public protection, or that will result in a decreased likelihood that the violation will be repeated.

(6) When the department determines that one or more mitigating factors are present, the department may assess the minimum penalty for the violation from the penalty schedule.

(7) The department considers each violation to be a separate and distinct event. Every day a violation is continued may be considered a separate and distinct violation. When a

person has committed multiple violations, the violations are cumulative for purposes of calculating the appropriate penalty. Penalties are added together.

(8) Violation(s) committed during the period when an individual's license is suspended or revoked shall be subject to the maximum civil penalty of seven thousand five hundred dollars and/or revocation of the license for a period of up to five years. Violation(s) committed by unlicensed individuals are subject to the provisions of this chapter, including the penalty provision.

NEW SECTION

WAC 16-228-1125 Revocation and denial of licenses—Actions against licenses only. (1) The department retains the sole discretion to determine when an individual license should be revoked rather than suspended. Revocation of a license shall be an option for the department in those circumstances where:

- (a) The penalty schedule allows for revocation;
- (b) One or more aggravating factors are present; and/or
- (c) The duration of the licensure action exceeds six months.

In circumstances where the department determines revocation to be appropriate, the period of revocation shall be determined at the discretion of the department, but in no instance shall the revocation exceed five years.

(2) The department may deny an applicant a license when the applicant has committed a violation(s) of chapters 15.58 and 17.21 RCW and/or the rules adopted under those chapters. The duration of denial shall be determined based upon the penalty provisions of this chapter. In circumstances where the department determines denial to be appropriate, the period of denial shall not exceed five years.

(3) Nothing shall prevent the department from denying an applicant a license when the applicant has an outstanding civil penalty owed to the department from a previous violation(s).

(4) The department may, at its discretion, suspend a license without also seeking a civil penalty. Such circumstances include, but are not limited to, those incidents where a civil penalty is not available as an appropriate penalty pursuant to RCW 43.05.110. The appropriate period of suspension shall be determined from the penalty schedule.

♦ **AMENDATORY SECTION** (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1130 Penalty assignment schedule((—Table A)). ((Pesticide use, application, disposal, licensing, distribution, recommendation, and label violations)) This assignment schedule shall be used for violations of chapter 17.21 or 15.58 RCW or chapter 16-228 WAC. (See WAC 16-228-1150 for other dispositions of alleged violations, including ((warning letters)) notice of corrections.)

((Level of Violation	Adverse Effect(s)	Unknowingly			Knowingly		
		Minimum	Median	Maximum	Minimum	Median	Maximum
First	a. Not probable	\$100 and 1 day suspension	\$200 and 3 days suspension	\$300 and 5 days suspension	\$200 and 3 days suspension	\$300 and 5 days suspension	\$400 and 7 days suspension
	b. Probable	\$150 and 1 day suspension	\$250 and 3 days suspension	\$350 and 5 days suspension	\$250 and 3 days suspension	\$350 and 5 days suspension	\$450 and 7 days suspension
Second	a. Not probable	\$200 and 3 days suspension	\$300 and 5 days suspension	\$400 and 7 days suspension	\$300 and 5 days suspension	\$400 and 7 days suspension	\$500 and 9 days suspension
	b. Probable	\$300 and 3 days suspension	\$350 and 5 days suspension	\$450 and 7 days suspension	\$350 and 5 days suspension	\$450 and 7 days suspension	\$550 and 9 days suspension
Third	a. Not probable	\$400 and 10 days suspension	\$700 and 15 days suspension	\$1000 and 20 days suspension	\$500 and 10 days suspension	\$1000 and 20 days suspension	\$1500 and 30 days suspension
	b. Probable	\$500 and 10 days suspension	\$1800 and 20 days suspension	\$3000 and 25 days suspension	\$700 and 20 days suspension	\$2100 and 30 days suspension	\$3500 and 40 days suspension
Fourth	a. Not probable	\$600 and 15 days suspension	\$1800 and 20 days suspension	\$3000 and 25 days suspension	\$700 and 20 days suspension	\$2100 and 30 days suspension	3500 and 40 days suspension
	b. Probable	\$700 and 20 days suspension	\$2100 and 30 days suspension	\$3500 and 40 days suspension	\$800 and 30 days suspension	\$2400 and 40 days suspension	\$4000 and 50 days suspension
Fifth or More	a. Not Probable	\$800 and 20 days suspension	\$3400 and 40 days suspension	\$6000 and 60 days suspension	\$900 and 50 days suspension	\$3700 and 60 days suspension	\$6500 and 7 days suspension
	b. Probable	\$900 and 50 days suspension OR DENIAL OR REVOCATION	\$3700 and 60 days suspension OR DENIAL OR REVOCATION	\$6500 and 70 days suspension OR DENIAL OR REVOCATION	\$1000 and 50 days suspension OR DENIAL OR REVOCATION	\$4250 and 70 days suspension OR DENIAL OR REVOCATION	\$7500 and 90 days suspension OR DENIAL OR REVOCATION))

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LEVEL OF VIOLATION	ADVERSE EFFECTS NOT PROBABLE			ADVERSE EFFECTS PROBABLE		
	MINIMUM	MEDIAN	MAXIMUM	MINIMUM	MEDIAN	MAXIMUM
	FIRST	\$300 and/or 3 days license suspension	\$350 and/or 5 days license suspension	\$450 and/or 7 days license suspension	\$350 and/or 5 days license suspension	\$450 and/or 7 days license suspension
SECOND	\$500 and 10 days license suspension denial or revocation	\$1000 and 15 days license suspension denial or revocation	\$1500 and 20 days license suspension denial or revocation	\$600 and 10 days license suspension denial or revocation	\$1300 and 20 days license suspension denial or revocation	\$2000 and 30 days license suspension denial or revocation
THIRD	\$700 and 20 days license suspension denial or revocation	\$2100 and 30 days license suspension denial or revocation	\$3500 and 40 days license suspension denial or revocation	\$800 and 30 days license suspension denial or revocation	\$2400 and 40 days license suspension denial or revocation	\$4000 and 50 days license suspension denial or revocation
FOURTH OR MORE	\$900 and 50 days license suspension denial or revocation	\$3700 and 60 days license suspension denial or revocation	\$6500 and 70 days license suspension denial or revocation	\$1000 and 50 days license suspension denial or revocation	\$4250 and 70 days license suspension denial or revocation	\$7500 and 90 days license suspension denial or revocation

AMENDATORY SECTION (Amending WSR 99-22-002, filed 10/20/99, effective 11/20/99)

WAC 16-228-1150 Other dispositions of alleged violations. Nothing herein shall prevent the department from:

- (1) Choosing not to pursue a case administratively.
- (2) Issuing a ((warning letter)) notice of correction in lieu of pursuing administrative action.

(3) Negotiating settlement(s) of cases on such terms and for such reasons as it deems appropriate. Prior violation(s) covered by a prior settlement agreement may be used by the department for the purpose of determining the appropriate penalty for the current alleged violation(s) if not prohibited by the agreement.

(4) Referring violations or alleged violations, to any federal, state or county authority with jurisdiction over the activ-

ities in question, including, but not limited to, the Environmental Protection Agency (EPA) and the Federal Aviation Administration (FAA).

NEW SECTION

WAC 16-228-1155 Application of RCW 43.05.100 and 43.05.110—Notice of correction. (1) Pursuant to RCW 43.05.100 a notice of correction may be issued by the department when they become aware of conditions and/or conduct that are not in compliance with the applicable laws and rules enforced by the department. The issuance of a notice of correction by the department shall not constitute a previous violation for purposes of WAC 16-228-1110(2), but may, at the discretion of the department, be considered as an aggravating factor for the purposes of WAC 16-228-1120(2).

(2) Prior to issuing a civil penalty for a violation of chapter 15.58 or 17.21 RCW, and the rules adopted under the authority of chapter 15.58 or 17.21 RCW the department shall comply with the requirements of RCW 43.05.110.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-228-1140	Penalty assignment schedule—Table B.
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WSR 00-13-041
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed June 14, 2000, 11:45 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-04-074.

Title of Rule: Credit union participation in commercial arrangements with third persons.

Purpose: The purpose of chapter 208-440 WAC is to regulate credit unions' entering into commercial arrangements with third parties to offer products and services to members, to ensure that it is done in a safe and sound manner.

The purpose of this rule making is to:

1. Amend chapter 208-440 WAC; and
2. Review the proposed revisions to the chapter under the criteria described in Executive Order 97-02:

A. Need. Is the rule necessary to comply with the statutes that authorize it? Is the rule obsolete, duplicative, or ambiguous to a degree that warrants repeal or revision? Have laws or other circumstances changed so that the rule should be amended or repealed? Is the rule necessary to protect or safeguard the health, welfare, or safety of Washington's citizens?

B. Effectiveness and Efficiency. Is the rule providing the results that it was originally designed to achieve in a reasonable manner? Are there regulatory alternatives or new

technologies that could more effectively or efficiently achieve the same objectives?

C. Clarity. Is the rule written and organized in a clear and concise manner so that it can be readily understood by those to whom it applies?

D. Intent and Statutory Authority. Is the rule consistent with the legislative intent of the statutes that authorize it? Is the rule based upon sufficient statutory authority? Is there a need to develop a more specific legislative authorization in order to protect the health, safety, and welfare of Washington's citizens?

E. Coordination. Could additional consultation and coordination with other governmental jurisdictions and state agencies with similar regulatory authority eliminate or reduce duplication and inconsistency?

F. Cost. Have qualitative and quantitative benefits of the rule been considered in relation to its cost?

G. Fairness. Does the rule result in equitable treatment of those required to comply with it? Should it be modified to eliminate or minimize any disproportionate impacts on the regulated community? Should it be strengthened to provide additional protection?

The agency is interested in your comments on the proposed revisions to chapter 208-440 WAC in light of these criteria.

Statutory Authority for Adoption: RCW 31.12.516(2), 43.320.040.

Statute Being Implemented: Chapter 31.12 RCW.

Summary: The proposed rules amend chapter 208-440 WAC and extensively revise the regulatory approach to commercial arrangements. The rules recognize that credit unions may enter into prudent commercial arrangements with third parties in order for the third party to directly or indirectly offer goods and services to the credit union's members. The rules also place the burden on credit union boards and management to evaluate and manage the risk involved, through policies, and through devices such as insurance and indemnification.

Reasons Supporting Proposal: The current rules are outdated and overly restrictive. They impede credit unions' ability to serve members by unnecessarily restricting credit unions' authority to enter into prudent commercial arrangements with third parties to provide products and services to members.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Parker Cann, Director of Credit Unions, 210 11th Street S.W., Room 300, P.O. Box 41200, Olympia, WA 98504-1200, fax (360) 704-6978.

Name of Proponent: [Department of Financial Institutions], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: **Explanation:** Before entering into any commercial arrangements, a credit union's board must adopt a written policy regarding such arrangements, including without limitation, provision for evaluation of potential risk of liability. The policy may require management to seek board approval

of each arrangement, or may delegate the decision to management and provide guidelines for making the decision.

Before entering into or renewing each commercial arrangement, a credit union must:

1. Ensure that the arrangement is a prudent one and that it does not present safety and soundness risks to the credit union;

2. Evaluate the potential risk of liability and ensure that the credit union takes appropriate precautions to reduce or offset such risk, including without limitation the use of such devices as disclaimers/disclosures to members and bond or insurance coverage; and

3. Ensure that the contract evidencing the arrangement includes provision for indemnification of the credit union by the third party.

The term "third party" includes credit union service organizations (CUSOs).

Purpose and Anticipated Effects: The purpose of this rule making is to amend chapter 208-440 WAC to allow credit unions more flexibility to enter into prudent commercial arrangements with third parties to offer products and services to members. The anticipated effect is that more credit unions may enter into such arrangements.

Proposal Changes the Following Existing Rules: WAC 208-440-010, this section would be extensively revised. The effect of the revisions is described above. WAC 208-440-020, 208-440-040, and 208-440-050, these sections would be repealed.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Subject: Rules proposed by the Division of Credit Unions ("division") of the Washington State Department of Financial Institutions (DFI) to amend chapter 208-440 WAC. Chapter 208-440 WAC is entitled: Rules On Credit Union Participation In Commercial Business Activities.

By: Parker Cann, Director of Credit Unions.

Date: June 13, 2000.

The division has prepared this small business economic impact statement (SBEIS) in compliance with chapter 19.85 RCW, the Regulatory Fairness Act (RFA). The preproposal statement of inquiry (form CR-101) in connection with the proposed rules was filed at WSR 00-04-074.

BACKGROUND FOR PROPOSED RULES: In 1979, the division adopted the predecessor to chapter 208-440 WAC. These rules placed extensive restrictions on credit unions' ability to enter into commercial arrangements with third parties to provide products and services to members.

In developing their business plans, credit unions must determine what products and services their members want and what products and services they will offer to members. The division believes that it is important for credit unions to be able to offer third parties' products and services to members in a safe and sound manner, in order to stay viable and competitive. Part of our statutory charge is to "ensure that credit unions remain viable and competitive in this state." RCW 31.12.015.

DESCRIPTION OF PROPOSED RULES: Generally. The proposed rules amend chapter 208-440 WAC and extensively revise the regulatory approach to commercial arrangements. The rules recognize that credit unions may enter into prudent commercial arrangements with third parties in order for the third party to directly or indirectly offer goods and services to the credit union's members. The rules also place the burden on credit union boards and management to evaluate and manage the risk involved, through policies, and through devices such as insurance and indemnification.

Specifically. Before entering into any commercial arrangements, a credit union's board must adopt a written policy regarding such arrangements, including without limitation, provision for evaluation of potential risk of liability. The policy may require management to seek board approval of each arrangement, or may delegate the decision to management and provide guidelines for making the decision.

Before entering into or renewing each commercial arrangement, a credit union must:

1. Ensure that the arrangement is a prudent one and that it does not present safety and soundness risks to the credit union; 2. Evaluate the potential risk of liability and ensure that the credit union takes appropriate precautions to reduce or offset such risk, including without limitation the use of such devices as disclaimers/disclosures to members and bond or insurance coverage; and

3. Ensure that the contract evidencing the arrangement includes provision for indemnification of the credit union by the third party.

The term "third party" includes credit union service organizations (CUSOs).

REQUIRED ELEMENTS OF SBEIS: The elements of the SBEIS required by the RFA are set forth below.

ELEMENT 1. A brief description of the reporting, record-keeping, and other compliance requirements of the proposed rules and the kinds of professional services that a small business is likely to need in order to comply with the requirements.

RESPONSE: See "Description of Proposed Rules" above for compliance requirements.

In terms of professional services, it would be prudent for a credit union to engage counsel to assist it in developing a policy on commercial arrangements, in evaluating the potential risk of liability, and in negotiating the contract with the third party. Of course, it would have been prudent for a credit union to engage counsel before entering into a commercial arrangement under the existing rules. Under the existing rules, it is also likely that counsel would have been needed to advise the credit union as to the application of the rules and/or to discuss interpretation of the rules with the division.

ELEMENT 2. An analysis of the costs of compliance for identified industries, including costs of equipment, supplies, labor and increased administrative costs.

RESPONSE: It is difficult to assess the costs of compliance for several reasons:

A. Many credit unions may not wish to enter into commercial arrangements with third parties. They would therefore not incur costs for compliance with the proposed rules.

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B. For those credit unions that do enter into such arrangements, the cost of compliance will vary extensively depending on the adequacy of existence of a policy, the complexity of the arrangement, the amount of time and effort necessary to negotiate a satisfactory contract, etc.

Because of this uncertainty, we have assumed that the cost of compliance would be more than minor.

ELEMENT 3. Whether compliance with the proposed rules will cause business to lose sales or revenue.

RESPONSE: Relative to the existing rules on commercial arrangements, the proposed rules will enable credit unions to more freely enter into prudent commercial arrangements, perhaps enhancing their revenues through fee arrangements with the third parties. It is unlikely they would lose sales or revenue because of the proposed rules.

ELEMENT 4. A comparison of the compliance costs for the small business segment and large business segment of the affected industry(ies), and whether the impact on the small business segment is disproportionate.

RESPONSE: Because the cost of compliance, as uncertain as it may be, would probably be the same in regard to a specific commercial arrangement, whether the credit union is large or small, we have assumed that the cost of compliance for the small business segment of credit unions would be higher per unit, whether the unit is an employee, hour of labor to comply, or one hundred dollars of sales. Consequently, the cost to small credit unions may be considered disproportionate.

One inherent advantage in compliance for small credit unions is that they tend to be less sophisticated and may naturally enter into fewer or less complicated commercial arrangements.

ELEMENT 5. Steps taken by the agency under RCW 19.85.030(3) to reduce the costs of the proposed rules on small businesses, or reasonable justification for not doing so, addressing the specified mitigation steps.

RESPONSE: We have reviewed the six steps under RCW 19.85.030 (3)(a) through (f). Our analysis is as follows:

(a) **Reducing, modifying, or eliminating substantive regulatory requirements.** We believe that the proposed rules are necessary for the safety and soundness of credit unions, regardless of size, and that the compliance requirements should not be reduced for small credit unions.

(b) **Simplifying, reducing, or eliminating record-keeping and reporting requirements.** We believe that the proposed rules are necessary for the safety and soundness of credit unions, regardless of size, and that the compliance requirements should not be diminished for small credit unions.

(c) **Reducing the frequency of inspections.** This step is not applicable, because the proposed rules do not provide for inspections.

(d) **Delaying compliance timetables.** Considering that the proposed rules actually relax existing restrictions, we do not feel it is appropriate to delay compliance.

(e) **Reducing or modifying fine schedules for noncompliance.** This step is not applicable, because the division does not have fining authority.

(f) **Any other mitigation techniques.** We are not aware of other mitigation techniques. However, we have encouraged comments from small credit unions on how to make the proposed rules less onerous for them and we will consider comments received. To date we have not received any comments.

Consequently, as discussed above, we do not believe that it is legal or feasible to reduce the costs of the proposed rules on small businesses.

ELEMENT 6. A description of how the agency will involve small business in the development of the proposed rules.

RESPONSE: All credit unions, including smaller credit unions, will be provided with a copy of the proposed rules and an opportunity to provide comment on them. Credit unions are encouraged to contact the division to comment on the rules. Small credit unions in particular are encouraged to provide comments on how the rules could be made less onerous for them.

ELEMENT 7. A list of the industry(ies) affected by the proposed rule.

RESPONSE: The industry affected by the proposed rule is state credit unions, Standard Industrial Classification 6062.

A copy of the statement may be obtained by writing to Parker Cann, Director of Credit Unions, P.O. Box 41200, Olympia, WA 98504-1200, phone (360) 902-8778, fax (360) 704-6978.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Section 201 does not include the Department of Financial Institutions as a covered agency.

Hearing Location: Lacey, Washington, DIS, 710 Sleater-Kinney Road S.E., Suite Q; Renton, Washington, DIS, 1107 S.W. Grady Way, Suite 112; Spokane, Washington, DIS, North 1101 Argonne, Suite 109; Vancouver, Washington, ESD 112, 2500 N.E. 65th Avenue; and Yakima, Washington, Department of Ecology, 15 West Yakima Avenue, Suite 220; on August 29, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Tina Philippsen by July 15, 2000, TDD (360) 664-8126, or phone (360) 902-8718.

Submit Written Comments to: Parker Cann, Director of Credit Unions, 210 11th Street S.W., Room 300, P.O. Box 41200, Olympia, WA 98504-1200, fax (360) 704-6978, by August 28, 2000. We are particularly interested in suggestions on how the rules could be made less onerous for small credit unions.

Date of Intended Adoption: August 30, 2000.

June 14, 2000

John L. Bley
Director

Chapter 208-440 WAC

~~((RULES ON)) CREDIT UNION PARTICIPATION IN COMMERCIAL ((BUSINESS ACTIVITIES)) ARRANGEMENTS WITH THIRD PARTIES~~

AMENDATORY SECTION (Amending WSR 96-17-071, filed 8/20/96, effective 9/20/96)

~~WAC 208-440-010 ((Credit union financial interest in commercial enterprise.)) Commercial arrangements with third parties. ((No credit union shall have any direct financial interest in a commercial enterprise by way of stock or other ownership interest in a commercial corporation, by way of partnership interest or participation in a joint venture in a general business enterprise or by way of exchanging money or services for a share of the proceeds of any commercial business enterprise except as provided below:~~

~~(1) Any credit union may make loans to commercial enterprises and investments in commercial enterprises to the extent permitted by statute;~~

~~(2) Any credit union may engage in the business of renting, leasing or subleasing portions of the land and building(s), in which the credit union carries on its business, to the extent that such land and buildings are not needed for credit union operations;~~

~~(3) The director may upon written application grant permission to a credit union to participate in a business enterprise not otherwise authorized by law or by this section, where the director is satisfied that the business enterprise is appropriate and adjunct to ordinary credit union operations and would not be contrary to law.)) (1) Credit unions may enter into arrangements with third parties in order for the third party to directly or indirectly offer goods and services to the credit union's members. These arrangements are referred to in this rule as commercial arrangements.~~

In connection with commercial arrangements, credit unions may:

(a) Allow third parties to offer goods and services to members through the credit union.

(b) Receive payment from third parties for participation in group purchasing enterprises.

(c) Endorse, directly or indirectly, goods and services of a third party.

This list is not intended to be exhaustive.

As used in this rule, the term "third party" includes, without limitation, credit union service organizations.

(2) Before entering into any commercial arrangements, a credit union's board must adopt a written policy regarding such arrangements, including, without limitation, provision for evaluation of potential risk of liability. The policy may require management to seek board approval of each arrangement, or may delegate the decision to management and provide guidelines for making the decision.

(3) Before entering into or renewing each commercial arrangement, a credit union must:

(a) Ensure that the arrangement is a prudent one and that it does not present safety and soundness risks to the credit union;

(b) Evaluate the potential risk of liability and ensure that the credit union takes appropriate precautions to reduce or offset such risk, including, without limitation, the use of such devices as disclaimers/disclosures to members and bond or insurance coverage; and

(c) Ensure that the contract evidencing the arrangement includes provision for indemnification of the credit union by the third party.

(4) Credit unions must comply with applicable laws in entering into and carrying out commercial arrangements, including any applicable law on privacy of member information.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 208-440-020 Endorsements of commercial products or services.
- WAC 208-440-040 Use of credit union space to advertise commercial products and services.
- WAC 208-440-050 Commercial programs offered to credit union members.

WSR 00-13-071
PROPOSED RULES
PUGET SOUND
CLEAN AIR AGENCY
 [Filed June 19, 2000, 11:35 a.m.]

Continuance of WSR 00-04-093, 00-07-062, 00-09-068, and 00-11-099.

Title of Rule: Amend Regulation III, Sections 4.01, 4.03, 4.04, and 4.05; rescind Regulation III, Section 4.06; and adopt Regulation III, Section 4.09.

Purpose: Continue hearing from June 8, 2000, to July 13, 2000.

Hearing Location: Puget Sound Clean Air Agency Offices, 110 Union Street, #500, Seattle, WA 98101, on July 13, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Agency Receptionist, (206) 689-4010, by July 6, 2000, TDD (800) 833-6388, or (800) 833-6385 (Braille).

Submit Written Comments to: Dennis McLerran, Puget Sound Clean Air Agency Offices, 110 Union Street, #500, Seattle, WA 98101, fax (206) 343-7522, by July 3, 2000.

Date of Intended Adoption: July 13, 2000.

June 13, 2000
 David D. Kircher
 for James L. Nolan
 Director - Compliance

PROPOSED

WSR 00-13-073
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

(Division of Alcohol and Substance Abuse)

[Filed June 19, 2000, 3:32 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-10-010.

Title of Rule: Chapter 388-805 WAC, Certification requirements for chemical dependency service providers.

Purpose: Repeals chapter 440-22 WAC and WAC 440-44-020. Establishes the level of quality and patient care standards for chemical dependency service providers seeking certification by DSHS/DASA.

Statutory Authority for Adoption: RCW 70.96A.090.

Statute Being Implemented: Chapter 70.96A RCW.

Summary: DASA is proposing amendments to chapter 440-22 WAC. The key amendments proposed will:

- Make changes to all sections pertaining to chemical dependency counselors (CDCs), CDC interns, and probation assessment officers as a result of the implementation of chapter 18.205 RCW, Chemical dependency professionals;
- Update the agency certification fee sections by combining parts of chapter 440-44 WAC with chapter 388-805 WAC and adding procedural language;
- Add new language defining patient noncompliance and agency reporting requirements for noncompliant patients participating in court referred treatment;
- Add language to the intensive outpatient treatment section to clarify minimum treatment expectations for patients participating in treatment under deferred prosecution orders;
- Add language to define outcomes evaluation;
- Add essential requirements of chemical dependency services;
- Add certification category for treatment alternatives to street crime (TASC) providers and services;
- Eliminate application process for treatment providers offering off-site treatment services; and,
- Make minor technical revisions to several sections to eliminate unnecessary rules and clarify others.

In addition, DASA received a directive from Secretary Lyle Quasim to consolidate all DSHS WAC chapters under one Title 388 WAC number. In response to this directive, chapter 440-22 WAC is being changed to its new designated number "chapter 388-805 WAC."

Reasons Supporting Proposal: The implementation of chapter 18.205 RCW, Chemical dependency professionals, made it necessary for DASA to make amendments to all sections of chapter 388-805 WAC that pertain to chemical dependency counselors (CDCs), chemical dependency counselor interns (CIs) youth chemical dependency counselors (YCDCs), and probation assessment officers (PAOs). In addition, other sections of chapter 388-805 WAC are subject to review and amendment as required by Governor Locke's Executive Order 97-02 and Secretary Quasim's April 17,

1997, Executive Order on regulatory improvement. The criteria used included: Need for the rule; statutory authority and intent; effectiveness and efficiency; clarity; coordination with other rules; cost; and fairness.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dennis Malmer, Division of Alcohol and Substance Abuse, P.O. Box 45331, Olympia, WA 98504-5331, (360) 438-8086.

Name of Proponent: Department of Social and Health Services, Division of Alcohol and Substance Abuse, governmental.

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

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

Proposal Changes the Following Existing Rules: See above.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

SUMMARY OF PROPOSED RULES: The Department of Social and Health Service (DSHS), Division of Alcohol and Substance Abuse (DASA) is proposing to replace chapter 440-22 WAC, Certification requirements for chemical dependency treatment service providers, and WAC 440-44-020 Alcohol and drug agency certification fees with chapter 388-805 WAC, Certification requirements for chemical dependency service providers.

The purpose of this chapter is to describe the standards and processes necessary for certifying chemical dependency treatment service providers.

The proposed amendments to this chapter include:

- Changing all sections pertaining to qualifications for chemical dependency counselors (CDCs), CDC interns, and probation assessment officers in accordance with chapter 18.205 RCW called "Chemical dependency professionals." Note: These requirements now fall under the Department of Health, chemical dependency professionals (CDP) program requirements.
- Adding procedures to agency certification fee sections.
- Adding definitions of patient noncompliance and agency reporting requirements for noncompliant patients participating in court-referred treatment.
- Clarifying minimum treatment expectations for patients participating in intensive outpatient treatment under deferred prosecution orders.
- Specifying outcomes evaluation requirements.
- Adding the essential requirements of chemical dependency services.

This chapter has been rewritten in plain English, using a question and answer format to make it more understandable to our customers. Unnecessary rules have been eliminated and others have been clarified.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT: Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses and that it outlines the information that must be included in a small business eco-

conomic impact statement (SBEIS). Preparation of an SBEIS is required when a proposed rule has the potential of placing a more than minor economic impact on business. DASA has analyzed the proposed amendments to its rules and has determined that small businesses will be impacted by these changes with some costs considered "more than minor."

INDUSTRY ANALYSIS: DASA is responsible for certifying chemical dependency treatment agencies. As part of its monitoring, DASA keeps a current internal database that identifies all certified agencies. Since internal industry information can be obtained at a more accurate level than is required by chapter 19.85 RCW, it is unnecessary to conduct an industry analysis using the four-digit standard industrial classification (SIC) codes.

DASA has determined that there are one hundred twenty-six existing agencies (private and for-profit) that meet the criteria for small businesses under RCW 19.85.020.

INVOLVEMENT OF SMALL BUSINESSES: Many small businesses have been involved in writing the proposed rules and in ascertaining the costs associated with proposed rule changes. DASA engaged assistance of a writing group, which included representation from small businesses, and met and talked several times with a number of small businesses to consider costs that would impact their businesses.

COST OF COMPLIANCE: To consider costs of compliance, DASA has elected to look at cost per patient. This is because:

- Patients drive the businesses that provide chemical dependency treatment and so using the cost per patient is a more accurate depiction of costs than costs per employee;
- Business decisions and planning are based on the number of patients served; and,
- The number of patients also influences the total amount that the most significant proposed changes will cost.

Chemical dependency treatment facilities that are considered small businesses serve an average of two hundred patients per year.

Cost of Outcomes Evaluations: The major cost anticipated by small businesses for proposed rule changes is the new requirement for outcomes evaluations (WAC 388-80-350). This requirement has been added to assess and improve patient outcomes since decisions about quality patient care will be based on outcomes derived from these evaluations. Programs may be developed, improved, and managed, based on the results of these evaluations.

Outcomes measurement is required at several times during a patient's involvement in treatment. All agencies must do an outcomes evaluation before treatment or at admission. This becomes the baseline measurement. In addition, outcomes evaluations must be conducted during at least two of the following times:

- During treatment;
- At discharge; or
- After treatment.

The chemical dependency treatment providers determine the ways to meet this requirement for outcomes evaluations, including the random sample that they use.

There are agencies that already have outcomes evaluations as part of their programs. Eight of one hundred twenty-six small businesses exceed this requirement, since they are deemed by:

- Joint Commission on Accreditation of Health Care Organizations (JCAHO);
- CARF... The Rehabilitation Accreditation Commission (CARF); or
- Council on Accreditation of Services for Families and Children, Inc. (COA).

The anticipated costs to conduct outcomes evaluation occur in the areas outlined in the chart below:

Outcomes Evaluation Costs

Subject	Costs per Year*	First Year	Subsequent Years
Developing policies and procedures	\$750-\$200 (The higher cost includes using a consultant to begin the program.)	Yes	No
Developing or selecting evaluation forms	\$100	Yes	No
Reproduction of evaluation tools	\$6 (Production costs for 120 two-page evaluation questionnaires)	Yes	Yes
Staff training for using evaluation tools	\$320 first year \$100 subsequent years (Staff time for all staff members involved in training by agency director)	Yes	Yes
Conducting evaluations for patients, based on 2-hour session	\$30 for 50 patients Follow-up evaluation costs	Yes	Yes
Data entry of evaluation tools	\$30 Anticipated staff time for evaluations from 50 patients	Yes	Yes
Evaluating data, preparing reports, and using results	\$150 (anticipated staff time)	Yes	Yes

*Because the programs have choices in the ways they develop the outcomes evaluations program, it is difficult to determine definitive costs for these requirements. DASA has given a range of costs to cover a range of choices. The sample scenario in attachment A depicts the types of choices that agencies have in setting up and carrying out outcomes evaluation, which impact costs. Programs have the choice of what

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percent of their patients are considered "random sample." The first year will have greater expenses due to start-up costs, such as developing policies, developing or creating an outcome measurement tool, and a data entry system.

First Year	First Year Total per Average Number of Patients (200)	Subsequent Years	Subsequent Total per Average Number of Patients (200)
\$816-\$1,366	\$4.08-\$6.83 per patient	\$216-\$316	\$1.08-\$1.58 per patient

Disproportionate Economic Impact Analysis: When there are more than minor costs to small businesses as a result of proposed rule changes, the Regulatory Fairness Act requires an analysis to be done comparing these expenses between small businesses and 10% of the largest businesses. The costs identified with outcomes evaluations for small businesses would be considered by DASA to be "more than minor." Small businesses have expressed the most concern over this added requirement of all the other proposed rule changes submitted.

DASA looked at the possible disproportionate impact of this requirement on small businesses, as compared to 10% of the largest businesses. However, these largest businesses are deemed by DASA as already meeting or exceeding the outcomes evaluation requirement. They have met this requirement as part of their accreditation by JCAHO, CARF, or COA. Their accreditation costs average \$5,000 every three years. Consequently, it is not possible to accurately delineate and compare costs between small businesses and 10% of the largest agencies. In its desire to be fair to small businesses and to meet the intent of the law, however, DASA has outlined ways to mitigate expenses for small businesses in meeting the new outcomes evaluation requirement.

Mitigating Expenses for Outcomes Evaluations: DASA has proposed a plan to mitigate expenses for small businesses. DASA will use one or more of the following to help small businesses meet the requirement for outcomes evaluations:

- DASA will hire a consultant to develop policies, procedures, and written plans that would meet the requirements for outcomes evaluations for all chemical dependency service providers that wish to use them. This eliminates the need for individual agencies to develop policies and plans.
- DASA will develop a package of public domain standardized outcomes evaluation questionnaires agencies could choose to use. This eliminates the need for individual agencies to develop or find evaluation questionnaires.
- DASA will provide state-wide training to all staff through routine on-site technical assistance surveys and annual conferences. This would reduce the impact of training on staff time, since these events already are scheduled as part of staff time.
- DASA will allow agencies to phase in outcomes evaluations over a two-year period.
- Agencies have latitude in deciding what kind of random sample would work best in their own programs and how often to evaluate patients. They might start

the first year with a smaller, though representative sample and increase that in subsequent years; or increase the number of times the patients complete outcomes evaluations after the first year the program is launched.

CONCLUSION: DASA has given careful consideration to the impact on small businesses of proposed rules in chapter 388-805 WAC, Certification requirements for chemical dependency service providers. In accordance with the Regulatory Fairness Act, chapter 19.85 RCW, DASA has analyzed impacts on small businesses and proposed ways to mitigate those costs associated with the new outcomes evaluation requirements. Other rule changes offer cost and time savings by eliminating, reducing, or streamlining requirements.

COST AND MITIGATION ASSUMPTIONS FOR OUTCOMES EVALUATION

What are some of the considerations for implementing outcomes evaluations proposed in chapter 388-805 WAC? There are at least two distinct purposes for monitoring outcomes evaluations. One is the benefit to the community in general, especially in the area of statistics that may be used to influence public health planning and funding for treatment. The second purpose for monitoring outcomes evaluation is the benefit to the chemical dependency provider in terms of being able to measure and improve treatment services. Washington state currently has a program in place to measure the first purpose for public funded agencies, which is treatment and assessment report generation tool (TARGET).

When beginning to assess costs, individual providers should consider measurable goals and objectives for their organization. These goals range from opening a new branch site, adding a women's program, or reducing the number of days for collecting patient fees. This planning activity requires provider time and should be an integral part of existing business planning rather than additional time and expense.

Once measurable goals and objectives are formalized, the provider should select a set of indicators (questions), i.e., Who to ask, when to survey, and how the data is collected and evaluated. An important step will be to use a survey form and process that meets the needs of the provider's efforts to improve services. For example, one provider may be concerned with telephone access to services, while another is interested in measuring patients' perceptions of counselor respect for their ethnicity. Lists of indicators are available from a number of sources. Providers can elect to use surveys developed by sources in the public domain. In addition, The Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse Treatment (CSAT), and the National Institute on Drug Abuse (NIDA) have free or inexpensive resources.

Survey formats can combine efficiency, effectiveness, and patient satisfaction questions on one form. The formats can be done in a word processing program.

Time needs to be invested in the process. A protocol (procedures) needs to be written. Training would need to be offered for staff members. The survey needs to be tested on

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a sample of patients if an agency chooses a customized survey form rather than one from the public domain, which has already been standardized.

Costs can vary by size of the organization. A small provider might invest a day of staff time of the director and the staff involved in the process. A larger organization would need more coordination, opinions, and training.

An important consideration to the whole process is confidentiality and anonymity. Outcomes evaluation is covered under program audits as an exception to federal confidentiality regulations. Individual releases are not required, but providers should obtain a notification and acknowledgment signature during the admission process to authorized patient participation in outcomes evaluation. Patients must have some assurance of confidentiality and anonymity so that they will respond as candidly as possible. Choosing not to participate in outcomes evaluation should always be an option to the patient.

An agency staff member needs to be accountable for receiving the surveys, as well as confidential storage (some surveys might contain patient identifying information). The amount of storage space would equal the number of surveys the provider expects to receive and store. The provider should use existing document destruction procedures once the data is processed and validated (entered and checked for key entry accuracy).

Evaluation of the results can be as simple as reviewing the narrative comments on the survey forms, to using a spreadsheet program to create charts and tables. Data can be tabulated by hand for smaller samples. The result is not research, but simple histograms and trend charts.

A well thought-out utilized outcomes evaluation and patient satisfaction measurement system should result in increased operating effectiveness, efficiency, and better patient outcomes. Increased customer satisfaction should result in increased census and improved treatment compliance, both of which imply an operation that is more efficient. Providers would also have a process to discover opportunities for new services and to reach out to new populations within their communities. Increased revenue could be measured by setting goals on census and profit margins for different programs within an agency.

What are examples of a small business implementing outcomes evaluations? Agency A is a small, for-profit chemical dependency treatment provider in Washington state. Agency A has two hundred patients participating in treatment across various levels of care. About twenty to twenty-five patients are participating in intensive outpatient treatment services, sixty to seventy-five patients are attending outpatient continuing care groups on a weekly basis, and one hundred to one hundred twenty patients are attending monthly outpatient groups.

Agency A is owned and operated by Mr. Jones. He is a chemical dependency professional (CDP) and conducts many of the agency assessments. Mr. Jones employs three full-time CDPs, a receptionist, and a part-time bookkeeper.

Mr. Jones determines that he will consult with a person about outcomes evaluations, develop his plan after consultation, train his staff members, and conduct outcomes measure-

ment on his own. He determines that he will evaluate 10% of the patients completing intensive outpatient and outpatient treatment at his agency. He understands that this means he needs ten patients (10% of one hundred patients) to complete baseline questionnaires, i.e., one questionnaire during treatment and one questionnaire after treatment. Because Mr. Jones has decided to conduct an evaluation after treatment (which is more difficult and costly), he realizes he will need more than ten patients completing the baseline questionnaire. Mr. Jones decides to ask fifty patients to complete his questionnaire at the time of admission. He believes that of the fifty original patients completing the admission baseline measurement, about forty to forty-five will complete intensive outpatient treatment. Of that number, about thirty to thirty-five will likely complete outpatient treatment. Mr. Jones believes that of the thirty to thirty-five patients completing outpatient treatment, he should be able to mail out and receive ten questionnaires at six months post discharge.

Cost Assumptions: Plan A.

Administrative costs for retaining a consultant to work with Mr. Jones: Consultant X will charge Mr. Jones \$375 for an eight-hour day, plus expenses. The approximate cost is \$450. In addition, Mr. Jones spends eight hours of his time or about \$200 while working with his consultant.

Consultant X assists Mr. Jones in beginning to understand outcomes evaluations, develops policies and procedures for outcomes evaluation, and recommends some forms for use.

Administrative costs for Mr. Jones to ensure policy/procedure development is accurate, and that he has a documentation process: Four hours @ \$25=\$100 which is incurred when developing or updating program descriptions.

Administrative costs for Mr. Jones to determine which standardized or customized evaluation forms he will use: Four hours @ \$25=\$100.

Mr. Jones then determines that he will conduct staff orientation and training based upon new information, which is the policies and procedures developed with the help of a consultant, and he will distribute copies of the forms he has chosen to use for evaluation. Mr. Jones schedules a four hour training with the staff members. He will use a total of twelve hours of his CDPs' time @ \$12 per hour, or \$144, plus \$100 of his time, and another \$75 for reception and bookkeeping time, for a total of \$319.

The estimated total cost for hiring a consultant to provide Mr. Jones with orientation, preparing policies and procedures, selecting tools to use, and staff orientation is \$1,169.

Mr. Jones then develops his plan to administer the questionnaire he has chosen to use from the public domain. He was not required to pay for this tool since it is in the public domain. He selected a tool that will provide him with some measures of effectiveness, efficiency, and patient satisfaction.

His staff members (CDPs) will give the questionnaire to patients to complete during the patients' intake session. For that reason, there is no staff cost associated with this function. Mr. Jones will ask his receptionist to develop a manual checklist/spreadsheet so she can begin recording patient satisfaction measures concurrently. The effectiveness measures

will be placed in the patient record until selected for post treatment analysis. The receptionist will enter data from fifty questionnaires (patient satisfaction information) at an estimated cost of \$25 (three hours). Questionnaires will be distributed to patients completing intensive outpatient and outpatient treatment as determined by Mr. Jones. Questionnaires will be distributed to patients during discharge interviews with their primary CDP. Therefore, costs will not increase since patients currently participate in a discharge interview.

At six months, Mr. Jones' receptionist will mail out thirty post discharge questionnaires at an estimated cost of \$30. Ten questionnaires are returned to the agency, in self-addressed stamped envelopes provided by the agency.

Total estimated costs for data tabulation of patient satisfaction measures and mailing thirty post treatment questionnaires is \$55.

Mr. Jones will then evaluate, tabulate, and develop a written summary of the outcomes evaluation questionnaires received.

Administrative costs for evaluation of data, report preparation, and utilization of results: Six hours @ \$25=\$150.

Mr. Jones determines that he will share the positive results and opportunities for improvement at his next regularly scheduled staff meeting. Since Mr. Jones conducts routine staff meetings, his costs are assumed in this model.

The final cost factor includes the cost of printing questionnaires. Since Mr. Jones selected an evaluation tool, which consisted of two sheets of paper, he can reproduce a questionnaire for about five cents. He uses one hundred twenty questionnaires per year so his estimated printing costs will be about \$6 per year.

Total estimated costs for initial implementation of outcomes evaluation at Agency A is \$1,169. Annual, on-going costs to maintain outcomes evaluation are \$211 per year.

Cost Assumptions: Plan B.

If Mr. Jones considered the initial costs of hiring a consultant to help him design questions to implement outcomes evaluation, he could recommend the Department of Social and Health Services (DSHS), Division of Alcohol and Substance Abuse (DASA) develop a plan to reduce his costs. Note: Some of these are ways that DASA can mitigate costs.

Mr. Jones could recommend that DASA hire a consultant to develop policies, procedures, and written plans that would meet the requirements for outcomes evaluations. He could request that DASA gather copies of all public domain questionnaires at the national level for consideration by certified agencies. He might recommend DASA develop policies and procedures in an electronic format that could be sent to Mr. Jones on his e-mail system.

Mr. Jones could also recommend that DASA invest in training agency administrators, clinical staff members, and other interested persons about outcomes evaluation. DASA could conduct training state-wide, begin offering technical assistance about outcomes evaluation during routine on-site technical assistance surveys, and provide training at annual conferences.

Therefore, Mr. Jones could reduce expenses significantly. He would save \$450 of consultant time, \$100 in pre-

paring policies and procedures, and \$100 in selecting questionnaires. He would pay a small fee to attend DASA sponsored training of about \$25. His initial costs for implementing outcomes evaluation would decrease to \$571 and estimated annual costs of \$211 to maintain outcomes evaluation. Based upon the total number of patients at his agency, he could determine that it would cost about \$2.86 per patient to implement outcomes evaluation and about \$1.06 per patient per year to maintain outcomes evaluation.

To fully realize the benefits of an outcomes evaluation program at Agency A, Mr. Jones might also recommend that DASA consider a phase-in process for chapter 388-805 WAC. He could recommend that DASA provide training, policy/procedure development during the first year of implementation, while deferring data collection until the second year. Mr. Jones might also consider enrollment in the TARGET system as another method to collect data and ask DASA for computer software to implement this data collection system.

A copy of the statement may be obtained by writing to Dennis W. Malmer, Division of Alcohol and Substance Abuse, P.O. Box 45331, Olympia, WA 98504-5331, phone (360) 438-8086, fax (360) 407-5318, Internet e-mail malmmedw@dshs.wa.gov.

RCW 34.05.328 applies to this rule adoption. A copy of the cost benefit analysis may be obtained by contacting the person listed above.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on August 22, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by August 11, 2000, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by August 22, 2000.

Date of Intended Adoption: No sooner than August 23, 2000.

June 13, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

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 00-15 issue of the Register.

WSR 00-13-074

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Juvenile Rehabilitation Administration)

[Filed June 19, 2000, 3:35 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-063.

Title of Rule: WAC 388-740-0010, this section addresses the due process for the purpose of the juvenile parole revocation.

Purpose: To provide due process requirements for juvenile parolees undergoing the revocation process.

Statutory Authority for Adoption: RCW 13.40.020, 13.24.010.

Statute Being Implemented: RCW 13.40.020, 13.24.010.

Summary: The current rule does not distinguish detention to be in Washington state or otherwise. The term detention is used to describe the period of time that a parole absconder is incarcerated before the completion of the due process required for revocation. It is not possible to meet the timelines for due process if the offender is not in our custody in Washington. Consequently, it is not possible to complete a revocation on a youth when the youth is out of state without distinguishing detention as being in Washington state. This rule change is for making that distinction.

Reasons Supporting Proposal: See above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jeff Patnode, Juvenile Rehabilitation Administration Headquarters, 14th and Jefferson Street, P.O. Box 45725, Olympia, WA 98504-5720, (360) 902-8095.

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: A definition of "detention" is added to chapter 388-740 WAC. This addition clearly states that a juvenile parolee will be detained in Washington state before the requirements for parole revocation due process are applicable. Without this definition, Juvenile Rehabilitation Administration (JRA) will not be able to protect the public or hold juvenile offenders accountable when they have been detained in other states. The addition simply permits JRA to continue to apply the revocation rules as we have done prior to the recent ruling from the Office of Administrative Hearings.

Proposal Changes the Following Existing Rules: The proposed change adds a definition for detention in WAC 275-30-010.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change should not have a fiscal impact.

RCW 34.05.328 does not apply to this rule adoption. This rule does not meet the definition of a significant legislative rule because it only relates to intergovernmental operations.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on July 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by July 14, 2000, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by July 25, 2000.

Date of Intended Adoption: July 26, 2000.

June 16, 2000

Edith M. Rice, Chief
Office of Legal Affairs

AMENDATORY SECTION (Amending WSR 99-03-077, filed 1/19/99, effective 2/19/99)

WAC 275-30-010 Definitions. "Department" means the department of social and health services.

"Detention" means physical custody in Washington state by the department of social and health services in a juvenile rehabilitation administration operated or contracted facility or a Washington state detention facility as defined in RCW 13.40.020(9).

"Juvenile parole officer" means a state employee, or person under contract to the state, whose responsibilities include supervising juvenile parolees.

"Juvenile parolee" means a person under age twenty-one released from a juvenile rehabilitation administration residential facility and placed under the supervision of a juvenile parole officer.

"Modification of parole conditions" means a change in the "order of parole conditions" provided by the juvenile parole officer with full knowledge of the change by the juvenile parolee.

"Parole" means a period of supervision following release from a juvenile rehabilitation administration residential facility, during which time certain parole conditions are to be followed.

"Parole conditions" mean interventions or expectations that include, but are not limited to, those listed in RCW 13.40.210, intended to facilitate the juvenile parolee's reintegration into the community and/or to reduce the likelihood of reoffending.

"Secretary" means secretary of the department of social and health services or his/her designee.

"Violation" means behavior by a juvenile parolee contrary to written parole conditions which may result in sanctions that include, but are not limited to, modification of parole conditions and/or confinement.

NEW SECTION

The following section of the Washington Administrative Code, as amended, is recodified as follows:

Old WAC Number	New WAC Number
275-30-010	388-740-0010

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-30-030	388-740-0030
275-30-040	388-740-0040

275-30-060
275-30-070

388-740-0060
388-740-0070

by growth, economic development and the movement of freight.

WSR 00-13-081
PROPOSED RULES

TRANSPORTATION IMPROVEMENT BOARD

[Filed June 20, 2000, 10:59 a.m.]

Original Notice.

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

Purpose: To adopt administrative rule to implement the legislature's intent as enacted in E2SSB 6499, section 204.

Statutory Authority for Adoption: Chapter 47.26 RCW.

Statute Being Implemented: Chapter 47.26 RCW.

Name of Agency Personnel Responsible for Drafting: Rich Struna, Transportation Building, 705-7589; Implementation and Enforcement: Jerry Fay, Transportation Building, 705-7301.

Name of Proponent: Transportation Improvement Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The intent of the program is to fund multijurisdictional transportation projects that are regionally significant and alleviate traffic congestion caused by growth, economic development, and the movement of freight.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no economic impact on small business. Transportation Improvement Board funding programs affect state and local transportation agencies.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Subsection (5)(b)(ii) exempts these rules from the section 201 requirements. The rules being revised are implementing Washington state law.

Hearing Location: Spokane Transit, 1230 West Boone Avenue, Spokane, WA 99201-2686, on July 28, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Theresa Anderson by July 21, 2000, (360) 705-7599.

Submit Written Comments to: Fax (360) 705-6830 by July 21, 2000.

Date of Intended Adoption: July 31, 2000.

June 19, 2000

Jerry M. Fay
Executive Director

WSR 00-13-082
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed June 20, 2000, 1:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-05-026.

Title of Rule: Amend commercial fishing rules.

Purpose: To delete provisions that no longer apply; establish a harvest subquota for the southern Washington coast; to clarify incidental catch allowances for possession of both spot shrimp and groundfish; and to modify the season opening date for trawl gear in the Grays Canyon area.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: A 100,000 pound harvest subquota will be established for the southern Washington coast, season opening date for trawl gear in the Grays Canyon area will be reset from May 1 to July 1, and groundfish taken with legal groundfish gear may be retained on spot shrimp pot vessels.

Reasons Supporting Proposal: A harvest subquota for the southern Washington coastal area reduces the risk of overfishing in that area. A delay in the season opening date for spot shrimp trawl gear in the Grays Canyon area will provide a more equitable fishing opportunity for pot gear fishers. This should improve the harvest balance between the two competing gear types in accordance with fishery management objectives set by the Fish and Wildlife Commission. Clarification of incidental finfish provisions will allow spot shrimp pot gear fishers to retain groundfish if taken with legal groundfish gear.

Name of Agency Personnel Responsible for Drafting: Morris Barker, 1111 Washington Street, Olympia, WA, (360) 902-2826; Implementation: Lew Atkins, 1111 Washington Street, Olympia, WA, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, WA, (360) 902-2373.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amendments to rules governing the coastal commercial spot shrimp fishery (chapter 220-88B WAC) are being proposed to delete subsections (provisions) that are no longer applicable, to establish a harvest subquota for the southern coastal area, to extend a closure to trawl gear by two months in the Grays Canyon area, and to clarify a provision regarding retention of groundfish by shrimp pot gear fishers.

These rule changes should reduce the risk of overharvest in the southern coastal area, improve the harvest balance between pot and trawl gear fishers by providing more opportunity in the Grays Canyon area for pot gear fishers, and to

PROPOSED

NEW SECTION

WAC 479-14-200 Intent of the regionally significant transportation program. The intent of the program is to fund multijurisdictional transportation projects that are regionally significant and alleviate traffic congestion caused

provide pot gear fishers with an opportunity to retain groundfish taken with legal groundfish gear.

Proposal Changes the Following Existing Rules: A rule is being modified to delete provisions that are no longer applicable. Rules are being amended to implement a 100,000 pound harvest subquota for the southern Washington area coupled with a reduced spot shrimp trawl season in a sub-area to reduce the risk of overharvest and to provide a more equitable distribution of the catch between gear groups.

Rules are being amended to clarify the incidental restriction on finfish. Spot shrimp pot fishers will be allowed to retain groundfish taken with legal groundfish gear within limits set by federal regulation.

See below.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

1. **Description of the Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule:** No change.

2. **Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements:** None.

3. **Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs:** No change.

4. **Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue?** During calendar year 1999 trawl gear fishers caught 95% and pot gear fishers caught 5% of the total harvest. In accordance with fishery management policy set by the Washington Department of Fish and Wildlife Commission, these rule amendments are intended to provide more fishing opportunity for shrimp pot fishers in order to improve the harvest balance between the two competing gear types, and to reduce the risk of overharvest in the Grays Canyon area. Reduction in fishing opportunity for trawl gear fishers does not necessarily relate directly to loss of revenue because fishers can move to other areas and catch an equivalent total amount. However, individual trawl gear fishers could experience some unquantifiable loss of revenue.

5. **Cost of Compliance for the 10% of Businesses That Are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:**

- | | |
|---|-----------------|
| a. Cost per employee; | Not applicable. |
| b. Cost per hour of labor; or | Not applicable. |
| c. Cost per one hundred dollars of sales. | Not applicable. |

6. **Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So:** There are no costs to small businesses from implementing this rule.

7. **A Description of How the Agency Will Involve Small Businesses in the Development of the Rule:** Affected fishers participated in development of these rule amendments. A consensus was reached during department and industry meetings held in late January 2000. All fishers were notified by mail in February of the proposed rule changes. No objections

have been received from fishers to date. In addition, fishers will have the opportunity to testify prior to rule adoption by the Fish and Wildlife Commission.

8. **A List of Industries That Will Be Required to Comply with the Rule:** Coastal commercial spot shrimp fishers.

A copy of the statement may be obtained by writing to Morris Barker, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2826, fax (360) 902-2944.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulic rules.

Hearing Location: Best Western Hotel, 15901 West Valley Road, Tukwila, WA 98188, on August 11-12, 2000, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by July 27, 2000, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2940, by August 10, 2000.

Date of Intended Adoption: August 11, 2000.

June 20, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

WAC 220-88B-030 Emerging commercial fishery—Eligibility for coastal experimental fishery permits—Terms and conditions of use—Renewal. (1) A 1999 coastal spot shrimp pot experimental fishery permit will be issued to a natural person who is the owner of a vessel that can prove by means of valid Washington fish receiving tickets that at least 1,000 round pounds of spot shrimp were taken from waters of the Pacific Ocean between 46.15.00' and 48.28.00" N. latitude with shellfish pot gear and delivered from that vessel during the period January 1, 1992, through March 30, 1998, and that coastal spot shrimp were landed from the vessel during 1996, 1997 or 1998. In order for a fish receiving ticket to be valid it must have been received by the department no later than April 15, 1998. Valid Oregon fish receiving tickets may be used to meet the qualifying criteria for issuance of a coastal spot shrimp pot experimental fishery permit specified in this subsection, provided that reasonable proof is presented to the department that the spot shrimp were taken from waters of the Pacific Ocean adjacent to the state of Washington prior to March 30, 1998, and the fish receiving tickets were received by the Oregon department of fish and wildlife no later than April 15, 1998.

(2) A 1999 coastal spot shrimp trawl experimental fishery permit will be issued to a natural person who is the owner of a vessel that can prove by means of valid Washington fish receiving tickets that at least 10,000 round pounds of spot shrimp were taken from waters of the Pacific Ocean between 46.15.00' and 48.28.00" N. latitude with trawl gear and delivered from that vessel during the period from January 1, 1992, through March 30, 1998, and that coastal spot shrimp were landed from the vessel during 1996, 1997 or 1998. In order for a fish receiving ticket to be valid it must have been

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received by the department no later than April 15, 1998. Valid Oregon fish receiving tickets may be used to meet the qualifying criteria for issuance of a coastal spot trawl experimental fishery permit specified in this subsection, provided that reasonable proof is presented to the department that the spot shrimp were taken from waters of the Pacific Ocean adjacent to the state of Washington prior to March 30, 1998, and the fish receiving tickets were received by the Oregon department of fish and wildlife no later than April 15, 1998.

(3) For purposes of this section, landings of spot shrimp reported as "tails" on fish receiving tickets will be converted to round pounds by multiplying the reported weight of tails by two.

(4) In the event the owner has replaced a vessel that was used during the qualifying period, the landings from the original and replacement vessels may be combined for purposes of achieving the minimum landing requirement during the qualifying period.

(5) No individual may hold more than one Washington coastal spot shrimp experimental fishery permit.

(6) Coastal spot shrimp experimental fishery permits are not transferable. Only the vessel designated in the emerging commercial fishery license and coastal spot shrimp experimental fishery permit may be used to fish for or deliver spot shrimp.

(7) After 1999, a coastal spot shrimp pot experimental fishery permit or a coastal spot shrimp trawl experimental fishery permit will be issued only to the person who:

(a) Held such a permit the previous year; and

(b) Beginning January 1, 2001, can demonstrate by valid Washington fish receiving tickets that at least 1,000 cumulative round weight pounds of spot shrimp taken from waters of the Pacific Ocean adjacent to the state of Washington were landed from the person's vessel during the previous two calendar years.

(8) The director may convert coastal spot shrimp experimental trawl fishery permits to coastal spot shrimp experimental pot fishery permits.

(9) Coastal spot shrimp experimental fishery permits may be revoked by the director for failure to comply with conditions specified in the permits or violations of other fishing regulations. A coastal spot shrimp experimental fishery permit shall be revoked if the emerging commercial fishery license is revoked or future fishing privileges of the licensee are suspended.

(10) The director may issue a coastal spot shrimp experimental fishery permit to another person if a permittee fails to make the requisite landings, if the person's experimental coastal spot shrimp experimental fishery permit is revoked, or if no application for an emerging commercial fishery license is received by March 31st of each year. The total number of permits issued, including replacement permits, shall not exceed the number of permits issued in 1999. Selection of persons to receive replacement permits shall be by gear type, and replacement permits will be offered in descending order first to persons who made the largest total of Washington coastal spot shrimp landings in each gear type during the qualifying period, and then in descending order to persons who made the largest total of Washington coastal spot shrimp landings in each gear type. If no persons with

coastal spot shrimp landings wish to participate, the director may offer a replacement permit by random drawing.

(11) Coastal spot shrimp experimental fishery permits are only valid for the year issued and expire on December 31st of the year issued with the expiration of the emerging commercial fishery license.

(12) The total allowable catch of spot shrimp taken from Washington territorial waters west of the Bonilla-Tatoosh line and from adjacent waters of the Pacific Ocean during a calendar year is 250,000 pounds round weight, and shall be equally divided between trawl and pot gear fishers, provided that not more than 100,000 pounds may be taken south of 47°04.00' N. latitude. The allowable catch may be reallocated between gear types if the allowable catch of a gear type is unlikely to be taken during the calendar year.

AMENDATORY SECTION (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

WAC 220-88B-040 Coastal spot shrimp pot experimental fishery—Season and gear—Species restriction. It is unlawful to fish for spot shrimp for commercial purposes in coastal and offshore waters using shellfish pot gear except as provided in this section:

(1) Season - Open to shellfish pot gear the entire year.

(2) Gear restrictions:

(a) Maximum of 500 shellfish pots per permit.

(b) Effective January 1, 2001, pot size is limited to a maximum 153 inch bottom perimeter and a maximum 24 inch height.

(c) Effective January 1, 2001, shrimp pot gear must be constructed with net webbing or rigid mesh, and at least 50 percent of the net webbing or mesh covering the sides of the pot must easily allow passage of a seven-eighths inch diameter dowel.

(d) Pot gear is required to have an escape mechanism as provided for in WAC 220-52-035.

(e) Groundline end marker buoys must be floating and visible on the surface of the water, equipped with a pole, flag, radar reflector and operating light, and marked with the clear identification of the permittee.

(3) Incidental catch: It is unlawful to retain any species of finfish or shellfish taken with spot shrimp pot gear, except that it is lawful to retain octopus, squid, and up to 50 pounds round weight of other shrimp species taken with shrimp pot gear. It is lawful for persons fishing in the coastal spot shrimp experimental fishery to participate in the coastal bottomfish fishery under WAC 220-44-050, and to retain on board bottomfish taken in that fishery.

AMENDATORY SECTION (Amending Order 98-257, filed 12/22/98, effective 1/22/99)

WAC 220-88B-050 Coastal spot shrimp trawl experimental fishery—Season and gear—Trawl gear restriction-pot gear restriction—Species restriction. It is unlawful to fish for spot shrimp for commercial purposes in coastal and offshore waters using trawl gear except as provided for in this section:

(1) Season - Open to trawl gear May 1 through November 30 except closed May 1 through June 30 north of 46°54.50' and south of 47°04.00' N. latitude, and closed at all times within 3 miles of shore.

(2) Gear:

(a) Fish excluder devices required.

(b) Single-layered codends only, minimum mesh one and one-half inches measured between adjacent knots. Effective January 1, 2001, minimum mesh size is two inches measured between adjacent knots.

(c) Chafing gear may encircle no more than 50 percent of the circumference of the net codend and the terminal end of chafing gear may not be attached to the codend except at the corners.

(d) Trawl gear may not be rigged such that tickler chains, or any other gear drags across the bottom in front of the mouth of the net; each roller, bobbin, disc, or similar device added to the footrope of the trawl net that is intended to make contact with the sea bottom may not be less than eight inches nor more than twenty-eight inches in diameter and must roll independently and freely.

(3) Spot shrimp pot gear may not be aboard any vessel designated in the coastal spot shrimp trawl experimental fishery.

(4) Incidental catch:

(a) It is unlawful to retain more than 50 pounds round weight of other shrimp species. It is lawful to retain octopus and squid.

(b) It is unlawful to retain salmon.

(c) It is unlawful to retain any bottomfish species except as provided for in WAC 220-44-050.

WSR 00-13-094
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed June 21, 2000, 9:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-110-110.

Title of Rule: WAC 246-808-105, 246-808-115, 246-808-120 and 246-808-135, Chiropractic licensure—Examinations—Licensure by endorsement.

Purpose: The purpose of these rule changes is to allow chiropractic applicants to take one national examination instead of a state administered written and practical examination. This process will decrease license issuance time.

Statutory Authority for Adoption: RCW 18.25.0171.

Statute Being Implemented: RCW 18.25.030.

Summary: WAC 246-808-105 requires Parts III and IV of the national examination. Eliminates two photos [being] required on the application and changes examination fee to application fee. WAC 246-808-115 requires Parts III and IV of the national examination. Requires all applicants to pass open book written jurisprudence examination with a score of 95%. WAC 246-808-120, repeal since examination scores are now included in WAC 246-808-115. WAC 246-808-135 requires the passing of the special purpose examina-

tion for chiropractors and open book written jurisprudence examination for individuals applying by endorsement.

Reasons Supporting Proposal: Adopting National Boards Parts III and IV will benefit students who are applicants because it is administered at the chiropractic colleges where they are enrolled. Since no chiropractic schools exist in Washington current rules require applicants to travel to Washington to take the exam.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Connie M. Glasgow, 1300 S.E. Quince, Olympia, WA, (360) 236-4871.

Name of Proponent: Chiropractic Quality Assurance Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal amends three rules, WAC 246-808-105 Chiropractic licensure—Initial eligibility and application requirements, 246-808-115 Examinations, and 246-808-135 Licensure by endorsement. By amending these rules it will allow chiropractic applicants to take one national examination and be qualified for licensure in a variety of states. Accepting the national examination will eliminate administering a Washington state chiropractic practical x-ray and practical technique examination. This will save the applicants time and money since the national board examinations are administered on the chiropractic college campus. By requiring the National Board of Chiropractic Examiners, Special Purposes Examination for Chiropractic (SPEC) for individuals who want to apply by endorsement. This examination will assess licensed or previously licensed chiropractic practitioners in areas reflecting clinical conditions encountered in general practice.

Repealing one rule, WAC 246-808-120 Examination scores, will delete another unnecessary rule as the passing score can be included in WAC 246-808-115. These changes will simplify the licensure process allowing licenses to be issued in a more timely fashion making a positive effect to those applicants who need to get licensed to begin working so they can begin paying off their student loans.

Proposal Changes the Following Existing Rules: WAC 246-808-105 adds successfully completed National Board of Chiropractic Examiners test Parts III and IV to the already existing rule. WAC 246-808-115 adds Parts III and IV along with requiring a passing score of 95% on the open book written jurisprudence examination. WAC 246-808-120, repeal.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

The total annual cost to applicants is \$850. The cost to implement the proposed standard is in excess of the minor cost threshold for SIC 804, Office of Other Providers, which is \$110.00. As the cost to implement the proposal exceeds the minor cost threshold a small business economic impact statement is necessary.

The Regulatory Fairness Act defines a business as any "entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated inde-

pendently from all other businesses, that has the purpose of making a profit." The act defines a small business as one that employs less than fifty individuals. As each practitioner must obtain a separate, individual credential the proposed rule will only affect individuals. From the perspective of the Regulatory Fairness Act, all affected businesses are small. When all affected businesses are small businesses, the rule cannot impose disproportionate costs.

A copy of the statement may be obtained by writing to Connie Glasgow, Department of Health, P.O. Box 47867, Olympia, WA 98504-7867, phone (360) 236-4871, fax (360) 753-0657.

RCW 34.05.328 applies to this rule adoption. These rules are qualifications for licensure.

Hearing Location: Roadway Inn Suites, 185 Highway 2, Leavenworth, WA 98826, on July 27, 2000, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Connie Glasgow by July 14, 2000, TDD (800) 833-6388.

Submit Written Comments to: Connie Glasgow, Mail-stop 47867, Olympia, Washington 98504-7867, e-mail connie.glasgow@doh.wa.gov, fax (360) 753-0657, by July 25, 2000.

Date of Intended Adoption: July 27, 2000.

June 9, 2000

Gail Zimmerman

Executive Director

AMENDATORY SECTION (Amending WSR 98-05-060, filed 2/13/98, effective 3/16/98)

WAC 246-808-105 Chiropractic licensure—Initial eligibility and application requirements. To be eligible for Washington state chiropractic licensure, the applicant shall complete an application provided by the commission, and shall include written documentation to meet the eligibility criteria for such licensure.

(1) Eligibility. An applicant shall provide proof that they:

(a) Graduated from an accredited chiropractic college approved by the commission and show satisfactory evidence of completion of a resident course of study of at least four thousand classroom hours of instruction.

(b) Successfully completed National Board of Chiropractic Examiners test parts I (~~(and)~~), II, III and IV.

(c) Completed not less than one-half the requirements for a baccalaureate degree at an accredited and approved college or university if the applicant matriculated after January 1, 1975. Applicants who matriculated prior to January 1, 1975, must show proof of high school graduation or its equivalent.

(2) Application procedure. Each applicant shall submit:

(a) Completed official application including (~~(two)~~) one recent photos.

(b) The (~~(examination)~~) application fee. (Refer to WAC 246-808-990 for fee schedule.)

(c) Official transcripts from prechiropractic schools showing successful completion of at least two years of liberal arts and sciences study.

(d) An official transcript and diploma certified by the registrar, from an approved chiropractic college.

(e) An official certificate of proficiency sent directly to the commission from the National Board of Chiropractic Examiners, parts I (~~(and)~~), II, III and IV.

(f) Verification of licensure status from all states where applicant has been issued a license to practice chiropractic. Verification is required whether license is active or inactive.

(g) Applicants must complete four clock hours of AIDS education as required in chapter 246-12 WAC, Part 8.

AMENDATORY SECTION (Amending WSR 96-16-074, filed 8/6/96, effective 9/6/96)

WAC 246-808-115 Examinations. (1) In order to be eligible to take the commission administered examination, all applicants shall satisfactorily pass the National Board of Chiropractic Examiners test parts I (~~(and)~~), II, III and IV which covers the subjects set forth in RCW 18.25.030.

(2) (~~The commission's written examination includes the law relating to chiropractic.~~

(3) ~~The commission's practical examination contains the following sections:~~

(a) ~~Practical x-ray;~~

(b) ~~Practical technique.~~) All applicants shall pass the open book written jurisprudence examination.

(3) The minimum passing score is 95%.

AMENDATORY SECTION (Amending WSR 96-16-074, filed 8/6/96, effective 9/6/96)

WAC 246-808-135 Licensure by endorsement. An applicant may apply for licensure by endorsement by submitting to the commission:

(1) A completed application on forms provided by the department;

(2) A fee as specified in WAC 246-808-990; and

(3) Evidence, satisfactory to the commission:

(a) Of a license to practice chiropractic in another jurisdiction including, but not limited to, another state, a territory of the United States, the District of Columbia, the Commonwealth of Puerto Rico or a province in Canada;

(b) Of credentials and qualifications which are equivalent to the requirements of the state of Washington for licensure by examination at the time of application under this section;

(c) That the jurisdiction in which the applicant is licensed grants similar recognition to licensees in the state of Washington;

(d) That the applicant has been engaged in the full-time practice of chiropractic, or has taught general clinical chiropractic subjects at an accredited school of chiropractic, as set forth in WAC 246-808-040, in a jurisdiction described in subsection (3)(a) of this section for at least three of the five years immediately preceding application under this section;

(e) That the applicant has not been convicted of a crime, if such crime would be grounds for the refusal, suspension, or revocation of a license to practice chiropractic in this state if committed in the state of Washington;

(f) That the applicant's license to practice chiropractic is not, at the time of application under this section, suspended or revoked in any jurisdiction, based on grounds which would

be grounds for the refusal, suspension or revocation of a license to practice chiropractic in this state; and

(g) Of passing (~~(a jurisprudence and adjustive technique examination administered by the Washington commission of chiropractic examiners)~~) open book written jurisprudence examination and National Board of Chiropractic Examiners Special Purpose Examination for Chiropractors (SPEC).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-808-120 Chiropractic examination scores.

**WSR 00-13-103
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed June 21, 2000, 10:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-06-077.

Title of Rule: Factory assembled structures' rules (chapters 296-150C, 296-150F, 296-150M, 296-150P, 296-150R, and 296-150V WAC).

Purpose: State-initiated rules are being proposed to make several changes to include:

- Clarifying and housekeeping changes,
- Update a reference to and incorporate requirements from the Uniform Building Code,
- Amendments that were identified on the department's August 1997 rule review plan, and
- Incorporate necessary policy into rule as directed by the Governor's Executive Order 97-02 on Regulatory Improvement.

AMENDED SECTIONS:

WAC 296-150C-0140 Do you allow the use of alternate materials, alternate design and method of construction? "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

WAC 296-150C-0200 Who must obtain commercial coach insignia? An incorrect reference to "subsection (1)(a) and (b) of this section" was corrected to "subsection (2)(a) and (b) of this section."

WAC 296-150C-0910 Minimum uniform and concentrated live loads. An incorrect reference to the 1994 edition of the Uniform Building Code was corrected to the 1997 edition.

WAC 296-150C-0970 Roof construction. This section was amended to incorporate the requirements for ventilation,

which were inadvertently removed the last time these rules were rewritten and as found in 1505.3 of the 1997 edition of the Uniform Building Code.

WAC 296-150C-1070 Floor closure material. This section was amended to move the floor closure material requirements into a new subsection (4) to make the rules easier to understand and use.

WAC 296-150F-0140 Do you allow the use of alternate materials, alternate design and method of construction? "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

WAC 296-150F-0500 When is an inspection required? A new subsection (6) was added to clarify that components are approved when an insignia has been attached to the first component and all additional components for each job site.

WAC 296-150M-0020 What definitions apply to this chapter? The definition for "equipment" was modified to clarify that equipment is equivalent to "appliances" and a list of examples were provided for what are considered to be and what are not considered to be "appliances."

WAC 296-150M-0140 Do you allow the use of alternate materials, alternate design and method of construction? "When altering a manufactured home, an" was added to make the rule easier to understand and use. "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction. Also, the reference to WAC 296-150M-0100 was removed.

WAC 296-150M-0306 What codes are used when altering a manufactured (mobile) home? "Tested" was added to clarify the rule in order to make it easier to understand and use. A new subsection (3) was added to clarify that replacement exterior siding is an alteration and requires department approval in the form of an insignia. This change incorporates necessary policy and current practice into rule.

WAC 296-150M-3000 Manufactured home fees. The reference to "OPIA" was corrected to "IPIA" which is the correct acronym for Inspection Primary Inspection Agency. Also, corrected the spelling of the word "resubmittal."

WAC 296-150P-0140 Do you allow the use of alternate materials, alternate design and method of construction? "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

WAC 296-150P-3000 Recreational park trailer fees. The reference to "state plan" was corrected to "quality control" to make the rules easier to understand and use. Also, corrected the spelling of the word "resubmittal."

WAC 296-150R-0140 Do you allow the use of alternate materials, alternate design and method of construction? "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

WAC 296-150R-3000 Recreational vehicle fees. The reference to "state plan" was corrected to "quality control" to make the rules easier to understand and use. Also, corrected the spelling of the word "resubmittal."

WAC 296-150V-0140 Do you allow the use of alternate materials, alternate design and method of construction? "Adequate" was removed from (1)(c) of this section to eliminate the confusion because it is not defined in the chapter. This change clarifies that "justification" is required when the requirements of the chapter cannot be met without using alternate materials, alternate design or method of construction.

WAC 296-150V-0530 Am I charged if I request an inspection but I am not prepared? This section was amended to separate the requirements of the rule into two subsections. Also, references to WAC 296-150V-3000 to make the rule easier to use and understand.

WAC 296-150V-1180 What requirements apply to conversion vendor unit exits on all units approved after December 31, 1999? The word "exit" was added to clarify that the rules are referring to the vending unit and medical unit exits.

WAC 296-150V-1220 What code and installation requirements apply to conversion vendor unit or medical unit systems? The reference to the National Electrical Code, Article 550 was corrected to Article 551. The reference to Article 550 is incorrect because it requires changes to the recreational vehicle electrical system, which is not the intent of the rule. This change allows the use of the appropriate recreational vehicle section of the electrical code.

NEW SECTIONS:

WAC 296-150C-1175 Glass and glazed openings. A new section was added for the installation of glass or glazed openings, including hazardous locations. This section (previously WAC 296-150B-500) was inadvertently repealed the last time rule changes were done. This change reflects current policy and industry practice.

WAC 296-150F-1346 When HVAC equipment is supplied with more than one CFM rating, which ratio do I use? A new section was added to clarify that it is the highest rated capacity that must be used. This addition incorporates current policy and industry practice into rule.

Statutory Authority for Adoption: RCW 43.22.340, 43.22.355, 43.22.360, 43.22.400, 43.22.432, 43.22.433, 43.22.434, 43.22.485, 43.22.450, and 43.22.480.

Statute Being Implemented: Chapter 43.22 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Dan Wolfenbarger, Tumwater, (360) 902-5225; Implementa-

tion and Enforcement: Patrick Woods, Tumwater, (360) 902-6348.

Name of Proponent: Department of Labor and Industries, governmental.

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

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. A small business economic impact statement is not required because this rule does not impose any new costs on business.

RCW 34.05.328 does not apply to this rule adoption. This rule making involved several changes to the rules to make housekeeping and clarifying changes in order to make them easier to understand and use. Requirements from the Uniform Building Code (UBC) were incorporated and a reference to the UBC was corrected. Also, this rule making incorporates necessary policy (and current practice) into rule as directed by the Governor's Executive Order (97-02) on Regulatory Improvement. Significant rule-making criteria does not apply to these rule changes because the exempt criteria outlined in RCW 34.05.328(5) was met.

Hearing Location: Department of Labor and Industries Building, S 118 and S 119, 7273 Linderson Way S.W., Tumwater, WA, on July 25, 2000, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Josh Swanson by July 21, 2000, at (360) 902-6411.

Submit Written Comments to: Josh Swanson, Specialty Compliance Services Division, P.O. Box 44400, Olympia, WA 98504-4400, swaj235@lni.wa.gov, fax (360) 902-5292, by August 1, 2000. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: August 22, 2000.

June 21, 2000

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150C-0140 Do you allow the use of alternate materials, alternate design and method of construction? An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

(a) The applicant's name, address and phone number;

(b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;

(c) ((Adequate)) Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;

(d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
 - (b) Research into the request;
 - (c) Expert advise.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150C-0100.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150C-0200 Who must obtain commercial coach insignia? (1) You must obtain an insignia from us for each commercial coach manufactured, sold, leased, or used in Washington state.

(2) You do not need an insignia for a commercial coach:

- (a) When a unit has been used outside of the state for six months before being brought into Washington state (see RCW 43.22.380); or
- (b) If a unit was manufactured prior to July 1, 1968. (See RCW 43.22.370.)

Note: All commercial coaches must have insignia if they are altered, this includes the exceptions in subsection ((1)) (2)(a) and (b) of this section.

(3) You must obtain an insignia when commercial coaches are altered in Washington state.

(4) You must obtain an alteration insignia when a commercial coach is damaged in transit after leaving the manufacturing location or during an on-site installation, and an alteration or repair is necessary. The insignia indicates the commercial coach was altered or repaired.

(5) You must have an approved design plan and pass our inspection before we will attach an insignia.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150C-0910 Minimum uniform and concentrated live loads. See use or occupancy of the ((1994)) 1997 edition of The Uniform Building Code for group occupancy loads.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150C-0970 Roof construction. (1) All roofs must be framed and tied into the framework and supporting walls to form an integral part of the commercial coach.

(2) All trusses must be laterally braced.

(3) All roof decks must be designed and built with sufficient slope or camber to assure adequate drainage, or must be designed to support maximum loads including possible ponding of water due to deflection.

(4) Cutting roof framework members for passage of electrical, plumbing, or mechanical systems is prohibited except where substantiated by engineering analysis.

(5) Electrical, plumbing, or mechanical systems must not penetrate the roofing membrane unless the penetration point is adequately sealed.

(6) Ventilation. Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain and snow. Where eave or cornice vents are installed, insulation shall not block the free flow of air. A minimum of 1 inch of air space shall be provided between the insulation and roof sheathing. The net free ventilating area shall not be less than 1/150 of the space ventilated, except:

(a) The area may be 1/300, provided 50 percent of the required opening area is provided by ventilators located in the upper portion of the space to be ventilated at least 3 feet above eave or cornice vents; or

(b) A vapor barrier not exceeding 1 perm is installed on the warm side of the attic insulation.

AMENDATORY SECTION (Amending WSR 96-21-146, filed 10/23/96, effective 11/25/96)

WAC 296-150C-1070 Floor closure material. ((Floor closure material around piping, ducts, plenums, or vents must prevent damage to the underside of the commercial coach due to air, water, insects, dust, and must be rodent resistant.))

The closure material must meet ASTM D-781 standard or equal and be installed as follows:

(1) Fibrous material (with or without patches) must meet or exceed the level of 48 inch-pounds of puncture resistance as tested.

(2) The material must be installed according to installation instructions furnished by the supplier of the material.

(3) Patching material must be suitable for patches and the patch life must be equivalent to the material life.

(4) Floor closure material around piping, ducts, plenums, or vents must prevent damage to the underside of the commercial coach due to air, water, insects, dust, and must be rodent resistant.

NEW SECTION

WAC 296-150C-1175 Glass and glazed openings. The provisions of this section shall apply to the installation of glass or glazed openings, including hazardous locations.

(1) Standards. Standards for material shall meet UBC Standard 24-1 for flat glass and UBC Standard 24-2 for safety glazing.

(2) Identification. Flat glass shall bear the manufacturer's label designating the type and thickness of glass. Safety glazing shall have the manufacturer's identification etched or ceramic fired on the glass and be visible when the unit is glazed.

(3) Wind loads. Exterior glass and glazing shall be capable of withstanding a wind pressure of 20 pounds per square foot.

(4) Hazardous locations. The following shall be considered specific hazardous locations for the purposes of glazing:

- (a) Glazing in ingress and egress doors;
- (b) Glazing in fixed and sliding panels of sliding door assemblies and panels in swinging doors other than wardrobe doors;
- (c) Glazing in storm doors;
- (d) Glazing in fixed or operable panels adjacent to a door where the nearest exposed edge of the glazing is within a 24-inch arc of either vertical edge of the door in a closed position;
- (e) Glazing in a fixed or operable panel, other than locations in (d) of this subsection, that meets all of the following conditions:
 - (i) Exposed area of an individual pane greater than 9 square feet.
 - (ii) Exposed bottom edge less than 18 inches above the floor;
 - (f) Shower doors and tub enclosures.

NEW SECTION

WAC 296-150C-1346 When HVAC equipment is supplied with more than one CFM rating, which rating do I use? Where HVAC equipment manufacturers show multiple cubic feet per minute (CFM) ratings and/or multiple water gauge ratings, you must use the highest rated capacity.

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150F-0140 Do you allow the use of alternate materials, alternate design and method of construction? An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ~~(Adequate)~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;

(d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
- (b) Research into the request;
- (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150F-0100.

AMENDATORY SECTION (Amending WSR 98-14-078, filed 6/30/98, effective 7/31/98)

WAC 296-150F-0500 When is an inspection required? (1) Before we issue an insignia, each factory-built house, commercial structure, and component must be inspected at the manufacturing location as many times as are required by the codes. (See WAC 296-150F-0600.) Inspections may include:

- (a) A "cover" inspection during construction of the unit before the electrical, plumbing, mechanical, and structural systems are covered;
- (b) Insulation and vapor barrier inspection, if required;
- (c) Other required code inspections;
- (d) A final inspection after the factory-built house, commercial structure, or component is complete;

Note: Each factory-built house, commercial structure, and component must have a serial number to enable us to track inspections.

(2) If we discover a violation during inspection, we will issue a notice of noncompliance. You can correct the violation during the inspection. If you cannot correct the violation during inspection, you must leave the item uncovered until we approve your correction.

(3) After a unit is manufactured but before occupancy, we must inspect a factory-built house or commercial structure if it is damaged in transit to the building site or during on-site installation. This is considered a repair inspection. (See WAC 296-150F-0540.)

(4) Approved design plans must be available in compliance with the applicable sections of adopted state codes.

(5) Once your unit is inspected and approved we will attach the insignia.

(6) Components shall be identified as having been approved by attaching an insignia to the first component and all additional components for one job site shall have a label issued by the department as having been approved.

Note: We only inspect factory-built housing and commercial structures before occupancy. After occupancy, the local enforcement agency is the inspection agency.

NEW SECTION

WAC 296-150F-0630 When HVAC equipment is supplied with more than one CFM rating, which rating do I use? Where HVAC equipment manufacturers show multiple cubic feet per minute (CFM) ratings and/or multiple water gauge ratings, you must use the highest rated capacity.

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150M-0020 What definitions apply to this chapter? "Alteration" is the replacement, addition, modification, or removal of any equipment or installation that affects the construction, planning considerations, fire safety, or the plumbing, mechanical, and electrical systems of a manufactured home. The installation of whole-house water treatment equipment that requires cutting into the existing plumbing is considered an alteration and requires a permit, an inspection and an alteration insignia.

The following are not considered alterations:

- Repairs to equipment with approved parts; or
- Modification of a fuel-burning appliance according to the listing agency's specifications; or
- Adjustment and maintenance of equipment.

"Alteration insignia" is an insignia issued by the department of labor and industries to verify that an alteration to a manufactured home meets the requirements of federal law 24 CFR 3280 and this chapter.

"Anchoring system" is the means used to secure a mobile home to ground anchors or to other approved fastening devices. It may include straps, cables, turnbuckles, bolts, fasteners, and other components.

"ANSI" is the American National Standards Institute, Inc., and the institute's rules applicable to manufactured homes, ANSI A225.1 Manufactured Homes Installation, 1994 edition, except section 3.5.2 - Ground Cover and section 4.1.3.3 - Clearance.

"Authority having jurisdiction" means that either the department of labor and industries or the local jurisdiction is responsible for establishing specific manufactured home standards. The authority for specific manufactured home standards is divided as follows:

- The department of labor and industries establishes standards for manufactured home installation and alterations and performs alteration inspections;
- The local jurisdiction establishes standards for manufactured homes governing the building site and performs installation inspections.

"Building site" is a tract, parcel, or subdivision of land on which a manufactured home is installed.

"DAPIA" is a Design Approval Primary Inspection Agency as approved by the United States Department of Housing and Urban Development.

"Department" is the department of labor and industries. The department may be referred to as "we" or "us" in this

chapter. Note: You may contact us at: Department of Labor and Industries, Specialty Compliance, PO Box 44440, Olympia, WA 98504-4440.

"Design plan" is a design submitted to the department for approval of a manufactured home structural alteration.

"Equipment" (~~is all material, appliances, devices, fixtures, fittings, or accessories~~) means the appliances used in the alteration or installation of a manufactured home.

Examples of appliances that require an alteration inspection include:

- Furnace;
- Water heater;
- Air conditioner; and
- Heat pump.

Examples of appliances that do not require an alteration inspection include:

- Microwave oven;
- Washer;
- Dryer; and
- Dishwasher and range that are connected to their source of power by a plug-in cord.

"Equivalent air conditioning/heat pump components" is equipment that performs the same function and is compatible with the equipment of another manufacturer, sometimes referred to as mix and match.

"Footing" is the portion of a support system that transmits loads from the manufactured home to the ground.

"Foundation skirting" or "skirting" is the material that surrounds and encloses the space under the manufactured home.

"Homeowner" is an individual who owns a manufactured home. Dealers, distributors, and developers are not regarded as homeowners.

"HUD" is the United States Department of Housing and Urban Development with headquarters located in Washington, D.C.

"Installation" is the activity needed to prepare a building site and to set a manufactured home within that site. Site means a tract, parcel, or subdivision of land including a mobile home park.

"IPIA" is a manufactured home production Inspection Primary Inspection Agency approved by the United States Department of Housing and Urban Development. The department of labor and industries is the IPIA for Washington state.

"Local enforcement agency" is an agency of city or county government with power to enforce local regulations governing the building site and installation of a manufactured home.

"Manufactured home" is a single-family dwelling built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

- Includes plumbing, heating, air conditioning, and electrical systems;
- Is built on a permanent chassis; and
- Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site

is three hundred twenty square feet or greater (see RCW 46.04.302).

Note: Total square feet is based on exterior dimensions measured after installation using the longest horizontal projections. Dimensions may not include bay windows but may include projections containing interior space such as cabinets and expandable rooms.

Exception: A structure that meets the requirements of a manufactured home as set out in 24 CFR 3282.7(u), except the size requirements is considered a manufactured home, if the manufacturer files with the secretary of HUD a certificate noted in CFR 3282.13.

"Mobile home" is a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act. For the purposes of this chapter references to manufactured homes include mobile homes.

"Park site" is the installation location of a manufactured home within a residential area for manufactured homes.

"Structural alteration-custom design" is a design that can only be used once.

"Structural alteration-master design" is a design plan that can be used more than once. The master plan expires when there is a code change applicable to the design.

"System" is part of a manufactured home designed to serve a particular function such as structural, plumbing, mechanical, or electrical functions.

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150M-0140 Do you allow the use of alternate materials, alternate design and method of construction? When altering a manufactured home, an applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;

AMENDATORY SECTION (Amending WSR 99-12-080, filed 5/28/99, effective 6/28/99)

WAC 296-150M-3000 Manufactured home fees.

WAC 296-150M-3000 MANUFACTURED HOME FEES	
INITIAL FILING FEE	\$28.00
DESIGN PLAN FEES:	
STRUCTURAL ALTERATION-MASTER DESIGN (CODE CYCLE)	\$112.75
STRUCTURAL ALTERATION - ONE YEAR DESIGN	\$78.75

(c) ~~(Adequate)~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;

(d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
 - (b) Research into the request;
 - (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150M-0100.

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150M-0306 What codes are used when altering a manufactured (mobile) home? Alterations to a manufactured (mobile) home must be in compliance with the Manufactured Home Construction and Safety Standards, Part 24, CFR 3280, as adopted by the Secretary for the Department of Housing and Urban Development (HUD) and the amendments to that federal standard adopted in this WAC chapter.

(1) The department will accept tested equivalent air conditioning/heat pump components that have been tested and listed for use with a particular furnace by a nationally recognized testing laboratory.

(2) The department will accept pellet stoves for installation that have been listed by a department approved testing laboratory. For a current list of approved laboratories, contact any department field office or the department at the address shown in WAC 296-150M-0020.

(3) The replacement of exterior siding is an alteration and requires the approval of the department and an alteration insignia.

PROPOSED

PROPOSED

WAC 296-150M-3000 MANUFACTURED HOME FEES	
RENEWAL FEE	\$33.75
((RESUBMITAL)) RESUBMITAL FEE	\$56.25
ADDENDUM (Approval expires on the same date as original plan.)	\$56.25
DEPARTMENT INSPECTION FEES:	
INSPECTION (Per hour*)	\$56.25
OTHER REQUIRED INSPECTIONS (Per hour*)	\$56.25
ALL REINSPECTIONS (Per hour*)	\$56.25
INSIGNIA FEES:	
ALTERATION	\$28.00
REISSUED - LOST/DAMAGED	\$16.50
IPIA	
DEPARTMENT AUDIT FEES	
REGULARLY SCHEDULED IPIA AUDIT:	
First inspection on each section (one time only)	\$25.75
Second and succeeding inspections of unlabelled sections (Per hour*)	\$56.25
OTHER ((OPIA)) IPIA FEES:	
Red tag removal during a regularly scheduled IPIA audit (Per hour* separate from other fees)	\$56.25
Red tag removal at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Increased frequency surveillance (Per hour* plus travel time* and mileage**)	\$56.25
Attendance at manufacturers training classes (Per hour* only)	\$56.25
Subpart "I" investigations (Per hour* plus travel time* and mileage**)	\$56.25
Alterations to a labelled unit (Per hour* plus travel time* and mileage**)	\$56.25
IPIA Issues/Responses (Per hour* Plus travel time* and mileage**)	\$56.25
Monthly surveillance during a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Monthly surveillance at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Plant certifications, recertifications and addenda updates (Per hour* plus travel time* and mileage per each inspector)	\$56.25
Response to HBT Audit during a regularly scheduled IPIA audit (Per hour*)	\$56.25
Response to HBT Audit at a time other than a regularly scheduled IPIA audit (Per hour* plus travel time* and mileage**)	\$56.25
Alternative construction (AC) letter inspections at placement site (Per hour* plus travel time* and mileage**)	\$56.25
Replacement of HUD labels (Per hour* plus travel time* and mileage**)	\$56.25
OTHER FEES:	
FIELD TECHNICAL SERVICE (Per hour plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
NOTE: Local jurisdictions may have other fees that apply.	
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150P-0140 Do you allow the use of alternate materials, alternate design and method of construction? An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ((Adequate)) Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;

(d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response

will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
 - (b) Research into the request;
 - (c) Expert advice.
- (3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150P-0100.

AMENDATORY SECTION (Amending WSR 99-12-080, filed 5/28/99, effective 6/28/99)

WAC 296-150P-3000 Recreational park trailer fees.

WAC 296-150P-3000 RECREATIONAL PARK TRAILER FEES	
INITIAL FILING FEE	\$28.00
DESIGN PLAN FEES:	
NEW PLAN REVIEW FEE WITHOUT STRUCTURAL REQUIREMENTS	\$78.75
NEW PLAN REVIEW FEE WITH STRUCTURAL REQUIREMENTS	\$104.00
((RESUBMITAL)) RESUBMITTAL FEE	\$56.25
ADDENDUM (Approval expires on same date as original plan.)	\$56.25
((STATE PLAN)) QUALITY CONTROL/MANUAL FEES:	
INITIAL APPROVAL	\$10.75
RESUBMITTAL FEE	\$56.25
ADDENDUM	\$56.25
DEPARTMENT AUDIT FEES:	
AUDIT (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
DEPARTMENT INSPECTION FEES:	
INSPECTION (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
STATE CERTIFIED	\$10.50
ALTERATION	\$28.00
REISSUED-LOST/DAMAGED	\$10.50
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$56.25

PROPOSED

WAC 296-150P-3000 RECREATIONAL PARK TRAILER FEES	
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
*** Actual charges incurred.	

AMENDATORY SECTION (Amending WSR 99-13-010, filed 6/4/99, effective 7/5/99)

WAC 296-150R-0140 Do you allow the use of alternate materials, alternate design and method of construction? An applicant may apply for the use of alternate materials, alternate design and methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) Responsibilities of applicant. The applicant must submit in writing the following information and sign and date the request.

- (a) The applicant's name, address and phone number;
- (b) The specific requirement or requirements from which the alternate material, alternate design or method of construction is requested;
- (c) ~~((Adequate))~~ Justification that the requirements of this chapter cannot be met without using alternate materials, alternate design or method of construction;
- (d) How the use of alternate materials, alternate design or method of construction will achieve the same result as the

requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements.

The department has a form that you may use for your request. Contact the department at the address shown in the definition section.

(2) Responsibilities of the department. The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision based on:

- (a) The applicant's request as described in subsection (1) of this section;
- (b) Research into the request;
- (c) Expert advice.

(3) Applicant's response to denials. The applicant may appeal the department's decision by following the procedure in WAC 296-150R-0100.

AMENDATORY SECTION (Amending WSR 99-12-080, filed 5/28/99, effective 6/28/99)

WAC 296-150R-3000 Recreational vehicle fees.

WAC 296-150R-3000 RECREATIONAL VEHICLE FEES	
STATE PLAN	
INITIAL FILING FEE	\$28.00
DESIGN PLAN FEES:	
NEW PLAN REVIEW FEE	\$78.75
((RESUBMITAL)) RESUBMITTAL FEE	\$56.25
ADDENDUM (Approval expires on same date as original plan.)	\$56.25
((STATE PLAN)) QUALITY CONTROL/MANUAL FEES:	
INITIAL APPROVAL	\$10.75
RESUBMITTAL FEE	\$56.25
ADDENDUM	\$56.25
DEPARTMENT AUDIT FEES:	
AUDIT (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING	
AIRFARE***	

PROPOSED

PROPOSED

WAC 296-150R-3000 RECREATIONAL VEHICLE FEES	
DEPARTMENT INSPECTION FEES:	
INSPECTION (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
STATE CERTIFIED	\$10.25
ALTERATION	\$28.00
REISSUED-LOST/DAMAGED	\$10.25
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
***Actual charges incurred.	

WAC 296-150R-3000 RECREATIONAL VEHICLE FEES	
SELF CERTIFICATION	
INITIAL FILING FEE	\$28.00
DESIGN PLAN FEES:	
NEW PLAN REVIEW FEE (one time fee)	\$78.75
((RESUBMITAL)) RESUBMITAL FEE	\$56.25
ADDENDUM (Approval expires on same date as original plan.)	\$56.25
SELF CERTIFICATION/MANUAL FEES:	
INITIAL APPROVAL	\$10.75
RESUBMITAL FEE	\$56.25
ADDENDUM	\$56.25
DEPARTMENT AUDIT FEES:	
AUDIT (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	
MILEAGE**	
RENTAL CAR***	
PARKING	
AIRFARE***	
DEPARTMENT INSPECTION FEES:	
INSPECTION (per hour)*	\$56.25
TRAVEL (per hour)*	\$56.25
PER DIEM**	
HOTEL***	

WAC 296-150R-3000 RECREATIONAL VEHICLE FEES	
MILEAGE**	
RENTAL CAR***	
PARKING***	
AIRFARE***	
INSIGNIA FEES:	
SELF CERTIFIED	\$10.25
ALTERATION	\$28.00
REISSUED-LOST/DAMAGED	\$10.25
OTHER FEES:	
FIELD TECHNICAL SERVICE (per hour* plus travel time* and mileage**)	\$56.25
PUBLICATION PRINTING AND DISTRIBUTION OF RCWs AND WACs (One free copy per year)	\$10.75
* Minimum charge of 1 hour; time spent greater than 1 hour is charged in 1/2 hour increments.	
** Per state guidelines.	
***Actual charges incurred.	

PROPOSED

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0140 Do you allow the use of alternate materials, design, or method of construction? An applicant may apply for the use of alternate materials, design, or methods of construction different from the requirements of this chapter by filing a written request with the department.

(1) **Responsibilities of the applicant.** The applicant must submit in writing the following information:

- (a) Name, address, and phone number;
- (b) The specific requirement or requirements from which the alternate material, design, or method of construction is requested;
- (c) ((Adequate)) Justification that the requirements of this chapter cannot be met without using alternate materials, design, or method of construction;
- (d) How the use of alternate materials, design, or method of construction will achieve the same result as the requirement and any specific alternative measures to be taken to show the alternate provides the same level of protection to life, safety and health as the requirements;

The department has a form that you may use for your request. Please contact us at the address shown in WAC 296-150V-0020, Definitions.

(2) **Responsibilities of the department.** The department will provide a written response to the applicant within thirty days of receipt of the written request. The written response will state the acceptance or denial of the request, including the reasons for the department's decision. At a minimum the department will base its decision on:

- (a) The applicant's request as described in subsection (1) of this section;
 - (b) Research into the request;
 - (c) Expert advice.
- (3) **Applicant's response to denials.** The applicant may appeal the department's decision by following the procedure in WAC 296-150V-0100.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-0530 Am I charged if I request an inspection but I am not prepared? (1) If you ask us to inspect a conversion vendor unit or medical unit within Washington state but you are not prepared when we arrive, you must pay the inspection fee and travel (see WAC 296-150V-3000).

(2) If the inspection is outside of Washington state and you are not prepared, you must pay the inspection fee, travel, and per diem expenses (see WAC 296-150V-3000).

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-1180 What requirements apply to conversion vendor unit exits on all units approved after December 31, 1999? At least one conversion vending unit exit or medical unit exit must meet the following requirements:

- (1) Exterior doors must be constructed for exterior use.
- (2) The exterior door must be at least a 28 inch wide clear opening by 72 inches high.
- (3) Locks must be operable from the interior of the unit without use of a key.
- (4) Exit doors may either be hinged or sliding. Roll-up doors may not be used to meet the requirements of this section.
- (5) Existing units with doors less than 28 inches in width must have a second means of exit. The second means of exit for converted units shall be 24 inches by 17 inches, and for newly built units exits must be a minimum of 5 square feet of openable area.

Exception: When there are employees, a minimum of 28 inches clear opening must be provided.

AMENDATORY SECTION (Amending WSR 99-18-069, filed 8/31/99, effective 10/1/99)

WAC 296-150V-1220 What code and installation requirements apply to conversion vendor unit or medical unit electrical systems? The electrical system in any conversion vendor unit or medical unit must comply with the National Electrical Code as referenced in chapter 19.28 RCW, Article ((550)) 551 and the applicable portions of other Articles as required by this section.

(1) Appliances must be installed per Articles 422 - Appliances.

(2) Generators must be installed per Article 445 - Generators.

(3) On a 120 volt system a 3-wire system can be used. On a 240 volt system a 4-wire system must be used.

Exception: Sign circuits required by Article 600 will not be required.

RCW 34.05.328 does not apply to this rule adoption. This rule does not meet the definition of a "significant legislative rule."

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on July 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by July 14, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by July 25, 2000.

Date of Intended Adoption: Not sooner than July 26, 2000.

June 14, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 00-13-104
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed June 21, 2000, 10:44 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-07-056.

Title of Rule: New WAC 388-556-0300 Personal care services and repealing WAC 388-86-087 Personal care services.

Purpose: Improve clarity and readability, update obsolete WAC cross references, and to relocate rule to a new WAC section because current WAC chapter is being phased out.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: See Purpose above.

Reasons Supporting Proposal: Part of the agency's review of rules per the Governor's Executive Order 97-02 on regulatory improvement.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kevin Sullivan, 925 Plum Street, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1344.

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 above.

Proposal Changes the Following Existing Rules: WAC 388-87-087 is being repealed and replaced by WAC 388-556-0300.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This issuance does not affect small businesses.

NEW SECTION

WAC 388-556-0300 Personal care services. The department pays for personal care services for a Title XIX categorically needy Medicaid client as provided under chapter 388-71 WAC, Home and community programs.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-087 Personal care services.

WSR 00-13-105
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed June 21, 2000, 10:46 a.m.]

Original Notice.

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

Title of Rule: Chapter 388-290 WAC, new and amended rules about establishing criminal background inquiries for in-home/relative providers for working connections child care.

Proposed New Rules: WAC 388-290-854 When will the department not pay toward the cost of in-home/relative child care?, 388-290-858 Why do we review your in-home/relative provider's criminal background information?, 388-290-862 When is a criminal background check required?, 388-290-866 Where does the department get the criminal background information on the in-home/relative provider?, 388-290-870 What does the department do with the criminal background information on the in-home/relative provider?, 388-290-874 Will I be notified of the result of the criminal background information on my in-home/relative provider?, 388-290-878 Can I still use my chosen in-home/relative provider to care

for my children if the in-home/relative provider has been convicted of a disqualifying crime?, 388-290-882 What convictions permanently disqualify my in-home/relative provider from being authorized by WCCC?, 388-290-886 Are there some crimes that require a set amount of time to pass before my in-home/relative provider may be authorized for WCCC?, and 388-290-888 When can I ask the department to review the decision to deny authorization of my provider?

Amended Sections: WAC 388-290-850 What child care providers can the department pay under the WCCC program?, 388-290-905 What responsibilities does the department have under the WCCC program?, 388-290-910 What responsibilities do I have under the WCCC program?, 388-290-925 When don't advance and adequate notice rules apply?, 388-290-940 Do I have the right to request a hearing?, and 388-290-945 Can I receive WCCC pending the outcome of a hearing?

Purpose: The purpose of this rule is to provide increased safety and welfare for children in child care settings where the department pays toward the costs of child care for in-home/relative provider. The provider must not have a conviction record that would place the child or the family at a potential risk of harm.

Statutory Authority for Adoption: RCW 43.43.830, 43.43.832, and 74.15.020.

Statute Being Implemented: RCW 43.43.830, 43.43.832, and 74.15.020.

Summary: The purpose of this rule is to provide increased safety and welfare for children in child care setting where the department pays toward the cost of child care for in-home/relative providers. The provider must not have a conviction record that would place the child or the family at a potential risk of harm.

Reasons Supporting Proposal: The department must increase the protection of children currently in the care of individuals who have conviction history which may increase the likelihood of harm to the child or the household.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jenny Baxter, WorkFirst Division, (360) 413-3244.

Name of Proponent: Department of Social and Health Services, WorkFirst Division, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to provide increased safety and welfare for children in child care settings where the department pays toward the cost of child care for in-home/relative provider. The provider must not have a conviction record that would place the child or the family at a potential risk of harm.

Proposal Changes the Following Existing Rules: This proposed rule change amends existing rules listed above to incorporate changes around the criminal background checks.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change does not meet the requirements for a small business economic impact statement.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 does not apply to DSHS rules that relates 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 July 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by July 14, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail myercme@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by July 25, 2000.

Date of Intended Adoption: July 26, 2000.

July 16, 2000

Edith M. Rice, Chief
Office of Legal Affairs

AMENDATORY SECTION (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

WAC 388-290-850 What child care providers can the department pay under the WCCC program? To receive payment under the WCCC program, your child care provider must fall into one of the following categories:

(1) Licensed as required by chapter 74.15 RCW and chapters 388-73, 388-155 (Minimum licensing requirements for family child day care homes), or 388-150 WAC (Minimum licensing requirements for child day care centers).

(2) Exempt from licensing but certified by the department, including:

(a) Tribal child care facilities meeting the requirements of tribal law;

(b) Child care facilities on a military installation;

(c) Child care facilities operated on public school property by a school district.

(3) Exempt from licensing and certification, but the in-home/relative provider must:

(a) Be a U.S. citizen or legally residing in the country;

(b) Be one of the following adult relatives providing care in either the child's or relative's home:

(i) An adult sibling living outside the child's home; or

(ii) A grandparent, aunt, uncle, first cousin, or great-grandparent, great-aunt, or great-uncle; and

(iii) Not the child's biological, adoptive, or step-parent;

or
(iv) An extended tribal family member under chapter 74.15 RCW.

(c) Be an adult friend or neighbor providing care in the child's own home; ~~(and)~~

(d) Meet the in-home relative provider requirements in ~~(chapter 388-15 WAC. We can refuse to pay toward the cost of in-home/relative care if we have evidence your in-home/relative provider does not meet these requirements))~~
WAC 388-165-235;

(e) Complete and submit a criminal background inquiry form prescribed by the department; and

(f) Not be disqualified based on information in WAC 388-290-854 (3) or (4).

PROPOSED

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.

NEW SECTION

WAC 388-290-854 When will the department not pay toward the cost of in-home/relative child care? The department will not pay toward the cost of in-home/relative care if:

(1) Your in-home/relative provider does not meet the requirements in WAC 388-290-850;

(2) You fail to submit a completed criminal background inquiry form;

(3) The department determines your in-home/relative provider is not of sufficient physical, emotional or mental health to meet the needs of the child in care, or the household may be at risk of harm by this provider, as indicated by information other than conviction information; or

(4) Your in-home/relative provider has been convicted of, or has charges pending for crimes listed in WAC 388-390-882 or 388-290-886.

NEW SECTION

WAC 388-290-858 Why do we review your in-home/relative provider's criminal background information? The department reviews the provider's criminal background information because the department:

(1) Wants you to have this information to help you to make informed, safe, and responsible decisions about your child(ren)'s care provider; and

(2) Does not pay toward the cost of child care provided by individuals convicted of crimes listed in WAC 388-290-882 and 388-290-886.

NEW SECTION

WAC 388-290-862 When is a criminal background check required? The department requires the criminal background check for each in-home/relative provider:

(1) When you request payment for services by a new in-home/relative provider;

(2) Every two years for existing in-home/relative providers; or

(3) When the department has reason to do a criminal background check more frequently.

NEW SECTION

WAC 388-290-866 Where does the department get the criminal background information on the in-home/relative provider? The department gets criminal background information from available sources such as:

(1) The Washington State Patrol under chapter 10.97 RCW;

(2) Other states and Federally Recognized Indian Tribes; and

(3) Disclosure by the in-home/relative provider.

NEW SECTION

WAC 388-290-870 What does the department do with the criminal background information on the in-home relative/provider? (1) The department compares the criminal background information including pending charges with convictions listed in WAC 388-290-882 and 388-290-886.

(a) A pending charge for a crime is given the same weight as a conviction.

(b) If the conviction has been renamed it is given the same weight as the previous named conviction. For example, larceny is now theft.

(c) Convictions whose titles are preceded with the word "attempted" are given the same weight as those titles without the word "attempted."

(d) Convictions that are considered the same as those listed in WAC 388-290-882 and 388-290-886 are given the same weight as those titles.

(2) The department:

(a) Determines if the in-home/relative provider's criminal background contains information that will not allow the authorization of payment towards the cost of WCCC;

(b) Notifies the parent of the criminal background information;

(c) Denies or stops payment toward the cost of care by this in-home/relative provider, when the criminal background information disqualifies the in-home/relative provider; and

(d) Assists parents in finding other child care arrangements.

NEW SECTION

WAC 388-290-874 Will I be notified of the results of the criminal background information on my in-home/relative provider? You will receive notice telling you whether or not the department is able to authorize payment toward the cost of care.

NEW SECTION

WAC 388-290-878 Can I still use my chosen in-home/relative provider to care for my child(ren) if the provider has been convicted of a disqualifying crime? The department will not pay toward the cost of care if we disqualify an in-home/relative provider. It is your choice whether you use the in-home/relative provider to care your child(ren).

NEW SECTION

WAC 388-290-882 What convictions permanently disqualify my in-home/relative provider from being authorized by WCCC? The following crimes permanently disqualify your in-home/relative provider from authorization toward the cost of child care:

(1) Aggravated murder;

(2) Arson in the first degree;

(3) Assault in the first, second or third degree;

(4) Assault of a child in the first, second or third degree;

(5) Burglary in the first degree;

- (6) Child abandonment;
 - (7) Child abuse or neglect (RCW 26.44.020);
 - (8) Child buying or selling;
 - (9) Child molestation in the first, second or third degree;
 - (10) Communication with a minor for immoral purposes;
 - (11) Criminal abandonment;
 - (12) Criminal mistreatment in the first or second degree;
 - (13) Custodial assault;
 - (14) Custodial interference in the first and second degree;
 - (15) Custodial sexual misconduct in the first and second degree;
 - (16) Delivery of a controlled substance;
 - (17) Drive-by shooting;
 - (18) Extortion in the first or second degree;
 - (19) Felony indecent exposure;
 - (20) Incest;
 - (21) Indecent liberties;
 - (22) Homicide by watercraft;
 - (23) Kidnapping in the first and second degree;
 - (24) Leading organized crime;
 - (25) Luring;
 - (26) Malicious explosion first, second and third degree;
 - (27) Malicious harassment;
 - (28) Malicious placement of an imitation device first degree;
 - (29) Manslaughter in the first and second degree;
 - (30) Manufacture of a controlled substance;
 - (31) Murder in the first and second degree;
 - (32) Patronizing a juvenile prostitute;
 - (33) Possession with the intent to deliver a controlled substance;
 - (34) Possession with the intent to manufacture a controlled substance;
 - (35) Promoting a suicide attempt;
 - (36) Promoting pornography;
 - (37) Promoting prostitution in the first degree;
 - (38) Public indecency (if toward a child less than fourteen);
 - (39) Rape in the first, second and third degree (including the rape of a child);
 - (40) Reckless Endangerment;
 - (41) Robbery in the first and second degree;
 - (42) Selling or distributing erotic materials to a minor;
 - (43) Sexual exploitation of a minor;
 - (44) Sexual misconduct with a minor in the first or second degree;
 - (45) Sexually violating human remains;
 - (46) Stalking;
 - (47) Theft in the first degree;
 - (48) Unlawful imprisonment;
 - (49) Unlawful use of building for drug purposes;
 - (50) Vehicular assault;
 - (51) Vehicular homicide;
 - (52) Violation of a child abuse restraining order-felony;
- or
- (53) Any person whose name appears on the Washington State Registered Sex Offender and Kidnapping Offender List.

NEW SECTION

WAC 388-290-886 Are there some crimes that require a set amount of time to pass before my in-home/relative provider may be authorized for WCCC? A set amount of time must pass between the date of conviction and the date of the criminal background information form for specific convictions. The department will only authorize payment toward the cost of care by an in-home/relative provider if the following time periods have passed:

- (1) Three years or more for:
 - (a) Assault in the fourth degree;
 - (b) Prostitution; or
 - (c) Theft in the third degree.
- (2) Five years or more for:
 - (a) Forgery;
 - (b) Prostitution related crimes such as patronizing a prostitute; or
 - (c) Theft in the second degree.

NEW SECTION

WAC 388-290-888 When can I ask the department to review the decision to deny authorization of my in-home/relative provider? (1) You may request the department review our decision to deny payment toward the cost of care by your in-home/relative provider when:

- (a) The conviction is listed in WAC 388-290-886;
 - (b) The required amount of time has not elapsed between the conviction date and the date of application for child care by this provider; and
 - (c) We receive your request for review in writing or by contacting DSHS within thirty days of our decision.
- (2) The review is separate from a hearing and provided by Administrative staff within the department.
- (3) You will be requested to:
- (a) Provide additional information; and
 - (b) Complete the request for review form.
- (4) The department will notify you in writing of our decision within thirty days after receiving the information.

AMENDATORY SECTION (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

WAC 388-290-905 What responsibilities does the department have under the WCCC program? We will:

- (1) Inform you of your rights and responsibilities under the WCCC program;
- (2) Inform you ~~((which))~~ of the types of child care providers we can pay;
- (3) Permit you to choose your ~~((own child care))~~ in-home/relative provider~~(s)~~ as long as ~~((we can pay the))~~ that provider ~~((under))~~ meets the requirements in WAC 388-290-850.
- (4) Review and act upon information described in WAC 388-290-854 and 388-290-866 regarding your in-home/relative provider;
- ~~((4))~~ (5) Inform you of the community resources that can help you select child care, if needed;

~~((5))~~ (6) Only authorize payment when no adult in your family is able and available to care for your children;

~~((6))~~ (7) Only authorize payment to child care providers who allow you to see your children whenever they are in care;

~~((7))~~ (8) Respond to you within ten days if you report a change of circumstance;

~~((8))~~ (9) Provide prompt child care payments to your licensed or certified provider; and

~~((9))~~ (10) Notify you whenever we establish or change your WCCC copayment.

AMENDATORY SECTION (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

WAC 388-290-910 What responsibilities do I have under the WCCC program? ~~((You will))~~ Your responsibility is to:

(1) ~~((Be responsible to choose your))~~ Choose a provider meeting requirements of WAC 388-290-850 and make your own child care arrangements;

(2) Notify the department of any change in providers within five days;

(3) Pay your in-home/relative provider ~~((after we send you a check))~~ the entire amount the department sends you for in-home/relative care;

(4) Pay, or make arrangements to pay, your WCCC copayment directly to your child care provider;

(5) Supply the department with necessary information to allow us to correctly determine your eligibility and make proper child care payment to your provider;

(6) Notify your provider within ten days when we change your child care authorization;

(7) Provide notice to the department within ten days of any change in:

(a) Family size ~~((or))~~;

(b) Income level; ~~((and))~~ or

(c) The amount of child care needed.

(8) Assure your in-home/relative provider provides a valid social security number to the department, if you choose an in-home/relative provider; and

(9) Report to your child care authorizing worker, within twenty-four hours, any pending charges or conviction information you learn about your in-home/relative provider.

AMENDATORY SECTION (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

WAC 388-290-925 When ~~((do))~~ don't advance and adequate notice rules ~~((not))~~ apply? Advance and adequate notice requirements don't apply in the following circumstances:

(1) You tell the department you no longer want WCCC;

(2) Your whereabouts are unknown to the department;

(3) You are receiving duplicate child care benefits; ~~((or))~~

(4) Your normal WCCC authorization period is scheduled to end; or

(5) If the department determines your in-home/relative provider may not be of sufficient physical, emotional or mental health to meet the needs of the child(ren) in care the

household may be at risk of harm by this provider as indicated by information other than criminal background.

(6) Your in-home/relative provider has been convicted of, or has charges pending for crimes listed in WAC 388-290-882 or 388-290-886.

AMENDATORY SECTION (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

WAC 388-290-940 Do I have the right to request a ~~((fair))~~ hearing? (1) WCCC consumers ~~((and child care providers))~~ can request ~~((fair))~~ hearings under chapter ~~((388-08))~~ 388-02 WAC on any action affecting WCCC benefits except for mass changes resulting from a change in policy or law.

(2) Child care providers can request hearings under chapter 388-02 WAC only for WCCC overpayments.

AMENDATORY SECTION (Amending WSR 99-14-023, filed 6/28/99, effective 7/1/99)

WAC 388-290-945 Can I ~~((get))~~ receive WCCC pending the outcome of a ~~((fair))~~ hearing? (1) If you are a WCCC consumer, you can ~~((get))~~ receive WCCC pending the outcome of a ~~((fair))~~ hearing if you request the ~~((fair))~~ hearing:

(a) On or before the effective date of an action; or

(b) No more ~~((that))~~ than ten days after the department sends you a notice of adverse action.

"Adverse action" means an action to reduce or terminate your WCCC, or to set up a protective payee to receive your WCCC warrant for you.

(2) If you lose ~~((the fair))~~ a hearing, any WCCC you use between the date of the adverse action and the date of the ~~((fair))~~ hearing or ~~((fair))~~ hearing decision is an overpayment to you, the consumer.

(3) If we obtain information that your provider may not be authorized to care for children under WAC 388-290-850 and you request a hearing on this decision, you are not eligible for WCCC payments toward the cost of care by this provider pending the outcome of the hearing. If you are eligible for WCCC, you may receive child care benefits towards another eligible provider, pending the outcome of the hearing.

WSR 00-13-107

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed June 21, 2000, 10:57 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-01-106.

Title of Rule: WAC 388-513-1380 Determining a client's participation in the cost of care for long-term care (LTC) services.

Purpose: To adopt changes in the federal standards for community spouses, family maintenance needs amount and excess shelter allowances that are based on the federal poverty level for which an increase took effect on April 4, 2000.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, 74.09.500.

Statute Being Implemented: Section 1924(g) of the Social Security Act.

Summary: See Purpose above.

Reasons Supporting Proposal: An increase in these standards are beneficial to clients receiving LTC services. Other changes made are to simplify language and clarify current policy.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Stephen Kozak, MAA, 617 8th Avenue S.E., Olympia, WA 98504, (360) 725-1321.

Name of Proponent: Department of Social and Health Services, Medical Assistance Administration, governmental.

Rule is necessary because of federal law, Section 1924(g) of the Social Security Act.

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

Proposal Changes the Following Existing Rules: Changes standards and makes minor wording changes.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Does not impact small businesses.

RCW 34.05.328 applies to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to client medical eligibility.

Hearing Location: Lacey Government Center (behind Tokyo Bento Restaurant), 1009 College Street S.E., Room 104-B, Lacey, WA 98503, on July 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper by July 14, 2000, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by July 25, 2000.

Date of Intended Adoption: Not sooner than July 26, 2000.

June 15, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-11-017, filed 5/10/99, effective 6/10/99)

WAC 388-513-1380 (~~(Institutional—)~~) **Determining a client's participation** (~~(—Client)~~) **in the cost of care for long-term care (LTC) services.** This section describes (~~(allocations of)~~) how the department allocates income and excess resources (~~(used to determine a person's)~~) when determining participation in the cost of care (~~(for institutional services in a medical facility. Income allocations described in this section are used to reduce countable income that remains after exclusions described in WAC 388-513-1340)~~) (in the post-eligibility process). The department applies rules

described in WAC 388-513-1315 to define what income and resources must be used in this process.

(1) (~~(Allocations used to reduce excess resources are amounts for incurred medical expenses, not subject to third-party payment, for which the person is liable, including:~~

(a) ~~Health insurance and Medicare premiums, deductions, and co-insurance charges; and~~

(b) ~~Necessary medical care recognized under state law, but not covered under the state's Medicaid plan.~~

(2) ~~Allocations used to reduce countable income are made in the following order:~~

(a) ~~Amounts described in subsection (2)(a) may not total more than the one person medically needy income level (MNIL):~~

(i) ~~A personal needs allowance (PNA) as follows:~~

(A) ~~One hundred sixty dollars for a person living in a state veterans' home;~~

(B) ~~Ninety dollars for a veteran or a veteran's surviving spouse, who receives an improved pension and does not live in a state veterans' home; or~~

(C) ~~Forty one dollars and sixty two cents for all other persons in a medical facility.~~

(ii) ~~Federal, state, or local income taxes:~~

(A) ~~Mandatorily withheld from earned or unearned income for income tax purposes before receipt by the person; or~~

(B) ~~Not covered by withholding, but are owed, become an obligation, or have been paid by the person during the time period covered by the PNA.~~

(iii) ~~Wages for a person who:~~

(A) ~~Is SSI-related; and~~

(B) ~~Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the person for a less restrictive placement. When determining this deduction employment expenses are not deducted.~~

(iv) ~~Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.~~

(b) ~~Income garnisheed for child support:~~

(i) ~~For the time period covered by the PNA; and~~

(ii) ~~Not deducted under another provision in the post-eligibility process.~~

(e) ~~A monthly needs allowance for the community spouse not to exceed, effective January 1, 1999, two thousand forty nine dollars, unless a greater amount is allocated as described in subsection (4) of this section. The monthly needs allowance:~~

(i) ~~Consists of a combined total of both:~~

(A) ~~An amount added to the community spouse's gross income to provide a total of one thousand three hundred fifty-eight dollars; and~~

(B) ~~Excess shelter expenses as specified under subsection (3) of this section; and~~

(ii) ~~Is allowed only to the extent the person's income is made available to the community spouse.~~

(d) ~~A monthly maintenance needs amount for each dependent or minor child, dependent parent or dependent sibling:~~

(i) ~~Residing with the community spouse, equal to one-third of the amount that one thousand three hundred fifty-~~

~~seven dollars exceeds the family member's income. Child support received from an absent parent is the child's income.~~

~~(ii) Not residing with the community spouse, equal to the MNIL for the number of family members in the home less the income of the family members.~~

~~(e) Incurred medical expenses described in subsections (1)(a) and (b) not used to reduce excess resources.~~

~~(f) Maintenance of the home of a single person or institutionalized couple:~~

~~(i) Up to one hundred percent of the one person federal poverty level per month;~~

~~(ii) Limited to a six month period;~~

~~(iii) When a physician has certified that the person is likely to return to the home within the six month period; and~~

~~(iv) When social service staff documents initial need for the income exemption and reviews the person's circumstances after ninety days.~~

~~(3) For the purposes of this section, "excess shelter expenses" equal the actual expenses under subsection (3)(a) less the standard shelter allocation under subsection (3)(b):~~

~~(a) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:~~

~~(i) Rent;~~

~~(ii) Mortgage;~~

~~(iii) Taxes and insurance;~~

~~(iv) Any maintenance care for a condominium or cooperative; and~~

~~(v) The food stamp standard utility allowance, provided the utilities are not included in the maintenance charges for a condominium or cooperative.~~

~~(b) The standard shelter allocation is four hundred seven dollars, effective April 1, 1998.~~

~~(4) The amount allocated to the community spouse may be greater than the amount in subsection (2)(c) only when:~~

~~(a) A court enters an order against the person for the support of the community spouse; or~~

~~(b) A hearing officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.~~

~~(5) A person receiving SSI shall continue to receive total payment under 1611 (b)(1) of the Social Security Act for the first three full calendar months of institutionalization in a public or Medicaid approved medical institution or facility when the:~~

~~(a) Stay in the institution or facility is not expected to exceed three months; and~~

~~(b) The person plans to return to former living arrangements)) For a client receiving institutional or hospice services in a medical facility, the department applies all subsections of this rule.~~

~~(2) For a client receiving waived services at home or in an alternate living facility, the department applies only those subsections of this rule that are cited in the rules for those programs.~~

~~(3) For a client receiving hospice services at home, the department applies rules used for the community options program entry system (COPES).~~

~~(4) The department allocates excess resources in an amount equal to incurred medical expenses that are not sub-~~

ject to third-party payment and for which the client is liable, including:

(a) Health insurance and Medicare premiums, deductions, and co-insurance charges; and

(b) Necessary medical care recognized under state law, but not covered under the state's Medicaid plan.

(5) The amount of excess resources described in subsection (4) is limited to the following amounts:

(a) For LTC services provided under the categorically needy (CN) program, the amount described in WAC 388-513-1315(3); or

(b) For LTC services provided under the medically needy (MN) program, the amount described in WAC 388-513-1395(2)(a) or (b).

(6) The department allocates nonexcluded income up to a total of the medically needy income level (MNIL) in the following order:

(a) A personal needs allowance (PNA) of:

(i) One hundred sixty dollars for a client living in a state veterans' home;

(ii) Ninety dollars for a veteran or a veteran's surviving spouse, who receives an improved pension and does not live in a state veterans' home; or

(iii) Forty-one dollars and sixty-two cents for all other clients in a medical facility.

(b) Federal, state, or local income taxes:

(i) Mandatorily withheld from earned or unearned income for income tax purposes before receipt by the client; or

(ii) Not covered by withholding, but are owed, become an obligation, or have been paid by the client during the time period covered by the PNA.

(c) Wages for a client who:

(i) Is related to the supplemental security income (SSI) program as described in WAC 388-503-0510 (1); and

(ii) Receives the wages as part of a department-approved training or rehabilitative program designed to prepare the client for a less restrictive placement. When determining this deduction employment expenses are not deducted.

(d) Guardianship fees and administrative costs including any attorney fees paid by the guardian, after June 15, 1998, only as allowed by chapter 388-79 WAC.

(7) The department allocates nonexcluded income after deducting amounts described in subsection (6) in the following order:

(a) Income garnisheed for child support:

(i) For the time period covered by the PNA; and

(ii) Not deducted under another provision in the post-eligibility process.

(b) A monthly needs allowance for the community spouse not to exceed, effective January 1, 2000, two thousand one hundred three dollars, unless a greater amount is allocated as described in subsection (9) of this section. The monthly needs allowance:

(i) Consists of a combined total of both:

(A) An amount added to the community spouse's gross income to provide a total of one thousand four hundred seven dollars; and

(B) Excess shelter expenses as specified under subsection (8) of this section; and

(ii) Is allowed only to the extent the client's income is made available to the community spouse.

(c) A monthly maintenance needs amount for each minor or dependent child, dependent parent or dependent sibling of the community or institutionalized spouse who:

(i) Resides with the community spouse, equal to one-third of the amount that one thousand four hundred seven dollars exceeds the dependent family member's income.

(ii) Does not reside with the community spouse, equal to the MNIL for the number of dependent family members in the home less the income of the dependent family members. Child support received from an absent parent is the child's income.

(d) Incurred medical expenses described in subsections (4)(a) and (b) not used to reduce excess resources.

(e) Maintenance of the home of a single client or institutionalized couple:

(i) Up to one hundred percent of the one-person federal poverty level per month;

(ii) Limited to a six-month period;

(iii) When a physician has certified that the client is likely to return to the home within the six-month period; and

(iv) When social service staff documents initial need for the income exemption and reviews the client's circumstances after ninety days.

(8) For the purposes of this section, "excess shelter expenses" equal the actual expenses under subsection (8)(b) less the standard shelter allocation under subsection (8)(a). For the purposes of this rule:

(a) The standard shelter allocation is four hundred twenty-two dollars, effective April 1, 2000; and

(b) Shelter expenses are the actual required maintenance expenses for the community spouse's principal residence for:

(i) Rent;

(ii) Mortgage;

(iii) Taxes and insurance;

(iv) Any maintenance care for a condominium or cooperative; and

(v) The food stamp standard utility allowance, provided the utilities are not included in the maintenance charges for a condominium or cooperative.

(9) The amount allocated to the community spouse may be greater than the amount in subsection (7)(b) only when:

(a) A court enters an order against the client for the support of the community spouse; or

(b) A hearings officer determines a greater amount is needed because of exceptional circumstances resulting in extreme financial duress.

(10) A client who continues to receive SSI in a medical facility does not participate the SSI income in the cost of care for medical services.

Preproposal statement of inquiry was filed as WSR 99-16-117.

Title of Rule: Use of electronic imaging systems for the maintenance of public records.

Purpose: To provide standards and prescribe practices for the effective long-term storage and maintenance of public records on electronic imaging systems.

Other Identifying Information: Amending chapter 434-663 WAC.

Statutory Authority for Adoption: RCW 40.14.020(6).

Statute Being Implemented: RCW 40.14.020(6).

Summary: These proposed amendments update existing rules to reflect changes in the relevant technologies and prescribe standards and practices to protect the integrity of public records stored on electronic imaging systems.

Reasons Supporting Proposal: Imaging and information technologies have advanced significantly since these regulations were adopted in 1994.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Phil Coombs, 1129 Washington S.E., Olympia, WA 98504, (360) 586-2660.

Name of Proponent: Division of Archives and Records Management, Office of the Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These proposed amendments update existing rules and prescribe standards and practices for the effective long-term storage and maintenance of public records on electronic imaging systems to protect the integrity of public records stored on those systems.

Proposal Changes the Following Existing Rules: A majority of the sections in chapter 434-663 WAC are amended to modernize the terminology, incorporate references to new technologies, and cite current industry standards and practices.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rules will not impose costs on any businesses.

RCW 34.05.328 does not apply to this rule adoption. These rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

Hearing Location: Department of Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA 98504, on August 3, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Vicki Meyers by August 1, TDD 800-422-8683, or (360) 902-4151.

Submit Written Comments to: P.O. Box 40238, Olympia, WA 98504, fax (360) 586-5629, by August 2, 2000.

Date of Intended Adoption: Monday, August 7, 2000.

June 20, 2000

Donald F. Whiting

Assistant Secretary of State

WSR 00-13-108
PROPOSED RULES
SECRETARY OF STATE
 [Filed June 21, 2000, 11:02 a.m.]

Supplemental Notice to WSR 00-04-083.

~~((LEGALITY))~~ **THE USE OF ELECTRONIC IMAGING SYSTEMS ~~((USED))~~ FOR MANAGING ~~((AND-STORING))~~ PUBLIC RECORDS**

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-100 Legality. The purpose of this chapter is to establish standards and recommended practices for the creation, preservation, access to, and retention of public records on electronic imaging systems. Electronic imaging systems may ~~((be))~~ legally be used for recording, producing, reproducing, maintaining, and storing public records ~~((provided that they materially))~~ if:

(1) Those systems meet the standards set forth in this ~~((regulation))~~ chapter:

(2) The systems are used in accordance with this chapter: and

(3) The retention and disposition of the original and copies of records maintained on those systems regardless of media are scheduled, maintained, and disposed of in accordance with chapter 40.14 RCW. Nothing in this chapter can be construed to limit the admissibility of any public record as evidence ~~((of any public record. The purpose of this regulation is the preservation of information, and the facilitation of the migration of archival, permanent, and long-term records)).~~

NEW SECTION

WAC 434-663-270 Record series. A group of records that are created, used, filed, and disposed of as a unit because they relate to a particular subject or function, result from the same activity, or document a specific kind of transaction.

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-300 Quality of digital images. Ensuring the quality of ~~((digital))~~ digitized images requires exercising control over ~~((six processes:))~~ the conversion of the original image to digital data, enhancement of the digital image if necessary, compression of the digital data for storage, decompression of digital data for retrieval, displaying the image, and printing the image.

NEW SECTION

WAC 434-663-305 Scanning density. Bitonal images of documents containing type fonts no smaller than six-point shall be scanned at a minimum density of 200 dots per inch (dpi). Bitonal images of documents containing type fonts smaller than six-point, engineering drawings, maps, line art, and similar documents with fine detail or poor contrast, shall be scanned at a minimum density of 300 dots per inch. Until an ANSI or AIIM standard for color images using a lossless nonproprietary compression algorithm is established, it is recommended that color documents be scanned at a minimum density of 150 dots per inch (dpi) and use TIFF, Group

5, specifications. Scanner quality control procedures shall conform to ANSI/AIIM MS44-1988, Recommended Practice for Quality Control of Images Scanners.

NEW SECTION

WAC 434-663-315 Image enhancement. Digital image enhancement uses software algorithms to remove image data, either selectively or automatically, to improve image appearance. The use of image enhancement software may result in the loss of substantial detail and may affect a document's admissibility as evidence in court as described in AIIM TR3-1992, Performance Guideline for the Admissibility of Records Produced by Information Technology Systems as Evidence.

NEW SECTION

WAC 434-633-325 Compression and decompression of data. Electronic imaging systems for bitonal images shall use the Consultative Committee on International Telegraphy and Telephony (CCITT) Group 3 or Group 4 compression and decompression techniques without proprietary alterations to the algorithm. For the storage of electronic images of records for which the state or local records committee has approved a retention period of six years or less from the date of creation, a nonproprietary lossless compression algorithm may be used if a utility program or application software option is maintained to convert images to the TIFF Group 3 or Group 4 standard. For the compression and decompression of color images a lossless algorithm, such as TIFF, Group 5, is recommended.

~~((USABILITY OF IMAGE AND INDEX DATA OVER TIME))~~

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-400 Usability of image and index data over time. Maintaining access to and usability of electronic records requires ~~((ensuring continuous readability and intelligibility. Readability means))~~ the ability to process images and indexes both on the computer system on which they were created and on ~~((different))~~ their replacement computer systems without loss of information for the full retention period approved for that record. ~~((Intelligibility means that humans can comprehend the information the computer reads.))~~ Ensuring the readability ~~((and intelligibility))~~ of electronic records over time ~~((entails))~~ requires the maintenance of proper environmental conditions, periodic recopying, and strategies to preserve data by migration from one generation of technology to another through a commitment to open architecture.

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-410 Defining indexing requirements. The selection of indexing ~~((parameters is))~~ methods and

terms should be based on an analysis of the retrieval requirements associated with a particular application, and must ~~((insure rapid))~~ ensure efficient and accurate retrieval of images and information. ~~((For systems containing archival, permanent, or long-term records, index))~~ The design ~~((must))~~ and content of the index should utilize standard attributes wherever available and take into account the security of the index and the retrieval requirements of both current and future users of the records~~((;))~~ including ~~((government))~~ agency personnel ~~((as well as))~~, researchers, and the ~~((general))~~ public.

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-420 Preservation strategy. ~~((A preservation strategy must be developed and implemented))~~ For ~~((each))~~ an electronic image system containing ~~((long-term, permanent, or))~~ public records with a retention period of ten years or longer or records containing archival information~~((; Four preservation strategy options are acceptable))~~, one or more of the following preservation strategies must be employed:

(1) Retain the original paper documents; ~~((or))~~

(2) Microfilm the original documents; ~~((or))~~

(3) ~~((Recopy))~~ Migrate optical media ~~((when necessary to insure the integrity of the information, and recopy))~~ and magnetic media at least every ten years or sooner as is necessary to avoid technical obsolescence, loss of readability, and excessive read error rates; or

(4) ~~((Print images on microfilm;))~~ Record the electronic images on industry standard microfilm at the same density at which they were scanned.

~~((FUNCTIONALITY OF))~~ SYSTEM ~~((COMPONENTS))~~ **REQUIREMENTS**

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-530 ((Technical)) System documentation. Detailed technical documentation ~~((on system components, application software and operating systems is essential, and shall be maintained to facilitate long-term access to archival, permanent, and long-term records))~~ is needed to facilitate future system access. Minimum documentation must include:

(1) A hardware systems administrator manual specifying hardware, cabling, and communications configurations;

(2) Software applications documentation, including user manuals and design documentation;

(3) Operational procedures for scanning, indexing and verifying images;

(4) Current security and system change control procedures, including logs of those changes, indicating the date, identity of the person making the changes and the reason for the change; and

(5) Written procedures for periodic back-ups, including schedules and the location of secure off-site storage for those back-ups.

Agencies will maintain one copy of current documentation on-site and one current copy in designated secure storage.

RETENTION, SCHEDULING, AND DISPOSITION OF RECORDS

AMENDATORY SECTION (Amending WSR 94-04-102, filed 2/1/94, effective 3/7/94)

WAC 434-663-600 Retention scheduling and disposition of public records. Conversion to an imaging system does not automatically authorize the destruction of the ~~((original records))~~ source documents for which images have been created. Destruction of, or changes to the retention period of, any public records due to conversion to or the use of a new media requires legal approval of the state or local records committee of the state of Washington ~~((through the retention and disposition scheduling process in accordance with))~~ under chapter 40.14 RCW ~~((and))~~, chapter 434-635 WAC, and other applicable state laws.

NEW SECTION

WAC 434-663-615 Records retention scheduling for records on imaging system. The required retention scheduling of public records to be created, maintained, accessed, distributed, or preserved by government entities on electronic imaging systems should be done prior to the creation or copying of images of those records. Retention schedules shall be based on the information content and function of the record series. Record series documenting electronic information system operation, and maintenance must also be included on the records retention schedule approved for the agency using the system. Electronic image media rendered obsolete through the verified accurate migration of its images to a more current media for readability may be considered a redundant version and disposed of as directed by chapter 40.14 RCW.

NEW SECTION

WAC 434-663-640 Disposition of records identified by records committee as archival. Public records that are designated "archival" or "potentially archival" by the state or local records committee may not be destroyed without committee approval, even where images of those records have been produced and stored on an electronic imaging system.

NEW SECTION

WAC 434-663-705 Recordkeeping capabilities. Electronic imaging systems must have the following security and retention features or capabilities:

(1) Tracking information at the records series level.

(2) Ability to properly eliminate or dispose of records that exceed their retention periods as established under RCW 40.14.050 through 40.14.070.

(3) Record authentication functions as needed to meet legal, audit, and administrative requirements including automatic, computer-generated maintenance of the date and time of record creation or updating, the identity of the user or system that created or updated the record, and a system-enforced log of disposition actions.

(4) Protection against unauthorized access to records by means of a password hierarchy or other system security.

(5) Indexing capabilities that provide flexibility in associating a record series with multiple subject categories, that facilitate access and retrieval, and that provide links to related records or supporting documentation.

NEW SECTION

WAC 434-663-730 Header information on image files. An electronic imaging system containing public records with a retention period of ten years or longer or records containing archival information must use a nonproprietary file header format such as Tagged Image File Format (TIFF) or a header that complies with ANSI-AIIM MS53, File Format for Storage and Exchange of Images, or Bi-level File Format: Part 1.

NEW SECTION

WAC 434-663-740 Security backup copies. Security backup copies must be made of public records stored on electronic media. The methods and frequency of backup should be determined by the amount of information that would be lost if data had to be restored using the previous backup. Since backup copies are also subject to media failure, it is recommended that redundant (multiple) backup copies be made and stored at different locations, with one copy stored off-site. In order to ensure accessibility of data, at least one redundant backup copy should be recorded in a nonproprietary format. Security backup copy media must be inspected for quality using de facto or industry standards on a regular schedule and replaced before predicted failure. If the primary backup copy of an operational imaging system is found to deviate from the primary production copy due to suspected corruption or read errors, the production system must be stopped and not restarted until the discrepancy is located and both the production and backup copies contain accurate versions of the original images.

