

Washington State Register

January 3, 2001

OLYMPIA, WASHINGTON

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This issue contains documents officially
filed not later than December 20, 2000

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 January 2001 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

Gary Reid
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 eight sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry 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) **PERMANENT**-includes the full text of permanently adopted rules.
- (e) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (f) **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.
- (g) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (h) **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
01 - 10	Apr 4, 01	Apr 18, 01	May 2, 01	May 16, 01	Jun 5, 01	N/A
01 - 11	Apr 25, 01	May 9, 01	May 23, 01	Jun 6, 01	Jun 26, 01	N/A
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
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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;

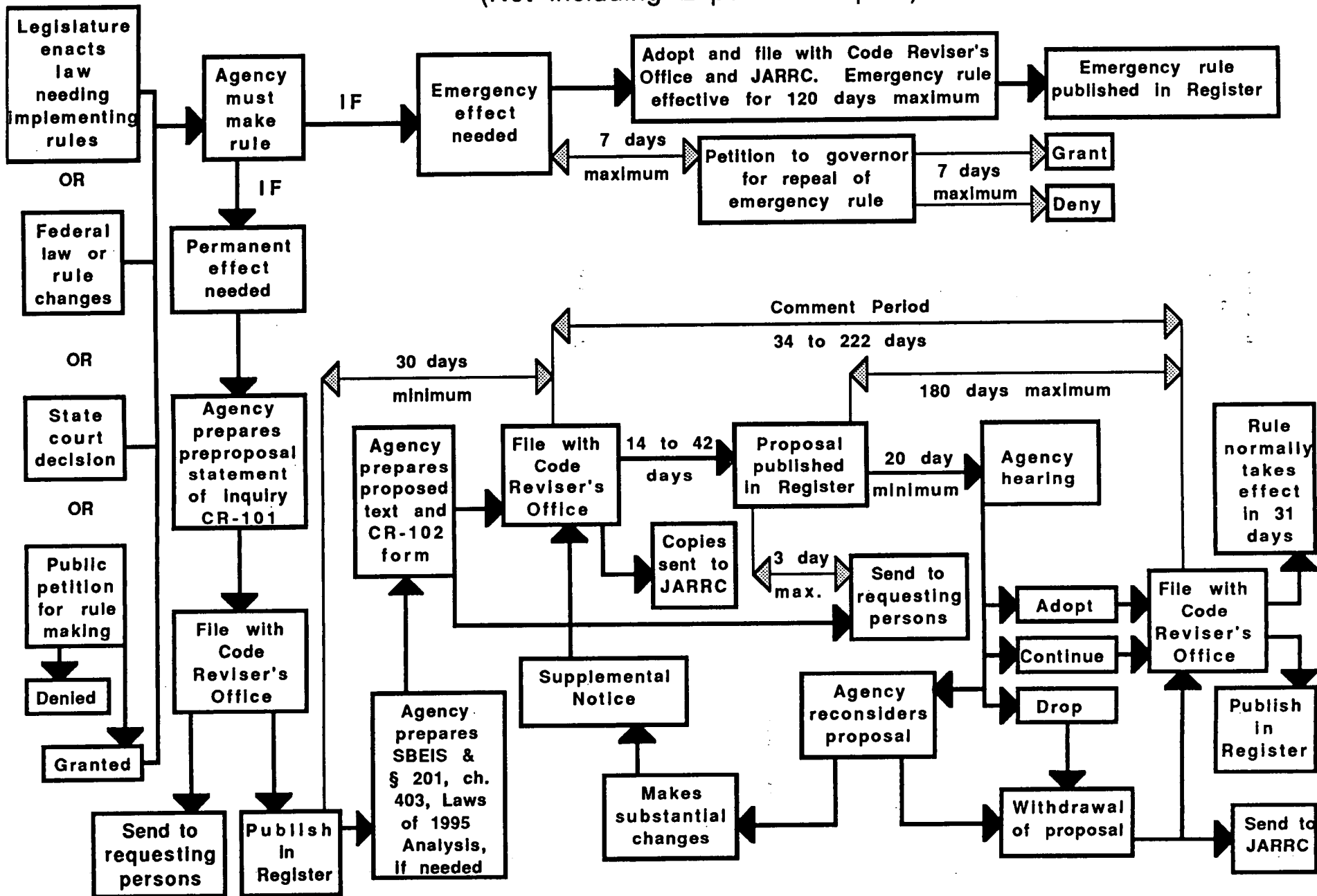
The rule **REDUCES** costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

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 01-01-006
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)

[Filed December 6, 2000, 3:16 p.m.]

Subject of Possible Rule Making: New WAC 388-549-900 Neurodevelopmental centers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.09.080, 74.09.520, and 74.09.530.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is developing rules for this program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Health (DOH) has an interest in this program, and DSHS/MAA will work in close coordination with the DOH in developing these rules.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this WAC. Draft material and information about how to participate are available by contacting the DSHS representative identified below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting L. Mike Freeman, Regulatory Improvement Manager, Medical Assistance Administration, P.O. Box 45533, Olympia, WA 98504-5533, voice (360) 725-1350, fax (360) 586-9729, e-mail freemlm@dshs.wa.gov.

November 6, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

WSR 01-01-020
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed December 7, 2000, 10:40 a.m.]

The Department of Fish and Wildlife withdraws the pre-proposal statement of inquiry filed November 29, 2000, in WSR 00-24-042.

Evan Jacoby
 Rules Coordinator

WSR 01-01-021
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed December 7, 2000, 10:41 a.m.]

Subject of Possible Rule Making: Trapping rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047, Initiative 713, Laws of 2000.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Initiative 713 limits the types of traps that may be used, and imposes additional requirements of the sale of furs. The trapping rules need to be amended to reflect the requirements of the initiative, and the initiative itself contains rule-making direction for issuance of special permits.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bruce Bjork, Enforcement Program, Assistant Director, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2373. Contact by February 18, 2001, expected proposal filing February 21, 2001.

December 7, 2000

Evan Jacoby
 Rules Coordinator

WSR 01-01-022
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Filed December 7, 2000, 10:44 a.m.]

Subject of Possible Rule Making: Commercial fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department will administer a Puget Sound commercial salmon license buy-back program in 2001. Rules are needed to establish eligibility, the procedures for application and selection, and conditions that may be imposed on successful applicants. The buy-back program will reduce overcapitalization in the fleet, provide for economic stability, and improve fishery management.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Lux, Business Services Program, Assistant Director, 600 Capitol Way, Olympia, WA 98501-1091, phone (360) 902-2444. Contact by February 18, 2001, expected proposal filing February 21, 2001.

December 7, 2000

Evan Jacoby
 Rules Coordinator

WSR 01-01-034
PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON

[Filed December 8, 2000, 3:04 p.m.]

Subject of Possible Rule Making: WAC 478-136-030
Limitations on the use of University of Washington facilities.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: Amendments are necessary
to incorporate into the university's rules on the use of univer-
sity facilities existing and amended policies governing adver-
tising and use of scoreboards at sports facilities.

Other Federal and State Agencies that Regulate this Sub-
ject and the Process Coordinating the Rule with These Agen-
cies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt
the new rule and formulation of the proposed rule before pub-
lication. Written comments or inquiries may be directed to
Rebecca Goodwin Deardorff, Director, Administrative Pro-
cedures Office by one of the following routes: U.S. mail Uni-
versity of Washington, 4014 University Way N.E., Seattle,
WA 98105-6203; campus mail Box 355509; e-mail admin-
pro@u.washington.edu; or fax (206) 616-6294.

December 6, 2000

Rebecca Goodwin Deardorff, Director
Administrative Procedures Office

WSR 01-01-065
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed December 12, 2000, 1:47 p.m.]

Subject of Possible Rule Making: Selected sections of
chapter 392-172 WAC addressing eligibility of special edu-
cation students, including WAC 392-172-030 and 392-172-
035, sections of chapter 392-172 WAC to make housekeep-
ing changes, and to include federal language required by
Department of Education.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 28A.155.090(7) and 28A.300.070.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: The Washington Supreme
Court addressed the constitutionality of chapter 28A.193
RCW and its effect on eligibility for special education for
youth in adult correctional facilities in the case *Tunstall et al.*
v. State of Washington. Amendments to the eligibility rules
are necessary to clarify special education eligibility for youth
in adult correctional facilities pursuant to this case and to
address the federal regulations contained in 34 C.F.R. Part
300. In addition, amendments to other sections are necessary
to address typographical errors, clarity, and requests by the
Department of Education to correct language, consistent with
federal regulations.

Other Federal and State Agencies that Regulate this Sub-
ject and the Process Coordinating the Rule with These Agen-
cies: The United States Department of Education, through its
Office of Special Education and Rehabilitative Services
reviews our regulations as part of the eligibility review. Pro-
posed regulations will be sent to them as part of the rule-mak-
ing process, and they will be given an opportunity for com-
ment and review.

Process for Developing New Rule: Early solicitation of
public comments and recommendations respecting the
amended rules, and consideration of the comments and rec-
ommendations 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 pub-
lication by sending written comments to Special Education
Section, Attn. Doug Gill, Office of Superintendent of Public
Instruction, P.O. Box 47200, Olympia, WA 98504-7200, fax
(360) 586-0247, TTY (360) 586-0126. For telephone assis-
tance contact Doug Gill, Director, Special Education, (360)
753-6733, or e-mail dgill@ospi.wednet.edu.

December 8, 2000
Dr. Terry Bergeson
Superintendent of
Public Instruction

WSR 01-01-068
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Finance Division)

[Filed December 12, 2000, 3:41 p.m.]

Subject of Possible Rule Making: Limiting the amount
of time available to vendors and providers in which they can
submit bills to the Department of Social and Health Services
(DSHS) for payment.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: Chapter 43.88 RCW and RCW 43.17.060.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: Many DSHS programs have
been accepting invoices for services that were provided more
than twelve months before the invoice was submitted. This
creates difficulty in building the agency's budget because, in
some cases, current budget dollars are being used to pay ser-
vices that were anticipated in a prior budget, or, in other
cases, no authority was set aside as an outstanding liability in
a previous budget period to pay these outstanding bills. Some
DSHS systems have difficulty in determining how an outdat-
ed bill should be paid, so staff are required to perform a
significant amount of research in order to ensure a payment
is accounted for properly. It also becomes more difficult to
ensure a duplicate payment is not made the older an invoice
becomes. A rule on this subject would help ensure programs
are receiving invoices in a timely manner so that the condi-
tions above would be mitigated. This rule would also have a
beneficial effect on the cash flow of our service providers and
vendors.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no specific federal or state agencies requiring coordination of rules on this subject.

Process for Developing New Rule: DSHS welcomes the public to take part in developing this rule. Anyone interested in participating should contact the staff person indicated below. You may also participate in a public hearing to be determined later. After the rule is drafted, DSHS will file a copy with the Office of Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and 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 submitting comments to Jennifer Martinez, Finance Division, P.O. Box 45842, Olympia, WA 98504-5482, phone (360) 664-5711, fax (360) 664-5715, e-mail marte@dshs.wa.gov.

December 12, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 01-01-069

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed December 12, 2000, 3:42 p.m.]

Subject of Possible Rule Making: WAC 388-410-0020 Food assistance overpayments, 388-410-0025 Food assistance overpayment liability, 388-410-0030 Food assistance overpayment amount and recovery and any related WACs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.510.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The revision will include new federal regulations regarding overpayments and add more information to clarify current policy.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule. Anyone interested in participating should contact the staff person indicated below. After the rule is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making and send a copy to everyone currently on the mailing list and to anyone else who requests a copy. DSHS will consider all comments. The Economic Services Administrations Regulatory Improvement Team (RIT) will also review these rules before adoption.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Wendy Forslin, Division of Assistance Programs, P.O. Box 45470, Olympia, WA 98504-5470,

phone (360) 413-3083, fax (360) 413-3493, e-mail forslwc@dshs.wa.gov.

December 12, 2000

Marie Myerchin-Redifer
Manager

WSR 01-01-071

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed December 13, 2000, 9:36 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, General provisions for registration of vehicles, to include but not limited to WAC 308-96A-295.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.16.135, 46.16.225, 46.16.490, 46.16.276.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a result of this review in accordance with Executive Order 97-02.

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 by mail Katherine I. Vasquez, Rules Manager, Title and Registration Services, Vehicle Services, Mailstop 48001, P.O. Box 2957, Olympia, WA 98507-2957, or by phone (360) 902-3718, fax (360) 664-0831, TTY (360) 664-8885.

December 11, 2000

Deborah McCurley, Administrator
Title and Registration Services

WSR 01-01-072

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed December 13, 2000, 9:39 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, General provisions for registration of vehicles, to include but not limited to WAC 308-96A-005, 308-96A-015, 308-96A-021, 308-96A-026, 308-96A-180, 308-96A-260, 308-96A-295, and 308-96A-300.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110, 46.16.135, 46.16.225, 46.16.490, 46.16.276.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a result of this review in accordance with Executive Order 97-02.

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 by mail Katherine I. Vasquez, Rules Manager, Title and Registration Services, Vehicle Services, Mailstop 48001, P.O. Box 2957, Olympia, WA 98507-2957, or by phone (360) 902-3718, fax (360) 664-0831, TTY (360) 664-8885.

December 11, 2000

Deborah McCurley, Administrator
Title and Registration Services

WSR 01-01-073

PREPROPOSAL STATEMENT OF INQUIRY PARKS AND RECREATION COMMISSION

[Filed December 13, 2000, 12:12 p.m.]

Subject of Possible Rule Making: The Washington State Parks and Recreation Commission is considering amendments to chapter 352-37 WAC, Ocean beaches. The commission will consider comments regarding the use of wind/sand sailing and kite bugging on ocean beaches.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 79A.05.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently this activity is prohibited in state parks except under special permit. State parks would like the opportunity to allow this recreational activity on specified beaches from April 15 through Labor Day each year.

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. To request additional information or to comment in writing contact Pam McConkey, Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2650, phone (360) 902-8595, fax (360) 586-5875, e-mail pamm@parks.wa.gov.

December 13, 2000

Jim French
Senior Policy Analyst

WSR 01-01-088

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed December 15, 2000, 9:36 a.m.]

Subject of Possible Rule Making: Real estate license recognition agreements or reciprocal licensing of real estate licensees. Will amend WAC 308-124A-110.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.85.040(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington Real Estate Commission and the Department of Licensing propose to enter into "written reciprocity agreements" with other state jurisdictions to ensure accountability for real estate agents and to better protect the public. This would allow out of state licensees to become licensed in Washington and Washington licensees to obtain license[s] in other states. These agreements will eliminate barriers which impede licensees from conducting business across borders and will provide consumer protection by achieving full disciplinary authority over all real estate licensees practicing within Washington borders. It will also broaden consumer choice in professional real estate services while affording the same regulatory protections.

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

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jana L. Jones, Real Estate Program, Department of Licensing, P.O. Box 9015, Olympia, WA 98507-9015, phone (360) 586-0280, fax (360) 586-0998.

December 15, 2000

Jana L. Jones
Assistant Administrator

WSR 01-01-089

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed December 15, 2000, 9:38 a.m.]

Subject of Possible Rule Making: Creation of a real estate license continuing education "core curriculum requirement" of three clock hours for each renewal period.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.85.040(4).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: A required core curriculum is a tool by which the Department of Licensing can ensure that certain critical information, such as law changes and updates, reaches all licensees in a timely manner. These issues may vary between commercial, residential and property management practitioners. The completion of a mandatory core curriculum continuing education requirement by all real estate licensees seeks to enhance the practice of real estate and thereby increase consumer protection.

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; and agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jana L. Jones, Real Estate Program,

Department of Licensing, P.O. Box 9015, Olympia, WA 98506-9015, phone (360) 586-0280, fax (360) 586-0998.
December 15, 2000
Jana L. Jones
Assistant Administrator

Olympia, WA 98501-1091, phone (360) 902-2651. Contact by February 19, 2001, expected proposal filing is February 21, 2001.
December 19, 2000
Evan Jacoby
Rules Coordinator

PREPROPOSAL

WSR 01-01-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed December 18, 2000, 9:55 a.m.]

Subject of Possible Rule Making: Chapter 308-56A WAC, Manufactured home certificates of ownership, to include but not limited to WAC 308-56A-505.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 65.20.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rule making may be required as a result of this review in accordance with Executive Order 97-02.

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 by mail Katherine I. Vasquez, Rules Manager, Title and Registration Services, Vehicle Services, Mailstop 48001, P.O. Box 2957, Olympia, WA 98507-2957, or by phone (360) 902-3718, fax (360) 664-0831, TDD (360) 664-8885.

December 15, 2000
Deborah McCurley, Administrator
Title and Registration Services

WSR 01-01-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE
[Filed December 18, 2000, 10:15 a.m.]

Subject of Possible Rule Making: Commercial fishing rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.12.047.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current language describing groundfish trawl fisheries closures in the southern Strait of Georgia does not provide adequate information on what will cause the fishery to close. Additional specificity will increase enforcement capability.

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 Lew Atkins, 600 Capitol Way North,

WSR 01-01-111
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION
[Filed December 18, 2000, 2:37 p.m.]

Subject of Possible Rule Making: WAC 468-300-010, 468-300-020, 468-300-040, and 468-300-220.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Annual review of Washington state ferries' farebox revenue has been completed, resulting in a proposal to raise ferry fares.

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 Mr. Ray Deardorf, Planning Director, Washington State Ferries, 2911 2nd Avenue, Seattle, WA 98121, phone (206) 515-3491, fax (206) 515-3499.

December 18, 2000
Chris R. Rose, Administrator
Transportation Commission

WSR 01-01-113
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed December 18, 2000, 4:28 p.m.]

Subject of Possible Rule Making: WAC 388-478-0070 and 388-478-0080.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed amendment is necessary to adopt new federal standards, effective January 1, 2001, regarding the one-person medically needy income level (MNIL) and the SSI standard.

Process for Developing New Rule: The department invites the interested public to review and provide input into the adopted language of this proposed WAC amendment. The department will distribute draft material for an internal

and external review process. All comments are taken into consideration before issuance of final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanie Scotson, Program Manager, Medical Assistance Administration, Mailstop 45534, Olympia, Washington 98504-5534, phone (360) 725-1330, fax (360) 586-0910, TDD 1-800-848-5429, e-mail SCOTSJK@DSHS.WA.GOV.

December 18, 2000
Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

WSR 01-01-125
PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT

[Filed December 19, 2000, 11:22 a.m.]

Subject of Possible Rule Making: Adopt rules establishing the conditions under which unpaid benefit overpayments and employer contributions will be referred to a private collection agency, and specifying that the fee charged by the collection agency will be added to the debt owed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 Commissioner's duties and powers and 50.12.040 Rule-making authority.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: RCW 19.16.500 authorizes state agencies to engage a private collection agency to assist in the recovery of public debts. Sections will be added to chapter 192-230 and 192-330 WAC regarding referring unpaid benefit overpayments and employer contributions to a collection agency.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United State Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of unemployment insurance laws as long as conformity is maintained. The proposed regulations will be shared with USDOL staff prior to adoption.

Process for Developing New Rule: The department will conduct informal public meetings with interested individuals and stakeholders to gather their input and comments during the development of these regulations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Persons interested in attending public meetings to discuss the proposed regulations should contact Juanita Myers, UI Rules Coordinator, Unemployment Insurance Division, P.O. Box 9046, Olympia, WA 98507-9046, phone (360) 902-9665, fax (360) 902-9799, e-mail jmyers@esd.wa.gov.

November 27, 2000
Carver Gayton
Commissioner

WSR 01-01-132
PREPROPOSAL STATEMENT OF INQUIRY
HIGHER EDUCATION
COORDINATING BOARD

[Filed December 20, 2000, 8:45 a.m.]

Subject of Possible Rule Making: Washington advanced tuition payment program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.95.030 (9)(e).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules will provide greater definition to the program as defined in statute, chapter 28B.95 RCW, including areas such as technical revisions due to statutory changes, procedures for administering refunds, and calculation of weighted average tuition.

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

Process for Developing New Rule: Other [no information supplied by agency].

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Betty Lochner, Director, Guaranteed Education Tuition, Higher Education Coordinating Board, 917 Lakeridge Way, P.O. Box 43450, Olympia, WA 98504-3450, phone (360) 753-7871, fax (360) 704-6271, e-mail bettyl@hecb.wa.gov.

December 19, 2000
Betty Lochner, Director
Guaranteed Education Tuition

WSR 01-01-142
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF REVENUE

[Filed December 20, 2000, 10:54 a.m.]

Subject of Possible Rule Making: New section WAC 458-20-17802 Collection of use tax by county auditors and Department of Licensing—Measure of tax.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 82.12.045(6), 82.32.300.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is necessary to explain how county auditors, their subagents, and the Department of Licensing determine the measure of any use tax due when a person transfers the certificate of ownership of a motor vehicle.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Department of Revenue has authorized county auditors and the Department of Licensing to collect the use tax when a person applies to transfer the certificate of ownership of a motor vehicle under the authority of RCW 82.12.045. The Department of Licensing has instituted an automated system to help determine the measure of use tax due at the time of transfer, and is being consulted with and asked to provide input for this rule-making activity.

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 new rule is available upon request. Written comments on and/or requests for copies of the rule may be directed JoAnne Gordon, Legislation and Policy, P.O. Box 47467, Olympia, WA 98504-7467, phone (360) 570-6121, e-mail joanneg@dor.wa.gov, fax (360) 664-0693.

Location and Date of Public Meeting: Capital Plaza Building, 4th Floor, Large Conference Room, 1025 East Union Avenue, Olympia, WA. The meeting will be held January 31, 2001, at 10:00 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.

December 20, 2000
Claire Hesselholt, Rules Manager
Legislation and Policy Division

pational therapy services so the department may, if necessary, give cost-of-living increases to affected providers.

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 is working with external stakeholders through its Anesthesia and Reimbursement Technical Advisory Groups on updates to conversion factors and to the physical and occupational therapy maximum daily reimbursement level. The department coordinates these updates with the Health Care Authority, Medical Assistance Administration and the Health Care Financing Administration to insure consistent health care purchasing policies when possible. The proposed changes will be presented to the advisory groups and publicized in a letter to interested persons.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tom Davis, Department of Labor and Industries, Health Services Analysis, P.O. Box 44322, Olympia, WA 98504-4322, phone (360) 902-6687, fax (360) 902-4249.

December 20, 2000
Gary Moore
Director

WSR 01-01-147

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed December 20, 2000, 11:30 a.m.]

Subject of Possible Rule Making: Medical aid rules updates regarding rate setting for most professional health care services for injured workers. These updates may also impact rates for health care services provided to crime victims.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020 and 51.04.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The affected rules describe elements used in the processing of updating the maximum allowable payments for most professional health care services. These elements are set in rule in order to follow the established methodologies of L&I and maintain consistency with the Health Care Authority and Medical Assistance Administration. Specifically, the proposed rule changes will do the following:

(1) In WAC 296-20-135: Update the conversion factors used by the department for calculating reimbursement rates for most professional health care and anesthesia services. The conversion factors will be updated to correspond to changes in the medical procedure codes, the relative value units, and anesthesia base units. These changes will enable the department to continue a reimbursement methodology consistent with other state agencies. Cost-of-living increases may be incorporated into the changes in the conversion factors.

(2) In WAC 296-23-220 and 296-23-230: Update the maximum daily reimbursement level for physical and occu-



WSR 01-01-091
EXPEDITED REPEAL
DEPARTMENT OF AGRICULTURE

[Filed December 15, 2000, 9:48 a.m.]

The Following Sections are Proposed for Expedited Repeal: Entire chapter 16-580 WAC, Farmed Salmon Commission.

Rules Proposed for Expedited Repeal Meet the Following Criteria: Rule is no longer necessary because of changed circumstances.

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

Address Your Objection to: Walter Swenson, Washington Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560.

Reason the Expedited Repeal of the Rule is Appropriate: The Farmed Salmon Commission was formed in December 1992 under the Agricultural Enabling Act of 1961, chapter 15.65 RCW. In September 1999, the board of the Farm [Farmed] Salmon Commission filed written application with the director of agriculture to terminate the commission because the activities of the commission could no longer effectuate the policies of chapter 15.65 RCW.

The director of agriculture has determined in accordance with RCW 15.65.190 that all of the affected producers of farmed salmon with 100% of the production have assented to the termination of the commission.

December 14, 2000
 William E. Brookreson
 Deputy Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 16-580-010	Definition of terms.
WAC 16-580-020	Farmed salmon commodity board.
WAC 16-580-030	Marketing order purposes.
WAC 16-580-040	Assessments and collections.
WAC 16-580-041	Time—Place—Method for payment and collection of assessments—Production reports.
WAC 16-580-050	Obligations of the board.
WAC 16-580-060	Termination of the order.
WAC 16-580-070	Effective time.
WAC 16-580-080	Separability.

EXPEDITED REPEAL



WSR 00-23-099
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed November 21, 2000, 12:37 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR [99-24-086].

Title of Rule: Chapter 296-800 WAC, Safety and health core rules. See Purpose below.

Purpose: In 1999, the Washington state legislature approved funding for a redesign of WISHA safety and health rules. Innovations will contribute to safer and more healthful workplaces in Washington by simplifying the language of the rules and organizing them for ease of use. The purpose of this project is to develop a user-friendly rulebook of core requirements that apply to most employers in the state of Washington. We will organize the safety and health rules that apply to most employers into one easy-to-use rulebook. We will not change or increase requirements as part of this rulemaking effort.

INNOVATIONS

Chapter 296-24 WAC
General safety and health standards

Chapter 296-24 WAC, Part A-1, General, Educational, Medical and First-aid Requirements.

- The title of this part has been changed to "Purpose and scope."

WAC 296-24-005 Purpose and scope.

- Modified this section to include a reference to the safety and health core rules.

WAC 296-24-006 Equipment approval by nonstate agency or organization.

- This section has been repealed.

WAC 296-24-007 Incorporation of standards of national organization.

- This section has been moved to WAC 296-800-360.
- This section has been repealed.

WAC 296-24-008 Incorporation of standards of federal agency.

- This section has been moved to WAC 296-800-360.
- This section has been repealed.

WAC 296-24-010 Variance and procedure.

- This section is located in WAC 296-27-350.
- This section has been repealed.

WAC 296-24-015 Education and first-aid standards.

- This section has been repealed.

WAC 296-24-020 Management's responsibility.

- Requirements relating to establishing, supervising, and enforcing a safe and healthful working environment; an

accident prevention program; and training programs have been moved to WAC 296-800-110.

- Requirements relating to the investigation of accidents which have caused serious injuries have been moved to WAC 296-800-320.
- Requirements relating to equipment that has been involved in an immediate or probable fatality or the inpatient hospitalization of two or more employees have been moved to WAC 296-800-320.
- Requirements relating to machinery, tools, material and equipment meeting compliance requirements have been moved to WAC 296-800-110.
- Requirements relating to the posting of a notice or notices (the WISHA poster, Job safety and health protection; form F416-081-000) have been moved to WAC 296-800-200.
- Requirements relating to systems of maintaining records of occupational injuries and illnesses have been moved to WAC 296-27-030.
- This section has been repealed.

WAC 296-24-025 Employee's responsibility.

- All requirements relating to the responsibilities of employees have been moved to WAC 296-800-120.
- This section has been repealed.

WAC 296-24-040 Accident prevention programs.

- All requirements relating to the formal accident prevention program have been moved to WAC 296-800-140.
- This section has been repealed.

WAC 296-24-045 Safety and health committee plan.

- Requirements relating to safety and health committee plans have been moved to WAC 296-800-130.
- This section has been repealed.

WAC 296-24-055 Safety bulletin board.

- Requirements relating to the safety bulletin board have been moved to WAC 296-800-190.
- This section has been repealed.

WAC 296-24-061 First-aid requirements.

- Requirements relating to first-aid have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06105 What workplaces does this rule apply to?

- Requirements relating to who the first-aid requirements apply to have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06110 What is the purpose of this rule?

- The purpose of the first-aid requirements has been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06115 What definitions apply to this section?

- Definitions relating to first-aid have been moved to WAC 296-800-370.
- This section has been repealed.

PROPOSED

WAC 296-24-06120 How must an employer ensure that first-aid assistance is available in the workplace?

- Requirements relating to ensuring that first-aid assistance is available have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06125 How many employees must be trained in first aid?

- Requirements relating to how many employees must be trained in first-aid have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06130 What must first-aid training cover?

- Requirements relating to what first-aid training must cover have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06135 How often must employees complete first-aid training?

- Requirements relating to how often employees must complete first-aid training have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06140 How must an employer document first-aid training?

- Requirements relating to documentation of first-aid training have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06145 What is the requirement for first-aid supplies?

- Requirements relating to first-aid supplies have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06150 What is the requirement to provide a first-aid station?

- Requirements relating to first-aid stations have been moved to WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06155 Appendix 1—Evaluation worksheet for the first-aid response plan.

- This appendix has been incorporated into WAC 296-800-150.
- This section has been repealed.

WAC 296-24-06160 Appendix 2—First-aid kit guidance.

- This appendix has been incorporated into WAC 296-800-150.
- This section has been repealed.

WAC 296-24-073 Safe place standards.

- All requirements relating to the safe place standards have been moved to WAC 296-800-110.
- This section has been repealed.

Chapter 296-24 WAC Part A-2, Personal protective equipment.

- Added a reference indicating that personal protective equipment requirements have been moved to WAC 296-800-160.
- Added a reference indicating that electrical personal protective equipment requirements have been moved to WAC 296-24-980.
- Reserved this part.

WAC 296-24-075 Personal protective equipment.

- This section has been repealed.

WAC 296-24-07501 General requirements.

- General requirements relating to personal protective equipment have been moved to WAC 296-800-160.
- This section has been repealed.

WAC 296-24-078 Eye and face protection.

- Requirements relating to eye and face protection have been moved to WAC 296-800-160.
- This section has been repealed.

WAC 296-24-07801 General.

- General requirements relating to eye and face protection have been moved to WAC 296-800-160.
- Chart relating to filter lenses for protection against radiant energy has been moved to WAC 296-24-70003.
- This section has been repealed.

WAC 296-24-084 Occupational head protection.

- Requirements relating to occupational head protection have been moved to WAC 296-800-160.
- This section has been repealed.

WAC 296-24-086 Personal flotation devices.

- Requirements relating to personal flotation devices have been moved to WAC 296-800-160.
- This section has been repealed.

WAC 296-24-088 Occupational foot protection.

- Requirements relating to occupational foot protection have been moved to WAC 296-800-160.
- This section has been repealed.

WAC 296-24-090 Hand protection.

- Requirements relating to hand protection have been moved to WAC 296-800-160.
- This section has been repealed.

WAC 296-24-092 Electrical protective equipment.

- Requirements relating to electrical protective equipment have been moved to WAC 296-24-980.
- This section has been repealed.

WAC 296-24-094 Lighting and illumination.

- Requirements relating to lighting and illumination have been moved to WAC 296-800-210.
- This section has been repealed.

WAC 296-24-096 Appendix A to Part A-2—References for further information (nonmandatory).

- This section has been repealed.

WAC 296-24-098 Appendix B to Part A-2—Nonmandatory compliance guidelines for hazard assessment and personal protective equipment selection.

- This appendix has been incorporated into WAC 296-800-160.
- This section has been repealed.

WAC 296-24-10203 General requirements.

- Update a reference.

WAC 296-24-12001 Scope.

- Update references.

WAC 296-24-12003 General requirements. Housekeeping.

- All general requirements relating to housekeeping have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-12005 Water supply.

- Requirements relating to potable water have been moved to WAC 296-800-230.
- Requirements relating to the construction of nonpotable water systems have been moved to WAC 296-800-12006.
- Requirements relating to outlets for nonpotable water have been moved to WAC 296-24-12006.
- This section has been repealed.

WAC 296-24-12006 Water Supply.

- Move requirements relating to the construction of nonpotable water systems to this section for better organization of information.
- Move requirements relating to outlets for nonpotable water to this section for better organization of information.

WAC 296-24-12007 Toilet facilities.

- Requirements relating to general toilet facilities have been moved to WAC 296-800-230.
- Requirements relating to the construction of toilet rooms have been moved to WAC 296-800-230.
- This section has been repealed.

WAC 296-24-12009 Washing facilities.

- General requirements relating to washing facilities have been moved to WAC 296-800-230.
- Requirements relating to lavatories have been moved to WAC 296-800-230.
- Requirements relating to showers have been moved to WAC 296-24-12010.
- This section has been repealed.

WAC 296-24-12010 Showers.

- Move requirements relating to showers to this section for better organization of information.

WAC 296-24-12019 Waste disposal.

- Requirements relating to waste disposal have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-12021 Vermin control.

- Requirements relating to vermin control have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-14007 Sign design and colors.

- Update a reference.

WAC 296-24-20700 Appendix A to WAC 296-24-195.

- Add a reference.

WAC 296-24-21503 Secure storage.

- Requirements relating to the secure storage of material have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-21505 Housekeeping.

- Requirements relating to housekeeping hazards within a storage area have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-21507 Drainage.

- Requirements relating to proper drainage have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-23001 Definitions.

- Add a reference.

WAC 296-24-23007 Designated locations.

- Add a reference.

WAC 296-24-23503 General requirements.

- Update a reference.

WAC 296-24-23507 Footwalks and ladders.

- Add a reference.

WAC 296-24-23513 Electric equipment.

- Add a reference.

WAC 296-24-23533 Crane and derrick suspended personnel (work) platforms.

- Add references.

WAC 296-24-31503 Gaseous hydrogen systems.

- Add references.

WAC 296-24-31505 Liquefied hydrogen systems.

- Add references.

WAC 296-24-32003 Bulk oxygen systems.

- Add references.

WAC 296-24-33011 Industrial plants.

- Add a reference.

WAC 296-24-33015 Service stations.

- Add references.

WAC 296-24-33017 Processing plants.

- Add references.

WAC 296-24-37005 Electrical and other sources of ignition.

- Add a reference.

WAC 296-24-37019 Drying, curing, or fusion apparatus.

- Add a reference.

WAC 296-24-37023 Powder coating.

- Add a reference.

WAC 296-24-40513 Extinguishment.

- Update a reference.

WAC 296-24-47505 Basic rules.

- Add references.

WAC 296-24-550 Means of egress.

- Requirements relating to means of egress have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-55001 Definitions.

- Definition relating to "means of egress" have been moved to WAC 296-800-370.

WAC 296-24-55003 General requirements.

- General requirements relating to "means of egress" have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-55005 Fundamental requirements.

- Fundamental requirements relating to "means of egress" have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-55007 Protection of employees exposed by construction and repair operations.

- Requirements relating to the protection of employees exposed by construction and repair operations have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-55009 Maintenance.

- Requirements relating to the maintenance of automatic sprinkler systems, fire detection and alarm systems, exit lighting and fire doors have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-565 Means of egress, general.

- This section has been repealed.

WAC 296-24-56501 Permissible exit components.

- Requirements relating to exit components have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56503 Protective enclosure of exits.

- Requirements relating to the protective enclosure of exits have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56505 Width and capacity of means of egress.

- Requirements relating to the capacity in number of persons per unit of exit width have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56507 Egress capacity and occupant load.

- Requirements relating to egress capacity and occupant load have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56509 Arrangement of exits.

- Requirements relating to the arrangement of exits have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56511 Access to exits.

- Requirements relating to the access to exits have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56513 Exterior ways of exit access.

- Requirements relating to the exterior ways of exit access have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56515 Discharge from exits.

- Requirements relating to the discharge from exits have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56517 Headroom.

- Requirements relating to the headroom for means of egress has been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56519 Changes in elevation.

- Requirements relating to the changes in elevation for means of egress have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56521 Maintenance and workmanship.

- Requirements relating to the means of egress being continuously maintained free of all obstructions or impediments have been moved to WAC 296-800-310.
- Requirements relating to devices or alarms installed to restrict the improper use of an exit to not impede or prevent emergency use have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56523 Furnishings and decorations.

- Requirements relating to furnishings and decorations obstructing exits have been moved to WAC 296-800-310.
- Requirements relating to furnishings and decorations being of a explosive or highly flammable character have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56529 Fire retardant paints.

- Requirements relating to fire retardant paints have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-56531 Exit marking.

- Requirements relating to exit marking have been moved to WAC 296-800-310.
- This section has been repealed.

WAC 296-24-567 Employee emergency plans and fire prevention.

- Updated a reference.

WAC 296-24-58513 Protective clothing.

- Update references.

WAC 296-24-58517 Appendix A—Fire brigades.

- Update a reference.

WAC 296-24-592 Portable fire extinguishers.

- Requirements relating to portable fire extinguishers have been moved to WAC 296-800-300.

WAC 296-24-59201 Scope and application.

- Rewritten for clarity.

WAC 296-24-59205 General requirements.

- General requirements relating to portable fire extinguishers have been moved to WAC 296-800-300.
- This section has been repealed.

WAC 296-24-59207 Selection and distribution.

- Requirements relating to the selection and distribution of portable fire extinguishers have been moved to WAC 296-800-300.
- This section has been repealed.

WAC 296-24-59209 Inspection, maintenance and testing.

- Requirements relating to the inspection, maintenance and testing of portable fire extinguishers have been moved to WAC 296-800-300.
- This section has been repealed.

WAC 296-24-59211 Hydrostatic testing.

- The requirements relating to hydrostatic testing of portable fire extinguishers have been moved to WAC 296-800-300.
- Remaining requirements relating to hydrostatic testing have been moved to WAC 296-24-59212 for better organization of information.
- This section has been repealed.

WAC 296-24-59212 Hydrostatic testing.

- Created this section relating to hydrostatic testing for better organization of information.

WAC 296-24-59213 Training and education.

- Requirements relating to the training and education of portable fire extinguishers have been moved to WAC 296-800-300.
- This section has been repealed.

WAC 296-24-59215 Appendix A—Portable fire extinguishers.

- Update a reference.

WAC 296-24-61705 Total flooding systems with potential health and safety hazards to employees.

- Rewritten for clarity.

WAC 296-24-62203 Specific requirements.

- Rewritten for clarity.

WAC 296-24-65001 General requirements.

- Requirements relating to the safe condition of tools and equipment used by employees have been moved to WAC 296-800-110.
- This section has been repealed.

WAC 296-24-65501 Portable powered tools.

- Add a reference.

WAC 296-24-67515 Personal protective equipment.

- Update a reference.

WAC 296-24-68503 Application of arc welding equipment.

- Add a reference.

WAC 296-24-68505 Installation of arc welding equipment.

- Add references.

WAC 296-24-69001 General.

- Add a reference.

WAC 296-24-70003 Eye protection.

- Moved chart relating to filter lenses for protection against radiant energy from WAC 296-24-07801 for better organization of information.

WAC 296-24-70005 Protective clothing.

- Add a reference.

WAC 296-24-73503 Housekeeping.

- Requirements relating to housekeeping hazards on walking/working surfaces have been moved to WAC 296-800-220.
- This section has been repealed.

WAC 296-24-73509 Floor loading protection.

- Requirements relating to floor loading protection have been moved to WAC 296-800-270.
- This section has been repealed.

WAC 296-24-73513 Buildings—Floors.

- Requirements relating to buildings and floors have been moved to WAC 296-800-270.
- This section has been repealed.

WAC 296-24-75001 Terms.

- Update references.

WAC 296-24-75003 Protection for floor openings.

- Requirements relating to protection for floor openings have been moved to WAC 296-800-260.
- This section has been repealed.

WAC 296-24-75005 Protection for wall openings and holes.

- Add a reference.

WAC 296-24-76505 Where fixed stairs are required.

- Requirements relating to where fixed stairs are required have been moved to WAC 296-800-250.
- This section has been repealed.

WAC 296-24-76507 Stair strength.

- Requirements relating to the design and construction of fixed stairs have been moved to WAC 296-800-250.
- This section has been repealed.

WAC 296-24-76509 Stair width.

- Requirements relating to stair width have been moved to WAC 296-800-250.
- This section has been repealed.

WAC 296-24-76513 Stair treads.

- Requirements relating to stair treads have been moved to WAC 296-800-250.

WAC 296-24-76517 Railings and handrails.

- Requirements relating to railings and handrails have been moved to WAC 296-800-250.
- This section has been repealed.

WAC 296-24-780 Portable wood ladders.

- The definitions relating to portable wood ladders have been moved to WAC 296-800-290 and WAC 296-24-370.
- Add a reference.

WAC 296-24-79501 Terms.

- Add a reference.

WAC 296-24-81003 Design requirements.

- Add a reference.

WAC 296-24-95605 General requirements.

- Requirements relating to approval, examination, arcing parts, marking, identification of disconnecting means and circuits, 600 volts (nominal, or less) and the guarding of live parts have been moved to WAC 296-800-280.
- Update references.

WAC 296-24-95607 Wiring design and protection.

- Requirements relating to the polarity of connections have been moved to WAC 296-800-280.
- Requirements relating to outlet devices have been moved to WAC 296-800-280.
- Requirements relating to grounding have been moved to WAC 296-800-280.
- Update references.

WAC 296-24-980 Safeguards for personnel protection.

- Move requirements relating electrical protection equipment from WAC 296-24-092 to this section for better organization of information.
- Update references.

Chapter 296-27 WAC Administrative rules

The following sections from the administrative rules standard have been clear rule written and moved into a new chapter for better organization of information.

WAC 296-27-090 Reporting of fatality or multiple hospitalization incidents.

- Requirements relating to the reporting of fatality or multiple hospitalization incidents have been moved to WAC 296-800-320.
- Requirements relating to equipment that has been involved in an immediate or probable fatality or the inpatient hospitalization of two or more employees have been moved to WAC 296-800-320.
- This section has been repealed.

WAC 296-27-15501 Division of consultation and compliance, public records.

- Requirements relating to public records have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-15503 Special exemptions for confidential reports within the department's files.

- Requirements relating to exemptions for confidential reports have been moved to WAC 296-800-340.
- This section has been repealed.

WAC 296-27-15505 Accident investigation reports.

- Requirements relating to accident investigation reports have been moved to WAC 296-800-330.
- This section has been repealed.

WAC 296-27-210 Abatement verification.

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21001 What is the purpose of this rule?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21005 When does this rule apply?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21010 What definitions apply to this rule?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21015 What must an employer do when asked to abate a violation?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21020 When must an employer submit additional documentation of abatement?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21025 When must an employer provide abatement plans?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21030 When must an employer submit progress reports?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21035 What must an employer do to keep employees informed about abatement activities?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21040 How will the department determine the date that documents are submitted?

- Requirements relating to abatement verification have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21045 What are the requirements related to movable equipment?

- Requirements relating to movable equipment have been moved to WAC 296-800-350.
- This section has been repealed.

WAC 296-27-21050 Appendix A (Nonmandatory)

- This section has been repealed.

Chapter 296-32 WAC**Safety standards for telecommunications****WAC 296-32-200 Scope and application.**

- Updated references.

WAC 296-32-220 General.

- Updated references.

WAC 296-32-230 Training.

- Updated references.

WAC 296-32-250 Tools and personal protective equipment—General.

- Updated references.

WAC 296-32-260 Rubber insulating equipment.

- Updated references.

Chapter 296-37 WAC**Safety standards for diving operations****WAC 296-37-510 Scope and application.**

- Updated references.

WAC 296-37-575 Record-keeping requirements.

- Updated references.

Chapter 296-45 WAC**Safety standards for electrical work****WAC 296-45-015 Scope and application.**

- Updated references.

WAC 296-45-035 Definitions.

- Updated a reference.

WAC 296-45-055 Employer's responsibility.

- Updated a reference.

WAC 296-45-075 Employer's safety program.

- Updated references.

WAC 296-45-125 Medical services and first aid.

- Updated references.

WAC 296-45-25505 Personal protective equipment.

- Add a reference.

WAC 296-45-275 Ladders, platforms, and manhole steps.

- Updated references.

WAC 296-45-285 Hand, and portable powered tools.

- Updated references.

WAC 296-45-45510 Sprayers and related equipment.

- Updated references.

WAC 296-45-48535 Chemical cleaning of boilers and pressure vessels.

- Updated a reference.

Chapter 296-52 WAC**Safety standards for possession and handling of explosives****WAC 296-52-465 Storage of ammonium nitrate.**

- Updated a reference.

WAC 296-52-489 Transportation.

- Updated a reference.

WAC 296-52-497 Blasting agents.

- Updated references.

WAC 296-52-501 Water gel (slurry) explosives and blasting agents.

- Updated a reference.

Chapter 296-54 WAC**Safety standards for logging operations****WAC 296-54-501 Scope and application.**

- Updated a reference.

WAC 296-54-507 Employer's responsibilities.

- Updated a reference.

WAC 296-54-51120 Eye and face protection.

- Updated references.

WAC 296-54-51160 Leg protection.

- Updated a reference.

WAC 296-54-59340 Log unloading, booms, and rafting grounds—Dry land sorting and storage.

- Updated a reference.

Chapter 296-56 WAC**Safety standards for longshore, stevedore and related waterfront operations****WAC 296-56-60001 Scope and applicability.**

- Updated references.

WAC 296-56-60003 Variance and procedure.

- Updated references.

WAC 296-56-60009 Accident prevention program.

- Updated a reference.

Chapter 296-59 WAC**Safety standards for ski area facilities and operations****WAC 296-59-001 Foreword.**

- Updated a reference.

WAC 296-59-005 Incorporation of other standards.

- Updated a reference.

WAC 296-59-010 Safe place standards.

- Updated a reference.

WAC 296-59-020 Management's responsibility.

- Updated a reference.

WAC 296-59-025 Employee's responsibility.

- Updated a reference.

WAC 296-59-030 Safety bulletin board.

- Updated a reference.

WAC 296-59-035 First-aid.

- Updated a reference.

WAC 296-59-050 Personal protective equipment, general requirements.

- Updated a reference.

WAC 296-59-065 Fire protection and ignition sources.

- Updated a reference.

WAC 296-59-070 Illumination.

- Updated references.

WAC 296-59-085 Scaffolds, construction, use, and maintenance.

- Updated references.

Chapter 296-62 WAC**General occupational health standards****WAC 296-62-010 Purpose and scope.**

- Modified this section to include a reference to the safety and health core rules.

WAC 296-62-050 Application for waiver or variances.

- Updated references.

WAC 296-62-05207 Preservation of records.

- Deleted a reference.

WAC 296-62-05211 Trade secrets.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- This section has been repealed.

Chapter 296-62 WAC, Part B-1, Trade secrets.

- Created this part and moved the trade secret requirements from WAC 296-62-05211 and 296-62-05417 to this part.
- Rewrite for clarity.

WAC 296-62-05305 Meet certain conditions if you withhold trade secret information.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- Rewrite for clarity.

WAC 296-62-05310 Reveal trade secret information when it is needed in order to treat a medical or first-aid emergency.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- Rewrite for clarity.

WAC 296-62-05315 Reveal trade secret information in nonemergency situations when requested by a health professional, employee, or designated representative.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- Rewrite for clarity.

WAC 296-62-05320 Deny a written request for disclosure of a specific chemical identity in the manner specified in this rule.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- Rewrite for clarity.

WAC 296-62-05325 Understand what is a trade secret.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- Rewrite for clarity.

WAC 296-62-054 Hazard communication purpose.

- Moved requirements relating to the chemical hazard communication program to WAC 296-800-170.
- Changed the title of this section to "Manufacturers, importers and distributors—Hazard communication.
- Rewrite for clarity.

WAC 296-62-05402 Determine whether the chemicals you produce in your workplace or import are hazardous.

- Moved requirements relating to chemicals produced in the workplace or imported are hazardous, specific to

manufacturers, importers and distributors produce, to this section.

- Rewrite for clarity.

WAC 296-62-05403 Scope and application.

- Moved requirements relating to the employer's chemical hazard communication program to WAC 296-800-170.
- This section has been repealed.

WAC 296-62-05404 Use these criteria in making hazard determinations.

- Moved requirements relating to making hazard determinations, specific to manufacturers, importers and distributors, to this section.
- Rewrite for clarity.

WAC 296-62-05405 Definitions applicable to this part.

- Moved requirements relating to the employer's chemical hazard communication program to WAC 296-800-170.
- This section has been repealed.

WAC 296-62-05406 Determine whether the chemicals you produce or import are health hazards.

- Moved requirements relating to determining whether the chemicals produced or imported are health hazards, specific to manufacturers, importers and distributors, to this section.
- Rewrite for clarity.

WAC 296-62-05407 Hazard determination.

- Moved requirements relating to the employer's chemical hazard communication program to WAC 296-800-170.
- This section has been repealed.

WAC 296-62-05408 Obtain or develop a material safety data sheet for each hazardous chemical you produce or import.

- Moved requirements relating to material safety data sheets, specific to manufacturers, importers and distributors, to this section.
- Rewrite for clarity.

WAC 296-62-05409 Written hazard communication program.

- Moved requirements relating to the employer's chemical hazard communication program to WAC 296-800-170.
- This section has been repealed.

WAC 296-62-05410 Label clearly each container of hazardous chemicals that leaves your workplace.

- Moved requirements relating to labeling, specific to manufacturers, importers and distributors, to this section.
- Rewrite for clarity.

WAC 296-62-05411 Labels and other forms of warning.

- Moved requirements relating to the employer's chemical hazard communication program to WAC 296-800-170.

- This section has been repealed.

WAC 296-62-05412 Provide material safety data sheets.

- Moved requirements relating to material safety data sheets, specific to manufacturers, importers and distributors, to this section.
- Rewrite for clarity.

WAC 296-62-05413 Material safety data sheets.

- Moved requirements relating to material safety data sheets (MSDS) to WAC 296-800-170 and 296-800-180.
- This section has been repealed.

WAC 296-62-05415 Employee training and information.

- Moved requirements relating to material safety data sheets (MSDS) to WAC 296-800-170 and 296-800-180.
- This section has been repealed.

WAC 296-62-05417 Trade secrets.

- Moved trade secret requirements to WAC 296-62-05305 - 296-62-05325 for better organization of information.
- This section has been repealed.

WAC 296-62-05419 Effective dates.

- This section has been repealed.

WAC 296-62-05421 Appendix A—Health hazard definitions (mandatory).

- Incorporated this appendix in WAC 296-800-170 and 296-62-054 - 296-62-05412.
- This section has been repealed.

WAC 296-62-05423 Appendix B—Hazard determination (mandatory).

- Incorporated this appendix in WAC 296-800-170 and 296-62-054 - 296-62-05412.
- This section has been repealed.

WAC 296-62-05425 Appendix C—Information sources (advisory).

- This section has been repealed.

WAC 296-62-05427 Appendix D—Definition of "trade secret" (mandatory).

- Moved this section to WAC 296-62-05325.
- This section has been repealed.

WAC 296-62-05429 Appendix E—Guidelines for employer compliance (advisory).

- This section has been repealed.

WAC 296-62-07101 To whom does chapter 296-62 WAC, Part E apply?

- Updated references.

WAC 296-62-07306 Requirements for areas containing carcinogens listed in WAC 296-62-07302.

- Updated references.

WAC 296-62-07308 General regulated area requirements.

- Updated references.

WAC 296-62-07336 Acrylonitrile.

- Updated references.

WAC 296-62-07338 Appendix B—Substance technical guidelines for acrylonitrile.

- Updated references.

WAC 296-62-07342 1,2-Dibromo-3-chloropropane.

- Updated references.

WAC 296-62-07347 Inorganic arsenic.

- Updated references.

WAC 296-62-07367 Respiratory protection and personal protective equipment.

- Updated references.

WAC 296-62-07369 Emergency situations.

- Updated references.

WAC 296-62-07373 Communication of EtO hazards to employees.

- Updated references.

WAC 296-62-07385 Appendix B—Substance technical guidelines for ethylene oxide (nonmandatory).

- Updated references.

WAC 296-62-07417 Protective work clothing and equipment.

- Updated references.

WAC 296-62-07419 Hygiene areas and practices.

- Updated references.

WAC 296-62-07425 Communication of cadmium hazards to employees.

- Updated references.

WAC 296-62-07460 Butadiene.

- Updated references.

WAC 296-62-07470 Methylene chloride.

- Updated references.

WAC 296-62-07473 Appendix A—Substance safety data sheet and technical guidelines for methylene chloride.

- Updated references.

WAC 296-62-07519 Thiram.

- Updated references.

WAC 296-62-07521 Lead.

- Updated references.

WAC 296-62-07523 Benzene.

- Updated references.

WAC 296-62-07540 Formaldehyde.

- Updated references.

WAC 296-62-07601 Scope and application.

- Updated references.

WAC 296-62-07617 Protective work clothing and equipment.

- Updated references.

WAC 296-62-07621 Communications of hazards to employees.

- Updated references.

WAC 296-62-07631 Recordkeeping.

- Updated references.

WAC 296-62-07717 Protective work clothing and equipment.

- Updated references.

WAC 296-62-07721 Communication of hazards to employees.

- Updated references.

WAC 296-62-09003 Lighting and illumination.

- Requirements relating to lighting and illumination have been moved to WAC 296-800-210.
- This section has been repealed.

WAC 296-62-11021 Open surface tanks.

- Updated references.

WAC 296-62-12000 Environmental tobacco smoke in office work environments—Scope and application.

- The scope and application relating to environmental tobacco smoke has been moved to WAC 296-800-240.
- This section has been repealed.

WAC 296-62-12003 Definitions.

- Definitions relating to environmental tobacco smoke have been moved to WAC 296-800-240.
- This section has been repealed.

WAC 296-62-12005 Controls for environmental tobacco smoke.

- Requirements relating to controls for environmental tobacco smoke have been moved to WAC 296-800-240.
- This section has been repealed.

WAC 296-62-12007 Effective date.

- This section has been repealed.

WAC 296-62-12009 Appendix—Smoking cessation program information—Nonmandatory.

- This appendix has been moved to WAC 296-800-240.
- This section has been repealed.

WAC 296-62-20013 Protective clothing and equipment.

- Updated references.

WAC 296-62-20015 Hygiene facilities and practices.

- Updated references.

WAC 296-62-30001 Scope and application.

- Updated references.

WAC 296-62-30230 Risk identification.

- Updated references.

WAC 296-62-30235 Employee notification.

- Updated references.

WAC 296-62-30425 Training course content for 40 and 80 hour hazardous waste clean-up courses.

- Updated references.

WAC 296-62-30435 16-hour supplemental training for hazardous waste sites.

- Updated references.

WAC 296-62-30605 Personal protective equipment selection.

- Updated references.

WAC 296-62-3090 Handling drums and containers.

- Updated references.

WAC 296-62-31410 Hazard communication program requirements under RCRA.

- Updated references.

WAC 296-62-3195 Appendix E—Training curriculum guidelines.

- Updated references.

WAC 296-62-40003 Definitions applicable to all sections of this chapter.

- Updated references.

WAC 296-62-40015 Hazard identification.

- Updated references.

WAC 296-62-41031 Personal protective equipment selection.

- Updated references.

WAC 296-62-41086 Appendix E—Training curriculum guidelines.

- Updated references.

Chapter 296-63 WAC**Right to know fee assessment****WAC 296-63-009 Exemption requests.**

- Updated references.

Chapter 296-67 WAC**Safety standards for management of highly hazardous chemicals.****WAC 296-67-005 Definitions.**

- Updated references.

WAC 296-67-053 Emergency planning and response.

- Updated references.

WAC 296-67-061 Trade secrets.

- Updated references.

WAC 296-67-291 Appendix C—Compliance guidelines and recommendations for process safety management (nonmandatory).

- Updated references.

Chapter 296-78 WAC**Safety standards for sawmills and woodworking operations****WAC 296-78-500 Foreword.**

- Updated a reference.

WAC 296-78-515 Management's responsibility.

- Updated a reference.

WAC 296-78-540 First-aid training and certification.

- Updated references.

WAC 296-78-545 First-aid supplies.

- Updated a reference.

WAC 296-78-56501 Log dumps and ponds.

- Updated a reference.

WAC 296-78-670 Glue machines.

- Updated a reference.

WAC 296-78-71001 General.

- Updated references.

WAC 296-78-71003 Floor and wall openings.

- Updated a reference.

WAC 296-78-71009 Stairways and ladders.

- Updated references.

WAC 296-78-71011 Egress and exit.

- Updated references.

WAC 296-78-71015 Tanks and chemicals.

- Updated a reference.

WAC 296-78-71017 Dry kilns.

- Updated references.

WAC 296-78-71019 Exhaust systems.

- Updated references.

WAC 296-78-71023 Lighting.

- Updated a reference.

WAC 296-78-730 Electrical service and equipment.

- Updated a reference.

WAC 296-78-735 Elevators, moving walks.

- Updated a reference.

WAC 296-78-795 Crane cages.

- Updated a reference.

WAC 296-78-84005 Dry kilns.

- Updated a reference.

Chapter 296-79 WAC**Safety standards for pulp, paper and paperboard mills and converters.****WAC 296-79-010 Scope and application.**

- Updated a reference.

WAC 296-79-020 General requirements.

- Updated a reference.

WAC 296-79-040 Fire protection, ignition sources and means of egress.

- Updated a reference.

WAC 296-79-050 Personal protection clothing and equipment.

- Updated a reference.

WAC 296-79-090 Electrical equipment and distribution.

- Updated a reference.

WAC 296-79-100 Floors, platforms, stairways, ladders, loading docks.

- Updated a reference.

WAC 296-79-120 Scaffolds, construction and maintenance.

- Updated a reference.

WAC 296-79-300 Machine room equipment and procedures.

- Updated a reference.

Chapter 296-99 WAC**Safety standards for grain handling facilities****WAC 296-99-010 What safety hazards does this chapter require the employer to control?**

- Updated a reference.

WAC 296-99-040 What practices must an employer follow for entry into grain storage structures?

- Updated a reference.

Chapter 296-155 WAC**Safety requirements for construction work****WAC 296-155-005 Purpose and scope.**

- Updated references.

WAC 296-155-110 Accident prevention program.

- Updated references.

WAC 296-155-120 First-aid training and certification.

- Updated references.

WAC 296-155-125 First-aid supplies.

- Updated references.

WAC 296-155-130 First-aid station.

- Updated references.

WAC 296-155-140 Sanitation.

- Updated references.

WAC 296-155-17321 Hygiene facilities and practices.

- Updated references.

WAC 296-155-17323 Communication of hazards to employees.

- Updated references.

WAC 296-155-174 Cadmium.

- Updated references.

WAC 296-155-17609 Exposure assessment.

- Updated references.

WAC 296-155-17615 Protective work clothing and equipment.

- Updated references.

WAC 296-155-17625 Employee information and training.

- Updated references.

WAC 296-155-180 Hazard communication.

- Updated references.

WAC 296-155-200 General requirements.

- Updated references.

WAC 296-155-20301 Definitions.

- Updated references.

WAC 296-155-260 Fire protection.

- Updated references.

Chapter 296-301 WAC**Safety standards for the textile industry****WAC 296-301-010 Textiles—Application requirements.**

- Updated references.

WAC 296-301-020 General safety requirements.

- Updated references.

WAC 296-301-215 First aid.

- Updated references.

WAC 296-301-220 Personal protective equipment.

- Updated references.

Chapter 296-302 WAC**Safety standards for bakery equipment****WAC 296-302-010 Bakery equipment—General requirements.**

- Updated references.

WAC 296-302-02501 General requirements for flour-handling.

- Updated references.

WAC 296-302-050 Miscellaneous equipment.

- Updated a reference.

WAC 296-302-060 Biscuit and cracker equipment.

- Updated a reference.

WAC 296-302-06513 Oil-burning equipment.

- Updated a reference.

Chapter 296-303 WAC**Safety standards for laundry machine and operations****WAC 296-303-01001 General industry safety standards.**

- Updated references.

Chapter 296-304 WAC
**Safety standards for ship repairing,
 ship building and ship breaking**

WAC 296-304-010 Scope and application.

- Updated references.

WAC 296-304-06013 Health and sanitation.

- Updated a reference.

Chapter 296-305 WAC
Safety standards for fire fighters

WAC 296-305-01003 Scope and application.

- Updated a reference.

WAC 296-305-01005 Definitions.

- Updated references.

WAC 296-305-01009 Appeals.

- Updated references.

WAC 296-305-01509 Management's responsibility.

- Updated a reference.

WAC 296-305-01515 First-aid training and certification.

- Updated a reference.

WAC 296-305-01517 First-aid kits.

- Updated references.

WAC 296-305-04511 Elevated platforms.

- Updated a reference.

WAC 296-305-05503 Summary of training requirements.

- Updated a reference.

WAC 296-305-06005 Ground ladders.

- Updated a reference.

WAC 296-305-06007 Electrical.

- Updated a reference.

WAC 296-305-06503 General requirements.

- Updated a reference.

WAC 296-305-06511 Indoor air quality.

- Updated a reference.

WAC 296-305-06515 Hose drying towers.

- Updated a reference.

Chapter 296-350 WAC
WISHA administrative rules.

WAC 296-350-100 Inspections and citations.

- Moved requirements relating to inspections and citations to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-10010 Selecting workplaces to inspect.

- Moved requirements relating to selecting workplaces to inspect to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-10020 Inspections—Site visit.

- Moved requirements relating to inspections—Site visits to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-10030 Complaints by employees or employee representatives.

- Moved requirements relating to complaints by employees or employee representatives to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-10040 Results of a WISHA inspection—Notice of violations.

- Moved requirements relating to results of a WISHA inspection to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-10050 Posting a citation and notice.

- Moved requirements relating to posting a citation and notice to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-150 Civil penalties.

- Moved requirements relating to civil penalties to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15010 Assessing civil penalties—Purpose.

- Moved requirements relating to assessing civil penalties to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15015 Minimum penalty amounts.

- Moved requirements relating to minimum penalty amounts to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15020 Severity and probability determine base penalties.

- Moved requirements relating to severity and probability determine base penalties to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15025 Severity.

- Moved requirements relating to severity to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15030 Probability.

- Moved requirements relating to probability to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15035 Gravity and base penalties.

- Moved requirements relating to gravity and base penalties to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15040 Adjustments to base penalties.

- Moved requirements relating to adjustments to base penalties to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-15045 Increasing penalty amounts.

- Moved requirements relating to increasing penalty amounts to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-350 Extension of abatement date(s)—**Application—Authority.**

- Moved requirements relating to extension of abatement date(s) to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35010 Application for extension of abatement date(s).

- Moved requirements relating to application for extension of abatement date(s) to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35015 Extension of abatement date(s)—**Application—Timeliness.**

- Moved requirements relating to extension of abatement date(s), application and timeliness to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35020 Extension of abatement date(s)—**Application—Service.**

- Moved requirements relating to extension of abatement date(s), application and service to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35025 Extension of abatement date(s)—**Application—Contents.**

- Moved requirements relating to extension of abatement date(s), application and contents to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35030 Extension of abatement date(s)—**Provisional determination.**

- Moved requirements relating to extension of abatement date(s), provisional determination to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35035 Extension of abatement date(s)—**Notice of application—Notice of opportunity for hearing—Notice of provisional determination.**

- Moved requirements relating to extension of abatement date(s), notice of application, notice of opportunity for hearing, notice of provisional determination to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35040 Extension of abatement date(s)—**Posting.**

- Moved requirements relating to extension of abatement date(s) and posting to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35045 Extension of abatement date(s)—**Application for hearing.**

- Moved requirements relating to extension of abatement date(s) and application for hearing to WAC 296-800-350.

- This section has been repealed.

WAC 296-350-35050 Extension of abatement date(s)—
Notice of hearing.

- Moved requirements relating to extension of abatement date(s) and notice of hearing to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35055 Extension of abatement date(s)—**Hearings.**

- Moved requirements relating to extension of abatement date(s) and hearings to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-35060 Extension of abatement date(s)—**Decision and order.**

- Moved requirements relating to extension of abatement date(s) and decision and order to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-500 Citation and notice—Copy to
employee representative.

- Moved requirements relating to citation and notices and copies to employee representatives to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-600 WISHA appeals.

- Moved requirements relating to WISHA appeals to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60010 Filing an appeal—Who, when and
where.

- Moved requirements relating to filing an appeal to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60015 What must be in a WISHA appeal?

- Moved requirements relating to content of an appeal to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60020 Why we reassume jurisdiction?

- Moved requirements relating to reassuming jurisdiction to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60030 Reviewing appeals and extending
review time.

- Moved requirements relating to reviewing appeals and extending review time to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60035 Informal WISHA conferences.

- Moved requirements relating to informal conferences to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60040 Issuing and appealing corrective
notices.

- Moved requirements relating to issuing and appealing corrective notices to WAC 296-800-350.
- This section has been repealed.

WAC 296-350-60045 Notifying employees.

- Moved requirements relating to notifying employees to WAC 296-800-350.
- This section has been repealed.

**Chapter 296-800 WAC
Safety and health core rules**

WAC 296-800-110 Employer responsibilities: Safe workplace.

- Moved requirements relating to employer responsibilities and safe workplace to this section.

WAC 296-800-120 Employee responsibilities.

- Moved requirements relating to employee responsibilities to this section.

WAC 296-800-130 Safety committees and safety meetings.

- Moved requirements relating to safety committees and safety meetings to this section.

WAC 296-800-140 Accident prevention program.

- Moved requirements relating to accident prevention programs to this section.

WAC 296-800-150 First aid.

- Moved requirements relating to first aid to this section.

WAC 296-800-160 Personal protective equipment (PPE).

- Moved requirements relating to personal protective equipment to this section.

WAC 296-800-170 Employer chemical hazard communication.

- Moved requirements relating to chemical hazard communication to this section.

WAC 296-800-180 Material safety data sheets (MSDSs) as exposure records.

- Moved requirements relating to material safety data sheets to this section.

WAC 296-800-190 Safety bulletin board.

- Moved requirements relating to safety bulletin boards to this section.

WAC 296-800-200 WISHA poster.

- Moved requirements relating to the WISHA poster to this section.

WAC 296-800-210 Lighting.

- Moved requirements relating to lighting to this section.

WAC 296-800-220 Housekeeping, drainage, and storage.

- Moved requirements relating to housekeeping, drainage, and storage to this section.

WAC 296-800-230 Drinking water, bathrooms, washing facilities, and waste disposal.

- Moved requirements relating to drinking water, washing facilities, and waste disposal to this section.

WAC 296-800-240 Environmental tobacco smoke in the office.

- Moved requirements relating to environmental tobacco smoke to this section.

WAC 296-800-250 Stairs and stair railings.

- Moved requirements relating to stairs and stair railings to this section.

WAC 296-800-260 Floor openings, floor holes and open-sided floors.

- Moved requirements relating to floor openings, floor holes and open-side floors to this section.

WAC 296-800-270 Workplace structural integrity.

- Moved requirements relating to workplace structural integrity to this section.

WAC 296-800-280 Electrical.

- Moved requirements relating to electrical to this section.

WAC 296-800-290 Portable ladders - metal and wooden.

- Moved requirements relating to metal and wooden portable ladders to this section.

WAC 296-800-300 Portable fire extinguishers.

- Moved requirements relating to portable fire extinguishers to this section.

WAC 296-800-310 Exit routes and employee alarm systems.

- Moved requirements relating to exit routes and employee alarm systems to this section.

WAC 296-800-320 Accident reporting and investigating.

- Moved requirements relating to accident reporting and investigating to this section.

WAC 296-800-330 Releasing accident investigation reports.

- Moved requirements relating to releasing accident investigation reports to this section.

WAC 296-800-340 Protecting the identity of the source of confidential information.

- Moved requirements relating to protecting the identity of the source of confidential information to this section.

WAC 296-800-350 WISHA appeals, penalties, and other procedural rules.

- Moved requirements relating to WISHA appeals, penalties, and other procedural rules to this section.

WAC 296-800-360 Using standards from national organizations and federal agencies.

- Moved requirements relating to using standards from national organizations and federal agencies to this section.

WAC 296-800-370 Definitions.

- Moved definitions to this section.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, [49.17].050.

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Tracy Spencer, Tumwater, (360) 902-5530; Implementation and Enforcement: Michael A. Silverstein, Tumwater, (360) 902-5495.

Name of Proponent: Department of Labor and Industries, governmental.

Rule is 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 number of criteria and exemptions were established for the SBEIS analysis. One key criteria that allows rule changes to be exempt from preparation of an SBEIS is presented in RCW 34.05.310 (4)(d); "rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect" are not subject to the SBEIS requirements. Because the proposed rule changes make clarifying and organizational changes for ease of understanding and use, but do not in any way alter the content of intent of the original rules, there should not be an economic impact on Washington state business.

The analysis of the rule reveals that in addition to not imposing new costs on businesses, the changes wrought by the innovations project will actually make WISHA rules easier for employers and employees to understand and use, and thus actually save them time. In conclusion, an SBEIS is not required for these rule changes.

RCW 34.05.328 applies to this rule adoption. Significant rule-making criteria does apply to these rule amendments because they do not meet the exempt criteria outlined in RCW 34.05.328(5).

Hearing Location: Red Lion Hotel at the Quay, 100 Columbia Street, Vancouver, WA 98660, (360) 694-8341, on January 24, 2001, at 1:00 p.m.; at the WestCoast Grand Hotel at the Park, 303 West North River Drive, Spokane, WA 99201, on January 25, 2001, at 1:00 p.m.; at the WestCoast Yakima Center Hotel, 607 East Yakima Avenue, Yakima, WA 98901, on January 26, 2001, at 8:30 a.m.; at the Seattle Marriott - SeaTac, 3201 South 176th Street, Seattle, WA 98188, on January 29, 2001, at 2:00 p.m.; and at the Department of Labor and Industries Building Auditorium, 7273 Linderson Way, Tumwater, WA 98504, on January 30, 2001, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Christine Swanson by January 10 at (360) 902-5484.

Submit Written Comments to: Tracy Spencer, Standards Manager, WISHA Services Division, P.O. Box 44620, Olympia, WA 98507-4620, by 5:00 p.m. on February 9, 2001. In addition to written comments, the department will accept comments submitted to fax (360) 902-5529. Comments submitted by fax must be ten pages or less.

Date of Intended Adoption: May 9, 2001.

November 21, 2000

Gary Moore

Director

Chapter 296-800 WAC

SAFETY AND HEALTH CORE RULES

EMPLOYER RESPONSIBILITIES: SAFE WORKPLACE

NEW SECTION

WAC 296-800-110 Employer responsibilities: Safe workplace—Summary. Your responsibility: To provide a safe and healthy workplace free from recognized hazards.

Note: Use these rules where there are no specific standards applicable to the particular hazard.

You must:

- Provide a workplace free from recognized hazards.

WAC 296-800-11005.

- Provide and use means to make your workplace safe.

WAC 296-800-11010.

• Not require employees to go in, or be in, any workplace that is not safe.

WAC 296-800-11015.

- Construct your workplace so it is safe.

WAC 296-800-11020.

- Prohibit alcohol and narcotics from your workplace.

WAC 296-800-11025.

• Not allow employees to use equipment or materials that do not meet requirements.

WAC 296-800-11030.

NEW SECTION

WAC 296-800-11005 Provide a workplace free from recognized hazards. You must:

- Provide your employees a workplace free from recognized hazards that are causing or likely to cause serious injury or death.

Note: A hazard is recognized if it is a condition that is commonly known or generally recognized in that industry and detectable by sight, smell, touch and hearing, or is widely recognized as a hazard in the industry. Even if the hazard is not detectable by sight, smell, touch and hearing, there are tests that are generally known and accepted to detect the hazard's existence.

NEW SECTION

WAC 296-800-11010 Provide and use means to make your workplace safe. You must:

- Provide and use safety devices, safeguards, and use work practices, methods, processes, and means that are reasonably adequate to make your workplace safe.

– Not remove, displace, damage, destroy or carry off any safety device, safeguard, notice or warning, furnished for use in any employment or place of employment.

- Not interfere with use of any of the above.
- Not interfere with the use of any method or process adopted for the protection of any employee.
- Do everything reasonably necessary to protect the life and safety of employees.

NEW SECTION

WAC 296-800-11015 Not require employees to go in, or be in, any workplace that is not safe.

NEW SECTION

WAC 296-800-11020 Construct your workplace so that it is safe. You must:

- Not construct, or cause to be constructed, a workplace that is not safe. This rule applies to employers, owners, and renters of property used as a place of employment.

NEW SECTION

WAC 296-800-11025 Prohibit alcohol and narcotics from your workplace. You must:

- Prohibit alcohol and narcotics from your workplace, except in industries and businesses that produce, distribute, or sell alcohol and narcotic drugs.
- Not permit employees under the influence of alcohol or narcotics on the worksite.
- Employees who are taking prescription drugs, as directed by a physician or dentist, are exempt from this section, if the employees are not a danger to themselves or other employees.

NEW SECTION

WAC 296-800-11030 Not allow employees to use equipment or materials that do not meet requirements. You must:

- Not allow employees to use equipment, materials, tools, or machinery that does not meet the requirements of WISHA rules, including the rules for specific industries.
- Be responsible for the safe condition of tools and equipment used by employees.

Note: This applies to all equipment, materials, tools, and machinery whether owned by the employer or under control of another firm or individual.

EMPLOYEE RESPONSIBILITIES**NEW SECTION**

WAC 296-800-120 Rule—Employee responsibilities. Employee's responsibility: To play an active role in creating a safe and healthy workplace and to comply with applicable safety and health rules.

NEW SECTION

WAC 296-800-12005 Employee responsibilities. Employees must:

- Study and follow all safe practices that apply to their work.
- Coordinate and cooperate with all other employees in the workplace to try to eliminate on-the-job injuries and illnesses.
- Apply the principles of accident prevention in your daily work and use proper safety devices and protective equipment as required by your employment or employer.
- Care for all personal protective equipment properly.
- Not wear torn or loose clothing while working around machinery.

Note: Things such as clothing, hair, and jewelry can get caught in machinery and be a hazard on the job.

- Report promptly to your supervisor every industrial injury or occupational illness.
- Not remove, displace, damage, or destroy or carry off any safeguard, notice or warning, provided to make the workplace safe.
- Not interfere with use of any safeguard by anyone in the workplace.
- Not interfere with the use of any work practice designed to protect employees from injuries.
- Not fail or neglect to do every other thing reasonably necessary to protect the life and safety of employees.

SAFETY COMMITTEES AND SAFETY MEETINGS**NEW SECTION**

WAC 296-800-130 Safety committees and safety meetings—Summary. Your responsibility: To establish a safety committee/meeting to develop and maintain a safe and healthy workplace for all employees.

You must:

Establish a safety committee.

WAC 296-800-13005.

Make sure that established safety topics are discussed at each safety committee meeting.

WAC 296-800-13010.

• Make sure that safety committee meeting minutes are recorded and preserved.

WAC 296-800-13015.

NEW SECTION

WAC 296-800-13005 Establish a safety committee. You must:

• Establish a safety committee if you employ eleven or more employees.

The safety committee must:

- Be composed of both employer-selected and employee-elected members.
- The number of employer-selected members must be equal to or less than the number of employee-elected members.

The term of employee-elected members must be a maximum of one year. This rule does not specify the number of terms a representative can serve.

If there is an employee-elected member vacancy, a new member must be elected prior to the next scheduled meeting.

- Have an elected chairperson.
- Determine how often the safety committee will meet.

Note: If the committee cannot agree on the frequency of safety meetings, the department of labor and industries' regional safety consultation representative must be consulted for recommendations. (See a list of regional offices in the resource section.)

You must:

- Determine where and when the safety committee will meet.
- Hold meetings that do not exceed one hour, unless extended by a majority vote of the committee.

Decide whether to have a safety meeting in lieu of a safety committee:

- If you have ten or less employees; or
- You have eleven or more that meet these conditions:
 - Work on different shifts and ten or less employees are on each shift; or
 - Work in widely separated locations with ten or less employees at each location.
 - Do the following if you elect to have safety meetings:
 - Hold meetings at least once a month, or if conditions require, weekly or biweekly to discuss safety problems as they arise.
 - Have at least one management representative along with the crew/staff.