NEW SECTION

WAC 434-663-760 Environmental standards or best practices for storage of electronic media. Electronic media should be stored in a dust-free environment under the following environmental conditions:

(1) Temperature ranges meeting standards or best practices recommended for the media stored;

(2) A relative humidity range meeting standards or best practices recommended for the media stored;

(3) Media should be stored in a closed container to protect from dust and fingerprints; and

(4) Magnetic tape should be rewound in accordance with de facto or industry standards, or to best practices.

NEW SECTION

WAC 434-663-770 Continued access to data. If access to data in an existing electronic imaging system cannot be maintained for the specified retention period of the records stored in that system, the images must be migrated, without loss to the images or indexes, at the time of acquisition or implementation of a new system. Access to electronic data which has not been migrated to a new system requires preserving the data, the storage medium in which the data is kept, and whatever hardware, operating system, and applications software is needed to view and use the data.

NEW SECTION

WAC 434-663-780 Data conversion costs. The adoption of new electronic imaging systems may require significant expenditures for conversion of information maintained in existing electronic formats to the formats required by new imaging systems. System planning should include analysis of future information access, maintenance, data conversion, and security costs.

NEW SECTION

The following sections of the Washington Administrative Code are recodified without amendment:

Old WAC Number	New WAC Number
434-663-450	434-663-750

The following sections of the Washington Administrative Code are recodified as amended:

Old WAC Number	New WAC Number
434-663-400	434-663-700
434-663-410	434-663-710
434-663-420	434-663-720

These recodified sections, together with the new sections 434-663-770 and 434-663-780 shall constitute a new subchapter in chapter 434-663 WAC to be titled, Provision for continued access.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-663-310	Enhancement of original image.
WAC 434-663-320	Compressing image data for storage.
WAC 434-663-430	Header on image files.

PROPOSED

- WAC 434-663-440 Backup for recovery.
- WAC 434-663-460 Stability of media.
- WAC 434-663-470 Storage media.
- WAC 434-663-480 Optical media durability.
- WAC 434-663-490 Archival, permanent, and long-term off-line storage environment.
- WAC 434-663-510 Backward compatibility.
- WAC 434-663-520 Availability of index data base for off-line media.
- WAC 434-663-610 Records retention scheduling for records on imaging system.
- WAC 434-663-620 Security copies.

ticipation in state contracting and procurement. Overall annual goals are established to be administered on a contract-by-contract basis. Progress, levels, and availability of certified firms are continually reviewed. The anticipated effect is increased opportunities for minority and women's business enterprises to participate in state contracts and procurements.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects small business, at it is designed to assist small businesses seeking contracting opportunities with state agencies. However, any impact will be negligible, because the goals proposed for Fiscal Year 2000 are the same as those implemented during Fiscal Year 1998.

Analysis is inappropriate under RCW 19.85.040, because the Office of Minority and Women's Business Enterprises does not have data from which to make comparison of costs, and because the effect, if any, is negligible.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Rule does not fall under subsection (5)(a)(i) or (ii).

Hearing Location: Office on Minority and Women's Business Enterprises, 406 South Water, Olympia, WA 98504-1160, on July 25, 2000, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Tammi Hazlitt by July 21, 2000, (360) 753-9691.

Submit Written Comments to: Cathy Canorro, Acting Rules Coordinator, 406 South Water, Olympia, WA 98504-1160, fax (360) 586-7079, by July 24, 2000.

Date of Intended Adoption: July 26, 2000.

June 21, 2000
 Juan Huey-Ray
 Acting Director

WSR 00-13-112
PROPOSED RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES

[Filed June 21, 2000, 11:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-10-105.

Title of Rule: WAC 326-30-041 Annual goals.

Purpose: To implement RCW 39.19.030(4) and encourage minority and women owned business 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 1999 levels for each class of contract. The goals establish benchmarks for measuring the progress made by the state in implementing the statute.

Reasons Supporting Proposal: This proposal is an interim measure to provide guidance to state agencies while the office develops new programs in keeping with changes in state law and the findings of the state's disparity-in-contracting study.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Juan Huey-Ray, 406 South Water, Olympia, WA 98504-1150, (360) 704-1188.

Name of Proponent: Office of Minority and Women's Business Enterprises, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: These goals are laudatory and are not to be used in deciding whether to award an individual contract or make an individual purchase.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule implements chapter 39.19 RCW by establishing target levels for minority and women's business par-

AMENDATORY SECTION (Amending WSR 98-20-005, filed 9/24/98, effective 10/25/98)

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, ((1998)) 2000, through June 30, ((1999)) 2001,

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods	8% MBE	4% WBE
Purchased Services	10% MBE	4% WBE
Professional Services	10% MBE	4% WBE

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WSR 00-13-113
PROPOSED RULES
OFFICE OF THE
INSURANCE COMMISSIONER

[Order R 98-18—Filed June 21, 2000, 11:42 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-17-084.

Title of Rule: Out-of-state groups.

Purpose: These rules were identified in the commissioner's regulatory improvement process as rules that may need to be updated and clarified. Additionally, the commissioner is proposing these changes to the overall regulatory scheme to make it a more complete, efficient, and effective way of regulating this area and protecting consumers receiving coverage in Washington state.

Statutory Authority for Adoption: RCW 48.02.060, 48.30.010.

Statute Being Implemented: RCW 48.01.020, 48.01-060.

Summary: The proposed changes clarify the scope and language of the existing regulation and eliminate possible areas of ambiguity that may exist. Exemptions are eliminated. Certain documents must be filed prior to use. Disclosure requirements are revised.

Reasons Supporting Proposal: Some aspects of the existing rule have been confusing to some parties. The amendments should aid in clarifying the scope of the rules, be easier to implement and administer, and further protect the consumer.

Name of Agency Personnel Responsible for Drafting: Jon Hedegard, Olympia, (360) 664-4629; Implementation: Bethany Weidner, Olympia, (360) 664-8137; and Enforcement: Jeffrey Coopersmith, Olympia, (360) 664-4615.

Name of Proponent: Deborah Senn, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules eliminate any possible ambiguity about whether or not the regulation applies to annuities, this has not been an issue of concern yet but the amendments preclude possible problems. The proposed rules eliminate certain group exemptions from the regulation. The proposed rules change the focus of the regulation from the master policy to the certificate and other documents that provide coverage in Washington. The proposed rules require filing of certain documents thirty days prior to use rather than upon request. Existing disclosure requirements are amended. Editing and clarity changes have also been made.

Proposal Changes the Following Existing Rules: WAC 284-30-600 and 284-30-610 are amended to eliminate possible ambiguity about whether or not the sections apply to annuities; changes the focus of the regulation from the master policy to the certificate and other documents that provide coverage in Washington; repeal the section that addresses the purpose of groups; require filing of certain documents prior to use rather than upon request; strengthen the disclosure to the consumer; and clarify the existing regulation.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Background: For the most part, Washington consumers of group insurance products offered by out-of-state entities are covered by protections contained within various sections of the Revised Code of Washington and Washington Administrative Code dealing with life insurance, disability insurance, long-term care insurance and Medicare supplemental insurance. The current WAC regulations with respect to these products, WAC 284-30-600 and 284-30-610, became effective in 1991.

The commissioner's regulatory improvement process identified these sections for possible updating and clarification, and a review commenced regarding the overall regulatory scheme for group coverages offered by out-of-state entities. The review was aimed at determining whether current legal code offers the most complete, efficient, and effective way of regulating this area and protecting consumers receiving coverage in Washington state.

The proposed rule embodies the results of the review. It was determined that there were places in the existing rules where its requirements could be more clearly stated. The proposed rule also recommends changing the language of certain disclosure forms to make them more clear, and suggests changes to some filing requirements. Perhaps most significantly, the proposal recommends that consumers who do not currently receive the benefits of state regulations in the area of group life and disability policies begin to enjoy the protections offered by these regulations. Under some circumstances the current regulation exempts such arrangements from the regulatory framework. After review, the agency believes there is no longer justification for these exemptions. They leave some state consumers with fewer protections than others who buy substantially similar products from either in-state or out-of-state entities, and they may also disadvantage producers that are required to comply with Washington regulations.

Is the Rule Required by Federal Law or Federal Regulation? This rule is not required by federal law or regulation.

What Industry is Affected by the Proposed Rule? Affected industries include Life Insurance (SIC 6311) and Accident and Health Insurance (SIC 6321).

List the Specific Parts of the Proposed Rule, Based on the Underlying Statutory Authority (RCW Section), Which may Impose a Cost to Business: WAC 284-30-600, the existing section puts requirements on certain life and disability insurers that affect life or disability insurance coverage on individuals in Washington under a group policy which is delivered to a policyholder outside this state. RCW 48.30.010, regarding unfair practices, provides statutory authority for the rule. Primarily, the portion of the proposed rule relating to this section rescinds exemptions contained in the existing rule that are applicable when an individual does not pay at least a substantial portion of the coverage, or when the insurance is written for members of certain associations. The proposed rule will therefore ensure that all Washington

consumers of out-of-state products receive the protections provided by Washington life and disability regulations. This section may impose a cost to businesses by requiring that currently exempted entities follow the life and disability regulations that currently cover other out-of-state group insurers.

WAC 284-30-610, the existing section defines unfair practices with respect to the solicitation of coverage under out-of-state group policies. RCW 48.30.010, regarding unfair practices, provides statutory authority for this section of the rule. The proposed rule makes some technical clarifications to the existing regulation, such as amending the language of the disclosure statement form provided to consumers. It also requires filing of certificate forms and other related forms providing coverage to consumers in Washington prior to their use, and allows more time for filing disclosure forms with the commissioner. This section of the rule may impose some cost to businesses due to amendment and filing of forms.

What Percentage of the Industries in the Four-Digit Standard Industrial Classification will be Affected by the Rule? Using the Office of Management and Budget's 1987 Standard Industrial Classification Manual, it appears that seven of thirteen industries (54%) within SIC 6311 (Life Insurance), and seven of eleven industries (64%) within SIC 6321 (Accident and Health Insurance) may be affected by the proposed rule.

Will the Rule Impose a Disproportionately Higher Economic Burden on Small Businesses Within the Four-Digit Classification? The rule is not expected to impose a disproportionately higher economic burden on small businesses. This is primarily because the rule is not expected to affect any small businesses as defined by Washington law. During development of the proposed rule the Office of the Insurance Commissioner (OIC) has not been aware of any profit-seeking entities with fewer than fifty employees that would be affected by it. The agency also sent a questionnaire to a cross-section of the industry inquiring whether any of the recipients qualified as small businesses; OIC has received no responses indicating that the rule affects small businesses as defined by Washington law.

Can Mitigation be Used to Reduce the Economic Impact of the Rule on Small Businesses and Still Meet the Stated Objective of the Statutes that are the Basis of the Proposed Rule? Since to the agency's knowledge the proposed rule will not affect businesses with fewer than fifty employees, mitigation in this regard is not necessary.

What Steps will the Commissioner take to Reduce the Costs of the Rule on Small Businesses? Please see above.

Which Mitigation Techniques have been Considered and Incorporated into the Proposed Rule? Please see above.

Which Mitigation Techniques were Considered for Incorporation into the Proposed Rule but were Rejected, and Why? Please see above.

Briefly Describe the Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule: Currently, nearly all insurers offering out-of-state insurance to Washington consumers must comply with applicable sec-

tions of the Washington Administrative Code and/or the Revised Code of Washington governing life insurance, disability insurance, long-term care insurance or Medicare supplemental insurance. As stated earlier in this document, certain insurers as defined in subsection (2) of the existing rule are not required to comply with the state regulations. After the adoption of the proposed rule, out-of-state entities that currently offer group life and disability insurance, but are exempt from and do not otherwise comply with the respective WAC and RCW sections, will have to comply. These WAC and RCW sections contain various compliance requirements related to the particular products being offered.

The proposed rule requires some changes to disclosure forms used by out-of-state entities. It also requires insuring entities to file certificate forms and other related forms providing coverage in Washington; under current regulation these forms are required but only need to be made available to the commissioner upon the commissioner's request.

List the Kinds of Professional Services that a Small Business is Likely to Need in Order to Comply with the Reporting, Recordkeeping, and Other Compliance Requirements of the Proposed Rule: Since there are no known small businesses that will be affected by the proposed rule, it is not relevant to list the kinds of professional services that would be required by them.

Analyze the Cost of Compliance: The cost of compliance for the rule has not yet been calculated; however, for the purposes of this small business economic impact statement, the cost of compliance is not relevant. Since there are no known small businesses that will be affected by the proposed rule, there is not a need to calculate costs to small businesses relative to large businesses.

Compare the Cost of Compliance for Small Business with the Cost of Compliance for the Largest Business in the Same Four-Digit Classification: Since there are no known small businesses that will be affected by the proposed rule, such a comparison is not applicable to this rule making.

Have Businesses that will be Affected been Asked What the Economic Impact will be? Yes, the OIC sent a detailed questionnaire regarding the proposed rule's potential economic impacts to a cross section of entities that may be affected by the rule. Over forty companies and associations received the questionnaire. These forty entities included companies sited in Washington and in other states. The questionnaire asked both specific and general questions regarding potential economic impacts of the proposal.

How did the Commissioner Involve Small Business in the Development of the Proposed Rule? The OIC was not aware of any for-profit entities with fewer than fifty employees that would be affected by the proposed rule. Nonetheless, it sent the economic impact questionnaire to several relatively small companies and associations as well as to national industry leaders in order to solicit input.

How and When were Affected Small Businesses Advised of the Proposed Rule? Once again, OIC was not aware of any small businesses affected by the proposed rule. The economic impact questionnaire was sent to several smaller businesses. In addition, the preproposal statement of

inquiry regarding this rule-making process was officially filed in August of 1998. The agency has not received any inquiries from small businesses regarding the rule.

A copy of the statement may be obtained by writing to Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, Internet KacyB@oic.wa.gov, phone (360) 664-3784, fax (360) 664-2782.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption.

Hearing Location: 14th and Water, John A. Cherberg Building, Senate Hearing Room 1, Olympia, Washington, on July 25, 2000, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Lori Villaflores by July 24, 2000, TDD (360) 407-0409.

Submit Written Comments to: Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, e-mail Kacyb@oic.wa.gov, fax (360) 664-2782, by July 24, 2000.

Date of Intended Adoption: August 8, 2000.

June 21, 2000

D. J. Patin

Deputy Commissioner

AMENDATORY SECTION (Amending Order 90-14, filed 1/16/91, effective 4/1/91)

WAC 284-30-600 Unfair practices with respect to out-of-state group life and disability insurance. (1) ~~((Pursuant to))~~ under RCW 48.30.010, ((except as provided in subsection (2) of this section)) it is an unfair method of competition and an unfair practice for any insurer to ~~((effect life))~~ engage in any insurance transaction, as defined in RCW 48.01.060, regarding life insurance, annuities, or disability insurance coverage on individuals in this state under a group policy ((which is)) delivered to a policyholder outside this state when:

(a) ~~((Such))~~ The policy or ((any)) certificate ((used there-with)) providing coverage in the state of Washington, including, but not limited to, applications, riders, or endorsements, contains any inconsistent, ambiguous or misleading clauses, or exceptions and conditions which unreasonably or deceptively affect the risk purported to be assumed in the general coverage of the ((policy)) contract.

(b) ~~((Such))~~ The policy or ((any certificate used there-with)) certificate providing coverage in the state of Washington, including, but not limited to, applications, riders, or endorsements, has any title, heading, or other indication of its provisions which is misleading.

(c) ~~((Such))~~ The policy or certificate delivered to residents of the state of Washington does not include all terms and conditions of the coverage.

(d) The type of group being covered under the contract providing coverage in the state of Washington does not qualify for group life insurance or group disability insurance under the provisions of Title 48 RCW.

(e) The coverage is being solicited by deceptive advertising.

~~((d))~~ (f) With respect to disability insurance, the ((out-of-state group)) policy or certificate providing coverage in the state of Washington does not:

(i) Provide that claims will be processed in compliance with RCW 48.21.130 through ~~((48.21.146))~~ 48.21.148;

(ii) Meet the requirements as to benefits and coverage mandated by chapter 48.21 RCW and rules effectuating that chapter, specifically including those set forth in chapter 284-51 WAC, and WAC 284-30-610 ~~((and)),~~ 284-30-620 and 284-30-630;

(iii) With respect to long-term care insurance, also meet the requirements of chapter 48.84 RCW and chapter 284-54 WAC;

(iv) With respect to Medicare supplemental insurance, also meet the requirements of chapter 48.66 RCW and chapter 284-66 WAC; and

(v) Meet the loss ratio standards applicable to group insurance ~~((pursuant to))~~ under RCW 48.66.100 and 48.70.030 and chapter 284-60 WAC ((284-60-060)).

~~((e))~~ (g) With respect to life insurance, the out-of-state group policy or certificate providing coverage in the state of Washington fails to comply with the provisions of ((RCW 48.24.100 through 48.24.260, WAC 284-23-550, 284-30-620, and));

(i) Chapter 48.24 RCW;

(ii) WAC 284-23-550 and 284-23-600 through 284-23-730;

(iii) WAC 284-30-620; and

(iv) WAC 284-30-630.

~~((a))~~ Unless the individual insured pays all or substantially all of the cost of his or her coverage, subsection (1) of this section is not applicable to life or disability insurance coverage provided by any group policy issued for a group which would be qualified for group life insurance if the master policy were delivered to a policyholder in this state pursuant to RCW 48.24.035, 48.24.040, 48.24.050, or 48.24.095.

~~((b))~~ Subsection (1) of this section is not applicable with respect to coverage under a master policy issued for an association group which would be qualified for group insurance under such policy if it were delivered to the policyholder in this state pursuant to the requirements of RCW 48.24.045.

~~((i))~~ If such association clearly has a genuine purpose and existence of significant value to its members independent of its status as the group policyholder and independent of its involvement in insurance on behalf of its members, and if, further, there is a realistic and demonstrable basis related to the situs of the association or the residencies of a substantial portion of its members justifying the issuance of the group policy in the other state; or

~~((ii))~~ If such association provides such coverage to each of its members, except those who may not qualify by reason of age, at no charge to them other than the standard membership dues or costs paid by each member.

~~((c))~~ Subsection (1) of this section is not applicable with respect to a group policy issued for a group which qualifies for group insurance pursuant to RCW 48.24.060, 48.24.080, and 48.24.090.

~~((d))~~ Except for coverages excluded by (a), (b), and (c) of this subsection, this section applies to all life and disability coverage on individuals in this state under group policies which are delivered to policyholders outside this state, specifically including those issued for trustee and other groups

which are eligible for group insurance pursuant to RCW 48.21.010, 48.21.030, 48.24.020, 48.24.045, and 48.24.070.

(3)) Except as provided in subsection ((4)) (3)(c) of this section, for purposes of this section it is immaterial whether the ((insurance)) coverage is offered by means of a solicitation through: A sponsoring organization((, through the mail or other mass communication media, or through)); the mail broadcast or print media; electronic communication, including electronic mail and websites; licensed agents or brokers; or any other method of communication.

((4)) (3) It is further defined to be an unfair practice for any insurer ((effecting)) marketing group insurance coverage in this state ((through policies delivered to an out-of-state master policyholder to fail)) to do the following with respect to ((such insurance)) the coverage:

(a) ~~((It must))~~ To fail to comply with the requirements of this state relating to advertising and claims settlement practices, and ((it must, upon request,)) to fail to furnish the commissioner, upon request, copies of all advertising materials intended for use in this state;

(b) ~~((It must make available copies of any policy forms, and certificate forms used therewith, upon request of the commissioner; and~~

~~(e) Where the sale of such coverage to individuals in this state will be through solicitation by agents, solicitors or brokers, so that WAC 284-30-610 will be applicable to such solicitations, the insurer shall file with the commissioner copies of the pertinent group policy and certificate forms, and shall include a copy of the disclosure statement required by WAC 284-30-610, appropriately completed, which will be))~~ To fail to file copies of all certificate forms and any other related forms providing coverage in Washington, including trust documents or articles of incorporation with the commissioner at least thirty days prior to use; and

(c) To fail to file with the commissioner a copy of the disclosure statement required by WAC 284-30-610, where the sale of coverage to individuals in this state will be through solicitation by agents, solicitors or brokers. The disclosure statement must be appropriately completed, as it appears when delivered to the Washington individuals who are solicited by the Washington licensees.

~~((Such material))~~ The disclosure form must also be filed at least ((twenty days before the)) thirty days prior to any solicitation of coverage ((commences)).

AMENDATORY SECTION (Amending Order 90-14, filed 1/16/91, effective 4/1/91)

WAC 284-30-610 Unfair practices with respect to the solicitation of coverage under out-of-state group policies.

(1) It is an unfair method of competition and an unfair practice for:

An ((insurance company)) insurer to permit its appointed licensed agent((, and for));

An insurance agent((:));

Solicitor; or

A broker,

to solicit an individual in the state of Washington to buy or apply for life insurance, annuities, or disability insurance coverage when ((such)) the coverage is provided ((pursuant

te)) under the terms of a group ((insurance)) policy delivered to an association or organization (or to a trustee designated by ((such)) the association or organization), as policyholder, outside this state, ((if obtaining such coverage or continuing it is dependent upon the covered individual being a member of or in some way affiliated with such association or organization (other than as an employee, or a dependent of an employee, thereof,)) unless the following steps are taken:

(a) An accurately completed disclosure statement, substantially in the form set forth in subsection (2) of this section, must be ~~((signed by the soliciting licensee, and delivered to and))~~ brought to the attention of the individual being solicited before the application for coverage is completed and signed. The disclosure form must be signed by both the soliciting licensee and the individual being solicited and it must be given to the individual.

(b) ~~((The signed original disclosure statement must be left with such individual.~~

(e)) A copy of the completed disclosure statement must be ~~((signed by such individual to acknowledge its receipt, and be))~~ submitted by the soliciting licensee, with the application for coverage, to the ~~((insurance company))~~ insurer providing the coverage.

~~((d) The insurance company))~~ (c) The insurer must confirm the accuracy of the form's contents, and retain ((such)) the copy for not less than three years from the date the coverage commences or from the date received, whichever is later.

(2) Disclosure statement form: (Type size to be no less than ten-point)

~~((Insurance Company's))~~ Insurer's name and address)

IMPORTANT INFORMATION ABOUT THE ((INSURANCE)) COVERAGE YOU ARE BEING OFFERED

Save this statement! It may be important to you in the future. The Washington State Insurance Commissioner requires that we give you the following information about the ~~((health insurance))~~ coverage offered to you under a group ~~((insurance))~~ policy issued by ~~((insurance company))~~ insurer, (to/on behalf of) (association or organization) .

The policy is subject to and governed by the laws of the state of

~~((The coverage (meets/does not meet) minimum insurance standards required of Washington state policies. You (will/will not) receive benefits required to be provided by Washington policies. The policy is designed to return benefits which are valued at a percentage (less than/equal to/greater than) the percentage of premiums that would be required under Washington state's rules or laws for group coverage.))~~ The certificate of coverage issued to you is governed by the state of Washington.

The Washington State Insurance Commissioner ~~((will have limited))~~ has authority to assist you concerning ((the)) your coverage.

To keep this ~~((insurance))~~ coverage, you (must/need not) continue membership in the group. If you are not now a mem-

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ber, the initial cost of membership is \$. . . . Additional dues or membership fees are currently \$. . . . per Membership costs (may/will not) increase in future years. You will also have the ~~((insurance))~~ premiums to pay.

The ~~((insurance))~~ coverage (can/can not) be discontinued by the group. It (can/can not) be terminated by the insurer. If the group organization ceases to exist, your coverage (would/would not) terminate. You (are/are not) entitled by the contract to convert your coverage to your own ~~((insurance))~~ policy.

~~((Group organization's name) and (insurance company's name) (are/are not) directly or indirectly subject to common control with respect to their management and policies, through ownership, by contract, or otherwise.))~~ (Group organization's name) (will/will not) be paid for its participation in this insurance program. (An explanation of payments ((may)) must be inserted here.)

~~((Apart from its involvement in insurance such as that offered to you, the organization engages in the following activities of value to its members: The organization has approximately members, at this time. About % of them do not participate in the group's health insurance program.))~~

If you apply for this coverage, you (will/will not) have a "free look" (of days*) during which you may cancel your contract and recover your premium without obligation. Your membership fee to join the group (is/is not) refundable. *(Omit phrase, "of days", if there is no "free look.")

DELIVERED to the applicant this day of ~~((. . . .))~~ (month), ~~((199. . .))~~ (year), by

(Signed) (agent, solicitor or broker).

Printed Name:

((RECEIPT HEREOF IS ACKNOWLEDGED)) I ACKNOWLEDGE THAT I HAVE RECEIVED AND UNDERSTAND THIS DISCLOSURE STATEMENT: Applicant.

(3) This section does not apply with respect to coverage provided to individuals under a group contract which is provided for a group of a type described in RCW 48.24.035, 48.24.040, 48.24.060, ~~((48.24.070;))~~ 48.24.080, 48.24.090, or 48.24.095.

WSR 00-13-115
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed June 21, 2000, 11:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-08-108.

Title of Rule: WAC 458-40-650 Timber excise tax—Timber quality codes defined.

Purpose: Provide taxpayers with the description of different qualities of timber species for valuation purposes. The quality codes are based upon species and standard industry specifications for log grade.

Statutory Authority for Adoption: RCW 82.32.300 and 84.33.096.

Statute Being Implemented: RCW 84.33.091, 82.32.060, and 84.33.077.

Summary: The rule contains two tables of quality codes for multiple species of trees. These two tables represent the western and eastern areas of the state. Each table breaks out the quality codes by timber species and log grade specifications. The rule is being amended to reflect changes in the market and quality of certain log species. Cedar, black cottonwood and hardwoods are identified under a single quality code and red alder under two diameter based quality codes.

Reasons Supporting Proposal: Red cedar is being reduced to one quality code to reflect the quality available in the market. Red alder is being reduced to two quality codes that better represent the more homogenous nature of red alder logs from young growth forests. Black cottonwood and other hardwoods have been combined because of similar, lower values than red alder and the small amounts being harvested.

Name of Agency Personnel Responsible for Drafting: Ed Ratcliffe, 1025 Union Avenue, #400, Olympia, WA, (360) 570-6126; Implementation and Enforcement: Gary O'Neil, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 753-2871.

Name of Proponent: Department of Revenue, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: No comments or recommendations are submitted.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 458-40-650 provides two quality code tables for multiple species of trees. These quality codes are used to help delineate the value of the harvest in the stumpage value tables. RCW 84.33.091 requires the department to make allowances in the stumpage value tables for the quality of the timber. The two quality code tables represent the western and eastern areas of the state. Each table provides a quality code based upon the timber species and the log grade specifications. The rule is being amended in large part to reflect changes in the market. We propose for red cedar to report under one quality code rather than four quality codes. One quality code for red cedar better reflects the quality of the red cedar available in the market and eases administrative burdens upon both the taxpayer and the department. The scarcity of old growth cedar in Washington has changed the importance of log diameter in regards to value. This market change results in a greater administrative burden upon both the harvester and the department to determine information that is no longer a primary key for setting prices for cedar. We propose that red alder no longer be reported with other hardwoods. We also propose that red alder report under two quality codes rather than three. The two quality codes for red alder better represent the more homogenous nature of red

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alder logs from young growth forests. We propose that black cottonwood and other hardwoods be combined and report under a single quality code. These hardwoods should be combined because of similar, lower values than the red alder and report under only one quality code because of the small amounts being harvested in Washington.

The reduction in quality codes for black cottonwood, hardwood and red alder reflect the difficulty in maintaining multiple quality codes that represent true value in the ongoing market. The current quality codes were not reflecting the current pricing breaks in quality for such timber and adding an unnecessary administrative step for the taxpayer. In order to simplify reporting and administration of these quality codes, the number of quality codes for these hardwoods were reduced.

The anticipated effects of changes made in the rule is that better values will be more simply calculated under the changes made to the tables and harvest adjustments.

Proposal Changes the Following Existing Rules: Harvest adjustments and quality codes within the tables are amended. See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required when a legislative rule is being adopted under RCW 34.05.328.

RCW 34.05.328 applies to this rule adoption. These are significant legislative rules pursuant to RCW 34.05.328 (5)(a)(i).

Hearing Location: Department of Revenue, Conference Room, Target Place Building, No. 4, 2735 Harrison Avenue N.W., Olympia, WA, on August 15, 2000, at 10 a.m.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6176.

Submit Written Comments to: Ed Ratcliffe, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail edr@dor.wa.gov, by August 15, 2000.

Date of Intended Adoption: September 15, 2000.

June 21, 2000

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 96-02-054, filed 12/29/95, effective 1/1/96)

WAC 458-40-650 Timber excise tax—Timber quality codes defined. The timber quality code numbers for each species of timber shown in the stumpage value tables contained in this chapter are defined as follows:

**TABLE 1—Timber Quality Code Table
Stumpage Value Areas 1, 2, 3, 4, 5, and 10**

Species	Quality Code Number	Log grade specifications ¹
Douglas-fir	1	Over 50% No. 2 Sawmill and better log grade, and 15% and over Special Mill, No. 1 Sawmill, and better log grade.
Douglas-fir	2	Over 50% No. 2 Sawmill and better log grade, and less than 15% Special Mill, No. 1 Sawmill, and better log grade.
Douglas-fir	3	25-50% inclusive No. 2 Sawmill and better log grade.
Douglas-fir	4	Less than 25% No. 2 Sawmill and better log grade.
Western Redcedar and Alaska-Cedar	1	((Over 30% No. 2 Sawmill and better log grade, and 15% and over Special Mill, No. 1 Sawmill, Peeler and better log grade.)) All log grades.
((Western Redcedar and Alaska Cedar	2	Over 30% No. 2 Sawmill and better log grade, and less than 15% Special Mill, No. 1 Sawmill, Peeler and better log grade.
Western Redcedar and Alaska Cedar	3	5-30% inclusive No. 2 Sawmill and better log grade.
Western Redcedar and Alaska Cedar	4	Less than 5% No. 2 Sawmill and better log grade.))
Western Hemlock, True Firs, Other Conifer, and Spruce	1	Over 50% No. 2 Sawmill and better log grade, and 5% and over Special Mill, No. 1 Sawmill and better log grade.
Western Hemlock, True Firs, Other Conifer, and Spruce	2	Over 50% No. 2 Sawmill and better log grade, and less than 5% Special Mill, No. 1 Sawmill and better log grade.
Western Hemlock, True Firs, Other Conifer, and Spruce	3	25-50% inclusive No. 2 Sawmill and better log grade.
Western Hemlock, True Firs, Other Conifer, and Spruce	4	Less than 25% No. 2 Sawmill and better log grade.
Ponderosa Pine	1	Less than 10 logs 16 feet long per thousand board feet Scribner scale.
Ponderosa Pine	2	10 or more logs 16 feet long per thousand board feet Scribner scale.
Lodgepole Pine	1	All log grades.
Red Alder ((and other hardwoods))	1	((Over 50%)) 40% and over No. 3 Sawmill and better log grades.
Red Alder ((and other hardwoods))	2	((10-50% inclusive)) Less than 40% No. 3 Sawmill and better ((other hardwoods)) log grades.
((Red Alder and other hardwoods	3	Less than 10% No. 3 Sawmill and better log grades.))
Black Cottonwood and other hardwoods	1	((35% and over Peeler log grade.)) All log grades.
((Black Cottonwood	2	Less than 35% Peeler log grade and 15% and greater No. 1 Sawmill and better log grade.
Black Cottonwood	3	Less than 15% No. 1 Sawmill and better log grade.))

PROPOSED

Species	Quality Code Number	Log grade specifications ¹
Chipwood	1	All logs that comply with the definition of chipwood in WAC 458-40-610 ((18)(d)) .
Piles	1	All logs that comply with the definition of piles in WAC 458-40-610 ((18)(e)) .
Poles	1	All logs that comply with the definition of poles in WAC 458-40-610 ((18)(h)) .

¹ For ~~((detailed descriptions and definitions of))~~ information on approved log scaling ~~((grading rules,))~~ and ~~((procedures))~~ grading methods see WAC 458-40-680.

**TABLE 2—Timber Quality Code Table
Stumpage Value Areas 6 and 7**

Species	Quality Code Number	Log grade specifications ¹
Ponderosa Pine	1	Less than 10 logs 16 feet long per thousand board feet Scribner scale.
Ponderosa Pine	2	10 or more logs 16 feet long per thousand board feet Scribner scale.
All conifers other than Ponderosa Pine	1	All log sizes.
Hardwoods	1	Sawlogs only.
Small logs	1	All conifer logs that comply with the definition of small logs in WAC 458-40-610 ((18)(e)) .
Chipwood	1	All logs that comply with the definition of chipwood in WAC 458-40-610 ((18)(d)) .
Piles	1	All logs that comply with the definition of piles in WAC 458-40-610 ((18)(e)) .
Poles	1	All logs that comply with the definition of poles in WAC 458-40-610 ((18)(h)) .

**WSR 00-13-119
PROPOSED RULES
DEPARTMENT OF REVENUE**

[Filed June 21, 2000, 11:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-08-109.

Title of Rule: WAC 458-40-660 Timber excise tax—Stumpage value tables.

Purpose: Provide taxpayers with stumpage value tables to determine timber excise tax as required by RCW 82.33-091.

Statutory Authority for Adoption: RCW 82.32.300 and 84.33.096.

Statute Being Implemented: RCW 84.33.091, 82.32.060, and 84.33.077.

Summary: The rule contains eight tables of stumpage values. These eight tables represent the areas in the state in which timber is harvested. Each table breaks out the values by timber species, quality, and a downward adjustment for hauling. The rule also contains two harvest adjustment tables for the volume per acre which is harvested, logging conditions, remote island harvesting, and thinning. In addition, the rule also contains a domestic market adjustment table for export restricted public timber not sold through a competitive bidding process.

The rule is being amended to reflect amendments to the quality codes and proposed changes to the harvest adjustments. Logging conditions for the western part of the state will change from using slope to equipment as a basis for adjustments. Volume per acre adjustments will be simplified and allow for larger cost adjustments. The thinning adjustment will also be simplified by moving from two adjustments that were sometimes difficult to determine (volume per log) to one adjustment.

Reasons Supporting Proposal: Higher harvesting costs in western Washington are currently better reflected by equipment than by slope. Slope and the difficult terrain will still be represented in the adjustment for equipment because of the need for specialized equipment to harvest on steep terrain. The volume per acre adjustments simplify tax reporting and better reflect the higher costs of harvesting timber in lower volume areas by providing fewer adjustments at (generally) a higher amount. Changes made to the quality codes, explained in the CR-102 for WAC 458-40-650, is the reason for amending the stumpage value tables.

Name of Agency Personnel Responsible for Drafting: Ed Ratcliffe, 1025 Union Avenue, #400, Olympia, WA, (360) 570-6126; Implementation and Enforcement: Gary O'Neil, 2735 Harrison N.W., Building 4, Olympia, WA, (360) 753-2871.

Name of Proponent: Department of Revenue, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: No comments or recommendations are submitted.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The amendment of WAC 458-40-660 complies with RCW 84.33.091 that requires the department to publish stumpage values on a semiannual basis. The tables set out for each stumpage value area the amount that each species or subclassification of timber would sell for at a voluntary sale made in the ordinary course of business for purpose of immediate harvest. Timber harvesters, other than small harvesters, use the tables as a basis for calculating the amount of timber excise tax owed. The anticipated effects of changes made in the rule is that better values will be more simply calculated under the changes made to the tables and harvest adjustments.

PROPOSED

Proposal Changes the Following Existing Rules: Harvest adjustments and quality codes within the tables are amended. See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required when a legislative rule is being adopted under RCW 34.05.0328.

RCW 34.05.328 applies to this rule adoption. These are significant legislative rules pursuant to RCW 34.05.328 (5)(a)(i).

Hearing Location: Department of Revenue, Conference Room, Target Place Building, No. 4, 2735 Harrison Avenue N.W., Olympia, WA, on August 15, 2000, at 10 a.m.

Assistance for Persons with Disabilities: Contact Ginny Dale no later than ten days before the hearing date, TDD 1-800-451-7985, or (360) 570-6176.

Submit Written Comments to: Ed Ratcliffe, Department of Revenue, P.O. Box 47467, Olympia, WA 98504-7467, fax (360) 664-0693, e-mail edr@dor.wa.gov, by August 15, 2000.

Date of Intended Adoption: September 15, 2000.

June 21, 2000

Claire Hesselholt

Rules Manager

Legislation and Policy Division

AMENDATORY SECTION (Amending WSR 00-02-019, filed 12/27/99, effective 1/1/00)

WAC 458-40-660 Timber excise tax—Stumpage value tables—Stumpage value adjustments. (1) **Introduction.** This ~~((section sets forth the))~~ rule provides stumpage value tables and ~~((the))~~ stumpage value adjustments ~~((that are))~~ used to calculate the amount of a harvester's timber excise tax ~~((owed by a timber harvester))~~.

(2) **Stumpage value tables.** The following stumpage value tables are ~~((hereby adopted for use in reporting))~~ used to calculate the taxable value of stumpage harvested ~~((during the period))~~ from January 1 through June 30, ~~((2000))~~ 2001:

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, ~~((2000))~~ 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$536	\$529	\$522	\$515	\$508
		2	442	435	428	421	414
		3	439	432	425	418	411
		4	439	432	425	418	411
Western Redcedar ²	RC	1	726	719	712	705	698
		((2))	726	719	712	705	698
		3	705	698	691	684	677

TABLE 1—Stumpage Value Table
Stumpage Value Area 1
January 1 through June 30, ~~((2000))~~ 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Western Hemlock <u>and</u> <u>Other Conifer</u> ³	WH	4	689	682	675	668	661
		1	371	364	357	350	343
		2	370	363	356	349	342
		3	339	332	325	318	311
((Other Conifer	OC	4	334	327	320	313	306
		1	371	364	357	350	343
		2	370	363	356	349	342
		3	339	332	325	318	311
Red Alder	RA	4	334	327	320	313	306
		1	258	251	244	237	230
		2	223	216	209	202	195
		((3	180	173	166	159	152
Black Cottonwood	BC	1	81	74	67	60	53
		((2	81	74	67	60	53
		3	15	8	1	1	1
Other Hardwood	OH	1	136	129	122	115	108
		((2	116	109	102	95	88
		3	83	76	69	62	55
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ~~((458-40-684 and 458-40-686))~~ 458-40-680.

² Includes Alaska-Cedar.

³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁴ Stumpage value per 8 lineal feet or portion thereof.

⁵ Stumpage value per lineal foot.

PROPOSED

TABLE 2—Stumpage Value Table
Stumpage Value Area 2
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir	DF	1	\$515	\$508	\$501	\$494	\$487
		2	461	454	447	440	433
		3	439	432	425	418	411
		4	351	344	337	330	323
Western Redcedar ²	RC	1	726	719	712	705	698
		((2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661))
Western Hemlock and Other Conifer ³	WH	1	370	363	356	349	342
		2	370	363	356	349	342
		3	345	338	331	324	317
		4	333	326	319	312	305
((Other Conifer	OC	1	370	363	356	349	342
		2	370	363	356	349	342
		3	345	338	331	324	317
		4	333	326	319	312	305))
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		((3	180	173	166	159	152))
Black Cottonwood	BC	1	81	74	67	60	53
		((2	81	74	67	60	53
		3	15	8	1	1	1))
Other Hardwood	OH	1	136	129	122	115	108
		((2	116	109	102	95	88
		3	83	76	69	62	55))
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁴	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁵	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁵	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ((458-40-684 and 458-40-686)) 458-40-680.

² Includes Alaska-Cedar.

³ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁴ Stumpage value per 8 lineal feet or portion thereof.

⁵ Stumpage value per lineal foot.

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$536	\$529	\$522	\$515	\$508
		2	419	412	405	398	391
		3	419	412	405	398	391
		4	419	412	405	398	391
Western Redcedar ³	RC	1	726	719	712	705	698
		((2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661))
Western Hemlock and Other Conifer ⁴	WH	1	371	364	357	350	343
		2	367	360	353	346	339
		3	333	326	319	312	305
		4	270	263	256	249	242
((Other Conifer	OC	1	371	364	357	350	343
		2	367	360	353	346	339
		3	333	326	319	312	305
		4	270	263	256	249	242))
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		((3	180	173	166	159	152))
Black Cottonwood	BC	1	81	74	67	60	53
		((2	81	74	67	60	53
		3	15	8	1	1	1))
Other Hardwood	OH	1	136	129	122	115	108
		((2	116	109	102	95	88
		3	83	76	69	62	55))
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275

PROPOSED

TABLE 3—Stumpage Value Table
Stumpage Value Area 3
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ((458-40-684 and 458-40-686)) 458-40-680.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$557	\$550	\$543	\$536	\$529
		2	450	443	436	429	422
		3	431	424	417	410	403
		4	431	424	417	410	403
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	726	719	712	705	698
		((2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661
Western Hemlock and Other Conifer ⁴	WH	1	414	407	400	393	386
		2	414	407	400	393	386
		3	355	348	341	334	327
		4	343	336	329	322	315

TABLE 4—Stumpage Value Table
Stumpage Value Area 4
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
((Other Conifer	OC	1	414	407	400	393	386
		2	414	407	400	393	386
		3	355	348	341	334	327
		4	343	336	329	322	315
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		((3	180	173	166	159	152
Black Cottonwood	BC	1	81	74	67	60	53
		((2	81	74	67	60	53
		3	45	8	+	+	4))
Other Hardwood	OH	1	136	129	122	115	108
		((2	116	109	102	95	88
		3	83	76	69	62	55))
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ((458-40-684 and 458-40-686)) 458-40-680.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

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TABLE 5—Stumpage Value Table
Stumpage Value Area 5
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$543	\$536	\$529	\$522	\$515
		2	431	424	417	410	403
		3	394	387	380	373	366
		4	394	387	380	373	366
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	726	719	712	705	698
		((2	726	719	712	705	698
		3	705	698	691	684	677
		4	689	682	675	668	661
Western Hemlock and Other Conifer ⁴	WH	1	378	371	364	357	350
		2	378	371	364	357	350
		3	342	335	328	321	314
		4	269	262	255	248	241
((Other Conifer	OC	1	378	371	364	357	350
		2	378	371	364	357	350
		3	342	335	328	321	314
		4	269	262	255	248	241
Red Alder	RA	1	258	251	244	237	230
		2	223	216	209	202	195
		((3	180	173	166	159	152
Black Cottonwood	BC	1	81	74	67	60	53
		((2	81	74	67	60	53
		3	15	8	1	1	1
Other Hardwood	OH	1	136	129	122	115	108
		((2	116	109	102	95	88
		3	83	76	69	62	55
Douglas-fir Poles	DFL	1	845	838	831	824	817
Western Redcedar Poles	RCL	1	845	838	831	824	817
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93

TABLE 5—Stumpage Value Table
Stumpage Value Area 5
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ((458-40-684 and 458-40-686)) 458-40-680.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

TABLE 6—Stumpage Value Table
Stumpage Value Area 6
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$287	\$280	\$273	\$266	\$259
((Engelmann Spruce	ES	1	233	226	219	212	205
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	539	532	525	518	511
True Firs and Engelmann Spruce ⁴	WH	1	222	215	208	201	194
Western White Pine	WP	1	346	339	332	325	318
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488
Small Logs	SML	1	21	20	19	18	17
Chipwood	CHW	1	2	1	1	1	1

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TABLE 6—Stumpage Value Table
Stumpage Value Area 6
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ((458-40-684 and 458-40-686)) 458-40-680.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁷ Stumpage value per lineal foot.

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$287	\$280	\$273	\$266	\$259
((Engelmann Spruce	ES	4	233	226	219	212	205))
Lodgepole Pine	LP	1	246	239	232	225	218
Ponderosa Pine	PP	1	392	385	378	371	364
		2	305	298	291	284	277
Western Redcedar ³	RC	1	539	532	525	518	511
True Firs and Engelmann Spruce ⁴	WH	1	213	206	199	192	185
Western White Pine	WP	1	346	339	332	325	318
Hardwoods	OH	1	50	43	36	29	22
Western Redcedar Poles	RCL	1	516	509	502	495	488

TABLE 7—Stumpage Value Table
Stumpage Value Area 7
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Small Logs	SML	1	22	21	20	19	18
Chipwood	CHW	1	2	1	1	1	1
RC Shake & Shingle Blocks	RCF	1	92	85	78	71	64
LP & Other Posts ⁵	LPP	1	0.35	0.35	0.35	0.35	0.35
Pine Christmas Trees ⁶	PX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁷	DFX	1	0.25	0.25	0.25	0.25	0.25

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ((458-40-684 and 458-40-686)) 458-40-680.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot. Includes Ponderosa Pine, Western White Pine, and Lodgepole Pine.

⁷ Stumpage value per lineal foot.

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, ((2000)) 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
Douglas-Fir ²	DF	1	\$543	\$536	\$529	\$522	\$515
		2	436	429	422	415	408
		3	417	410	403	396	389
		4	417	410	403	396	389
Lodgepole Pine	LP	1	242	235	228	221	214
Ponderosa Pine	PP	1	350	343	336	329	322
		2	212	205	198	191	184
Western Redcedar ³	RC	1	712	705	698	691	684
		((2	712	705	698	691	684
		3	691	684	677	670	663

PROPOSED

TABLE 8—Stumpage Value Table
Stumpage Value Area 10
 January 1 through June 30, ~~((2000))~~ 2001

Stumpage Values per Thousand Board Feet Net Scribner Log Scale¹

Species Name	Species Code	Timber Quality Code Number	Hauling Distance Zone Number				
			1	2	3	4	5
		4	675	668	664	654	647))
Western Hemlock and Other Conifer ⁴	WH	1	400	393	386	379	372
		2	400	393	386	379	372
		3	341	334	327	320	313
		4	329	322	315	308	301
((Other Conifer	OC	1	400	393	386	379	372
		2	400	393	386	379	372
		3	341	334	327	320	313
		4	329	322	315	308	301))
Red Alder	RA	1	244	237	230	223	216
		2	209	202	195	188	181
		((3	166	159	152	145	138))
Black Cottonwood	BC	1	67	60	53	46	39
		((2	67	60	53	46	39
		3	15	8	4	4	4))
Other Hardwood	OH	1	122	115	108	101	94
		((2	102	95	88	81	74
		3	69	62	55	48	41))
Douglas-fir Poles	DFL	1	831	824	817	810	803
Western Redcedar Poles	RCL	1	831	824	817	810	803
Chipwood	CHW	1	3	2	1	1	1
RC Shake Blocks	RCS	1	303	296	289	282	275
RC Shingle Blocks	RCF	1	121	114	107	100	93
RC & Other Posts ⁵	RCP	1	0.45	0.45	0.45	0.45	0.45
DF Christmas Trees ⁶	DFX	1	0.25	0.25	0.25	0.25	0.25
Other Christmas Trees ⁶	TFX	1	0.50	0.50	0.50	0.50	0.50

¹ Log scale conversions Western and Eastern Washington. See conversion methods WAC ~~((458-40-684 and 458-40-686))~~ 458-40-680.

² Includes Western Larch.

³ Includes Alaska-Cedar.

⁴ Includes Western Hemlock, Mountain Hemlock, Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir. Pacific Silver Fir, Noble Fir, Grand Fir, and Subalpine Fir are all commonly referred to as White Fir.

⁵ Stumpage value per 8 lineal feet or portion thereof.

⁶ Stumpage value per lineal foot.

~~(3) Harvest value adjustments. ((Harvest value adjustments relating to the various logging and harvest conditions shall be allowed against))~~ The stumpage values ~~((as set forth))~~ in subsection (2) of this ~~((section))~~ rule for the designated stumpage value areas ~~((See WAC 458-40-670 for more information about these adjustments.))~~ are adjusted for various logging and harvest conditions, subject to the following:

(a) No harvest adjustment is allowed for special forest products, chipwood, or small logs.

(b) Conifer and hardwood stumpage value rates cannot be adjusted below one dollar per MBF.

(c) Except for the timber yarded by helicopter, a single logging condition adjustment applies to the entire harvest unit. The taxpayer must use the logging condition adjustment class that applies to a majority (more than 50%) of the acreage in that harvest unit. If the harvest unit is reported over more than one quarter, all quarterly returns for that harvest unit must report the same logging condition adjustment. The helicopter adjustment applies only to the timber volume from the harvest unit that is yarded from stump to landing by helicopter.

(d) The volume per acre adjustment is a single adjustment class for all quarterly returns reporting a harvest unit. A harvest unit is established by the harvester prior to harvesting. The volume per acre is determined by taking the volume logged from the unit including the volume reported as chipwood or small logs and dividing by the total acres logged. Total acres logged does not include leave tree areas (RMZ, UMZ, forested wetlands, etc.) over 2 acres in size. The following board foot weight scale conversion factors must be used when converting chipwood and small log tons to thousand board feet Scribner:

TABLE 9—Board foot weight scale factors for chipwood and small logs
Stumpage Value Areas 1, 2, 3, 4, 5, 6, 7 and 10
 January 1 through June 30, 2001

(Divide tons by factor)	Stumpage Value Areas 1, 2, 3, 4, 5 and 10	Stumpage Value Areas 6 and 7
Chipwood (tons per mbf)	9.0	7.5
Small logs (tons per mbf)	N/A	6.5

The following harvest adjustment tables ~~((are hereby adopted for use during the period of))~~ apply from January 1 through June 30, ~~((2000))~~ 2001:

TABLE ((9)) 10—Harvest Adjustment Table
Stumpage Value Areas 1, 2, 3, 4, 5, and 10
 January 1 through June 30, ~~((2000))~~ 2001

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of ((more than 40)) 30 thousand board feet or more per acre.	\$0.00

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Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
Class 2	Harvest of ((20)) 10 thousand board feet to ((40)) but not including 30 thousand board feet per acre.	- \$ ((4.00)) 15.00
Class 3	Harvest of less than 10 thousand board feet ((to but not including 20 thousand board feet)) per acre.	- \$ ((7.00)) 35.00
((Class 4	Harvest of 5 thousand board feet to but not including 10 thousand board feet per acre.	-\$9.00
Class 5	Harvest of less than 5 thousand board feet per acre.	-\$10.00)
II. Logging conditions		
Class 1	((Most of the harvest unit has less than 30% slope. No significant rock outcrops or swamp barriers.)) Ground based logging a majority of the unit using tracked or wheeled vehicles or draft animals.	\$ 0.00
Class 2	((Most of the harvest unit has slopes between 30% and 60%. Some rock outcrops or swamp barriers.)) Cable logging a majority of the unit using an overhead system of winch driven cables.	- \$ ((17.00)) 30.00
Class 3	((Most of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	-\$25.00
Class 4	For) Applies to logs ((that are)) yarded from stump to landing by helicopter. This does not ((include)) apply to special forest products.	- \$145.00
((Note: A Class 2 adjustment may be used for slopes less than 30% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department.))		
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00
IV. Thinning ((see WAC 458-40-610(21))		
Class 1	Average log volume of 50 board feet or more.	-\$25.00
Class 2	Average log volume of less than 50 board feet.)) A limited removal of timber described in WAC 458-40-610(21).	- \$ ((125.00)) 100.00

TABLE ~~((10))~~ 11—Harvest Adjustment Table
Stumpage Value Areas 6 and 7
January 1 through June 30, ~~((2000))~~ 2001

Type of Adjustment	Definition	Dollar Adjustment Per Thousand Board Feet Net Scribner Scale
I. Volume per acre		
Class 1	Harvest of more than 8 thousand board feet per acre.	\$0.00
Class 2	Harvest of 3 thousand board feet to 8 thousand board feet per acre.	- \$7.00
Class 3	Harvest of less than 3 thousand board feet per acre.	- \$10.00
II. Logging conditions		
Class 1	((Most)) The majority of the harvest unit has less than 40% slope. No significant rock outcrops or swamp barriers.	\$0.00
Class 2	((Most)) The majority of the harvest unit has slopes between 40% and 60%. Some rock outcrops or swamp barriers.	-\$20.00
Class 3	((Most)) The majority of the harvest unit has rough, broken ground with slopes over 60%. Numerous rock outcrops and bluffs.	-\$30.00
Class 4	((For)) Applies to logs ((that are)) yarded from stump to landing by helicopter. This does not ((include)) apply to special forest products.	- \$145.00
Note: A Class 2 adjustment may be used for slopes less than 40% when cable logging is required by a duly promulgated forest practice regulation. Written documentation of this requirement must be provided by the taxpayer to the department.		
III. Remote island adjustment:		
	For timber harvested from a remote island	- \$50.00

TABLE ~~((11))~~ 12—Domestic Market Adjustment

Public Timber

Harvest of timber not sold by a competitive bidding process that is prohibited under the authority of state or federal law from foreign export may be eligible for the domestic market adjustment. The adjustment may be applied only to those species of timber that must be processed domestically. According to type of sale, the adjustment may be applied to the following species:

Federal Timber Sales: All species except Alaska Yellow Cedar. (Stat. Ref. - 36 CFR 223.10)

State, and Other Nonfederal, Public Timber Sales: Western Red Cedar only. (Stat. Ref. - 50 USC appendix 2406.1)

Private Timber

Harvest of private timber that is legally restricted from foreign export, under the authority of The Forest Resources Conservation and Shortage Relief Act (Public Law 101-382),

PROPOSED

(16 U.S.C. Sec. 620 et seq.); the Export Administration Act of 1979 (50 U.S.C. App. 2406(i)); a Cooperative Sustained Yield Unit Agreement made pursuant to the Act of March 29, 1944, (16 U.S.C. Sec. 583-583i); or Washington Administrative Code (WAC 240-15-015(2)) is also eligible for the Domestic Market Adjustment.

The adjustment amounts (~~(shall be)~~ are) as follows:

Class 1:	SVA's 1 through 6, and 10	\$0.00 per MBF
Class 2:	SVA 7	\$0.00 per MBF

Note: The adjustment will not be allowed on special forest products.

PROPOSED

WSR 00-13-021
EXPEDITED ADOPTION
DEPARTMENT OF ECOLOGY

[Order 00-16—Filed June 12, 2000, 11:53 a.m.]

Title of Rule: Chapter 173-300 WAC, Certification of operators of solid waste incinerator and landfill facilities.

Purpose: The purpose of this rule is to set forth requirements for operators of solid waste incinerator and landfill facilities and inspectors of those facilities.

Statutory Authority for Adoption: Chapter 431, Laws of 1989.

Statute Being Implemented: Chapter 431m, Laws of 1989.

Summary: This amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Reasons Supporting Proposal: To comply with executive order on regulatory improvement, this amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Name of Agency Personnel Responsible for Drafting: Kathy Carpenter, Headquarters, Olympia, (360) 407-6216; Implementation and Enforcement: Cullen Stephenson, SWFA Program, Olympia, (360) 407-6103.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to set forth requirements for operators of solid waste incinerator and landfill facilities and inspectors of those facilities.

This amendment will correct errors in grammar and punctuation, and clarify the language of the rule without changing its effect.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY August 22, 2000.

June 11, 2000
 Daniel J. Silver
 Deputy Director

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-010 Authority and purpose. One of the basic requirements of the act relating to solid waste (chapter 431, Laws of 1989) is to have the owner or operator in responsible charge of a solid waste incinerator or solid waste landfill ((be) certified in the operation and maintenance of the facility. To achieve this, the department shall, to the greatest extent possible, rely on the certification standards and procedures developed by national organizations and the federal government. Certification under this act is available to all individuals who can meet the minimum qualifications for a given type of facility. Operating personnel not required to be certified by chapter 70.95D RCW are encouraged to become certified on a voluntary basis. NOTE: All codes, standards, or rules(~~(, or regulations)~~) cited in this chapter are available for inspection at the Department of Ecology, (~~Mail Stop PV 11, Olympia, WA 98504-8711~~) 300 Desmond Drive S.E., Lacey, Washington.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-020 Definitions. (1) "Ash" means the residue (~~(including)~~) and includes any air pollution flue dusts from combustion or incineration of material including solid wastes.

Note: Please see definition for "special incinerator ash."

(2) "Biomedical waste" means solid waste of the following types:

(a) "Animal waste," which includes waste animal carcasses, body parts, and bedding of animals that were known to have been deliberately infected or inoculated with human pathogenic microorganisms during research.

(b) "Liquid human body fluids" means waste (~~(which)~~) that includes waste liquid emanating or derived from humans including but not limited to human blood and blood products, serum and plasma, sputum, drainage secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid and amniotic fluid that exceeds fifty milliliters per container, storage vessel, or plastic bag and cannot be and has not been directly discarded into a sanitary sewage system.

(c) "Cultures and stocks" means waste (~~(which)~~) that includes waste cultures and stocks of microbiological agents infectious to humans, human serums and discarded live and attenuated vaccines infectious to humans, human blood specimens, and laboratory wastes that are contaminated with these agents or specimens.

(d) "Biosafety level 4 disease waste," which includes wastes contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases (~~(which)~~) that are identified as viruses assigned to Biosafety Level 4 by the Centers for Disease Control, National Institute of Health, Biosafety in Microbiological and Biomedical Laboratories, 2nd Edition, 1988. These viruses include, but are not limited to, Congo-Crimean hemorrhagic fever, tick-borne encephalitis virus complex (Absettarov, Hanzalova, Hypr,

Kumlinge, Kyasanur Forest disease, Omsk hemorrhagic fever, and Russian spring-summer encephalitis), Marburg, Ebola, Junin, Lassa, and Machupo.

(e) "Pathological waste," which includes waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, autopsy, and laboratory procedures. "Pathological waste" does not include teeth or formaldehyde or other preservative agents, human corpses, remains, and anatomical parts that are intended for interment or cremation.

(f) "Sharps waste," which includes waste hypodermic needles, syringes, IV tubing with needles attached, scalpel blades, and lancets that have been used in animal or human patient care or treatment in medical research.

(3) "Biomedical waste treatment" means incineration, steam sterilization, or any method, technique, or process that changes the biological character or composition of biomedical waste to render it noninfectious. Any waste, except sharps, that has been treated ~~((shall))~~ is not ~~((be))~~ considered to be biohazardous or biomedical.

(4) "Board" means the board of advisors for solid waste incinerator and landfill certification established by RCW 70.95D.050.

(5) "Certificate" means the certificate of competency issued by the director stating that the operator has met the requirements for the operation and maintenance of a specific classification of solid waste incinerator or landfill facility.

(6) "Certificate holder" means the individual to whom a certificate is issued.

(7) "Commercial waste" means nonhazardous solid waste ~~((which))~~ that is generated by the commercial business sector.

(8) "Department" means the Washington state department of ecology.

(9) "Director" means the director of the department of ecology or the director's designee.

(10) "Fee" means only those monies to be paid for examinations, certification, or renewal.

Note: Fees ~~((shall))~~ do not include the costs of training or other educational opportunities.

(11) "Hog fuel" means woodwaste ~~((which))~~ that is reduced in size to facilitate burning.

(12) "Incineration" means reducing the volume of solid wastes by use of an enclosed device using controlled flame combustion.

(13) "Incinerator" means an enclosed mechanical combustion device ~~((which))~~ that has as its primary purpose the burning and reduction of the volume of solid waste or solid waste-derived fuel. Crematoria facilities that have combustion devices ~~((that))~~ which burn human corpses, or burn animal bodies exclusively, in a manner that is not a solid waste reduction measure, or burn primarily hog fuel waste are not included in this definition. NOTE: Crematoria facilities that burn any kind of biomedical, treated or untreated medical waste, human or animal, or other solid waste, in their incinerator ~~((shall be))~~ are subject to this rule.

(14) "Incineration facility" means any municipal or private activity that has as part of its operations a solid waste incinerator. It may also include means for storage, prepara-

tion, and conveyance of the solid waste fuel, and air pollution control equipment.

(15) "Incinerator operator in responsible charge" means an individual who is the owner or who is designated as the on-site operator in responsible charge of operation and maintenance duties at a solid waste incineration facility.

(16) "Inspector" means any person employed by any public agency that inspects the operation of solid waste incinerators, or the operation of solid waste landfills, to determine the compliance of the facility with state and local laws or rules.

(17) "Institutional waste" means nonhazardous solid waste ~~((which))~~ that is generated by any commercial or non-commercial service establishment.

(18) "Landfill" means an operating disposal facility or part of a facility at which solid waste is placed in or on land and which is not a land treatment.

(19) "Landfill operator in responsible charge" means an individual who is the owner or who is designated as the on-site or on-call operator in responsible charge of operation and maintenance duties at a landfill facility.

(20) "Limited purpose landfill" means a landfill that receives solid waste of a limited type or types of known and consistent composition.

(21) "Monofill" means a disposal facility or part of a facility ~~((which))~~ that is not a land treatment facility, at which only a single, specific substance is deposited in or on.

(22) "Municipal solid waste" means any combination of nonhazardous solid waste generated by residential sources, and any institutional waste, commercial waste, and industrial waste. NOTE: Household hazardous wastes are an excluded waste under WAC 173-303-071 and therefore may be disposed of in a municipal or incinerated landfill or incinerated. Small quantities of hazardous waste may also be landfilled ~~((providing))~~ if the waste complies with WAC 173-303-070 (8)(a) and (b).

(23) "Owner" means~~(:);~~

(a) In the case of a town or city, the city or town acting through its chief executive officer or the lessee if operated ~~((pursuant to))~~ under a lease or contract;

(b) In the case of a county, the chief elected official of the county legislative authority or the chief elected official's designee;

(c) In the case of a board of public utilities, association, municipality, or other public body, the president or chief elected official of the body or the president's or chief elected official's designee;

(d) In the case of a privately owned landfill or incinerator, the legal owner.

(24) "Reciprocity" means the automatic recognition of comparable training from another state, the federal government, a local government, or a professional association. NOTE: Correction of deficiencies such as a lack of training in Washington state solid waste law ~~((shall be))~~ is required for certification.

(25) "Reserved" is a note to the regulated community that means a section ((having)) that has no requirements and which is set aside for future possible rule-making ((as a note to the regulated community)).

(26) "Solid waste" or "wastes" as defined in RCW 70.95.030 (1989 ed.) means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. NOTE: Treated biomedical waste or medical waste not defined as biomedical waste ~~((shall be))~~ is considered to be solid waste. Woodwaste is also considered solid waste.

(27) "Special incinerator ash" means ash residues ~~((resulting))~~ that results from the operation of incineration or energy recovery facilities ~~((managing))~~ which manage municipal solid waste from residential, commercial, and industrial establishments, if the ash residues are:

(a) Not otherwise regulated as hazardous wastes under chapter 70.105 RCW; and

(b) Are not regulated as a hazardous waste under the federal Resource Conservation and Recovery Act, 42 U.S.C. Sec. 6901 et seq.

(28) "Woodwaste" means solid waste ~~((consisting))~~ that consists of wood pieces or particles generated as a by-product or waste from the manufacturing of wood products, and the handling and storage of raw materials, trees, and stumps. This includes but is not limited to sawdust, chips, shavings, bark, pulp, and log sort yard waste, but does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenate.

Note: All applicable terms not defined above ~~((shall))~~ have the same meaning as those defined in chapter 173-304 WAC.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-030 Duties of the board of advisors.

(1) As a standing subcommittee of the state's solid waste advisory committee created under RCW 70.95D.050, the board of advisors shall report to the solid waste advisory committee four times a year or as directed in accordance with RCW 70.95D.040.

(2) The board shall act as an advisory committee to the department and shall assist in the development and review of the rules adopted under this chapter.

(3) The board shall assist in the development and evaluation of the training and testing material required for certification.

(4) On matters of revocation of certification, the board shall hold a hearing and make recommendations to the director.

(5) The board shall encourage operating personnel other than those who are required to be certified in chapter 70.95D RCW to become certified on a voluntary basis.

(6) Members shall receive no compensation for their services but ~~((shall))~~ must be reimbursed for their travel expenses while engaged in business of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-050 Operator certification required at incineration facilities. (1) After January 1, 1992, it ~~((shall be))~~ is unlawful to operate a solid waste incineration facility without a certified operator in responsible charge on-site during all hours of operation.

(2) All other operational employees are to be encouraged to become certified on a voluntary basis.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-060 Operator certification required at landfill facilities. (1) After January 1, 1992, it ~~((shall be))~~ is unlawful to operate the following types of landfills without an on-site certified landfill operator in responsible charge during all hours of operation when accepting waste, and during the closure phase of the facility. The operator's specific role in the closure phase ~~((shall))~~ must be specified in the closure plan. However, the certified operator may be away from the facility on official business or personal emergencies for periods of one day or less ~~((provided))~~ if they are on-call and available to respond in case of an emergency at the facility.

(a) All municipal waste landfills.

(b) All problem waste landfills. NOTE: Problem waste landfills are presently reserved per WAC 173-304-463.

(c) All special incinerator ash landfills or monofills. NOTE: In a case where a monofill is a separate cell at a municipal waste landfill, the responsible operator in charge of the complete facility may assume responsibility of the operation of the monofills.

(d) All inert waste and demolition waste landfills.

(e) All limited purpose solid waste landfills.

(2) These standards do not apply to:

(a) Dangerous waste landfills;

(b) Drop box facilities;

(c) Interim solid waste handling sites;

(d) Landspreading disposal facilities;

(e) Piles;

(f) Transfer stations;

(g) Waste recycling facilities; and

(h) Composting facilities.

(3) Owners of small landfills with a total capacity at closure of two hundred thousand cubic yards of solid waste or less, may ~~((make application))~~ apply to the department to have their facility operated and maintained by a certified operator who is in responsible charge on an on-call basis at all times the landfill is operating~~((:))~~. Provided, That a certified operator visit the site once each working day. The department shall consider all applications on a case-by-case basis. The department shall base its decision on the following requirements:

(A) A physical inspection of the facility by the department to ~~((ascertain that))~~ determine whether the facility is being operated in a manner that is protective of human health and the environment;

(b) That the facility has an up-to-date approved facility operating plan and is in compliance with all other sections of chapter 173-304 WAC;

(c) That the status of all facility variances, compliance schedules, and related grants are current as required; and

(d) ~~That the facility strictly adheres to all other applicable laws and ((regulations are strictly adhered to)) rules.~~

(4) All landfills ~~((having))~~ that have on-call designations shall reapply for the designation every five years from the date of issuance. This designation may be revoked at any time the facility does not meet the minimum requirements.

(5) When a position required to be filled by an on-site certified landfill operator is vacated for a period of not longer than a maximum of thirty calendar days due to an emergency such as a short-term illness, the landfill owner may apply to the department for a variance that allows the facility be operated and maintained by a certified operator on an on-call basis as outlined in this section. These requirements may be waived temporarily at the director's discretion.

(6) All other operational employees are to be encouraged to become certified on a voluntary basis.

AMENDATORY SECTION (Amending Order 91-30, filed 6/4/91, effective 7/5/91)

WAC 173-300-070 Certification of inspectors. (1) Any person who is employed by a public agency to inspect the operation of a landfill or incinerator described under this chapter to determine the compliance of the facility with state or local laws or rules shall receive, in addition to the successful completion of the training and examination process as an operator under this chapter, training relevant to the inspection procedure.

(2) Inspectors ~~((shall be))~~ are exempt from all certification fees.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-080 Applications and certification requirements. (1) An application for incineration, landfill operator, or inspector certification ~~((shall))~~ must be filed with the department. An application fee shall accompany each application. The department shall make application forms available upon request.

(2) Upon receipt of the completed application and application fee, the department shall determine:

(a) If the applicant has successfully completed the required training and examinations;

(b) The status of a reciprocal certification; and

(c) That the facility at which the applicant is employed is in compliance with local and state laws or rules.

(3) Upon successful determination of all requirements and the payment of the certification fees provided for in WAC 173-300-110 and 173-300-120, the appropriate operator or inspector certificate will be issued.

(4) An owner may apply for a variance for a temporary certificate without an examination to fill a vacated position required by WAC 173-300-050 and 173-300-060 to have a certified operator, or 173-300-070, in the case of a certified

inspector. A temporary certificate ~~((shall))~~ must be valid for a period of not more than twelve months from date of issue.

(5) Persons ~~((holding))~~ who hold a current operators certificate from any national organization, educational institution, the federal government, other states, or a province may be granted an interim certification ~~((provided))~~ if the applicant meets the requirements of WAC 173-300-140.

(a) No interim certification ~~((shall))~~ may be issued or be valid after January 1, 1992.

(b) Interim certification ~~((shall))~~ may not automatically qualify an operator for certification.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-090 Training and examinations. (1) The department shall prepare or cause to be prepared educational materials and opportunities to fulfill requirements of WAC 173-300-080(2) to help develop the skills necessary to operate a solid waste incinerator or solid waste landfill according to state and federal laws.

(2) The board of advisors shall assist in the development of written examinations to be used in determining the competency of operators. Incinerator operators ~~((shall also be))~~ are also required to successfully complete an examination to determine the competency needed to operate and maintain the facility for which the operator is responsible.

(3) Examinations ~~((shall))~~ must be held immediately at the end of all required operator training courses. Additional examinations ~~((shall))~~ must be held at places and times set by the board.

(4) All examinations ~~((shall))~~ must be graded by the department or the department's designee and the applicant ~~((shall))~~ must be notified by mail of the score attained. Examinations ~~((shall))~~ may not be returned to the applicant.

(5) An applicant who fails to pass an examination must be reexamined at the next scheduled examination. An additional application form and examination fee ~~((shall be))~~ is required. No individual will be allowed to retake the same examination.

(6) An applicant who fails to pass a second examination ~~((shall be))~~ is required to repeat the certification training.

(7) The board shall forward the recommendations for certification of those examined to the director.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-100 Certificate term. Except as provided for in WAC 173-300-080(4), the term for any certificate or renewal thereof ~~((shall be))~~ is from the first of January of the year of issuance until the thirty-first of December three years thereafter.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-110 Renewal of certificate. (1) Except as provided in WAC 173-300-080(4), all certificates held by incinerator operators, landfill operators, and inspectors

~~((shall be))~~ are renewable upon presentation of evidence that the certificate holder successfully completed a refresher course administered by the department, and successfully attended other professional educational opportunities approved by the department.

(2) The department shall mail renewal notices and refresher course information to all certificate holders eligible for renewal four months ~~((prior to))~~ before the date the certificate expires.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-120 Fees. (1) A fee of \$50.00 for each examination administered by the department shall accompany the application for examination.

(2) After an applicant successfully completes the examination and is notified by the department of the results, the applicant shall pay a certification fee of \$200.00 to the department within thirty days of the date of the results notification.

(3) A fee of \$50.00 is required to apply for consideration of certification through reciprocity under WAC 173-300-140. After determining that the reciprocal criteria has been met, the department will notify the applicant:

(a) That the applicant is deficient in a required area~~((s))~~, and the process to correct the deficiency; or

(b) That the applicant has successfully completed all requirements for certification and that the applicant must pay a certification fee of \$200.00 to the department within thirty days of the date of notification.

(4) A \$200.00 renewal fee must accompany an application for certificate renewal.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-130 Revocation. (1) When a certificate is not renewed, ~~((such))~~ the certificate, upon notice by the director, ~~((shall))~~ must be suspended for sixty days.

(a) If renewal of the certificate is not completed during the suspension period, the director shall mail a written notice of revocation by certified mail to the certificate holder's employer as last known by the department and to the certificate holder at the address last known by the department.

(b) If, during the revocation notice period, the certificate is not renewed, the certificate ~~((shall))~~ must be revoked ten days after ~~((such))~~ the notice is mailed.

(2) Certificates may also be revoked when a majority of the board so recommends to the director, and the director agrees, upon finding:

(a) Fraud or deceit in obtaining the certificate;

(b) Gross negligence in the operation or inspection of an incineration or landfill facility;

(c) Violation of the requirements of chapter 70.95D RCW, this chapter or of any lawful rule~~((, regulation))~~ or order of the department; or if~~((;))~~

(d) The facility operated by the certified employee is operated in violation of local, state, or federal environmental laws.

(3) No revocation ~~((shall))~~ may be made under subsection (2) of this section unless the operator has been notified that revocation is proposed, has been advised of the grounds therefore, and has been given an opportunity to appear before the board and be heard on the matter.

(4) A person whose certificate is revoked under this section ~~((shall not be))~~ is eligible to apply for a certificate for one year from the effective date of the final order of revocation.

(5) Whenever an individual's certificate is revoked, the individual ~~((shall))~~ may not be certified again until:

(a) He or she has repeated all required training for certification or has completed other requirements recommended by the board and approved by the department;

(b) Has applied for certification ~~((pursuant to))~~ under WAC 173-300-090;

(c) Paid the application fees; and

(d) Upon notification, paid the certification fee within thirty days of notification.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-140 Reciprocity. The director may, with the approval of the board of advisors, waive examinations for applicants ~~((holding))~~ who hold valid incinerator or landfill operators certificates, or inspector certificates issued by other states, a province, the federal government, or a professional association ~~((having))~~ that has comparable standards as determined by the board.

(1) Applications for reciprocity will be considered when:

(a) The training received by the applicant is comparable to training offered by the state of Washington. A detailed syllabus outlining all relevant training must be released by the appropriate training facility for review and approval by the board. Those applicants with deficiencies shall ~~((have))~~ resolve the deficiencies ~~((resolved))~~ before certification is granted~~((;))~~. Applicants must contact the department within one year of application;

(b) The department receives written confirmation from the certifying authority of the state, province, the federal government, or professional association in which the applicant is certified, that the certificate is currently valid and was earned by passing a written examination. A copy of the exam passed by the applicant must also be released for review by the board; and

(c) The application fee is received.

(2) The board shall review and compare out-of-state examinations with Washington's examinations to determine at which level the examination is most equivalent.

(3) Training in state of Washington solid waste law ~~((shall be))~~ is required for certification.

(4) Incinerator operators ~~((shall be))~~ are required to successfully complete an examination to determine the competency needed to operate and maintain the facility for which the operator is currently responsible.

(5) Certificates ~~((shall))~~ must be issued to each reciprocity applicant who meets the minimum training and examination requirements set forth in WAC 173-300-080. Upon notification by the department that the applicant meets all the cri-

teria, the certification fee is due within thirty days from the date of notification.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-150 Unlawful acts—Variance from requirements. After January 1, 1992, it is unlawful for any person, firm, corporation, municipal corporation, or other governmental subdivision or agency to operate a solid waste incineration or landfill facility unless an operator in responsible charge is duly certified by the director under this chapter or any lawful rule or order of the department. The department shall allow the owner or operator of a landfill or solid waste incineration facility to request a variance from this requirement under emergency conditions. Emergency conditions may include but are not limited to unexpected health related problems that incapacitate the operator or an unexpected termination of employment of the operator. The department may impose ~~((such))~~ conditions ~~((as))~~ that may be necessary to protect human health and the environment during the term of the variance.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-160 Penalties. Any person, including any firm, corporation, municipal corporation, or other governmental subdivision or agency, with the exception of incinerator operators, ~~((violating))~~ who violates any provision of this chapter, is guilty of a misdemeanor. Incinerator operators who violate any provision of this chapter ~~((shall be))~~ are guilty of a gross misdemeanor. Each day of operation in violation of this chapter shall constitute a separate offense. The prosecuting attorney or the attorney general, as appropriate, shall secure injunctions of continuing violations of any provisions of this chapter.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-170 Appeals. Decisions of the director under this chapter may be appealed within thirty days from the date of notice thereof to the pollution control hearings board ~~((pursuant to))~~ under chapter 43.21B RCW and chapter 370-08 WAC.

AMENDATORY SECTION (Amending WSR 91-01-093, filed 12/18/90, effective 1/1/91)

WAC 173-300-180 Incineration of biomedical or medical waste. Incineration of biomedical, treated or untreated medical waste ~~((shall))~~ must be conducted under sufficient burning conditions to reduce all combustible material to a form ~~((such))~~ so that no portion of the combustible material is visible in its uncombusted state.

WSR 00-13-022
EXPEDITED ADOPTION
DEPARTMENT OF ECOLOGY
[Order 00-17—Filed June 12, 2000, 11:55 a.m.]

Title of Rule: Chapter 173-306 WAC, Special incinerator ash management standards.

Purpose: The purpose of this rule is to protect human health, the environment, and employees during the management and disposal of special incinerator ash, and to enhance and encourage the higher waste management priorities as spelled out in chapter 70.138 RCW.

Statutory Authority for Adoption: Chapter 70.138 RCW.

Statute Being Implemented: Chapter 70.138 RCW.

Summary: This amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Reasons Supporting Proposal: To comply with executive order on regulatory improvement, this amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Name of Agency Personnel Responsible for Drafting: Kathy Carpenter, Headquarters, Olympia, (360) 407-6216; Implementation and Enforcement: Cullen Stephenson, SWFA Program, Olympia, (360) 407-6103.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to protect human health, the environment, and employees during the management and disposal of special incinerator ash, and to enhance and encourage the higher waste management priorities as spelled out in chapter 70.138 RCW.

This amendment will correct errors in grammar and punctuation, and clarify the language of the rule without changing its effect.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY August 22, 2000.

June 11, 2000
Daniel J. Silver
Deputy Director

EXPEDITED ADOPTION

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-010 Authority and purpose. This chapter is (~~promulgated~~) adopted under the authority of chapter 70.138 RCW, Incinerator ash residue, to protect human health, the environment, and employees during the management and disposal of special incinerator ash. It is also the purpose of this chapter to enhance and encourage the higher waste management priorities as spelled out in chapter 70.138 RCW. This chapter is intended to establish consistent, enforceable management requirements for special incinerator ash that otherwise would be regulated as hazardous waste under chapter 70.105 RCW, the Hazardous Waste Management Act. This chapter is not intended to address ash residues that are classed as hazardous waste under federal (~~regulations~~) rules, 40 CFR Part 261, unless the Environmental Protection Agency decides (~~such~~) those wastes are not subject to Subtitle C of the Resource Conservation and Recovery Act.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-050 Applicability. This chapter applies to municipal solid wastes intended for incineration or energy recovery and special incinerator ash as those terms are defined in WAC 173-306-100. (Incinerator ash whose designation status is unknown (~~shall~~) must be considered special incinerator ash until data developed under WAC 173-306-500(4) is submitted to the department.) This chapter shall not apply to the following wastes:

- (1) Solid waste as defined in WAC 173-306-100 that is not regulated as hazardous waste under chapter 70.105 RCW and that is not intended for incineration or energy recovery;
- (2) Hazardous wastes regulated under the Federal Resource Conservation and Recovery Act, 42 U.S.C. sec. 6901 et seq.;
- (3) Incinerator ash from the operation of incineration or energy recovery facilities burning only tires, woodwaste, infectious waste, sewage sludge, or any other single type of refuse other than municipal solid waste; and
- (4) Incinerator ash from the operation of incineration or energy recovery facilities burning municipal solid waste at a rate of twelve tons of municipal solid waste per day or less.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-100 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Active area" means that portion of a facility where ash disposal operations are being, are proposed to be, or have been conducted. Buffer zones (~~shall not be~~) are not considered part of the active area of a facility.
- (2) "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of ground water to wells or springs.
- (3) "Ash" means special incinerator ash.

(4) "Ash cell" or "cell" means an active disposal phase of the site which (~~shall~~) must be divided into a series of phases to minimize the active ash disposal area.

(5) "Beneficial use" means the water uses as defined by the water resources management program established by the Water Resources Act of 1971 and chapter 173-500 WAC.

(6) "Bottom ash" means ash residues remaining on the incineration or energy recovery facility grates or in the combustion chambers after combustion. Bottom ash may or may not be a special incinerator ash.

(7) "Buffer zone" means that part of a facility (~~that~~) which lies between the active area and the property boundary.

(8) "Closure" means those actions taken by the owner or operator of an ash facility to cease disposal operations. A closure notice will be provided to the department with the exact date to ensure that all (~~such~~) facilities are closed in conformance with applicable (~~regulations~~) rules at the time of (~~such~~) closure(~~s~~) and to prepare the site for the post-closure period (~~and~~) using best engineering practices.

(9) "Construction quality assurance plan" means a plan describing the methods by which the professional engineer in responsible charge of inspection of the project will determine that the facilities were constructed without significant change from the department approved plans and specifications.

(10) "Contaminate" means to discharge a substance into ground water that would cause:

(a) The concentration of that substance in the ground water to exceed the maximum contamination level specified in WAC 173-306-9901;

(b) A statistically significant increase in the concentration of that substance in the ground water where the existing concentration of that substance exceeds the maximum contaminant level specified in WAC 173-306-9901; or

(c) A statistically significant increase above background in the concentration of a substance which:

(i) Is not specified in WAC 173-306-9901; and

(ii) Is present in the ash; and

(iii) Has been determined to present a substantial risk to human health or the environment in the concentration found at the point of compliance by the department in consultation with the department of health.

(11) "Critical habitat" means habitat defined as critical by the Endangered Species Act of 1973 (P.L. 93-205).

(12) "Department" means the department of ecology.

(13) "Department's approval" means an approval letter by the director after the review of all engineering reports, plans and specifications, and any other engineering documents by a registered engineer.

(14) "Director" means the director of the department of ecology or the director's designee.

(15) "Displacement" means the relative movement of any two sides of a fault measured in any direction.

(16) "Dispose" or "disposal" means the treatment, utilization, processing, or final deposit of special incinerator ash.

(17) "Disposal facility" means all structures, other appurtenances, improvements and land used for recycling, storing, treating, or disposing of special incinerator ash.

(18) "Domestic water" means any water used for human consumption, other domestic activities, livestock watering or for any use for which a water right has been granted.

(19) "Energy recovery" means the recovery of energy in a usable form from mass burning, fluidized bed or refuse-derived fuel incineration, pyrolysis, or any other means of using the heat of combustion of solid waste that involves high temperature (above twelve hundred degrees Fahrenheit) processing.

(20) "Existing disposal facility" means a disposal facility ~~((which))~~ that is owned or leased and in operation, or for which construction has begun, on or before the effective date of this chapter and the owner or operator has obtained permits or approvals necessary under federal, state and local statutes, ~~((regulations))~~ rules, and ordinances.

(21) "Existing residential development" means any existing development of residential dwelling units with a density of at least one unit per acre and a total of more than ten dwellings at time of permit application.

(22) "Expanded disposal facility" means a disposal facility adjacent to an existing facility for which the land is purchased and approved by the department after the effective date of this chapter. The department shall consider a vertical expansion approved and permitted after the effective date of this chapter ~~((shall))~~ to be ~~((considered))~~ an expanded disposal facility.

(23) "Fault" means a fracture along which rocks or soils on one side have been displaced with respect to those on the other side.

(24) "Facility" means disposal facility.

(25) "Flyash" or "flyash/scrubber residue" means ash swept from the incineration or energy recovery facility combustion chamber and collected from the boilers, economizers, and air pollution control devices such as scrubbers, baghouses, and electro-static precipitators. Flyash or flyash/scrubber residues may or may not be special incinerator ash.

(26) "Generate" means any act or process ~~((which))~~ that produces special incinerator ash or which first causes special incinerator ash to become subject to regulation.

(27) "Generator" means any incineration facility owner/operator who generates a special incinerator ash. An existing generator is any generator whose facility is in operation on the effective date of this chapter.

(28) "Holocene" means the most recent ~~((epoch of the Quaternary))~~ measure of geologic time period extending from the end of the Pleistocene period to the present.

(29) "Incineration" means reducing the volume of solid wastes by use of an enclosed device ~~((using))~~ that uses controlled flame combustion.

(30) "Independent third party" means, for the purpose of liner construction, a person, approved by the department, with demonstrated experience in successful liner installation or inspection, who is financially and organizationally independent of:

(a) The generator or facility owner/operator~~(;);~~

(b) The raw material producer (such as the resin manufacturer or the bentonite producer)~~(;);~~

(c) The liner manufacturer~~(;);~~

(d) The liner installer~~(;);~~ or

(e) Any other person who might have a financial or organizational connection to the facility.

(31) "Land treatment" means the practice of applying ash waste onto or incorporating into the soil surface. If the waste

will remain after the facility is closed, this practice is disposal.

(32) "Management" means the handling, storage, collection, transportation, and disposal of special incinerator ash.

(33) "Monofill" means a disposal facility or part of a facility, ~~((which))~~ that is not a land treatment facility, at which only special incinerator ash is finally deposited in or on.

(34) "New disposal facility" means a facility ~~((which))~~ that begins operation or construction after the effective date of this chapter.

(35) "One hundred year flood" means a flood that has a one percent chance of being equalled or exceeded in any given year.

(36) "Perennial surface water bodies" are normally continuous bodies of water with natural flows throughout the year ~~((including))~~ and includes lakes, rivers, ponds, irrigation canals, streams, reservoirs, inland waters, salt waters, and all other waters of the state (not to include man-made lagoons or impoundments for waste treatment or storage) within the jurisdiction of the state of Washington as defined by chapter 90.48 RCW, the Water Pollution Control Act.

(37) "Permeability" means the ability with which a porous material allows liquid or gaseous fluids to flow through it.

(38) "Permit" means a special incinerator ash disposal permit.

(39) "Person" means any person, firm, association, county, public, municipal, or private corporation, agency, or other entity whatsoever.

(40) "Pile" means any noncontainerized accumulation of ash that is used for treatment or utilization.

(41) "Plans and specifications" means the detailed drawings and specifications used in the construction or modification of ash disposal facilities.

(42) "Point of compliance" means that part of ground water ~~((that))~~ which lies beneath the perimeter of a disposal facility's active area as that active area would exist at the closure of the facility.

(43) "Post-closure" means the requirements placed upon disposal facilities after closure to ensure their environmental safety for a thirty-year period or until the site becomes stabilized (i.e., cap integrity maintained, little or no settlement or leachate generation).

(44) "Processing" means an operation to convert ash into a useful product or to prepare it for disposal.

(45) "Reclamation" means to process an ash waste in order to recover usable products.

(46) "Utilization" means consuming, expending, exhausting or using an ash waste.

(47) "Sole source aquifer" means an aquifer designated by the Environmental Protection Agency ~~((pursuant to))~~ under section 1424e of the Safe Drinking Water Act (P.L. 93-523).

(48) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes, including but not limited to garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable commodities. This includes all liquid, solid, and semisolid materials ~~((which))~~ that are not the primary

products of public, private, industrial, commercial, mining, and agricultural operations. Solid waste includes, but is not limited to, sludge from wastewater treatment plants, septage from septic tanks, woodwaste, dangerous waste, and problem wastes.

(49) "Special incinerator ash" means ash residues ~~((resulting))~~ that result from the operation of incineration or energy recovery facilities managing municipal solid waste from residential, commercial, and industrial establishments, if the ash residues (a) would otherwise be regulated as hazardous wastes under chapter 70.105 RCW; and (b) are not regulated as a hazardous waste under the Federal Resource Conservation and Recovery Act, 42 U.S.C. Sec 6901 et seq.

(50) "Spill" means any accidental discharges or overflow of fluids or processed water from contained areas or holding tanks to floor drains or a municipal sewer system.

(51) "Stabilization" or "solidification" means a technique that limits the solubility and mobility of waste constituents. Solidification immobilizes a waste through physical means and stabilization immobilizes a waste by bonding or chemically reacting with the stabilizing material.

(52) "Storage" means the temporary holding (no longer than forty-five days from date of production) of a limited amount (not to exceed thirty days worth of daily production) of special incinerator ash.

(53) "Subsidence" means a sinking of the land surface due to the removal of solid mineral matter or fluids from the subsurface.

(54) "Surface impoundment" means a facility or part of a facility ~~((which))~~ that is a natural topographic depression, man-made excavation, or diked area formed primarily of earthen materials (although it may be lined with man-made materials) designed to hold an accumulation of liquids or sludges. The term includes holding, storage, settling and aeration pits, ponds or lagoons, but does not include injection wells.

(55) "Treatment" means those engineered physical or chemical processes to make special incinerator ash safer for transport, amenable for energy or material resource recovery, amenable for storage or disposal, or reduced in volume.

(56) "Unstable slopes" means any area where the mass movement of earthen materials i.e., landslides, rockfalls, mudslides, slumps, earth flows, or debris flow is likely to occur.

(57) "Vadose zone" means that portion of a geologic formation in which soil pores contain some water, the pressure of that water is less than atmospheric pressure, and the formation occurs above the zone of saturation.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-150 Prohibition of surface impoundments, land treatment and municipal solid waste codisposal of ash. No person ~~((shall))~~ may manage any special incinerator ash in a surface impoundment, land treatment facility as defined in WAC 173-306-100, or codispose with municipal solid waste.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-200 Generator management plans. (1) Applicability. These standards apply to special incinerator ash generators ~~((,incinerating))~~ that incinerate more than twelve tons of municipal solid waste per day. Existing generators shall meet the requirements of this section within six months after the effective date of this chapter.

(2) Management plans procedures.

(a) ~~((Prior to))~~ Before generating or managing any special incinerator ash, any generator subject to this section shall submit a generator management plan to the department for review and approval. The department may publish guidelines on the form and content of management plans consistent with this chapter. Within thirty days of receipt, the department shall determine ~~((#))~~ whether the plan is factually complete and so notify the generator.

(b) Upon receipt of a complete generator management plan, the department shall give notice of its receipt of a proposed management plan to the public and to interested persons for public comment for thirty days after the date of publication.

(c) The department shall also perform the following additional public notification requirements:

(i) ~~((Mailing))~~ Mail the notice to persons who have expressed an interest in being notified;

(ii) ~~((Mailing))~~ Mail the notice to other state agencies and local governments with a regulatory interest in the proposal;

(iii) The public notice shall include a statement that any person may express their views in writing to the department within thirty days of the last date of publication;

(iv) Any person submitting written comment or any other person ~~((may,))~~ upon request, may obtain a copy of the department's final decision;

(v) The department shall add the name of any person, upon request, to a mailing list to receive copies of notices for all applications within the state or within a geographical area.

(d) The department shall review each generator management plan to determine whether the generator management plan complies with this chapter and chapter 70.138 RCW, including whether the necessary ash disposal permit has been or is likely to be issued.

(e) Within sixty days of receipt of a complete generator management plan, the department ~~((shall))~~ may approve, approve with conditions, or reject the submitted generator management plan. Approval may be conditioned upon additional requirements necessary to protect employees, human health, and the environment, including special management requirements such as waste and ash segregation, or treatment techniques such as neutralization, detoxification, and solidification ~~((#))~~ or stabilization.

(f) All generators shall comply with their individual approved management plan. No generator may construct and operate an incineration or energy recovery facility without an approved management plan.

(g) Any generator operating under an approved generator management plan shall notify the department and the department may require resubmission of the generator man-

agement plan when there is a proposed material change in the ash management of the special incinerator ash collection and/or handling system.

Upon receipt of the revised generator management plan, the department shall proceed according to subsection (2) of this section.

(3) Generator management plan requirements. ~~((Prior to))~~ Before managing special incinerator ash, all applicable generators shall develop generator management plans. Generator management plans shall show how the following requirements are met:

(a) Planning requirements:

(i) All generators shall demonstrate how the management of ash, including disposal, ~~((has complied))~~ complies with the city and county comprehensive solid waste management plan of RCW 70.95.080, as applicable.

(ii) All generators shall demonstrate how ash management areas comply with or are a part of the spill prevention plans.

(b) Requirements for managing solid waste to reduce ash toxicity and ash quantity. All generators shall:

(i) Conduct annual municipal solid waste compositional studies to identify kinds and amounts of toxic metals, including cadmium and lead, other hazardous materials, halogenated plastics, and other substances that contribute to the toxicity of special incinerator ash;

(ii) Establish policies, procedures, incentives, and treatment methods to remove toxic metals in municipal solid waste ~~((prior to))~~ before incineration or energy recovery;

(iii) Establish procedures to insure that dangerous wastes are not knowingly accepted at the incineration or energy recovery facility including developing lists of consumer or commercial items that may or may not be acceptable for incineration;

(iv) Establish a timetable for implementing (b)(i), (ii), and (iii) of this subsection, and a method for evaluating the effectiveness of the program in reducing the toxicity and volume of special incinerator ash.

(c) Collection and handling requirements.

(i) All incineration or energy recovery facilities ~~((shall))~~ must be designed and operated to prevent fugitive dust emissions and direct exposure of the ash to the weather. Special incinerator ash ~~((shall))~~ must be collected, stored, and handled in enclosed buildings or the equivalent (e.g., covered conveyors and transfer points). This requirement is not applicable to ferrous metal separated from bottom ash.

(ii) Floor or surface drains serving ash collection, storage, and handling areas ~~((shall))~~ must not be connected to uncontaminated storm water run-off drains. Spills and process waters ~~((shall))~~ must be handled in one or more of the following methods:

(A) Reused in the process;

(B) Discharged to surface waters under a National Pollution Discharge Elimination System Permit issued ~~((pursuant to))~~ under chapter 173-220 WAC;

(C) Discharged to surface water, ground water, or a municipal sewer system under a state discharge permit issued ~~((pursuant to))~~ under chapter 173-216 WAC;

(D) Injected through wells under an underground injection control permit issued ~~((pursuant to))~~ under chapter 173-218 WAC; or

(E) Managed in another method approved by the department.

(iii) All incineration and energy recovery facilities ~~((shall))~~ must be designed and operated to comply with chapter 296-62 WAC, the general occupational health standards.

(iv) The percentage of carbon in bottom ash ~~((shall))~~ may not exceed six percent by weight, dry, as determined by ASTM D3178-84 or other methods approved by the department. Alternative carbon content limits may be established by the department, upon a demonstration by the owner or operator that methane generation and settlement ~~((shall))~~ does not exceed levels associated with bottom ash meeting the six percent carbon standard. Representative samples ~~((shall))~~ must be taken according to the guidelines established by the department.

(d) Storage requirements.

(i) ~~((Storage of))~~ Ash ~~((shall))~~ must be stored in totally-enclosed buildings, in leak-proof containers, or in tanks;

(ii) Storage ~~((shall))~~ may not exceed forty-five days from the date of generation of the ash, and/or the storage amount ~~((shall))~~ may not exceed thirty days of daily production;

(iii) Storage ~~((shall))~~ must be in an area served by the floor and surface drain requirements in (c)(ii) of this subsection.

(e) ~~((Transport of))~~ Ash from an incineration or energy recovery facility must be transported to an off-site or on-site disposal facility ~~((shall be))~~ in covered and sealed vehicles or containers to avoid wind dispersal or fluid leakage. Owners and operators shall prevent ash trackout onto the site and the public right-of-way by employing tire washing or any equivalent means. Contaminated washwaters ~~((shall))~~ must be disposed of according to (c)(ii) of this subsection.

(f) Waste management accountability. All owners or operators of incineration or energy recovery facilities shall:

(i) Establish procedures acceptable to the department for tracking movements of special incinerator ash from the point of generation and/or handling to the site of final deposit or disposal. ~~((Such))~~ The tracking method may include inventory control and tracking systems, scale~~((s))~~, ticket~~((s))~~, and receipt tracking, gate logs, operating logs, or material balances;

(ii) File a report with the department if the owner or operator has not confirmed that an ash waste has been received at the intended destination within forty-five days of the date the waste was accepted by the transporter. The report must include:

(A) A legible copy of the shipping paper or manifest for which the owner or operator does not have confirmation of delivery; and

(B) A cover letter signed by the generator or his representative explaining the efforts taken to locate the waste and the results of these efforts.

(g) Other state and local requirements. All generators shall comply with all federal, state, and local environmental and industrial hygiene right-to-know laws and ~~((regulations))~~ rules, including chapter 197-11 WAC, the State Environmental Policy Act rules; chapter 173-304 WAC, the Minimum

functional standards for solid waste handling; and chapter 173-434 WAC, the air emission rules for incinerators.

(4) Annual report requirements. All generators shall submit annual reports to the department by March 1 of the following calendar year on forms specified by the department specifying:

(a) Annual amounts, in tons, of:

(i) Municipal solid waste incinerated;

(ii) Bottom ash generated; and

(iii) Flyash/scrubber residue generated.

(b) Disposal sites for all special incinerator ash. For multiple disposal sites, the amounts of disposal that are occurring in tons per year;

(c) Permittee's name, address, telephone number, date of permit issuance and expiration date for the disposal sites listed in (b) of this subsection;

(d) Designation test results. The results of testing bottom ash and flyash/scrubber residues separately and combined flyash and bottom ash on representative samples taken each quarter of the year and subjected to the criteria of WAC 173-303-100(7-and)). Results of testing bottom ash quarterly for carbon residue according to subsection (3)(c)(iv) of this section must be included unless otherwise approved by the department. After one year of testing, the department may reduce this requirement if a less frequent program can provide adequate data to determine the effectiveness of an ash toxicity reduction program. Representative sampling methods shall follow guidelines specified by the department;

(e) Toxics separation test results. The results of testing bottom ash and flyash separately for toxic metals from samples taken in (d) of this subsection must be included, in order to judge the progress made in toxic metals separation and reduction;

(f) Special test results. The results of testing bottom ash and flyash separately for dioxins and dibenzofurans on a composite sample made from the eight quarterly samples taken in (d) of this subsection must be included; and

(g) Ambient lead and cadmium samples taken in the air and soil respectively at the property boundary must be included to demonstrate compliance with the performance standard of WAC 173-306-440 (2)(b) and (c). The samples ((shall)) must be taken annually for cadmium and quarterly for lead, unless otherwise approved by the department.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-300 Permit requirements for disposal facilities. (1) Applicability. The permit standards of WAC 173-306-300 through 173-306-330 apply to disposal facilities as defined in WAC 173-306-100. These standards do not apply to generators of special incinerator ash who only handle, store and collect ash on-site and transport ash off-site, nor to facilities specifically excluded under WAC 173-306-400 through 173-306-490.

(2) No disposal facility ((shall)) may be established, constructed, altered, expanded, or closed, until the owner or operator has obtained a permit issued ((pursuant to)) under this chapter or a modified permit issued ((pursuant to)) under WAC 173-306-310(3).

(3) Effective dates for permit requirements. The permit requirements of this section apply to all applicable existing, new or expanding disposal facilities within six months after the effective date of this chapter.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-310 Permit procedures. (1) Application procedures.

(a) Persons owning or operating new or expanded ash disposal facilities shall apply to the department for a permit, ((prior to)) before accepting any special incinerator ash for disposal. These procedures apply ((for)) to permit renewal. Monofill owners who have successfully complied with the requirements for Type B design in WAC 173-306-450 (4)(a)(i) during the eighteen-month demonstration period shall apply for a permit ((prior to)) before using the Design B liner. Applicants shall file two copies of the application with the department that have:

(i) Been signed and notarized as correct by the owner and operator; and

(ii) Attached evidence of compliance with the requirements of chapter 197-11 WAC, the State Environmental Policy Act rules.

(b) Permit applications must contain the information set forth in WAC 173-306-330 in order to be considered complete. Upon receipt of a permit application, the department shall review the application for completeness and notify the permit applicant accordingly.

(c) Within thirty days of receipt of a complete application, the department shall give notice of its receipt of a proposed complete permit application to the public and to interested persons for public comment for thirty days after the date of publication.

(d) The department will perform the following additional public notification requirements:

(i) ((Mailing)) Mail the notice to persons who have expressed an interest in being notified;

(ii) ((Mailing)) Mail the notice to other state agencies and local governments with a regulatory interest in the proposal;

(iii) The public notice shall include a statement that any person may express ((their)) his or her views in writing to the department within thirty days of the last date of publication;

(iv) Any person submitting written comment or any other person ((may)), upon request, may obtain a copy of the department's final decision; and

(v) The department shall add the name of any person, upon request, to a mailing list to receive copies of notices for all applications within the state or within a geographical area.

(2) Issuance procedures.

(a) The department shall review each completed application to determine:

(i) Whether the disposal facility meets the requirements of this chapter;

(ii) Whether the disposal facility has been adequately addressed in the city and county comprehensive solid waste management plan as applicable; and

(iii) Whether the disposal facility complies with other environmental laws and ~~((regulations))~~ rules.

(b) The department ~~((shall))~~ may approve, deny, or conditionally approve a completed permit application within sixty days of receipt of the department's notice.

(c) The department ~~((shall))~~ may issue up to five-year term permits for ash disposal; applications for reissuance of permits ~~((shall))~~ must be made at least six months ~~((prior to))~~ before permit expiration. The applicant and the department shall follow the procedures of WAC 173-306-310 (1) and (2) in applying for and reissuing permits.

(3) Modification and revocation procedures. When the department obtains any information justifying modification, or the applicant applies for modification of an existing permit, the department may modify or revoke and reissue the permit according to the procedures of this section. An updated application may be requested if necessary. When a permit is modified only the conditions subject to modification are reopened. If a permit is revoked and reissued the entire permit is reopened and subject to revision and the permit is reissued for a new term.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-320 Demonstration and class-use permits. (1) Demonstration permits. Demonstration permits must be required for persons utilizing ash (see WAC 173-306-490 (2)(b)). In addition, persons applying for a utilization permit must demonstrate that the proposed utilization will successfully meet the requirements of WAC 173-306-490 (2)(b)(ii) before full scale reuse or utilization is practiced.

(a) The demonstration permit will be issued in accordance with the procedures of WAC 173-306-310;

(b) The demonstration permit shall address those requirements necessary to meet the standards of WAC 173-306-490 (2)(b)(ii) and (iii), and show that a disposal facility meeting the requirements of this chapter is available in case the demonstration fails or this permit is revoked;

(c) The demonstration permit shall provide a specific time period and a limit on the quantity of ash ~~((which))~~ that will be used for the demonstration; the department may extend the demonstration period as a modification of the demonstration permit;

(d) Unless otherwise approved by the department, the permittee shall submit a report to the department within ninety days of the end of the demonstration. The report shall contain the results of all field tests and laboratory analyses and all data developed during the demonstration period. The department shall then use the information to determine whether or not there is adequate information to issue a class-use permit ~~((which))~~ that will incorporate conditions sufficient to provide compliance with all requirements of WAC 173-306-490 (2)(b)(ii) and (iii). If the information is adequate, the department will ~~((proceed to))~~ issue a class-use permit under the provisions of this section. If the information is inadequate, the department may, as the situation warrants, either issue a modification to the demonstration permit in

accordance with the procedures of WAC 173-306-310(3) and this subsection, or deny the class-use permit application.

(2) Class-use permits. Class-use permits are required for persons who distribute utilized ash on the land in a manner ~~((constituting))~~ that constitutes disposal~~((;))~~. The permit is issued to the seller or distributor of utilized ash or ash products to a class of users.

(a) The class-use permit will be issued in accordance with the procedures of WAC 173-306-310;

(b) The class-use permit shall contain those requirements necessary to meet the standards of WAC 173-306-490 (2)(b), including reporting requirements; and

(c) The department will place limitations on the class of users of utilized ash or ash products if it is shown that ~~((such))~~ the limits are necessary to protect human health and the environment.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-330 Application contents for permits.

(1) Application contents for permits for new or expanded facilities.

(a) All permit applications shall contain the following:

(i) A general description of the facility;

(ii) The types of ash to be handled at the facility;

(iii) The plan of operation required by WAC 173-306-405(3) (except for demonstration and class-use permits, WAC 173-306-320);

(iv) The operating log required by WAC 173-306-405(4) (except for demonstration and class-use permits, WAC 173-306-320);

(v) The inspection schedule and inspection log required by WAC 173-306-405.

(b) Application contents for monofill facilities. In addition to the requirements of (a) of this subsection, each monofill application for a permit must contain:

(i) A hydrogeological assessment of the facility that addresses:

(A) Local/regional geology and hydrology, including holocene faults within two hundred feet of the active area and three thousand feet of all other faults, unstable slopes, and subsidence areas on site; or a department approved geologic hazard assessment study;

(B) Evaluation of bedrock and soil types and properties;

(C) Depths to ground water ~~((and))~~ or aquifer(s), or both;

(D) Direction and flow rate of the uppermost aquifer;

(E) Direction of regional ground water;

(F) Quantity, location, and construction (where available) of private and public wells within a two thousand foot radius of site;

(G) Tabulation of all water rights for ground water and surface water within a two thousand foot radius of the site;

(H) Identification and description of all surface waters within a one-mile radius of the site;

(I) Background and surface water quality assessment, and for expanded facilities, identification of impacts to date of applicant's existing facilities upon ground and surface waters from monofill leachate discharges;

- (J) Calculation of a site water balance;
- (K) Conceptual design of a ground water and surface water monitoring system, including proposed installation methods for these devices and, where applicable, a vadose zone monitoring plan;
- (L) Land use in the area, including nearby residences;
- (M) Topography of the site and surrounding areas; and
- (N) Drainage pattern of the site and surrounding areas.
- (ii) Preliminary engineering report/plans and specifications that address:
 - (A) How the facility will meet the siting standards of WAC 173-306-350;
 - (B) Relationship of facility to city and county solid waste comprehensive plan as applicable and the basis for calculating the facility's life;
 - (C) The design of bottom and side liners;
 - (D) Identification of materials for daily cover and borrow sources for final cover and soil liners;
 - (E) Interim/final leachate collection, treatment, and disposal;
 - (F) Leachate detection where applicable;
 - (G) Fugitive dust controls;
 - (H) Trench design, fill methods, elevation of final cover and bottom liner, and equipment requirements;
 - (I) The run-on and run-off system;
 - (J) The design to avoid washout;
 - (K) Filling phases, interim cover and final cap elevation; interim cover should be minimized depending on site specific topography and projected filling phases;
 - (L) Closure/post-closure design, construction, maintenance, and land use;
 - (M) Signs, fencing, and road paving; and
 - (N) Scales, employee amenities, communication, and unloading areas.
- (iii) An operation plan that addresses:
 - (A) Operation and maintenance of leachate collection, treatment, and disposal systems;
 - (B) Operation and maintenance of fugitive dust controls;
 - (C) Monitoring plans for ground water, surface water, soils and ambient air to include sampling technique, frequency, handling, and analysis requirements;
 - (D) Safety and emergency accident/fire plans;
 - (E) Routine filling, grading, cover, and housekeeping; and
 - (F) Record system to address records on weights (or volumes), number of vehicles, and the types of waste received.
- (iv) A closure plan that addresses:
 - (A) Estimate of closure season/year;
 - (B) Capacity of site in volume and tonnage;
 - (C) Maintenance of active fill versus completed, final covered acreage;
 - (D) Estimated closure construction timing and notification procedures;
 - (E) Inspection by regulatory agencies;
 - (F) Items required in WAC 173-306-410(3); and
 - (G) Identification of final closure cost including cost calculations and funding mechanisms.
- (v) A post-closure plan that addresses:
 - (A) Estimated time period for post-closure activities;

- (B) Site monitoring of ash monofill, soil, air, ground water, and surface water;
- (C) Deed clause changes, land use, and zoning restrictions;
- (D) Maintenance activities to maintain cover and run-off systems;
- (E) Items required in WAC 173-306-410(6);
- (F) Identification of post-closure costs including cost calculations and funding mechanisms; and
- (vi) Other information as required by the department.
- (c) Application contents for treatment (including solidification and stabilization) standards. In addition to the requirements of (a) of this subsection, each application for a treatment permit must contain:
 - (i) Preliminary engineering reports/plans and specifications that address:
 - (A) The chemical and physical principle(s) upon which the treatment is based, including laboratory, pilot plant, prototype, or full-scale data with sufficient detail to assure the department that the treatment process is feasible and to allow the department to specify capacity and operating conditions;
 - (B) Tank, reaction vessel, furnace, total-enclosed treatment facility and container designs and the basis for selecting the materials of construction and the thickness of the treatment device (such as corrosion data) or protective lining;
 - (C) Fugitive dust controls, including conveyor, transport, unloading, and building design;
 - (D) Instrumentation and process control design to assure operating within conditions specified in the permit;
 - (E) Warning signs and occupational health and safety engineering controls;
 - (F) Monitoring equipment; and
 - (G) Other factors as required by the department.
 - (ii) An operation plan that addresses:
 - (A) Operation and maintenance of the treatment device;
 - (B) Operation and maintenance of fugitive dust controls;
 - (C) Monitoring as required in WAC 173-306-500 and the department on a case-by-case basis; and
 - (D) Safety, occupational health, and emergency accident/fire plans.
 - (iii) A closure plan that addresses:
 - (A) Estimate of closure year and cost;
 - (B) Methods of removing wastes and cleaning or decontaminating reaction devices and final disposal of both;
 - (C) Closure timing and notification procedures;
 - (D) Final inspection by regulatory agencies;
 - (E) Items required in WAC 173-306-410(3); and
 - (iv) Other information as required by the department.
 - (d) Application contents for utilization facilities. In addition to the requirements of (a) of this subsection, each application for utilization must contain:
 - (i) For accumulation (~~(prior to)~~ before utilization facilities:
 - (A) The method of calculating the percent of ash being reused within a calendar year; and
 - (B) Compliance with the generator management plan storage requirements of WAC 173-306-200 (3)(d)(i) and (ii) if accumulation is by the generator; or
 - (C) Compliance with the monofill facility standards of WAC 173-306-440 if accumulation is by a disposal facility.

(ii) For reuse constituting disposal facilities:

(A) Information supplied by the applicant pertaining to the factors of WAC 173-306-490 (2)(b)(iii); and

(B) Other information as required by the department.

(2) Application contents for permits for existing facilities. Owners or operators of existing facilities applying for a permit to comply with the requirements of WAC 173-306-310 shall include:

(a) ~~((Include))~~ The information required in subsection (1)(a) of this section; and

(b) Other information as required by the department.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-340 Engineering reports, plans and specifications required in permits. (1) ~~((Prior to construction or modification of))~~ Before constructing or modifying disposal facilities, final engineering reports, plans and specifications ((shall)) must be submitted to and approved by the department according to a compliance schedule specified in the permit. The engineering report for a disposal facility ((shall)) must be sufficiently final so that plans and specifications can be developed from it without substantial changes.

(2) All final engineering reports, plans and specifications should be submitted by the owner or operator consistent with the compliance schedule in the permit and at least thirty days ~~((prior to))~~ before the time approval is needed. The department will review and comment on and ~~((either))~~ may approve (or conditionally approve) ~~((comment on))~~ or disapprove ~~((such))~~ the plans and reports within the thirty-day period unless circumstances prevent, in which case the owner or operator will be notified and informed of the reason for the delay.

(3) The final engineering report may be submitted ~~((prior to))~~ before or concurrently with the final plans and specifications.

(4) The department will review the documents to ascertain that the proposed facility will be:

(a) Designed, constructed, operated, maintained, and closed to meet the requirements of the permit issued ~~((pursuant to))~~ under this chapter; and

(b) Consistent with good engineering practices.

(5) Within thirty days ~~((following))~~ after acceptance by the owner or operator of or modification to an ash disposal facility, a professional engineer in responsible charge of inspection of the project shall submit to the department one complete set of record drawings or as-builts, and a declaration stating the facilities were constructed in accordance with the provisions of the construction quality assurance plan and without significant change from the department approved plans and specifications.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-345 Construction quality assurance plan. (1) ~~((Prior to construction or modification, a detailed plan must be submitted to and approved by the department, showing how adequate and competent construction inspec-~~

~~tion will be provided to insure compliance with the requirements of this chapter and the approved engineering documents. Submission of))~~ Before construction or modification, a detailed plan that shows how adequate and competent construction inspection will be provided to insure compliance with the requirements of this chapter and the approved engineering documents must be submitted to and approved by the department. The plan ((shall)) must be submitted according to a schedule specified in the permit.

(2) The construction quality assurance plan shall include:

(a) A construction schedule summarizing planned construction activities, noting sequence interrelationships, durations, and terminations;

(b) A description of construction management, organization management procedures, lines of communication, and responsibility;

(c) A description of anticipated quality control testing, including type of test, frequency, and who will perform the tests;

(d) A description of the construction inspection program including inspection responsibilities, anticipated inspection frequency, deficiency resolution, and inspector qualifications; and

(e) For monofills, a description of how WAC 173-306-440 (4)(d) is to be met.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-350 Incinerator ash siting standards for disposal facilities. (1) Applicability. These standards apply to all new or expanded monofills. These standards do not apply to:

(a) Existing monofills or monofills that have closed before the effective date of this chapter; or

(b) Treatment, utilization, or processing facilities.

(2) Siting standards.

Owners or operators of all applicable disposal facilities shall, at the time of permit application, meet the following locational standards:

(a) Geology. No facility ~~((shall))~~ may be located within two hundred feet, measured horizontally, from a fault that has had displacement in holocene times ~~((and))~~ All faults within three thousand feet of a facility must be identified and evaluated ~~((it))~~ under WAC 173-306-330(1), where ~~((such))~~ existing geologic information is available or can be obtained with reasonable effort. For sites for which fault information cannot reasonably be obtained, a geologic hazard assessment performed by an experienced, qualified geologist may be substituted for this siting criteria, if the study methods are reviewed and approved by the department ~~((prior to))~~ before the investigation.

(b) Ground water.

(i) No facility ~~((shall))~~ may be located where the depth from the lowest point of the bottom liner to the seasonal high water level of the upper most aquifer of beneficial use is less than ten feet or 120 days travel time hydraulically, whichever is greater.

(ii) No facility ~~((shall))~~ may be located over a sole source aquifer.

(iii) No facility's active area ~~((shall))~~ may be located closer than one thousand feet to the nearest downgradient ground water intake for domestic water in use and existing at the time of permit application unless the owner or operator can show that the active area is no less than one hundred twenty days travel time hydraulically to the nearest downgradient ground water intake for domestic water.

(c) Natural soils. No facility ~~((shall))~~ may be located:

(i) Where known subsidence exists within the facility boundary;

(ii) In an area where unstable slopes may impact the active area of the facility;

(iii) Where weak or unstable soils exist within the proposed facility boundary, unless the structural stability of the soils is mitigated through engineering practices. (The following soils or conditions are defined as weak or unstable: Organic soils, expansive soils, liquefaction sands, soft clays, sensitive clays, loess and quick conditions.)

(d) Flooding. No facility's active area ~~((shall))~~ may be located within the one hundred-year flood elevation as indicated in the most current Federal Emergency Management Agency maps.

(e) Surface water. No facility's active area ~~((shall))~~ may be located within five hundred feet, measured horizontally, of the ordinary high water mark of any perennial surface water body.

(f) Sensitive areas. No facility ~~((shall))~~ may be located:

(i) In an area that would result in the taking of species or the direct elimination of critical habitat for federal or state listed threatened or endangered species;

(ii) In a wetland as defined by the United State Fish and Wildlife Service (Cowardin et al. 1979);

(iii) In a shoreline of the state under the jurisdiction of the Shoreline Management Act;

(iv) In an area classified as a wilderness area as defined by the Wilderness Act of 1964 (P.L. 88-577);

(v) In a state or federally designated wildlife refuge or a game farm;

(vi) In an area with city, county, state, or federal designation as a park or recreation area or any area provided for under chapter 79.70 RCW, natural area preserves; and

(vii) In an area with city, county, state, or federal designation as an archaeological or historic area or a national monument.

(g) Land use. No facility ~~((shall))~~ may be located so that its active area is closer than two hundred feet to the facility property line. The active area may be no closer than one thousand feet to the nearest housing unit in an existing residential development. The one thousand-foot rule may be evaluated on a case-by-case basis in rural areas and unincorporated towns.

(h) Climatic factors. No facility ~~((shall))~~ may be located in an area that has a history of severe climatic factors without engineered protection to mitigate those factors. Severe climatic factors, include but are not limited to, high annual rainfall, extreme temperatures (high or low), and high winds.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-400 Ash disposal facility standards.

(1) Applicability. The standards of WAC 173-306-405 through 173-306-470 are the ash disposal standards and apply to all disposal facilities except ash disposal facilities that ~~((have))~~ are engaged in closure or ~~((have))~~ were closed before the effective date of this chapter.

(2) Standards for permits. The standards of WAC 173-306-405 through 173-306-470 ~~((shall))~~ must be used as the basis for permitting as required in WAC 173-306-300.

(3) Effective dates.

(a) All existing ash disposal facilities not in conformance with these standards ~~((shall))~~ must be placed ~~((upon))~~ on compliance schedules as part of the permit issued in WAC 173-306-300. Full compliance ~~((shall))~~ must be ~~met~~ within three years of the effective date of this chapter~~((:))~~. However, the following facility standards ~~((shall))~~ must be met within eighteen months of the effective date of this chapter:

(i) The general facility standards of WAC 173-306-405;

(ii) The operating and maintenance standards of WAC 173-306-440(5); and

(iii) The monitoring requirements of WAC 173-306-500.

(b) All new and expanded facilities shall meet the ash disposal facility standards of WAC 173-306-405 to 173-306-470 after the effective date of this chapter.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-405 General facility operational standards. (1) Applicability. All special incinerator ash disposal facilities shall meet the requirements of this section.

(2) Imminent hazard. Notwithstanding any provisions of this chapter, enforcement actions may be brought in the event that the management practices of an ash disposal facility present an imminent and substantial hazard to the health of employees, the public health or the environment.

(3) Plan of operation. Each owner or operator shall develop and use the plan of operation required during the permitting process in WAC 173-306-300. The plan shall describe the facility's operation and ~~((shall))~~ convey to the operating personnel the concept of operation intended by the designer. The facility ~~((shall))~~ must be operated in accordance with the plan~~((:))~~. Modifications to the plan must be approved by the department. The plan of operation ~~((shall))~~ must be available for inspection at the request of the department. Each plan of operation shall include:

(a) Ash management during the facility's active life;

(b) Frequency and methods of inspections and monitoring;

(c) Employee safety and training~~((,-addressing))~~ that addresses:

(i) Protection from exposure and contact with ash~~((:))~~;

(ii) Employee training~~((,-and))~~;

(iii) Medical monitoring; ~~((also))~~ and

(iv) A safety plan or procedure;

(d) Actions to take for mitigating any sudden release of ash to surface water or dispersal by wind;

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(e) Modifications to the plan permit ~~((and/))~~, or plan of operation, or both, in the event of ground water contamination;

(f) Equipment maintenance, particularly for leachate collection and treatment; and

(g) Other ~~((such))~~ details as required by the department.

(4) Recordkeeping. The facility owner or operator shall keep a written operating record at ~~((his))~~ the facility that must be furnished upon request and made available at all reasonable times, to any employee of the department.

(a) The following information ~~((shall))~~ must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

(i) The type and quantity of each ash shipment received or managed on-site and the ~~((method(s) and date(s)))~~ methods and dates of management at the facility;

(ii) Records and inspection results as required by subsections (5) and (6) of this section;

(iii) Monitoring, testing, or analytical data where required by WAC 173-306-500;

(iv) All closure and, for final deposit, post-closure cost estimates required for the disposal facility; and

(v) Deviations from the plan of operation specified in subsection (3) of this section.

(b) The retention period for all facility records required under this chapter is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the department.

(5) Reporting. Each owner or operator shall prepare and submit a copy of the annual report to the department by March 1 of the following year. The annual report shall cover facility activities during the previous year and must include the following information:

(a) The name and address of the disposal facility;

(b) The calendar year covered by the report;

(c) Annual quantity in tons and the type of ash accepted by the disposal facility and the method of management;

(d) Results of soil, air quality, and ground water monitoring required in WAC 173-306-440;

(e) The most recent closure cost estimate and, for final deposit monofills, post-closure cost estimates under WAC 173-306-410; and

(f) Other information required by the department.

(6) Inspections. The owner or operator shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges ~~((which))~~ that may cause or lead to the release of ash to the environment or a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. The owner or operator shall keep an inspection log or summary including, at a minimum, the date and time of inspection, the printed name and the hand-written signature of the inspector, a notation of observations made and the date and nature of any repairs or corrective action. The log or summary must be kept at the facility or other convenient location if permanent office facilities are not on-site, for at least three years from the date of inspection. Inspection records ~~((shall))~~ must be made available to the department upon request.

(7) Other state and local requirements. All owners or operators of ash disposal facilities shall comply with all state and local laws and ~~((regulations))~~ rules such as zoning, land use, fire protection, industrial safety and hygiene, water pollution, air pollution, nuisance and aesthetics.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-410 General closure and post-closure requirements. (1) Applicability. The closure requirements of subsections (2), (3), and (4) of this section apply to all disposal facilities. The post-closure requirements of subsections (5), (6), and (7) apply to monofills subject to WAC 173-306-440.

(2) Closure performance requirements. Each owner and operator shall close ~~((their))~~ the facility in a manner that:

(a) Minimizes the need for further maintenance;

(b) Controls, minimizes, or eliminates threats to human health and the environment from post-closure escape of ash constituents, leachate, monofill gases, contaminated rainfall or ash decomposition products to the ground or soil, ground water, surface water, and the atmosphere; and

(c) Prepares the facility for the post-closure period.

(3) Closure plan and amendment. Closure as defined in WAC 173-306-100 includes, but is not limited to, grading, seeding, landscaping, contouring and screening.

(a) Each owner or operator shall develop and use a plan of closure approved by the department as part of the permitting process of WAC 173-306-310.

(b) The closure plan shall project time intervals at which closure activities ~~((are to))~~ must be implemented, and shall identify estimated closure costs and project fund withdrawal intervals from the approved financial assurance instrument, where applicable.

(c) No owner or operator ~~((shall commence))~~ may begin disposal operations in any part of a facility until a closure plan for the entire facility has been approved by the department, and until a financial assurance instrument has been provided, as required by WAC 173-306-470.

(d) The department may determine at its discretion and for cause that a facility closure plan is invalid and may require an owner or operator to:

(i) Amend the facility closure plan and obtain the department's written approval; and/or

(ii) Cease facility operation or closure activities in whole or in part until an approved closure plan is obtained.

(e) Each owner or operator shall close the facility in accordance with the approved closure plan and all approved amendments.

(4) Closure procedures.

(a) Each owner or operator shall notify the department and, where applicable, the financial assurance instrument trustee, of the intent to implement the closure plan in whole or in part, no later than one hundred eighty days ~~((prior to))~~ before the projected final receipt of waste at part of or at the entire facility.

(b) The owner or operator shall ~~((commence implementation of))~~ begin implementing the closure plan in part or whole within thirty days after receipt of a final volume of ash

and/or attaining the final monofill elevation at part of or at the entire facility as identified in the approved facility closure plan.

(c) Ash (~~shall~~) may not be accepted for use in closure except as identified in the closure plan approved by the department, as required in subsection (3)(a) of this section.

(d) When facility closure is completed in part or whole, each owner or operator shall submit to the department:

(i) Facility closure plan sheets signed by a professional engineer registered in the state of Washington. The plan shall reflect all as-built changes to final closure construction as approved in the closure plan; and

(ii) An affidavit signed by the owner or operator and a professional engineer registered in the state of Washington that the site has been closed in accordance with the approved closure plan.

(e) Maps and a statement of fact concerning the location of the final ash disposal (~~shall~~) must be recorded as part of the deed with the county auditor not later than three months after closure. Records and plans specifying ash amounts, locations and periods of operation (~~shall~~) must be submitted to the local zoning authority or the authority with jurisdiction over land use and must be made available for inspection.

(f) When the department finds the facility has been closed in accordance with the specifications of the approved closure plan and the closure requirements of this section, the department shall:

(i) Issue a certificate of closure for the site to the owner or operator and the department; and

(ii) Notify the owner or operator and the department that the facility post-closure period has begun in whole or in part on a specified date.

(5) Post-closure performance standard. Monofill owners or operators shall (~~provide~~) perform post-closure activities as needed to protect human health and the environment.

(6) Post-closure plan and amendment. Post-closure includes monitoring of ground water, surface water, and air quality; maintenance of the facility, facility structures, and monitoring systems; and other activities deemed appropriate by the department.

(a) The owner or operator shall develop and use a post-closure plan approved as a part of the permitting process in WAC 173-306-310. The post-closure plan shall address facility maintenance and monitoring activities for a thirty-year period.

(b) The post-closure plan shall project time intervals at which post-closure activities are to be implemented, and identify post-closure cost estimates and projected fund withdrawal intervals from the selected financial assurance instrument, where applicable, for the associated post-closure costs.

(c) No owner or operator (~~shall commence~~) may begin disposal operations in any part of a facility until a post-closure plan for the entire facility has been approved by the department, and until a financial assurance instrument has been provided, where applicable, as required by WAC 173-306-470. Facility post-closure activities must be completed in accordance with the approved post-closure plan or the plan must be so amended with the approval of the department.

(d) The department may determine, at its discretion and for cause, that a facility post-closure plan is invalid and may require an owner or operator to:

(i) Amend the facility post-closure plan and obtain the department's written approval; and/or

(ii) Cease facility operation or closure activities in part or wholly until an approved post-closure plan is obtained.

(7) Post-closure procedures.

(a) Each owner or operator shall (~~commence~~) begin post-closure activities after (~~completion of~~) completing closure activities outlined in subsection (4)(d)(i) and (ii) of this section. The department may direct that post-closure activities cease until the owner or operator has received the department's certification of closure and a notice to proceed with post-closure activities.

(b) When post-closure activities are complete, the owner or operator shall submit an affidavit to the department, signed by the owner or operator and a professional engineer registered in the state of Washington, stating why post-closure activities are no longer necessary.

(c) If the department finds that post-closure activities have stabilized the facility, the department may, at its discretion, authorize the owner or operator to gradually reduce or discontinue post-closure maintenance and monitoring activities. The department shall certify the end of the post-closure care period by (~~issuance of~~) issuing a certificate of post-closure completion to the facility owner or operator.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-440 Ash monofill facility standards.

(1) Applicability. This section applies to owners and operators of facilities that monofill special incinerator ash, except as WAC 173-306-400 provides otherwise.

(2) Minimum standards for performance.

(a) Ground water. Monofill owners or operators (~~shall~~) may not contaminate underlying ground water beyond the point of compliance. Contamination and point of compliance are defined in WAC 173-306-100.

(b) Soil. Soils at the property boundary (~~shall~~) may not exceed the following limits for cadmium due to the facility operations based upon annual samples:

(i) The annual increase in cadmium loading in the upper six inches of soil with a pH equal to or greater than 6.5 (~~shall~~) may not exceed 0.5 kilograms per hectare annually or a total accumulation of 20 kilograms per hectare; and

(ii) The annual increase in cadmium loading in the upper six inches of soil with a pH less than 6.5 (~~shall~~) may not exceed a total accumulation of 5.0 kilograms per hectare.

(c) Air quality. Monofill owners or operators (~~shall~~) may not cause a violation of an emission standard from any emission of particulates, dusts or gases associated with the operation and/or closure/post-closure of the landfill nor any ambient air quality standard at the property boundary including the following ambient lead standard:

The level of lead and its compounds measured as elemental lead in suspended particulate matter measured during a twenty-four hour sample taken at the downwind facility boundary (~~shall~~) may not exceed 1.5 micrograms per cubic

meter of air due to the facility's operation or the latest national ambient air quality standards. The sampling frequency will be monthly unless otherwise approved by the department.

(d) Surface waters. Monofill owners or operators ~~((shall))~~ may not cause a violation of any receiving water quality standard or violate chapter 90.48 RCW from discharges of surface run-off, leachate, or any other liquid associated with a monofill.

(3) Siting standards. Monofill owners or operators receiving special incinerator ash shall comply with incinerator ash siting standards of WAC 173-306-350(2).

(4) Minimum design standards.

(a) Minimizing liquids. Monofill owners or operators shall minimize liquids admitted to active areas by:

(i) Covering according to subsection (5)(e) of this section.

(ii) Disposing of no ash containing free liquids unless approved by the department;

(iii) Designing, constructing, and maintaining run-off controls to restrict the chance of a run-off event from releasing contaminated run-off waters to an annual probability of one percent or less (one hundred-year event or greater). In meeting this requirement the following items are to be considered:

(A) The design of the containment structure ~~((f))s(h))~~ should be selected based on the ability of the facility to store, test, and/or treat the run-off during a twenty-four hour or longer storm event.

(B) The design assumes that the storm event occurs during the final year of the active life of the monofill or at a time when the facility is most vulnerable to a storm ~~((which))~~ that could produce the release of contaminated waters. The method of placement of the ash should be considered when determining the volume available for storage of run-off.

(C) A minimum of one foot of freeboard (measured from the invert of the emergency spillway) should be maintained following the occurrence of the design storm.

(D) An emergency spillway is to be constructed for the containment structure to provide controlled release of excess run-off waters in the case where the design storm is exceeded.

(iv) Design, construct, and maintain diversion channels, channel containment berms, culverts, pipes, and other drainage control features to pass and/or store run-on to restrict the chance of failure of the drainage control features to an annual probability of one percent or less (one hundred-year event or greater). In meeting this requirement the following items are to be considered:

(A) For those cases where the run-on waters are to be stored and/or treated, selection of the ~~((design))~~ storm design should be based on the appropriate procedures governing run-off controls.

(B) For those cases where the run-on waters are to be diverted around the facility, the drainage control features should be sized to pass the run-on peak discharge (design flood) of a magnitude ~~((having))~~ that has an annual exceedance probability of one percent or less (one hundred-year flood peak discharge or greater).

(C) Sufficient erosion protection and freeboard (one foot minimum) are to be provided for all drainage control features to preclude failure of those features during passage of the design flood.

(v) Submit engineering plans and specifications for any containment barrier equalling or exceeding as storage capacity of ten acre-feet to the department's dam safety section for review under RCW 90.03.350.

(b) Leachate systems. Monofill owners or operators shall:

(i) Install a department-approved leachate collection system sized according to water balance calculations or using other accepted engineering methods;

(ii) Install a leachate collection system ~~((so as))~~ to prevent no more than one foot of leachate developing at the topographical low point of the active area; and

(iii) Install a leachate treatment system to meet requirements of WAC 173-306-200 (3)(c)(ii)(B) through (E).

(c) Liner and final cap design. Ash monofill owners or operators shall comply with the requirements of WAC 173-306-450.

(d) Liner construction and inspection. Ash monofill owners or operators shall:

(i) Comply with the requirements of WAC 173-306-450.

(ii) Employ an independent third party as defined in WAC 173-306-100 to inspect the liners during construction and installation for uniformity, damage and imperfections (e.g., holes, cracks, thin spots, foreign materials) and quality of construction; and immediately after construction and installations to inspect:

(A) Synthetic liners and covers for tight seams and joints and the absence of tears, punctures or blisters; and

(B) Soil-based and admixed liners and covers for imperfections (e.g., lenses, cracks, channels, root holes) or structural nonuniformities that may affect liner permeability.

(e) Filling requirements for ash cells. Monofill owners or operators shall design and fill ash monofills in phases or cells, as defined in WAC 173-306-100. Only one cell ~~((shall))~~ may be open and in use at one time; each cell ~~((shall))~~ must be graded and covered with a flexible high density polyethylene liner or other material of equivalent mechanical strength and chemical resistance during the interim period before reaching final elevation. The liner ~~((shall))~~ must be 60 mils and have the ability to withstand weather conditions. The owner or operator shall provide, as part of the interim cover, a method of detecting and/or monitoring/inspecting the integrity and any possible failure of the interim cover.

(f) Fugitive dust controls. Monofill owners and operators shall:

(i) Employ tire washing for all ash-carrying vehicles as they leave the site or any equivalent method to prevent the trackout of ash onto the site and the public right of way. Contaminated wash-waters ~~((shall))~~ must be disposed of according to WAC 173-306-200 (3)(c);

(ii) Orient the major axis of the active area of the monofill with respect to the prevailing wind directions so as to minimize the effect of wind upon dispersion of special incinerator ash unless engineering designs can provide equivalent protection; and

(iii) Provide for paved approach and exit roads outside the active area with traffic separation and traffic control on-site and at the site entrance.

(g) Other design requirements. Monofill owners and operators shall:

(i) Post signs at each entrance to the active portion and at other locations, in sufficient numbers to be seen from any approach to the active portion. Signs must bear the legend "Danger - unauthorized personnel keep out" or an equivalent legend, and must be legible from a distance of twenty-five feet;

(ii) Have either:

(A) A twenty-four-hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or

(B) An artificial or natural barrier; or

(C) A combination of both, which completely surrounds the active portion of the facility, with a means to control access through gates or other entrances to the active portion of the facility at all times.

(iii) Provide for monitoring according to WAC 173-306-500 using a design approved by the department;

(iv) Weigh all incoming ash on scales or provide an equivalent method of measuring ash tonnage;

(v) Provide for employee facilities including shelter, toilets, handwashing facilities, and potable drinking water;

(vi) Provide for unloading area(s) to be as small as possible, consistent with traffic patterns and safe operation; and

(vii) Provide communication (such as telephones) between employees working at the monofill and on-site or off-site management offices to handle emergencies.

(5) Standards for operation and maintenance. All owners and operators shall:

(a) Prohibit the co-disposal of any other solid or hazardous waste in a special incinerator ash landfill;

(b) Comply with the requirements of the general operation standards, WAC 173-306-405;

(c) Control fugitive dust by wetting, by the use of dust suppressing substances, covering, compacting, or otherwise managing the active area of the monofill to control wind dispersal and prevent visible emissions of windblown dust. Road dust on unpaved roads (~~shall~~) must also be similarly controlled.

(d) Clearly mark the active area boundaries authorized in the permit, with permanent posts or using an equivalent method clearly visible for inspection purposes.

(e) Compact and cover ash daily (~~prior to~~) before adding successive layers according to the requirements of WAC 173-306-450.

(f) Maintain the monitoring systems required in subsection (4)(g)(iii) of this section;

(g) Inspect the monofill weekly while it is in operation and after major storms to detect evidence of any of the following:

(i) Deterioration, malfunctions, or improper operation of run-on and run-off control systems and interim cover;

(ii) The presence of liquids in leak detection systems, where installed, to comply with subsection (4)(b) of this section. The department (~~shall~~) must be notified of any leaks

into the leak detection system within seven days after detecting the leak and immediately remove any accumulated liquid. Notification shall include a schedule for determining the cause of the leak and any remedial measures or increased ground water monitoring to assure that the performance standards of subsection (2)(a) of this section are met;

(iii) The presence of leachate in, and proper functioning of, leachate collection and removal systems; and

(iv) Proper functioning of engineered wind dispersal control systems.

(h) Record the inspections in the log as required in WAC 173-306-405(6).

(6) Closure and post-closure requirements.

(a) At final closure of the monofill or upon closure of any cell, the owner or operator (~~must~~) shall cover the monofill or cell with a final cover designed and constructed according to subsection (4)(d) of this section and shall comply with all closure requirements of WAC 173-306-410;

(b) After final closure, the owner or operator must comply with all post-closure requirements of WAC 173-306-410, and must:

(i) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion, or other events;

(ii) Prevent run-on and run-off from eroding or otherwise damaging the final cover;

(iii) Maintain and monitor the leak detection system in accordance with subsection (4)(b) of this section, where such a system is present; the owner or operator shall immediately remove any accumulated liquid and notify the department of any leaks into the leak detection system within seven days after detecting the leak. Notification shall include a schedule for determining the cause of the leak and any remedial measures or increased ground water monitoring to assure that the performance standards of subsection (2)(a) of this section are met;

(iv) Operate the leachate collection and removal system; and

(v) Maintain and operate the monitoring systems of WAC 173-306-500.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-450 Liner and final cap design and construction standards. (1) Applicability. This section applies to owners or operators of facilities that monofill combined or separated special incinerator ash, except as WAC 173-306-400 provides otherwise.

(2) Liner design.

(a) Owners or operators (~~that~~) who monofill combined or separated fly ash and bottom ash shall comply with the requirements of Design A, subsection (3) of this section.

(b) Owners or operators (~~that~~) who demonstrate ability to maintain the permeability requirements of Design B during an eighteen-month demonstration period may seek approval to use Design B following the demonstration period.

(3) Design A.

(a) General requirements. Owners or operators shall comply with the liner inspection requirements of WAC 173-306-440 (4)(d) and siting and design requirements of WAC 173-306-440 (3) and (4). In addition, owners or operators shall:

(i) Thoroughly compact ash residues. Owners or operators shall compact ash residues thoroughly by using compaction equipment.

(ii) Provide daily cover to prevent fugitive dust emissions and run-on and run-off discharges. Cover material may include high density polyethylene or any department approved equivalent material.

(b) Liner design. The liner (~~shall~~) must be an engineered liner of the following design from bottom to top:

(i) A foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift(~~;~~). The foundation slope (~~shall~~) must be a minimum of two percent;

(ii) Next, a single composite liner consisting of an engineered soil liner at least two feet thick (~~having~~) that has permeability of 1×10^{-7} cm/sec or the equivalent upon which a synthetic liner of sixty mils high density polyethylene or other material of equivalent mechanical strength and chemical resistance is placed(~~;~~). Liner slopes (~~shall~~) must be a minimum of four percent;

(iii) Next, a leachate detection system consisting of a minimum of twelve inches of sand or equivalent material with a permeability greater than or equal to 1×10^{-2} cm/sec with drain pipes;

(iv) Next, a synthetic liner of sixty mils high density polyethylene or other material of equivalent mechanical strength and chemical resistance;

(v) Next, a leachate collection and removal system (~~consisting~~) that consists of a minimum of twelve inches of sand or equivalent material with a permeability greater than or equal to 1×10^{-2} cm/sec with drain pipes; and

(vi) A fabric filter placed between the drainage layer and the first lift of special incinerator ash.

(4) Design B. Owners or operators (~~that~~) who monofill combined or separated fly and bottom ash shall comply with these design criteria.

(a) General requirements. Owners or operators shall comply with the liner inspection requirements of WAC 173-306-440 (4)(d) and siting and design requirements of WAC 173-306-440 (3) and (4). In addition, owners or operators shall:

(i) Compact ash residues to a permeability of 1×10^{-5} cm/sec. All ferrous material will be removed using magnetic separation or an equivalent method approved by the department so that the pozzolanic effect of compacted ash will not be impeded.

(ii) Lifts will be tested for ash permeability using guidance established by the department. Lift thickness (~~prior to~~) before compaction (~~shall~~) may not exceed one foot.

(A) Design B liner design may be used as long as lift permeability tests at 1×10^{-5} cm/sec or less.

(B) If the ash permeability requirement cannot be maintained, the owner or operator shall immediately close the Design B cell according to the closure requirements of WAC

173-306-410 and subsection (5) of this section and (~~recommence~~) resume disposal activities using the Design A liner.

(iii) Provide daily cover to prevent fugitive dust emissions and run-on and run-off discharges. Cover material may include high density polyethylene or any department approved equivalent material.

(b) Liner design. The liner (~~shall~~) must be an engineered liner of the following design:

(i) A foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift(~~;~~). Foundation slope (~~shall~~) must be a minimum of two percent;

(ii) Next, a single composite liner (~~consisting~~) that consists of an engineered soil liner at least two feet thick (~~having~~) that has a permeability of 1×10^{-7} cm/sec or the equivalent upon which a synthetic liner of sixty mils high density polyethylene or other material of equivalent mechanical strength and chemical resistance rests(~~;~~). Liner slopes (~~shall~~) must be a minimum of four percent;

(iii) Next, a leachate collection system (~~consisting~~) that consists of a minimum of twelve inches of sand or equivalent material with a permeability greater than or equal to 1×10^{-2} cm/sec with drain pipes; and

(iv) A fabric filter placed between the drainage layer and the first layer of special incinerator ash.

(5) Final cap design. All owners or operators of special incinerator ash monofills shall comply with the following design requirements.

(a) The final cap shall maintain a surface slope between two and five percent and side slope of no more than thirty-three percent and shall consist, from bottom to top, of:

(i) Two feet of ash, well graded (with ferrous material removed and having proportional size distribution of ash particles) and thoroughly compacted;

(ii) Next, a layer, system, or mechanism capable of detecting cap failure;

(iii) Next, a fabric filter overlaid by at least two feet of clay (~~having~~) that has a permeability of 1×10^{-7} cm/sec upon which a synthetic liner of sixty mils high density polyethylene or other material of equivalent mechanical strength and chemical resistance rests; and

(iv) Eighteen inches of native soil covered by six inches of topsoil.

(b) Final cap inspections (~~shall~~) must be done in accordance with the liner inspection requirements of WAC 173-306-440 (4)(d).

(c) In case of cap failure, immediately notify the department with a plan for remedial action.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-470 Financial assurance. (1) Applicability.

These standards apply to all new and expanded monofill facilities, and to existing monofill facilities that have not closed before or within twelve months after the effective date of this chapter.

(2) Cost estimate for closure.

(a) Each owner or operator shall prepare a written closure cost estimate as part of the facility closure plan. The closure cost estimate must be in current dollars and must represent the cost of closing the facility in accordance with the closure requirements in WAC 173-306-410.

(i) The cost estimate ~~((shall))~~ must be based on a reasonable cost estimate for completing design, purchase, construction, and other activities as identified in the facility closure plan as required under WAC 173-306-410;

(ii) The closure plan shall project intervals for withdrawal of closure funds from the closure financial assurance instrument to complete the activities identified in the approved closure plan;

(iii) The closure cost estimate ~~((shall))~~ may not be reduced by allowance for salvage value of equipment, ash, or the resale value of property or land.

(b) Each owner or operator must prepare a new closure cost estimate in accordance with (a) and (c) of this subsection whenever:

(i) Changes in operating plans or facility design affect the closure plan;

(ii) ~~((There is))~~ A change in the expected year of closure ~~((that))~~ affects the closure plan; or

(iii) The department directs the owner or operator to revise the closure plan or closure cost estimate.

(c) Each owner or operator shall review the closure cost estimate thirty days ~~((prior to))~~ before the anniversary date of the date on which the first closure cost estimate was prepared. The review shall examine all factors, including inflation, involved in estimating the closure cost. Any cost changes ~~((shall))~~ must be factored into a revised closure cost estimate ~~((and))~~. The revised cost estimate must be submitted to the department.

(d) During the operating life of the facility, and when the estimate has been adjusted in accordance with (c) of this subsection, the owner or operator shall make available for review the closure cost estimate prepared in accordance with (a) and (b) of this subsection ~~((, and when this estimate has been adjusted in accordance with (c) of this subsection))~~.

(e) The department shall evaluate each cost estimate and may accept, or at its discretion require revision of, the cost estimate in accordance with its evaluation.

(f) The department may require the facility owner or operator to adjust the cost estimate in accordance with the department's review and direction.

(3) Financial assurance account for closure. Each owner or operator of special incinerator ash monofill facility shall establish a financial assurance account in an amount that, over the life of the facility, will accumulate funds at a rate that will enable premature closure during the monofill life. The total amount ~~((shall))~~ must be equal to the closure cost estimate prepared in accordance with subsection (2) of this section.

(a) Applicable monofill facilities that accept special incinerator ash must choose from the following financial assurance account options or combination of options:

(i) For monofill disposal facilities owned or operated by municipal corporations, the closure and post-closure reserve account ~~((shall))~~ must be handled in one of the following ways:

(A) Cash and investments accumulated and restricted for closure with an equivalent amount of fund balance reserved in the fund accounting for special incinerator ash activity; or published Budget Accounting Reporting System Manual; or

(B) The cash and investments held in a nonexpendable trust fund.

(ii) Closure trust fund established with an entity ~~((which))~~ that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal or state agency. The wording of the trust agreement must be acceptable to the department. The purpose of the closure trust fund is to receive and manage any funds paid by the owner or operator and to disburse those funds only for closure activities as identified in the approved closure plan.

(b) For private disposal facilities that accept public waste, established closure financial assurance accounts ~~((shall))~~ may not constitute an asset of the facility owner or operator.

(c) Any income in excess of the closure cost estimate accruing to the established closure financial assurance account will be used at the owner's discretion ~~((as to the use of said funds))~~.

(d) Excess moneys remaining in the closure financial assurance account after the department has certified the completion of closure as identified in WAC 173-306-410 (4)(f)(i) ~~((shall))~~ must be returned to the owner or operator.

(4) Cost estimate for post-closure.

(a) Each owner or operator shall prepare a written post-closure cost estimate as part of the facility post-closure plan. The post-closure cost estimate must be in current dollars and must represent the total cost of completing post-closure activities for the facility for a thirty-year post-closure period in accordance with the post-closure requirements in WAC 173-306-410.

(i) The post-closure cost estimate ~~((shall))~~ must be based on a reasonable cost estimate for completing post-closure monitoring, maintenance, and other activities identified in the approved facility post-closure plan as required under WAC 173-306-410;

(ii) The post-closure plan shall project intervals for withdrawal of post-closure funds from the post-closure financial assurance instrument to complete the activities identified in the approved post-closure plan;

(iii) The post-closure cost estimate ~~((shall))~~ may not be reduced by allowance for salvage, value of equipment, ash, or the resale value of property or land.

(b) Each owner or operator shall prepare a new post-closure costs estimate for the remainder of the post-closure care thirty-year period in accordance with (a) and (c) of this subsection, whenever:

(i) Change in the post-closure plan increases the cost of post-closure care; or

(ii) The department directs the owner or operator to revise the post-closure plan or post-closure cost estimate.

(c) Each owner or operator shall review the post-closure cost estimate thirty days ~~((prior to))~~ before the annual date on which the first post-closure cost estimate was prepared. The review shall examine all factors, including inflation, involved in estimating the post-closure cost. Any cost changes ~~((shall))~~ must be factored into a revised post-closure cost estimate and

the revised cost estimate must be submitted to the department.

(d) During the operating life of the facility, the owner or operator shall keep the latest post-closure cost estimate prepared in accordance with (a) and (b) of this subsection available for review.

(5) Financial assurance account for post-closure. Each owner or operator of an applicable monofill facility shall establish a financial assurance account in an amount equal to the post-closure cost estimate prepared in accordance with subsection (4) of this section.

(a) Owners or operators of applicable monofill facilities that accept special incinerator ash shall choose from the following options or combinations of options for accounting for the financial assurance account:

(i) For monofill disposal facilities owned or operated by municipal corporations, the post-closure reserve ~~((shall))~~ must be handled in one of the following ways:

(A) Cash and investments accumulated and restricted for post-closure with an equivalent amount of fund balance reserved in the fund accounting for special incinerator ash activity; or

(B) Cash and investments held in a nonexpendable trust fund.

(ii) Post-closure trust fund established with an entity ~~((which))~~ that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal or state agency. The wording of the trust agreement must be acceptable to the department. The purpose of the post-closure trust fund is to receive and manage any funds paid by the owner or operator and to disburse those funds only for post-closure activities as identified in the approved post-closure plan.

(b) For private disposal facilities that accept public waste, established post-closure financial assurance accounts ~~((shall))~~ may not constitute an asset of the facility owner or operator.

(c) Any income accruing to the established post-closure financial assurance account will be used at the owner's discretion ~~((as to the use of said excess funds)).~~

(d) Excess moneys remaining in the post-closure financial assurance account after the department has certified the completion of post-closure ~~((as))~~ requirements identified in WAC 173-306-410 (7)(c) ~~((shall))~~ must be returned to the owner or operator.

(6) Closure/post-closure financial assurance account establishment and reporting.

(a) Closure and post-closure financial assurance funds ~~((shall))~~ must be generated at each facility by transferring a percentage of the facility user fees to the selected financial assurance instrument at the agreed upon rate to be specified in the closure and post-closure plans ~~((, such))~~ so that adequate closure and post-closure funds will be generated to ensure full implementation of the approved closure and post-closure plans.

(b) Each applicable facility owner or operator shall establish a procedure with the financial assurance instrument trustee for notification of nonpayment of funds to be sent to the Department of Ecology, Solid and Hazardous Waste and

Financial Assistance Program, ((Mailstop PV-11)) P.O. Box 47600, Olympia, WA 98504-((8711)) 7600.

(c) Each owner or operator shall file with the department an annual audit of the financial assurance accounts established for closure and post-closure activities, and a statement of the percentage of user fees ~~((;))~~ diverted to the financial assurance instruments.

(i) For monofill disposal facilities owned and operated by municipal corporations, the closure reserve account ~~((shall)), including each of the post-closure care years, must~~ be audited according to the audit schedule of the office of state auditor and ~~((shall))~~ must be filed with the department of ecology ~~((, including each of the post-closure care years)).~~

(ii) For monofill disposal facilities not owned or operated by municipal corporations:

(A) Annual audits ~~((shall))~~ must be conducted by a certified public accountant licensed in the state of Washington, and ~~((shall))~~ must be filed with the department no later than March 31 of each year for the previous calendar year, including each of the post-closure care years.

(B) The audit shall also include calculations ~~((demonstrating))~~ that demonstrate the proportion of closure completed during the preceding year as specified in the closure and post-closure plans.

(d) Owners or operators of an existing monofill disposal ((facilities)) facility may submit to the department a written request with ((their)) the annual audit ((to the department requesting)) asking for a waiver from ((utilizing)) applying user fees to generate the moneys necessary for the closure and/or post-closure financial assurance account.

(i) The waiver request should provide documentation to demonstrate the facility user fees are prohibitively high, and should include alternate method ~~((s))~~ ~~((;))~~ for funding the facility's closure and/or post-closure financial assurance account;

(ii) The waiver request review procedure will be conducted according to WAC 173-306-900.

(7) Authorization for financial assurance account fund withdrawal for closure and post-closure activities.

(a) Each owner or operator will withdraw funds from the closure and/or post-closure financial assurance instrument as specified in the approved closure/post-closure plans;

(b) If the withdrawal of funds from the financial assurance instrument exceeds by more than five percent the withdrawal schedule stated in the approved closure and/or post-closure plan, the closure and/or post-closure plan ~~((shall))~~ must be amended.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-480 Treatment (including solidification and stabilization) standards. (1) Applicability. The standards of this section apply to treatment, as defined in WAC 173-306-100, of any special incinerator ash subject to this chapter. These standards do not apply to the manual or mechanical removal of ferrous metal from ash residues.

(2) Requirements. All owners and operators shall design, construct, operate, maintain, and close treatment facilities so as to:

(a) Meet the general facility standards of WAC 173-306-405;

(b) Only treat special incinerator ash in tanks, reaction vessels, furnaces (such as glass furnaces), containers, or totally enclosed treatment facilities (such as pipelines). No treatment process (~~(shall)~~) may be designed to occur in ash piles, surface impoundments, or land treatment facilities;

(i) The department shall review and approve tank and reaction vessel design. All tanks and reaction vessels will be closed or otherwise designed to avoid emissions of dusts or vapors to the atmosphere. Tanks and reaction vessels (~~(shall)~~) must be of sufficient thickness and corrosion resistance to prevent rupture;

(ii) Totally enclosed treatment facilities must be in good condition and of a design and construction to avoid rupture under maximum operating conditions and must be capable of being inspected periodically; and

(iii) Furnaces must be in good condition structurally, designed and operated to accept only special incinerator ash and capable of being inspected periodically. The department may review and approve furnace design.

(c) Meet the performance standards of WAC 173-306-440(2). The department shall specify the type and frequency of all sampling and monitoring necessary to assure compliance.

(d) Assure that treatment of special incinerator ash occurs under conditions spelled out in prototype, pilot plant or full scale operation. The design must be approved by the department and the department shall (~~(approve the design and)~~) specify operating conditions.

(e) Control fugitive dust emissions in the handling of special incinerator ash by:

(i) Collecting and handling in enclosed buildings or the equivalent (e.g., covered conveyors and transfer points); and

(ii) Adding moisture, dust suppressants, or other methods as necessary.

(f) Comply with chapter 296-62 WAC, the general occupational health standards.

(g) Assure that treated special incinerator ash is disposed of according to this chapter or chapter 173-304 WAC, the minimum functional standards for solid waste, if the residues are designated as solid waste.

(h) Close the treatment facility according to the requirements of WAC 173-306-410.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-490 Ash utilization standards. (1) Applicability.

(a) These standards apply to persons who utilize special incinerator ash including:

(i) Generators of special incinerator ash;

(ii) Owners and operators of disposal facilities; and

(iii) Persons who neither generate nor dispose of special incinerator ash but are involved in the reuse or utilization of special incinerator ash.

(b) These standards do not apply to the following wastes and waste processes:

(i) Ferrous metal separation from ash;

(ii) Special incinerator ash that is reinjected into the incinerator or energy-recovery facility from which it was produced;

(iii) Reclamation of nonferrous metals.

(2) Standards.

(a) Accumulation (~~(prior to)~~) before reuse or utilization.

(i) All ash for utilization (~~(shall)~~) must be stored in totally enclosed buildings.

(ii) Floor or surface drains serving storage areas (~~(shall)~~) may not be connected to uncontaminated storm water run-off drains. Contaminated water (~~(shall)~~) must be processed according to WAC 173-306-200 (3)(c)(ii).

(iii) All ash not utilized within one calendar year of generation (~~(shall be)~~) is subject to:

(A) The management plan requirements of WAC 173-306-200 if a generator is accumulating the ash; or

(B) The permitting and facility standard requirements of WAC 173-306-300 and 173-306-400, if a disposal facility is accumulating the ash.

(b) Use constituting disposal. Use constituting disposal is applying ash to the land or placing ash on the land in a manner constituting disposal, or applying ash contained in a product to the land or placing ash products on the land in a manner constituting disposal. Placement on the land includes placement in water (such as in reef construction).

(i) Persons wishing to reuse or utilize ash in a manner constituting disposal shall apply for a permit under WAC 173-306-310.

(ii) Persons reusing or utilizing ash in a manner constituting disposal are subject to the following sections of the general facility standards:

(A) WAC 173-306-405(2);

(B) WAC 173-306-405 (3)(b);

(C) WAC 173-306-405 (5)(a), (b), (c), and (f); and

(D) WAC 173-306-405(7).

(iii) The department will base its decision on whether to issue a permit upon the following factors:

(A) The effectiveness of the utilized ash or ash product for the claimed use;

(B) The degree to which the utilized ash is like an analogous product;

(C) The extent to which the utilized ash or ash product minimizes loss or escapes to the environment;

(D) The extent to which the utilized ash or ash product impacts public health, the environment, and employee health given a reasonable worst case exposure, risk assessment analyses and compliance with the performance standards of WAC 173-306-440(2);

(E) The extent to which an end market for the utilized ash and ash product is guaranteed;

(F) The time period between generating the ash and utilization;

(G) The degree to which the end uses (and users) can be tracked and recorded; and

(H) Other factors as appropriate.

(iv) The department may require that applicants apply for a demonstration permit or class use permit under WAC 173-306-320, if available information exists to satisfy the informational requirements of (b)(ii) and (iii) of this subsection.

(c) Utilization as ingredients in industrial products, or as effective substitutes. The utilization of ash in industrial products or as effective substitutes for commercial products are activities that ordinarily are not considered to be waste management because they are like normal production processes and/or the products are used like commercial products. (E.g., ash as a substitute in cement construction blocks is an example.)

(i) The department may grant requests for classifying ~~((sueh))~~ that type of reuse or utilization for solely commercial purposes, if:

(A) The applicant shows that the ash or ash products are recycled in a manner ~~((sueh))~~ so that they closely resemble products or raw materials rather than waste; and

(B) The applicant addresses the factors of (b)(iii) of this subsection (except for (2)(b)(iii)(G)).

(ii) Public review of the decision to grant or deny such a request ~~((shah))~~ must be conducted according to WAC 173-306-900 (4), (5), and (6).

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-495 Other methods of ash disposal. (1) Applicability. This section applies to other methods of ash disposal not specifically identified elsewhere in this chapter, nor excluded from this chapter.

(2) Requirements. Owners and operators of other methods of ash disposal shall:

(a) Comply with the requirements in WAC 173-306-405;

(b) Obtain a permit under WAC 173-306-300 from the department, by submitting an application containing information required in WAC 173-306-330, and ~~((sueh))~~ other information as may be required by the department including:

(i) Preliminary engineering reports and plans and specifications; and

(ii) A closure plan.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-500 Monitoring and sampling methods. (1) Applicability. These requirements apply to owners and operators of incinerators, energy recovery facilities, disposal facilities, and management facilities ~~((that))~~ who are required to perform ash sampling, analyses and testing, ground water and air quality monitoring under this chapter.

(2) Ground water monitoring requirements.

(a) The ground water monitoring system:

(i) Must consist of at least one background or up-gradient well and three down-gradient wells, installed at appropriate locations and depths to yield ground water samples from the uppermost aquifer and all hydraulically connected aquifers below the active portion of the facility.

(ii) Must represent the quality of background water that has not been affected by leakage from the active area; and

(iii) Must represent the quality of ground water passing the point of compliance. Additional wells may be required by the department in complicated hydrogeological settings or to define the extent of contamination detected.

(b) All monitoring wells must be cased in a manner that maintains the integrity of the monitoring well bore hole. This casing must allow collection of representative ground water samples. Wells must be constructed in such a manner as to prevent contamination of the samples, the sampled strata, other substrata aquifers and waterbearing strata. Construction ~~((shah))~~ must be accomplished in accordance with chapter 173-160 WAC, minimum standards for construction and maintenance of water wells.

(c) The ground water monitoring program shall include, at a minimum, procedures and techniques for:

(i) Decontamination of drilling and sampling equipment;

(ii) Sample collection;

(iii) Sample preservation and shipment;

(iv) Analytical procedures and quality assurance;

(v) Chain of custody control; and

(vi) Procedures to ensure employee health and safety during well installation and monitoring.

(d) Sample constituents.

(i) Owners or operators of all facilities shall test for the following parameters:

(A) Temperature;

(B) Conductivity;

(C) pH;

(D) Chloride;

(E) Nitrate, nitrite, and ammonia as nitrogen;

(F) Sulfate;

(G) Dissolved iron, cadmium, lead, and mercury;

(H) Dissolved zinc and manganese;

(I) Chemical oxygen demand;

(J) Total organic carbon;

(K) Calcium and sodium; and

(L) Gamma radiation.

(ii) The department may specify additional or fewer constituents depending upon the leachate analyses, the composition of the ash, and other information.

(iii) ~~((Test methods used to detect the parameters of (d)(i) of this subsection shall be EPA Publication Number SW-846, "Test Methods for Evaluating Solid Waste Physical/Chemical Methods."))~~ To detect the parameters of (d)(i) of this subsection, EPA Publication Number SW-846, "Test methods for evaluating solid waste physical/chemical methods" must be used.

(e) The ground water monitoring program must include a determination of the ground water surface elevation each time ground water is sampled.

(f) The owner or operator shall use a department-approved statistical procedure for determining whether a significant change over background has occurred.

(g) The owner or operator must determine ground water quality at each monitoring well at the compliance point at least quarterly from start-up through the post-closure care period. The owner or operator must express the ground water quality at each monitoring well in a form necessary for the determination of statistically significant increases.

(h) The owner or operator must determine and report the ground water flow rate and direction in the uppermost aquifer at least annually.

(i) If the owner or operator determines that there is a statistically significant increase for parameters or constituents at

any monitoring well at the compliance point, the owner or operator must:

(i) Notify the department of this finding in writing within seven days of receipt of the sampling data. The notification must indicate ~~((what))~~ which parameters or constituents have shown statistically significant increases;

(ii) Immediately resample the ground water in all monitoring wells and determine the concentration of all constituents listed in the definition of contamination in WAC 173-306-100 including additional constituents identified in the permit and whether there is a statistically significant increase such that the ground water performance standard has been exceeded. The department ~~((shall))~~ must be notified within fourteen days of receipt of the sampling data.

(j) The department may require modifications to the disposal facility, the plan of operation or the permit, including facility closure, if the performance standard of WAC 173-306-440 (2)(a) is exceeded and, in addition, may revoke any permit and require reapplication under WAC 173-306-310.

(3) Modifications. An owner or operator required to modify the facility or plan of operation under this section must first obtain approval from the department and must at a minimum:

(a) Implement modifications that reduce contamination and, if possible, prevent~~((s))~~ constituents from exceeding their respective concentration limits at the compliance point by removing the constituents, treating them in place or other remedial measures; and

(b) Begin modifications according to a written schedule after the ground water performance standard is exceeded.

(4) Ash and soil sampling, and analysis.

(a) Ash residue samples taken for the purpose of determining their designation status as a special incinerator ash waste ~~((shall follow))~~ must be conducted according to guidance ~~((and/or guidelines))~~ established by the department. Ash samples taken for the purpose of determining carbon residue and for determining dioxins and dibenzofuran content, if different from samples taken for designation status under chapter 173-303 WAC, ~~((shall))~~ must also ~~((follow))~~ be conducted according to guidance ~~((and/or guidelines))~~ established by the department. Representative sampling methods and frequency as developed ~~((by))~~ in guidelines ~~((of))~~ by the department ~~((shall))~~ must be employed.

(b) Ash samples ~~((shall))~~ must be analyzed as follows:

(i) For designation purposes, as a special incinerator ash waste, the samples ~~((shall))~~ must be analyzed according to:

(A) "Chemical testing methods for complying with the state of Washington dangerous waste regulation," WDOE 83-13;

(B) "Biological testing methods," WDOE 80-12;

(C) "Test methods for evaluating solid waste, physical/chemical methods," SW 846.

(ii) For chlorinated-p-dioxins and dibenzofurans, 40 CFR Part 261 Appendix X is adopted by reference.

(iii) For cadmium in soil, method 7130 or 7131 cited in "Test methods for evaluating solid waste, physical/chemical methods," SW 846.

(5) Ambient air quality sampling for lead. Ambient lead concentrations ~~((shall))~~ must be measured and reported according to 40 CFR Part 50 Appendix G, which is adopted

by reference, except that the sampling frequency will be determined by the department: Provided, That the department has not adopted "Compendium of methods for the determination of inorganic compounds in ambient air" (EPA/625/R-96/01a, July 1999).

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-900 Variances. (1) Any person applying for an ash disposal permit or who owns or operates an ash generation or disposal facility may apply to the department for a variance from any section of this chapter. The application ~~((shall))~~ must be accompanied by ~~((such))~~ such information such as the department may require.

(2) The applicant shall provide usual and reasonable public notification within the area that will be impacted, including publication in the area's major general circulation newspaper and mailing notices to surrounding property owners. Proof of compliance ~~((shall))~~ must be submitted with the variance application.

(3) The department shall give public notice of an application and allow a thirty-day public comment period. Notice ~~((shall))~~ must be mailed to persons who have written to the department asking to be notified of all variance requests and shall indicate that a public hearing may be requested.

(4) In considering a variance request, the department shall consider:

(a) The relative interests of the applicant, other property owners likely to be affected by the applicant's activity and the general public;

(b) If the ash handling practices or facility location protect public health, worker health, safety or the environment to a degree equal to or greater than the standard from which a variance is requested;

(c) Whether compliance with the ~~((regulation))~~ rule from which the variance is sought would produce hardship without equal or greater benefits to the public;

(d) Whether compliance with the ~~((regulation))~~ rule will require spreading of costs over a considerable time period; and

(e) ~~((If))~~ Whether the timetable is for a period that is ~~((needed))~~ sufficient to comply with this chapter.

(5) The department shall approve or disapprove a variance request within ninety days of receipt unless the applicant and the department agree to a continuance.

(6) Any variance granted ~~((pursuant to))~~ under this section may be renewed. Application for a variance renewal ~~((shall))~~ must be made at least sixty days ~~((prior to))~~ before the expiration of the variance and must follow the application process of subsections (1) through (5) of this section.

AMENDATORY SECTION (Amending WSR 90-10-047, filed 4/30/90, effective 5/31/90)

WAC 173-306-9901 Maximum contaminant levels for ground water. Maximum contaminant levels for ground water ~~((shall be))~~ are those specified in chapter 248-54 WAC, as the primary drinking water standards. Analytical methods for these contaminants may be found in the Code of Federal

EXPEDITED ADOPTION

Regulations, 40 CFR Part 141. (These contaminant levels are to be considered interim levels for the purpose of regulating disposal facilities and ~~((shall))~~ must be used until ~~((such time as))~~ the department establishes ground water quality standards for all types of activities impacting ground water.)

WSR 00-13-023

EXPEDITED ADOPTION

DEPARTMENT OF ECOLOGY

[Order 00-18—Filed June 12, 2000, 11:57 a.m.]

Title of Rule: Chapter 173-310 WAC, Litter receptacles.

Purpose: The purpose of this chapter is to provide minimum standards for litter receptacles and to prescribe the use, placement and distribution of litter receptacles throughout the state.

Statutory Authority for Adoption: Chapter 70.93 RCW.
Statute Being Implemented: Chapter 70.93 RCW.

Summary: This amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Reasons Supporting Proposal: To comply with executive order on regulatory improvement, this amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Name of Agency Personnel Responsible for Drafting: Kathy Carpenter, Headquarters, Olympia, (360) 407-6216; Implementation and Enforcement: Cullen Stephenson, SWFA Program, Olympia, (360) 407-6103.

Name of Proponent: Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Department of Ecology has been delegated authority to conduct a permanent and contiguous program to control and remove litter from this state to the maximum extent possible. The purpose of this chapter is to provide minimum standards for litter receptacles and to prescribe the use, placement and distribution of litter receptacles throughout the state.

This amendment will correct errors in grammar and punctuation, and clarify the language of the rule without changing its effect.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules

Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY August 22, 2000.

June 11, 2000
Daniel J. Silver
Deputy Director

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-010 Purpose. By the provisions of chapter 70.93 RCW, the department of ecology has been delegated authority to conduct a permanent and continuous program to control and remove litter from this state to the maximum practical extent possible. The purpose of this chapter is to provide minimum standards for litter receptacles and to prescribe the use, placement and distribution of litter receptacles throughout the state, ~~((pursuant to))~~ under the authority set forth in RCW 70.93.040 and 70.93.090.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-020 Definitions. The following words and phrases as used herein ~~((shall))~~ have the following meanings, unless context clearly dictates otherwise:

(1) "Anti-litter symbol" means the standard symbol adopted herein by the department.

(2) "Department" means the Washington state department of ecology.

(3) "Litter" means all waste materials including, but not limited to, disposable packages or containers susceptible to being dropped, deposited, discarded or otherwise disposed of upon any property in the state, and solid waste that is illegally dumped, but not including the wastes of primary processes of mining, logging, sawmilling, farming or manufacturing.

(4) "Litter receptacle" means containers for the disposal of litter of not more than 60-gallon capacity: Provided, That special containers of larger capacity such as those referred to as "dumpsters," and garbage containers, or other waste containers serving single or multifamily residences are not included within this definition and their use is in no way regulated or affected by this chapter.

(5) "Person" ~~((shall))~~ means any industry, public or private corporation, copartnership, association, firm, individual, or other entity whatsoever.

(6) "Public place" means any area that is used or held out for the use of the public whether owned and operated by public or private interests, but not including indoor areas. An indoor area ~~((shall be construed to))~~ means any enclosed area covered with a roof and protected from moisture and wind.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-030 Responsibility to ~~((procure))~~ obtain and place litter receptacle. It ~~((shall be))~~ is the responsibility of any person owning or operating any establishment or public place in which litter receptacles are required by this chapter to ~~((procure))~~ obtain, place and main-

tain ((~~such~~)) litter receptacles at their own expense on the premises in accordance with the provisions of this chapter.

AMENDATORY SECTION (Amending Order 73-7, filed 4/23/73)

WAC 173-310-040 Litter receptacles, where required. Litter receptacles meeting the standards established by this chapter ((~~shall~~)) must be placed in the following public places in the state:

- (1) Along public highways lying outside the limits of incorporated cities and towns;
- (2) Parks;
- (3) Campgrounds;
- (4) Trailer park facilities for transient habitation;
- (5) Drive-in restaurants;
- (6) Gasoline service stations;
- (7) Tavern parking lots;
- (8) Shopping centers;
- (9) Grocery store parking lots;
- (10) Marinas;
- (11) Boat launching areas;
- (12) Boat moorage and fueling stations;
- (13) Public and private piers
- (14) Beaches and bathing areas;
- (15) Outdoor parking lots, other than those specifically designated above, ((~~having~~)) that have a capacity of more than 50 automobiles;
- (16) Fairgrounds;
- (17) Schoolgrounds;
- (18) Racetracks;
- (19) Sporting event sites with seating capacity for more than 200 spectators;
- (20) Sites for carnivals, festivals, circuses, shows or events of any kind to which the public is invited;
- (21) Business district sidewalks.

Litter receptacles ((~~need~~)) must be placed in the above public places only during times ((~~such~~)) those places or the events held at them are open to the public.

((~~Placement of~~)) Litter receptacles ((~~shall~~)) must be placed in conformance with laws, ordinances, resolutions and ((~~regulations~~)) rules pertaining to fire, safety, public health or welfare.

AMENDATORY SECTION (Amending Order DE 76-34, filed 9/13/76)

WAC 173-310-050 Number of litter receptacles required. The minimum number of receptacles meeting the standards established by this chapter required in public places listed in the preceding section is as follows:

- (1) Along public highways lying outside the limits of incorporated cities and towns - one receptacle at each rest area, view point or similar turnout, officially designated as such by the primary jurisdictional authority;
- (2) Parks, campgrounds and trailer park facilities for transient habitation - one receptacle at each public restroom facility, and one receptacle at each established trailhead ((~~giving~~)) that gives access by foot, motorcycle, bicycle or a

similar trail for excursion or exploration out of or away from the central activity area;

(3) Gasoline service stations - one litter receptacle placed in plain view of each gasoline service island, with a minimum of one receptacle for each side of the station on which gasoline pumps are located((-));

(4) Drive-in restaurants, tavern parking lots, shopping centers, grocery store parking lots and outdoor parking lots ((~~having~~)) that have a capacity of more than 50 automobiles - one receptacle, plus one additional receptacle for each 200 parking spaces in excess of 50 spaces;

(5) Marinas, boat launching areas, boat moorage and fueling stations and public and private piers - one receptacle at each ((~~such~~)) area;

(6) Beaches and bathing areas - one receptacle at each public restroom facility, and one receptacle at each access point officially designated as such by the primary jurisdictional authority;

(7) Schoolgrounds - one receptacle at each schoolground bus loading zone officially designated as such by the primary jurisdictional authority;

(8) Racetracks and sporting event sites with seating capacity for more than 200 spectators - one receptacle, plus one additional receptacle for each 1000 seating capacity in excess of 200((-));

(9) Fairgrounds and sites for carnivals, festivals, circuses, shows or events of any kind to which the public is invited - one receptacle at the entrance to each ride, and one receptacle at each end of walk-through exhibit buildings;

(10) Along the sidewalks of business districts of incorporated cities and towns - one receptacle per 800 feet of sidewalk curbing.

No variance from the provisions of this section ((~~shall~~)) may be allowed except ((~~upon~~)) with the express permission of the department of ecology.

Notwithstanding the minimum requirements of this section, any public place in which litter receptacles meeting the standards of this chapter are required that is found to have an accumulation of uncontained litter under circumstances that the person responsible for placing receptacles could have reasonably anticipated the litter ((~~shall be~~)) is deemed to have an insufficient number of receptacles to be in compliance with this ((~~regulation~~)) rule.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-060 Minimum standards. Litter receptacles ((~~procured~~)) obtained and placed in public places as required by this chapter shall meet the following minimum standards:

(1) General specifications.

(a) The body of each litter receptacle ((~~shall~~)) must be constructed of a minimum of 24-gauge galvanized metal or other material of equivalent strength, that will with normal wear and tear, reasonably resist corrosion and acts of vandalism.

(b) All outside edges of each litter receptacle ((~~shall~~)) must be rounded.

(c) Openings in covered litter receptacles ~~((shall))~~ must be readily identifiable and readily accessible for the deposit of litter.

(d) Construction and general configuration of litter receptacles ~~((shall))~~ must be in conformance with all pertinent laws, ordinances, resolutions or ~~((regulations))~~ rules pertaining to fire, safety, public health or welfare.

(2) Color and marking.

(a) The entire outer surface of each litter receptacle ~~((shall))~~ must be colored medium green conforming with Federal Color Standard No. 595A, Color No. 24424, or Color No. 34424.

(b) Each litter receptacle shall bear the official anti-litter symbol, as adopted herein. The symbol ~~((shall))~~ must be colored deep blue conforming with Federal Color Standard No. 595A, Color No. 15180. The symbol ~~((shall))~~ may not be distorted as to proportion and ~~((shall))~~ may not be incorporated into a commercial advertisement on the receptacle. For litter receptacles along the right-of-way of public highways, the symbol ~~((shall))~~ must be of a size so as to be distinguishable from a minimum distance of 75 feet.

(c) The words "Deposit Litter" ~~((shall))~~ must be placed on the litter receptacle. Lettering used for these two words ~~((shall))~~ must be block-type capital letters to be readily legible at a distance of 30 feet.

(d) No commercial advertisement ~~((shall))~~ may be placed on any litter receptacle. However, the person owning any receptacle may place a single line on the receptacle identifying his ownership, and a single credit line designating any donor of the litter receptacle other than the owner may also be placed on the receptacle: Provided, That the lettering does not exceed the size specified for the words "Deposit Litter," and does not interfere with or distract from the prominence of the anti-litter symbol.

(3) Maintenance. Compliance with these minimum standards shall include proper upkeep, maintenance and repair of litter receptacles sufficient to permit ~~((such))~~ the receptacles to serve the functions for which they were designed and to prevent the appearance of ~~((such))~~ the receptacles from becoming unsightly. Inadequately maintained or unsightly litter receptacles ~~((shall be))~~ are in violation of these minimum standards.

(4) Wherever litter receptacles are placed in any public place other than where required by this chapter, ~~((such))~~ the receptacles shall conform to the provisions of this chapter.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-070 Anti-litter symbol. The official state anti-litter symbol ~~((shall be))~~ is the symbol depicted in Appendix A to this chapter ~~((conforming))~~ and shall conform to the Federal Color Standard No. 595A, Color No. 15180, which appendix is hereby incorporated into this chapter and made part hereof. Permission to use this symbol in the manner required by this chapter has been obtained from the copyright holder and any other use without the express permission of the copyright holder is prohibited.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-080 Prohibited acts. (1) No person ~~((shall))~~ may damage, deface, abuse or misuse any litter receptacle not owned by him or her so as to interfere with its proper function or to detract from its proper appearance.

(2) No person ~~((shall))~~ may deposit leaves, clippings, prunings or gardening refuse in any litter receptacle.

(3) No person ~~((shall))~~ may deposit household garbage in any litter receptacle: Provided, That this subsection ~~((shall))~~ may not be construed to mean that wastes of food consumed on the premises at any public place may not be deposited in litter receptacles.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-090 Penalties. Penalties for violation of this chapter ~~((shall))~~ must be imposed in accordance with chapter 70.93 RCW.

AMENDATORY SECTION (Amending Order 72-10, filed 5/15/72, effective 9/1/72)

WAC 173-310-100 Effective date and compliance. (1) This chapter shall become effective on September 1, 1972.

(2) All litter receptacles in any public place designated in this chapter ~~((which))~~ that are placed after the effective date hereof shall conform to the provisions of this chapter.

(3) Litter receptacles in any public place designated in this chapter ~~((which))~~ that were in place ~~((prior to))~~ before the effective date hereof ~~((shall))~~ must be modified to conform with marking requirements of this chapter ~~((WAC 173-310-060(2)(b)(e)))~~ no later than January 1, 1973.

(4) All litter receptacles in any public place designated in this chapter ~~((shall))~~ must be modified or replaced so as to fully conform with all requirements of this chapter no later than July 1, 1975.

WSR 00-13-024

EXPEDITED ADOPTION

DEPARTMENT OF ECOLOGY

[Order 00-19—Filed June 12, 2000, 11:59 a.m.]

Title of Rule: Chapter 173-312 WAC, Coordinated prevention grants.

Purpose: This chapter is to set forth requirements for the conduct of a financial assistance program to provide grants to local governments and programs under the Model Toxics Control Act, and to establish a structure for the administration of coordinated prevention grants funded from the local toxics control account authorized by RCW 82.21.030.

Statutory Authority for Adoption: RCW 70.105D-070(3).

Statute Being Implemented: RCW 70.105D.070(3).

Summary: This amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Reasons Supporting Proposal: To comply with executive order on regulatory improvement, this amendment is being proposed to correct errors in grammar and punctuation, and to clarify the language of the rule without changing its effect.

Name of Agency Personnel Responsible for Drafting: Kathy Carpenter, Headquarters, Olympia, (360) 407-6216; Implementation and Enforcement: Cullen Stephenson, SEA Program, Olympia, (360) 407-6103.

Name of Proponent: [Department of Ecology], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of the coordinated prevention grants program are to:

(a) Consolidate all grant programs funded from the local toxics control accounts,

(b) Promote regional solutions and intergovernmental cooperation,

(c) Prevent or minimize environmental contamination by providing financial assistance to local governments,

(d) Provide funding assistance for local solid and hazardous waste planning and for implementation of some programs and projects in those plans,

(e) Encourage local responsibility for solid and hazardous waste management, and

(f) Improve efficiency, consistency, reliability, and accountability of grant administration.

This amendment will correct errors in grammar and punctuation, and clarify the language of the rule without changing its effect.

Proposal does not change existing rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jerry Thielen, Rules Coordinator, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, AND RECEIVED BY August 22, 2000.

June 11, 2000
Daniel J. Silver
Deputy Director

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-010 Purpose and authority. (1) The purpose of this chapter is to set forth requirements for the conduct of a financial assistance program to provide grants to local governments for local hazardous waste plans and pro-

grams and solid waste plans and programs, (~~pursuant to~~) under the Model Toxics Control Act, RCW 70.105D.070(3). The plans and programs referenced in RCW 70.105D.070(3) are designed to prevent or minimize environmental contamination. Therefor, the grants are designated "coordinated prevention grants" under this chapter.

(2) A further purpose of this chapter is to establish a structure for the administration of coordinated prevention grants funded from the local toxics control account authorized by RCW 82.21.030. The administrative structure may be extended to other waste management grant programs using other funding sources including the 1972 waste disposal facilities bonds authorized by chapter 43.83A RCW, the 1980 waste disposal facilities bonds authorized by chapter 43.99 RCW, the litter control account authorized by chapter 70.93 RCW, the vehicle tire recycling account authorized by chapter 70.95 RCW, the solid waste management account authorized by chapter 70.95 RCW, the hazardous waste assistance account authorized by chapter 70.95E RCW, and other waste management funding sources that may be established in the future by the legislature.

(3) The purposes of the coordinated prevention grants program are to:

(a) Consolidate all grant programs funded from the local toxics control account, and (~~such~~) other programs in subsection (2) of this section (~~as~~) that may be selected, into a single program, except for remedial action, public participation, and citizen proponent negotiations grants.

(b) Promote regional solutions and intergovernmental cooperation.

(c) Prevent or minimize environmental contamination by providing financial assistance to local governments to help them comply with state solid and hazardous waste laws and (~~regulations~~) rules.

(d) Provide funding assistance for local solid and hazardous waste planning and for implementation of some programs and projects in those plans.

(e) Encourage local responsibility for solid and hazardous waste management.

(f) Improve efficiency, consistency, reliability, and accountability of grant administration.

Note: Copies of all cited statutes, rules, and guidelines are available at the Department of Ecology, (~~Mailstop: PV-11, Olympia, Washington 98504~~) Records Management, P.O. Box 47600, Olympia, Washington 98504-7600.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-020 Definitions. "Cash expenditure" means any cash outlay by the recipient, regardless of the source of funds, for direct costs of goods and/or services; salaries and benefits of recipient employees, including force account; overhead cash; and payments made to contractors.

"Class one areas" means the counties of Spokane, Snohomish, King, Pierce, and Kitsap and all the cities therein.

"Class two areas" means the counties located west of the crest of the Cascade Mountains and all the cities therein, except Snohomish, King, Pierce, and Kitsap counties.

"Class three areas" means the counties east of the crest of the Cascade Mountains and all the cities therein, except Spokane County.

"Department" means the department of ecology.

"Grant" means the portion of the project costs borne by the department.

"In-kind contributions" are property or services that benefit a project and that are contributed by a third party, without direct monetary compensation, to the recipient (or to any contractor under the agreement). In-kind contributions include donated or loaned real or personal property, volunteer services, and employee services donated by a third party.

"Incineration" means a process of reducing the volume of solid waste by use of an enclosed device using controlled flame combustion, operating under federal and state environmental laws and ~~((regulations))~~ rules.

"Interlocal costs" are in-kind contributions made to a project by another local government ~~((pursuant to))~~ under a valid written agreement between the recipient and the other government ~~((which))~~ that details the work to be accomplished, the goods and services to be provided, and the value thereof. If the recipient reimburses another governmental entity for any portion of its contributions, the amount paid to the other entity is not an interlocal cost. It is a cash expenditure on the part of the recipient. Only the nonreimbursed portion of the other governmental entity's contributions is an interlocal cost.

"Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.

"Lead implementation agency" means the agency designated in the adopted local solid or hazardous waste plan as having the principal responsibility for the execution of all or most of the plan, and/or the coordinating agency ~~((which))~~ that delegates responsibility to other agencies to execute portions of the plan.

"Local government" means any political subdivision, regional governmental unit, district, municipal or public corporation, including cities, towns, and counties. The term encompasses but does not refer specifically to the departments within a city, town, or county.

"Local hazardous waste plan" means the plan to manage moderate-risk waste that a local government is required to prepare ~~((pursuant to))~~ under RCW 70.105.220.

"Match" means that portion of the cash expenditures borne by recipient funds and interlocal costs.

"Moderate-risk waste" means (a) any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation, and (b) any household wastes ~~((which))~~ that are generated from the disposal of substances identified by the department as hazardous household substances or substances that exhibit any of the properties of hazardous waste.

"Recipient" means the entity to which the funding is awarded and ~~((which))~~ that is accountable for the use of the funds provided. The recipient is the entire legal entity even if only one component or department is designated in the agreement document.

"Recyclable materials" means those solid wastes separated for recycling or reuse, such as papers, metals and glass, that are identified as recyclable material ~~((pursuant to))~~ under a local comprehensive solid waste plan.

"Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration.

"Solid waste" or "wastes" means all putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-030 Relation to other legislation and administrative rules. (1) This rule shall, together with chapters 173-322 and 173-321 WAC, and WAC 173-303-902, fulfill the requirement for rule making set forth in RCW 70.105D.070(7).

(2) The local government receiving a grant shall comply fully with all applicable federal, state, and local laws, orders, ~~((regulations))~~ rules, and permits.

(3) Grants will be awarded within the limits of available funds. The obligation of the department to make grant payments is contingent upon the availability of funds through legislative appropriation and allotment, and ~~((such))~~ other conditions not reasonably foreseeable by the department, which may render performance impossible.

(4) Nothing in this chapter ~~((shall))~~ may influence, affect, or modify existing department programs, ~~((regulations))~~ rules, or enforcement of applicable laws relating to solid and hazardous waste management and cleanup.

(5) All grants ~~((shall be))~~ are subject to existing applicable accounting and auditing requirements of state laws and ~~((regulations))~~ rules.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-040 Applicant eligibility. (1) Eligibility for solid waste planning grants. Counties that are required by chapter 70.95 RCW to adopt or update local solid waste plans ~~((;))~~ are eligible to apply for coordinated prevention grants to help pay for ~~((such))~~ those plans. This eligibility extends to cities that have submitted an independent city plan, a joint city plan, or joint city-county plan to the department by the effective date of this rule. This eligibility also extends to any city subsequently requesting funding for the preparation of an independent plan, if ~~((such))~~ the city provides for disposal sites wholly within its jurisdiction.

(2) Eligibility for solid waste enforcement grants. Jurisdictional health departments/districts are eligible to apply for coordinated prevention grants to pay for the enforcement of rules ~~((and regulations promulgated))~~ adopted under chapter 70.95 RCW.

(3) Eligibility for solid waste implementation grants. Counties whose solid waste plans are adopted, approved, and updated by the department as required by chapter 70.95 RCW

are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the most recently approved and adopted plan((s)); Provided, That ((such)) those projects are eligible as defined in WAC 173-312-050. This eligibility also extends to cities that are eligible for funding to do local solid waste plans or updates as provided by subsection (1) of this section.

If ((such)) the adopted plans designate lead implementation agencies to implement the plans, ((such)) those agencies are also eligible to apply for coordinated prevention grants.

Solid waste plan updates must be submitted to the department no later than July 1, 1991, for class one areas; July 1, 1992, for class two areas; and July 1, 1994, for class three areas; unless an extension is granted by the department. Local governments that do not comply will not be eligible for coordinated prevention grant funding for solid waste project implementation until the required plan updates are submitted to the department.

(4) Eligibility for hazardous waste planning grants. Local governments that are required by chapter 70.105 RCW to adopt or update local hazardous waste plans are eligible to apply for coordinated prevention grants to help pay for ((such)) those plans.

(5) Eligibility for hazardous waste plan implementation grants. Local governments with department-approved local hazardous waste plans as required by chapter 70.105 RCW are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the plan. If ((such)) the plans designate lead implementation agencies to implement the plans, ((such)) those agencies are also eligible to apply for coordinated prevention grants.

(6) Any grant-eligible entities as defined in this section may submit their requests in a unified application as described in WAC 173-312-060 (4)(a), or may submit separate applications in a package application as provided in WAC 173-312-060 (4)(b).

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-050 Project eligibility. (1) Eligible project costs are those costs ((that)) which are necessary and reasonable to fund required local planning and the implementation of some projects and programs contained in those plans, including innovative approaches implementing policies of the plan. These are:

(a) Local hazardous waste planning as required by chapter 70.105 RCW.

(b) Local solid waste planning as required by chapter 70.95 RCW.

(c) Local hazardous waste plan implementation projects.

(d) Local solid waste enforcement by the jurisdictional health departments((s)) and districts.

(e) Local solid waste plan implementation projects, which are limited to:

(i) Projects that implement the requirements of chapter 173-304 WAC for closure of publicly-owned municipal solid waste landfills will be eligible for grant funding ((provided)) if all of the following criteria are met:

(A) The jurisdictional health department/district has required the landfill to reach postclosure no later than September 30, 1995;

(B) Financial assurance accounts for closure and postclosure have been established and maintained as required by chapter 173-304 WAC for landfills closed after November 27, 1989;

(C) The landfill has an approved closure plan as required by chapter 173-304 WAC;

(D) Local governments that have disposed of significant quantities of waste at the landfill make reasonable financial contribution to the costs of closure and postclosure; and

(E) The landfill is not eligible for remedial action grants under chapter 173-322 WAC or identified by the department as potentially requiring remedial action.

The total amount expended from the local toxics control account for solid waste landfill closure ((shall)) may not exceed fifteen million dollars and no funds ((shall)) may be expended for this purpose after December 31, 1995. No single landfill closure project ((shall be eligible for)) may receive more than five hundred thousand dollars from the local toxics control account.

(ii) Ground water monitoring well projects to meet the requirements of WAC 173-304-490.

(iii) Waste reduction and recycling projects and programs.

(2) Eligible project costs do not include:

(a) Solid waste incinerator feasibility studies, construction, maintenance, or operation.

(b) Landfill closure as required by chapter 173-304 WAC, except for ground water monitoring wells or projects ((which)) that meet the requirements of subsection (1)(e)(i) of this section.

(c) New landfill construction or landfill expansion, or landfill upgrading at an operating facility to meet the requirements of chapter 173-304 WAC.

(d) Garbage collection and disposal, except start-up costs for waste reduction and recycling programs.

(e) Solid and hazardous waste expenses not directly related to compliance with state solid and hazardous waste laws and ((regulations)) rules.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-060 Application process. (1) The department shall set forth in its grant guidelines the base funding levels estimated to be available for each county for coordinated prevention grants and the process by which applications will be submitted.

(2) The application ((shall)) must be submitted by the county agency or department having responsibility for solid waste, unless the county executive department ((shall)) selects another agency or department to submit the application.

(3) Coordinated prevention grant applications must:

(a) Include a commitment by the applicant((s))s to use local funds to match grant funds according to the requirements of WAC 173-312-090.

(b) Be for eligible projects as defined in WAC 173-312-050.

(c) Include a scope of work that is sufficiently detailed for the department to monitor grant performance.

(d) Include documentation that all cities in the county and lead implementation agencies (~~which~~) that have approved the adopted local hazardous waste plan or solid waste plan have had the opportunity to request that projects that meet the requirements of WAC 173-312-050 be included in the application.

(4) To obtain coordinated prevention grant funding, a county shall submit either a unified application or a package application, as defined herein:

(a) A unified grant application means that the county, the health department(~~(f)~~) or district and any other grant eligible entities as defined in WAC 173-312-040 have reached agreement regarding the requested projects and funding allocations for both local solid and local hazardous waste plans and projects. The submittal will consist of a single county application with specific projects identified to be executed by the county and other local governments. Unified applications will receive financial incentives for administrative coordination set forth in WAC 173-312-090.

The unified application shall include a maximum grant request for no more than the base funding level for the county, plus the selected financial incentive.

The application (~~shall~~) must be signed, indicating approval by responsible officials from the county, local health department(~~(f)~~) or district and any other grant-eligible entities as defined in WAC 173-312-040.

(b) A package application means that the county, the local health department(~~(f)~~) or district and any other grant-eligible entities as defined in WAC 173-312-040 have not reached agreement regarding the requested projects and funding allocations, or choose to submit individual applications. The maximum grant request may exceed the base funding level. A package application is not eligible for the financial incentives for administrative coordination set forth in WAC 173-312-090. A package application must be submitted by the county. A package application may consist of individual signed applications from the county, the health department(~~(f)~~) or district and other grant-eligible entities as defined in WAC 173-312-040; requests from other cities will be submitted as part of the county application.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-080 Allocation of grant funding. (1) The department shall consider the following factors in calculating base funding levels, supplemental grant levels, and maximum grant amounts for recipients:

(a) Projected and actual revenue to the local toxics control account, and other funding sources cited in WAC 173-312-010(2), as determined by the department.

(b) The number of people served by a local government.

(2) Grants that may be awarded to eligible cities (~~pursuant to~~) under WAC 173-312-040 may not exceed a city's proportionate share, based on population, of a county's base funding level as defined in subsection (3)(a) of this section,

unless the department, the county, the health department(~~(f)~~) or district and the grant-eligible entities as defined in WAC 173-312-040 agree otherwise.

(3) Projected revenues to the local toxics control account that are available each biennium for coordinated prevention grant purposes (~~shall~~) must be divided into two portions. After administrative costs have been deducted, allocations will be calculated as follows:

(a) The base funding level (~~shall~~) must be calculated for each county by means of a formula (~~which~~) that shall consist of two elements:

(i) A fixed amount for each county, regardless of size; and

(ii) A per capita amount based on county population size as determined by the United States census data or by the official estimates of the state office of financial management.

(b) The smaller portion, as well as unused funds in (a) of this subsection, shall become supplemental funds and (~~shall~~) must be used for the following purposes:

(i) Financial incentives to local governments for administrative centralization and efficiency;

(ii) Remedial action grants issued (~~pursuant to~~) under chapter 173-322 WAC, if the need exceeds administrative allocations;

(iii) Landfill closure projects (~~meeting~~) that meet the requirements of WAC 173-312-050 (1)(e)(i);

(iv) Reserve funds for grants to deal with unanticipated or immediate threats to human health and the environment; and

(v) Supplemental grants, to be awarded based on the criteria set forth in WAC 173-312-070(2).

(4) Applicants must meet the requirements of this chapter to the satisfaction of the department in order to secure grant awards.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-090 State assistance share and local cash match. (1) Costs eligible under WAC 173-312-050 will be considered for grant funding of up to sixty percent. At least forty percent of eligible costs must be provided as local cash match. Counties (~~which~~) that submit unified applications as defined in WAC 173-312-060 (4)(a) either will be considered for grant funding of up to sixty-five percent (~~provided that~~) if at least thirty-five percent of eligible costs is provided as local cash match, or will be eligible for a grant amount level ten percent greater than the base funding level.

(2) Counties, and grant-eligible jurisdictions within (~~such~~) counties, that are determined to be economically disadvantaged will be eligible for an increased state share and a reduced local cash match. For projects proposed by (~~such~~) those jurisdictions, costs eligible under WAC 173-312-050 will be considered for grant funding of up to seventy-five percent. At least twenty-five percent of eligible costs must be provided as local cash match.

Economically disadvantaged counties that submit unified grant applications as defined in WAC 173-312-060 (4)(a) will be eligible for a grant amount ten percent greater than the base funding level.

(3) A county is considered economically disadvantaged if it meets both of the following criteria:

(a) Per capita income, as measured by the latest official estimate of the state office of financial management, is in the lower twenty counties in the state; and

(b) Economic distress exists as defined by chapter 43.165 RCW.

(4) The department will include a list of economically disadvantaged counties as defined in this section in the guidelines for coordinated prevention grants.

(5) Local cash match may be met by cash expenditures and interlocal costs. Interlocal costs are the only type of in-kind contributions that may be used for local cash match.

AMENDATORY SECTION (Amending Order 90-65, filed 5/21/91, effective 6/21/91)

WAC 173-312-100 Grant administration. (1) The department shall prepare guidelines to facilitate compliance with and interpretation of this rule.

(2) The coordinated prevention grants shall operate on a biennial funding cycle. ~~((Such))~~ That cycle will consist of:

(a) A base grant phase, during which eligible applicant governments apply for grant funds up to the base funding level set forth in WAC 173-312-080 (3)(a) plus the selected administrative incentives; and

(b) A supplemental grant phase, during which grant recipients request grant amendments including supplemental funding requests for additional funds to assist ongoing or new projects. The supplemental grant phase will be contingent on the availability of funds to the local toxics control account.

(3) The department will obligate coordinated prevention grant funds to a recipient for a maximum period of two years. If the recipient has not accomplished the scope of work in the time period set forth in the agreement, the recipient must use a portion of its next biennial base funding level to complete the project(s).

(4) No costs incurred ~~((prior to))~~ before the effective date of a grant agreement are eligible unless specific provision is made in the grant agreement for ~~((such))~~ those costs.

WSR 00-13-095
EXPEDITED ADOPTION
DEPARTMENT OF
FISH AND WILDLIFE
[Filed June 21, 2000, 10:18 a.m.]

Title of Rule: Commercial fishing rules.

Purpose: Amend Puget Sound salmon net fishery rules.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Statute Being Implemented: Section 7, chapter 107, Laws of 2000.

Summary: Amends Puget Sound salmon rules based on recommendations of the Pacific Fisheries Management Council.

Reasons Supporting Proposal: Allows for harvest of salmon and provides protection of weak stocks.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2927.

Name of Proponent: Washington State Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules set the 2000 Puget Sound salmon net fishery seasons, based on preseason forecasts and considerations for weak stocks, particularly listed Puget Sound chinook. It is anticipated that the proposed seasons will allow fishers to take the salmon available, but not fish into escapement needs.

Proposal Changes the Following Existing Rules: Changes salmon seasons.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Evan Jacoby, Rules Coordinator, Washington State Fish and Wildlife, 600 Capitol Way North, Olympia, WA 98501-1091, AND RECEIVED BY August 21, 2000.

June 21, 2000

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-304 Puget Sound—All citizen salmon species seasons and gill net mesh sizes. (1) The following are the ~~((1999))~~ 2000 Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
6D:	COHO	((9/49)) 9/17	((10/23)) 10/28
	((FRASER SOCKEYE AND PINK CHUM	6/26	9/25
		9/26	11/13))
7, 7A:	FRASER SOCKEYE	((6/26))	((9/25
	((AND PINK)) CHUM	9/26)	11/13))
		6/25	9/9
		10/1	11/11
7B:	CHINOOK	((8/8	((9/4
	COHO	9/5	10/23
	CHUM	10/24))	12/14))
		8/16	9/9
		9/10	10/28
		10/29	12/16

EXPEDITED ADOPTION

	<u>7AM</u>	=	<u>5PM</u>	<u>11/14, 11/15, 11/20,</u> <u>11/21, 11/22, 11/27,</u> <u>11/28, 11/29, 11/30</u>
	<u>7AM</u>	=	<u>4PM</u>	<u>12/1</u>
<u>8D:</u>	<u>7AM</u>	=	<u>7PM</u>	<u>9/28, 10/3, 10/4,</u> <u>10/12</u>
	<u>7AM</u>	=	<u>4PM</u>	<u>10/13</u>
	<u>7AM</u>	=	<u>6PM</u>	<u>10/17, 10/18, 10/26</u>
	<u>7AM</u>	=	<u>4PM</u>	<u>10/27</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>10/31, 11/1, 11/9</u>
	<u>7AM</u>	=	<u>4PM</u>	<u>11/10</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/14, 11/15, 11/20,</u> <u>11/21, 11/22</u>
<u>10, 11:</u>	<u>7AM</u>	=	<u>6PM</u>	<u>10/24</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>10/30, 10/31</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/7</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/13</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/21</u>
<u>12, 12B:</u>	<u>7AM</u>	=	<u>6PM</u>	<u>10/16</u>
	<u>7AM</u>	=	<u>6PM</u>	<u>10/24</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>10/30, 10/31</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/8, 11/9</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/13</u>
<u>12C:</u>	<u>7AM</u>	=	<u>5PM</u>	<u>11/13</u>
	<u>7AM</u>	=	<u>5PM</u>	<u>11/21</u>

It is unlawful to retain chinook salmon taken with purse seine gear in Areas 7, 7A, 8, 8A, 8D, 10, 11, 12, 12B and 12C. It is unlawful to retain coho salmon taken with purse seine gear in Areas 7 ((and)), 7A, 8, 8A, 10, 11, 12, 12B and 12C. It is unlawful to retain chum salmon taken with purse seine gear in Areas 7 and 7A prior to October 1. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-401 Reef net open periods. ((During 1999;)) It is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME	-	DATE(S)
7, 7A	7AM - 7PM Daily		((9/12 through 11/13)) <u>9/10 - 11/11</u>

It is unlawful to retain chinook salmon taken with reef net gear in Areas 7 and 7A. It is unlawful to retain coho salmon taken with reef net gear in Areas 7 and 7A while the Fraser River Panel of the Pacific Salmon Commission maintains regulatory control of fisheries in Area 7. It is unlawful to retain chum salmon taken with reef net gear prior to October 1. All other saltwater and freshwater areas - closed.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-411 Gill net—Open periods. ((During 1999;)) It is unlawful to take, fish for or possess salmon taken

with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

AREA	TIME	-	DATE(S)	
((6D:	7AM	-	7PM	9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15, 10/18, 10/19, 10/20, 10/21, 10/22))
6D	7AM	=	7PM	9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13, 10/16, 10/17, 10/18, 10/19, 10/20, 10/23, 10/24, 10/25, 10/26, 10/27

Note: In Area 6D it is unlawful to use other than 5-inch minimum and 5 1/2-inch maximum mesh in the skiff gill net ((only, using 5-inch minimum and 5 1/2-inch maximum mesh)) fishery. It is unlawful to retain chinook or pink salmon taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. In Area 6D, any chinook or pink salmon captured at any time, or any chum salmon captured prior to October 16, must be removed from the net by cutting the meshes ensnaring the fish.

((7,7A:	7AM	-	8PM	10/18, 10/26, 11/1, 11/2, 11/8, 11/9, 11/10, 11/11	
7B:	7PM-9AM	NIGHTLY	8/16, 8/23, 8/24, 8/30, 8/31		
	6AM	9/7	-	4PM	9/9
	6AM	9/13	-	4PM	9/15
	6AM	9/19	-	4PM	10/23
	6AM	10/25	-	4PM	10/29
	6AM	11/1	-	4PM	11/5
	6AM	11/8	-	4PM	11/12
	6AM	11/15	-	4PM	11/19
	6AM	11/22	-	4PM	11/26
	6AM	11/29	-	4PM	12/3
	6AM	12/6	-	4PM	12/10
7C:	7PM-9AM	NIGHTLY	8/16, 8/23, 8/24, 8/30, 8/31		
8:	6AM	-	11PM	8/24, 8/30	
	7AM	-	8PM	10/26, 11/1, 11/9, 11/15, 11/23	
8A:	6AM	-	11PM	8/23, 8/31	
	7AM	-	8PM	10/12, 10/18, 10/19, 10/27, 10/28, 11/1, 11/2, 11/10, 11/11, 11/15, 11/16, 11/22, 11/23, 11/24	
8D:	6PM-8AM	NIGHTLY	9/20, 9/21, 9/22, 9/27, 9/28, 9/29, 10/4, 10/5, 10/6, 10/7		
	7AM	-	8PM	10/12, 10/18, 10/19, 10/27, 10/28, 11/1, 11/2, 11/10, 11/11, 11/15, 11/16, 11/22, 11/23, 11/24	
9A:	6AM	9/19	through	4PM	10/30
10, 11:	5PM-8AM	NIGHTLY	10/18, 10/25		
	4PM-8AM	NIGHTLY	11/1, 11/2, 11/8, 11/15		
12, 12B:	7AM	-	8PM	10/18, 10/26, 11/1, 11/2, 11/10, 11/11, 11/15	
12C:	7AM	-	8PM	11/15, 11/23))	

EXPEDITED ADOPTION

7.7A:	7AM	:	8PM	10/30, 10/31, 11/1, 11/2, 11/6, 11/7, 11/8, 11/9
7B:	7PM-9AM	NIGHTLY		8/16, 8/21, 8/22, 8/28, 9/4
	6AM	9/11	=	8PM 9/13
	6AM	9/18	=	7PM 9/20
	6AM	9/24	=	4PM 10/28
	6AM	10/30	=	4PM 11/3
	6AM	11/6	=	4PM 11/10
	6AM	11/13	=	4PM 11/17
	6AM	11/20	=	4PM 11/24
	6AM	11/27	=	4PM 12/1
	6AM	12/4	=	4PM 12/8
7C:	7PM-9AM	NIGHTLY		8/16, 8/21, 8/22, 8/28, 9/4
8:	7AM	=	8PM	10/31, 11/6, 11/14, 11/20
8A:	7AM	=	8PM	11/2
	7AM	=	4PM	11/3
	7AM	=	8PM	11/7, 11/8, 11/16
	7AM	=	4PM	11/17
	7AM	=	8PM	11/20, 11/21, 11/22
	7AM	=	8PM	11/27, 11/28, 11/29, 11/30
	7AM	=	4PM	12/1
8D:	7AM-8PM	DAILY		9/27
	6PM	10/4	=	8AM 10/6
	6PM	10/10	=	8AM 10/12
	6PM	10/18	=	8AM 10/20
	6PM	10/24	=	8AM 10/26
	7AM	=	8PM	11/2
	7AM	=	4PM	11/3
	7AM	=	8PM	11/7, 11/8, 11/16
	7AM	=	4PM	11/17
	7AM	=	8PM	11/20, 11/21, 11/22
9A:	7AM	9/17 through	8PM	10/28

It is unlawful to retain chum salmon taken in Area 9A prior to October 1. Any chum salmon netted prior to October 1 must be released from the net by cutting the meshes ensnaring the fish.

10. 11:	5PM-8AM	NIGHTLY		10/23
	4PM-8AM	NIGHTLY		10/30, 10/31, 11/6, 11/13, 11/20
12. 12B:	7AM	=	8PM	10/17, 10/23, 11/1, 11/2, 11/6, 11/7, 11/14
12C:	7AM	=	8PM	11/14, 11/20

All other saltwater and freshwater areas - closed.
Nightly openings refer to the start date.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-427 Puget Sound—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.

(1) The Puget Sound beach seine salmon fishery is designated as an emerging commercial fishery for which a vessel is required. An emerging commercial fishery license and an experimental fishery permit are required to participate in this fishery.

(2) The department will issue five Quilcene Bay salmon beach seine experimental fishery permits (Quilcene permits).

(3) The following is the selection process the department will use to offer a Quilcene permit.

(a) Persons who held a Quilcene Bay salmon beach seine experimental fishery permit in ((1998)) the previous management year will be eligible for a permit in ((1999)) the current management year.

(b) The department established a pool of applicants by drawing on September 9, 1996. The pool established by this drawing will be maintained to replace any permit(s) which may be voided.

(4) Permit holders are required to participate in the Quilcene Bay salmon beach seine experimental fishery.

(a) For purposes of this section, "participation" means the holder of the Quilcene permit being aboard the designated vessel in the open fishery area two days each week during the open fishing period.

(b) If the Quilcene permit holder fails to participate, the Quilcene permit issued to that fisher will be void and a new Quilcene permit will be issued through a random drawing from the applicant pool established in 1996.

(c) The department may require proof of participation by maintaining a department approved log book or registering with state, federal or tribal officials each day the Quilcene permit holder participates.

(d) Persons who participate, but violate conditions of a Quilcene permit, will have the permit voided and a new Quilcene permit will be reissued through a random drawing from the pool of the voided permit holder.

(5) Chum salmon may not be retained by a Quilcene permit holder. Chum salmon must be released alive, or, at the direction of federal or state officials, submitted for brood-stock purposes.

(6) Any person who fails to purchase the license, fails to participate, or violates the conditions of a Quilcene permit will have his or her name permanently withdrawn from the pools.

(7) It is unlawful to take salmon with beach seine gear that does not meet the requirements of this subsection.

(a) Beach seine salmon nets in Puget Sound shall not exceed 600 feet in length or 100 meshes in depth, or contain meshes of a size less than 3 inches or greater than 4 inches.

(b) Mesh webbing must be constructed with a twine size no smaller than 210/30d nylon, 12 thread cotton, or the equivalent diameter in any other material.

AMENDATORY SECTION (Amending Order 99-202, filed 11/19/99, effective 12/20/99)

WAC 220-47-428 Beach seine—Open periods. ((During 1999;)) It is unlawful to take, fish for, or possess salmon taken with beach seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided hereinafter in each respective Management and Catch Reporting Area:

EXPEDITED ADOPTION

AREA	TIME	DATE(S)
((12A:	7AM-7PM Daily	8/30, 8/31, 9/1, 9/2, 9/3, 9/6, 9/7, 9/8, 9/9, 9/10, 9/13, 9/14, 9/15, 9/16, 9/17, 9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15))
12A:	7AM-7PM Daily	8/28, 8/29, 8/30, 8/31, 9/1, 9/4, 9/5, 9/6, 9/7, 9/8, 9/11, 9/12, 9/13, 9/14, 9/15, 9/18, 9/19, 9/20, 9/21, 9/22, 9/25, 9/26, 9/27, 9/28, 9/29, 10/2, 10/3, 10/4, 10/5, 10/6, 10/9, 10/10, 10/11, 10/12, 10/13

WSR 00-13-100
EXPEDITED ADOPTION
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed June 21, 2000, 10:38 a.m.]

Title of Rule: Title 419 WAC, Division of Savings and Loan Associations.

Purpose: Housekeeping changes and recodifying Title 419 WAC as a chapter of Title 208 WAC.

Statutory Authority for Adoption: RCW 33.04.025 and 43.320.040.

Statute Being Implemented: RCW 33.04.025 and 43.320.040.

Summary: To make housekeeping changes in Title 419 WAC and to recodify Title 419 WAC as a chapter of Title 208 WAC. Title 419 WAC refers to "supervisor of savings and loan associations" and "division of savings and loan associations." These terms were changed in October 1993 to "director of the department of financial institutions" and "division of banks."

Reasons Supporting Proposal: Terms were changed in October 1993 after the division of banking, the division of savings and loan association, and the Securities Division of Department of Licensing merged to form the Department of Financial Institutions. The intent of the rule remains unchanged.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Abe, 210 11th Avenue S.W., Suite 300, (360) 902-8704.

Name of Proponent: The Department of Financial Institutions, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To make housekeeping changes in Title 419 WAC and to recodify Title 419 WAC as a chapter of Title 208 WAC. Title 419 refers to "supervisor of savings and loan associations" and "division of savings and loan associations."

These terms were changed in October 1993 to "director of the department of financial institutions" and "division of banks."

Proposal does not change existing rules. No substantive changes to rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mike Abe, Program Manager, Division of Banks, Department of Financial Institutions, 210 11th Avenue S.W., Suite 300, Olympia, WA 98504-1200, AND RECEIVED BY August 21, 2000, by 5 p.m.

June 21, 2000

John L. Bley
Director

AMENDATORY SECTION (Amending Order 83-5, filed 9/26/83)

WAC 419-14-020 Collection of examination and supervision costs—Collection method. The requirement of RCW 33.28.020 that the ((supervisor)) director collect from each savings and loan association the actual costs of examinations and supervision shall be met in accordance with the procedures established in this chapter. The fee shall consist of three elements: (1) An hourly charge for the number of hours spent by division personnel in conducting an examination of the association, (2) a semiannual asset charge; and (3) an hourly charge for the number of hours of extraordinary or special services.

AMENDATORY SECTION (Amending WSR 91-06-063, filed 3/1/91, effective 4/1/91)

WAC 419-14-030 Hourly charge for examinations. The hourly charge for hours spent by personnel of the division of ((savings and loan)) banks in conducting examinations shall be assessed as follows:

(1) For division personnel classified as ((savings and loan analyst)) financial examiner, \$40.00 per hour;

(2) For division personnel classified as ((savings and loan senior analyst)) financial examiner senior, \$45.00 per hour;

(3) For division personnel classified as ((review analyst)) case manager or financial examiner supervisor or above, \$50.00 per hour;

In addition to the hourly examination fee, foreign associations doing business in the state of Washington will defray the costs of travel and per diem paid to division personnel in examinations performed outside the state of Washington.

The ((supervisor)) director may charge the actual cost of examinations performed under personal service contracts by third parties. The ((supervisor)) director shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

AMENDATORY SECTION (Amending Order 84-1, filed 4/18/84)

WAC 419-14-070 Loans to directors, officers, or employees—Maximum amount. The total value of loans made or obligations acquired under the authority of RCW 33.12.060 (2)(f) for any director, officer, or employee of an association shall not exceed twenty-five thousand dollars, unless all applicable regulations of the Federal ((Savings and Loan)) Deposit Insurance Corporation have been complied with, in which case loans not in excess of one hundred thousand dollars total may be made. Loans in amounts larger than one hundred thousand dollars may be made only with the prior written approval of the ((supervisor)) director has been obtained in accordance with the provisions of this section.

Requests to the ((supervisor)) director for permission to exceed the maximum loan limit shall be made at least ten days in advance of the date upon which it is anticipated that funds will be disbursed, if the loan is approved. Such requests must be accompanied by a certified copy of the authorizing resolution, which shall set forth with specificity the reasons that the board of directors believes that exceeding the loan limitation established in this section is in the best interest of the association in each instance. The authorizing resolution shall also set forth the directors' evaluation of the quality of the security for the loan, and the ability of the debtor to repay the loan in accordance with its terms.

AMENDATORY SECTION (Amending Order 84-1, filed 4/18/84)

WAC 419-14-085 Loans to one borrower. RCW 33.24.010 provides that an association may not invest more than two and one-half percent of its assets in any loan or obligation to any one person, except with the written approval of the supervisor. The ((supervisor)) director hereby gives written approval for any state chartered association to make a loan to any one borrower in an amount which, taken together with all other outstanding loans and obligation to the same borrower, does not exceed either ten percent of the institution's withdrawable accounts, or the association's net worth, whichever is less.

"One borrower" is defined as (a) any person or entity that is, or that upon the making of a loan will become, obligor on a loan; (b) nominees of such obligor; (c) all persons trusts, partnerships, syndicates, and corporations of which such obligor is a nominee or a beneficiary, partner, member, or record or beneficial stockholder owning ten percent or more of the capital stock, and (d) if such obligor is a trust partnership, syndicate, or corporation, all trusts, partnerships, syndicates, and corporations of which any beneficiary, partner, member, or record or beneficial stockholder owning ten percent of the capital stock, is also a beneficiary, partner, mem-

ber, or record or beneficial stockholder owning ten percent or more of the capital stock of such obligor; and the term "total balances of all outstanding loans" means the original amounts loaned by an insured institution plus any additional advances and interest due unpaid, less repayments and participating interests sold and exclusive of any loan on the security of such institution's savings accounts or real estate, the title to which has been conveyed to a bona fide purchaser of such real estate.

AMENDATORY SECTION (Amending WSR 91-06-063, filed 3/1/91, effective 4/1/91)

WAC 419-14-100 Supervisory review of examination. Upon completion of each examination the ((analyst's)) examiner's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of \$50.00 per hour.

AMENDATORY SECTION (Amending Order 84-5, filed 5/31/84)

WAC 419-14-120 Acquisition application fee. RCW 33.28.020 requires the ((supervisor)) director to collect from each association a fee to cover the actual cost of supervision.

To maintain fairness to all associations the acquiring party(ies) will defray the costs involving the ((supervisor)) director and his staff as follows:

A minimum nonrefundable fee of \$5,000 payable with the acquisition application described in RCW 33.24.360. In addition direct costs involving travel and lodging of the ((supervisor)) director or his staff and legal expense billed directly to the division will be paid by the acquirers.

Savings and loan associations merging under authority of RCW 33.04.010 are not considered within the scope of RCW 33.24.360 and are therefore not included with respect to this WAC.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
419-14-020	208-586-020
419-14-030	208-586-030
419-14-040	208-586-040
419-14-050	208-586-050
419-14-060	208-586-060
419-14-070	208-586-070
419-14-075	208-586-075
419-14-080	208-586-080
419-14-085	208-586-085
419-14-090	208-586-090
419-14-100	208-586-100
419-14-110	208-586-110

EXPEDITED ADOPTION

419-14-120 208-586-120
 419-14-135 208-586-135
 419-14-140 208-586-140

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
419-52-010	208-590-010
419-52-020	208-590-020
419-52-030	208-590-030

AMENDATORY SECTION (Amending Order 82-1, filed 3/30/82)

WAC 419-52-010 Purpose. The purpose of this chapter is to set forth the guidelines which allow for the interstate merger or acquisition of troubled savings and loan associations. ~~((The guidelines follow the federal home loan bank board's statement of policy regarding interstate branching.))~~

AMENDATORY SECTION (Amending Order 82-1, filed 3/30/82)

WAC 419-52-020 Merger or acquisition of a troubled foreign association by a domestic association. Pursuant to RCW 33.12.012 and 33.12.014, a domestic savings and loan association may acquire or merge with a foreign association under the following circumstances:

(1) The regulator of the foreign association believes that a merger is necessary to prevent the failure of the foreign association;

(2) The regulator of the foreign association believes that no adequate merger candidates exist within the regulator's jurisdiction;

(3) The regulator of the foreign association believes that it is appropriate for the foreign association to be acquired by a domestic association; and

(4) The ~~((supervisor))~~ director believes that it is appropriate for the domestic association to acquire the foreign association.

Any acquisition made under this authority shall be conducted in the same manner so outlined in RCW 33.24.350 - 33.24.380.

AMENDATORY SECTION (Amending Order 82-1, filed 3/30/82)

WAC 419-52-030 Acquisition of a troubled domestic association by a foreign association. Pursuant to RCW 33.12.012 and 33.12.014, and notwithstanding any other law to the contrary, a foreign savings and loan association may acquire a domestic association under the following circumstances:

(1) The ~~((supervisor))~~ director believes that a merger is necessary to prevent the failure of the domestic association;

(2) The ~~((supervisor))~~ director believes that no adequate merger candidates exist in Washington;

(3) The ~~((supervisor))~~ director believes that it is appropriate for the domestic association to be acquired by a foreign association; and

(4) The regulator of the foreign association believes that it is appropriate for the foreign association to acquire the domestic association.

Any acquisition made under this authority shall be subject to RCW 33.24.350 - 33.24.380.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-010 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means the fiduciary relationship in which title to the property constituting the agency does not pass to the trust department but remains in the owner of the property, who is known as the principal, and in which the agent is charged with certain specific duties with respect to the property.

(2) "Agency coupled with an interest" means an agency in which the agent has a legal interest in the subject matter. Such an agency is not terminated automatically, as are other agencies, by the death of the principal but continue in effect until the agent can realize upon its legal interest.

(3) "Fiduciary powers" means the power to act in any fiduciary capacity authorized by the state of Washington including, but not limited to; trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, agent, custodian, escrow agent, corporate bond paying and transfer agent, escrow holder, managing agent, depository, committee of estates of incompetents.

(4) "Managing agent" means the fiduciary relationship assumed by a trust department upon the creation of an account which names the association as agent and confers investment discretion upon the association.

(5) ~~((("Supervisor" means the supervisor of savings and loan associations, department of general administration.))~~ "Director" means the director of the department of financial institutions.

(6) "Trust business" means the business of doing any or all of the activities specified in RCW 30.08.150 (2) through (11).

(7) "Trust department" means that group or groups of officers and employees of a savings and loan association to whom are designated by the board of directors the performance of the fiduciary responsibilities of the association, whether or not the groups or groups are so named.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-020 Administration of fiduciary powers. (1)(a) The board of directors of the savings and loan association is responsible for the proper exercise of fiduciary powers by the trust department. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the

direction and review of the actions of all officers, employees, and committees utilized by the savings and loan association in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the association's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s), or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s), or committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment responsibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, and within fifteen months of the last review, all the assets held in or for each fiduciary account where the association has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this chapter and exercising fiduciary powers in this state shall designate, employ, or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the savings and loan association and its trust department.

(4) The trust department may utilize personnel and facilities of other departments of the savings and loan association, and other departments of the savings and loan association may utilize the personnel and facilities of the trust department only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(5) Fiduciary records shall be kept separate and distinct from other records of the savings and loan association and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the ~~((supervisor of savings and loan associations))~~ director of the department of financial institutions.

(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-030 Application process. Associations desiring to establish trust departments shall complete an application establishing the scope of the intended operation. Upon receiving an application from an association to engage in trust business pursuant to this chapter, the ~~((supervisor))~~ director may request such additional information as he deems necessary for the informed disposition of the application. If supplementary information is requested by the ~~((supervisor))~~ director, the application will not be complete until the supplementary information is supplied.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-040 ~~((Supervisor))~~ Director action on application. After receiving an application from a savings and loan association to engage in trust business and after having considered it, the ~~((supervisor))~~ director shall grant, grant conditionally, grant in modified form, or deny the application and shall inform the applicant in writing of his action and of the reasons therefor. Any application not acted upon within six months after its receipt by the supervisor shall be deemed denied unless the ~~((supervisor))~~ director, in writing, informs the applicant that he is holding the application for further review.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-050 Engagement in unauthorized trust business prohibited. No savings and loan association shall engage in any trust business not authorized in advance by the ~~((supervisor))~~ director in accordance with this rule, unless the ~~((supervisor))~~ director informs an applicant in writing that it may engage in a trust business provisionally while he reviews the application. Failure of a savings and loan association to comply with the terms of this chapter may be grounds for supervisory action against the savings and loan, its directors, or officers.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-060 Modification or revocation of investment practices previously authorized. The ~~((supervisor))~~ director may find that a trust business previously authorized by him is no longer a safe and prudent practice for savings and loan associations generally to engage in, or has become inconsistent with applicable state or federal law, or has ceased to be a safe and prudent practice in one or more particular savings and loan associations in light of their financial condition or management. Upon such a finding, the ~~((supervisor))~~ director may in writing inform the board of directors of any or all of the associations engaging in such a trust business that the authority to engage in the activity has been revoked or modified. When the ~~((supervisor))~~ director so notifies any savings and loan association, its directors and officers shall forthwith take steps to cease the trust business (if authority to engage in the activity has been revoked) or to make such modifications as the ~~((supervisor))~~ director requires. The ~~((supervisor))~~ director may for cause shown grant a savings and loan association some definite period of time within in which to arrange its affairs to comply with the ~~((supervisor's))~~ director's orders. Savings and loan associations which continue to engage in a trust business where their authority to do so has been revoked or modified will be treated as if the authority to engage in the practice had never been granted, and their actions may be grounds for supervisory action against the association, its directors, or officers.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-070 Investigation fee for new trust applications. The investigation fee charged under RCW 33.28.020 in connection with applications to establish a new savings and loan trust department shall be one thousand dollars. In the event the actual costs of the investigation conducted with respect to a particular application are less than the amount of the fee, such difference between the fee and the actual costs submitted shall be refunded, provided that in no event shall more than five hundred dollars be refunded. Expansion of the originally approved scope of trust business must also be approved by the ~~((supervisor))~~ director by additional application and fee. In the event that actual costs of processing additional applications are less than the amount of the fee, such difference between the fee and the actual cost shall be refunded, provided that in no event shall more than seven hundred dollars be refunded. For the purposes of this section, actual costs include travel and per diem expenses paid to division personnel in connection with the investigation.

AMENDATORY SECTION (Amending Order 87-2, filed 1/6/88)

WAC 419-56-090 Examinations and fees. The ~~((supervisor))~~ director shall have the power to examine the affairs of a trust department of a state-chartered savings and loan association under the same general powers as outlined in RCW 33.04.020. The report of examination of any trust department will be subject to the same restrictions as those of the parent association as outlined in RCW 33.04.110. Fees for such examinations will be charged on the same hourly basis as those for the parent association as established by administrative rule.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
419-56-010	208-594-010
419-56-020	208-594-020
419-56-030	208-594-030
419-56-040	208-594-040
419-56-050	208-594-050
419-56-060	208-594-060
419-56-070	208-594-070
419-56-080	208-594-080
419-56-090	208-594-090

AMENDATORY SECTION (Amending Order 87-1, filed 1/6/88)

WAC 419-60-010 Application procedures. RCW 33.32.030 provides for regulatory authority by the ~~((supervi-~~

~~ser))~~ director over the activities of foreign associations within the state of Washington, and requires that such associations conduct their business in accordance with the appropriate statutes and under the requirements set forth by the ~~((supervi- ser))~~ director in various rules. In order to conduct the business of a savings and loan in Washington, a foreign association must formally apply for the approval of the supervisor. Procedures for application are as follows:

(1) The application must be filed with the supervisor at the offices of the Division of ~~((Savings and Loan, Room 217C, General Administration Building.))~~ Banks in Olympia, Washington ((98504)).

(2) The application shall be filed in duplicate and shall be accompanied by a filing fee of five thousand dollars. In the event the actual costs of investigating the application exceed this amount, such difference between the fee and the actual costs shall be paid by the applicant. For the purposes of this section, actual costs shall include but not be limited to travel and per diem expense paid to division personnel in connection with the investigation.

AMENDATORY SECTION (Amending Order 87-1, filed 1/6/88)

WAC 419-60-020 Information to be included in the application. An application shall include at least the following information:

(1) Name, address, and telephone number of the applicant.

(2) Name, address, and telephone number of the person to be contacted concerning the application.

(3) A summary of the applicant's history, which should include as a minimum the date and place of incorporation, the date and nature of any mergers or acquisitions, and certified current copies of the applicant's articles of incorporation and bylaws.

(4) A description of the applicant's business and corporate structure, including a listing of all branches or similar offices, and each majority owned subsidiary, and the nature and extent of the business activities of each.

(5) A business plan describing the applicant's proposed business activities in this state.

(6) A copy of the independent auditor's report for the applicant's most recent fiscal year and comparative financial statements for the prior fiscal year.

(7) The name, address, professional experience, and financial statement of the chief executive officer and principal operating officers.

(8) The name, address, and principal occupation of each director of applicant, and completed biographical and financial statements on each.

(9) A copy of the last two examination reports prepared by the ~~((applicable Federal Home Loan Bank))~~ Office of Thrift Supervision, the last two state examination reports, any correspondence from the relevant regulator to the board of directors discussing each report, and the board's responses thereto.

(10) A statement as to the presence or absence of any supervisory agreement or regulatory order that may be in

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effect or may have been in effect in the last five years, and, if so, a copy of each such order or agreement.

(11) An opinion from the applicant's state regulatory agency which describes the conditions under which Washington associations may conduct business in such state.

(12) A statement of total shares outstanding and total number of stockholders if the applicant is a stock association. Additionally, provide a breakdown of stock ownership by officers and directors and any other entities owning five percent or more of the association's stock.

(13) A copy of the association's bond and its riders/attachments.

(14) Any additional information that may be required by the ((supervisor)) director or deemed appropriate by the applicant.

AMENDATORY SECTION (Amending Order 87-1, filed 1/6/88)

WAC 419-60-030 Approval to conduct the business of an association in Washington. The information required by WAC ((419-06-020)) 208-598-020 must demonstrate to the satisfaction of the ((supervisor)) director:

(1) That the applicant, the directors of the applicant, and the chief officers of the applicant are each of good character and sound financial standing.

(2) That the financial history and condition of the applicant are satisfactory.

(3) That the applicant's plan to conduct the business of an association in Washington affords a reasonable promise of success.

(4) That the state in which the home office of the applicant is located permits Washington associations to conduct the business of an association in such state in substantially the same manner as the applicant proposes in this state.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC Number
419-60-010	208-598-010
419-60-020	208-598-020
419-60-030	208-598-030

**WSR 00-13-101
EXPEDITED ADOPTION
DEPARTMENT OF
FINANCIAL INSTITUTIONS**

[Filed June 21, 2000, 10:39 a.m.]

Title of Rule: Title 50 WAC, Division of Banking.
Purpose: Housekeeping changes and recodifying Title 50 WAC as a chapter of Title 208 WAC.
Statutory Authority for Adoption: RCW 30.04.030 and 43.320.040.

Statute Being Implemented: RCW 30.04.030 and 43.320.040.

Summary: To make housekeeping changes in Title 50 WAC and to recodify Title 50 WAC as a chapter of Title 208 WAC. Title 50 WAC refers to "supervisor of banking" and "division of banking." These terms were changed in October 1993 to "director of the department of financial institutions" and "division of banks."

Reasons Supporting Proposal: Terms were changed in October 1993 after the division of banking, the division of savings and loan association, and the Securities Division of Department of Licensing merged to form the Department of Financial Institutions. The intent of the rule remains unchanged.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Abe, 210 11th Avenue S.W., Suite 300, (360) 902-8704.

Name of Proponent: The Department of Financial Institutions, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To make housekeeping changes in Title 50 WAC and to recodify Title 50 WAC as a chapter of Title 208 WAC. Title 50 WAC refers to "supervisor of banking" and "division of banking." These terms were changed in October 1993 to "director of the department of financial institutions" and "division of banks."

Proposal does not change existing rules. No substantive changes to rules.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Mike Abe, Program Manager, Division of Banks, Department of Financial Institutions, 210 11th Avenue S.W., Suite 300, Olympia, WA 98504-1200, AND RECEIVED BY August 21, 2000, by 5 p.m.

June 21, 2000
John L. Bley
Director

AMENDATORY SECTION (Amending Order 2, filed 12/23/68)

WAC 50-12-030 Definitions and characterization of time deposits. The term "time deposits" means "time certificates of deposit" and, "time deposits, open account," as defined below.

(1) **Time certificates of deposit.** The term "time certificate of deposit" means a deposit evidenced by a negotiable or

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nonnegotiable instrument which provides on its face that the amount of such deposit is payable:

- (a) On a certain date, specified in the instrument, not less than thirty days after the date of the deposit; or
- (b) At the expiration of a specified period not less than thirty days after the date of the instrument; or
- (c) Upon written notice to be given not less than thirty days before the date of repayment.

(2) **Time deposits, open account.** The term "time deposit, open account," means a deposit, other than a "time certificate of deposit," with respect to which there is in force a written contract with the depositor that neither the whole nor any part of such deposit may be withdrawn, by check or otherwise, prior to the date of maturity, which shall be not less than thirty days after the date of the deposit, or prior to the expiration of the period of notice which must be given by the depositor in writing not less than thirty days in advance of withdrawals.

A time deposit is a deposit and therefore not subject to individual bank and trust company lending limits, as prescribed by RCW 30.04.110. However, before a bank or trust company may deposit its funds with another bank in the form of a time deposit, the depository bank must first be appointed a depository by a vote of a majority of the directors of the depositing bank and approved as a depository by the ~~((supervisor of banking))~~ director of the department of financial institutions.

If a bank acquires a time deposit with a bank that has not been approved as a depository by the ~~((supervisor of banking))~~ director of the department of financial institutions, such transaction shall be considered to be an investment and subject to the bank's lending limitation.

AMENDATORY SECTION (Amending WSR 91-18-055, filed 8/30/91, effective 9/30/91)

WAC 50-12-045 Schedule of fees for banks, trust companies, stock savings banks, mutual savings banks, and alien banks. (1) The ~~((supervisor))~~ director shall collect the following fees:

- (a) Hourly charges for services plus actual expenses for review of application and attendant investigation for:
 - (i) New bank or trust company;
 - (ii) Conversion to a state chartered institution;
 - (iii) Alien bank to establish and operate an office or bureau in the state;
 - (iv) Certificate conferring trust powers;
 - (v) Branch;
 - (vi) A satellite facility or facilities which are to be used by its own customers or customers of another bank;
 - (vii) A network system of satellite facilities as defined in WAC 50-40-010(4) or modification of a previously approved network system made in accordance with WAC 50-40-060 (1) or (2);
 - (viii) Merger, consolidation, or reorganizational agreement;
 - (ix) Relocation of main office or branch;
 - (x) An out-of-state bank holding company acquisition and control of more than five percent of the shares of voting

stock or substantially all of the assets of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state;

- (xi) The purchase or sale of a branch;
- (xii) Voluntary or involuntary liquidation of a bank or trust company pursuant to chapter 30.44 RCW or for acting as conservator of a bank or trust company pursuant to chapter 30.46 RCW;
- (xiii) Conversion from a mutual savings bank to a stock savings bank;
- (xiv) Notice of change of control.
- (b) Hourly charges for opinions rendered regarding interpretations of statutes and rules.
- (c) \$100.00 for issuing the following certificates:
 - (i) Branch certificate;
 - (ii) Increase or decrease of capital stock certificate;
 - (iii) Certificate of authority;
 - (iv) Satellite facility;
 - (v) Certificate of good standing;
 - (vi) Other.
- (d) \$100.00 for filing articles of incorporation, or amendments thereof, or other certificates required to be filed with the ~~((supervisor))~~ director.
- (e) Fifty cents per page for furnishing copies of papers filed with the ~~((supervisor))~~ director.

(2) The hourly fee for services shall be \$90.00 per employee hour expended. The ~~((supervisor))~~ director may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in subsection (1)(a) and (b) of this section. In no event shall the lump sum payment required under this section exceed actual amounts derived in subsection (1)(a) and (b) of this section.

AMENDATORY SECTION (Amending Order 29, filed 10/2/75)

WAC 50-12-060 Accounts in excess of one hundred thousand dollars. A mutual savings bank may accept or hold accounts in excess of one hundred thousand dollars on the following terms and conditions:

- (1) Such accounts in the aggregate are placed in assets of similar maturity;
 - (2) The following records are maintained at all times with respect to each such account:
 - (a) The name(s) and address(es) of the depositor(s);
 - (b) The manner in which the account is held;
 - (c) The amount of the initial deposit;
 - (d) The contemplated time of withdrawal, if known;
 - (e) The interest rate; and
 - (f) Such other information available to the mutual savings bank as the ~~((supervisor))~~ director may from time to time require in order to carry out the duties of his office;
 - (3) A separate report maintained showing at all times the aggregate total of all such accounts accepted or held; and
 - (4) Asset liquidity records and controls are maintained.
- The ~~((supervisor))~~ director may from time to time impose such requirements or restrictions as he deems appropriate in connection with accepting or holding one or more such

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accounts, based upon the nature and size of the account, the condition of the mutual savings bank accepting the same, the general economic conditions then existing, and such other factors as the ((supervisor)) director may deem relevant to the prudent operation of the mutual savings bank accepting or holding the account.

AMENDATORY SECTION (Amending Order 9, filed 5/9/72)

WAC 50-12-070 Nonbankable assets. In determining whether an asset of a bank, mutual savings bank or trust company is bankable all of the circumstances of the asset shall be weighed, including but not limited to the following:

- (1) Character of the borrower
- (2) Capacity of the borrower
- (3) Capital of the borrower
- (4) Collateral, sufficiency of
- (5) Economic conditions pertaining to the type of business in which the borrower is engaged
- (6) Conformance to general banking standards as then currently practiced in the banking industry.

If, in the examination of a bank, mutual savings bank or trust company, an examiner finds an asset which in his opinion, after weighing all the circumstances of the asset, is non-bankable, the ((supervisor)) director may require that such asset be charged off the books of the bank, mutual savings bank or trust company.

Within fifteen days following the next meeting of the board of directors following receipt of written notice from the ((supervisor)) director to charge off such asset, but in no event more than forty-five days following receipt of such written notice, the bank, mutual savings bank or trust company, shall write the same off as an asset or file a written statement with the ((supervisor)) director explaining why, in its opinion, the asset should not be so treated. After considering such written statement and within ten days after receipt thereof, the ((supervisor)) director will notify the bank in writing of his decision as to the treatment of the asset.

AMENDATORY SECTION (Amending Order 71, filed 11/25/87)

WAC 50-12-117 Investments in corporations. Nothing in WAC ((50-12-110, 50-12-115, or 50-12-116)) 208-512-110, 208-512-115, or 208-512-116 shall limit the authority of a bank or trust company to invest in corporations or entities, with the prior authorization of the ((supervisor)) director, pursuant to RCW 30.04.____, (section 1, chapter 498, Laws of 1987).

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

WAC 50-12-120 Promulgation. The division of ((banking)) banks, hereinafter referred to as the "division," after due and proper notice, and pursuant to chapter 30.60 RCW hereby adopts and promulgates the following rules and regulations, effective January 1, 1986.

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

WAC 50-12-140 Definitions. For purposes of interpreting and administering the provisions and procedures contained herein, the definitions of terms used shall be identical to the corresponding definitions set forth in the Community Reinvestment Act of 1977, Public Law 95-128, sections 801-806, 12 U.S.C. 2901, et seq. and regulations promulgated pursuant thereto; provided, these definitions are not inconsistent with the context used, or otherwise defined, in this regulation.

The term "division" means the division of ((banking)) banks of the state of Washington. The term "supervisor" means the ((supervisor of banking)) director of the department of financial institutions.

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

WAC 50-12-150 Assessing the record of performance. In connection with its examination of a bank, the division shall assess the record of performance of the bank in helping to meet the credit needs of its entire community, including low-income and moderate-income neighborhoods, consistent with safe and sound operation of the bank. The division will review the bank's Community Reinvestment Act statement(s) and any other written and signed reports, documents, or comments prepared or filed by the bank with the division, or one or more federal bank regulatory agencies, and will use this material as part of or in lieu of an investigation as set forth by RCW 30.60.010. The foregoing material, together with such additional information as may be deemed necessary and obtained by investigation performed by the division, will be considered in assessing the bank's record of performance, based upon the following factors:

- (1) Activities conducted by the institution to ascertain credit needs of its community, including the extent of the institution's efforts to communicate with members of its community regarding the credit services being provided by the institution;
- (2) The extent of the institution's marketing and special credit related programs to make members of the community aware of the credit services offered by the institution;
- (3) The extent of participation by the institution's board of directors in formulating the institution's policies and reviewing its performance with respect to the purposes of the Community Reinvestment Act of 1977;
- (4) Any practices intended to discourage applications for types of credit set forth in the institution's Community Reinvestment Act statement(s);
- (5) The geographic distribution of the institution's credit extensions, credit applications and credit denials;
- (6) Evidence of prohibited discriminatory or other illegal credit practices;
- (7) The institution's record of opening and closing offices and providing services at offices;
- (8) The institution's participation, including investments, in local community development projects;

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(9) The institution's origination of residential mortgage loans, housing rehabilitation loans, home improvement loans, and small business or small farm loans within its community, or the purchase of such loans originated in its community;

(10) The institution's participation in governmentally insured, guaranteed, or subsidized loan programs for housing, small businesses, or small farms;

(11) The institution's ability to meet various community credit needs based on its financial condition, size, legal impediments, local economic condition, and other factors;

(12) Other factors that, in the judgment of the ((supervisor)) director, reasonably bear upon the extent to which an institution is helping to meet the credit needs of its entire community.

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

WAC 50-12-160 Rating assignment. (1) Based upon the foregoing investigation and assessment, the ((supervisor)) director shall annually assign to the bank a numerical community reinvestment rating based on a one through five scoring system in accordance with RCW 30.60.010. Such numerical scores shall represent performance assessments as follows:

- (a) Excellent performance: 1
- (b) Good performance: 2
- (c) Satisfactory performance: 3
- (d) Inadequate performance: 4
- (e) Poor performance: 5

(2) For each calendar year commencing after December 31, 1986, the most recent community reinvestment rating assigned to the bank by the ((supervisor)) director shall be used as a basis for limiting the funds invested in real property and improvements thereof pursuant to RCW 30.04.212. These investments shall be limited to a percentage of capital, surplus, and undivided profits, as follows:

- (a) Excellent performance-rating (1): 10% limitation
- (b) Good performance-rating (2): 8% limitation
- (c) Satisfactory performance-rating (3): 6% limitation
- (d) Inadequate performance-rating (4): 3% limitation
- (e) Poor performance-rating (5): no investment

No bank may at any time be required to dispose of any investment made in accordance with this section because the bank is not then authorized to acquire such investment, if such investment was lawfully acquired by the bank at the time of acquisition.

AMENDATORY SECTION (Amending Order 66, filed 12/30/86)

WAC 50-12-200 Consideration of performance record in meeting community credit needs in approving and disapproving applications. The division shall consider, among other factors, the record of performance of the applicant in helping to meet the credit needs of the applicant's

entire community, including low-income and moderate-income neighborhoods in determining the approval or disapproval for the following applications:

- (1) For a new branch or satellite facility;
- (2) For a purchase of assets;
- (3) For a merger;
- (4) For an acquisition;
- (5) For authority to engage in a business activity;
- (6) For a conversion from a national bank to a state-chartered bank; and
- (7) Such other application as the ((supervisor)) director may consider appropriate.

The performance record need not be considered for subsections (2), (3), and (4) of this section where solvency and safety soundness of the bank is threatened. Assessment of an institution's CRA performance may be a basis for denying an application.

AMENDATORY SECTION (Amending Order 69, filed 9/30/87)

WAC 50-12-210 Promulgation. The division of ((banking)) banks, hereinafter referred to as the "division," after due and proper notice, and pursuant to the provisions of RCW 30.04.111 hereby adopts and promulgates the following rules and regulations, effective September 9, 1987.

AMENDATORY SECTION (Amending Order 74, filed 8/1/88)

WAC 50-12-230 Definitions. (1) The term "person" shall include an individual, sole proprietor, partnership, joint venture, association, trust, estate, business trust, corporation, sovereign government or agency, instrumentality, or political subdivision thereof, or any similar entity or organization.

(2) The term "loans and extensions of credit" means any direct or indirect advance of funds to a person made on a basis of any obligation of that person to repay the funds, or repayable from specific property pledged by or on behalf of a person. "Loans and extensions of credit" also includes a "contractual commitment to advance funds" as that term is defined in this section, and includes a renewal, modification, or extension of the maturity date of a loan or extension of credit. Provided, the term "loan or extension of credit" does not include a renewal, extension or restructuring of an existing loan, with interest paid current and no further advance of funds, by a bank under the direction and control of a conservator appointed by the ((supervisor)) director.

(3) The term "contractual commitment to advance funds" means:

- (a) An obligation on the part of the bank to make payments (directly or indirectly) to a designated third party contingent upon a default by the bank's customer in the performance of an obligation under the terms of that customer's contract with the third party; or
- (b) An obligation to guarantee or stand as surety for the benefit of a third party. The term includes, but is not limited to, standby letters of credit, guarantees, puts, and other similar arrangements. Undisbursed loan funds, loan commitments not yet drawn upon which do not fall under this definition,

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and commercial letters of credit or similar instruments are not considered contractual commitments to advance funds.

(4) The term "readily marketable collateral" means financial instruments and bullion which are saleable under ordinary circumstances with reasonable promptness at a fair market value determined by daily quotations based on actual transactions on an auction or a similarly available daily bid and ask price market.

(5) The term "financial instruments" shall include stocks, notes, bonds, and debentures traded on a national securities exchange, "OTC margin stocks" (as defined in Regulation U of the Federal Reserve Board), commercial paper, negotiable certificates of deposit, bankers' acceptances, and shares in money market and mutual funds of the type which issue shares in which banks may perfect a security interest.

(6) The term "current market value" means the bid or closing price listed for an item in a regularly published listing or an electronic reporting service.

(7) The term "capital" will include the amount of common stock outstanding and unimpaired, the amount of preferred stock outstanding and unimpaired, and capital notes or debentures issued pursuant to chapter 30.36 RCW.

(8) The term "surplus" shall include capital surplus, reflecting the amounts paid in excess of the par or stated value of capital stock, or amounts contributed to the bank other than for capital stock, and amounts transferred to surplus from undivided profits pursuant to resolution of the board of directors.

(9) The term "subsidiary" means:

(a) Any company twenty-five percent or more of whose voting shares (excluding shares owned by the United States or by any company wholly owned by the United States) is directly or indirectly owned or controlled by such person, or is held by it with power to vote;

(b) Any company the election of a majority of whose directors is controlled in any manner by such person; or

(c) Any company with respect to the management or policies of which such person has power, directly or indirectly, to exercise a controlling influence, as determined by the division, after notice and opportunity for hearing.

AMENDATORY SECTION (Amending Order 71, filed 11/25/87)

WAC 50-12-250 General limitation—Loans fully secured by readily marketable collateral. (1) Loans or extensions of credit by a state bank to a person outstanding at one time and fully secured by readily marketable collateral having a market value, as determined by reliable and continuously available price quotations, shall not be subject to any limitations based on capital and surplus. However, if the total of such loans and extensions of credit, together with loans made under general limitations pursuant to WAC ((~~50-12-240~~) 208-512-240) exceed forty-five percent, the division of ((~~banking~~) banks) will review the credits as a possible concentration, with regard to both risk diversification within the bank's asset structure and diversification or other risk in the marketable collateral securing the loan. This limitation shall be separate and in addition to the general twenty percent limitation set forth in WAC ((~~50-12-240~~) 208-512-240).

(2) Each loan or extension of credit based on the foregoing limitation shall be secured by readily marketable collateral having a current market value of at least one hundred fifteen percent of the amount of the loan or extension of credit at all times.

(3) Financial instruments may be denominated in foreign currencies which are freely convertible to United States dollars. If collateral is denominated and payable in a currency other than that of the loan or extension of credit which it secures, the bank's procedures must require that the collateral be revalued at least monthly, using appropriate foreign exchange rates, in addition to being repriced at current market value.

(4) Each bank must institute adequate procedures to ensure that the collateral value fully secures the outstanding loan at all times. If collateral values fall below one hundred fifteen percent of the outstanding loan, to the extent that the loan is no longer in conformance with this section and exceeds the general twenty percent limitation, the loan must be brought into conformance within five business days, except where judicial proceedings, regulatory actions, or other extraordinary occurrences prevent the bank from taking actions.

AMENDATORY SECTION (Amending WSR 90-10-074, filed 5/2/90, effective 6/2/90)

WAC 50-12-310 Insurance agency activities—Promulgation. The division of ((~~banking~~) banks), after due and proper notice, and pursuant to the general rule-making authority in RCW 30.04.030 hereby adopts and promulgates the following rules and regulations.

AMENDATORY SECTION (Amending WSR 90-10-074, filed 5/2/90, effective 6/2/90)

WAC 50-12-350 Insurance agency activities—Exceptions. (1) A bank located in a city of not more than five thousand inhabitants may act as insurance agent from an office in that city. A bank exercising this power may continue to act as insurance agent notwithstanding a change of the population of the city in which it is located.

(2) A trust company may act as an insurance agent pursuant to its powers under RCW 30.08.150(3) "to act as attorney in fact or agent of any corporation, foreign or domestic, for any purpose, statutory or otherwise."

(3) A bank may engage in insurance activities that have been determined by the board of governors of the federal reserve system or by the United States Congress to be closely related to the business of banking, as of June 11, 1986. These activities include, but are not limited to:

(a) General insurance agency activities conducted by a bank with total assets of fifty million dollars or less, provided, however, that such bank may not engage in the sale of life insurance or annuities. For purposes of this exception "total assets" is determined by the latest consolidated report of condition filed with the ((~~supervisor of banking~~) director of the department of financial institutions). This exception ceases when the value of the assets of the bank exceed fifty million dollars. The insurance agency license must be surren-

dered and the assets sold or otherwise disposed of within three years unless otherwise extended by the (~~supervisor of banking~~) director of the department of financial institutions.

(b) A bank may act as agent for life, disability, and involuntary unemployment insurance if the insurance is limited to assuring the repayment of the outstanding balance due on a specific extension of credit by the bank.

(c) A bank may act as agent for property insurance on loan collateral, provided such insurance is limited to assuring repayment of the outstanding balance of the extension of credit and such extension of credit is not more than ten thousand dollars (twenty-five thousand dollars to finance the purchase of a residential manufactured home and which is secured by such home) increased by the percentage increase in the *Consumer Price Index for Urban Wage Earners and Clerical Workers* published monthly by the Bureau of Labor Statistics for the period beginning on January 1, 1982, and ending on December 31 of the year preceding the year of the extension of credit.

(4) A bank or trust company may engage in any insurance agency activity lawfully engaged in by national banks located in the state of Washington.

AMENDATORY SECTION (Amending WSR 90-10-074, filed 5/2/90, effective 6/2/90)

WAC 50-12-370 Insurance agency activities—Enforcement. It shall be considered an unsafe and unsound practice in conducting the affairs of the bank or trust company if in the opinion of the (~~supervisor~~) director the insurance agency activities of the bank or bank subsidiary are:

- (1) A violation of any applicable state or federal consumer protection law; or
- (2) A violation of any applicable state or federal statute prohibiting anticompetitive activities.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-12-020	208-512-020
50-12-030	208-512-030
50-12-045	208-512-045
50-12-050	208-512-050
50-12-060	208-512-060
50-12-070	208-512-070
50-12-080	208-512-080
50-12-090	208-512-090
50-12-100	208-512-100
50-12-110	208-512-110
50-12-115	208-512-115
50-12-116	208-512-116
50-12-117	208-512-117
50-12-120	208-512-120

50-12-130	208-512-130
50-12-140	208-512-140
50-12-150	208-512-150
50-12-160	208-512-160
50-12-170	208-512-170
50-12-180	208-512-180
50-12-190	208-512-190
50-12-200	208-512-200
50-12-210	208-512-210
50-12-220	208-512-220
50-12-230	208-512-230
50-12-240	208-512-240
50-12-250	208-512-250
50-12-260	208-512-260
50-12-270	208-512-260
50-12-280	208-512-280
50-12-290	208-512-290
50-12-300	208-512-300
50-12-310	208-512-310
50-12-320	208-512-320
50-12-330	208-512-330
50-12-340	208-512-340
50-12-350	208-512-350
50-12-360	208-512-360
50-12-370	208-512-370

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 36, filed 7/8/76)

WAC 50-14-010 Facilitating loans—Real property. For purposes of this section the following words shall have the following meanings:

- (1) "Foreclosed property" means real estate or interest therein, or other property used in connection therewith acquired through foreclosure or similar action, deed of trust sales, or by deed in lieu of any thereof.
- (2) "Facilitating loan" means a loan or real estate contract covering foreclosed property made by a mutual savings bank to the purchaser of the foreclosed property.
- (3) "Loan limits" means the limitations on investments imposed by RCW 32.20.410.

A mutual savings bank may make a facilitating loan for not in excess of the sale price of the property if the board of trustees or officers or committees designated by the board deem it prudent to dispose of the property in that manner. Facilitating loans shall not be deemed violations of RCW 32.20.250 or 32.20.260, nor shall the division of (~~banking~~) banks require facilitating loans to be classified as loans made pursuant to RCW 32.20.255. Until such time as a facilitating loan conforms to the requirements of RCW 32.20.250, 32.20.255 or 32.20.260, or other investment statutes relating

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to mutual savings bank, it shall be carried on the books and records of the bank as "Other real estate loans - Debts previously contracted," and shall not be carried at more than the value of the property securing it. Facilitating loans shall be included in determining the amounts invested which are subject to the loan limits to the extent of the value at which they are carried on the books of the bank. The bank may, however, make facilitating loans regardless of the loan limits.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-020 Introduction. This chapter implements the authority of the ~~((supervisor of banking))~~ director of the department of financial institutions (the "~~((supervisor))~~ director") under chapters 32.08, 32.34, and 34.05 RCW to enact regulations concerning the organization and operation of mutual holding companies. It addresses only those features of the organization and operation of mutual holding companies and their subsidiary stock savings banks that are not governed by Title 32 RCW. Among the provisions that must be considered are:

(1) Chapter 32.32 RCW for the chartering of a mutual savings bank and the conversion of a mutual savings bank to a stock savings bank;

(2) Title 32 RCW generally for the operations of any such savings bank; and

(3) Chapter 32.34 RCW for any merger or acquisition of assets involving a mutual holding company or banking subsidiary of a mutual holding company.

In addition, the ~~((supervisor))~~ director has determined that formation of a business trust is not the sole and exclusive method by which a state savings bank may form a mutual holding company ("MHC").

Under RCW 32.34.050, a state savings bank is allowed to form a business trust that, in turn, is authorized to become a MHC. However, based on the statutory authority granted to the ~~((supervisor))~~ director under that statute as well as chapters 32.08 and 34.05 RCW, the ~~((supervisor))~~ director has determined that utilization of a business trust is not the exclusive procedure for creation of MHCs.

By enacting RCW 32.08.142, the legislature evidenced a clear intent that state-chartered savings banks not be placed at a competitive disadvantage to federally chartered savings banks. While the state Constitution prohibits automatic incorporation into state law of federal laws enacted after adoption of RCW 32.08.142, that restriction does not invalidate the legislative intent that state institutions not be placed at an undue competitive disadvantage with federal savings banks.

Conditioning MHC formation on the utilization of a business trust to act as the MHC is potentially disadvantageous to state savings banks in view of:

(a) The absence of state statutory and regulatory guidance concerning the governance and authority of trusts when acting as holding companies;

(b) The uncertainty of regulations of such trusts as MHCs; and

(c) The potential federal tax uncertainties that would arise by utilizing a trust in connection with a tax free reorganization into a mutual holding company.

In addition, business trusts are permitted by statute (chapter 23.90 RCW) to exercise the general powers of domestic corporations, including the power to merge into a domestic corporation. As a result, the ~~((supervisor))~~ director has determined that the scope of chapter 32.34 RCW and the incidental powers clause of RCW 32.08.140 make it convenient or useful in connection with a savings bank's performance of its specifically enumerated powers to accomplish a MHC reorganization, to utilize either a corporation formed under the laws of the state of Washington or a business trust.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-030 Definitions—Regulations not exclusive. (1) The definitions in RCW 32.32.025 shall apply to any transaction under these rules unless the context requires otherwise and except as provided herein.

(2) The reorganization of a mutual savings bank into mutual holding company form ("reorganization") and the subsequent conversion of the MHC into stock form or the offering of common stock of a subsidiary of a MHC that will cause the MHC to hold less than fifty-one percent of the issued and outstanding common stock of the stock savings bank ("conversion to stock form") shall be governed by chapter 32.32 RCW, except as provided in these rules.

(3) The term "mutual holding company" shall mean the business trust or mutually owned corporation, or the successor of either, originally established by a savings bank to serve as the holding company of a stock savings bank subsidiary, provided that a MHC shall at all times own fifty-one percent or more of the issued and outstanding common stock of a stock savings bank subsidiary that is the successor by merger or purchase to substantially all of the assets and all of the deposits and other liabilities of the savings bank that has reorganized into a mutual holding company pursuant to RCW 32.34.050 and these rules.

(4) To achieve the intent of RCW 32.34.050 in a manner that ensures consistency with chapter 32.32 RCW, and acting pursuant to RCW 32.32.010, the ~~((supervisor))~~ director hereby waives or modifies to the extent set forth in these rules the applicability of the following provisions of chapter 32.32 RCW as they relate to the organization and operation of mutual holding companies and their stock savings bank subsidiaries: RCW 32.32.035, 32.32.045 through 32.32.070, 32.32.085, 32.32.090, 32.32.095, 32.32.110, 32.32.120, 32.32.135 through 32.32.160, 32.32.185 through 32.32.205, 32.32.240 through 32.32.275, 32.32.315, 32.32.320, 32.32.330, 32.32.335, 32.32.355, 32.32.440, and 32.32.485.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-040 Authorization to form mutual holding companies. (1) Notwithstanding any other provision of law, and in accordance with the general requirements set forth in WAC ~~((50-14-050 through 50-14-140))~~ 208-514-050 through 208-514-140, a mutual savings bank may reorganize under a plan of reorganization so as to cause its deposit-taking and one or more other activities to be conducted by a

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stock savings bank subsidiary of a mutual holding company, which subsidiary is formed for such purpose. The plan of reorganization must be adopted by the bank's trustees and submitted to and approved by the ~~((supervisor))~~ director as provided in these rules.

(2) Except to the extent that such provisions are inconsistent with these rules, the new stock savings bank subsidiary of the mutual holding company shall be subject to the same provisions of Title 32 RCW as apply to other stock savings banks.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-050 Required approvals. (1) A reorganization of a mutual savings bank pursuant to these rules shall be approved by not less than two-thirds of the board of trustees of the mutual savings bank.

(2)(a) A mutual savings bank proposing a reorganization pursuant to these rules shall provide the ~~((supervisor))~~ director with written notice of such proposed reorganization. Such notice shall include (i) a copy of the plan of reorganization approved by the board of trustees pursuant to subsection (1) of this section, (ii) the proposed incorporation and authorization certificates for the mutual holding company and/or the stock savings bank subsidiary, as appropriate, and (iii) such other information as the ~~((supervisor))~~ director shall require. The ~~((supervisor))~~ director shall approve or disapprove the plan of reorganization within sixty days of acceptance of a completed plan of reorganization.

(b) In determining whether to approve the plan of reorganization, the ~~((supervisor))~~ director shall consider:

- (i) Whether the formation of the mutual holding company would be in the interests of the depositors of the mutual savings bank proposing to reorganize;
- (ii) Whether the reorganization would promote safe and sound banking practices;
- (iii) Whether the reorganization would serve the public interest;
- (iv) Whether the financial and management resources of the mutual savings bank proposing to reorganize are sufficient to warrant approval of the reorganization; and
- (v) Whether the mutual savings bank proposing to reorganize either fails to furnish any information required under (a) of this subsection or furnishes information containing any statement that, at the time and in the circumstances under which it was made, was false or misleading with respect to any material fact or omits any material fact necessary to make statements therein not false or misleading.

(c) When the ~~((supervisor))~~ director shall have determined to approve or disapprove the plan of reorganization, the ~~((supervisor))~~ director shall so advise the mutual savings bank in writing and, if appropriate, shall endorse approval on the incorporation and authorization certificates and cause the same to be filed in such manner and in the respective offices provided in chapter 32.08 RCW. Upon the filing of the authorization certificate as provided in RCW 32.08.080, the existence of the mutual holding company and/or stock savings bank, as appropriate, shall commence. As used in these rules,

the term "authorization certificate" shall include an amended authorization certificate.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-060 Formation of a mutual holding company. (1)(a) The plan of reorganization may authorize the formation of a MHC by:

(i) The organization by or at the discretion or request of the mutual savings bank of a business trust or mutual corporation that shall serve as a MHC, the organization by the MHC of a stock savings bank subsidiary and the transfer to such stock savings bank of substantially all of the mutual savings bank's assets and liabilities, including all of its deposit liabilities, in accordance with these rules;

(ii) The organization by or at the direction or request of the mutual savings bank of a business trust or mutual corporation that shall serve as the MHC, and the organization by such MHC of a stock savings bank subsidiary that merges with the mutual savings bank; or

(iii) The reorganization of the mutual savings bank under any other method approved by the ~~((supervisor))~~ director.

(b) For the purposes of (a) of this subsection and when authorized by the ~~((supervisor))~~ director, as hereinafter provided, the trustees of the mutual holding company, consisting of five or more natural persons who are citizens of the United States, may incorporate an interim stock savings bank subsidiary in the manner herein prescribed. No savings bank shall incorporate for less amount nor commence business unless it has a paid-in capital stock in such amount as may be determined by the ~~((supervisor))~~ director after consideration of the proposed transaction.

(i) Persons desiring to incorporate an interim stock savings bank shall file with the ~~((supervisor))~~ director a notice of their intention to organize a savings bank in such form and containing such information as the ~~((supervisor))~~ director shall prescribe by regulation or otherwise require, together with proposed articles of incorporation and bylaws, which shall be submitted for examination to the ~~((supervisor))~~ director at his office in Olympia. The proposed articles of incorporation shall state:

- (A) The name of such savings bank.
- (B) The city, village or locality and county where the head office of such savings bank is to be located.
- (C) The nature of its business (i.e., that of a savings bank).
- (D) The amount of its capital stock, which shall be divided into shares of a par or no par value as may be provided in the articles of incorporation.
- (E) The names, places of residence, and mailing addresses of the persons who as directors are to manage the bank until the first annual meeting of its shareholders.
- (F) If there is to be preferred or special classes of stock, a statement of preferences, voting rights, if any, limitations and relative rights in respect of the shares of each class; or a statement that the shares of each class shall have the attributes as shall be determined by the bank's board of directors from time to time with the approval of the ~~((supervisor))~~ director.

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(G) Any provision granting the shareholders the preemptive right to acquire additional shares of the bank and any provision granting shareholders the right to cumulate their votes.

(H) Any provision, not inconsistent with law, which the incorporators elect to set forth in the articles of incorporation for the regulation of the internal affairs of the corporation, including, without limitation, any provision restricting the transfer of shares.

(I) Any provision the incorporators elect to so set forth, not inconsistent with law or with the purposes for which the bank is organized, or any provision limiting any of the powers granted in the applicable provisions of the Revised Code of Washington.

It shall not be necessary to set forth in the articles of incorporation any of the corporate powers granted in the applicable provisions of the Revised Code of Washington. The articles of incorporation shall be signed by all of the incorporators and acknowledged before an officer authorized to take acknowledgements.

(ii) In case of approval, the ((~~supervisor~~)) director shall forthwith give notice thereof to the proposed incorporators and file one of the triplicate articles of incorporation in his own office, transmit another triplicate to the secretary of state, and the last to the incorporators. Upon receipt from the proposed incorporators of the same fees as are required for filing and recording other articles of incorporation, the secretary of state shall file such articles and record the same. Upon the filing of articles of incorporation approved as aforesaid by the ((~~supervisor~~)) director, with the secretary of state, all persons named therein and their successors shall become and be a corporation, which shall have the powers and be subject to the duties and obligations prescribed by the applicable provisions of the Revised Code of Washington, and whose existence shall continue from the date of the filing of such articles until terminated pursuant to law; but such corporation shall not transact any business, except as is necessary or convenient to its organization and preparation to engage in business, until it has received from the ((~~supervisor~~)) director a certificate of authority to engage in the banking business as a stock savings bank.

(c) For the purposes of (a) of this subsection, WAC ((~~50-14-080~~)) 208-514-080 permits a newly organized stock savings bank to issue to persons other than its parent MHC, an amount of common stock and securities convertible into common stock that, in the aggregate, does not exceed forty-nine percent of the issued and outstanding common stock of such stock savings bank upon completion of the offering. Issued and outstanding securities that are convertible into common stock shall be considered issued and outstanding common stock for purposes of computing the forty-nine percent limitation. This subsection shall not limit the authority of such stock savings bank to issue equity or debt securities other than common stock and securities convertible into common stock.

(2) In connection with the reorganization of a mutual savings bank as provided in WAC ((~~50-14-040~~)) 208-514-040, the MHC may acquire assets of the mutual savings bank to the extent that such assets are not then required to be transferred to (or retained by) the stock savings bank in order to

satisfy capital or reserve requirements of any applicable state or federal law or regulation.

(3) A stock savings bank whose outstanding common stock is at least fifty-one percent but less than one hundred percent owned by a mutual holding company shall have at least one director, but no more than two-fifths of its directors, who are "unaffiliated directors" who shall represent the interests of the minority shareholders. An "unaffiliated director" is a director who is not:

(a) An officer or employee of the stock savings bank (or any affiliate thereof); or

(b) An officer, trustee, or employee of the mutual holding company.

If the incorporation certificate or bylaws of the stock savings bank provide that the board of directors shall be divided into two or more classes, then to the extent possible, each class shall contain the same number of unaffiliated directors as each other class.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-070 Mutual holding company powers.

(1) Upon the formation of a MHC:

(a) The MHC shall possess all the rights, powers, and privileges (except deposit-taking powers) and shall be subject to all the limitations, not inconsistent with these rules, of a mutual savings bank under Title 32 RCW; and

(b) The MHC shall be subject to the limitations imposed by the Bank Holding Company Act of 1956 (12 U.S.C. Section 1841, et seq.) or, in the case of a MHC resulting from the reorganization of a savings bank that elected either before or after such reorganization to be treated as a savings association (as defined in 12 U.S.C. Section 1467a), such mutual holding company shall be subject to the limitations imposed by the savings and loan holding company provisions of the Home Owners' Loan Act (12 U.S.C. Section 1467a).

(2) Notwithstanding any inconsistent provisions of Title 32 RCW, and subject to the express approval of (or additional rules promulgated by) the ((~~supervisor~~)) director, a MHC may:

(a) Merge with, acquire, or purchase the assets of a mutual holding company established pursuant to these rules or the savings and loan holding company provisions of the Home Owners' Loan Act (12 U.S.C. Section 1467a);

(b) Acquire or purchase the assets or stock of a stock savings bank, commercial bank, credit union, stock savings and loan association, stock federal savings bank, or stock federal savings and loan association;

(c) Acquire a mutual savings bank, mutual savings and loan association, federal mutual savings bank, or federal mutual savings and loan association through the merger of such institution with a stock subsidiary of such mutual holding company;

(d) Convert to a stock holding company pursuant to the provisions of a plan which is approved by the ((~~supervisor~~)) director, preserves the subscription and liquidation account rights of depositors of the mutual savings bank who then remain depositors of the stock savings bank and otherwise complies with WAC ((~~50-14-130~~)) 208-514-130; and

(e) Engage in any other acquisition or combination, specifically permitted by the ((supervisor)) director, including a merger into or sale of assets to another mutual or stock corporation.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-080 Offering of securities. (1) Any offering of shares of voting securities by a MHC which converts to stock form or of common stock of a stock savings bank subsidiary of a MHC that will cause the holding company to hold less than fifty-one percent of the issued and outstanding common stock of the stock savings bank upon completion of the offering (a "subsequent offering") shall be governed by the rules prescribed in chapter 32.32 RCW, except to the extent that those rules are explicitly waived or modified by the ((supervisor)) director.

(2) Any offering of shares of any class of stock of a stock savings bank subsidiary of a MHC that will not cause the MHC to hold less than fifty-one percent of the issued and outstanding common stock of the stock savings bank upon completion of the offering may be accomplished through either a public distribution or by means of a limited distribution or placement of the securities, none of which methods of offering will require the stock of the savings bank subsidiary to be offered to members of the unconverted mutual savings bank or of the MHC. Any such offering shall comply with the disclosure requirements of chapter 32.32 RCW, shall be made by means of an offering circular approved by the ((supervisor)) director, and shall be sold at a price that is approved (a) by the ((supervisor)) director in the case of the initial offering of shares to persons other than the MHC, and in such case based upon a proposed price range established by qualified persons who are independent of the bank and (b) by the board of directors in the case of other offerings contemplated by this subsection.

(3) The procedures to follow in conducting a subsequent offering may, with the ((supervisor's)) director's approval, differ from those set forth in chapter 32.32 RCW.

(4) Notwithstanding any contrary provision of Title 32 RCW, there shall be no requirement to use an underwriter in an offering made pursuant to subsection (2) of this section, though such use is permissible.

(5) Subject to approval of the ((supervisor)) director, a stock savings bank subsidiary of a MHC may declare or pay a cash dividend that is payable only to shareholders of the stock savings bank other than the MHC.

(6) Notwithstanding any contrary provision of Title 32 RCW, no offering circular used in connection with an offering pursuant to subsection (2) of this section shall be required to set forth the estimated subscription price range of the shares being offered.

(7) A stock savings bank subsidiary of a MHC may issue and, consistent with these rules, any person may acquire any amount of preferred stock of the bank.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-090 Subscription rights. (1) Upon a conversion to stock form, as such conversion is defined in WAC ((50-14-030)) 208-514-030(2), by a MHC or a stock savings bank subsidiary of a MHC, depositors of the stock savings bank at the record date of the conversion to stock form who continuously have been depositors since the reorganization, or were depositors of any savings association subsequently acquired by a MHC at a time when the association was in mutual form and remained depositors of the stock savings bank, shall receive, without payment, nontransferable rights to subscribe for stock of the converted MHC or the converted stock savings bank to be sold in the subsequent offering, to the extent that such depositors would have received those rights pursuant to RCW 32.32.045 in a stock conversion of the savings bank as prescribed in chapter 32.32 RCW; provided, however, that such depositors who are not shareholders of the stock savings bank at the record date for the subsequent offering shall have priority rights, not inconsistent with the provisions of chapter 32.32 RCW, to subscribe for shares to be issued in the subsequent offering in accordance with a plan approved by the ((supervisor)) director or made pursuant to subsequent rules to be promulgated by the ((supervisor)) director.

(2) For purposes of this section, an "eligible account holder" is any depositor of a stock savings bank at the record date for a conversion to stock form of the bank or the MHC who has continuously owned in such bank one or more accounts valued in the aggregate of fifty dollars or more since the date that the trustees of the unconverted mutual savings bank approved the reorganization or the date that the bank's predecessor mutual association was acquired by the MHC.

(3) Nothing in chapter 32.34 RCW or chapter ((50-14)) 208-514 WAC shall be construed to authorize or require that depositors in a mutual savings bank that reorganizes as a MHC be offered stock in the stock savings bank subsidiary except as provided in subsection (1) of this section.

(4) Depositors in a mutual savings bank that reorganizes as a MHC with a stock savings bank subsidiary shall become depositors in such subsidiary when the mutual savings bank merges with or transfers its assets and liabilities to the stock savings bank.

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-100 Stock issuance and stock award plans. The authority for a stock savings bank subsidiary of a MHC to issue stock shall be subject to the following limitations, unless otherwise approved by the ((supervisor)) director.

(1) The stock sold in the reorganization shall be sold at a total price equal to the estimated pro forma market value of such stock, based on an independent valuation as provided in WAC ((50-14-080)) 208-514-080(2) and any stock sold in a later offering shall be sold at its fair value as determined by the board of directors of the stock savings bank.

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(2) The aggregate amount of issued and outstanding common stock of the stock savings bank owned or controlled by persons other than the MHC at the close of any proposed issuance shall be forty-nine percent or less than the savings bank's total outstanding common stock.

(3) The aggregate amount of common stock acquired in the proposed issuance, plus all prior issuances of the savings bank, by any nontax-qualified employee stock benefit plan of the savings bank or any insider (which for the purpose of these rules will mean an officer, director, or associate of an officer or director) of the savings bank (exclusive of any stock acquired by said plan or insider and his or her associates in the secondary market) shall not exceed ten percent of the outstanding shares of common stock of the savings bank held by persons other than the savings bank's MHC parent at the close of the proposed issuance. In calculating the number of shares held by any insider or associate, shares held by any tax-qualified or nontax-qualified employee stock benefit plan of the savings bank that are attributable to such person shall not be counted.

(4) The aggregate amount of stock, whether common or preferred, acquired in the proposed issuance, plus all prior issuances of the savings bank, by any nontax-qualified employee stock benefit plan of the savings bank or any insider of the savings bank and his or her associates (exclusive of any stock acquired by said plan or insider and his or her associates in the secondary market) shall not exceed ten percent of the stockholders' equity of the savings bank held by persons other than the MHC parent at the close of the proposed issuance.

(5) The aggregate amount of common stock acquired in the proposed issuance, plus all prior issuances of the savings bank, by any one or more tax-qualified employee stock benefit plans of the savings bank (exclusive of any stock acquired by such plans in the secondary market) shall not exceed ten percent of the outstanding shares of common stock of the savings bank held by persons other than the MHC parent at the close of the proposed issuance.

(6) The aggregate amount of stock, whether common or preferred, acquired in the proposed issuance, plus all prior issuances of the savings bank, by any one or more tax-qualified employee stock benefit plans of the savings bank (exclusive of any stock acquired by such plans in the secondary market) shall not exceed ten percent of the stockholders' equity of the savings bank held by persons other than the MHC parent at the close of the proposed issuance.

(7) The aggregate amount of common stock acquired in the proposed issuance, plus all prior issuances of the savings bank by all nontax-qualified employee stock benefit plans of the savings bank and insiders of the savings bank (exclusive of any stock acquired by said plans and by insiders in the secondary market) shall not exceed thirty-five percent of the outstanding shares of common stock of the savings bank held by persons other than the MHC parent at the close of the proposed issuance if the savings bank has less than fifty million dollars in total assets prior to the issuance or twenty-five percent of such outstanding shares if the savings bank has more than five hundred million dollars in total assets before the issuance. If the savings bank has between fifty million dollars and five hundred million dollars in total assets before the

issuance, the maximum percentage shall be equal to thirty-five percent minus one percent multiplied by the quotient of total assets less fifty million dollars divided by forty-five million dollars. In calculating the number of shares held by insiders and their associates, shares held by any tax-qualified or nontax-qualified employee stock benefit plan of the savings bank that are attributable to such persons shall not be counted.

(8) The aggregate amount of stock, whether common or preferred, acquired in the proposed issuance, plus all prior issuances of the savings bank, by all nontax-qualified employee stock benefit plans of the savings bank, insiders of the savings bank, and associates of insiders of the savings bank (exclusive of any stock acquired by said plans and by insiders in the secondary market) shall not exceed thirty-five percent of the stockholders' equity of the savings bank held by persons other than the association's mutual holding company parent at the close of the proposed issuance if the savings bank has less than fifty million dollars in total assets before the issuance or twenty-five percent of such stockholders' equity if the savings bank has more than five hundred million dollars in total assets prior to the issuance. If the savings bank has between fifty million dollars and five hundred million dollars in total assets before the proposed issuance, the maximum percentage shall be equal to thirty-five percent minus one percent multiplied by the quotient of total assets less fifty million dollars divided by forty-five million dollars.

(9) Shares of authorized but unissued stock of a stock savings bank subsidiary of a MHC may be reserved to satisfy and may be issued pursuant to any stock-based incentive plan for employees, directors, and others approved by the savings bank's board of directors and a majority of its stockholders.

(10) If, at the close of any stock issuance, the stock savings bank has holders of record of its outstanding voting securities that would require registration under the Securities Exchange Act of 1934, then such requirement shall be met.

(11) For a period of three years following the proposed issuance, no insider of the savings bank shall sell, without the ((supervisor's)) director's prior written approval, any stock of the savings bank purchased in connection with the reorganization except that the personal representative of such insider may sell shares in the event of the death of the insider.

AMENDATORY SECTION (Amending WSR 92-06-041, filed 2/28/92, effective 3/30/92)

WAC 50-14-120 Reorganization into mutual holding company form. (1) The mutual holding company may retain or acquire assets of the mutual savings bank only to the extent permitted by the ((supervisor)) director.

(2) A stock savings bank established in connection with a reorganization shall reserve no authorized but unissued shares, except as necessary to satisfy a stock option plan or issue securities convertible into stock.

(3) A plan of reorganization shall contain the provisions referenced in RCW 32.32.035, except that it need not provide for the sale of any stock and the aggregate price of any stock sold shall bear the same proportion to total estimated pro forma market value of the subsidiary savings bank(s) deter-

mined by an independent appraisal that the shares sold bear to the total issued and outstanding shares of the savings bank(s).

AMENDATORY SECTION (Amending WSR 93-13-142, filed 6/23/93, effective 7/24/93)

WAC 50-14-130 Conversion of mutual holding company into stock holding company. (1) If approved by the ((supervisor)) director, a MHC may convert to a stock form holding company.

(2) The MHC shall adopt a plan of conversion which the ((supervisor)) director finds to be in accordance with the provisions of chapter 32.32 RCW and these rules.

(3) The conversion must include such provisions requiring the exchange of shares of the subsidiary savings bank(s) for shares of the resulting stock holding company as the ((supervisor)) director finds to be fair to members of the MHC who possess subscription rights and to stockholders of the subsidiary banks.

NEW SECTION

The following sections of the Washington Administrative code are recodified as follows:

Old WAC Number	New WAC Number
50-14-010	208-514-010
50-14-020	208-514-020
50-14-030	208-514-030
50-14-040	208-514-040
50-14-050	208-514-050
50-14-060	208-514-060
50-14-070	208-514-070
50-14-080	208-514-080
50-14-090	208-514-090
50-14-100	208-514-100
50-14-110	208-514-110
50-14-120	208-514-120
50-14-130	208-514-130
50-14-140	208-514-140

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

WAC 50-28-020 Operations and procedures. A notice of intention to incorporate a bank or trust company shall be filed with the ((supervisor)) director at the division of ((banking)) banks in Olympia. As a matter of general procedure, it has been found desirable and is recommended that interested groups visit the office of the ((supervisor)) director for a round-table discussion of statutory and other requirements, the forms, documentation and general information needed, the fees payable to the ((supervisor of banking)) division of banks and the secretary of state, plus a general discussion of the primary market area the applicants wish to serve and of economic resources of that area together with a brief review of existing financial institutions now serving that area.