NEW SECTION

WAC 296-800-13010 Make sure each meeting includes a discussion of safety topics. You must:

- At each meeting:
 - Review safety and health inspection reports to help correct safety hazards.
 - Evaluate the accident investigations conducted since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.
 - Evaluate the workplace accident prevention program and discuss recommendations for improvement if needed.
 - Document attendance and the subject(s) discussed.

NEW SECTION

WAC 296-800-13015 Make sure that safety committee meeting minutes are recorded and preserved. You must:

- Prepare minutes from each safety committee meeting:
 - Preserve them for one year.
 - Make them available for review by safety and health consultation personnel of the department of labor and industries.

ACCIDENT PREVENTION PROGRAM

NEW SECTION

WAC 296-800-140 Accident prevention program. Summary.

Your responsibility: To establish, supervise and enforce an accident prevention program that is effective in practice.

You must:

Develop a formal, written accident prevention program.
WAC 296-800-14005.

Establish, supervise, and enforce rules that lead to a safe and healthy work environment.

WAC 296-800-14015.

Develop, supervise, implement, and enforce safety and health training programs.

WAC 296-800-14020.

Make sure your accident prevention program is effective in practice.

WAC 296-800-14025.

NEW SECTION

WAC 296-800-14005 Develop a formal, written accident prevention program. You must:

- Develop a formal accident prevention program that is outlined in writing. The program must be tailored to the needs of your particular workplace or operation and to the type of hazards involved.

Note: The term "accident prevention program" refers to your written plan to prevent accidents, illnesses, and injuries on the job. Your accident prevention program may be known as your safety and health plan, injury prevention program, or by some other name.

You must:

• Make sure your accident prevention program contains the following minimum elements:

- Safety orientation:
 - A description of your accident prevention program.
 - On-the-job orientation showing employees what they need to know to perform their initial job assignments safely.
 - How and when to report on-the-job injuries including instruction about location of first-aid facilities in your workplace.
 - How to report unsafe conditions and practices.
 - The use and care of required personal protective equipment (PPE).
 - What to do in an emergency including how to exit the workplace.
 - Identification of the hazardous gases, chemicals or materials used on the job and instruction on the safe use and emergency action to take following accidental exposure.
- A designated safety and health committee.
(See WAC 296-800-130.)

NEW SECTION

WAC 296-800-14015 Establish, supervise, and enforce rules that lead to a safe and healthy work environment.

NEW SECTION

WAC 296-800-14020 Develop, supervise, implement, and enforce safety and health training programs. You must:

- Develop, supervise, implement, and enforce training programs to improve the skill, awareness, and competency of all your employees in the field of occupational safety and health.

- Make sure training includes on-the-job instruction to employees prior to their job assignment about hazards such as:

- Safe use of powered materials-handling equipment, such as forklifts, backhoes, etc.
- Safe use of machine tool operations.
- Use of toxic materials.
- Operation of utility systems.

NEW SECTION

WAC 296-800-14025 Make sure your accident prevention program is effective in practice. You must:

- Establish, supervise, and enforce your accident prevention program in a manner that is effective in practice.

FIRST-AID SUMMARY

NEW SECTION

WAC 296-800-150 Rule summary. Your responsibility: To make sure all employees receive quick and effective first-aid when they are injured or become acutely ill on the job.

You must:

- Make sure that first-aid is available.

WAC 246-800-15005.

- Make sure first-aid training contains required subjects.

WAC 296-800-15010.

- Keep current and document your first-aid training.

WAC 296-800-15015

- Make sure first-aid supplies are appropriate and readily available.

WAC 296-800-15020.

- Provide a first-aid station when required.

WAC 296-800-15025.

Note: Your workplace may be covered by separate first-aid rules. If you do any of the types of work listed below, you must follow separate specialized rules:

Type of work	Chapter number
Agricultural	296-307
Compressed air	296-36
Construction	296-155
Fire fighting	296-305
Logging	296-54
Sawmill	296-78
Ship building and repairing	296-304

You can get copies of these rules by calling 1-800-4BESAFE (1-800-423-7233), or by going to <http://www.lni.wa.gov>.

NEW SECTION

WAC 296-800-15005 Make sure that first-aid is available. You must:

- Choose one of the following two options to make sure that first-aid trained personnel are available to your employees.

Option 1:

Make sure first-aid trained employees are in your workplace to help your employees if they become hurt or ill on the job by doing the following:

- Make sure that:
 - Each person in charge of employees has first-aid training; or
 - Another person with first-aid training is present or available to your employees.
- Adequately post emergency telephone numbers in your workplace.

Option 2:

Develop and maintain a written first-aid response plan for your workplace. If you choose this option, you must do all of the following:

- Determine how many, if any, employees to train in first-aid, based on the following factors:
 - What type(s) of occupational hazards are present in your workplace?
 - How likely is it that a workplace injury or illness will occur?
 - How serious are the occupational hazards in your workplace?
 - How remote is your workplace?
 - How complex is your worksite in terms of size, design, etc.?
- What medical emergencies have occurred at your workplace in the past?
- How far away and how long does it take to get to emergency medical services?

Note: Employers who require their employees to provide first-aid must comply with the bloodborne pathogen standard, WAC 296-62-080.

You must:

- Make sure your first-aid response plan:
 - Fits your work location, type of work, and environmental conditions.
 - Identifies the available emergency medical services and access numbers and where they are posted.
 - Describes the type of first-aid training employees receive, if applicable.
 - Identifies the location(s) of first-aid supplies and/or first-aid stations.
 - Identifies the contents of first-aid kits.
 - Describes how first-aid supplies or kits will be inspected and maintained.
 - Describes how injured or ill employees will have access to first-aid trained employees.

NEW SECTION

WAC 296-800-15010 Make sure first-aid training contains required subjects. Note: Also assess your work-

PROPOSED

place to determine if there are certain job hazards, or the time and distance from emergency medical services indicate a need for training, beyond the items listed below.

You must:

- Make sure that every two years employees are trained in, and able to demonstrate their skill and knowledge of the following subject areas:

- Role and responsibilities of the first-aid provider.
- Assessing a scene.
- Performing an initial and ongoing assessment of an injured or ill person.
- Scene safety.
- Body substance isolation/bloodborne pathogens.
- Performing an emergency move.
- Placing an ill person in the recovery position.
- Opening and maintaining an airway.
- Providing rescue breathing.
- Managing an obstructed airway.
- Performing adult/one-rescuer CPR.
- Recognizing the warning signs and symptoms of medical problems.
- Recognizing and caring for an injured or ill person with decreased levels of responsiveness.
- Controlling external bleeding and recognizing internal bleeding.
- Recognizing and caring for victims of shock.
- Recognizing and stabilizing spinal injury.
- Recognizing and manually stabilizing suspected skeletal injuries.
- Knowledge of voluntary provisions of first aid, consent and confidentiality.

NEW SECTION

WAC 296-800-15015 Document your first-aid training. You must:

- Keep a written record of your employees' first-aid training by keeping rosters, first-aid cards, or certificates. You may store your documentation on a computer, as long as the information is readily available when requested by personnel of the department of labor and industries.

NEW SECTION

WAC 296-800-15020 Make sure that first-aid supplies are appropriate and easily accessible. You must:

- Make sure first-aid supplies at your workplace appropriate to:
 - Your occupational setting.
 - The response time of your emergency medical services.

Note: First-aid kits from your local retailer or safety supplier should be adequate for most nonindustrial employers.

You must:

- Make sure that first-aid supplies are:
 - Easily accessible to all your employees.
 - Stored in containers that protect them from damage, deterioration, or contamination. Containers must be clearly marked, not locked, and may be sealed.

– Able to be moved to the location of the injured or acutely ill worker.

NEW SECTION

WAC 296-800-15025 Provide a first-aid station when required. You must:

- Provide a first-aid station with at least one first-aid trained employee available if there are fifty or more employees per shift at one location.
- Make sure the first-aid station:
 - Is well marked.
 - Is available to employees during all working hours.
 - Is equipped with first-aid supplies that are appropriate for your number of employees, occupational setting, and working conditions.
 - Have at least one portable first-aid kit.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

NEW SECTION

WAC 296-800-160 Summary. Your responsibility: To make sure that your employees have, use, and care for the appropriate personal protective equipment (PPE).

What is PPE?: PPE are items used to protect the eyes, face, head, body, arms, hands, legs, and feet such as goggles, helmets, head covers, gloves, rubber slickers, disposable coveralls, safety shoes, protective shields, and barriers.

Note: • WAC 296-800-16015, 296-800-16025, 296-800-16030, and 296-800-16035 do not apply to electrical protective equipment or respiratory protection. See chapters 296-24 WAC Part L, and chapter 296-62 WAC Part E, for requirements about these types of protective equipment.

You must:

Do a hazard assessment for PPE.

WAC 296-800-16005.

Document your hazard assessment for PPE.

WAC 296-800-16010.

Select appropriate PPE.

WAC 296-800-16015.

Provide PPE to your employees.

WAC 296-800-16020.

Train your employees to use PPE.

WAC 296-800-16025.

Retrain employees to use PPE, if necessary.

WAC 296-800-16030.

Document PPE training.

WAC 296-800-16035.

Require your employees to use PPE.

WAC 296-800-16040.

Keep your PPE safe and in good condition.

WAC 296-800-16045.

Make sure your employees use appropriate face and eye protection.

WAC 296-800-16050.

Make sure your employees use appropriate head protection.

WAC 296-800-16055.

Make sure your employees use appropriate foot protection.

WAC 296-800-16060.

Make sure your employees use appropriate hand protection.

WAC 296-800-16065.

Make sure your employees use approved personal flotation devices.

WAC 296-800-16070.

NEW SECTION

WAC 296-800-16005 Do a hazard assessment for PPE. You must:

- Look for and identify hazards or potential hazards in your workplace and determine if PPE is necessary on the job.

Note: PPE alone should not be relied on to provide protection for your employees. PPE should be used after all other reasonable means of reducing hazards have been carried out. Identifying hazards in your workplace should be built into your regular routine. When you identify hazards, you should take active steps to get rid of them. For example, you can:

- Consider other ways of getting a hazardous job done.
- Reduce hazardous materials or processes.
- Apply engineering controls to reduce or eliminate hazards.

NEW SECTION

WAC 296-800-16010 Document your hazard assessment for PPE. You must:

- Verify that a hazard assessment for PPE has been done at your workplace and complete a written certification (paper or electronic format) that includes the:

- Name of the workplace
- Address of the workplace you inspected for hazards
- Person's name who certifies that a workplace hazard assessment was done
- Date(s) the workplace hazard assessment was done
- Statement identifying the document as the certification of hazard assessment for PPE for the workplace

NEW SECTION

WAC 296-800-16015 Select appropriate PPE. You must:

- Select appropriate PPE for your employees if hazards are present, or likely to be present.

- Select PPE for each at-risk employee to use for protection from the hazards identified in your workplace hazard assessment.

- Communicate your PPE selection decisions to each at-risk employee.

- Select PPE that properly fits each at-risk employee.

Note: The hazards in your workplace have special rules that apply to them.

For information about PPE for specific workplaces, see these WISHA rule books:

- Chapter 296-24 WAC General Safety and Health Standards
- Chapter 296-32 WAC Telecommunication

- Chapter 296-45 WAC Electrical Workers
- Chapter 296-54 WAC Logging Operations
- Chapter 296-59 WAC Ski Area Facilities and Operations
- Chapter 296-62 WAC General Occupational Health Standards
- Chapter 296-79 WAC Pulp, Paper, and Paperboard Mills and Converters
- Chapter 296-155 WAC Construction Work
- Chapter 296-301 WAC Textile Industry
- Chapter 296-304 WAC Ship Repairing, Ship Building and Shipbreaking
- Chapter 296-305 WAC Fire Fighters

Note: For help in selecting PPE for your employees you have several options. You may:

- Visit the department of labor and industries website <http://www.osha-slc.gov/SLTC/personalprotectiveequipment/index.html>.
- Call 1-800-4BESAFE (1-800-423-7233) for guidelines for selecting PPE.
- Consult with a safety and health professional knowledgeable in this area.
- Discuss PPE choices with your employees.

NEW SECTION

WAC 296-800-16020 Provide PPE to your employees. You must:

- Provide PPE wherever hazards exist from:

- Processes or the environment
- Chemical hazards
- Radiological hazards or
- Mechanical irritants that could cause injury or impairment to the function of any body part through absorption, inhalation, or physical contact.

- Provide necessary PPE to employees at no cost to the employee if the PPE:

- Will be used to protect against hazardous materials or
- Is the type that would not reasonably be worn away from the workplace.

Note: Examples of PPE that the employer must provide are:

- Safety glasses, goggles, and nonprescription protective eye wear.
- Goggles to fit over prescription eye wear.
- Hard hats.
- Full body harnesses and lanyards.

Examples of PPE that the employer may not have to provide are:

- Coats to protect against inclement weather.
- Leather boots, with or without steel toes, that will not become contaminated on the job.
- Prescription protective eye wear (except as part of a full face piece or hooded respirator).

NEW SECTION

WAC 296-800-16025 Train your employees to use PPE. You must:

PROPOSED

- Provide training to each employee who is required to use PPE on the job. Each affected employee must be trained to know at least the following:

- When PPE is necessary
- What PPE is necessary
- How to put on, take off, adjust, and wear PPE
- Limitations of PPE
- Proper care, maintenance, useful life, and disposal of PPE.

- Make sure before an employee is allowed to perform work requiring the use of PPE that the employer can:

- Demonstrate an understanding of the training specified above; and
- Demonstrate the ability to use PPE properly.

NEW SECTION

WAC 296-800-16030 Retrain employees to use PPE, if necessary. You must:

- Retrain an employee when you have reason to believe they have not retained the understanding, motivation, and skills required to use the PPE. Circumstances where retraining is required include:

- Changes in the workplace that make previous training out of date.
- Changes in the types of PPE to be used make previous training out of date.
- Work habits or demonstrated knowledge indicate that the employee has not retained the necessary understanding, skill, or motivation to use PPE.

NEW SECTION

WAC 296-800-16035 Document PPE training. You must:

- Document in writing that each employee using PPE has received and understood the required training.

This documentation must include:

- Name of each employee
- Date(s) of training
- Subject of the training

Note: Documentation may be stored on a computer as long as it is available to safety and health personnel from the department of labor and industries.

NEW SECTION

WAC 296-800-16040 Require your employees use PPE. You must:

- Require that employees use PPE on the job once you have:
 - Identified that employees need PPE
 - Selected the appropriate PPE for your employees
 - Trained employees to use PPE

NEW SECTION

WAC 296-800-16045 Keep PPE safe and in good condition. You must:

- Make sure the PPE in your workplace is safe and appropriate:

- PPE must be used and maintained in a clean and reliable condition.
- Defective or damaged equipment must not be used.
- If employees provide their own PPE, you must make sure it is adequate for the hazards of the workplace, and maintained in a clean and reliable condition.
- All PPE must be safe for the work to be performed. It must:
 - Be durable
 - Fit snugly
 - Not interfere with the movements of the wearer

NEW SECTION

WAC 296-800-16050 Make sure your employees use appropriate eye and face protection. You must:

- Make sure that employees exposed to hazards that could injure their face and/or eyes use appropriate protection. Examples of these hazards include:

- ◆ Flying particles.
- ◆ Molten metal.
- ◆ Liquid chemicals.
- ◆ Acids or caustic liquids.
- ◆ Chemical gases or vapors.
- ◆ Any light that could injure the eyes such as lasers, ultraviolet, or infrared light.

- Make sure employees exposed to hazards from flying objects, have eye protection with side protection, such as safety glasses with clip-on or slide-on side shields.

- Make sure eye protection for employees who wear prescription lenses:

- Incorporate the prescription into the design of the eye protection; or
- Be big enough to be worn over the prescription lenses without disturbing them.

- Make sure PPE used to protect the eyes and face meet the following specific ANSI requirements: (Most commercially available PPE is marked with the specific ANSI requirements.)

- ◆ PPE bought before February 20, 1995, must meet ANSI standard A87.1-1968.

- ◆ PPE bought after February 20, 1995, must meet ANSI standard Z87.1-1989.

- ◆ If you use eye or face protection that does not meet these ANSI standards, you must show they are equally effective.

NEW SECTION

WAC 296-800-16055 Make sure your employees use appropriate head protection. You must:

- Make sure employees exposed to hazards that could cause a head injury wear appropriate protective helmets such as hard hats. Examples of this type of hazard include:

- Flying or propelled objects.
- Falling objects or materials.
- Make sure employees working around or under scaffolds or other overhead structures wear protective helmets.

- Make sure employees working near exposed electrical conductors that could contact their head wear a protective helmet designed to reduce electrical shock hazard.

- Caps with metal buttons or metal visors must **not** be worn around electrical hazards.

- Make sure employees working around machinery or in locations that present a hair-catching or fire hazard wear caps or head coverings that completely cover their hair.

- Employees must wear a hair net that controls all loose ends when:

- ◆ Hair is as long as the radius of pressure rolls with exposed in-running nip points.

- ◆ Hair is twice as long as the circumference of exposed revolving shafts or tools in fixed machines.

- Employees must wear a hair covering of solid material when:

- ◆ The employee is exposed to an ignition source and may run into an area containing class-1 flammable liquids, such as ether, benzene, or combustible atmospheres when their hair is on fire.

Note: When an employee must wear PPE, such as mask-type respirators or ear-cup-type hearing protection devices, and hair, either facial or head, interferes with a proper seal.

- Make sure protective helmets meet the following specific ANSI requirements: (Most commercially available PPE is marked with specific ANSI requirements.)

- ◆ Protective helmets bought before February 20, 1995, must meet ANSI standard Z89.1-1969.

- ◆ Protective helmets bought after February 20, 1995, must meet ANSI standard Z89.1-1986.

- ◆ If you use protective helmets that do not meet these ANSI standards, you must show they are equally effective.

NEW SECTION

WAC 296-800-16060 Make sure your employees use appropriate foot protection. You must:

- Make sure employees exposed to hazards that could injure their feet use appropriate foot protection. Examples of these hazards are:

- Falling objects.
- Rolling objects.
- Piercing/cutting injuries.
- Electrical hazards.

- Make sure your employees wear calks or other suitable footwear to protect against slipping while they are working on top of logs.

- Make sure PPE used to protect your employees' feet meet specific ANSI requirements. (Most commercially available PPE is marked with specific ANSI requirements.)

- PPE bought before February 20, 1995, must meet ANSI standard Z41.1-1967.

- PPE bought after February 20, 1995, must meet ANSI standard Z41-1991.

- If you use foot protection that does not meet these ANSI standards, you must show it is equally effective.

NEW SECTION

WAC 296-800-16065 Make sure your employees use appropriate hand protection. You must:

- Make sure employees exposed to hazards that could injure their hands use appropriate hand protection. Examples of these hazards include:

- Absorbing harmful substances.
- Severe cuts or lacerations.
- Severe abrasions.
- Punctures.
- Chemical burns and/or thermal burns.
- Harmful temperature extremes.

- Make sure when choosing hand protection, you consider how well the hand protection performs relative to the:

- Task.
- Conditions present.
- Duration of use.
- Hazards.
- Potential hazards.

NEW SECTION

WAC 296-800-16070 Make sure your employees use approved personal flotation devices (PFDs). You must:

- Make sure employees wear PFDs when they work in areas where the danger of drowning exists, such as:

- On the water.
- Over the water.
- Along the water.

Note: Employees are not exposed to the danger of drowning when:

- The water is known to be less than chest high on the employee.
- Employees are working behind standard height and strength guardrails.
- Employees are working inside operating cabs or stations that eliminate the possibility of accidentally falling into the water.
- Employees are wearing approved safety belts with lifeline attached that prevents the possibility of accidentally falling into the water.

You must:

- Provide your employees with appropriate or allowable United States Coast Guard-approved PFDs. Ski belts or inflatable type PFDs are prohibited. The following are appropriate or allowable approved PFDs:

Type of PFD	General Description
Type I	Off-shore life jacket, effective for all waters or where rescue may be delayed.
Type II	Near-shore buoyant vest, intended for calm, inland water or where there is a good chance of quick rescue.
Type III	Flotation aid, good for calm, inland water, or where there is a good chance of rescue.
Type V	Flotation aids such as boardsailing vests, deck suits, and work vests.

PROPOSED

Note: Commercially available PFDs are marked or imprinted with the type of PFD.

- Inspect PFDs before and after each use for defects and make sure that defective PFDs are not used.

You must:

- Provide approved life rings with an attached line on all docks, walkways, and fixed installations on or adjacent to water more than five feet deep.

Life rings must:

- Be United States Coast Guard approved 30 inch size.
- Have attached lines that are at least 90 feet in length.
- Have attached lines at least 1/4 inch in diameter.
- Have attached lines with a minimum breaking strength of 500 pounds.
- Be spaced no more than 200 feet apart.
- Be kept in easily visible and readily accessible locations.

Life rings and attached lines must:

- Be maintained to retain at least 75 percent of their designed buoyancy and strength.
- Be provided in the immediate vicinity when employees are assigned work at other casual locations where exposure to drowning exists.
- Work assigned over water where the vertical drop from an accidental fall would be more than 50 feet, must be subject to specific procedures as approved by the department.

EMPLOYER—CHEMICAL HAZARD COMMUNICATION INTRODUCTION

NEW SECTION

WAC 296-800-170 Chemical hazard communication.

Important: Thousands of chemicals can be found in today's workplaces. These chemicals may have the capacity to cause health problems, from minor skin irritations to serious injuries or diseases like cancer.

The employer chemical hazard communication standard was developed to make sure employers and employees are informed about chemical hazards in the workplace.

This standard applies to:

- Employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.
- Contractors or subcontractors that work for employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.

Exemptions:

- For the purposes of this standard, "employee" does not mean:
 - Immediate family members of the officers of any corporation, partnership, sole proprietorship; or
 - Other business entity or officers of any closely held corporation engaged in agricultural production of crops or livestock.

Note: If you produce, import, distribute and/or repackage chemicals, or choose not to rely on labels or material safety data sheets provided by the manufacturer or importer, you must comply with chemical hazard communication for manufacturers, importers and distributors, WAC 296-62-054. You may withhold trade secret information under certain circumstances. See Trade secrets, WAC 296-62-053, to find out what information may be withheld as a trade secret and what information must be released.

Exemptions: Certain products, chemicals, or items exempt from this standard. Below is a summarized list of these exemptions. See WAC 296-800-17055 at the end of this rule to get complete information about these exemptions:

- Any hazardous waste or substance
- Tobacco or tobacco products
- Wood or wood products that are not chemically treated and will not be processed, for example by sawing or sanding
- Food or alcoholic beverages
- Some drugs, such as retail or prescription medications
- Retail cosmetics
- Ionizing and nonionizing radiation
- Biological hazards
- Any consumer product or hazardous substance when workplace exposure is the same as that of a consumer.
- Retail products used in offices in the same manner and frequency used by consumers can be termed "consumer products." Consumer products include things such as: Correction fluid, glass cleaner and dishwashing liquid.

Example: If you use a household cleaner in your workplace in the same way that a consumer would use it when cleaning their house, the exposure should be the same as the consumer's. ("In the same way" means using the household cleaner in the same manner and frequency.) A janitor using a household cleaner, such as bleach, throughout the day, is not considered consumer use.

- Manufactured items that remain intact are exempt from this rule.
- Manufactured items that are fluids or in the form of particles are not exempt from this rule.

Note: The following are examples:

Item	Covered by this rule	Not covered by this rule
Brick	sawed or cut in half	used whole or intact
Pipe	cut by a torch	bent with a tube bender
Nylon Rope	burning the ends	tying a knot

Your responsibility: To inform and train your employees about the hazards of chemicals during normal working conditions or in foreseeable emergencies by:

- Making a list of the hazardous chemicals present in your workplace
- Preparing a written Chemical Hazard Communication Program for your workplace
- Informing your employees about this rule and your program
- Providing training to your employees about working in the presence of hazardous chemicals
- Getting and keeping the materials safety data sheets for the hazardous chemicals
- Making sure that labels on containers of hazardous chemicals are in place and easy to read

You must:

Develop, implement, maintain, and make available a written Chemical Hazard Communication Program.

WAC 296-800-17005.

PROPOSED

Identify and list all the hazardous chemicals present in your workplace.

WAC 296-800-17010.

Obtain and maintain material safety data sheets (MSDS) for each hazardous chemical used.

WAC 296-800-17015.

Make sure that material safety data sheets (MSDS) are readily accessible to your employees.

WAC 296-800-17020.

Label containers holding hazardous chemicals.

WAC 296-800-17025.

Inform and train your employees about hazardous chemicals in your workplace.

WAC 296-800-17030.

Follow these rules for laboratories using hazardous chemicals.

WAC 296-800-17035.

Follow these rules for handling chemicals in factory sealed containers.

WAC 296-800-17040.

The department must:

Translate certain chemical hazard communication documents upon request.

WAC 296-800-17045.

Attempt to obtain a MSDS upon request.

WAC 296-800-17050.

Exemption:

Items or chemicals exempt from the rule, and exemptions from labeling.

WAC 296-800-17055.

NEW SECTION

WAC 296-800-17005 Develop, implement, maintain and make available a written Chemical Hazard Communication Program. You must:

- Develop, implement, and maintain, and make available a written Chemical Hazard Communication Program specifically for your workplace. The Chemical Hazard Communication Program must, at a minimum, include:

- A list of hazardous chemicals known to be present in your workplace.

- Procedures for making sure all containers are properly labeled.

- A description of how you are going to obtain and maintain your material safety data sheets (MSDS).

- A description of how you are going to train and inform your employees about hazardous chemicals in their workplace.

- A description of how you are going to inform your employees about:

- Hazardous chemicals used during nonroutine tasks.
- The hazards associated with chemicals contained in unlabeled pipes in their work areas.

You must:

- Make sure that your written chemical hazard communication program includes the following methods if you produce, use, or store hazardous chemicals at your workplace(s)

in such a way that the employees of other employer(s)* may be exposed:

- Provide the other employer(s) with a copy of the relevant MSDS, or provide access to the material safety data sheets at a central location at the workplace.

- Inform the other employer(s) of any precautionary measures that need to be taken to protect employees during normal operating conditions and in foreseeable emergencies.

- Inform the other employer(s) of the labeling system used in the workplace.

Note: Examples of employees of other employers who could be exposed to chemical hazards that you produce, use, or store in your workplace include employees of construction companies, cleaning services, or maintenance contractors visiting or working on-site.

Note: Your employees have the right to get chemical hazard communication information from other employers at workplaces where they are working; and Employees of other employers have the right to get the information from you when they are working at your workplace.

Note: Include in your written Chemical Hazard Communication Program the methods that you will use to share information with other employers and their employees at your workplace(s) regarding:

- Access to MSDS.
- Precautionary measures such as personal protective equipment (PPE) and emergency plans.
- Any labeling systems used at the workplace.

If you rely on another employer's Chemical Hazard Communication Program to share the information required, say so in your own written Chemical Hazard Communication Program.

You must:

- Make your Chemical Hazard Communication Program available to your employees. Where employees must travel between workplaces during a workshift, that is, if their work is carried out at more than one geographical location, the written Chemical Hazard Communication Program may be kept at the primary workplace facility.

Note: You must make the written Chemical Hazard Communication Program available, upon request, to employees, their designated representatives, the director or his/her designee and NIOSH, in accordance with the requirements of Access to records, WAC 296-62-052.

NEW SECTION

WAC 296-800-17010 Identify and list all the hazardous chemicals present in your workplace. You must:

- Identify all hazardous chemicals at your workplace. This includes any chemical that is known to be present in your workplace in such a way that employees may be exposed to it under normal conditions of use or in a predictable emergency.

- Create a list of these chemicals using the chemical or common name on the MSDS.

This list:

- Must be compiled for the workplace as a whole, or for individual work areas.

- Is necessary to make sure that all hazardous chemicals are identified and that MSDS', and labeling requirements are met.

– Must be current.

Note: The following are some ways to determine whether a product is hazardous:

- Look for words on the label, such as CAUTION, WARNING, or DANGER.
- Look for words or "hazard coding" that indicate that the chemical is flammable, an irritant, corrosive, carcinogenic, etc. "Hazard coding" refers to words, numbers, or colors that tell you a chemical is dangerous.
- Check the product's MSDS for hazard information.

Examples of hazardous chemicals are: Acids, adhesives, caustics, fuels, paints, varnishes, shellacs and pesticides. Too many other classes of hazardous chemicals exist to list them all here.

NEW SECTION**WAC 296-800-17015 Obtain and maintain material safety data sheets (MSDSs) for each hazardous chemical used.**

Note: MSDS are a type of employee exposure record. Therefore, you must comply with the Access to MSDS as exposure records, WAC 296-800-180, which is located in this book.

You must:

• Obtain MSDSs for each hazardous chemical used if the MSDS is not provided with the shipment of a hazardous chemical.

• Obtain an MSDS from the chemical manufacturer or importer as soon as possible.

Note: To obtain a MSDS, you may try calling the manufacturer or checking their website.

If you have a commercial account with a retailer or wholesaler, you have the right to request and receive a MSDS about the hazardous chemical you purchased.

If a chemical is purchased from a retailer with no commercial accounts, you have the right to request and receive the manufacturer's name and address so that you can contact them and request a MSDS for the chemical.

Whoever prepares the MSDS is required to mark all blocks on the form, even if there is no relevant information for that section.

– You have problems getting a MSDS within thirty calendar days after making a written request to the chemical manufacturer, importer, or distributor, you can get help from WISHA. You may contact your local regional office for assistance or make a written request for assistance to the:

Department of Labor and Industries
Right-to-Know Program
P.O. Box 44610
Olympia, Washington 98504-4610.

Include in your request:

- A copy of the purchaser's written request to the chemical manufacturer, importer, or distributor.
- The name of the product suspected of containing a hazardous chemical.
- The identification number of the product, if available.
- A copy of the product label, if available.
- The name and address of the chemical manufacturer, importer, or distributor from whom the product was obtained.

You must:

- Maintain MSDSs for each hazardous chemical:
 - Keep copies of the required MSDS for each hazardous chemical present in your workplace. (These may be kept in any form including as a part of operating procedures.)
 - Each MSDS must be in English. You may also keep copies in other languages.

Note: If you choose not to rely on MSDS or labels provided by the manufacturer or importer, you must comply with the Chemical hazard communication standard for manufacturers, importers, and distributors, WAC 296-62-054.

Note: It may be more appropriate to address the hazards of a process rather than individual hazardous chemicals. MSDS can be designed to cover groups of hazardous chemicals in a work area.

NEW SECTION**WAC 296-800-17020 Make sure that MSDSs are readily accessible to your employees. You must:**

• Make sure that MSDSs are readily accessible, easily obtained without delay during each work shift to employees when they are in their work area(s).

• Make sure that employees can immediately obtain the required MSDS information in an emergency.

– Where employees must travel between workplaces during a workshift, such as when their work is carried out at more than one geographical location, the MSDSs may be kept at a central location at the primary workplace facility.

– This can be done by means such as voice communication or laptop computer.

Note: Electronic access (such as computer or fax), microfiche, and other alternatives to maintaining paper copies of the material safety data sheets are permitted as long as they do not create barriers to immediate employee access in each workplace.

Barriers to immediate access of electronic material safety data sheets may include:

- Power outages
- Equipment failure
- System delays
- Deficient user knowledge to operate equipment
- Location of equipment outside the work area

Solutions to eliminating these and other possible barriers to access may require the availability of back-up systems, employee training, and providing access equipment in the work areas.

Note: Material safety data sheets must also be made readily available, upon request, to designated representatives and to the director or his/her designee in accordance with the requirements of Access to MSDSs as exposure records, WAC 296-800-180. NIOSH (National Institute for Occupational Safety and Health) must also be given access to material safety data sheets in the same manner.

NEW SECTION**WAC 296-800-17025 Label containers holding hazardous chemicals. Exemptions:**

• The following is a summary of items that are exempt from this rule. For complete information about each of these, see WAC 296-800-17055.

- Pesticides, when labeled as required by the Environmental Protection Agency (EPA).
- Food, food additives, color additives, drugs, cosmetics, or medical/veterinary devices or products.
- Alcoholic beverages not intended for industrial use.
- Consumer products labeled as required by the Consumer Product Safety Commission.

– Agriculture or vegetable seeds treated and labeled as required by the Federal Seed Act.

• You are not required to label portable containers into which hazardous chemicals are transferred from labeled containers, if the chemical is used and controlled by the employee who performed the transfer within the same shift.

You must:

• Make sure that each container of hazardous chemicals in the workplace is labeled, tagged, or marked with the following information:

– The identity of the hazardous chemical(s) using either the chemical or common name.

Note: You are not required to list each component in a hazardous mixture on the label. If a mixture is referred to on a material safety data sheet by a product name, then the product name should be used as the identifier.

– Appropriate hazard warnings which give general information about the relevant health and physical hazards of the chemicals. This includes health effects information, such as information about organs most likely affected by the chemical.

Examples of label:

Name of chemical

Physical hazards

Health Hazards:

• Health effects information

• Affected Target organs

– For individual stationary process containers, you may use alternate labeling methods such as:

• Signs

• Placards

• Process sheets

• Batch tickets

• Operating procedures or

• Other such written materials,

as long as the alternate method identifies the containers and conveys the required label information.

Note: You may use words, pictures, symbols or any combination to communicate the hazards of the chemical. Be sure to train your employees so they can demonstrate a knowledge of whatever labeling system you use.

Some alternative labeling systems do not communicate target organ information, so employees will have to rely on training to provide this information.

You must:

• Not remove or deface existing labels on incoming containers of hazardous chemicals (such as those marked with the United States Department of Transportation (USDOT) markings, placards and labels), unless the container is immediately labeled with the required information. You do not need to put on new labels if existing labels already provide the required information. If the package or container is sufficiently cleaned of residue and purged of vapors to remove any potential health or physical hazard, existing labels can be removed.

• Make sure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers with non-English speaking employees may use other languages in the warning information in addition to the English language.

Note: You may use a laminated or coated label, affixed to the container with a wire, to avoid deterioration of labels due to a solvent, such as acetone.

• If the hazardous chemical is regulated by WISHA or OSHA in a substance-specific health standard, you must make sure that the labels or other forms of warning used are in accordance with the requirements of that standard. For example:

Asbestos, WAC 296-62-07721(6).

Formaldehyde, WAC 296-62-07540 (13)(c).

NEW SECTION

WAC 296-800-17030 Inform and train your employees about hazardous chemicals in your workplace. You must:

• Provide employees with effective information on hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced into their employees' work areas, information must be provided.

– Inform employees of:

• The requirements of this standard

• Any operations in their work area where hazardous chemicals are present

• The location and availability of your written Chemical Hazard Communication Program, including the list(s) of hazardous chemicals and material safety data sheets required by this rule.

• Provide employees with effective training about hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced, the employees must be trained.

Make sure that employee training includes:

– Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.

Examples of these methods and observations may include:

• Monitoring conducted by you

• Continuous monitoring devices

• Visual appearance or odor of hazardous chemicals when being released

• Physical and health hazards of the chemicals in the work area, including the likely physical symptoms or effects of overexposure

• Steps employees can take to protect themselves from the chemical hazards in your workplace, including specific procedures implemented by you to protect employees from exposure to hazardous chemicals. Specific procedures may include:

• Appropriate work practices

• Engineering controls

• Emergency procedures

• Personal protective equipment to be used

• Details of the chemical hazard communication program developed by you, including an explanation of the labeling system and the MSDS, and how employees can obtain and use the appropriate hazard information.

PROPOSED

- Tailor information and training to the types of hazards to which employees will be exposed. The information and training may be designed to cover categories of hazards, such as flammability or cancer-causing potential, or it may address specific chemicals. Chemical-specific information must always be available through labels and MSDSs

- Make reasonable efforts to post notices in your employees' native languages (as provided by the department of labor and industries) if those employees have trouble communicating in English.

Note: Interactive computer-based training or training videos can be used when provisions are made to:

- Allow trainees to ask questions of a qualified trainer
- Provide trainees with sufficient hand-on experience
- Incorporate relevant site-specific information

Note: Your MSDSs may not have WISHA permissible exposure limits (PELs) listed. In some cases, WISHA PELs are stricter than the OSHA PELs and other exposure limits listed on the material safety data sheets you receive. If this is the case, you must refer to the WISHA PEL table, WAC 296-62-075, for the appropriate exposure limits to be covered during training.

NEW SECTION

WAC 296-800-17035 Follow these rules for laboratories using hazardous chemicals.

Note: Laboratories are required to have a written Chemical hygiene plan under WAC 296-62-400, if applicable. They are not required to have a written Chemical Hazard Communication Program.

You may combine your accident prevention program and chemical hazard communication program to assist you in developing a chemical hygiene plan for your laboratory.

You must:

- Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- Maintain MSDS received with incoming shipments of hazardous chemicals and make them available to laboratory employees when they are in their work areas.
- Provide laboratory employees with information and training as described in: "Inform and train your employees about hazardous chemicals in your workplace," WAC 296-800-17030, **except** for the part about the location and availability of the Written Chemical Hazard Communication Program.

Note: Laboratory employers that ship hazardous chemicals are considered to be either chemical manufacturers or distributors. When laboratory employers ship hazardous chemicals they must comply with the rule, "hazard communication standards for chemical manufacturers, importers and distributors," WAC 296-62-054.

NEW SECTION

WAC 296-800-17040 Follow these rules for handling chemicals in factory sealed containers. You must:

Make sure where employees only handle chemicals in factory sealed containers that are not opened under normal use (such as those found in marine cargo handling, trucking, warehousing, or retail sales), you must comply with the following:

- Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- Keep any MSDS that are received with incoming shipments of the sealed containers of hazardous chemicals.
- If a factory sealed container of hazardous chemicals comes without a MSDS, obtain a MSDS as soon as possible, if an employee requests it.
- Make sure that the MSDSs are readily accessible during each work shift to employees when they are in their work area(s).
- Provide employees with information and training in WAC 296-800-17030* to protect them in case of a hazardous chemical spill or leak from a factory sealed container.

Exemption: You do not have to cover the location and availability of the written Chemical Hazard Communication Program.

NEW SECTION

WAC 296-800-17045 Translate certain chemical hazard communication documents upon request. The department must:

- Upon receipt of a written or verbal request, prepare and make available (within available resources) to employers or the public, a translation into Cambodian, Chinese, Korean, Spanish, or Vietnamese of any of the following:
 - An employer's written Chemical Hazard Communication Program.
 - A MSDS or
 - Written materials prepared by the department to inform employees of their rights described in this standard, regarding chemical hazard communication.

Note: Written requests for translations should be directed to:
Department of Labor and Industries
Right-to-Know Program
P.O. Box 44610
Olympia, Washington 98504-4610.

NEW SECTION

WAC 296-800-17050 Attempt to obtain a material safety data sheet (MSDS) upon request. The department must:

- Upon receipt of an employer's written request for a MSDS, attempt to obtain the MSDS from the chemical manufacturer, importer, or distributor. When the department receives the MSDS, it must forward a copy of it to the purchaser at no cost. Priority for this service will be given to small employers.

NEW SECTION

WAC 296-800-17055 Items or chemicals exempt from the rule, and exemptions from labeling.

- Listed below are the full descriptions of the items or chemicals that are exempt, or not covered, by this rule:
 - Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substance Act (15 U.S.C. 1261 et seq.) respectively, where you can show that it is used in the workplace for the purpose intended

by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure that is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended.

– Any hazardous waste as such term is defined by the Hazardous Waste Management Act chapter 70.105 RCW, when subject to regulations issued under that act by the department of ecology that describes specific safety, labeling, personnel training, and other standards for the accumulation, handling and management of hazardous waste.

– Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that act by the Environmental Protection Agency.

– Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.), when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations.

– Tobacco or tobacco products.

– Wood or wood products, including lumber that will not be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to the employees is the potential for flammability or combustibility. Wood or wood products that have been treated with hazardous chemicals covered by this standard, and wood that may be subsequently sawed or cut, generating dust, are not exempted.

– Articles mean manufactured items other than a fluid or particle that:

- Are formed to a specific shape or design during manufacture

- Have end use function(s) dependent in whole or in part upon their shape or design during end use

- Under normal conditions of use, do not release more than very small quantities, e.g., minute or trace amounts of a hazardous chemical (e.g., emissions from a marking pen or a newly varnished wood chair), and do not pose a physical hazard or health risk to employees

– Food or alcoholic beverages that are sold, used, or prepared in a retail establishment (such as a grocery store, restaurant, or drinking place), and foods intended for personal consumption by employees while in the workplace.

– Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid, final form for direct administration to the patient (e.g., tablets or pills); drugs that are packaged by the chemical manufacturer for sale to consumers in a retail establishment (e.g., over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g., first aid supplies). Aerosolized or cytotoxic drugs administered by a health care worker are not excluded.

– Cosmetics packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace.

– Ionizing and nonionizing radiation.

– Biological hazards.

The rule does not require labeling of the following chemicals:

– Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when subject to the labeling requirements of that act and labeling regulations issued under that act by the Environmental Protection Agency.

– Any chemical substance or mixture as such terms are defined in the Toxic Substance Control Act (15 U.S.C. 2601 et seq.), when subject to the labeling requirements of that act, and labeling requirements issued under that act by the Environmental Protection Agency.

– Any food, food additive, color additive, drug, cosmetic, or medical/veterinary device or product, including materials intended for use as ingredients in such products (e.g., flavors and fragrances), as such terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Virus-Serum Toxin Act of 1913 (21 U.S.C. 151 et seq.) and regulations issued under those acts, when they are subject to the labeling requirements under those acts by either the Food and Drug Administration or the Department of Agriculture.

– Any distilled spirits (beverage alcohols), wine, or malt beverage intended for nonindustrial use, as such terms are defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that act, when subject to the labeling requirements of that act and labeling regulations issued under that act by the Bureau of Alcohol, Tobacco, and Firearms.

– Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, when subject to a consumer product safety standard or labeling requirement of those acts, or regulations issued under those acts by the Consumer Product Safety Commission.

– Agricultural or vegetable seed treated with pesticides and labeled in accordance with the Federal Seed Act (7 U.S.C. 1551 et seq.) and the labeling requirements issued under that act by the Department of Agriculture.

MATERIAL SAFETY DATA SHEETS (MSDS) AS EXPOSURE RECORDS INTRODUCTION

Important: Exposure records contain information about employees' exposure to toxic substances or harmful physical agents. Material safety data sheets (MSDS) are one type of exposure record. The preservation of and access to exposure records is necessary to improve detection, treatment, and prevention of occupational diseases.

This rule supplements the chemical hazard communication rule by extending access to MSDSs, or their alternative, after employment and after the hazardous chemical is no longer used in the workplace.

NEW SECTION

WAC 296-800-180 Summary. Your responsibility:

To preserve and provide access to MSDSs or their alternative as exposure records.

You must:

Preserve exposure records.

PROPOSED

WAC 296-800-18005.

Inform current employees of exposure records.

WAC 296-800-18010.

- Provide access to exposure records.

WAC 296-800-18015.

- Transfer records when ceasing to do business.

WAC 296-800-18020.

NEW SECTION

WAC 296-800-18005 Preserve exposure records.

You must:

- Keep MSDSs and analysis using MSDSs for at least thirty years (including current, former, and future employers receiving transferred records). You may keep alternative records instead of MSDSs concerning the identity of a substance. The alternative record must be kept for thirty years and contain the following:

- Some record of the identity (chemical name, if known) of a substance or agent

- Where the substance or agent was used

- When the substance or agent was used

- Preserve MSDSs in any form, as long as the information is not altered and is retrievable

Note: Maintaining an MSDSs in an alternative form may be less work than you think. When developing your hazard communication program's list of hazardous chemicals (WAC 296-800-17010), add the "where used" and "when used" information required by this standard.

NEW SECTION

WAC 296-800-18010 Inform current employees of exposure records. You must:

- Inform current employees who are, or will be exposed to toxic substance or harmful physical agents of:

- The existence, location, and availability of MSDSs or alternative records, and any other records covered by this rule.

- The person responsible for maintaining and providing access to records.

- Their rights of access to these records.

- Exposure records when the employee first enters into employment and then once a year.

Note: Informing employees of the availability of these records may be accomplished by posting, group discussion or by individual notifications.

- Keep a copy of this rule and make copies available upon request to employees.

- Distribute to employees any informational materials about this rule that are made available to the employer by the assistant director for WISHA services.

NEW SECTION

WAC 296-800-18015 Provide access to exposure records. You must:

- Provide access, whenever requested by an employee or their *designated representative, to a relevant exposure

record such as MSDSs or their alternative, or analysis using MSDSs or their alternative:

- In a reasonable time, place, and manner.
- Within fifteen working days.

If the employer cannot meet the fifteen working day requirement, they must inform the requesting party of the reason for the delay and the earliest date the record will be made available.

Definition: *A designated representative is:

- An employee is any current, former or transferred worker.
- Any individual or organization to which an employee gives written authorization.
- A recognized or certified collective bargaining agent, without regard to written employee authorization.
- A deceased or legally incapacitated employee's legal representative.

- Make sure the director of the department of labor and industries has prompt access to any exposure records and related analysis. This must be done without violation of any rights under the Constitution or the Washington Industrial Safety and Health Act that the employer chooses to exercise.

Note: Nothing in this rule is meant to prevent employees and collective bargaining agents from getting access to information beyond that required by this rule.

You must:

- Make sure that whenever an employee or designated representative requests an initial copy of an exposure record, related analysis or new information added to the record:

- A copy of the record is provided without cost to the employee or their representative or

- The facilities are made available for copying without cost to the employee or their representative or

- The record is loaned to the employee or their representative for a reasonable time to enable a copy to be made..

Note: Whenever a record has been previously provided without cost to an employee or designated representative, and they request additional copies, the employer may charge reasonable, nondiscriminatory administrative costs (e.g., search and copying expenses, but no overhead expenses).

NEW SECTION

WAC 296-800-18020 Transfer records when ceasing to do business. You must:

- Transfer all MSDSs as exposure records to the successor employer, who must receive and preserve, or keep unchanged, these records.

Do the following if:

- There is no successor to receive and preserve the employee exposure records:

Notify affected current employees of their rights of access to records at least three months prior to the cessation of the employer's business and

Transfer the records to the director of the department of labor and industries, if required by a WISHA safety and health standard.

SAFETY BULLETIN BOARD

NEW SECTION

WAC 296-800-190 Summary/rule. Your responsibility: To provide a safety bulletin board.

NEW SECTION

WAC 296-800-19005 Provide a safety bulletin board in your workplace. You must:

- Install and maintain a safety bulletin board in every fixed workplace that has eight or more employees.
- Make sure the safety bulletin board is large enough to post information such as the following:
 - Safety bulletins
 - Safety newsletters
 - Safety posters
 - Accident statistics
 - Other safety educational material

Note: You may want to post your emergency phone numbers on the safety bulletin board.

**WISHA POSTER
Rule**

NEW SECTION

WAC 296-800-200 WISHA poster. Your responsibility: To post the WISHA poster, which informs your employees of their job safety and health protection rights.

NEW SECTION

WAC 296-800-20005 Post and keep a WISHA poster in your workplace. You must:

- Post it where employees can easily see it.
- Keep it posted and in good shape.

Note: You can order a free copy of the WISHA Poster (Form F416-081-000) from any labor and industries office. Find the labor and industries office closest to you by:

- Looking at <http://www.wa.gov/lni/pa/direct.htm> or
- Calling 1-800-4BESAFE (1-800-423-7233) or
- Checking the resources section of this book for regional offices.

LIGHTING

NEW SECTION

WAC 296-800-210 Lighting rule. Your responsibility: To provide and maintain adequate lighting in your workplace.

NEW SECTION

WAC 296-800-21005 Provide and maintain adequate lighting.

Note: This section establishes minimal levels of lighting for safety purposes only. Guidelines pertaining to optimal levels of

lighting and illumination may be found in Practice for Industrial Lighting, ANSI/IES RP7-1979.

You must:

- Provide and maintain adequate lighting for all work activities in your workplace. (See following table)
 - If general lighting is not available, you must have adequate light to see nearby objects that might be potential hazards or to see to operate emergency controls or other equipment.

Activity	Minimum acceptable average lighting level in an area: (Foot-candles)	Any one single measurement used to determine the average lighting level*cannot be less than: (Foot-candles)
Indoor task	10	5
Outdoor task	5	2.5
Nontask activities for both indoor and outdoor	3	1.5

* Lighting levels must be measured at thirty inches above the floor/working surface at the task.
Note: • Lighting levels can be measured with a light meter.
• Conversion information: 1 foot-candle = 1 lumen incident per square foot = 10.76 lux.

HOUSEKEEPING, DRAINAGE, AND STORAGE

NEW SECTION

WAC 296-800-220 Housekeeping, drainage, and storage—Summary. Your responsibility: To provide your employees with a clean, dry, pest-free workplace.

You must:

Housekeeping

Keep your workplace clean.

WAC 296-800-22005.

Sweep and clean your workplace in a way that minimizes dust.

WAC 296-800-22010.

Keep your workplace free of obstacles that would interfere with cleaning.

WAC 296-800-22015.

Control pests in your workplace.

WAC 296-800-22020.

Drainage

Keep your workroom floors dry when practical.

WAC 296-800-22025.

Provide proper drainage.

WAC 296-800-22030.

Storage areas

Store things safely.

WAC 296-800-22035.

Control vegetation in your storage areas.

PROPOSED

WAC 296-800-22040.

HOUSEKEEPINGNEW SECTION

WAC 296-800-22005 Keep your workplace clean. You must:

- Keep all areas of your workplace, passageways, storage rooms, and service rooms in a clean and sanitary condition to the extent the nature of the work allows.

NEW SECTION

WAC 296-800-22010 Sweep and clean your workplace in a way that minimizes dust. You must:

- When practical, clean after hours so that your employees are not exposed to dust in the air on the job.
 - Sweep and clean your workplace in a way that minimizes dust in the air as much as possible.

NEW SECTION

WAC 296-800-22015 Keep your workplace free of obstacles that would interfere with cleaning. You must:

- Keep your workplace clear of obstructions such as nails, splinters, and loose boards to make cleaning easier and more effective.
 - Get rid of unnecessary holes and openings.

NEW SECTION

WAC 296-800-22020 Control pests in your workplace. You must:

- Make sure each building in your workplace is constructed, equipped and maintained so it restricts pests from entering or living in it.
 - Pests include animals such as:
 - Rodents (rats, mice, and squirrels)
 - Birds (starlings, pigeons, and swallows)
 - Insects (bees, wasps, and mosquitoes)
 - Take steps to effectively control pests in your workplace, if they are detected.
 - Carry out a continuing and effective control program in the areas of your workplace where pests have been detected.

DRAINAGENEW SECTION

WAC 296-800-22025 Keep your workroom floors dry when practical. You must:

- Do the following to help keep your employees dry if wet processes are used in your workplace:
 - Maintain drainage away from the workplace; and
 - Provide false floors, platforms, or other dry places where employees can stand, or
 - Provide waterproof footwear where practical or appropriate for your workplace.

NEW SECTION

WAC 296-800-22030 Provide proper drainage. You must:

- Provide all areas where employees work such as yards, basements, or garages with adequate drainage.

STORAGE AREASNEW SECTION

WAC 296-800-22035 Store things safely. You must:

- Store materials so they do not create a hazard.
- Keep workplace storage areas free from accumulation of materials that could create hazards from tripping, fire, or explosion.
 - Secure stored items such as bundles, containers, and bags to prevent them from falling, sliding, or collapsing by doing one of the following:
 - Stacking
 - Racking
 - Blocking
 - Interlocking
 - Otherwise securing them
 - Make sure stored items are limited in height so that they are stable and secure to prevent sliding or collapse.

NEW SECTION

WAC 296-800-22040 Control vegetation in your storage areas. You must:

- Control vegetation in your storage areas when necessary to create a safe working environment.

DRINKING WATER, BATHROOMS, WASHING FACILITIES AND WASTE DISPOSALNEW SECTION

WAC 296-800-230 Summary. Your responsibility: To provide safe drinking water, bathrooms, washing facilities, and waste disposal in your workplace

You must:

Provide safe (potable) water in your workplace
WAC 296-800-23005.

Clearly mark the water outlets that are not fit for drinking (nonpotable)

WAC 296-800-23010.

Make sure that systems delivering not-fit-for-drinking water prevent backflow

WAC 296-800-23015.

Provide bathrooms for your employees

WAC 296-800-23020.

Provide convenient, clean washing facilities

WAC 296-800-23025.

Keep containers used for garbage or waste in a sanitary condition

WAC 296-800-23030.

Remove garbage and waste in a way that does not create a health hazard

WAC 296-800-23035.

Note: Some industries may have additional rules on bathrooms and washing facilities. For example:

- WAC 296-62-07308 Carcinogens; general regulated area requirements
- WAC 296-62-31315 Hazardous waste operations and treatment, storage and disposal facilities
- WAC 296-155-140 Construction
- WAC 296-115-050 Charter boats
- chapter 296-307 WAC Agriculture; indoor sanitation and temporary labor camps
- WAC 296-36-160(5) Compressed air work
- WAC 296-24-12507 Temporary labor camps

NEW SECTION

WAC 296-800-23005 Provide safe (potable) water in your workplace. You must:

- Provide potable water for employees for:
 - Drinking
 - Washing themselves
 - Personal service rooms
 - Cooking
 - Washing of food preparation or processing premises
 - Washing food, eating utensils, or clothing
- Make sure your movable, or portable, drinking water dispensers are:
 - Capable of being closed
 - Kept in sanitary condition
 - Equipped with a tap
- Not use open containers such as barrels, pails, and tanks from which employees must dip or pour drinking water, even if the containers have covers.
- Not allow employees to use shared drinking cups or utensils.

NEW SECTION

WAC 296-800-23010 Clearly mark the water outlets that are not fit for drinking (nonpotable). You must:

- Mark nonpotable water outlets, such as those used for industrial processes or firefighting, so that no one will use them for:
 - Drinking
 - Washing themselves
 - Cooking
 - Washing food, eating utensils, or clothing.
- Not use nonpotable water that could create unsafe conditions such as concentrations of chemicals, for example lead or chlorine, fecal coliform bacteria, or other organisms.

Note: As long as the water does not contain substances that could create unsafe conditions, then nonpotable water can be used for:

- Cleaning work premises that do not involve food preparation or food processing
- Personal service rooms, such as bathrooms.

NEW SECTION

WAC 296-800-23015 Make sure that systems delivering not-fit-for-drinking water prevent backflow into drinking water systems.

NEW SECTION

WAC 296-800-23020 Provide bathrooms for your employees.

- Exemption: You do not have to provide bathrooms for:
- Mobile crews, if the employees working there have transportation immediately available to nearby bathrooms that meet the requirements of this rule.
 - Work locations not normally attended by employees, if they have transportation immediately available to nearby bathrooms meeting the requirements of this rule.

You must:

- Provide bathrooms with the appropriate number of toilets for your employees at every workplace. See the chart below to determine how many toilets you need at your workplace.

Number of Employees*	Minimum Number of Toilets Required**
1 to 15	1
16 to 35	2
36 to 55	3
56 to 80	4
81 to 110	5
111 to 150	6
Over 150	One additional toilet for each additional 40 employees

* The "number of employees" used in this table means the maximum number of employees present at any one time on a regular shift.

** A shared bathroom (multiple toilets without enclosures) counts as one toilet no matter how many toilets it contains. In bathrooms used only by men, urinals may be substituted for up to one-third of the required toilets.

You must:

- Have the appropriate number of toilets for each sex, based on the number of male and female employees at your workplace. For example, if you have 37 men and 17 women, you need to have three toilets for the men and two toilets for the women, based on the chart provided in this section.
 - Separate bathrooms for men and women are not required if the bathroom:
 - Will be occupied by no more than one person at a time
 - Can be locked from the inside
 - Contains at least one toilet
 - Make sure each toilet is in a separate compartment with a door and walls, or partitions to assure privacy.
 - Provide toilet paper with a toilet paper holder for every toilet.
 - Make sure the sewage disposal method does not endanger the health of employees.

PROPOSED

NEW SECTION

WAC 296-800-23025 Provide convenient, clean washing facilities. Exemption: You do not have to provide washing facilities for:

- Mobile crews, if your employees working there have transportation immediately available to nearby bathrooms meeting the requirements of this rule.
- Work locations not normally attended by employees, if they have transportation immediately available to nearby accessible bathrooms meeting the requirements of this rule.

You must:

- Provide the following for your employees:
 - Convenient, clean washing facilities, including sinks or basins for personal washing
 - Hot and cold water, or lukewarm (tepid), running water in each sink and basin
 - Hand soap or similar cleaning agents
 - Individual paper or cloth hand towels; or individual sections of clean continuous cloth toweling; or warm air blowers for drying hands, in a location near the sinks and basins.

NEW SECTION

WAC 296-800-23030 Keep containers used for garbage or waste in a sanitary condition. You must:

- ◆ Not allow garbage to leak out of your waste container.
- ◆ Be able to thoroughly clean your waste container.
- ◆ Have a solid, tight fitting cover on your waste container, unless it can be maintained in a sanitary condition without a cover.

Note: If you can demonstrate that you keep your waste container(s) clean, they do not have to meet these requirements.

NEW SECTION

WAC 296-800-23035 Remove garbage and waste in a way that does not create a health hazard. You must:

- Remove all sweepings, solid and liquid wastes, refuse, and garbage, as often as necessary, to keep the workplace in a sanitary condition.

ENVIRONMENTAL TOBACCO SMOKE IN THE OFFICE

NEW SECTION

WAC 296-800-240 Summary. Your responsibility: To control exposure to *environmental tobacco smoke* in your office work environment.

You must:

Control the tobacco smoke in your building
WAC 296-800-24005.

Control the tobacco smoke that comes in from the outside

WAC 296-800-24010.

Note: These rules do not preempt any federal, state, municipal, or other local authority's regulation of indoor smoking that is more protective than this section.

Definition: Office work environment is an indoor or enclosed occupied space where clerical work, administration, or business is carried out. In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.
- Office areas of manufacturing and production facilities, not including process areas.
- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

NEW SECTION

WAC 296-800-24005 Control the tobacco smoke in your building. Exemption: The minimum criteria specified in this rule do not apply to outdoor structures provided for smokers such as gazebos or lean-tos.

You must:

- Prohibit *smoking* in your office work environment or
- Restrict *smoking* inside your office work environment to designated enclosed smoking rooms that meet specific minimum criteria.

– The minimum criteria for employee smoking rooms is as follows:

- Identify *smoking* rooms clearly with signs.
- Make sure the designated *smoking* rooms are not in common areas, such as:

Places where nonsmoking employees are required to work or visit

Restrooms
Washrooms
Hallways
Stairways
Cafeterias/lunchrooms
Meeting rooms

- Make sure that no employee is required to enter a designated *smoking* room while someone is smoking there.

• Conduct cleaning and maintenance work in designated *smoking* rooms when smokers are not present.

• Ventilate designated smoking rooms at a rate of at least 60 cfm per smoker (calculated on the basis of the maximum number of smokers expected during the course of a normal working day), which can be supplied by transfer air from adjacent areas.

• Maintain, at all times, enough negative air pressure in designated *smoking* areas to prevent smoke from migrating into nonsmoking areas.

• Operate a separate mechanical exhaust system in designated *smoking* rooms. This is to make sure that the exhausted air moves directly outside and does not recirculate into nonsmoking areas.

• Prohibit use of the designated *smoking* room, if the mechanical exhaust system is not working properly, until repairs are completed.

Note: This ventilation rate is recommended for occupancies of no more than seven people for every 100 square feet of net occupied space in the designated smoking room.

NEW SECTION**WAC 296-800-24010 Control the smoke that comes in from the outside.**

You must:

- Use *engineering or administrative controls* to minimize the amount of tobacco smoke that comes into your office(s) from outside the building.

- Make sure that outside smoking areas used by your employees are not close to doorways, air intakes, and other openings that may allow airflow directly into an office.

Note: By changing the way workers do their job, you can reduce work exposure to potential hazards. These changes are called administrative controls and include such things as:

- Job rotation
- Wetting down dusty areas
- Having employees shower after exposure to potentially harmful substances
- Maintaining equipment properly
- Cleaning up work areas to control the effect of potential hazards

Engineering controls let you plan or physically change the machinery or work environment to prevent employee exposure to potential hazards. This includes any modification of plant equipment, processes, or materials to reduce employees' exposure to toxic materials or harmful physical agents.

STAIRS AND STAIR RAILINGS SUMMARY

NEW SECTION

WAC 296-800-250 Summary. Your responsibility: To make sure stairs used by employees are safe

You must:

Provide fixed stairs where required

WAC 296-800-25005

- Provide stairs that minimize hazards

WAC 296-800-25010

- Provide handrails and stair railings

WAC 296-800-25015

Exemptions:

This rule does **not** apply to:

- ◆ Stairs used for fire exit purposes
- ◆ Construction operations
- ◆ Private buildings or residences
- ◆ Articulated stairs (for example, stairs used at a marina)

NEW SECTION

WAC 296-800-25005 Provide fixed stairs where required. You must:

- Install fixed stairs where:
 - Employees travel between different levels on a predictable and regular basis.
 - Access to platforms is required to give routine attention to equipment under operation.
 - Daily movement between elevations is required to gauge, inspect, and maintain equipment where those work assignments may expose employees to acids, caustics, gases, or other harmful substances.

– Carrying tools or equipment by hand is a normal work requirement.

- Not use spiral stairways except as secondary exit routes. You could use a spiral stairway as an exit route in a restricted area that lacks room for a conventional stairway.

Note:

You can use fixed ladders for climbing elevated structures, such as tanks, towers, and overhead traveling cranes, when their use is common practice in your industry.

You can use winding stairways on tanks and similar round structures if the structure's diameter is at least five feet.

Definitions: A stairway or fixed stairs is a series of steps and landings:

- Leading from one level or floor to another.
- Leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment.
- Used more or less continuously or routinely by employees or only occasionally by specific individuals.
- With three or more risers.
- A riser is the upright part of a step at the back of a tread.
- A tread is the horizontal part of the step. Tread width is the distance from the front of the tread to the back.

NEW SECTION

WAC 296-800-25010 Provide stairs that minimize hazards. You must:

- Make sure stairs have slip-resistant treads.
- Make sure that stairs with four or more risers have:
 - ◆ Railings on the open sides of all exposed stairways and stair platforms
 - ◆ Handrails on at least one side of closed stairways, preferably on the right side while descending
 - Provide a stairway platform, if doors or gates open directly on a stairway.
 - The platform must be at least 20 inches wide when the door swings open

Note:

To see all of the standards for building fixed stairs, refer to WAC 296-24-75011 of the General safety and health standard.

NEW SECTION

WAC 296-800-25015 Provide handrails and stair railings.

Exemption: Vehicle service pit stairways are exempt from the requirement for stairway railing and guards, if they would prevent a vehicle from moving into a position over the pit.

Definition: Handrail is a single bar or pipe supported by brackets and attached to a wall, to provide a handhold along the stairs. Stair railing is a vertical barrier attached to a stairway with an open side, to prevent falls. The top surface of the stair railing is used as a handrail.

You must:

- Make sure stairways less than forty-four inches wide have:
 - ◆ At least one handrail, preferably on your right side as you go down the stairs, if both sides are enclosed.
 - ◆ At least one stair railing on the open side, if one side is open.
 - ◆ One stair railing on each side, if both sides are open.
- Make sure stairways more than forty-four inches wide but less than eighty-eight inches wide have:
 - ◆ One handrail on each enclosed side.

- ◆ One stair railing on each open side.
- Make sure stairways at least eighty-eight inches wide have:
 - ◆ One handrail on each enclosed side.
 - ◆ One stair railing on each open side.
 - ◆ One intermediate stair railing located approximately midway of the width.
- Equip winding stairs with a handrail, offset to prevent walking on all portions of the treads, less than six inches wide.

Note: To see all of the standards for building handrails and stairway railings, refer to WAC 296-24-75009 and 296-24-75011.

FLOOR OPENINGS, FLOOR HOLES AND OPEN-SIDED FLOORS

NEW SECTION

WAC 296-800-260 Summary. Your responsibility: To safely guard floor openings, floor holes, and open-sided floors in your workplace.

You must:

- Guard or cover floor openings and floor holes.
WAC 296-800-26005.
- Protect open-sided floors and platforms.
WAC 296-800-26010.

NEW SECTION

WAC 296-800-26005 Guard or cover floor openings and floor holes.

Definition: A **floor opening** is an opening in any floor, platform, pavement, or yard that measures at least twelve inches in its smallest dimension and through which a person can fall.

Examples of floor openings are:

- Hatchways
- Stair or ladder openings
- Pits
- Large manholes.

The following are **not** considered **floor openings**:

- Openings occupied by elevators
- Dumbwaiters
- Conveyors
- Machinery
- Containers

A **floor hole** is an opening in any floor, platform, pavement, or yard that measures at least one inch but less than twelve inches at its smallest dimension and through which materials and tools (but not people) can fall.

Examples of floor holes are:

- Belt holes
- Pipe openings
- Slot openings

You must:

- Guard stairway floor openings
 - A railing must protect all stairway floor openings. The railing must protect all open sides except the stairway entrance side.

– Where traffic across an infrequently used stairway floor opening prevents the installation of a fixed railing, you must use a hinged cover and a removable railing. This removable railing must protect all open sides except the stairway entrance side.

- Guard floor openings

– Temporary floor openings must be protected by either a railing or by a person who constantly attends the opening.

- Guard floor holes

– When a floor hole cover is not in place, the hole must be protected by a removable railing or constantly attended by someone.

– Exposed floor holes into which a person can accidentally walk must be protected by either:

- A railing with a toeboard on all open sides or
- A floor hole cover of standard strength and construction that can be hinged in place.

- Provide covers for floor openings and floor holes

– Floor opening covers may be of any material that has a safety factor of four, or is strong enough to hold up to four times the intended load. Covers that do not project more than one inch above the floor level may be used providing all edges are beveled (slanted) to prevent tripping. All hinges, handles, bolts, or other parts of a cover must set flush with the floor or cover surface.

– To prevent tools and materials from falling through, a floor hole must be protected by a cover that leaves an opening no more than one inch wide and is securely held in place. This applies only to floor holes that persons cannot accidentally walk into on account of fixed machinery, equipment, or walls.

NEW SECTION

WAC 296-800-26010 Protect open-sided floors and platforms.

Definition: An **open-sided floor** is any floor or platform four feet or more above adjacent floor or ground level that is not enclosed.

You must:

• Guard open-sided floors and platforms four feet or more by a railing. The entrance to a ramp, stairway, or fixed ladder does not need a railing.

• Guard open-sided floors, walkways and platforms above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and other similar hazards, regardless of height with a railing and toeboard.

Note: • Where the guarding requirements above do not apply because employees are exposed to potential accidental falls (falls on other than a predictable and regular basis), you must comply with the Personal Protective Equipment requirements (WAC 296-800-160) or other effective fall protection must be provided.

• You can find the minimum requirements for standard railings of various types of construction in WAC 296-800-75011.

• Make sure tools and loose materials are not left on overhead platforms and scaffolds.

WORKPLACE STRUCTURAL INTEGRITY**NEW SECTION**

WAC 296-800-270 Summary. Your responsibility: To make sure that the buildings, floors and other structures in your workplace are safe, well-built, and not overloaded

You must:

Not overload floors or roofs

WAC 296-800-27005.

Make sure that floors are safe

WAC 296-800-27010.

Make sure that structures provide a safety factor of four

WAC 296-800-27015.

Make sure floors can support equipment that moves or has motion

WAC 296-800-27020.

Post approved load limits (weight limits) for floors

WAC 296-800-27025.

NEW SECTION

WAC 296-800-27005 Not overload floors or roofs.

You must:

- Not load roofs and floors of any building or other structure with more weight than is approved by the building official.

NEW SECTION

WAC 296-800-27010 Make sure that floors are safe.

You must:

- Make sure that floors including their parts and structural members are safe.
- Make sure floors are of substantial construction and kept in good repair and free of debris. This includes floors of:
 - Buildings
 - Platforms
 - Walks and driveways
 - Storage yards
 - Docks
- Use a nonslip coating on all polished floors.

NEW SECTION

WAC 296-800-27015 Make sure that structures provide a safety factor of four. You must:

- Make sure that structures are designed, constructed, and maintained to provide a safety factor of four times the imposed maximum strain.
 - If you notice bowing, cracking, or other indications of excessive strain on a structure, you must take action to make sure it is safe.

Note: This rule applies to all buildings or those that have had complete or major changes or repairs built after 5/7/74.

NEW SECTION

WAC 296-800-27020 Make sure floors can support equipment that moves or has motion. You must:

- Make sure flooring of buildings, ramps, docks, trestles and other structures that supports equipment that moves or has motion such as vibration, must not be less than two and one-half inch material.

Note: Where flooring is covered by steel floor plates, 2-inch material may be used.

NEW SECTION

WAC 296-800-27025 Post approved load limits (weight limits) for floors. You must:

- Post approved load limits (weight limits) for floors used for mercantile, business, industrial or storage purposes in an obvious place.

- The owner, or owner's agent, of a building (or other part of a workplace) must post the load approved by the building official by:
 - Supplying and affixing a durable metal sign that is marked with the approved load.
 - Placing the metal sign in an obvious spot in the space to which it applies.
 - Replacing the metal sign if it is lost, defaced, damaged, or removed

Note: This rule applies to the floor that supports shelving, but not to the shelves themselves.

BASIC ELECTRICAL RULES**NEW SECTION**

WAC 296-800-280 Basic electrical rules. Summary.

You must:

- Inspect all electrical equipment your employees use to make sure the equipment is safe.

WAC 296-800-28005.

- Make sure all electrical equipment is used for its approved or listed purpose.

WAC 296-800-28010.

- Make sure electrical equipment used or located in wet or damp locations is designed for such use.

WAC 296-800-28015.

- Make sure electrical equipment that is not marked by the manufacturer can not be used.

WAC 296-800-28020.

- Identify disconnecting means.

WAC 296-800-28022.

- Maintain electrical fittings, boxes, cabinets and outlets in good condition.

WAC 296-800-28025.

- Maintain all flexible cords and cables in good condition and use safely.

WAC 296-800-28030.

- Prevent your employees from coming into contact with live electrical parts.

WAC 296-800-28035.

PROPOSED

- Make sure electrical equipment is effectively grounded.

WAC 296-800-28040.

- Make sure electrical equipment has overcurrent protection.

WAC 296-800-28045.

Summary/contents.

Your responsibility: To protect your employees from hazards when working with electrical equipment, tools and appliances.

Note: These rules guide how electrical equipment is used and maintained in your workplace. They should not be used in place of your local electrical codes if you are installing electrical wiring, electrical circuits or electrical distribution equipment.

This standard applies to 600 volts or less. Requirements for specific equipment or special installation are found in chapter 296-24 WAC, Part L.

Exemptions: •These rules apply to all electrical equipment used in the workplace, except for:

- ◆ Electrical installations and equipment on ships, aircraft and all automotive vehicles other than mobile homes and recreational vehicles;
- ◆ Electrical installations and equipment used to generate, transmit, transform or distribute power exclusively for operation of rolling stock;
- ◆ Electrical installations used exclusively for signaling and communicating with rolling stock;
- ◆ Installations underground in mines;
- ◆ Installations of communication equipment located outdoors or inside buildings used and controlled exclusively by communication utilities;
- ◆ Installations controlled and used exclusively by electric utilities for communication or metering; or

For generating, controlling, transforming, transmitting and distributing electric energy in buildings used exclusively by the company located:

- Outdoors on property owned or leased by the utility; or
- On public highways, streets and roads; or
- Outdoors by established rights on private property.

- Current capacity.
- Specific use.
- ◆ Other factors.

NEW SECTION

WAC 296-800-28010 Make sure all electrical equipment is used for its approved or listed purpose. Definitions:

Electrical outlets are places on an electric circuit where power is supplied to equipment through sockets and outlets for plugs.

Receptacles are outlets that accept a plug to supply electric power to equipment through a cord or cable.

You must:

- Make sure electrical outlets are rated equal or greater to the electrical load supplied.
- Make sure the proper mating configuration exists when connecting the attachment plug to a receptacle.
- Make sure when electrical outlets, cord connectors, and receptacles are joined, they accept the attachment plug with the same voltage or current rating.

NEW SECTION

WAC 296-800-28015 Make sure electrical equipment used or located in wet or damp locations is designed for such use. You must:

- Make sure fixtures and receptacles located in wet or damp locations are approved for such use. They must be constructed or installed so that water cannot enter or accumulate in wireways, lampholders, or other electrical parts.
- Make sure cabinets, fittings, boxes, and other enclosures in wet or damp locations are installed to prevent moisture or water from entering and accumulating inside.
 - ◆ In wet locations these enclosures must be weatherproof.
 - ◆ Switches, circuit breakers, and switchboards located in wet locations must be in weatherproof enclosures.

NEW SECTION

WAC 296-800-28020 Make sure electrical equipment that is not marked by the manufacturer can not be used. You must:

- Make sure manufacturer markings are durable and appropriate to the environment. Appropriate markings include:
 - The manufacturer's name.
 - Trademark.
 - The organization responsible for the product.
 - Voltage, current and wattage or other ratings as necessary.

NEW SECTION

WAC 296-800-28022 Identify disconnecting means. You must:

- Make sure the disconnect means (such as on/off switches and circuit breakers) is marked to show when it is

NEW SECTION

WAC 296-800-28005 Inspect all electrical equipment your employees use to make sure the equipment is safe.

You must:

- Inspect electrical equipment to make sure there are no recognized hazards likely to cause your employees' death or serious physical harm. Determine the safety of the equipment by using the following list:

- ◆ Has been approved or listed by a recognized testing laboratory, such as Underwriters Laboratories (UL) or other approving agency.

- ◆ Is approved, or listed as approved, for the purpose it is being used.

- ◆ Has strong and durable guards providing adequate protection including parts designed to enclose and protect other equipment.

- ◆ Is insulated.
- ◆ Will not overheat under conditions of use.
- ◆ Will not produce arcs during normal use.
- ◆ Is classified by:
 - Type.
 - Size.
 - Voltage.

open and closed and what equipment it controls, unless located and arranged so the purpose is obvious.

- Make sure each service, feeder and branch circuit is marked, at its disconnecting means or overcurrent device, to show when the circuit is open and closed and what circuit it controls, unless located and arranged so the purpose is obvious.

- Make sure markings are durable and appropriate to the environment.

NEW SECTION

WAC 296-800-28025 Maintain electrical fittings, boxes, cabinets and outlets in good condition. You must:

- Do the following when conductors enter boxes, cabinets, or fittings:

- ◆ Protect the conductor (wires) from abrasion.
- ◆ Effectively close the openings where conductors enter.

- ◆ Effectively close all unused openings.

- Provide pull boxes, junction boxes, and fittings with covers approved for the purpose.

- Make sure each outlet box has a cover, faceplate, or fixture canopy in completed installations.

- Make sure covers for outlet boxes with openings for flexible cord pendants have bushings to protect the cord, or have a smooth and well rounded surface where the cord touches the opening.

- Ground metal covers.

- Make sure the area in front of electrical panels, circuit breaker boxes and similar equipment that operates at 600 volts or less:

- Has sufficient working area at least thirty inches wide for operation and maintenance of the equipment.

- ◆ Is kept clear and free of stored materials so that employees can access this equipment for servicing, adjustments or maintenance.

- ◆ Has at least one access route to provide free and unobstructed access.

- ◆ Has at least three feet of working space in front, measured from the exposed live parts or the enclosure front. (See the table below.)