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

WAC 50-28-030 Policy and guidelines. The notice of intention to organize a state bank or trust company shall be filed with the ((supervisor)) director in duplicate, on a form furnished by the division of ((banking)) banks. It is the established policy of the division of ((banking)) banks to require diligent and timely completion and submission of forms, schedules, surveys, economic studies, maps and all supporting data deemed necessary and required to conduct the statutory investigation. For the purpose of expediting the investigation and correlating said investigation with that of the Federal Deposit Insurance Corporation, in the event deposits of the proposed bank or trust company are to be insured by that agency, the schedules, statements and supporting data shall be organized under six basic general headings or factors:

(1) Financial history and condition.

(a) Pro forma statement of condition - beginning of business.

(b) Premises to be occupied by proposed bank, whether owned or leased, whether permanent or temporary, details as to description, costs, from whom purchased or leased, insurance coverage, estimated annual depreciation. If property is to be purchased or leased from a director, officer, a large shareholder, or an interest of any such, complete details should be furnished.

(c) Details as to proposed investment in and rental of furniture, fixtures and equipment.

(d) Relationships and associations with proposed bank of any of the sellers or lessors of land, buildings or equipment, either directly or indirectly.

(e) Organization expenses (which should not be borrowed from any source) - complete and detailed accounting is required for all expenses related to organization, including detailed account of actual legal work performed together with any additional costs anticipated prior to opening or costs incurred or work performed during the organization period for which disbursement has been deferred beyond the opening date.

(2) Adequacy of the capital structure.

(a) Proposed allocations within total capital structure.

(i) Amount of paid-in common capital stock (No. shares x par value).

(ii) Amount of paid-in surplus.

(iii) Amount of paid-in undivided profits.

(iv) Amount of other segregations, including the organization or expense fund, if planned.

(b) Minimum capital requirements of state law (RCW 30.08.010 as amended by chapter 104, Laws of 1973).

(c) The adequacy (deemed reasonable) of the proposed capital structure is evaluated, in part, by:

(i) The population of the community to be served.

(ii) Ratio the projected net total capital structure will bear to the estimated volume of deposits at the end of each of the first three years of operations.

(3) Future earnings prospects. A detailed projection of earnings and expenses is to be submitted showing the breakdown of income and expenses for each of the first three years of operations. Provision should be made for the bad debt

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reserve (loan losses) based upon the major types of loaning demands the proposed bank expects to serve and total loans expected by the end of the first, second and third years of operations.

(4) General character of management.

(a) A financial report and a biographical report for each officer and director is required together with a report by each officer and director stating the number of shares to be purchased, the total cost of such shares and details as to source and financing terms for such portion as not paid in cash. (If disclosure of any of the proposed officers would jeopardize current employment, include the information in a special "CONFIDENTIAL SECTION.")

(b) The subscribers (proposed shareholders) are to be listed alphabetically with name and address, occupation and number of shares being purchased indicated by number of shares and total subscription price. The list should indicate "D" for the directors designee, "O" for officers.

(c) For any subscribers for 5% or more of the proposed capital stock, the financing terms are required as for directors and officers.

(d) The membership of the committees of the directorate are to be designated and duties outlined, including:

- (i) Loan and/or executive committee.
- (ii) Investment committee.
- (iii) Audit committee.

(e) Management of the proposed bank will report:

(i) Name of principal correspondent bank or banks and basis upon which the selection was made.

(ii) Determination that sufficiency of surety bond coverage conforms with generally accepted banking practices.

(f) Any changes contemplated in the proposed directorate or active management during the first year are to be reported, or, if none, so state.

(5) Convenience and needs of the community to be served.

(a) Applicants have the responsibility of developing as fully as possible the economic support and justification for the proposed bank including:

(i) The community and "surrounding country" (the trade territory or market area) which the proposed bank will serve, including the geographic boundaries within which all or most of the bank's potential customers reside.

(1) Furnish a detail map of such area pinpointing and indexing each financial institution (banks and savings and loan associations and mutual savings bank, whether head office or branch office).

(2) Provide list or recapitulation of subscribers residing in or closely identified with the area to be served.

(3) Provide estimates of the total deposits anticipated during the early period of operations together with totals expected by the end of each of the first three years. The latter should be segregated:

- (a) Demand deposits.
- (b) Savings passbook accounts.
- (c) Other time deposits.
- (d) Public funds.
- (e) Recapitulation as to total demand and total time.

(4) The economic characteristics of the trade territory specified above for the most recent five-year period where

possible... including manufacturing, agricultural and other industrial data, construction activity, retail and wholesale sales, housing starts, school population, census figures and projections.

(5) Such additional data relating to the trade area considered relevant and indicating support for the proposed bank as may be obtained from such sources as local offices of utilities, planning commission, chamber of commerce or trade associations, traffic surveys, county auditor, title insurance company, etc. (In the event an economic survey or feasibility study has been prepared it may provide most of the information needed.)

(ii) List principal business and industries of the market area by name of company, type of business, average number of employees, approximate annual payroll and annual sales. If significant, furnish details as to public employment of the area, including schools, military, U.S., state, county, municipal or other.

(b) List all banks, branches, trust companies, mutual savings banks and branches, together with savings and loan associations presently serving in the proposed market area and surrounding country, including any authorized but unopened offices, indicating "N/A" for information determined unobtainable:

- (i) Name of the financial institution.
- (ii) Location.
- (iii) Distance (road miles or city blocks) from proposed site.
- (iv) Direction from site.
- (v) Date established.
- (vi) Date of latest statement available.
- (vii) Deposits: Demand, time and total.
- (viii) Loans: Commercial, consumer, real estate secured and total to extent available.

(6) Consistency of corporate powers. In addition to the proposed articles of incorporation submitted with the notice of intention to organize, the proposed bylaws should be submitted together with articles of incorporation and complete details for any proposed affiliate (i.e., a premises holding company).

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

WAC 50-28-050 Field investigation. The required field investigation will be undertaken promptly upon submission of the notice of intention to organize a bank or trust company accompanied by statutory fees, provided the required documentation is determined by preliminary review to be complete in all respects. If, in the judgment of the ((~~supervisor~~)) director, matters of substantive nature are missing or incomplete the notice of intent to organize and submitted documents may be returned to the correspondent of record. If the matters deemed incomplete be of relatively minor nature the applicants may be notified in writing thereof and given a reasonable time to make corrections or submit additional information or schedules required. For purposes of section 5, chapter 104, Laws of 1973 1st ex. sess. (RCW 30.08.030), a notice of intention to organize a bank or trust company shall not be deemed to be received by the ((~~supervisor~~)) director

unless and until all of the information required by the ((~~super-~~visor)) director has been provided to him.

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

WAC 50-28-060 Adoption of form. The division of ((~~banking~~)) banks hereby adopts for use of all persons requesting permission to organize a state bank or trust company, the form attached hereto as Appendix No. 1, entitled "Notice of intention to organize a state bank or trust company."

AMENDATORY SECTION (Amending Order 30, filed 10/2/75)

WAC 50-28-070 Payment on subscription for the capital stock. The subscription agreement with prospective purchasers of the capital stock of a proposed new bank or trust company shall not contain any agreement for any amount to be paid in advance for the purpose of defraying organization costs. No payment on subscription for stock shall be made until the articles of incorporation have been approved by the ((~~supervisor of banking~~)) director of the department of financial institutions and filed with the secretary of state.

AMENDATORY SECTION (Amending Order 21, filed 8/6/73)

WAC 50-28-990 Appendix I—Form—Notice of intention to organize a state bank or trust company.

APPENDIX I

NOTICE OF INTENTION TO ORGANIZE A

STATE BANK OR TRUST COMPANY

To the ((~~Supervisor of Banking~~)) Director of the Department of Financial Institutions:

We, the undersigned, as proposed incorporators and subscribing shareholders, being natural persons and citizens of the United States of America, make application for permission to organize a (state bank or trust company) under the title of to be located in, County of, State of Washington, with capital stock of \$, surplus of \$, and undivided profits of \$

We submit herewith the proposed articles of incorporation for examination together with all such data, information, schedules, maps and supporting documentation specified by statute and regulations as necessary and required to conduct the statutory investigation.

We enclose Cashier's Check for \$2,000 to apply upon the statutory cost of investigation. If the cost of the investigation to be made exceeds \$2,000, we agree to pay such excess in accordance with WAC ((~~50-12-040~~)) 208-512-040.

We designate, whose address is, as correspondent of records to receive all instructions and correspondence in connection with this application.

SUBSCRIBED at, Washington, this day of, 19

- *
- *
- *
- *
- *
- *

Enclosure: \$2,000 Cashier's Check
Payable to the ((~~Supervisor of Banking~~)) Division of Banks

(* Please type name under signature.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-28-010	208-528-010
50-28-020	208-528-020
50-28-030	208-528-030
50-28-040	208-528-040
50-28-050	208-528-050
50-28-060	208-528-060
50-28-070	208-528-070
50-28-990	208-528-990

AMENDATORY SECTION (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

WAC 50-36-020 Administration of fiduciary powers.
(1)(a) The board of directors is responsible for the proper exercise of fiduciary powers by the trust company. All matters pertinent thereto, including the determination of policies, the investment and disposition of property held in a fiduciary capacity, and the direction and review of the actions of all officers, employees, and committees utilized by the trust company in the exercise of its fiduciary powers, are the responsibility of the board. In discharging this responsibility, the board of directors may assign, by action duly entered in the minutes, the administration of such of the trust company's fiduciary powers as it may consider proper to assign to such director(s), officer(s), employee(s) or committee(s) as it may designate.

(b) No fiduciary account shall be accepted without the prior approval of the board, or of the director(s), officer(s) or committee(s) to whom the board may have designated the performance of that responsibility. A written record shall be made of such acceptances and of the relinquishment or closing out of all fiduciary accounts. Upon the acceptance of an account for which the trust company has investment respon-

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sibilities a prompt review of the assets shall be made. The board shall also ensure that at least once during every calendar year thereafter, all the assets held in or for each fiduciary account where the bank has investment responsibilities are reviewed to determine the advisability of retaining or disposing of such assets.

(2) All officers and employees taking part in the operation of the trust department shall be adequately bonded.

(3) Every qualified fiduciary subject to this regulation and exercising fiduciary powers in this state shall designate, employ or retain legal counsel who shall be readily available to pass upon fiduciary matters and to advise the trust company and its trust department.

(4)(a) The trust department may utilize personnel and facilities of other departments of the trust company or its affiliates, and other departments of the trust company may utilize the personnel and facilities of the trust department or its affiliates only to the extent not prohibited by law and as long as the separate identity of the trust department is preserved.

(b) Agency agreements. Pursuant to a written agreement, a trust company exercising fiduciary powers may perform services related to the exercise of fiduciary powers for another trust company or other entity, and may purchase services related to the exercise of fiduciary powers from another trust company or other entity.

(5) Fiduciary records shall be kept separate and distinct from other records of the trust company and maintained in compliance with the provisions of RCW 30.04.240. All fiduciary records shall be kept and retained for such time as to enable the fiduciary to furnish such information or reports with respect thereto as may be required by the ~~((supervisor of banking))~~ director.

(6) Every such fiduciary shall keep an adequate record of all pending litigation to which it is a party in connection with its exercise of fiduciary powers.

AMENDATORY SECTION (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

WAC 50-36-050 Collective investment funds—

Administration of funds. Collective investments of funds or other property held by such qualified fiduciary (and referred to in this paragraph as "collective investment funds") shall be administered as follows:

(1) Each collective investment fund shall be established and maintained in accordance with a written plan (referred to herein as the plan) which shall be approved by a resolution of the trust company's board of directors or by a committee authorized by the board and filed with the ~~((supervisor of banking))~~ director of the department of financial institutions. The plan shall contain appropriate provisions not inconsistent with the rules and regulations of the ~~((supervisor of banking))~~ director of the department of financial institutions as to the manner in which the fund is to be operated, including provisions relating to the investment powers and a general statement of the investment policy of the trust company with respect to the fund; the allocation of income, profits and losses; the terms and conditions governing the admission or withdrawal of participations in the fund; the auditing of

accounts of the bank with respect to the fund; the basis and method of valuing assets in the fund, setting forth specific criteria for each type of asset; the minimum frequency for valuation of assets of the fund; the period following each such valuation date during which the valuation may be made (which period in usual circumstances should not exceed 10 business days); the basis upon which the fund may be terminated; and such other matters as may be necessary to define clearly the rights of participants in the fund. A copy of the plan shall be available at the principal office of the trust company for inspection during all banking hours, and upon request a copy of the plan shall be furnished to any person.

(2) Property held by a bank in its capacity as trustee of retirement, pension, profit sharing, stock bonus, or other trusts which are exempt from federal income taxation under any provisions of the Internal Revenue Code may be invested in collective investment funds established under the provisions of subparagraph (a) or (b) of WAC ~~((50-36-040))~~ 208-536-040, subject to the provisions herein contained pertaining to such funds, and may qualify for tax exemption pursuant to section 584 of the Internal Revenue Code. Assets of retirement, pension, profit sharing, stock bonus, or other trusts which are exempt from federal income taxation by reason of being described in section 401 of the code may be invested in collective investment funds established under the provisions of subparagraph (b) of WAC ~~((50-36-040))~~ 208-536-040, if the fund qualifies for tax exemption under Revenue Ruling 56-267 and following rulings.

(3) All participants in the collective investment fund shall be on the basis of a proportionate interest in all of the assets. In order to determine whether the investment of funds received or held by a trust company as fiduciary in a participation in a collective investment fund is proper, the trust company may consider the collective investment fund as a whole and shall not, for example, be prohibited from making such investment because any particular asset is nonincome producing.

AMENDATORY SECTION (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

WAC 50-36-080 Collective investment funds—

Financial reports. (1) A trust company administering a collective investment fund shall at least once during each period of 12 months prepare a financial report of the fund which shall be filed with the ~~((supervisor of banking))~~ director of the department of financial institutions within 90 days after the end of the fund's fiscal year. This report, based upon the above audit, shall contain a list of investments in the fund showing the cost and current market value of each investment; a statement for the period since the previous report showing purchases, with cost; sales, with profit or loss and any other investment changes; income and disbursements; and an appropriate notation as to any investments in default.

(2) The financial report may include a description of the fund's value on previous dates, as well as its income and disbursements during previous accounting periods. No predictions or representations as to future results may be made. In addition, as to funds described in WAC ~~((50-36-040))~~ 208-536-040, neither the report nor any other publication of the

trust company shall make reference to the performance of funds other than those administered by the trust company.

(3) A copy of the financial report shall be furnished, or notice shall be given that a copy of such report is available and will be furnished without charge upon request, to each person to whom a regular periodic accounting would ordinarily be rendered with respect to each participating account. A copy of such financial report may be furnished to prospective customers. The cost of printing and distribution of these reports will be borne by the trust company. In addition, a copy of the report shall be furnished upon request to any person for a reasonable charge. The fact of the availability of the report for any fund described in WAC ((~~50-36-040~~) 208-536-040) may be given publicity solely in connection with the promotion of the fiduciary services of the trust company.

(4) Except as herein provided, the trust company shall not advertise or publicize its collective investment fund(s); provided, however, that publication in a newspaper, periodical, or other medium of the net asset value of collective investment fund(s) for which a daily net asset value is available, shall not be considered an advertisement or publication prohibited by this section. Restraint is required in fiduciary advertisements to preclude the violation of securities laws including the Mutual Fund Reform Act.

AMENDATORY SECTION (Amending WSR 99-01-119, filed 12/18/98, effective 1/18/99)

WAC 50-36-090 Collective investment funds—Investments and administration. (1) A trust company administering a collective investment fund shall have the exclusive management thereof, except as a prudent person might delegate responsibilities to others.

(2) No trust company shall have any interest in a collective investment fund other than in its fiduciary capacity. Except for temporary net cash overdrafts or as otherwise specifically provided herein, it may not lend money to a fund, sell property to, or purchase property from a fund. No assets of a collective investment fund may be invested in stock or obligations, including time or savings deposits, of the bank or any of its affiliates: Provided, That such deposits may be made of funds awaiting investment or distribution. Subject to all other provisions of this part, funds held by a trust company as fiduciary for its own employees may be invested in a collective investment fund.

(3) A trust company may not make any loan on the security of a participation in a fund. If because of a creditor relationship or otherwise the trust company acquires an interest in a participation in a fund, the participation shall be withdrawn on the first date on which such withdrawal can be effected. However, in no case shall an unsecured advance until the time of the next valuation date to an account holding a participation be deemed to constitute the acquisition of an interest by the bank.

(4) Any trust company administering a collective investment fund may purchase for its own account from such fund any devaluated fixed income investment held by such fund, if in the judgment of the board of directors the cost of segregation of such investment would be greater than the difference between its market value and its principal amount plus inter-

est and penalty charges due. If the trust company elects to purchase such investment, it must do so at its market value or at the sum of cost, accrued unpaid interest, and penalty charges, whichever is greater.

(5) Except in the case of collective investment funds described in paragraph (b) of WAC ((~~50-36-040~~) 208-536-040):

(a) No funds or other property shall be invested in a participation in a collective investment fund if as a result of such investment the participant would have an interest aggregating in excess of 10 percent of the then market value of the fund: Provided, That in applying this limitation if two or more accounts are created by the same person or persons and as much as one-half of the income or principal of each account is payable or applicable to the use of the same person or persons, such accounts shall be considered as one;

(b) No investment for a collective investment fund shall be made in stocks, bonds, or other obligations of any closely held corporation, as may be determined by the ((~~supervisor of banking~~) director of the department of financial institutions), or, of any one person, firm, or corporation if as a result of such investment the total amount invested in stocks, bonds, or other obligations issued or guaranteed by such person, firm, or corporation would aggregate in excess of 10 percent of the then market value of the fund: Provided, That this limitation shall not apply to investments in direct obligations of the United States or its agencies or other obligations fully guaranteed by the United States or its agencies as to principal and interest: And Provided Further, That this limitation shall not apply to investments in securities of, or other interests in, an open-end or closed-end management type investment company or investment trust registered under the Federal Investment Company Act of 1940, as now or hereafter amended, if both of the following conditions are met:

(i) The portfolio of the investment company or investment trust is limited to such obligations of, or fully guaranteed by, the United States or its agencies and to repurchase agreements fully collateralized by such obligations; and

(ii) The investment company or investment trust takes delivery of the collateral for any repurchase agreement either directly or through an authorized custodian;

(6) In addition to the investments permitted under WAC ((~~50-36-040~~) 208-536-040), funds or other property received or held by a trust company as fiduciary may be invested collectively, to the extent not prohibited by law, as follows:

(a) In shares of a mutual trust investment company, organized and operated pursuant to a statute that specifically authorizes the organization of such companies exclusively for the investment of funds held by corporate fiduciaries, commonly referred to as a "bank fiduciary fund."

(b) In a single real estate loan, a direct obligation of the United States, or an obligation fully guaranteed by the United States, or in a single fixed amount security, obligation or other property, either real, personal or mixed, of a single issue: Provided, That the trust company owns no participation in the loan or obligation and has no interest in any investment therein except in its capacity as fiduciary.

(c) In a common trust fund maintained by the trust company for the collective investment of cash balances received or held by a trust company in its capacity as trustee, executor,

administrator, or guardian, which the trust company considers to be individually too small to be invested separately to advantage. The total investment for such fund must not exceed \$1,000,000; the number of participating accounts is limited to 100, and no participating account may have an interest in the fund in excess of \$1,000,000: Provided, That in applying these limitations if two or more accounts are created by the same person or persons and as much as one-half of the income or principal of each account is presently payable or applicable to the use of the same person or persons, such account shall be considered as one: And Provided, That no fund shall be established or operated under this subparagraph for the purpose of avoiding the provisions of chapter ((50-36)) 208-536 WAC.

(d) In any investment specifically authorized by court order, or authorized by the instrument creating the fiduciary relationship, in the case of trusts created by a corporation, its subsidiaries or affiliates or by several individual settlors who are closely related: Provided, That such investment is not made under this subparagraph for the purpose of avoiding any provision of this regulation, in particular, but not limited to the provisions beginning with new section WAC ((50-36-040)) 208-536-040.

(e) In such other manner as shall be approved in writing by the ((supervisor of banking)) director of the department of financial institutions.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-36-010	208-536-010
50-36-020	208-536-020
50-36-030	208-536-030
50-36-040	208-536-040
50-36-050	208-536-050
50-36-060	208-536-060
50-36-070	208-536-070
50-36-080	208-536-080
50-36-090	208-536-090
50-36-100	208-536-100
50-36-110	208-536-110
50-36-120	208-536-120

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

WAC 50-44-005 Determination of collection method—Principles. When determining a revision to the collection method, the ((supervisor)) director shall consider but not be limited to the following principles.

(1) The revenue to be collected shall be sufficient to allow the division of ((banking)) banks to achieve its statutory mission to examine institutions within all required time periods.

(2) Regulatory costs shall be apportioned in a manner consistent with the state of Washington's overall policy commitments to rural and economically distressed areas, promoting the delivery of financial services to those areas.

(3) No industry or institution shall bear a disproportionate share of regulatory costs.

(4) There shall be a significant correlation between assessments and examination costs across institutions.

(5) The division of ((banking)) banks shall have sufficient resources to maintain a competent and motivated staff.

(6) Such other principles as the ((supervisor)) director may deem relevant.

AMENDATORY SECTION (Amending WSR 90-12-007, filed 5/25/90, effective 6/25/90)

WAC 50-44-010 Collection of examination costs—Collection method. The requirement of RCW 30.04.070 and 30.08.095 that the ((supervisor)) director collect from each bank, mutual savings bank, stock savings bank, trust company, or industrial loan company, the costs of the division, shall be met in accordance with the procedures established in this chapter. Costs shall be recouped by the following methods: Semiannual asset charges in order to recoup nondirect bank examination related expenses (RCW 30.08.095, giving the ((supervisor)) director the authority to charge for other services rendered), and an hourly charge for the estimated actual cost of examination determined by a rate specified herein times the number of hours spent by division personnel in regular or extraordinary examinations.

AMENDATORY SECTION (Amending WSR 96-04-022, filed 1/30/96, effective 3/1/96)

WAC 50-44-020 Semiannual asset charge—Assessment. A semiannual charge for assets will be used to recoup nondirect bank examination related expenses (RCW 30.08.-095). The semiannual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks, mutual savings banks, and stock savings banks.

The rate of such charge shall be based on the total asset value as reflected in the report of condition due for that period provided, the director may adjust such rates if the director determines that a disproportionate amount of revenue is being collected by such rate. In no event shall the amount of revenue collected from any one bank exceed one hundred thirty-three thousand four hundred ninety dollars per assessment period.

If the bank's total assets are:		The assessment is:		
Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	500	0	.00001408	0

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If the bank's total assets are: The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
500	1000	7040	.0000135	500
1000	—	13,790	.0000133	1000

(2) Alien banks.

The rate of such charge shall be .000035189 of the total asset value as reflected in the report of condition due for that period provided, the director may adjust such rate if the director determines that a disproportionate amount of revenue is being collected by such rate.

(3) The director's office shall forward by United States mail a notice to each financial institution showing the manner of calculating the asset charge due and a worksheet for such purposes. The notices shall be mailed ~~((with the blank))~~ each June and December ~~((report of condition))~~. The asset charge shall be calculated by the financial institution and forwarded to the division of banks with the applicable report. A completed copy of the worksheet shall be included with the assessment. An additional two hundred dollar penalty shall be assessed if the amount is not paid by the time such report of condition or notice of assessment is due.

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

WAC 50-44-030 Hourly fees and charges—Regular, including extraordinary examination and special examinations. Each bank, mutual savings bank, trust company, alien bank, or industrial loan company shall pay to the ~~((supervisor))~~ director the following fees:

(1) For regular examinations, including extraordinary examinations for the express purpose of examining unusual conditions or circumstances, including extensions of regular examinations wherein conditions may warrant extension of time required in the examination beyond normal allotted time and such other reviews as determined by the ~~((supervisor))~~ director; sixty-five dollars per hour. The ~~((supervisor))~~ director may charge the actual cost of examinations performed under personal service contracts by third parties.

(2) For electronic data processing examination, trust examination, or other examination requiring specialized expertise, ninety dollars per hour. Electronic data processing centers and trust companies are exempt from the asset assessment provisions of WAC ~~((50-44-020))~~ 208-544-020(1) if such centers or companies are not a part of the assets of the bank as reported in the report of condition.

(3) The ~~((supervisor))~~ director shall submit a statement for the foregoing charges following the completion of any applicable examination, and the charges shall be paid not later than thirty days after submission of such statement.

(4) These charges shall become effective for invoicing that occurs after the effective date of this rule, provided such invoicing relates to examinations occurring on or after July 1, 1991.

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

WAC 50-44-050 Limitations on assessments. (1) Definitions. For purposes of this provision, the following terms, or the plural thereof, shall have the meaning ascribed.

(a) "Rural community" is a community of population less than ten thousand inhabitants located in a county without a metropolitan sampling area ("MSA"), as established by the United States Office of Management and Budget.

(b) "Economically distressed area" is a county with an unemployment rate that is twenty percent above the state-wide average for the previous three years; or a community that has experienced sudden and severe or long-term and severe loss of employment, or erosion of its economic base due to decline of its dominant industries; or an area within a county which area:

- (i) Is composed of contiguous census tracts;
- (ii) Has a minimum population of five thousand persons;
- (iii) Has at least seventy percent of its families and unrelated individuals with incomes below eighty percent of the county's median income for families and unrelated individuals; and
- (iv) Has an unemployment rate which is at least forty percent higher than the county's unemployment rate.

(c) "Located" means the institution's primary market area where at least sixty percent of the institution's deposits are booked.

(2) Limit on assessment. If an institution is located in a rural community or economically distressed area, and if the charges assessed under WAC ~~((50-44-020))~~ 208-544-020(1) relating to a semiannual asset charge and WAC ~~((50-44-030))~~ 208-544-030(1) relating to the hourly examination fee, exceed ninety-five percent of the assessment charge applicable for a two-year period of the office of the comptroller of the currency ("OCC") or its successor then the assessments paid in excess of such amount shall be rebated to the institution pursuant to subsection (5) of this section unless abated by the supervisor as provided in subsection (6) of this section.

(3) Determination. For purposes of determining rebate entitlement, the total of semiannual assessments and examination fees are determined by adding the monthly average semiannual assessment and the monthly average of the examination fees for any twenty-four month period after June 1, 1990. The monthly average is determined by dividing the semiannual assessment fee by six and applying the monthly average to the previous six months. The monthly average examination fee is determined by dividing the examination fee for each examination during the averaging period by the number of months between each such examination and the previous examination as determined by the date of the examinations and applying the monthly average to those months. The OCC charge is determined in the same manner.

(4) Rebate. The rebate is determined by the difference between the sum of the applicable monthly average state charges for the twenty-four month period minus ninety-five percent of the sum of the applicable monthly average OCC charge for the same period, as each are determined in subsection (3) of this section. The total amounts of all rebates shall

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not exceed three-quarters of one percent of the current biennium budget.

(5) Petition. Entitlement of the rebate shall occur only upon petition and proof to the ((supervisor)) director during the first month of the last quarter of the current biennium.

(6) Rebate abatement. At the discretion of the ((supervisor)) director, all or part of the rebate determined under subsection (4) of this section may be denied if the ((supervisor)) director determines that:

(a) The institution required a substantially greater than average amount of supervisory time for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(b) The institution required a substantially greater than average amount of examination time for an institution of its size for reasons other than as a result of economic, legal, regulatory, or other conditions beyond the control of competent management;

(c) Examinations or investigations were performed by third parties under personal services contracts; or

(d) Such other factors as the ((supervisor)) director may deem equitable or relevant.

(7) Institutions may become eligible to receive a rebate on or after April 1, 1993, for amounts paid on or after the 1991-1993 biennium and such eligibility shall continue for two years thereafter.

AMENDATORY SECTION (Amending WSR 91-18-054, filed 8/30/91, effective 9/30/91)

WAC 50-44-060 Banking fund—Minimum cash balance. The ((supervisor)) director shall maintain a minimum cash balance in the banking fund (RCW 43.19.095) of at least one month's allotment. One month's allotment is based upon the current biennium budget divided by twenty-four months. In the event the banking fund balance drops below this figure the ((supervisor)) director shall declare the next semiannual asset assessment due; payment within thirty days of such declaration. The ((supervisor)) director shall bill each institution based on the most current report of condition and payment shall be in lieu of the next regularly scheduled asset assessment.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-44-005	208-544-005
50-44-010	208-544-010
50-44-020	208-544-020
50-44-025	208-544-025
50-44-030	208-544-030
50-44-037	208-544-037
50-44-039	208-544-039
50-44-050	208-544-050
50-44-060	208-544-060

AMENDATORY SECTION (Amending Order 56, filed 10/3/83)

WAC 50-48-010 Authority and purpose. These regulations are promulgated pursuant to section 9, chapter 157, Laws of 1983, to establish a procedure under which an out-of-state bank holding company which desires to acquire more than five percent of the shares of the voting stock, or all or substantially all of the assets, of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state, may apply to the ((supervisor)) director for approval of such acquisition.

AMENDATORY SECTION (Amending Order 62, filed 9/13/85)

WAC 50-48-020 Joint application. An application for approval of such acquisition shall be submitted jointly by the acquiring bank holding company and the domestic institution or bank holding company to be acquired. The application need not be in any particular format, but must set forth all the information required under these regulations. The application shall include a copy of the agreement setting forth the plan of merger or acquisition, including certified copies of the resolutions of the respective boards of directors of parties to the agreement approving same. The application shall also include a statement authorizing any federal or state regulatory agency to make available to the ((supervisor)) director any and all information which such agency may have relating to the applicants or any of their subsidiaries.

AMENDATORY SECTION (Amending Order 56, filed 10/3/83)

WAC 50-48-030 Information required—Identity of applicant parties and operating subsidiaries—Designation of representative of each applicant. Unless included in other information required by this chapter, the application shall set forth the name and main office address of all operating subsidiaries of both the acquiring bank holding company and the bank, trust company, national banking association or domestic bank holding company to be acquired. In addition, the application shall set forth the name, office address, and telephone of one or more persons designated by each applicant to be its official representative in connection with the application. All contact between the ((supervisor's)) director's office and the applicant should, except in extraordinary circumstances, be through such representatives.

AMENDATORY SECTION (Amending Order 56, filed 10/3/83)

WAC 50-48-060 Information to be made available by acquiring applicant. The applicant out-of-state bank holding company shall make available for review by the ((office of the supervisor)) division of banks the following:

(a) Any current file which it or its principal banking subsidiary or subordinate is required to maintain by regulations promulgated by the appropriate federal financial supervisory

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authority (as defined in 12 U.S.C. §2902(1)) for purposes of the Community Reinvestment Act (12 U.S.C. §2902 et seq.).

(b) Copies of all internal documents having to do with the proposed merger or acquisition, including, without limitation, memoranda or analyses together with conclusions and recommendations to management and all financial or other information from which such memoranda, analyses, conclusions, recommendations or other documents were prepared.

AMENDATORY SECTION (Amending Order 56, filed 10/3/83)

WAC 50-48-070 Information to be made available by applicant to be acquired. The bank, trust company, national banking association or domestic bank holding company to be acquired shall make available to the ~~((supervisor))~~ director all internally generated reports relating to the operation of any or all operating subsidiaries during the immediately preceding two-year period.

AMENDATORY SECTION (Amending Order 56, filed 10/3/83)

WAC 50-48-090 ((Supervisor)) Director may consult with and obtain information from appropriate federal regulatory authority. The ~~((supervisor))~~ director may consult with appropriate federal regulatory agencies in connection with any application filed hereunder and shall consider any information received from such agency or agencies in ruling upon the application.

AMENDATORY SECTION (Amending WSR 93-07-113, filed 3/23/93, effective 4/23/93)

WAC 50-48-100 Interstate acquisition reciprocity—States possessing. The ~~((supervisor of banking))~~ director of the department of financial institutions, having reviewed the laws of the following states as they relate to a domestic (Washington) bank holding company acquiring more than five percent of the shares of the voting stock or all or substantially all of the assets of a bank, trust company, or national banking association the principal operations of which are conducted within such states, has determined, pursuant to RCW 30.04.232, that the laws of such states allow a domestic bank holding company to acquire a bank, trust company, or national banking association, the principal operations of which are conducted within such states, and permit the operation of the acquired bank, trust company, or national banking association within such states on terms and conditions no less favorable than other banks, trust companies, or national banking associations doing a banking business within such states: (1) Alaska, (2) Arizona, (3) California, (4) Colorado, (5) Connecticut, (6) Idaho, (7) Illinois, (8) Kentucky, (9) Louisiana, (10) Maine, (11) Massachusetts, (12) Michigan, (13) Nebraska, (14) Nevada, (15) New Hampshire, (16) New Jersey, (17) New Mexico, (18) New York, (19) North Dakota, (20) Ohio, (21) Oklahoma, (22) Oregon, (23) Pennsylvania, (24) Rhode Island, (25) South Dakota, (26) Tennessee,

see, (27) Texas, (28) Utah, (29) Vermont, (30) West Virginia, and (31) Wyoming.

Other states not listed shall be reviewed on a case-by-case basis.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-48-010	208-548-010
50-48-020	208-548-020
50-48-030	208-548-030
50-48-040	208-548-040
50-48-050	208-548-050
50-48-060	208-548-060
50-48-070	208-548-070
50-48-080	208-548-080
50-48-090	208-548-090
50-48-100	208-548-100

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-010 Purpose. The purpose of this chapter shall be to provide guidelines for application for a license to operate a nondepository small business lending venture under the auspices of the federal Small Business Administration (SBA) guaranty program known as the 7(a) loan guaranty program. Specifics of the program are set forth in section 7(a) of the federal "Small Business Investment Act of 1958," 15 U.S.C., part 636(a). These rules also establish other regulatory oversight guidelines and provide for fees. These rules are promulgated under the general rule-making authority of the state ~~((supervisor of banking))~~ director of the department of financial institutions, and are required under legislation passed by the legislature (section 3(1), chapter 212, Laws of 1989.)

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-020 Application procedures. An application for state license to operate a nondepository small business lending venture to qualify for participation in the SBA 7(a) program shall be filed with the ~~((supervisor at the division of banking))~~ director of the department of financial institutions and shall include such fees as established elsewhere in these rules. As a matter of general procedure, it is recommended that interested parties visit the office of the ~~((supervisor))~~ director prior to submitting their application to review statutory and other requirements for this action.

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AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-030 Application format. Applicants may use the same documentation as required by the SBA for their approval of the lender to the extent that such documentation meets the requirements of statute and these rules unless waived by the ((supervisor)) director. The application must contain the following:

- (1) Applicant's name, address, and telephone number.
- (2) A statement that the applicant is incorporated under the Washington Business Corporation Act or the Washington Nonprofit Corporation Act and a copy of applicant's Articles of Incorporation and Bylaws, properly certified.
- (3) A list of officers, directors, associates, and all holders of ten or more percent of any class of the applicant's capital stock.
- (4) A statement of personal history of all those listed in subsection (3) of this section. SBA Form 1081 or its equivalent may be used.
- (5) A copy of the most recent audited financial statement of any entity other than a natural person holding ten or more percent of any class of stock of the applicant.
- (6) An organizational chart showing the relationship of the applicant to its affiliates, as well as the applicant's internal organizational structure.
- (7) Copies of the last three audited financial statements of the applicant, and supporting tax returns.
- (8) Applicant's business plan which should include at a minimum:
 - (a) A detailed pro forma financial projection for at least three years of operations.
 - (b) A market study of the intended geographical area of operations.
 - (c) An explanation of applicant's method of funding loans, including the unguaranteed portion.
 - (d) An outline of loan servicing procedures proposed.
 - (e) Copies of written policies and procedures to be used, which must include policies requiring disclosure of conflicts of interest of affiliates, directors, officers, and employees; prohibiting false statements or representations to the ((supervisor)) director; and preventing fraud or undue influence by the licensee.
- (9) Certified copy of a resolution by the applicant's board of directors designating the person(s) authorized to act on behalf of applicant.
- (10) An opinion of independent counsel that the applicant is in compliance with applicable state and federal laws in the formation and organization of the company, with applicable securities laws, and is chartered to conduct its business in the proposed operating area.
- (11) Such marketing materials as may have been prepared that portray the nature of applicant's operations.
- (12) Copies of all bonds in effect for directors, officers, and employees.
- (13) Other such information as the ((supervisor)) director may require.

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-040 Continuing operations. Licensees shall maintain an adequate financial condition.

(1) Minimum capital (unimpaired paid-in capital, surplus, and undivided profits) shall be in the amount of five hundred thousand dollars or five and one-half percent of total assets, whichever is greater, or a greater amount should the ((supervisor)) director determine that applicant's business plan or economic conditions require a greater amount to conduct the business of a 7(a) lender. The ((supervisor)) director may consider and include the net worth of any corporate shareholder of the applicant if the shareholder agrees to unconditionally guarantee the liabilities of the applicant and that shareholder agrees to the reporting requirements set forth in WAC ((50-56-060)) 208-556-060.

(2) Capital below the required amount precludes the presentation of additional loans to the SBA for guaranty without the written consent of the ((supervisor)) director.

(3) Licensees shall maintain a reserve for anticipated loan losses appropriate to its needs, based on the following factors:

(a) The volume and mix of the existing loan portfolio, including the volume and severity of nonperforming loans and adversely classified credits, as well as an analysis of net charge-offs experienced on previously classified loans.

(b) The extent to which loan renewals and extensions are used to maintain loans on a current basis and the degree of risk associated with such loans.

(c) The trend in loan growth, including any rapid increase in loan volume within a relatively short time period.

(d) General and local economic conditions affecting the collectibility of the licensee's loans.

(e) Previous loan loss experience by loan type, including net charge-offs as a percent of average loans over the past several years.

(f) The relationship and trend over the past several years of recoveries as a percent of previous year's charge-offs.

(g) Available outside information of a comparable nature regarding the loan portfolios of other such lenders.

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-050 Records. Licensees shall maintain records in a fashion consistent with a financial institution and shall have them at all times readily accessible to the ((supervisor)) director. Records shall be preserved under the following schedule:

(1) Preserve permanently:

(a) All general and subsidiary ledgers reflecting asset, liability, capital stock and surplus and income and expense accounts.

(b) All general and special journals or other records forming the basis for entries in such ledgers.

(c) Articles of incorporation, bylaws, stock registers, licenses, and minutes of board of directors meetings.

(2) Preserve for at least six years following final disposition of the related loan:

- (a) All applications for financing.
- (b) Financing instruments.
- (c) Lending participation agreements.
- (d) Escrow agreements.
- (e) All other documents and supporting material relating to such loans, including correspondence.

Records and other documents in subsections (1) and (2) of this section may be preserved by reproduction. Provided, however, that the licensee shall prepare a duplicate reproduction which shall be stored separately from the original for the time required. If such reproductions are used, the licensee shall maintain at all times facilities for the projection and reproduction of such records.

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-060 Reports. Licensees shall submit the following reports to the ~~((supervisor))~~ **director**:

(1) Annual audits prepared in accordance with generally accepted accounting principles which shall be certified unless the ~~((supervisor))~~ **director** makes other provision in writing in advance.

(2) Quarterly financial reports which shall include a balance sheet and income and expense statement for both the period and year to date.

(3) A notification of any suit or proceeding involving fraud or dishonesty where the licensee or an employee may be a party, or where an adverse judgment could contribute materially to the impairment of the licensee's capital. Such notification must be forwarded with copies of the complaint within thirty days of the filing of such action.

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-070 Examinations. The ~~((supervisor))~~ **director** will conduct examinations of licensees as provided by statute and will forward a report of examination to the licensee's board of directors for information and action as appropriate. These examination reports and all subsequent and related correspondence are the property of the ~~((supervisor))~~ **director** and will be subject to the same confidentiality requirements as established for financial institutions regulated by the division of ~~((banking))~~ **banks**.

AMENDATORY SECTION (Amending WSR 90-01-001, filed 12/7/89, effective 1/7/90)

WAC 50-56-080 Fees. The cost of regulation of nondepository lenders licensed under Title 31 RCW, shall be borne by the licensees under the following schedule:

(1) Application fee. A fee of two thousand dollars must accompany an application for this license to cover the cost of investigation.

(2) Acquisition of control approval fee. A fee of two thousand dollars must accompany any request for acquisition of control of a licensee to cover the cost of investigation which will be conducted to the same degree as an initial application approval.

(3) Business combination fee. Other business combinations must be approved by the ~~((supervisor))~~ **director**. Costs of investigation will be borne by the licensee and will be based on actual staff costs of the division of ~~((banking))~~ **banks**, which are fifty dollars per hour per examiner assigned.

(4) Examination and supervision fees. Examination and supervision fees shall be billed based on rates charged commercial banks for examination costs and semiannual asset charges in chapter 50-44 WAC.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
50-56-010	208-556-010
50-56-020	208-556-020
50-56-030	208-556-030
50-56-040	208-556-040
50-56-050	208-556-050
50-56-060	208-556-060
50-56-070	208-556-070
50-56-080	208-556-080

WSR 00-13-109
EXPEDITED ADOPTION
CODE REVISER'S OFFICE
 [Filed June 21, 2000, 11:06 a.m.]

Title of Rule: WAC 1-04-010 State Environmental Policy Act, 1-06-010 Purpose, 1-06-030 Description of central and field organization, 1-06-040 Operations and procedures, 1-06-130 Records index, 1-06-140 Communications with the agency, 1-06-160 Request for public record—Form, 1-21-020 Notice—Form, contents, numbers, 1-21-070 Administrative order, 1-21-110 Amendatory rules, 1-21-140 Review of previously adopted rules, 1-21-160 Emergency rules—Filing after office hours, and 1-21-170 Official forms.

Purpose: To make housekeeping changes and to delete the references to the expedited adoption process, which expires December 31, 2000.

Statutory Authority for Adoption: RCW 1.08.110, 34.05.385, and 34.08.030.

Statute Being Implemented: RCW 34.05.356 and 34.05.385.

Summary: Makes minor housekeeping changes to chapters 1-04, 1-06, and 1-21 WAC; changes internal references to reflect current WAC or RCW number citations; and deletes the references to the expedited adoption process, which expires in December 31, 2000.

Reasons Supporting Proposal: RCW 34.05.356 expires on December 31, 2000. To be in compliance with Executive Order 97-02, the rules were reviewed and clarification changes were made to these rules.

EXPEDITED ADOPTION

Name of Agency Personnel Responsible for Drafting: Gary Reid, Legislative Building, Olympia, Washington, (360) 786-6777; Implementation and Enforcement: Code Reviser's Office, Legislative Building, Olympia, Washington, (360) 786-6777.

Name of Proponent: Code Reviser's Office, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Changes internal references to the correct RCW or WAC citations; eliminates the references to the expedited adoption process; and makes some housekeeping changes. The purpose and anticipated effect is to make the rules clearer and easier to understand.

Proposal Changes the Following Existing Rules: WAC 1-04-010, replaces the reference to chapter 197-10 WAC with chapter 197-11 WAC. WAC 1-06-010, replaces the reference to "sections 25 through 32 of that act" with the actual RCW section citations. WAC 1-06-030, updates the description of the primary responsibilities of the Code Reviser's Office. WAC 1-06-040, replaces the reference to uniform procedure rules with the new name, "model rules of procedure." WAC 1-06-130, makes the language clearer and easier to understand. WAC 1-06-140, replaces the existing address with the post office box address. WAC 1-06-160, removes the actual form and replaces it with an explanation of how the form may be obtained. WAC 1-21-020 and 1-21-170, removes the references to the expedited adoption process. WAC 1-21-070 and 1-21-140, corrects the reference to the "rules review committee" to the correct name "joint administrative rules review committee." WAC 1-21-110, clarifies the information that is needed in the amendatory string. WAC 1-21-160, removes the reference to emergency orders, making this section applicable to all orders.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kerry Radcliff, Code Reviser's Office, P.O. Box 40551, Olympia, WA 98504-0551, AND RECEIVED BY August 21, 2000.

June 21, 2000
Dennis W. Cooper
Code Reviser

AMENDATORY SECTION (Amending Order 11, filed 9/14/76)

WAC 1-04-010 State Environmental Policy Act. ((Pursuant to)) Under RCW 43.21C.120 and the SEPA guidelines, chapter ((197-10)) 197-11 WAC, the office of the code

reviser has reviewed its authorized activities and has found them all to be exempt under ((the provisions of)) chapter ((197-10)) 197-11 WAC.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-010 Purpose. The purpose of this chapter shall be to ensure compliance by the statute law committee and the office of the code reviser with the provisions of chapter 42.17 RCW (Initiative 276), and in particular ((with sections 25 through 32 of that act)) RCW 42.17.250 through 42.17.348, dealing with public records.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-030 Description of central and field organization. (1) The office of the code reviser is located on the ground floor of the Legislative Building, Olympia, Washington, 98504.

(2) The committee consists of twelve attorneys. Five are appointed by the Washington State Bar Association, two each by the senate and house judiciary committees, and one each by the governor, the chief justice of the supreme court, and the speaker of the house. The committee employs a code reviser, who serves as its secretary.

(3) Among the primary responsibilities of the committee and the code reviser is the duty to periodically codify, index, and publish the Revised Code of Washington and to revise, correct, and harmonize the statutes by means of administrative or suggested legislative action as may be appropriate. The agency is also the official bill drafting arm of the legislature and its various committees, and prepares for the legislature all bills, memorials, resolutions, amendments, and conference reports, which activities are pursued on a nonpartisan, professional, lawyer-client, confidential basis ((pursuant to)) under RCW 1.08.027, and RCW 1.08.028 prohibits the reviser's office ((pursuant to RCW 1.08.028 is proscribed)) from rendering written opinions concerning the constitutionality of any proposal. The agency also produces the legislative digest and history of bills and the daily status report. Immediately following each session of the legislature, the committee indexes and publishes the temporary edition of the session laws and subsequently publishes the permanent edition; it also responds to citizen's requests for copies of recently enacted laws. The committee administers the Administrative Procedure Act ((and the State Higher Education Administrative Procedure Act)), serving as official repository for the rules ((and regulations)) of the various state agencies and the institutions of higher learning, and creating and publishing the Washington Administrative Code. ((Through its legislative information system, the committee supplies data processing services to the legislative branch including special reports to legislative members and to the legislative leadership, as well as creating and publishing the legislative digest and history of bills and the daily status report. The legislative information system also supplies all branches of government with automated legal research services.))

AMENDATORY SECTION (Amending WSR 91-10-010, filed 4/19/91, effective 5/20/91)

WAC 1-06-040 Operations and procedures. (1) Practice and procedure in and before the agency are governed by the ~~((uniform procedure))~~ model rules of procedure, chapter 10-08 WAC.

(2) The operations of the agency, including meetings, selection of officers, filling of vacancies, and fiscal matters, are conducted according to the provisions of chapter 1.08 RCW.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-130 Records index. (1) A chronological index is maintained providing identifying information as to all governmental records issued, adopted, or promulgated after June 30, 1972, ~~((which))~~ that are deemed by the agency to fall within the purview of RCW 42.17.260 and ~~((which))~~ that are not exempted under ~~((the provisions of))~~ RCW 1.08.027 ~~((ref. RCW)), 40.14.180((, RCW)), 42.17.310, or~~ WAC 1-06-020.

(2) The current index promulgated by the agency ~~((shall))~~ must be available to all persons under the same rules and on the same rules and on the same conditions as are applied to public records available for inspection.

AMENDATORY SECTION (Amending Order 8, filed 9/25/74, effective 10/25/74)

WAC 1-06-140 Communications with the agency. All communications with the agency including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the agency's rules and other matters, shall be addressed as follows: Office of the Code Reviser, c/o Public Records Officer, ~~((Legislative Building))~~ P.O. Box 40551, Olympia, ~~((Washington))~~ WA 98504-0551.

on a CR-103 form (Rule-making Order) provided by the code reviser's office or, if required by agency practice, on an agency form that provides the information required by RCW 34.05.360.

(2) The agency shall file with the code reviser's office the original and three copies of the text of permanent rules, along with four copies of the administrative order. Emergency rules require an additional three copies of the order and the text, which the agency shall file with the joint administrative rules review committee after the copies have been stamped by the code reviser's office.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

WAC 1-21-110 Amendatory rules. (1) Designate each amendatory section with the heading "AMENDATORY SECTION" followed by a reference to the WSR number or agency order number and the filing date of the latest permanent order affecting that section. Show amendments to the text in terms of the latest permanent version of the section that has been filed with the code reviser.

(2) If a section to be amended has been exempted from publication under RCW 34.05.210 and is not published in the WAC, in later orders amending or repealing the section refer to it by the original agency order and section number or other appropriate description.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

WAC 1-21-140 Review of previously adopted rules. When an agency is required under RCW 34.05.630 to review permanent or emergency rules previously adopted, the agency shall file notice of the review with the code reviser on a CR-104 form (Review of Previously Adopted Rules). The agency shall file the original and six copies of the notice. Four copies will be returned to the agency, three of which shall be delivered to the joint administrative rules review committee. The notice is subject to the twenty-day requirement of RCW 34.05.320. The text of the rule under review is not needed with this notice.

AMENDATORY SECTION (Amending Order 89-1, filed 5/31/89)

WAC 1-21-160 (~~Emergency rules~~) Filing after office hours. The code reviser's office is open for the filing of agency rule-making notices and orders from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. The code reviser delegates to the Washington State Patrol the authority to accept at other times the filing of (~~emergency~~) orders adopting, amending, or repealing rules when the (~~emergency~~) nature of the order(~~s~~) requires their immediate filing and/or (~~immediate~~) effectiveness. To use this service, the agency may telephone the capitol security unit of the state patrol at 753-2191 to arrange for receipt of the filing by the state patrol. The agency shall notify the code reviser's office of the filing by 9:00 a.m. on the next business day after the filing.

AMENDATORY SECTION (Amending WSR 97-15-035, filed 7/10/97, effective 7/27/97)

WAC 1-21-170 Official forms. Agencies may obtain the following official forms from the code reviser's office upon request:

- (1) Form CR-101 Preproposal Statement of Inquiry
- (2) Form CR-101XR Expedited Repeal—Preproposal Statement of Inquiry
- (3) Form CR-102 Proposed Rule Making
- (4) (~~Form CR-102XA Expedited Adoption—Proposed Rule Making~~)
- (~~5~~) Form CR-103 Rule-making Order
- (~~(6)~~) (5) Form CR-104 Review of Previously Adopted Rules.



WSR 00-13-001
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed June 7, 2000, 12:05 p.m.]

Date of Adoption: June 7, 2000.

Purpose: WAC 415-112-415 refers to WAC 415-112-410 which has been repealed and replaced with WAC 415-112-4605. The WAC should be corrected to advise members, employers and other interested parties of the accurate, updated WAC reference. Retirement system members have made this request.

Citation of Existing Rules Affected by this Order:
 Amending WAC 415-112-415.

Statutory Authority for Adoption: RCW 41.50.050.

Other Authority: RCW 41.32.010(10).

Adopted under notice filed as WSR 00-08-030 on March 28, 2000.

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 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.

June 7, 2000

John Charles

Director

AMENDATORY SECTION (Amending WSR 94-23-049, filed 11/10/94, effective 12/11/94)

WAC 415-112-415 Treatment of cash payments made in lieu of unused leave—First-in-first-out accounting method for determining when leave earned—Forms of leave deemed excess compensation—Conversions. (1)

Cash compensation in lieu of unused annual leave may be considered earnable compensation for Plan I members subject to the provisions of RCW 41.32.010 (10)(a) and WAC (~~415-112-410~~) 415-112-4605. Employers may not limit the inclusion of cash compensation paid in lieu of unused annual leave as compensation earnable in conflict with RCW 41.32.010 (10)(a). Provisions of collective bargaining agreements, employment and administrative policies or other rules applied by an employer that conflict with RCW 41.32.010 (10)(a) and rules adopted thereunder are without legal effect.

(2) When an employer provides cash compensation in lieu of unused annual leave, the department applies a first-in-first-out accounting method to determine when the compen-

sated leave was earned and when or whether the leave was used or cashed out, unless the employer has in place a regulation, charter provision, ordinance, collective bargaining agreement, or other comparable written policy statement which clearly delineates when the cashed out leave was accrued, or a different method of accounting for the accrual and use of leave, and, if applicable, compensation for unused leave and the same such method is consistently applied in each instance and for all purposes.

Any employer's policy which is not consistent for all purposes which is contained in a regularly negotiated labor agreement in effect on the effective date of this section will be honored until the expiration date of the agreement not including any extensions at which time it will be brought into compliance with this section. Any employer's policy which is not consistent for all purposes which is established by the employer shall be brought into compliance within sixty days of the effective date of this section. In the event an employer fails to come into full compliance with this section by the dates established herein, the department will treat cashed out leave on the same basis as the employer has established for using leave.

(3) A cash out of leave which is not annual leave as defined under WAC 415-112-015, shall be treated by the department as "any other form of leave" under RCW 41.50.150(2). The department shall bill the employer for any such leave cash out as excess compensation under RCW 41.50.150.

(4) For purposes of determining average final compensation and excess compensation, hours of leave earned by a member shall be considered for all purposes in the form in which it was earned. The department shall disregard any conversion of leave by an employer of one form to another and bill the employer for the amount converted as excess compensation pursuant to RCW 41.50.150.

WSR 00-13-009
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed June 9, 2000, 8:21 a.m.]

Date of Adoption: April 28, 2000.

Purpose: The rule is needed to comply with new federal regulations. The changes in the new regulations spell out mandatory sanctions for specific violations, state when it is appropriate to impose a monetary penalty in lieu of disqualification, explain the formula for calculating the monetary penalty, and identify what can and can not be appealed.

Citation of Existing Rules Affected by this Order:
 Amending WAC 246-790-010, 246-790-050, 246-790-060, 246-790-070, 246-790-080, 246-790-085, 246-790-090, 246-790-100, 246-790-120, and 246-790-130.

Statutory Authority for Adoption: RCW 43.70.120.

Other Authority: 7 C.F.R. 246.12, 15, and 18.

Adopted under notice filed as WSR 00-07-084 on March 15, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 5, 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 1, Amended 8, 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 10, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

June 6, 2000

Nancy Ellison
for Mary Selecky
Secretary

Chapter 246-790 WAC

SPECIAL SUPPLEMENTAL ~~((FOOD))~~ NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-010 Definitions. (1) "Alternate endorser" means a person authorized by the WIC client to pick up WIC checks at the local WIC agency and use the WIC checks at the retailer when the client is unable to do so.

(2) "Appeal process" means a formal proceeding to appeal ~~((a))~~ certain program decisions. The appeal hearing process provides a contractor the opportunity to review the case record prior to the hearing, to present its case in an impartial setting, to confront and cross-examine witnesses, and to be represented by counsel.

~~((2))~~ (3) "Applicant retailer" means any ~~((retailer))~~ contractor submitting a completed request for authorization on behalf of a retailer requesting participation in the program.

~~((3))~~ (4) "Authorized" or "authorization" means the applicant retailer has met selection criteria as determined by the United States Department of Agriculture (USDA) and signed a contract ~~((with))~~ offered by the department signifying eligibility to participate in the WIC program.

~~((4))~~ (5) "CFR" means the Code of Federal Regulations.

~~((5))~~ (6) "Contract" means a written legal document binding the contractor and the department, represented by the WIC program, to designated terms and conditions.

~~((6))~~ (7) "Contractor" means the owner, chief executive officer, controller, or other person legally authorized to obligate a retailer to a contract.

~~((7))~~ (8) "Department" means the Washington state department of health.

~~((8))~~ (9) "Disqualification" means the act of revoking the authorization and terminating the contract of an autho-

rized retailer for noncompliance with WIC program requirements.

~~((9))~~ (10) "Effective policy and program to prevent trafficking" means a written document that states what you can and cannot do with WIC checks and the consequences for failing to follow program requirements. Effectiveness is determined by documentation that a retailer has provided this written policy to all employees prior to any noncompliance being detected, including employees' signatures verifying they have been advised of the policy and understand the consequences of noncompliance, both for the retailer and for the employee.

(11) "Food company" means a manufacturer or broker of food items.

~~((10))~~ (12) "Inadequate participant access" means the decision the state agency makes considering a variety of factors to determine how disqualification of a WIC retailer might affect a WIC client's access to WIC foods. The procedure includes, but is not limited to, assessing how many WIC authorized retailers are in a given service area, how many clients currently use the retailer in question, and any geographical barriers a client would contend with to access WIC foods at a different authorized retailer.

(13) "Local WIC agency" means the contracted clinic or agency where a client receives WIC services.

~~((11))~~ (14) "Monetary penalty" means a sum of money imposed by the program for noncompliance with program requirements.

~~((12))~~ (15) "Pattern" means more than one documented incidence of noncompliance with WIC program requirements in any given contract period.

(16) "Providing credit" means the retailer submitted and received payment on a WIC check for which the client did not receive all the foods listed on the check at the time the check was redeemed. The client may or may not receive the remaining foods or something of equal value at a later time.

(17) "Reauthorization" or "subsequent authorization" means the process when a retailer who has a contract with the ~~((department))~~ program which is expiring, has ~~((again applied and))~~ reapplied, met the selection criteria, and signed ~~((a subsequent))~~ another contract with the department signifying eligibility to participate in the WIC program.

~~((13))~~ (18) "Supplemental WIC foods" means those foods containing nutrients determined to be beneficial for pregnant, breast-feeding, and postpartum women, infants and children, as prescribed by federal regulations and state requirements, and, as authorized by the Washington state WIC program.

~~((14))~~ (19) "Trafficking" means buying or selling WIC checks for cash.

(20) "WIC program" or "program" means the federally funded special supplemental nutrition program for women, infants, and children administered in Washington state by the department of health.

~~((15))~~ (21) "WIC retailer" or "retailer" means an individual store owned by a contractor ~~((which is))~~ authorized to participate in the WIC program.

~~((16))~~ (22) "Wholesaler" means a business entity ~~((which))~~ that sells food and other items to a retailer.

~~((17))~~ (23) "WIC check" means a negotiable instrument issued to and used by a WIC client or ~~((a WIC client's designee))~~ alternate endorser to obtain specified supplemental WIC foods at a contracted WIC retailer.

~~((18))~~ (24) "WIC client" or "client" means a ~~((pregnant, breast-feeding, or postpartum))~~ woman who is pregnant, breast-feeding, or postpartum, infant, or child receiving WIC benefits.

~~((19))~~ "WIC client's designee" means a person authorized by the client to pick up WIC checks at the local WIC agency and use the WIC checks at the retailer when the client is unable to do so.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-050 What is the WIC program? (1)

The WIC program in the state of Washington is administered by ~~((the division of community and family health, office of public health nutrition services in))~~ the department of health.

(2) The WIC program is a federally funded program established in 1972 by an amendment to the Child Nutrition Act of 1966. ~~((It is))~~ The purpose of the program is to provide nutrition and health assessment, nutrition education, nutritious food; breast-feeding counseling; and referral services to pregnant, breast-feeding, and postpartum women, infants, and children in specific risk categories.

(3) Federal regulations governing the WIC program (7 CFR Part 246) require implementation of standards and procedures to guide the state's administration of the WIC program and are hereby incorporated in this rule by reference. ~~((These regulations are designed to promote consistent and high quality services to clients, promote consistent application of procedures for eligibility and food issuance, and promote client and retailer compliance.))~~ These regulations define the rights, responsibilities, and legal procedures of clients and retailers. They are designed to promote:

(a) Consistent and high quality services to clients;

(b) Consistent application of procedures for eligibility and food issuance; and

(c) Client and retailer compliance.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-060 What ~~((is the process for getting a food))~~ are WIC authorized foods? ~~((1))~~ WIC eligible women, infants, and children receive supplemental WIC foods from one or more of the following food categories. These foods ~~((shall))~~ must meet nutritional standards established by federal regulations and state requirements:

~~((a))~~ (1) Cereals,

~~((b))~~ (2) Juices,

~~((c))~~ (3) Infant formula,

~~((d))~~ (4) Infant cereal,

~~((e))~~ (5) Liquid nutritional supplements,

~~((f))~~ (6) Milk,

~~((g))~~ (7) Eggs,

~~((h))~~ (8) Dry beans and peas,

~~((i))~~ (9) Peanut butter,

~~((j))~~ (10) Cheese,

~~((k))~~ (11) Tuna, and

~~((l))~~ (12) Carrots.

Additionally, the WIC program authorizes specific brands of juice, cereal, and infant formula based on federal and state nutritional requirements. The WIC program limits the selection of authorized WIC foods in accordance with federal cost containment requirements, including, but not limited to, the competitive procurement of a single manufacturer's infant formula.

~~((2))~~ The procedure for initially authorizing a food is:

(a) By December 31 of odd-numbered years, a food company or other entity, such as a local WIC clinic, shall submit a written request to the WIC program for authorization of a food, to include:

(i) Package flats or labels, information on package sizes and prices, and a summary of current distribution, including identification of the wholesaler carrying the food; and

(ii) Assessment of when the new food replaces the old on store shelves when there is a change in formulation.

(b) The WIC program shall verify if a food considered for authorization fits within one of the authorized food categories, meets the federal requirements of nutritional standards, is available to retailers, and has been available to retailers for one year or more;

(c) A public health nutrition services work group shall make a recommendation based on the food's ingredients and value to the promotion of healthful and economic food buying practices;

(d) The WIC program has the option to survey local WIC agency staff and clients for their recommendation regarding need and demand for the food;

(e) The WIC program shall review data and recommendations and shall notify the food company of the program's decision;

(f) The WIC program shall add the newly authorized foods to the WIC check and related materials to coincide with the retailer contract period.

(3) Food companies shall notify the WIC program in writing of any changes in product formulation, product name, packaging, label design, size, or availability. A food company shall notify the WIC program of any such changes before any Washington state wholesaler receives the new product.

If a food company fails to notify the WIC program of any changes, the WIC program may revoke or deny the food's WIC authorization.

(4) A food company shall not use the term "WIC approved" or the WIC program logo without prior written approval from the WIC program.

(5) The WIC program may require a food company to submit a statement guaranteeing a minimum period of time during which a food will be available in the state of Washington.

(6) The WIC program shall refuse any food that contradicts the principles promoted by the WIC program's nutrition service component.

(7) The WIC program may limit the number of authorized foods within a food category.

~~(8) The WIC program may initiate reassessment of any WIC authorized food.))~~

NEW SECTION

WAC 246-790-065 What is the process for getting a food WIC authorized? (1) The procedure for initially authorizing a food is:

(a) By December 31 of odd-numbered years, a food company or other entity, such as a local WIC clinic, submits a written request to the WIC program for authorization of a food, to include:

(i) Package flats or labels, information on package sizes and prices, and a summary of current distribution, including identification of the wholesaler carrying the food; and

(ii) Assessment of when the new food replaces the old on store shelves when there is a change in formulation.

(b) The WIC program verifies if a food considered for authorization fits within one of the authorized food categories, meets the federal requirements of nutritional standards, is available to retailers, and has been available to retailers for one year or more;

(c) The WIC program may survey local WIC agency staff and clients for their recommendation regarding need and demand for the food;

(d) The WIC program reviews data and recommendations and notifies the food company whether or not a food is authorized;

(e) The WIC program will add any new authorized food to the WIC check and related materials to coincide with the retailer contract period.

(2) Food companies must notify the WIC program in writing of any changes in product formulation, product name, packaging, label design, size, or availability. A food company must notify the WIC program of any such changes before any Washington state wholesaler receives the new product.

If a food company fails to notify the WIC program of any changes, the WIC program may revoke or deny the food's WIC authorization.

(3) A food company must obtain written approval from the WIC program before using the term "WIC approved" or the WIC program logo.

(4) The WIC program may require a food company to submit a statement guaranteeing a minimum period of time during which a food will be available in the state of Washington.

(5) The WIC program shall refuse any food that contradicts the principles promoted by the WIC program's nutrition service component.

(6) The WIC program may limit the number of authorized foods within a food category.

(7) The WIC program may initiate reassessment of any WIC authorized food.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-070 How do I become a WIC retailer?

(1) Applicant retailers interested in participating in the WIC

program must apply for authorization and enter into a contract with the department.

(2) Application procedure.

(a) ~~((Upon request, the WIC program will send an application packet to interested applicant retailers.))~~ Applicant retailers ~~((shall))~~ submit ~~((the))~~ a completed application to the WIC program, including a price list for authorized WIC foods.

(b) The WIC program may require applicant retailers to provide information regarding shelf price records and inventory records showing all purchases, both wholesale and retail, including but not limited to, wholesale receipts, cash and carry receipts, purchase orders, books of account, invoices that identify the quantity and prices of specific WIC foods and other pertinent records that substantiate the volume and the prices charged. Cash register receipts without specific identification of the quantity, unit price, and WIC food purchased are not acceptable as evidence of WIC food purchases.

(c) The WIC program ~~((shall))~~ conducts and documents an on-site visit prior to, or at the time of, initial authorization of an applicant retailer ~~((, for the purpose of evaluating))~~ to evaluate the inventory of WIC foods and ~~((providing))~~ provide training on the WIC retailer handbook.

(d) Applications are accepted from April 1 of odd-numbered years until September 30 of even-numbered years. Exceptions can be made in the case of an ownership change or where there is a documented need for a location in order to assure client access. The WIC program may limit acceptance of new applications.

(3) The WIC program shall authorize a distribution of retailers ~~((that facilitates))~~ to ensure client access ~~((, and enables effective management of the retailers))~~. The WIC program may limit the number of authorized retailers in any given geographic area or state-wide to enable effective management of the retailers.

(4) The WIC program bases selection ~~((is based))~~ of authorized retailers on the following:

(a) ~~((The applicant retailer shall have))~~ Requests from or the potential of serving fifteen or more WIC clients as verified by the local WIC agency for new stores.

(b) ~~((Applicant retailers applying for re-authorization shall have))~~ A check redemption record averaging forty or more checks per month over a six-month period, documented by WIC program statistics reports for stores who are reapplying.

(c) Exceptions may be made for:

(i) Pharmacies needed as suppliers of special infant formulas; or

(ii) Applicant retailers in isolated areas where client access cannot otherwise be assured.

In either case, the need ~~((shall))~~ must be documented by the local WIC agency.

(d) ~~((Applicant retailers shall))~~ Stock of representative items with current shelf lives from all food categories on the authorized WIC food list. Minimum quantities specified on the authorized WIC food list ~~((shall))~~ must be on the shelf available for purchase before a contract is offered to the retailer. An applicant retailer seeking a waiver from the minimum formula stock requirement ~~((shall))~~ must request the

waiver in writing for each contract period. No waivers ~~((shall be))~~ are granted unless there is an insufficient number of authorized retailers in a given service area to assure client access~~((;))~~.

(e) Prices of individual foods ~~((shall not exceed))~~ less than one hundred twenty percent of the state-wide average price as calculated at least annually. An applicant retailer seeking a waiver from the one hundred twenty percent requirement ~~((shall))~~ must request the waiver in writing for each contract period. No waivers shall be granted unless there is an insufficient number of authorized retailers in a given service area to assure client access;

(f) ~~((The applicant retailer shall possess))~~ Possession of a valid Washington state tax registration number;

(g) ~~((The applicant retailer shall agree))~~ Agreement to comply with training sessions and monitor visits, and provide shelf price records and inventory records showing all purchases, both wholesale and retail, including but not limited to, wholesale receipts, cash and carry receipts, purchase orders, books of account, invoices that identify the quantity and prices of specific WIC foods, and other pertinent records that substantiate the volume and prices charged upon the WIC program's request;

(h) ~~((The applicant retailer shall operate))~~ Business operation from a fixed location;

(i) ~~((The applicant retailer shall be))~~ Open for business ~~((at))~~ a minimum of eight ~~((or more))~~ hours per day, six days per week.

(j) ~~((The applicant retailer shall be))~~ In compliance with local sanitation rules;

(k) ~~((The applicant retailer with a))~~ Have no history of any of the following ~~((shall be denied authorization unless client access can not otherwise be assured))~~:

- (i) WIC or food stamp disqualification;
- (ii) Redeeming WIC checks without authorization;
- (iii) Changing ownership more than twice during a two-year contracting period;
- (iv) Failing to implement corrective action imposed by the program;
- (v) Failing to complete payment within the time specified, of an imposed monetary penalty or reimbursement of an overcharge; and
- (vi) Refusing to accept training from the WIC program.

Exceptions may be made if client access cannot otherwise be assured.

(5) The WIC program may deny a retailer authorization for failure to meet any of the stated selection criteria.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-080 What do I need to know about WIC retailer contracts? (1) All authorized retailers ~~((shall))~~ must enter into written contracts with the department. The contract ~~((shall))~~ must be signed by the contractor and the designee of the contracting officer of the department of health.

(2) The contract ~~((shall))~~ lists all authorized retailers by name and location. Individual retailers may be added,

changed, disqualified, or ~~((terminated))~~ deleted by contract amendment without affecting the remaining retailers.

(3) Duration of contract.

(a) The WIC program ~~((shall))~~ issues contracts for a maximum period of two years. All contracts expire on March 31 of odd-numbered years.

(b) Neither the WIC program nor the contractor is obligated to renew the contract. The WIC program ~~((shall))~~ must notify contractors in writing not less than fifteen days before the expiration of a contract not being renewed by the program.

(c) Authorization is valid for no longer than the period stated in the contract. The retailer must reapply to be considered for subsequent authorization in the WIC program.

(d) The contractor or the WIC program may terminate the contract at any time by submitting a written notice to the other party thirty days in advance.

(e) The contract is null and void in the event of a retailer closure or change in ownership.

(f) The contractor cannot voluntarily withdraw from participating in the WIC program in order to avoid being disqualified.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-085 What is expected of WIC retailers? (1) The retailer ~~((shall))~~ must comply with WIC program requirements and terms of the retailer contract.

(2) The retailer ~~((shall))~~ must stock sufficient quantities of authorized WIC foods to meet the needs of WIC customers, but not less than the minimum stock levels.

(3) The retailer ~~((shall))~~ must redeem WIC checks made payable only to ~~((that specific retailer))~~ their store or with the words "any authorized WIC vendor."

(4) The retailer ~~((shall))~~ must accept WIC checks from a WIC customer on the "first day to use," the "last day to use," or any day in between the dates printed on the WIC check. The retailer ~~((shall))~~ must submit the WIC check for payment within sixty days from the "first day to use."

(5) The retailer ~~((shall))~~ must refuse ~~((to accept))~~ WIC checks that have the purchase price missing, the client's signature missing, the "first day to use" or the "last day to use" missing, or that are ~~((postdated or stale))~~ dated too early or too late.

(6) The retailer must refuse WIC checks with purchase amounts over the "not to exceed" amount printed on the check.

(7) The retailer ((shall)) must enter the actual purchase price of the specific quantity of WIC authorized foods on each WIC check before the WIC customer countersigns the check.

~~((7))~~ (8) The retailer ((shall)) must accept only WIC checks on which the WIC customer's countersignature matches the first customer signature on the check.

~~((8))~~ (9) The retailer ((shall)) must refuse ((to accept)) WIC checks that are altered in any way.

~~((9))~~ (10) The retailer must refuse to accept WIC checks from any other retailer.

(11) The retailer ~~((shall))~~ must redeem WIC checks for only the supplemental WIC foods and in no more than the quantity specified on the check.

~~((10))~~ (12) The retailer ~~((shall))~~ must post the prices of WIC foods so they are visible to the public.

~~((11))~~ (13) The retailer ~~((shall))~~ must provide supplemental foods at the current price or at less than the current price charged to other customers.

~~((12))~~ (14) The retailer ~~((shall))~~ must not sell WIC-authorized foods after the manufacturer's expiration date.

~~((13))~~ ~~The retailer shall not accept WIC checks with purchase amounts over the "not to exceed" amount printed on the check.~~

~~((14))~~ (15) The retailer ~~((shall))~~ must reimburse the WIC program for documented overcharges and payments made on improperly handled WIC checks.

~~((15))~~ (16) The retailer ~~((shall))~~ must not seek restitution from WIC ~~((clients))~~ customers for WIC checks not paid by the WIC program, nor ~~((shall the retailer))~~ seek restitution through a collection agency.

~~((16))~~ (17) The retailer ~~((shall))~~ must not request cash or give change in a WIC transaction.

~~((17))~~ (18) The retailer ~~((shall))~~ must not impose a surcharge or charge sales tax on any food purchased with WIC checks.

~~((18))~~ (19) The retailer ~~((shall))~~ must refuse WIC ~~((clients))~~ customers' requests for exchanges or cash refunds for returned WIC foods. Exceptions may be made for exchange of food due to spoilage or expired date not noticed by the WIC ~~((client))~~ customer at the time of the WIC transaction.

~~((19))~~ (20) The retailer ~~((shall))~~ must not issue rain checks, any form of credit, or otherwise charge the WIC program for foods not received by the WIC customer at the time the WIC check is redeemed.

~~((20))~~ (21) The retailer ~~((shall))~~ must treat WIC customers with the same courtesy provided to other customers.

~~((21))~~ (22) The retailer must comply with federal and state nondiscrimination laws.

(23) The contractor ~~((shall be))~~ is responsible for the actions or inactions of employees, agents, and authorized retailers with regard to participation in the WIC program.

~~((22))~~ (24) The manager of the retailer or an authorized representative such as head cashier ~~((shall))~~ must attend training on WIC program requirements and procedures prior to issuance of a contract and as otherwise required by the WIC program. Those individuals receiving training must sign a document verifying attendance and understanding of the contents of the training. The WIC program ~~((shall))~~ provides this training at no cost to the retailer.

~~((23))~~ ~~Those who attend~~ (25) The individuals attending training ((shall)) must inform and train other employees on WIC program requirements and WIC check cashing procedures.

~~((24))~~ (26) The retailer ~~((shall))~~ must provide access to its facilities at all reasonable times for WIC program representatives to monitor, to provide training or technical assistance, and to evaluate performance, compliance, and quality assurance.

~~((25))~~ ~~During any WIC program visit of a retailer,~~ (27) The retailer ((shall)) must provide access to redeemed WIC

checks for the purpose of review by the program representative during any on-site visit.

~~((26))~~ (28) Retailers ~~((shall))~~ must maintain inventory records showing all purchases, both wholesale and retail, for a period of at least ~~((three years, including))~~ one year after the expiration of the contract with the WIC program. These inventory records include, but are not limited to, shelf price records, wholesale receipts, cash and carry receipts, purchase orders, books of account, invoices that identify the quantity and prices of specific WIC foods, and other pertinent records that substantiate the volume and prices charged and provide WIC program representatives access to those records on request.

~~((27))~~ (29) Each retailer ~~((shall))~~ must provide the WIC program with a completed price list of authorized WIC foods on request, but not more than twelve times per year.

~~((28))~~ (30) The contractor ~~((shall))~~ must notify the WIC program of any change of ownership, retailer name, location and/or cessation of operation for any reason ~~((no later than the tenth of the month prior to))~~ at least thirty days before the effective date of the change.

~~((29))~~ (31) Contractors ~~((shall))~~ must observe time lines, such as deadlines for submitting price lists and returning properly signed contracts. Failure of contractors to do so may result in denial of authorization.

~~((30))~~ (32) Contractors ~~((shall))~~ must take corrective action as directed by the WIC program. Examples of corrective action include, but are not limited to, payment of monetary penalties and reimbursements, conducting monthly education buys, and filing requested progress reports.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-090 How are WIC retailer contracts monitored? (1) The WIC program conducts on-site compliance reviews at retailer locations to monitor retailer compliance with program requirements.

(2) Preauthorization visits.

(a) Visit is scheduled in advance.

(b) ~~((The WIC program representative identifies self.~~

~~((c))~~ (e)) The WIC program representative provides training on the WIC retailer handbook which includes information on WIC foods and WIC check handling, and collects information on WIC food stock levels and shelf prices.

~~((d))~~ (c) The retailer signs the preauthorization visit form verifying receipt of the training, understanding of program requirements, and the commitment to train store personnel.

(3) Compliance visits.

(a) Visit may or may not be scheduled in advance;

(b) ~~((The WIC program representative identifies self;~~

~~((c))~~ (e)) The WIC program representative may do some or all of the following during a visit: Review WIC check handling procedures, WIC food stock levels, expiration dates and prices, WIC checks negotiated but not yet deposited, shelf price records, wholesale receipts, cash and carry receipts, purchase orders, books of account, invoices that identify the quantity and prices of specific WIC foods, and other pertinent records that substantiate the volume and prices charged, pro-

vide training or technical assistance, and verify implementation of a corrective action plan.

~~((d))~~ (c) The WIC program representative documents the name of the retailer, the name of the program representative, the names of all persons interviewed, the date of the visit, any problems or concerns detected or the observation the retailer appears to be in compliance, any corrective action plan if problems are detected, and the signatures of the program representative and the retailer.

(4) Compliance purchases.

(a) The WIC program representative ~~((does not identify self))~~ acts covertly;

(b) The WIC program representative may make~~((s))~~ a purchase using WIC checks ~~((applying a predetermined methodology))~~ or may attempt trafficking;

(c) The WIC program representative completes a report on the visit itemizing information including but not limited to, a description of the checker involved, the time and date of the transaction, the number of check stands opened and closed, other customers in line, exact items purchased and/or refused, the prices charged ~~((or the purchase prices))~~, comments of the checker, observations of the investigator or the investigative aide, any stock deficiencies noted, any other pertinent information, and the signature of the investigator.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-100 What happens if I don't comply with the WIC retailer contract or rules? (1) Retailers who commit acts of noncompliance are liable to prosecution in accordance with federal regulations (7 CFR 246.12 and 7 CFR 246.23). Noncompliance is failure to follow WIC program requirements including, but not limited to:

(a) Buying or selling WIC checks for cash (trafficking);

(b) Selling firearms, ammunition, explosives, or controlled substances for WIC checks;

(c) Selling alcohol or tobacco for WIC checks;

(d) Charging WIC for food not available to buy and having no documentation of having had enough food on the shelf for WIC clients to buy;

(e) Providing ~~((cash,))~~ unauthorized food~~((, nonfood items,))~~ or other items to WIC customers in lieu of or in addition to authorized WIC supplemental foods;

~~((b))~~ (f) Selling or offering to sell foods with expired shelf lives;

~~((e))~~ (g) Charging the WIC program for foods not received by the customer;

~~((d))~~ (h) Charging the WIC program more for authorized WIC supplemental foods than other customers are charged for the same food;

~~((e))~~ (i) Inflating the purchase price of a WIC transaction;

~~((f))~~ (j) Providing ~~((rain checks or))~~ credit or nonfood items to customers in a WIC transaction;

~~((g))~~ (k) Charging WIC customers cash or giving change in a WIC transaction;

~~((h))~~ (l) Redeeming WIC checks outside of authorized channels; for example, accepting WIC checks without having ~~((authorization from))~~ a signed contract with the WIC pro-

gram and accepting checks payable elsewhere then working out an exchange with that other retailer;

~~((h))~~ (m) Failing to write the actual purchase price on the WIC check at the time of the WIC transaction; and

~~((j))~~ (n) Failing to maintain adequate stock of WIC foods on the retailer's shelves.

(2) The WIC program may deny payment to, impose monetary penalties on and disqualify retailers for noncompliance with WIC program requirements and terms of the retailer contract.

(3) The WIC program ~~((shall))~~ must seek reimbursement from retailers for documented overcharges and for payments made on improperly handled WIC checks.

(4) Retailers found in noncompliance, except for the offenses listed in the first five rows of the table in subsection ~~((9))~~ (6) of this section, will be notified by the WIC program and given the opportunity to correct the deficiency. Methods of notification include, but are not limited to, technical assistance contacts and notice of correction letters. Repeating any act of noncompliance ~~((may))~~ will subject a retailer to sanctions.

(5) When the WIC program denies a retailer authorization, denies payment, imposes a monetary penalty, requests reimbursement, or disqualifies a retailer, the program ~~((shall))~~ must give the contractor written notice not less than fifteen days prior to the effective date of the action. The notice ~~((shall))~~ must state what action is being taken, the effective date of the action, and the procedure for requesting an appeal hearing if the action is one which can be appealed.

~~((6))~~ Monetary penalties shall be imposed when non-compliance of a same or similar type of noncompliance occurs following notification and the opportunity for correction.

~~((7))~~ Monetary penalties, in accordance with federal regulations, are:

~~((a))~~ If the value of the unauthorized items was less than one hundred dollars, the monetary penalty shall be not less than one hundred dollars and not more than one thousand dollars.

~~((b))~~ If the value of the unauthorized items was one hundred dollars or more, the monetary penalty shall be not less than five hundred dollars and not more than ten thousand dollars.

~~((8))~~ Monetary penalties and reimbursements shall be paid to the revenue section of the department within the time period specified in the notice. Retailers who fail to pay within the time period specified in the notice shall be referred to a commercial collection agency and may be disqualified.

~~((9))~~ The WIC program ~~((shall))~~ must disqualify the WIC retailer for the following~~((, after providing advance notice of not less than fifteen days))~~:

~~((a))~~ Redeeming a WIC check for the purchase of any form of alcohol or tobacco;

~~((b))~~ Purchasing a WIC check for partial value and redeeming at full value (commonly referred to as trafficking or discounting);

~~((c))~~ Redeeming a WIC check for the purchase of nonfood items;

~~((d))~~ Using a pattern of overcharging;

(e) ~~None complying in a same or similar nature following notification and the opportunity for correction;~~

(f) ~~Being disqualified from the food stamp program by the food and consumer service.~~

~~(10) The WIC program shall disqualify the retailer from the WIC program for a specified period of time, not to exceed three years.))~~

<u>Violation</u>	<u>Length of Disqualification</u>
<u>Disqualification from the food stamp program by the food and nutrition service;</u>	<u>Time period corresponding to food stamp program disqualification</u>
<u>Conviction for trafficking in WIC checks or exchanging firearms, ammunition, explosives, or controlled substances for WIC checks;</u>	<u>Permanent</u>
<u>One incidence of trafficking;</u>	<u>Six years</u>
<u>One incidence of exchanging firearms, ammunition, explosives, or controlled substances for WIC checks;</u>	<u>Six years</u>
<u>One incidence of exchanging any form of alcohol or tobacco for a WIC check;</u>	<u>Three years</u>
<u>A documented pattern of charging WIC for food not available to buy and having no documentation of having had enough food on the shelf for WIC clients to buy;</u>	<u>Three years</u>
<u>A documented pattern of overcharging, including charging more than the shelf price, charging more than for non-WIC customers, and charging for food not received by the customer;</u>	<u>Three years</u>
<u>A documented pattern of redeeming WIC checks outside of authorized channels;</u>	<u>Three years</u>
<u>A documented pattern of providing credit or nonfood items, other than alcohol, alcoholic beverages, tobacco products, cash, firearms, ammunition, explosives, or controlled substances as defined in 21 N.S.C. 802, in exchange for WIC checks;</u>	<u>Three years</u>
<u>A documented pattern of selling unauthorized foods or selling more than the amount of food listed on the WIC check.</u>	<u>One year</u>

(7) At the end of the disqualification period, the retailer must reapply to be considered for authorization.

~~((11))~~ (8) Prior to disqualifying a retailer, the WIC program ~~((shall))~~ must consider whether the disqualification would create ~~((undue hardships))~~ inadequate access to WIC foods for WIC clients. ~~((In these cases))~~ If the WIC program determines a retailer's disqualification would result in inadequate client access to WIC foods, the WIC program may ~~((agree on))~~ impose a monetary penalty in lieu of disqualification.

~~((12))~~ (9) Monetary penalties are calculated in accordance with federal regulations using the following formula:

(a) Average the retailer's monthly volume of WIC business over at least the six-month period ending with the month preceding when the notice to the retailer is dated;

(b) Multiply the average by ten percent (.10);

(c) Multiply that number by the number of months for which the store would be disqualified. This is the amount of the monetary penalty.

(10) Monetary penalties must not exceed ten thousand dollars for each violation. For a violation warranting permanent disqualification, the monetary penalty is ten thousand dollars. If several violations are documented during the course of one investigation, the department must impose a monetary penalty for each violation, not to exceed a total of forty thousand dollars.

(11) Monetary penalties and reimbursements must be paid to the revenue section of the department within the time period specified in the notice. Retailers who fail to pay within the time period specified in the notice will be referred to a commercial collection agency and disqualified for the length of time corresponding to the violation.

(12) When a retailer who has already been sanctioned for noncompliance is found out of compliance again, the department must double the sanction. A monetary penalty in lieu of disqualification is not an option for third or subsequent incidences of noncompliance.

(13) A contractor who fails to give the specified notice of closure, a change in ownership, retailer name, and/or location ((shall be)) is liable for resultant costs incurred by the WIC program.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-120 How do I appeal a WIC decision I don't agree with? (1) ((The contractor may appeal notice of denial of payment, denial of authorization, monetary penalty, reimbursement, or disqualification. Expiration and nonrenewal of a WIC contract is not subject to appeal.

(2)) The contractor may appeal:

(a) Notice of denial of payment;

(b) Denial of authorization;

(c) Monetary penalty;

(d) Reimbursement; or

(e) Disqualification.

(2) Actions not subject to appeal are:

(a) Expiration or nonrenewal of a WIC contract;

(b) Department determination regarding inadequate client access to WIC foods; and

(c) Disqualification based on a food stamp program disqualification. When the action being appealed is disqualification, the retailer ((shall)) must cease redeeming WIC checks effective the date specified in the notice and ((shall)) must not accept WIC checks during the appeal period. ((Payments shall not be made for)) The department will not pay any WIC checks redeemed by a retailer during a period of disqualification.

(3) A request for an appeal hearing ((shall)) must be in writing and:

(a) State the issue raised;

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 [Order 00-06—Filed June 9, 2000, 1:01 p.m.]

(b) Contain a summary of the contractor's position on the issue, indicating whether each charge is admitted, denied, or not contested;

(c) State the name and address of the contractor requesting the appeal hearing;

(d) State the name and address of the attorney representing the contractor, if applicable;

(e) State the contractor's need for an interpreter or other special accommodations, if necessary; and

(f) Have a copy of the notice from the program attached.

(4) A request for an appeal hearing ~~((shall))~~ must be filed at the ~~((Office of Professional Standards (OPS)))~~ Adjudicative Clerk's Office, Department of Health, 1107 Eastside St., P.O. Box ~~((47872))~~ 47879, Olympia, WA 98504-~~((7872))~~ 7879. The request ~~((shall))~~ must be made within twenty-eight days of the date the contractor received the notice.

(5) The decision concerning the appeal ~~((shall))~~ must be made within sixty days from the date the request for an appeal hearing was received by the ~~((office of professional standards (OPS)))~~ Adjudicative Clerk's Office. The time ~~((shall))~~ for rendering the decision may be extended by as many days as ~~((the contractor requests, assents to, or necessitates a delay in the proceedings))~~ all parties agree to with ~~((due))~~ good cause.

AMENDATORY SECTION (Amending WSR 97-16-117, filed 8/6/97, effective 9/6/97)

WAC 246-790-130 How does the WIC program get input from the food industry? (1) The WIC program may establish a retailer advisory committee for the purpose of soliciting input on policies, procedures, and other matters pertinent to retailer participation in the WIC program.

(2) The retailer advisory committee ~~((shall))~~ meets at least two times per year.

(3) The membership of the retailer advisory committee ~~((will))~~ consists of representation of at least the following:

- (a) ~~((The))~~ Washington Food ~~((industries))~~ Industry;
- (b) Manager or checker trainer from a large chain;
- (c) Manager or checker trainer from a small chain;
- (d) Minority-owned retailer;
- (e) Instructor of a checker training program with a technical college;
- (f) Local WIC agency staff person;
- (g) Current or former WIC client;
- (h) Administrative representative, such as loss prevention or risk manager or human resources representative, from any size retailer;
- (i) Owner of an independent retailer (single store); and
- (j) A military commissary.

Date of Adoption: June 8, 2000.

Purpose: To correct a typographical error made in chapter 173-224 WAC, Wastewater discharge permit fees, that sets the FY 2001 annual fee for municipalities at a rate higher than the fiscal growth factor determined by the Office of Financial Management.

Citation of Existing Rules Affected by this Order: Amending chapter 173-224 WAC, Wastewater discharge permit fees.

Statutory Authority for Adoption: Chapter 90.48 RCW, Water pollution control.

Adopted under notice filed as WSR 00-07-112 on March 20, 2000.

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.

June 8, 2000

Tom Fitzsimmons
 Director

PERMANENT

AMENDATORY SECTION (Amending Order 99-03, filed 12/28/99, effective 1/28/00)

WAC 173-224-040 Permit fee schedule. (1) Application fee. In addition to the annual fee, first time applicants (except those applying for coverage under a general permit) will pay a one time application fee of twenty-five percent of the annual permit fee, or \$250.00, whichever is greater. An application fee will be assessed for RCRA sites regardless of whether a new permit is being issued or an existing permit for other than the discharge resulting from the RCRA corrective action, is being modified.

(2) Industrial facility categories.

	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
INDUSTRIAL FACILITY CATEGORIES			
Aluminum Alloys	\$12,229.00	\$12,580.00	\$12,915.00
Aluminum and Magnesium Reduction Mills			
a. NPDES Permit	72,117.00	74,187.00	76,160.00

INDUSTRIAL FACILITY CATEGORIES	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
b. State Permit	36,060.00	37,095.00	38,082.00
Aluminum Forming	36,687.00	37,740.00	38,744.00
Aggregate Production - Individual Permit Coverage			
a. Mining Activities			
1. Mining, screening, washing and/or crushing	2,105.00	2,165.00	2,223.00
2. Nonoperating aggregate site (fee per site)	87.00	89.00	91.00
b. Asphalt Production			
1. 0 - < 50,000 tons/yr.	877.00	902.00	926.00
2. 50,000 - < 300,000 tons/yr.	2,105.00	2,162.00	2,220.00
3. 300,000 tons/yr. and greater	2,631.00	2,707.00	2,779.00
c. Concrete Production			
1. 0 - < 25,000 cu. yds/yr.	877.00	902.00	926.00
2. 25,000 - < 200,000 cu. yds/yr.	2,105.00	2,162.00	2,220.00
3. 200,000 cu. yds/yr. and greater	2,631.00	2,707.00	2,779.00
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.			
d. Portable Facilities			
1. Portable Rock Crushing Operations	2,105.00	2,165.00	2,223.00
2. Asphalt Portable Batch Plant	2,105.00	2,165.00	2,223.00
3. Concrete Portable Batch Plant	2,105.00	2,165.00	2,223.00
Aggregate Production - General Permit Coverage			
a. Mining Activities			
1. Mining, screening, washing and/or crushing	1,473.00	1,515.00	1,555.00
2. Nonoperating aggregate site (fee per site)	61.00	63.00	65.00
b. Asphalt Production			
1. 0 - < 50,000 tons/yr.	614.00	632.00	649.00
2. 50,000 - < 300,000 tons/yr.	1,474.00	1,516.00	1,556.00
3. 300,000 tons/yr. and greater	1,841.00	1,894.00	1,944.00
c. Concrete Production			
1. 0 - < 25,000 cu. yds/yr.	614.00	632.00	649.00
2. 25,000 - < 200,000 cu. yds/yr.	1,474.00	1,516.00	1,556.00
3. 200,000 cu. yds/yr. and greater	1,841.00	1,894.00	2,971.00
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.			
d. Portable Facilities			
1. Portable Rock Crushing Operations	1,474.00	1,516.00	1,556.00
2. Asphalt Portable Batch Plant	1,474.00	1,516.00	1,556.00
3. Concrete Portable Batch Plant	1,474.00	1,516.00	1,556.00
Aquaculture			
a. Finfish hatching and rearing - Individual Permit	3,669.00	3,774.00	3,874.00
b. Finfish hatching and rearing - General Permit Coverage	2,569.00	2,643.00	2,713.00
c. Shellfish hatching	126.00	130.00	133.00

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INDUSTRIAL FACILITY CATEGORIES	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
Boat Yards - Individual Permit Coverage			
a. With storm water only discharge	313.00	322.00	331.00
b. All others	627.00	645.00	662.00
Boat Yards - General Permit Coverage			
a. With storm water only discharge	219.00	225.00	231.00
b. All others	439.00	452.00	464.00
Coal Mining and Preparation			
a. < 200,000 tons per year	4,890.00	5,030.00	5,164.00
b. 200,000 - < 500,000 tons per year	11,007.00	11,323.00	11,624.00
c. 500,000 - < 1,000,000 tons per year	19,565.00	20,127.00	20,662.00
d. 1,000,000 tons per year and greater	36,687.00	37,740.00	38,743.00
Combined Industrial Waste Treatment			
a. < 10,000 gpd	2,446.00	2,516.00	2,583.00
b. 10,000 - < 50,000 gpd	6,114.00	6,289.00	6,456.00
c. 50,000 - < 100,000 gpd	12,229.00	12,580.00	12,914.00
d. 100,000 - < 500,000 gpd	24,458.00	25,160.00	25,829.00
e. 500,000 gpd and greater	36,687.00	37,740.00	38,744.00
Combined Food Processing Waste Treatment Facilities	11,708.00	12,044.00	12,364.00
Combined Sewer Overflow System			
a. < 50 acres	2,446.00	2,516.00	2,583.00
b. 50 - < 100 acres	6,114.00	6,289.00	6,456.00
c. 100 - < 500 acres	7,339.00	7,550.00	7,751.00
d. 500 acres and greater	9,783.00	10,064.00	10,332.00
Commercial Laundry	313.00	322.00	
Concentrated Animal Feeding Operation			
a. < 200 Animal Units	125.00	129.00	132.00
b. 200 - < 400 Animal Units	313.00	322.00	331.00
c. 400 - < 600 Animal Units	627.00	645.00	662.00
d. 600 - < 800 Animal Units	940.00	967.00	993.00
e. 800 Animal Units and greater	1,254.00	1,290.00	1,324.00
Crop Preparing - Individual Permit Coverage			
a. 0 - < 1,000 bins/yr.	244.00	251.00	258.00
b. 1,000 - < 5,000 bins/yr.	489.00	503.00	516.00
c. 5,000 - < 10,000 bins/yr.	978.00	1,006.00	1,033.00
d. 10,000 - < 15,000 bins/yr.	1,958.00	2,014.00	2,068.00
e. 15,000 - < 20,000 bins/yr.	3,239.00	3,332.00	2,421.00
f. 20,000 - < 25,000 bins/yr.	4,524.00	4,654.00	4,778.00
g. 25,000 - < 50,000 bins/yr.	6,052.00	6,226.00	6,392.00
h. 50,000 - < 75,000 bins/yr.	6,726.00	6,919.00	7,103.00
i. 75,000 - < 100,000 bins/yr.	7,825.00	8,050.00	8,264.00
j. 100,000 - < 125,000 bins/yr.	9,783.00	10,064.00	10,332.00
k. 125,000 - < 150,000 bins/yr.	12,229.00	12,580.00	12,915.00
l. 150,000 bins/yr. and greater	14,675.00	15,096.00	15,498.00
Crop Preparing - General Permit Coverage			
a. 0 - < 1,000 bins/yr.	170.00	175.00	180.00

INDUSTRIAL FACILITY CATEGORIES		FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
b.	1,000 - < 5,000 bins/yr.	342.00	352.00	362.00
c.	5,000 - < 10,000 bins/yr.	685.00	705.00	724.00
d.	10,000 - < 15,000 bins/yr.	1,371.00	1,410.00	1,448.00
e.	15,000 - < 20,000 bins/yr.	2,268.00	2,333.00	2,395.00
f.	20,000 - < 25,000 bins/yr.	3,167.00	3,258.00	3,345.00
g.	25,000 - < 50,000 bins/yr.	4,236.00	4,358.00	4,474.00
h.	50,000 - < 75,000 bins/yr.	4,708.00	4,843.00	4,972.00
i.	75,000 - < 100,000 bins/yr.	5,478.00	5,635.00	5,786.00
j.	100,000 - < 125,000 bins/yr.	6,848.00	7,045.00	7,232.00
k.	125,000 - < 150,000 bins/yr.	8,560.00	8,806.00	9,040.00
l.	150,000 bins/yr. and greater	10,272.00	10,567.00	10,848.00
Dairies \$.50 per Animal Unit not to exceed \$878.00 for FY 2000, \$903.00 for FY 2001 and 927.00 for FY 2002				
Facilities Not Otherwise Classified - Individual Permit Coverage				
a.	< 1,000 gpd	1,223.00	1,258.00	1,291.00
b.	1,000 - < 10,000 gpd	2,446.00	2,516.00	2,583.00
c.	10,000 - < 50,000 gpd	6,114.00	6,290.00	6,457.00
d.	50,000 - < 100,000 gpd	9,783.00	10,064.00	10,332.00
e.	100,000 - < 500,000 gpd	19,565.00	20,027.00	20,560.00
f.	500,000 - < 1,000,000 gpd	24,457.00	25,159.00	25,828.00
g.	1,000,000 gpd and greater	36,687.00	37,740.00	38,744.00
Facilities Not Otherwise Classified - General Permit Coverage				
a.	< 1,000 gpd	857.00	882.00	905.00
b.	1,000 - < 10,000 gpd	1,712.00	1,761.00	1,808.00
c.	10,000 - < 50,000 gpd	4,281.00	4,404.00	4,521.00
d.	50,000 - < 100,000 gpd	6,848.00	7,045.00	7,232.00
e.	100,000 - < 500,000 gpd	13,695.00	14,088.00	14,463.00
f.	500,000 - < 1,000,000 gpd	17,120.00	17,611.00	18,079.00
g.	1,000,000 gpd and greater	25,681.00	26,418.00	27,121.00
Flavor Extraction				
a.	Steam Distillation	125.00	129.00	132.00
Food Processing				
a.	< 1,000 gpd	1,222.00	1,257.00	1,290.00
b.	1,000 - < 10,000 gpd	3,118.00	3,207.00	3,292.00
c.	10,000 - < 50,000 gpd	5,564.00	5,724.00	5,876.00
d.	50,000 - < 100,000 gpd	8,743.00	8,994.00	9,232.00
e.	100,000 - < 250,000 gpd	12,229.00	12,580.00	12,915.00
f.	250,000 - < 500,000 gpd	16,081.00	16,543.00	16,983.00
g.	500,000 - < 750,000 gpd	20,177.00	20,756.00	21,308.00
h.	750,000 - < 1,000,000 gpd	24,457.00	25,159.00	28,528.00
i.	1,000,000 - < 2,500,000 gpd	29,961.00	30,821.00	31,641.00
j.	2,500,000 - < 5,000,000 gpd	33,629.00	34,594.00	35,514.00
k.	5,000,000 gpd and greater	36,687.00	37,740.00	38,744.00
Fuel and Chemical Storage				
a.	< 50,000 bbls	1,223.00	1,258.00	1,291.00

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INDUSTRIAL FACILITY CATEGORIES	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
b. 50,000 - < 100,000 bbls	2,446.00	2,516.00	2,583.00
c. 100,000 - < 500,000 bbls	6,114.00	6,289.00	6,456.00
d. 500,000 bbls and greater	12,229.00	12,580.00	12,915.00
Hazardous Waste Clean Up Sites			
a. Leaking Underground Storage Tanks (LUST)			
1. State Permit	3,208.00	3,300.00	3,388.00
2. NPDES Permit Issued pre 7/1/94	3,208.00	3,300.00	3,338.00
3. NPDES Permit Issued post 7/1/94	6,415.00	6,599.00	6,775.00
b. Non-LUST Sites			
1. 1 or 2 Contaminants of concern	6,272.00	6,452.00	6,624.00
2. > 2 Contaminants of concern	12,542.00	12,902.00	13,245.00
Ink Formulation and Printing			
a. Commercial Print Shops	1,881.00	1,935.00	1,986.00
b. Newspapers	3,136.00	3,226.00	3,312.00
c. Box Plants	5,017.00	5,161.00	5,298.00
d. Ink Formulation	6,272.00	6,452.00	6,624.00
Inorganic Chemicals Manufacturing			
a. Lime Products	6,114.00	6,289.00	6,456.00
b. Fertilizer	7,361.00	7,572.00	7,773.00
c. Peroxide	9,783.00	10,064.00	10,332.00
d. Alkaline Earth Salts	12,229.00	12,580.00	12,915.00
e. Metal Salts	17,119.00	17,610.00	18,078.00
f. Acid Manufacturing	24,457.00	25,159.00	25,829.00
g. Chlor-alkali	48,916.00	50,320.00	51,659.00
Iron and Steel			
a. Foundries	12,229.00	12,580.00	12,915.00
b. Mills	24,479.00	25,181.00	25,851.00
Metal Finishing			
a. < 1,000 gpd	1,466.00	1,508.00	1,548.00
b. 1,000 - < 10,000 gpd	2,445.00	2,515.00	2,582.00
c. 10,000 - < 50,000 gpd	6,113.00	6,288.00	6,455.00
d. 50,000 - < 100,000 gpd	12,228.00	12,579.00	12,914.00
e. 100,000 - < 500,000 gpd	24,456.00	25,158.00	25,827.00
f. 500,000 gpd and greater	36,685.00	37,738.00	38,742.00
Noncontact Cooling Water With Additives - Individual Permit Coverage			
a. < 1,000 gpd	765.00	787.00	808.00
b. 1,000 - < 10,000 gpd	1,528.00	1,572.00	1,614.00
c. 10,000 - < 50,000 gpd	2,294.00	2,360.00	2,423.00
d. 50,000 - < 100,000 gpd	5,351.00	5,505.00	5,651.00
e. 100,000 - < 500,000 gpd	9,171.00	9,434.00	9,685.00
f. 500,000 - < 1,000,000 gpd	12,995.00	13,368.00	13,724.00
g. 1,000,000 - < 2,500,000 gpd	16,816.00	17,299.00	17,759.00
h. 2,500,000 - < 5,000,000 gpd	20,634.00	21,226.00	21,791.00
i. 5,000,000 gpd and greater	24,457.00	25,159.00	25,828.00

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INDUSTRIAL FACILITY CATEGORIES	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
Noncontact Cooling Water With Additives - General Permit Coverage			
a. < 1,000 gpd	536.00	552.00	567.00
b. 1,000 - < 10,000 gpd	1,069.00	1,100.00	1,129.00
c. 10,000 - < 50,000 gpd	1,606.00	1,652.00	1,696.00
d. 50,000 - < 100,000 gpd	3,746.00	3,854.00	3,957.00
e. 100,000 - < 500,000 gpd	6,420.00	6,604.00	6,780.00
f. 500,000 - < 1,000,000 gpd	9,097.00	9,358.00	9,607.00
g. 1,000,000 - < 2,500,000 gpd	11,771.00	12,109.00	12,431.00
h. 2,500,000 - < 5,000,000 gpd	14,444.00	14,858.00	15,253.00
i. 5,000,000 gpd and greater	17,120.00	17,611.00	18,079.00
Noncontact Cooling Water Without Additives - Individual Permit Coverage			
a. < 1,000 gpd	612.00	630.00	647.00
b. 1,000 - < 10,000 gpd	1,223.00	1,258.00	1,291.00
c. 10,000 - < 50,000 gpd	1,835.00	1,888.00	1,938.00
d. 50,000 - < 100,000 gpd	4,281.00	4,404.00	4,521.00
e. 100,000 - < 500,000 gpd	7,339.00	7,550.00	7,751.00
f. 500,000 - < 1,000,000 gpd	10,394.00	10,692.00	10,981.00
g. 1,000,000 - < 2,500,000 gpd	13,452.00	13,838.00	14,206.00
h. 2,500,000 - < 5,000,000 gpd	16,508.00	16,982.00	17,434.00
i. 5,000,000 gpd and greater	19,565.00	20,127.00	20,662.00
Noncontact Cooling Water Without Additives - General Permit Coverage			
a. < 1,000 gpd	428.00	441.00	453.00
b. 1,000 - < 10,000 gpd	857.00	882.00	905.00
c. 10,000 - < 50,000 gpd	1,284.00	1,321.00	1,356.00
d. 50,000 - < 100,000 gpd	2,996.00	3,082.00	3,164.00
e. 100,000 - < 500,000 gpd	5,137.00	5,284.00	5,425.00
f. 500,000 - < 1,000,000 gpd	7,276.00	7,485.00	7,684.00
g. 1,000,000 - < 2,500,000 gpd	9,417.00	9,687.00	9,945.00
h. 2,500,000 - < 5,000,000 gpd	11,556.00	11,888.00	12,204.00
i. 5,000,000 gpd and greater	13,695.00	14,088.00	14,623.00
Nonferrous Metals Forming	12,229.00	12,580.00	12,915.00
Ore Mining			
a. Ore Mining	2,446.00	2,516.00	2,583.00
b. Ore mining with physical concentration processes	4,891.00	5,031.00	5,165.00
c. Ore mining with physical and chemical concentration processes	19,565.00	20,127.00	20,662.00
Organic Chemicals Manufacturing			
a. Fertilizer	12,229.00	12,580.00	12,915.00
b. Aliphatic	24,457.00	25,159.00	25,828.00
c. Aromatic	36,687.00	37,740.00	38,744.00
Petroleum Refining			
a. < 10,000 bbls/d	24,457.00	25,159.00	25,828.00
b. 10,000 - < 50,000 bbls/d	48,916.00	50,320.00	51,659.00

INDUSTRIAL FACILITY CATEGORIES	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
c. 50,000 bbls/d and greater	97,835.00	100,643.00	103,320.00
Photofinishers			
a. < 1,000 gpd	978.00	1,006.00	1,034.00
b. 1,000 gpd and greater	2,446.00	2,516.00	2,583.00
Power and/or Steam Plants			
a. Steam Generation - Nonelectric	4,890.00	5,030.00	5,164.00
b. Hydroelectric	4,890.00	5,030.00	5,164.00
c. Nonfossil Fuel	7,338.00	7,549.00	7,750.00
d. Fossil Fuel	19,565.00	20,127.00	20,662.00
Pulp, Paper and Paper Board			
a. Fiber Recyclers	12,228.00	12,579.00	12,914.00
b. Paper Mills	24,457.00	25,159.00	25,828.00
c. Groundwood Pulp Mills			
1. < 300 tons per day	36,687.00	37,740.00	38,744.00
2. > 300 tons per day	73,373.00	75,479.00	77,487.00
d. Chemical Pulp Mills w/o Chlorine Bleaching	97,829.00	100,637.00	103,314.00
e. Chemical Pulp Mills w/Chlorine Bleaching	110,057.00	113,216.00	116,228.00
Radioactive Effluents and Discharges (RED)			
a. < 3 waste streams	23,674.00	24,353.00	25,001.00
b. 3 - < 8 waste streams	41,087.00	42,266.00	43,390.00
c. 8 waste streams and greater	67,672.00	69,614.00	71,466.00
RCRA Corrective Action Sites	17,189.00	17,682.00	18,152.00
Seafood Processing			
a. < 1,000 gpd	1,223.00	1,258.00	1,291.00
b. 1,000 - < 10,000 gpd	3,118.00	3,207.00	3,292.00
c. 10,000 - < 50,000 gpd	5,564.00	5,724.00	5,876.00
d. 50,000 - < 100,000 gpd	8,743.00	8,994.00	9,233.00
e. 100,000 gpd and greater	12,229.00	12,580.00	12,915.00
Shipyards			
a. Per crane, travel lift, small boat lift	2,446.00	2,516.00	2,583.00
b. Per drydock under 250 ft in length	2,446.00	2,516.00	2,583.00
c. Per graving dock	2,446.00	2,516.00	2,583.00
d. Per marine way	3,669.00	3,774.00	3,874.00
e. Per sycrolift	3,669.00	3,774.00	3,874.00
f. Per drydock over 250 ft in length	4,891.00	5,031.00	5,165.00
The fee for a facility in the shipyard category is the sum of the fees for the applicable units in the facility.			
Solid Waste Sites (nonstorm water)			
a. Nonputrescible	4,891.00	5,031.00	5,165.00
b. < 50 acres	9,783.00	10,063.00	10,331.00
c. 50 - < 100 acres	19,565.00	20,127.00	20,662.00
d. 100 - < 250 acres	24,457.00	25,159.00	25,828.00
e. 250 acres and greater	36,687.00	37,740.00	38,744.00

INDUSTRIAL FACILITY CATEGORIES	FY 2000 ANNUAL PERMIT FEE	FY 2001 ANNUAL PERMIT FEE	*FY 2002 ANNUAL PERMIT FEE AND BEYOND
Storm Water (Unless specifically categorized elsewhere.)			
a. Individual Industrial Permits			
1. < 50 acres	2,446.00	2,516.00	2,583.00
2. 50 - < 100 acres	4,891.00	5,031.00	5,165.00
3. 100 - < 500 acres	7,338.00	7,549.00	7,750.00
4. 500 acres and greater	9,783.00	10,064.00	10,332.00
b. Facilities covered under the Industrial Storm Water General Permit	325.00	334.00	343.00
c. Construction activities covered under the Industrial Storm Water General Permit	325.00	334.00	343.00
Textile Mills	48,916.00	50,320.00	51,659.00
Timber Products			
a. Log Storage	2,446.00	2,516.00	2,583.00
b. Veneer	4,891.00	5,031.00	5,165.00
c. Sawmills	9,783.00	10,064.00	10,332.00
d. Hardwood, Plywood	17,119.00	17,610.00	18,078.00
e. Wood Preserving	24,457.00	24,159.00	24,802.00
Vegetable/Bulb Washing Facilities			
a. < 1,000 gpd	81.00	83.00	85.00
b. 1,000 - < 5,000 gpd	162.00	167.00	171.00
c. 5,000 - < 10,000 gpd	322.00	331.00	340.00
d. 10,000 - < 20,000 gpd	648.00	667.00	685.00
e. 20,000 and greater	1,072.00	1,103.00	1,132.00
Vehicle Maintenance and Freight Transfer			
a. < 0.5 acre	2,446.00	2,516.00	2,583.00
b. 0.5 - < 1.0 acre	4,891.00	5,031.00	5,165.00
c. 1.0 acre and greater	7,338.00	7,549.00	7,750.00
Water Plants - Individual Permit Coverage	3,058.00	3,146.00	3,230.00
Water Plants - General Permit Coverage	2,141.00	2,202.00	2,261.00
Wineries			
a. < 500 gpd	250.00	257.00	
b. 500 - < 750 gpd	501.00	515.00	518.00
c. 750 - < 1,000 gpd	1,001.00	1,030.00	
d. 1,000 - < 2,500 gpd	2,001.00	2,058.00	2,113.00
e. 2,500 - < 5,000 gpd	3,191.00	3,283.00	3,370.00
f. 5,000 gpd and greater	4,380.00	4,506.00	4,626.00

* Fees for FY 2002 are based on the projected fiscal growth factor of 2.66% established by the governor's office of financial management. Ecology will increase fees to match the final fiscal growth factor determination and will directly notify permit holders of their fee assessment no later than March, 2001.

(a) Facilities other than those in the aggregate production, crop preparing, shipyard, or RCRA categories that operate within several fee categories or subcategories, shall be charged from that category or subcategory with the highest fee.

(b) The total annual permit fee for a water treatment plant that primarily serves residential customers may not exceed three dollars per residential equivalent. The number of residential equivalents is determined by dividing the facility's annual gross revenue in the previous calendar year by the annual user charge for a single family residence that uses nine hundred cubic feet of water per month.

(c) Crop preparation and aggregate production permit holders are required to submit information to the department certifying annual production (calendar year) or unit processes. When required, the department will send the informa-

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tion form to the permit holder. The permit holder shall complete and return the information form to the department by the required due date. Failure to provide this information will result in a fee determination based on the highest subcategory the facility has received permit coverage in.

(i) Information submitted shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized general partner;

(C) In the case of a general partnership, by an authorized partner; or

(D) In the case of a sole proprietorship, by the proprietor.

(ii) The department may verify information submitted and, if it determines that false or inaccurate statements have been made, it may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

(d) Fees for crop preparers discharging only noncontact cooling water without additives shall pay the lesser of the applicable fee in the crop preparing or noncontact cooling water without additives categories.

(e) Where no clear industrial facility category exists for placement of a permit holder, the department may elect to place the permit holder in a category with dischargers or permit holders that contain or use similar properties or processes and/or a category which contains similar permitting complexities to the department.

(f) Hazardous waste clean up sites and EPA authorized RCRA corrective action sites with whom the department has

begun cost recovery through chapter 70.105D RCW shall not pay a permit fee under chapter 173-224 WAC until such time as the cost recovery under chapter 70.105D RCW ceases.

(g) Any permit holder, with the exception of nonoperating aggregate operations or a permitted portable facility, who has not been in continuous operation within a consecutive eighteen-month period or who commits to not being in operation for a consecutive eighteen-month period or longer can have their permit fee reduced to twenty-five percent of the fee that they would be otherwise assessed. This nonoperating mode must be verified by the appropriate ecology staff. Once operations resume, the permit fee will be returned to the full amount.

Facilities who commit to the minimum eighteen-month nonoperating mode but go back into operation during the same eighteen-month period will be assessed permit fees as if they were active during the entire period.

(h) Facilities with subcategories based on gallons per day (gpd) shall have their annual permit fee determined by using the maximum daily flow or maximum monthly average permitted flow in gallons per day as specified in the waste discharge permit, whichever is greater.

(i) RCRA corrective action sites requiring a waste discharge permit will be assessed a separate permit fee regardless of whether the discharge is authorized by a separate permit or by a modification to an existing permit for a discharge other than that resulting from the corrective action.

(3) MUNICIPAL/DOMESTIC FACILITIES

(a) The annual permit fee for a permit held by a municipality for a domestic wastewater facility issued under RCW 90.48.162 or 90.48.260 is determined as follows:

(i)	Residential Equivalents (RE)	FY 2000 Annual Permit Fee	FY 2001 Annual Permit Fee	*FY 2002 Annual Permit Fee and Beyond
	< 250,000	\$ 1.51 per RE	\$ ((4.59)) 1.55 per RE	\$ 1.59 per RE
	> 250,000	.91 per RE	((.97)) .94 per RE	.97 per RE

* Fees for FY 2002 are based on the projected fiscal growth factor of 2.66% established by the governor's office of financial management. Ecology will increase fees to match the final fiscal growth factor determination and will directly notify permit holders of their fee assessment no later than March, 2001.

(ii) Municipal storm water permit annual fee for only those entities listed below will be:

Name of Entity	FY 2000 Annual Permit Fee	FY 2001 Annual Permit Fee	*FY 2002 Annual Permit Fee and Beyond
King County	\$ 27,856.00	\$ 28,655.00	\$29,417.00
Snohomish County	27,856.00	28,655.00	29,417.00
Pierce County	27,856.00	28,655.00	29,417.00
Tacoma, City of	27,856.00	28,655.00	29,417.00
Seattle, City of	27,856.00	28,655.00	29,417.00
Department of Transportation	27,856.00	28,655.00	29,417.00
Clark County	27,856.00	28,655.00	29,417.00

* Fees for FY 2002 are based on the projected fiscal growth factor of 2.66% established by the governor's office of financial management. Ecology will increase fees to match the final fiscal growth factor determination and will directly notify permit holders of their fee assessment no later than March, 2001.

Facilities listed in (a)(ii) of this subsection shall pay an annual fee for fiscal year 2000 and fiscal year 2001 regardless of the permit issuance date or the number of municipal storm water permits under which they are covered.

(b) The annual permit fee under RCW 90.48.162 or 90.48.260 that is held by a municipality which:

(i) Holds more than one permit for domestic wastewater facilities; and

(ii) Treats each domestic wastewater facility as a separate accounting entity, is determined as in (a) of this subsection.

A separate accounting entity is one that maintains separate funds or accounts for each domestic wastewater facility.

Revenues are received from the users to pay for the costs of operating that facility.

(c) The sum of the annual permit fees for permits held by a municipality that:

(i) Holds more than one permit for domestic wastewater facilities issued under RCW 90.48.162 or 90.48.260; and

(ii) Does not treat each domestic wastewater facility as a separate accounting entity, as described in (b) of this subsection, is determined as in (a) of this subsection.

(d) The permit fee for a privately-owned domestic wastewater facility that primarily serves residential customers is

determined as in (a) of this subsection. Residential customers are those whose lot, parcel or real estate, or building is primarily used for domestic dwelling purposes.

(e) The annual permit fee for privately owned domestic wastewater facilities must be determined by using the maximum daily flow or maximum monthly average permitted flow in million gallons per day, whichever is greater, as specified in the waste discharge permit. Permit fees for privately-owned domestic wastewater facilities that do not serve primarily residential customers and for state-owned domestic wastewater facilities are the following:

Permitted Flows	FY 2000 Annual Permit Fee	FY 2001 Annual Permit Fee	*FY 2002 Annual Permit Fee and Beyond
.1 MGD and Greater	\$6,114.00	\$6,289.00	\$6,456.00
.05 MGD to < .1 MGD	2,446.00	2,516.00	2,583.00
.0008 MGD to < .05 MGD	1,223.00	1,258.00	1,291.00
< .0008 MGD	367.00	378.00	388.00

* Fees for FY 2002 are based on the projected fiscal growth factor of 2.66% established by the governor's office of financial management. Ecology will increase fees to match the final fiscal growth factor determination and will directly notify permit holders of their fee assessment no later than March, 2001.

(f) The number of residential equivalents is calculated in the following manner:

(i) If the facility serves only single-family residences, the number of residential equivalents is the number of single-family residences that it served on January 1 of the previous calendar year.

(ii) If the facility serves both single-family residences and other classes of customers, the number of residential equivalents is calculated in the following manner:

(A) Calculation of the number of residential equivalents that the facility serves in its own service area. Subtract from the previous calendar year's gross revenue:

(I) Any amounts received from other municipalities for sewage interception, treatment, collection, or disposal; and

(II) Any user charges received from customers for whom the permit holder pays amounts to other municipalities for sewage treatment or disposal services. Divide the resulting figure by the annual user charge for a single-family residence.

(B) Calculation of the number of residential equivalents that the facility serves in other municipalities which pay amounts to the facility for sewage interception, treatment, collection, or disposal:

(I) Divide any amounts received from other municipalities during the previous calendar year by the annual user charge for a single-family residence. In this case "annual user charge for a single-family residence" means the annual user charge that the facility charges other municipalities for sewage interception, treatment, collection, or disposal services for a single-family residence. If the facility charges different municipalities different single-family residential user fees, then the charge used in these calculations must be that which applies to the largest number of single-family residential customers. Alternatively, if the facility charges different municipalities different single-family residential user fees, the permit holder may divide the amount received from each municipality

by the annual user charge that it charges that municipality for a single-family residence and sum the resulting figures.

(II) If the facility does not charge the other municipality on the basis of a fee per single-family residence, the number of residential equivalents in the other municipality is calculated by dividing its previous calendar year's gross revenue by its annual user fee for a single-family residence. If the other municipality does not maintain data on its gross revenue, user fees, and/or the number of single-family residences that it serves, the number of residential equivalents is calculated as in (f)(iv) of this subsection.

(III) If the other municipality serves only single-family residences, the number of residential equivalents may be calculated as in (f)(i) of this subsection.

The sum of the resulting figures is the number of residential equivalents that the facility serves in other municipalities.

(C) The number of residential equivalents is the sum of the number of residential equivalents calculated in (f)(ii)(A) and (B) of this subsection.

(iii) The annual user fee for a single-family residence is calculated by either of the following methods, at the choice of the permit holder:

(A) The annual user fee for a single-family residence using nine hundred cubic feet of water per month. If users are billed monthly, this is calculated by multiplying by twelve the monthly user fee for a single-family residence using nine hundred cubic feet of water per month. If users are billed bimonthly, the annual user fee is calculated by multiplying by six the bimonthly user fee for a single-family residence using one thousand eight hundred cubic feet of water per two-month period. If the user fee for a single-family residence varies, depending on age, income, location, etc., then the fee used in these calculations must be that which applies to the largest number of single-family residential customers.

(B) The average annual user fee for a single-family residence. This average is calculated by dividing the previous calendar year's gross revenue from provision of sewer services to single-family residences by the number of single-

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family residences served on January 1 of the previous calendar year. If the user fee for a single-family residence varies, depending on age, income, location, etc., then the gross revenue and number of single-family residences used in making this calculation must be those for all the single-family residential customers.

In either case, (f)(iii)(A) or (B) of this subsection, the permit holder must provide the department with a copy of its complete sewer rate schedule for all classes of customers.

(iv) If a permit holder does not maintain data on its gross revenue, user fees, and/or the number of single-family residences that it serves, and therefore cannot use the methods described in (f)(i) or (ii) of this subsection to calculate the number of residential equivalents that it serves, then the number of residential equivalents that it serves is calculated by dividing the average daily influent flow to its facility for the previous calendar year by two hundred fifty gallons. This average is calculated by summing all the daily flow measurements taken during the previous calendar year and then dividing the resulting sum by the number of days on which flow was measured. Data for this calculation must be taken from the permit holder's discharge monitoring reports. Permit holders using this means of calculating the number of their residential equivalents must submit with their application a complete set of copies of their discharge monitoring reports for the previous calendar year.

(g) Fee calculation procedures for holders of permits for domestic wastewater facilities.

(i) Municipalities holding permits for domestic wastewater facilities issued under RCW 90.48.162 and 90.48.260, and holders of permits for privately-owned domestic wastewater facilities that primarily serve residential customers must complete a form certifying the number of residential equivalents served by their domestic wastewater system. The form must be completed and returned to the department within thirty days after it is mailed to the permit holder by the department. Failure to return the form could result in permit termination.

(ii) The form shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized partner;

(C) In the case of a general partnership, by an authorized partner;

(D) In the case of a sole proprietorship, by the proprietor; or

(E) In the case of a municipal or other public facility, by either a ranking elected official or a principal executive officer.

(iii) The department may verify the information contained in the form and, if it determines that the permit holder has made false statements, may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

WSR 00-13-013
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed June 9, 2000, 3:56 p.m.]

Date of Adoption: June 9, 2000.

Purpose: WAC 388-87-045 Payment—Blood, is no longer needed because it no longer reflects correct policy or payment methodology. The department reimburses using the DRG process in WAC 388-550-2900.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-87-045 Payment—Blood.

Statutory Authority for Adoption: RCW 74.08-090 [74.08.090], 74.09.520.

Adopted under preproposal statement of inquiry filed as WSR 00-09-040 on April 14, 2000.

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 1.

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 1.

Effective Date of Rule: Thirty-one days after filing.

June 9, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-045 Payment—Blood.

WSR 00-13-014
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed June 9, 2000, 3:58 p.m.]

Date of Adoption: June 9, 2000.

Purpose: WAC 388-86-105 Voluntary agency is no longer needed because the policy it contains has been incorporated in WAC 388-505-0210 Children's medical eligibility

and 388-503-0510 How a client is determined "related to" a categorical program.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-86-105.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Adopted under preproposal statement of inquiry filed as WSR 00-09-039 on April 14, 2000.

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 1.

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 1.

Effective Date of Rule: Thirty-one days after filing.

June 9, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

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 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, 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.

June 12, 2000

Fred Stephens
Director

AMENDATORY SECTION (Amending Order DLR-091, filed 3/26/86)

WAC 308-80-015 Expiration of motor vehicle transporter license. When does my transporter license expire?

(1) A motor vehicle transporter license shall expire twelve consecutive months from the date of issuance ((for purposes of staggered licensing. During the initial licensing period the renewal dates shall be established by a random alphabetical selection commencing with a minimum license period of six months, extended month by month to a maximum of eighteen consecutive months as determined by the random selection process. Upon completion of the initial staggering of these licenses each subsequent renewal period shall be twelve consecutive months from the established date of the staggered issuance)).

(2) Motor vehicle transporter license plates shall expire on the same date as the license expires.

AMENDATORY SECTION (Amending Order MV 447, filed 9/16/77)

WAC 308-80-020 Improper use of transporter license plates. What are some improper uses of the transportation license plates?

Issuance of transporter license plates under chapter 46.76 RCW does not authorize driving or towing of vehicles on the public highways for the following purposes or in the following manner:

(1) On any vehicle in which a licensee has an ownership or equitable interest, provided a towing unit owned by a licensee to deliver vehicles owned by others shall display a transporter plate in addition to a regular plate for the purpose of identification.

(2) For personal transportation.

(3) By any one other than the licensee or a bona fide employee who is carried on the licensee's payroll records.

(4) Failure to display plates as required under WAC 308-80-010.

This rule shall not be construed to prevent a determination that other uses of such plates are improper.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-105 Voluntary agency.

WSR 00-13-018

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 12, 2000, 9:02 a.m.]

Date of Adoption: June 12, 2000.

Purpose: Review of current rules to ensure necessity, effectiveness, efficiency, clarity, intent, coordination with other jurisdictions and agencies, cost benefits and fairness in accordance with Governor Gary Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 308-80-015 and 308-80-020.

Statutory Authority for Adoption: RCW 46.76.070.

Adopted under notice filed as WSR 00-09-070 on April 18, 2000.

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.

PERMANENT

WSR 00-13-019
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed June 12, 2000, 9:04 a.m.]

Date of Adoption: June 12, 2000.

Purpose: Review of current rules to ensure necessity, effectiveness, efficiency, clarity, intent, coordination with other jurisdictions and agencies, cost benefits and fairness in accordance with Governor Gary Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-63-150; and amending WAC 308-63-020, 308-63-030, 308-63-040, 308-63-050, 308-63-060, 308-63-070, 308-63-080, 308-63-090, 308-63-100, 308-63-110, 308-63-120, 308-63-130, 308-63-140, and 308-63-160.

Statutory Authority for Adoption: RCW 46.80.140.

Adopted under notice filed as WSR 00-09-069 on April 18, 2000.

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 14, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 14, 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: Thirty-one days after filing.

June 12, 2000

Fred Stephens

Director

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-020 Definitions. May I acquire a vehicle or a vehicle part on a bill of sale? (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

(a) Vehicles from nontitle jurisdictions;

(b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC ~~((308-58-030))~~ 308-56A-460; or

(c) For vehicles of the type to which titles are not issued.

(2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the

vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-030 Established place of business. ~~((Wrecker.))~~ **What is a vehicle wrecker place of business?** A wrecker's established place of business is a building or enclosure which the owner occupies either continuously or at regular intervals; and where ~~((his/her))~~ the business books and records are kept available for inspection during normal business hours and dismantling of vehicles is accomplished ~~((and which)).~~ It must conform with local zoning regulations.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-040 Wreckers—Application for license. How must I apply for a vehicle wrecker license? An original or renewal application for a wrecker license shall be filed with the director on the form provided for this purpose. The application must be endorsed by the chief of police ~~((if))~~ of any city ~~((is))~~ with a population over five thousand ~~((population))~~; otherwise, by a member of the Washington state patrol. The endorsement certifies that the wrecker has an established place of business at the address shown on the application and that ~~((his/her))~~ the applicant's vehicle(s) are properly identified in accordance with WAC 308-63-070~~((6))~~ (5).

Each application shall specify the number of vehicles owned, leased, rented or otherwise operated by the applicant for towing or transportation of vehicles or hulks in the conduct of ~~((his/her))~~ the business ~~((by the applicant, or wrecker seeking renewal and)).~~ Each endorsement shall identify ~~((such))~~ the vehicle(s) by make, model, year or other adequate description, and identification number.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-050 Expiration of motor vehicle wrecker's license. When does my vehicle wrecker license expire? (1) A motor vehicle wrecker's license shall expire twelve consecutive months from the date of issuance ~~((for purposes of staggered licensing)).~~

(2) Motor vehicle wrecker license plates shall expire on the same date as the expiration of the license.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-060 Wreckers—Special plates. How do I use the special vehicle wrecker license plates? All vehicles used for towing or transporting vehicles ~~((or hulks))~~ by a ~~((motor))~~ vehicle wrecker on the highways of this state in the conduct of ~~((his/her))~~ the business shall bear regular license plates and, in addition, special wrecker's plates. Wrecker's

plates may be obtained at a fee of six dollars which includes one dollar for reflectorization under RCW 46.16.237 for the first set, and three dollars including reflectorization for each additional set.

The wrecker may purchase sets of plates equal in number to the number of vehicles reported on ~~((his/her))~~ the application as owned, rented, leased and operated by ~~((him/her and used by him/her))~~ the applicant for towing or transporting of vehicles ~~((or hulks))~~ in the conduct of ~~((his/her))~~ the business. Should the wrecker purchase, lease, or rent additional vehicles for towing or transporting of vehicles ~~((or hulks in his/her business during the course of the year, he/she))~~, the applicant shall so inform the department and may, at the department's discretion, obtain additional plates for such vehicles.

Each vehicle used for towing or transporting of vehicles ~~((or hulks))~~ shall display both wrecker plates ~~((assigned to it, provided that))~~ of the same number. However, when any vehicle being towed does not have valid license plates, the set of wrecker plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-070 Wreckers—General procedures and requirements. ~~((A))~~ Vehicle wreckers shall comply with all rules and regulations relative to the handling of vehicle parts or vehicles to be ~~((wrecked or))~~ dismantled.

(1) Enclosure. The activities of a ~~((motor))~~ vehicle wrecker shall be conducted entirely within the established place of business. A physical barrier shall designate the boundary of the wrecking yard ~~((except that,))~~. Where necessary to obscure public view of the premises, ~~((such premises))~~ it shall be enclosed by a sight-obscuring wall or fence at least eight feet high.

(a) Where required, such sight-obscuring wall or fence shall be painted or stained in a neutral shade to blend with the surrounding premises. If the fence is made of chain link, it must have sufficient slats or other construction to obscure public view of the premises.

(b) A living hedge of equal height and sufficient density to prevent view of the premises may be substituted for the wall or fence.

(c) All enclosures and barriers shall be kept in good repair.

(d) Reasonable consideration shall be given to the topography of the land by enforcement personnel when inspecting premises for such fence, enclosure or barrier.

(e) Exceptions to this section must be granted in writing by the department.

(2) Additional places of business. Each licensed wrecker may maintain one or more additional places of business within the same ~~((law enforcement jurisdiction, such as a city or))~~ county, under the same permit. The wrecker may maintain as many storage yards or sales outlets as needed so long as each is registered with the department. Each wrecking or storage yard shall comply with local zoning regulations and with such other requirements as the department may provide,

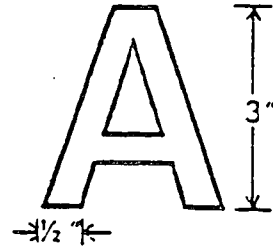
particularly those in subsection (1) of this section. Duplicate wrecker's licenses will be issued to be posted at each additional place of business.

(3) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(4) Display of license certificate. The license certificate of a licensed wrecker shall be displayed conspicuously at each business address(es) and shall be available for periodic inspection by law enforcement officers and authorized representatives of the department.

~~((5))~~ ~~((Tow car fee. The licensee of any fixed load vehicle equipped for lifting or towing any disabled, impounded, or abandoned vehicle or part thereof, may pay a twenty-five dollar fee in lieu of tonnage fees as provided in RCW 46.16.079.~~

~~((6))~~ Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks which are operated on the highways of this state shall display the licensee's name, the city in which the licensee's established place of business is located, and the current business telephone number of ~~((such))~~ the licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch ~~((stroke for the))~~ in solid width and shall be at least three inches high. See example.



~~((7))~~ (6) License plates from vehicles entered into the wrecking yard shall be removed within twenty-four hours ~~((, except that))~~. Plates on vehicles in the segregated area may be left on until the vehicle is entered into the wrecking yard. The wrecker shall destroy such plates prior to submitting the monthly report for the month the vehicle was entered into the wrecking yard.

~~((8))~~ (7) Major component parts. Under RCW 46.80.010(3) the term "engines, short blocks, transmissions and drive axles" shall not include cores or parts which are limited to value as scrap metal or for remanufacturing only. The term "seat" shall be interpreted to mean bucket seat. The term "drive axle" means a differential assembly.

~~((9))~~ (8) Vehicles in custody and awaiting approved ownership documents, as provided under WAC 308-63-080, must be placed in a segregated storage area within the wrecking yard which must be designated by a physical barrier. Vehicles may remain in this area after ownership documents have arrived and the vehicle has been properly entered into the wrecking yard inventory. There will be no dismantling or parts removal in this area. The physical barrier may be portable, made of substantial posts and connected by a chain, cable, barbed wire, or of other equally strong construction.

PERMANENT

This area can be used for storage of dealer cars or equipment if the wrecker is both a wrecker and a dealer however, there will be no storage of vehicle parts.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-080 Wreckers—Procedures for acquiring vehicles and vehicle parts. With what ownership documents may I acquire vehicles or vehicle parts? Supporting acquisition. The wrecker may acquire vehicles and vehicle parts if the seller can furnish ownership documents as follows:

- (1) Certificate of title, including salvage certificates, properly endorsed in the case of vehicles from states issuing a title.
- (2) Bills of sale pursuant to WAC 308-63-020(1) for vehicles from nontitle jurisdictions, for vehicles that have had their title surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.
- (3) Affidavit of lost or stolen title if executed by the registered and legal owner of record.
- (4) Insurance company bills of sale pursuant to WAC ~~((308-58-020(2)))~~ 308-56A-460(3).
- (5) Affidavit of sale of an abandoned vehicle pursuant to WAC 308-61-026(1).
- (6) Affidavit of junk vehicle pursuant to RCW 46.55.230.
- (7) A court order.
- (8) A bill of sale for parts pursuant to WAC 308-63-020(2).

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-090 Wreckers—Records and procedures for monthly reports. What records must I keep and how do I handle the monthly report? (1) Wrecker books and files. The wrecker shall maintain books and files which shall contain the following:

- (a) A record of each vehicle or part acquired giving:
 - (i) A description of the vehicle or part by make, model, year, and for major component parts, except core parts, the vehicle identification number and "yard number" assigned at the time the vehicle or major component part was placed in the wrecking yard;
 - (ii) The date purchased or acquired by the wrecker, and the name of the person, firm or corporation from which the vehicle or part ~~((he/she were))~~ was obtained;
 - (iii) The certificate of title number if registered in a title state, or registration number if a nontitle state; or description of the document used in lieu of title, such as an affidavit((s)) of sale or a bill((s)) of sale for a vehicle or vehicle part((s)); and
 - (iv) The name of the state and license number in the state that a vehicle was last registered.
- (b) A record of the disposition of the motor, body, and major component parts giving the name of the person pur-

chasing the part(s), if any. Sales to scrap processors shall be accompanied by an invoice or bill of sale, listing each vehicle by its yard number. The wrecker shall retain a copy of such invoice or bill of sale for purposes of inspection for three years.

These records will be subject to inspection by authorized representatives of the department and law enforcement officials during regular business hours. The foregoing information shall be entered in the wrecker's records within two business days of the event requiring the entry, such as receipt of a vehicle.

(2) Must furnish written reports. By the tenth of the month following acquisition of vehicles entered into the wrecking yard inventory, each wrecker will submit a report on the form ~~((provided))~~ prescribed by the department documenting that those vehicles were entered into the wrecking yard inventory during the month. Vehicles being held in the segregated storage area awaiting ownership documents, pursuant to WAC ~~((308-63-070(9)))~~ 308-63-070(8), will not be reported. The report shall be made in duplicate. The original shall be sent to the department and the duplicate retained for the wrecker's files. If no vehicles are acquired during the month, the monthly report must be sent in stating "none." The report shall give such information for vehicles only as the wrecker is required to keep by subsection (1)(a)(i), (ii), (iii), and (iv) of this section; it shall be accompanied by properly endorsed certificates of title or other adequate evidence of ownership and registration certificates: Provided, That records on acquisitions and sales of vehicle parts need not be included in reports submitted to the department but records shall be kept for three years from date of purchase and available for inspection.

(3) Identity of vehicles in yard. All vehicles placed in the yard shall be identified by a yard number as assigned in the wrecking records with numerals marked so as to be clearly visible and legible. If a part of a vehicle is sold which has the number on it, the yard number of the vehicle shall be ~~((renumbered))~~ remarked in another location on the vehicle.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-100 Wreckers—Must furnish bill of sale for parts. What document must I use to sell a vehicle part? No wrecker may sell a motor vehicle part unless he/she gives the purchaser a bill of sale for such part. Whenever the wrecker sells a motor, frame, or other major component part, ~~((he/she shall))~~ except for a core part, the bill of sale must describe the part fully, giving make, model, year, and vehicle identification number or yard number of the vehicle from which the part was taken.