- ◆ Has adequate indoor lighting.

(See WAC 296-800-210.)

- ◆ Has at least six feet three inches of headroom.

This table shows the area you must keep clear depending on the layout of the electrical equipment.

Conditions*	0 - 150 volts to ground	151 - 600 volts to ground
A	3	3
B	3	3 1/2
C	3	4

¹ Minimum clear distances may be 2 feet 6 inches for equipment built or installed before 3/20/82.

* Conditions A, B, and C are as follows:

A= Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other

insulating material. Insulated wire or insulated bus bars operating at not over 300 volts are not considered live parts.

B= Exposed live parts on one side and grounded parts on the other side.

C= Exposed live parts on both sides of the workspace (not guarded as provided in condition (a) with the operator between the panels).

NEW SECTION

WAC 296-800-28030 Maintain all flexible cords and cables in good condition and use safely.

Exemption: These rules do not apply to cords and cables that are an internal part of factory assembled appliances and equipment, like the windings on motors or wiring inside electrical panels.

Note: Flexible cords and cables are typically used to connect electrical equipment to a power source. These cords can have an electrical plug to connect to a power source or can be permanently wired into the power source. The terms flexible cords, extension cord, cables and electrical cords all refer to flexible cord.

You must:

- Visually inspect portable cord- and plug-connected equipment and extension cords before use on each work shift. Defects and damage to look for include:

- ◆ Loose parts.
- ◆ Deformed or missing pins.
- ◆ External defects and damage.
- ◆ Damage to the outer covering or insulation.
- ◆ Pinched or crushed covering or insulation that might indicate internal damage.

- Cord- and plug-connected equipment and extension cords which stay connected once in place and are not exposed to damage do not need visual inspection until they are moved.

- Use flexible cords only as follows:

- ◆ Wiring of equipment and appliances.
- ◆ Data processing cables approved as a part of the data processing system.

- ◆ Pendants.

- ◆ Wiring for fixtures.

- ◆ Connecting portable lamps or appliances to an approved outlet with an attachment plug.

- ◆ Connecting stationary equipment that is frequently changed with an attachment plug energized from an approved outlet.

- ◆ Preventing noise or vibration transmission.

- ◆ Appliances that have been designed to permit removal for maintenance and repair if the appliance is equipped with an attachment plug energized from an approved outlet.

- ◆ Elevator cables.

- ◆ Wiring of cranes and hoists.

- Not use flexible cords in the following ways:

- ◆ As a substitute for fixed wiring of a structure.

- ◆ To run through holes in walls, ceilings, or floors.

- ◆ To run through doorways, windows, or similar openings.

- ◆ To attach to building surfaces.

- ◆ To conceal behind building walls, ceilings, or floors.

- ◆ To raise or lower equipment.

PROPOSED

- Remove from service any defective or damaged cord until repaired and tested.

- Make sure flexible cords and cables are approved and suitable for:

- ◆ The way they will be used.
- ◆ The location where they will be used.

- Make sure insulation on flexible cords, extension cords and cables is intact.

- Not fasten or hang cords and equipment in any way that could cause damage to the outer jacket or insulation of the cord.

- Make sure flexible cords and electrical cords are:

- ◆ Connected to devices and fittings so that any pulling force on the cord is prevented from being directly transmitted to joints or terminal screws on the plug.

- ◆ Used only in continuous lengths without splice* or tap.

*Note: Hard service flexible cords No. 12 or larger may be repaired or spliced if the insulation, outer sheath properties, and use characteristics of the cord are retained.

- ◆ Make sure flexible cords and electrical cords used on a temporary basis are protected from accidental damage:

- ◆ By avoiding sharp corners and projections.
- ◆ If they pass through doorways or other pinch points.

- Make sure temporary electrical power and lighting installations that operate at 600 volts or less are used only:

- ◆ During and for remodeling, maintenance, repair or demolition of buildings and similar activities.

- ◆ Experimental or developmental work.

- ◆ For no more than ninety days for:

- Christmas decorative lighting.

- Carnivals.

- Other similar purposes.

- Not allow your employees to use wet hands for plugging or unplugging equipment or extension cords if the equipment is energized.

NEW SECTION

WAC 296-800-28035 Prevent your employees from coming into contact with live electrical parts. You must:

- Guard live parts of electric equipment operating at 50 volts or more against accidental contact by any of the following means:

- ◆ By approved cabinets or other forms of approved enclosures.

- ◆ By location in a room, vault, or similar enclosure that is accessible only to employees qualified to work on the equipment.

- ◆ By permanent, substantial partitions or screens so that only employees qualified to work on the equipment will have access within reach of the live parts. Any openings must prevent accidental contact with live parts by employees or objects employees carry.

- ◆ By location on a balcony, gallery, or platform that will exclude unqualified persons.

- ◆ By being located eight feet or more above the floor or other working surface.

- In locations where electric equipment would be exposed to physical damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

- Entrances to rooms and other guarded locations containing exposed live parts must be marked with conspicuous warning signs forbidding unqualified persons to enter.

You must:

- Make sure the path to ground from circuits, equipment, and enclosures is permanent and continuous.

- Make sure all electrical appliances, fixtures, lampholders, lamps, rosettes, and receptacles do not have live parts normally exposed to employee contact.

- Rosettes and cleat type lampholders at least 8 feet above the ground may have exposed parts.

NEW SECTION

WAC 296-800-28040 You must make sure electrical equipment is effectively grounded. You must:

- Make sure the path to ground from circuits, equipment, and enclosures is permanent and continuous.

- Make sure equipment connected by cord and plug is grounded under these conditions:

- ◆ Equipment with exposed noncurrent carrying metal parts.

- ◆ Cord and plug connected equipment which may become energized.

- ◆ Equipment that operates at over 150 volts to ground.
Exemption: Except for guarded motors and metal frames of electrically heated appliances, if the appliance frames are permanently and effectively insulated from ground.

- ◆ Equipment in hazardous locations. (WAC 296-24-95613)

- Ground the following type of equipment:

- ◆ Hand-held motor-operated tools.

- ◆ Refrigerators.

- ◆ Freezers.

- ◆ Air conditioners.

- ◆ Clothes washers and dryers.

- ◆ Dishwashers.

- ◆ Electrical aquarium equipment.

- ◆ Hedge clippers.

- ◆ Electric lawn mowers.

- ◆ Electric snow blowers.

- ◆ Wet scrubbers.

- ◆ Tools likely to be used in damp or wet locations.

- ◆ Appliances used by employees standing on the ground, on metal floors or working inside of metal tanks or boilers.

- ◆ Portable hand lamps.

Note: • An approved system of double insulation can be used instead of grounding listed or labeled portable tools and appliances. If such a system is used, the equipment must be distinctively marked.

Grounding can be achieved by:

Using tools and appliances equipped with an equipment grounding conductor (three-prong plug and grounded electrical system).

You must:

- Make sure exposed metal parts of fixed equipment that do not conduct electricity, but may become energized, are

grounded if the equipment is in a wet or damp location and is not isolated.

- Make sure ground wires are identified and look different than the other conductors (wires).
- Make sure ground wires are not attached to any terminal or lead to reverse polarity of the electrical outlet or receptacle.
- Make sure grounding terminals or grounding-type devices on receptacles, cords, connectors, or attachments plugs are not used for purposes other than grounding.

NEW SECTION

WAC 296-800-28045 Make sure electrical equipment has overcurrent protection. You must:

- Make sure all electrical circuits that are rated at 600 volts or less have overcurrent protection.
- Protect conductors and equipment according to their ability to safely conduct electrical current.
- Make sure overcurrent devices do not interrupt the continuity of grounded conductors unless:
 - All conductors are opened at the same time or
 - You are using the overcurrent devices to protect from overload when running motors
 - You protect employees from electrical arcing or suddenly moving electrical parts by locating fuses and circuit breakers in safe places. If this is not possible, install shields on fuses and circuit breakers.
- Make sure the following fuses and thermo cutouts have disconnecting mechanisms:
 - ◆ All cartridge fuses accessible to nonqualified persons
 - ◆ All fuses on circuits over 150 volts to ground
 - ◆ All thermal cutouts on circuits over 150 volts to ground.
 - ◆ The disconnecting mechanisms must be installed so you can disconnect the fuses or thermal cutouts without disrupting service to equipment and circuits unrelated to those protected by the overcurrent device.
 - Provide easy access to overcurrent devices for each employee or authorized building management personnel.
 - Protect the overcurrent devices by locating them away from easily ignitable material.
 - They must be placed to avoid exposure to physical damage.
 - Make sure circuit breakers:
 - ◆ Clearly indicate when they are open (off) and closed (on)
 - ◆ That operate vertically are installed so the handle is in the "up" position when the breaker is closed (on). See WAC 296-24-95603 (2)(c) for more information
 - ◆ Used as switches in 120-volt, fluorescent lighting circuit must be approved for that purpose and marked "SWD." See WAC 296-24-95603 (2)(c) for more information.
 - ◆ That have arcing or suddenly moving parts, are shielded or located so that to employees will not get burned or injured by the operation of the circuit breaker
 - Fuses must also be shielded in this way

PORTABLE LADDERS: METAL AND WOODEN

NEW SECTION

WAC 296-800-290 Summary. Your responsibility: To make sure the portable ladders in your workplace are used safely and kept in good condition.

Portable metal ladders.

You must:

- Inspect your portable metal ladders periodically.
- WAC 296-800-29005.

• Make sure your portable metal ladders are kept in good condition.

WAC 296-800-29010.

- Use your portable metal ladders safely.

WAC 296-800-29015.

Portable wooden ladders.

You must:

- Inspect your portable wooden ladders periodically.

WAC 296-800-29020.

• Make sure your portable wooden ladders are kept in a good condition.

WAC 296-800-29025.

• Use your portable wooden ladders safely and for the intended purpose.

WAC 296-800-29030.

- Climb portable wooden ladders safely.

WAC 296-800-29035.

• Safely use a portable wooden ladder when working more than 25 feet above ground.

WAC 296-800-29040.

- Use stepladders safely.

WAC 296-800-29045.

Exemption: These rules apply to common types of portable wooden ladders except for these special ladders:

- Fruit picker ladders
- Industrial tripod ladders
- Combination step and extension ladders
- Stockroom step ladders
- Aisle way step ladders
- Shelf ladders
- Library ladders

Note: There are different types of ladders. Be sure to use one that is capable of handling the combined weight of the climber and the load being carried (working load).

Type	Duty Rating	Working Load
IAA	Industrial	Special duty—375 lbs. maximum
IA	Industrial	Extra heavy—300 lbs. maximum
I	Industrial	Heavy—250 lbs. maximum
II	Commercial	Medium—225 lbs. maximum
III	Household	Light—200 lbs. maximum

PROPOSED

PORTABLE METAL LADDERS**NEW SECTION**

WAC 296-800-29005 Inspect your portable metal ladders periodically. You must:

- Immediately inspect a portable metal ladder if it tips over. Look at:
 - ◆ The rails for dents, bends or dented rungs
 - ◆ All the rungs to side rail connections
 - ◆ The hardware connections
 - ◆ Rivets for shear damage
- Inspect the cables and ropes on portable metal ladders and replace them if they are defective
- Check hardware fittings and accessories frequently and keep them in good condition
- Mark defective ladders and take them out of service until repaired by a maintenance department or the manufacturer.

NEW SECTION

WAC 296-800-29010 Make sure your portable metal ladders are kept in good condition. You must:

- ◆ Maintain your portable metal ladders in good, usable condition, at all times.
- ◆ Handle portable metal ladders with care and avoid dropping, jarring, or misusing them.
- ◆ Store your portable metal ladders on racks designed to protect them when not in use. The racks must have enough supporting points to prevent any possibility of excessive sagging.
- ◆ Properly support your ladder while transporting on vehicles. To prevent chafing and the effects of road shock, use supports that are made of material softer than the metal ladder, such as hardwood or rubber-covered iron pipe. (Tying the ladder to each support point will greatly reduce damage due to road shock.)

- Note:
- Tying the ladder to each support point will greatly reduce damage due to road shock.
 - For specific design and construction requirements for metal ladders see WAC 296-24-79503 of the General safety and health standard.

NEW SECTION

WAC 296-800-29015 Use your portable metal ladders safely. You must:

- Make sure a nonself supporting portable ladder is set at a safe angle of 75-1/2 degrees, for maximum balance and strength.
- Make sure the base section of the portable metal ladder has secure footing.
- Make sure both rails are supported at the top, unless the ladder has a single support attachment.
- Make sure while climbing portable metal ladders, you:
 - Have both hands free to hold on to the ladder.
 - Face the ladder when you are climbing up or down.
- Not tie or fasten ladder sections together to make longer ladders (unless the ladder manufacturer endorses this

type of use, and you have hardware fittings specifically for this use).

- Make sure a nonself-supporting portable ladder is set at a safe angle of 75-1/2 degrees, for maximum balance and strength.

- Note:
- Safe ladder angle. A simple rule for setting up a ladder at the proper angle is to place the base a distance from the wall, equal to 1/4 the working length of the ladder. For example, if your ladder is 16 feet long, set the bottom of the ladder 4 feet away from the wall.

PORTABLE WOODEN LADDERS**NEW SECTION**

WAC 296-800-29020 Inspect your portable wooden ladders frequently. You must:

- Make sure ladders with defects are:
 - ◆ Withdrawn from service to be repaired or destroyed
 - ◆ Tagged as "dangerous do not use."

NEW SECTION

WAC 296-800-29025 Make sure your portable wooden ladders are kept in a good condition. You must:

- ◆ Make sure your portable wooden ladders are maintained in good condition and:
 - ◆ Joints between the steps or rungs and side rails are tight
 - ◆ Hardware and fittings are securely attached
 - ◆ Moveable parts operate freely without binding or excessive play
 - ◆ Metal bearings are lubricated frequently
 - ◆ Frayed or badly worn ropes is replaced
- Not use portable wooden ladders with:
 - ◆ Broken or missing steps
 - ◆ Broken or missing rungs or cleats
 - ◆ Broken side rails
 - ◆ Other faulty equipment
- Not make improvised repairs on your portable wooden ladders.
 - Make sure that where the top of the ladder rests is reasonably rigid and strong enough to support the load.
 - Make sure safety feet and other auxiliary equipment are kept in good condition.
 - Not store your portable wooden ladders near sources of heat, moisture, or dampness.

NEW SECTION

WAC 296-800-29030 Use your portable wooden ladders safely and for their intended purpose. You must:

- ◆ Not use single ladders more than thirty feet long.
- ◆ Not use two-section extension ladders more than sixty feet long.
- Not:
 - ◆ Splice shorter sections together to make longer sections
 - ◆ Use ladders as guys, braces or skids

- ◆ Place ladders on boxes, barrels or other unstable bases to make the ladder taller
- ◆ Use ladders in a horizontal position
- ◆ Make ladders by fastening cleats across a single rail
 - Make sure that rung and cleat ladders are set up at a safe angle. (See note and illustration on safe ladder angle in WAC 296-800-29015.)

NEW SECTION

WAC 296-800-29035 When climbing portable wooden ladders safely. You must:

- Keep shoes free and clean of greasy and slippery substances.
- Have both hands free to hold on to the ladder.
- Make available separate portable wooden ladders for climbing up and climbing down, when there is heavy traffic on a ladder in building construction of more than two stories in height.

NEW SECTION

WAC 296-800-29040 Safely use a portable wooden ladder when working more than 25 feet above ground. You must:

- Secure the ladder at the top and bottom.
 - Not perform work that requires the use of both hands unless wearing a safety belt and lanyard secured to the ladder.
 - Not perform work requiring eye protection, respirators and/or pressure equipment if over thirty feet above the ground.
 - Place the bottom of a portable wooden ladder so it will not slip, or the bottom must be tied or held in position.
 - Not place a portable wooden ladder in front of doors that open towards the ladder, UNLESS:
 - You block the door open
 - or
 - You lock the door
 - or
 - You guard the door to keep it from opening into the ladder
 - Make sure 2-section extension ladders overlap as follows:
- | Length of section
of extension ladders
(Feet) | Minimum overlap allowed
(Feet) |
|---|-----------------------------------|
| Less than 36 | 3 |
| 37 - 48 | 4 |
| 49 - 60 | 6 |

- Make sure ladders with metal reinforced rails are used with the reinforcement on the under side to avoid hazards such as tripping and electrocution.
- Not place ladders in elevator shafts and hoistways, except where used by workers assigned to that type of work.
 - Employees must be protected from falling objects, when assigned to work on ladders in elevator shafts and hoistways.

- Not support more than 1 section of plank per ladder rung.
 - Do not allow more than 2 persons on 1 section of planking at a time.
 - Brace the ladder to reduce the spring caused by weight on the ladder.
 - Have a center rail and sides that are plainly marked as "up" and "down" if you use 1 broad ladder.
 - Not perform work requiring eye protection, respirators, and/or pressure equipment if over 30 feet above the ground.

NEW SECTION

WAC 296-800-29045 Use stepladders safely. You must:

- Use stepladders that are less than twenty feet.
- Not climb on the bracing or the back legs.
- Not use as single ladders.
- Not stand on a step higher than the third step from the top, if working five feet or higher from the ground.
- Not use the tops of stepladders as steps.

PORTABLE FIRE EXTINGUISHERS

NEW SECTION

WAC 296-800-300 Summary. Your responsibility: To provide readily accessible, appropriate portable fire extinguishers for employees in your workplace.

Note: Fire safety codes for cities and counties in the State of Washington may be more restrictive than the rules in this section. You are encouraged to call your local fire department for more information on the fire safety codes in your area.

You must:
Provide portable fire extinguishers in your workplace.
WAC 296-800-30005.

Select and distribute portable fire extinguishers in your workplace.

WAC 296-800-30010.

Make sure that portable fire extinguishers are kept fully charged, in good operating condition, and left in their designated places.

WAC 296-800-30015.

Inspect and test all portable fire extinguishers.

WAC 296-800-30020.

Train your employees to use portable fire extinguishers.

WAC 296-800-30025.

Exemptions: You are exempt from the requirements of portable fire extinguishers if you have the following:

- You have:
- A written fire safety policy that requires the immediate and total evacuation of employees from the workplace when there is a fire alarm signal, and
 - An emergency action plan and a fire prevention plan which meet the requirements of WAC 296-24-567.
 - Portable fire extinguishers in your workplace that are not accessible for employee use.

If another WISHA rule requires portable fire extinguishers, then you must comply with these requirements.

Where extinguishers are provided but are not intended for employee use and you have an emergency action plan and

PROPOSED

a fire prevention plan (which meet the requirements of WAC 296-24-567), then only the requirements of WAC 296-800-300 apply.

NEW SECTION

WAC 296-800-30005 Provide portable fire extinguishers in your workplace. You must:

- Provide approved portable fire extinguishers for your workplace and distribute them so they are readily accessible.
- Mount, locate, and identify portable fire extinguishers so employees can easily reach them, without being subjected to possible injury.
- Make sure that your portable fire extinguisher does not use carbon tetrachloride or chlorobromomethane extinguishing agents.

NEW SECTION

WAC 296-800-30010 Select and distribute portable fire extinguishers in your workplace.

Exemption: This does not apply to portable fire extinguishers provided for employees to use outside of workplace buildings or structures.

You are exempt from this rule if you have an emergency action plan (that meets requirements of WAC 296-24-567):

- Which designates certain employees to be the only employees authorized to use the available portable fire extinguishers and
- Requires all other employees in the fire area to immediately evacuate the affected work area upon the sounding of the fire alarm.
- Provide the correct type of portable fire extinguisher and distribute them in your workplace, depending on the type, size, and severity of fire that could occur.
- The type of portable fire extinguisher you must have in you workplace depends on the types of fire hazards that exist in your workplace.

Type of fire hazard	Maximum distance from the fire hazard to a fire extinguisher
Wood, cloth, paper, rubber (Class A Fire Hazards)	No more than 75 feet (22.9 m) Note: You may use uniformly spaced standpipe systems or hose stations instead of Class A portable fire extinguishers, if they meet the requirements of WAC 296-24-602 or 296-24-607.
Liquids, grease, gases (Class B Fire Hazards)	No more than 50 feet (15.2 m)

Type of fire hazard	Maximum distance from the fire hazard to a fire extinguisher
Live electrical equipment and circuits (Class C Fire Hazards)	Distribute any Class C portable fire extinguishers using the same pattern that you have for any Class A or Class B fire hazards. If the electrical equipment is deenergized, you may use a Class A or Class B portable fire extinguisher on it.
Powder, flakes and residue from combustible metals, like magnesium and titanium, that build up over a two week period (Class D Fire Hazards)	No more than 75 feet (22.9 m)

NEW SECTION

WAC 296-800-30015 Make sure that portable fire extinguishers are kept fully charged, in operable condition, and left in their designated places.

NEW SECTION

WAC 296-800-30020 Inspect and test all portable fire extinguishers. You must:

- Perform inspections:
 - ◆ Make sure that portable fire extinguishers or hose systems (used instead of fire extinguishers) are visually inspected monthly.
 - ◆ Make records of inspections available to the director of the department of labor and industries if requested.
- Perform maintenance checks:
 - ◆ Make sure that all portable fire extinguishers are subjected to an annual maintenance check.
 - ◆ Stored pressure extinguishers do not require an internal examination.
 - ◆ Keep records of all annual maintenance checks and make available to the department upon request:
 - For one year after the last maintenance check; or
 - For the life of the shell, whichever is less.
 - ◆ Make sure that equal protection is provided when portable fire extinguishers are removed from service for maintenance and recharging.
- You must:
 - Perform hydrostatic testing:
 - Make sure that portable extinguishers are hydrostatically tested:
 - At the intervals listed in Table I
 - Whenever they show evidence of corrosion or mechanical injury
 - Not perform hydrostatic testing on fire extinguishers if:
 - The unit has been repaired by soldering, welding, brazing, or use of patching compounds

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- The cylinder or shell threads are damaged
- Corrosion has caused pitting, including corrosion under removable name plate assemblies
- The extinguisher has been burned in a fire
- Calcium chloride extinguishing agents have been used in a stainless steel shell

Note: Specific requirements on hydrostatic testing are covered in WAC 296-24-59212.

- Maintain records showing that hydrostatic testing has been performed. Provide the following evidence to the director upon request:
 - Date of test;
 - Test pressure used;
 - The serial number, or other identifier of the fire extinguisher that was tested; and
 - Person or agency performing the test.
- Keep records until:
 - The extinguisher is retested; or
 - The extinguisher is taken out of service, whichever comes first.
 - Empty and maintain stored-pressure dry chemical extinguishers requiring a twelve-year hydrostatic test, every 6 years:
 - When recharging or hydrostatic testing is performed, the six-year requirement begins from that date.
 - Dry chemical extinguishers that have nonrefillable disposable containers are exempt from this requirement.

TABLE 1

Type of Extinguisher	Test Interval (Years)
Stored pressure water and/or antifreeze	5
Wetting agent	5
Foam (soldered brass shell) until January 1, 1982	(1)
Foam (stainless steel shell)	5
Aqueous film forming form (AFFF)	5
Loaded stream	5
Dry chemical with stainless steel	5
Carbon dioxide	5
Dry chemical, stored pressure, with mild steel, brazed brass or aluminum shells	12
Halon 1211	12
Halon 1301	12
Dry powder, cartridge or cylinder operated, with mild steel shell	12

NEW SECTION

WAC 296-800-30025 Train your employees to use portable fire extinguishers. You must:

Train your employees to:

- Recognize the hazards of incipient stage fire fighting (the early stage of a fire when it can be extinguished by a portable fire extinguisher).
- Use portable fire extinguishers when they are first hired, and then annually.

EXIT ROUTES AND EMPLOYEE ALARM SYSTEMS

NEW SECTION

WAC 296-800-310 Summary. Your responsibility: To provide and maintain emergency exit routes and to install and maintain adequate employee alarm systems.

Exemption: This rule does not apply to vehicles, vessels, or other mobile structures.

Note: Fire safety codes for cities and counties in the state of Washington may be more restrictive than the rules in this section. Call your local fire department for more information about the fire safety codes in your area.

Exit routes:

You must:

Provide an adequate number of exit routes.

WAC 296-800-31005.

Make sure that exit routes are large enough.

WAC 296-800-31010.

Make sure that exit routes meet their specific design and construction requirements.

WAC 296-800-31015.

Make sure that each exit route leads outside.

WAC 296-800-31020.

Provide unobstructed access to exit routes.

WAC 296-800-31025.

Exit doors must be readily opened from the inside.

WAC 296-800-31030.

Use side-hinged doors to connect rooms to exit routes.

WAC 296-800-31035.

Provide outdoor exit routes that meet requirements.

WAC 296-800-31040.

Minimize danger to employees while they are using emergency exit routes.

WAC 296-800-31045.

Mark exits adequately.

WAC 296-800-31050.

Provide adequate lighting for exit routes and signs.

WAC 296-800-31053.

• Maintain the fire retardant properties of paints or other coatings.

WAC 296-800-31055.

• Maintain emergency safeguards.

WAC 296-800-31060.

• Maintain exit routes during construction and repair.

WAC 296-800-31065.

• Provide doors, in freezer or refrigerated rooms, that open from inside.

WAC 296-800-31067.

Employee alarm systems:

You must:

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- Install and maintain an operable employee alarm system.

WAC 296-800-31070.

- Establish procedures for sounding emergency alarms.

WAC 296-800-31075.

- Test the employee alarm system.

WAC 296-800-31080.

EXIT ROUTES

NEW SECTION

WAC 296-800-31005 Provide an adequate number of exit routes. You must:

- Provide a minimum of two exit routes to provide different ways for employees to leave the workplace safely during an emergency. At least two of the exit routes must be remote from one another so employees can safely exit if one exit route becomes blocked or unavailable.

- Provide an adequate number (at least two) of exit routes, considering the kind, number, location and capacity, appropriate to each building according to the following conditions:

- ◆ Number of employees.
- ◆ Size of building.
- ◆ Arrangement of workplace.
- ◆ Building occupancy.

Note: A single exit route is permitted where the number of employees, the size of the building, its occupancy, or the arrangement of the workplace indicates that a single exit will allow all employees to exit safely during an emergency. Other means of escape, such as fire exits or accessible windows, should be available where only one exit route is provided.

NEW SECTION

WAC 296-800-31010 Make sure that exit routes are large enough. You must:

- Make sure each exit route is large enough to accommodate the maximum-permitted occupant load for each floor served by the route.
- Make sure the capacity of an exit route does not decrease at any point.

NEW SECTION

WAC 296-800-31015 Make sure that exit routes meet their specific design and construction requirements. You must:

- Make sure each exit is a permanent part of the workplace.
- Make sure an exit route has only those openings necessary to permit access to, or exit from, occupied areas of the workplace.
- Make sure an opening into an exit is protected by a self-closing fire door that remains closed.
- Make sure each fire door, its frame, and its hardware is listed or approved by a nationally recognized testing laboratory.

- Make sure construction materials, used to separate an exit route, have at least:

- One-hour fire resistance rating if the exit connects three stories or less.

- Two-hour fire resistance rating if the exit connects four stories or more.

- Make sure an exit route is at least 6 feet 8 inches high at all points.

- ◆ Make sure objects that stick out into the exit route, such as fans hanging from ceilings or cabinets on walls, do not reduce the minimum height and width of the exit route.

- Make sure exit routes are at least twenty-eight inches wide at all points between handrails.

- ◆ If necessary, routes must be wider than twenty-eight inches to accommodate the expected occupant load.

NEW SECTION

WAC 296-800-31020 Make sure that each exit route leads outside. You must:

- Make sure that building exit routes lead:

- ◆ Directly outside or to a street, walkway; or to an open space with access to the outside.

- ◆ To streets, walkways, or open spaces large enough to accommodate all building occupants likely to use the exit.

- Make sure the exit routes clearly show the route employees use to leave the building in an emergency.

- Install a standard safeguard with a warning sign, if a doorway or corner of a building could allow an employee to walk in front of an engine or trolley.

- Use doors, partitions, or other effective means to show employees the correct route out of the building, if the stairs in your exit route lead anywhere but out of the building.

Note: If the stairs in your exit route lead past the exit to the basement, you might install a gate at the point they lead towards that basement. The gate could help your employees stay on the exit route taking them out of the building.

NEW SECTION

WAC 296-800-31025 Provide unobstructed access to exit routes. You must:

- Provide exit routes that are always free of obstructions so all employees can safely exit the building during an emergency.

- Make sure employees are not required to travel to a dead end or through a room that can be locked, such as a restroom.

- Make sure employees use stairs or a ramp if the exit route is not substantially level.

NEW SECTION

WAC 296-800-31030 Exit doors must be readily opened from the inside.

Exemption: An exit door may be locked or blocked from the inside in a mental, penal, or correctional institution, if supervisory personnel are continuously on duty and a plan exists to remove employees and inmates during an emergency.

You must:

- Make sure all exit doors readily open from the inside without keys, tools, or special knowledge. A device that locks only from the outside, such as a panic bar, is permitted. An exit door must be free of any device or alarm that could restrict emergency use of an exit if the device or alarm fails.

NEW SECTION

WAC 296-800-31035 Use side-hinged doors to connect rooms to exit routes. You must:

- Use a side-hinged exit door to connect any room to an exit route. The door must swing out when the room:
 - Is occupied by more than fifty persons; or
 - Contains highly flammable or explosive materials.

NEW SECTION

WAC 296-800-31040 Provide outdoor exit routes that meet these requirements. You must:

- Make sure an outdoor exit route (such as an interior balcony, porch, gallery, or roof) meets all requirements for an indoor exit route. In addition to those requirements, an outdoor exit route must also:
 - ◆ Have guardrails to protect unenclosed sides.
 - ◆ Be covered if snow or ice is likely to accumulate without regular removal.
 - ◆ Be reasonably straight with smooth, solid, substantially level floors.
 - ◆ Have no dead ends more than twenty feet long that branch off of the exit route.

NEW SECTION

WAC 296-800-31045 Minimize danger to employees while they are using emergency exit routes. You must:

- Maintain each exit route to minimize danger to employees during an emergency.
- Keep each exit route free of explosive or highly flammable furnishings and decorations.
- Exit routes must not require employees to travel toward areas where high hazard materials are stored, unless the route is protected by partitions or physical barriers. High hazard materials are materials that:
 - ◆ Burn quickly
 - ◆ Emit poisonous fumes when burned
 - ◆ Are explosive

NEW SECTION

WAC 296-800-31050 Mark exits adequately. You must:

- Mark each exit with a clearly visible, distinctive sign reading "exit."
- Mark any doorway or passage that might be mistaken for an exit with "not an exit" or with an indication of its actual use.
- Make sure exit signs are a distinctive color.
- Make sure signs are posted and arranged along exit routes to adequately show how to get to the nearest exit.

- Make sure decorations, furnishings, or equipment do not obscure or cover up the exit sign.

- Keep exit doors free of signs or decorations that obscure their visibility.

NEW SECTION

WAC 296-800-31053 Provide adequate lighting for exit routes and signs. You must:

- Illuminate each exit route adequately and reliably.
- Have at least five foot-candles illumination from a reliable light source.
- Make sure any exit signs illuminated by artificial lights and made of translucent material (other than internally illuminated types)
 - ◆ Have screens, discs or lens of at least twenty-five square inches in size; and
 - ◆ Show red or other designated color on the approach side of the exit.
- Make sure brightly lit signs, displays, or objects in or near the line of vision do not distract attention from the exit sign.
- Make sure exit signs that are self-lighting have a minimum luminance surface value of .06 footlamberts.

NEW SECTION

WAC 296-800-31055 Maintain the fire retardant properties of paints or other coatings. You must:

- Maintain any paints or other coatings with fire retardant properties so they retain their fire retardant properties.

NEW SECTION

WAC 296-800-31060 Maintain emergency safeguards. You must:

- Maintain each safeguard in proper working order to protect employees during an emergency. Emergency safeguards include items such as:
 - ◆ Sprinkler systems.
 - ◆ Alarm systems.
 - ◆ Fire doors.
 - ◆ Exit lighting.

NEW SECTION

WAC 296-800-31065 Maintain exit routes during construction and repair. You must:

- Have enough exit routes that comply with these rules before letting your employees occupy a workplace under new construction.
 - Make sure that employees do not occupy an existing workplace unless:
 - ◆ All exits and existing fire protection are maintained;
 - or
 - ◆ Alternate fire protection is provided that ensures an equivalent level of safety.
- Make sure that flammable or explosive materials used during construction or repair do not expose employees to additional hazards or prevent emergency escape.

NEW SECTION

WAC 296-800-31067 Provide doors in freezer or refrigerated rooms that open from inside. You must:

- Make sure that walk-in refrigerators or freezer rooms have doors with opening devices allowing them to be opened from the inside even when they are locked from the outside.

NEW SECTION

WAC 296-800-31070 Install and maintain an operable employee alarm system.

- Exemptions:
- If you have ten or fewer employees in a particular workplace, you can use direct voice communication to sound the alarm, if all employees can hear it. For this kind of workplace, you do not need a back-up system.
 - In workplaces where employees would not otherwise be able to recognize audible or visible alarms, you can use tactile devices to alert them.

You must:

- Make sure that a working employee alarm system with a distinctive signal to warn employees of fire or other emergencies is installed and maintained, unless employees can see or smell a fire or other hazard.
- Make sure that the following systems meet the requirements of this rule, if you use them as your employee alarm system:
 - Supervisory alarms
 - Discharge alarms
 - Detection systems required on fixed extinguishing systems
 - Detection systems required on fire suppression systems
- Make sure that your employee alarm systems are:
 - ◆ Providing enough warning to allow employees to safely escape from the workplace, the immediate work area, or both.
 - ◆ Noticeable above surrounding noise or light levels by all employees in the affected portions of the workplace.
 - ◆ Distinctive and recognizable as a signal, to evacuate the work area.
 - ◆ Restored to working order as soon as possible, after each test or alarm.
 - ◆ Supervised, if installed after July 1, 1982, and if it has that capacity.
 - ◆ Alerting assigned personnel whenever a malfunction exists in the system.
 - ◆ Adequately warning employees of emergencies.
 - ◆ Serviced, maintained, and tested by a person trained in the alarm system's design and functions to keep the system operating reliably and safely.
- In working order, except when undergoing repairs or maintenance.
 - ◆ Having a distinctive signal to warn employees of fire or other emergencies, if they are not able to see or smell a fire or other hazard.
 - ◆ Have manual actuation devices that, if provided, are unobstructed, easy to find, and readily accessible.
 - ◆ Use alarm devices, components, combinations of devices, or systems with approved construction and installa-

tion. This applies to steam whistles, air horns, strobe lights, or similar lighting devices, as well as tactile devices.

- ◆ Have spare alarm devices available to restore the system promptly if a component breaks, is worn, or destroyed.
- ◆ Are kept in full operating condition by maintaining and replacing power supplies as often as necessary.
- ◆ Have back-up means of alarm, such as employee runners or telephones, when regular systems are out of service.

NEW SECTION

WAC 296-800-31075 Establish procedures for sounding emergency alarms. You must:

- Explain to each employee how to sound the alert for emergencies. Methods of reporting emergencies can include:
 - ◆ Manual pull box alarms.
 - ◆ Public address systems.
 - ◆ Radio.
 - ◆ Telephones.
- Post emergency numbers near telephones, employee notice boards, or other conspicuous locations, if you use telephones to report emergencies.
- Require that all emergency messages have priority over all nonemergency messages if the communication system also serves as an employee alarm system.

NEW SECTION

WAC 296-800-31080 Test the employee alarm system. You must:

- Test the reliability and adequacy of your employee alarm system every two months.
 - ◆ Use a different activation device in each test of a multiactuation device system, so the entire alarm system gets tested.
- Make sure that supervised (monitored) employee alarm systems are tested at least once a year for reliability and adequacy.

ACCIDENT REPORTING AND INVESTIGATINGNEW SECTION

WAC 296-800-320 Summary. Your responsibility:

To report and conduct an investigation of certain types of accidents.

Note: After handling medical emergencies, call the nearest office of the department of labor and industries or call OSHA (Occupational Safety and Health Administration) at 1-800-321-6742, to report the incident.

You must:

Make sure that any equipment involved in an accident is not moved.

WAC 296-800-32005

Report the death or probable death, of any employee, or the in-patient hospitalization of 2 or more employees within 8 hours

WAC 296-800-32010

Assign people to assist the department of labor and industries

WAC 296-800-32015

Assign people to conduct the preliminary investigation

WAC 296-800-32020

Conduct a preliminary investigation

WAC 296-800-32025

Document the investigation findings

WAC 296-800-32030**NEW SECTION****WAC 296-800-32005 Make sure that any equipment involved in an accident is not moved.** You must:

- Not move equipment involved in a work or work related accident or incident if any of the following results:

- A death
- A probable death
- 2 or more employees are sent to the hospital

- Not move the equipment until a representative of the department of labor and industries investigates the incident and releases the equipment unless:

- Moving the equipment is necessary to:
 - Remove any victims
 - Prevent further incidents and injuries

NEW SECTION**WAC 296-800-32010 Report the death or probable death of any employee, or the in-patient hospitalization of 2 or more employees within 8 hours.** Report the death or probable death of any employee, or the in-patient hospitalization of 2 or more employees within 8 hours.

You must:

- Contact the nearest office of the department of labor and industries in person or by phone to report within 8 hours of the work-related incident or accident.

To report:

- A death
- A probable death
- 2 or more employees are sent to the hospital

You can make a report to the Occupational Safety and Health Administration (OSHA) by calling its central number at 1-800-321-6742.

- Provide the following information within 30 days concerning any accident involving a fatality or hospitalization of 2 or more employees:

- Name of the work place
- Location of the incident
- Time and date of the incident
- Number of fatalities or hospitalized employees
- Contact person
- Phone number
- Brief description of the incident

Note: If you do not learn about the incident at the time it occurs, you must report the incident within 8 hours of the time it was reported to you, your agent, or employee.

NEW SECTION**WAC 296-800-32015 Assign people to assist the department of labor and industries.** You must:

- Assign witnesses and other employees to assist department of labor and industries personnel who arrive at the scene to investigate the incident involving:

- A death
- Probable death
- 2 or more employees are sent to the hospital.

Include:

- The immediate supervisor
- Employees who were witnesses to the incident
- Other employees the investigator feels are necessary to complete the investigation

NEW SECTION**WAC 296-800-32020 Assign people to conduct the preliminary investigation.** You must:

- Make sure your preliminary investigation is conducted by the following people:

- A person designated by the employer
- The immediate supervisor of the injured employee
- Witnesses
- An employee representative, such as a shop steward or other person chosen by the employee to represent them
- Any other person who has the experience and skills to evaluate the facts relating to the cause of the incident

- If the employee representative is the business agent of the employee bargaining unit and is unavailable to participate without delaying the investigation group, you may proceed, by using one of the following:

- The shop steward
 - An employee representative member of your safety committee
 - A person selected by all employees to represent them
- Note: A preliminary investigation includes noting information such as the following:
- Where did the accident or incident occur?
 - What time did it occur?
 - What people were present?
 - What was the employee doing at the time of the accident or incident?
 - What happened during the accident or incident?

NEW SECTION**WAC 296-800-32025 Conduct a preliminary investigation.** You must:

- Conduct a preliminary investigation to determine the causes of a work or work related incident or accident that causes an employee to have serious injuries with immediate symptoms.

Note: A serious injury is one that:

- Requires medical treatment beyond first aid
- Usually requires treatment by a medical doctor:
- Makes part of the body of the injured useless or substantially reduced in efficiency
- May be permanent or temporary

- May be chronic or acute
- May involve loss of consciousness
- May cause death

NEW SECTION

WAC 296-800-32030 Document the investigation findings. You must:

- Document the investigation findings for reference following any formal investigation.

RELEASING ACCIDENT INVESTIGATION REPORTS

NEW SECTION

WAC 296-800-330 Releasing accident investigation reports. Rule.

The department must:

- Keep accident investigations and related reports confidential.
 - Not freely release results of accident investigations and related reports that are confidential.
 - Make available accident investigation reports, without the need of a court order, only to the following:
 - The injured worker, their legal representative, or their labor organization representative.
 - The legal representative or labor organization representative of a deceased worker.
 - The employer of any injured or deceased worker.
 - Any other employer or person whose actions or business operations are the subject of the report or investigation.
 - Any attorney representing a party in any pending legal action in which an investigative report constitutes material and relevant evidence.
 - Employees of governmental agencies in the performance of their official duties.
 - Any beneficiary of a deceased worker actually receiving benefits under the terms of Title 51 RCW, the Industrial Insurance Act.

Note: The records officer may provide accident investigation reports to the closest surviving member of the deceased worker's immediate family.

PROTECTING THE IDENTITY OF THE SOURCE OF CONFIDENTIAL INFORMATION

NEW SECTION

WAC 296-800-340 Protecting the identity of the source of confidential information. Rule.

The department must:

- Not reveal the source of information when a promise has been made to keep the identity of the source confidential.
- Not disclose information that would reveal the source's identity, whenever a department file contains an investigative report or information from a source under a promise of confidentiality.

- The contents of an investigative report may be withheld only to the extent necessary to conceal the identity of the source.

- When information is withheld, the records officer must give a general characterization of the information withheld, but must not reveal the identity of the information's source.

WISHA APPEALS, PENALTIES AND OTHER PROCEDURAL RULES

Summary

Your responsibility:

This section describes the action WISHA will take during or after an inspection and your related obligation and rights. You must follow posting requirements listed in these rules and notify your employees as indicated.

You must:

WISHA INSPECTIONS AND CITATIONS

Types of workplace inspections conducted by WISHA

WAC 296-800-35002

Scheduling WISHA inspections

WAC 296-800-35004

WISHA inspection techniques

WAC 296-800-35006

Responding to complaints submitted by employees or their representatives

WAC 296-800-35008

Mailing citations after an inspection

WAC 296-800-35010

Requests for citation and notices from employees or their representatives

WAC 296-800-35012

Requesting copies of WISHA Safety and Health Inspection Reports

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VIOLATING WISHA REQUIREMENTS—CIVIL PENALTIES

Reasons for assessing civil penalties

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Determining severity ratings

WAC 296-800-35024

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WAC 296-800-35026

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WAC 296-800-35028

Adjusting a base penalty

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Base penalty adjustments due to an employer's good faith effort

WAC 296-800-35032

Base penalty adjustments due to an employer's size

WAC 296-800-35034

Base penalty adjustments due to compliance history

WAC 296-800-35036

Maximum adjusted base penalty

WAC 296-800-35038

Reasons for increasing civil penalty amounts

WAC 296-800-35040

EMPLOYERS MUST CERTIFY THAT VIOLATIONS HAVE BEEN CORRECTED

Certify that violations have been corrected

WAC 296-800-35042

Inform affected employees and their representatives about corrective actions you have taken

WAC 296-800-35044

Submitting additional documentation for willful, repeat or seri-

ous violations*WAC 296-800-35046***Submitting correction plans***WAC 296-800-35048***Submit progress reports to the department when required***WAC 296-800-35050***Tag cited moveable equipment to warn employees of a hazard***WAC 296-800-35052***Determine the date by which correction documents must be submitted to the department***WAC 296-800-35054***MORE TIME TO COMPLY****You can request more time to comply***WAC 296-800-35056***Wait for the department's response***WAC 296-800-35062***Post the department's response***WAC 296-800-35064***Request a hearing if you, your employees, or their representative disagree with the department's response***WAC 296-800-35066***Await the department's response to your hearing request***WAC 296-800-35068***Post the department's hearing notice***WAC 296-800-35070***Post the hearing decision***WAC 296-800-35072***Hearing procedures***WAC 296-800-35074***REQUESTING AN APPEAL OF WISHA CITATIONS AND CORRECTIVE NOTICES****Request an appeal promptly and properly***WAC 296-800-35076***Await the department's response to your appeal request***WAC 296-800-35078***Department actions when reassuming jurisdiction over an appeal***WAC 296-800-35080***Corrective notices***WAC 296-800-35082***Notify employees***WAC 296-800-35084***NEW SECTION****WAC 296-800-35002 Types of workplace inspections conducted by WISHA.**

- WISHA conducts the following types of inspections:
 - Programmed inspections of hazardous workplaces.
- WISHA identifies hazardous workplaces using objective criteria and inspection-scheduling systems that may look at any of the following factors:
- Type of industry.
 - Available data of injuries and illnesses where an inspection might eliminate the hazards causing them.
 - Employer's industrial insurance experience.
 - Number, type and toxicity of contaminants at the workplace.
 - Degree of exposure to hazards.
 - Number of employees exposed.
 - Other factors such as history of employee complaints.
- WISHA periodically reviews the scheduling systems and may adjust the factors used and the weight given to each factor.

- Routine programmed inspections in the following high hazard industries:
 - Agriculture.
 - Asbestos renovation and demolition.

- Construction.
- Electrical utilities and communications.
- Logging.
- Maritime.
- Unprogrammed inspections of workplaces that may be in violation of WISHA safety or health rules or chapter 49.17 RCW, the Washington Industrial Safety and Health Act. Unprogrammed inspections may result because of:
 - Complaints from employees, former employees, or employee representatives who believe they have been exposed to a hazard because of a violation.
 - Referrals from anyone who reasonably believes workers, under WISHA jurisdiction, are exposed to a hazard because of a violation.
 - Workplace deaths and serious injuries or illnesses investigations to determine whether they were caused by a violation of safety and health rules or chapter 49.17 RCW, the Washington Industrial Safety and Health Act. WISHA may also initiate comprehensive inspections based on such investigations.
 - Imminent danger of serious injury or death inspections when there is a reason to believe that employees may be in imminent danger of serious injury or death.
 - Follow-up inspections at later dates to verify that you have corrected any hazards identified in a citation.

NEW SECTION

WAC 296-800-35004 Scheduling WISHA inspections. WISHA schedules inspections to distribute staff as efficiently as possible to ensure the maximum level of worker protection.

NEW SECTION**WAC 296-800-35006 WISHA inspection techniques.**

- During an inspection, WISHA may:
 - Take samples, photographs, videotapes, or audiotapes.
 - Conduct tests.
 - Ask employees to wear sampling devices.
 - Conduct interviews.
 - Privately question, on or off the worksite, any:
 - Employer.
 - Employer representative.
 - Owner.
 - Operator.
 - Employee.
 - Employee representative.
 - Employ any other reasonable investigative techniques.

NEW SECTION**WAC 296-800-35008 WISHA's response to complaints submitted by employees or their representatives.**

- When responding to complaints from employees or their representatives, WISHA will:
 - Remove the name of the person submitting the complaint and the names of any employees identified in the complaint before giving a copy of the complaint to an employer

unless the person filing the complaint gives WISHA written permission to release the names.

- Give a copy of the citation and notice to the employee or their representative who submitted the complaint or explain to them why an inspection was not conducted.

- Review any department decision refusing to inspect or cite violations alleged in a complaint if requested in writing from the person.

- Notify the person in writing of the results of the review. If the person requesting the review is not satisfied with the results, they may request a second review by the assistant director or their designee.

NEW SECTION

WAC 296-800-35010 WISHA will mail citations after an inspection.

- If WISHA finds a safety or health violation after inspecting or investigating an allegation in an employee complaint, WISHA will mail a citation to you within six months following the inspection or investigation.

- The citation will include:

- A description of any violations found.
- The amount and type of any penalties assessed.
- The amount of time given to correct the violations.

- When no violations are found, WISHA normally will send you a citation and notice indicating that no violations were found.

NEW SECTION

WAC 296-800-35012 Requests from employees or their representatives for citation and notices. Employees or their representatives may request copies of citation and notices issued to the employer.

- ◆ They should complete Form F418-023-000, request for copy of citation and notice, and mail the completed form to:

Department of Labor and Industries
P.O. Box 44600
Olympia, Washington 98504-4600

Note: If you submit this form, you will receive all citation and notices issued to that employer for the next twelve months.

- ◆ When the department grants the request for a copy of a citation and notice, WISHA will tell you the date the application is granted, and the date it expires.

- ◆ Once it is granted, your application is valid for one year. At the end of the one-year period, a one-year extension may be requested.

- ◆ A waiver of the one-year period can be requested when you make your initial application.

- ◆ If more than one employee representative requests a copy of the same citation and notice, the department may decide which person to send the copy of the citation and notice.

- ◆ The department can deny requests for copies of citation and notices if the person filing the request is not an employee representative.

NEW SECTION

WAC 296-800-35014 Requesting copies of WISHA records and documents.

- Requests for inspection or copies of records and documents in the custody of the department should be made to the department's designated records officer.

- The department's records are maintained at:
7273 Linderson Way S.W.

Tumwater, WA 98504-4632

- Requests can be mailed to:

P.O. Box 44632

Olympia, WA 98504-4632

- General information can be obtained at service locations or field locations throughout the state. (See resource section.)

NEW SECTION

WAC 296-800-35016 Posting a Citation and Notice.

- When you receive a citation or any correspondence related to an employee complaint, you must immediately notify your employees by:

- Posting it on the safety bulletin board for three working days or until all violations have been corrected, whichever is longer.

- Using any other appropriate means to notify those employees who cannot receive notices posted on the safety bulletin board (such as providing a copy to authorized employee representatives or the safety committee or via electronic means).

VIOLATING WISHA REQUIREMENTS—CIVIL PENALTIES

NEW SECTION

WAC 296-800-35018 Reasons for assessing civil penalties.

- WISHA may assess civil penalties when a citation and notice is issued for any violation of health and safety rules, regulations or statutes found during an inspection.

- WISHA will assess civil penalties:

- When a citation for a serious violation is issued.

- Under other circumstances specified by statute (such as RCW 49.17.180, 49.26.016, 49.17.177, 49.70.190).

- Civil penalties promote compliance encouraging employers to correct violations before an inspection takes place and, therefore, avoid the risk of receiving a penalty assessment. Civil penalties help to promote a level playing field for employers complying with the rules by assessing penalties from those who do not comply.

NEW SECTION

WAC 296-800-35020 Minimum penalties for violating WISHA requirements.

- The minimum penalty amounts assessed by WISHA are:

- One hundred dollars for any penalty; and

- Five thousand dollars per violation for all willful violations.

NEW SECTION

WAC 296-800-35022 Calculating a base penalty.

• Except for specific penalty amounts that are dictated by statute, WISHA calculates the base civil penalty for a violation by evaluating:

- The severity of the injury, illness, or disease that could result from the alleged hazard.
- The probability that an injury, illness, or disease could occur as a result of the alleged hazard.

NEW SECTION

WAC 296-800-35024 Determining severity ratings.

• Severity describes how serious an injury, illness, or disease might be relative to a hazardous condition. Severity ratings are based on the most serious injury, illness, or disease that could reasonably be expected to result from a hazardous condition (see Table 1).

• Severity ratings are expressed in whole numbers and range from 1 (lowest) to 6 (highest). A violation with a severity rating of 4, 5, or 6 is considered a serious violation.

Table 1: Severity Ratings

Severity	Most serious injury, illness, or disease likely to result in:
6	Death from injury, illness or disease; injuries involving permanent severe disability; chronic, irreversible illness.
5	Permanent disability of a limited or less severe nature, injuries or reversible illnesses resulting in hospitalization.
4	Injuries or temporary, reversible illnesses resulting in serious physical harm (but less than 5 or 6 above) and may require removal from exposure or supportive treatment without hospitalization for recovery.
3	Injuries or illness would probably not cause death or serious physical harm, but violations have at least major impact and an indirect relationship to serious injury, illness or disease. Violations could have direct and immediate relationship to safety and health of employees. No need for medical treatment beyond first aid.
2	Nonserious or general violations of minor impact, including violations that have an indirect relationship to nonserious injury, illness or disease. No injury, illness or disease without additional violations.

Severity	Most serious injury, illness, or disease likely to result in:
1	No injury, and not likely to result in injury in the presence of other violations.

NEW SECTION

WAC 296-800-35026 Determining the probability that an injury, illness, or disease will occur.

• Probability refers to the likelihood of an injury, illness or disease occurring. Probability is expressed in whole numbers and ranges from 1 (lowest) to 6 (highest). Probability does not change severity.

• When determining probability, WISHA considers the number of employees affected and other factors, depending on the situation. Those other factors may include:

- Frequency of employee exposure.
- Instances (number of times the same violation occurs in the workplace).
- How close an employee is to the hazard.
- Weather and other working conditions.
- Employee skill level.
- Employee awareness of the hazard.
- The pace, speed, and nature of the task or work.
- Use of personal protective equipment.
- Amount of exposure (for health violations).
- Other mitigating or contributing circumstances.

NEW SECTION

WAC 296-800-35028 Determining the gravity of a violation.

• WISHA calculates most base penalties by assigning a weight to a violation. This weight is called "gravity." Gravity is calculated by multiplying a violation's severity by its probability. Expressed as a formula, gravity is:

Gravity = Severity x Probability

• Unless a particular rule establishes penalty amounts for specific violations, WISHA uses Table 2 to determine the dollar amount for each base penalty.

Table 2: Penalty Amount Using Gravity

Gravity	Base Penalty
1	\$100
2	\$200
3	\$300
4	\$400
5	\$500
6	\$1000
8	\$1500
9	\$2000
10	\$2500
12	\$3000
15	\$3500
16	\$4000

PROPOSED

Gravity	Base Penalty
18	\$4500
20	\$5000
24	\$5500
25	\$6000
30	\$6500
36	\$7000

NEW SECTION

WAC 296-800-35030 Adjusting a base penalty.

• WISHA may adjust an employee's base penalty amount because of the employer's good faith effort, size and compliance history. No adjustments are made to penalty amounts specified by statute.

NEW SECTION

WAC 296-800-35032 Base penalty adjustments due to an employer's good faith effort.

• An employer's good faith effort (or lack of) may justify increasing or decreasing a base penalty. No single factor determines good faith. Good faith is a reflection of an employer's:

- Effort before an inspection to provide a safe and healthful workplace for employees.
- Effort to comply with a standard they have violated.
- Cooperation during an inspection that is measured by a desire to comply with the cited standard and immediately correct the hazards identified.

• WISHA uses Table 3 to adjust base penalty amounts due to good faith effort.

**Table 3: Good Faith Adjustments
Good Faith Rating Adjustment to Base Penalty**

Good Faith Rating	Adjustment to Base Penalty
Excellent	35% reduction
Good	20% reduction
Average	No adjustment
Poor	20% increase

NEW SECTION

WAC 296-800-35034 Base penalty adjustments due to an employer's size.

• WISHA may adjust base penalties due to the size of an employer's work force in the state of Washington by using Table 4.

Table 4: Size Adjustments

Number of Employees	Adjustment to Base Penalty
1-25	60% reduction
26-100	40% reduction

Number of Employees	Adjustment to Base Penalty
101-250	20% reduction
More than 250	No adjustment

NEW SECTION

WAC 296-800-35036 Base penalty adjustments due to compliance history.

• WISHA may adjust a base penalty based on an employer's history of safety and health violations in the state of Washington using previous citations and by injury and illness rates (see Table 5).

Table 5: History Adjustments

History Rating	Adjustment to Base Penalty
Good	10% reduction
Average	No adjustment
Poor	10% increase

NEW SECTION

WAC 296-800-35038 Maximum adjusted base penalty.

• The maximum penalty for a violation that is not repeat, willful, egregious or failure to abate is seven thousand dollars.

NEW SECTION

WAC 296-800-35040 Reasons for increasing civil penalty amounts.

• WISHA may increase civil penalties by applying a multiplier to an adjusted base penalty. Multipliers may be applied for the following reasons:

• Repeat violations: A repeat violation occurs when WISHA cites an employer more than once in the last three years for a substantially similar hazard.

- The three-year period is measured from the date of the final order for each previous citation.

- The adjusted base penalty will be multiplied by the total number of inspections with violations (including the current inspection with a violation) involving similar hazards.

- The maximum penalty cannot exceed seventy thousand dollars for each violation.

• Willful violations: A willful violation is a voluntary action, done either with an intentional disregard of, or plain indifference to, the requirements of the applicable WISHA rule(s).

- For all willful violations, the adjusted base penalty will be multiplied by ten.

- All willful violations will receive at least the statutory minimum penalty of five thousand dollars.

- The maximum penalty cannot exceed seventy thousand dollars for each violation.

PROPOSED

For example: When management is aware that employees are resistant to following specific WAC rules; employee resistance results in an imminent danger situation or a serious violation; and management fails to make efforts that are effective in practice to overcome the resistance, then the department will presume that the failure constitutes voluntary action.

- **Egregious violations:** An egregious violation may be issued for exceptionally flagrant cases involving willful violations. In these cases, WISHA will issue a separate penalty for each instance when an employer fails to comply with a particular rule.

- **Failure-to-correct violations:** A failure-to-correct violation occurs when an employer, who has been cited for a WISHA violation, fails to correct the violation on time (certifying corrected violations is covered in WAC 296-800-35200 through 296-800-35270).

- The maximum penalty cannot exceed seven thousand dollars for each day the violation is not corrected.

- For a general violation with no initial penalty, the minimum failure-to-correct penalty is one thousand dollars with a possible adjustment for the employer's effort to comply.

- For violations with an initial penalty, WISHA, based on the facts at the time of reinspection:

- Will multiply the adjusted base penalty by five based on facts at the time of the reinspection, but possibly make adjustments for the employer's effort to comply.

- May multiply the adjusted base penalty by the number of days past the correction date if the employer does not make an effort to comply.

EMPLOYERS MUST CERTIFY THAT VIOLATIONS HAVE BEEN CORRECTED

NEW SECTION

WAC 296-800-35042 Certify that violations have been corrected. You must:

- Certify within ten calendar days following the correction date that you have corrected each violation, unless the compliance officer indicates in your citation and notice that you corrected violations.

- Certify in writing that your violations are corrected and include the following:

- Your name and address.

- The inspection number to which your written statement applies.

- The citation and item numbers to which your written statement applies.

- The date and method you used to correct each violation.

- That you informed your affected employees and their representatives that each violation was corrected.

- That the information you submitted is accurate.

- Your signature or the signature of your authorized representative.

NEW SECTION

WAC 296-800-35044 Inform affected employees and their representatives about corrective actions you have taken. You must:

- Post a copy of each corrective action document you submit to the department (or a summary) near the place where the violations occurred.

- Posting near a violation site is not an effective way of informing affected employees and their representatives (for example, if you have mobile work operations), you must:

- Post each document (or a summary) in a location that is readily accessible by affected employees and their representatives.

- Take other steps to fully communicate correction actions to affected employees and their representatives.

- Inform employees and their representatives of their right to examine and copy all correction documents you submit to the department. If they ask to examine or copy your documents within three working days of receiving notice that you submitted them to the department, you have five days to comply with their request after receiving it.

- Make sure that:

- Notice is given to your employees and their representatives on or before the date you submit correction information to the department.

- All correction documents remain posted for at least three working days after they are submitted to the department.

- All posted correction documents are not altered, defaced, or covered by other materials.

NEW SECTION

WAC 296-800-35046 Submitting additional documentation for willful, repeat, or serious violations. You must:

- Submit additional documentation:

- For each willful or repeat violation, you must submit additional documentation supporting that corrections are completed.

- For any serious violation, you must submit additional correction documentation when required by the citation to do so

Note: Additional documentation may include, but is not limited to, evidence of the purchase or repair of equipment, photographic or video evidence of corrections, or other written records.

NEW SECTION

WAC 296-800-35048 Submitting correction plans. You must:

- Submit a corrective action plan if the citation and notice requires it within twenty-five calendar days from the final order date. Corrective plans may be required for each nongeneral violation with correcting times over ninety calendar days.

- When the citation requires a correction plan, you must submit it within twenty-five calendar days from the final order date.

PROPOSED

- Your correction plan must:
 - Identify the violation.
 - List the steps you will take to correct the violation.
 - Include a schedule to complete the steps.
 - Describe how employees will be protected until the corrections are completed.

Note: The department will notify you in writing when your plan is found to be inadequate and will identify the inadequacies.

NEW SECTION

WAC 296-800-35050 Submit progress reports to the department when required. You must:

- Submit progress reports and briefly state:
 - The action taken to correct each violation
 - The date each action was taken
- A single sentence should normally be adequate for each violation.

Note: If progress reports are required, the citation will include:

- The items for which periodic progress reports are required.
- The date when an initial progress report must be submitted (no sooner than thirty calendar days after you submit a correction plan).
- Whether additional progress reports are required.
- The date(s) on which additional progress reports must be submitted.

NEW SECTION

WAC 296-800-35052 Tag cited moveable equipment to warn employees of a hazard. You must:

- Attach a warning tag or a copy of the citation to the equipment's operating controls or to the cited component, for all serious, repeat, or willful violations involving movable equipment that have not been corrected.
 - Tag hand-held equipment immediately after you receive the citation.
 - Tag other equipment before moving it within the work-site or between worksites.
- Use a tag that properly warns employees about the nature of the violation and tells them where the citation is posted (see the Helpful Tools section for a sample tag that can be used to meet this requirement).
- Make sure that the tag or copy of the citation attached to movable equipment is not altered, defaced, or covered by other materials.
 - Make sure that the tag or copy of the citation attached to movable equipment remains attached until:
 - You have corrected the violation and submitted all correction certification documents required by the department.
 - You have permanently removed the cited equipment from service.
 - You no longer have control over the cited equipment.
 - A final order sets aside the violation.

Note: Chapter 296-155 WAC, Safety standards for construction work and chapter 296-24 WAC, General safety and health standards have information on warning tags. You can use warning tags that meet the requirements in those rules instead of the warning tags required by this rule.

NEW SECTION

WAC 296-800-35054 WISHA determines the date by which correction documents must be submitted.

- When determining if required documents are submitted on time, the department looks at the:
 - Date of postmark for documents sent by mail.
 - Date the department receives the documents when they are transmitted by a means other than mail.

REQUESTING MORE TIME TO COMPLY

NEW SECTION

WAC 296-800-35056 You can request more time to comply.

- You can request more time to comply if you:
 - Have made a good faith effort to comply with a citation's correction requirements.
 - Have not completed your corrections because of factors beyond your control.
- Requests for more time must:
 - Be submitted in writing by you or your representative.
 - Contain the correction date for which more time is sought.
 - Be received before midnight of the date you are asking to be extended.
 - The name of your business
 - The address of the workplace or workplaces to which the application applies
 - Identification of the citation and the correction date(s) you want extended
 - The new correction date you are requesting
 - The length of the extended correction period you are seeking
 - A description of the actions you have taken to comply with the correction date(s) contained in the citation
 - Identification of those factors beyond your control that have prevented you or will prevent you from complying with the correction date(s).
 - The means you will use to protect your employees during the time you are correcting the violation.
- The assistant director may respond to requests received by telephone or personal conversation if they are timely.
- The department may accept late requests if they are:
 - Received within 5 days following the applicable correction date.
 - Accompanied by your written statement explaining the exceptional circumstances that caused the delay.
 - The department does not accept late requests when the date for corrective action to begin has already passed (abatement date).
 - The department accepts requests by:
 - First class mail postage prepaid. Mailed to: Department of Labor and Industries
WISHA Appeals
P.O. Box 44604
Olympia, WA 98504-4604
 - Personal delivery.
 - Fax: (360) 902-5581

- Receipt of your request is considered complete when it is mailed or when it is delivered.

NEW SECTION

WAC 296-800-35062 Wait for the department's response.

- Within 5 working days of receiving your request, the assistant director must make a decision to approve or deny it. Before making a decision, the assistant director may conduct an investigation. Once made, the decision remains in effect unless a hearing is requested.

- After making a decision, the assistant director must issue the following 3 notices (which can be combined into one):

- A notice verifying that your request was received. This notice must include the correction dates listed in your citation.

- A notice of your right to request a hearing on the decision and

- A notice announcing the assistant director's decision.

- These notices must:

- Be signed by the assistant director.

- Contain the date they were issued.

- Include the address to which a hearing request must be sent.

NEW SECTION

WAC 296-800-35064 Post the department's response. You must:

- Post the department's notices immediately upon receiving them along with the citation for which you are requesting additional time. The notices must remain posted until:

- The correction date contained in them passes

or

- A hearing notice is posted.

NEW SECTION

WAC 296-800-35066 Request a hearing if you, your employees, or their representative disagree with the department's response.

- You, your affected employees, or their authorized representative may request a hearing.

- All hearing requests must be sent or delivered to the assistant director.

- All hearing requests must be received:

- At the address identified in the notice of your right to request a hearing; and

- No later than 10 calendar days after the date the notice was issued.

NEW SECTION

WAC 296-800-35068 Await the department's response to your hearing request.

- Upon receiving a hearing request, the assistant director will issue a notice of hearing to the requesting party and the employer at least 20 days before the hearing date.

- The hearing notice will:

- State that all interested parties can participate in the hearing;

- Set the time and date for the hearing and include:

- The time, place, and nature of the proceeding;

- The legal authority and jurisdiction under which the hearing will be held;

- A reference to the particular sections of the statute and rules involved; and

- A short and clear explanation why a hearing was requested.

NEW SECTION

WAC 296-800-35070 Post the department's hearing notice. You must:

- Post the department's hearing notice (or a complete copy of it) with the:

- Citation containing the correction date for which more time was requested; and

- Department notices issued in response to the employer's request for more time.

- The hearing notice must remain posted until the hearing is held.

NEW SECTION

WAC 296-800-35072 Hearing procedures.

- The assistant director for WISHA services will appoint someone from the department to act as a hearings officer.

- The hearings officer must be present at, and conduct, the hearing. An assistant attorney general may be present to give legal advice to the hearings officer.

- If the hearings officer requests, the assistant attorney general may conduct the hearing.

- The hearings officer may discuss the material to be presented to determine how the hearing will proceed.

- The hearing must be conducted according to the Administrative Procedure Act and recorded. Copies of hearing transcripts will be available to the parties at cost upon request.

NEW SECTION

WAC 296-800-35074 Post the hearing department's decision. You must:

- Immediately post a complete and unedited copy of the assistant director's order along with the citation as soon as you receive it.

- The order will:

- Affirm or modify the correction date that caused the hearing; and

- Comply with the provisions of the Administrative Procedure Act, chapter 34.05 RCW and the Practice and Procedures Rules, chapter 296-08 WAC.

REQUESTING AN APPEAL OF WISHA CITATIONS AND CORRECTIVE NOTICES

NEW SECTION

WAC 296-800-35076 Request an appeal promptly and properly. • Any employer cited for a violation of WISHA's safety and health rules may appeal a citation or a corrective notice.

• Any employee or employee representative who could be affected by a citation or its correction may appeal the correction date in the citation or corrective notice.

• All appeal requests must be in writing and submitted to the department within fifteen working days after receiving the citation or corrective notice. If you mail your request, the postmark is considered the submission date.

• Requests must be:

– Mailed to:

Department of Labor & Industries

WISHA Appeals

P.O. Box 44604

Olympia, WA 98504-4604; or

– Faxed to: (360) 902-5581; or

– Brought to any department of labor and industries office.

• An employer's request must include:

– Business name, address and telephone number, and the name, address and telephone number of any person representing you if you have one.

– Citation number.

What you think is wrong with the citation or corrective notice and any related facts.

– What you think should be changed (what relief you are seeking and why).

• An employee's request must include:

– The employee's name, address and telephone number, and the name, address and telephone number of any person representing the employee.

– Citation number.

– What the employee thinks is wrong with the correction date.

Note: See WAC 263-12-056 for related board requirements.

NEW SECTION

WAC 296-800-35078 Await the department's response to your appeal request.

• When an appeal request is received, the department decides whether to reassume jurisdiction over the citation and notice being appealed or forward the appeal to the board of industrial insurance appeals.

Definition:

Reassume jurisdiction means that the department has decided to take back its control over the citation and notice that has been appealed.

• The department may reassume jurisdiction to:

– Provide an employer and affected employees an opportunity to present relevant information, facts, and opinions during an informal conference.

– Give an employer, affected employees and the department an opportunity to resolve appeals rapidly and without further contest, especially in routine compliance cases.

– Educate employers about the citation and notice, the WISHA appeals process, and WISHA compliance.

– Review citations, penalties, and correction dates for fairness and accuracy to ensure quality work by the department.

• The department will notify the person who submitted the appeal when the department reassumes jurisdiction.

• If the department does not reassume jurisdiction, it will send the appeal to the board. The board will send the person submitting the appeal a notice with the time and location of any board proceedings.

NEW SECTION

WAC 296-800-35080 Department actions when reassuming jurisdiction over an appeal.

• The department has 30 working days after receipt of the appeal to review it, gather more information and decide whether to make changes to the citation and notice. The 30 working days begin with the first working day after the appeal is received. For example, if an appeal is received on Friday, the 30 days will begin on the following Monday unless it is a state holiday.

• The department may extend the appeal review period up to an additional 15 working days if everyone involved agrees to the extension.

• During the review period, the department will hold an informal conference about the appeal.

– An informal conference is not an evidentiary hearing. It is an opportunity for interested parties to briefly explain their positions and provide any additional information they would like the department to consider when reviewing the citation and notice.

– Although informal, the conference is an official conference and the department may record all or part of it. The department will tell participants when the conference will be recorded.

NEW SECTION

WAC 296-800-35082 Corrective notices.

• At the end of the review period, the department will issue a corrective notice reflecting any changes made to the citation and notice. This notice will be sent to the employer and any employee representatives participating in the appeal process.

• Anyone who can appeal a citation and notice may appeal a corrective notice. All corrective notice appeals must be submitted within 15 working days after the notice was received.

NEW SECTION

WAC 296-800-35084 Notify employees. You must:

- Immediately post all correspondence from the department in a conspicuous place after submitting an appeal. This correspondence includes:

- The notice of appeal.
- The notice explaining that the department reassumed jurisdiction over the citation and notice.
- Any extensions to the review period.
- The notice for an informal conference.
- Corrective notices.

- Post all notices and information related to the appeal in the place where WISHA citations and notices are posted (see WAC 296-800-35150). These include:

- A notice of appeal until the appeal is resolved.
- Notices about the department reassuming jurisdiction and any extension of the review period until the end of the review period.
- A notice of an informal conference until after the conference is held.
- Corrective notices for as long as citations and notices must be posted.
- Requesting alternate means of compliance with WISHA rules.

Note: If you wish to develop an alternate means of compliance with WISHA rules, you may do so by following the instructions in WAC 296-350-700, Variances from WISHA rules.

- In certain circumstances the department allows an employer to vary from a specific WISHA safety and health standard if the employer uses department-approved substitute measures to protect employees. The substitute measure must provide at least the same protection from workplace hazards as provided by the WISHA standard.

USING STANDARDS FROM NATIONAL ORGANIZATIONS AND FEDERAL AGENCIES

NEW SECTION

WAC 296-800-360 Rule. Your responsibility: To use the safety and health standards from national organizations and federal agencies, when directed to by WISHA rules.

NEW SECTION

WAC 296-800-36005 Comply with standards national organizations or of federal agencies when referenced in WISHA rules. You must:

- Use the following to be in compliance with WISHA rules:
 - The edition of the standard specified in the WISHA rule or
 - Any edition published after the edition specified in the WISHA rule.

Note: The specific standards referenced in the WISHA rules are available:

- For review at your local department of labor and industries office.
- See <http://www.wa.gov/lni/pa/direct.htm>

- Through the local library system
- Through the issuing organization.

NEW SECTION

WAC 296-800-370 Definitions. Acceptable. The term acceptable used in **Electrical, WAC 296-800-280** means an installation or equipment is acceptable to the director of labor and industries, and approved:

- If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

- With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section; or

- With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his/her authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

Accepted. The term accepted used in **Electrical, WAC 296-800-280** means an installation is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

Access. The term access used in **Material safety data sheets (MSDSs) as exposure records, WAC 296-800-180** means the right and opportunity to examine and copy exposure records.

Affected employees. Affected employees are employees exposed to hazards identified as violations in a citation.

Analysis using exposure or medical records. An analysis using exposure or medical records can be any collection of data or a statistical study. It can be based on either:

- Partial or complete information from individual employee exposure or medical records

OR

- Information collected from health insurance claim records

The analysis is not final until it has been:

- Reported to the employer

OR

- Completed by the person responsible for the analysis.

ANSI. This designation stands for the American National Standards Institute.

Approved. The term approved means:

- Approved by the director of the department of labor and industries or their authorized representative, or by an organization that is specifically named in a rule, such as Underwriters' Laboratories (UL), Mine Safety and Health

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Administration (MSHA), or the National Institute for Occupational Safety and Health (NIOSH),

• As used in **Electrical, WAC 296-800-280** means acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of acceptable indicates what is acceptable to the director and therefore approved.

Assistant director. Assistant director means the assistant director for the WISHA services division at the department of labor and industries.

ASTM. This designation stands for American Society for Testing and Materials.

Attachment plug or plug. An attachment plug, sometimes called a plug, is the attachment at the end of a flexible cord or cable that is part of a piece of electrical equipment. When it is inserted into an outlet or receptacle, it connects the conductors supplying electrical power from the outlet to the flexible cable.

Bare conductor. A bare conductor is a conductor that does not have any covering or insulation.

Board. Board means the board of industrial insurance appeals.

Certification. Certification refers to an employer's written statement describing when and how a citation violation was corrected.

CFR. This designation stands for Code of Federal Regulations.

Chemical. A chemical is any element, chemical compound, or mixture of elements and/or compounds.

Chemical manufacturer. A chemical manufacturer is an employer with a workplace where 1 or more chemicals are produced for use or distribution.

Chemical name. A chemical name is the scientific designation of a chemical in accordance with 1 of the following:

- The nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC)
- The Chemical Abstracts Service (CAS) rules of nomenclature

OR

• A name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

Circuit breaker. A circuit breaker is:

• (600 volts nominal or less) a device used to manually open or close a circuit. This device will also open the circuit automatically and without damage to the breaker when a predetermined overcurrent is applied.

• (over 600 volts nominal) A switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit.

Citation. Citation refers to the citation and notice issued to an employer for any violation of WISHA safety and health rules. A citation and notice may be referred to as a citation and notice of assessment but is more commonly referred to as a citation.

Combustible liquid. A combustible liquid has a flash-point of at least 100°F (37.8°C) and below 200°F (93.3°C).

Mixtures with at least 99% of their components having flash-points of 200°F (93.3°C) or higher are not considered combustible liquids.

Commercial account. A commercial account is an arrangement in which a retail distributor sells hazardous chemical(s) to an employer, generally in large quantities over time, and/or at costs that are below the regular retail price.

Common name. A common name is any designation or identification such as:

- Code name
- Code number
- Trade name
- Brand name
- Generic name used to identify a chemical other than by its chemical name.

Compressed gas. Compressed gas is a gas or mixture of gases that, when in a container, have an absolute pressure exceeding:

- 40 psi at 70°F (21.1°C)

OR

• 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C)

Compressed gas can also mean a liquid with a vapor pressure that exceeds 40 psi at 100°F (37.8°C)

Conductor. A conductor is a wire that transfers electric power.

Container. This term describes any container, except for pipes or piping systems, that contains a hazardous chemical. It can be any of the following:

- Bag
- Barrel
- Bottle
- Box
- Can
- Cylinder
- Drum
- Reaction vessel
- Storage tank

Correction. Correction means correcting a cited violation. For clarity, "correction" instead of "abatement" is used in these rules.

Correction date. Correction date means the date by which a violation must be corrected. Final orders or extensions that give additional time to make corrections establish correction dates. A correction date established by an order of the board of industrial insurance appeals remains in effect during any court appeal unless the court suspends the date.

Correction plans. Correction plans refers to your written plans for correcting a WISHA violation.

Corrective notice. Corrective notice refers to a notice changing a citation and is issued by the department after a citation has been appealed.

Covered conductor. A covered conductor is a conductor that is covered by something else besides electrical insulation.