No wrecker may sell vehicles or hulks to a scrap processor or to a hulk hauler for transportation to a scrap processor ~~((unless he/she gives))~~ without giving the scrap processor or the hulk hauler an invoice or bill of sale listing each vehicle or hulk by yard number ~~((;)).~~ The wrecker shall retain a copy of such invoices for inspection purposes.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-110 Wreckers—Selling used vehicles. Where do I store inoperable vehicles that I acquire for sale under my vehicle dealer license? (1) All vehicles acquired for sale under a vehicle dealer's license which are inoperable at the time of acquisition shall be kept inside the wrecking yard and shall be segregated from the remainder of the operation by a continuous physical barrier.

(2) "Inoperable" as used in this section shall mean a vehicle which does not comply with requirements for vehicles used on public streets with regard to brakes, lights, tires, safety glass and other safety equipment. However, for purposes of this section, inoperable shall not include a requirement to be currently licensed.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-120 Statement of change in business structure, ownership interest or control. When must I report a change? Any person, firm, association, corporation or trust licensed under chapter 46.80 RCW must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change in its business structure or the change in ownership interest.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-130 Termination of business. If I terminate my business, must I surrender my wrecker license? A ~~((motor))~~ vehicle wrecker who terminates ~~((his/her))~~ business shall, within ten days of such termination return ~~((his/her))~~ the wrecker license and special license plates to the department for cancellation ~~((within ten business days of such termination, except as provided in RCW 46.70.081)).~~

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-140 Sale, transfer or other disposition of noncorporate licensee. What must I do if there is a change of ownership in my noncorporate license? Upon the sale, transfer or other disposition of ~~((fifty percent or more of the))~~ an ownership interest in a noncorporate licensee:

(1) A new bond or rider to the bond revealing the change in ownership shall be filed with the department.

(2) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(3) The former owner must ~~((turn into))~~ surrender to the department ~~((his/her))~~ the special license plates. The new owners or transferees must purchase new plates in ~~((his/her))~~ their own name.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-63-160 Incorporation of licensee while licensed. If my business is not a corporation, what do I do if I incorporate? A licensee which incorporates while licensed:

(1) Shall file an application for an appropriate license.

(2) Shall file a new bond with the department.

(3) ~~((If the transfer involves a change in the business structure only and does not involve the transfer of fifty percent or more of the ownership interest in the firm, the corporation may be considered temporarily licensed until the end of the licensing period or until the application is denied, and during such period:~~

~~((a) No additional fees will be required until renewal, at which time an original application for license and fee will be required:~~

~~((b) The same special license plates may be used until renewal:))~~ The firm may request the preincorporation license number upon ~~((renewal))~~ application.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-63-150

Partial sales transfer or disposition of noncorporate licensee.

WSR 00-13-020

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 12, 2000, 9:07 a.m.]

Date of Adoption: June 12, 2000.

Purpose: Review of current rules to ensure necessity, effectiveness, efficiency, clarity, intent, coordination with other jurisdictions and agencies, cost benefits and fairness in accordance with Governor Gary Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-65-180; and amending WAC 308-65-020, 308-65-030, 308-65-040, 308-65-050, 308-65-060, 308-65-080, 308-65-090, 308-65-100, 308-65-110, 308-65-130, 308-65-140, 308-65-150, 308-65-170, and 308-65-190.

Statutory Authority for Adoption: RCW 46.79.080.

Adopted under notice filed as WSR 00-09-071 on April 18, 2000.

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 14, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 14, 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: Thirty-one days after filing.

June 12, 2000

Fred Stephens

Director

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-020 Definitions. (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

(a) Vehicles from nontitle jurisdictions;

(b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC ((308-58-030)) 308-56A-460; or

(c) For vehicles of the type to which titles are not issued.

(2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-030 Established place of business. What must I do for a place of business? (1) Hulk hauler. A hulk hauler's established place of business is an address at which ((he/she)) the hulk hauler receives mail and can normally be reached.

(2) Scrap processor. A scrap processor's established place of business is a place where (a) vehicles may be stored lawfully, (b) hydraulic balers, shears or shredders or other equipment for recycling vehicle salvage may be used lawfully, and (c) there is a building in which the scrap processor's license is conspicuously displayed and where all records required of the scrap processor are available for inspection.

AMENDATORY SECTION (Amending WSR 94-12-052, filed 5/27/94, effective 6/27/94)

WAC 308-65-040 Hulk hauler—Application for license. How must I apply for the hulk hauler license? The application for a hulk hauler's license shall be made on the form provided by the department and shall include, in

addition to any other information the department may require, and in addition to the provisions of RCW 46.79.030:

(1) A statement regarding whether or not the applicant has ever previously had a license as a hulk hauler denied, suspended, or revoked and on what dates and what grounds.

(2) A certification from a member of the Washington state patrol that his/her vehicle(s) are properly identified in accordance with WAC 308-65-070(5).

The license may be renewed prior to the expiration date by filing a renewal application, securing a signature of the appropriate member of the Washington state patrol on his/her application, and paying a renewal fee of ten dollars.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-050 Expiration of hulk hauler license. When will my license expire? (1) A hulk hauler's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing.

(2) Motor vehicle hulk hauler license plates shall expire on the same date as the expiration of the license.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-060 Hulk hauler—Special plates. How must I display the hulk hauler license plates? All vehicles used by hulk haulers on the highways of this state shall bear regular license plates and in addition, special hulk hauler's plates. Each vehicle shall display both special plates assigned to it, provided that when any vehicle being towed does not have valid license plates, the hulk hauler plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed. The plates serve in lieu of a trip permit or current license plates for the vehicle(s) being transported.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set which charges include the reflectorization fee required by RCW 46.16.237.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-080 Hulk hauler—Procedures for acquiring and selling vehicles. On what ownership documents may I buy and sell vehicles/hulks? (1) Supporting acquisition for transport, resale. The hulk hauler may acquire vehicles or hulks for transport and resale to a licensed motor vehicle wrecker or scrap processor upon obtaining ownership documents in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing only a registration certificate or other approved ownership documents as follows:

(a) Affidavit of lost or stolen title signed by the owner on record with the department, and release of interest from the owner.

(b) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(c) Affidavit of sale from a registered tow truck operator.

(d) A court order.

(e) Acquisition from wreckers licensed by the department may be supported by obtaining the wrecker's invoice or bill of sale listing each vehicle by the wrecker's "yard number." Such invoice or bill of sale shall be given to the scrap processor or vehicle wrecker purchasing the vehicles listed therein.

(f) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions that have had their titles surrendered to a state after having been declared a total loss and for vehicles of the type to which titles are not issued.

(2) Must possess supporting documentation. Before a hulk hauler may transport any vehicle for resale, he/she shall have in his/her possession ownership documents to support lawful acquisition or possession, as enumerated in subsection (1) of this section. Such documentation shall be in his/her possession at all times while the vehicle is transported.

(3) Handling vehicles. A hulk hauler may not operate as a wrecker or remove parts from vehicles, provided that ((he/she)) the hulk hauler may remove the parts necessary to sell vehicle salvage to a licensed scrap processor, e.g., the upholstery, gasoline tank, and tires, so long as such parts are removed on the premises of a licensed wrecker or scrap processor where prior permission is granted or at a location approved by the department.

(4) May sell to licensed wreckers and scrap processors. Vehicles in the possession of a licensed hulk hauler may only be sold to a licensed wrecker or scrap processor.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-090 Scrap processor—Application for license. How must I apply for a scrap processor license? The application for a scrap processor's license shall contain, in addition to any other information the department may require, evidence the application is approved by the local government planning and zoning authorities pursuant to the provisions of the State Environmental [Policy] Act, chapter 43.21C RCW.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-100 Expiration of scrap processor license. When does my license expire? (1) A scrap processor's license shall expire twelve consecutive months from the date of issuance ((for purposes of staggered licensing)).

(2) Any special license plates issued to a scrap processor shall expire on the same date as the expiration of the license.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-110 Scrap processor—Special plates. What special license plates are available? Vehicles owned or operated on the highways of this state by a scrap processor

and used by ((him/her)) the scrap processor in gathering vehicle hulks or salvage shall bear regular license plates and, in addition, hulk hauler plates. Such plates serve in lieu of a trip permit or current license for any vehicle being transported. Each vehicle shall display all plates issued to it.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set including the reflectorization fee required by RCW 46.16.237; they expire simultaneously with the scrap processor's license.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-130 Scrap processor—Procedures for acquiring vehicles for demolition. On what ownership documents may I acquire vehicles? Supporting acquisition. A scrap processor may acquire vehicles for demolition if the transferor can furnish ownership documents, in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing a registration certificate only or other approved ownership documents as follows:

(1) Affidavit of lost or stolen title and release of interest from the owner.

(2) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(3) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions, for vehicles that have had their titles surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.

(4) Affidavit of sale from a registered tow truck operator.

(5) A court order.

(6) Invoice or bill of sale from wrecker.

(7) Scrap processors may acquire vehicle salvage from out-of-state provided that the out-of-state salvage company submits an affidavit certifying ((his/her)) its rightful and true possession of the vehicles or parts contained in the bulk shipment and that he/she has complied with all statutes, rules and regulations relating to such vehicles in the state or province of origin.

(8) Vehicle parts may be acquired by use of an invoice or bill of sale which describes the part and identifies the seller by name and address.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-140 Scrap processor—Procedures for monthly reports. How must I file monthly reports to the department? (1) Must maintain books and files.

(a) The scrap processor shall maintain the following books and files of all vehicles, acquired other than from a wrecker or out-of-state salvage company, which shall contain the following:

(i) A description of each vehicle acquired by make, model, year and vehicle identification number;

(ii) The date acquired, name of the person, firm or corporation from which obtained, and the wrecker license numbers if such person is licensed as a wrecker by the department;

(iii) A description of the document evidencing ownership, and if a certificate of title or registration, the title or registration number; and

(iv) The license plate number and name of state in which vehicle was last registered.

(b) For all vehicles acquired from a licensed wrecker, a copy of the wrecker's invoice or bill of sale shall suffice as the record of acquisition and demolition.

(c) For vehicles acquired from out-of-state salvage companies, an invoice listing the vehicles and the affidavit of compliance with the out-of-state jurisdiction.

(d) For vehicle parts, an invoice or bill of sale describing the part and identifying the seller by name and address. That record will be available for inspection.

(e) Such records shall be maintained for three years and shall be subject to periodic inspection by authorized representatives of the department and appropriate law enforcement officers.

(2) Must furnish written reports. By the tenth of the month following acquisition of vehicles or hulks for demolition, each scrap processor shall submit a report, on the form prescribed by the department, listing each vehicle, whether or not such vehicles have been demolished. This report shall be made in duplicate, retaining the duplicate for the scrap processor's files. The report shall give such information as the scrap processor is required to keep by subsection (1) of this section, provided that the scrap processor need not include copies of a wrecker's invoice or bill of sale in such report so long as he/she retains copies of the invoices and bills of sale for a period of three years. It shall be accompanied by properly endorsed certificates of title or registration or such other adequate evidence of ownership as may come into the scrap processor's possession when he/she acquires vehicles for salvage from other than wreckers licensed by the department.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-150 Statement of change in business structure, ownership interest or control. When must I report a change in business structure or ownership? Any person, firm, association, corporation or trust licensed under chapter 46.79 RCW must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change in its business structure or the change in ownership interest.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-170 Sale, transfer or other disposition of noncorporate licensee. What if there is a partial change in ownership of the company? Upon the sale, transfer or other disposition of fifty percent or more of the ownership interest in a noncorporate licensee:

(1) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(2) The former owner must (~~turn into~~) surrender to the department ((his/her)) all special license plates. The new owner or transferee must purchase new plates in ((his/her)) its own name.

AMENDATORY SECTION (Amending WSR 93-08-076, filed 4/6/93, effective 5/7/93)

WAC 308-65-190 Incorporation of licensee while licensed. What if I incorporate while licensed? A licensee which incorporates while licensed(:

~~(1)) shall file an application for an appropriate license.~~

~~((2) If the transfer involves a change in the business structure only and does not involve the transfer of fifty percent or more of the ownership interest in the firm, the corporation may be considered temporarily licensed until the end of the licensing period or until the application is denied, and during such period:~~

~~(a) No additional fees will be required until renewal, at which time an original application for license and fee will be required.~~

~~(b) The same special license plates may be used until renewal.)~~ The firm may request the preincorporation license number (~~upon renewal~~).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-65-180 Partial sales transfer or disposition of noncorporate licensee.

**WSR 00-13-036
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**
(Economic Services Administration)
[Filed June 13, 2000, 3:48 p.m.]

Date of Adoption: June 13, 2000.

Purpose: WAC 388-424-0025 Citizenship and alien status—Eligibility requirements for the food assistance program for legal immigrants, this amendment will expand eligibility for state-funded food assistance to aliens who are PRUCOL (permanently residing under color of law).

Citation of Existing Rules Affected by this Order: Amending WAC 388-424-0025.

Statutory Authority for Adoption: RCW 74.08A.120.

Adopted under notice filed as WSR 00-09-082 on April 18, 2000.

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

PERMANENT

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 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.

June 13, 2000

Marie Myerchin-Redifer
Manager

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-424-0025 Citizenship and alien status—Eligibility requirements for the food assistance program for legal immigrants. To receive benefits under the food assistance program (FAP) for legal immigrants ((FAP), a person), you must be one of the following:

(1) A qualified alien, as defined in WAC 388-424-0005, who cannot receive federal food stamps because of the eligibility restrictions described in WAC 388-424-0020; or

(2) An alien who ((is)) does not meet the definition of a qualified alien as defined in WAC 388-424-0005 but who is:

(a) Allowed to enter the U.S. for permanent residence by permission of the U.S. Attorney General under section 249 of the Immigration and Nationality Act (INA);

(b) Admitted for temporary residence under section 245A of the INA and is aged, blind, or disabled as described in Title XVI of the Social Security Act;

(c) Granted temporary resident status by the Immigration and Naturalization Service (INS) as a special agricultural worker under section 210 of the INA;

(d) Granted family unity status by the INS and the alien's spouse or parent is eligible to participate in FAP or the federal food stamp program; or

(e) Permanently residing under color of law (PRUCOL) in the United States as defined in WAC 388-424-0005(4).

WSR 00-13-038

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed June 14, 2000, 10:40 a.m.]

Date of Adoption: June 8, 2000.

Purpose: Amend current language.

Citation of Existing Rules Affected by this Order:
Amending WAC 180-56-230 Program.

Statutory Authority for Adoption: RCW 28A.04.120(5).

Adopted under notice filed as WSR 00-10-020 on April 21, 2000.

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 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.

June 13, 2000

Larry Davis
Executive Director

AMENDATORY SECTION (Amending Order 2-82, filed 1/21/82)

WAC 180-56-230 Program. It is presumed by the state board of education that a new secondary program (or new grades nine through twelve) must make provision for a comprehensive program. ((These programs also must accommodate the requirements of WAC 180-56-026 relating to areas of study that must be available to students and WAC 180-56-021 relating to required subject area and credits for graduation, and must provide for the varied needs, abilities, and interests of students.)) Minimum course offerings that must be available for student selection during grades nine through twelve shall include((:)) those necessary to meet the minimum high school graduation requirements under WAC 180-51-060.

((Required Offerings (subject areas)))	Credits*
Language arts	18
Social studies	15
Mathematics (including algebra and geometry)	12
Laboratory science (including biology, chemistry and physics)	12
Home economics	9
Health and physical education	9
Industrial arts	9
Fine arts (must include both music and art)	12
Foreign language (9 credits of one language or 6 credits of two languages)	9
Business education	9

* One credit equals 60 clock hours of instruction including normal class change passing time. (See WAC 180-56-016))

PERMANENT

WSR 00-13-039
PERMANENT RULES
STATE BOARD OF EDUCATION

[Filed June 14, 2000, 10:44 a.m.]

Date of Adoption: June 8, 2000.

Purpose: To revise language in new subsection (2)(g).

Citation of Existing Rules Affected by this Order:
 Amending WAC 180-51-063 Certificate of mastery—High school graduation requirement—Effective date.

Statutory Authority for Adoption: RCW 28A.230.090.

Adopted under notice filed as WSR 00-10-018 on April 21, 2000.

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 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.

June 13, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 00-04-047, filed 1/27/00, effective 2/27/00)

WAC 180-51-063 Certificate of mastery—High school graduation requirement—Effective date. (1) Pursuant to RCW 28A.655.060 (3)(c):

(a) The certificate of mastery shall be a graduation requirement, but not the only requirement for graduation from high school; and

(b) The state board of education is responsible for determining when the secondary Washington assessment of student learning has been implemented and is sufficiently valid and reliable.

(2)(a) The state board of education establishes the 2007-08 school year as the first year in which graduating high school students shall be required to have attained the state certificate of mastery in order to graduate, in addition to other state and local graduation requirements.

(b) The state board of education fully recognizes that a higher standard of validity and reliability must be applied when the result of the assessment affects the ability of an individual student to receive a high school diploma. Therefore, the state board of education will continue to monitor the high school level Washington assessment of student learning. If the board finds that the assessment is lacking in this higher level of validity or reliability, or both, by the beginning of the

2004-05 school year, the state board may change the effective date of the certificate of mastery, for state graduation purposes, to a later school year.

(c) Beginning the 2007-08 school year, the certificate of mastery shall consist of the subject areas under the student learning goals for which a Washington assessment of student learning secondary assessment has been implemented and declared valid and reliable for graduation purposes. It is expected that the initial certificate of mastery will be comprised of reading, writing, communications, and mathematics.

(d) Beginning the 2009-10 school year, the certificate of mastery shall include science if a Washington assessment of student learning secondary assessment has been implemented and declared valid and reliable for this subject area.

(e) As determined by the state board of education, in consultation with the legislature and the academic achievement and accountability commission, successful completion of the Washington assessment of student learning secondary assessment in social studies may be required to achieve the certificate of mastery or may lead to an endorsement on the high school transcript.

(f) As determined by the state board of education, in consultation with the legislature and the academic achievement and accountability commission, successful completion of the Washington assessment of student learning secondary assessment in arts and health and fitness may lead to an endorsement on the high school transcript.

(g) Beginning with ~~((graduating))~~ students in 2001 who take the secondary Washington assessment of student learning and earn the certificate of mastery and/or meet the standard, attainment of the state certificate of mastery ~~((may))~~ and/or meeting the standard shall be noted on the student's transcript pursuant to ~~((written district policy))~~ WAC 180-57-070.

(3) Notwithstanding WAC 180-18-055 and 180-51-107, subsection (2) of this section shall not be waived.

(4) The certificate of mastery shall not be a graduation requirement for students who receive home-based instruction under RCW 28A.200.101(3) nor for students attending private schools under RCW 28A.195.010(6).

WSR 00-13-063

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed June 16, 2000, 10:21 a.m.]

Date of Adoption: June 8, 2000.

Purpose: The purpose of the amendment is to create a new type of limited certificate, the intern substitute teacher certificate, which will allow student teachers/interns to be substitute teachers in the absence of the classroom teacher.

Citation of Existing Rules Affected by this Order:
 Amending WAC 180-79A-140 and 180-79A-231.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 00-10-084 on May 2, 2000.

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 2, 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 2, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

June 15, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

WAC 180-79A-140 Types of certificates. ~~((Six))~~ Five types of certificates shall be issued:

(1) Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 180-79A-220, authorizes service as a classroom teacher.

(2) Vocational. The vocational certificate authorizes service in vocational programs in accordance with the provisions of chapter 180-77 WAC.

(3) Administrator.

(a) The administrator certificate for principal authorizes services as a building administrator or vice-principal. The initial principal certificate shall indicate one of the following grade levels, preschool-9, 4-12, or preschool-12, based on recommendations from the college or university in which the candidate completed an approved preparation program.

(b) The administrator certificates for superintendent or program administrator will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(4) Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 180-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

~~(5) ((Internship. The internship certificate is issued to individuals who meet the qualifications for it and are participating in the internship pilot project as described in WAC 180-79A-241.~~

~~(6))~~ Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC ~~((180-79A-230))~~ 180-79A-231:

(a) Conditional certificate.

(b) Substitute certificate.

(c) Emergency certificate.

(d) Emergency substitute certificate.

(e) Intern substitute teacher certificate.

AMENDATORY SECTION (Amending WSR 99-23-023, filed 11/9/99, effective 12/10/99)

WAC 180-79A-231 Limited certificates. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) The purpose of the conditional certificate is to assist local school districts, approved private schools, and educational service districts in meeting the state's educational goals by giving them flexibility in hiring decisions based on shortages or the opportunity to secure the services of unusually talented individuals. The state board of education encourages in all cases the hiring of fully certificated individuals and understands that districts will employ individuals with conditional certificates only after careful review of all other options. The state board of education asks districts when reviewing such individuals for employment to consider, in particular, previous experience the individual has had working with children.

(b) Conditional certificates are issued upon application by the local school district, approved private school, or educational service district superintendent to persons who meet the age, good moral character, and personal fitness requirements of WAC 180-79A-150 (1) and (2), if one of the following conditions is verified:

(i) The applicant is highly qualified and experienced in the subject matter to be taught and has unusual distinction or exceptional talent which is able to be demonstrated through public records of accomplishments and/or awards; or

(ii) No person with regular teacher certification in the endorsement area is available as verified by the district or educational service district superintendent or approved private school administrator, or circumstances warrant consideration of issuance of a conditional certificate.

(c) In addition, conditional certificates are issued to persons in the following categories only if no person with regular certification is available:

(i) The applicant qualifies to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(ii) The applicant is assigned instructional responsibility for intramural/interscholastic activities which are part of the district or approved private school approved program; or

(iii) The applicant possesses a state of Washington license for a registered nurse: Provided, That the district will be responsible for orienting and preparing individuals for their assignment as described in (e)(iii) of this subsection; or

(iv) The applicant has completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(d) The educational service district or local district superintendent or administrator of an approved private school will verify that the following criteria have been met when requesting the conditional certificate:

(i) The district or educational service district superintendent or approved private school administrator has indicated the basis on which he/she has determined that the individual is competent for the assignment;

(ii) The individual is being certificated for a specific assignment and responsibility in a specified activity/field;

(e) When requesting the conditional certificate for persons who provide classroom instruction, the educational service district superintendent or local district superintendent or approved private school administrator will verify that the following additional criteria will be met:

(i) After specific inclusion on the agenda, the school board or educational service district board has authorized submission of the application.

(ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district or approved private school mentor and will not be serving in a paraprofessional role which would not require certification;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district or approved private school. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iv) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district or approved private school.

(f) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certificate, and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter upon application by the employing local school district, approved private school, or educational service district and upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the issuance of the most recent certificate. The requesting local school district, approved private school, or educational service district shall verify that the sixty clock hours taken for the reissuance of the certificate shall be designed to support the participant's professional growth and enhance the participant's instructional knowledge or skills to better assist students meeting the state learning goals and/or essential academic learning requirements.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired; or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates; or

(iii) Persons applying as out-of-state applicants who qualify for certification pursuant to WAC 180-79A-257 (2)(c) and (d).

(b) The substitute certificate is valid for life.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents or approved private school administrators to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: Provided, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: Provided further, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree with the exception of the internship: Provided further, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Emergency substitute certification.

(a) If the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under subsection (2) of this section for use in a particular school district or approved private school once the list of otherwise qualified substitutes has been exhausted.

(b) Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(5) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-79A-270 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

(6) Intern substitute teacher certificate.

(a) School districts and approved private schools may request intern substitute teacher certificates for persons enrolled in student teaching/internships to serve as substitute teachers in the absence of the classroom teacher.

(b) The supervising college or university must approve the candidate for the intern substitute teacher certificate.

(c) Such certificated substitutes may be called at the discretion of the school district or approved private school to serve as a substitute teacher only in the classroom(s) to which the individual is assigned as a student teacher/intern.

(d) The intern substitute teacher certificate is valid for one year, or less, as evidenced by the expiration date which is printed on the certificate.

WSR 00-13-064

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed June 16, 2000, 10:25 a.m.]

Date of Adoption: June 8, 2000.

Purpose: The purpose of the amendment was to clarify that only colleges and universities that have approved preparation programs for the residency certificate shall be approved to offer professional certificate programs.

Citation of Existing Rules Affected by this Order: Amending WAC 180-78A-500.

Statutory Authority for Adoption: RCW 28A.305 [28A.305.130] (1) and (2).

Adopted under notice filed as WSR 00-10-083 on May 2, 2000.

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.

June 15, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 99-01-174, filed 12/23/98, effective 1/23/99)

WAC 180-78A-500 Professional certificate program approval. All professional certificate programs for teachers shall be approved pursuant to the requirements in WAC 180-78A-520 through 180-78A-540. Only colleges/universities with state board of education approved residency certificate teacher preparation programs are eligible to apply for approval to offer professional certificate programs.

WSR 00-13-065

PERMANENT RULES

STATE BOARD OF EDUCATION

[Filed June 16, 2000, 10:27 a.m.]

Date of Adoption: June 8, 2000.

Purpose: The purpose of the amendment is to permit independent study to be included as continuing education credit hours (clock hours), thus permitting on-line instruction.

Citation of Existing Rules Affected by this Order: Amending WAC 180-85-030 Continuing education credit hour—Definition.

Statutory Authority for Adoption: RCW 28A.410.010.

Adopted under notice filed as WSR 00-10-082 on May 2, 2000.

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.

June 16, 2000

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-086, filed 2/5/97, effective 3/8/97)

WAC 180-85-030 Continuing education credit hour—Definition. As used in this chapter, the term "continuing education credit hour" shall mean:

(1) For each college or university semester hour credit, fifteen hours of continuing education credit hours shall be granted.

(2) For each college or university quarter hour credit, ten hours of continuing education credit hours shall be granted.

(3) For each sixty minutes of instruction in course work provided by a vocational-technical college, one continuing education credit hour shall be granted.

(4) For each sixty minutes of approved in-service education including reasonable time for breaks and passing time, one continuing education credit hour shall be granted. In the application of this subsection, the in-service education provider shall determine what is reasonable.

(5) In the application of this section, approved in-service credit hours shall not include:

(a) Routine staff meetings—such as district, building, or area meetings within an agency, district, or building—to dis-

cuss or explain operational policies or administrative practices within the agency, district, or building;

(b) Business meetings of professional associations to discuss operational policies or practices of the association;

(c) Social hours(~~(-independent study,)~~) or actual meal time.

(6) In the application of this section, for the purpose of official records of the amount of in-service credit hours, the in-service provider or the superintendent of public instruction shall round continuing education credit hours down to the nearest half hour of credits actually completed—i.e., .50, and .00—and in no case shall an applicant receive credit for an in-service program that was less than a total of three continuing education credit hours.

WSR 00-13-070
PERMANENT RULES
PARKS AND RECREATION
COMMISSION

[Filed June 16, 2000, 4:44 p.m.]

Date of Adoption: June 9, 2000.

Purpose: This rule-making action is the result of the state Parks and Recreation Commission's annual review of chapter 352-32 WAC, Public use of state park areas. During the current review period the commission determined the need for several amendments to this chapter. The chapter was reviewed for clarity, grammar, efficiency and effectiveness in meeting the needs of all state park visitors, the general public, and the agency staff responsible for park management. The chapter was also updated to reflect the recodification of Title 79A RCW.

Citation of Existing Rules Affected by this Order: WAC 352-32-010 Definitions, 352-32-011 Dress standards, 352-32-030 Camping, 352-32-040 Picnicking, 352-32-045 Reservations for use of designated group facilities, 352-32-050 Park periods, 352-32-053 Park capacities, 352-32-056 Peace and quiet, 352-32-060 Pets, 352-32-070 Use of horses, llamas, sled dogs or similar animals for recreation, 352-32-075 Use of nonmotorized cycles or similar devices, 352-32-080 Swimming, 352-32-085 Technical rock climbing, 352-32-090 Games, 352-32-100 Disrobing, 352-32-110 Tents, etc., on beaches, 352-32-120 Firearms and/or weapons, 352-32-130 Aircraft, 352-32-150 Fishing, 352-32-15001 Little Spokane River natural area—Prohibited uses, 352-32-155 Lakes located wholly within state parks boundaries—Internal combustion engines prohibited, 352-32-157 Lakes partially located within state park boundaries—Internal combustion engines prohibited, 352-32-165 Public assemblies, meetings, 352-32-195 Solicitation, 352-32-200 Expulsion from state park areas, 352-32-210 Consumption of alcohol in state park areas, 352-32-215 Compliance with signs, 352-32-230 Food and beverage containers on swimming beaches, 352-32-235 Use of metal detectors in state parks, 352-32-250 Standard fees charged, 352-32-251 Limited income senior citizens, disability, and disabled veteran passes, 352-32-255 Self-registration, 352-32-280 Applicability of standards fees, 352-32-285 Applicability of standard fees to volunteers in parks,

352-32-290 Wood debris collection permits—Fees, and 352-32-330 Commercial recreation providers—Permits.

Statutory Authority for Adoption: Chapters 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070.

Adopted under notice filed as WSR 00-10-117 [on May 3, 2000].

Changes Other than Editing from Proposed to Adopted Version: The commission made changes to the proposed rules during the public hearing on June 9, 2000, as shown below:

NOTE TO CODE REVISER: (all changes appear as ~~strikethrough~~)
(explanations appear underlined)

The commission made the following changes to the proposed rules during the June 9, 2000, public hearing:

WAC 352-32-070 Use of horses, llamas, sled dogs or similar animals for recreation. ... (6) Any person bringing a horse, llama, sled-dog or similar animal into a state park area shall clean-up ~~and dispose of~~ animal feces in parking lots, at trail heads and other central locations used by park visitors.

The above change was made to clarify language and according to the Assistant Attorney General for State Parks, these additional three words were not necessary.

WAC 352-32-235 Use of metal detectors in state parks. ... (6)... (b)... No item which is, or appears to be, of historical or archaeological significance, may be removed from the site at which it was found. ...

(6)(e) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities. An operator shall not allow any emitted metal detector sound audible to other park users, ~~from the Friday before Memorial Day through Labor Day.~~

The above change was made following a suggestion from the Federation of Metal Detectorists. It is their recommendation that no sound be audible from metal detecting devices at any time. The Commission agreed.

WAC 352-32-250 Standard fees charged. ... (2) Overnight camping - standard campsite; utility campsite; emergency campsite; overflow campsite; hiker/biker campsite; walk-in campsite; primitive campsite for nonmotorized or motorized vehicle - ...

(14) Water trail site permits -

(a) For unlimited use within the calendar year, the annual fee will be set by the director or designee after consultation with the water trail advisory committee.

(b) For one day/night use within the calendar year, the ~~annual~~ fee will be set by the director after consultation with the water trail advisory committee. (c) ...

(NOTE: The change in (14)(a) and (b) results from commission action take at its October 28, 1999, meeting to change the overnight water trail campsite fee to be equivalent to the primitive non-motorized campsite fee, replacing the previous per person fee.)

(15) In addition to the regular fee, a per night surcharge as published in the agency fee schedule shall be imposed for failure to pay the self-registration overnight facility fee;

The above change was made following a request made by the state parks director. The word "annual" should be removed from subsection (14)(b) in order to clarify the fee being referred to.

WAC 352-32-15001 Little Spokane River natural area—Prohibited uses. ...

(f) Horseback riding, ~~off trails designated for equestrian use:~~

The above change was recommended by a member of the public. The gentleman pointed out that the current language implied that some horseback riding was allowed when in fact, no horseback riding is allowed in this area under any circumstances.

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 13, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 7, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 11, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 30, 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 36, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

June 16, 2000

Jim French

Senior Policy Advisor

AMENDATORY SECTION (Amending WSR 00-01-201, filed 12/22/99, effective 1/22/00)

WAC 352-32-010 Definitions. Whenever used in this chapter the following terms shall be defined as herein indicated:

"Aquatic facility" shall mean any structure or area within a state park designated by the director or designee for aquatic activities, including, but not limited to, swimming pools, wading pools, swimming beaches, floats, docks, ramps, piers or underwater parks.

"Bivouac" shall mean to camp overnight on a vertical rock climbing route on a ledge or in a hammock sling.

"Camping" shall mean erecting a tent or shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

"Camping party" shall mean an individual or a group of people (two or more persons) that is organized, equipped and capable of sustaining its own camping activity. A "camping party" is a "camping unit" for purposes of RCW ((43.51.055)) 79A.05.065.

"Commercial recreation use" is a recreational activity in a state park that is packaged and sold as a service by an organization or individual, other than state parks or a state park concessionaire.

"Commercial recreation provider" is any individual or organization that packages and sells a service that meets the definition of a commercial recreation use.

"Commission" shall mean the Washington state parks and recreation commission.

"Conference center" shall mean a state park facility designated as such by the director or designee that provides specialized services, day-use and overnight accommodations available by reservation for organized group activities.

"Day area parking space" shall mean any designated parking space within any state park area designated for daytime vehicle parking.

"Director" shall mean the director of the Washington state parks and recreation commission or the director's designee.

"Disrobe" shall mean to undress so as to appear nude.

"Emergency area" is an area in the park separate from the designated overnight camping area, which the park manager decides may be used for camping when no alternative camping facilities are available within reasonable driving distances.

"Environmental interpretation" shall mean the provision of services, materials, publications and/or facilities, including environmental learning centers (ELC), for other than basic access to parks and individual camping, picnicking, and boating in parks, that enhance public understanding, appreciation and enjoyment of the state's natural and cultural heritage through agency directed or self-learning activities.

"Environmental learning centers (ELC)" shall mean those specialized facilities, designated by the director, designed to promote outdoor recreation experiences and environmental education in a range of state park settings.

"Extra vehicle" shall mean each additional unhitched vehicle in excess of the one recreational vehicle that will be parked in a designated campsite or parking area for overnight.

"Group" shall mean 20 or more people engaged together in an activity.

"Group camping areas" are designated areas usually primitive with minimal utilities and site amenities and are for the use of organized groups. Facilities and extent of development vary from park to park.

"Hiker/biker campsite" shall mean a campsite that is to be used solely by visitors arriving at the park on foot or bicycle.

"Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor and a moped.

"Multiple campsite" shall mean a designated and posted camping facility encompassing two or more individual standard, utility or primitive campsites.

"Overflow area" shall mean an area in a park separate from designated overnight and emergency camping areas, designated by the park manager, for camping to accommodate peak camping demands in the geographic region.

"Overnight accommodations" shall mean any facility or site designated for overnight occupancy within a state park area.

"Paraglider" shall mean an unpowered ultralight vehicle capable of flight, consisting of a fabric, rectangular or elliptical canopy or wing connected to the pilot by suspension lines and straps, made entirely of nonrigid materials except for the pilot's harness and fasteners. The term "paraglider" shall not include hang gliders or parachutes.

"Person" shall mean all natural persons, firms, partnerships, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or by an agent, servant, or employee.

"Personal watercraft" means a vessel of less than sixteen feet that uses a motor powering a water jet pump, as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

"Popular destination park" shall mean any state park designated by the director as a popular destination park because, it is typically occupied to capacity on Friday or Saturday night during the high use season.

"Primitive campsite" shall mean a campsite not provided with flush comfort station nearby and which may not have any of the amenities of a standard campsite.

"Public assembly" shall mean a meeting, rally, gathering, demonstration, vigil, picketing, speechmaking, march, parade, religious service, or other congregation of persons for the purpose of public expression of views of a political or religious nature for which there is a reasonable expectation that more than one hundred persons will attend based on information provided by the applicant. Public assemblies must be open to all members of the public, and are generally the subject of attendance solicitations circulated prior to the event, such as media advertising, flyers, brochures, word-of-mouth notification, or other form of prior encouragement to attend.

Alternatively, the agency director may declare an event to be a public assembly in the following cases: Where evidentiary circumstances and supporting material suggest that more than one hundred persons will attend, even where the applicant does not indicate such an expectation; or where there is reason to expect a need for special preparations by the agency or the applicant, due to the nature or location of the event.

"Ranger" shall mean a duly appointed Washington state parks ranger who is vested with police powers under RCW ((43.51.170)) 79A.05.160, and shall include the park manager in charge of any state park area.

"Recreation vehicle" shall mean a vehicle/trailer unit, van, pickup truck with camper, motor home, converted bus, or any similar type vehicle which contains sleeping and/or housekeeping accommodations.

"Remote controlled aircraft" shall mean nonpeopled model aircraft that are flown by using internal combustion, electric motors, elastic tubing, or gravity/wind for propulsion. The flight is controlled by a person on the ground using a hand held radio control transmitter. ~~((A typical radio controlled model aircraft weighs from five to ten pounds and has~~

~~a wingspan of five to six feet, with the maximum size being approximately fifty pounds and a wingspan of ten feet.))~~

"Residence" shall mean the long-term habitation of facilities at a given state park for purposes whose primary character is not recreational. "Residence" is characterized by one or both of the following patterns:

Camping at a given park for more than thirty days within a forty-day time period April 1 through September 30; or forty days within a sixty-day time period October 1 through March 31. As provided in WAC 352-32-030(7), continuous occupancy of facilities by the same camping party shall be limited to ten consecutive nights April 1 through September 30. Provided that at the discretion of the park ranger the maximum stay may be extended to fourteen consecutive nights if the campground is not fully occupied. Campers may stay twenty consecutive nights October 1 through March 31 in one park, after which the camping unit must vacate the overnight park facilities for three consecutive nights. The time period shall begin on the date for which the first night's fee is paid.

The designation of the park facility as a permanent or temporary address on official documents or applications submitted to public or private agencies or institutions.

"Sno-park" shall mean any designated winter recreational parking area.

"Special groomed trail area" shall mean those sno-park areas designated by the director as requiring a special groomed trail permit.

"Special recreation event" shall mean a group recreation activity in a state park sponsored or organized by an individual or organization that requires reserving park areas, planning, facilities, staffing, or other services beyond the level normally provided at the state park to ensure public welfare and safety and facility and/or environmental protection.

"Standard campsite" shall mean a designated camping site which is served by nearby domestic water, sink waste, garbage disposal, and flush comfort station.

"State park area" shall mean any area under the ownership, management, or control of the commission, including trust lands which have been withdrawn from sale or lease by order of the commissioner of public lands and the management of which has been transferred to the commission, and specifically including all those areas defined in WAC 352-16-020. State park areas do not include the seashore conservation area as defined in RCW ((43.51.655)) 79A.05.605 and as regulated under chapter 352-37 WAC.

"Trailer dump station" shall mean any state park sewage disposal facility designated for the disposal of sewage waste from any recreation vehicle, other than as may be provided in a utility campsite.

"Upland" shall mean all lands lying above mean high water.

"Utility campsite" shall mean a standard campsite with the addition of electricity and which may have domestic water and/or sewer.

"Walk-in campsite" shall mean a campsite that is accessed only by walking to the site and which may or may not have vehicle parking available near by.

"Watercraft launch site" shall mean any facility located in a state park area designated for the purpose of placing or

retrieving any vehicle-borne or trailer-borne watercraft into or out of the water.

"Water trail advisory committee" shall mean the twelve-member committee constituted by RCW ((43.51.456)) 79A.05.420.

"Water trail camping sites" shall mean those specially designated group camp areas identified with signs, that are near water ways, and that have varying facilities and extent of development.

AMENDATORY SECTION (Amending WSR 92-04-072, filed 2/4/92, effective 3/6/92)

WAC 352-32-011 Dress standards. (1) In order to identify temporary field operations personnel to the public for their safety and welfare, it is necessary for selected employees to furnish and wear apparel that will comply with a generally accepted dress standard common to the outdoor recreation industry.

(2) The apparel for male and female ((~~park aides~~)) temporary field operations personnel shall consist of ((~~tan~~)) an agency approved long or short sleeve shirt/blouse and agency supplied logos ((~~must be applied as directed~~)) as defined in the agency uniform manual.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-030 Camping. (1) Camping facilities of the state parks within the Washington state parks and recreation commission system are designed and administered specifically to provide recreational opportunities for park visitors. Use of park facilities for purposes which are of a nonrecreational nature, such as long-term residency at park facilities, obstructs opportunities for recreational use, and is inconsistent with the purposes for which those facilities were designed.

No person or camping party may use any state park facility for residence purposes, as defined (WAC 352-32-010).

(2) No person shall camp in any state park area except in areas specifically designated and/or marked for that purpose or as directed by a ranger.

(3) Occupants shall vacate camping facilities by removing their personal property therefrom no later than 1:00 p.m., if the applicable camping fee has not been paid or if the time limit for occupancy of the campsite has expired or the site is reserved by another party. Remaining in a campsite beyond the established checkout time shall subject the occupant to the payment of an additional camping fee.

(4) Use of utility campsites by tent campers shall be subject to payment of the utility campsite fee except when otherwise specified by a ranger.

(5) A campsite is considered occupied when it is being used for purposes of camping by a person or persons who have paid the camping fee within the applicable time limits or when it has been reserved through the appropriate procedures of the reservation system. No person shall take or attempt to take possession of a campsite when it is being occupied by another party, or when informed by a ranger that such site is occupied, or when the site is posted with a "reserved" sign. In

the case of a reserved site, a person holding a valid reservation for that specific site may occupy it according to the rules relating to the reservation system for that park. In order to afford the public the greatest possible use of the state park system on a fair and equal basis, campsites in those parks not on the state park reservation system will be available on a first-come, first-serve basis. No person shall hold or attempt to hold campsite(s), for another camping party for present or future camping dates, except as prescribed for multiple campsites. Any site occupied by a camping party must be actively utilized for camping purposes.

(6) One person may register for one or more sites within a multiple campsite by paying the multiple campsite fee. An individual may register and hold a multiple campsite for occupancy on the same day by other camping parties. Multiple campsites in designated reservation parks are reservable under the reservation system.

(7) In order to afford the general public the greatest possible use of the state park system, on a fair and equal basis, and to prevent residential use, continuous occupancy of facilities by the same camping party shall be limited. Campers may stay ten consecutive nights in one park, after which the camping party must vacate the site for three consecutive nights, April 1 through September 30, not to exceed thirty days in a forty-day time period. Provided that at the discretion of the park ranger the maximum stay may be extended to fourteen consecutive nights if the campground is not fully occupied. Campers may stay twenty consecutive nights in one park, after which the camping party must vacate the ((site)) park for three consecutive nights, October 1 through March 31, not to exceed forty days in a sixty-day time period. This limitation shall not apply to those individuals who meet the qualifications of WAC 352-32-280 and 352-32-285.

(8) A maximum of eight people shall be permitted at a campsite overnight, unless otherwise authorized by a ranger. The number of vehicles occupying a campsite shall be limited to one car and one recreational vehicle: Provided, That one additional vehicle without built-in sleeping accommodations may occupy a designated campsite when in the judgment of a ranger the constructed facilities so warrant. The number of tents allowed at each campsite shall be limited to the number that will fit on the ((~~designated or~~)) developed tent pad or designated area as determined by a ranger.

(9) Persons traveling by bicycles, motor bikes or other similar modes of transportation and utilizing campsites shall be limited to eight persons per site, provided no more than four motorcycles may occupy a campsite.

(10) Water trail camping sites are for the exclusive use of persons traveling by human and wind powered beachable vessels as their primary mode of transportation to the areas. Such camping areas are not subject to the campsite capacity limitations as otherwise set forth in this section. Capacities for water trail camping sites may be established by the ranger on an individual basis and are subject to change based upon the impacts to the area. All persons using water trail camping sites shall have in their possession a valid annual water trail permit or have paid the required nightly fee.

(11) Overnight stays (bivouac) on technical rock climbing routes will be allowed as outlined in the park's site spe-

cific climbing management plan. All litter and human waste must be contained and disposed of properly.

(12) Emergency camping areas may be used only when all designated campsites are full and at the park ((~~manager's~~) ranger's) discretion. Persons using emergency areas must pay the ((~~primitive~~) applicable) campsite fee and must vacate the site when directed by the park ((~~manager~~) ranger).

(13) Designated overflow camping areas may be used only when all designated campsites in a park are full and the demand for camping in the geographic area around the park appears to exceed available facilities. Persons using overflow camping areas must pay the ((~~primitive~~) applicable) campsite fee. ((~~If a nearby flush comfort station is available, persons using overflow camping areas must pay the standard campsite fee.~~))

(14) ((~~Except as provided in WAC 352-32-310,~~) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-040 Picnicking. Picnicking is permitted only in designated and marked picnicking areas, or in such other places within a state park area as designated by a ranger. ((~~Except as provided in WAC 352-32-310,~~) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-045 Reservations for use of designated group facilities. (1) All designated group facilities shall be reservable by groups as defined in WAC 352-32-010. ((~~A group is defined as 20 or more people engaged together and commonly in outdoor recreation at one park location.~~))

(2) All designated group facilities shall have a predetermined use capacity. No group exceeding this capacity in number shall use these areas. Groups making reservations shall be charged the applicable fee for a minimum of 20 people.

(3) Use of designated group facilities may be by reservation. Requests made at the park for reservations for groups of 20 to 250 shall be made 15 days in advance and for groups in excess of 250 shall be made 30 days in advance of the proposed use date, using the group use permit. All conditions outlined on the group use permit shall be binding on the group.

(4) Submittal of the group use permit request, payment of appropriate fees, which may include a nonrefundable reservation transaction fee, a first day/night use fee and a damage deposit are required for the use of these facilities. Fees are published by state parks. In those cases where the fee is submitted at a later date, it must be paid by certified check, ((~~bank money order,~~) or ((~~postal~~)) money order. Refunds will be made only to those groups which cancel their reservations thirty or more days before the effective date of the reservations.

(5) For overnight group use, parking will be in the provided, defined areas. If additional parking is required, it may be available in the park's extra vehicle parking facility following the payment of the appropriate extra vehicle parking fee.

(6) A damage deposit may be required by the park manager as part of the reservation. In those cases where the deposit is submitted at a date later than the reservation request, it must be paid by certified check, bank money order, or postal money order. This deposit shall be held by the Washington state parks and recreation commission to encourage the cleanliness and good order of the group facility. Deposits are published by state parks with the schedule of fees. Refund of this deposit shall be determined after an inspection of the area by a ranger and the individuals responsible for the group.

(7) Facility reservations made at the park will be accepted for the calendar year, on or after the first working day in January of that calendar year. Reservations shall be made by a person of the age of majority, who must be in attendance during the group's activities. Reservations at the parks will be accepted in writing, in person, or by phone at the discretion of the park manager. In person and phone reservation requests shall only be accepted at the park during normal park operation hours. All reservation requests will be processed in order of arrival. Group facility areas not reserved are available on a first-come, first-serve basis.

(8) Any group wishing to sell or dispense alcoholic beverages must request and obtain all appropriate licenses and permits. In order to sell alcoholic beverages, the group must obtain a temporary concession permit from the headquarters office of the Washington state parks and recreation commission.

(9) It shall be within the authority of the park manager, or his representative, to rescind the rights of a reservation, and remove from the park, any or all members of the group whose behavior, at any time, is in conflict with any state laws, becomes detrimental to the health and safety of the group or other park users, or becomes so unruly as to affect the reasonable enjoyment of the park by other park users.

((~~(10) Reservations placed through the central reservation system for individual overnight facilities and designated group facilities shall be made according to policies approved by the director.~~))

AMENDATORY SECTION (Amending WSR 96-02-015, filed 12/21/95, effective 1/21/96)

WAC 352-32-050 Park periods. (1) The director or designee shall establish for each state park area, according to existing conditions, times, and periods when it will be open or closed to the public. Such times and periods shall be posted at the entrance to the state park area affected and at the park office. No person shall enter or be present in a state park area after the posted closing time except:

(a) Currently registered campers who are camping in a designated campsite or camping area;

(b) Guests of a currently registered camper who may enter and remain until 10:00 p.m.;

(c) Guests of a state park employee;

(d) Technical rock climbers who bivouac on vertical climbing routes not otherwise closed to public use.

(2) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-053 Park capacities. The director or designee may establish for each state park area according to facilities, design, and/or staffing levels, the number of individuals and/or vehicles allowed in any state park area or structure at any given time or period. No person shall enter in any state park area or facility or bring in or cause to be brought in any vehicle and/or persons which would exceed the capacity as established by the director or designee and when the individual is informed either by signs or by park staff that such capacity has been met and the park is full.

~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-056 Peace and quiet. To insure peace and quiet for visitors:

(1) No person shall conduct themselves so that park users are disturbed in their sleeping quarters or in campgrounds or park employees in their sleeping quarters between the quiet hours of 11:00 p.m. and 6:30 a.m.

(2) No person shall, at any time, use sound-emitting electronic equipment including electrical speakers, radios, phonographs, televisions, or other such equipment, at a volume which emits sound beyond the immediate individual camp or picnic site that may disturb other park users without specific permission of the area ranger.

(3) Engine driven electric generators may be operated only between the hours of 8:00 a.m. and 9:00 p.m.

(4) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 96-01-078, filed 12/18/95, effective 1/18/96)

WAC 352-32-060 Pets. (1) All pets or domestic animals must be kept under physical control, on a leash no greater than eight feet in length, or otherwise physically restrained, ~~((and under control!))~~ at all times while in a state park area.

(2) Pets and domestic animals may not be allowed to dig or otherwise disturb or damage the natural or cultural features of any state park area.

(3) In any state park area, pets or domestic animals, except for ~~((guide dogs))~~ assistance dogs for persons with disabilities, are not permitted on any designated swimming beach; within a natural area preserve; during the skiing season on any designated alpine ski site or cross country ski trail in which the track has been prepared, set, or groomed; or in any public building unless so posted.

(4) In any state park area, pets or domestic animals, except for ~~((guide dogs))~~ assistance dogs for persons with disabilities, may be prohibited for the protection of wildlife, sensitive natural systems, special cultural areas, or for other purposes, if approved by the director or designee and so posted.

(5) No person shall allow his /her pet or domestic animal to bite or in any way molest or annoy other park visitors. No person shall permit his /her pet or domestic animal to bark or otherwise disturb the peace and tranquillity of the park.

(6) Any person bringing a pet or domestic animal into a state park area shall dispose of animal feces in a plastic or paper sack. The sack shall then be deposited in a solid waste container.

(7) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

(8) This section shall not apply to the recreational use of horses, llamas, sled dogs, or similar animals as authorized by WAC 352-32-070.

AMENDATORY SECTION (Amending WSR 99-15-030, filed 7/13/99, effective 8/13/99)

WAC 352-32-070 Use of horses, llamas, sled dogs or similar animals for recreation.

(1) No horses, llamas, sled dogs or similar animals used for recreation shall be permitted on trails in any state park area, except where designated and posted to specifically or conditionally permit such activity. The director or designee may open or close trails to such use. This decision shall include an evaluation of factors including, but not limited to, conflict with other park users, public safety, and damage to park resources and/or facilities. This evaluation shall include a reasonable effort to involve interested trail users of the park in question, including, at a minimum, one public meeting advertised and conducted in the region where the park is located. Trails designated open for such use may be temporarily closed by the park manager due to emergency health, safety, or resource protection considerations.

(2) No horses, llamas, sled dogs or similar animals used for recreation shall be permitted off trails in any state park area, except where authorized by the commission and posted to specifically or conditionally permit such activity.

(3) Horses, llamas, sled dogs or similar animals used for recreation shall not be permitted in any designated swimming areas, campgrounds - except designated horse- or pack-oriented camping areas - or picnic areas, nor within a natural area preserve.

(4) Horses, llamas, sled dogs or similar animals used for recreation shall not be permitted within natural areas or natural forest areas, except that relocation of existing equestrian or other similar trails into natural areas or natural forest areas may be permitted upon a finding by the director or designee that such relocation is for the purpose of reducing overall resource impacts to a state park area.

(5) No person shall ride any horse or other animal in such a manner that might endanger life or limb of any person or animal, or damage park resources and/or facilities, and no person shall allow a horse or other animal to stand unattended

or insecurely tied. Persons using horses or other animals for recreation shall obey regulatory signs, including those permanently or temporarily erected, that govern the timing, location, speed, type and/or manner of use.

(6) (~~Except as provided in WAC 352-32-310;~~) Any person bringing a horse, llama, sled-dog or similar animal into a state park area shall clean-up animal feces in parking lots, at trail heads and other central locations used by park visitors.

(7) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 99-15-030, filed 7/13/99, effective 8/13/99)

WAC 352-32-075 Use of nonmotorized cycles or similar devices. (1) Whenever used in this section, nonmotorized cycle or similar device shall mean any wheeled, operator-propelled equipment that transports the operator on land, including cycles, roller blades and skateboards, but not including wheelchairs or other devices utilized by persons with disabilities.

(2) Operation of nonmotorized cycles or similar devices shall be permitted upon public roads in state park areas.

(3) No operation of nonmotorized cycles or similar devices shall be permitted on trails in any state park area, except where designated and posted to specifically or conditionally permit such activity, or as specified in (b) of this subsection.

(a) The director or designee may open or close trails to such use. This decision shall include an evaluation of factors including, but not limited to, the degree of conflict with other park users, public safety, and damage to park resources and/or facilities related to these devices. This evaluation shall include a reasonable effort to involve interested trail users of the park in question, including, at a minimum, one public meeting advertised and conducted in the region where the park is located.

(b) No existing trails open to use by nonmotorized cycles or similar devices prior to January 1, 1999, shall be closed to such use without an evaluation of use suitability following the criteria and process of (a) of this subsection; except for temporary closures by the park manager due to emergency health, safety, or resource protection considerations.

(4) No operation of nonmotorized cycles or similar devices shall be permitted off trails in any state park area, except where authorized by the commission and posted to specifically or conditionally permit such activity.

(5) Use of nonmotorized cycles or similar devices is prohibited in the following state park areas:

(a) Within designated natural areas, natural forest areas, or natural area preserves: Provided, That relocation of existing nonmotorized trails into natural areas or natural forest areas may be permitted upon a finding by the director or designee that such relocation is for the purpose of reducing overall resource impacts to a state park area.

(b) Upon designated special use trails such as interpretive or exercise trails.

(c) Upon docks, piers, floats, and connecting ramps.

(6) Persons operating such devices in state park areas shall:

(a) Obey regulatory signs, including those permanently or temporarily erected, that govern the timing, location, speed, type and/or manner of operation, designed to promote visitor health and safety.

(b) Restrict speed and manner of operation to reasonable and prudent practices relative to terrain, prevailing conditions, equipment, personal capabilities, personal safety, and the safety of all other park visitors.

(c) Yield the right of way to pedestrians and animals.

(d) Dismount and walk in congested areas and posted walk zones.

(e) Slow down, make presence known well in advance, and use courtesy and caution when approaching or overtaking other persons or animals.

(f) Display adequate lighting during hours of darkness.

(g) Use caution when approaching turns or areas of limited sight distance.

(h) Not disturb or harass wildlife.

(i) When on public roads within a state park area, operate in compliance with any additional requirements of RCW 46.61.750 through 46.61.850.

(7) The director or designee may designate trails for preferential use by cyclists and may specifically authorize use of any facilities for special cycling recreation events, excluding roads or trails specified in subsection (5) of this section.

(8) (~~Except as provided in WAC 352-32-310;~~) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-080 Swimming. (1) Swimming areas in state park areas are marked with buoys, log booms, or other markers, clearly designating the boundaries of such areas.

(2) Any person swimming outside the boundaries of a designated swimming area, or in any area not designated for swimming, or in any area, whether designated for swimming or not, where no lifeguard is present, shall do so at his or her own risk.

(3) All persons using any designated swimming area shall obey all posted beach rules and/or the instructions of lifeguards, rangers, or other state parks employees.

Children twelve years of age or younger, must be accompanied by a responsible adult while using the swim area.

(4) No person shall swim in any designated watercraft launching area.

(5) No person shall give or transmit a false signal or false alarm of drowning in any manner.

(6) Use of inflated mattresses, rubber rafts, rubber boats, inner tubes, or other objects, except U.S. Coast Guard approved life jackets, in state park areas for the purpose of buoyancy while swimming or playing in any designated swimming area is prohibited. Concessionaires are not permitted to rent or sell such floating devices within state parks without written approval of the commission.

(7) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-085 Technical rock climbing. (1) Whenever used in this section, technical rock climbing shall mean climbing while using such aids as pitons, carabiners or snap links, chalk, ropes, fixed or removable anchors, or other similar equipment. Technical rock climbing includes bouldering and free soloing (respectively low and high elevation climbing without ropes).

(2) Technical rock climbing will be allowed in state parks except it is:

- (a) Not permitted in natural area preserves;
- (b) Conditioned in heritage areas, natural areas and natural forest areas;
- (c) Not permitted where the director or designee has closed the area pursuant to subsection (3) of this section;
- (d) Limited in state park areas without climbing management plans pursuant to subsection (6) of this section to the use of routes with established fixed protection, new routes that do not use fixed protection, nor require gardening/cleaning with any type of cleaning tool;
- (e) Not permitted in state park areas closed to public use.

(3) The director or designee may, permanently or for a specified period or periods of time, close any state park area to technical rock climbing if the director or designee concludes that a technical rock climbing closure is necessary for the protection of the health, safety and welfare of the public, park visitors or staff, or park resources. Prior to closing any park or park area to technical rock climbing, the director or the designee shall hold a public meeting in the general area of the park or park area to be closed to technical rock climbing. Prior notice of the meeting shall be published in a newspaper of general circulation in the area and at the park at least thirty days prior to the meeting. In the event that the director or designee determines that it is necessary to close a rock climbing area immediately to protect against an imminent and substantial threat to the health, safety and welfare of the public, park visitors or staff, or park resource, the director or designee may take emergency action to close a park area to rock climbing without first complying with the publication and hearing requirements of this subsection. Such emergency closure may be effective for only so long as is necessary for the director or designee to comply with the publication and hearing requirements of this subsection.

(4) The director or designee shall ensure that any park area closed to technical rock climbing pursuant to subsection (3) of this section is conspicuously posted as such at the entrance of said park area. Additionally, the director shall maintain a list of all parks and park areas closed to technical rock climbing pursuant to subsection (3) of this section.

(5) The director or designee shall establish a committee of technical rock climbers, to advise park staff on park management issues related to technical rock climbing for each state park area where deemed necessary by the agency.

(6) Each state park area with an established advisory committee of technical rock climbers will have a climbing management plan which will specify technical rock climbing rules concerning overnight stays on climbing routes, bolting, power drills, stabilization of holds, group size and activities, gardening/cleaning of routes pursuant to chapter 352-28 WAC and RCW ~~((43-51-180))~~ 79A.05.165, chalk, special use designations for climbing areas, protection of sensitive park resources, and other such issues required by the director or designee. Climbing management plans that relate to natural forest areas or heritage areas must be approved by the commission. The director or designee shall ensure that any technical rock climbing rules contained in a climbing management plan are conspicuously posted at the entrance of the affected park area.

(7) Bolting will be allowed as specified in climbing management plans.

(8) The use of power drills will be allowed only if the park climbing management plans specifically permit under specified conditions for bolt replacement and bolt installation on new routes. They are otherwise prohibited.

(9) The addition of holds onto the rock face by any means, including gluing, chipping, or bolting is prohibited.

(10) Except as provided in WAC 352-32-310, any violation of this section and rules contained in the park management plan and posted at the park is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-090 Games. Playing games in a manner and/or location which subjects people or personal property, the park resource or facilities to risk of injury or damage shall be prohibited. ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-100 Disrobing. (1) No person shall disrobe in public in any state park area.

(2) Clothing sufficient to conform to common standards shall be worn at all times.

(3) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-110 Tents, etc., on beaches. No person shall erect, maintain, use, or occupy any temporary tent or shelter on any swimming beach in any state park area unless there is an unobstructed view through such tent or shelter from at least two sides: Provided, however, That nothing herein contained shall be construed to authorize camping except in designated areas. ~~((Except as provided in WAC~~

352-32-310,)) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-120 Firearms and/or weapons. No person shall possess a firearm with a cartridge in any portion of the mechanism within any upland state park area, nor shall any person discharge or propel across, in, or into any upland state park area as defined in WAC 352-32-010, a firearm, bow and arrow, spear, spear gun, harpoon, or air or gas weapon, or any device capable of injuring or killing any person or animal, or damaging or destroying any public or private property, except where the commission for good cause has authorized a special recreational activity upon finding that it is not inconsistent with state parks use. This WAC does not apply to ~~((on-duty law enforcement officers when working in the official capacity of their employing law enforcement agency))~~ general authority law enforcement officer as defined in RCW 10.93.020.

AMENDATORY SECTION (Amending WSR 98-23-063, filed 11/16/98, effective 1/1/99)

WAC 352-32-130 Aircraft. (1) No aircraft shall land on or take off from any body of water or land area in a state park area not specifically designated for landing aircraft. This provision does not apply to official aircraft used in the performance of search and rescue missions, medical emergencies, law enforcement activities, emergency evacuations or fire fighting activities. It also does not apply in cases where the director or designee specifically authorizes such landings or take offs, in writing, associated with the operational, or administrative needs of the agency or state.

(2) Individuals who have complied with the registration process provided or who have obtained a special recreation event permit pursuant to WAC 352-32-047 may launch and land paragliders in state park areas specifically designated by the director or designee as available for paragliding. Prior to any such designation, the director or designee shall advertise and conduct a public meeting in the region where the park is located. The director or designee shall consider the potential impacts of paragliding in the proposed area, including but not limited to the following factors: The degree of conflict paragliding may have with other park uses, public safety issues, and any potential damage to park resources/facilities. Any park designated for paragliding shall be conspicuously posted as such by the ~~((director))~~ agency.

(3) Individuals paragliding in state parks must:

- (a) Comply with the registration process provided for such purposes;
- (b) Observe all applicable laws and regulations;
- (c) Never destroy or disturb park facilities, natural features, or historical or archeological resources;
- (d) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities;
- (e) Conduct themselves in compliance with the following basic safety regulations:

- (i) Comply with specific site operational rules that are posted;
- (ii) Fly in a manner consistent with the pilot rating held;
- (iii) Preplanned landings should be made in areas no smaller than forty feet wide by one hundred feet long;
- (iv) Make preflight checks of weather, equipment and site conditions;
- (v) Observe all published traffic and right of way flight guidelines, including yielding right of way to all aircraft;
- (vi) Wear protective clothing, headgear, Coast Guard approved flotation gear, reserve parachute, supplemental oxygen and communication equipment as appropriate for conditions;
- (vii) Fly in a manner that does not create a hazard for other persons or property;
- (viii) Fly only during daylight hours, or hours otherwise specified by posting at the site;
- (ix) Do not fly over congested areas of parks or open air assembly of persons;
- (x) Fly only in designated areas of parks;
- (xi) Fly with visual reference to the ground surface at all times.
- (xii) Do not tether paraglider to the ground or other stable nonmovable object.
- (f) Not fly while under the influence of alcohol or drugs.
- (4) Individuals flying remote controlled aircraft ~~((and helicopters))~~ must do so only within ~~((the designated))~~ flying areas designated by the director or designee and only when following the remote controlled aircraft management plan approved by the director or designee and posted for that designated area.
- (a) ~~((The director or designee may permanently, or for a specified period or periods of time, close any state park area to remote controlled aircraft flying if the director or designee concludes that a remote controlled aircraft flying closure is necessary for the protection of the health, safety, and welfare of the public, park visitors or staff, or park resources. Prior to closing any park or park area to remote controlled aircraft flying, the director or designee shall hold a public meeting near the state park area to be closed to remote controlled aircraft flying. Prior notice of the meeting shall be published in a newspaper of general circulation in the area and at the park at least thirty days prior to the meeting. In the event that the director or designee or park manager determines that it is necessary to close a remote controlled aircraft flying area immediately to protect against an imminent and substantial threat to the health, safety, and welfare of the public, park visitors or staff, or park resources, the director or designee or park manager may take emergency action to close a state park area to remote controlled aircraft flying without first complying with the publication and meeting requirements of this subsection. Such emergency closure may be effective for only so long as is necessary for the director or designee to comply with the publication and meeting requirements of this subsection. The director or designee shall ensure that any designated remote controlled aircraft flying area closed to remote controlled aircraft flying is conspicuously posted as such at the entrance of the affected park area.))~~ Prior to any such designation, the director or designee shall advise and conduct a public meeting in the region where the park is located. The director shall

consider the potential impacts of remote controlled aircraft flying in the proposed area, including, but not limited to, the following factors: The degree of conflict remote controlled aircraft flying may have with other park uses, public safety issues, and any potential damage to park resources/facilities. Any park area designated for remote controlled aircraft flying shall be conspicuously posted as such by the director or designee.

(b) The director or designee shall establish a committee of remote controlled aircraft flying to advise park staff on park management issues related to remote controlled aircraft flying for each state park area designated as a remote controlled aircraft flying site. ~~((The director or designee shall receive all appeals on denial of flying areas being created in specific parks:))~~

(c) Each state park area with an established advisory committee of remote controlled aircraft flyers will have an approved management plan which will specify remote controlled aircraft flying rules concerning types of aircraft, flying hours, identified approved flying zones, identified runways for take-offs and landings, engine muffler requirements, use of and posting of radio frequency, fuel spills and clean-up. The director or designee shall ensure that any remote controlled aircraft flying rules contained in the remote controlled aircraft flying management plan are conspicuously posted at the entrance of the affected park area.

(d) The director or designee may permanently, or for a specified period or periods of time, close any designated flying area to remote controlled aircraft flying if the director or designee concludes that a remote controlled aircraft flying closure is necessary for the protection of the health, safety, and welfare of the public, park visitors or staff, or park resources. Prior to closing any designated flying area to remote controlled aircraft flying, the director or designee shall hold a public meeting near the state park area to be closed to remote controlled aircraft flying. Prior notice of the meeting shall be published in a newspaper of general circulation in the area and at the park at least thirty days prior to the meeting. In the event that the director or designee or park manager determines that it is necessary to close a designated flying area immediately to protect against an imminent and substantial threat to the health, safety, and welfare of the public, park visitors or staff, or park resources, the director or designee or park manager may take emergency action to close a state park area to remote controlled aircraft flying without first complying with the publication and meeting requirements of this subsection. Such emergency closure may be effective for only so long as is necessary for the director or designee to comply with the publication and meeting requirements of this subsection. The director or designee shall ensure that any designated flying area closed to remote controlled aircraft flying is conspicuously posted as such at the entrance of the affected park area.

(e) Except as provided in WAC 352-32-310, any violation of this section or failure to abide by a conspicuously posted remote controlled aircraft flying rule is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-150 Fishing. (1) For the purposes of this section, the following definition applies: Fish are defined as all marine and freshwater fish and shellfish species including all species of aquatic invertebrates.

(2) Except for those state park areas in which harvest has been prohibited pursuant to subsection (3), (4), or (5) of this section, all state park areas are open for the harvest of fish, subject to all laws, rules, and regulations of the state department of fish and wildlife relating to seasons, limits, and methods of harvest. The director or designee may develop or amend a memorandum of agreement with the state department of fish and wildlife to guide management of state park fishing areas.

(3) No person shall remove or cause to be removed any fish from any state park area except for food fish as defined by WAC 220-12-010, shellfish as defined by WAC 220-12-020, and game fish as defined by RCW 77.08.020 and WAC 232-12-019.

(4) The commission may, after consultation with the state department of fish and wildlife and local tribes, close state park areas to the harvest of some or all species of fish. Such state park areas shall be conspicuously posted as closed to harvest.

(5) The director or designee may temporarily close any state park area to the harvest of some or all species of fish. Any such closure may be for only so long as is necessary to bring the issue before the commission at its next scheduled regular meeting. Such state park areas shall be conspicuously posted as closed to harvest.

(a) Prior to closing any park area pursuant to this subsection, the director or designee shall hold a public hearing in the general vicinity of the park area to be closed. Prior notice of the public hearing shall be published in a newspaper of general circulation in the vicinity.

(b) In the event the director or designee determines that an immediate harvest closure is necessary to protect against an imminent and substantial threat to the health, safety, and welfare of the public, park visitors or staff or ~~((commission property))~~ park resources, the director or designee may take emergency action to close a park to the harvest of fish without first complying with the publication and hearing requirements of this subsection. Such emergency closures may be effective for only so long as is necessary for the director or designee to comply with the publication and hearing requirements of this subsection.

(6) A list of the state park areas closed pursuant to subsection (4) or (5) of this section shall be maintained by the director or designee and be available to the public upon request.

(7) No person shall harvest or possess any fish from within a state park area posted as closed to harvest pursuant to subsection (4) or (5) of this section, except as necessary for scientific research authorized in writing by state parks.

AMENDATORY SECTION (Amending Order 104, filed 4/27/88)

WAC 352-32-15001 Little Spokane River natural area—Prohibited uses. (1) The Little Spokane River Natural Area was established by the commission to conserve a unique natural environment in a nearly undeveloped state for passive low density outdoor recreation activities. To conserve the natural resources, scenic beauty and tranquility of the area, the following are prohibited within the Little Spokane River Natural Area:

- (a) Bicycles.
- (b) Camping.
- (c) Commercial development or activities.
- (d) Consumption of alcoholic beverages.
- (e) Fires or fireworks.
- (f) Horseback riding (~~(off trails designated for equestrian use)~~).
- (g) Hunting.
- (h) Motorized boats, (~~(jet skis)~~) personal watercraft, or boats propelled by means other than oars or paddles; use of canoes, rowboats, kayaks and rafts is specifically authorized.
- (i) Pets including all dogs except (~~(guide dogs)~~) assistance dogs for persons with disabilities.
- (j) Swimming, or use of innertubes, air mattresses or similar floatation devices.
- (k) Travel by foot, skis or snowshoes off designated trails or outside designated corridors.

(2) This section does not apply to (~~(commission)~~) government employees, or their agents in the performance of their duties, or search and rescue, medical emergency response, law enforcement or fire fighting activities. (~~(It also does not apply in cases where the director or designee specifically authorizes activities in writing associated with the operational or administrative needs of the agency or state.)~~)

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-155 Lakes located wholly within state parks boundaries—Internal combustion engines prohibited. (1) In order to preserve the scenic quality, peace, and tranquility and to protect and preserve the wildlife on lakes lying wholly within state park boundaries, to increase visitor safety, and to limit the degradation of lake water quality, the use of internal combustion engines on lakes lying wholly within the boundaries of state park areas is prohibited except where listed in WAC 352-32-155(2) or when authorized in writing by the director.

(2) Lakes where internal combustion engines may be used are:

Horsethief Lake in Horsethief Lake State Park.

(3) This provision does not apply to government employees (~~(of the commission, other law enforcement officers or public agency representatives while engaged)~~), or their agents in the performance of their duties, or (~~(to persons or groups participating in emergency or search and rescue operations)~~) search and rescue, medical emergency response, law enforcement or fire fighting activities.

(4) (~~(Except as provided in WAC 352-32-310,)~~) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-157 Lakes located partially within state park boundaries—Internal combustion engines prohibited. (1) In order to preserve the scenic quality, peace and tranquility, and to protect and preserve wildlife, increase visitor safety, and to limit the degradation of lake water quality, the Washington state parks and recreation commission, in conjunction with the following ordinance(s), prohibits the use of internal combustion engines on the following lakes partially within park boundaries:

Cascade Lake at Moran State Park, San Juan county ordinance 10.16.030.

(2) This provision does not apply to government employees (~~(of the commission, other law enforcement officers or governmental agency representatives while engaged)~~), or their agents in the performance of their duties, (~~(or to persons or groups participating in emergency)~~) or search and rescue (~~(operations)~~), medical emergency response, law enforcement or fire fighting activities.

(3) (~~(Except as provided in WAC 352-32-310,)~~) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-165 Public assemblies, meetings. (1) Public assemblies are permitted in state park areas on grounds which are open to the public generally, provided a permit therefor has been issued as herein provided.

(2) An application for such a permit may be submitted on such forms as may be provided by the commission, or in any written form so long as the permit application sets forth the following:

- (a) Name, address and phone number of the applicant;
- (b) Date, time, duration, nature and place of the proposed event, including a description or schedule of events and activities;
- (c) Estimate of the number of persons expected to attend including the basis for the estimate;
- (d) Special equipment, including temporary structures such as speakers' stands, platforms, lecterns, chairs, benches or the like, and any sound amplification equipment to be used in connection with the event;
- (e) Special facilities, including emergency first aid, additional sanitation and refuse collection facilities, to be used in connection with the event;
- (f) Crowd control to be provided by the event sponsor;
- (g) Designation of a responsible contact individual with whom park officials may coordinate event activities, plans and preparations.

(3) The equipment and facilities referenced in subsection (2)(d) and (e), of this section, are to be provided by the event sponsor, unless other mutually satisfactory arrangements are

made to use locally available commission owned equipment and facilities.

(4) The applicant must supply satisfactory evidence of arrangements for such equipment, facilities, and crowd control.

(5) The applicant must submit a completed environmental checklist along with the application. Environmental checklists are available at libraries, city planning offices, state parks, and similar outlets. Upon request, the agency will assist the applicant in completing the environmental checklist and may be compensated in accordance with agency State Environmental Policy Act (SEPA) rules, WAC 197-11-914.

(6) ~~((It is recommended that))~~ Permit applications must be submitted at least ~~((thirty))~~ sixty days in advance of the proposed event so that the information supplied in the application may be verified and so that the agency can notify and coordinate action with officials of other jurisdictions and agencies responsible for health, safety and welfare. The sixty-day time limit is also necessary in order to comply with SEPA review requirements to identify any potential environmental impacts and mitigation. This requirement for an application to be filed sixty days prior to an event may be waived in rare circumstances where arrangements can be made in a shorter time while still complying with all other requirements of this section.

(7) The permit application must be submitted along with a nonrefundable permit fee as published by state parks to the ~~((director of the))~~ Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, Washington 98504-2650. The director, or designee, may issue a permit consistent with the application, or otherwise modified in a manner which is acceptable to the applicant. ~~((The director will issue a permit on proper application unless:~~

~~((a)))~~ The following criteria will be evaluated in considering a permit application:

(a) The ability of the applicant to finance, plan and manage the activity in accordance with sanitation, safety, medical care, fire control, security, crowd, noise, and traffic control requirements, and consistent with the protection of park resources and image;

(b) The extent to which the proposed activity, in both nature and timing, threatens interference with customary usage of the park by members of the public or interferes with the convenience of park neighbors and the general public;

(c) The experience of the applicant in performing similar activities in the past;

(d) Measures undertaken to mitigate any changes in customary park usage or damage to park resources caused by the activity.

(8) Following an evaluation of the above listed criteria, the director or designee will issue a permit unless:

(a) The application does not adequately address the evaluation criteria; or

(b) A prior application for the same time and place has been made which has been or will be granted; or

~~((b)))~~ (c) The event will present a clear and present danger to the public health or safety; or

~~((e)))~~ (d) The event is of such nature or duration that it cannot reasonably be accommodated in the particular park

area ~~((applied for))~~ requested. In considering this, the director or designee shall take into account the potential for significant environmental impact.

~~((8))~~ All permit applications shall be deemed granted if not denied or otherwise conditioned or limited as herein specified, and the applicant advised of such action by written notification mailed, first class postage prepaid, within ten days of receipt of the application. (9) The director or designee will acknowledge receipt of the permit application within ten days. The acknowledgement will estimate the timeline for processing the application based on the complexity of the requested use. The director or designee shall make the final ruling on the permit application as soon as possible but no later than ten days prior to the proposed event. The granting of this permit does not exempt the applicant from complying with other state, county or local permit requirements nor does it excuse compliance with the State Environmental Policy Act, where applicable. A threshold determination will be made by the agency to determine potential environmental impact. Applicants should be aware that timelines may exist under the State Environmental Policy Act and implementing regulations which are independent of this permit requirement.

~~((9))~~ (10) All permit denials will be in writing, will contain a statement of the specific reasons for the denial, and will advise the applicants of the right to request judicial review of the denial as provided in subsection ~~((11))~~ (12) of this section.

~~((10))~~ (11) A permit issued ~~((by the director))~~ may contain such conditions as are reasonably consistent with protection and use of the park area for the purposes for which it is maintained. It may also contain reasonable limitations on the time and area within which the event is permitted.

~~((11))~~ (a) The commission may require applicants to arrange for general liability insurance to cover participants, and the state of Washington will be named as an additional insured.

(b) The commission may require the filing of a bond with satisfactory surety payable to the state, to cover costs such as restoration, rehabilitation and cleanup of the area used, and other costs resulting from the permittee activity. In lieu of a bond, a permittee may elect to deposit cash equal to the amount of the required bond.

(12) Applicants whose permit application is denied may in writing request that the commission seek judicial review of the denial, in which event the commission shall timely seek a declaratory judgment pursuant to the Uniform Declaratory Judgment Act, chapter 7.24 RCW, and Superior Court Rule 57, in the superior court for Thurston County. Such requests shall be mailed, or otherwise delivered to the Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, Washington 98504-2650, within ten days from the date the application is denied.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-195 Solicitation. Except as may be otherwise allowed in connection with a permit issued under WAC 352-32-165 or 352-32-047, or a cooperative agreement pur-

suant to RCW ((43.51.060)) 79A.05.070(2), no person shall engage in solicitation, or sell or peddle any services, goods, wares, merchandise, liquids, or edibles for human consumption in any state park area, except by concession or permit granted by the commission. ((~~Except as provided in WAC 352-32-310;~~) Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-200 Expulsion from state park areas.

(1) In addition to the penalty provided in RCW ((43.51.180)) 79A.05.165, or any other existing or future law of the state of Washington, failure to comply with any section of this chapter, or of any other chapter of this title, or any other rule or regulation of the commission, or with any other federal, state, or local law, rule, or regulation applicable under the circumstances, shall subject the person so failing to comply to expulsion from any state park area, for a period of time no less than forty-eight hours.

(2) All drug or alcohol related misconduct for which a citation is issued shall additionally subject the individual to expulsion from all lands administered by the commission for the following periods:

(a) One incident shall result in a ((~~twenty-four~~)) forty-eight-hour expulsion.

(b) Two incidents shall result in a thirty-day expulsion.

(c) Three incidents shall result in a one-year expulsion.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-210 Consumption of alcohol in state park areas.

(1) Opening, possessing alcoholic beverage in an open container, or consuming any alcoholic beverages in any state park or state park area is prohibited except in the following designated areas and under the following circumstances in those state parks or state park areas not posted by the director or designee as closed to alcohol pursuant to subsection (4) of this section:

(a) In designated campsites or in other overnight accommodations, by registered occupants or their guests; provided ELC users obtain written permission through state parks application process;

(b) In designated picnic areas, which shall include those sites within state park areas where picnic tables, benches, fireplaces, and/or outdoor kitchens are available, even though not signed as designated picnic areas and public meeting rooms;

(c) In any reservable group day use facility by any authorized group which has paid the reservation fee and applicable damage deposit and which has obtained prior permit authorization to have alcohol by the park manager; and

(d) In any building, facility or park area operated and maintained under a concession agreement, wherein the concessionaire has been licensed to sell alcoholic beverages by the Washington state liquor control board, and where the dispensation of such alcoholic beverages by such concessionaire has been approved by the commission.

(2) Opening, possessing alcoholic beverage in an open container, or consuming any alcoholic beverages is prohibited at the following locations:

(a) Dash Point State Park;

(b) Saltwater State Park;

Except in the following designated areas and under the following circumstances:

(i) In designated campsites, or in other overnight accommodations by registered occupants or their guests.

(ii) In any building, facility or park area operated and maintained under a concession agreement wherein the concessionaire has been licensed to sell alcoholic beverages by the Washington state liquor control board, and where the dispensation of such alcoholic beverages by such concessionaire has been approved by the commission.

(iii) In any reservable group day use facility by any authorized group which has paid the reservation fee and applicable damage deposit and which has obtained prior permit authorization to have alcohol by the park manager.

(3) The director or designee may, for a specified period or periods of time, close any state park or state park area to alcohol if the director concludes that an alcohol closure is necessary for the protection of the health, safety and welfare of the public, park visitors or staff, or ((~~commission property~~)) park resources. The director or designee shall consider factors including but not limited to the effect or potential effect of alcohol on public and employee safety, park appearance, atmosphere, and noise levels, conflicts with other park uses or users, the demand for law enforcement, and the demand on agency staff. Prior to closing any park or park area to alcohol, the director or designee shall hold a public hearing in the general area of the park or park area to be closed to alcohol. Prior notice of the meeting shall be published in a newspaper of general circulation in the area. In the event the director or designee determines that an immediate alcohol closure is necessary to protect against an imminent and substantial threat to the health, safety and welfare of the public, park visitors or staff, or ((~~commission property~~)) park resources, the director or designee may take emergency action to close a park or park area to alcohol without first complying with the publication and hearing requirements of this subsection. Such emergency closure may be effective for only so long as is necessary for the director or designee to comply with the publication and hearing requirements of this subsection.

(4) The director or designee shall ensure that any park or park area closed to alcohol pursuant to subsection (3) of this section is conspicuously posted as such at the entrance to said park or park area. Additionally, the director or designee shall maintain for public distribution a current list of all parks and park areas closed to alcohol pursuant to subsection (3) of this section.

(5) Dispensing alcoholic beverages from containers larger than two gallons is prohibited in state park areas except when authorized in writing and in advance by the park manager.

(6) The provisions of this rule shall not apply to any part of the Seashore Conservation Area, as designated and established by RCW ((43.51.655)) 79A.05.605.

(7) Opening, consuming, or storing alcoholic beverages in Fort Simcoe State Park and Squaxin Island State Park is prohibited.

(8) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-215 Compliance with signs. ~~((It shall be a civil infraction, under chapter 7.84 RCW, to fail to abide by a prominently posted restriction on the public use of park property.))~~ Failure to abide by a prominently posted restriction on the public use of park property is an infraction, under chapter 7.84 RCW, except as provided in WAC 352-32-310.

AMENDATORY SECTION (Amending WSR 92-19-098, filed 9/17/92, effective 10/18/92)

WAC 352-32-230 Food and beverage containers on swimming beaches. (1) The use or possession of any food or beverage container consisting wholly or in part of glass or metal is prohibited on any beach within any state park area, where such beach is designated as a swimming area, or where such beach is customarily and generally used as a swimming area by park patrons though not designated as such.

(2) The provisions of this rule shall not apply to any portion of the seashore conservation area as designated and established by RCW ~~((43.51.655))~~ 79A.05.605.

(3) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 97-12-042, filed 6/2/97, effective 7/3/97)

WAC 352-32-235 Use of metal detectors in state parks. The use and operation of metal detectors, as well as the removal of small contemporary materials, is permitted within selected state parks as designated by the director or designee, in accordance with all commission direction on land management, and subject to the conditions and limitations specified.

(1) The use of metal detectors is permitted only within specified portions of approved state parks as posted for public reference. Metal detecting may be allowed in an approved campsite occupied by the registered detectorist and in unoccupied campsites within approved campgrounds.

(2) The use of metal detectors within a state park shall be limited to daylight hours that the park has posted as "open." No use shall be allowed during periods of seasonal or emergency park closure, except where otherwise posted.

(3) Any person wishing to use a metal detector shall so indicate to park personnel at the park where the use is to occur, by complying with the registration process provided for such purpose.

(4) Exceptional uses of metal detectors in state parks may be allowed through the issuance of a special recreation event application, available from the agency.

(5) This section does not apply to commission employees while engaged in the performance of their duties.

(6) Persons operating metal detectors in state parks and state park areas shall:

(a) Observe all laws and regulations.

(b) Never destroy or disturb park facilities, natural features, or historical or archeological resources. No item which is, or appears to be of historical or archaeological significance, ~~((remaining from either early pioneer activity or from a native American presence,))~~ may be removed from the site at which it was found. Any such find shall be immediately reported to park personnel, and the area in which the find occurred shall not be disturbed further.

(c) Limit digging implements to ice picks, screwdrivers and probes not to exceed two inches in width and sand scoops not to exceed six inches in width and eight inches in length, containing perforations no less than one-half inch in width, to be used only on sand surfaces. Any holes dug shall be limited to six inches maximum depth and shall be immediately refilled and the surface restored to its earlier condition.

(d) Properly dispose of all found or recovered trash and litter.

(e) Conduct themselves with thoughtfulness, courtesy and consideration for others, and not interfere with other recreational activities. An operator shall not allow any emitted metal detector sound audible to other park users ~~((from the Friday before Memorial Day through Labor Day)).~~

(7) ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 00-01-201, filed 12/22/99, effective 1/22/00)

WAC 352-32-250 Standard fees charged. Fees shall be charged in parks operated by the commission for use of lands, facilities, programs, services, and materials as published by state parks: Provided, however, That the commission may suspend any or all of these fees if revenues generated by the fees are not returned to the benefit of the parks: Provided further, That the director or designee has the authority to discount fees to a maximum of 50% below the published fee amounts in order to take advantage of marketing opportunities to encourage use and increase revenues. Any such discounts shall be effective for a limited period of time less than one year in duration. The director or designee may consider the following factors in temporarily establishing or discounting fees:

Prevailing rates for comparable facilities;

Day of the week;

Season of the year;

Amenities of the park area and site;

Demand for facilities; and

Such other considerations as the director or designee deems appropriate. The director or designee may also waive fees for marketing or promotional purposes or to redress visitor complaints, provided, however, that annual fees may not be waived. The director or designee may also establish temporary fees for a maximum of one year for new facilities or services.

(1) The director or designee may authorize reciprocity with other state or federal agencies for the use of annual permits of like services, provided, that Washington licensed vehicles and/or residents shall be required to have and/or display the appropriate Washington permit;

(2) Overnight camping - standard campsite; utility campsite; emergency campsite; overflow campsite; hiker/biker campsite; walk-in campsite; primitive campsite for nonmotorized (~~vehicle; primitive campsite~~) for motorized vehicle - fees will be charged as published by state parks. Payment for utility campsite will be collected whether utility hookups are actually used or not, except when otherwise specified by a ranger;

(3) Overnight camping - multiple campsites: Where campsites are designated and posted as a "multiple campsite," an individual may rent the multiple campsite by paying the multiple campsite fee. The multiple campsite fee will be calculated by multiplying the standard utility or primitive campsite fee, as applicable, by the number of individual campsites to be used in the designated multiple campsite;

(4) Group camping area - certain parks: Individual camping units using these facilities must pay campsite fees as published by state parks;

(5) Conference center facilities - fees will be charged for use of facilities and services as set forth in the fee schedule published by state parks and will include, but not be limited to: Overnight accommodations in individual recreational housing units or dormitory units; use of meeting rooms, performance venues and rally areas; linen and janitorial services; group food services; and use of equipment, supplies, and staff time necessary to support group activities. Certain deposits, reservation and cancellation fees also apply as set forth in the fee schedule published by state parks and may not be refundable.

(6) Environmental interpretation:

(a) Service fees will be established by the director or designee in order to recover, to the maximum extent practicable, all direct and indirect costs of environmental interpretation services on a program-wide basis based on anticipated attendance.

(b) Material and publication fees will be established by the director or designee. All material and publication fees will be deposited in the parks improvement account to be used for purposes specified in RCW ((43.51.052)) 79A.05.060.

(c) Facility use, including environmental learning center fees, will be established by the commission. A facility use fee schedule is available by contacting Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, P.O. Box 42650, Olympia, WA 98504-2650;

(7) Adirondacks - not to include those located in ELC areas: Occupancy shall be limited to the number of built-in bunks provided;

(8) Extra vehicle overnight parking fee will be charged for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: Provided, An extra vehicle overnight parking fee shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational

vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;

(9) Unattended vehicle overnight parking permit: Unoccupied vehicles parked overnight in designated areas must register and pay the nightly permit fee. The permit must be prominently displayed in the vehicle;

(10) Watercraft launch site permit fee - charged according to facilities provided. Watercraft launch permit shall not be required for:

(a) Vehicles, other than those registered as extra overnight parking vehicles, registered for camping or overnight mooring in the park containing the watercraft launch site;

(b) Vehicles of persons using any recreational housing or conference facilities at Fort Worden State Park;

(c) Vehicles of persons holding limited-income senior citizen, disability or disabled veteran passes;

(d) Vehicles displaying a valid annual watercraft launch site permit;

(11) Annual watercraft launch site permit valid January 1 - December 31 at any launch site designated by the (~~commission~~) director or designee. Permit must be displayed as instructed on permit backing;

(12) Trailer dump station fee - fee shall not be required for:

(a) Registered camping vehicles in the park containing the dump station;

(b) Vehicles of persons holding limited-income senior citizen, disability or disabled veterans passes;

(13) Popular destination park - a surcharge will apply for use of standard or utility campsite located in a popular destination park during such periods as the director may specify;

(14) Water trail site permits -

(a) For unlimited use within the calendar year, the annual fee ((to)) will be set by the director or designee after consultation with the water trail advisory committee((, based on a cumulative charge of \$1.00 per site available for public use at the start of the calendar year));

(b) For one day/night use within the calendar year, ((annual)) the fee ((to)) will be set by the director after consultation with the water trail advisory committee((, based on a cumulative charge of \$.35 per site available for public use at the start of the calendar year));

(c) For children under 13 years of age the permits shall be issued at no cost;

(d) Water trail permits issued to persons by another state or Canadian province will be honored provided that a similar reciprocal provision for Washington water trail permit holders is issued by that state or province;

(e) Water trail permits will be issued to holders of Washington state parks passes (WAC 352-32-251) for the applicable discounts;

(15) ((A surcharge per collection)) In addition to the regular fee, a per night surcharge shall be ((assessed)) imposed for ((any staff collected fee at a)) failure to pay the self-registration overnight facility fee;

(16) Group day use facilities - a minimum daily permit fee will be charged for groups of 20 or more;

(17) Reservation transaction - fee will be charged as published by state parks;

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(18) Moorage facilities - fee will be charged as published by state parks;

(19) Hot showers, electric stoves - fees will be charged as published by state parks. Fees published by state parks do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended;

(20) Commercial recreation provider permit registration - a fee shall be charged, as published by state parks for registration as a commercial recreation provider;

(21) Commercial recreation provider permit - (~~effective January 1, 1998,~~) a fee shall be charged, as published by state parks for obtaining a permit to engage in commercial recreational use of state parks, as defined in WAC 352-32-010.

(22) Sno-park permit - seasonal and daily permit fees will be charged as published by state parks.

(23) Special groomed trail permit - a state-wide special groomed trail permit will be required for use of special groomed trail areas. The fee charged will be as published by state parks.

(24) Wood debris collection permit - fee will be charged for collection and removal of wood debris from a state park area pursuant to RCW 4.24.210. The fee may be waived for volunteers assisting with emergency salvage and storm clean-up in the parks.

(25) Merchandise - prices for merchandise including but not limited to interpretive, recreational and historic materials, literature, food, beverage, grocery and other items at agency operated sales points will be based on market rates and practices.

(26) Back country camping permit - fee will be charged as published by state parks for selected state park areas as designated by the director.

(27) Group use registration - fee will be charged for groups of a size to be specified in the fee schedule on a park by park basis who have not otherwise reserved group facilities.

(28) Special event - fees will be charged based on the cost of providing events and market rates for comparable activities at other locations.

(29) Aquatic facilities - fees will be charged as published by state parks.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-251 Limited income senior citizen, disability, and disabled veteran passes. (1)(a) Persons who are senior citizens, meet the eligibility requirements of RCW (~~(43.51.055)~~) 79A.05.065, and have been residents of Washington state for at least one year shall, upon application to the commission accompanied by either a copy of a federal income tax return filed for the previous calendar year, or a senior citizen property tax exemption pursuant to RCW 84.36.381, or a notarized affidavit of income on a form provided by the commission, receive a limited income senior citizen pass at no charge, which entitles the holder's camping party to free admission to any state park administered facility, free use of trailer dump stations, watercraft launch sites, and to a 50 percent reduction in any campsite fees, moorage fees,

or watertrail permit fees levied by the commission. Limited income senior citizen passes shall remain valid so long as the pass holder meets eligibility requirements.

(b) Proof submitted to the commission for the return of a senior citizen pass surrendered upon request to a commission employee who has reason to believe the user does not meet the eligibility criteria shall be the same as listed in subsections (1) and (5) of this section for original pass issuance.

(2) Persons who are permanently disabled, legally blind, or profoundly deaf, meet the eligibility requirements of RCW (~~(43.51.055)~~) 79A.05.065, and have been residents of Washington state for at least one year shall, upon application to the commission, receive a five year disability pass at no charge and temporarily disabled persons who meet the eligibility requirements of RCW (~~(43.51.055)~~) 79A.05.065 and have been residents of Washington state for at least one year shall, upon application to the commission, receive a one year disability pass at no charge which entitles the holder's camping party to free admission to any state park administered facility, free use of trailer dump stations, watercraft launch sites, and to a 50 percent reduction in any campsite fees, moorage fees, or watertrail permit fees levied by the commission.

(3) Persons who are veterans, meet the eligibility requirements of RCW (~~(43.51.055)~~) 79A.05.065, and have been residents of Washington state for at least one year shall, upon application to the commission, receive a lifetime disabled veteran pass at no charge which entitles the holder's camping party to free admission to any state park administered facility and to free use of any state park campsite, trailer dump station, watercraft launch site, moorage facility, watertrail permit, and reservation service.

(4) Applications for limited income senior citizen, disability, and disabled veteran passes shall be made on forms prescribed by the commission.

(5) Verification of age shall be by original or copy of a birth certificate, notarized affidavit of age, witnessed statement of age, baptismal certificate, or driver's license. Verification of residency shall be by original or copy of a Washington state driver's license, voter's registration card, or senior citizen property tax exemption.

(6) For pass holders who travel by car or recreational vehicle, camping party shall include the pass holder and up to seven guests of the holder who travel with the holder and use one campsite or portion of a designated group camping or emergency area. One additional vehicle without built-in sleeping accommodations may be part of the camping party of a pass holder at one campsite or portion of a designated group camping or emergency area, when in the judgment of a ranger, the constructed facilities so warrant, and the total number of guests of the holder do not exceed seven.

(7) For pass holders who travel by a mode of transportation other than car or recreational vehicle, camping party shall include the pass holder and up to seven guests who travel with the pass holder and use one campsite or portion of a designated group camping or emergency area.

(8) If the conditions of a pass holder change during the time period when a pass is valid such that a pass holder no longer meets the eligibility requirements of RCW (~~(43.51.055)~~) 79A.05.065 and WAC 352-32-251, the pass holder shall return a pass to the commission.

AMENDATORY SECTION (Amending WSR 95-22-067, filed 10/30/95, effective 1/1/96)

WAC 352-32-255 Self-registration. In those parks so posted by the commission, park visitors shall register for the use of facilities and shall pay the appropriate fee, on a self-registration basis, in accordance with all posted instructions. ~~((Except as provided in WAC 352-32-310,))~~ Any violation of this section is an infraction under chapter 7.84 RCW.

AMENDATORY SECTION (Amending WSR 95-22-067, filed 10/30/95, effective 1/1/96)

WAC 352-32-280 Applicability of standard fees. The fees published by state parks pursuant to RCW ~~((43-41-060))~~ 79A.05.070(6), shall not apply in the following circumstances:

(1) Whenever fees are charged by a concessionaire pursuant to a valid concession agreement granted by the commission pursuant to RCW ~~((43-51-040))~~ 79A.05.030(5).

(2) Whenever fees are established pursuant to a development or management plan authorized or directed to be prepared by the legislature or state agency other than the commission, as, for example the Fort Worden State Park development and management plans.

(3) Whenever any law enforcement officer occupies a campsite if the following conditions are met.

(a) The law enforcement officer's authority is effective in the geographic area where the campsite is located.

(b) The park manager, or his representative, has determined that the officer's police powers may be useful in maintaining a peaceful environment in the park.

(c) The officer agrees to act in his official capacity if requested by park staff.

(4) Whenever any improvement club or voluntary association, or committees representing such clubs or associations, acting pursuant to the commission's permission granted pursuant to RCW ~~((43-51-130—43-51-160))~~ 79A.05.140—79A.05.155, utilizes any park facilities. Continuous occupancy of facilities by the same person or persons qualifying under this subsection shall be limited to 30 consecutive nights, unless otherwise approved by the director or designee.

(5) Whenever any individual, appointed by a court of law to perform work in a park in lieu of other sentencing, utilizes any park facilities.

(6) Whenever any individual utilizes any park facility in accordance with the terms of any contract, lease, or concession agreement, with the commission.

The limit placed on any camper by WAC 352-32-030(5) shall not apply to persons qualifying under this section.

AMENDATORY SECTION (Amending WSR 95-22-067, filed 10/30/95, effective 1/1/96)

WAC 352-32-285 Applicability of standard fees to volunteers in parks. The fees published by state parks pursuant to RCW ~~((43-51-060))~~ 79A.05.070(6) shall not apply whenever any individual, group, organization, association, or agency shall volunteer to perform personal services in lieu of standard fees if the following conditions are met:

(1) The park manager has determined that the personal service is desirable;

(2) The service performed does not replace or supplant that which would otherwise be performed by parks employees or contractors;

(3) The service performed is not one commonly performed by members of an organized trade union;

(4) The service performed does not result in any type of development which will necessarily create future operating costs to the commission;

(5) The volunteer shall perform personal services under the following provisions.

(a) At least four hours of service are provided per day; alternatively

(b) At least twenty-eight hours of service are provided per seven-day week, spread over at least five days.

(c) If more than four hours, but less than twenty-eight hours of volunteer service are provided during a seven-day week, a prorated waiver of fees equivalent to (b) of this subsection may be offered by the park manager.

(d) Volunteer time accumulated may not be carried forward for credit in subsequent weeks.

(e) The waiver of standard fees shall apply only at the park where such personal services were performed unless volunteer is participating in volunteer passport program.

The limit placed on any camper by WAC 352-32-030(7) shall not apply to persons qualifying under this section. Continuous occupancy of facilities by the same person or persons qualifying under this section shall be limited to thirty consecutive nights, unless otherwise approved by the director or designee.

This section does not expand or limit the provisions of RCW ~~((43-51-130 through 43-51-160))~~ 79A.05.140 through 79A.05.155.

AMENDATORY SECTION (Amending WSR 96-01-078, filed 12/18/95, effective 1/18/96)

WAC 352-32-290 Wood debris collection permit—Fee. (1) As used in this section "wood debris" means down and dead tree material that may be removed without significantly adversely impacting the environment of the park at which it is located and that is surplus to the needs of such park.

(2) A person may collect and remove wood debris from a state park area only when a park ranger has issued the person a wood debris collection permit.

(3) A wood debris collection permit is valid only at the state park at which the permit is issued.

(4) Subject to availability, for each wood debris collection permit issued, a person may collect and remove from a state park area not more than five cords of wood debris. Wood debris may be collected only for personal firewood use and only from sites and during time periods designated by a park ranger.

(5) The nonrefundable fee for a wood debris collection permit shall be established by the director consistent with limitations identified in RCW 4.24.210, ~~((43-51-045))~~ 79A.05.035 and 43.52.065.

(6) This section shall be implemented in compliance with chapter 352-28 WAC.

AMENDATORY SECTION (Amending WSR 98-04-065, filed 2/2/98, effective 3/5/98)

WAC 352-32-330 Commercial recreation providers—Permits. (1) Commercial recreation providers are required to register in order to engage in commercial recreational use of state parks. ~~((Effective January 1, 1998,))~~ Commercial recreation providers are required to register and possess a commercial recreation provider permit in order to engage in commercial recreational use of state parks. Registration for commercial recreation provider permits requires completion of application forms, providing proof of insurance and paying the appropriate fees. The commission shall establish the permit and registration fees and the director shall set the amount of the fees.

(2) Except as provided in WAC 352-32-310, any violation of this section is an infraction under chapter 7.84 RCW.

WSR 00-13-076
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Assistance Programs)
[Filed June 19, 2000, 3:40 p.m.]

Date of Adoption: June 19, 2000.

Purpose: WAC 388-406-0060, the rule includes the federal requirement to send a second letter giving clients a final opportunity to follow through on their application, even though they failed to appear for an initial food stamp appointment. The rule is also rewritten with the intention to be clearer for clients.

Citation of Existing Rules Affected by this Order: Amending WAC 388-406-0060.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.055, 74.04.057.

Other Authority: C.F.R. 273.2(h1d), waiver October 10, 1984.

Adopted under notice filed as WSR 00-10-093 on May 2, 2000.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, 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 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: 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.

June 19, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-406-0060 ((Denial of)) What happens when my application(s) is denied? (1) ~~((An application will be denied only when the department has not been able to establish the applicant's eligibility.~~

~~(2) An application cannot be denied solely because the applicant failed to provide requested information within a reasonably allowed period.~~

~~(3) For medical and cash assistance:~~

~~(a) An application cannot be denied based on a delay in obtaining medical information if the delay in obtaining the information is beyond the control of the applicant and the department;~~

~~(b) A decision to deny an application will be delayed for good cause as specified in WAC 388-406-0045; and~~

~~(c) An application for medical benefits will not be denied based on a failure to meet a spenddown obligation until at least thirty days after the end of the base period.~~

~~(4) If an applicant requests a fair hearing to contest the department's decision to deny an application because eligibility cannot be established based on information provided by the applicant, the issue in the hearing is whether the applicant can provide evidence to establish eligibility.~~

~~(5) Assistance will be denied to an entire assistance unit only when:~~

~~(a) Information required to establish eligibility for the entire assistance unit is not available to the department; or~~

~~(b) Circumstances which cause ineligibility affect all assistance unit members.~~

~~(6) An applicant will be notified of the department's decision to deny an application following notice requirements in WAC 388-458-0005.~~

~~(7) When an applicant for food assistance has not provided requested information within ten days:~~

~~(a) The application will be denied immediately if an application for TANF, SFA or SSI is not pending; or~~

~~(b) The denial decision may be delayed for up to thirty days from the date of application if an application for TANF, SFA or SSI is pending.~~

~~(8) A food assistance application which is not denied within the initial thirty day period will be denied at the end of the second thirty day period when:~~

~~(a) An eligibility decision could not be made based on information available to the department; and~~

~~(b) The applicant fails to provide requested information necessary to determine eligibility)) The department will deny your application when we cannot decide your eligibility based on the information we have.~~

(2) If we ask you to provide information and you do not provide it by the due date, we will not deny your application unless this information is needed to decide your eligibility.

(3) We will deny your application for everyone in the assistance unit when:

(a) You do not provide information that is required to decide eligibility for everyone in your assistance unit; or

(b) Your situation causes everyone in your assistance unit to be not eligible.

(4) We will tell you about our decision to deny your application by following notice requirements in WAC 388-458-0005.

(5) If we deny your application, you may request a fair hearing. If we deny your application because we do not have enough information to decide that you are eligible, the hearing issue is whether you can provide the needed information.

(6) For medical and cash assistance applications:

(a) If getting medical information is slowed down beyond your and our control, we will not deny your application;

(b) If you have good cause under WAC 388-406-0045, we will wait to deny your application; and

(c) If you do not meet a medical spenddown obligation, we will not deny your medical application before thirty days after the end of the base period as defined in WAC 388-519-0110.

(7) For food assistance applications:

(a) If you do not keep your first scheduled appointment:

(i) We will send you a letter telling you to get in touch with us to schedule another appointment; and

(ii) We will deny your application on the thirtieth day after you applied if you do not schedule a new appointment.

(b) If you do not provide the requested information within ten days:

(i) We will deny your application right after the ten days if you do not have a pending application for TANF, SFA, or SSI; or

(ii) We may wait to deny your application up to thirty days from the date you applied if you have a pending application for TANF, SFA or SSI.

(c) If we do not deny your application within the first thirty-days from the date you applied, we will deny your application at the end of the second thirty-day period when:

(i) We could not make an eligibility decision based on the information provided to us; and

(ii) You did not provide the requested information that was necessary to decide eligibility.

• So that the COPES eligibility requirements meet the definition of nursing facility level of care, as required by federal regulations (42 C.F.R. 441.302(c)) and

• To meet clear rule-writing standards.

Also, corrects a cross-reference in WAC 388-71-0430 and repeals WAC 388-15-610.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-15-610; and amending WAC 388-71-0430.

Statutory Authority for Adoption: RCW 74.39A.030.

Adopted under notice filed as WSR 00-10-033 on April 24, 2000.

Changes Other than Editing from Proposed to Adopted Version: The adopted rule (a) removes the proposed language from WAC 388-71-0430 because it was more restrictive; (b) removes superfluous language "due to your complex medical needs;" (c) adds a cross-reference to WAC 388-15-202 and 388-15-203; and (d) replaces the term "approved" with "completed."

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 1, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 1, Repealed 1.

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 1, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

June 19, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-04-056, filed 1/28/00, effective 2/28/00)

WAC 388-71-0430 Am I eligible for one of the HCP programs? You are eligible to receive HCP services if you meet the functional and financial eligibility requirements in WAC (~~388-15-610~~) 388-71-0435 for COPES, WAC 388-71-0440 for MPC, or WAC 388-71-0445 for Chore. Your eligibility begins upon the date of the department's service authorization.

NEW SECTION

WAC 388-71-0435 Am I eligible for COPES-funded services? You are eligible for COPES-funded services if you meet all of the following criteria. The department or its designee must assess your needs and determine that:

(1) You are age:

WSR 00-13-077

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Adult Services Administration)

[Filed June 19, 2000, 3:42 p.m.]

Date of Adoption: June 19, 2000.

Purpose: WAC 388-71-0435 Am I eligible for COPES-funded services? is being adopted:

(a) Eighteen or older and blind or disabled, as defined in WAC 388-511-1105; or

(b) Sixty-five or older.

(2) You meet financial eligibility requirements. This means the department will assess your finances and determine if your income and resources fall within the limits set in WAC 388-515-1505, Community options program entry system (COPES).

(3) You:

(a) Are not eligible for Medicaid personal care services; or

(b) Are eligible for Medicaid personal care services, but the department determines that the amount, duration, or scope of your needs is beyond what Medicaid personal care can provide.

(4) Your comprehensive assessment shows you need the level of care provided in a nursing facility (or will likely need the level of care within thirty days unless COPES services are provided) which means one of the following applies. You:

(a) Require care provided by or under the supervision of a registered nurse or a licensed practical nurse on a daily basis;

(b) Have an unmet need requiring substantial or total assistance with at least two or more of the following activities of daily living (ADLS) as defined in WAC 388-15-202 and 388-15-203:

- (i) Eating,
- (ii) Toileting,
- (iii) Ambulation,
- (iv) Transfer,
- (v) Positioning,
- (vi) Bathing, and
- (vii) Self-medication.

(c) Have an unmet need requiring minimal, substantial or total assistance in three or more of the ADLS listed in subsection (4)(b)(i) through (vii) of this section; or

(d) Have:

(i) A cognitive impairment and require supervision due to one or more of the following: disorientation, memory impairment, impaired judgment, or wandering; and

(ii) An unmet need requiring substantial or total assistance with one or more of the ADLS listed in subsection (4)(b)(i) through (vii) of this section.

(5) You have a completed service plan, per WAC 388-15-205.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-15-610

COPES—Eligibility.

WSR 00-13-083

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed June 20, 2000, 1:48 p.m.]

Date of Adoption: June 20, 2000.

Purpose: Meet criteria supporting Governor Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-56A-620; and amending WAC 308-56A-500.

Statutory Authority for Adoption: RCW 65.20.110.

Adopted under notice filed as WSR 00-09-007 on April 6, 2000.

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 1, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, 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: Thirty-one days after filing.

June 20, 2000

G. F. McDougall

for Fred Stephens

Director

AMENDATORY SECTION (Amending WSR 00-06-004, filed 2/18/00, effective 3/20/00)

WAC 308-56A-500 Definitions. The definitions set forth in RCW 65.20.020 shall apply to WAC 308-56A-505. Terms used in chapters 46.12 and 46.16 RCW and this chapter shall have the following meanings except where otherwise defined, and unless where used the context thereof clearly indicates to the contrary:

(1) "Affixed" means attached.

(2) "Certificate of ownership" (title) is a legal document indicating proof of ownership.

(3) "Commercial parking company" means any business directly engaged in providing vehicle parking upon property owned or controlled by the business and approved for public parking of vehicles.

(4) "Department" means the same as described in RCW 46.04.162.

(5) "Department temporary permit" is a permit temporarily issued in lieu of permanent registration and license plates when required documentation is unavailable.

(6) "Involuntary divestiture" means a change in vehicle ownership without the registered owner's involvement.

(7) "Joint tenancy with rights of survivorship" means owners who own a vehicle in joint tenancy with the right to own individually if one of them dies.

(8) "Legal owner" means the same as described in RCW 46.04.270.

(9) "Person" means the same as described in RCW 46.04.405.

(10) "Personal representative" means:

(a) An individual appointed by the court; or

(b) An individual named in the last will and testament and confirmed by the court to manage the estate of a deceased person.

Personal representative may also include executor, administrator, special administrator, and guardian or limited guardian and special representative as defined in RCW 11.02.005(1).

(11) "Registered owner" means the same as described in RCW 46.04.460.

(12) "Transferee" means a person to whom a vehicle is transferred, by purchase, gift, or any means other than by creation of a security interest, and any person who, as agent, signs an odometer disclosure statement for the transferee, when applicable.

(13) "Transferor" means a person who transfers ownership in a vehicle by sale, gift, or any means other than by creation of a security interest and any person who, as agent, signs an odometer disclosure statement for the transferor, when applicable.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-56A-620 Odometer disclosure—Definitions.

**WSR 00-13-090
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-102—Filed June 20, 2000, 4:30 p.m.]

Date of Adoption: June 9, 2000.

Purpose: Repeal outdated rule.

Citation of Existing Rules Affected by this Order:
Repealing WAC 232-12-161.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

Adopted under preproposal statement of inquiry filed as WSR 00-08-027 on March 28, 2000.

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 1.

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.

June 20, 2000

Kelly White, Chairman
Fish and Wildlife Commission
by Debbie Nelson

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-12-161 Fishing guide reports. (Order 165)

**WSR 00-13-097
PERMANENT RULES**

**BOARD OF
PILOTAGE COMMISSIONERS**

[Filed June 21, 2000, 10:24 a.m., effective August 1, 2000]

Date of Adoption: June 8, 2000.

Purpose: To establish a Grays Harbor pilotage district annual tariff for pilotage services.

Citation of Existing Rules Affected by this Order:
Amending WAC 363-116-185.

Statutory Authority for Adoption: RCW 88.16.035.

Adopted under notice filed as WSR 00-10-074 on May 1, 2000.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of the tariff is identical to the proposed version. There were no changes made to any tariff category.

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.

PERMANENT

Effective Date of Rule: August 1, 2000.

June 20, 2000
Peggy Larson
Administrator

Miscellaneous:

The balance of amounts due for pilotage rates not paid within 30 days of invoice will be assessed at 1 1/2% per month late charge.

AMENDATORY SECTION (Amending WSR 99-16-027, filed 7/27/99, effective 8/1/99)

WAC 363-116-185 Tariffs, and pilotage rates for the Grays Harbor pilotage district. Effective 0001 hours on ~~((8-1-99))~~ 8-1-00 through 2400 hours ~~((7-31-00))~~ 7-31-01.

CLASSIFICATION OF PILOTAGE SERVICE RATE

Piloting of vessels in the inland waters and tributaries of Grays Harbor:

Each vessel shall be charged according to its draft and tonnage. The draft charges shall be \$70.43 per meter (or \$21.43 per foot) and the tonnage charge shall be \$0.2246 per net registered ton. The minimum net registered tonnage charge is \$785.90. The charge for an extra vessel (in case of tow) is \$449.11.

Boarding fee:

Per each boarding/deboarding from a boat \$338.84

Harbor shifts:

For each shift from dock to dock, dock to anchorage, anchorage to dock, or anchorage to anchorage \$563.37
Delays per hour \$134.34
Cancellation charge (pilot only) \$224.54
Cancellation charge (pilot boat only) \$673.64

Travel allowance:

Transportation fee per assignment \$55.00

Pilot when traveling to an outlying port to join a vessel or returning through an outlying port from a vessel which has been piloted to sea shall be paid \$785.93 for each day or fraction thereof, and the travel expense incurred \$785.93

Bridge transit:

Charge for each bridge transited \$246.62
Additional surcharge for each bridge transited for vessels in excess of 27.5 meters in beam \$682.80

**WSR 00-13-106
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed June 21, 2000, 10:48 a.m., effective July 1, 2000]

Date of Adoption: June 21, 2000.

Purpose: We are amending this rule to add new supports service limits and categories such as educational expenses and transitional work expense.

Citation of Existing Rules Affected by this Order: Amending WAC 388-310-0800.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, and 78.08A.340.

Adopted under notice filed as WSR 00-10-091 on May 2, 2000.

Changes Other than Editing from Proposed to Adopted Version: Only changes were in wording and ordering to clarify meaning.

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 6, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 6, 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 6, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: To align the changes in the amounts of support services authorized with the start of the fiscal year, it is necessary to have an effective date of July 1, 2000.

Effective Date of Rule: July 1, 2000.

June 21, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-14-043, filed 6/30/99, effective 7/31/99)

WAC 388-310-0800 WorkFirst—Support services.
(1) ~~((Why do I receive))~~ Who can get support services?

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~~((Support services help you participate in work and WorkFirst activities that lead to financial independence. You can also get help in paying your child care expenses through the working connections child care assistance program. (Chapter 388-290 WAC describes the rules for this child care assistance program.)~~

~~(2) **What support services may I receive?**~~

~~You may receive support services, including but not limited to any of the following:~~

- ~~(a) Employment related needs such as work clothing or uniforms, tools, equipment, relocation expenses, or fees;~~
- ~~(b) Transportation costs such as mileage reimbursement, public transportation vouchers, and car repair;~~
- ~~(c) Professional services;~~
- ~~(d) Personal needs such as clothing appropriate for job search or other work activities;~~
- ~~(e) Special needs such as accommodations for employment;~~
- ~~(f) Identified specific needs due to location or employment if you are an American Indian;~~
- ~~(g) Job skills training, vocational education and/or basic education if:~~
 - ~~(i) It is an approved activity in your individual responsibility plan; and~~
 - ~~(ii) You do not qualify for sufficient student financial aid to meet the cost.~~

~~(3) **When will I get support services?**~~

~~The department or its agents will decide what support services you will receive, as follows:~~

- ~~(a) You need the support services to do the activities in your individual responsibility plan;~~
- ~~(b) It is within available funds; and~~
- ~~(c) It does not assist, promote, or deter religious activity.~~

~~(4) **How much support services can I get?**~~

~~The chart below shows the guidelines for the amount and type of support services you can get. There is a suggested limit of fifteen hundred dollars per person per calendar year for the amount of support services you can receive from the department and/or employment security.~~

Type of Support Service	Suggested Limit
Accommodation (reasonable)	\$1,000 per request
Books/supplies (school)	No limit
Car repair	\$500 per calendar year
Clothing - General	Participant - \$250 per request Each child - \$100 per request
Clothing/uniforms - Employment	Participant - \$200 per year
Clothing/uniforms - Training	No limit
Diapers	\$50 per child per month
Employer reimbursement	No limit
GED	No limit
Haircut	\$40 per request
License/fees	\$300 per each license or fee
Lunch	\$15 per event
Medical exams (not covered by Medicaid)	\$150 per exam
Mileage	\$0.315 per mile (not to exceed \$100 per week)

Type of Support Service	Suggested Limit
Personal hygiene	\$50 per request (up to three times per calendar year)
Professional, trade, association, union and bonds	\$300 per each due or fee
Public transportation	\$150 per month
Relocation	\$1,000 per calendar year
Rent, housing, deposits	\$500 per calendar year
Short term lodging and meals	\$200 per request
Testing - Certification	\$100 each
Testing - Diagnostic	\$200 each
Tools (training)	No limit
Tools/equipment	\$200 per request
Tutoring	\$200 per month
Tuition and fees	No limit

~~(5) **What if I request more support services than the guidelines allow?**~~

~~If you request support services from your case manager, you can:~~

- ~~(a) Ask to see a copy of these guidelines;~~
- ~~(b) Ask for an exception, if you are requesting more than the guidelines allow or asking for services or goods not mentioned in the guidelines; and/or~~
- ~~(c) Request a fair hearing, if your request for support services is denied.~~

~~(6) **What happens to my support services if I do not participate as required?**~~

~~The department will give you ten days notice, following the rules in WAC 388-418-0030, then discontinue your support services until you participate as required)) (a) WorkFirst participants:~~

~~(b) Sanctioned WorkFirst participants during the two-week participation before the sanction is lifted;~~

~~(c) Unmarried or pregnant minors who are income eligible to receive TANF and are:~~

~~(i) Living in a department approved living arrangement (WAC 388-486-0005) and are meeting the school requirements (WAC 388-486-0010); or~~

~~(ii) Actively working with a social worker to remove the barriers that are preventing the minor from living in a department approved living arrangement and/or meeting the school requirements.~~

~~(d) Former WorkFirst recipients who are looking for work, preparing for work, or working.~~

~~(2) **Why do I receive support services?**~~

~~(a) Support services help you participate in work and WorkFirst activities that lead to independence. You can also get help in paying your child care expenses through the working connections child care assistance program. (Chapter 388-290 WAC describes the rules for this child care assistance program.)~~

~~(b) Support services help you to keep working, accept a job, participate in job search, advance in your job and/or increase your wages.~~

~~(3) **What support services may I receive?**~~

~~You may receive support services, including but not limited to any of the following:~~

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- (a) Employment related needs such as work clothing or uniforms, tools, equipment, relocation expenses, or fees;
- (b) Transportation costs such as mileage reimbursement, public transportation vouchers, and car repair;
- (c) Professional services;
- (d) Personal needs such as clothing appropriate for job search or other work activities;
- (e) Special needs such as accommodations for employment;
- (f) Identified specific needs due to location or employment if you are an American Indian;
- (g) Job skills training, vocational education and/or basic education if:
 - (i) It is an approved activity in your individual responsibility plan; and
 - (ii) You do not qualify for sufficient student financial aid to meet the cost.
- (h) Transitional work expense of one thousand dollars if:
 - (i) You are in unsubsidized employment; or
 - (ii) You are in subsidized employment that does not use TANF funds or does not end with your grant; and
 - (iii) You are in the assistance unit and receiving a TANF/SFA grant of one hundred dollars or less a month; and
 - (iv) You or anyone in your assistance unit is not in sanction status; and
 - (v) You voluntarily stop receiving your TANF/SFA grant; and
 - (vi) You are an adult and have never received a transitional work expense.

Type of Support Service	Suggested Limit
Diapers	\$50 per child per month
Educational expenses	\$300 for each request
Employer reimbursement	No limit
Haircut	\$40 for each request
License/fees/liability insurance	\$600 per each license, fee or liability insurance request per program year
Lunch	Same rate as established by OFM for state employees
Medical exams (not covered by Medicaid)	\$150 per exam
Mileage	Same rate as established by OFM for state employees
Personal hygiene	\$50 for each request (up to three times per program year)
Professional, trade, association, union and bonds	\$300 for each fee
Public transportation	\$150 per month
Relocation	\$1,000 per program year
Rent, housing, deposits	\$500 per program year
Short-term lodging and meals	Same rate as established by OFM for state employees
Testing-Diagnostic	\$200 each
Tools/equipment	\$500 for each request

(6) What if I request more support services than the suggested maximum amounts, or ask for services not specifically covered in the guidelines?

If you request support services from your case manager, you can:

- (a) Ask to see a copy of these guidelines;
- (b) Ask for additional services, if you are requesting more than the guidelines allow or asking for services or goods not mentioned in the guidelines; and/or
- (c) Request a fair hearing, if your request for support services is denied.

(7) What happens to my support services if I do not participate as required?

The department will give you ten days notice, following the rules in WAC 388-310-1600, then discontinue your support services until you participate as required.

(4) What are the requirements to get support services?

The department or its agents will decide what support services you will receive, as follows:

- (a) You need the support services to do the activities in your individual responsibility plan, do job search, accept employment, do paid work, continue to work, to advance in your job and/or increase your wages; or
- (b) You are a pregnant or parenting minor who is income eligible to receive TANF and you need support services to remove barriers that prevent you from living in a department approved living arrangement and/or meet the school requirements; or
- (c) Your request is within twenty-four months after your TANF/SFA case closed; and
- (d) It is within available funds; and
- (e) It does not assist, promote, or deter religious activity.

(5) How much support services can I get?

The chart below shows the guidelines for the amount and type of support services you can get. There is a suggested limit of three thousand dollars per person per program year (July 1st to June 30th) for support services you can receive from the department and/or employment security.

Type of Support Service	Suggested Limit
Accommodation (reasonable)	\$1,000 for each request
Car repair	\$750 per program year
Clothing-General	Participant-\$250 for each request Each child-\$100 for each request
Clothing/uniforms-Employment	Participant-\$200 per program year
Counseling	No limit

PERMANENT

WSR 00-13-006
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-94—Filed June 8, 2000, 3:01 p.m.]

Date of Adoption: June 8, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-52-03000L.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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 Washington Department of Health has closed commercial digging on the Willapa Spits due to elevated harmful algae blooms, domoic acid. Willapa Spits will remain closed until additional sampling shows domoic acid levels below the approved action.

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: Immediately.

June 8, 2000
 J. P. Koenings
 Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-03000L Razor clams. (00-71)

WSR 00-13-007
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed June 8, 2000, 3:59 p.m.]

Date of Adoption: June 8, 2000.

Purpose: To implement section 518, chapter 1, Laws of 2000, 2nd sp. sess. (the state supplemental operating budget), which provides funding for the better schools program. The rules define how better schools moneys will be allocated and accounted for.

Statutory Authority for Adoption: RCW 28A.150.-290(1).

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: Emergency adoption is necessary to permit school districts to plan for receipt and expenditure of better schools funding and prepare budgets for the 2000-01 school year by the statutory deadline of July 10.

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 12, 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 12, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

June 8, 2000
 Dr. Terry Bergeson
 Superintendent of
 Public Instruction

Chapter 392-140 WAC
FINANCE—SPECIAL ALLOCATIONS, INSTRUCTIONS, AND REQUIREMENTS

BETTER SCHOOLS—STAFF

NEW SECTION

WAC 392-140-920 Better schools—Staff—Applicable provisions—Authority—Purpose. The provisions of WAC 392-140-920 through 392-140-930 govern allocation and expenditure of state better schools moneys for class size reduction and extended learning opportunities. The authority for these rules is the better schools program language in the state Operating Appropriations Act and RCW 28A.150.-290(1). The purpose of this funding is to reduce class size and provide extended learning opportunities to assist students in meeting the essential academic learning requirements and student assessment performance standards.

NEW SECTION

WAC 392-140-922 Better schools—Staff—Definitions. As used in WAC 392-140-920 through 392-140-930:

(1) The following terms mean the same as defined in WAC 392-140-903:

Report S-275

Form SPI 1158

Report 1159

Form SPI 1160

FTE K-4 basic education enrollment

Actual average salary for basic education classified instructional assistants

(2) "Better schools certificated instructional employee" means a certificated instructional employee as defined in WAC 392-121-205 employed to reduce class size and/or provide additional student contact for the purposes of the better schools program as defined in the state Operating Appropriations Act and assigned in whole or in part to Program 62 Better Schools—Staff—State as defined in the *Accounting Manual for Public School Districts in the State of Washington*:

(3) "Supplemental contracts for extended learning opportunities" means time-related supplemental contracts with certificated instructional employees to provide additional classroom contact hours beyond the normal school day for more than half-day or half-year kindergarten, before-and-after school programs, weekend school programs, summer school programs, and inter-session opportunities to assist students in meeting the essential academic learning requirements and student assessment performance standards.

(4) "District FTE K-4 better schools certificated instructional staff" means the sum of:

(a) The district's full-time equivalent better schools certificated instructional employees in grades kindergarten through four (K-4) determined in the same manner as basic education staff in WAC 392-140-903 (9) and (10) substituting the better schools program for basic education programs; plus

(b) One FTE for each 900 hours of supplemental contracts for extended learning opportunities for students in grades K-6 in the better schools program.

(5) "Better schools classified instructional assistant" means a person employed to provide additional student contact for the purposes of the better schools program as described in the state Operating Appropriations Act and assigned in whole or in part to:

(a) Program 62 - Better schools—Staff—State;

(b) Activity 27 - teaching; and

(c) Duty 910 - aide.

(6) "Better schools classified instructional assistant FTE" means the number determined for a better schools classified instructional assistant as follows:

(a) Determine the hours per year that the employee is assigned as a better schools classified instructional assistant; and

(b) Divide by 2080.

(7) "District FTE better schools classified instructional assistants" means the sum of a school district's better schools classified instructional assistant FTE staff.

(8) "Certificated FTE equivalent of better schools classified instructional assistants" means the number determined for a school district as follows:

(a) Sum the district's FTE better schools classified instructional assistants from Report S-275 and any net change in FTE classified instructional assistants after October 1 as reported on Form SPI 1158;

(b) Multiply the result of subsection (8)(a) of this section by the ratio of the district's actual average salary for basic education classified instructional assistants to the district's average basic education certificated instructional staff salary for the purpose of general apportionment.

NEW SECTION

WAC 392-140-924 Better Schools—Staff—School district reporting. (1) Districts shall report better schools staff on Report S-275.

(a) Supplemental contracts for extended learning opportunities shall identify the number of hours of student contact for the school year.

(b) Changes in supplemental contracts for extended learning opportunities after October 1 as updates to Report S-275.

(c) Contracted staff shall be reported to the extent feasible using duty codes provided for contracted staff.

(2) Districts may report net changes in better schools staff after October 1 on optional Form SPI 1158 as follows:

(a) Determine the better schools FTE that would be reported for each employee for the school year on Report S-275 if the current date were substituted for the October 1 snapshot date as required in S-275 instructions and subtract the better schools FTE as of October 1 actually reported for the employee on the school district's most current Report S-275.

(b) Include decreases as well as increases in staff after October 1 not reflected in Report S-275. Decreases include terminations, retirements, unpaid leave, and reassignment of staff.

(c) Identify changes by grade group when appropriate.

(3) Districts may select an alternate month for the K-4 basic education enrollment used in calculating better schools staff ratios by filing optional Form SPI 1160. The month selected shall be used for both basic education and better schools staff ratio calculations.

NEW SECTION

WAC 392-140-925 Better schools—Staff—Calculation of district K-4 better schools staff ratio. A school district's K-4 better schools staff ratio is calculated as follows:

(1) Sum the district's FTE K-4 better schools certificated instructional staff from Report S-275 and Form SPI 1158;

(2) Divide the result of subsection (1) of this section by the district's K-4 basic education enrollment; and

(3) Multiply the result of subsection (2) of this section by 1000.

NEW SECTION

WAC 392-140-926 Better schools—Staff—Calculation of district combined K-4 staff ratio. A school district's combined K-4 staff ratio equals the sum of:

- (1) The district's K-4 basic education staff ratio determined pursuant to WAC 392-140-910;
- (2) The district's K-4 better schools staff ratio determined pursuant to WAC 392-140-925.

NEW SECTION

WAC 392-140-927 Better schools—Staff—Calculation of district state-funded better schools staff ratio. A school district's state-funded better schools staff ratio shall be the lesser of 2.2 or the number determined as follows:

- (1) If the district's combined K-4 staff ratio is less than 55.4 then:
 - (a) Sum the district's FTE K-4 better schools certificated instructional staff from Report S-275 and Form SPI 1158;
 - (b) Divide the result of subsection (1)(a) of this section by the district's K-4 basic education enrollment; and
 - (c) Multiply the result of subsection (1)(b) of this section by 1000.
- (2) If the district's combined K-4 staff ratio is 55.4 or greater then include the following additional staff FTE in the calculation of the district's state-funded better schools staff ratio:
 - (a) FTE grades 5-12 better schools certificated instructional staff from Report S-275 and Form SPI 1158;
 - (b) Grades 7-12 supplemental contracts for extended learning opportunities from Report S-275.
 - (c) The certificated FTE equivalent of better schools classified instructional assistants determined pursuant to WAC 392-140-922(8).

NEW SECTION

WAC 392-140-928 Better schools—Staff—Request for adjustment of the district state-funded better schools staff ratio. A school district may request an adjustment to the state-funded better schools staff ratio by submitting a letter to the superintendent of public instruction. The superintendent shall allow adjustments to districts demonstrating that the district has appropriately expended the better schools staff allocation but has not reached the 2.2 staff ratio for one or more of the following reasons:

- (1) Contracted services for students are not reflected on Report S-275.
- (2) The district's better schools staff ratio is adversely affected by participation in a consortium or interdistrict cooperative.
- (3) The mix factor of better schools staff significantly exceeded the district's basic education mix factor used for better schools funding.

NEW SECTION

WAC 392-140-929 Better Schools—Staff—Calculation of the better schools staff allocation. A school district's

better schools staff allocation for a school year shall be calculated as follows:

- (1) Determine the number of funded certificated instruction staff units by multiplying the district's state-funded better schools staff ratio by the district's annual average K-4 FTE students for purpose of general apportionment and divide by 1000; and
- (2) Calculate the value of these funded staff units using the district's general apportionment funding factors including the district's basic education mix factor, LEAP certificated instructional base salary, learning improvement days, and state-funded health insurance, mandatory benefit, nonemployee related cost, and substitute teacher rates.
- (3) Allocations for the months of September through December shall be based on the district's budgeted funding variables use for general apportionment including K-4 FTE students, basic education mix factor, learning improvement days and state-funded better schools staff ratio. Beginning in January, allocations shall be based on funding variables calculated by the superintendent of public instruction using the most current enrollment data and personnel data reported by the district received by the superintendent of public instruction by the 15th of the month.
- (4) Better schools staff allocations shall be paid out on the apportionment payment schedule in RCW 28A.510.250.

NEW SECTION

WAC 392-140-930 Better schools—Staff—Reporting by the superintendent of public instruction. Beginning in January of each school year, the superintendent of public instruction will provide to each school district monthly reports showing the calculation of the district's state-funded better schools staff ratio and state allocation for better schools staff.

BETTER SCHOOLS—PROFESSIONAL DEVELOPMENTNEW SECTION

WAC 392-140-935 Better schools—Professional development—Applicable provisions—Authority—Purpose. The provisions of WAC 392-140-935 through 392-140-938 govern the allocation and expenditure of state moneys for professional development in the better schools program. The authority for these rules is the better schools program language in the Biennial Operating Appropriations Act and RCW 28A.150.290(1). The purpose of this funding is to provide professional development for certificated and classified school district staff so that they may better assist students in meeting the essential academic learning requirements and student assessment performance standards.

NEW SECTION

WAC 392-140-937 Better schools—Professional development—Better schools professional development allocations. A school district's better schools professional

development allocation for a state fiscal year shall equal the district's October P-105 headcount enrollment for the prior school year multiplied by the per student dollar amount stated in the state operating appropriations act.

(1) School districts may request adjustment to the prior year's October P-105 enrollment at any time, however, funding for any increase in enrollment that causes total state allocations to exceed the state appropriation shall be contingent on a supplemental appropriation by the legislature.

(2) Better schools professional development allocations shall be paid out in twelve equal payments during the twelve months of the state fiscal year, July through June.

NEW SECTION

WAC 392-140-938 Better schools—Professional development—School district certification. As a condition for retaining these moneys the school district superintendent shall certify that all better schools professional development moneys have been allocated to school buildings without deduction for administrative or indirect costs and that expenditure of funds is determined by staff at each school site. Allocations to buildings may be based on the number of students or staff at each building or by some other reasonable method determined by the district.

**WSR 00-13-015
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-88—Filed June 9, 2000, 4:28 p.m., effective June 10, 2000, 6:00 p.m.]

Date of Adoption: June 9, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05700E; and amending WAC 220-32-057.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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: Closes Bonneville Pool sturgeon set line season and leaves John Day Pool open. The guideline is projected to be achieved in Bonneville Pool. Harvestable numbers of sturgeon are available in John Day Pool. Rule is consistent with compact action of June 7, 2000, and conforms state rules and tribal rules. There is insufficient time to promulgate permanent regulations.

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: June 10, 2000, 6:00 p.m.

June 9, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-32-05700F Columbia River sturgeon seasons above Bonneville Dam. Notwithstanding the provisions of WAC 220-32-057, effective 6:00 p.m. June 10, 2000 until further notice, it is unlawful to take, fish for or possess sturgeon taken for commercial purposes in Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with set line gear under the following provisions:

- 1) Open area is 1H.
- 2) During the season specifies in Section 1, it is unlawful to:
 - a) retain for commercial purposes sturgeon less than 48 inches or greater than 60 inches in length.
 - b) sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of a sturgeon prior to sale of the sturgeon to a wholesale dealer licensed under chapter RCW 75.28, or to sell or barter sturgeon eggs at retail.
 - c) deliver to a wholesale dealer licensed under chapter RCW 75.28 any sturgeon that are not in the round with the head and tail intact.
- 3) During the season specifies in Section 1, it is unlawful to use set line gear:
 - a) with more than 100 hooks per set line
 - b) with hooks less than the minimum size of 9/0
 - c) with treble hooks
 - d) without visible buoys attached and with buoys that do not specify operator and tribal identification.

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.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. June 10, 2000:

WAC 220-32-05700E Columbia River sturgeon seasons above Bonneville Dam. (00-33)

WSR 00-13-016
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-92—Filed June 9, 2000, 4:30 p.m., effective June 10, 2000]

Date of Adoption: June 8, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-57-53000C.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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: A conservative sport fishery with limited fishing opportunity (a maximum of eight days of fishing—four consecutive two-day weekend periods) is justified in the upper Yakima River based on a fifty-year record return to the basin. As of June 6, seven thousand six hundred ninety-six salmon had passed Roza Dam in the Yakima Canyon upstream of Selah, excluding three hundred ninety-one fish taken for brood stock for the Cle Elum Supplementation Hatchery. The seven thousand six hundred ninety-six Roza passage includes seven thousand three hundred fifty wild adult salmon (95.5%), one hundred twenty-six wild jacks (1.6%) and two hundred twenty Cle Elum Hatchery jacks (2.9%). The hatchery jacks are the first returns since the Cle Elum Supplementation Hatchery began operation in 1997. The total return of spring chinook to the Yakima Basin, including the Naches River component, is estimated to reach eighteen thousand fish passing Prosser Dam. The proposed fishery will not harvest any Naches River fish, which usually is the weaker of the two run components. The estimated harvest exploitation rate for an eight-day fishery is not expected to exceed 5 - 10% (four hundred-eight hundred fish) based on an overall total Roza Dam passage count of eight thousand fish. Total passage at Roza Dam may easily exceed eight thousand because the five-day average daily passage prior to June six was still three hundred ten fish per day (range: One hundred eighteen - four hundred eighty-eight fish/day). Assuming a five hundred fish harvest (6.25% exploitation rate), a minimum of seven thousand five hundred fish will spawn in September and October. The previous record escapement occurred in 1986 when three thousand two hundred sixty-seven fish passed Roza Dam. Consequently, a

harvestable surplus exists justifying a limited sport fishery. 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: June 10, 2000.

June 8, 2000

J. P. Koenings
 Director

NEW SECTION

WAC 220-57-53000C Yakima River. It is lawful to fish in those waters of the Yakima River from the Teanaway Junction Washington Department of Fish and Wildlife access/boat ramp (R.M. 177.7) near the intersection of Highway 970 and Highway 10 east of Cle Elum downstream to the Roza Access Area boat ramp (R.M.) 128.4) at the head of Roza Dam Pool in the Yakima Canyon as provided for in this section:

(1) Open Periods:

June 10 through June 11, 2000

June 17 through June 18, 2000

June 24 through June 25, 2000

July 1 through July 2, 2000

(2) Daily limit of 1 salmon (jack or adult) either retained or released. No catch and release permitted on spring chinook, salmon fishing ends for the day after catching one salmon. If a salmon has swallowed the hook or is hooked in the gills, eye or tongue, it must be retained.

(3) Special "Non-Buoyant Lure Restriction" with hooks measuring 1/2 inch minimum to 3/4 inch maximum gap from point to shank. Hook gap range applies to a single hook required on non-buoyant (sinking) lures and treble hooks (one or multiple treble hooks) on buoyant (floating) lures. Treble hooks are not permitted on sinking lures or flies.

(4) Fishing with bait is prohibited, unscented lures or flies with barbed hooks permitted.

(5) Fishing from a floating device equipped with a motor is prohibited.

(6) Night closure in effect.

(7) Closed waters: From Town Diversion Dam downstream 400 feet (between Ellensburg and Thorp off Highway 10).

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.

REPEALER

The following section of the Washington Administrative Code is repealed effective July 2, 2000 one hour after official sunset:

WAC 220-57-53000C Yakima River.

WSR 00-13-053
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-96—Filed June 14, 2000, 2:20 p.m., effective June 21, 2000, 9:00 a.m.]

Date of Adoption: June 14, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500H; and amending WAC 220-56-325.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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 regulation is needed to ensure an orderly fishery, manage within court ordered sharing requirements, and to ensure conservation. There are sufficient shrimp remaining in the state share to open the recreational fishery for an additional day. 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: June 21, 2000, 9:00 a.m.

June 14, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-32500H Shrimp—Areas and seasons. Notwithstanding the provisions of WAC 220-56-325, it is unlawful to fish for or possess shrimp from those waters of Hood Canal except as provided for in this section:

(1) Fishing for shrimp is allowed between 9:00 a.m. and 1:00 p.m. on the following date: June 21, 2000.

(2) No shrimp fisher may leave shrimp fishing gear in the water after 1:00 p.m. June 21, 2000.

(3) It shall be unlawful for any vessel participating in the fishery to have more than four shrimp pots operated from the vessel.

(4) It is unlawful for any one person to take in any one day more than eighty shrimp. The first eighty shrimp taken must be retained. After the eightieth shrimp has been retained by a fisher, the fisher must stop fishing and release all additional shrimp immediately to the water unharmed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 1:01 p.m. June 21, 2000:

WAC 220-56-32500H Shrimp—Areas and seasons.

WSR 00-13-054
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-95—Filed June 14, 2000, 2:23 a.m., effective June 26, 2000, 6:00 a.m.]

Date of Adoption: June 12, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-071 and 220-69-240.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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: Harvestable amounts of sea cucumbers are available in all districts and areas listed. Northern San Juan Channel, southwestern Haro Strait, Tatoosh Island, and Argyle Lagoon are closed consistent with state/tribal agreement. Titlow Beach, Octopus Hole, Orchard Rocks, Edmonds Underwater Park, Waketickeh, Colvos Passage, and Sund Rock, are closed to preserve the character of the marine preserves. Eagle Harbor and Sinclair Inlet are closed for health-related reasons. Daily reports of landings are needed to prevent overharvest of allocations in each management region; fish receiving tickets are not received and processed in a manner that permits timely closure of regions. 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 2, 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: June 26, 2000, 6:00 a.m.

June 12, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-07100N Sea cucumbers. Notwithstanding the provisions of WAC 220-52-071, effective immediately until further notice, it is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section:

(1) Effective 6:00 a.m. June 26, 2000 until further notice, sea cucumber harvest using shellfish diver gear is allowed in Sea Cucumber District 1 (Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, and 23B), Sea Cucumber District 2 (Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23C, 23D, 25A, 25B, 25C, 25D, 25E, and 29), and Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D Monday, Tuesday, and Wednesday of each week from 6:00 a.m. to one-half hour before official sunset of each day, except for closures as provided for in this section.

(2) The following areas are closed to the harvest of sea cucumbers at all times:

(a) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(b) Those waters of San Juan Channel and Upright Channel within the following lines: north and west of a line from the northernmost point of Turn Island on San Juan Island to Flat Point on Lopez Island and thence projected from Flat Point true west to Shaw Island, north of a line projected from the northernmost point of Turn Island true west to San Juan Island, west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island, and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

(c) Tatoosh Island - Those waters within one-quarter mile of Tatoosh Island.

(d) Waketichek Creek Conservation Area - Waters and bedlands from Waketichek Creek (located 1,000 yards north-east of Cummings Pt.) out perpendicular to shore 500 yards then parallel to shore northeast 1,700 yards, then back to shore along a line perpendicular to shore, excluding the area within 100 feet of ordinary high water.

(e) Orchard Rocks Conservation Area - Those waters and bedlands of Rich Passage within a 400 yard radius of Orchard Rocks day marker.

(f) Colvos Passage Marine Preserve - Area enclosed by a line starting at extreme low water 300 feet southwest of the southern boundary of Sunrise County Park, Pierce County (latitude 47°20.9'N) due east 300 feet, then southwesterly paralleling the shoreline for 500 feet, then west to the extreme low water line then northeasterly along extreme low water line to point of origin.

(g) The waters of Eagle Harbor west of a line projected from Wing Point to Eagle Harbor Creosote Light Number 1 then due west to the shore on Bainbridge Island.

(h) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner to landfall below the Veteran's Home in Annapolis.

(3) It is unlawful to dive for any purpose from a commercially-licensed fishing vessel, except vessels actively fishing geoducks under contract with the Washington Department of Natural Resources, on June 24 and 25, July 1, 2, 8, 9, 15, 16, 22, 23, 29, and 30, August, 5, 6, 12, 13, 19, 20, 26, and 27, 2000.

NEW SECTION

WAC 220-69-24000R Duties of commercial purchasers and receivers Notwithstanding the provisions of WAC 220-69-240, effective immediately until further notice:

(1) It is unlawful for any wholesale dealer purchasing sea cucumbers from non-treaty sea cucumber fishers to fail to report to the Department each day's purchase by 10:00 a.m. the following day. The report must specify the number of pounds taken by Marine Fish-Shellfish Management and Catch Reporting Area. Either of the following two methods of reporting is acceptable.

(a) By facsimile (FAX) transmission to (360) 586-8408, or

(b) By telephone call to (360) 796-4601, extension 500.

(2) All fish receiving ticket reporting requirements of WAC 220-69-240 remain in effect.

WSR 00-13-055

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Filed June 14, 2000, 4:50 p.m.]

Date of Adoption: June 14, 2000.

Purpose: To delay the effective date of the rules adopted in chapter 16-143 WAC on May 22, 2000, that (1) established a grade and standards for fresh red raspberries that are destined for freezing, puree, juice stock and other processing uses; (2) establish standards for red raspberry

puree stock and juice stock red raspberries; (3) establish container marking requirements for red raspberries; and (4) specify how red raspberries may be used, processed and sold. Red raspberries destined for fresh market are exempt.

Citation of Existing Rules Affected by this Order: WAC 16-143-010 through 16-143-110.

Statutory Authority for Adoption: Chapters 15.17 and 69.04 RCW and RCW 34.05.350.

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: The Department of Agriculture recently completed a rule-making process that resulted in the adoption of chapter 16-143 WAC, Red raspberry grades and standards. The rules were adopted on May 22, 2000, and are not yet in effect, but are set to take effect on June 22, 2000.

Subsequent to the adoption of the rules, the department received a petition for reconsideration and a petition for stay of implementation of the newly enacted rules relating to the red raspberry grades and standards. Both documents were dated May 30, 2000. The department has also received other questions regarding rule implementation and compliance by persons and entities covered by the rules, and questions concerning rule implementation by the department.

The petitions and inquiries identified impacts to existing contracts for the purchase of red raspberries for harvest year 2000, and raised implementation and logistical questions, the extent of which were previously unidentified during the original rule-making process. The department has determined that additional time and work is required to address these issues.

In order to address potential economic loss and any other disruptions to the 2000 red raspberry harvest that will begin on or about July 1, 2000, the department has determined the best course of action is to postpone the effective date of the red raspberry grades and standards rules. Therefore, the red raspberry grades and standards rules, WAC 16-143-010 through 16-143-110, will not be in effect during harvest season 2000.

The department will use the additional time provided to address the issues raised in the petitions and inquiries and to assist those persons and entities that are required to comply with the rules with training and implementation guidance.

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: Immediately.

June 14, 2000

James M. Jesernig

Director

NEW SECTION

WAC 16-143-005 Chapter not effective for 2000 red raspberry harvest season. The rules set forth in WAC 16-143-010 through WAC 16-143-110 do not apply to red raspberries harvested during the 2000 red raspberry season.

WSR 00-13-057

EMERGENCY RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed June 15, 2000, 10:45 a.m.]

Date of Adoption: June 14, 2000.

Purpose: To adopt new regulations clarifying provisions of SHB 3077, which provides for the payment of additional unemployment benefits for qualified dislocated workers enrolled in approved training. The regulations define terms, clarify eligibility requirements, and establish policies and procedures related to the approval and funding of training plans. The rules also clarify requalification requirements for individuals who have been disqualified from benefits.

Citation of Existing Rules Affected by this Order: Repealing WAC 192-16-017.

Statutory Authority for Adoption: RCW 50.12.010, 50.20.010, and chapter 2, section 8, Laws of 2000.

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: SHB 3077 was signed by the governor on February 7, 2000, and applies to weeks of unemployment beginning on February 13, 2000. Rules are necessary to clarify several provisions of the bill, and to ensure that it is implemented consistently state-wide. Discussions with stakeholders regarding the content of the final rules are ongoing, but emergency rules are needed until these rules take effect.

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 18, Amended 0, Repealed 2.

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.

June 13, 2000

Kathy Baros Friedt
Deputy Commissioner

NEW SECTION

WAC 192-150-005 Effective date. Sections 12, 13, and 14 of Chapter 2, Laws of 2000 apply to separations from employment or work refusals that occur on or after February 13, 2000.

NEW SECTION

WAC 192-150-050 Leaving work to accept bona fide job offer—RCW 50.20.050 (2)(a). If you leave work to accept a bona fide offer of employment, you will have good cause within the meaning of RCW 50.20.050(1) if you satisfactorily demonstrate that:

- (1) Prior to leaving work, you received a definite offer of employment; and
- (2) You had a reasonable basis for believing that the person making the offer had the authority to do so; and
- (3) A specific starting date and the terms and conditions of the employment were mutually agreed upon; and
- (4) You continued in your previous employment for as long as was reasonably consistent with whatever arrangements were necessary to start working at the new job; and
- (5) The new job is in employment covered by Title 50 RCW or the comparable laws of another state.

NEW SECTION

WAC 192-150-065 What constitutes an employer-initiated mandatory transfer under RCW 50.20.050 (2)(c)? If your spouse's employer requires your spouse to relocate to another labor market area to retain a current job or to accept another job with that employer, the relocation will be considered an employer-initiated mandatory transfer. Examples of employer-initiated mandatory transfers include, but are not limited to:

- (a) A plant closure where employees must move to another labor market area to continue employment with that employer;
- (b) A change in job responsibilities, such as a promotion, with that same employer that will require a move to another labor market area; and
- (c) A restructuring of business operations requiring employees to move to another labor market area if they want to continue doing the same job.

NEW SECTION

WAC 192-150-085 How to qualify after benefits have been denied. Benefits may be denied under RCW 50.20.050(1) for voluntarily leaving work, RCW 50.20.060 for being discharged for misconduct, and RCW 50.20.080 for refusing an offer of suitable work or job referral. The denial of benefits will continue indefinitely until you show that:

- (1) At least seven calendar weeks have elapsed following the week the act occurred that resulted in the denial of benefits;
- (2) You have obtained bona fide work and earned wages of at least seven times your suspended weekly benefit amount. The wages earned must be in employment that is covered by Title 50 RCW or the comparable laws of another state.

Chapter 192-270

Training Benefits for Dislocated Workers

NEW SECTION

WAC 192-270-005 Definitions. The definitions below apply to this chapter and Chapter 2, Laws of 2000:

- (1) "Labor market" means the geographic area in which workers in your particular occupation or with your particular set of skills have customarily found work. For the purpose of determining eligibility for training benefits, "labor market" is based on your place of residence at the time you separated from employment and your occupation.
- (2) "NAICS" means the North American industry classification system code.
- (3) "Plurality of wages" means the largest proportion of wages earned within a particular occupation or skill set. These wages must be earned in:
 - (a) Your base year, and
 - (b) At least two of the four twelve-month periods preceding your base year.
- (4) "SIC" means the standard industrial classification code.
- (5) "Skill set" means the work-related knowledge and abilities needed to produce a particular product or provide a particular service.
- (6) "Training benefits" means the additional benefits paid under Chapter 2, Laws of 2000 to eligible dislocated workers enrolled in and making satisfactory progress in a training program approved by the commissioner.
- (7) "Wages" means remuneration earned in employment as defined in Title 50 RCW or the comparable laws of another state. This means that only wages in covered employment can be considered in determining whether you have sufficient tenure in an occupation or in work with a particular skill set.

NEW SECTION

WAC 192-270-010 Employment separations. You must have been terminated or received a notice of termination from your employer to be eligible for training benefits. Training benefits are not available if you left work voluntar-

ily regardless of whether you had good cause for leaving, or if you are disqualified from benefits for work-related misconduct under RCW 50.20.060, and have not requalified for benefits.

When determining whether your separation from employment makes you eligible for training benefits, the department will look at the last job you held for a period of at least seven weeks that was in employment covered by Title 50 RCW or the comparable laws of another state.

NEW SECTION

WAC 192-270-015 Unlikely to return to employment. Except as provided in Chapter 2, Section 8(3), Laws of 2000, you are unlikely to return to employment if:

- (1) You have:
 - (a) Become unemployed due to a permanent plant closure;
 - (b) Received a federal WARN act notice; or
 - (c) Received a notice of indefinite layoff as a result of a permanent reduction of operations at your place of employment; and
- (2) Suitable work for individuals with your skills is in diminishing demand within your labor market in your principal occupation or previous industry.

NEW SECTION

WAC 192-270-020 Employment in the aerospace industry. (1) Employment in the following SIC codes is considered employment in the aerospace industry:

- 3721 Aircraft
- 3724 Aircraft engines and engine parts
- 3728 Aircraft parts and auxiliary equipment

(2) Employment in the following NAICS code is considered employment in the aerospace industry:

- 336411 Aircraft manufacturing

NEW SECTION

WAC 192-270-025 Employment in the forest products industry. (1) As provided in Chapter 2, Section 8 (2)(b), Laws of 2000, the department has determined that employment in industries assigned the following SIC or NAICS codes is considered employment in the forest products industry:

(a) SIC codes:

- 24 Lumber and wood products, except furniture
- 26 Paper and allied products
- 08 Forestry
- 2861 Gum and wood chemicals
- 3553 Woodworking machinery
- 3554 Paper industry machinery manufacturing
- 5031 Lumber, plywood, millwork and wood panels

(b) NAICS codes:

- 321 Wood product manufacturing
- 322 Paper manufacturing
- 113110 Timber tract operations
- 113210 Forest nurseries and gathering of forest products
- 113310 Logging
- 115310 Support activities for forestry
- 325191 Gum and wood chemical manufacturing
- 333210 Sawmill and woodworking machinery manufacturing
- 333291 Paper industry machinery manufacturing
- 337110 Wood kitchen cabinet and countertop manufacturing
- 421310 Lumber, plywood, millwork and wood panel wholesalers

(2) The department further determines that employment reported in industries assigned the following SIC or NAICS codes may be employment in the forest products industry. The department may review the specific nature of the employer's business to determine whether it represents employment in the forest products industry:

(a) SIC codes:

- 2823 Cellulosic manmade fibers
- 3425 Saw blades and handsaws
- 3531 Construction machinery and equipment (trucks, off-highway; chippers; draglines; log splitters; logging equipment)
- 3711 Motor vehicles and passenger car bodies (tractors, truck: for highway use)
- 4212 Local trucking without storage (log trucking; trucking timber)
- 4449 Water transportation of freight, NEC (log rafting and towing)
- 4491 Marine cargo handling
- 5113 Industrial and personal service paper

(b) NAICS codes:

- 325221 Cellulosic organic fiber manufacturing
- 332213 Saw blade and handsaw manufacturing
- 333120 Construction machinery manufacturing
- 333414 Heating equipment (except warm air furnace) manufacturing
- 336120 Heavy duty truck manufacturing
- 337215 Showcase, partition, shelving and locker manufacturing
- 422130 Industrial and personal service paper wholesalers
- 484220 Specialized freight trucking, local
- 483211 Inland water freight transportation

EMERGENCY

(3) Other employment may be considered to be employment in the forest products industry if it involves:

- (a) The planting and/or cultivation of trees for eventual harvest for lumber or paper manufacturing;
- (b) The harvest of logs for lumber or pulp production;
- (c) Hauling logs;
- (d) Hauling lumber or paper products from point of manufacture;
- (e) Scaling logs;
- (f) Repair of logging trucks or equipment;
- (g) Manufacture of wood processing or logging equipment;
- (i) Sale, rental or leasing of wood processing or logging equipment; or
- (j) Other activities clearly involved in the forest products industry, even if performed for an employer whose primary business is not in the forest products industry.

NEW SECTION

WAC 192-270-030 Employment in the fishing industry. Employment reported in industries assigned SIC code 0912, Finfish (commercial fishing), or NAICS code 114111, Fishing (finfish), is considered to be employment in the fishing industry.

NEW SECTION

WAC 192-270-035 Timeframes. Information about training benefits will be included in the claimant information booklet mailed to you at the time you file your application for unemployment benefits (see WAC 192-120-010).

(1) **Submitting a training plan.** You have 60 calendar days to submit a training plan to the department for approval, beginning on the date you are notified by the department about the eligibility requirements for training benefits. For new claims, the deadline will be 65 calendar days from the date your application for benefits is filed, which represents 60 days plus five days for the booklet to reach you by mail.

(2) **Enrollment in training.** You must be enrolled in training within 90 calendar days, beginning on the date you are notified by the department about the eligibility requirements for training benefits. For new claims, the deadline will be 95 calendar days from the date your application for benefits is filed, which represents 90 days plus five days for the booklet to reach you by mail.

(3) If you return to work, and subsequently become unemployed, the timeframes described in subsections (1) and (2) begin with the date you file your additional claim for benefits.

NEW SECTION

WAC 192-270-040 Enrollment in training. To receive training benefits, you must be enrolled in an approved training program on a full-time basis as determined by the educational institution. You are enrolled in training if:

- (1) You have preregistered for classes or are on a waiting list; and
- (2) You have a starting date of training; and

(3) The starting date is not more than one quarter or term away.

NEW SECTION

WAC 192-270-045 Requirements for applying for training benefits. The following information must be included in your application for training benefits:

- (1) Your name and Social Security account number;
- (2) The name of the educational institution;
- (3) The address of the educational institution;
- (4) The department of the educational institution, if applicable;
- (5) The name of the training program;
- (6) A description of the training program, including remedial requirements if necessary;
- (7) Your enrollment date or your place on the waiting list and expected enrollment date;
- (8) The duration of the training program, including the dates you plan to begin and complete training;
- (9) The occupation(s) trained for;
- (10) A verification of your enrollment provided by the educational institution;
- (11) A release of information form authorizing the educational institution to release grades, attendance, and other measures of program progress to the department; and
- (12) Your signature.

NEW SECTION

WAC 192-270-050 Criteria for approving training plans. (1) The department will consider the following factors when reviewing your application for training benefits:

- (a) Whether suitable employment is available in your labor market;
- (b) Your plan for completion of the training including, but not limited to, what financial resources you intend to use to fund the complete training plan;
- (c) Whether you have the qualifications and aptitudes to successfully complete the training;
- (d) Whether the training relates to a high demand occupation, meaning that the number of job openings in the labor market for the occupation or with that skill set exceeds the supply of qualified workers;
- (e) Whether the training is likely to enhance your marketable skills and earning power, based on an assessment of what your employment prospects would be if training were not approved; and
- (f) Effective July 1, 2001, whether the educational institution meets the performance criteria established by the workforce training and education coordinating board. Until June 30, 2001, a vocational training program at an educational institution is presumed to meet the performance criteria if it is a:

- (i) Public community or technical college;
- (ii) Public university;
- (iii) Registered apprenticeship program;
- (iv) Private vocational school licensed by the workforce training and education board, the higher education coordinat-

ing board, the department of licensing, or a comparable agency in another state;

(v) Private college or university that is eligible to received federal funds under Title IV of the Higher Education Act of 1965; or

(vi) Private provider of vocational training services currently authorized by a private industry council in accordance with P.L. 97-300, Section 107, Selection of Service Providers.

(2) Academic training may be approved if it meets the criteria of subsection (1) and it meets specific requirements for certification, licensing, or specific skills necessary for the occupation.

(3) The department may approve educational training that has been identified as necessary by the training facility as a prerequisite to a vocational training program that meets the criteria of subsection (1).

(4) In the case of individuals with physical or sensory disabilities, or in other unusual circumstances, a written decision of the commissioner may waive any of the requirements of this section on an individual basis.

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 192-270-055 Funding—Waiting lists. Payment of training benefits is contingent upon the availability of funding. Training will not be approved under Chapter 2, Laws of 2000, unless the department has determined that funds are available to support your training plan.

(1) The amount of funds obligated will be the amount necessary to complete your training plan or the maximum amount authorized by Chapter 2, Section 8 (5)(a), Laws of 2000, whichever is less.

(2) If you have been denied training benefits due to lack of funds, the department will consider whether you are eligible for commissioner approved training under WAC 192-200-020.

(3) Funds will be obligated in the following order:

(a) First, otherwise eligible dislocated workers who are enrolled in training approved by the department as of February 13, 2000;

(b) Second, other eligible dislocated workers on a first-come, first-served basis, determined by the date the completed training application is received by the department.

(4) Once all available funds have been obligated, individuals who have been denied training benefits due solely to the lack of funds will be placed on a waiting list. Priority on the waiting list will be determined by the date the claimant's completed training application was received by the department. As additional funds become available, this date will be used when obligating funds to claimants on the waiting list. In the event two or more claimants on the waiting list have the same date, priority will be given to that person who is closest to exhausting regular unemployment benefits.

(5) An individual's name may be removed from the waiting list when the department determines it is appropriate. Examples include, but are not limited to:

(a) Written correspondence to the claimant from the department is returned by the U.S. postal service for lack of a current address, and the claimant has not filed a change of address with the department;

(b) The claimant fails to respond to written correspondence from the department by the date indicated in the correspondence;

(c) The claimant is not enrolled in or making satisfactory progress in full-time training; or

(d) Two or more years have elapsed since the end of the claimant's regular benefit year.

NEW SECTION

WAC 192-270-060 Occupation in high demand outside labor market. A training plan may be approved in an occupation not in demand in your local labor market if:

(1) The occupation is in high demand in another labor market; and

(2) You are willing and able to relocate to that labor market when the training is completed; and

(3) There is not a current demand for workers with your present skills in that labor market. The demand for workers in that labor market must be at wages comparable to those paid in your current labor market, based on any differences in the cost of living between the two areas.

NEW SECTION

WAC 192-270-065 Certification of satisfactory progress. In order to continue your eligibility for training benefits, the certification that you are making satisfactory progress in full-time training must be signed by the registrar or an equivalent person designated by your educational institution.

NEW SECTION

WAC 192-270-070 Modifying a training plan. (1) You must notify the department immediately upon making a significant modification to your approved training plan. A significant modification is one that impacts any of the approval criteria listed in WAC 192-270-050 and includes, but is not limited to, changes in:

- (a) Your course of study or major;
- (b) The educational institution;
- (c) The projected start or end dates for the training; or
- (d) Your enrolled credit hours.

(2) The department must determine your continued eligibility for training benefits any time you make a significant modification to your training plan, using the criteria listed in WAC 192-270-050. Approval of a modification that increases the projected cost of the training is subject to the availability of funding.

(3) In general, you may make a significant modification to your plan one time. Subsequent modifications will not be approved except in unusual individual circumstances. However, this restriction does not apply while you are enrolled in educational courses that are a prerequisite to vocational training.

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(4) Any benefits paid after a modification to your training plan that has not been approved by the department constitute an overpayment and are subject to recovery under RCW 50.20.190.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 192-16-011 Interpretative regulations—Leaving work to accept bona fide job offer—RCW 50.20.050 (2)(a)
- WAC 192-16-017 Interpretative regulations—Satisfying disqualifications under RCW 50.20.050 (1) and (4), 50.20.060 and 50.20.080

**WSR 00-13-058
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-93—Filed June 15, 2000, 1:57 p.m., effective June 19, 2000, 12:01 a.m.]

Date of Adoption: June 14, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-28500V; and amending WAC 220-56-305.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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 regulation is intended to keep the recreational harvest of sturgeon from the Bonneville and Dalles Reservoirs and tributaries within the established harvest guidelines. 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: June 19, 2000, 12:01 a.m.

June 14, 2000

Jeff P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-30500G Sturgeon—Catch and release. Notwithstanding the provisions of WAC 220-56-305 effective 12:01 a.m. June 19, 2000 until further notice it is unlawful to retain sturgeon for personal use from the Columbia River and its tributaries from Bonneville Dam to John Day Dam.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. June 19, 2000:

- WAC 220-56-28500V Sturgeon—Areas and seasons. (00-43)

**WSR 00-13-059
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-97—Filed June 15, 2000, 1:59 p.m., effective June 16, 2000, 11:59 p.m.]

Date of Adoption: June 14, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-25500Q; and amending WAC 220-56-255.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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 allowable catch of halibut in Marine Areas 3 and 4 will have been taken by June 16, 2000. This action is necessary to conform with similar actions taken by the National Marine Fisheries Service and is in accordance with the provision of the halibut catch sharing 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

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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: June 16, 2000, 11:59 p.m.

June 14, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-25500R Halibut—Seasons—Daily limits. Notwithstanding the provisions of WAC 220-56-255, effective 11:59 p.m. June 16, 2000 until further notice, it is unlawful to fish for or possess halibut taken for personal use except as provided for in this section:

(1) Marine Area 1: Open immediately until further notice. Minimum size 32 inches in length. The daily limit is the first halibut 32 inches in length or greater brought aboard the vessel.

(2) Marine Area 2: Closed until further notice.

(3) Marine Areas 3 and 4: Closed until further notice.

(4) Marine Areas 5 through 13:

(a) Open immediately through July 27, 2000, except closed 12:01 a.m. each Tuesday through 11:59 p.m. each Wednesday.

(b) The daily bag limit is one halibut with no length restrictions.

(5) Any halibut landed in a Washington port must meet the regulations in effect for the port of landing, regardless of area of catch. This provision does not apply to halibut lawfully caught in Canadian waters and landed at a port in Washington.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. June 16, 2000:

WAC 220-56-25500Q Halibut—Seasons—Daily limits. (00-90)

**WSR 00-13-062
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed June 15, 2000, 2:43 p.m.]

Date of Adoption: June 15, 2000.

Purpose: Based on the passage of the budget bill (HB 2487) section 208 (1)(k), this rule will count census income for cash programs. We will continue to exclude census income received by temporary employees between February 1, 2000 - December 31, 2000, for food and medical assistance programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0015.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050.

Other Authority: USDA AN 00-27, HB 2487.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: To comply with the passage of the budget bill (HB 2487) section 208 (1)(k) stated to take effect immediately, we are repealing the census income exclusion for TANF while still preserving the exclusion for food stamps and medical.

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 1, 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: Immediately.

June 15, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-17-025, filed 8/10/99, effective 10/1/99)

WAC 388-450-0015 Excluded and disregarded income. This section applies to TANF/SFA, RCA, GA, TANF/SFA-related medical and food assistance programs.

(1) Excluded income is income that is not counted when determining a client's eligibility and benefit level. Types of excluded income include but are not limited to:

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(a) Bona fide loans as defined in WAC 388-470-0025, except certain student loans as specified under WAC 388-450-0035.

(b) Federal earned income tax credit (EITC) payments;

(c) Title IV-E and state foster care maintenance payments if the foster child is not included in the assistance unit;

(d) Energy assistance payments;

(e) Educational assistance as specified in WAC 388-450-0035;

(f) Native American benefits and payments as specified in WAC 388-450-0040;

(g) Income from employment and training programs as specified in WAC 388-450-0045;

(h) Money withheld from a client's benefit to repay an overpayment from the same income source. For food assistance, this exclusion does not apply when the money is withheld to recover an intentional noncompliance overpayment from a federal, state, or local means tested program such as TANF/SFA, GA, and SSI; and

(i) Child support payments received by TANF/SFA recipients.

(2) For food assistance programs, the following income types are excluded:

(a) Emergency additional requirements authorized to TANF/SFA and RCA clients under WAC 388-436-0001 and paid directly to a third party;

(b) Cash donations based on need received directly by the household if the donations are:

(i) Made by one or more private, nonprofit, charitable organizations; and

(ii) Do not exceed three hundred dollars in any federal fiscal year quarter.

(c) Infrequent or irregular income, received during a three-month period by a prospectively budgeted assistance unit, that:

(i) Cannot be reasonably anticipated as available; and

(ii) Does not exceed thirty dollars for all household members.

(3) For food and medical assistance programs, income received from the U.S. Census Bureau as a temporary employee between February 1, 2000 and December 31, 2000 is excluded.

(4) All income that is not excluded is considered to be part of an assistance unit's gross income.

~~((4))~~ (5) For food assistance households not containing an elderly or disabled member, the assistance unit is ineligible if its gross income exceeds one hundred thirty percent of the federal poverty level as specified in WAC 388-478-0060.

~~((5))~~ (6) Disregarded income is income that is counted when determining an assistance unit's gross income but is not used when determining an assistance unit's countable income. Types of disregarded income include but are not limited to:

(a) Earned income incentives and disregards for cash assistance; and

(b) Earned income disregard and income deductions for food assistance.

WSR 00-13-067

EMERGENCY RULES

TRANSPORTATION IMPROVEMENT BOARD

[Filed June 16, 2000, 2:43 p.m.]

Date of Adoption: May 19, 2000.

Purpose: To adopt administrative rule to implement the legislatures intent as enacted in E2SSB 6499, section 204.

Statutory Authority for Adoption: Chapter 47.26 RCW.

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.

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 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: Immediately.

My 31, 2000

Jerry M. Fay

Executive Director

NEW SECTION

WAC 479-14-200 Intent of the regionally significant transportation program. The intent of the program is to fund multijurisdictional transportation projects that are regionally significant and alleviate traffic congestion caused by growth, economic development and the movement of freight.

WSR 00-13-068

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 00-98—Filed June 16, 2000, 3:31 p.m., effective June 17, 2000, 12:01 a.m.]

Date of Adoption: June 16, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-03000M; and amending WAC 220-52-030.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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 Washington Department of Health has determined that the levels of domoic acid are below their action level and razor clams from the Willapa Spits are safe to harvest. There are adequate numbers of clams to allow this fishery to continue and extend past the original June 30, 2000 closing date. 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: June 17, 2000, 12:01 a.m.

June 16, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-03000M Razor clams. Notwithstanding the provisions of WAC 220-52-030, effective immediately until further notice, it is unlawful to dig for or possess razor clams taken for commercial purposes from Washington waters, except as provided for in this section:

(1) Those waters and beaches of Razor Clam Area one lying south of the Willapa Bay Ship channel, west of Ellen Sands, and north of the tip of Leadbetter Point, are open to the taking and possession of razor clams for commercial purposes from 12:01 a.m. June 17, 2000 through 11:59 p.m. July 20, 2000.

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.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. July 21, 2000:

WAC 220-52-03000M Razor clams.

WSR 00-13-069 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 00-99—Filed June 16, 2000, 3:34 p.m., effective June 17, 2000, 8:00 a.m.]

Date of Adoption: June 16, 2000.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-33000B; and amending WAC 220-56-330.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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: Crab hard shell conditions meet the criteria needed for harvest in a portion of Marine Area 7. 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: June 17, 2000, 8:00 a.m.

June 16, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-33000C Personal use crab fishery—Areas and seasons. Notwithstanding the provisions of WAC 220-56-330, effective 8:00 a.m. June 17, 2000 until further notice it is lawful to fish for crab for personal use with crab pot gear in the following areas:

(1) Marine Area 8-1, except contiguous waters south of a line from Rocky Point to Dines Point on Whidbey Island.

(2) Marine Area 8-2.

(3) Marine Area 9, except contiguous waters south of a line from Foulweather Bluff to Olele Point.

(4) Marine Area 10.

(5) That portion of Marine Area 7 south and west of a line projected from Village Point, 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, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary; and westerly of a straight line from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island; and west of a line projected from the southeast point of Sinclair Island to the ferry dock at Shannon Point.

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. June 17, 2000:

WAC 220-56-33000B Personal use crab fishery—
Areas and seasons (00-77)

WSR 00-13-075

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Assistance Programs)

[Filed June 19, 2000, 3:37 p.m., effective July 1, 2000]

Date of Adoption: June 19, 2000.

Purpose: Amend WAC 388-400-0015 General assistance for children—Summary of eligibility requirements, to remove statement that child support received by a client receiving GA-H is considered the child's unearned income.

Citation of Existing Rules Affected by this Order: Amending WAC 388-400-0015 General assistance for children—Summary of eligibility requirements.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, EHB 2487 as passed by the 56th legislature of the state of Washington.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: A provision in section 208(2) of EHB 2487 as passed by the 56th legislature of the state of Washington requires the department to begin using funds from the temporary assistance for needy families (TANF) program to provide income assistance to children with court-ordered guardians and court-ordered custodians beginning July 1, 2000. Children with court-ordered guardians or court-ordered custodians receive benefits under the general assistance for children program (GA-H).

In order to use TANF funds for the GA-H program, the department must change WAC 388-400-0015 so child support received for GA-H clients is no longer counted as unearned income. Clients receiving GA-H currently assign rights of child support to DSHS. When the GA-H benefits are paid with TANF funds, the Division of Child Support will

collect and keep the child support under WAC 388-14-200. The rule change of WAC 388-400-0015 is necessary to meet the legislature's requirements while not counting child support that clients will no longer receive as income when determining a client's eligibility and benefits.

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 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: July 1, 2000.

June 19, 2000

Marie Myerchin-Redifer

Manager

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-400-0015 General assistance for children—Summary of eligibility requirements. (1) To be eligible for general assistance for children (GA-H), a child must:

(a) Live with a court-appointed legal guardian or court appointed permanent custodian as required under chapter 388-454 WAC;

(b) Meet the general assistance citizenship/alien status requirements under WAC 388-424-0005(3);

(c) Be in financial need according to temporary assistance for needy families (TANF) income and resource rules in chapters 388-450, 388-470 and 388-488 WAC (~~(, except that child support received is considered the child's unearned income)~~); and

(d) Meet all other requirements of a child eligible for TANF except citizenship/alien status and requirements to:

(i) Live with a relative of specified degree; and

(ii) Participate in WorkFirst activities if not in school.

(2) A child is not eligible for GA-H if:

(a) The child is eligible for or receives TANF or Supplemental Security Income (SSI); or

(b) The child or the child's caretaker has refused or failed to cooperate in obtaining TANF or SSI on behalf of the child.

(3) A GA-H assistance unit is established as specified in WAC 388-408-0010.

(4) The child's custodian or payee is the GA-H grant payee.

WSR 00-13-089**EMERGENCY RULES****DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-101—Filed June 20, 2000, 4:27 p.m., effective June 21, 2000, 12:01 a.m.]

Date of Adoption: June 19, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900M; and amending WAC 232-28-619.

Statutory Authority for Adoption: Section 7, chapter 107, Laws of 2000.

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: Kress Lake is scheduled for a herbicide application of aquathol to treat milfoil on the shoreline. 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: June 21, 2000, 12:01 a.m.

June 19, 2000

Jeff P. Koenings

Director

by Sara G. LaBorde

NEW SECTION

WAC 232-28-61900M Exceptions to statewide rules—Kress Lake (Cowlitz County) Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. June 21, 2000 through June 24, 2000 it is unlawful to fish in those waters of Kress Lake.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. June 25, 2000:

WAC 232-28-61900M Exceptions to statewide rules—Kress Lake.

WSR 00-13-102**EMERGENCY RULES****DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed June 21, 2000, 10:41 a.m.]

Date of Adoption: June 21, 2000.

Purpose: To prolong the current emergency rules that are in effect relating to HVAC/refrigeration licensure and certification requirements found in WAC 296-46-930 and 296-401A-140. These rule changes include the extension of the compliance date from March 1, 2000, to June 30, 2000, to allow contractors, employers, administrators, and other individuals to come into compliance with the HVAC/refrigeration licensure and certification requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 296-46-930 and 296-401A-140.

Statutory Authority for Adoption: Chapter 19.28 RCW.

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: A longstanding policy, which allowed HVAC/refrigeration work without certification, was determined to be both unsafe and possible outside the department's statutory authority. The current rules (WAC 296-46-930 and 296-401A-140) have an implementation date of March 1, 2000. These rules have gone through the hearing process and were effective in March 1999. The department has determined that it is necessary to prolong the March 1, 2000, date, which would require that all HVAC/refrigeration work to be done by a certified and licensed contractor and certified installer(s) in order to assist in bringing them into compliance with the regulation.

Emergency adoption of the amendments to WAC 296-46-930 and 296-401A-140 is necessary to allow HVAC/refrigeration contractors and installers to come into compliance with the regulations. The allotment of more time will improve public safety and compliance with the regulations for purposes of consumer protection through the registration, licensure, and certification of more registered and bonded electrical contractors.

It is the goal of the department and this extension to increase compliance with the rule, public safety, and consumer protection for all citizens in the state.

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 2, 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 2, Repealed 0.

Effective Date of Rule: Immediately.

June 21, 2000

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 99-05-052, filed 2/12/99)

WAC 296-46-930 Electrical contractor license and administrator certificate designation. See RCW 19.28.120.

(1) General electrical license and/or administrator's certificate encompasses all phases and all types of electrical installations.

(2) Specialty (limited) electrical licenses and/or administrator's certificates are as follows:

(a) Residential (02): Limited to the wiring of one and two family dwellings, or multifamily dwellings not exceeding three floors above grade. All wiring to be in nonmetallic sheathed cable, except service and/or feeders. This specialty does not include wiring commercial occupancies such as motels, hotels, offices, or stores.

(b)(i) Pump and irrigation (03): Limited to the electrical connection of domestic and irrigation water pumps, circular irrigating systems and related pumps and pump houses. This specialty includes circuits, feeders, controls, and services to supply said pumps.

(ii) Domestic well (03A): Limited to the extension of a branch circuit, which is supplied and installed by others, to pump controllers; pressure switches; alarm sensors; and water pumps which do not exceed 7 1/2 horsepower at 230 volts AC single phase.

(c) Signs (04): Limited to placement and connection of signs and outline lighting, the electrical supply, related controls and associated circuit extensions thereto; and the installation of a maximum 60 ampere, 120/240 volt single phase service to supply power to a remote sign only.

(d) Domestic appliances (05): Limited to the electrical connection of household appliances and the wiring thereto; such as hot water heaters, ranges, dishwashers, clothes dryers, oil and gas furnaces, and similar appliances. This specialty includes circuits to the appliances; however, it does not include the installation of service and/or feeders or circuits to electric furnaces and heat pump equipment.

(e)(i) Limited energy system (06): Limited to the installation of signaling and power limited circuits and related

equipment. This specialty includes the installation of fire protection signaling systems, intrusion alarms, nonutility owned communications systems, and such similar low energy circuits and equipment.

(ii) HVAC/refrigeration limited energy system (06A): Limited to installation of low voltage, Class 2 HVAC/refrigeration control circuit cables for control of furnaces, heat pumps, and similar HVAC or refrigeration equipment when such conductors do not connect to other than HVAC or refrigeration equipment and when such buildings do not exceed three floors above grade, except for residential occupancies. Associated limited energy control components that are integral with, and control the operation of, the heating and cooling equipment or refrigeration equipment are included in the scope of this specialty. These limited energy components include, but are not limited to, the following: Thermostats, humidistats, low voltage damper controls, outdoor sensing controls, outside air dampers, stand-alone duct smoke detectors, zone control valves, and the mounting of HVAC/refrigeration control panels and low voltage connections only. Installation of integrated energy management systems other than HVAC/refrigeration systems as defined herein, are not included in this specialty.

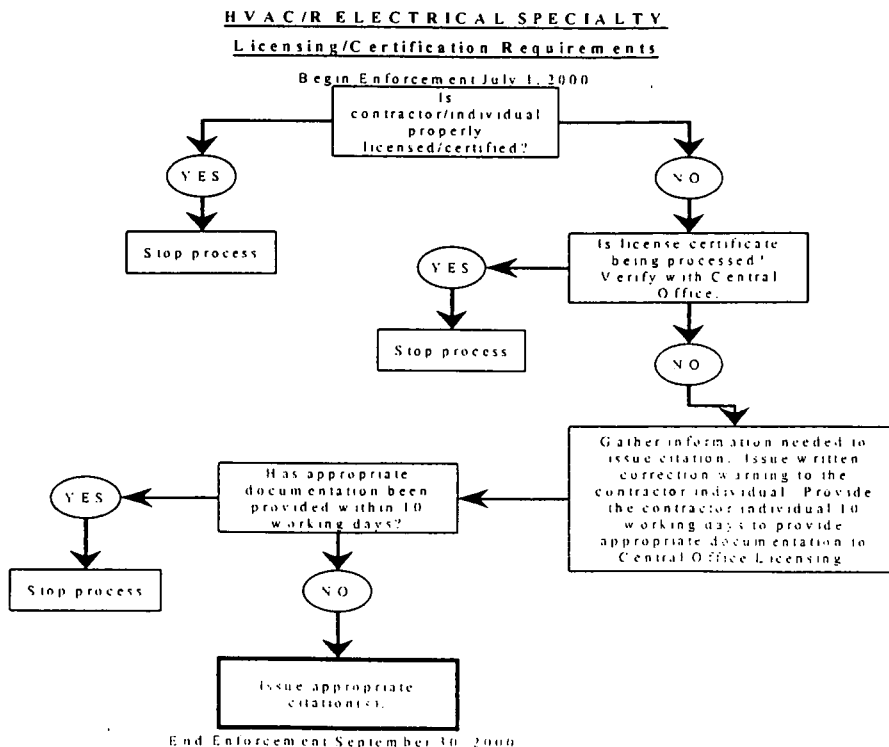
This specialty may install, service, maintain, repair, or replace HVAC/refrigeration electrical systems as long as the work is on the HVAC/refrigeration system itself. This specialty may replace line voltage components within the equipment, only if the components are like in kind with identical voltage and current ratings. This specialty may not install branch circuit (line voltage) conductors, services, feeders, panelboards, or disconnect switches to HVAC/refrigeration equipment. Short sections of raceway may be installed for access to or physical protection of cables, however wiring in conduit systems and wiring in classified locations are excluded from this specialty.

On or before ~~March 1, 2000~~ October 1, 2000, a registered contractor (chapter 18.27 RCW) who provides proof to the department that for a minimum of two years they were engaged full time in the business of HVAC or refrigeration equipment installation, service or repair work may designate a supervisory employee or member of the firm to take the required administrator's examination. This initial designee will satisfy the requirements of RCW 19.28.125 for application for an HVAC/refrigeration limited energy contractor's license. This initial designated administrator must successfully pass the HVAC/refrigeration limited energy specialty administrator's examination prior to the expiration (twenty-four months) of the specialty electrical contractor license. No extension of this initial administrator's status will be permitted unless they pass the HVAC/refrigeration limited energy specialty administrator's examination to qualify for a permanent certificate.

The department will continue to accept proof of experience for HVAC/refrigeration contractors and installers until October 1, 2000, however non-compliance with (e)(ii) of this subsection after June 30, 2000 may result in a citation. The enforcement practices for non-compliance are outlined in Figure 1 (below). If a citation is issued for not complying with the licensing/certification requirements the contractor or administrator will lose the ability to designate a supervisory

employee to the required administrator's exam as required by (e)(ii) of this subsection.

Figure 1



(f)(i) Nonresidential maintenance (07): Limited to maintenance, repair and replacement of electrical equipment and conductors on industrial or commercial premises. This specialty certificate of license does not include maintenance activities in hotel, motel, or dwelling units.

(ii) Nonresidential lighting maintenance and lighting retrofit (07A): Limited to working within the housing of existing nonresidential lighting fixtures for work related to repair, service, maintenance of lighting fixtures and installation of energy efficiency lighting retrofit upgrades. This specialty includes replacement of lamps, ballasts, sockets and the installation of listed lighting retrofit reflectors and kits. All work is limited to the fixture body, except remote located ballasts may be replaced or retrofitted with approved products. This specialty does not include installing new fixtures or branch circuits; moving or relocating existing fixtures; or altering existing branch circuits.

This specialty includes replacement of lamps, ballasts, sockets and the installation of listed lighting retrofit reflectors and kits. All work is limited to the fixture body, except remote located ballasts may be replaced or retrofitted with approved products. This specialty does not include installing new fixtures or branch circuits; moving or relocating existing fixtures; or altering existing branch circuits.

This specialty contractor must employ an administrator who holds a nonresidential lighting maintenance and lighting retrofit administrator certificate; or a nonresidential maintenance administrator; or a general administrator. This spe-

cialty contractor must adhere to the ratio requirements for trainee supervision in RCW 19.28.510 for specialty electricians to trainees. A specialty lighting maintenance and retrofit specialty technician is allowed to supervise a maximum of two trainees on the same job site. A contractor must obtain an electrical permit and request inspection for all retrofit installations.

The contractor must have a documented electrical lighting maintenance safety training program for all employees working under this specialty contractor license.

(3) Combination specialty electrical contractor license. The department may issue a combination specialty electrical contractor license to a firm which qualifies for more than one specialty electrical contractor license. The license shall plainly indicate the specialty licenses which are included in the combination electrical contractor license.

(4) Combination specialty electrical administrator certificate. The department may issue a combination specialty administrator certificate to an individual who qualifies for more than one specialty administrators' certificate. The combination specialty administrators' certificate shall plainly indicate the specialty administrators' certificate the holder has qualified for.

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.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published

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above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 99-05-052, filed 2/12/99)

WAC 296-401A-140 Electrical specialties. Can I obtain a certificate of competency for an electrical specialty?

The department issues specialty electricians' certificates of competency in the following areas of electrical work:

(1) **Residential certificate (02):** This certificate limits you to wiring one-family and two-family dwellings, or multi-family dwellings that do not exceed three floors above grade. All residential wiring, except service and feeder wiring, must be nonmetallic sheathed cable. **This certificate does not allow you to wire commercial occupancies such as motels, hotels, offices or stores.**

(2) **Pump and irrigation certificate (03):** This certificate limits you to wiring the electrical connection of domestic water pumps, irrigation pumps, circular irrigating systems and related pumps and pump houses. With this certificate, you may also install the circuits, feeders, controls and services necessary to supply electricity to the pumps.

(3) **Domestic well specialty electrical technician certificate (03A):** This certificate limits you to the installation of materials, wires and equipment providing electrical power, control and operation of domestic water pumping systems. In addition, you are limited to the extension of a branch circuit (which has been supplied and installed by others) to pump controllers, pressure switches, alarm sensors, and water pumps which do not exceed 7 and 1/2 horsepower at 230 volts AC single phase.

Prior to December 1, 1998, you will be eligible to take the domestic well specialty electrician's competency examination if you provide the department with notarized verification of at least four years prior experience installing domestic water systems, including pump installations, under the supervision of a firm engaged in the business of installing domestic water systems.

After December 1, 1998, you will be eligible to take the domestic well specialty electrician's competency examination **only if** you provide the department with notarized verification of two years experience installing domestic pump systems working under the direct supervision of a domestic well specialty technician, a pump and irrigation specialty electrician or a journeyman electrician.

Certification of domestic well specialty electrical technicians shall be according to the provisions of WAC 296-401A-105 (original certification) and WAC 296-401A-110 (renewal of certification).

(4) **Signs and outline lighting certificate (04):** This certificate limits you to placing signs and outline lighting and connecting them to their electrical supply, controls and related circuit extensions. You are further limited to the installation of a maximum 60 ampere, 120/240 volt, single phase service supplying power to a remote sign.

(5) **Domestic appliance certificate (05):** This certificate limits you to electrically connecting and wiring domestic appliances such as hot water heaters, ranges, dishwashers,

clothes dryers, oil and gas furnaces and similar appliances. You may also install the circuits to those domestic appliances. However, **you may not** install service or feeder wires or circuits to electrical furnaces and heat pump equipment.

(6) **Limited energy system certificate (06):** This certificate limits you to installing signaling circuits, power limited circuits and related equipment. Examples of such equipment would be fire protection signaling systems, intrusion alarms, nonutility owned communication systems and similar low energy circuits and equipment.

(7) **HVAC/refrigeration limited energy technician (06A):**

(a) This certificate limits you to installing low voltage, Class 2 HVAC/refrigeration control circuit cables for control of furnaces, heat pumps, and similar HVAC or refrigeration equipment when such conductors do not connect to other than HVAC or refrigeration equipment and when such buildings do not exceed three floors above grade, except for residential occupancies. Associated limited energy control components that are integral with, and control the operation of, the heating and cooling equipment or refrigeration equipment are included in the scope of this specialty. These limited energy components include, but are not limited to, the following: Thermostats, humidistats, low voltage damper controls, outdoor sensing controls, outside air dampers, stand-alone duct smoke detectors, zone control valves, and the mounting of HVAC/refrigeration control panels and low voltage connections only. Installation of integrated energy management systems other than HVAC/refrigeration systems as defined herein, are **not** included in this specialty.

HVAC/refrigeration limited energy technicians may install, service, maintain, repair, or replace HVAC/refrigeration electrical systems as long as the work is on the HVAC/refrigeration system itself. HVAC/refrigeration technicians may replace line voltage components within the equipment, only if the components are like in kind with identical voltage and current ratings. HVAC/refrigeration technicians may **not** install branch circuit (line voltage) conductors, services, feeders, panelboards, or disconnect switches to HVAC/refrigeration equipment. Short sections of raceway may be installed for access to or physical protection of cables, however wiring in conduit systems and wiring in classified locations are excluded from this specialty.

To qualify to take this certificate examination on or before ~~March 1, 2000~~ October 1, 2000, you must provide proof to the department that you performed HVAC or refrigeration equipment installation, service or repair and you were employed for a minimum of two years by a contractor engaged full time in the business of HVAC or refrigeration equipment installation or repair work. Individuals that meet this requirement will qualify for a third year training certificate and be considered temporarily until March 1, 2002, an HVAC/refrigeration limited energy technician for the purposes of working within the scope of this specialty without supervision and for the purpose of supervising first and second year trainees in proper ratio. After March 1, 2002, you must have successfully passed the certificate examination to perform this work without supervision or to supervise trainees. If you have less than two years of experience, on or

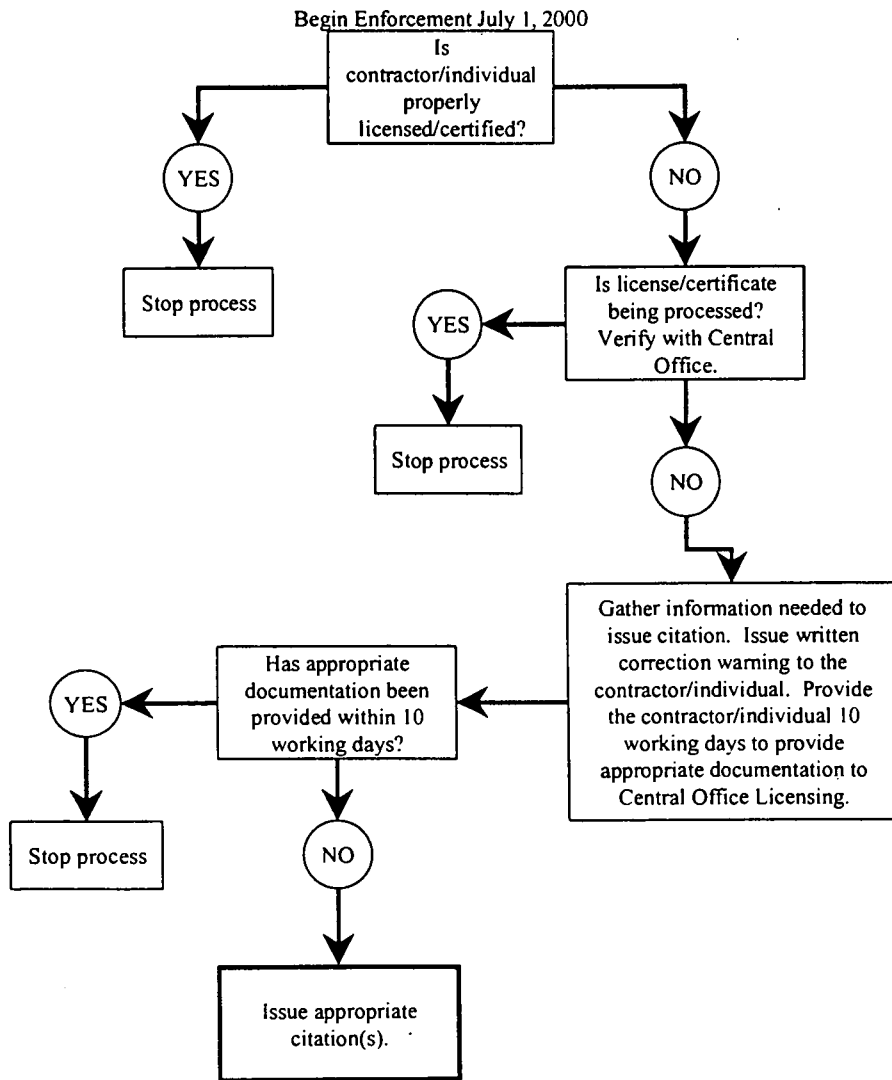
before ~~March 1, 2000~~ October 1, 2000, you may apply for a training certificate level comparable to the hours for which you can provide proof of experience.

After ~~March 1, 2000~~ October 1, 2000, all applicants for this certificate examination must have a minimum of two years full-time experience under the direct supervision of an HVAC/refrigeration limited energy technician, or a limited energy specialty electrician, or a journeyman electrician. Trainees may work unsupervised during their second year when installing HVAC systems with controls consisting of a single thermostat in one and two family dwelling units only.

(b) The department will continue to accept proof of experience for HVAC/refrigeration contractors and installers until October 1, 2000, however non-compliance with (a) of this subsection after June 30, 2000 may result in a citation. The enforcement practices for non-compliance are outlined in Figure 1 (below). If a citation is issued for failure to comply with the certification requirements the individual will lose the ability to apply previous HVAC/refrigeration work experience toward examination qualification.

Figure 1

HVAC/R ELECTRICAL SPECIALTY
Licensing/Certification Requirements



EMERGENCY

(8) Nonresidential maintenance certificate (07): This certificate limits you to maintaining, repairing and replacing electrical equipment and conductors on industrial or commercial

premises. **You may not** conduct maintenance activities in hotels, motels or dwelling units.

(9) Nonresidential lighting maintenance and lighting retrofit technician (07A): This certificate limits you to working within the housing of existing nonresidential lighting fixtures and limits you to work related to repair, service, maintenance of lighting fixtures and the installation of energy efficiency upgrades. Your work may include the replacement of lamps, ballasts, sockets and the installation of listed lighting retrofit reflectors and kits. Your work must be limited to the fixture body, however, you may replace or retrofit remote located ballasts with approved products. **You may not** install new fixtures or branch circuits, move or relocate existing fixtures, or alter existing branch circuits.

To qualify for this certificate **on or before June 30, 1999**, you must provide proof to the department that you performed electrical lighting maintenance and lighting retrofit installations and you were employed for a minimum of two years by a contractor engaged full-time in the business of nonresidential lighting maintenance and lighting retrofit work. **After June 30, 1999**, all applicants for this certificate must have a minimum of two years full-time experience under the direct supervision of a nonresidential lighting maintenance and retrofit technician; or a nonresidential maintenance specialty electrician; or a journeyman electrician.

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.



OFFICE OF THE CODE REVISER
Quarterly Rule-Making Report
Covering Registers 00-07 through 00-12

Type of Activity	New	Amended	Repealed
ACCOUNTANCY, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	17	9	2
Number of Rules Proposed for Permanent Adoption	17	9	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	9	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	3	9	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	9	2
Number of Sections Adopted using Pilot Rule Making	0	0	0
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	39	8	9
Number of Rules Proposed for Permanent Adoption	50	15	7
Number of Rules Withdrawn	10	0	10
Number of Sections Adopted at Request of a Nongovernmental Entity	0	4	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	9
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	4	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ATTORNEY GENERAL'S OFFICE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	3	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
BATES TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	97	0	25

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	36	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

BELLEVUE COMMUNITY COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

CASCADIA COMMUNITY COLLEGE

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	57	0	1

CENTRALIA COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	57	2	17
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	19	2	17
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	19	2	17
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

CLOVER PARK TECHNICAL COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	56	38	14
Number of Rules Proposed for Permanent Adoption	56	38	14
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	75	28
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	0	0
Number of Sections Adopted on the Agency's own Initiative	2	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COLUMBIA BASIN COLLEGE

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	40	1	19

COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	2	0
Number of Rules Proposed for Permanent Adoption	2	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	24	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	12	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	12	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

CORRECTIONS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	25	22	1
Number of Rules Proposed for Permanent Adoption	16	13	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	7	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
COUNTY ROAD ADMINISTRATION BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	1	0
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	113	27	44
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	78	65	5
Number of Rules Proposed for Permanent Adoption	135	79	16
Number of Rules Withdrawn	87	61	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	21	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	3	42	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	3	2
Number of Sections Adopted on the Agency's own Initiative	0	10	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	21	11	0
Number of Rules Proposed for Permanent Adoption	9	9	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	5	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	5	10	0
Number of Sections Adopted using Negotiated Rule Making	0	4	0
Number of Sections Adopted using Other Alternative Rule Making	5	6	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EMPLOYMENT SECURITY DEPARTMENT			
Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	5	0	1
FINANCIAL MANAGEMENT, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FISH AND WILDLIFE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	64	49	1
Number of Rules Adopted as Emergency Rules	258	0	66
Number of Rules Proposed for Permanent Adoption	171	24	147
Number of Rules Withdrawn	24	20	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	27	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	98	23	67
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FOREST PRACTICES BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	29	3	0
Number of Rules Proposed for Permanent Adoption	28	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	12	3	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	12	3	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GAMBLING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	124	34	10
Number of Rules Proposed for Permanent Adoption	29	17	2
Number of Rules Withdrawn	3	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	12	10
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	40	34	10
Number of Sections Adopted using Negotiated Rule Making	0	12	3
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	40	22	7

MISC.

Type of Activity	New	Amended	Repealed
GENERAL ADMINISTRATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	12	10	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	25	4
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
GROWTH MANAGEMENT HEARINGS BOARDS			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	6	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	6	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
HEALTH, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	199	62	39
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	209	39	30
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	30	29	38
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	18	37	3
Number of Sections Adopted in Order to Comply with Federal Statute	3	6	2
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	28	24	36
Number of Sections Adopted using Negotiated Rule Making	9	23	36
Number of Sections Adopted using Other Alternative Rule Making	35	32	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
HIGHER EDUCATION COORDINATING BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	38	4	0
Number of Rules Adopted as Emergency Rules	20	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	4	0
Number of Sections Adopted on the Agency's own Initiative	26	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HORSE RACING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	12	8	0
Number of Rules Withdrawn	2	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	8	0
Number of Sections Adopted using Negotiated Rule Making	0	8	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

INSURANCE COMMISSIONER, OFFICE OF THE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	18	0	0
Number of Rules Adopted as Emergency Rules	7	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	9	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	9	7	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	7	0
Number of Sections Adopted on the Agency's own Initiative	9	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LABOR AND INDUSTRIES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	525	20	133
Number of Rules Adopted as Emergency Rules	110	2	0
Number of Rules Proposed for Permanent Adoption	447	71	32
Number of Rules Withdrawn	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	173	20	134
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	30	14	48
Number of Sections Adopted on the Agency's own Initiative	211	11	86
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	189	22	103
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
LAKE WASHINGTON TECHNICAL COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	0	3
LIBRARY, WASHINGTON STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	30	7	17
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	5	14
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	1	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	6	16
Number of Sections Adopted using Pilot Rule Making	0	0	0
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	87	27	8
Number of Rules Proposed for Permanent Adoption	85	56	27
Number of Rules Withdrawn	33	10	21
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	18	25	7
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	8	1	1
Number of Sections Adopted on the Agency's own Initiative	7	2	0
Number of Sections Adopted using Negotiated Rule Making	18	26	7
Number of Sections Adopted using Other Alternative Rule Making	1	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
LIQUOR CONTROL BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	74	3	19
Number of Rules Proposed for Permanent Adoption	33	8	9
Number of Rules Withdrawn	3	0	3
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	24	3	19
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	24	3	19
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	24	3	19
Number of Sections Adopted using Pilot Rule Making	0	0	0
LOTTERY, WASHINGTON STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	30	1	29

MISC.

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	29
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

NATURAL RESOURCES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	1	0

PARKS AND RECREATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	36	36	0

PERSONNEL RESOURCES BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	36	10	0
Number of Rules Proposed for Permanent Adoption	7	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	10	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	13	10	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	13	10	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PERSONNEL, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	2	2	0

PILOTAGE COMMISSIONERS, BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Proposed for Permanent Adoption	2	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
PUBLIC EMPLOYMENT RELATIONS COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	3	3	0
Number of Rules Proposed for Permanent Adoption	65	63	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC INSTRUCTION, SUPERINTENDENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	19	13	4
Number of Rules Proposed for Permanent Adoption	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	13	4
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	13	4
Number of Sections Adopted using Pilot Rule Making	0	0	0
PUBLIC WORKS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	0	0
Number of Rules Proposed for Permanent Adoption	1	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	4	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	0	0
Number of Sections Adopted on the Agency's own Initiative	4	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	4	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
RETIREMENT SYSTEMS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	77	56	3
Number of Rules Proposed for Permanent Adoption	40	36	0
Number of Rules Withdrawn	6	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	9	53	3

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	8	21	3
Number of Sections Adopted on the Agency's own Initiative	9	53	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

REVENUE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	13	9	2
Number of Rules Proposed for Permanent Adoption	11	11	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	3	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	6	0
Number of Sections Adopted on the Agency's own Initiative	3	7	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	7	2
Number of Sections Adopted using Pilot Rule Making	0	0	0

SECRETARY OF STATE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	14	10	0
Number of Rules Adopted as Emergency Rules	26	0	10
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	8	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	9	2	10
Number of Sections Adopted on the Agency's own Initiative	1	8	0
Number of Sections Adopted using Negotiated Rule Making	9	8	10
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

SENTENCING GUIDELINES COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	0	0
Number of Rules Withdrawn	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
SHORELINE COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	13	11	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	11	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	11	2
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	56	14	6
Number of Rules Adopted as Emergency Rules	54	23	1
Number of Rules Proposed for Permanent Adoption	784	66	156
Number of Rules Withdrawn	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	16	24	6
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	9	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	8	7	0
Number of Sections Adopted on the Agency's own Initiative	15	10	6
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	33	26	6
Number of Sections Adopted using Pilot Rule Making	0	0	0
SPOKANE, COMMUNITY COLLEGES OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	73	53	18
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	3	6
Number of Rules Adopted as Emergency Rules	1	1	0
Number of Rules Proposed for Permanent Adoption	12	6	6
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	5
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	2	5
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
TREASURER, OFFICE OF THE STATE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	43	3	0
Number of Rules Proposed for Permanent Adoption	40	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	20	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
UTILITIES AND TRANSPORTATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	15	12	1
WASHINGTON STATE PATROL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	0	0
Number of Rules Adopted as Emergency Rules	1	1	0
Number of Rules Proposed for Permanent Adoption	1	1	0
Number of Rules Withdrawn	8	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
WESTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	1	0
Number of Rules Withdrawn	1	1	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	1917	521	354
Number of Rules Adopted as Emergency Rules	508	35	77
Number of Rules Proposed for Permanent Adoption	2594	707	537
Number of Rules Withdrawn	190	99	35
Number of Sections Adopted at Request of a Nongovernmental Entity	0	10	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	344	403	335
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	21	89	3
Number of Sections Adopted in Order to Comply with Federal Statute	15	8	2

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	116	75	68
Number of Sections Adopted on the Agency's own Initiative	494	261	238
Number of Sections Adopted using Negotiated Rule Making	62	88	73
Number of Sections Adopted using Other Alternative Rule Making	327	146	153
Number of Sections Adopted using Pilot Rule Making	40	22	7

WSR 00-13-011
OFFICE OF THE GOVERNOR
 [Filed June 9, 2000, 2:29 p.m.]

NOTICE OF APPEAL
 (RCW 34.05.330(3))

On June 9, 2000 the Governor received an appeal dated June 8, 2000 of the denial by the Forest Practices Board on May 10, 2000 of a Petition for Adoption of Forest Practice Rules Regarding Recreation and Aesthetics, dated August 18, 1999, filed by The Mountaineers and Alpine Lakes Protection Society dated.

DATED: June 9, 2000

Everett H. Billingslea
 General Counsel to the Governor

tax deduction provided by RCW 82.16.053 to qualifying power and light businesses.

RCW 82.16.053 requires that the department determine the state average electric power rate each year and inform taxpayers of this rate. This rate is used by the power and light business to compute the amount of the deduction. This document updates the information to provide the rate to be used during the period of July 2000 through June 2001.

Requests for copies of this advisory may be directed to Roseanna Hodson, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6119, fax (360) 664-0693.

Claire Hesselholt
 Policy Counsel

WSR 00-13-017
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE
 [Memorandum—June 9, 2000]

The board of trustees of Whatcom Community College, District Number Twenty-One, has rescheduled its regular meeting of Tuesday, June 13, 2000, at 2:00 p.m. in the Board Room at 237 West Kellogg Road, Bellingham, WA. The rescheduled meeting will be held on Monday, June 12, 2000. Notices have been sent to the media and the college community.

WSR 00-13-028
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE
 [Filed June 13, 2000, 9:27 a.m.]

ADOPTION OF INTERPRETIVE STATEMENT

Excise Tax Advisory 2002.16.179—Low-density light and power utility deduction

This announcement of the adoption of this interpretive statement is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue has adopted a revision to Excise Tax Advisory 2002 (Low-density light and power utility deduction). This advisory explains the public utility

WSR 00-13-032
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed June 13, 2000, 3:43 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-51 MAA Numbered Memorandum.
 Subject: Orthodontist evaluation and management procedure code billing.

Effective Date: July 1, 2000.

Effective with dates of service on or after July 1, 2000, orthodontists, when functioning as a member of an MAA-recognized cleft lip, cleft palate, or craniofacial anomaly team, may bill selected evaluation and management (E&M) procedure codes related to specific diagnoses. The selected E/M procedure codes are listed within this memo.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

June 7, 2000
 Leslie Saeger, Manager
 Regulatory Improvement Project

MISC.

WSR 00-13-033

INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 13, 2000, 3:44 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-53 MAA Numbered Memorandum.
Subject: Prescription drug program—Updates.
Effective Date: The week of July 17, 2000.

This numbered memorandum describes:

- Additional drugs that must be billed first to Medicare for dual-eligible (Medicaid/Medicare Part B) clients; and
Changes to the Medical Assistance Administration's (MAA) expedited prior authorization (EPA) criteria for proton pump inhibitors.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

June 7, 2000

Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-13-034

INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed June 13, 2000, 3:46 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-40 MAA Numbered Memorandum.
Subject: Implementation of 1999 HCIA length of stay criteria.

Effective Date: July 1, 2000.

Effective July 1, 2000, the Medical Assistance Administration (MAA) will begin applying the HCIA 1999 Length of stay (LOS) by diagnosis—Western region criteria to inpatient hospital claims for both children and adults.

To receive a copy of the interpretive or policy statement, contact Ann Myers, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail mailto:MYERSEA@dshs.wa.gov.

June 7, 2000

Leslie Saeger, Manager
Regulatory Improvement Project

WSR 00-13-037

RULES COORDINATOR
DEPARTMENT OF TRANSPORTATION

[Filed June 14, 2000, 9:10 a.m.]

In accordance with RCW 34.05.312, the acting rules coordinator for the Department of Transportation is Bill Camerer. This appointment is to become effective on July 1, 2000. Bill may be contacted at 705-7994 (fax 705-6808) or Department of Transportation, Mailstop 47410. His Internet address is camereb@wsdot.wa.gov.

Sid Morrison
Secretary

WSR 00-13-042

RULES OF COURT
STATE SUPREME COURT

[June 8, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO RPC 1.8(k)) NO. 25700-A-680

The Washington State Bar Association having recommended the adoption of the proposed amendment to RPC 1.8(k), and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That the amendment will be published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 8th day of June 2000.

Guy, C.J.

Smith, J.

Johnson, J.

Alexander, J.

Talmadge, J.

Madsen, J.

Ireland, J.

Bridge, J.

RULES OF COURT

PROPOSED AMENDMENTS TO RULES OF
PROFESSIONAL CONDUCT

RPC 1.8

CONFLICT OF INTEREST; PROHIBITED
TRANSACTIONS; CURRENT CLIENT

A lawyer who is representing a client in a matter:

(a) [no change].

- (b) [no change].
- (c) [no change].
- (d) [no change].
- (e) [no change].
- (f) [no change].
- (g) [no change].
- (h) [no change].
- (i) [no change].
- (j) [no change].

(k) Shall not:

(1) have sexual relations with a current client of the lawyer unless a consensual sexual relationship existed between them at the time the lawyer/client relationship commenced;
or

(2) have sexual relations with a representative of a current client if the sexual relations would, or would likely, damage or prejudice the client in the representation.

(3) For purposes of rule 1.8(k), "lawyer" means any lawyer who assists in the representation of the client, but does not include other firm members who provide no such assistance.

Reviser's note: The brackets and enclosed material in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-13-043
RULES OF COURT
STATE SUPREME COURT

[June 12, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO CrR 3.3 (f)(1)) NO. 25700-A-681

The Superior Court Judges' Association recommended the adoption of the proposed amendment to CrR 3.3 (f)(1), and the Court considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That the amendment will be published in the Washington Reports and will become effective September 1, 2000.

DATED at Olympia, Washington this 12th day of June 2000.

Guy, C.J.

Smith, J.

Madsen, J.

Johnson, J.

Talmadge, J.

Alexander, J.

Ireland, J.

Bridge, J.

PROPOSED AMENDMENT

CrR 3.3 (f)(1)

TIME FOR TRIAL

(a) - (e) [Unchanged.]

(f) Setting of Trial Date—Notice to Parties—Objection to Trial Date—Waiver.

(1) The court shall, within 15 days of the defendant's actual arraignment in superior court, or at the omnibus hearing, set a date for trial which is within the time limits prescribed by this rule, and notify counsel for each party of the date set. If a party is not represented by counsel, the notice shall be given to the party, and may be mailed to the party's last known address. The notice shall set forth the proper date of the defendant's arraignment as established at the time of arraignment and the date set for trial. A party who objects to the date set upon the ground that it is not within the time limits prescribed by this rule must, within 10 days after the notice is mailed or otherwise given, move that the court set a trial within those time limits. Such motion shall be promptly noted for hearing by the moving party in accordance with local procedures. Failure of a party, for any reason, to make such a motion shall be a waiver of the objection that a trial commenced on such date, or on an extension of such date properly granted pursuant to this rule, is not within the time limits prescribed by this rule.

(g) - (i) [Unchanged.]

Reviser's note: The brackets and enclosed material in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-13-044
RULES OF COURT
STATE SUPREME COURT

[June 12, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO APR 11,) NO. 25700-A-682
REGULATION 104 (d)(2))

The Washington State Bar Association Board of Governors recommended the adoption of the proposed amendment to APR 11, Regulation 104 (d)(2). The Court having determined that the proposed amendment will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment to APR 11, Regulation 104 (d)(2) will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 12th day of June 2000.

MISC.

	Guy, C.J.
Smith, J.	
Madsen, J.	Alexander, J.
Johnson, J.	Ireland, J.
Talmadge, J.	Bridge, J.

Madsen, J.	Ireland, J.
Talmadge, J.	Bridge, J.

GR 15(j)

DESTRUCTION AND SEALING OF COURT RECORDS

(a) - (i) Unchanged.

(j) Access to Juror Information. Individual juror information, other than name, is presumed to be private. After the conclusion of a jury trial, the attorney for a party, or party pro se, may petition the trial court for access to individual juror information under the control of court. Upon a showing of good cause, the court may permit the petitioner attorney to have access to relevant information. The court may require that the attorney not disclose juror information not be disclosed to other persons.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

APR 11
REGULATION 104 (d)(2)

(d) The following activities will not qualify for credit:

2) Programs that are primarily designed to teach attorneys how to improve market share, attract clients or increase profits will not be approved, nor will programs primarily designed to be a sales vehicle for a service or product. While a company which provides services or products to the legal community may wish to participate in or sponsor law office management seminars, those courses will be approved for credit only if there is no discussion or literature promoting that company, other than the biographical material about the speakers, or there is equal treatment in discussion and written materials of alternate vendors of the particular product or service, and the written material does not include prepared promotional literature.

WSR 00-13-045
RULES OF COURT
STATE SUPREME COURT
[June 12, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO GR 15(j)) NO. 25700-A-683

The Superior Court Judges' Association recommended the adoption of a proposed amendment to GR 15(j) and the Court considered the proposed amendment and comments submitted thereto. The Court has determined that the amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That the amendment will be published in the Washington Reports and will become effective September 1, 2000.

DATED at Olympia, Washington this 12th day of June 2000.

	Guy, C.J.
Smith, J.	Alexander, J.
Johnson, J.	Sanders, J.

WSR 00-13-046
RULES OF COURT
STATE SUPREME COURT

[June 12, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO GR 14; RAP) NO. 25700-A-684
10.4; CR 10; CrR 1.5; CRLJ 10; CrRLJ 1.5)
and GR 20)

The Court Management Council having recommended the adoption of the proposed amendments to GR 14; RAP 10.4; CR 10; CrR 1.5; CRLJ 10; CrRLJ 1.5 and GR 20, and the Court having considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 2000.

DATED at Olympia, Washington this 12th day of June 2000.

	Guy, C.J.
Smith, J.	Alexander, J.
Johnson, J.	Sanders, J.
Madsen, J.	Ireland, J.
Talmadge, J.	Bridge, J.

MISC.

GR 14

PAPER-SIZE FORMAT FOR PLEADINGS AND OTHER PAPERS

(a) Format Requirements. All pleadings, motions, and other papers filed with a court shall be ~~plainly~~ legibly written or printed, ~~and, except for exhibits,~~ The use of letter-size paper (8 1/2 by 11 inches) is mandatory. The writing or printing shall appear on only one side of the page. The top margin of the first page shall be a minimum of three inches, the bottom margin shall be a minimum of one inch and the side margins shall be a minimum of one inch. All subsequent pages shall have a minimum of one inch margins. Papers filed shall not include any colored pages, highlighting or other colored markings.

(b) Exception for Exhibits. This rule is not mandatory for exhibits, but the use of letter-size copies of exhibits that comply with this rule is encouraged if it does not impair legibility.

(c) Application of Rule. This rule shall apply to all proceedings in all courts of the State of Washington unless otherwise specifically indicated by court rule.

PROPOSED AMENDMENTS TO
RULES OF APPELLATE PROCEDURE

RAP 10.4

PREPARATION AND FILING OF BRIEF BY PARTY

(a) Typing or Printing Brief. Briefs shall conform to the following requirements:

(1) An original and one legible, clean, and reproducible copy of the brief must be filed with the appellate court. The brief should be printed or typed in black on 20-pound substance 8-1/2- by 11-inch white paper. Margins should be at least 2 inches on the left side and 1-1/2 inches on the right side and on the top and bottom of each page.

(2) The text of any brief typed or printed in a proportionally spaced typeface must appear in print as 12 point or larger type with no more than 10 characters per inch and double spaced. The same typeface and print size should be standard throughout the brief, except that footnotes may appear in print as 10 point or larger type and be the equivalent of single spaced. Quotations may be the equivalent of single spaced. Except for material in an appendix, the typewritten or printed material in the brief shall not be reduced or condensed by photographic or other means.

(3) The text of any brief typed or printed in a monospaced typeface shall be done in pica type or the equivalent at no more than 10 characters per inch. The lines must be double spaced. Quotations and footnotes may be single spaced. Except for material in an appendix, the typewritten or printed material in the brief shall not be reduced or condensed by photographic or other means.

(b) Length of Brief. A brief of appellant, petitioner, or respondent, and a pro se brief in a criminal case should not exceed 50 pages. Appellant's reply brief should not exceed 25 pages. An amicus curiae brief, or answer thereto, should not exceed 20 pages. In a cross-appeal, the brief of appellant, brief of respondent/cross appellant, and reply brief of appellant/cross respondent should not exceed 50 pages and the

reply brief of the cross respondent should not exceed 25 pages. For the purpose of determining compliance with this rule appendices, the title sheet, table of contents, and table of authorities are not included. For compelling reasons the court may grant a motion to file an over-length brief.

(c) Text of Statute, Rule, Jury Instruction, or the Like. If a party presents an issue which requires study of a statute, rule, regulation, jury instruction, finding of fact, exhibit, or the like, the party should type the material portions of the text out verbatim or include them by copy in the text or in an appendix to the brief.

(d) Motion in Brief. A party may include in a brief only a motion which, if granted, would preclude hearing the case on the merits.

(e) Reference to Party. References to parties by such designations as "appellant" and "respondent" should be kept to a minimum. It promotes clarity to use the designations used in the lower court, the actual names of the parties, or descriptive terms such as "the employee," "the injured person," and "the taxpayer."

(f) Reference to Record. A reference to the record should designate the page and part of the record. Exhibits should be referred to by number. The clerk's papers should be abbreviated as "CP"; exhibits should be abbreviated as "Ex"; and the report of proceedings should be abbreviated as "RP." Suitable abbreviations for other recurrent references may be used.

(g) Citations. Citations must be in conformity with the form used in current volumes of the Washington Reports. Decisions of the Supreme Court and of the Court of Appeals must be cited to the official report thereof and should include the national reporter citation and the year of the decision. The citation of other state court decisions should include both the state and national reporter citations. The citation of a United States Supreme Court decision should include the United States Reports, the United States Supreme Court Reports Lawyers' Edition, and the Supreme Court Reporter. The citation of a decision of any other federal court should include the federal reporter citation and the district of the district court or circuit of the court of appeals deciding the case. Any citation should include the year decided and a reference to and citation of any subsequent decision of the same case.

(h) Unpublished Opinions. A party may not cite as an authority an unpublished opinion of the Court of Appeals. Unpublished opinions of the Court of Appeals are those opinions not published in the Washington Appellate Reports.

(i) The format requirements of GR 14 do not apply to briefs filed in an appellate court.

PROPOSED AMENDMENT TO
SUPERIOR COURT CIVIL RULES

CR 10

FORM OF PLEADINGS AND OTHER PAPERS

(a) Caption. Every pleading shall contain a caption setting forth the name of the court, the title of the action, the file number if known to the person signing it, and an identification as to the nature of the pleading or other paper.

(1) Names of Parties. In the complaint the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.

(2) Unknown Names. When the plaintiff is ignorant of the name of the defendant, it shall be so stated in his pleading, and such defendant may be designated in any pleading or proceeding by any name, and when his true name shall be discovered, the pleading may be amended accordingly.

(3) Unknown Heirs. When the heirs of any deceased person are proper parties defendant to any action relating to real property in this state, and when the names and residences of such heirs are unknown, such heirs may be proceeded against under the name and title of the "unknown heirs" of the deceased. In any action brought to determine any adverse claim, estate, lien, or interest in real property, or to quiet title to real property, unknown parties shall be designated as "also all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the complaint herein."

(b) Paragraphs; Separate Statements. All averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. Each claim founded upon a separate transaction or occurrence, and each defense other than denials, shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth.

(c) Adoption by Reference; Exhibits. Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.

~~(d) Paper Size. All pleadings, motions, and other papers shall be plainly written or printed, and except for exhibits, the use of letter-size paper (8 1/2 by 11 inches) is mandatory. The use of letter-size copies of exhibits is encouraged if it does not impair legibility.~~ Format Requirements. [Reserved. See GR 14.]

(e) Format Recommendations. It is recommended that all pleadings and other papers include or provide for the following:

(1) Service and Filing. Space should be left at the top of the first page to provide on the right half space for the clerk's filing stamp, and space at the left half for acknowledging the receipt of copies.

(2) Title. All pleadings under the space under the docket number should contain a title indicating their purpose and party presenting them. For example:

Use	Do Not Use
Petition for Dissolution	Petition
Defendant's Motion for Support, Etc.	Motion
Order for Support	Order

(3) Bottom Notation. At the left side of the bottom of each page of all pleadings and other papers an abbreviated name of the pleading or other paper should be repeated, followed by the page number. At the right side of the bottom of

the first page of each pleading or other paper the name, mailing address and telephone number of the attorney or firm preparing the paper should be printed or typed.

(4) Typed Names. The names of all persons signing a pleading or other paper should be typed under their signatures.

(5) Headings and Subheadings. Headings and subheadings should be used for all paragraphs which shall be numbered with roman and/or arabic numerals.

(6) Numbered Paper. Use numbered paper.

CrR 1.5

STYLE AND FORM

[Reserved. See GR 14.]

~~All pleadings, motions, and other papers shall be plainly written or printed, and, except for exhibits, the use of letter-size paper (8 1/2 by 11 inches) is mandatory. The use of letter-size copies of exhibits is encouraged if it does not impair legibility.~~

CRLJ 10
FORM OF PLEADINGS

(a) Caption; Names of Parties. Every written pleading shall contain a caption setting forth the name of the court, the title of the action, the file number if known to the person signing it, and a designation as in rule 7(a). In the complaint the title of the action shall include the names of all the parties, but in other written pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties. When the plaintiff is ignorant of the name of the defendant, it shall be so stated in his pleading, and such defendant may be designated in any pleading or proceeding by any name, and when his true name shall be discovered, the pleading or proceeding may be amended accordingly.

(b) Adoption by Reference; Exhibits. Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes.

~~(c) Form. All notices, pleadings, motions, and other papers filed shall be plainly written or typed, and, except for, The requirements for pleadings, motions, and other papers are as specified in GR 14, except exhibits and forms approved by the Office of the Administrator for the Courts; the use of need not be on letter-size paper (8 1/2 by 11 inches) is mandatory. The use of letter-size copies of exhibits is encouraged if it does not impair legibility.~~

CrRLJ 1.5

STYLE AND FORM

~~The complaint, citation and notice, warrant, summons, motions, briefs, orders, and all other papers or forms required by these rules shall be plainly written, typed or printed. The format requirements for papers being filed with a court are as specified in GR 14, Except for exhibits, the citation and notice, and forms approved by the Office of the Administrator for the Courts, the use of need not be on letter-size paper (8 1/2 by 11 inches) is mandatory. The use of letter-size cop-~~

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ies of exhibits is encouraged if it does not impair legibility. The citation and notice shall be on a form prescribed or approved by the Office of the Administrator for the Courts.

GR 20

SECURITY IN HANDLING COURT EXHIBITS

~~(a) Hazardous Exhibits to be Packaged and Labeled.~~ [Reserved.] Hazardous, Valuable, and Bulky Exhibits.

~~(b) Security for Exhibits of Intrinsic or Negotiable Value.~~

(1) Upon petition of the clerk or any party and order of the court, ~~a weapon, a hazardous exhibit,~~ money, an item of negotiable value, or an item deemed to be excessively bulky; ~~or a controlled substance~~ may be admitted and then withdrawn upon the substitution of photograph(s), videotape(s), samples or other facsimile representations as provided by the order. The photograph(s), videotape(s), samples or other facsimile representations may be used to demonstrate the existence, quantity, and physical characteristic of the evidence. The order shall direct the disposition of the original evidence and shall state whether the evidence shall be further documented by a descriptive certificate issued by an authorized ~~federal or state~~ agency.

(2) (b) Controlled Substances. When controlled substances or samples thereof are presented in court, such items shall be presented under sealed evidence tape in containers whose labels describe their contents. Sealed controlled substances presented as exhibits shall be unsealed in open court and, upon completion of the action for which unsealing was ordered, the item shall be sealed again.

(3) (c) Original exhibit. When a photograph, videotape, or other facsimile representation is substituted, the original exhibit must be retained by the presenting party or agency until at least sixty (60) days following case completion and must produce the original exhibit upon the court's direction. Case completion is defined as the date of filing of the judgment of acquittal, final judgment, or dismissal, or the date the judgment becomes final after appeal.

(4) (d) Appeal. Exhibits handled under these rules shall have the same standing for purposes of appeal as would the original exhibits.

(e) Hazardous exhibits. For purposes of this rule, "hazardous exhibit" means an exhibit that unreasonably threatens the health and safety of persons handling the exhibit, including exhibits having potentially toxic, explosive, or disease-carrying characteristics. Non-exclusive examples of hazardous exhibits include firearms, knives and other weapons, live ammunition, controlled substances, bodily fluid samples, and bloody clothing.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-13-047
RULES OF COURT
STATE SUPREME COURT

[June 12, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CRLJ 4 and) NO. 25700-A-685
GR 9)

The Washington State Bar Association recommended the adoption of the proposed amendments to CRLJ 4 and GR 9, and the Court considered the amendments and comments submitted thereto, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments as attached hereto are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 2000.

DATED at Olympia, Washington this 12th day of June 2000.

Guy, C.J.

Smith, J.

Alexander, J.

Johnson, J.

Sanders, J.

Madsen, J.

Ireland, J.

Talmadge, J.

Bridge, J.

CRLJ 4

PROCESS

(a) Summons—Issuance.

(1) The summons must be signed and dated by the plaintiff or his attorney, and directed to the defendant requiring him to defend the action and to serve a copy of his appearance or defense on the person whose name is signed on the summons, and to file a copy of his appearance or defense with the court.

(2) Unless a statute or rule provides for a different time requirement, the summons shall require the defendant to serve and file a copy of his defense within 20 days after the service of summons, exclusive of the day of service. If a statute or rule other than this rule provides for a different time to serve a defense, that time shall be stated in the summons.

(3) A notice of appearance, if made, shall be in writing, shall be signed by the defendant or his attorney, and shall be served upon the person whose name is signed on the summons and filed with the court.

(4) [Unchanged.]

(b) Summons

(1) Contents. The summons for personal service shall contain:

(i) [Unchanged.]

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(ii) a direction to the defendant summoning him to serve a copy of his defense within a time stated in the summons and to file with the court a copy of his defense within the time stated in the summons;

(2) *Form.* The summons for personal service in the state shall be substantially in the following form:

[Name and Location of Court]

_____,)
Plaintiff,) No. _____
v.) SUMMONS (20 days)
_____, Defendant.)

To the Defendant: A lawsuit has been started against you in the above entitled court by _____, plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the person signing this summons within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff is entitled to what he asks for because you have not responded. If you serve a notice of appearance on the undersigned person you are entitled to notice before a default judgment may be entered.

Any response or notice of appearance which you serve on any party to this lawsuit must also be filed by you with the court within 20 days after the service of summons, excluding the day of service.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

This summons is issued pursuant to rule 4 of the Civil Rules for Courts of Limited Jurisdiction.

[signed] _____

Print or Type Name
() Plaintiff () Plaintiff's Attorney
P.O. Address _____
Telephone Number _____
Dated _____

- (c) [Unchanged.]
- (d) [Unchanged.]
- (e) [Unchanged.]
- (f) [Unchanged.]
- (g) [Unchanged.]
- (h) [Unchanged.]
- (i) [Unchanged.]
- (j) [Unchanged.]

PROPOSED RULES OF COURT
(Published for comment only)

[Pursuant to an order of the Supreme Court dated February 10, 2000, and in accordance with GR 9(f), the following

proposed change to the Rules of Court is published for comment by any interested party. Comments should be submitted to the Clerk of the Supreme Court by either U.S. mail or Internet e-mail no later than April 28, 2000. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, WA 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail may not exceed 1,500 words.

The cover sheet information as to purpose required by GR 9(d) is included herein solely for information purposes.

Proposed amendment is: GR 9.

Additions and deletions are indicated by underlining and lining out respectively, except where the entire rule is new.]

GR 9

SUPREME COURT RULEMAKING PROCEDURE

(a) Statement of Purpose. The purpose of rules of court is to provide necessary governance of court procedure and practice and to promote justice by ensuring a fair and expeditious process. In promulgating rules of court, ~~it is the purpose of the Washington State Supreme Court seeks~~ to ensure that:

(1) The adoption and amendment of rules proceed in an orderly and uniform procedure is followed manner;

(2) All interested persons and groups are given receive notice and an opportunity to express views regarding proposed rules;

(3) There is Adequate notice of adopted rules changes and of the the adoption and effective dates is given of new and revised rules;

(4) ~~All p~~Proposed rules are necessary statewide;

(5) ~~Rules changes are minimized to prevent~~ Minimal disruption of in court practice occurs, by limiting the frequency of rule changes; and

(6) ~~The purpose of rules of court is to provide necessary governance of court procedure and practice; and~~

(7) ~~All r~~Rules of court are clear and definite in application.

(b) Definitions. As used in this rule, the following terms have these meanings:

(1) "Suggested rule change" means a ~~recommendation request~~ request for a rule change or a new rule that has been submitted to the Chief Justice Supreme Court.

(2) "Proposed rule" means a ~~recommendation for a suggested rule change made by the Washington State Bar Association to the Washington State that the Supreme Court has ordered published for public comment.~~

(c) Request for Notification. Any person or group may file a request with the Supreme Court to receive notice of a suggested rule. The request may be limited to certain kinds of rule changes. The request shall state the name and address of the person or group to whom the suggested rule is to be sent. Once filed, the request shall remain in effect until withdrawn or unless notice sent by regular, first-class U.S. mail is returned for lack of a valid address.

(e) ~~(d) Initiation of Rules Changes. All suggestions for rules changes shall be sent to the Chief Justice who shall transmit them to the Washington State Bar Association.~~

~~Any group or association whose members are involved in the court system may file a request with the Chief Justice to receive copies of suggested rule changes. The request may~~

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specify that the group or association wishes to receive copies of all suggested rule changes or of only certain kinds of suggested rule changes. The request shall state the person to whom the suggested rule change should be sent. Once filed, the request shall be a continuing one until withdrawn by the group or association. Any person or group may submit to the Supreme Court a request to adopt, amend, or repeal a court rule. The Supreme Court shall determine whether the request is clearly stated and in the form required by section (e) of this rule. If the Supreme Court determines that a request is unclear or does not comply with section (e), the Supreme Court may (1) accept the request notwithstanding its non-compliance, (2) ask the proponent to resubmit the request in the proper format, or (3) reject the request, with or without a written notice of the reason or reasons for such rejection.

(d) Receipt of Proposed Rules by Supreme Court. (e) Form for Submitting a Request to Change Rules. Once a suggested rule has been approved by the Washington State Bar Association, it shall be transmitted as a proposed rule to the Chief Justice.

(1) The text of all proposed suggested rules shall be typed should be submitted on 8 1/2- by 11-inch line-numbered paper with consecutive page numbering and in an electronic form as may be specified by the Supreme Court. If the proposed suggested rule affects an existing rule, deleted portions shall should be shown and stricken through; new portions shall should be underlined once.

(2) A suggested Every proposed rule shall should be accompanied by a cover sheet and not more than 25 pages of supporting information, including letters, memoranda, minutes of meetings, research studies, or the like. The cover sheet should contain the following explaining:

(+) (A) Background Name of Proponent — what the name of the person or group initiated the rules change study and the reason for the request requesting the rule change;

(B) Spokesperson—a designation of the person who is knowledgeable about the proposed rule and who can provide additional information;

(2) (C) Purpose—the purpose of and the reason or necessity for the proposed suggested rule, including whether it creates or resolves any conflicts with statutes, case law, or other court rules;

(3) Washington State Bar Association Action a summary of the viewpoints expressed during the development of and debate over the proposed rule;

(4) Supporting Material a table of contents listing the material sent to the Supreme Court in support of the proposal including letters, memoranda, minutes of meetings, or research studies;

(5) Spokesperson—a designation of the person who is knowledgeable about the proposed rule and who could provide additional information to the Supreme Court;

(6) (D) Hearing—whether a hearing is recommended the proponent believes a public hearing is needed and, if so, why;

(E) Expedited Consideration—whether the proponent believes that exceptional circumstances justify expedited consideration of the suggested rule, notwithstanding the schedule set forth in section (i).

All proposed rules must be received by the Supreme Court on or before October 31 to be effective for the succeeding September 1.

(f) Consideration of Suggested Rule by Supreme Court.

(1) The Supreme Court shall initially determine whether a suggested rule has merit and whether it involves a significant or merely technical change. A "technical change" is one which corrects a clerical mistake or an error arising from oversight or omission. The Supreme Court shall also initially determine whether the suggested rule should be considered under the schedule provided for in section (i) or should receive expedited consideration for the reason or reasons to be set forth in the transmittal form provided for in section (f)(2). The Supreme Court may consult with other persons or groups, in making this initial determination.

(2) After making its initial determinations, the Supreme Court shall forward each suggested rule, except those deemed "without merit", along with a transmittal form setting forth such determinations, to the Washington State Bar Association, the Superior Court Judges Association, the District and Municipal Court Judges Association, and the Chief Presiding Judge of the Court of Appeals for their consideration. The transmittal shall include the cover sheet and any additional information provided by the proponent. The Supreme Court shall also forward the suggested rule and cover sheet to any person or group that has filed a notice pursuant to section (c), and to any other person or group the Supreme Court believes may be interested. The transmittal form shall specify a deadline by which the recipients may comment in advance of any determination under section (f)(3) of this rule. If the Supreme Court determines that the suggested rule shall receive expedited consideration, it shall so indicate on the transmittal form. The form may contain a brief statement of the reason or reasons for such consideration.

(e) (3) Action by Supreme Court. If a proposed rule is amended or rejected by the Supreme Court, the Washington State Bar Association will be notified in writing. If a proposed rule is approved, the Supreme Court will order the proposed After the expiration of the deadline set forth in the transmittal form, the Supreme Court may reject the suggested rule, adopt a merely technical change without public comment, or order the suggested rule published for public comment.

The Supreme Court may invite persons familiar with the rule to provide additional information.

(f) (g) Publication for Comment.

(1) All proposed rules approved by the Supreme Court for publication will be published for comment in a Washington Reports advance sheet during the month of January shall be published for public comment in such media of mass communication as the Supreme Court deems appropriate, including, but not limited to, the Washington Reports Advance Sheets and the Washington State Register. The proposed rule shall also be posted on such Internet sites as the Supreme Court may determine, including those of the Supreme Court and the Washington State Bar Association. The purpose statement required by section (e)(2)(C) shall be published along with the proposed rule. Publication of a proposed rule shall be announced in the Washington State Bar News.

(2) Publication of a proposed rule in the Washington State Register shall not subject Supreme Court rulemaking to the provisions of the Administrative Procedures Act.

(3) All comments on a proposed rule shall be directed to the Chief Justice and shall be received no later than the last day of April submitted in writing to the Supreme Court by the deadline set forth in section (i).

(4) If a comment contains a draft of includes a suggested rule, it must should be in the format outlined in 9(d) set forth in section (e). All comments received will be kept on file in the office of the eClerk of the Supreme Court for public inspection and copying.

(g) (h) Final Adoption, Action by the Supreme Court, Publication, and Effective Date.

(1) After the comment period considering a suggested rule, or after considering any comments or written or oral testimony received regarding a proposed rule, the Supreme Court will may adopt, amend, or reject a proposed the rule change or take such other action as the Supreme eCourt deems appropriate.

Prior to action by the Supreme Court, the court may, in its discretion, hold a hearing on a proposed rule at a time and in a manner defined by the court. If the Supreme Court orders a hearing, it shall set the time and place of the hearing and determine the manner in which the hearing will be conducted. The Supreme Court may also designate an individual or committee to conduct the hearing.

(2) Regarding action on a suggested rule:

(A) If the Supreme Court rejects the suggested rule, it may provide the proponent with the reason or reasons for such rejection.

(B) If the Supreme Court adopts the suggested rule without public comment, it shall publish the rule and may set forth the reason or reasons for such adoption.

(3) Regarding action on a proposed rule:

(A) If the Supreme Court rejects a proposed rule, it may publish its reason or reasons for such rejection.

(B) If the Supreme Court adopts a proposed rule, it may publish the rule along with the purpose statement from the cover sheet.

(C) If the Supreme Court amends and then adopts a proposed rule, it should publish the rule as amended along with a revised purpose statement.

(4) All adopted rules, or other final action by the Supreme Court for which this rule requires publication, shall be published the first of in a July in a special edition of the Washington Reports advance sheets and in the Washington State Register immediately after such action. The adopted rules or other Supreme Court final action shall also be posted on the Internet sites of the Supreme Court and the Washington State Bar Association. An announcement of such publication shall be made in the Washington State Bar News.

(5) All adopted rules shall become effective the first day of September unless an emergency as determined by the Supreme Court necessitates as provided in section (i) unless the Supreme Court determines that a different effective date is necessary.

(h) (i) Periodic Schedule for Review and Adoption of Rules.

(1) In order to be published for comment in January, as provided in section (i)(2), a suggested rule must be received no later than October 15 of the preceding year.

(2) Proposed rules shall be published for comment in January of each year.

(3) Comments must be received by April 30 of the year in which the proposed rule is published.

(4) Proposed rules published in January and adopted by the Supreme Court shall be republished in July and shall take effect the following September 1.

(5) All suggested rules will be considered pursuant to the schedule set forth in this section, unless the Supreme Court determines that exceptional circumstances justify more immediate action.

(6) The Supreme Court, in consultation with the Washington State Bar Association, the Superior Court Judges Association, the District and Municipal Court Judges Association, and the Chief Presiding Judge of the Court of Appeals, will establish procedures shall develop a schedule for the periodic review of the rules of particular court rules. The schedule shall be posted on such Internet sites as the Supreme Court may determine, including those of the Supreme Court and the Washington State Bar Association.

(j) Miscellaneous Provisions.

(1) The Supreme Court may adopt, amend, or rescind a rule, or take any emergency action with respect to a rule without following the procedures set forth in this rule. Upon taking such action or upon adopting a rule outside of the schedule set forth in section (i) because of exceptional circumstances, the Supreme Court shall publish the rule in accordance with sections (g) or (h) as applicable.

(2) This rule is effective on March 19, 1982, shall take effect on _____ and applies to all proposed rules changes not yet adopted by the Supreme Court by that date. The Supreme Court, in its discretion, may adopt, amend, or rescind a rule without following the procedures set forth in this rule.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

**WSR 00-13-048
RULES OF COURT
STATE SUPREME COURT**

[June 12, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO ARLJ 5) NO. 25700-A-686

The District and Municipal Court Judges' Association recommended the adoption of proposed amendments to ARLJ 5 and the Court considered the proposed amendments and comments submitted thereto. The Court has determined that the amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments to ARLJ 5 as attached hereto are adopted.

(b) That the amendments will be published in the Washington Reports and will become effective September 1, 2000.

DATED at Olympia, Washington this 12th day of June 2000.

Smith, J.	
Johnson, J.	Alexander, J.
	Ireland, J.
Talmadge, J.	Bridge, J.

ARLJ 5

PRESIDING JUDGE, MULTIPLE JUDGE COURT DISTRICT, MULTIPLE DISTRICT COUNTIES

(a) **Appointment.** In all court districts having more than one judge, the judicial business of the district shall be supervised by one of those judges to be known as the "Presiding Judge," who shall be elected by the judges of such district for a term not to exceed 1 year subject to reelection. In the same manner, the judges shall elect another judge of said district to serve as Acting Presiding Judge during the temporary absence or disability of the Presiding Judge. Interim vacancies in the office of Presiding Judge or Acting Presiding Judge shall be filled as in the original election above described. Notice of the election of the new presiding judge shall be sent to the Chief Justice of the Supreme Court within 30 days.

The Presiding Judge so elected shall send notice of the election of such Presiding Judge and Acting Presiding Judge to the Chief Justice of the Supreme Court on or before March 15 of each year. If the judges of a district shall fail or refuse to elect and certify to the Chief Justice of the Supreme Court, the Supreme Court shall by appointment designate the Presiding Judge and Acting Presiding Judge.

In court districts or municipalities having only one judge, that judge shall be known as the "Presiding Judge". The name of the Presiding Judge shall be sent to the Chief Justice of the Supreme court on or before March 15 of each year.

(b) **Duties and Authority.** The duties and authority of the Presiding Judge, in addition to exercising general administrative supervision over the court shall include:

- (1) Supervision of the business of the court in such a manner as to assure the expeditious and efficient handling of all cases and equal distribution of the work load among the judges;
- (2) Assigning the judges to departments, if the court is departmentalized;
- (3) Presiding at meetings of the judges of the district;
- (4) Responsibility for developing and coordinating statistical and management information;

(5) Complete supervision of all court personnel relating to all matters except wages or benefits directly related to wages, and including hiring and termination decisions. The Presiding Judge shall have complete supervision and authority over working conditions of all court employees. The court administrator, or equivalent employee, is an employee of the court and shall report directly to the Presiding Judge;

(6) Assuming responsibility for accounts and auditing, as well as procurement and disbursement of court funds. The Presiding Judge shall be responsible for the control and preparation of the court or judicial district's annual budget;

(7) In multiple judge jurisdictions, the Presiding Judge shall be guided in personnel and budgetary matters by the policies, if any, established by the judges on that bench;

(8) Promulgating local rules as a majority of the judges may approve or as the Supreme Court may direct;

(9) Supervising the preparation and filing of reports as required by statute and court rule;

(10) Acting as the sole spokesperson for the court in all matters dealing with the executive or legislative branches of government;

(11) Assuming other duties as may be assigned by statute or court rule.

(c) **Multiple Court Districts.** In counties having multiple court districts, the judges may, by majority vote, elect to conduct the judicial business collectively under the provisions of this rule.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The spelling error in the above material occurred in the copy filed by the State Supreme Court and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 00-13-049

NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY

(Library Commission)

[Memorandum—June 12, 2000]

The Washington State Library Commission workshop meeting scheduled for July 27, 2000, is changed to July 18, 2000, at 1:30 p.m. The location remains the same - Washington State Library.

The Washington State Library Commission meeting scheduled for September 7, 2000, at 1:30 p.m. has been changed to August 22, 2000, at 9:00 a.m. The location remains the same - Cherberg Building, Conference Room B&C.

If you have any questions, please call 753-2914.

MISC.

WSR 00-13-050
NOTICE OF PUBLIC MEETINGS
LOWER COLUMBIA COLLEGE

[Memorandum—June 9, 2000]

On May 17, 2000, the trustees of Lower Columbia College agreed to meet for an all-day workshop on July 26 instead of July 19.

WSR 00-13-051
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE

[Memorandum—June 12, 2000]

The following change has been made to Walla Walla Community College's board of trustees meeting schedule:

Changed from: June 28, 2000, 9:30 a.m., WWCC Main Campus

Changed to: June 28, 2000, 1:00 p.m., WWCC Main Campus

If you have any questions on this information, please call (509) 527-4274.

WSR 00-13-052
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE

(Wheat Commission)

[Memorandum—June 12, 2000]

The Washington Wheat Commission hereby complies with regulations as stated in RCW 42.30.075 and provides pertinent scheduled meeting changes, per the board of directors, for publication in the State Register. This meeting date, location, and time change is submitted at least twenty days prior to the rescheduled meeting date.

NOVEMBER MEETING WAS PREVIOUSLY LISTED AS:
 Regular - November 15 (10:00 a.m.) and 16 (8:30 a.m.)
 West 907 Riverside Avenue
 Spokane, WA

PLEASE CHANGE TO:
 Regular - November 8 (10:00 a.m.) and 9 (8:30 a.m.)
 West 907 Riverside Avenue
 Spokane, WA

WSR 00-13-056
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER

[Memorandum—June 13, 2000]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on Wednes-

day, June 21, 2000, at 1:30 p.m. in Room 403 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 00-13-066
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION

(State Capitol Committee)

[Memorandum—June 14, 2000]

Please record the following State Capitol Committee meeting date, time and location in the Washington State Register:

Date: Wednesday, August 9, 2000

Time: 10:00 a.m. to 12:00 p.m.

Location: Legislative Building, Senate Rules Room

If you have any questions regarding this meeting, please contact Kim M. Moore at (360) 902-0955.

WSR 00-13-085
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY

[Memorandum—June 20, 2000]

EASTERN WASHINGTON UNIVERSITY

BOARD OF TRUSTEES

June 23, 10:00 a.m.

Cheney Campus

PUB 263-5-7

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

WSR 00-13-086
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE

[Memorandum—June 19, 2000]

Following are the changes to the Tacoma Community College board of trustees July 20 meeting.

Time: 12:00 noon - 5:30 p.m.

Location: The Villa
 705 North 5th Street
 Tacoma, WA 98403

This is the board's summer retreat meeting. Meeting notices will be sent out listing this as a special meeting.

If you need any other information, you may call (253) 566-5101 or send an e-mail at ebushman@tcc.tacoma.ctc.edu.

WSR 00-13-087
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF PERSONNEL
 (Personnel Resources Board)
 [Memorandum—June 20, 2000]

The following is a revised schedule of the Washington Personnel Resources Board meetings for the remainder of year 2000.

- Thursday, July 13
- Tuesday, September 19
- Thursday, November 9

Should you have any questions regarding this matter, please contact Judy Montoure at (360) 664-6324.

WSR 00-13-096
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Memorandum—June 20, 2000]

At their regular June 15, 2000, meeting, the board of trustees of South Puget Sound Community College District 24 changed their 2000 meeting schedule as shown below:

Old Date	New Date
Thursday, July 13, 2000 - Tentative	No meeting
Thursday, August 10, 2000 - Tentative	No meeting
Thursday, September 14, 2000	September 7, 2000
Thursday, October 12, 2000	No change
Thursday, November 9, 2000	No change
Thursday, December 14, 2000	No change

WSR 00-13-118
INTERPRETIVE STATEMENT
DEPARTMENT OF REVENUE
 [Filed June 21, 2000, 11:58 a.m.]

REPEAL OF INTERPRETIVE STATEMENTS

This announcement of the repeal of these interpretive statements is being published in the Washington State Register pursuant to the requirements of RCW 34.05.230(4).

The Department of Revenue repealed the following excise tax advisories effective June 17, 2000:

ETA 025.04.136 Manufacturing and what constitutes taxable activity.

ETA 029.04.136 Cooking crabs as manufacturing within the state.

ETA 075.04.136 Mixing of ingredients as "manufacturing."

ETA 172.04.136 Staining of lumber constitutes manufacturing.

ETA 241.04.136 Cherry processing which includes brine curing, washing, pitting, sizing and sorting.

ETA 401.04.135 Oyster string production.

ETA 465.04.136 Shearing steel sheets and slitting steel coils as manufacturing.

ETA 469.04.136 Rerolling paper rolls, cutting paper into specific lengths, embossing, folding, and packaging as manufacturing.

These documents all identify specific activities that are considered manufacturing activities. A number of these activities have been incorporated as examples of manufacturing activities in the revised WAC 458-20-135 Extracting natural products or 458-20-136 Manufacturing, processing for hire, fabricating, as adopted on May 17, 2000. These examples and the information provided elsewhere in the revised rules provide sufficient guidance to allow the repeal of all of the listed ETAs.

ETA 398.04.136 Combining items to achieve a special purpose product is manufacturing.

ETA 466.04.136 Assembly of fruit bins as manufacturing.

WAC 458-20-136 has been revised to address the issue of when the combining or assembly of items is a manufacturing activity.

ETA 081.04.136 Manufacturing where plant and materials used are owned by another.

The information provided in this document was incorporated into a revised WAC 458-20-136.

Questions regarding the repeal of these bulletins may be directed to Alan R. Lynn, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 586-9040, fax (360) 664-0693, Internet alanl@dor.wa.gov.

Claire Hesselholt
 Policy Counsel

WSR 00-13-121
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS
 [Memorandum—June 21, 2000]

WASHINGTON STATE COMMISSION ON HISPANIC AFFAIRS
MEETING SCHEDULE
 2000

DATE	LOCATION
January 22	Tacoma
March 25	Mount Vernon
May 20	Pasco
July 29	Wenatchee
September 23	Othello
November 11	Vancouver, Washington

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
- OBJECT = 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 of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

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- 04-010	AMD-XA	00-13-109	4- 25-830	AMD	00-11-077	16- 80-005	AMD	00-06-066
1- 06-010	AMD-XA	00-13-109	4- 25-910	AMD-P	00-07-015	16- 80-007	AMD-P	00-03-068
1- 06-030	AMD-XA	00-13-109	4- 25-910	AMD	00-11-078	16- 80-007	AMD	00-06-066
1- 06-040	AMD-XA	00-13-109	16- 42	PREP	00-08-095	16- 80-010	AMD-P	00-03-068
1- 06-130	AMD-XA	00-13-109	16- 42-005	AMD-P	00-11-146	16- 80-010	AMD	00-06-066
1- 06-140	AMD-XA	00-13-109	16- 42-017	AMD-P	00-11-146	16- 80-015	AMD-P	00-03-068
1- 06-160	AMD-XA	00-13-109	16- 42-022	AMD-P	00-11-146	16- 80-015	AMD	00-06-066
1- 21-020	AMD-XA	00-13-109	16- 42-025	AMD-P	00-11-146	16- 80-020	AMD-P	00-03-068
1- 21-070	AMD-XA	00-13-109	16- 42-035	AMD-P	00-11-146	16- 80-020	AMD	00-06-066
1- 21-110	AMD-XA	00-13-109	16- 42-060	REP-P	00-11-146	16- 80-025	AMD-P	00-03-068
1- 21-140	AMD-XA	00-13-109	16- 70-001	REP-P	00-03-070	16- 80-025	AMD	00-06-066
1- 21-160	AMD-XA	00-13-109	16- 70-001	REP	00-06-064	16- 80-030	AMD-P	00-03-068
1- 21-170	AMD-XA	00-13-109	16- 70-005	AMD-P	00-03-070	16- 80-030	AMD	00-06-066
4- 25-400	AMD-P	00-07-004	16- 70-005	AMD	00-06-064	16- 80-035	AMD-P	00-03-068
4- 25-400	AMD	00-11-067	16- 70-010	AMD-P	00-03-070	16- 80-035	AMD	00-06-066
4- 25-510	PREP	00-03-032	16- 70-010	AMD	00-06-064	16- 80-040	AMD-P	00-03-068
4- 25-510	AMD-P	00-07-005	16- 70-030	REP-P	00-03-070	16- 80-040	AMD	00-06-066
4- 25-510	AMD	00-11-068	16- 70-030	REP	00-06-064	16- 80-045	AMD-P	00-03-068
4- 25-522	REP-P	00-07-006	16- 71	PREP	00-08-094	16- 80-045	AMD	00-06-066
4- 25-522	REP	00-11-069	16- 71-001	REP-P	00-11-145	16- 80-047	AMD-P	00-03-068
4- 25-540	AMD-P	00-07-007	16- 71-003	REP-P	00-11-145	16- 80-047	AMD	00-06-066
4- 25-540	AMD	00-11-070	16- 71-010	AMD-P	00-11-145	16- 80-050	REP-P	00-03-068
4- 25-631	AMD-P	00-07-008	16- 71-022	AMD-P	00-11-145	16- 80-050	REP	00-06-066
4- 25-631	AMD	00-11-071	16- 71-030	AMD-P	00-11-145	16-101	PREP	00-02-077
4- 25-660	AMD-P	00-07-009	16- 71-035	NEW-P	00-11-145	16-101X	PREP	00-07-115
4- 25-660	AMD	00-11-072	16- 71-040	REP-P	00-11-145	16-112-001	REP	00-05-024
4- 25-661	AMD-P	00-07-010	16- 71-050	REP-P	00-11-145	16-112-010	REP	00-05-024
4- 25-661	AMD	00-11-073	16- 74-001	REP-P	00-03-069	16-112-020	REP	00-05-024
4- 25-750	AMD-P	00-07-011	16- 74-001	REP	00-06-065	16-112-030	REP	00-05-024
4- 25-750	AMD	00-11-074	16- 74-005	NEW-P	00-03-069	16-143	NEW-C	00-11-112
4- 25-780	REP-P	00-07-012	16- 74-005	NEW	00-06-065	16-143-005	NEW-E	00-13-055
4- 25-780	REP	00-11-075	16- 74-010	AMD-P	00-03-069	16-143-010	NEW-P	00-08-107
4- 25-781	NEW-P	00-07-013	16- 74-010	AMD	00-06-065	16-143-010	NEW	00-11-123
4- 25-781	NEW	00-11-076	16- 74-020	AMD-P	00-03-069	16-143-020	NEW-P	00-08-107
4- 25-782	NEW-P	00-07-013	16- 74-020	AMD	00-06-065	16-143-020	NEW	00-11-123
4- 25-782	NEW	00-11-076	16- 74-030	AMD-P	00-03-069	16-143-030	NEW-P	00-08-107
4- 25-783	NEW-P	00-07-013	16- 74-030	AMD	00-06-065	16-143-030	NEW	00-11-123
4- 25-783	NEW	00-11-076	16- 74-040	REP-P	00-03-069	16-143-040	NEW-P	00-08-107
4- 25-830	PREP	00-03-033	16- 74-040	REP	00-06-065	16-143-040	NEW	00-11-123
4- 25-830	AMD-P	00-07-014	16- 80-005	AMD-P	00-03-068	16-143-050	NEW-P	00-08-107

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-143-050	NEW	00-11-123	16-228-1125	NEW-P	00-10-098	16-483-040	AMD	00-05-105
16-143-060	NEW-P	00-08-107	16-228-1125	NEW-C	00-13-031	16-483-050	AMD	00-05-105
16-143-060	NEW	00-11-123	16-228-1130	AMD-P	00-10-098	16-483-060	REP	00-05-105
16-143-070	NEW-P	00-08-107	16-228-1130	AMD-C	00-13-031	16-516-010	AMD-XA	00-07-079
16-143-070	NEW	00-11-123	16-228-1140	REP-P	00-10-098	16-516-010	AMD	00-11-180
16-143-080	NEW-P	00-08-107	16-228-1140	REP-C	00-13-031	16-516-020	AMD-XA	00-07-079
16-143-080	NEW	00-11-123	16-228-1150	PREP	00-03-080	16-516-020	AMD	00-11-180
16-143-090	NEW-P	00-08-107	16-228-1150	AMD-P	00-10-098	16-536-040	AMD-P	00-05-089
16-143-090	NEW	00-11-123	16-228-1150	AMD-C	00-13-031	16-550-020	AMD-XA	00-05-090
16-143-100	NEW-P	00-08-107	16-228-1155	NEW-P	00-10-098	16-550-020	AMD	00-10-022
16-143-100	NEW	00-11-123	16-228-1155	NEW-C	00-13-031	16-555-020	AMD-XA	00-05-091
16-143-110	NEW-P	00-08-107	16-228-1200	PREP	00-03-080	16-555-020	AMD	00-10-024
16-143-110	NEW	00-11-123	16-228-1220	PREP	00-03-077	16-557	REP-C	00-08-066
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16-147-020	AMD	00-05-025	16-228-1240	PREP	00-03-077	16-557-010	REP-C	00-07-136
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16-154-080	AMD-S	00-13-012	16-228-1400	PREP	00-03-078	16-557-030	REP-W	00-10-066
16-154-090	AMD-S	00-13-012	16-228-1500	PREP	00-03-079	16-557-040	REP-C	00-07-136
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16-213-010	REP	00-08-041	16-230-610	PREP	00-13-030	16-557-080	REP-W	00-10-066
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16-213-110	REP-P	00-05-048	16-230-625	PREP	00-13-030	16-570	PREP	00-10-109
16-213-110	REP	00-08-041	16-230-630	PREP	00-13-030	16-573	PREP	00-10-108
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16-213-240	REP-P	00-05-048	16-233	PREP	00-09-029	50- 12-020	DECOD-X	00-13-101
16-213-240	REP	00-08-041	16-404	PREP	00-03-083	50- 12-030	AMD-XA	00-13-101
16-213-250	REP-P	00-05-048	16-409	PREP	00-03-085	50- 12-030	DECOD-X	00-13-101
16-213-250	REP	00-08-041	16-414	PREP	00-07-132	50- 12-045	AMD-XA	00-13-101
16-213-260	AMD-P	00-05-048	16-439	PREP	00-07-134	50- 12-045	DECOD-X	00-13-101
16-213-260	AMD	00-08-041	16-442	PREP	00-07-133	50- 12-050	DECOD-X	00-13-101
16-213-270	AMD-P	00-05-048	16-445	PREP	00-03-084	50- 12-060	AMD-XA	00-13-101
16-213-270	AMD	00-08-041	16-463	PREP	00-07-135	50- 12-060	DECOD-X	00-13-101
16-228-1010	PREP	00-03-080	16-483	AMD-C	00-04-066	50- 12-070	AMD-XA	00-13-101
16-228-1040	PREP	00-03-080	16-483-001	AMD	00-05-105	50- 12-070	DECOD-X	00-13-101
16-228-1110	AMD-P	00-10-098	16-483-005	AMD	00-05-105	50- 12-080	DECOD-X	00-13-101
16-228-1110	AMD-C	00-13-031	16-483-010	AMD	00-05-105	50- 12-090	DECOD-X	00-13-101
16-228-1120	AMD-P	00-10-098	16-483-020	AMD	00-05-105	50- 12-100	DECOD-X	00-13-101
16-228-1120	AMD-C	00-13-031	16-483-030	AMD	00-05-105	50- 12-110	DECOD-X	00-13-101

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50-12-115	DECOD-X	00-13-101	50-14-110	DECOD-X	00-13-101	50-48-070	DECOD-X	00-13-101
50-12-116	DECOD-X	00-13-101	50-14-120	AMD-XA	00-13-101	50-48-080	DECOD-X	00-13-101
50-12-117	AMD-XA	00-13-101	50-14-120	DECOD-X	00-13-101	50-48-090	AMD-XA	00-13-101
50-12-117	DECOD-X	00-13-101	50-14-130	AMD-XA	00-13-101	50-48-090	DECOD-X	00-13-101
50-12-120	AMD-XA	00-13-101	50-14-130	DECOD-X	00-13-101	50-48-100	AMD-XA	00-13-101
50-12-120	DECOD-X	00-13-101	50-14-140	DECOD-X	00-13-101	50-48-100	DECOD-X	00-13-101
50-12-130	DECOD-X	00-13-101	50-28-010	DECOD-X	00-13-101	50-56-010	AMD-XA	00-13-101
50-12-140	AMD-XA	00-13-101	50-28-020	AMD-XA	00-13-101	50-56-010	DECOD-X	00-13-101
50-12-140	DECOD-X	00-13-101	50-28-020	DECOD-X	00-13-101	50-56-020	AMD-XA	00-13-101
50-12-150	AMD-XA	00-13-101	50-28-030	AMD-XA	00-13-101	50-56-020	DECOD-X	00-13-101
50-12-150	DECOD-X	00-13-101	50-28-030	DECOD-X	00-13-101	50-56-030	AMD-XA	00-13-101
50-12-160	AMD-XA	00-13-101	50-28-040	DECOD-X	00-13-101	50-56-030	DECOD-X	00-13-101
50-12-160	DECOD-X	00-13-101	50-28-050	AMD-XA	00-13-101	50-56-040	AMD-XA	00-13-101
50-12-170	DECOD-X	00-13-101	50-28-050	DECOD-X	00-13-101	50-56-040	DECOD-X	00-13-101
50-12-180	DECOD-X	00-13-101	50-28-060	AMD-XA	00-13-101	50-56-050	AMD-XA	00-13-101
50-12-190	DECOD-X	00-13-101	50-28-060	DECOD-X	00-13-101	50-56-050	DECOD-X	00-13-101
50-12-200	AMD-XA	00-13-101	50-28-070	AMD-XA	00-13-101	50-56-060	AMD-XA	00-13-101
50-12-200	DECOD-X	00-13-101	50-28-070	DECOD-X	00-13-101	50-56-060	DECOD-X	00-13-101
50-12-210	AMD-XA	00-13-101	50-28-990	AMD-XA	00-13-101	50-56-070	AMD-XA	00-13-101
50-12-210	DECOD-X	00-13-101	50-28-990	DECOD-X	00-13-101	50-56-070	DECOD-X	00-13-101
50-12-220	DECOD-X	00-13-101	50-36-010	DECOD-X	00-13-101	50-56-080	AMD-XA	00-13-101
50-12-230	PREP	00-13-099	50-36-020	AMD-XA	00-13-101	50-56-080	DECOD-X	00-13-101
50-12-230	AMD-XA	00-13-101	50-36-020	DECOD-X	00-13-101	82-50-021	AMD-XA	00-05-016
50-12-230	DECOD-X	00-13-101	50-36-030	DECOD-X	00-13-101	82-50-021	AMD	00-09-088
50-12-240	DECOD-X	00-13-101	50-36-040	DECOD-X	00-13-101	112-10-010	AMD	00-05-036
50-12-250	AMD-XA	00-13-101	50-36-050	AMD-XA	00-13-101	112-10-020	AMD	00-05-036
50-12-250	DECOD-X	00-13-101	50-36-050	DECOD-X	00-13-101	112-10-030	AMD	00-05-036
50-12-260	DECOD-X	00-13-101	50-36-060	DECOD-X	00-13-101	112-10-040	AMD	00-05-036
50-12-270	DECOD-X	00-13-101	50-36-070	DECOD-X	00-13-101	112-10-050	AMD	00-05-036
50-12-280	DECOD-X	00-13-101	50-36-080	AMD-XA	00-13-101	112-10-060	AMD	00-05-036
50-12-290	DECOD-X	00-13-101	50-36-080	DECOD-X	00-13-101	112-10-070	NEW	00-05-036
50-12-300	DECOD-X	00-13-101	50-36-090	AMD-XA	00-13-101	112-10-080	NEW	00-05-036
50-12-310	AMD-XA	00-13-101	50-36-090	DECOD-X	00-13-101	118-03-330	REP	00-05-012
50-12-310	DECOD-X	00-13-101	50-36-100	DECOD-X	00-13-101	118-06-010	REP	00-05-011
50-12-320	DECOD-X	00-13-101	50-36-110	DECOD-X	00-13-101	118-06-020	REP	00-05-011
50-12-330	DECOD-X	00-13-101	50-36-120	DECOD-X	00-13-101	118-06-030	REP	00-05-011
50-12-340	DECOD-X	00-13-101	50-44-005	AMD-XA	00-13-101	118-06-040	REP	00-05-011
50-12-350	AMD-XA	00-13-101	50-44-005	DECOD-X	00-13-101	118-06-050	REP	00-05-011
50-12-350	DECOD-X	00-13-101	50-44-010	AMD-XA	00-13-101	118-06-060	REP	00-05-011
50-12-360	DECOD-X	00-13-101	50-44-010	DECOD-X	00-13-101	118-06-070	REP	00-05-011
50-12-370	AMD-XA	00-13-101	50-44-020	AMD-XA	00-13-101	118-06-080	REP	00-05-011
50-12-370	DECOD-X	00-13-101	50-44-020	DECOD-X	00-13-101	118-07-010	REP	00-05-011
50-14-010	AMD-XA	00-13-101	50-44-025	DECOD-X	00-13-101	118-07-020	REP	00-05-011
50-14-010	DECOD-X	00-13-101	50-44-030	AMD-XA	00-13-101	118-07-030	REP	00-05-011
50-14-020	AMD-XA	00-13-101	50-44-030	DECOD-X	00-13-101	118-07-040	REP	00-05-011
50-14-020	DECOD-X	00-13-101	50-44-037	DECOD-X	00-13-101	118-07-050	REP	00-05-011
50-14-030	AMD-XA	00-13-101	50-44-039	DECOD-X	00-13-101	118-07-060	REP	00-05-011
50-14-030	DECOD-X	00-13-101	50-44-050	AMD-XA	00-13-101	118-08-010	REP	00-05-011
50-14-040	AMD-XA	00-13-101	50-44-050	DECOD-X	00-13-101	118-08-020	REP	00-05-011
50-14-040	DECOD-X	00-13-101	50-44-060	AMD-XA	00-13-101	118-08-030	REP	00-05-011
50-14-050	AMD-XA	00-13-101	50-44-060	DECOD-X	00-13-101	118-08-040	REP	00-05-011
50-14-050	DECOD-X	00-13-101	50-48-010	AMD-XA	00-13-101	118-08-050	REP	00-05-011
50-14-060	AMD-XA	00-13-101	50-48-010	DECOD-X	00-13-101	118-08-060	REP	00-05-011
50-14-060	DECOD-X	00-13-101	50-48-020	AMD-XA	00-13-101	118-08-070	REP	00-05-011
50-14-070	AMD-XA	00-13-101	50-48-020	DECOD-X	00-13-101	131-16	PREP	00-08-029
50-14-070	DECOD-X	00-13-101	50-48-030	AMD-XA	00-13-101	131-16-021	AMD-E	00-09-050
50-14-080	AMD-XA	00-13-101	50-48-030	DECOD-X	00-13-101	131-16-021	AMD-P	00-10-099
50-14-080	DECOD-X	00-13-101	50-48-040	DECOD-X	00-13-101	131-16-031	AMD-E	00-09-050
50-14-090	AMD-XA	00-13-101	50-48-050	DECOD-X	00-13-101	131-16-031	AMD-P	00-10-099
50-14-090	DECOD-X	00-13-101	50-48-060	AMD-XA	00-13-101	131-16-450	PREP	00-07-128
50-14-100	AMD-XA	00-13-101	50-48-060	DECOD-X	00-13-101	132E-120	PREP	00-02-082
50-14-100	DECOD-X	00-13-101	50-48-070	AMD-XA	00-13-101	132E-120	AMD-P	00-06-063

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132E-120-010	DECOD-P	00-06-063	132G-276-080	AMD	00-10-048	132Q- 04-035	REP-P	00-08-075
132E-120-020	AMD-P	00-06-063	132G-276-090	AMD-P	00-02-074	132Q- 04-040	REP-P	00-08-075
132E-120-020	DECOD-P	00-06-063	132G-276-090	AMD-S	00-06-074	132Q- 04-050	REP-P	00-08-075
132E-120-030	AMD-P	00-06-063	132G-276-090	AMD	00-10-048	132Q- 04-060	REP-P	00-08-075
132E-120-030	DECOD-P	00-06-063	132G-276-100	AMD-P	00-02-074	132Q- 04-061	REP-P	00-08-075
132E-120-040	AMD-P	00-06-063	132G-276-100	AMD-S	00-06-074	132Q- 04-067	REP-P	00-08-075
132E-120-040	DECOD-P	00-06-063	132G-276-100	AMD	00-10-048	132Q- 04-068	REP-P	00-08-075
132E-120-110	NEW-P	00-06-063	132G-276-110	AMD-P	00-02-074	132Q- 04-070	REP-P	00-08-075
132E-120-120	NEW-P	00-06-063	132G-276-110	AMD-S	00-06-074	132Q- 04-075	REP-P	00-08-075
132E-120-130	NEW-P	00-06-063	132G-276-110	AMD	00-10-048	132Q- 04-076	AMD-P	00-08-075
132E-120-140	NEW-P	00-06-063	132G-276-120	AMD-P	00-02-074	132Q- 04-080	REP-P	00-08-075
132E-120-150	NEW-P	00-06-063	132G-276-120	AMD-S	00-06-074	132Q- 04-081	REP-P	00-08-075
132E-120-160	RECOD-P	00-06-063	132G-276-120	AMD	00-10-048	132Q- 04-082	REP-P	00-08-075
132E-120-170	RECOD-P	00-06-063	132G-276-130	AMD-P	00-02-074	132Q- 04-083	REP-P	00-08-075
132E-120-180	RECOD-P	00-06-063	132G-276-130	AMD-S	00-06-074	132Q- 04-085	REP-P	00-08-075
132E-120-190	RECOD-P	00-06-063	132G-276-130	AMD	00-10-048	132Q- 04-090	REP-P	00-08-075
132E-120-200	NEW-P	00-06-063	132G-276-900	AMD-P	00-02-074	132Q- 04-094	REP-P	00-08-075
132E-120-210	NEW-P	00-06-063	132G-276-900	AMD-S	00-06-074	132Q- 04-095	REP-P	00-08-075
132E-120-220	RECOD-P	00-06-063	132G-276-900	AMD	00-10-048	132Q- 04-096	REP-P	00-08-075
132E-120-230	RECOD-P	00-06-063	132H-160-182	AMD	00-11-102	132Q- 04-100	AMD-P	00-08-075
132E-120-240	NEW-P	00-06-063	132L- 20-010	REP	00-07-113	132Q- 04-110	AMD-P	00-08-075
132E-120-250	NEW-P	00-06-063	132L- 20-030	REP	00-07-113	132Q- 04-120	AMD-P	00-08-075
132E-120-260	NEW-P	00-06-063	132L- 20-050	REP	00-07-113	132Q- 04-130	AMD-P	00-08-075
132E-120-270	NEW-P	00-06-063	132L- 20-070	REP	00-07-113	132Q- 04-140	AMD-P	00-08-075
132E-120-280	NEW-P	00-06-063	132L- 20-080	REP	00-07-113	132Q- 04-150	AMD-P	00-08-075
132E-120-290	NEW-P	00-06-063	132L- 20-130	REP	00-07-113	132Q- 04-170	AMD-P	00-08-075
132E-120-300	NEW-P	00-06-063	132L- 20-135	REP	00-07-113	132Q- 04-180	AMD-P	00-08-075
132E-120-310	NEW-P	00-06-063	132L- 20-140	REP	00-07-113	132Q- 04-190	AMD-P	00-08-075
132E-120-320	NEW-P	00-06-063	132L- 22-020	REP	00-07-113	132Q- 04-200	AMD-P	00-08-075
132E-120-330	NEW-P	00-06-063	132L- 22-060	REP	00-07-113	132Q- 04-210	AMD-P	00-08-075
132E-120-340	NEW-P	00-06-063	132L- 22-070	REP	00-07-113	132Q- 04-240	AMD-P	00-08-075
132E-120-350	NEW-P	00-06-063	132L- 22-080	REP	00-07-113	132Q- 04-250	AMD-P	00-08-075
132E-120-360	NEW-P	00-06-063	132L- 24-010	REP	00-07-113	132Q- 04-260	AMD-P	00-08-075
132E-120-370	NEW-P	00-06-063	132L- 24-020	REP	00-07-113	132Q- 04-280	AMD-P	00-08-075
132E-120-380	NEW-P	00-06-063	132L- 24-030	REP	00-07-113	132Q- 05-010	AMD-P	00-08-075
132E-120-390	NEW-P	00-06-063	132L- 24-090	REP	00-07-113	132Q- 05-020	AMD-P	00-08-075
132E-120-400	NEW-P	00-06-063	132L- 25-010	REP	00-07-113	132Q- 05-033	AMD-P	00-08-075
132E-120-410	NEW-P	00-06-063	132L-120-010	AMD	00-07-113	132Q- 05-036	AMD-P	00-08-075
132E-121-010	AMD-P	00-06-063	132L-120-015	NEW	00-07-113	132Q- 05-040	AMD-P	00-08-075
132E-121-010	DECOD-P	00-06-063	132L-120-020	AMD	00-07-113	132Q- 05-050	AMD-P	00-08-075
132E-124-020	AMD-P	00-06-063	132L-120-030	NEW	00-07-113	132Q- 05-060	AMD-P	00-08-075
132E-124-020	DECOD-P	00-06-063	132L-120-040	NEW	00-07-113	132Q- 05-070	AMD-P	00-08-075
132G-276-010	AMD-P	00-02-074	132L-120-070	NEW	00-07-113	132Q- 05-080	AMD-P	00-08-075
132G-276-010	AMD-S	00-06-074	132L-120-080	NEW	00-07-113	132Q- 05-090	AMD-P	00-08-075
132G-276-010	AMD	00-10-048	132L-120-090	NEW	00-07-113	132Q- 05-100	AMD-P	00-08-075
132G-276-020	AMD-P	00-02-074	132L-120-100	NEW	00-07-113	132Q- 20-010	AMD-P	00-08-075
132G-276-020	AMD-S	00-06-074	132L-120-110	NEW	00-07-113	132Q- 20-020	AMD-P	00-08-075
132G-276-020	AMD	00-10-048	132L-120-120	NEW	00-07-113	132Q- 20-040	AMD-P	00-08-075
132G-276-030	REP-P	00-02-074	132L-120-130	NEW	00-07-113	132Q- 20-060	AMD-P	00-08-075
132G-276-030	REP-S	00-06-074	132L-120-140	NEW	00-07-113	132Q- 20-080	AMD-P	00-08-075
132G-276-030	REP	00-10-048	132L-120-150	NEW	00-07-113	132Q- 20-090	AMD-P	00-08-075
132G-276-040	REP-P	00-02-074	132L-120-160	NEW	00-07-113	132Q- 20-110	AMD-P	00-08-075
132G-276-040	REP-S	00-06-074	132L-120-170	NEW	00-07-113	132Q- 20-130	AMD-P	00-08-075
132G-276-040	REP	00-10-048	132L-120-180	NEW	00-07-113	132Q- 20-150	AMD-P	00-08-075
132G-276-050	AMD-P	00-02-074	132L-120-190	NEW	00-07-113	132Q- 20-160	AMD-P	00-08-075
132G-276-050	AMD-S	00-06-074	132L-120-200	NEW	00-07-113	132Q- 20-170	AMD-P	00-08-075
132G-276-050	AMD	00-10-048	132L-120-210	NEW	00-07-113	132Q- 20-180	AMD-P	00-08-075
132G-276-060	AMD-P	00-02-074	132L-120-220	NEW	00-07-113	132Q- 20-200	AMD-P	00-08-075
132G-276-060	AMD-S	00-06-074	132N-156	PREP	00-10-043	132Q- 20-210	AMD-P	00-08-075
132G-276-060	AMD	00-10-048	132Q- 04-010	AMD-P	00-08-075	132Q- 20-220	AMD-P	00-08-075
132G-276-080	AMD-P	00-02-074	132Q- 04-020	AMD-P	00-08-075	132Q- 20-240	AMD-P	00-08-075
132G-276-080	AMD-S	00-06-074	132Q- 04-031	NEW-P	00-08-075	132Q- 20-250	AMD-P	00-08-075