Damp location. Damp locations are partially protected areas that are exposed to moderate moisture. Outdoor exam-

ples include roofed open porches and marquees. Interior examples include basements and barns.

Department. Department means those portions of the department of labor and industries responsible for enforcing the Washington Industrial Safety Act (WISHA).

Designated representative. A designated representative is:

- Any individual or organization to which an employee gives written authorization.
- A recognized or certified collective bargaining agent without regard to written employee authorization.
- The legal representative of a deceased or legally incapacitated employee.

Director. The director means the director of the department of labor and industries or their designee.

Distributor. A distributor is a business, other than a chemical manufacturer or importer, that supplies hazardous chemicals to other distributors or to employers.

Documentation. Documentation means material that you submit to prove that a correction is completed. Documentation includes, but is not limited to, photographs, receipts for materials and/or labor.

Dry location. Dry locations are areas not normally subjected to damp or wet conditions. Dry locations may become temporarily damp or wet, such as when constructing a building.

Electrical outlets. Electrical outlets are places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.

Employee. The term employee and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise.

Employee exposure record. An employee exposure record is a record containing any of the following kinds of information:

- Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;
- Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs;
- Material safety data sheets indicating that the material may pose a hazard to human health; or
- In the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity (e.g., chemical, common or trade name) of a toxic substance or harmful physical agent.

Employer. An employer is any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the Industrial Insurance Act must be considered both an employer and an employee.

Exit. An exit provides a way of travel out of the workplace.

Exit route. An exit route is a continuous and unobstructed path of exit travel from any point within a workplace to safety outside.

Explosive. An explosive is a chemical that causes a sudden, almost instant release of pressure, gas, and heat when exposed to a sudden shock, pressure, or high temperature.

Exposed live parts. Exposed live parts are electrical parts that are:

- Not suitably guarded, isolated, or insulated

AND

- Capable of being accidentally touched or approached closer than a safe distance.

Exposed wiring methods. Exposed wiring methods involve working with electrical wires that are attached to surfaces or behind panels designed to allow access to the wires.

Exposure or exposed. The terms exposure and exposed mean that an employee has been, or **may have possibly been**, subjected to a hazardous chemical, toxic substance or harmful physical agent while working. An employee could have been exposed to hazardous chemicals, toxic substances, or harmful physical agents in any of the following ways:

- Inhalation
- Ingestion
- Skin contact
- Absorption
- Related means.

The terms exposure and exposed only cover workplace exposure involving a toxic substance or harmful physical agent in the workplace different from typical nonoccupational situations in the way it is:

- Used
 - Handled
 - Stored
 - Generated
- OR
- Present

Extension ladder. An extension ladder is a portable ladder with 2 or more sections and is not self-supporting. The 2 or more sections travel in guides or brackets that let you change the length. The size of a portable ladder is determined by adding together the length of each section.

Failure to correct. Failure to correct means failure to abate as used in the statute.

Final order. Final order means any of the following unless an employer or other party files a timely appeal:

- Citation and notice;
- Corrective notice;
- Decision and order from the board of industrial insurance appeals;
- Denial of petition for review from the board of industrial insurance appeals; or
- Decision from a Washington state superior court, court of appeals, or the state supreme court.

Final order date. Final order date means the date a final order is issued.

First aid. First aid means the extent of treatment you would expect from a person trained in basic first aid, using supplies from a first-aid kit.

Tests, such as X-rays, must not be confused with treatment. For example, an employee thought he broke his arm and went to the hospital to get X-rays. If the X-rays show no broken bones, they are not considered first aid. On the other hand, if they do show a broken bone, they would be considered medical treatment.

Flammable. Flammable means a chemical covered by one of the following categories:

(a) Aerosol flammable means an aerosol that, when tested by the method described in 16 CFR 1500.45 yields either a flame projection more than 18 inches at full valve opening or a flashback (a flame extending back to the valve) at any degree of valve opening;

(b) Gas, flammable means:

(i) A gas that, at temperature and pressure of the surrounding area, forms a flammable mixture with air at a concentration of 13% by volume or less; or

(ii) A gas that, at temperature and pressure of the surrounding area, forms a range of flammable mixtures with air wider than 12% by volume, regardless of the lower limit;

(c) Liquid, flammable means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99% or more of the total volume of the mixture.

(d) Solid, flammable means a solid, other than a blasting agent or explosive as defined in WAC 296-52-417 or 29 CFR 1910.109(a), that is likely to cause fire through friction, moisture absorption, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily. Solid, inflammable also means that when the substance is ignited, it burns so powerfully and persistently that it creates a serious hazard. A chemical must be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

Flashpoint. Flashpoint means the minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested by any of the following measurement methods:

(a) Tagliabue closed tester: (See American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a vis-

cosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

(b) Pensky-Martens closed tester: (See American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

(c) Setaflash closed tester: (See American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78).)

Note: Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint measurement methods specified above.

Flexible cords and cables. Flexible cords and cables are typically used to connect electrical equipment to an outlet or receptacle. These cords can have an attachment plug to connect to a power source or can be permanently wired into the power source. Flexible cords, extension cord, cables and electrical cords are all examples of flexible cord.

Foreseeable emergency. A foreseeable emergency is any potential event that could result in an uncontrolled release of a hazardous chemical into the workplace. Examples of foreseeable emergencies include equipment failure, rupture of containers, or failure of control equipment.

Ground. A ground as used in **Electrical, WAC 296-800-280** means a connection between an electrical circuit or equipment and the earth or other conducting body besides the earth. This connection can be intentional or accidental.

Grounded. The term grounded means a connection has been made between an electrical circuit or equipment and the earth or another conducting body besides the earth.

Grounded conductor. A grounded conductor is a system or circuit conductor that is intentionally grounded.

Ground-fault circuit-interrupter. A ground-fault circuit-interrupter is a device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

Grounding conductor. A grounding conductor is used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

Grounding conductor, equipment. An equipment grounding conductor is a conductor used to connect noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

Guarded. The term guarded means covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of being accidentally touched or approached closer than a safe distance.

Handrail. A handrail is a single bar or pipe supported on brackets from a wall or partition to provide a continuous handhold for persons using a stair.

Harmful physical agent. A harmful physical agent is any chemical substance, biological agent (bacteria, virus, fungus, etc.), or physical stress (noise, heat, cold, vibration, repetitive motion, ionizing and nonionizing radiation, hypoxia or hyperbaric pressure, etc.) which:

- Is listed in the latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS) (See Appendix B); or

- Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer; or

- Is the subject of a material safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

Hazard. A hazard is any condition, potential or inherent, which can cause injury, death, or occupational disease.

Hazard warning. A hazard warning can be a combination of words, pictures, symbols, or combination appearing on a label or other appropriate form of warning which shows the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s).

Note: See definition for physical hazard and health hazard to determine which hazards must be covered.

Hazardous chemical. A hazardous chemical is any chemical that is a physical or health hazard.

Health hazard. A health hazard is any chemical with the potential to cause acute or chronic health effects in exposed employees. The potential must be statistically significant based on evidence from at least one study conducted under established scientific principles. Health hazards include:

- Chemicals which are carcinogens
- Toxic or highly toxic agents
- Reproductive toxins
- Irritants
- Corrosives
- Sensitizers
- Hepatotoxins
- Nephrotoxins
- Neurotoxins
- Agents which act on the hematopoietic system
- Agents which damage the lungs, skin, eyes, or mucous membranes

Appendix A provides more definitions and explanations about the scope of health hazards covered by this part.

Appendix B describes the criteria to be used for determining whether or not a chemical is considered hazardous for purposes of this standard.

Hospitalization. Hospitalization means to be sent to, to go to, or be admitted to, a hospital or an equivalent medical facility and receive medical treatment beyond first-aid treatment, regardless of the length of stay in the hospital or medical facility.

Identity. Identity means any chemical or common name listed on the material safety data sheet (MSDS) for the specific chemical. Each identity used must allow cross-references among the:

- Required list of hazardous chemicals

- Chemical label
- MSDSs

Imminent danger violation. Imminent danger violation is any violation(s) resulting from conditions or practices in any place of employment, which are such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately or before such danger can be eliminated through the enforcement procedures otherwise provided by the Washington Industrial Safety and Health Act.

Importer. An importer is the first business within the Customs Territory of the USA that:

- Receives hazardous chemicals produced in other countries

AND

- Supplies them to distributors or employers within the USA

Insulated. Insulated means a conductor has been completely covered by a material that is recognized as electrical insulation and is thick enough based on:

- The amount of voltage involved

AND

- The type of covering material

Interim waiver. Interim waiver is an order granted by the department allowing an employer to vary from WISHA requirements until the department decides to grant a permanent or temporary waiver.

Label. A label is displayed or attached to containers of hazardous chemicals. It can be:

- Written
- Printed

OR

- Graphic material

Ladder. A ladder consists of 2 side rails joined at regular intervals by crosspieces called steps, rungs, or cleats. These steps are used to climb up or down.

Lighting outlet. A lighting outlet is an outlet intended for the direct connection of a lampholder, a lighting fixture, or a pendant cord for a lampholder.

Listed. Equipment is listed if it:

(a) Is listed in a publication by a nationally recognized laboratory (such as UL, underwriters laboratory) that inspects the production of that type of equipment,

AND

(b) States the equipment meets nationally recognized standards or has been tested and found safe to use in a specific manner.

Material safety data sheet (MSDS). MSDS is written or printed material about a hazardous chemical which is prepared in accordance with WAC 296-62-054

Medical treatment. Medical treatment is treatment provided by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first-aid treatment even if provided by a physician or registered professional personnel.

Mixture. A mixture means any combination of 2 or more chemicals if that combination didn't result from a chemical reaction.

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Movable equipment. Movable equipment means:

- A hand-held or nonhand-held machine or device;
- That is powered or nonpowered; and
- Can be moved within or between worksites.

Must. Must means mandatory.

NEMA. These initials stand for National Electrical Manufacturing Association.

NFPA. These initials stand for National Fire Protection Association.

Nose, nosing. A nose is the portion of the stair tread that projects over the face of the riser below it.

Office work environment. Office work environment is an indoor or enclosed occupied space where clerical work, administration, or business is carried out.

In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.
- Office areas of manufacturing and production facilities, not including process areas.
- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

Open riser. A stair step with an air space between treads has an open riser.

Organic peroxide. This is an organic compound containing the bivalent-O-O-structure. It may be considered a structural derivative of hydrogen peroxide if one or both of the hydrogen atoms has been replaced by an organic radical.

Outlet. See definition for electrical outlets.

Oxidizer. An oxidizer is a chemical other than a blasting agent or explosive as defined in WAC 296-52-417 or CFR 1910.109(a), that starts or promotes combustion in other materials, causing fire either of itself or through the release of oxygen or other gases.

Permissible exposure limits (PELs). PELs are airborne concentrations of substances measured by their concentration in the air no matter what amount is breathed by the employee. The permissible exposure limits (PELs) must include the following four categories:

(a) Permissible exposure limits - Time-weighted average (PEL-TWA) is the time weighted average airborne exposure to any 8-hour work shift of a 40-work week and must not be exceeded.

(b) Permissible exposure limits - Short-term exposure limit (PEL-STEL) is the employee's 15-minute time weighted average exposure which must not be exceeded at any time during a work day unless another time limit is specified in a parenthetical notation below the limit. If another time period is specified, the time weighted average exposure over that time period must not be exceeded at any time during the working day.

(c) Permissible exposure limits - Ceiling (PEL-C) is the employee's exposure which must not be exceeded during any part of the workday. If instantaneous monitoring is not feasible, then the ceiling must be assessed as a 15-minute time weighted average exposure which must not be exceeded at any time over a working day.

(d) Skin notation is the potential contribution to the overall employee exposure by the cutaneous route including mucous membranes and eye, either by airborne, or more particularly, by direct contact with the substance. These substances are identified as having a skin notation in the OSHA and WISHA PEL tables (29 CFR Part 1910 Subpart Z and WAC 296-62-075, respectively).

Person. See definition for employee.

Person means 1 or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(RCW 49.17.020)

Personal service room. A personal service room is used for activities not directly connected with a business' production or service function. Examples of personal service rooms include:

- First-aid rooms
- Medical services rooms
- Dressing rooms
- Showering rooms
- Restrooms
- Wash rooms
- Lunch rooms

Personnel. See the definition for employees.

Physical hazard. A physical hazard is a chemical that has scientifically valid evidence to show it is 1 of the following:

- Combustible liquid
- Compressed gas
- Explosive
- Flammable
- Organic peroxide
- Oxidizer
- Pyrophoric
- Unstable (reactive)
- Water reactive

Platform. Platform means an extended step or landing that breaks a continuous run of stairs.

Plug. See definition for attachment plug.

Potable water. Potable water is water that you can safely drink. It meets specific safety standards prescribed by the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.

Predictable and regular basis. The term predictable and regular basis means employee functions such as, but not limited to, inspection, service, repair and maintenance which are performed

at least once every 2 weeks

OR

for a total of 4 man-hours or more during any sequential 4 week period (e.g., 2 employees once every 4 weeks for 2 hours = 4 hours per 4 week period.)

Produce. The term produce means any 1 of the following:

- Manufacture
- Process
- Formulate
- Blend

- Extract
- Generate
- Emit
- Repackage

Purchaser. A purchaser is an employer who buys 1 or more hazardous chemicals to use in their workplace.

Pyrophoric. A chemical is pyrophoric if it will ignite spontaneously in the air when the temperature is 130°F (54.4°C) or below.

Qualified. A person is qualified if they have 1 of the following:

- Extensive knowledge, training and experience about the subject matter, work or project
- A recognized degree, certificate, or professional standing
- Successfully demonstrated problem solving skills about the subject, work, or project

Railing or standard railing. A railing, sometimes called standard railing, is the vertical barrier erected along the exposed sides of a stairway and platform to keep people from falling. The top surface of the stair railing is used as a hand-rail.

Reassume jurisdiction. The term reassume jurisdiction means that the department has decided to take back its control over a citation and notice that has been appealed.

Receptacle or receptacle outlet. Receptacles, sometimes called receptacle outlets, are outlets that accept a plug to supply electric power to equipment through a cord or cable.

Record. A record is any item, collection, or grouping of information. Examples include:

- Paper document
- Microfiche
- Microfilm
- X-ray film
- Automated data processing

Repeat violation. The term repeat violation includes any violation of a standard or order when a violation has previously been cited to the same employer when it identifies the same type of hazard.

Responsible party. A responsible party is someone who can provide appropriate information about the hazardous chemical and emergency procedures.

Rise. The rise of a stairstep is the vertical distance from the top of a tread to the top of the next higher tread.

Riser. A riser of a stairstep is the vertical part of the step at the back of a tread that rises to the front of the tread above.

Rungs. Rungs are the round or oval cross pieces on ladders that are used to climb up and down the ladder.

Runway. A runway is an elevated walkway above the surrounding floor or ground level. Examples of runways are footwalks along shafting or walkways between buildings.

Safety and health standard. A safety and health standard means a standard which requires the adoption or use of one or more practices, means, methods, operations, or processes reasonably necessary or appropriate to provide safe or healthful employment and places of employment.

Safety factor. The term safety factor means the ratio of when something will break versus the actual working stress or safe load when it is used.

Serious violation. Serious violation must be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use in such workplace, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

Should. Should means recommended.

Single ladder. A single ladder is a type of portable ladder with 1 section.

It is distinguished by all of the following:

- It has 1 section
- It cannot support itself
- Its length cannot be adjusted
- The length of its side rails determines its size.

Smoking. A person is smoking if they are:

- Lighting up
- Inhaling
- Exhaling
- Carrying a pipe, cigar or cigarette of any kind that is burning

Specific chemical identity. This term applies to chemical substances. It can mean the:

- Chemical name
- Chemical Abstracts Service (CAS) registry number
- Any other information that reveals the precise chemical designation of the substance.

Stair railing. A stair railing is a vertical barrier attached to a stairway with an open side to prevent falls. The top surface of the stair railing is used as a handrail

Stairs or stairway. Stairs or stairway means a series of steps and landings with 3 or more risers leading from 1 level to another.

Standard safeguard. Standard safeguards are safety devices that prevent hazards by their attachment to:

- Machinery
- Appliances
- Tools
- Buildings
- Equipment

These safeguards must be constructed of:

- Metal
- Wood
- Other suitable materials

The director of labor and industries makes the final determination about whether a safeguard is sufficient for its use.

Step ladder. A step ladder is a portable ladder with the following qualities:

- Flat steps
- A hinge at the top allowing the ladder to fold out and support itself
- Its length cannot be adjusted
- The length of its side rails determines its size

Suitable. Something is suitable if it fits or serves a specific purpose. To be considered suitable, some items must also meet certain qualifications.

Threshold limit values (TLVs). TLVs refer to airborne concentrations of substances without regard to the use of respiratory protection and represent conditions under which it is believed that nearly all workers may be repeatedly exposed day after day without adverse effect. The TLV includes the TLV-Time weighted average (TLV-TWA), TLV-Short term exposure limit (TLV-STEL), TLV-Ceiling (TLV-Ceiling) and skin notation as stated in the most recent edition of the Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices' from the American Conference of Governmental Industrial Hygienists (ACGIH).

Toeboard. A toeboard is a vertical barrier at floor level erected along exposed edges of a floor opening, wall opening, platform, runway, or ramp to prevent falls of materials.

Toxic substance. A toxic substance is any:

- Chemical substance
- Biological agent (such as bacteria, virus, or fungus)
- Physical stress (such as noise, vibration, or repetitive motion)

A substance is toxic if:

- The latest printed edition of the National Institute for Occupational Safety and Health (NIOSH) Registry of Toxic Effects of Chemical Substances (RTECS) lists the substance
- Testing by or known to the employer has shown positive evidence that the substance is an acute or chronic health hazard

- A material safety data sheet kept by or known to the employer shows the material may be a hazard to human health

Trade secret. A trade secret is any confidential:

- Formula
- Pattern
- Process
- Device
- Information
- Collection of information

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who don't know or use it.

You can find a legal definition of trade secret in WAC 296-62-053.

WAC 296-62-05427, Appendix D, provides a legal definition of trade secret.

WAC 296-62-05417 sets out criteria to be used in evaluating trade secrets.

Tread. A tread is the horizontal part of the stair step.

Tread run. The tread run is the distance from the front of one stair tread to the front of an adjacent tread.

Tread width. The width of a stair tread is the distance from front to rear of the same tread including the nose, if used.

UL. You will find these initials on electrical cords and equipment. The initials mean the cord or equipment meets the standards set by the Underwriters' Laboratories, Inc.

Unstable (reactive). An unstable or reactive chemical is 1 that in its pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

Urinal. A urinal is a toilet in a men's restroom that is designed and intended solely for urination.

Use. The term use as used in Employer chemical hazard communication, WAC 296-800-170, means to:

- Package
- Handle
- React
- Emit
- Extract
- Generate as a by-product
- Transfer

Voltage of a circuit. The voltage of a circuit is the greatest effective difference of potential between any 2 conductors on a circuit.

Voltage to ground. The term voltage to ground means the voltage between a conductor and the point or conductor of the grounded circuit. For underground circuits, it is the greatest voltage between the conductor and any other conductor of the circuit.

Voltage, nominal. Nominal voltage is a value assigned to a circuit or system to designate its voltage class (120/240, 480Y/277, 600, etc.). The actual circuit voltage can vary from the value if it's within a range that permits the equipment to continue operating in a satisfactory manner.

WAC. This designation stands for Washington Administrative Code, which are rules developed to address state law.

Water-reactive. A water-reactive chemical reacts with water to release a gas that is either flammable or presents a health hazard.

Watertight. A container or enclosure into which moisture cannot enter.

Weatherproof. The term weatherproof means that weather will not interfere with the equipment's successful operation. The following types of equipment can fulfill the requirements for waterproof if wetness is not a factor:

- Rainproof
- Raintight
- Watertight

Wet location. Wet locations are:

- Underground installations or in concrete slabs or masonry that are in direct contact with the earth
- Locations that can be saturated by water or other liquids
- Unprotected locations exposed to the weather (like vehicle washing areas)

Wet process. A wet process is any process or operation that takes place in a workroom where surfaces that employees may walk or stand on would normally get wet.

Willful violation. Willful violation is one involving a voluntary action, done either with an intentional disregard of, or plain indifference to, the requirements of the applicable

WISHA rule(s) in the Washington Administrative Code (WAC) rule(s).

WISHA. In 1973, the legislature passed the Revised Code of Washington, 49.17.010 known as the Washington Industrial Safety and Health Act (WISHA). This gave authority to Washington state government to provide for safe and healthy workplaces. WISHA standards must be at least as effective as the federal OSHA standards.

WISHA enforces the rules by inspecting workplaces without advance notice, and by investigating work-related deaths, accidents, and employee complaints. Nearly all employers and employees in Washington are covered by WISHA.

WISHA poster. The WISHA poster is the job safety and health protection poster. You can order it by requesting form F416-081-000.

Workdays. Workdays mean weekdays that do not fall on state holidays. State holidays include:

- New Year's Day;
- Martin Luther King, Jr. Day;
- Presidents' Day;
- Memorial Day;
- Independence Day;
- Labor Day;
- Veterans' Day;
- Thanksgiving Day;
- The day after Thanksgiving Day; and
- Christmas Day - December 25.

Worker. See the definition for employee.

Workplace. The term workplace means:

• Any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

• An establishment, job site, or project, at one geographical location containing one or more work areas

You. You means the employer as defined in RCW 49.17.020.

Your representative. Your representative is the person selected to act in your behalf.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-005 Purpose and scope. ~~((The rules included in this chapter apply throughout the state of Washington, to any and all work places under the jurisdiction of the department of labor and industries. These rules are minimum safety requirements with which all industries must comply. Special industry rules which will complement or augment rules contained in this chapter, appear as vertical standards in other chapters of Title 296 WAC. By adherence to such rules industrial accidents may be eliminated or minimized.)) The rules in this chapter are designed to protect the safety and health of employees by creating a healthy work environment by establishing requirements to control safety hazards in the workplace. Chapter 296-800 WAC, the safety and health~~

core rules, contain safety and health rules that apply to most workplaces. Other special industry rules complement the rules found in this chapter and in the safety and health core rules.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-24-67515 Personal protective equipment.

(1) Employers must use only respirators certified by NIOSH under 42 CFR part 84 for protecting employees from dusts produced during abrasive-blasting operations.

(2) Abrasive-blasting respirators. Abrasive-blasting respirators must be worn by all abrasive-blasting operators in the following situations: (a) When working inside of blast cleaning rooms, or (b) when using silica sand in manual blasting operations except where the nozzle and blast are physically separated from the operator in an exhaust ventilated enclosure, or (c) where concentrations of toxic dusts dispersed by the abrasive blasting may exceed the limits set in chapter 296-62 WAC, Part E except where the nozzle and blast are physically separated from the operator in an exhaust-ventilated enclosure.

(3) Particulate-filter respirators.

(a) Properly fitted particulate-filter respirators, commonly referred to as dust-filter respirators, may be used for short, intermittent, or occasional dust exposures such as clean-up, dumping of dust collectors, or unloading shipments of sand at a receiving point when it is not feasible to control the dust by enclosure, exhaust ventilation, or other means.

(b) Dust-filter respirators may also be used to protect the operator of outside (outdoor) abrasive-blasting operations where nonsilica abrasives are used on materials having low toxicity.

Note: The selection of a dust-filter respirator depends on the amount of dust in the breathing zone of the user. See WAC 296-62-07113 - Table 5.

(c) Dust-filter respirators used must be certified by NIOSH under 42 CFR part 84 for protection against the specific type of dust encountered.

(d) Dust-filter respirators must be properly fitted as required in chapter 296-62 WAC, Part E.

(e) Dust-filter respirators must not be used for continuous protection where silica sand is used as the blasting abrasive, or when toxic materials are blasted.

(4) A respiratory protection program as required in chapter 296-62 WAC, Part E must be established wherever it is necessary to use respirators.

(5) Personal protective clothing.

(a) Operators must be equipped with heavy canvas or leather gloves and aprons or equivalent protection to protect them from the impact of abrasives.

(b) Safety shoes must be worn where there is a hazard of foot injury.

(c) Equipment for protection of the eyes and face must be supplied to the operator and to other personnel working near abrasive blasting operations when the respirator design does not provide such protection.

PROPOSED

(6) Personal protective clothing, equipment and their use must comply with WAC ((296-24-075 (Part A2))) 296-800-160.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-70003 Eye protection. (1) Selection.

(a) Helmets or hand shields shall be used during all arc welding or arc cutting operations, excluding submerged arc welding. Goggles should also be worn during arc welding or cutting operations to provide protection from injurious rays from adjacent work, and from flying objects. The goggles may have either clear or colored glass, depending upon the amount of exposure to adjacent welding operations. Helpers or attendants shall be provided with proper eye protection.

(b) Goggles or other suitable eye protection shall be used during all gas welding or oxygen cutting operations. Spectacles without side shields, with suitable filter lenses are permitted for use during gas welding operations on light work, for torch brazing or for inspection.

(c) All operators and attendants of resistance welding or resistance brazing equipment shall use transparent face shields or goggles, depending on the particular job, to protect their faces or eyes, as required.

(d) Eye protection in the form of suitable goggles shall be provided where needed for brazing operations not covered in (1)(a), (b) and (c) of this section.

(2) Specifications for protectors.

(a) Helmets and hand shields shall be made of a material which is an insulator for heat and electricity. Helmets, shields and goggles shall be not readily flammable and shall be capable of understanding sterilization.

(b) Helmets and hand shields shall be arranged to protect the face, neck and ears from direct radiant energy from the arc.

(c) Helmets shall be provided with filter plates and cover plates designed for easy removal.

(d) All parts shall be constructed of a material which will not readily corrode or discolor the skin.

(e) Goggles shall be ventilated to prevent fogging of the lenses as much as practicable.

(f) Cover lenses or plates should be provided to protect each helmet, hand shield or goggle filter lens or plate.

(g) All glass for lenses shall be tempered, substantially free from striae, air bubbles, waves and other flaws. Except when a lens is ground to provide proper optical correction for defective vision, the front and rear surfaces of lenses and windows shall be smooth and parallel.

(h) Lenses shall bear some permanent distinctive marking by which the source and shade may be readily identified.

(i) The following is a guide for the selection of the proper shade numbers. These recommendations may be varied to suit the individual's needs.

Gas shielded arc welding (nonferrous) — 1/16, 3/32, 1/8, 5/32 inch electrodes	11
Gas shielded arc welding (ferrous) 1/16, 3/32, 1/8, 5/32 inch electrodes	12
Shielded metal arc welding: 3/16, 7/32, 1/4 inch electrodes	12
5/16, 3/8 inch electrodes	14
Atomic hydrogen welding	10-14
Carbon arc welding	14
Soldering	2
Torch brazing	3 or 4
Light cutting, up to 1 inch	3 or 4
Medium cutting, 1 inch to 6 inches	4 or 5
Heavy cutting, 6 inches and over	5 or 6
Gas welding (light) up to 1/8 inch	4 or 5
Gas welding (medium) 1/8 inch to 1/2 inch	5 or 6
Gas welding (heavy) 1/2 inch and over	6 or 8)

Filter Lenses for Protection against Radiant Energy

<u>Welding operation</u>	<u>Electrode Size 1/32 (inches)</u>	<u>Minimum protective arc current</u>	<u>Shade number</u>
<u>Shielded metal arc welding</u>	<u>Less than 3</u>	<u>Less than 60</u>	<u>10</u>
	<u>3-5</u>	<u>60-160</u>	<u>10</u>
	<u>5-8</u>	<u>160-250</u>	<u>12</u>
	<u>More than 8</u>	<u>250-550</u>	<u>14</u>
<u>Gas shielded arc welding (non-ferrous)</u>	<u>2, 3, 4, 5</u>		<u>11</u>
<u>Gas shielded arc welding (ferrous)</u>	<u>2, 3, 4, 5</u>		<u>12</u>
<u>Gas metal arc welding</u>		<u>Less than 60</u>	<u>7</u>
		<u>60-160</u>	<u>10</u>
		<u>160-250</u>	<u>10</u>
		<u>250-500</u>	<u>10</u>
<u>Flux cored arc welding</u>		<u>Less than 60</u>	<u>7</u>
		<u>60-160</u>	<u>10</u>
		<u>160-250</u>	<u>10</u>

((Welding Operation

Shade No.

Shielded metal arc welding — 1/16, 3/32, 1/8, 5/32 inch electrodes

10

PROPOSED

<u>Welding operation</u>	<u>Electrode Size 1/32 (inches)</u>	<u>Minimum protective arc current</u>	<u>Shade number</u>
		<u>250-500</u>	<u>10</u>
<u>Gas tungsten arc welding</u>		<u>Less than 50</u>	<u>8</u>
		<u>50-150</u>	<u>8</u>
		<u>150-500</u>	<u>10</u>
<u>Air carbon — light</u>		<u>Less than 500</u>	<u>10</u>
<u>Arc cutting— heavy</u>		<u>500-1000</u>	<u>11</u>
<u>Carbon arc welding</u>			<u>14</u>
<u>Plasma arc welding</u>		<u>Less than 20</u>	<u>6</u>
		<u>20-100</u>	<u>8</u>
		<u>100-400</u>	<u>10</u>
		<u>400-800</u>	<u>11</u>
<u>Plasma arc cutting</u>		<u>Less than 300 (light)</u>	<u>8</u>
		<u>300-400 (medium)</u>	<u>9</u>
		<u>400-800 (heavy)</u>	<u>10</u>
<u>Atomic hydrogen welding</u>			<u>10-14</u>
<u>Torch soldering</u>			<u>2</u>
<u>Torch brazing</u>			<u>3 or 4</u>
<u>Gas welding</u>			
<u>Light</u>	<u>Under 1/8</u>	<u>Under 3.2</u>	<u>3 or 4</u>

Note: In gas welding or oxygen cutting where the torch produces a high yellow light, it is desirable to use a filter or lens that absorbs the yellow or sodium line in the visible light of the operation.

(j) All filter lenses and plates shall meet the test for transmission of radiant energy prescribed in ANSI Z 87.1-1968—American National Standard Practice for Occupational and Educational Eye and Face Protection.

(3) Protection from arc welding rays. Where the work permits, the welder should be enclosed in an individual booth painted with a finish of low-reflectivity such as zinc oxide (an

important factor for absorbing ultraviolet radiations) and lamp black; or shall be enclosed with noncombustible screens similarly painted. Booths and screens shall permit circulation of air at floor level. Workers or other persons adjacent to the welding areas shall be protected from the rays by noncombustible or flameproof screens or shields or shall be required to wear appropriate goggles.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-980 Safeguards for personnel protection. (1) Use of protective equipment.

(a) Personal protective equipment.

(i) Employees working in areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed.

Note: Personal protective equipment requirements are contained in chapter 296-24 WAC Part ((A-2)) L, and WAC 296-800-160.

(ii) Protective equipment shall be maintained in a safe, reliable condition and shall be periodically inspected or tested, as required by chapter 296-24 WAC Part ((A-2)) L, and WAC 296-800-160.

(iii) If the insulating capability of protective equipment may be subject to damage during use, the insulating material shall be protected. (For example, an outer covering of leather is sometimes used for the protection of rubber insulating material.)

(iv) Employees shall wear nonconductive head protection wherever there is a danger of head injury from electric shock or burns due to contact with exposed energized parts.

(v) Employees shall wear protective equipment for the eyes or face wherever there is danger of injury to the eyes or face from electric arcs or flashes or from flying objects resulting from electrical explosion.

(b) General protective equipment and tools.

(i) When working near exposed energized conductors or circuit parts, each employee shall use insulated tools or handling equipment if the tools or handling equipment might make contact with such conductors or parts. If the insulating capability of insulated tools or handling equipment is subject to damage, the insulating material shall be protected.

(A) Fuse handling equipment, insulated for the circuit voltage, shall be used to remove or install fuses when the fuse terminals are energized.

(B) Ropes and handlines used near exposed energized parts shall be nonconductive.

(ii) Protective shields, protective barriers, or insulating materials shall be used to protect each employee from shock, burns, or other electrically related injuries while that employee is working near exposed energized parts which might be accidentally contacted or where dangerous electric heating or arcing might occur. When normally enclosed live parts are exposed for maintenance or repair, they shall be guarded to protect unqualified persons from contact with the live parts.

PROPOSED

(2) Alerting techniques. The following alerting techniques shall be used to warn and protect employees from hazards which could cause injury due to electric shock, burns, or failure of electric equipment parts:

(a) Safety signs and tags. Safety signs, safety symbols, or accident prevention tags shall be used where necessary to warn employees about electrical hazards which may endanger them, as required by chapter 296-24 WAC Part B-2.

(b) Barricades. Barricades shall be used in conjunction with safety signs where it is necessary to prevent or limit employee access to work areas exposing employees to uninsulated energized conductors or circuit parts. Conductive barricades may not be used where they might cause an electrical contact hazard.

(c) Attendants. If signs and barricades do not provide sufficient warning and protection from electrical hazards, an attendant shall be stationed to warn and protect employees.

(3) Design requirements. Insulating blankets, matting, covers, line hose, gloves, and sleeves made of rubber shall meet the following requirements:

(a) Manufacture and marking.

(i) Blankets, gloves, and sleeves shall be produced by a seamless process.

(ii) Each item shall be clearly marked as follows:

(A) Class 0 equipment shall be marked Class 0.

(B) Class 1 equipment shall be marked Class 1.

(C) Class 2 equipment shall be marked Class 2.

(D) Class 3 equipment shall be marked Class 3.

(E) Class 4 equipment shall be marked Class 4.

(F) Nonozone-resistant equipment other than matting shall be marked Type I.

(G) Ozone-resistant equipment other than matting shall be marked Type II.

(H) Other relevant markings, such as the manufacturer's identification and the size of the equipment, may also be provided.

(iii) Markings shall be nonconducting and shall be applied in such a manner as not to impair the insulating qualities of the equipment.

(iv) Markings on gloves shall be confined to the cuff portion of the glove.

(b) Electrical requirements.

(i) Equipment shall be capable of withstanding the a-c proof-test voltage specified in Table A-2 or the d-c proof-test voltage specified in Table A-3.

(A) The proof-test shall reliably indicate that the equipment can withstand the voltage involved.

(B) The test voltage shall be applied continuously for three minutes for equipment other than matting and shall be applied continuously for one minute for matting.

(C) Gloves shall also be capable of withstanding the a-c proof-test voltage specified in Table A-2 after a sixteen-hour water soak. (See the note following (c)(ii)(B) of this subsection.)

(ii) When the a-c proof-test is used on gloves, the 60 hertz proof-test current may not exceed the values specified in Table A-2 at any time during the test period.

(A) If the a-c proof-test is made at a frequency other than 60 hertz, the permissible proof-test current shall be computed from the direct ratio of the frequencies.

(B) For the test, gloves (right side out) shall be filled with tap water and immersed in water to a depth that is in accordance with Table A-4. Water shall be added to or removed from the glove, as necessary, so that the water level is the same inside and outside the glove.

(C) After the sixteen-hour water soak specified in (b)(i)(C) of this subsection, the 60-hertz proof-test current may exceed the values given in Table A-2 by not more than 2 milliamperes.

(iii) Equipment that has been subjected to a minimum breakdown voltage test may not be used for electrical protection. (See the note following (c)(ii)(B) of this subsection.)

(iv) Material used for Type II insulating equipment shall be capable of withstanding an ozone test, with no visible effects. The ozone test shall reliably indicate that the material will resist ozone exposure in actual use. Any visible signs of ozone deterioration of the material, such as checking, cracking, breaks, or pitting, is evidence of failure to meet the requirements for ozone-resistant material. (See the note following (c)(ii)(B) of this subsection.)

(c) Workmanship and finish.

(i) Equipment shall be free of harmful physical irregularities that can be detected by the tests or inspections required under this section.

(ii) Surface irregularities that may be present on all rubber goods because of imperfections on forms or molds or because of inherent difficulties in the manufacturing process and that may appear as indentations, protuberances, or imbedded foreign material are acceptable under the following conditions:

(A) The indentation or protuberance blends into a smooth slope when the material is stretched.

(B) Foreign material remains in place when the insulating material is folded and stretches with the insulating material surrounding it.

Note: Rubber insulating equipment meeting the following national consensus standards is deemed to be in compliance with subsection (1) of this section:

American Society for Testing and Materials (ASTM) D 120-87, Specification for Rubber Insulating Gloves.

ASTM D 178-93, Specification for Rubber Insulating Matting.

ASTM D 1048-93, Specification for Rubber Insulating Blankets.

ASTM D 1049-93, Specification for Rubber Insulating Covers.

ASTM D 1050-90, Specification for Rubber Insulating Line Hose.

ASTM D 1051-87, Specification for Rubber Insulating Sleeves.

These standards contain specifications for conducting the various tests required in subsection (1) of this section. For example, the a-c and d-c proof-tests, the breakdown test, the water soak procedure, and the ozone test mentioned in this paragraph are described in detail in the ASTM standards.

(4) In-service care and use.

(a) Electrical protective equipment shall be maintained in a safe, reliable condition.

(b) The following specific requirements apply to insulating blankets, covers, line hose, gloves, and sleeves made of rubber:

(i) Maximum use voltages shall conform to those listed in Table A-5.

(ii) Insulating equipment shall be inspected for damage before each day's use and immediately following any incident that can reasonably be suspected of having caused damage. Insulating gloves shall be given an air test, along with the inspection.

(iii) Insulating equipment with any of the following defects may not be used:

(A) A hole, tear, puncture, or cut;

(B) Ozone cutting or ozone checking (the cutting action produced by ozone on rubber under mechanical stress into a series of interlacing cracks);

(C) An embedded foreign object;

(D) Any of the following texture changes: Swelling, softening, hardening, or becoming sticky or inelastic.

(E) Any other defect that damages the insulating properties.

(iv) Insulating equipment found to have other defects that might affect its insulating properties shall be removed from service and returned for testing under (b)(viii) and (ix) of this subsection.

(v) Insulating equipment shall be cleaned as needed to remove foreign substances.