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132Q- 20-270	AMD-P	00-08-075	132X- 50-060	AMD	00-05-023	132Z-115-160	NEW-P	00-07-121
132Q- 94-010	AMD-P	00-08-075	132X- 50-080	AMD	00-05-023	132Z-115-170	NEW-P	00-07-121
132Q- 94-020	AMD-P	00-08-075	132X- 50-110	AMD	00-05-023	132Z-115-180	NEW-P	00-07-121
132Q- 94-030	AMD-P	00-08-075	132X- 50-120	AMD	00-05-023	132Z-115-190	NEW-P	00-07-121
132Q- 94-125	AMD-P	00-08-075	132X- 50-130	AMD	00-05-023	132Z-115-200	NEW-P	00-07-121
132Q- 94-150	AMD-P	00-08-075	132X- 50-140	AMD	00-05-023	132Z-115-210	NEW-P	00-07-121
132S- 40-005	AMD-P	00-12-010	132X- 50-150	AMD	00-05-023	132Z-115-220	NEW-P	00-07-121
132S- 40-010	REP-P	00-12-010	132X- 50-160	AMD	00-05-023	132Z-115-230	NEW-P	00-07-121
132S- 40-015	REP-P	00-12-010	132X- 50-170	AMD	00-05-023	136- 10-035	NEW-P	00-12-003
132S- 40-020	REP-P	00-12-010	132X- 50-180	AMD	00-05-023	136-150-022	AMD-P	00-12-004
132S- 40-025	REP-P	00-12-010	132X- 50-190	AMD	00-05-023	136-167-020	AMD	00-05-043
132S- 40-030	REP-P	00-12-010	132X- 50-210	AMD	00-05-023	136-167-030	AMD	00-05-043
132S- 40-035	REP-P	00-12-010	132X- 50-230	AMD	00-05-023	137- 28	PREP	00-02-070
132S- 40-040	REP-P	00-12-010	132X- 50-240	AMD	00-05-023	137- 28-140	AMD-P	00-07-048
132S- 40-045	REP-P	00-12-010	132X- 50-260	AMD	00-05-023	137- 28-140	AMD	00-10-079
132S- 40-046	REP-P	00-12-010	132X- 50-270	AMD	00-05-023	137- 28-160	AMD-P	00-07-048
132S- 40-055	REP-P	00-12-010	132X- 50-280	AMD	00-05-023	137- 28-160	AMD	00-10-079
132S- 40-060	REP-P	00-12-010	132X- 60-010	AMD	00-05-023	137- 28-170	AMD-P	00-07-048
132S- 40-065	REP-P	00-12-010	132X- 60-015	NEW	00-05-023	137- 28-170	AMD	00-10-079
132S- 40-070	REP-P	00-12-010	132X- 60-020	AMD	00-05-023	137- 28-185	NEW-P	00-07-048
132S- 40-075	REP-P	00-12-010	132X- 60-035	NEW	00-05-023	137- 28-185	NEW	00-10-079
132S- 40-080	REP-P	00-12-010	132X- 60-037	NEW	00-05-023	137- 28-220	AMD-P	00-07-048
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173-240-040	AMD-XA	00-10-054	173-303-071	AMD	00-11-040	173-303-620	AMD	00-11-040
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173-306-100	AMD-XA	00-13-022	173-322-020	AMD-W	00-09-083	173-340-820	AMD-W	00-09-083
173-306-150	AMD-XA	00-13-022	173-322-030	AMD-W	00-09-083	173-340-830	AMD-W	00-09-083
173-306-200	AMD-XA	00-13-022	173-322-040	AMD-W	00-09-083	173-340-840	AMD-W	00-09-083
173-306-300	AMD-XA	00-13-022	173-322-050	AMD-W	00-09-083	173-340-850	AMD-W	00-09-083
173-306-310	AMD-XA	00-13-022	173-322-060	AMD-W	00-09-083	173-340-990	NEW-W	00-09-083
173-306-320	AMD-XA	00-13-022	173-322-070	AMD-W	00-09-083	173-425	AMD	00-07-066
173-306-330	AMD-XA	00-13-022	173-322-090	AMD-W	00-09-083	173-425-010	AMD	00-07-066
173-306-340	AMD-XA	00-13-022	173-322-100	AMD-W	00-09-083	173-425-020	AMD	00-07-066
173-306-345	AMD-XA	00-13-022	173-322-110	AMD-W	00-09-083	173-425-030	AMD	00-07-066
173-306-350	AMD-XA	00-13-022	173-322-120	AMD-W	00-09-083	173-425-040	AMD	00-07-066
173-306-400	AMD-XA	00-13-022	173-340-100	AMD-W	00-09-083	173-425-050	AMD	00-07-066
173-306-405	AMD-XA	00-13-022	173-340-120	AMD-W	00-09-083	173-425-060	AMD	00-07-066
173-306-410	AMD-XA	00-13-022	173-340-130	AMD-W	00-09-083	173-425-070	AMD	00-07-066
173-306-440	AMD-XA	00-13-022	173-340-140	AMD-W	00-09-083	173-425-080	AMD	00-07-066
173-306-450	AMD-XA	00-13-022	173-340-200	AMD-W	00-09-083	173-425-090	REP	00-07-066
173-306-470	AMD-XA	00-13-022	173-340-210	AMD-W	00-09-083	173-425-100	REP	00-07-066
173-306-480	AMD-XA	00-13-022	173-340-300	AMD-W	00-09-083	173-425-110	REP	00-07-066
173-306-490	AMD-XA	00-13-022	173-340-310	AMD-W	00-09-083	180- 27-032	AMD	00-04-007
173-306-495	AMD-XA	00-13-022	173-340-320	AMD-W	00-09-083	180- 27-102	AMD-P	00-05-104
173-306-500	AMD-XA	00-13-022	173-340-330	AMD-W	00-09-083	180- 27-102	AMD	00-09-045
173-306-900	AMD-XA	00-13-022	173-340-340	AMD-W	00-09-083	180- 29-068	NEW	00-04-008
173-306-9901	AMD-XA	00-13-022	173-340-350	AMD-W	00-09-083	180- 29-085	AMD-P	00-10-060
173-307-010	AMD-XA	00-10-052	173-340-360	AMD-W	00-09-083	180- 40-270	AMD	00-07-018
173-307-015	AMD-XA	00-10-052	173-340-370	NEW-W	00-09-083	180- 40-285	AMD	00-07-018
173-307-020	AMD-XA	00-10-052	173-340-380	NEW-W	00-09-083	180- 40-305	AMD	00-07-018
173-307-030	AMD-XA	00-10-052	173-340-390	NEW-W	00-09-083	180- 40-315	AMD	00-07-018
173-307-040	AMD-XA	00-10-052	173-340-400	AMD-W	00-09-083	180- 50	PREP	00-12-017
173-307-050	AMD-XA	00-10-052	173-340-410	AMD-W	00-09-083	180- 51	PREP	00-11-171
173-307-060	AMD-XA	00-10-052	173-340-420	AMD-W	00-09-083	180- 51-063	NEW	00-04-047
173-307-070	AMD-XA	00-10-052	173-340-430	AMD-W	00-09-083	180- 51-063	PREP	00-07-017
173-307-080	AMD-XA	00-10-052	173-340-440	AMD-W	00-09-083	180- 51-063	AMD-P	00-10-018
173-307-090	AMD-XA	00-10-052	173-340-450	AMD-W	00-09-083	180- 51-063	AMD	00-13-039
173-307-100	AMD-XA	00-10-052	173-340-510	AMD-W	00-09-083	180- 51-064	NEW	00-04-047
173-307-110	AMD-XA	00-10-052	173-340-515	NEW-W	00-09-083	180- 51-075	AMD	00-05-010
173-307-130	AMD-XA	00-10-052	173-340-520	AMD-W	00-09-083	180- 51-075	PREP	00-06-054
173-307-140	AMD-XA	00-10-052	173-340-530	AMD-W	00-09-083	180- 51-075	AMD-P	00-10-081
173-310-010	AMD-XA	00-13-023	173-340-545	NEW-W	00-09-083	180- 52-041	NEW	00-03-046
173-310-020	AMD-XA	00-13-023	173-340-550	AMD-W	00-09-083	180- 56-230	PREP	00-07-046
173-310-030	AMD-XA	00-13-023	173-340-600	AMD-W	00-09-083	180- 56-230	AMD-P	00-10-020
173-310-040	AMD-XA	00-13-023	173-340-610	AMD-W	00-09-083	180- 56-230	AMD	00-13-038
173-310-050	AMD-XA	00-13-023	173-340-700	AMD-W	00-09-083	180- 57	PREP	00-12-016
173-310-060	AMD-XA	00-13-023	173-340-702	AMD-W	00-09-083	180- 57-070	PREP	00-07-016
173-310-070	AMD-XA	00-13-023	173-340-704	AMD-W	00-09-083	180- 57-070	AMD-P	00-10-019
173-310-080	AMD-XA	00-13-023	173-340-705	AMD-W	00-09-083	180- 77	PREP	00-11-082
173-310-090	AMD-XA	00-13-023	173-340-706	AMD-W	00-09-083	180- 77A	PREP	00-11-082
173-310-100	AMD-XA	00-13-023	173-340-708	AMD-W	00-09-083	180- 78A-010	AMD	00-03-049
173-312-010	AMD-XA	00-13-024	173-340-709	NEW-W	00-09-083	180- 78A-100	AMD-P	00-05-082
173-312-020	AMD-XA	00-13-024	173-340-710	AMD-W	00-09-083	180- 78A-100	AMD	00-09-049
173-312-030	AMD-XA	00-13-024	173-340-720	AMD-W	00-09-083	180- 78A-209	AMD-P	00-05-079
173-312-040	AMD-XA	00-13-024	173-340-730	AMD-W	00-09-083	180- 78A-209	AMD	00-09-046
173-312-050	AMD-XA	00-13-024	173-340-740	AMD-W	00-09-083	180- 78A-500	PREP	00-05-078
173-312-060	AMD-XA	00-13-024	173-340-745	AMD-W	00-09-083	180- 78A-500	AMD-P	00-10-083
173-312-080	AMD-XA	00-13-024	173-340-747	NEW-W	00-09-083	180- 78A-500	AMD	00-13-064
173-312-090	AMD-XA	00-13-024	173-340-7490	NEW-W	00-09-083	180- 78A-505	AMD	00-03-049
173-312-100	AMD-XA	00-13-024	173-340-7491	NEW-W	00-09-083	180- 78A-510	AMD	00-03-049
173-321-010	AMD-W	00-09-083	173-340-7492	NEW-W	00-09-083	180- 78A-515	AMD	00-03-049
173-321-020	AMD-W	00-09-083	173-340-7493	NEW-W	00-09-083	180- 78A-520	AMD	00-03-049
173-321-040	AMD-W	00-09-083	173-340-7494	NEW-W	00-09-083	180- 78A-525	AMD	00-03-049
173-321-050	AMD-W	00-09-083	173-340-750	AMD-W	00-09-083	180- 78A-530	AMD	00-03-049
173-321-060	AMD-W	00-09-083	173-340-760	AMD-W	00-09-083	180- 78A-535	AMD	00-03-049
173-321-080	AMD-W	00-09-083	173-340-800	AMD-W	00-09-083	180- 78A-535	PREP	00-11-080
173-322	AMD-W	00-09-083	173-340-810	AMD-W	00-09-083	180- 78A-540	AMD	00-03-049

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180- 79A	PREP	00-11-082	192-270-010	NEW-E	00-05-063	204- 24-030	PREP	00-08-111
180- 79A-006	AMD	00-03-048	192-270-010	NEW-E	00-13-057	204- 24-030	AMD-P	00-11-173
180- 79A-007	AMD	00-03-048	192-270-015	NEW-E	00-05-063	204- 24-050	AMD	00-03-081
180- 79A-123	AMD-P	00-05-080	192-270-015	NEW-E	00-13-057	204- 38-030	AMD	00-03-023
180- 79A-123	AMD	00-09-048	192-270-020	NEW-E	00-05-063	204- 38-040	AMD	00-03-023
180- 79A-130	AMD	00-03-048	192-270-020	NEW-E	00-13-057	204- 38-050	AMD	00-03-023
180- 79A-140	PREP	00-05-076	192-270-025	NEW-E	00-05-063	204- 96-010	AMD-E	00-10-059
180- 79A-140	AMD-P	00-10-084	192-270-025	NEW-E	00-13-057	204- 96-010	PREP	00-11-174
180- 79A-140	AMD	00-13-063	192-270-030	NEW-E	00-05-063	204- 97-010	NEW-W	00-12-028
180- 79A-145	AMD	00-03-048	192-270-030	NEW-E	00-13-057	204- 97-020	NEW-W	00-12-028
180- 79A-206	AMD	00-03-048	192-270-035	NEW-E	00-05-063	204- 97-030	NEW-W	00-12-028
180- 79A-231	PREP	00-05-076	192-270-035	NEW-E	00-13-057	204- 97-040	NEW-W	00-12-028
180- 79A-231	AMD-P	00-10-084	192-270-040	NEW-E	00-05-063	208-440	PREP	00-04-074
180- 79A-231	AMD	00-13-063	192-270-040	NEW-E	00-13-057	208-440	AMD-P	00-13-041
180- 79A-250	AMD	00-03-048	192-270-045	NEW-E	00-05-063	208-440-010	PREP	00-04-074
180- 79A-257	AMD	00-03-048	192-270-045	NEW-E	00-13-057	208-440-010	AMD-P	00-13-041
180- 79A-260	AMD	00-03-050	192-270-050	NEW-E	00-05-063	208-440-020	PREP	00-04-074
180- 82	PREP	00-11-081	192-270-050	NEW-E	00-13-057	208-440-020	REP-P	00-13-041
180- 82	PREP	00-11-082	192-270-055	NEW-E	00-05-063	208-440-040	PREP	00-04-074
180- 82-110	PREP	00-11-083	192-270-055	NEW-E	00-13-057	208-440-040	REP-P	00-13-041
180- 82-204	AMD-P	00-05-083	192-270-060	NEW-E	00-05-063	208-440-050	PREP	00-04-074
180- 82-204	AMD	00-09-047	192-270-060	NEW-E	00-13-057	208-440-050	REP-P	00-13-041
180- 82-311	NEW-P	00-05-083	192-270-065	NEW-E	00-05-063	208-512-020	RECOD-X	00-13-101
180- 82-311	NEW	00-09-047	192-270-065	NEW-E	00-13-057	208-512-030	RECOD-X	00-13-101
180- 82-313	NEW-P	00-05-083	192-270-070	NEW-E	00-05-063	208-512-045	RECOD-X	00-13-101
180- 82-313	NEW	00-09-047	192-270-070	NEW-E	00-13-057	208-512-050	RECOD-X	00-13-101
180- 82-335	NEW-P	00-05-083	192-300-050	NEW	00-05-068	208-512-060	RECOD-X	00-13-101
180- 82-335	NEW	00-09-047	192-300-170	NEW	00-05-064	208-512-070	RECOD-X	00-13-101
180- 82-340	NEW-P	00-05-083	192-300-190	NEW	00-05-067	208-512-070	RECOD-X	00-13-101
180- 82-340	NEW	00-09-047	192-320-050	NEW	00-05-068	208-512-080	RECOD-X	00-13-101
180- 82-341	NEW-P	00-05-083	192-320-070	NEW	00-05-069	208-512-090	RECOD-X	00-13-101
180- 82-341	NEW	00-09-047	192-330-100	NEW	00-05-066	208-512-100	RECOD-X	00-13-101
180- 82-342	AMD-P	00-05-083	192-340-010	NEW	00-05-065	208-512-110	RECOD-X	00-13-101
180- 82-342	AMD	00-09-047	194- 20-010	AMD	00-08-039	208-512-115	RECOD-X	00-13-101
180- 82-343	AMD-P	00-05-083	194- 20-010	DECOD	00-08-039	208-512-116	RECOD-X	00-13-101
180- 82-343	AMD	00-09-047	194- 20-020	AMD	00-08-039	208-512-117	RECOD-X	00-13-101
180- 85-030	PREP	00-05-077	194- 20-020	DECOD	00-08-039	208-512-120	RECOD-X	00-13-101
180- 85-030	AMD-P	00-10-082	194- 20-030	AMD	00-08-039	208-512-130	RECOD-X	00-13-101
180- 85-030	AMD	00-13-065	194- 20-030	DECOD	00-08-039	208-512-140	RECOD-X	00-13-101
182- 12-119	PREP	00-12-045	194- 20-040	AMD	00-08-039	208-512-150	RECOD-X	00-13-101
182- 12-132	PREP	00-12-045	194- 20-040	DECOD	00-08-039	208-512-160	RECOD-X	00-13-101
182- 16	PREP	00-10-101	194- 20-050	AMD	00-08-039	208-512-170	RECOD-X	00-13-101
182- 25-100	PREP	00-10-101	194- 20-050	DECOD	00-08-039	208-512-180	RECOD-X	00-13-101
182- 25-105	PREP	00-10-101	194- 20-060	REP	00-08-039	208-512-190	RECOD-X	00-13-101
182- 25-110	PREP	00-10-101	194- 20-070	REP	00-08-039	208-512-200	RECOD-X	00-13-101
192- 12-025	REP	00-05-064	194- 20-080	AMD	00-08-039	208-512-210	RECOD-X	00-13-101
192- 12-072	REP	00-05-068	194- 20-080	DECOD	00-08-039	208-512-220	RECOD-X	00-13-101
192- 12-405	REP	00-05-069	196- 31-010	NEW-P	00-04-059	208-512-230	RECOD-X	00-13-101
192- 16-011	REP-E	00-13-057	196- 31-010	NEW	00-08-042	208-512-240	RECOD-X	00-13-101
192- 16-017	REP-E	00-05-063	196- 31-020	NEW-P	00-04-059	208-512-250	RECOD-X	00-13-101
192- 16-017	REP-E	00-13-057	196- 31-020	NEW	00-08-042	208-512-260	RECOD-X	00-13-101
192- 16-021	REP-W	00-08-076	196- 31-030	NEW-P	00-04-059	208-512-270	RECOD-X	00-13-101
192-150-005	NEW-E	00-05-063	196- 31-030	NEW	00-08-042	208-512-280	RECOD-X	00-13-101
192-150-005	NEW-E	00-13-057	196- 31-040	NEW-P	00-04-059	208-512-290	RECOD-X	00-13-101
192-150-050	NEW-E	00-13-057	196- 31-040	NEW	00-08-042	208-512-300	RECOD-X	00-13-101
192-150-065	NEW-E	00-13-057	196- 31-050	NEW-P	00-04-059	208-512-310	RECOD-X	00-13-101
192-150-085	NEW-E	00-05-063	196- 31-050	NEW	00-08-042	208-512-320	RECOD-X	00-13-101
192-150-085	NEW-E	00-13-057	196- 31-060	NEW-P	00-04-059	208-512-330	RECOD-X	00-13-101
192-170-050	NEW-W	00-08-076	196- 31-060	NEW	00-08-042	208-512-340	RECOD-X	00-13-101
192-170-060	NEW-W	00-08-076	196- 31-060	NEW	00-08-042	208-512-350	RECOD-X	00-13-101
192-270-005	NEW-E	00-05-063	196- 31-070	NEW-P	00-04-059	208-512-360	RECOD-X	00-13-101
192-270-005	NEW-E	00-13-057	196- 31-070	NEW	00-08-042	208-512-370	RECOD-X	00-13-101
			197- 11	PREP	00-07-051	208-514-010	RECOD-X	00-13-101

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208-514-030	RECOD-X	00-13-101	208-586-050	RECOD-X	00-13-100	210-02-170	NEW-P	00-08-069
208-514-040	RECOD-X	00-13-101	208-586-060	RECOD-X	00-13-100	210-02-170	NEW	00-11-023
208-514-050	RECOD-X	00-13-101	208-586-070	RECOD-X	00-13-100	210-02-180	NEW-P	00-08-069
208-514-060	RECOD-X	00-13-101	208-586-075	RECOD-X	00-13-100	210-02-180	NEW	00-11-023
208-514-070	RECOD-X	00-13-101	208-586-080	RECOD-X	00-13-100	210-02-190	NEW-P	00-08-069
208-514-080	RECOD-X	00-13-101	208-586-085	RECOD-X	00-13-100	210-02-190	NEW	00-11-023
208-514-090	RECOD-X	00-13-101	208-586-090	RECOD-X	00-13-100	210-02-200	NEW-P	00-08-069
208-514-100	RECOD-X	00-13-101	208-586-100	RECOD-X	00-13-100	210-02-200	NEW	00-11-023
208-514-110	RECOD-X	00-13-101	208-586-110	RECOD-X	00-13-100	220-16-257	AMD	00-08-038
208-514-120	RECOD-X	00-13-101	208-586-120	RECOD-X	00-13-100	220-16-345	AMD	00-08-038
208-514-130	RECOD-X	00-13-101	208-586-135	RECOD-X	00-13-100	220-16-480	AMD-W	00-11-087
208-514-140	RECOD-X	00-13-101	208-586-140	RECOD-X	00-13-100	220-16-590	AMD-P	00-06-083
208-528-010	RECOD-X	00-13-101	208-590-010	RECOD-X	00-13-100	220-16-590	AMD-W	00-07-019
208-528-020	RECOD-X	00-13-101	208-590-020	RECOD-X	00-13-100	220-16-590	AMD	00-08-038
208-528-030	RECOD-X	00-13-101	208-590-030	RECOD-X	00-13-100	220-16-730	NEW	00-08-038
208-528-040	RECOD-X	00-13-101	208-594-010	RECOD-X	00-13-100	220-16-740	NEW-P	00-06-083
208-528-050	RECOD-X	00-13-101	208-594-020	RECOD-X	00-13-100	220-16-740	NEW-W	00-07-019
208-528-060	RECOD-X	00-13-101	208-594-030	RECOD-X	00-13-100	220-16-740	NEW	00-08-038
208-528-070	RECOD-X	00-13-101	208-594-040	RECOD-X	00-13-100	220-16-74000A	NEW-E	00-10-069
208-528-990	RECOD-X	00-13-101	208-594-050	RECOD-X	00-13-100	220-16-750	NEW-P	00-06-083
208-536-010	RECOD-X	00-13-101	208-594-060	RECOD-X	00-13-100	220-16-750	NEW-W	00-07-019
208-536-020	RECOD-X	00-13-101	208-594-070	RECOD-X	00-13-100	220-16-750	NEW	00-08-038
208-536-030	RECOD-X	00-13-101	208-594-080	RECOD-X	00-13-100	220-16-75000A	NEW-E	00-10-069
208-536-040	RECOD-X	00-13-101	208-594-090	RECOD-X	00-13-100	220-20-010	AMD	00-08-038
208-536-050	RECOD-X	00-13-101	208-598-010	RECOD-X	00-13-100	220-20-015	AMD-P	00-06-083
208-536-060	RECOD-X	00-13-101	208-598-020	RECOD-X	00-13-100	220-20-015	AMD-W	00-07-019
208-536-070	RECOD-X	00-13-101	208-598-030	RECOD-X	00-13-100	220-20-01500A	NEW-E	00-10-069
208-536-080	RECOD-X	00-13-101	208-680	PREP	00-10-102	220-20-020	AMD-P	00-06-083
208-536-090	RECOD-X	00-13-101	210-01-120	AMD-P	00-03-040	220-20-020	AMD-W	00-07-019
208-536-100	RECOD-X	00-13-101	210-01-120	AMD	00-07-003	220-20-02000A	NEW-E	00-10-069
208-536-110	RECOD-X	00-13-101	210-02-010	NEW-P	00-08-069	220-20-025	AMD-P	00-06-083
208-536-120	RECOD-X	00-13-101	210-02-010	NEW	00-11-023	220-20-025	AMD-W	00-07-019
208-544-005	RECOD-X	00-13-101	210-02-020	NEW-P	00-08-069	220-20-02500A	NEW-E	00-10-069
208-544-010	RECOD-X	00-13-101	210-02-020	NEW	00-11-023	220-24-02000L	NEW-E	00-10-067
208-544-020	RECOD-X	00-13-101	210-02-030	NEW-P	00-08-069	220-24-02000L	REP-E	00-10-067
208-544-025	RECOD-X	00-13-101	210-02-030	NEW	00-11-023	220-32-05100R	NEW-E	00-04-071
208-544-030	RECOD-X	00-13-101	210-02-040	NEW-P	00-08-069	220-32-05100R	REP-E	00-04-071
208-544-037	RECOD-X	00-13-101	210-02-040	NEW	00-11-023	220-32-05100R	REP-E	00-07-099
208-544-039	RECOD-X	00-13-101	210-02-050	NEW-P	00-08-069	220-32-05500A	NEW-E	00-10-097
208-544-050	RECOD-X	00-13-101	210-02-050	NEW	00-11-023	220-32-05500A	REP-E	00-10-097
208-544-060	RECOD-X	00-13-101	210-02-060	NEW-P	00-08-069	220-32-05500A	REP-E	00-11-030
208-548-010	RECOD-X	00-13-101	210-02-060	NEW	00-11-023	220-32-05500B	NEW-E	00-11-030
208-548-020	RECOD-X	00-13-101	210-02-070	NEW-P	00-08-069	220-32-05500B	REP-E	00-11-030
208-548-030	RECOD-X	00-13-101	210-02-070	NEW	00-11-023	220-32-05500B	REP-E	00-12-026
208-548-040	RECOD-X	00-13-101	210-02-080	NEW-P	00-08-069	220-32-05500C	NEW-E	00-12-026
208-548-050	RECOD-X	00-13-101	210-02-080	NEW	00-11-023	220-32-05500C	REP-E	00-12-026
208-548-060	RECOD-X	00-13-101	210-02-090	NEW-P	00-08-069	220-32-05500Z	NEW-E	00-09-024
208-548-070	RECOD-X	00-13-101	210-02-090	NEW	00-11-023	220-32-05500Z	REP-E	00-09-024
208-548-080	RECOD-X	00-13-101	210-02-100	NEW-P	00-08-069	220-32-05500Z	REP-E	00-10-097
208-548-090	RECOD-X	00-13-101	210-02-100	NEW	00-11-023	220-32-057	AMD-XA	00-12-052
208-548-100	RECOD-X	00-13-101	210-02-110	NEW-P	00-08-069	220-32-05700E	NEW-E	00-07-109
208-556-010	RECOD-X	00-13-101	210-02-110	NEW	00-11-023	220-32-05700E	REP-E	00-13-015
208-556-020	RECOD-X	00-13-101	210-02-120	NEW-P	00-08-069	220-32-05700F	NEW-E	00-13-015
208-556-030	RECOD-X	00-13-101	210-02-120	NEW	00-11-023	220-33-010	AMD-XA	00-12-052
208-556-040	RECOD-X	00-13-101	210-02-130	NEW-P	00-08-069	220-33-01000B	NEW-E	00-05-047
208-556-050	RECOD-X	00-13-101	210-02-130	NEW	00-11-023	220-33-01000B	REP-E	00-05-047
208-556-060	RECOD-X	00-13-101	210-02-140	NEW-P	00-08-069	220-33-01000B	REP-E	00-06-011
208-556-070	RECOD-X	00-13-101	210-02-140	NEW	00-11-023	220-33-01000C	NEW-E	00-06-011
208-556-080	RECOD-X	00-13-101	210-02-150	NEW-P	00-08-069	220-33-01000C	REP-E	00-06-036
208-586-020	RECOD-X	00-13-100	210-02-150	NEW	00-11-023	220-33-01000D	NEW-E	00-06-036
208-586-030	RECOD-X	00-13-100	210-02-160	NEW-P	00-08-069	220-33-020	AMD-XA	00-12-052

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-33-03000P	NEW-E	00-11-046	220-52-05100C	NEW-E	00-12-015	220-56-175	AMD-P	00-06-084
220-33-03000P	REP-E	00-11-046	220-52-069	AMD-P	00-11-045	220-56-175	AMD	00-08-038
220-33-040	AMD-XA	00-12-052	220-52-06900A	NEW-E	00-04-015	220-56-175	AMD	00-11-178
220-33-04000I	REP-E	00-06-017	220-52-06900A	REP-E	00-11-116	220-56-180	AMD-XA	00-11-179
220-33-04000J	NEW-E	00-06-017	220-52-06900B	NEW-E	00-11-116	220-56-185	AMD	00-08-038
220-33-04000J	REP-E	00-06-017	220-52-071	AMD	00-03-042	220-56-190	AMD-XA	00-11-179
220-33-06000A	NEW-E	00-11-056	220-52-07100N	NEW-E	00-13-054	220-56-190	DECOD-X	00-11-179
220-44-02000A	NEW-E	00-11-056	220-52-073	AMD	00-03-042	220-56-19000C	NEW-E	00-10-068
220-44-050	AMD-XA	00-10-038	220-52-07300Q	REP-E	00-03-006	220-56-191	AMD-XA	00-11-179
220-44-05000A	NEW-E	00-04-041	220-52-07300R	NEW-E	00-03-006	220-56-191	DECOD-P	00-11-179
220-44-05000Z	REP-E	00-04-041	220-52-07300R	REP-E	00-03-006	220-56-19100L	NEW-E	00-10-068
220-44-080	AMD-XA	00-10-038	220-52-07300R	REP-E	00-03-044	220-56-195	AMD-XA	00-11-179
220-47-304	AMD-XA	00-13-095	220-52-07300S	NEW-E	00-03-044	220-56-19500F	NEW-E	00-10-068
220-47-311	AMD-XA	00-13-095	220-52-07300S	REP-E	00-03-044	220-56-199	AMD-XA	00-11-179
220-47-401	AMD-XA	00-13-095	220-52-07300S	REP-E	00-04-013	220-56-19900A	NEW-E	00-10-068
220-47-411	AMD-XA	00-13-095	220-52-07300T	NEW-E	00-04-013	220-56-205	AMD	00-08-038
220-47-427	AMD-XA	00-13-095	220-52-07300T	REP-E	00-05-041	220-56-205	REP-XA	00-11-179
220-47-428	AMD-XA	00-13-095	220-52-07300U	NEW-E	00-05-041	220-56-235	AMD	00-08-038
220-48-005	AMD-W	00-11-086	220-52-07300U	REP-E	00-06-044	220-56-235	AMD-XA	00-10-038
220-48-015	AMD-W	00-11-086	220-52-07300V	NEW-E	00-06-044	220-56-23500E	NEW-E	00-08-084
220-48-01500K	NEW-E	00-08-037	220-52-07300V	REP-E	00-06-044	220-56-23500E	REP-E	00-10-012
220-48-016	AMD-W	00-11-086	220-52-07300	NEW-E	00-07-064	220-56-23500F	NEW-E	00-10-012
220-48-017	AMD-W	00-11-086	220-52-07300	REP-E	00-07-114	220-56-240	AMD	00-08-038
220-48-019	AMD-W	00-11-086	220-52-075	AMD	00-05-054	220-56-24000C	NEW-E	00-10-050
220-48-028	AMD-W	00-11-086	220-52-07500A	NEW-E	00-10-051	220-56-24000C	REP-E	00-10-050
220-48-029	AMD-W	00-11-086	220-55-005	AMD-P	00-06-084	220-56-24000D	NEW-E	00-11-059
220-48-031	AMD-W	00-11-086	220-55-005	AMD	00-11-178	220-56-250	AMD	00-08-038
220-48-032	AMD-W	00-11-086	220-55-010	AMD-P	00-06-084	220-56-250	AMD-XA	00-10-038
220-48-061	AMD-W	00-11-086	220-55-010	AMD	00-11-178	220-56-25000A	REP-E	00-08-084
220-48-071	AMD-W	00-11-086	220-55-015	AMD-P	00-06-084	220-56-25000B	NEW-E	00-08-084
220-52-03000L	NEW-E	00-11-057	220-55-015	AMD	00-11-178	220-56-25500	NEW-E	00-10-070
220-52-03000L	REP-E	00-11-057	220-55-070	AMD-P	00-06-084	220-56-25500	REP-E	00-11-008
220-52-03000L	REP-E	00-13-006	220-55-070	AMD	00-11-178	220-56-25500N	NEW-E	00-11-008
220-52-03000	NEW-E	00-13-068	220-55-105	AMD-P	00-06-084	220-56-25500N	REP-E	00-12-014
220-52-03000	REP-E	00-13-068	220-55-105	AMD	00-11-178	220-56-25500P	NEW-E	00-12-014
220-52-040	AMD-W	00-08-077	220-55-110	AMD-P	00-06-084	220-56-25500P	REP-E	00-12-048
220-52-04000Q	REP-E	00-04-084	220-55-110	AMD	00-11-178	220-56-25500Q	NEW-E	00-12-048
220-52-04000R	NEW-E	00-04-084	220-55-115	AMD-P	00-06-084	220-56-25500Q	REP-E	00-13-059
220-52-04000R	REP-E	00-11-001	220-55-115	AMD	00-11-178	220-56-25500R	NEW-E	00-13-059
220-52-04000S	NEW-E	00-11-001	220-55-132	NEW-P	00-06-084	220-56-27000G	NEW-E	00-06-017
220-52-04000S	REP-E	00-11-001	220-55-132	NEW	00-11-178	220-56-27000G	REP-E	00-06-017
220-52-04000T	NEW-E	00-12-025	220-55-170	AMD-P	00-06-042	220-56-280	AMD	00-08-038
220-52-04000T	REP-E	00-12-025	220-55-170	AMD	00-11-177	220-56-28500U	NEW-E	00-08-031
220-52-043	AMD-W	00-08-077	220-55-17000B	NEW-E	00-11-058	220-56-28500U	REP-E	00-08-031
220-52-04600A	NEW-E	00-11-001	220-55-180	AMD-P	00-06-043	220-56-28500V	NEW-E	00-08-046
220-52-04600A	REP-E	00-11-001	220-55-180	AMD	00-11-176	220-56-28500V	REP-E	00-13-058
220-52-04600B	NEW-E	00-12-025	220-56-08500U	REP-E	00-08-046	220-56-295	AMD	00-08-038
220-52-04600B	REP-E	00-12-025	220-56-100	AMD-XA	00-11-179	220-56-30500G	NEW-E	00-13-058
220-52-04600U	NEW-E	00-04-084	220-56-103	AMD	00-08-038	220-56-310	AMD	00-08-038
220-52-04600U	REP-E	00-06-009	220-56-103	REP-XA	00-11-179	220-56-315	AMD	00-08-038
220-52-04600V	REP-E	00-04-084	220-56-105	AMD	00-08-038	220-56-32500D	NEW-E	00-10-011
220-52-04600X	NEW-E	00-06-009	220-56-115	AMD-XA	00-11-179	220-56-32500D	REP-E	00-10-011
220-52-04600X	REP-E	00-08-037	220-56-11500D	NEW-E	00-10-068	220-56-32500E	NEW-E	00-11-144
220-52-04600Y	NEW-E	00-08-037	220-56-116	AMD-XA	00-11-179	220-56-32500F	NEW-E	00-12-047
220-52-04600Y	REP-E	00-08-037	220-56-123	AMD-XA	00-11-179	220-56-32500F	REP-E	00-12-047
220-52-04600Y	REP-E	00-08-044	220-56-12300A	NEW-E	00-10-068	220-56-32500G	NEW-E	00-12-069
220-52-04600Z	NEW-E	00-08-044	220-56-128	AMD-XA	00-11-179	220-56-32500G	REP-E	00-12-069
220-52-04600Z	REP-E	00-08-044	220-56-12800D	NEW-E	00-08-001	220-56-32500H	NEW-E	00-13-053
220-52-05100A	NEW-E	00-09-055	220-56-12800D	REP-E	00-08-001	220-56-32500H	REP-E	00-13-053
220-52-05100A	REP-E	00-10-051	220-56-12800E	NEW-E	00-10-068	220-56-330	AMD	00-08-038
220-52-05100B	NEW-E	00-10-051	220-56-130	AMD	00-08-038	220-56-33000A	NEW-E	00-11-055
220-52-05100B	REP-E	00-12-015	220-56-145	AMD	00-08-038	220-56-33000A	REP-E	00-11-143

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220-56-33000B	NEW-E	00-11-143	220-57-190	REP-XA	00-11-179	220-57-405	REP-XA	00-11-179
220-56-33000C	REP-E	00-13-069	220-57-195	REP-XA	00-11-179	220-57-410	REP-XA	00-11-179
220-56-33000C	NEW-E	00-13-069	220-57-200	REP-XA	00-11-179	220-57-415	REP-XA	00-11-179
220-56-33000V	REP-E	00-08-037	220-57-205	REP-XA	00-11-179	220-57-420	REP-XA	00-11-179
220-56-33000	NEW-E	00-06-009	220-57-210	REP-XA	00-11-179	220-57-425	REP-XA	00-11-179
220-56-33000	REP-E	00-08-037	220-57-215	REP-XA	00-11-179	220-57-427	REP-XA	00-11-179
220-56-33000X	NEW-E	00-07-098	220-57-225	REP-XA	00-11-179	220-57-430	REP-XA	00-11-179
220-56-33000X	REP-E	00-11-055	220-57-230	REP-XA	00-11-179	220-57-432	REP-XA	00-11-179
220-56-33000Y	NEW-E	00-08-037	220-57-235	REP-XA	00-11-179	220-57-435	REP-XA	00-11-179
220-56-33000Y	REP-E	00-09-053	220-57-240	REP-XA	00-11-179	220-57-440	REP-XA	00-11-179
220-56-33000Z	NEW-E	00-09-053	220-57-245	REP-XA	00-11-179	220-57-445	REP-XA	00-11-179
220-56-33000Z	REP-E	00-11-055	220-57-250	REP-XA	00-11-179	220-57-450	REP-XA	00-11-179
220-56-335	AMD-W	00-11-087	220-57-255	REP-XA	00-11-179	220-57-455	REP-XA	00-11-179
220-56-350	AMD	00-08-038	220-57-25500G	NEW-E	00-07-002	220-57-460	REP-XA	00-11-179
220-56-350	AMD-XA	00-11-179	220-57-260	REP-XA	00-11-179	220-57-462	REP-XA	00-11-179
220-56-35000F	NEW-E	00-08-045	220-57-265	REP-XA	00-11-179	220-57-465	REP-XA	00-11-179
220-56-35000G	NEW-E	00-10-068	220-57-270	REP-XA	00-11-179	220-57-470	REP-XA	00-11-179
220-56-36000A	REP-E	00-06-010	220-57-275	REP-XA	00-11-179	220-57-473	REP-XA	00-11-179
220-56-36000B	NEW-E	00-06-010	220-57-280	REP-XA	00-11-179	220-57-475	REP-XA	00-11-179
220-56-36000B	REP-E	00-06-010	220-57-285	REP-XA	00-11-179	220-57-480	REP-XA	00-11-179
220-56-36000C	NEW-E	00-09-001	220-57-290	REP-XA	00-11-179	220-57-485	REP-XA	00-11-179
220-56-36000C	REP-E	00-09-001	220-57-29000X	NEW-E	00-11-029	220-57-490	REP-XA	00-11-179
220-56-36000D	NEW-E	00-09-054	220-57-29000X	REP-E	00-11-029	220-57-493	REP-XA	00-11-179
220-56-36000D	REP-E	00-09-054	220-57-295	REP-XA	00-11-179	220-57-495	REP-XA	00-11-179
220-56-36000E	NEW-E	00-10-049	220-57-300	REP-XA	00-11-179	220-57-497	REP-XA	00-11-179
220-56-36000E	REP-E	00-10-049	220-57-305	REP-XA	00-11-179	220-57-500	REP-XA	00-11-179
220-56-372	AMD	00-08-038	220-57-310	REP-XA	00-11-179	220-57-502	REP-XA	00-11-179
220-56-380	AMD	00-08-038	220-57-313	REP-XA	00-11-179	220-57-505	REP-XA	00-11-179
220-56-380	AMD-XA	00-11-179	220-57-315	REP-XA	00-11-179	220-57-50500G	NEW-E	00-08-022
220-56-38000X	NEW-E	00-08-045	220-57-31500J	NEW-E	00-08-022	220-57-50500G	REP-E	00-12-041
220-56-38000Y	NEW-E	00-10-068	220-57-31500J	REP-E	00-08-022	220-57-50500H	NEW-E	00-12-041
220-57-001	REP-XA	00-11-179	220-57-31500K	NEW-E	00-12-041	220-57-50500H	REP-E	00-12-041
220-57-120	REP-XA	00-11-179	220-57-31500K	REP-E	00-12-041	220-57-510	REP-XA	00-11-179
220-57-125	REP-XA	00-11-179	220-57-319	REP-XA	00-11-179	220-57-515	REP-XA	00-11-179
220-57-130	REP-XA	00-11-179	220-57-31900A	NEW-E	00-12-013	220-57-51500S	NEW-E	00-08-022
220-57-135	REP-XA	00-11-179	220-57-31900A	REP-E	00-12-013	220-57-51500S	REP-E	00-08-022
220-57-137	REP-XA	00-11-179	220-57-31900Z	NEW-E	00-07-002	220-57-51500S	REP-E	00-11-117
220-57-13701	REP-XA	00-11-179	220-57-31900Z	REP-E	00-12-013	220-57-51500T	NEW-E	00-11-117
220-57-138	REP-XA	00-11-179	220-57-321	REP-XA	00-11-179	220-57-520	REP-XA	00-11-179
220-57-140	REP-XA	00-11-179	220-57-32100D	NEW-E	00-08-022	220-57-525	REP-XA	00-11-179
220-57-145	REP-XA	00-11-179	220-57-32100D	REP-E	00-08-022	220-57-53000C	NEW-E	00-13-016
220-57-150	REP-XA	00-11-179	220-57-325	REP-XA	00-11-179	220-57-53000C	REP-E	00-13-016
220-57-155	REP-XA	00-11-179	220-57-326	REP-XA	00-11-179	220-57A-001	REP-XA	00-11-179
220-57-160	AMD	00-08-038	220-57-327	REP-XA	00-11-179	220-57A-005	REP-XA	00-11-179
220-57-160	REP-XA	00-11-179	220-57-330	REP-XA	00-11-179	220-57A-010	REP-XA	00-11-179
220-57-16000V	NEW-E	00-07-073	220-57-335	REP-XA	00-11-179	220-57A-012	REP-XA	00-11-179
220-57-16000	NEW-E	00-08-006	220-57-340	REP-XA	00-11-179	220-57A-015	REP-XA	00-11-179
220-57-16000	REP-E	00-11-007	220-57-341	REP-XA	00-11-179	220-57A-017	REP-XA	00-11-179
220-57-16000X	NEW-E	00-11-007	220-57-342	REP-XA	00-11-179	220-57A-020	REP-XA	00-11-179
220-57-16000X	REP-E	00-11-007	220-57-345	REP-XA	00-11-179	220-57A-025	REP-XA	00-11-179
220-57-165	REP-XA	00-11-179	220-57-34500A	NEW-E	00-03-007	220-57A-030	REP-XA	00-11-179
220-57-170	REP-XA	00-11-179	220-57-34500A	REP-E	00-03-007	220-57A-035	REP-XA	00-11-179
220-57-17000U	NEW-E	00-07-002	220-57-350	REP-XA	00-11-179	220-57A-037	REP-XA	00-11-179
220-57-17000U	REP-E	00-11-118	220-57-355	REP-XA	00-11-179	220-57A-040	REP-XA	00-11-179
220-57-175	REP-XA	00-11-179	220-57-365	REP-XA	00-11-179	220-57A-045	REP-XA	00-11-179
220-57-17500V	NEW-E	00-11-118	220-57-370	REP-XA	00-11-179	220-57A-050	REP-XA	00-11-179
220-57-17500V	REP-E	00-11-118	220-57-375	REP-XA	00-11-179	220-57A-055	REP-XA	00-11-179
220-57-180	REP-XA	00-11-179	220-57-380	REP-XA	00-11-179	220-57A-065	REP-XA	00-11-179
220-57-181	REP-XA	00-11-179	220-57-385	REP-XA	00-11-179	220-57A-070	REP-XA	00-11-179
220-57-185	REP-XA	00-11-179	220-57-390	REP-XA	00-11-179	220-57A-075	REP-XA	00-11-179
220-57-187	REP-XA	00-11-179	220-57-395	REP-XA	00-11-179	220-57A-080	REP-XA	00-11-179
220-57-18700D	NEW-E	00-07-002	220-57-400	REP-XA	00-11-179	220-57A-082	REP-XA	00-11-179

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220- 57A-085	REP-XA	00-11-179	222- 16-030	AMD-C	00-08-103	222- 24-025	REP-E	00-06-026
220- 57A-090	REP-XA	00-11-179	222- 16-035	AMD-E	00-06-026	222- 24-026	NEW-E	00-06-026
220- 57A-095	REP-XA	00-11-179	222- 16-036	NEW-E	00-06-026	222- 24-030	AMD-E	00-06-026
220- 57A-100	REP-XA	00-11-179	222- 16-050	AMD-E	00-06-026	222- 24-030	AMD-C	00-08-103
220- 57A-105	REP-XA	00-11-179	222- 16-050	AMD-C	00-08-103	222- 24-035	AMD-E	00-06-026
220- 57A-110	REP-XA	00-11-179	222- 16-080	AMD-E	00-06-026	222- 24-035	AMD-C	00-08-103
220- 57A-112	REP-XA	00-11-179	222- 20-010	AMD-E	00-06-026	222- 24-040	AMD-E	00-06-026
220- 57A-115	REP-XA	00-11-179	222- 20-010	AMD-C	00-08-103	222- 24-040	AMD-C	00-08-103
220- 57A-120	REP-XA	00-11-179	222- 20-015	NEW-E	00-06-026	222- 24-050	AMD-E	00-06-026
220- 57A-125	REP-XA	00-11-179	222- 20-015	NEW-C	00-08-103	222- 24-050	AMD-C	00-08-103
220- 57A-130	REP-XA	00-11-179	222- 20-020	AMD-E	00-06-026	222- 24-051	NEW-E	00-06-026
220- 57A-135	REP-XA	00-11-179	222- 20-020	AMD-C	00-08-103	222- 24-052	NEW-E	00-06-026
220- 57A-140	REP-XA	00-11-179	222- 20-055	NEW-E	00-06-026	222- 24-060	AMD-E	00-06-026
220- 57A-145	REP-XA	00-11-179	222- 20-070	AMD-C	00-08-103	222- 24-060	AMD-C	00-08-103
220- 57A-150	REP-XA	00-11-179	222- 20-080	AMD-E	00-06-026	222- 30-010	AMD-E	00-06-026
220- 57A-152	REP-XA	00-11-179	222- 21-005	NEW-P	00-08-104	222- 30-010	AMD-C	00-08-103
220- 57A-155	REP-XA	00-11-179	222- 21-005	NEW-E	00-12-093	222- 30-020	AMD-E	00-06-026
220- 57A-160	REP-XA	00-11-179	222- 21-010	NEW-P	00-08-104	222- 30-020	AMD-C	00-08-103
220- 57A-165	REP-XA	00-11-179	222- 21-010	NEW-E	00-12-093	222- 30-021	NEW-E	00-06-026
220- 57A-170	REP-XA	00-11-179	222- 21-020	NEW-P	00-08-104	222- 30-022	NEW-E	00-06-026
220- 57A-175	REP-XA	00-11-179	222- 21-020	NEW-E	00-12-093	222- 30-023	NEW-E	00-06-026
220- 57A-180	REP-XA	00-11-179	222- 21-030	NEW-P	00-08-104	222- 30-040	AMD-E	00-06-026
220- 57A-183	REP-XA	00-11-179	222- 21-030	NEW-E	00-12-093	222- 30-045	NEW-E	00-06-026
220- 57A-185	REP-XA	00-11-179	222- 21-035	NEW-P	00-08-104	222- 30-060	AMD-E	00-06-026
220- 57A-190	REP-XA	00-11-179	222- 21-035	NEW-E	00-12-093	222- 30-070	AMD-E	00-06-026
220- 69-236	AMD-P	00-06-084	222- 21-040	NEW-P	00-08-104	222- 30-070	AMD-C	00-08-103
220- 69-236	AMD	00-11-178	222- 21-040	NEW-E	00-12-093	222- 30-070	AMD-E	00-12-093
220- 69-24000P	NEW-E	00-10-051	222- 21-045	NEW-P	00-08-104	222- 30-070	AMD-W	00-13-025
220- 69-24000P	REP-E	00-12-015	222- 21-045	NEW-E	00-12-093	222- 38-010	AMD-E	00-06-026
220- 69-24000Q	NEW-E	00-12-015	222- 21-050	NEW-P	00-08-104	222- 38-020	AMD-E	00-06-026
220- 69-24000R	NEW-E	00-13-054	222- 21-050	NEW-E	00-12-093	222- 38-020	AMD-C	00-08-103
220- 88B-030	AMD-P	00-13-082	222- 21-060	NEW-P	00-08-104	222- 38-030	AMD-E	00-06-026
220- 88B-040	AMD-P	00-13-082	222- 21-060	NEW-E	00-12-093	222- 38-030	AMD-C	00-08-103
220- 88B-04000	NEW-E	00-10-071	222- 21-065	NEW-P	00-08-104	222- 38-040	AMD-E	00-06-026
220- 88B-050	AMD-P	00-13-082	222- 21-065	NEW-E	00-12-093	222- 46-012	NEW-E	00-06-026
220- 88B-05000	NEW-E	00-10-071	222- 21-070	NEW-P	00-08-104	222- 46-055	NEW-C	00-08-103
220- 88B-05000	REP-E	00-10-071	222- 21-070	NEW-E	00-12-093	222- 46-060	AMD-E	00-06-026
220- 88C-01000	NEW-E	00-11-056	222- 21-080	NEW-P	00-08-104	222- 46-060	AMD-C	00-08-103
220- 88C-02000	NEW-E	00-11-056	222- 21-080	NEW-E	00-12-093	222- 46-065	AMD-C	00-08-103
220- 88C-03000	NEW-E	00-11-056	222- 21-090	NEW-P	00-08-104	222- 46-070	AMD-E	00-06-026
222- 08-035	AMD-E	00-06-026	222- 21-090	NEW-E	00-12-093	224- 12	PREP	00-11-181
222- 08-035	AMD-C	00-08-103	222- 22-010	AMD-C	00-08-103	230- 02-108	AMD-P	00-04-099
222- 10-010	AMD-E	00-06-026	222- 22-030	AMD-C	00-08-103	230- 02-108	AMD	00-07-140
222- 10-020	NEW-C	00-08-103	222- 22-035	NEW-C	00-08-103	230- 02-109	NEW-P	00-05-101
222- 10-030	NEW-E	00-06-026	222- 22-040	AMD-C	00-08-103	230- 02-109	NEW	00-09-052
222- 10-030	NEW-C	00-08-103	222- 22-050	AMD-C	00-08-103	230- 02-110	AMD-P	00-05-101
222- 10-035	NEW-E	00-06-026	222- 22-060	AMD-C	00-08-103	230- 02-110	AMD	00-09-052
222- 12-010	AMD-E	00-06-026	222- 22-065	NEW-C	00-08-103	230- 02-123	AMD-P	00-04-099
222- 12-020	AMD-P	00-08-104	222- 22-070	AMD-E	00-06-026	230- 02-123	AMD	00-07-140
222- 12-020	AMD-E	00-12-093	222- 22-070	AMD-C	00-08-103	230- 02-183	AMD-P	00-04-099
222- 12-041	NEW-E	00-06-026	222- 22-075	NEW-E	00-06-026	230- 02-183	AMD	00-07-140
222- 12-044	NEW-E	00-06-026	222- 22-075	NEW-C	00-08-103	230- 02-205	AMD	00-05-102
222- 12-044	NEW-C	00-08-103	222- 22-076	NEW-E	00-06-026	230- 02-206	AMD	00-05-102
222- 12-045	AMD-E	00-06-026	222- 22-076	NEW-C	00-08-103	230- 02-380	AMD-W	00-02-067
222- 12-045	AMD-C	00-08-103	222- 22-080	AMD-E	00-06-026	230- 02-400	REP-P	00-05-101
222- 12-090	AMD-E	00-06-026	222- 22-090	AMD-E	00-06-026	230- 02-400	REP	00-09-052
222- 12-090	AMD-C	00-08-103	222- 22-090	AMD-C	00-08-103	230- 02-412	NEW-P	00-11-114
222- 12-090	AMD-P	00-08-104	222- 24-010	AMD-E	00-06-026	230- 02-415	AMD-P	00-05-101
222- 12-090	AMD-E	00-12-093	222- 24-010	AMD-C	00-08-103	230- 02-415	AMD	00-09-052
222- 16-010	AMD-E	00-06-026	222- 24-015	NEW-E	00-06-026	230- 02-425	REP-P	00-05-101
222- 16-010	AMD-C	00-08-103	222- 24-020	AMD-E	00-06-026	230- 02-425	REP	00-09-052
222- 16-030	AMD-E	00-06-026	222- 24-020	AMD-C	00-08-103	230- 02-504	NEW-P	00-12-097

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
230-04-022	AMD-P	00-05-101	230-25-120	AMD-P	00-12-097	230-40-800	NEW-P	00-05-101
230-04-022	AMD	00-09-052	230-25-150	AMD-P	00-12-097	230-40-800	NEW	00-09-052
230-04-110	AMD-P	00-11-114	230-25-200	AMD-P	00-12-097	230-40-803	NEW-P	00-05-101
230-04-115	AMD-P	00-11-114	230-25-220	AMD-P	00-12-097	230-40-803	NEW	00-09-052
230-04-119	AMD	00-05-102	230-25-310	AMD-P	00-12-097	230-40-805	NEW-P	00-05-101
230-04-120	AMD-P	00-11-114	230-25-315	AMD-P	00-12-097	230-40-805	NEW	00-09-052
230-04-124	AMD-P	00-11-114	230-25-325	NEW-P	00-12-097	230-40-810	NEW-P	00-05-101
230-04-140	AMD-P	00-05-101	230-30-212	REP-P	00-11-114	230-40-810	NEW	00-09-052
230-04-140	AMD	00-09-052	230-30-213	REP-P	00-11-114	230-40-815	NEW-P	00-05-101
230-04-142	REP-P	00-05-101	230-40-010	AMD-P	00-05-101	230-40-815	NEW	00-09-052
230-04-203	AMD-P	00-05-101	230-40-010	AMD	00-09-052	230-40-820	NEW-P	00-05-101
230-04-203	AMD-P	00-11-114	230-40-015	REP-P	00-05-101	230-40-820	NEW	00-09-052
230-04-204	AMD-P	00-05-101	230-40-015	REP	00-09-052	230-40-823	NEW-P	00-05-101
230-04-207	NEW-P	00-05-101	230-40-030	AMD-P	00-05-101	230-40-823	NEW	00-09-052
230-04-207	NEW	00-09-052	230-40-030	AMD	00-09-052	230-40-825	NEW-P	00-05-101
230-04-255	AMD-P	00-05-101	230-40-040	NEW-P	00-05-101	230-40-825	NEW	00-09-052
230-04-255	AMD	00-09-052	230-40-040	NEW	00-09-052	230-40-830	NEW-P	00-05-101
230-04-450	AMD-P	00-05-101	230-40-050	AMD-P	00-05-101	230-40-830	NEW	00-09-052
230-04-450	AMD	00-09-052	230-40-050	AMD	00-09-052	230-40-833	NEW-P	00-05-101
230-08-027	NEW-P	00-05-101	230-40-055	AMD-P	00-07-139	230-40-833	NEW	00-09-052
230-08-027	NEW	00-09-052	230-40-055	AMD	00-11-054	230-40-835	NEW-P	00-05-101
230-08-040	AMD-P	00-05-101	230-40-060	REP-P	00-05-101	230-40-835	NEW	00-09-052
230-08-040	AMD	00-09-052	230-40-060	REP	00-09-052	230-40-840	NEW-P	00-05-101
230-08-080	AMD-P	00-04-099	230-40-070	AMD-P	00-05-101	230-40-840	NEW	00-09-052
230-08-080	AMD	00-07-140	230-40-070	AMD	00-09-052	230-40-845	NEW-P	00-05-101
230-08-090	AMD-P	00-05-101	230-40-120	AMD-P	00-05-101	230-40-845	NEW	00-09-052
230-08-090	AMD	00-09-052	230-40-120	AMD	00-09-052	230-40-850	NEW-P	00-05-101
230-08-100	REP-P	00-04-099	230-40-125	REP-P	00-05-101	230-40-850	NEW	00-09-052
230-08-100	REP	00-07-140	230-40-125	AMD	00-09-052	230-40-855	NEW-P	00-05-101
230-08-105	AMD-P	00-04-099	230-40-125	AMD	00-09-087	230-40-855	NEW	00-09-052
230-08-105	AMD	00-07-140	230-40-130	AMD-P	00-05-101	230-40-860	NEW-P	00-05-101
230-08-160	AMD-P	00-05-101	230-40-130	AMD	00-09-052	230-40-860	NEW	00-09-052
230-08-160	AMD	00-09-052	230-40-150	REP-P	00-05-101	230-40-865	NEW-P	00-05-101
230-12-050	AMD-P	00-04-099	230-40-150	REP	00-09-052	230-40-865	NEW	00-09-052
230-12-050	AMD-P	00-05-101	230-40-160	REP-P	00-05-101	230-40-870	NEW-P	00-05-101
230-12-050	AMD	00-07-140	230-40-160	REP	00-09-052	230-40-870	NEW	00-09-052
230-12-050	AMD	00-09-052	230-40-200	AMD-P	00-05-101	230-40-875	NEW-P	00-05-101
230-12-072	NEW-P	00-05-101	230-40-200	AMD	00-09-052	230-40-875	NEW	00-09-052
230-12-072	NEW	00-09-052	230-40-225	AMD-P	00-05-101	230-40-880	NEW-P	00-05-101
230-12-073	NEW-P	00-05-101	230-40-225	AMD	00-09-052	230-40-880	NEW	00-09-052
230-12-073	NEW	00-09-052	230-40-400	AMD-P	00-05-101	230-40-885	NEW-P	00-05-101
230-12-074	NEW-P	00-11-113	230-40-400	AMD	00-09-052	230-40-885	NEW	00-09-052
230-12-078	AMD-P	00-04-099	230-40-550	NEW-P	00-05-101	230-40-890	NEW-P	00-05-101
230-12-078	AMD	00-07-140	230-40-550	NEW	00-09-052	230-40-890	NEW	00-09-052
230-12-310	AMD-P	00-05-103	230-40-552	NEW-P	00-05-101	230-40-895	NEW-P	00-05-101
230-12-310	AMD	00-09-051	230-40-552	NEW	00-09-052	230-40-895	NEW	00-09-052
230-12-335	NEW-P	00-11-114	230-40-554	NEW-P	00-05-101	230-40-897	NEW-P	00-05-101
230-20-110	REP-P	00-04-099	230-40-554	NEW	00-09-052	230-40-897	NEW	00-09-052
230-20-110	REP	00-07-140	230-40-556	NEW-P	00-05-101	230-40-900	REP-P	00-05-101
230-20-120	REP-P	00-04-099	230-40-556	NEW	00-09-052	230-40-900	REP	00-09-052
230-20-120	REP	00-07-140	230-40-558	NEW-P	00-05-101	230-46-020	AMD-W	00-07-070
230-20-220	AMD-P	00-04-099	230-40-558	NEW	00-09-052	230-46-035	NEW-W	00-07-070
230-20-220	AMD	00-07-140	230-40-560	NEW-P	00-05-101	230-50-010	AMD-P	00-05-101
230-20-243	AMD-P	00-04-099	230-40-560	NEW	00-09-052	230-50-010	AMD	00-09-052
230-20-243	AMD	00-07-140	230-40-562	NEW-P	00-05-101	232-12-001	AMD-XA	00-11-179
230-20-244	AMD-P	00-04-099	230-40-562	NEW	00-09-052	232-12-011	AMD	00-04-017
230-20-244	AMD	00-07-140	230-40-600	NEW-P	00-05-101	232-12-011	AMD-P	00-06-083
230-25-030	AMD-P	00-12-097	230-40-600	NEW	00-09-052	232-12-011	AMD-P	00-06-100
230-25-040	AMD-P	00-12-097	230-40-610	NEW-P	00-05-101	232-12-011	AMD-W	00-07-019
230-25-070	AMD-P	00-12-097	230-40-610	NEW	00-09-052	232-12-011	AMD	00-10-001
230-25-100	AMD-P	00-12-097	230-40-615	NEW-P	00-05-101	232-12-01100A	NEW-E	00-10-069
230-25-110	AMD-P	00-12-097	230-40-615	NEW	00-09-052	232-12-014	AMD	00-04-017

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
232- 12-018	REP	00-08-038	232- 28-61900D	REP-E	00-03-055	246-100-026	REP-P	00-12-101
232- 12-047	AMD-P	00-06-088	232- 28-61900E	NEW-E	00-03-055	246-100-031	REP-P	00-12-101
232- 12-047	AMD	00-11-137	232- 28-61900E	REP-E	00-03-055	246-100-036	AMD-P	00-12-101
232- 12-051	AMD-P	00-06-089	232- 28-61900E	REP-E	00-05-085	246-100-041	REP-P	00-12-101
232- 12-051	AMD	00-11-137	232- 28-61900F	NEW-E	00-05-085	246-100-042	REP-P	00-12-101
232- 12-054	AMD-P	00-06-090	232- 28-61900F	REP-E	00-05-085	246-100-043	REP-P	00-12-101
232- 12-054	AMD	00-11-137	232- 28-61900G	NEW-E	00-06-008	246-100-046	REP-P	00-12-101
232- 12-068	AMD-P	00-06-091	232- 28-61900H	NEW-E	00-07-001	246-100-071	REP-P	00-12-101
232- 12-068	AMD	00-11-137	232- 28-61900I	NEW-E	00-07-073	246-100-076	REP-P	00-12-101
232- 12-161	REP-XR	00-08-027	232- 28-61900I	REP-E	00-07-073	246-100-081	REP-P	00-12-101
232- 12-161	REP	00-13-090	232- 28-61900J	NEW-E	00-08-006	246-100-086	REP-P	00-12-101
232- 12-168	AMD	00-08-038	232- 28-61900J	REP-E	00-11-007	246-100-091	REP-P	00-12-101
232- 12-257	AMD-W	00-02-066	232- 28-61900K	NEW-E	00-08-001	246-100-171	REP-P	00-12-101
232- 12-257	AMD-P	00-06-094	232- 28-61900K	REP-E	00-08-001	246-100-176	REP-P	00-12-101
232- 12-257	AMD	00-11-137	232- 28-61900L	NEW-E	00-12-041	246-100-181	REP-P	00-12-101
232- 12-31500G	NEW-E	00-04-014	232- 28-61900L	REP-E	00-12-041	246-100-196	REP-P	00-12-101
232- 12-619	AMD	00-08-038	232- 28-61900	NEW-E	00-13-089	246-100-201	AMD-P	00-12-101
232- 12-619	AMD-XA	00-11-179	232- 28-61900	REP-E	00-13-089	246-100-216	REP-P	00-12-101
232- 12-61900L	NEW-E	00-10-068	232- 28-620	RECOD-X	00-11-179	246-100-217	REP-P	00-12-101
232- 12-61900	NEW-E	00-11-002	232- 28-621	RECOD-X	00-11-179	246-100-218	REP-P	00-12-101
232- 12-61900	REP-E	00-11-002	236- 18-040	AMD	00-06-052	246-100-231	REP-P	00-12-101
232- 16-700	AMD-P	00-06-093	236- 18-070	AMD	00-06-052	246-100-236	REP-P	00-12-101
232- 16-700	AMD	00-11-137	236- 18-080	AMD	00-06-052	246-100-241	REP-P	00-12-101
232- 28-02201	AMD	00-04-017	236- 70-040	AMD	00-08-040	246-101-001	NEW-P	00-12-101
232- 28-02202	AMD	00-04-017	236- 70-050	AMD	00-08-040	246-101-005	NEW-P	00-12-101
232- 28-02202	AMD-P	00-06-097	236- 70-060	AMD	00-08-040	246-101-010	NEW-P	00-12-101
232- 28-02202	AMD	00-11-137	236- 70-080	AMD	00-08-040	246-101-015	NEW-P	00-12-101
232- 28-02203	AMD	00-04-017	236-200-010	RECOD	00-08-039	246-101-101	NEW-P	00-12-101
232- 28-02204	AMD	00-04-017	236-200-020	RECOD	00-08-039	246-101-105	NEW-P	00-12-101
232- 28-02205	AMD	00-04-017	236-200-030	RECOD	00-08-039	246-101-110	NEW-P	00-12-101
232- 28-02206	AMD	00-04-017	236-200-040	RECOD	00-08-039	246-101-115	NEW-P	00-12-101
232- 28-02220	AMD	00-04-017	236-200-050	RECOD	00-08-039	246-101-120	NEW-P	00-12-101
232- 28-02240	AMD	00-04-017	236-200-060	RECOD	00-08-039	246-101-201	NEW-P	00-12-101
232- 28-24102	REP	00-04-017	242- 02-052	AMD-P	00-05-021	246-101-205	NEW-P	00-12-101
232- 28-248	AMD-P	00-06-095	242- 02-052	AMD	00-09-094	246-101-210	NEW-P	00-12-101
232- 28-248	AMD	00-11-137	242- 02-255	NEW-P	00-05-021	246-101-215	NEW-P	00-12-101
232- 28-255	REP	00-04-017	242- 02-255	NEW	00-09-094	246-101-220	NEW-P	00-12-101
232- 28-26000A	NEW-E	00-03-025	242- 02-522	AMD-P	00-05-021	246-101-225	NEW-P	00-12-101
232- 28-261	REP	00-04-017	242- 02-522	AMD	00-09-094	246-101-230	NEW-P	00-12-101
232- 28-262	REP	00-04-017	242- 02-832	AMD-P	00-05-021	246-101-301	NEW-P	00-12-101
232- 28-263	REP	00-04-017	242- 02-832	AMD	00-09-094	246-101-305	NEW-P	00-12-101
232- 28-266	AMD-P	00-06-096	242- 02-834	AMD-P	00-05-021	246-101-310	NEW-P	00-12-101
232- 28-266	AMD	00-11-137	242- 02-834	AMD	00-09-094	246-101-315	NEW-P	00-12-101
232- 28-269	REP	00-04-017	242- 04-030	AMD-P	00-05-021	246-101-320	NEW-P	00-12-101
232- 28-270	REP	00-04-017	242- 04-030	AMD	00-09-094	246-101-401	NEW-P	00-12-101
232- 28-271	AMD	00-04-017	242- 04-050	AMD-P	00-05-021	246-101-405	NEW-P	00-12-101
232- 28-272	AMD-P	00-06-099	242- 04-050	AMD	00-09-094	246-101-410	NEW-P	00-12-101
232- 28-272	AMD	00-11-137	246- 14-010	NEW	00-10-114	246-101-415	NEW-P	00-12-101
232- 28-273	AMD-P	00-06-092	246- 14-020	NEW	00-10-114	246-101-420	NEW-P	00-12-101
232- 28-273	AMD	00-11-137	246- 14-030	NEW	00-10-114	246-101-425	NEW-P	00-12-101
232- 28-275	AMD	00-04-017	246- 14-040	NEW	00-10-114	246-101-501	NEW-P	00-12-101
232- 28-276	NEW-P	00-06-086	246- 14-050	NEW	00-10-114	246-101-505	NEW-P	00-12-101
232- 28-276	NEW	00-11-137	246- 14-060	NEW	00-10-114	246-101-510	NEW-P	00-12-101
232- 28-277	NEW	00-04-017	246- 14-070	NEW	00-10-114	246-101-515	NEW-P	00-12-101
232- 28-278	NEW-P	00-06-087	246- 14-080	NEW	00-10-114	246-101-520	NEW-P	00-12-101
232- 28-278	NEW	00-11-137	246- 14-090	NEW	00-10-114	246-101-525	NEW-P	00-12-101
232- 28-279	NEW-P	00-06-085	246- 14-100	NEW	00-10-114	246-101-601	NEW-P	00-12-101
232- 28-279	NEW	00-11-137	246- 14-110	NEW	00-10-114	246-101-605	NEW-P	00-12-101
232- 28-619	AMD	00-08-038	246- 14-120	NEW	00-10-114	246-101-610	NEW-P	00-12-101
232- 28-619	AMD-XA	00-11-179	246-100-011	AMD-P	00-12-101	246-101-615	NEW-P	00-12-101
232- 28-61900D	NEW-E	00-03-041	246-100-016	REP-P	00-12-101	246-101-620	NEW-P	00-12-101
232- 28-61900D	REP-E	00-03-041	246-100-021	AMD-P	00-12-101	246-101-625	NEW-P	00-12-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-101-630	NEW-P	00-12-101	246-243-170	AMD	00-08-013	246-338-030	REP-P	00-03-073
246-101-635	NEW-P	00-12-101	246-243-180	AMD-P	00-04-088	246-338-030	REP	00-06-079
246-101-640	NEW-P	00-12-101	246-243-180	AMD	00-08-013	246-338-040	AMD-P	00-03-073
246-101-701	NEW-P	00-12-101	246-243-190	AMD-P	00-04-088	246-338-040	AMD	00-06-079
246-101-705	NEW-P	00-12-101	246-243-190	AMD	00-08-013	246-338-050	AMD-P	00-03-073
246-101-710	NEW-P	00-12-101	246-243-195	AMD-P	00-04-088	246-338-050	AMD	00-06-079
246-101-715	NEW-P	00-12-101	246-243-195	AMD	00-08-013	246-338-060	AMD-P	00-03-073
246-101-720	NEW-P	00-12-101	246-243-200	AMD-P	00-04-088	246-338-060	AMD	00-06-079
246-101-725	NEW-P	00-12-101	246-243-200	AMD	00-08-013	246-338-070	AMD-P	00-03-073
246-101-730	NEW-P	00-12-101	246-243-203	NEW-P	00-04-088	246-338-070	AMD	00-06-079
246-220-007	AMD-P	00-04-088	246-243-203	NEW	00-08-013	246-338-080	AMD-P	00-03-073
246-220-007	AMD	00-08-013	246-243-210	REP-P	00-04-088	246-338-080	AMD	00-06-079
246-220-010	AMD-P	00-04-088	246-243-210	REP	00-08-013	246-338-090	AMD-P	00-03-073
246-220-010	AMD	00-08-013	246-243-220	AMD-P	00-04-088	246-338-090	AMD	00-06-079
246-221-020	AMD-P	00-04-088	246-243-220	AMD	00-08-013	246-338-100	AMD-P	00-03-073
246-221-020	AMD	00-08-013	246-243-230	AMD-P	00-04-088	246-338-100	AMD	00-06-079
246-221-270	AMD	00-07-085	246-243-230	AMD	00-08-013	246-338-110	AMD-P	00-03-073
246-232-060	AMD	00-07-085	246-243-250	NEW-P	00-04-088	246-338-110	AMD	00-06-079
246-235-075	AMD	00-07-085	246-243-250	NEW	00-08-013	246-358-001	AMD	00-06-082
246-235-080	AMD-P	00-04-088	246-246-001	NEW	00-07-085	246-358-010	AMD	00-06-082
246-235-080	AMD	00-08-013	246-246-010	NEW	00-07-085	246-358-020	REP	00-06-082
246-235-084	NEW-P	00-04-088	246-246-020	NEW	00-07-085	246-358-025	AMD	00-06-082
246-235-084	NEW	00-08-013	246-246-030	NEW	00-07-085	246-358-027	NEW	00-06-082
246-235-086	NEW-P	00-04-088	246-246-040	NEW	00-07-085	246-358-029	NEW	00-06-082
246-235-086	NEW	00-08-013	246-246-050	NEW	00-07-085	246-358-030	REP	00-06-082
246-235-090	AMD-P	00-04-088	246-246-060	NEW	00-07-085	246-358-040	NEW	00-06-082
246-235-090	AMD	00-08-013	246-252-001	AMD-P	00-04-088	246-358-045	AMD	00-06-082
246-243-020	AMD-P	00-04-088	246-252-001	AMD	00-08-013	246-358-055	AMD	00-06-082
246-243-020	AMD	00-08-013	246-252-030	AMD-P	00-04-088	246-358-065	AMD	00-06-082
246-243-030	AMD-P	00-04-088	246-252-030	AMD	00-08-013	246-358-070	NEW	00-06-082
246-243-030	AMD	00-08-013	246-254-150	AMD-P	00-04-088	246-358-075	AMD	00-06-082
246-243-042	NEW-P	00-04-088	246-254-150	AMD	00-08-013	246-358-090	AMD	00-06-082
246-243-042	NEW	00-08-013	246-290-72001	NEW-P	00-11-164	246-358-095	AMD	00-06-082
246-243-044	NEW-P	00-04-088	246-290-72002	NEW-P	00-11-164	246-358-100	AMD	00-06-082
246-243-044	NEW	00-08-013	246-290-72003	NEW-P	00-11-164	246-358-125	AMD	00-06-082
246-243-047	NEW-P	00-04-088	246-290-72004	NEW-P	00-11-164	246-358-135	AMD	00-06-082
246-243-047	NEW	00-08-013	246-290-72005	NEW-P	00-11-164	246-358-140	REP	00-06-082
246-243-050	AMD-P	00-04-088	246-290-72006	NEW-P	00-11-164	246-358-145	AMD	00-06-082
246-243-050	AMD	00-08-013	246-290-72007	NEW-P	00-11-164	246-358-155	AMD	00-06-082
246-243-060	AMD-P	00-04-088	246-290-72008	NEW-P	00-11-164	246-358-165	AMD	00-06-082
246-243-060	AMD	00-08-013	246-290-72009	NEW-P	00-11-164	246-358-175	AMD	00-06-082
246-243-080	AMD-P	00-04-088	246-290-72010	NEW-P	00-11-164	246-358-600	REP	00-06-082
246-243-080	AMD	00-08-013	246-290-72011	NEW-P	00-11-164	246-358-610	REP	00-06-082
246-243-090	AMD-P	00-04-088	246-290-72012	NEW-P	00-11-164	246-358-620	REP	00-06-082
246-243-090	AMD	00-08-013	246-292	PREP	00-10-112	246-358-630	REP	00-06-082
246-243-100	AMD-P	00-04-088	246-323	PREP	00-05-097	246-358-640	REP	00-06-082
246-243-100	AMD	00-08-013	246-325	PREP	00-05-097	246-358-650	REP	00-06-082
246-243-110	AMD-P	00-04-088	246-326	PREP	00-05-097	246-358-660	REP	00-06-082
246-243-110	AMD	00-08-013	246-338-001	AMD-P	00-03-073	246-358-670	REP	00-06-082
246-243-120	AMD-P	00-04-088	246-338-001	AMD	00-06-079	246-358-680	REP	00-06-082
246-243-120	AMD	00-08-013	246-338-010	AMD-P	00-03-073	246-361-001	NEW	00-06-082
246-243-130	AMD-P	00-04-088	246-338-010	AMD	00-06-079	246-361-010	NEW	00-06-082
246-243-130	AMD	00-08-013	246-338-020	AMD-P	00-03-073	246-361-020	NEW	00-06-082
246-243-140	AMD-P	00-04-088	246-338-020	AMD	00-06-079	246-361-025	NEW	00-06-082
246-243-140	AMD	00-08-013	246-338-022	NEW-P	00-03-073	246-361-030	NEW	00-06-082
246-243-141	NEW-P	00-04-088	246-338-022	NEW	00-06-079	246-361-035	NEW	00-06-082
246-243-141	NEW	00-08-013	246-338-024	NEW-P	00-03-073	246-361-045	NEW	00-06-082
246-243-150	AMD-P	00-04-088	246-338-024	NEW	00-06-079	246-361-055	NEW	00-06-082
246-243-150	AMD	00-08-013	246-338-026	NEW-P	00-03-073	246-361-065	NEW	00-06-082
246-243-160	AMD-P	00-04-088	246-338-026	NEW	00-06-079	246-361-070	NEW	00-06-082
246-243-160	AMD	00-08-013	246-338-028	NEW-P	00-03-073	246-361-075	NEW	00-06-082
246-243-170	AMD-P	00-04-088	246-338-028	NEW	00-06-079	246-361-080	NEW	00-06-082

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-361-090	NEW	00-06-082	246-790-010	AMD-P	00-07-084	246-840-910	PREP	00-11-158
246-361-095	NEW	00-06-082	246-790-010	AMD	00-13-009	246-840-920	PREP	00-11-158
246-361-100	NEW	00-06-082	246-790-050	AMD-P	00-07-084	246-840-930	PREP	00-11-158
246-361-125	NEW	00-06-082	246-790-050	AMD	00-13-009	246-840-940	PREP	00-11-158
246-361-135	NEW	00-06-082	246-790-060	AMD-P	00-07-084	246-840-950	PREP	00-11-158
246-361-145	NEW	00-06-082	246-790-060	AMD	00-13-009	246-840-960	PREP	00-11-158
246-361-155	NEW	00-06-082	246-790-065	NEW-P	00-07-084	246-840-970	PREP	00-11-158
246-361-165	NEW	00-06-082	246-790-065	NEW	00-13-009	246-840-980	PREP	00-11-158
246-361-175	NEW	00-06-082	246-790-070	AMD-P	00-07-084	246-840-990	PREP-W	00-11-153
246-361-990	NEW	00-06-082	246-790-070	AMD	00-13-009	246-841-400	PREP	00-03-072
246-420-001	REP-P	00-12-101	246-790-080	AMD-P	00-07-084	246-841-405	PREP	00-11-158
246-420-010	REP-P	00-12-101	246-790-080	AMD	00-13-009	246-841-410	PREP	00-03-072
246-420-020	REP-P	00-12-101	246-790-085	AMD-P	00-07-084	246-841-420	PREP	00-03-072
246-420-030	REP-P	00-12-101	246-790-085	AMD	00-13-009	246-841-430	PREP	00-03-072
246-420-040	REP-P	00-12-101	246-790-090	AMD-P	00-07-084	246-841-440	PREP	00-03-072
246-420-050	REP-P	00-12-101	246-790-090	AMD	00-13-009	246-841-450	PREP	00-03-072
246-420-060	REP-P	00-12-101	246-790-100	AMD-P	00-07-084	246-841-460	PREP	00-03-072
246-490-010	NEW-P	00-05-098	246-790-100	AMD	00-13-009	246-841-470	PREP	00-03-072
246-490-010	NEW	00-11-169	246-790-120	AMD-P	00-07-084	246-841-480	PREP	00-03-072
246-490-020	NEW-P	00-05-098	246-790-120	AMD	00-13-009	246-841-490	PREP	00-03-072
246-490-020	NEW	00-11-169	246-790-130	AMD-P	00-07-084	246-841-500	PREP	00-03-072
246-490-030	NEW-P	00-05-098	246-790-130	AMD	00-13-009	246-841-510	PREP	00-03-072
246-490-030	NEW	00-11-169	246-808-105	PREP	00-10-110	246-843-150	PREP	00-13-093
246-490-055	NEW-P	00-05-098	246-808-105	AMD-P	00-13-094	246-843-180	PREP	00-13-093
246-490-055	NEW	00-11-169	246-808-115	PREP	00-10-110	246-843-330	PREP	00-13-093
246-490-065	NEW-P	00-05-098	246-808-115	AMD-P	00-13-094	246-883-020	AMD	00-06-078
246-490-065	NEW	00-11-169	246-808-120	PREP	00-10-110	246-886-025	NEW-E	00-11-168
246-490-070	NEW-P	00-05-098	246-808-120	REP-P	00-13-094	246-887-160	AMD-P	00-06-080
246-490-070	NEW	00-11-169	246-808-135	PREP	00-10-110	246-887-160	AMD	00-10-113
246-562-010	AMD-P	00-11-165	246-808-135	AMD-P	00-13-094	246-901	AMD-P	00-08-101
246-562-020	AMD-P	00-11-165	246-808-700	REP-XR	00-04-087	246-901-010	AMD-P	00-08-101
246-562-060	AMD-P	00-11-165	246-810-600	NEW	00-03-075A	246-901-020	AMD-P	00-08-101
246-562-080	AMD-P	00-11-165	246-810-610	NEW	00-03-075A	246-901-030	AMD-P	00-08-101
246-562-110	AMD-P	00-11-165	246-810-620	NEW	00-03-075A	246-901-035	AMD-P	00-08-101
246-562-120	AMD-P	00-11-165	246-810-630	NEW	00-03-075A	246-901-040	AMD-P	00-08-101
246-562-140	AMD-P	00-11-165	246-810-640	NEW	00-03-075A	246-901-050	AMD-P	00-08-101
246-562-150	AMD-P	00-11-165	246-810-650	NEW	00-03-075A	246-901-060	AMD-P	00-08-101
246-562-160	NEW-P	00-11-165	246-810-660	NEW	00-03-075A	246-901-065	AMD-P	00-08-101
246-780-001	AMD-P	00-03-074	246-811-090	NEW-P	00-08-100	246-901-070	AMD-P	00-08-101
246-780-001	AMD	00-07-129	246-811-090	NEW	00-12-102	246-901-080	AMD-P	00-08-101
246-780-010	AMD-P	00-03-074	246-811-100	NEW-P	00-08-100	246-901-090	AMD-P	00-08-101
246-780-010	AMD	00-07-129	246-811-100	NEW	00-12-102	246-901-100	AMD-P	00-08-101
246-780-020	AMD-P	00-03-074	246-811-110	NEW-P	00-08-100	246-901-110	REP-P	00-08-101
246-780-020	AMD	00-07-129	246-811-110	NEW	00-12-102	246-901-120	AMD-P	00-08-101
246-780-022	NEW-P	00-03-074	246-812-990	AMD	00-07-050	246-901-130	AMD-P	00-08-101
246-780-022	NEW	00-07-129	246-830-485	NEW	00-07-086	246-901-140	NEW-P	00-08-101
246-780-025	NEW-P	00-03-074	246-840-500	PREP	00-11-163	246-930-010	PREP	00-08-099
246-780-025	NEW	00-07-129	246-840-505	PREP	00-11-163	246-930-030	PREP	00-08-099
246-780-028	NEW-P	00-03-074	246-840-510	PREP	00-11-163	246-930-040	PREP	00-08-099
246-780-028	NEW	00-07-129	246-840-520	PREP	00-11-163	246-930-200	PREP	00-08-099
246-780-030	AMD-P	00-03-074	246-840-525	PREP	00-11-163	246-930-410	PREP	00-08-099
246-780-030	AMD	00-07-129	246-840-530	PREP	00-11-163	246-939	PREP	00-11-159
246-780-040	AMD-P	00-03-074	246-840-535	PREP	00-11-163	246-939-010	NEW-P	00-11-167
246-780-040	AMD	00-07-129	246-840-540	PREP	00-11-163	246-939-030	NEW-P	00-11-167
246-780-050	REP-P	00-03-074	246-840-545	PREP	00-11-163	246-939-050	NEW-P	00-11-167
246-780-050	REP	00-07-129	246-840-550	PREP	00-11-163	246-976-001	AMD-P	00-03-075
246-780-060	AMD-P	00-03-074	246-840-555	PREP	00-11-163	246-976-001	AMD	00-08-102
246-780-060	AMD	00-07-129	246-840-560	PREP	00-11-163	246-976-010	AMD-P	00-03-075
246-780-070	REP-P	00-03-074	246-840-565	PREP	00-11-163	246-976-010	AMD	00-08-102
246-780-070	REP	00-07-129	246-840-570	PREP	00-11-163	246-976-020	REP-P	00-03-075
246-790	AMD-P	00-07-084	246-840-575	PREP	00-11-163	246-976-020	REP	00-08-102
246-790	AMD	00-13-009	246-840-830	AMD-P	00-11-166	246-976-021	NEW-P	00-03-075

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-976-021	NEW	00-08-102	246-976-182	NEW	00-08-102	246-976-950	AMD	00-08-102
246-976-025	REP-P	00-03-075	246-976-190	REP-P	00-03-075	246-976-960	AMD-P	00-03-075
246-976-025	REP	00-08-102	246-976-190	REP	00-08-102	246-976-960	AMD	00-08-102
246-976-030	REP-P	00-03-075	246-976-191	NEW-P	00-03-075	246-976-970	AMD-P	00-03-075
246-976-030	REP	00-08-102	246-976-191	NEW	00-08-102	246-976-970	AMD	00-08-102
246-976-031	NEW-P	00-03-075	246-976-200	REP-P	00-03-075	246-976-990	AMD-P	00-03-075
246-976-031	NEW	00-08-102	246-976-200	REP	00-08-102	246-976-990	AMD	00-08-102
246-976-035	REP-P	00-03-075	246-976-210	REP-P	00-03-075	250-66-020	AMD	00-08-081
246-976-035	REP	00-08-102	246-976-210	REP	00-08-102	250-66-030	AMD	00-08-081
246-976-040	REP-P	00-03-075	246-976-220	REP-P	00-03-075	250-66-040	AMD	00-08-081
246-976-040	REP	00-08-102	246-976-220	REP	00-08-102	250-66-045	NEW	00-08-081
246-976-041	NEW-P	00-03-075	246-976-230	REP-P	00-03-075	250-66-050	AMD	00-08-081
246-976-041	NEW	00-08-102	246-976-230	REP	00-08-102	250-80-010	NEW	00-08-082
246-976-045	REP-P	00-03-075	246-976-240	REP-P	00-03-075	250-80-010	NEW-E	00-08-083
246-976-045	REP	00-08-102	246-976-240	REP	00-08-102	250-80-020	NEW	00-08-082
246-976-050	REP-P	00-03-075	246-976-260	AMD-P	00-03-075	250-80-020	NEW-E	00-08-083
246-976-050	REP	00-08-102	246-976-260	AMD	00-08-102	250-80-030	NEW	00-08-082
246-976-055	REP-P	00-03-075	246-976-270	AMD-P	00-03-075	250-80-030	NEW-E	00-08-083
246-976-055	REP	00-08-102	246-976-270	AMD	00-08-102	250-80-040	NEW	00-08-082
246-976-060	REP-P	00-03-075	246-976-280	REP-P	00-03-075	250-80-040	NEW-E	00-08-083
246-976-060	REP	00-08-102	246-976-280	REP	00-08-102	250-80-050	NEW	00-08-082
246-976-065	REP-P	00-03-075	246-976-290	AMD-P	00-03-075	250-80-050	NEW-E	00-08-083
246-976-065	REP	00-08-102	246-976-290	AMD	00-08-102	250-80-060	NEW	00-08-082
246-976-070	REP-P	00-03-075	246-976-300	AMD-P	00-03-075	250-80-060	NEW-E	00-08-083
246-976-070	REP	00-08-102	246-976-300	AMD	00-08-102	250-80-070	NEW	00-08-082
246-976-075	REP-P	00-03-075	246-976-310	AMD-P	00-03-075	250-80-070	NEW-E	00-08-083
246-976-075	REP	00-08-102	246-976-310	AMD	00-08-102	250-80-080	NEW	00-08-082
246-976-076	REP-P	00-03-075	246-976-320	AMD-P	00-03-075	250-80-080	NEW-E	00-08-083
246-976-076	REP	00-08-102	246-976-320	AMD	00-08-102	250-80-090	NEW	00-08-082
246-976-077	REP-P	00-03-075	246-976-320	PREP	00-10-111	250-80-090	NEW-E	00-08-083
246-976-077	REP	00-08-102	246-976-330	AMD-P	00-03-075	250-80-100	NEW	00-08-082
246-976-080	REP-P	00-03-075	246-976-330	AMD	00-08-102	250-80-100	NEW-E	00-08-083
246-976-080	REP	00-08-102	246-976-340	AMD-P	00-03-075	250-81-010	NEW-P	00-05-084
246-976-085	REP-P	00-03-075	246-976-340	AMD	00-08-102	250-81-010	NEW	00-08-080
246-976-085	REP	00-08-102	246-976-350	REP-P	00-03-075	250-81-020	NEW-P	00-05-084
246-976-110	REP-P	00-03-075	246-976-350	REP	00-08-102	250-81-020	NEW	00-08-080
246-976-110	REP	00-08-102	246-976-370	REP-P	00-03-075	250-81-030	NEW-P	00-05-084
246-976-120	REP-P	00-03-075	246-976-370	REP	00-08-102	250-81-030	NEW	00-08-080
246-976-120	REP	00-08-102	246-976-390	AMD-P	00-03-075	250-81-040	NEW-P	00-05-084
246-976-140	REP-P	00-03-075	246-976-390	AMD	00-08-102	250-81-040	NEW	00-08-080
246-976-140	REP	00-08-102	246-976-390	PREP	00-10-111	250-81-050	NEW-P	00-05-084
246-976-141	NEW-P	00-03-075	246-976-400	AMD-P	00-03-075	250-81-050	NEW	00-08-080
246-976-141	NEW	00-08-102	246-976-400	AMD	00-08-102	250-81-060	NEW-P	00-05-084
246-976-150	REP-P	00-03-075	246-976-420	AMD-P	00-03-075	250-81-060	NEW	00-08-080
246-976-150	REP	00-08-102	246-976-420	AMD	00-08-102	251-01-175	AMD-P	00-12-072
246-976-151	NEW-P	00-03-075	246-976-430	AMD-P	00-03-075	251-01-345	AMD-P	00-04-053
246-976-151	NEW	00-08-102	246-976-430	AMD	00-08-102	251-01-345	AMD-W	00-05-060
246-976-160	REP-P	00-03-075	246-976-440	REP-P	00-03-075	251-01-345	AMD-C	00-06-051
246-976-160	REP	00-08-102	246-976-440	REP	00-08-102	251-01-345	AMD	00-10-027
246-976-161	NEW-P	00-03-075	246-976-450	REP-P	00-03-075	251-08-075	NEW-P	00-12-074
246-976-161	NEW	00-08-102	246-976-450	REP	00-08-102	251-08-115	AMD-P	00-04-052
246-976-165	REP-P	00-03-075	246-976-890	AMD-P	00-03-075	251-08-115	AMD-C	00-06-050
246-976-165	REP	00-08-102	246-976-890	AMD	00-08-102	251-08-115	AMD	00-10-026
246-976-170	REP-P	00-03-075	246-976-910	AMD-P	00-03-075	251-09-080	AMD-P	00-04-052
246-976-170	REP	00-08-102	246-976-910	AMD	00-08-102	251-09-080	AMD-C	00-06-050
246-976-171	NEW-P	00-03-075	246-976-920	AMD-P	00-03-075	251-09-080	AMD	00-10-026
246-976-171	NEW	00-08-102	246-976-920	AMD	00-08-102	251-17-150	AMD-P	00-12-072
246-976-180	REP-P	00-03-075	246-976-930	AMD-P	00-03-075	251-19-085	NEW-P	00-06-048
246-976-180	REP	00-08-102	246-976-930	AMD	00-08-102	251-19-085	NEW	00-11-121
246-976-181	REP-P	00-03-075	246-976-940	AMD-P	00-03-075	251-20-020	AMD-P	00-04-053
246-976-181	REP	00-08-102	246-976-940	AMD	00-08-102	251-20-020	AMD-W	00-05-060
246-976-182	NEW-P	00-03-075	246-976-950	AMD-P	00-03-075	251-20-020	AMD-C	00-06-051

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
251- 20-020	AMD	00-10-027	263- 12-130	PREP	00-12-065	284- 74-380	NEW	00-07-069
251- 20-030	AMD-P	00-04-053	263- 12-135	PREP	00-12-066	286- 40-020	AMD	00-05-008
251- 20-030	AMD-W	00-05-060	263- 12-140	PREP	00-12-067	296- 15-500	NEW-P	00-10-106
251- 20-030	AMD-C	00-06-051	263- 12-145	PREP	00-12-068	296- 15-510	NEW-P	00-10-106
251- 20-030	AMD	00-10-027	275- 30-010	AMD-E	00-10-065	296- 17	PREP	00-02-090
251- 23-040	AMD-P	00-04-052	275- 30-010	AMD-P	00-13-074	296- 17	PREP	00-11-135
251- 23-040	AMD-C	00-06-050	275- 30-010	DECOD-P	00-13-074	296- 17-31011	AMD-P	00-07-138
251- 23-040	AMD	00-10-026	275- 30-030	DECOD-P	00-13-074	296- 17-31012	AMD-P	00-07-138
260- 12-180	AMD-P	00-13-004	275- 30-040	DECOD-P	00-13-074	296- 17-31021	AMD-P	00-07-138
260- 24-650	AMD-P	00-13-004	275- 30-060	DECOD-P	00-13-074	296- 17-501	AMD-P	00-07-138
260- 28-230	AMD	00-06-072	275- 30-070	DECOD-P	00-13-074	296- 17-50601	AMD-P	00-07-138
260- 34-030	AMD-P	00-03-088	275- 35	PREP	00-03-028	296- 17-510	AMD-P	00-07-138
260- 34-030	AMD	00-07-038	275- 35-010	REP-P	00-12-103	296- 17-521	AMD-P	00-07-138
260- 34-080	AMD-P	00-03-088	275- 35-020	REP-P	00-12-103	296- 17-52102	AMD-P	00-07-138
260- 34-080	AMD	00-07-038	275- 35-030	REP-P	00-12-103	296- 17-52106	AMD-P	00-07-138
260- 34-090	AMD-P	00-03-088	275- 35-040	REP-P	00-12-103	296- 17-527	AMD-P	00-07-138
260- 34-090	AMD	00-07-038	275- 35-050	REP-P	00-12-103	296- 17-529	AMD-P	00-07-138
260- 34-100	AMD-P	00-03-088	275- 35-060	REP-P	00-12-103	296- 17-537	AMD-P	00-07-138
260- 34-100	AMD	00-07-038	275- 35-070	REP-P	00-12-103	296- 17-53803	AMD-P	00-07-138
260- 34-140	AMD-P	00-03-088	275- 35-080	REP-P	00-12-103	296- 17-542	AMD-P	00-07-138
260- 34-140	AMD-W	00-07-037	275- 35-100	REP-P	00-12-103	296- 17-544	AMD-P	00-07-138
260- 34-150	AMD-P	00-03-088	275- 37-010	REP-P	00-11-139	296- 17-54401	AMD-P	00-07-138
260- 34-150	AMD-W	00-07-037	275- 37-020	REP-P	00-11-139	296- 17-54403	NEW-P	00-07-138
260- 40-100	AMD-P	00-03-089	275- 37-030	REP-P	00-11-139	296- 17-545	AMD-P	00-07-138
260- 40-100	AMD	00-07-039	275- 54	PREP	00-08-048	296- 17-546	AMD-P	00-07-138
260- 44-070	AMD	00-06-071	275- 55	PREP	00-08-048	296- 17-562	AMD-P	00-07-138
260- 48-600	AMD	00-06-070	275- 57	PREP	00-08-048	296- 17-57001	AMD-P	00-07-138
260- 48-620	AMD	00-06-070	275-110	PREP	00-12-034	296- 17-583	AMD-P	00-07-138
260- 52-010	AMD	00-06-069	284- 02-070	AMD-E	00-08-011	296- 17-58503	AMD-P	00-07-138
260- 52-020	AMD-P	00-13-004	284- 30-600	AMD-P	00-13-113	296- 17-597	AMD-P	00-07-138
260- 52-030	AMD	00-06-069	284- 30-610	AMD-P	00-13-113	296- 17-615	AMD-P	00-07-138
260- 52-040	AMD	00-06-069	284- 43-120	AMD	00-04-034	296- 17-618	AMD-P	00-07-138
260- 52-060	AMD-P	00-03-091	284- 43-125	NEW	00-04-034	296- 17-643	AMD-P	00-07-138
260- 52-060	AMD	00-07-041	284- 43-200	AMD	00-04-034	296- 17-649	AMD-P	00-07-138
260- 52-080	AMD-P	00-13-003	284- 43-210	AMD	00-04-034	296- 17-66003	AMD-P	00-07-138
260- 70-700	AMD-P	00-03-092	284- 43-220	AMD	00-04-034	296- 17-675	AMD-P	00-07-138
260- 70-700	AMD	00-07-042	284- 43-250	AMD	00-04-034	296- 17-678	AMD-P	00-07-138
260- 72-020	AMD-P	00-13-005	284- 43-710	AMD	00-04-034	296- 17-679	AMD-P	00-07-138
260- 75-020	NEW-P	00-03-090	284- 43-710	AMD-E	00-08-011	296- 17-686	AMD-P	00-07-138
260- 75-020	NEW	00-07-040	284- 43-720	AMD	00-04-034	296- 17-689	AMD-P	00-07-138
260- 75-030	NEW-P	00-03-090	284- 43-720	AMD-E	00-08-011	296- 17-690	AMD-P	00-07-138
260- 75-030	NEW	00-07-040	284- 43-730	AMD-E	00-08-011	296- 17-694	AMD-P	00-07-138
260- 88-010	AMD-P	00-03-093	284- 43-915	AMD-E	00-08-011	296- 17-695	AMD-P	00-07-138
260- 88-010	AMD	00-07-043	284- 43-930	AMD-E	00-08-011	296- 17-712	AMD-P	00-07-138
262- 01-140	NEW	00-06-030	284- 43-945	AMD-E	00-08-011	296- 17-713	AMD-P	00-07-138
263- 12-016	PREP	00-12-053	284- 74-300	NEW-P	00-04-090	296- 17-729	AMD-P	00-07-138
263- 12-020	PREP	00-12-054	284- 74-300	NEW	00-07-069	296- 17-740	AMD-P	00-07-138
263- 12-045	PREP	00-12-055	284- 74-310	NEW-P	00-04-090	296- 17-748	AMD-P	00-07-138
263- 12-050	PREP	00-12-056	284- 74-310	NEW	00-07-069	296- 17-749	AMD-P	00-07-138
263- 12-051	PREP	00-12-056	284- 74-320	NEW-P	00-04-090	296- 17-751	AMD-P	00-07-138
263- 12-056	PREP	00-12-056	284- 74-320	NEW	00-07-069	296- 17-779	AMD-P	00-07-138
263- 12-057	PREP	00-12-056	284- 74-330	NEW-P	00-04-090	296- 17-855	AMD-P	00-07-138
263- 12-058	PREP	00-12-056	284- 74-330	NEW	00-07-069	296- 17-885	AMD-P	00-07-138
263- 12-059	PREP	00-12-056	284- 74-340	NEW-P	00-04-090	296- 17-895	AMD-P	00-07-138
263- 12-060	PREP	00-12-057	284- 74-340	NEW	00-07-069	296- 17-90401	NEW	00-11-060
263- 12-090	PREP	00-12-058	284- 74-350	NEW-P	00-04-090	296- 17-90402	NEW	00-11-060
263- 12-093	PREP	00-12-059	284- 74-350	NEW	00-07-069	296- 17-90403	NEW	00-11-060
263- 12-095	PREP	00-12-060	284- 74-360	NEW-P	00-04-090	296- 17-90406	NEW	00-11-060
263- 12-097	PREP	00-12-061	284- 74-360	NEW	00-07-069	296- 17-90408	NEW	00-11-060
263- 12-100	PREP	00-12-062	284- 74-370	NEW-P	00-04-090	296- 17-90409	NEW	00-11-060
263- 12-115	PREP	00-12-063	284- 74-370	NEW	00-07-069	296- 17-90412	NEW	00-11-060
263- 12-120	PREP	00-12-064	284- 74-380	NEW-P	00-04-090	296- 17-90415	NEW	00-11-060

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296-17-90418	NEW	00-11-060	296-18A-440	REP-P	00-10-106	296-20-135	AMD	00-09-077
296-17-90421	NEW	00-11-060	296-18A-445	REP-P	00-10-106	296-21-290	AMD-P	00-05-111
296-17-90424	NEW	00-11-060	296-18A-450	REP-P	00-10-106	296-21-290	AMD	00-09-078
296-17-90427	NEW	00-11-060	296-18A-460	REP-P	00-10-106	296-23-220	AMD-P	00-05-112
296-17-90430	NEW	00-11-060	296-18A-470	REP-P	00-10-106	296-23-220	AMD	00-09-077
296-17-90433	NEW	00-11-060	296-18A-480	REP-P	00-10-106	296-23-230	AMD-P	00-05-112
296-17-90434	NEW	00-11-060	296-18A-490	REP-P	00-10-106	296-23-230	AMD	00-09-077
296-17-90436	NEW	00-11-060	296-18A-500	REP-P	00-10-106	296-23A-0200	AMD	00-06-027
296-17-90439	NEW	00-11-060	296-18A-510	REP-P	00-10-106	296-23A-0210	AMD	00-06-027
296-17-90442	NEW	00-11-060	296-18A-515	REP-P	00-10-106	296-23A-0220	AMD	00-06-027
296-17-90445	NEW	00-11-060	296-18A-520	REP-P	00-10-106	296-23A-0230	AMD-P	00-05-111
296-17-90448	NEW	00-11-060	296-19A-010	NEW-P	00-10-106	296-23A-0230	AMD	00-09-078
296-17-90451	NEW	00-11-060	296-19A-020	NEW-P	00-10-106	296-23A-0240	AMD	00-06-027
296-17-90463	NEW	00-11-060	296-19A-030	NEW-P	00-10-106	296-24	PREP	00-05-057
296-17-90466	NEW	00-11-060	296-19A-040	NEW-P	00-10-106	296-24	PREP	00-10-046
296-17-90469	NEW	00-11-060	296-19A-050	NEW-P	00-10-106	296-24	PREP	00-12-099
296-17-90472	NEW	00-11-060	296-19A-060	NEW-P	00-10-106	296-24-14519	AMD	00-08-078
296-17-90475	NEW	00-11-060	296-19A-070	NEW-P	00-10-106	296-24-23027	AMD	00-08-078
296-17-90478	NEW	00-11-060	296-19A-080	NEW-P	00-10-106	296-24-23533	AMD	00-08-078
296-17-90481	NEW	00-11-060	296-19A-090	NEW-P	00-10-106	296-24-825	REP	00-08-078
296-17-90484	NEW	00-11-060	296-19A-100	NEW-P	00-10-106	296-24-82501	REP	00-08-078
296-17-90490	NEW	00-11-060	296-19A-110	NEW-P	00-10-106	296-24-82503	REP	00-08-078
296-17-90491	NEW	00-11-060	296-19A-120	NEW-P	00-10-106	296-24-82505	REP	00-08-078
296-17-90492	NEW	00-11-060	296-19A-130	NEW-P	00-10-106	296-24-82507	REP	00-08-078
296-17-90493	NEW	00-11-060	296-19A-140	NEW-P	00-10-106	296-24-82509	REP	00-08-078
296-17-90494	NEW	00-11-060	296-19A-170	NEW-P	00-10-106	296-24-82511	REP	00-08-078
296-17-90495	NEW	00-11-060	296-19A-180	NEW-P	00-10-106	296-24-82513	REP	00-08-078
296-17-90496	NEW	00-11-060	296-19A-190	NEW-P	00-10-106	296-24-82515	REP	00-08-078
296-17-90497	NEW	00-11-060	296-19A-200	NEW-P	00-10-106	296-24-82517	REP	00-08-078
296-17-91201	REP	00-11-060	296-19A-210	NEW-P	00-10-106	296-24-82519	REP	00-08-078
296-17-91202	REP	00-11-060	296-19A-220	NEW-P	00-10-106	296-24-82521	REP	00-08-078
296-17-91203	REP	00-11-060	296-19A-230	NEW-P	00-10-106	296-24-82523	REP	00-08-078
296-17-91204	REP	00-11-060	296-19A-240	NEW-P	00-10-106	296-24-82525	REP	00-08-078
296-17-91205	REP	00-11-060	296-19A-250	NEW-P	00-10-106	296-24-82527	REP	00-08-078
296-17-91206	REP	00-11-060	296-19A-260	NEW-P	00-10-106	296-24-82529	REP	00-08-078
296-17-91207	REP	00-11-060	296-19A-270	NEW-P	00-10-106	296-24-82531	REP	00-08-078
296-17-91208	REP	00-11-060	296-19A-280	NEW-P	00-10-106	296-24-82533	REP	00-08-078
296-17-91209	REP	00-11-060	296-19A-290	NEW-P	00-10-106	296-24-82535	REP	00-08-078
296-17-91210	REP	00-11-060	296-19A-300	NEW-P	00-10-106	296-24-82537	REP	00-08-078
296-17-91211	REP	00-11-060	296-19A-310	NEW-P	00-10-106	296-24-82539	REP	00-08-078
296-17-91212	REP	00-11-060	296-19A-320	NEW-P	00-10-106	296-24-82541	REP	00-08-078
296-17-91213	REP	00-11-060	296-19A-330	NEW-P	00-10-106	296-24-82543	REP	00-08-078
296-17-91214	REP	00-11-060	296-19A-340	NEW-P	00-10-106	296-24-82545	REP	00-08-078
296-17-91215	REP	00-11-060	296-19A-350	NEW-P	00-10-106	296-24-84001	REP	00-08-078
296-17-91216	REP	00-11-060	296-19A-360	NEW-P	00-10-106	296-24-84003	REP	00-08-078
296-17-91219	REP	00-11-060	296-19A-370	NEW-P	00-10-106	296-24-84005	REP	00-08-078
296-17-91220	REP	00-11-060	296-19A-380	NEW-P	00-10-106	296-24-84007	REP	00-08-078
296-17-91221	REP	00-11-060	296-19A-390	NEW-P	00-10-106	296-24-84009	REP	00-08-078
296-17-91222	REP	00-11-060	296-19A-400	NEW-P	00-10-106	296-24-84011	REP	00-08-078
296-17-91223	REP	00-11-060	296-19A-410	NEW-P	00-10-106	296-24-84013	REP	00-08-078
296-17-91224	REP	00-11-060	296-19A-420	NEW-P	00-10-106	296-24-860	NEW	00-08-078
296-17-91225	REP	00-11-060	296-19A-430	NEW-P	00-10-106	296-24-86005	NEW	00-08-078
296-17-91250	REP	00-11-060	296-19A-440	NEW-P	00-10-106	296-24-86010	NEW	00-08-078
296-17-914	REP	00-11-060	296-19A-450	NEW-P	00-10-106	296-24-86015	NEW	00-08-078
296-17-91402	REP	00-11-060	296-19A-460	NEW-P	00-10-106	296-24-86020	NEW	00-08-078
296-17-91403	REP	00-11-060	296-19A-470	NEW-P	00-10-106	296-24-861	NEW	00-08-078
296-17-91404	REP	00-11-060	296-19A-480	NEW-P	00-10-106	296-24-86105	NEW	00-08-078
296-17-91405	REP	00-11-060	296-20-022	AMD-P	00-05-111	296-24-86110	NEW	00-08-078
296-17-91406	REP	00-11-060	296-20-022	AMD	00-09-078	296-24-86115	NEW	00-08-078
296-17-919	REP	00-11-060	296-20-12401	NEW-P	00-05-111	296-24-86120	NEW	00-08-078
296-18A	PREP	00-05-002	296-20-12401	NEW	00-09-078	296-24-86125	NEW	00-08-078
296-18A-420	REP-P	00-10-106	296-20-135	AMD-P	00-05-112	296-24-86130	NEW	00-08-078

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296-24-862	NEW	00-08-078	296-30-010	AMD-P	00-02-091	296-62-05174	NEW-C	00-04-075
296-24-870	REP	00-08-078	296-30-010	AMD	00-10-003	296-62-05174	NEW	00-12-024
296-24-87001	REP	00-08-078	296-30-080	AMD	00-03-056	296-62-05176	NEW-C	00-04-075
296-24-87009	REP	00-08-078	296-30-081	AMD	00-03-056	296-62-05176	NEW	00-12-024
296-24-87011	REP	00-08-078	296-30-085	NEW	00-03-056	296-62-07515	AMD	00-06-075
296-24-87013	REP	00-08-078	296-30-090	NEW	00-03-056	296-62-07709	AMD	00-06-075
296-24-87015	REP	00-08-078	296-30-095	NEW	00-03-056	296-62-07713	AMD	00-06-075
296-24-87017	REP	00-08-078	296-30-100	NEW	00-03-056	296-62-07722	AMD	00-06-075
296-24-87019	REP	00-08-078	296-30-105	NEW	00-03-056	296-62-07727	AMD	00-06-075
296-24-87031	REP	00-08-078	296-30-120	AMD	00-03-056	296-62-07745	AMD	00-06-075
296-24-87033	REP	00-08-078	296-30-130	AMD-P	00-02-091	296-65-003	AMD	00-06-075
296-24-87035	REP	00-08-078	296-30-130	AMD	00-10-003	296-67	PREP	00-10-045
296-24-87037	REP	00-08-078	296-30-170	AMD	00-03-056	296-79	PREP	00-10-045
296-24-875	NEW	00-08-078	296-30-180	AMD	00-03-056	296-104	PREP	00-10-002
296-24-87505	NEW	00-08-078	296-31-012	AMD-P	00-02-091	296-104-010	PREP	00-10-002
296-24-87510	NEW	00-08-078	296-31-012	AMD	00-10-003	296-104-102	PREP	00-10-002
296-24-87515	NEW	00-08-078	296-31-020	REP-P	00-02-091	296-104-180	PREP	00-10-002
296-24-880	NEW	00-08-078	296-31-020	REP	00-10-003	296-104-200	PREP	00-10-002
296-24-88005	NEW	00-08-078	296-31-030	AMD	00-03-056	296-104-205	PREP	00-10-002
296-24-88010	NEW	00-08-078	296-31-035	NEW	00-03-056	296-104-210	PREP	00-10-002
296-24-88015	NEW	00-08-078	296-31-045	NEW	00-03-056	296-104-215	PREP	00-10-002
296-24-88020	NEW	00-08-078	296-31-050	REP	00-03-056	296-104-220	PREP	00-10-002
296-24-88025	NEW	00-08-078	296-31-055	NEW	00-03-056	296-104-230	PREP	00-10-002
296-24-88030	NEW	00-08-078	296-31-056	NEW	00-03-056	296-104-235	PREP	00-10-002
296-24-88035	NEW	00-08-078	296-31-057	NEW	00-03-056	296-104-240	PREP	00-10-002
296-24-88040	NEW	00-08-078	296-31-058	NEW	00-03-056	296-104-245	PREP	00-10-002
296-24-88045	NEW	00-08-078	296-31-070	AMD	00-03-056	296-104-265	PREP	00-10-002
296-24-88050	NEW	00-08-078	296-31-074	NEW	00-03-056	296-104-502	PREP	00-10-002
296-24-88055	NEW	00-08-078	296-31-090	REP	00-03-056	296-104-700	PREP	00-10-002
296-24-885	REP	00-08-078	296-46	PREP	00-10-116	296-104-701	PREP	00-10-002
296-24-88501	REP	00-08-078	296-46-930	AMD-E	00-06-076	296-115-001	AMD-XA	00-12-100
296-24-88503	REP	00-08-078	296-46-930	AMD-E	00-13-102	296-115-005	AMD-XA	00-12-100
296-24-88505	REP	00-08-078	296-62	PREP	00-10-045	296-115-010	AMD-XA	00-12-100
296-24-90001	AMD	00-08-078	296-62	PREP	00-10-046	296-115-015	AMD-XA	00-12-100
296-24-90003	AMD	00-08-078	296-62	PREP	00-13-091	296-115-025	AMD-XA	00-12-100
296-24-90005	AMD	00-08-078	296-62	PREP	00-13-092	296-115-030	AMD-XA	00-12-100
296-24-90007	AMD	00-08-078	296-62-051	NEW-C	00-04-075	296-115-035	AMD-XA	00-12-100
296-24-90009	AMD	00-08-078	296-62-051	NEW	00-12-024	296-115-040	AMD-XA	00-12-100
296-27-150	REP-P	00-05-058	296-62-05101	NEW-C	00-04-075	296-115-050	AMD-XA	00-12-100
296-27-150	REP	00-11-098	296-62-05101	NEW	00-12-024	296-115-060	AMD-XA	00-12-100
296-27-160	REP-P	00-05-058	296-62-05103	NEW-C	00-04-075	296-115-070	AMD-XA	00-12-100
296-27-160	REP	00-11-098	296-62-05103	NEW	00-12-024	296-115-100	AMD-XA	00-12-100
296-27-16001	REP-P	00-05-058	296-62-05105	NEW-C	00-04-075	296-127	PREP	00-07-122
296-27-16001	REP	00-11-098	296-62-05105	NEW	00-12-024	296-127-013	AMD-E	00-07-123
296-27-16002	REP-P	00-05-058	296-62-05110	NEW-C	00-04-075	296-127-013	AMD-P	00-11-136
296-27-16002	REP	00-11-098	296-62-05110	NEW	00-12-024	296-127-01301	NEW-E	00-07-123
296-27-16003	REP-P	00-05-058	296-62-05120	NEW-C	00-04-075	296-127-01301	NEW-P	00-11-136
296-27-16003	REP	00-11-098	296-62-05120	NEW	00-12-024	296-127-01303	NEW-E	00-07-123
296-27-16004	REP-P	00-05-058	296-62-05122	NEW-C	00-04-075	296-127-01303	NEW-P	00-11-136
296-27-16004	REP	00-11-098	296-62-05122	NEW	00-12-024	296-127-01305	NEW-E	00-07-123
296-27-16007	REP-P	00-05-058	296-62-05130	NEW-C	00-04-075	296-127-01305	NEW-P	00-11-136
296-27-16007	REP	00-11-098	296-62-05130	NEW	00-12-024	296-127-01306	NEW-E	00-07-123
296-27-16011	REP-P	00-05-058	296-62-05140	NEW-C	00-04-075	296-127-01306	NEW-P	00-11-136
296-27-16011	REP	00-11-098	296-62-05140	NEW	00-12-024	296-127-01308	NEW-E	00-07-123
296-27-16018	REP-P	00-05-058	296-62-05150	NEW-C	00-04-075	296-127-01308	NEW-P	00-11-136
296-27-16018	REP	00-11-098	296-62-05150	NEW	00-12-024	296-127-01309	NEW-E	00-07-123
296-27-16020	REP-P	00-05-058	296-62-05160	NEW-C	00-04-075	296-127-01309	NEW-P	00-11-136
296-27-16020	REP	00-11-098	296-62-05160	NEW	00-12-024	296-127-01310	NEW-E	00-07-123
296-27-16022	REP-P	00-05-058	296-62-05170	NEW-C	00-04-075	296-127-01310	NEW-P	00-11-136
296-27-16022	REP	00-11-098	296-62-05170	NEW-W	00-12-029	296-127-01312	NEW-E	00-07-123
296-27-16026	REP-P	00-05-058	296-62-05172	NEW-C	00-04-075	296-127-01312	NEW-P	00-11-136
296-27-16026	REP	00-11-098	296-62-05172	NEW	00-12-024	296-127-01313	NEW-P	00-11-136

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-127-01315	NEW-E	00-07-123	296-127-01369	NEW-E	00-07-123	296-155-110	AMD	00-08-078
296-127-01315	NEW-P	00-11-136	296-127-01369	NEW-P	00-11-136	296-155-24501	AMD-XA	00-08-079
296-127-01317	NEW-E	00-07-123	296-127-01370	NEW-E	00-07-123	296-155-24503	AMD-XA	00-08-079
296-127-01317	NEW-P	00-11-136	296-127-01370	NEW-P	00-11-136	296-155-24505	AMD-XA	00-08-079
296-127-01318	NEW-E	00-07-123	296-127-01372	NEW-E	00-07-123	296-155-24510	AMD-XA	00-08-079
296-127-01318	NEW-P	00-11-136	296-127-01372	NEW-P	00-11-136	296-155-24515	AMD-XA	00-08-079
296-127-01320	NEW-E	00-07-123	296-127-01374	NEW-E	00-07-123	296-155-24520	AMD-XA	00-08-079
296-127-01320	NEW-P	00-11-136	296-127-01374	NEW-P	00-11-136	296-155-24521	AMD-XA	00-08-079
296-127-01322	NEW-E	00-07-123	296-127-01375	NEW-E	00-07-123	296-155-24525	AMD-XA	00-08-079
296-127-01322	NEW-P	00-11-136	296-127-01375	NEW-P	00-11-136	296-155-305	AMD-E	00-12-018
296-127-01323	NEW-E	00-07-123	296-127-01376	NEW-E	00-07-123	296-155-483	AMD-XA	00-08-079
296-127-01323	NEW-P	00-11-136	296-127-01376	NEW-P	00-11-136	296-155-505	AMD-XA	00-08-079
296-127-01325	NEW-E	00-07-123	296-127-01377	NEW-E	00-07-123	296-155-526	NEW-P	00-06-056
296-127-01325	NEW-P	00-11-136	296-127-01377	NEW-P	00-11-136	296-155-680	AMD-XA	00-08-079
296-127-01327	NEW-E	00-07-123	296-127-01378	NEW-E	00-07-123	296-305	PREP	00-10-045
296-127-01327	NEW-P	00-11-136	296-127-01378	NEW-P	00-11-136	296-307	PREP	00-10-046
296-127-01328	NEW-E	00-07-123	296-127-01379	NEW-E	00-07-123	296-307-160	REP	00-06-081
296-127-01328	NEW-P	00-11-136	296-127-01379	NEW-P	00-11-136	296-307-16001	REP	00-06-081
296-127-01329	NEW-E	00-07-123	296-127-01382	NEW-E	00-07-123	296-307-16003	REP	00-06-081
296-127-01329	NEW-P	00-11-136	296-127-01382	NEW-P	00-11-136	296-307-16004	REP	00-06-081
296-127-01331	NEW-E	00-07-123	296-127-01384	NEW-E	00-07-123	296-307-16005	REP	00-06-081
296-127-01331	NEW-P	00-11-136	296-127-01384	NEW-P	00-11-136	296-307-16007	REP	00-06-081
296-127-01332	NEW-E	00-07-123	296-127-01386	NEW-E	00-07-123	296-307-16009	REP	00-06-081
296-127-01332	NEW-P	00-11-136	296-127-01386	NEW-P	00-11-136	296-307-16011	REP	00-06-081
296-127-01333	NEW-E	00-07-123	296-127-01387	NEW-E	00-07-123	296-307-16013	REP	00-06-081
296-127-01333	NEW-P	00-11-136	296-127-01387	NEW-P	00-11-136	296-307-16015	REP	00-06-081
296-127-01335	NEW-E	00-07-123	296-127-01389	NEW-E	00-07-123	296-307-16017	REP	00-06-081
296-127-01335	NEW-P	00-11-136	296-127-01389	NEW-P	00-11-136	296-307-16019	REP	00-06-081
296-127-01337	NEW-E	00-07-123	296-127-01391	NEW-E	00-07-123	296-307-16021	REP	00-06-081
296-127-01337	NEW-P	00-11-136	296-127-01391	NEW-P	00-11-136	296-307-16023	REP	00-06-081
296-127-01339	NEW-E	00-07-123	296-150C	PREP	00-06-077	296-307-161	NEW	00-06-081
296-127-01339	NEW-P	00-11-136	296-150C-0140	AMD-P	00-13-103	296-307-16101	NEW	00-06-081
296-127-01340	NEW-E	00-07-123	296-150C-0200	AMD-P	00-13-103	296-307-16103	NEW	00-06-081
296-127-01340	NEW-P	00-11-136	296-150C-0910	AMD-P	00-13-103	296-307-16105	NEW	00-06-081
296-127-01342	NEW-E	00-07-123	296-150C-0970	AMD-P	00-13-103	296-307-16110	NEW	00-06-081
296-127-01342	NEW-P	00-11-136	296-150C-1070	AMD-P	00-13-103	296-307-16115	NEW	00-06-081
296-127-01344	NEW-E	00-07-123	296-150C-1175	NEW-P	00-13-103	296-307-16120	NEW	00-06-081
296-127-01344	NEW-P	00-11-136	296-150C-1346	NEW-P	00-13-103	296-307-16125	NEW	00-06-081
296-127-01346	NEW-E	00-07-123	296-150F	PREP	00-06-077	296-307-16130	NEW	00-06-081
296-127-01346	NEW-P	00-11-136	296-150F-0140	AMD-P	00-13-103	296-307-16135	NEW	00-06-081
296-127-01347	NEW-E	00-07-123	296-150F-0500	AMD-P	00-13-103	296-307-16140	NEW	00-06-081
296-127-01347	NEW-P	00-11-136	296-150F-0630	NEW-P	00-13-103	296-307-16145	NEW	00-06-081
296-127-01349	NEW-E	00-07-123	296-150M	PREP	00-06-077	296-307-16150	NEW	00-06-081
296-127-01349	NEW-P	00-11-136	296-150M-0020	AMD-P	00-13-103	296-307-16155	NEW	00-06-081
296-127-01351	NEW-E	00-07-123	296-150M-0140	AMD-P	00-13-103	296-307-16160	NEW	00-06-081
296-127-01351	NEW-P	00-11-136	296-150M-0306	AMD-P	00-13-103	296-307-16165	NEW	00-06-081
296-127-01352	NEW-E	00-07-123	296-150M-3000	AMD-P	00-13-103	296-307-16170	NEW	00-06-081
296-127-01352	NEW-P	00-11-136	296-150P	PREP	00-06-077	296-307-16175	NEW	00-06-081
296-127-01354	NEW-E	00-07-123	296-150P-0140	AMD-P	00-13-103	296-307-16180	NEW	00-06-081
296-127-01354	NEW-P	00-11-136	296-150P-3000	AMD-P	00-13-103	296-307-16185	NEW	00-06-081
296-127-01356	NEW-E	00-07-123	296-150R	PREP	00-06-077	296-307-16190	NEW	00-06-081
296-127-01356	NEW-P	00-11-136	296-150R-0140	AMD-P	00-13-103	296-307-163	NEW	00-06-081
296-127-01358	NEW-E	00-07-123	296-150R-3000	AMD-P	00-13-103	296-307-16301	NEW	00-06-081
296-127-01358	NEW-P	00-11-136	296-150V	PREP	00-06-077	296-307-16303	NEW	00-06-081
296-127-01360	NEW-E	00-07-123	296-150V-0140	AMD-P	00-13-103	296-307-16305	NEW	00-06-081
296-127-01360	NEW-P	00-11-136	296-150V-0530	AMD-P	00-13-103	296-307-16310	NEW	00-06-081
296-127-01362	NEW-E	00-07-123	296-150V-1180	AMD-P	00-13-103	296-307-16315	NEW	00-06-081
296-127-01362	NEW-P	00-11-136	296-150V-1220	AMD-P	00-13-103	296-307-16320	NEW	00-06-081
296-127-01364	NEW-E	00-07-123	296-155	PREP	00-04-002	296-307-16325	NEW	00-06-081
296-127-01364	NEW-P	00-11-136	296-155	PREP	00-05-057	296-307-16330	NEW	00-06-081
296-127-01367	NEW-E	00-07-123	296-155	PREP	00-12-099	296-307-16335	NEW	00-06-081
296-127-01367	NEW-P	00-11-136	296-155	PREP	00-13-091	296-307-16340	NEW	00-06-081

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-307-16345	NEW	00-06-081	296-350-15045	NEW	00-11-098	296-350-70045	NEW	00-11-098
296-307-16350	NEW	00-06-081	296-350-200	REP-P	00-05-058	296-350-70050	NEW-P	00-05-058
296-307-16355	NEW	00-06-081	296-350-200	REP	00-11-098	296-350-70050	NEW	00-11-098
296-307-16360	NEW	00-06-081	296-350-210	REP-P	00-05-058	296-350-70055	NEW-P	00-05-058
296-307-16365	NEW	00-06-081	296-350-210	REP	00-11-098	296-350-70055	NEW	00-11-098
296-307-16370	NEW	00-06-081	296-350-230	REP-P	00-05-058	296-350-70060	NEW-P	00-05-058
296-307-16375	NEW	00-06-081	296-350-230	REP	00-11-098	296-350-70060	NEW	00-11-098
296-307-16380	NEW	00-06-081	296-350-240	REP-P	00-05-058	296-350-70065	NEW-P	00-05-058
296-307-16385	NEW	00-06-081	296-350-240	REP	00-11-098	296-350-70065	NEW	00-11-098
296-307-16390	NEW	00-06-081	296-350-250	REP-P	00-05-058	296-350-70070	NEW-P	00-05-058
296-307-16395	NEW	00-06-081	296-350-250	REP	00-11-098	296-350-70070	NEW	00-11-098
296-350	AMD-P	00-05-058	296-350-255	REP-P	00-05-058	296-401A	PREP	00-10-116
296-350	AMD	00-11-098	296-350-255	REP	00-11-098	296-401A-140	AMD-E	00-06-076
296-350-010	AMD-P	00-05-058	296-350-260	REP-P	00-05-058	296-401A-140	AMD-E	00-13-102
296-350-010	AMD	00-11-098	296-350-260	REP	00-11-098	296-402-010	REP-P	00-07-137
296-350-020	REP-P	00-05-058	296-350-270	REP-P	00-05-058	296-402-010	REP	00-11-115
296-350-020	REP	00-11-098	296-350-270	REP	00-11-098	296-402-020	REP-P	00-07-137
296-350-030	REP-P	00-05-058	296-350-280	REP-P	00-05-058	296-402-020	REP	00-11-115
296-350-030	REP	00-11-098	296-350-280	REP	00-11-098	296-402-030	REP-P	00-07-137
296-350-040	REP-P	00-05-058	296-350-400	REP-P	00-05-058	296-402-030	REP	00-11-115
296-350-040	REP	00-11-098	296-350-400	REP	00-11-098	296-402-040	REP-P	00-07-137
296-350-050	REP-P	00-05-058	296-350-450	REP-P	00-05-058	296-402-040	REP	00-11-115
296-350-050	REP	00-11-098	296-350-450	REP	00-11-098	296-402-050	REP-P	00-07-137
296-350-060	REP-P	00-05-058	296-350-460	REP-P	00-05-058	296-402-050	REP	00-11-115
296-350-060	REP	00-11-098	296-350-460	REP	00-11-098	296-402-060	REP-P	00-07-137
296-350-070	REP-P	00-05-058	296-350-470	REP-P	00-05-058	296-402-060	REP	00-11-115
296-350-070	REP	00-11-098	296-350-470	REP	00-11-098	296-402-070	REP-P	00-07-137
296-350-080	REP-P	00-05-058	296-350-600	NEW-P	00-05-058	296-402-070	REP	00-11-115
296-350-080	REP	00-11-098	296-350-600	NEW	00-11-098	296-402-080	REP-P	00-07-137
296-350-090	REP-P	00-05-058	296-350-60010	NEW-P	00-05-058	296-402-080	REP	00-11-115
296-350-090	REP	00-11-098	296-350-60010	NEW	00-11-098	296-402-090	REP-P	00-07-137
296-350-095	REP-P	00-05-058	296-350-60015	NEW-P	00-05-058	296-402-090	REP	00-11-115
296-350-095	REP	00-11-098	296-350-60015	NEW	00-11-098	296-402-100	REP-P	00-07-137
296-350-100	NEW-P	00-05-058	296-350-60020	NEW-P	00-05-058	296-402-100	REP	00-11-115
296-350-100	NEW	00-11-098	296-350-60020	NEW	00-11-098	296-402-110	REP-P	00-07-137
296-350-10010	NEW-P	00-05-058	296-350-60025	NEW-P	00-05-058	296-402-110	REP	00-11-115
296-350-10010	NEW	00-11-098	296-350-60025	NEW	00-11-098	296-402-120	REP-P	00-07-137
296-350-10020	NEW-P	00-05-058	296-350-60030	NEW-P	00-05-058	296-402-120	REP	00-11-115
296-350-10020	NEW	00-11-098	296-350-60030	NEW	00-11-098	296-402-130	REP-P	00-07-137
296-350-10030	NEW-P	00-05-058	296-350-60035	NEW-P	00-05-058	296-402-130	REP	00-11-115
296-350-10030	NEW	00-11-098	296-350-60035	NEW	00-11-098	296-402-140	REP-P	00-07-137
296-350-10040	NEW-P	00-05-058	296-350-60040	NEW-P	00-05-058	296-402-140	REP	00-11-115
296-350-10040	NEW	00-11-098	296-350-60040	NEW	00-11-098	296-402-150	REP-P	00-07-137
296-350-10050	NEW-P	00-05-058	296-350-60045	NEW-P	00-05-058	296-402-150	REP	00-11-115
296-350-10050	NEW	00-11-098	296-350-60045	NEW	00-11-098	296-402-160	REP-P	00-07-137
296-350-150	NEW-P	00-05-058	296-350-700	NEW-P	00-05-058	296-402-160	REP	00-11-115
296-350-150	NEW	00-11-098	296-350-700	NEW	00-11-098	296-402-170	REP-P	00-07-137
296-350-15010	NEW-P	00-05-058	296-350-70010	NEW-P	00-05-058	296-402-170	REP	00-11-115
296-350-15010	NEW	00-11-098	296-350-70010	NEW	00-11-098	296-402-180	REP-P	00-07-137
296-350-15015	NEW-P	00-05-058	296-350-70015	NEW-P	00-05-058	296-402-180	REP	00-11-115
296-350-15015	NEW	00-11-098	296-350-70015	NEW	00-11-098	296-402-190	REP-P	00-07-137
296-350-15020	NEW-P	00-05-058	296-350-70020	NEW-P	00-05-058	296-402-190	REP	00-11-115
296-350-15020	NEW	00-11-098	296-350-70020	NEW	00-11-098	296-402-200	REP-P	00-07-137
296-350-15025	NEW-P	00-05-058	296-350-70025	NEW-P	00-05-058	296-402-200	REP	00-11-115
296-350-15025	NEW	00-11-098	296-350-70025	NEW	00-11-098	296-402A-010	NEW-P	00-07-137
296-350-15030	NEW-P	00-05-058	296-350-70030	NEW-P	00-05-058	296-402A-010	NEW	00-11-115
296-350-15030	NEW	00-11-098	296-350-70030	NEW	00-11-098	296-402A-020	NEW-P	00-07-137
296-350-15035	NEW-P	00-05-058	296-350-70035	NEW-P	00-05-058	296-402A-020	NEW	00-11-115
296-350-15035	NEW	00-11-098	296-350-70035	NEW	00-11-098	296-402A-030	NEW-P	00-07-137
296-350-15040	NEW-P	00-05-058	296-350-70040	NEW-P	00-05-058	296-402A-030	NEW	00-11-115
296-350-15040	NEW	00-11-098	296-350-70040	NEW	00-11-098	296-402A-040	NEW-P	00-07-137
296-350-15045	NEW-P	00-05-058	296-350-70045	NEW-P	00-05-058	296-402A-040	NEW	00-11-115

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-402A-050	NEW-P	00-07-137	296-402A-380	NEW-P	00-07-137	296-402A-680	NEW	00-11-115
296-402A-050	NEW	00-11-115	296-402A-380	NEW	00-11-115	296-402A-690	NEW-P	00-07-137
296-402A-060	NEW-P	00-07-137	296-402A-390	NEW-P	00-07-137	296-402A-690	NEW	00-11-115
296-402A-060	NEW	00-11-115	296-402A-390	NEW	00-11-115	296-403	PREP	00-10-116
296-402A-070	NEW-P	00-07-137	296-402A-400	NEW-P	00-07-137	304- 12-030	AMD	00-11-028
296-402A-070	NEW	00-11-115	296-402A-400	NEW	00-11-115	304- 12-035	REP	00-11-028
296-402A-080	NEW-P	00-07-137	296-402A-410	NEW-P	00-07-137	304- 12-040	REP	00-11-028
296-402A-080	NEW	00-11-115	296-402A-410	NEW	00-11-115	304- 12-047	NEW	00-11-028
296-402A-090	NEW-P	00-07-137	296-402A-420	NEW-P	00-07-137	304- 12-050	REP	00-11-028
296-402A-090	NEW	00-11-115	296-402A-425	NEW-P	00-07-137	304- 12-070	REP	00-11-028
296-402A-100	NEW-P	00-07-137	296-402A-430	NEW-P	00-07-137	304- 12-125	AMD	00-11-028
296-402A-100	NEW	00-11-115	296-402A-430	NEW	00-11-115	304- 12-140	REP	00-11-028
296-402A-110	NEW-P	00-07-137	296-402A-440	NEW-P	00-07-137	304- 12-145	REP	00-11-028
296-402A-110	NEW	00-11-115	296-402A-440	NEW	00-11-115	304- 12-275	REP	00-11-028
296-402A-130	NEW-P	00-07-137	296-402A-450	NEW-P	00-07-137	304- 12-290	REP	00-11-028
296-402A-130	NEW	00-11-115	296-402A-450	NEW	00-11-115	304- 12-360	REP	00-11-028
296-402A-140	NEW-P	00-07-137	296-402A-460	NEW-P	00-07-137	304- 12-370	REP	00-11-028
296-402A-140	NEW	00-11-115	296-402A-460	NEW	00-11-115	304- 12-380	REP	00-11-028
296-402A-150	NEW-P	00-07-137	296-402A-470	NEW-P	00-07-137	304- 20	AMD	00-11-028
296-402A-150	NEW	00-11-115	296-402A-470	NEW	00-11-115	304- 20-005	NEW	00-11-028
296-402A-160	NEW-P	00-07-137	296-402A-480	NEW-P	00-07-137	304- 20-010	AMD	00-11-028
296-402A-160	NEW	00-11-115	296-402A-480	NEW	00-11-115	304- 20-020	REP	00-11-028
296-402A-170	NEW-P	00-07-137	296-402A-490	NEW-P	00-07-137	304- 20-030	REP	00-11-028
296-402A-170	NEW	00-11-115	296-402A-490	NEW	00-11-115	304- 20-040	REP	00-11-028
296-402A-180	NEW-P	00-07-137	296-402A-500	NEW-P	00-07-137	304- 20-050	AMD	00-11-028
296-402A-180	NEW	00-11-115	296-402A-500	NEW	00-11-115	304- 20-060	AMD	00-11-028
296-402A-190	NEW-P	00-07-137	296-402A-510	NEW-P	00-07-137	304- 20-065	NEW	00-11-028
296-402A-190	NEW	00-11-115	296-402A-510	NEW	00-11-115	304- 20-070	AMD	00-11-028
296-402A-200	NEW-P	00-07-137	296-402A-520	NEW-P	00-07-137	304- 20-090	REP	00-11-028
296-402A-200	NEW	00-11-115	296-402A-520	NEW	00-11-115	304- 20-100	REP	00-11-028
296-402A-210	NEW-P	00-07-137	296-402A-530	NEW-P	00-07-137	304- 20-990	REP	00-11-028
296-402A-210	NEW	00-11-115	296-402A-530	NEW	00-11-115	308- 04-020	AMD-P	00-05-014
296-402A-220	NEW-P	00-07-137	296-402A-540	NEW-P	00-07-137	308- 04-020	AMD	00-08-032
296-402A-220	NEW	00-11-115	296-402A-540	NEW	00-11-115	308- 12-321	PREP	00-11-172
296-402A-230	NEW-P	00-07-137	296-402A-550	NEW-P	00-07-137	308- 12-322	PREP	00-11-172
296-402A-230	NEW	00-11-115	296-402A-550	NEW	00-11-115	308- 12-323	PREP	00-11-172
296-402A-240	NEW-P	00-07-137	296-402A-560	NEW-P	00-07-137	308- 12-324	PREP	00-11-172
296-402A-240	NEW	00-11-115	296-402A-560	NEW	00-11-115	308- 12-325	PREP	00-11-172
296-402A-250	NEW-P	00-07-137	296-402A-570	NEW-P	00-07-137	308- 29-010	PREP	00-12-002
296-402A-250	NEW	00-11-115	296-402A-570	NEW	00-11-115	308- 29-020	PREP	00-12-002
296-402A-260	NEW-P	00-07-137	296-402A-580	NEW-P	00-07-137	308- 29-025	PREP	00-12-002
296-402A-260	NEW	00-11-115	296-402A-580	NEW	00-11-115	308- 29-030	PREP	00-12-002
296-402A-270	NEW-P	00-07-137	296-402A-590	NEW-P	00-07-137	308- 29-050	PREP	00-12-002
296-402A-270	NEW	00-11-115	296-402A-590	NEW	00-11-115	308- 29-060	PREP	00-12-002
296-402A-290	NEW-P	00-07-137	296-402A-600	NEW-P	00-07-137	308- 29-070	PREP	00-12-002
296-402A-290	NEW	00-11-115	296-402A-600	NEW	00-11-115	308- 29-080	PREP	00-12-002
296-402A-300	NEW-P	00-07-137	296-402A-610	NEW-P	00-07-137	308- 29-090	PREP	00-12-002
296-402A-300	NEW	00-11-115	296-402A-610	NEW	00-11-115	308- 29-100	PREP	00-12-002
296-402A-310	NEW-P	00-07-137	296-402A-620	NEW-P	00-07-137	308- 29-110	PREP	00-12-002
296-402A-310	NEW	00-11-115	296-402A-620	NEW	00-11-115	308- 29-120	PREP	00-12-002
296-402A-320	NEW-P	00-07-137	296-402A-630	NEW-P	00-07-137	308- 56A	PREP	00-07-092
296-402A-320	NEW	00-11-115	296-402A-630	NEW	00-11-115	308- 56A-020	PREP	00-07-092
296-402A-330	NEW-P	00-07-137	296-402A-640	NEW-P	00-07-137	308- 56A-021	PREP	00-07-092
296-402A-330	NEW	00-11-115	296-402A-640	NEW	00-11-115	308- 56A-022	PREP	00-07-092
296-402A-340	NEW-P	00-07-137	296-402A-650	NEW-P	00-07-137	308- 56A-023	PREP	00-07-092
296-402A-340	NEW	00-11-115	296-402A-650	NEW	00-11-115	308- 56A-090	PREP	00-07-092
296-402A-350	NEW-P	00-07-137	296-402A-660	NEW-P	00-07-137	308- 56A-335	PREP	00-09-018
296-402A-350	NEW	00-11-115	296-402A-660	NEW	00-11-115	308- 56A-355	PREP	00-09-018
296-402A-360	NEW-P	00-07-137	296-402A-670	NEW-P	00-07-137	308- 56A-450	AMD	00-04-046
296-402A-360	NEW	00-11-115	296-402A-670	NEW	00-11-115	308- 56A-455	AMD	00-04-046
296-402A-370	NEW-P	00-07-137	296-402A-675	NEW	00-11-115	308- 56A-460	AMD	00-06-025
296-402A-370	NEW	00-11-115	296-402A-680	NEW-P	00-07-137	308- 56A-465	REP	00-04-046

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308- 56A-470	REP	00-04-046	308- 63	PREP	00-06-007	308- 72-500	PREP	00-08-063
308- 56A-500	AMD	00-06-004	308- 63-020	AMD-P	00-09-069	308- 72-665	PREP	00-08-063
308- 56A-500	AMD-P	00-09-007	308- 63-020	AMD	00-13-019	308- 72-690	PREP	00-08-063
308- 56A-500	AMD	00-13-083	308- 63-030	AMD-P	00-09-069	308- 72-700	PREP	00-08-063
308- 56A-505	AMD	00-06-004	308- 63-030	AMD	00-13-019	308- 72-710	PREP	00-08-063
308- 56A-510	REP	00-06-004	308- 63-040	AMD-P	00-09-069	308- 72-720	NEW-P	00-05-014
308- 56A-515	REP	00-06-004	308- 63-040	AMD	00-13-019	308- 72-720	NEW	00-08-032
308- 56A-520	REP	00-06-004	308- 63-050	AMD-P	00-09-069	308- 77	PREP	00-03-037
308- 56A-610	REP	00-06-020	308- 63-050	AMD	00-13-019	308- 77-045	PREP	00-03-037
308- 56A-620	AMD	00-06-020	308- 63-060	AMD-P	00-09-069	308- 77-045	REP-P	00-11-037
308- 56A-620	REP-P	00-09-007	308- 63-060	AMD	00-13-019	308- 77-155	PREP	00-03-037
308- 56A-620	REP	00-13-083	308- 63-070	AMD-P	00-09-069	308- 77-155	AMD-P	00-11-037
308- 56A-640	AMD	00-06-020	308- 63-070	AMD	00-13-019	308- 77-165	PREP	00-03-037
308- 56A-650	REP	00-06-020	308- 63-080	AMD-P	00-09-069	308- 77-165	AMD-P	00-11-037
308- 56A-660	REP	00-06-020	308- 63-080	AMD	00-13-019	308- 77-170	PREP	00-03-037
308- 56A-670	REP	00-06-020	308- 63-090	AMD-P	00-09-069	308- 77-170	AMD-P	00-11-037
308- 56A-680	REP	00-06-020	308- 63-090	AMD	00-13-019	308- 77-180	PREP	00-03-037
308- 56A-690	REP	00-06-020	308- 63-100	AMD-P	00-09-069	308- 77-180	AMD-P	00-11-037
308- 57-005	PREP	00-06-001	308- 63-100	AMD	00-13-019	308- 77-215	PREP	00-08-062
308- 57-005	REP-P	00-09-019	308- 63-110	AMD-P	00-09-069	308- 77-240	PREP	00-03-037
308- 57-005	REP-W	00-11-041	308- 63-110	AMD	00-13-019	308- 77-240	AMD-P	00-11-037
308- 57-010	PREP	00-06-001	308- 63-120	AMD-P	00-09-069	308- 77-265	PREP	00-03-037
308- 57-010	REP-P	00-09-019	308- 63-120	AMD	00-13-019	308- 77-265	AMD-P	00-11-037
308- 57-010	REP-W	00-11-041	308- 63-130	AMD-P	00-09-069	308- 77-270	PREP	00-03-037
308- 57-020	PREP	00-06-001	308- 63-130	AMD	00-13-019	308- 77-270	REP-P	00-11-037
308- 57-020	REP-P	00-09-019	308- 63-140	AMD-P	00-09-069	308- 77-280	PREP	00-03-037
308- 57-020	REP-W	00-11-041	308- 63-140	AMD	00-13-019	308- 77-280	AMD-P	00-11-037
308- 57-030	PREP	00-06-001	308- 63-150	REP-P	00-09-069	308- 77-290	NEW-P	00-05-014
308- 57-030	REP-P	00-09-019	308- 63-150	REP	00-13-019	308- 77-290	NEW	00-08-032
308- 57-030	REP-W	00-11-041	308- 63-160	AMD-P	00-09-069	308- 78-010	PREP	00-08-064
308- 57-110	PREP	00-06-001	308- 63-160	AMD	00-13-019	308- 78-100	NEW-P	00-05-014
308- 57-110	REP-P	00-09-019	308- 65	PREP	00-06-031	308- 78-100	NEW	00-08-032
308- 57-110	REP-W	00-11-041	308- 65-020	AMD-P	00-09-071	308- 80	PREP	00-06-032
308- 57-120	PREP	00-06-001	308- 65-020	AMD	00-13-020	308- 80-015	AMD-P	00-09-070
308- 57-120	REP-P	00-09-019	308- 65-030	AMD-P	00-09-071	308- 80-015	AMD	00-13-018
308- 57-120	REP-W	00-11-041	308- 65-030	AMD	00-13-020	308- 80-020	AMD-P	00-09-070
308- 57-130	PREP	00-06-001	308- 65-040	AMD-P	00-09-071	308- 80-020	AMD	00-13-018
308- 57-130	REP-P	00-09-019	308- 65-040	AMD	00-13-020	308- 88-010	REP	00-06-024
308- 57-130	REP-W	00-11-041	308- 65-050	AMD-P	00-09-071	308- 88-020	AMD	00-06-024
308- 57-135	PREP	00-06-001	308- 65-050	AMD	00-13-020	308- 88-030	REP	00-06-024
308- 57-135	REP-P	00-09-019	308- 65-060	AMD-P	00-09-071	308- 88-040	REP	00-06-024
308- 57-135	REP-W	00-11-041	308- 65-060	AMD	00-13-020	308- 88-050	REP	00-06-024
308- 57-140	PREP	00-06-001	308- 65-080	AMD-P	00-09-071	308- 88-170	REP	00-06-024
308- 57-140	REP-P	00-09-019	308- 65-080	AMD	00-13-020	308- 90	PREP	00-06-033
308- 57-140	REP-W	00-11-041	308- 65-090	AMD-P	00-09-071	308- 91-090	PREP	00-03-038
308- 57-210	PREP	00-06-001	308- 65-090	AMD	00-13-020	308- 91-090	AMD-P	00-11-037
308- 57-210	REP-P	00-09-019	308- 65-100	AMD-P	00-09-071	308- 91-150	AMD-P	00-05-014
308- 57-210	REP-W	00-11-041	308- 65-100	AMD	00-13-020	308- 91-150	AMD	00-08-032
308- 57-230	PREP	00-06-001	308- 65-110	AMD-P	00-09-071	308- 93-010	AMD-P	00-07-065
308- 57-230	REP-P	00-09-019	308- 65-110	AMD	00-13-020	308- 93-010	PREP	00-07-107
308- 57-230	REP-W	00-11-041	308- 65-130	AMD-P	00-09-071	308- 93-010	AMD	00-11-131
308- 57-240	PREP	00-06-001	308- 65-130	AMD	00-13-020	308- 93-030	PREP	00-07-107
308- 57-240	REP-P	00-09-019	308- 65-140	AMD-P	00-09-071	308- 93-050	PREP	00-07-107
308- 57-240	REP-W	00-11-041	308- 65-140	AMD	00-13-020	308- 93-055	PREP	00-07-107
308- 57-500	PREP	00-06-001	308- 65-150	AMD-P	00-09-071	308- 93-056	PREP	00-07-107
308- 57-500	REP-P	00-09-019	308- 65-150	AMD	00-13-020	308- 93-060	PREP	00-07-105
308- 57-500	REP-W	00-11-041	308- 65-170	AMD-P	00-09-071	308- 93-069	PREP	00-07-105
308- 58-010	REP	00-06-025	308- 65-170	AMD	00-13-020	308- 93-070	PREP	00-07-105
308- 58-020	REP	00-06-025	308- 65-180	REP-P	00-09-071	308- 93-071	PREP	00-07-105
308- 58-030	REP	00-06-025	308- 65-180	REP	00-13-020	308- 93-073	PREP	00-07-105
308- 58-040	REP	00-06-025	308- 65-190	AMD-P	00-09-071	308- 93-078	PREP	00-07-105
308- 58-050	REP	00-06-025	308- 65-190	AMD	00-13-020	308- 93-079	PREP	00-07-107

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-93-090	PREP	00-07-107	308-96A-176	PREP	00-07-108	308-124H-012	NEW	00-08-035
308-93-145	AMD-P	00-05-056	308-96A-176	AMD-P	00-09-019	308-124H-013	NEW-P	00-03-063
308-93-145	AMD	00-09-065	308-96A-176	AMD-W	00-11-041	308-124H-013	NEW	00-08-035
308-93-165	REP-P	00-05-049	308-96A-180	PREP	00-06-001	308-124H-021	REP-P	00-03-063
308-93-165	REP	00-09-065	308-96A-180	AMD-P	00-09-019	308-124H-021	REP	00-08-035
308-93-200	PREP	00-07-106	308-96A-180	AMD-W	00-11-041	308-124H-025	AMD-P	00-03-063
308-93-220	PREP	00-07-106	308-96A-202	PREP	00-06-001	308-124H-025	AMD	00-08-035
308-93-230	PREP	00-07-106	308-96A-202	AMD-P	00-09-019	308-124H-026	NEW-P	00-03-063
308-93-241	PREP	00-07-104	308-96A-202	AMD-W	00-11-041	308-124H-026	NEW	00-08-035
308-93-242	PREP	00-07-104	308-96A-203	PREP	00-06-001	308-124H-027	NEW-P	00-03-063
308-93-243	PREP	00-07-104	308-96A-203	AMD-P	00-09-019	308-124H-027	NEW	00-08-035
308-93-244	PREP	00-07-104	308-96A-203	AMD-W	00-11-041	308-124H-028	NEW-P	00-03-063
308-93-245	PREP	00-07-104	308-96A-306	PREP	00-08-043	308-124H-028	NEW	00-08-035
308-93-285	PREP	00-07-105	308-96A-306	AMD-P	00-11-120	308-124H-029	NEW-P	00-03-063
308-93-295	PREP	00-07-106	308-96A-311	PREP	00-08-043	308-124H-029	NEW	00-08-035
308-93-350	PREP	00-07-105	308-96A-312	PREP	00-08-043	308-124H-031	NEW-P	00-03-063
308-93-360	PREP	00-07-105	308-96A-313	PREP	00-08-043	308-124H-031	NEW	00-08-035
308-93-440	PREP	00-07-093	308-96A-314	PREP	00-08-043	308-124H-034	NEW-P	00-03-063
308-93-440	AMD-P	00-12-084	308-96A-316	PREP	00-08-043	308-124H-034	NEW	00-08-035
308-93-450	PREP	00-07-093	308-96A-345	AMD	00-03-057	308-124H-039	NEW-P	00-03-063
308-93-450	AMD-P	00-12-084	308-96A-350	AMD	00-03-057	308-124H-039	NEW	00-08-035
308-93-460	PREP	00-07-093	308-96A-355	AMD	00-03-057	308-124H-041	AMD-P	00-03-063
308-93-460	AMD-P	00-12-084	308-96A-360	REP	00-03-057	308-124H-041	AMD	00-08-035
308-93-470	PREP	00-07-093	308-96A-365	AMD	00-03-057	308-124H-042	NEW-P	00-03-063
308-93-470	AMD-P	00-12-084	308-96A-370	REP	00-03-057	308-124H-042	NEW	00-08-035
308-93-640	PREP	00-07-105	308-96A-375	REP	00-03-057	308-124H-051	AMD-P	00-03-063
308-93-650	AMD-P	00-05-049	308-96A-380	REP	00-03-057	308-124H-051	AMD	00-08-035
308-93-650	AMD	00-09-065	308-96A-400	PREP	00-06-001	308-124H-061	AMD-P	00-03-063
308-94	PREP	00-06-034	308-96A-400	REP-P	00-09-019	308-124H-061	AMD	00-08-035
308-94-010	REP-P	00-05-050	308-96A-400	REP-W	00-11-041	308-124H-062	AMD-P	00-03-063
308-94-010	REP	00-09-066	308-96A-410	PREP	00-06-001	308-124H-062	AMD	00-08-035
308-94-030	PREP	00-07-094	308-96A-410	REP-P	00-09-019	308-124H-210	AMD-P	00-03-063
308-94-050	PREP	00-07-094	308-96A-410	REP-W	00-11-041	308-124H-210	AMD	00-08-035
308-94-080	PREP	00-07-094	308-96A-550	PREP	00-07-108	308-124H-220	REP-P	00-03-063
308-94-100	PREP	00-07-094	308-96A-560	PREP	00-07-108	308-124H-220	REP	00-08-035
308-94-160	REP-P	00-05-050	308-97-011	NEW	00-07-053	308-124H-221	NEW-P	00-03-063
308-94-160	REP	00-09-066	308-97-230	PREP	00-06-001	308-124H-221	NEW	00-08-035
308-96A-005	AMD-P	00-03-094	308-97-230	AMD-P	00-09-019	308-124H-230	AMD-P	00-03-063
308-96A-005	AMD	00-09-008	308-97-230	AMD-W	00-11-041	308-124H-230	AMD	00-08-035
308-96A-065	PREP	00-07-108	308-99-010	REP-P	00-07-126	308-124H-240	REP-P	00-03-063
308-96A-066	PREP	00-07-108	308-99-010	REP-W	00-09-009	308-124H-240	REP	00-08-035
308-96A-067	PREP	00-07-108	308-99-020	AMD-P	00-07-126	308-124H-245	NEW-P	00-03-063
308-96A-068	PREP	00-07-108	308-99-020	AMD-W	00-09-009	308-124H-245	NEW	00-08-035
308-96A-070	PREP	00-07-108	308-99-021	REP-P	00-07-126	308-124H-246	NEW-P	00-03-063
308-96A-071	PREP	00-07-108	308-99-021	REP-W	00-09-009	308-124H-246	NEW	00-08-035
308-96A-072	PREP	00-07-108	308-99-025	REP-P	00-07-126	308-124H-260	AMD-P	00-03-063
308-96A-073	PREP	00-07-108	308-99-025	REP-W	00-09-009	308-124H-260	AMD	00-08-035
308-96A-074	PREP	00-07-108	308-99-030	REP-P	00-07-126	308-124H-270	AMD-P	00-03-063
308-96A-099	PREP	00-06-001	308-99-030	REP-W	00-09-009	308-124H-270	AMD	00-08-035
308-96A-099	AMD-P	00-09-019	308-99-040	AMD-P	00-07-126	308-124H-290	AMD-P	00-03-063
308-96A-099	AMD-W	00-11-041	308-99-040	AMD-W	00-09-009	308-124H-290	AMD	00-08-035
308-96A-135	PREP	00-06-001	308-99-050	REP-P	00-07-126	308-124H-300	AMD-P	00-03-063
308-96A-135	REP-P	00-09-019	308-99-050	REP-W	00-09-009	308-124H-300	AMD	00-08-035
308-96A-135	REP-W	00-11-041	308-99-060	NEW-P	00-07-126	308-124H-310	AMD-P	00-03-063
308-96A-145	PREP	00-06-001	308-99-060	NEW-W	00-09-009	308-124H-310	AMD	00-08-035
308-96A-145	AMD-P	00-09-019	308-124-021	AMD-P	00-03-063	308-124H-320	AMD-P	00-03-063
308-96A-145	AMD-W	00-11-041	308-124-021	AMD	00-08-035	308-124H-320	AMD	00-08-035
308-96A-175	PREP	00-06-001	308-124E-013	AMD-P	00-03-063	308-124H-510	AMD-P	00-03-063
308-96A-175	PREP	00-07-108	308-124E-013	AMD	00-08-035	308-124H-510	AMD	00-08-035
308-96A-175	AMD-P	00-09-019	308-124H-011	AMD-P	00-03-063	308-124H-520	REP-P	00-03-063
308-96A-175	AMD-W	00-11-041	308-124H-011	AMD	00-08-035	308-124H-520	REP	00-08-035
308-96A-176	PREP	00-06-001	308-124H-012	NEW-P	00-03-063	308-124H-525	NEW-P	00-03-063

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
308-124H-525	NEW	00-08-035	314- 02-085	NEW	00-07-091	314- 56-010	REP	00-12-012
308-124H-530	AMD-P	00-03-063	314- 02-090	NEW	00-07-091	314- 56-020	REP-XR	00-02-086
308-124H-530	AMD	00-08-035	314- 02-095	NEW	00-07-091	314- 56-020	REP	00-12-012
308-124H-551	NEW-P	00-03-063	314- 02-100	NEW	00-07-091	314- 60	PREP	00-02-088
308-124H-551	NEW	00-08-035	314- 02-105	NEW	00-07-091	314- 62	PREP	00-02-088
308-124H-580	AMD-P	00-03-063	314- 02-110	NEW	00-07-091	314- 64	PREP	00-02-087
308-124H-580	AMD	00-08-035	314- 02-115	NEW	00-07-091	314- 76-010	PREP	00-02-087
308-124H-800	AMD-P	00-03-063	314- 02-120	NEW	00-07-091	314- 78-010	REP-XR	00-02-086
308-124H-800	AMD	00-08-035	314- 02-125	NEW	00-07-091	314- 78-010	REP	00-12-012
308-125-120	PREP	00-13-072	314- 02-130	NEW	00-07-091	315- 04-020	PREP	00-11-016
308-125-200	AMD	00-04-057	314- 15-010	REP	00-07-117	315- 06-120	PREP	00-05-059
308-129-100	AMD-P	00-08-005	314- 15-020	REP	00-07-117	315- 06-120	AMD-P	00-07-130
308-129-100	AMD	00-11-047	314- 15-030	REP	00-07-117	315- 06-120	AMD	00-12-032
308-129-230	REP-P	00-08-005	314- 15-040	REP	00-07-117	315- 11A-165	REP-XR	00-02-055
308-129-230	REP	00-11-047	314- 15-050	REP	00-07-117	315- 11A-165	REP	00-07-131
308-300-010	PREP	00-08-067	314- 16-040	AMD-XA	00-07-116	315- 11A-187	REP-XR	00-02-055
308-300-020	PREP	00-08-067	314- 16-040	AMD	00-12-051	315- 11A-187	REP	00-07-131
308-300-030	PREP	00-08-067	314- 16-055	REP	00-07-117	315- 11A-188	REP-XR	00-02-055
308-300-040	PREP	00-08-067	314- 16-115	REP	00-07-117	315- 11A-188	REP	00-07-131
308-300-050	PREP	00-08-067	314- 16-130	REP-P	00-09-095	315- 11A-189	REP-XR	00-02-055
308-300-060	PREP	00-08-067	314- 16-130	REP-W	00-12-030	315- 11A-189	REP	00-07-131
308-300-070	PREP	00-08-067	314- 16-140	REP	00-07-117	315- 11A-190	REP-XR	00-02-055
308-300-075	PREP	00-08-067	314- 16-180	REP	00-07-117	315- 11A-190	REP	00-07-131
308-300-080	PREP	00-08-067	314- 16-190	AMD-XA	00-07-116	315- 11A-191	REP-XR	00-02-055
308-300-090	PREP	00-08-067	314- 16-190	REP-W	00-12-030	315- 11A-191	REP	00-07-131
308-300-100	PREP	00-08-067	314- 16-190	AMD	00-12-051	315- 11A-192	REP-XR	00-02-055
308-300-110	PREP	00-08-067	314- 16-196	AMD-XA	00-07-116	315- 11A-192	REP	00-07-131
308-300-120	PREP	00-08-067	314- 16-196	REP-W	00-12-030	315- 11A-193	REP-XR	00-02-055
308-300-130	PREP	00-08-067	314- 16-196	AMD	00-12-051	315- 11A-193	REP	00-07-131
308-300-140	PREP	00-08-067	314- 16-197	REP	00-07-117	315- 11A-194	REP-XR	00-02-055
308-300-150	PREP	00-08-067	314- 16-199	REP	00-07-117	315- 11A-194	REP	00-07-131
308-300-160	PREP	00-08-067	314- 16-200	REP	00-07-117	315- 11A-195	REP-XR	00-02-055
308-300-170	PREP	00-08-067	314- 16-205	REP	00-07-117	315- 11A-195	REP	00-07-131
308-300-180	PREP	00-08-067	314- 16-210	REP	00-07-117	315- 11A-196	REP-XR	00-02-055
308-300-190	PREP	00-08-067	314- 16-240	REP	00-07-117	315- 11A-196	REP	00-07-131
308-300-200	PREP	00-08-067	314- 16-250	REP	00-12-011	315- 11A-197	REP-XR	00-02-055
308-320	PREP	00-10-029	314- 19-005	NEW-P	00-09-095	315- 11A-197	REP	00-07-131
308-320-010	PREP	00-10-029	314- 19-010	NEW-P	00-09-095	315- 11A-198	REP-XR	00-02-055
308-320-020	PREP	00-10-029	314- 19-015	NEW-P	00-09-095	315- 11A-198	REP	00-07-131
308-320-030	PREP	00-10-029	314- 19-020	NEW-P	00-09-095	315- 11A-199	REP-XR	00-02-055
308-320-040	PREP	00-10-029	314- 19-025	NEW-P	00-09-095	315- 11A-199	REP	00-07-131
308-320-050	PREP	00-10-029	314- 19-030	NEW-P	00-09-095	315- 11A-200	REP-XR	00-02-055
308-320-060	PREP	00-10-029	314- 19-035	NEW-P	00-09-095	315- 11A-200	REP	00-07-131
308-320-070	PREP	00-10-029	314- 19-040	NEW-P	00-09-095	315- 11A-201	REP-XR	00-02-055
308-320-080	PREP	00-10-029	314- 20-010	REP-P	00-09-095	315- 11A-201	REP	00-07-131
308-320-090	PREP	00-10-029	314- 20-015	AMD-P	00-09-095	315- 11A-202	REP-XR	00-02-055
314- 02-005	NEW	00-07-091	314- 20-040	REP-P	00-09-095	315- 11A-202	REP	00-07-131
314- 02-010	NEW	00-07-091	314- 20-060	REP-P	00-09-095	315- 11A-203	REP-XR	00-02-055
314- 02-015	NEW	00-07-091	314- 20-150	REP-P	00-09-095	315- 11A-203	REP	00-07-131
314- 02-020	NEW	00-07-091	314- 20-160	AMD-P	00-09-095	315- 11A-204	REP-XR	00-02-055
314- 02-025	NEW	00-07-091	314- 20-170	AMD-P	00-09-095	315- 11A-204	REP	00-07-131
314- 02-030	NEW	00-07-091	314- 20-180	REP-P	00-09-095	315- 11A-205	REP-XR	00-02-055
314- 02-035	NEW	00-07-091	314- 24-095	REP-P	00-09-095	315- 11A-205	REP	00-07-131
314- 02-040	NEW	00-07-091	314- 24-110	REP-P	00-09-095	315- 11A-206	REP-XR	00-02-055
314- 02-045	NEW	00-07-091	314- 24-120	AMD-P	00-09-095	315- 11A-206	REP	00-07-131
314- 02-050	NEW	00-07-091	314- 24-160	AMD-P	00-09-095	315- 11A-207	REP-XR	00-02-055
314- 02-055	NEW	00-07-091	314- 26-010	REP-P	00-09-095	315- 11A-207	REP	00-07-131
314- 02-060	NEW	00-07-091	314- 37	PREP	00-02-087	315- 11A-208	REP-XR	00-02-055
314- 02-065	NEW	00-07-091	314- 42-010	NEW-P	00-02-089	315- 11A-208	REP	00-07-131
314- 02-070	NEW	00-07-091	314- 42-010	NEW	00-06-016	315- 11A-209	REP-XR	00-02-055
314- 02-075	NEW	00-07-091	314- 48-010	PREP	00-02-087	315- 11A-209	REP	00-07-131
314- 02-080	NEW	00-07-091	314- 56-010	REP-XR	00-02-086	315- 11A-210	REP-XR	00-02-055

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
315- 11A-210	REP	00-07-131	352- 32-110	AMD	00-13-070	359- 14-010	NEW-P	00-04-054
315- 11A-211	REP-XR	00-02-055	352- 32-120	AMD-P	00-10-117	359- 14-010	NEW-C	00-06-049
315- 11A-211	REP	00-07-131	352- 32-120	AMD	00-13-070	359- 14-010	NEW	00-10-028
315- 11A-212	REP-XR	00-02-055	352- 32-130	AMD-P	00-10-117	359- 14-020	NEW-P	00-04-054
315- 11A-212	REP	00-07-131	352- 32-130	AMD	00-13-070	359- 14-020	NEW-C	00-06-049
315- 11A-213	REP-XR	00-02-055	352- 32-150	AMD-P	00-10-117	359- 14-020	NEW	00-10-028
315- 11A-213	REP	00-07-131	352- 32-150	AMD	00-13-070	359- 14-030	NEW-P	00-04-054
315- 11A-214	REP-XR	00-02-055	352- 32-15001	AMD-P	00-10-117	359- 14-030	NEW-C	00-06-049
315- 11A-214	REP	00-07-131	352- 32-15001	AMD	00-13-070	359- 14-030	NEW	00-10-028
317- 10	PREP	00-05-096	352- 32-155	AMD-P	00-10-117	359- 14-050	NEW-P	00-04-054
317- 21-130	REP-XR	00-12-091	352- 32-155	AMD	00-13-070	359- 14-050	NEW-C	00-06-049
317- 21-200	REP-XR	00-12-091	352- 32-157	AMD-P	00-10-117	359- 14-050	NEW	00-10-028
317- 21-205	REP-XR	00-12-091	352- 32-157	AMD	00-13-070	359- 14-070	NEW-P	00-04-054
317- 21-210	REP-XR	00-12-091	352- 32-165	AMD-P	00-10-117	359- 14-070	NEW-C	00-06-049
317- 21-215	REP-XR	00-12-091	352- 32-165	AMD	00-13-070	359- 14-070	NEW	00-10-028
317- 21-220	REP-XR	00-12-091	352- 32-195	AMD-P	00-10-117	359- 14-080	NEW-P	00-04-054
317- 21-225	REP-XR	00-12-091	352- 32-195	AMD	00-13-070	359- 14-080	NEW-C	00-06-049
317- 21-230	REP-XR	00-12-091	352- 32-200	AMD-P	00-10-117	359- 14-080	NEW	00-10-028
317- 21-235	REP-XR	00-12-091	352- 32-200	AMD	00-13-070	359- 14-100	NEW-P	00-04-054
317- 21-240	REP-XR	00-12-091	352- 32-210	AMD-P	00-10-117	359- 14-100	NEW-C	00-06-049
317- 21-245	REP-XR	00-12-091	352- 32-210	AMD	00-13-070	359- 14-100	NEW	00-10-028
317- 21-250	REP-XR	00-12-091	352- 32-215	AMD-P	00-10-117	359- 14-130	NEW-P	00-04-054
317- 21-255	REP-XR	00-12-091	352- 32-215	AMD	00-13-070	359- 14-130	NEW-C	00-06-049
317- 21-260	REP-XR	00-12-091	352- 32-230	AMD-P	00-10-117	359- 14-130	NEW	00-10-028
317- 21-265	REP-XR	00-12-091	352- 32-230	AMD	00-13-070	359- 40-010	NEW-P	00-04-054
317- 21-540	REP-XR	00-12-091	352- 32-235	AMD-P	00-10-117	359- 40-010	NEW-C	00-06-049
326- 30-041	PREP	00-10-105	352- 32-235	AMD	00-13-070	359- 40-010	NEW	00-10-028
326- 30-041	AMD-P	00-13-112	352- 32-250	AMD-P	00-10-117	359- 40-020	NEW-P	00-04-054
332-130-050	AMD-P	00-08-034	352- 32-250	AMD	00-13-070	359- 40-020	NEW-C	00-06-049
352- 04	PREP	00-12-096	352- 32-251	AMD-P	00-10-117	359- 40-020	NEW	00-10-028
352- 32	PREP	00-04-081	352- 32-251	AMD	00-13-070	359- 40-050	NEW-P	00-04-054
352- 32-010	AMD-P	00-10-117	352- 32-255	AMD-P	00-10-117	359- 40-050	NEW-C	00-06-049
352- 32-010	AMD	00-13-070	352- 32-255	AMD	00-13-070	359- 40-050	NEW	00-10-028
352- 32-011	AMD-P	00-10-117	352- 32-280	AMD-P	00-10-117	359- 40-060	NEW-P	00-04-054
352- 32-011	AMD	00-13-070	352- 32-280	AMD	00-13-070	359- 40-060	NEW-C	00-06-049
352- 32-030	AMD-P	00-10-117	352- 32-285	PREP	00-04-081	359- 40-060	NEW	00-10-028
352- 32-030	AMD	00-13-070	352- 32-285	AMD-P	00-10-117	363-116-080	PREP	00-13-098
352- 32-040	AMD-P	00-10-117	352- 32-285	AMD	00-13-070	363-116-082	PREP	00-13-098
352- 32-040	AMD	00-13-070	352- 32-290	AMD-P	00-10-117	363-116-185	AMD-P	00-10-074
352- 32-045	AMD-P	00-10-117	352- 32-290	AMD	00-13-070	363-116-185	AMD	00-13-097
352- 32-045	AMD	00-13-070	352- 32-330	AMD-P	00-10-117	363-116-300	AMD-P	00-08-106
352- 32-050	AMD-P	00-10-117	352- 32-330	AMD	00-13-070	363-116-300	AMD	00-11-119
352- 32-050	AMD	00-13-070	352- 64	PREP	00-12-095	365- 18-010	NEW	00-09-060
352- 32-053	AMD-P	00-10-117	352- 65	PREP	00-12-095	365- 18-020	NEW	00-09-060
352- 32-053	AMD	00-13-070	352- 70	PREP	00-12-094	365- 18-030	NEW	00-09-060
352- 32-056	AMD-P	00-10-117	352- 76	PREP	00-12-095	365- 18-040	NEW	00-09-060
352- 32-056	AMD	00-13-070	356- 14-045	AMD-P	00-04-052	365- 18-050	NEW	00-09-060
352- 32-060	AMD-P	00-10-117	356- 14-045	AMD-C	00-06-050	365- 18-060	NEW	00-09-060
352- 32-060	AMD	00-13-070	356- 14-045	AMD	00-10-026	365- 18-070	NEW	00-09-060
352- 32-070	AMD-P	00-10-117	356- 14-070	AMD-P	00-12-074	365- 18-080	NEW	00-09-060
352- 32-070	AMD	00-13-070	356- 14-140	AMD-P	00-12-073	365- 18-090	NEW	00-09-060
352- 32-075	AMD-P	00-10-117	356- 15-100	AMD-W	00-10-025	365- 18-100	NEW	00-09-060
352- 32-075	AMD	00-13-070	356- 15-110	AMD-W	00-10-025	365- 18-110	NEW	00-09-060
352- 32-080	AMD-P	00-10-117	356- 22-220	AMD-P	00-12-072	365- 18-120	NEW	00-09-060
352- 32-080	AMD	00-13-070	356- 26-040	AMD-P	00-04-052	365-120	AMD	00-05-020
352- 32-085	AMD-P	00-10-117	356- 26-040	AMD-C	00-06-050	365-120-010	AMD	00-05-020
352- 32-085	AMD	00-13-070	356- 26-040	AMD	00-10-026	365-120-020	AMD	00-05-020
352- 32-090	AMD-P	00-10-117	356- 30-075	AMD-P	00-04-052	365-120-030	AMD	00-05-020
352- 32-090	AMD	00-13-070	356- 30-075	AMD-C	00-06-050	365-120-040	AMD	00-05-020
352- 32-100	AMD-P	00-10-117	356- 30-075	AMD	00-10-026	365-120-050	AMD	00-05-020
352- 32-100	AMD	00-13-070	356- 30-331	AMD-P	00-06-047	365-120-060	AMD	00-05-020
352- 32-110	AMD-P	00-10-117	356- 30-331	AMD	00-11-122	365-120-070	NEW	00-05-020

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388-08-440	REP-P	00-10-094	388-11-410	PREP	00-06-039	388-14-490	PREP	00-06-039
388-08-446	REP-P	00-10-094	388-11-410	REP-P	00-10-096	388-14-495	PREP	00-06-039
388-08-449	REP-P	00-10-094	388-11-415	PREP	00-06-039	388-14-500	PREP	00-06-039
388-08-452	REP-P	00-10-094	388-11-415	REP-P	00-10-096	388-14-510	PREP	00-06-039
388-08-461	REP-P	00-10-094	388-11-420	PREP	00-06-039	388-14-520	PREP	00-06-039
388-08-462	REP-P	00-10-094	388-11-420	REP-P	00-10-096	388-14-530	PREP	00-06-039
388-08-464	REP-P	00-10-094	388-11-425	PREP	00-06-039	388-14-540	PREP	00-06-039
388-08-466	REP-P	00-10-094	388-11-425	REP-P	00-10-096	388-14-550	PREP	00-06-039
388-08-470	REP-P	00-10-094	388-11-430	PREP	00-06-039	388-14-560	PREP	00-06-039
388-08-515	REP-P	00-10-094	388-11-430	REP-P	00-10-096	388-14-570	PREP	00-06-039
388-08-525	REP-P	00-10-094	388-13	PREP	00-06-039	388-14A-3100	NEW-P	00-10-096
388-08-535	REP-P	00-10-094	388-14-010	PREP	00-06-039	388-14A-3102	NEW-P	00-10-096
388-08-545	REP-P	00-10-094	388-14-020	PREP	00-06-039	388-14A-3105	NEW-P	00-10-096
388-08-555	REP-P	00-10-094	388-14-030	PREP	00-06-039	388-14A-3110	NEW-P	00-10-096
388-08-565	REP-P	00-10-094	388-14-035	PREP	00-06-039	388-14A-3115	NEW-P	00-10-096
388-08-575	REP-P	00-10-094	388-14-040	PREP	00-06-039	388-14A-3120	NEW-P	00-10-096
388-08-585	REP-P	00-10-094	388-14-045	PREP	00-06-039	388-14A-3125	NEW-P	00-10-096
388-11-011	PREP	00-06-039	388-14-050	PREP	00-06-039	388-14A-3130	NEW-P	00-10-096
388-11-011	AMD-P	00-10-096	388-14-100	PREP	00-06-039	388-14A-3131	NEW-P	00-10-096
388-11-015	PREP	00-06-039	388-14-200	PREP	00-06-039	388-14A-3132	NEW-P	00-10-096
388-11-045	PREP	00-06-039	388-14-201	PREP	00-06-039	388-14A-3133	NEW-P	00-10-096
388-11-048	PREP	00-06-039	388-14-202	PREP	00-06-039	388-14A-3135	NEW-P	00-10-096
388-11-065	PREP	00-06-039	388-14-203	PREP	00-06-039	388-14A-3140	NEW-P	00-10-096
388-11-067	PREP	00-06-039	388-14-205	PREP	00-06-039	388-14A-3200	NEW-P	00-10-096
388-11-100	PREP	00-06-039	388-14-210	PREP	00-06-039	388-14A-3205	NEW-P	00-10-096
388-11-100	AMD-P	00-10-096	388-14-220	PREP	00-06-039	388-14A-3850	NEW-P	00-06-068
388-11-120	PREP	00-06-039	388-14-250	PREP	00-06-039	388-14A-3855	NEW	00-09-076
388-11-120	AMD-P	00-10-096	388-14-260	PREP	00-06-039	388-14A-3855	NEW-P	00-06-068
388-11-135	PREP	00-06-039	388-14-270	PREP	00-06-039	388-14A-3855	NEW	00-09-076
388-11-140	PREP	00-06-039	388-14-271	PREP	00-06-039	388-14A-3860	NEW-P	00-06-068
388-11-145	PREP	00-06-039	388-14-272	PREP	00-06-039	388-14A-3860	NEW	00-09-076
388-11-150	PREP	00-06-039	388-14-273	PREP	00-06-039	388-14A-3865	NEW-P	00-06-068
388-11-150	AMD-P	00-10-096	388-14-274	PREP	00-06-039	388-14A-3865	NEW	00-09-076
388-11-155	PREP	00-06-039	388-14-276	PREP	00-06-039	388-14A-3870	NEW-P	00-06-068
388-11-170	PREP	00-06-039	388-14-300	PREP	00-06-039	388-14A-3870	NEW	00-09-076
388-11-180	PREP	00-06-039	388-14-310	PREP	00-06-039	388-14A-3875	NEW-P	00-06-068
388-11-205	PREP	00-06-039	388-14-350	PREP	00-06-039	388-14A-3875	NEW	00-09-076
388-11-210	PREP	00-06-039	388-14-360	PREP	00-06-039	388-15-120	REP	00-03-029
388-11-215	PREP	00-06-039	388-14-365	PREP	00-06-039	388-15-145	REP	00-04-056
388-11-220	PREP	00-06-039	388-14-370	PREP	00-06-039	388-15-194	PREP	00-11-092
388-11-280	PREP	00-06-039	388-14-376	PREP	00-06-039	388-15-196	REP	00-03-043
388-11-285	PREP	00-06-039	388-14-385	PREP	00-06-039	388-15-19600	REP	00-03-043
388-11-285	REP-P	00-10-096	388-14-386	PREP	00-06-039	388-15-19610	REP	00-03-043
388-11-290	PREP	00-06-039	388-14-387	PREP	00-06-039	388-15-19620	REP	00-03-043
388-11-290	REP-P	00-10-096	388-14-388	PREP	00-06-039	388-15-19630	REP	00-03-043
388-11-295	PREP	00-06-039	388-14-390	PREP	00-06-039	388-15-19640	REP	00-03-043
388-11-295	REP-P	00-10-096	388-14-395	PREP	00-06-039	388-15-19650	REP	00-03-043
388-11-300	PREP	00-06-039	388-14-410	PREP	00-06-039	388-15-19660	REP	00-03-043
388-11-305	PREP	00-06-039	388-14-415	PREP	00-06-039	388-15-19670	REP	00-03-043
388-11-305	AMD-P	00-10-096	388-14-420	PREP	00-06-039	388-15-19680	REP	00-03-043
388-11-310	PREP	00-06-039	388-14-421	PREP	00-06-039	388-15-198	REP	00-03-043
388-11-310	AMD-P	00-10-096	388-14-422	PREP	00-06-039	388-15-200	REP	00-04-056
388-11-315	PREP	00-06-039	388-14-423	PREP	00-06-039	388-15-201	REP	00-04-056
388-11-315	REP-P	00-06-068	388-14-424	PREP	00-06-039	388-15-202	PREP	00-11-092
388-11-315	REP	00-09-076	388-14-427	PREP	00-06-039	388-15-203	PREP	00-11-092
388-11-320	PREP	00-06-039	388-14-435	PREP	00-06-039	388-15-204	PREP	00-11-092
388-11-325	PREP	00-06-039	388-14-440	PREP	00-06-039	388-15-205	PREP	00-11-092
388-11-330	PREP	00-06-039	388-14-445	PREP	00-06-039	388-15-206	REP	00-04-056
388-11-335	PREP	00-06-039	388-14-445	REP-P	00-10-096	388-15-207	REP	00-04-056
388-11-340	PREP	00-06-039	388-14-450	PREP	00-06-039	388-15-209	REP	00-04-056
388-11-400	PREP	00-06-039	388-14-460	PREP	00-06-039	388-15-214	REP	00-04-056
388-11-400	REP-P	00-10-096	388-14-480	PREP	00-06-039	388-15-215	REP	00-04-056

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 15-219	REP	00-04-056	388- 18-120	REP-XR	00-11-061	388- 71-0530	NEW	00-03-043
388- 15-222	REP	00-04-056	388- 18-130	REP-XR	00-11-061	388- 71-0535	NEW	00-03-043
388- 15-548	REP	00-04-056	388- 24-2070	REP	00-03-012	388- 71-0540	NEW	00-03-043
388- 15-551	REP	00-04-056	388- 24-2100	REP	00-03-012	388- 71-0545	NEW	00-03-043
388- 15-552	REP	00-04-056	388- 24-2150	REP	00-03-012	388- 71-0550	NEW	00-03-043
388- 15-553	REP	00-04-056	388- 24-2200	REP	00-03-012	388- 71-0555	NEW	00-03-043
388- 15-554	REP	00-04-056	388- 24-2250	REP	00-03-012	388- 71-0560	NEW	00-03-043
388- 15-555	REP	00-04-056	388- 24-2350	REP	00-03-012	388- 71-0580	NEW	00-03-043
388- 15-560	REP	00-04-056	388- 24-2430	REP	00-03-012	388- 71-0600	NEW	00-04-056
388- 15-562	REP	00-04-056	388- 31	PREP	00-09-034	388- 71-0605	NEW	00-04-056
388- 15-563	REP	00-04-056	388- 31-010	REP-P	00-12-083	388- 71-0610	NEW	00-04-056
388- 15-564	REP	00-04-056	388- 31-015	REP-P	00-12-083	388- 71-0615	NEW	00-04-056
388- 15-566	REP	00-04-056	388- 31-020	REP-P	00-12-083	388- 71-0620	NEW	00-04-056
388- 15-568	REP	00-04-056	388- 31-025	REP-P	00-12-083	388- 71-1000	NEW	00-04-056
388- 15-600	REP	00-04-056	388- 31-030	REP-P	00-12-083	388- 71-1005	NEW	00-04-056
388- 15-610	REP-P	00-10-033	388- 31-035	REP-P	00-12-083	388- 71-1010	NEW	00-04-056
388- 15-610	REP	00-13-077	388- 46-010	PREP	00-13-061	388- 71-1015	NEW	00-04-056
388- 15-620	REP	00-04-056	388- 46-100	PREP	00-13-061	388- 71-1020	NEW	00-04-056
388- 15-630	REP	00-04-056	388- 46-110	PREP	00-13-061	388- 71-1025	NEW	00-04-056
388- 15-650	PREP	00-08-049	388- 46-120	PREP	00-13-061	388- 71-1030	NEW	00-04-056
388- 15-651	PREP	00-08-049	388- 71-0100	NEW	00-03-029	388- 71-1035	NEW	00-04-056
388- 15-652	PREP	00-08-049	388- 71-0105	NEW	00-03-029	388- 71-1065	NEW	00-04-056
388- 15-653	PREP	00-08-049	388- 71-0110	NEW	00-03-029	388- 71-1070	NEW	00-04-056
388- 15-654	PREP	00-08-049	388- 71-0115	NEW	00-03-029	388- 71-1075	NEW	00-04-056
388- 15-655	PREP	00-08-049	388- 71-0120	NEW	00-03-029	388- 71-1080	NEW	00-04-056
388- 15-656	PREP	00-08-049	388- 71-0150	NEW	00-03-029	388- 71-1085	NEW	00-04-056
388- 15-657	PREP	00-08-049	388- 71-0155	NEW	00-03-029	388- 71-1090	NEW	00-04-056
388- 15-658	PREP	00-08-049	388- 71-0400	NEW	00-04-056	388- 71-1095	NEW	00-04-056
388- 15-659	PREP	00-08-049	388- 71-0405	NEW	00-04-056	388- 71-1100	NEW	00-04-056
388- 15-660	PREP	00-08-049	388- 71-0410	NEW	00-04-056	388- 71-1105	NEW	00-04-056
388- 15-661	PREP	00-08-049	388- 71-0410	PREP	00-11-092	388- 71-1110	NEW	00-04-056
388- 15-662	PREP	00-08-049	388- 71-0415	NEW	00-04-056	388- 76-61510	PREP	00-07-057
388- 15-690	REP	00-04-056	388- 71-0420	NEW	00-04-056	388- 76-640	PREP	00-07-057
388- 15-695	REP	00-04-056	388- 71-0425	NEW	00-04-056	388- 81	PREP	00-07-055
388- 15-700	REP	00-04-056	388- 71-0430	NEW	00-04-056	388- 86	PREP	00-03-011
388- 15-705	REP	00-04-056	388- 71-0430	AMD-P	00-10-033	388- 86-005	DECOD	00-11-183
388- 15-710	REP	00-04-056	388- 71-0430	AMD	00-13-077	388- 86-011	REP-P	00-12-080
388- 15-715	REP	00-04-056	388- 71-0435	NEW-P	00-10-033	388- 86-012	PREP	00-03-011
388- 15-810	REP	00-04-056	388- 71-0435	NEW	00-13-077	388- 86-012	REP-XR	00-08-057
388- 15-830	REP	00-04-056	388- 71-0440	NEW	00-04-056	388- 86-012	REP	00-11-142
388- 15-880	REP	00-04-056	388- 71-0440	PREP	00-11-092	388- 86-017	PREP	00-05-108
388- 15-890	REP	00-04-056	388- 71-0445	NEW	00-04-056	388- 86-018	DECOD	00-11-183
388- 15-895	REP	00-04-056	388- 71-0445	PREP	00-07-100	388- 86-019	PREP	00-03-011
388- 17-010	REP	00-04-056	388- 71-0445	PREP	00-11-092	388- 86-019	REP-P	00-11-138
388- 17-020	REP	00-04-056	388- 71-0445	AMD-P	00-12-035	388- 86-024	REP-P	00-09-041
388- 17-100	REP	00-04-056	388- 71-0450	NEW	00-04-056	388- 86-027	DECOD	00-11-183
388- 17-120	REP	00-04-056	388- 71-0455	NEW	00-04-056	388- 86-035	PREP	00-07-056
388- 17-160	REP	00-04-056	388- 71-0460	NEW	00-04-056	388- 86-035	REP-P	00-11-093
388- 17-180	REP	00-04-056	388- 71-0465	NEW	00-04-056	388- 86-055	REP-P	00-12-080
388- 17-500	REP	00-04-056	388- 71-0470	NEW	00-04-056	388- 86-067	REP	00-05-039
388- 17-510	REP	00-04-056	388- 71-0470	PREP	00-07-100	388- 86-071	PREP	00-09-033
388- 18-010	REP-XR	00-11-061	388- 71-0470	AMD-P	00-12-035	388- 86-071	PREP	00-09-033
388- 18-020	REP-XR	00-11-061	388- 71-0475	NEW	00-04-056	388- 86-087	PREP	00-07-056
388- 18-030	REP-XR	00-11-061	388- 71-0480	NEW	00-04-056	388- 86-087	REP-P	00-13-104
388- 18-040	REP-XR	00-11-061	388- 71-0480	PREP	00-07-100	388- 86-090	REP	00-04-019
388- 18-050	REP-XR	00-11-061	388- 71-0480	PREP	00-07-100	388- 86-095	REP-P	00-12-080
388- 18-060	REP-XR	00-11-061	388- 71-0480	AMD-P	00-12-035	388- 86-09601	REP-P	00-12-080
388- 18-060	REP-XR	00-11-061	388- 71-0500	NEW	00-03-043	388- 86-100	REP-P	00-13-008
388- 18-070	REP-XR	00-11-061	388- 71-0505	NEW	00-03-043	388- 86-105	REP-XR	00-09-039
388- 18-080	REP-XR	00-11-061	388- 71-0510	NEW	00-03-043	388- 86-105	REP	00-13-014
388- 18-090	REP-XR	00-11-061	388- 71-0515	NEW	00-03-043	388- 86-110	PREP	00-03-011
388- 18-100	REP-XR	00-11-061	388- 71-0520	NEW	00-03-043	388- 86-110	REP-P	00-12-080
388- 18-110	REP-XR	00-11-061	388- 71-0525	NEW	00-03-043	388- 86-115	PREP	00-03-011

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-86-120	PREP	00-03-011	388-97-052	NEW	00-06-028	388-97-190	AMD	00-06-028
388-86-300	PREP	00-03-011	388-97-053	NEW	00-06-028	388-97-195	AMD	00-06-028
388-87	PREP	00-03-011	388-97-055	AMD	00-06-028	388-97-200	REP	00-06-028
388-87-005	REP-P	00-09-043	388-97-060	AMD	00-06-028	388-97-202	NEW	00-06-028
388-87-007	REP-P	00-09-043	388-97-065	AMD	00-06-028	388-97-205	AMD	00-06-028
388-87-008	REP-P	00-09-043	388-97-070	REP	00-06-028	388-97-210	REP	00-06-028
388-87-010	REP-P	00-09-043	388-97-07005	NEW	00-06-028	388-97-212	NEW	00-06-028
388-87-011	REP-P	00-09-043	388-97-07010	NEW	00-06-028	388-97-215	REP	00-06-028
388-87-012	REP-P	00-09-043	388-97-07015	NEW	00-06-028	388-97-220	AMD	00-06-028
388-87-015	REP-P	00-09-042	388-97-07020	NEW	00-06-028	388-97-225	REP	00-06-028
388-87-019	REP-P	00-11-138	388-97-07025	NEW	00-06-028	388-97-230	REP	00-06-028
388-87-027	PREP	00-03-011	388-97-07030	NEW	00-06-028	388-97-235	REP	00-06-028
388-87-045	REP-XR	00-09-040	388-97-07035	NEW	00-06-028	388-97-240	REP	00-06-028
388-87-045	REP	00-13-013	388-97-07040	NEW	00-06-028	388-97-245	REP	00-06-028
388-87-048	DECOD	00-11-183	388-97-07045	NEW	00-06-028	388-97-247	NEW	00-06-028
388-87-067	REP	00-05-039	388-97-07050	NEW	00-06-028	388-97-249	NEW	00-06-028
388-87-075	REP-P	00-12-080	388-97-07055	NEW	00-06-028	388-97-250	REP	00-06-028
388-87-077	REP	00-05-039	388-97-07060	NEW	00-06-028	388-97-251	NEW	00-06-028
388-87-090	REP	00-04-019	388-97-07065	NEW	00-06-028	388-97-253	NEW	00-06-028
388-87-095	REP-P	00-12-080	388-97-07070	NEW	00-06-028	388-97-255	REP	00-06-028
388-87-110	REP-P	00-13-008	388-97-075	AMD	00-06-028	388-97-260	AMD	00-06-028
388-87-200	PREP	00-07-056	388-97-076	NEW	00-06-028	388-97-265	REP	00-06-028
388-87-200	REP-P	00-09-043	388-97-077	NEW	00-06-028	388-97-270	REP	00-06-028
388-90-010	REP	00-07-045	388-97-080	REP	00-06-028	388-97-275	REP	00-06-028
388-96	PREP	00-12-077	388-97-08010	NEW	00-06-028	388-97-280	REP	00-06-028
388-96-779	NEW-P	00-09-080	388-97-08020	NEW	00-06-028	388-97-285	NEW	00-06-028
388-96-779	NEW-E	00-10-035	388-97-08030	NEW	00-06-028	388-97-295	AMD	00-06-028
388-96-779	NEW	00-12-098	388-97-08040	NEW	00-06-028	388-97-29510	NEW	00-06-028
388-96-780	NEW-P	00-09-080	388-97-08050	NEW	00-06-028	388-97-29520	NEW	00-06-028
388-96-780	NEW-E	00-10-035	388-97-08060	NEW	00-06-028	388-97-29530	NEW	00-06-028
388-96-780	NEW	00-12-098	388-97-08070	NEW	00-06-028	388-97-29540	NEW	00-06-028
388-96-781	NEW-P	00-09-080	388-97-085	AMD	00-06-028	388-97-29550	NEW	00-06-028
388-96-781	NEW-E	00-10-035	388-97-090	AMD	00-06-028	388-97-29560	NEW	00-06-028
388-96-781	NEW	00-12-098	388-97-095	REP	00-06-028	388-97-300	REP	00-06-028
388-96-782	NEW-P	00-09-080	388-97-097	NEW	00-06-028	388-97-305	REP	00-06-028
388-96-782	NEW-E	00-10-035	388-97-100	REP	00-06-028	388-97-310	AMD	00-06-028
388-96-782	NEW	00-12-098	388-97-105	REP	00-06-028	388-97-315	AMD	00-06-028
388-96-901	AMD-P	00-09-080	388-97-110	AMD	00-06-028	388-97-320	REP	00-06-028
388-96-901	AMD-E	00-10-035	388-97-115	AMD	00-06-028	388-97-325	AMD	00-06-028
388-96-901	AMD	00-12-098	388-97-120	AMD	00-06-028	388-97-32510	NEW	00-06-028
388-97-005	AMD	00-06-028	388-97-12010	NEW	00-06-028	388-97-32520	NEW	00-06-028
388-97-010	REP	00-06-028	388-97-12020	NEW	00-06-028	388-97-32530	NEW	00-06-028
388-97-012	NEW	00-06-028	388-97-12030	NEW	00-06-028	388-97-32540	NEW	00-06-028
388-97-015	REP	00-06-028	388-97-12040	NEW	00-06-028	388-97-32550	NEW	00-06-028
388-97-017	NEW	00-06-028	388-97-12050	NEW	00-06-028	388-97-32560	NEW	00-06-028
388-97-020	REP	00-06-028	388-97-12060	NEW	00-06-028	388-97-32570	NEW	00-06-028
388-97-022	NEW	00-06-028	388-97-12070	NEW	00-06-028	388-97-32580	NEW	00-06-028
388-97-022	PREP	00-11-105	388-97-125	AMD	00-06-028	388-97-330	AMD	00-06-028
388-97-025	REP	00-06-028	388-97-130	AMD	00-06-028	388-97-33010	NEW	00-06-028
388-97-027	NEW	00-06-028	388-97-135	AMD	00-06-028	388-97-33020	NEW	00-06-028
388-97-027	PREP	00-11-105	388-97-140	AMD	00-06-028	388-97-33030	NEW	00-06-028
388-97-030	REP	00-06-028	388-97-145	REP	00-06-028	388-97-33040	NEW	00-06-028
388-97-032	NEW	00-06-028	388-97-147	NEW	00-06-028	388-97-33050	NEW	00-06-028
388-97-035	REP	00-06-028	388-97-150	REP	00-06-028	388-97-335	AMD	00-06-028
388-97-037	NEW	00-06-028	388-97-155	AMD	00-06-028	388-97-33510	NEW	00-06-028
388-97-040	REP	00-06-028	388-97-160	AMD	00-06-028	388-97-33520	NEW	00-06-028
388-97-042	NEW	00-06-028	388-97-162	NEW	00-06-028	388-97-33530	NEW	00-06-028
388-97-043	NEW	00-06-028	388-97-165	AMD	00-06-028	388-97-33540	NEW	00-06-028
388-97-045	REP	00-06-028	388-97-170	AMD	00-06-028	388-97-33550	NEW	00-06-028
388-97-047	NEW	00-06-028	388-97-175	AMD	00-06-028	388-97-33560	NEW	00-06-028
388-97-050	REP	00-06-028	388-97-180	AMD	00-06-028	388-97-33570	NEW	00-06-028
388-97-051	NEW	00-06-028	388-97-185	AMD	00-06-028	388-97-33580	NEW	00-06-028

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-97-340	AMD	00-06-028	388-97-465	AMD	00-06-028	388-155-270	AMD-XA	00-09-089
388-97-34010	NEW	00-06-028	388-97-46510	NEW	00-06-028	388-155-280	AMD	00-06-040
388-97-34020	NEW	00-06-028	388-97-46520	NEW	00-06-028	388-155-290	AMD	00-06-040
388-97-345	AMD	00-06-028	388-97-46530	NEW	00-06-028	388-155-295	AMD	00-06-040
388-97-347	NEW	00-06-028	388-97-46540	NEW	00-06-028	388-155-310	AMD	00-06-040
388-97-350	AMD	00-06-028	388-97-46550	NEW	00-06-028	388-155-320	AMD	00-06-040
388-97-35010	NEW	00-06-028	388-97-46560	NEW	00-06-028	388-155-330	AMD-XA	00-09-089
388-97-35020	NEW	00-06-028	388-97-46570	NEW	00-06-028	388-155-340	AMD	00-06-040
388-97-35030	NEW	00-06-028	388-97-46580	NEW	00-06-028	388-155-350	AMD	00-06-040
388-97-35040	NEW	00-06-028	388-97-46590	NEW	00-06-028	388-155-360	AMD	00-06-040
388-97-35050	NEW	00-06-028	388-97-470	AMD	00-06-028	388-155-370	AMD-XA	00-09-089
388-97-35060	NEW	00-06-028	388-97-47010	NEW	00-06-028	388-155-380	AMD-XA	00-09-089
388-97-352	NEW	00-06-028	388-97-47020	NEW	00-06-028	388-155-390	AMD	00-06-040
388-97-353	NEW	00-06-028	388-97-475	REP	00-06-028	388-155-400	AMD	00-06-040
388-97-355	AMD	00-06-028	388-97-480	AMD	00-06-028	388-155-410	AMD	00-06-040
388-97-357	NEW	00-06-028	388-97-48010	NEW	00-06-028	388-155-420	AMD-XA	00-09-089
388-97-35710	NEW	00-06-028	388-97-48020	NEW	00-06-028	388-155-430	AMD	00-06-040
388-97-35720	NEW	00-06-028	388-97-48030	NEW	00-06-028	388-155-440	AMD	00-06-040
388-97-360	AMD	00-06-028	388-97-48040	NEW	00-06-028	388-155-450	AMD	00-06-040
388-97-36010	NEW	00-06-028	388-97-550	NEW	00-06-028	388-155-460	AMD	00-06-040
388-97-36020	NEW	00-06-028	388-97-555	NEW	00-06-028	388-155-470	AMD	00-06-040
388-97-36030	NEW	00-06-028	388-97-560	NEW	00-06-028	388-155-480	AMD-XA	00-09-089
388-97-36040	NEW	00-06-028	388-97-565	NEW	00-06-028	388-155-490	AMD	00-06-040
388-97-36050	NEW	00-06-028	388-97-570	NEW	00-06-028	388-155-500	AMD	00-06-040
388-97-36060	NEW	00-06-028	388-97-575	NEW	00-06-028	388-155-600	AMD	00-06-040
388-97-36070	NEW	00-06-028	388-97-580	NEW	00-06-028	388-155-605	AMD-XA	00-09-089
388-97-365	AMD	00-06-028	388-97-585	NEW	00-06-028	388-155-610	AMD-XA	00-09-089
388-97-36510	NEW	00-06-028	388-97-590	NEW	00-06-028	388-155-620	AMD-XA	00-09-089
388-97-36520	NEW	00-06-028	388-97-595	NEW	00-06-028	388-155-630	AMD-XA	00-09-089
388-97-36530	NEW	00-06-028	388-97-600	NEW	00-06-028	388-155-640	AMD-XA	00-09-089
388-97-370	AMD	00-06-028	388-155-010	AMD	00-06-040	388-155-650	AMD-XA	00-09-089
388-97-37010	NEW	00-06-028	388-155-020	AMD	00-06-040	388-155-660	AMD-XA	00-09-089
388-97-37020	NEW	00-06-028	388-155-040	AMD-XA	00-09-089	388-155-670	AMD-XA	00-09-089
388-97-375	AMD	00-06-028	388-155-050	AMD-XA	00-09-089	388-155-680	AMD-XA	00-09-089
388-97-380	REP	00-06-028	388-155-060	AMD-XA	00-09-089	388-200-1160	REP	00-03-035
388-97-385	AMD	00-06-028	388-155-070	AMD	00-06-040	388-200-1300	PREP	00-04-036
388-97-390	REP	00-06-028	388-155-085	AMD-XA	00-09-089	388-200-1350	PREP	00-04-036
388-97-395	REP	00-06-028	388-155-090	AMD-XA	00-09-089	388-235	PREP	00-08-051
388-97-400	AMD	00-06-028	388-155-092	AMD-XA	00-09-089	388-235-1500	REP-P	00-11-129
388-97-40010	NEW	00-06-028	388-155-093	AMD-XA	00-09-089	388-235-5000	REP-P	00-11-129
388-97-401	NEW	00-06-028	388-155-094	AMD-XA	00-09-089	388-235-5050	REP-P	00-11-129
388-97-402	NEW	00-06-028	388-155-095	AMD-XA	00-09-089	388-235-5060	REP-P	00-11-129
388-97-403	NEW	00-06-028	388-155-098	AMD	00-06-040	388-235-5070	REP-P	00-11-129
388-97-405	AMD	00-06-028	388-155-100	AMD	00-06-040	388-235-5080	REP-P	00-11-129
388-97-410	AMD	00-06-028	388-155-110	AMD	00-06-040	388-235-5090	REP-P	00-11-129
388-97-415	AMD	00-06-028	388-155-120	AMD	00-06-040	388-235-5100	REP-P	00-11-129
388-97-420	AMD	00-06-028	388-155-130	AMD	00-06-040	388-235-5200	REP-P	00-11-129
388-97-425	AMD	00-06-028	388-155-140	AMD	00-06-040	388-235-5300	REP-P	00-11-129
388-97-430	AMD	00-06-028	388-155-150	AMD	00-06-040	388-235-5400	REP-P	00-11-129
388-97-43010	NEW	00-06-028	388-155-160	AMD-XA	00-09-089	388-235-5500	REP-P	00-11-129
388-97-43020	NEW	00-06-028	388-155-165	AMD	00-06-040	388-235-5600	REP-P	00-11-129
388-97-43030	NEW	00-06-028	388-155-170	AMD	00-06-040	388-235-5700	REP-P	00-11-129
388-97-43040	NEW	00-06-028	388-155-180	AMD	00-06-040	388-235-5800	REP-P	00-11-129
388-97-43050	NEW	00-06-028	388-155-190	AMD-XA	00-09-089	388-235-5900	REP-P	00-11-129
388-97-435	REP	00-06-028	388-155-200	AMD	00-06-040	388-235-6000	REP-P	00-11-129
388-97-440	REP	00-06-028	388-155-210	REP	00-06-040	388-235-7000	REP-P	00-11-129
388-97-445	REP	00-06-028	388-155-220	AMD	00-06-040	388-235-7100	REP-P	00-11-129
388-97-450	REP	00-06-028	388-155-230	AMD	00-06-040	388-235-7200	REP-P	00-11-129
388-97-455	AMD	00-06-028	388-155-240	AMD	00-06-040	388-235-7300	REP-P	00-11-129
388-97-45510	NEW	00-06-028	388-155-250	AMD	00-06-040	388-235-7400	REP-P	00-11-129
388-97-460	AMD	00-06-028	388-155-260	REP	00-06-040	388-235-7500	REP-P	00-11-129
388-97-46010	NEW	00-06-028	388-155-270	AMD	00-06-040	388-235-7600	REP-P	00-11-129

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-235-8000	REP-P	00-11-129	388-290-850	AMD-P	00-13-105	388-310-1850	AMD	00-08-021
388-235-8100	REP-P	00-11-129	388-290-854	NEW-E	00-08-061	388-400	PREP	00-11-182
388-235-8130	REP-P	00-11-129	388-290-854	NEW-P	00-13-105	388-400-0005	AMD	00-05-007
388-235-8140	REP-P	00-11-129	388-290-858	NEW-E	00-08-061	388-400-0010	AMD	00-05-007
388-235-8150	REP-P	00-11-129	388-290-858	NEW-P	00-13-105	388-400-0015	AMD-E	00-13-075
388-235-8200	REP-P	00-11-129	388-290-862	NEW-E	00-08-061	388-400-0025	PREP	00-08-056
388-235-9000	AMD	00-05-007	388-290-862	NEW-P	00-13-105	388-400-0025	AMD-P	00-11-128
388-235-9000	REP-P	00-11-129	388-290-866	NEW-E	00-08-061	388-404	PREP	00-11-182
388-235-9100	REP-P	00-11-129	388-290-866	NEW-P	00-13-105	388-404-0005	AMD	00-05-007
388-235-9200	REP-P	00-11-129	388-290-870	NEW-E	00-08-061	388-406-0015	AMD	00-06-015
388-235-9300	REP-P	00-11-129	388-290-870	NEW-P	00-13-105	388-406-0060	PREP	00-06-060
388-240-0010	REP-P	00-11-107	388-290-874	NEW-E	00-08-061	388-406-0060	AMD-P	00-10-093
388-240-0020	REP-P	00-11-107	388-290-874	NEW-P	00-13-105	388-406-0060	AMD	00-13-076
388-240-1100	REP-P	00-11-107	388-290-878	NEW-E	00-08-061	388-408	PREP	00-11-182
388-240-1200	REP-P	00-11-107	388-290-878	NEW-P	00-13-105	388-408-0020	AMD	00-05-007
388-240-2100	REP-P	00-11-107	388-290-882	NEW-E	00-08-061	388-408-0025	PREP	00-08-050
388-240-2300	REP-P	00-11-107	388-290-882	NEW-P	00-13-105	388-408-0035	PREP	00-08-052
388-240-2400	REP-P	00-11-107	388-290-886	NEW-E	00-08-061	388-412-0025	PREP	00-13-060
388-240-2450	REP-P	00-11-107	388-290-886	NEW-P	00-13-105	388-412-0040	PREP	00-13-060
388-240-2500	REP-P	00-11-107	388-290-888	NEW-E	00-08-061	388-414-0001	AMD-P	00-07-076
388-240-2550	REP-P	00-11-107	388-290-888	NEW-P	00-13-105	388-414-0001	AMD	00-11-035
388-240-2570	REP-P	00-11-107	388-290-905	AMD-E	00-08-061	388-416-0015	AMD-P	00-04-045
388-240-2600	REP-P	00-11-107	388-290-905	AMD-P	00-13-105	388-416-0015	AMD	00-08-002
388-240-3100	REP-P	00-11-107	388-290-910	AMD-E	00-08-061	388-418-0012	REP-P	00-03-062
388-240-4100	REP-P	00-11-107	388-290-910	AMD-P	00-13-105	388-418-0012	REP	00-07-077
388-240-4200	REP-P	00-11-107	388-290-920	AMD-P	00-10-089	388-418-0025	AMD-P	00-04-045
388-240-4400	REP-P	00-11-107	388-290-920	AMD-E	00-10-090	388-418-0025	AMD	00-08-002
388-240-4600	REP-P	00-11-107	388-290-925	AMD-E	00-08-061	388-422	PREP	00-11-182
388-240-5100	REP-P	00-11-107	388-290-925	AMD-P	00-13-105	388-424	PREP	00-11-182
388-240-6100	REP-P	00-11-107	388-290-940	AMD-E	00-08-061	388-424-0015	AMD-P	00-05-110
388-255	PREP	00-08-054	388-290-940	AMD-P	00-13-105	388-424-0015	AMD	00-08-060
388-255-1020	REP-P	00-12-081	388-290-945	AMD-E	00-08-061	388-424-0025	AMD-E	00-08-004
388-255-1050	REP-P	00-12-081	388-290-945	AMD-P	00-13-105	388-424-0025	AMD-P	00-09-082
388-255-1100	REP-P	00-12-081	388-290-950	AMD-P	00-10-089	388-424-0025	AMD	00-13-036
388-255-1150	REP-P	00-12-081	388-290-950	AMD-E	00-10-090	388-426	PREP	00-09-032
388-255-1200	REP-P	00-12-081	388-310-0200	AMD-P	00-03-051	388-430-0001	REP	00-05-007
388-255-1250	REP-P	00-12-081	388-310-0200	AMD	00-06-062	388-430-0005	REP	00-05-007
388-255-1300	REP-P	00-12-081	388-310-0200	PREP	00-07-102	388-430-0010	REP	00-05-007
388-265-1650	PREP	00-07-101	388-310-0200	AMD-P	00-11-140	388-430-0015	REP	00-05-007
388-265-1750	PREP	00-07-101	388-310-0300	AMD-P	00-03-051	388-430-0020	REP	00-05-007
388-273-0010	NEW-P	00-12-083	388-310-0300	AMD	00-06-062	388-430-0025	REP	00-05-007
388-273-0020	NEW-P	00-12-083	388-310-0400	AMD-P	00-03-051	388-436-0010	REP-P	00-06-067
388-273-0025	NEW-P	00-12-083	388-310-0400	AMD	00-06-062	388-436-0010	REP	00-10-036
388-273-0030	NEW-P	00-12-083	388-310-0400	PREP	00-07-102	388-440	PREP	00-09-032
388-273-0035	NEW-P	00-12-083	388-310-0500	PREP	00-07-102	388-440-0001	AMD	00-03-034
388-290-015	AMD-P	00-10-089	388-310-0600	PREP	00-07-102	388-440-0005	AMD	00-03-034
388-290-015	AMD-E	00-10-090	388-310-0600	AMD-P	00-11-140	388-442-0010	AMD	00-05-007
388-290-280	AMD-P	00-10-089	388-310-0700	AMD-P	00-03-051	388-444-0015	AMD	00-04-006
388-290-280	AMD-E	00-10-090	388-310-0700	AMD	00-06-062	388-444-0035	AMD	00-04-006
388-290-350	AMD-P	00-10-089	388-310-0800	PREP	00-05-109	388-444-0055	AMD	00-04-006
388-290-350	AMD-E	00-10-090	388-310-0800	AMD-E	00-06-061	388-444-0065	AMD	00-04-006
388-290-450	AMD-P	00-10-089	388-310-0800	AMD-P	00-08-089	388-444-0075	AMD	00-04-006
388-290-450	AMD-E	00-10-090	388-310-0800	AMD-S	00-10-091	388-448-0001	PREP	00-08-055
388-290-475	AMD-P	00-10-089	388-310-0800	AMD	00-13-106	388-448-0001	AMD-P	00-11-127
388-290-475	AMD-E	00-10-090	388-310-1400	AMD-P	00-03-051	388-448-0005	PREP	00-08-055
388-290-550	REP-P	00-10-089	388-310-1400	AMD	00-06-062	388-448-0005	REP-P	00-12-040
388-290-550	REP-E	00-10-090	388-310-1450	NEW-P	00-03-051	388-448-0010	NEW-P	00-11-129
388-290-600	AMD-P	00-10-089	388-310-1450	NEW	00-06-062	388-448-0020	NEW-P	00-11-129
388-290-600	AMD-E	00-10-090	388-310-1800	PREP	00-07-102	388-448-0030	NEW-P	00-11-129
388-290-650	AMD-P	00-10-089	388-310-1800	AMD-P	00-11-140	388-448-0035	NEW-P	00-11-129
388-290-650	AMD-E	00-10-090	388-310-1850	AMD-E	00-03-013	388-448-0040	NEW-P	00-11-129
388-290-850	AMD-E	00-08-061	388-310-1850	AMD-P	00-04-091	388-448-0050	NEW-P	00-11-129

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-448-0060	NEW-P	00-11-129	388-501-0150	REP-XR	00-09-038	388-531-0900	NEW-P	00-12-080
388-448-0070	NEW-P	00-11-129	388-501-0160	AMD	00-03-035	388-531-0950	NEW-P	00-12-080
388-448-0080	NEW-P	00-11-129	388-501-0165	AMD	00-03-035	388-531-1000	NEW-P	00-12-080
388-448-0090	NEW-P	00-11-129	388-501-0200	AMD-XA	00-07-044	388-531-1050	NEW-P	00-12-080
388-448-0100	NEW-P	00-11-129	388-501-0200	AMD	00-11-141	388-531-1100	NEW-P	00-12-080
388-448-0110	NEW-P	00-11-129	388-502-0010	NEW-P	00-09-043	388-531-1150	NEW-P	00-12-080
388-448-0120	NEW-P	00-11-129	388-502-0020	NEW-P	00-09-043	388-531-1200	NEW-P	00-12-080
388-448-0130	NEW-P	00-11-129	388-502-0030	NEW-P	00-09-043	388-531-1250	NEW-P	00-12-080
388-448-0140	NEW-P	00-11-129	388-502-0100	NEW-P	00-09-043	388-531-1300	NEW-P	00-12-080
388-448-0150	NEW-P	00-11-129	388-502-0110	NEW-P	00-09-043	388-531-1350	NEW-P	00-12-080
388-448-0160	NEW-P	00-11-129	388-502-0150	NEW-P	00-09-042	388-531-1400	NEW-P	00-12-080
388-448-0170	NEW-P	00-11-129	388-502-0160	NEW-P	00-09-075	388-531-1450	NEW-P	00-12-080
388-448-0180	NEW-P	00-11-129	388-502-0205	PREP	00-06-022	388-531-1500	NEW-P	00-12-080
388-448-0190	NEW-P	00-11-129	388-502-0205	REP-P	00-09-043	388-531-1550	NEW-P	00-12-080
388-448-0200	NEW-P	00-11-129	388-502-0210	AMD-P	00-10-064	388-531-1600	NEW-P	00-12-080
388-448-0210	NEW-P	00-11-129	388-502-0230	PREP	00-09-037	388-531-1650	NEW-P	00-12-080
388-450	PREP	00-10-031	388-505-0110	PREP	00-12-079	388-531-1700	NEW-P	00-12-080
388-450	PREP	00-11-182	388-505-0595	PREP	00-12-078	388-531-1750	NEW-P	00-12-080
388-450-0005	PREP	00-12-079	388-506-0620	PREP	00-12-079	388-531-1800	NEW-P	00-12-080
388-450-0015	PREP	00-03-060	388-511-1105	PREP	00-12-079	388-531-1850	NEW-P	00-12-080
388-450-0015	AMD-E	00-06-023	388-511-1130	PREP	00-12-079	388-531-1900	NEW-P	00-12-080
388-450-0015	AMD-P	00-09-081	388-513-1380	AMD-E	00-08-003	388-532	PREP	00-07-056
388-450-0015	AMD-E	00-13-062	388-513-1380	AMD-P	00-13-107	388-532-050	NEW-P	00-11-093
388-450-0020	PREP	00-12-079	388-519-0100	PREP	00-12-079	388-532-100	NEW-P	00-11-093
388-450-0035	AMD-E	00-02-062	388-529-2940	REP	00-05-039	388-533-0300	NEW-P	00-09-041
388-450-0035	AMD-P	00-10-087	388-529-2950	REP	00-05-039	388-534-0100	RECOD	00-11-183
388-450-0035	AMD-E	00-10-088	388-530-1000	PREP	00-07-087	388-538-001	REP	00-04-080
388-450-0150	PREP	00-12-079	388-530-1050	PREP	00-07-087	388-538-050	AMD	00-04-080
388-450-0210	PREP	00-12-079	388-530-1100	PREP	00-07-087	388-538-060	AMD	00-04-080
388-454	PREP	00-11-182	388-530-1150	PREP	00-07-087	388-538-065	NEW	00-04-080
388-470	PREP	00-12-078	388-530-1200	PREP	00-07-087	388-538-066	NEW	00-04-080
388-470-0005	PREP	00-12-079	388-530-1250	PREP	00-07-087	388-538-070	AMD	00-04-080
388-470-0020	PREP	00-12-079	388-530-1300	PREP	00-07-087	388-538-080	AMD	00-04-080
388-470-0040	PREP	00-12-079	388-530-1350	PREP	00-07-087	388-538-090	REP	00-04-080
388-473-0010	NEW-P	00-12-081	388-530-1400	PREP	00-07-087	388-538-095	AMD	00-04-080
388-473-0020	NEW-P	00-12-081	388-530-1450	PREP	00-07-087	388-538-100	AMD	00-04-080
388-473-0030	NEW-P	00-12-081	388-530-1500	PREP	00-07-087	388-538-110	AMD	00-04-080
388-473-0040	NEW-P	00-12-081	388-530-1550	PREP	00-07-087	388-538-120	AMD	00-04-080
388-473-0050	NEW-P	00-12-081	388-530-1650	PREP	00-07-087	388-538-130	AMD	00-04-080
388-473-0060	NEW-P	00-12-081	388-530-1700	PREP	00-07-087	388-538-140	AMD	00-04-080
388-478	PREP	00-11-182	388-530-1750	PREP	00-07-088	388-538-150	REP	00-04-080
388-478-0026	PREP	00-10-030	388-530-1750	AMD-P	00-11-106	388-539	PREP	00-05-038
388-478-0050	PREP	00-08-053	388-530-1850	PREP	00-07-087	388-539	AMD-P	00-11-062
388-478-0050	AMD-P	00-12-082	388-530-1900	PREP	00-07-087	388-539-001	REP-P	00-11-062
388-478-0055	AMD-P	00-08-058	388-530-1950	PREP	00-07-087	388-539-0200	NEW-P	00-11-062
388-478-0055	AMD-E	00-08-059	388-531-0050	NEW-P	00-12-080	388-539-050	REP-P	00-11-062
388-478-0055	AMD	00-11-130	388-531-0100	NEW-P	00-12-080	388-539-0500	RECOD	00-11-183
388-478-0055	PREP	00-13-035	388-531-0150	NEW-P	00-12-080	388-539-0550	RECOD	00-11-183
388-478-0070	AMD-P	00-07-075	388-531-0200	NEW-P	00-12-080	388-539-100	REP-P	00-11-062
388-478-0070	AMD	00-10-095	388-531-0250	NEW-P	00-12-080	388-539-150	REP-P	00-11-062
388-478-0075	PREP	00-07-054	388-531-0300	NEW-P	00-12-080	388-542-0050	NEW-P	00-03-061
388-478-0075	AMD-E	00-07-089	388-531-0350	NEW-P	00-12-080	388-542-0050	NEW	00-07-103
388-478-0080	AMD-P	00-07-075	388-531-0400	NEW-P	00-12-080	388-542-0100	NEW-P	00-03-061
388-478-0080	AMD	00-10-095	388-531-0450	NEW-P	00-12-080	388-542-0100	NEW	00-07-103
388-478-0085	PREP	00-07-054	388-531-0500	NEW-P	00-12-080	388-542-0125	NEW-P	00-03-061
388-478-0085	AMD-E	00-07-089	388-531-0550	NEW-P	00-12-080	388-542-0125	NEW	00-07-103
388-480-0001	AMD	00-05-007	388-531-0600	NEW-P	00-12-080	388-542-0150	NEW-P	00-03-061
388-490-0005	AMD-P	00-04-092	388-531-0650	NEW-P	00-12-080	388-542-0150	NEW	00-07-103
388-490-0005	AMD	00-08-091	388-531-0700	NEW-P	00-12-080	388-542-0200	NEW-P	00-03-061
388-492	PREP	00-08-088	388-531-0750	NEW-P	00-12-080	388-542-0200	NEW	00-07-103
388-501-0050	PREP	00-10-032	388-531-0800	NEW-P	00-12-080	388-542-0250	NEW-P	00-03-061
388-501-0125	PREP	00-03-011	388-531-0850	NEW-P	00-12-080	388-542-0250	NEW	00-07-103

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388-542-0275	NEW-P	00-03-061	388-800-0025	NEW-P	00-11-107	388-805-260	NEW-P	00-13-073
388-542-0275	NEW	00-07-103	388-800-0030	NEW-P	00-11-107	388-805-300	NEW-P	00-13-073
388-542-0300	NEW-P	00-03-061	388-800-0035	NEW-P	00-11-107	388-805-305	NEW-P	00-13-073
388-542-0300	NEW	00-07-103	388-800-0040	NEW-P	00-11-107	388-805-310	NEW-P	00-13-073
388-543-1000	NEW-P	00-13-008	388-800-0045	NEW-P	00-11-107	388-805-315	NEW-P	00-13-073
388-543-1100	NEW-P	00-13-008	388-800-0048	NEW-P	00-11-107	388-805-320	NEW-P	00-13-073
388-543-1200	NEW-P	00-13-008	388-800-0050	NEW-P	00-11-107	388-805-325	NEW-P	00-13-073
388-543-1300	NEW-P	00-13-008	388-800-0055	NEW-P	00-11-107	388-805-330	NEW-P	00-13-073
388-543-1400	NEW-P	00-13-008	388-800-0057	NEW-P	00-11-107	388-805-350	NEW-P	00-13-073
388-543-1500	NEW-P	00-13-008	388-800-0060	NEW-P	00-11-107	388-805-400	NEW-P	00-13-073
388-543-1600	NEW-P	00-13-008	388-800-0065	NEW-P	00-11-107	388-805-410	NEW-P	00-13-073
388-543-1700	NEW-P	00-13-008	388-800-0070	NEW-P	00-11-107	388-805-500	NEW-P	00-13-073
388-543-1800	NEW-P	00-13-008	388-800-0075	NEW-P	00-11-107	388-805-510	NEW-P	00-13-073
388-543-1900	NEW-P	00-13-008	388-800-0080	NEW-P	00-11-107	388-805-520	NEW-P	00-13-073
388-543-2000	NEW-P	00-13-008	388-800-0085	NEW-P	00-11-107	388-805-530	NEW-P	00-13-073
388-543-2100	NEW-P	00-13-008	388-800-0090	NEW-P	00-11-107	388-805-540	NEW-P	00-13-073
388-543-2200	NEW-P	00-13-008	388-800-0100	NEW-P	00-11-107	388-805-550	NEW-P	00-13-073
388-543-2300	NEW-P	00-13-008	388-800-0110	NEW-P	00-11-107	388-805-600	NEW-P	00-13-073
388-543-2400	NEW-P	00-13-008	388-800-0115	NEW-P	00-11-107	388-805-610	NEW-P	00-13-073
388-543-2500	NEW-P	00-13-008	388-800-0120	NEW-P	00-11-107	388-805-620	NEW-P	00-13-073
388-543-2600	NEW-P	00-13-008	388-800-0130	NEW-P	00-11-107	388-805-630	NEW-P	00-13-073
388-543-2700	NEW-P	00-13-008	388-800-0135	NEW-P	00-11-107	388-805-640	NEW-P	00-13-073
388-543-2800	NEW-P	00-13-008	388-800-0140	NEW-P	00-11-107	388-805-700	NEW-P	00-13-073
388-543-2900	NEW-P	00-13-008	388-800-0145	NEW-P	00-11-107	388-805-710	NEW-P	00-13-073
388-543-3000	NEW-P	00-13-008	388-800-0150	NEW-P	00-11-107	388-805-720	NEW-P	00-13-073
388-545-0500	PREP	00-08-020	388-800-0155	NEW-P	00-11-107	388-805-730	NEW-P	00-13-073
388-545-500	NEW	00-04-019	388-800-0160	NEW-P	00-11-107	388-805-740	NEW-P	00-13-073
388-545-500	AMD-P	00-12-039	388-800-0165	NEW-P	00-11-107	388-805-750	NEW-P	00-13-073
388-547	PREP	00-03-010	388-805-001	NEW-P	00-13-073	388-805-800	NEW-P	00-13-073
388-548-0100	PREP	00-11-034	388-805-005	NEW-P	00-13-073	388-805-810	NEW-P	00-13-073
388-548-0500	PREP	00-11-034	388-805-010	NEW-P	00-13-073	388-805-815	NEW-P	00-13-073
388-548-0500	NEW-E	00-11-036	388-805-015	NEW-P	00-13-073	388-805-820	NEW-P	00-13-073
388-550-4500	AMD-W	00-06-046	388-805-020	NEW-P	00-13-073	388-805-830	NEW-P	00-13-073
388-556-0200	NEW-P	00-11-138	388-805-030	NEW-P	00-13-073	388-805-840	NEW-P	00-13-073
388-556-0300	NEW-P	00-13-104	388-805-060	NEW-P	00-13-073	388-805-850	NEW-P	00-13-073
388-556-0400	RECOD	00-11-183	388-805-065	NEW-P	00-13-073	388-805-900	NEW-P	00-13-073
388-557-0100	NEW-W	00-10-078	388-805-070	NEW-P	00-13-073	388-805-905	NEW-P	00-13-073
388-700-0005	NEW-P	00-11-139	388-805-075	NEW-P	00-13-073	388-805-910	NEW-P	00-13-073
388-700-0010	NEW-P	00-11-139	388-805-080	NEW-P	00-13-073	388-805-915	NEW-P	00-13-073
388-700-0015	NEW-P	00-11-139	388-805-085	NEW-P	00-13-073	388-805-920	NEW-P	00-13-073
388-700-0020	NEW-P	00-11-139	388-805-090	NEW-P	00-13-073	388-805-925	NEW-P	00-13-073
388-700-0025	NEW-P	00-11-139	388-805-095	NEW-P	00-13-073	388-805-930	NEW-P	00-13-073
388-700-0030	NEW-P	00-11-139	388-805-100	NEW-P	00-13-073	388-805-935	NEW-P	00-13-073
388-700-0035	NEW-P	00-11-139	388-805-105	NEW-P	00-13-073	388-825-226	AMD-P	00-05-107
388-700-0040	NEW-P	00-11-139	388-805-110	NEW-P	00-13-073	388-825-226	AMD	00-08-090
388-700-0045	NEW-P	00-11-139	388-805-115	NEW-P	00-13-073	388-825-228	AMD-P	00-05-107
388-700-0050	NEW-P	00-11-139	388-805-120	NEW-P	00-13-073	388-825-228	AMD	00-08-090
388-710-0005	NEW-P	00-12-103	388-805-125	NEW-P	00-13-073	388-825-254	AMD-P	00-05-107
388-710-0010	NEW-P	00-12-103	388-805-130	NEW-P	00-13-073	388-825-254	AMD	00-08-090
388-710-0015	NEW-P	00-12-103	388-805-135	NEW-P	00-13-073	388-890-0735	NEW-W	00-02-065
388-710-0020	NEW-P	00-12-103	388-805-140	NEW-P	00-13-073	388-890-0740	NEW-W	00-02-065
388-710-0025	NEW-P	00-12-103	388-805-145	NEW-P	00-13-073	388-890-0865	NEW-W	00-02-065
388-710-0030	NEW-P	00-12-103	388-805-150	NEW-P	00-13-073	390-05-400	AMD	00-04-058
388-710-0035	NEW-P	00-12-103	388-805-155	NEW-P	00-13-073	391-08	PREP	00-04-070
388-710-0040	NEW-P	00-12-103	388-805-200	NEW-P	00-13-073	391-08-001	AMD-P	00-10-107
388-740-0010	RECOD-P	00-13-074	388-805-205	NEW-P	00-13-073	391-08-010	AMD-P	00-10-107
388-740-0030	RECOD-P	00-13-074	388-805-210	NEW-P	00-13-073	391-08-120	AMD-P	00-10-107
388-740-0040	RECOD-P	00-13-074	388-805-220	NEW-P	00-13-073	391-08-180	AMD-P	00-10-107
388-740-0060	RECOD-P	00-13-074	388-805-225	NEW-P	00-13-073	391-08-230	REP-P	00-10-107
388-740-0070	RECOD-P	00-13-074	388-805-230	NEW-P	00-13-073	391-08-310	AMD-P	00-10-107
388-800-0005	NEW-P	00-11-107	388-805-240	NEW-P	00-13-073	391-25-050	AMD-P	00-10-107
388-800-0020	NEW-P	00-11-107	388-805-250	NEW-P	00-13-073	391-25-090	AMD-P	00-10-107

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391- 25-230	AMD-P	00-10-107	391- 95-270	AMD-P	00-10-107	392-140-630	AMD	00-03-015
391- 25-250	AMD-P	00-10-107	391- 95-290	AMD-P	00-10-107	392-140-660	AMD	00-03-015
391- 25-270	AMD-P	00-10-107	391- 95-310	AMD-P	00-10-107	392-140-665	REP	00-03-015
391- 25-350	AMD-P	00-10-107	392-117-045	AMD-P	00-09-072	392-140-675	AMD	00-03-015
391- 25-590	AMD-P	00-10-107	392-117-045	AMD	00-12-037	392-140-680	AMD	00-03-015
391- 25-650	AMD-P	00-10-107	392-127-011	AMD	00-02-064	392-140-700	REP	00-02-063
391- 25-660	AMD-P	00-10-107	392-127-015	AMD	00-02-064	392-140-701	REP	00-02-063
391- 25-670	AMD-P	00-10-107	392-127-030	REP	00-02-064	392-140-702	REP	00-02-063
391- 35-030	AMD-P	00-10-107	392-127-035	REP	00-02-064	392-140-710	REP	00-02-063
391- 35-170	AMD-P	00-10-107	392-127-040	REP	00-02-064	392-140-711	REP	00-02-063
391- 35-210	AMD-P	00-10-107	392-127-050	REP	00-02-064	392-140-712	REP	00-02-063
391- 35-250	AMD-P	00-10-107	392-127-055	REP	00-02-064	392-140-713	REP	00-02-063
391- 45	PREP	00-04-070	392-127-060	REP	00-02-064	392-140-714	REP	00-02-063
391- 45-001	AMD-P	00-10-107	392-127-065	AMD	00-02-064	392-140-715	REP	00-02-063
391- 45-002	AMD-P	00-10-107	392-127-070	AMD	00-02-064	392-140-716	REP	00-02-063
391- 45-010	AMD-P	00-10-107	392-127-085	AMD	00-02-064	392-140-720	REP	00-02-063
391- 45-030	AMD-P	00-10-107	392-127-095	REP	00-02-064	392-140-721	REP	00-02-063
391- 45-050	AMD-P	00-10-107	392-127-101	REP	00-02-064	392-140-722	REP	00-02-063
391- 45-070	AMD-E	00-03-053	392-127-106	REP	00-02-064	392-140-723	REP	00-02-063
391- 45-070	AMD-P	00-10-107	392-127-111	AMD	00-02-064	392-140-724	REP	00-02-063
391- 45-070	AMD-E	00-11-024	392-127-112	NEW	00-02-064	392-140-725	REP	00-02-063
391- 45-090	AMD-P	00-10-107	392-127-810	REP	00-02-064	392-140-726	REP	00-02-063
391- 45-110	AMD-E	00-03-053	392-139-001	AMD-P	00-05-061	392-140-727	REP	00-02-063
391- 45-110	AMD-P	00-10-107	392-139-001	AMD	00-09-017	392-140-728	REP	00-02-063
391- 45-110	AMD-E	00-11-024	392-139-005	AMD-P	00-05-061	392-140-730	REP	00-02-063
391- 45-130	AMD-E	00-03-053	392-139-005	AMD	00-09-017	392-140-731	REP	00-02-063
391- 45-130	AMD-P	00-10-107	392-139-007	AMD-P	00-05-061	392-140-732	REP	00-02-063
391- 45-130	AMD-E	00-11-024	392-139-007	AMD	00-09-017	392-140-733	REP	00-02-063
391- 45-170	AMD-P	00-10-107	392-139-008	NEW-P	00-05-061	392-140-735	REP	00-02-063
391- 45-190	AMD-P	00-10-107	392-139-008	NEW	00-09-017	392-140-736	REP	00-02-063
391- 45-210	AMD-P	00-10-107	392-139-310	AMD-P	00-05-061	392-140-740	REP	00-02-063
391- 45-230	REP-P	00-10-107	392-139-310	AMD	00-09-017	392-140-741	REP	00-02-063
391- 45-250	AMD-P	00-10-107	392-139-320	AMD-P	00-05-061	392-140-742	REP	00-02-063
391- 45-260	AMD-P	00-10-107	392-139-320	AMD	00-09-017	392-140-743	REP	00-02-063
391- 45-270	AMD-P	00-10-107	392-139-605	REP-P	00-05-061	392-140-744	REP	00-02-063
391- 45-290	AMD-P	00-10-107	392-139-605	REP	00-09-017	392-140-745	REP	00-02-063
391- 45-310	AMD-P	00-10-107	392-139-610	AMD-P	00-05-061	392-140-746	REP	00-02-063
391- 45-330	AMD-P	00-10-107	392-139-610	AMD	00-09-017	392-140-747	REP	00-02-063
391- 45-350	AMD-P	00-10-107	392-139-615	AMD-P	00-05-061	392-140-900	NEW	00-02-063
391- 45-390	AMD-P	00-10-107	392-139-615	AMD	00-09-017	392-140-901	NEW	00-02-063
391- 45-410	AMD-P	00-10-107	392-139-620	AMD-P	00-05-061	392-140-902	NEW	00-02-063
391- 45-430	AMD-P	00-10-107	392-139-620	AMD	00-09-017	392-140-903	NEW	00-02-063
391- 45-550	AMD-P	00-10-107	392-139-622	REP-P	00-05-061	392-140-905	NEW	00-02-063
391- 45-552	AMD-P	00-10-107	392-139-622	REP	00-09-017	392-140-906	NEW	00-02-063
391- 55-030	AMD-P	00-10-107	392-139-623	REP-P	00-05-061	392-140-907	NEW	00-02-063
391- 55-350	AMD-P	00-10-107	392-139-623	REP	00-09-017	392-140-908	NEW	00-02-063
391- 65-070	AMD-P	00-10-107	392-139-625	AMD-P	00-05-061	392-140-910	NEW	00-02-063
391- 95	PREP	00-04-070	392-139-625	AMD	00-09-017	392-140-911	NEW	00-02-063
391- 95-001	AMD-P	00-10-107	392-139-660	AMD-P	00-05-061	392-140-912	NEW	00-02-063
391- 95-010	AMD-P	00-10-107	392-139-660	AMD	00-09-017	392-140-913	NEW	00-02-063
391- 95-030	AMD-P	00-10-107	392-139-661	REP-P	00-05-061	392-140-920	NEW-E	00-13-007
391- 95-050	AMD-P	00-10-107	392-139-661	REP	00-09-017	392-140-922	NEW-E	00-13-007
391- 95-070	AMD-P	00-10-107	392-139-670	AMD-P	00-05-061	392-140-924	NEW-E	00-13-007
391- 95-090	AMD-P	00-10-107	392-139-670	AMD	00-09-017	392-140-925	NEW-E	00-13-007
391- 95-110	AMD-P	00-10-107	392-139-676	AMD-P	00-05-061	392-140-926	NEW-E	00-13-007
391- 95-130	AMD-P	00-10-107	392-139-676	AMD	00-09-017	392-140-927	NEW-E	00-13-007
391- 95-150	AMD-P	00-10-107	392-140-600	AMD	00-03-015	392-140-928	NEW-E	00-13-007
391- 95-170	AMD-P	00-10-107	392-140-601	AMD	00-03-015	392-140-929	NEW-E	00-13-007
391- 95-190	AMD-P	00-10-107	392-140-605	AMD	00-03-015	392-140-930	NEW-E	00-13-007
391- 95-230	AMD-P	00-10-107	392-140-613	AMD	00-03-015	392-140-935	NEW-E	00-13-007
391- 95-250	AMD-P	00-10-107	392-140-625	AMD	00-03-015	392-140-937	NEW-E	00-13-007
391- 95-260	AMD-P	00-10-107	392-140-626	NEW	00-03-015	392-140-938	NEW-E	00-13-007

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392-172-107	NEW-W	00-06-045	415-112-460	AMD-P	00-04-024	415-501-330	RECOD	00-11-104
392-172-109	NEW-W	00-06-045	415-112-460	AMD	00-10-015	415-501-340	RECOD-P	00-08-092
392-172-161	NEW-W	00-06-045	415-112-4605	AMD-P	00-04-024	415-501-340	RECOD	00-11-104
392-300-070	NEW-E	00-05-099	415-112-4605	AMD	00-10-015	415-501-350	RECOD-P	00-08-092
392-300-070	PREP	00-09-023	415-112-4608	AMD-P	00-04-024	415-501-350	RECOD	00-11-104
399- 30-030	PREP	00-04-096	415-112-4608	AMD	00-10-015	415-501-360	RECOD-P	00-08-092
399- 30-030	AMD-E	00-04-097	415-112-471	AMD-P	00-04-024	415-501-360	RECOD	00-11-104
399- 30-030	AMD-P	00-08-010	415-112-471	AMD	00-10-015	415-501-370	RECOD-P	00-08-092
399- 50-010	NEW-C	00-04-100	415-112-473	AMD-P	00-04-024	415-501-370	RECOD	00-11-104
399- 50-010	NEW	00-11-021	415-112-473	AMD	00-10-015	415-501-380	RECOD-P	00-08-092
399- 50-020	NEW-C	00-04-100	415-112-475	AMD-P	00-04-024	415-501-380	RECOD	00-11-104
399- 50-020	NEW	00-11-021	415-112-475	AMD	00-10-015	415-501-390	RECOD-P	00-08-092
399- 50-030	NEW-C	00-04-100	415-112-477	AMD-P	00-04-024	415-501-390	RECOD	00-11-104
399- 50-030	NEW	00-11-021	415-112-477	AMD	00-10-015	415-501-410	RECOD-P	00-08-092
399- 50-040	NEW-C	00-04-100	415-112-510	REP-P	00-04-024	415-501-410	RECOD	00-11-104
399- 50-040	NEW	00-11-021	415-112-510	REP	00-10-015	415-501-415	RECOD-P	00-08-092
415- 02-010	AMD-P	00-04-025	415-112-540	AMD	00-11-053	415-501-415	RECOD	00-11-104
415- 02-010	AMD	00-10-016	415-112-545	AMD	00-11-053	415-501-420	RECOD-P	00-08-092
415- 02-020	AMD-P	00-04-025	415-112-548	NEW-W	00-12-027	415-501-420	RECOD	00-11-104
415- 02-020	AMD	00-10-016	415-112-705	NEW-P	00-04-024	415-501-430	RECOD-P	00-08-092
415- 02-030	AMD-P	00-04-025	415-112-705	NEW	00-10-015	415-501-430	RECOD	00-11-104
415- 02-030	AMD	00-10-016	415-112-920	NEW-P	00-04-024	415-501-440	RECOD-P	00-08-092
415- 02-040	REP-P	00-04-025	415-112-920	NEW	00-10-015	415-501-440	RECOD	00-11-104
415- 02-040	REP	00-10-016	415-112-950	NEW-P	00-04-024	415-501-450	RECOD-P	00-08-092
415- 02-050	AMD-P	00-04-025	415-112-950	NEW	00-10-015	415-501-450	RECOD	00-11-104
415- 02-050	AMD	00-10-016	415-501-010	AMD-P	00-08-092	415-501-470	RECOD-P	00-08-092
415- 02-060	AMD-P	00-04-025	415-501-010	AMD	00-11-104	415-501-470	RECOD	00-11-104
415- 02-060	AMD	00-10-016	415-501-020	AMD-P	00-08-092	415-501-475	RECOD-P	00-08-092
415- 02-070	REP-P	00-04-025	415-501-020	AMD	00-11-104	415-501-475	RECOD	00-11-104
415- 02-070	REP	00-10-016	415-501-110	RECOD-P	00-08-092	415-501-480	RECOD-P	00-08-092
415- 02-080	AMD-P	00-04-025	415-501-110	RECOD	00-11-104	415-501-480	RECOD	00-11-104
415- 02-080	AMD	00-10-016	415-501-120	RECOD-P	00-08-092	415-501-485	RECOD-P	00-08-092
415- 02-100	AMD-P	00-04-025	415-501-120	RECOD	00-11-104	415-501-485	RECOD	00-11-104
415- 02-100	AMD	00-10-016	415-501-130	RECOD-P	00-08-092	415-501-486	RECOD-P	00-08-092
415- 02-120	NEW-P	00-04-025	415-501-130	RECOD	00-11-104	415-501-486	RECOD	00-11-104
415- 02-120	NEW	00-10-016	415-501-140	RECOD-P	00-08-092	415-501-487	RECOD-P	00-08-092
415- 02-130	NEW-P	00-04-025	415-501-140	RECOD	00-11-104	415-501-487	RECOD	00-11-104
415- 02-130	NEW	00-10-016	415-501-150	RECOD-P	00-08-092	415-501-490	RECOD-P	00-08-092
415- 04	PREP	00-04-061	415-501-150	RECOD	00-11-104	415-501-490	RECOD	00-11-104
415- 08	PREP	00-04-061	415-501-160	RECOD-P	00-08-092	415-501-495	RECOD-P	00-08-092
415- 10	PREP	00-04-062	415-501-160	RECOD	00-11-104	415-501-495	RECOD	00-11-104
415-103-215	NEW-P	00-08-085	415-501-170	RECOD-P	00-08-092	415-501-500	RECOD-P	00-08-092
415-103-215	NEW	00-11-103	415-501-170	RECOD	00-11-104	415-501-500	RECOD	00-11-104
415-104-450	NEW-P	00-04-023	415-501-180	RECOD-P	00-08-092	415-501-510	RECOD-P	00-08-092
415-104-450	NEW	00-10-017	415-501-180	RECOD	00-11-104	415-501-510	RECOD	00-11-104
415-108-315	NEW-P	00-04-024	415-501-190	RECOD-P	00-08-092	415-501-520	RECOD-P	00-08-092
415-108-315	NEW	00-10-015	415-501-190	RECOD	00-11-104	415-501-520	RECOD	00-11-104
415-108-710	AMD-W	00-12-027	415-501-200	RECOD-P	00-08-092	415-501-530	RECOD-P	00-08-092
415-108-720	AMD-W	00-12-027	415-501-200	RECOD	00-11-104	415-501-530	RECOD	00-11-104
415-112-025	NEW-W	00-12-027	415-501-210	RECOD-P	00-08-092	415-501-540	RECOD-P	00-08-092
415-112-125	AMD-P	00-04-024	415-501-210	RECOD	00-11-104	415-501-540	RECOD	00-11-104
415-112-125	AMD	00-10-015	415-501-300	RECOD-P	00-08-092	415-501-550	RECOD-P	00-08-092
415-112-140	AMD-P	00-04-024	415-501-300	RECOD	00-11-104	415-501-550	RECOD	00-11-104
415-112-140	AMD	00-10-015	415-501-305	RECOD-P	00-08-092	415-501-560	RECOD-P	00-08-092
415-112-145	AMD-P	00-04-024	415-501-305	RECOD	00-11-104	415-501-560	RECOD	00-11-104
415-112-145	AMD	00-10-015	415-501-310	RECOD-P	00-08-092	415-501-570	RECOD-P	00-08-092
415-112-155	AMD-P	00-04-024	415-501-310	RECOD	00-11-104	415-501-570	RECOD	00-11-104
415-112-155	AMD	00-10-015	415-501-315	NEW-P	00-08-092	415-501-580	RECOD-P	00-08-092
415-112-330	AMD-P	00-04-024	415-501-315	NEW	00-11-104	415-501-580	RECOD	00-11-104
415-112-330	AMD	00-10-015	415-501-320	RECOD-P	00-08-092	415-501-590	RECOD-P	00-08-092
415-112-415	AMD-XA	00-08-030	415-501-320	RECOD	00-11-104	415-501-590	RECOD	00-11-104
415-112-415	AMD	00-13-001	415-501-330	RECOD-P	00-08-092	415-501-600	RECOD-P	00-08-092

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
415-501-600	RECOD	00-11-104	415-512-020	DECOD	00-11-104	415-532-020	DECOD	00-11-104
415-501-610	RECOD-P	00-08-092	415-512-030	AMD-P	00-08-092	415-536-010	AMD-P	00-08-092
415-501-610	RECOD	00-11-104	415-512-030	DECOD-P	00-08-092	415-536-010	DECOD-P	00-08-092
415-501-710	RECOD-P	00-08-092	415-512-030	AMD	00-11-104	415-536-010	AMD	00-11-104
415-501-710	RECOD	00-11-104	415-512-030	DECOD	00-11-104	415-536-010	DECOD	00-11-104
415-501-720	RECOD-P	00-08-092	415-512-040	AMD-P	00-08-092	415-540-010	AMD-P	00-08-092
415-501-720	RECOD	00-11-104	415-512-040	DECOD-P	00-08-092	415-540-010	DECOD-P	00-08-092
415-504-010	AMD-P	00-08-092	415-512-040	AMD	00-11-104	415-540-010	AMD	00-11-104
415-504-010	DECOD-P	00-08-092	415-512-040	DECOD	00-11-104	415-540-010	DECOD	00-11-104
415-504-010	AMD	00-11-104	415-512-050	AMD-P	00-08-092	415-544-010	AMD-P	00-08-092
415-504-010	DECOD	00-11-104	415-512-050	DECOD-P	00-08-092	415-544-010	DECOD-P	00-08-092
415-504-020	DECOD-P	00-08-092	415-512-050	AMD	00-11-104	415-544-010	AMD	00-11-104
415-504-020	DECOD	00-11-104	415-512-050	DECOD	00-11-104	415-544-010	DECOD	00-11-104
415-504-030	DECOD-P	00-08-092	415-512-070	AMD-P	00-08-092	415-548-010	DECOD-P	00-08-092
415-504-030	DECOD	00-11-104	415-512-070	DECOD-P	00-08-092	415-548-010	DECOD	00-11-104
415-504-040	DECOD-P	00-08-092	415-512-070	AMD	00-11-104	415-552-010	AMD-P	00-08-092
415-504-040	DECOD	00-11-104	415-512-070	DECOD	00-11-104	415-552-010	DECOD-P	00-08-092
415-504-050	DECOD-P	00-08-092	415-512-075	AMD-P	00-08-092	415-552-010	AMD	00-11-104
415-504-050	DECOD	00-11-104	415-512-075	DECOD-P	00-08-092	415-552-010	DECOD	00-11-104
415-504-060	DECOD-P	00-08-092	415-512-075	AMD	00-11-104	415-556-010	AMD-P	00-08-092
415-504-060	DECOD	00-11-104	415-512-075	DECOD	00-11-104	415-556-010	DECOD-P	00-08-092
415-504-070	DECOD-P	00-08-092	415-512-080	AMD-P	00-08-092	415-556-010	AMD	00-11-104
415-504-070	DECOD	00-11-104	415-512-080	DECOD-P	00-08-092	415-556-010	DECOD	00-11-104
415-504-080	DECOD-P	00-08-092	415-512-080	AMD	00-11-104	415-560-010	DECOD-P	00-08-092
415-504-080	DECOD	00-11-104	415-512-080	DECOD	00-11-104	415-560-010	DECOD	00-11-104
415-504-090	AMD-P	00-08-092	415-512-085	AMD-P	00-08-092	415-564-010	AMD-P	00-08-092
415-504-090	DECOD-P	00-08-092	415-512-085	DECOD-P	00-08-092	415-564-010	DECOD-P	00-08-092
415-504-090	AMD	00-11-104	415-512-085	AMD	00-11-104	415-564-010	AMD	00-11-104
415-504-090	DECOD	00-11-104	415-512-085	DECOD	00-11-104	415-564-010	DECOD	00-11-104
415-504-100	AMD-P	00-08-092	415-512-086	AMD-P	00-08-092	415-564-020	AMD-P	00-08-092
415-504-100	DECOD-P	00-08-092	415-512-086	DECOD-P	00-08-092	415-564-020	DECOD-P	00-08-092
415-504-100	AMD	00-11-104	415-512-086	AMD	00-11-104	415-564-020	AMD	00-11-104
415-504-100	DECOD	00-11-104	415-512-086	DECOD	00-11-104	415-564-020	DECOD	00-11-104
415-504-110	AMD-P	00-08-092	415-512-087	AMD-P	00-08-092	415-564-030	DECOD-P	00-08-092
415-504-110	DECOD-P	00-08-092	415-512-087	DECOD-P	00-08-092	415-564-030	DECOD	00-11-104
415-504-110	AMD	00-11-104	415-512-087	AMD	00-11-104	415-564-040	AMD-P	00-08-092
415-504-110	DECOD	00-11-104	415-512-087	DECOD	00-11-104	415-564-040	DECOD-P	00-08-092
415-508-010	AMD-P	00-08-092	415-512-090	AMD-P	00-08-092	415-564-040	AMD	00-11-104
415-508-010	DECOD-P	00-08-092	415-512-090	DECOD-P	00-08-092	415-564-040	DECOD	00-11-104
415-508-010	AMD	00-11-104	415-512-090	AMD	00-11-104	415-564-050	AMD-P	00-08-092
415-508-010	DECOD	00-11-104	415-512-090	DECOD	00-11-104	415-564-050	DECOD-P	00-08-092
415-508-020	DECOD-P	00-08-092	415-512-095	AMD-P	00-08-092	415-564-050	AMD	00-11-104
415-508-020	DECOD	00-11-104	415-512-095	DECOD-P	00-08-092	415-564-050	DECOD	00-11-104
415-508-030	DECOD-P	00-08-092	415-512-095	AMD	00-11-104	415-564-060	DECOD-P	00-08-092
415-508-030	DECOD	00-11-104	415-512-095	DECOD	00-11-104	415-564-060	DECOD	00-11-104
415-508-040	DECOD-P	00-08-092	415-512-110	AMD-P	00-08-092	415-568-010	DECOD-P	00-08-092
415-508-040	DECOD	00-11-104	415-512-110	DECOD-P	00-08-092	415-568-010	DECOD	00-11-104
415-508-050	AMD-P	00-08-092	415-512-110	AMD	00-11-104	415-568-020	DECOD-P	00-08-092
415-508-050	DECOD-P	00-08-092	415-512-110	DECOD	00-11-104	415-568-020	DECOD	00-11-104
415-508-050	AMD	00-11-104	415-524-010	AMD-P	00-08-092	419- 14-020	AMD-XA	00-13-100
415-508-050	DECOD	00-11-104	415-524-010	DECOD-P	00-08-092	419- 14-020	DECOD-X	00-13-100
415-512-010	AMD-P	00-08-092	415-524-010	AMD	00-11-104	419- 14-030	AMD-XA	00-13-100
415-512-010	DECOD-P	00-08-092	415-524-010	DECOD	00-11-104	419- 14-030	DECOD-X	00-13-100
415-512-010	AMD	00-11-104	415-528-010	DECOD-P	00-08-092	419- 14-040	DECOD-X	00-13-100
415-512-010	DECOD	00-11-104	415-528-010	DECOD	00-11-104	419- 14-050	DECOD-X	00-13-100
415-512-015	AMD-P	00-08-092	415-532-010	AMD-P	00-08-092	419- 14-060	DECOD-X	00-13-100
415-512-015	DECOD-P	00-08-092	415-532-010	DECOD-P	00-08-092	419- 14-070	AMD-XA	00-13-100
415-512-015	AMD	00-11-104	415-532-010	AMD	00-11-104	419- 14-070	DECOD-X	00-13-100
415-512-015	DECOD	00-11-104	415-532-010	DECOD	00-11-104	419- 14-075	DECOD-X	00-13-100
415-512-020	AMD-P	00-08-092	415-532-020	AMD-P	00-08-092	419- 14-080	DECOD-X	00-13-100
415-512-020	DECOD-P	00-08-092	415-532-020	DECOD-P	00-08-092	419- 14-085	AMD-XA	00-13-100
415-512-020	AMD	00-11-104	415-532-020	AMD	00-11-104	419- 14-085	DECOD-X	00-13-100

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
419-14-090	DECOD-X	00-13-100	434-230-210	AMD-S	00-07-052	434-663-305	NEW-P	00-04-083
419-14-100	AMD-XA	00-13-100	434-230-210	AMD	00-11-042	434-663-305	NEW-S	00-13-108
419-14-100	DECOD-X	00-13-100	434-230-220	NEW-S	00-07-052	434-663-310	AMD-P	00-04-083
419-14-110	DECOD-X	00-13-100	434-230-220	NEW	00-11-042	434-663-310	REP-S	00-13-108
419-14-120	AMD-XA	00-13-100	434-240-202	NEW-E	00-03-036	434-663-315	NEW-S	00-13-108
419-14-120	DECOD-X	00-13-100	434-257	AMD-E	00-04-010	434-663-320	AMD-P	00-04-083
419-14-135	DECOD-X	00-13-100	434-257-010	AMD-E	00-04-010	434-663-320	REP-S	00-13-108
419-14-140	DECOD-X	00-13-100	434-257-020	AMD-E	00-04-010	434-663-325	NEW-S	00-13-108
419-52-010	AMD-XA	00-13-100	434-257-030	AMD-E	00-04-010	434-663-400	AMD-P	00-04-083
419-52-010	DECOD-X	00-13-100	434-257-050	REP-E	00-04-010	434-663-400	DECOD-P	00-04-083
419-52-020	AMD-XA	00-13-100	434-257-070	AMD-E	00-04-010	434-663-400	AMD-S	00-13-108
419-52-020	DECOD-X	00-13-100	434-257-080	REP-E	00-04-010	434-663-400	DECOD-S	00-13-108
419-52-030	AMD-XA	00-13-100	434-257-090	AMD-E	00-04-010	434-663-405	NEW-P	00-04-083
419-52-030	DECOD-X	00-13-100	434-257-100	AMD-E	00-04-010	434-663-410	AMD-P	00-04-083
419-56-010	AMD-XA	00-13-100	434-257-120	REP-E	00-04-010	434-663-410	DECOD-P	00-04-083
419-56-010	DECOD-X	00-13-100	434-257-130	AMD-E	00-04-010	434-663-410	AMD-S	00-13-108
419-56-020	AMD-XA	00-13-100	434-257-150	AMD-E	00-04-010	434-663-410	DECOD-S	00-13-108
419-56-020	DECOD-X	00-13-100	434-262-080	AMD-P	00-05-095	434-663-420	AMD-P	00-04-083
419-56-030	AMD-XA	00-13-100	434-262-080	AMD	00-10-010	434-663-420	DECOD-P	00-04-083
419-56-030	DECOD-X	00-13-100	434-262-110	AMD-P	00-05-095	434-663-420	AMD-S	00-13-108
419-56-040	AMD-XA	00-13-100	434-262-110	AMD	00-10-010	434-663-420	DECOD-S	00-13-108
419-56-040	DECOD-X	00-13-100	434-262-120	AMD-P	00-05-095	434-663-430	AMD-P	00-04-083
419-56-050	AMD-XA	00-13-100	434-262-120	AMD	00-10-010	434-663-430	DECOD-P	00-04-083
419-56-050	DECOD-X	00-13-100	434-334-090	AMD-P	00-05-094	434-663-430	REP-S	00-13-108
419-56-060	AMD-XA	00-13-100	434-334-090	AMD	00-10-009	434-663-440	AMD-P	00-04-083
419-56-060	DECOD-X	00-13-100	434-334-110	AMD-P	00-05-094	434-663-440	DECOD-P	00-04-083
419-56-070	AMD-XA	00-13-100	434-334-110	AMD	00-10-009	434-663-440	REP-S	00-13-108
419-56-070	DECOD-X	00-13-100	434-334-127	NEW-P	00-05-094	434-663-450	DECOD-P	00-04-083
419-56-080	DECOD-X	00-13-100	434-334-127	NEW	00-10-009	434-663-450	DECOD-S	00-13-108
419-56-090	AMD-XA	00-13-100	434-334-140	AMD-P	00-05-094	434-663-460	REP-P	00-04-083
419-56-090	DECOD-X	00-13-100	434-334-140	AMD	00-10-009	434-663-460	REP-S	00-13-108
419-60-010	AMD-XA	00-13-100	434-334-160	AMD-P	00-05-094	434-663-470	REP-P	00-04-083
419-60-010	DECOD-X	00-13-100	434-334-160	AMD	00-10-009	434-663-470	REP-S	00-13-108
419-60-020	AMD-XA	00-13-100	434-334-165	AMD-P	00-05-094	434-663-480	REP-P	00-04-083
419-60-020	DECOD-X	00-13-100	434-334-165	AMD	00-10-009	434-663-480	REP-S	00-13-108
419-60-030	AMD-XA	00-13-100	434-381	PREP	00-09-027	434-663-490	AMD-P	00-04-083
419-60-030	DECOD-X	00-13-100	434-381-010	REP-E	00-09-028	434-663-490	DECOD-P	00-04-083
434-219-020	AMD	00-03-003	434-381-020	REP-E	00-09-028	434-663-490	REP-S	00-13-108
434-219-120	AMD	00-03-003	434-381-030	REP-E	00-09-028	434-663-510	REP-P	00-04-083
434-219-160	AMD	00-03-003	434-381-040	REP-E	00-09-028	434-663-510	REP-S	00-13-108
434-219-160	AMD-E	00-03-036	434-381-050	REP-E	00-09-028	434-663-520	REP-P	00-04-083
434-219-165	NEW	00-03-003	434-381-060	REP-E	00-09-028	434-663-520	REP-S	00-13-108
434-219-170	NEW	00-03-003	434-381-070	REP-E	00-09-028	434-663-530	AMD-P	00-04-083
434-219-180	AMD	00-03-003	434-381-080	REP-E	00-09-028	434-663-530	AMD-S	00-13-108
434-219-185	NEW	00-03-003	434-381-090	REP-E	00-09-028	434-663-600	AMD-P	00-04-083
434-219-210	AMD	00-03-003	434-381-100	REP-E	00-09-028	434-663-600	AMD-S	00-13-108
434-219-220	AMD	00-03-003	434-381-110	NEW-E	00-09-028	434-663-610	AMD-P	00-04-083
434-219-230	AMD	00-03-003	434-381-120	NEW-E	00-09-028	434-663-610	REP-S	00-13-108
434-219-240	AMD	00-03-003	434-381-130	NEW-E	00-09-028	434-663-615	NEW-S	00-13-108
434-219-250	AMD	00-03-003	434-381-140	NEW-E	00-09-028	434-663-620	AMD-P	00-04-083
434-219-255	NEW	00-03-003	434-381-150	NEW-E	00-09-028	434-663-620	REP-S	00-13-108
434-219-260	AMD	00-03-003	434-381-160	NEW-E	00-09-028	434-663-640	NEW-P	00-04-083
434-219-270	AMD	00-03-003	434-381-170	NEW-E	00-09-028	434-663-640	NEW-S	00-13-108
434-219-280	AMD	00-03-003	434-381-180	NEW-E	00-09-028	434-663-700	RECOD-P	00-04-083
434-219-280	AMD-E	00-05-093	434-663-100	AMD-P	00-04-083	434-663-700	RECOD-S	00-13-108
434-219-285	NEW	00-03-003	434-663-100	AMD-S	00-13-108	434-663-705	NEW-S	00-13-108
434-219-290	AMD	00-03-003	434-663-100	RECOD-S	00-13-108	434-663-710	RECOD-P	00-04-083
434-219-300	NEW	00-03-003	434-663-270	NEW-P	00-04-083	434-663-710	RECOD-S	00-13-108
434-219-310	AMD	00-03-003	434-663-270	NEW-S	00-13-108	434-663-720	RECOD-P	00-04-083
434-219-320	AMD	00-03-003	434-663-280	NEW-P	00-04-083	434-663-720	RECOD-S	00-13-108
434-230-170	AMD-S	00-07-052	434-663-300	AMD-P	00-04-083	434-663-730	RECOD-P	00-04-083
434-230-170	AMD	00-11-042	434-663-300	AMD-S	00-13-108	434-663-730	NEW-S	00-13-108

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
434-663-740	RECOD-P	00-04-083	440- 22-330	REP-P	00-13-073	458- 20-136	AMD	00-11-096
434-663-740	NEW-S	00-13-108	440- 22-335	REP-P	00-13-073	458- 20-13601	NEW-E	00-04-026
434-663-750	RECOD-P	00-04-083	440- 22-350	REP-P	00-13-073	458- 20-13601	NEW-P	00-04-029
434-663-750	RECOD-S	00-13-108	440- 22-355	REP-P	00-13-073	458- 20-13601	NEW	00-11-096
434-663-760	RECOD-P	00-04-083	440- 22-400	REP-P	00-13-073	458- 20-18801	PREP	00-08-072
434-663-760	NEW-S	00-13-108	440- 22-405	REP-P	00-13-073	458- 20-190	PREP	00-13-040
434-663-770	NEW-P	00-04-083	440- 22-406	REP-P	00-13-073	458- 20-191	PREP	00-13-040
434-663-770	NEW-S	00-13-108	440- 22-410	REP-P	00-13-073	458- 20-195	PREP	00-08-110
434-663-780	NEW-P	00-04-083	440- 22-420	REP-P	00-13-073	458- 20-195	AMD-P	00-12-075
434-663-780	NEW-S	00-13-108	440- 22-430	REP-P	00-13-073	458- 20-217	PREP	00-05-073
437- 20-010	NEW-C	00-07-124	440- 22-450	REP-P	00-13-073	458- 20-217	AMD-P	00-12-038
437- 20-010	NEW-W	00-11-050	440- 22-455	REP-P	00-13-073	458- 20-228	AMD	00-04-028
437- 20-010	NEW-C	00-11-051	440- 22-460	REP-P	00-13-073	458- 20-238	PREP	00-10-115
437- 20-010	NEW	00-11-052	440- 22-465	REP-P	00-13-073	458- 20-239	AMD-XA	00-05-015
440- 22-001	REP-P	00-13-073	440- 22-500	REP-P	00-13-073	458- 20-239	AMD	00-09-092
440- 22-005	REP-P	00-13-073	440- 22-505	REP-P	00-13-073	458- 20-261	AMD-XA	00-03-001
440- 22-010	REP-P	00-13-073	440- 22-510	REP-P	00-13-073	458- 20-261	AMD	00-11-097
440- 22-015	REP-P	00-13-073	440- 22-515	REP-P	00-13-073	458- 20-264	PREP	00-13-027
440- 22-020	REP-P	00-13-073	440- 22-520	REP-P	00-13-073	458- 30-200	PREP	00-05-074
440- 22-025	REP-P	00-13-073	440- 22-525	REP-P	00-13-073	458- 30-200	AMD-P	00-11-026
440- 22-030	REP-P	00-13-073	440- 22-530	REP-P	00-13-073	458- 30-275	PREP	00-05-074
440- 22-035	REP-P	00-13-073	440- 22-550	REP-P	00-13-073	458- 30-275	AMD-P	00-11-026
440- 22-040	REP-P	00-13-073	440- 22-560	REP-P	00-13-073	458- 30-285	PREP	00-05-074
440- 22-045	REP-P	00-13-073	440- 22-565	REP-P	00-13-073	458- 30-285	AMD-P	00-11-026
440- 22-050	REP-P	00-13-073	440- 22-600	REP-P	00-13-073	458- 30-295	PREP	00-05-074
440- 22-055	REP-P	00-13-073	440- 22-610	REP-P	00-13-073	458- 30-295	AMD-P	00-11-026
440- 22-060	REP-P	00-13-073	440- 22-620	REP-P	00-13-073	458- 30-300	PREP	00-05-074
440- 22-065	REP-P	00-13-073	440- 22-900	REP-P	00-13-073	458- 30-300	AMD-P	00-11-026
440- 22-070	REP-P	00-13-073	440- 22-905	REP-P	00-13-073	458- 30-305	PREP	00-05-074
440- 22-075	REP-P	00-13-073	440- 22-910	REP-P	00-13-073	458- 30-305	AMD-P	00-11-026
440- 22-080	REP-P	00-13-073	440- 22-915	REP-P	00-13-073	458- 30-310	PREP	00-05-074
440- 22-085	REP-P	00-13-073	440- 22-920	REP-P	00-13-073	458- 30-310	AMD-P	00-11-026
440- 22-090	REP-P	00-13-073	440- 22-925	REP-P	00-13-073	458- 30-315	PREP	00-05-074
440- 22-100	REP-P	00-13-073	440- 22-930	REP-P	00-13-073	458- 30-325	PREP	00-05-074
440- 22-105	REP-P	00-13-073	440- 22-935	REP-P	00-13-073	458- 30-325	AMD-P	00-11-026
440- 22-110	REP-P	00-13-073	440- 44-020	REP-P	00-13-073	458- 30-350	PREP	00-05-074
440- 22-115	REP-P	00-13-073	440- 44-025	PREP	00-10-062	458- 30-700	PREP	00-09-085
440- 22-120	REP-P	00-13-073	440- 44-026	PREP	00-10-061	458- 30-710	PREP	00-09-085
440- 22-125	REP-P	00-13-073	440- 44-028	REP	00-07-045	458- 40-500	PREP	00-13-116
440- 22-150	REP-P	00-13-073	446- 30-010	AMD	00-02-069	458- 40-510	PREP	00-13-116
440- 22-155	REP-P	00-13-073	446- 85-005	NEW-P	00-06-037	458- 40-520	PREP	00-13-116
440- 22-160	REP-P	00-13-073	446- 85-005	NEW	00-10-092	458- 40-530	PREP	00-13-116
440- 22-165	REP-P	00-13-073	446- 85-010	NEW-P	00-06-037	458- 40-535	PREP	00-13-116
440- 22-175	REP-P	00-13-073	446- 85-010	NEW	00-10-092	458- 40-600	PREP	00-13-116
440- 22-180	REP-P	00-13-073	458- 12-315	REP-P	00-05-033	458- 40-610	PREP	00-13-116
440- 22-200	REP-P	00-13-073	458- 12-315	REP	00-09-003	458- 40-615	PREP	00-13-116
440- 22-210	REP-P	00-13-073	458- 12-320	AMD-P	00-05-033	458- 40-620	PREP	00-13-116
440- 22-220	REP-P	00-13-073	458- 12-320	AMD	00-09-003	458- 40-622	PREP	00-13-116
440- 22-225	REP-P	00-13-073	458- 16-080	AMD-P	00-05-032	458- 40-624	PREP	00-13-116
440- 22-230	REP-P	00-13-073	458- 16-080	AMD	00-09-004	458- 40-626	PREP	00-13-116
440- 22-240	REP-P	00-13-073	458- 16-081	REP-P	00-05-032	458- 40-628	PREP	00-13-116
440- 22-250	REP-P	00-13-073	458- 16-081	REP	00-09-004	458- 40-630	PREP	00-13-116
440- 22-253	REP-P	00-13-073	458- 16A-010	AMD-P	00-06-073	458- 40-632	PREP	00-13-116
440- 22-255	REP-P	00-13-073	458- 16A-010	AMD	00-09-086	458- 40-634	PREP	00-13-116
440- 22-257	REP-P	00-13-073	458- 16A-020	AMD-P	00-06-073	458- 40-636	PREP	00-13-116
440- 22-260	REP-P	00-13-073	458- 16A-020	AMD	00-09-086	458- 40-640	PREP	00-13-116
440- 22-270	REP-P	00-13-073	458- 20-135	AMD-E	00-04-026	458- 40-650	PREP	00-08-108
440- 22-280	REP-P	00-13-073	458- 20-135	AMD-P	00-04-029	458- 40-650	AMD-P	00-13-115
440- 22-300	REP-P	00-13-073	458- 20-135	AMD	00-11-096	458- 40-660	PREP	00-06-053
440- 22-310	REP-P	00-13-073	458- 20-13501	PREP	00-04-027	458- 40-660	PREP	00-08-109
440- 22-320	REP-P	00-13-073	458- 20-136	AMD-E	00-04-026	458- 40-660	AMD-P	00-10-055
440- 22-325	REP-P	00-13-073	458- 20-136	AMD-P	00-04-029	458- 40-660	AMD-P	00-13-119

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
458-40-670	PREP	00-13-116	468-38-070	AMD	00-11-019	480-60-090	AMD	00-04-011
458-40-680	PREP	00-13-116	468-38-090	REP-P	00-07-072	480-60-99002	REP	00-04-011
458-40-682	PREP	00-13-116	468-38-090	REP	00-11-019	480-60-99003	REP	00-04-011
458-40-684	PREP	00-13-116	468-38-110	AMD-S	00-07-071	480-62-235	NEW-E	00-12-009
458-40-686	PREP	00-13-116	468-38-110	AMD	00-11-020	480-66-010	REP	00-04-011
458-40-690	PREP	00-13-116	468-38-290	AMD-E	00-05-087	480-66-020	REP	00-04-011
458-61-230	AMD-P	00-04-055	468-38-290	PREP	00-05-088	480-66-030	REP	00-04-011
458-61-230	AMD	00-09-002	468-38-290	AMD-P	00-08-047	480-66-040	REP	00-04-011
460-21C-005	NEW-P	00-02-068	468-38-290	AMD	00-11-038	480-66-050	REP	00-04-011
460-21C-005	NEW	00-05-055	468-38-290	AMD-E	00-12-022	480-66-060	REP	00-04-011
460-21C-010	NEW-P	00-02-068	468-38-290	AMD-XA	00-12-023	480-66-070	REP	00-04-011
460-21C-010	NEW	00-05-055	468-300-010	PREP	00-04-086	480-66-100	NEW	00-04-011
460-21C-020	NEW-P	00-02-068	468-300-020	PREP	00-04-086	480-66-110	NEW	00-04-011
460-21C-020	NEW	00-05-055	468-300-040	PREP	00-04-086	480-66-120	NEW	00-04-011
460-21C-030	NEW-P	00-02-068	468-300-220	PREP	00-04-086	480-66-140	NEW	00-04-011
460-21C-030	NEW	00-05-055	474-02-010	AMD	00-11-084	480-66-150	NEW	00-04-011
460-21C-040	NEW-P	00-02-068	474-02-020	AMD	00-11-084	480-66-160	NEW	00-04-011
460-21C-040	NEW	00-05-055	478-132-010	AMD	00-04-038	480-66-170	NEW	00-04-011
460-44A-500	AMD	00-04-094	478-132-030	AMD	00-04-038	480-66-200	NEW	00-04-011
460-44A-504	AMD	00-04-094	478-324-020	AMD	00-04-039	480-66-210	NEW	00-04-011
460-46A-010	REP	00-04-095	478-324-030	AMD	00-04-039	480-66-220	NEW	00-04-011
460-46A-020	REP	00-04-095	478-324-040	AMD	00-04-039	480-66-230	NEW	00-04-011
460-46A-025	REP	00-04-095	478-324-045	NEW	00-04-039	480-66-300	NEW	00-04-011
460-46A-030	REP	00-04-095	478-324-050	REP	00-04-039	480-66-310	NEW	00-04-011
460-46A-040	REP	00-04-095	478-324-060	AMD	00-04-039	480-66-320	NEW	00-04-011
460-46A-050	REP	00-04-095	478-324-070	AMD	00-04-039	480-66-330	NEW	00-04-011
460-46A-055	REP	00-04-095	478-324-090	AMD	00-04-039	480-66-400	NEW	00-04-011
460-46A-061	REP	00-04-095	478-324-110	AMD	00-04-039	480-66-410	NEW	00-04-011
460-46A-065	REP	00-04-095	478-324-120	AMD	00-04-039	480-66-420	NEW	00-04-011
460-46A-071	REP	00-04-095	478-324-130	AMD	00-04-039	480-66-430	NEW	00-04-011
460-46A-072	REP	00-04-095	478-324-140	AMD	00-04-039	480-66-440	NEW	00-04-011
460-46A-090	REP	00-04-095	478-324-150	AMD	00-04-039	480-66-450	NEW	00-04-011
460-46A-091	REP	00-04-095	478-324-170	AMD	00-04-039	480-66-460	NEW	00-04-011
460-46A-092	REP	00-04-095	478-324-180	AMD	00-04-039	480-66-470	NEW	00-04-011
460-46A-095	REP	00-04-095	478-324-190	AMD	00-04-039	480-66-480	NEW	00-04-011
460-46A-100	REP	00-04-095	478-324-200	AMD	00-04-039	480-66-490	NEW	00-04-011
460-46A-105	REP	00-04-095	478-324-210	AMD	00-04-039	480-66-500	NEW	00-04-011
460-46A-110	REP	00-04-095	479-14-200	NEW-E	00-13-067	480-66-510	NEW	00-04-011
460-46A-115	REP	00-04-095	479-14-200	NEW-P	00-13-081	480-66-520	NEW	00-04-011
460-46A-145	REP	00-04-095	480-15-010	AMD-P	00-09-079	480-66-600	NEW	00-04-011
460-46A-150	REP	00-04-095	480-15-020	AMD-P	00-09-079	480-66-620	NEW	00-04-011
460-46A-155	REP	00-04-095	480-15-030	REP-P	00-09-079	480-80-335	AMD-P	00-11-044
460-46A-160	REP	00-04-095	480-15-035	NEW-P	00-09-079	480-110-255	AMD-S	00-11-043
460-46A-165	REP	00-04-095	480-15-260	AMD-P	00-09-079	480-120-071	AMD-P	00-10-086
468-14-010	REP-XR	00-07-027	480-15-490	AMD-P	00-09-079	480-120-139	AMD	00-03-047
468-14-010	REP	00-11-133	480-15-560	AMD-P	00-09-079	480-120-990	NEW-S	00-07-047
468-14-020	REP-XR	00-07-027	480-15-570	AMD-P	00-09-079	495A-120-010	REP	00-11-148
468-14-020	REP	00-11-133	480-15-620	AMD-P	00-09-079	495A-120-020	REP	00-11-148
468-14-030	REP-XR	00-07-027	480-15-650	AMD-P	00-09-079	495A-120-030	REP	00-11-148
468-14-030	REP	00-11-133	480-15-660	AMD-P	00-09-079	495A-120-040	REP	00-11-148
468-14-040	REP-XR	00-07-027	480-15-740	AMD-P	00-09-079	495A-120-041	REP	00-11-148
468-14-040	REP	00-11-133	480-60-010	AMD	00-04-011	495A-120-042	REP	00-11-148
468-14-050	REP-XR	00-07-027	480-60-012	NEW	00-04-011	495A-120-043	REP	00-11-148
468-14-050	REP	00-11-133	480-60-014	NEW	00-04-011	495A-120-045	REP	00-11-148
468-16-080	PREP	00-07-026	480-60-020	AMD	00-04-011	495A-120-050	REP	00-11-148
468-16-080	AMD-P	00-11-134	480-60-030	AMD	00-04-011	495A-120-060	REP	00-11-148
468-16-100	PREP	00-07-026	480-60-035	NEW	00-04-011	495A-120-070	REP	00-11-148
468-16-100	AMD-P	00-11-134	480-60-040	AMD	00-04-011	495A-120-080	REP	00-11-148
468-16-150	PREP	00-07-026	480-60-050	AMD	00-04-011	495A-120-090	REP	00-11-148
468-16-150	AMD-P	00-11-134	480-60-060	AMD	00-04-011	495A-120-100	REP	00-11-148
468-38-070	PREP	00-04-068	480-60-070	REP	00-04-011	495A-120-110	REP	00-11-148
468-38-070	AMD-P	00-07-072	480-60-080	AMD	00-04-011	495A-120-120	REP	00-11-148

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
495A-120-130	REP	00-11-148	495A-121-063	NEW	00-11-147	495C-120-130	AMD	00-12-019
495A-120-135	REP	00-11-148	495A-121-064	NEW-P	00-05-017	495C-120-140	AMD-P	00-08-105
495A-120-140	REP	00-11-148	495A-121-064	NEW	00-11-147	495C-120-140	AMD	00-12-019
495A-120-150	REP	00-11-148	495A-121-065	NEW-P	00-05-017	495C-120-150	AMD-P	00-08-105
495A-120-160	REP	00-11-148	495A-121-065	NEW	00-11-147	495C-120-150	AMD	00-12-019
495A-120-170	REP	00-11-148	495A-121-066	NEW-P	00-05-017	495C-120-160	AMD-P	00-08-105
495A-120-180	REP	00-11-148	495A-121-066	NEW	00-11-147	495C-120-160	AMD	00-12-019
495A-120-190	REP	00-11-148	495A-121-070	NEW-P	00-05-017	495C-120-170	AMD-P	00-08-105
495A-120-200	REP	00-11-148	495A-121-070	NEW	00-11-147	495C-120-170	AMD	00-12-019
495A-121-010	NEW-P	00-05-017	495A-121-090	NEW-P	00-05-017	495C-120-180	AMD-P	00-08-105
495A-121-010	NEW	00-11-147	495A-121-090	NEW	00-11-147	495C-120-180	AMD	00-12-019
495A-121-011	NEW-P	00-05-017	495A-121-091	NEW-P	00-05-017	495C-132-010	AMD-P	00-08-105
495A-121-011	NEW	00-11-147	495A-121-091	NEW	00-11-147	495C-132-010	AMD	00-12-019
495A-121-012	NEW-P	00-05-017	495A-121-092	NEW-P	00-05-017	495C-133-020	AMD-P	00-08-105
495A-121-012	NEW	00-11-147	495A-121-092	NEW	00-11-147	495C-133-020	AMD	00-12-019
495A-121-020	NEW-P	00-05-017	495A-121-093	NEW-P	00-05-017	495C-134-010	AMD-P	00-08-105
495A-121-020	NEW	00-11-147	495A-121-093	NEW	00-11-147	495C-134-010	AMD	00-11-108
495A-121-021	NEW-P	00-05-017	495A-121-094	NEW-P	00-05-017	495C-140-090	AMD-P	00-08-105
495A-121-021	NEW	00-11-147	495A-121-094	NEW	00-11-147	495C-140-090	AMD	00-12-019
495A-121-022	NEW-P	00-05-017	495C-104-010	AMD-P	00-08-105	495C-140-100	AMD-P	00-08-105
495A-121-022	NEW	00-11-147	495C-104-010	AMD	00-12-019	495C-140-100	AMD	00-12-019
495A-121-023	NEW-P	00-05-017	495C-108-040	AMD-P	00-08-105	495C-168-020	AMD-P	00-08-105
495A-121-023	NEW	00-11-147	495C-108-040	AMD	00-12-019	495C-168-020	AMD	00-12-019
495A-121-024	NEW-P	00-05-017	495C-116-100	AMD-P	00-08-105	495C-168-040	AMD-P	00-08-105
495A-121-024	NEW	00-11-147	495C-116-100	AMD	00-12-019	495C-168-040	AMD	00-12-019
495A-121-025	NEW-P	00-05-017	495C-116-110	AMD-P	00-08-105	495C-276-030	AMD-P	00-08-105
495A-121-025	NEW	00-11-147	495C-116-110	AMD	00-12-019	495C-276-030	AMD	00-12-019
495A-121-026	NEW-P	00-05-017	495C-116-130	AMD-P	00-08-105	495C-276-040	AMD-P	00-08-105
495A-121-026	NEW	00-11-147	495C-116-130	AMD	00-12-019	495C-276-040	AMD	00-12-019
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