(vi) Insulating equipment shall be stored in such a location and in such a manner as to protect it from light, temperature extremes, excessive humidity, ozone, and other injurious substances and conditions.

(vii) Protector gloves shall be worn over insulating gloves.

(viii) Electrical protective equipment shall be subjected to periodic electrical tests. Test voltages and the maximum intervals between tests shall be in accordance with Table A-5 and Table A-6.

(ix) The test method used under (b)(viii) and (xi) of this subsection shall reliably indicate whether the insulating equipment can withstand the voltages involved.

Note: Standard electrical test methods considered as meeting this requirement are given in the following national consensus standards:

American Society for Testing and Materials (ASTM) D 120-87, Specification for Rubber Insulating Gloves.

ASTM D 1048-93, Specification for Rubber Insulating Blankets.

ASTM D 1049-93, Specification for Rubber Insulating Covers.

ASTM D 1050-90, Specification for Rubber Insulating Line Hose.

ASTM D 1051-87, Specification for Rubber Insulating Sleeves.

ASTM F 478-92, Specification for In-Service Care of Insulating Line Hose and Covers.

ASTM F 479-88a, Specification for In-Service Care of Insulating Blankets.

ASTM F 496-93b, Specification for In-Service Care of Insulating Gloves and Sleeves.

(x) Insulating equipment failing to pass inspections or electrical tests shall not be used by employees, except as follows:

(A) Rubber insulating line hose could be used in shorter lengths with the defective portion cut off.

(B) Rubber insulating blankets could be repaired using a compatible patch that results in physical and electrical properties equal to those of the blanket.

(C) Rubber insulating blankets could be salvaged by severing the defective area from the undamaged portion of the blanket. The resulting undamaged area shall not be smaller than twenty-two inches by twenty-two inches (560 mm by 560 mm) for Class 1, 2, 3, and 4 blankets.

(xi) Repaired insulating equipment shall be retested before it may be used by employees.

(xii) The employer shall certify that equipment has been tested in accordance with the requirements of (b)(viii), (ix), and (xi) of this subsection. The certification shall identify the equipment that passed the test and the date it was tested.

Note: Marking of equipment and entering the results of the tests and the dates of testing onto logs are two acceptable means of meeting this requirement.

Table A-2. -A-C Proof-Test Requirements	Proof-test voltage rms	267-mm (10.5-in) glove	356-mm (14-in) glove	406-mm (16-in) glove	457-mm (18-in) glove
Maximum proof-test current, mA (gloves only)	Y				
Class of equipment					
0	5,000	8	12	14	16
1	10,000		14	16	18
2	20,000		16	18	20
3	30,000		18	20	22
4	40,000			22	24

Table A-3. -D-C Proof-Test Requirements	Class of equipment	Proof-test voltage
	0	20,000
	1	40,000
	2	50,000
	3	60,000
	4	70,000

Note: The d-c voltages listed in this table are not appropriate for proof-testing rubber insulating line hose or covers. For this equipment, d-c proof-tests shall use a voltage high enough to indicate that the equipment can be safely used at the voltages listed in Table A-4. See ASTM D 1050-90 and ASTM D 1049-88 for further information on proof-tests for rubber insulating line hose and covers.

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unless it has been electrically tested within the previous 12 months.

Table A-4. -Glove Tests-Water Level ^{1,2} Class of glove	mm.	A-C proof-test in.	mm.	D-C proof-test in.
0	38	1.5	38	1.5
1	38	1.5	51	2.0
2	64	2.5	76	3.0
3	89	3.5	102	4.0
4	127	5.0	153	6.0

- 1 The water level is given as the clearance from the cuff of the glove to the water line, with a tolerance of 13 mm. (0.5 in.).
- 2 If atmospheric conditions make the specified clearances impractical, the clearances may be increased by a maximum of 25 mm. (1 in.).

(5) Where switches or fuses of more than 150 volts to ground are not guarded during ordinary operations, suitable insulating floors, mats or platforms shall be provided on which the operator must stand while handling the switches.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-24-001 Foreword.
- WAC 296-24-006 Equipment approval by non-state agency or organization.
- WAC 296-24-07801 General.
- WAC 296-24-092 Electrical protective equipment.
- WAC 296-24-096 Appendix A to Part A-2—References for further information (nonmandatory).

Table A-5. -Rubber Insulating Equipment Voltage Requirements Class of equipment	Maximum use voltage ¹ a-c rms	Retest voltage ² a-c rms	Retest voltage ² d-c rms
0	1,000	5,000	20,000
1	7,500	10,000	40,000
2	17,000	20,000	50,000
3	26,500	30,000	60,000
4	36,000	40,000	70,000

Note: Rubber gloves shall only be used on voltages of 5000 volts phase-to-phase or less.

¹The maximum use voltage is the a-c voltage (rms) classification of the protective equipment that designates the maximum nominal design/voltage of the energized system that may be safely worked. The nominal design voltage is equal to the phase-to-phase voltage on multiphase circuits. However, the phase-to-ground potential is considered to be the nominal design/voltage:

1. If there is no multiphase exposure in a system area and if the voltage exposure is limited to the phase-to-ground potential, or
2. If the electrical equipment and devices are insulated or isolated or both so that the multiphase exposure on a grounded wye circuit is removed.

²The proof-test voltage shall be applied continuously for at least one minute, but no more than three minutes.

Table A-6. -Rubber Insulating Equipment Test Intervals	Type of equipment	When to test
	Rubber insulating line hose	Upon indication that insulating value is suspect.
	Rubber insulating covers	Upon indication that insulating value is suspect.
	Rubber insulating blankets	Before first issue and every 12 months thereafter. ¹
	Rubber insulating gloves	Before first issue and every 6 months thereafter. ¹
	Rubber insulating sleeves	Before first issue and every 12 months thereafter. ¹

¹ If the insulating equipment has been electrically tested but not issued for service, it may not be placed into service

PART A-1
~~((GENERAL, EDUCATIONAL, MEDICAL AND FIRST-AID REQUIREMENTS))~~ **PURPOSE AND SCOPE**

PART A-2
PERSONAL PROTECTIVE EQUIPMENT RESERVE

- Note: Personal protective equipment requirements have been moved to WAC 296-800-160.
- Note: Electrical protective equipment requirements have been moved to WAC 296-24-980.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-24-10203 General requirements. (1) All employers operating late night retail establishments shall provide crime prevention training to their employees.

(2) Crime prevention training shall be a part of the accident prevention program requirements imposed pursuant to WAC ((296-24-040)) 296-800-140.

(3) The employer shall provide training to ensure that the purpose and function of robbery and violence prevention are understood by employees and that the knowledge and skills required for their safety have been provided. The employer shall:

(a) Provide training and training materials that outline security policies, safety and security procedures, and personal safety and crime avoidance techniques.

(b) Provide formal instruction through a training seminar or training video presentation and upon completion require the employee to sign off on the date, time, and place of training. The training documentation will be placed in the

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employee's personnel file. The following elements shall be included in the crime prevention training program:

(i) An explanation of the importance of keeping the store clean, neat, and uncluttered thereby making it as unattractive as possible to robbers.

(ii) Provide explanation of the purpose of maintaining an unobstructed view of the cash register from outside the store, provided the cash register is located in a position visible from the street.

(iii) Provide instruction on reasons for operating only minimum number of cash registers at night.

(iv) Keeping the cash register fund to a minimum.

(v) Taking extra precautions after dark, i.e., keep alert, observe lighting and dark corners, spot possible hiding places.

(vi) Violence prevention procedures in case of robbery.

(vii) Provide a refresher course on crime prevention on or near the employee's anniversary date. Videotape and crime prevention material shall be available for employee's review at their request.

(4) In addition to providing crime prevention training as defined in this section, all employers operating late night retail establishments shall:

(a) Post a conspicuous sign in the window or door which states that there is a safe on the premises and it is not accessible to the employees on the premises and that the cash register contains only the minimal amount of cash needed to conduct business: No employer shall be subject to citation and penalty for having moneys in the cash register in excess of the minimal amount needed to conduct business.

(b) All displays, and any other material posted in window(s) or door(s) should be arranged so as to provide a clear and unobstructed view of the cash register; provided the cash register is located in such a position so as to be visible from the street.

(c) Have a drop-safe, limited access safe, or comparable device on the premises.

(d) Operate the outside lights for that portion of the approach and parking area that is necessary to accommodate customers during all night hours the late night retail establishment is open. This may be accomplished through:

(i) Surveillance lighting - to detect and observe pedestrian and vehicular entrances.

(ii) Providing adequate illuminances - adequate illuminance throughout the pedestrian and vehicular entrance areas should be a minimum of one foot candle to comply with ANSI/IES RP7-1983.

AMENDATORY SECTION (Amending WSR 95-22-015, filed 10/20/95, effective 1/16/96)

WAC 296-24-12001 Scope. This scope includes all sections of WAC 296-24-120 ((in the numbering)), 296-800-220, and 296-800-230 and applies to all permanent places of employment except where domestic, or mining work only is performed. The shower requirements in WAC ((~~296-24-12009(3))~~) 296-24-12010 are not applicable to agricultural operations. Measures for the control of toxic materials are considered to be outside the scope of this section.

NEW SECTION

WAC 296-24-12006 Water supply (nonpotable). Nonpotable water.

(1) Outlets for nonpotable water, such as water for industrial or firefighting purposes shall be posted or otherwise marked in a manner that will indicate clearly that the water is unsafe and is not to be used for drinking, washing of the person, cooking, washing of food, washing of cooking or eating utensils, washing of food preparation or processing premises, or personal service rooms, or for washing clothes.

(2) Construction of nonpotable water systems or systems carrying any other nonpotable substance shall be such as to prevent backflow or backsiphonage into a potable water system.

Nonpotable water shall not be used for washing any portion of the person, cooking or eating utensils, or clothing. Nonpotable water may be used for cleaning work premises, other than food processing and preparation premises and personal service rooms: Provided, That this nonpotable water does not contain concentrations of chemicals, fecal coliform, or other substances which could create unsanitary conditions or be harmful to employees.

NEW SECTION

WAC 296-24-12010 Showers. (1) Showers are mandatory on exit from the jobsite when residual chemicals allowed to remain on the skin between work shifts could cause a serious occupational illness.

(2) The employer is responsible for identifying such potential hazards and for insisting that the employee shower at the end of the shift.

(3) Whenever showers are required by a particular standard, the showers shall be provided, in accordance with (a) through (d) of this subsection:

(a) One shower shall be provided for each 10 employees of each sex, or numerical fraction thereof, who are required to shower during the same shift.

(b) Body soap or other appropriate cleansing agents convenient to the showers shall be provided as specified in this section.

(c) Showers shall be provided with hot and cold water feeding a common discharge line.

(d) Employees who use showers shall be provided with individual clean towels.

AMENDATORY SECTION (Amending Order 82-22, filed 6/11/82)

WAC 296-24-14007 Sign design and colors. (1) All signs shall be furnished with rounded or blunt corners and shall be free from sharp edges, burrs, splinters, or other sharp projections. The ends or heads of bolts or other fastening devices shall be located in such a way that they do not constitute a hazard.

(2) Danger signs.

(a) The colors red, black, and white shall be those of opaque glossy samples as specified in Table 1 of Fundamen-

tal Specification of Safety Colors for CIE Standard Source "C," American National Standard Z53.1-1971.

(b) Standard proportions shall be as indicated in Table J-1, and format shall be as in Fig. J-1.

(3) Radiation warning signs.

(a) Standard color of the background shall be yellow; the panel, reddish purple with yellow letters; the symbol, reddish purple; any letters used against the yellow background shall be black. The colors shall be those of opaque glossy samples as specified in Table 1 of American National Standard, Z53.1-1971.

(b) The standard symbol shall be as in Figure J-3. Method of dimensioning, design, and orientation of the standard symbol (one blade pointed downward and centered on the vertical axis) shall be executed as illustrated. The symbol shall be prominently displayed, and of a size consistent with the size of the equipment or material or area to which it is attached.

(c) Format shall be as in Figure J-2. Sign proportions shall be the same as those for danger signs in Table J-1.

(4) Caution signs.

(a) Standard color of the background shall be yellow; and the panel, black with yellow letters. Any letters used against the yellow background shall be black. The colors shall be those of opaque glossy samples as specified in Table 1 of American National Standard Z53.1-1971.

(b) Standard proportions shall be as indicated in Table J-2, and format shall be as in Figure J-4.

(5) Exit signs. Exit signs shall be in accordance with WAC ((296-24-56534)) 296-800-310.

(6) Safety instruction signs.

(a) Standard color of the background shall be white; and the panel, green with white letters. Any letters used against the white background shall be black. The colors shall be those of opaque glossy samples as specified in Table 1 of American National Standard, Z53.1-1971.

(b) Standard proportions shall be as indicated in Table J-3, and format shall be as in Figure J-5.

(7) Directional signs.

(a) Standard color of the background shall be white; and the panel, black with white directional symbol. Any letters used against the white background shall be black. The colors shall be those of opaque glossy samples as specified in Table 1 of American National Standard Z53.1-1971.

(b) Standard proportions shall be as indicated in Table J-4, and format shall be as in Figure J-6.

(8) In-plant traffic signs. Regulatory and control signs required for the safe movement of vehicles and pedestrians on thoroughfares on plant property shall conform to the standards established in American National Standard Manual on Uniform Traffic Control Devices for Streets and Highways, D6.1-1971.

(9) Informational signs. Blue shall be the standard color for informational signs. It may be used as the background color for the complete sign or as a panel at the top of such types of "notice" signs, which have a white background. The colors shall be those of opaque glossy samples as specified in Table 1 of American National Standard Z53.1-1971.

(10) Slow-moving vehicle emblem. This emblem (see Fig. J-7) consists of a fluorescent yellow-orange triangle with

a dark red reflective border. The yellow-orange fluorescent triangle is a highly visible color for daylight exposure. The reflective border defines the shape of the fluorescent color in daylight and creates a hollow red triangle in the path of motor vehicle headlights at night. The emblem is intended as a unique identification for, and it shall be used only, on vehicles which by design move slowly (25 m.p.h. or less) on the public roads. The emblem is not a clearance marker for wide machinery nor is it intended to replace required lighting or marking of slow-moving vehicles. Neither the color film pattern and its dimensions nor the backing shall be altered to permit use of advertising or other markings. The material, location, mounting, etc., of the emblem shall be in accordance with the American Society of Agricultural Engineers Emblem for Identifying Slow-Moving Vehicles, ASAE R276, 1967, or ASAE S276.2 (ANSI B114.1-1971).

(11) Symbols. Symbols used on signs shall follow recognized practices, such as in Figure J-8. For radioactive materials, see symbol in Figure J-3.

AMENDATORY SECTION (Amending Order 92-06, filed 8/10/92, effective 9/10/92)

WAC 296-24-20700 Appendix A to WAC 296-24-195. Mandatory requirements for certification/validation of safety systems for presence sensing device initiation of mechanical power presses.

(1) Purpose. The purpose of the certification/validation of safety systems for presence sensing device initiation (PSDI) of mechanical power presses is to ensure that the safety systems are designed, installed, and maintained in accordance with all applicable requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(2) General.

(a) The certification/validation process shall utilize an independent third-party validation organization recognized by OSHA in accordance with the requirements specified in WAC 296-24-20720 Appendix C.

(b) While the employer is responsible for assuring that the certification/validation requirements in WAC 296-24-19517(11) are fulfilled, the design certification of PSDI safety systems may be initiated by manufacturers, employers, and/or their representatives. The term "manufacturers" refers to the manufacturer of any of the components of the safety system. An employer who assembles a PSDI safety system would be a manufacturer as well as employer for purposes of this standard and Appendix.

(c) The certification/validation process includes two stages. For design certification, in the first stage, the manufacturer (which can be an employer) certifies that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, based on appropriate design criteria and tests. In the second stage, the OSHA-recognized third-party validation organization validates that the PSDI safety system meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A and the manufacturer's certification by reviewing the manufacturer's design and test data and performing any additional reviews required by this standard or which it believes appropriate.

(d) For installation certification/validation and annual recertification/revalidation, in the first stage the employer certifies or recertifies that the employer is installing or utilizing a PSDI safety system validated as meeting the design requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A by an OSHA-recognized third-party validation organization and that the installation, operation and maintenance meet the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A. In the second stage, the OSHA-recognized third-party validation organization validates or revalidates that the PSDI safety system installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A and the employer's certification, by reviewing that the PSDI safety system has been certified; the employer's certification, designs and tests, if any; the installation, operation, maintenance and training; and by performing any additional tests and reviews which the validation organization believes is necessary.

(3) Summary. The certification/validation of safety systems of PSDI shall consider the press, controls, safeguards, operator, and environment as an integrated system which shall comply with all of the requirements in WAC 296-24-19503 through 296-24-19517 and this Appendix A. The certification/validation process shall verify that the safety system complies with the OSHA safety requirements as follows:

(a) Design certification/validation.

(i) The major parts, components, and subsystems used shall be defined by part number or serial number, as appropriate, and by manufacturer to establish the configuration of the system.

(ii) The identified parts, components, and subsystems shall be certified by the manufacturer to be able to withstand the functional and operational environments of the PSDI safety system.

(iii) The total system design shall be certified by the manufacturer as complying with all requirements in WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(iv) The third-party validation organization shall validate the manufacturer's certification under (a)(i) and (ii) of this subsection.

(b) Installation certification/validation.

(i) The employer shall certify that the PSDI safety system has been design certified and validated, that the installation meets the operational and environmental requirements specified by the manufacturer, that the installation drawings are accurate, and that the installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A. (The operational and installation requirements of the PSDI safety system may vary for different applications.)

(ii) The third-party validation organization shall validate the employer's certifications that the PSDI safety system is design certified and validated, that the installation meets the installation and environmental requirements specified by the manufacturer, and that the installation meets the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(c) Recertification/revalidation.

(i) The PSDI safety system shall remain under certification/validation for the shorter of one year or until the system hardware is changed, modified or refurbished, or operating conditions are changed (including environmental, application or facility changes), or a failure of a critical component has occurred.

(ii) Annually, or after a change specified in (c)(i) of this subsection, the employer shall inspect and recertify the installation as meeting the requirements set forth under subsection (3)(b) of this section, Installation certification/validation.

(iii) The third-party validation organization, annually or after a change specified in (c)(i) of this subsection, shall validate the employer's certification that the requirements of subsection (b) of this section, Installation certification/validation have been met.

Note: Such changes in operational conditions as die changes of press relocations not involving disassembly or revision to the safety system would not require recertification/revalidation.

(4) Certification/validation requirements.

(a) General design certification/validation requirements.

(i) Certification/validation program requirements. The manufacturer shall certify and the OSHA-recognized third-party validation organization shall validate that:

(A) The design of components, subsystems, software, and assemblies meets OSHA performance requirements and are ready for the intended use; and

(B) The performance of combined subsystems meets OSHA's operational requirements.

(ii) Certification/validation program level of risk evaluation requirements. The manufacturer shall evaluate and certify, and the OSHA-recognized third-party validation organization shall validate, the design and operation of the safety system by determining conformance with the following:

(A) The safety system shall have the ability to sustain a single failure or a single operating error and not cause injury to personnel from point of operation hazards. Acceptable design features shall demonstrate, in the following order of precedence, that:

(I) No single failure points may cause injury; or

(II) Redundancy, and comparison and/or diagnostic checking, exist for the critical items that may cause injury, and the electrical, electronic, electromechanical and mechanical parts and components are selected so that they can withstand operational and external environments. The safety factor and/or derated percentage shall be specifically noted and complied with.

(B) The manufacturer shall design, evaluate, test and certify, and the third-party validation organization shall evaluate and validate, that the PSDI safety system meets appropriate requirements in the following areas.

(I) Environmental limits

-Temperature

-Relative humidity

-Vibration

-Fluid compatibility with other materials

(II) Design limits

-Power requirements

-Power transient tolerances

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-Compatibility of materials used
 -Material stress tolerances and limits
 -Stability to long term power fluctuations
 -Sensitivity to signal acquisition
 -Repeatability of measured parameter without inadvertent initiation of a press stroke
 -Operational life of components in cycles, hours, or both
 -Electromagnetic tolerance to:

- Specific operational wave lengths; and
- Externally generated wave lengths

•New design certification/validation. Design certification/validation for a new safety system, i.e., a new design or new integration of specifically identified components and subsystems, would entail a single certification/validation which would be applicable to all identical safety systems. It would not be necessary to repeat the tests on individual safety systems of the same manufacture or design. Nor would it be necessary to repeat these tests in the case of modifications where determined by the manufacturer and validated by the third-party validation organization to be equivalent by similarity analysis. Minor modifications not affecting the safety of the system may be made by the manufacturer without revalidation.

(III) Substantial modifications would require testing as a new safety system, as deemed necessary by the validation organization.

(b) Additional detailed design certification/validation requirements.

(i) General. The manufacturer or the manufacturer's representative shall certify to and submit to an OSHA-recognized third-party validation organization the documentation necessary to demonstrate that the PSDI safety system design is in full compliance with the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, as applicable, by means of analysis, tests, or combination of both, establishing that the following additional certification/validation requirements are fulfilled.

(ii) Reaction times. For the purpose of demonstrating compliance with the reaction time required by WAC 296-24-19517, the tests shall use the following definitions and requirements:

(A) "Reaction time" means the time, in seconds, it takes the signal, required to activate/deactivate the system, to travel through the system, measured from the time of signal initiation to the time the function being measured is completed.

(B) "Full stop" or "no movement of the slide or ram" means when the crankshaft rotation has slowed to two or less revolutions per minute, just before stopping completely.

(C) "Function completion" means for, electrical, electro-mechanical and electronic devices, when the circuit produces a change of state in the output element of the device.

(D) When the change of state is motion, the measurement shall be made at the completion of the motion.

(E) The generation of the test signal introduced into the system for measuring reaction time shall be such that the initiation time can be established with an error of less than 0.5 percent of the reaction time measured.

(F) The instrument used to measure reaction time shall be calibrated to be accurate to within 0.001 second.

(iii) Compliance with WAC 296-24-19517 (2)(b).

(A) For compliance with these requirements, the average value of the stopping time, T_s , shall be the arithmetic mean of at least twenty-five stops for each stop angle initiation measured with the brake and/or clutch unused, fifty percent worn, and ninety percent worn. The recommendations of the brake system manufacturer shall be used to simulate or estimate the brake wear. The manufacturer's recommended minimum lining depth shall be identified and documented, and an evaluation made that the minimum depth will not be exceeded before the next (annual) recertification/revalidation. A correlation of the brake and/or clutch degradation based on the above tests and/or estimates shall be made and documented. The results shall document the conditions under which the brake and/or clutch will and will not comply with the requirement. Based upon this determination, a scale shall be developed to indicate the allowable ten percent of the stopping time at the top of the stroke for slide or ram overtravel due to brake wear. The scale shall be marked to indicate that brake adjustment and/or replacement is required. The explanation and use of the scale shall be documented.

(B) The test specification and procedure shall be submitted to the validation organization for review and validation prior to the test. The validation organization representative shall witness at least one set of tests.

(iv) Compliance with WAC 296-24-19517 (5)(c) and (9)(f). Each reaction time required to calculate the safety distance, including the brake monitor setting, shall be documented in separate reaction time tests. These tests shall specify the acceptable tolerance band sufficient to assure that tolerance build-up will not render the safety distance unsafe.

(A) Integrated test of the press fully equipped to operate in the PSDI mode shall be conducted to establish the total system reaction time.

(B) Brakes which are the adjustable type shall be adjusted properly before the test.

(v) Compliance with WAC 296-24-19517 (2)(c).

(A) Prior to conducting the brake system test required by WAC 296-24-19517 (2)(b), a visual check shall be made of the springs. The visual check shall include a determination that the spring housing or rod does not show damage sufficient to degrade the structural integrity of the unit, and the spring does not show any tendency to interleave.

(B) Any detected broken or unserviceable springs shall be replaced before the test is conducted. The test shall be considered successful if the stopping time remains within that which is determined by WAC 296-24-19517 (9)(f) for the safety distance setting. If the increase in press stopping time exceeds the brake monitor setting limit defined in WAC 296-24-19517 (5)(c), the test shall be considered unsuccessful, and the cause of the excessive stopping time shall be investigated. It shall be ascertained that the springs have not been broken and that they are functioning properly.

(vi) Compliance with WAC 296-24-19517(7).

(A) Tests which are conducted by the manufacturers of electrical components to establish stress, life, temperature and loading limits must be tests which are in compliance with the provisions of chapter 296-24 WAC Part L.

(B) Electrical and/or electronic cards or boards assembled with discreet components shall be considered a sub-

system and shall require separate testing that the subsystems do not degrade in any of the following conditions:

(I) Ambient temperature variation from -20°C to +50°C.

(II) Ambient relative humidity of ninety-nine percent.

(III) Vibration of 45G for one millisecond per stroke when the item is to be mounted on the press frame.

(IV) Electromagnetic interference at the same wavelengths used for the radiation sensing field, at the power line frequency fundamental and harmonics, and also from autogenous radiation due to system switching.

(V) Electrical power supply variations of ± 15 percent.

(C) The manufacturer shall specify the test requirements and procedures from existing consensus tests in compliance with the provisions of chapter 296-24 WAC Part L, and WAC 296-800-280.

(D) Tests designed by the manufacturer shall be made available upon request to the validation organization. The validation organization representative shall witness at least one set of each of these tests.

(vii) Compliance with WAC 296-24-19517 (9)(d).

(A) The manufacturer shall design a test to demonstrate that the prescribed minimum object sensitivity of the presence sensing device is met.

(B) The test specifications and procedures shall be made available upon request to the validation organization.

(viii) Compliance with WAC 296-24-19517 (9)(k).

(A) The manufacturer shall design a test(s) to establish the hand tool extension diameter allowed for variations in minimum object sensitivity response.

(B) The test(s) shall document the range of object diameter sizes which will produce both single and double break conditions.

(C) The test(s) specifications and procedures shall be made available upon request to the validation organization.

(ix) Integrated tests certification/validation.

(A) The manufacturer shall design a set of integrated tests to demonstrate compliance with the following requirements:

WAC 296-24-19517 (6)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o).

(B) The integrated test specifications and procedures shall be made available to the validation organization.

(x) Analysis. The manufacturer shall submit to the validation organization the technical analysis such as hazard analysis, failure mode and effect analysis, stress analysis, component and material selection analysis, fluid compatibility, and/or other analyses which may be necessary to demonstrate compliance with the following requirements:

WAC 296-24-19517 (8)(a) and (b); (2)(b) and (c); (3)(a)(i) and (iv) and (b); (5)(a), (b) and (c); (6)(a), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (p); (7)(a) and (b); (9)(d), (f), (i), (j) and (k); (10)(a) and (b).

(xi) Types of tests acceptable for certification/validation.

(A) Test results obtained from development testing may be used to certify/validate the design.

(B) The test results shall provide the engineering data necessary to establish confidence that the hardware and software will meet specifications, the manufacturing process has adequate quality control and the data acquired was used to

establish processes, procedures, and test levels supporting subsequent hardware design, production, installation and maintenance.

(xii) Validation for design certification/validation. If, after review of all documentation, tests, analyses, manufacturer's certifications, and any additional tests which the third-party validation organization believes are necessary, the third-party validation organization determines that the PSDI safety system is in full compliance with the applicable requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A, it shall validate the manufacturer's certification that it so meets the stated requirements.

(c) Installation certification/validation requirements.

(i) The employer shall evaluate and test the PSDI system installation, shall submit to the OSHA-recognized third-party validation organization the necessary supporting documentation, and shall certify that the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A have been met and that the installation is proper.

(ii) The OSHA-recognized third-party validation organization shall conduct tests, and/or review and evaluate the employer's installation tests, documentation and representations. If it so determines, it shall validate the employer's certification that the PSDI safety system is in full conformance with all requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

(d) Recertification/revalidation requirements.

(i) A PSDI safety system which has received installation certification/validation shall undergo recertification/revalidation the earlier of:

(A) Each time the systems hardware is significantly changed, modified, or refurbished;

(B) Each time the operational conditions are significantly changed (including environmental, application or facility changes, but excluding such changes as die changes or press relocations not involving revision to the safety system);

(C) When a failure of a significant component has occurred or a change has been made which may affect safety; or

(D) When one year has elapsed since the installation certification/validation or the last recertification/revalidation.

(ii) Conduct of recertification/revalidation. The employer shall evaluate and test the PSDI safety system installation, shall submit to the OSHA-recognized third-party validation organization the necessary supporting documentation, and shall recertify that the requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A are being met. The documentation shall include, but not be limited to, the following items:

(A) Demonstration of a thorough inspection of the entire press and PSDI safety system to ascertain that the installation, components and safeguarding have not been changed, modified or tampered with since the installation certification/validation or last recertification/revalidation was made.

(B) Demonstrations that such adjustments as may be needed (such as to the brake monitor setting) have been accomplished with proper changes made in the records and on such notices as are located on the press and safety system.

(C) Demonstration that review has been made of the reports covering the design certification/validation, the installation certification/validation, and all recertification/revalidation, in order to detect any degradation to an unsafe condition, and that necessary changes have been made to restore the safety system to previous certification/validation levels.

(iii) The OSHA-recognized third-party validation organization shall conduct tests, and/or review and evaluate the employer's installation, tests, documentation and representations. If it so determines, it shall revalidate the employer's recertification that the PSDI system is in full conformance with all requirements of WAC 296-24-19503 through 296-24-19517 and this Appendix A.

AMENDATORY SECTION (Amending WSR 00-01-176, filed 12/21/99, effective 3/1/00)

WAC 296-24-23001 Definition. These definitions are applicable to all sections of this chapter containing WAC 296-24-230 in the section number. The terms, "approved truck" or "approved industrial truck" as used in this section, mean a truck that is listed or approved for fire safety purposes for the intended use by a nationally recognized testing laboratory, using nationally recognized testing standards. Refer to WAC 296-24-58501(19) and 296-800-300 for definition of listed, and to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

AMENDATORY SECTION (Amending WSR 00-01-176, filed 12/21/99, effective 3/1/00)

WAC 296-24-23007 Designated locations. (1) The powered industrial trucks specified under (2) of this section are the minimum types required. Powered industrial trucks having greater safeguards may be used if desired.

(2) Tables N-1.1 and N-1.2, following this section, give specific vehicle usage information by group and class. References are to the corresponding classification as used in chapter 296-24 WAC, Part L, and WAC 296-800-280.

(a) Powered industrial trucks must not be used in the following atmospheres containing hazardous concentration of:

- Acetylene,
- Butadiene,
- Ethylene oxide,
- Hydrogen (or gases or vapors equivalent in hazard to hydrogen, such as manufactured gas),
- Propylene oxide,
- Acetaldehyde,
- Cyclopropane,
- Diethyl ether,
- Ethylene,
- Isoprene, or
- Unsymmetrical dimethyl hydrazine (UDMH).

(i) Powered industrial trucks must not be used in atmospheres containing hazardous concentrations of metal dust, including:

- Aluminum, magnesium, and their commercial alloys,
- Other metals of similarly hazardous characteristics, or
- In atmospheres containing:

- Carbon black,
- Coal or coke dust except approved powered industrial trucks designated as EX, or other trucks approved by the manufacturer, may be used in such atmospheres.

(ii) In atmospheres where dust of magnesium, aluminum or aluminum bronze may be present, fuses, switches, motor controllers, and circuit breakers of trucks must have enclosures specifically approved for such locations.

(b) Only approved powered industrial trucks designated as EX, or other trucks approved by the manufacturer, may be used in atmospheres containing:

- Acetone,
- Acrylonitrile,
- Alcohol,
- Ammonia,
- Benzene,
- Bensol,
- Butane,
- Ethylene dichloride,
- Gasoline,
- Hexane,
- Lacquer solvent vapors,
- Naphtha,
- Natural gas,
- Propane,
- Propylene,
- Styrene,
- Vinyl acetate,
- Vinyl chloride, or
- Xylenes in quantities sufficient to produce explosive or ignitable mixtures and where such concentrations of these gases or vapors exist continuously, intermittently or periodically under normal operating conditions or may exist frequently because of repair, maintenance operations, leakage, breakdown or faulty operation of equipment.

(c) Powered industrial trucks designated as DY, EE, or EX, or other trucks approved by the manufacturer, may be used in locations where volatile flammable liquids or flammable gases are handled, processed or used, but in which the hazardous liquids, vapors or gases will normally be confined within closed containers or closed systems from which they can escape only in case of accidental rupture or breakdown of such containers or systems, or in the case of abnormal operation of equipment; also in locations in which ignitable concentrations of gases or vapors are normally prevented by positive mechanical ventilation but which might become hazardous through failure or abnormal operation of the ventilating equipment; or in locations which are adjacent to Class I, Division 1 locations, and to which ignitable concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clear air, and effective safeguards against ventilation failure are provided.

(d) In locations used for the storage of hazardous liquids in sealed containers or liquefied or compressed gases in containers, only approved powered industrial trucks with the following designations, or other trucks approved by the manufacturer, can be used:

- DS,
- ES,

- GS, or
- LPS. This classification includes locations where volatile flammable liquids or flammable gases or vapors are used, but which, would become hazardous only in case of an accident or of some unusual operation condition. The quantity of hazardous material that might escape in case of accident, the adequacy of ventilating equipment, the total area involved, and the record of the industry or business with respect to explosions or fires are all factors that should receive consideration in determining whether or not the DS, DY, ES, EE, GS, or LPS designated truck, or other trucks approved by the manufacturer, possesses sufficient safeguards for the location. Piping without valves, checks, meters and similar devices would not ordinarily be deemed to introduce a hazardous condition even though used for hazardous liquids or gases. Locations used for the storage of hazardous liquids or of liquefied or compressed gases in sealed containers would not normally be considered hazardous unless subject to other hazardous conditions also.

(i) Employers must use only approved powered industrial trucks, or other trucks approved by the manufacturer, designated as EX in atmospheres in which combustible dust is or may be in suspension continuously, intermittently, or periodically under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures, or where mechanical failure or abnormal operation of machinery or equipment might cause such mixtures to be produced.

(ii) The following areas are usually included in the EX, or other trucks approved by the manufacturer, classification:

- In working areas of grain handling and storage plants:
 - Room containing the following:
 - Grinders or pulverizers,
 - Cleaners,
 - Graders,
 - Scalpers,
 - Open conveyors or spouts,
 - Open bins or hoppers,
 - Mixers, or blenders,
 - Automatic or hopper scales,
 - Packing machinery,
 - Elevator heads and boots,
 - Stock distributors,
 - Dust and stock collectors (except all-metal collectors vented to the outside), and
 - All similar dust producing machinery and equipment
- in:
 - Grain processing plants,
 - Starch plants,
 - Sugar pulverizing plants,
 - Malting plants,
 - Hay grinding plants, and
 - Other occupancies of similar nature;
 - Coal pulverizing plants (except where the pulverizing equipment is essentially dust tight);
 - All working areas where metal dusts and powders are produced, processed, handled, packed, or stored (except in tight containers); and
 - Other similar locations where combustible dust may, under normal operating conditions, be present in the air in

quantities sufficient to produce explosive or ignitable mixtures.

(e) Employers must use only approved powered industrial trucks designated as DY, EE, or EX, or other trucks approved by the manufacturer, in atmospheres in which combustible dust will not normally be in suspension in the air or will not be likely to be thrown into suspension by the normal operation of equipment or apparatus in quantities sufficient to produce explosive or ignitable mixtures but where deposits or accumulations of such dust may be ignited by arcs or sparks originating in the truck.

(f) Employers must use only approved powered industrial trucks designated as DY, EE, or EX, or other trucks approved by the manufacturer, in locations which are hazardous because of the presence of easily ignitable fibers or flyings but in which such fibers or flyings that are not likely to be in suspension in the air in quantities sufficient to produce ignitable mixtures.

(g) Employers must use only approved powered industrial trucks designated as DS, DY, ES, EE, EX, GS, or LPS, or other trucks approved by the manufacturer, in locations where easily ignitable fibers are stored or handled including outside storage, but are not being processed or manufactured. Industrial trucks designated as E, which have been previously used in these locations may continue to be used.

(h) On piers and wharves handling general cargo, only approved powered industrial truck designated as Type D, E, G, or LP may be used, or trucks which conform to the requirements for these types, and are approved by the manufacturer, may be used.

(i) If storage warehouses and outside storage locations are hazardous, employers must use only the approved powered industrial truck specified for such locations in WAC 296-24-23007. Powered industrial trucks designated D, E, G or LP, or trucks that conform to the requirements of these types, and are approved by the manufacturer, may be used if not classified as hazardous.

(j) If general industrial or commercial properties are hazardous, only approved power-operated industrial trucks specified for such locations in this WAC 296-24-23007 shall be used. If not classified as hazardous, any approved power-operated industrial truck designated as Type D, E, G, or LP may be used, or trucks which conform to the requirements of these types, and are approved by the manufacturer, may be used.

TABLE M-1.2
Authorized Uses of Trucks by Types in Groups of Classes and Divisions

UN CLASSIFIED	CLASS I								CLASS II						CLASS III		
	DIV I				DIV II				DIV I			DIV II			DIV I	DIV II	
Groups in classes	None	A	B	C	D	A	B	C	D	E	F	G	E	F	G	None	None
Type of truck authorized:																	
Diesel:	D ¹ ...									DS...							DS
Type D										DY...							DY
Type DS																	
Type DY																	
Electric:	E ¹ ...									ES...							E
Type E										EE...							EE
Type ES										EX...							EX
Type EE																	
Type EX																	
Gasoline:	G ¹ ...									GS...							GS
Type G																	
Type GS																	
LPGas:	L ¹ ...									LPS...							LPS
Type LP																	
Type LPS																	

¹Trucks conforming to these types may also be used - see subsection 23007(2)(b) and (j) of this section. (Statutory Authority: RCW 49.17.010, 040, 050, 06-01-176 (Order 98-18), § 296-24-23007, Red 12/21/98, effective 03/01/2000. Statutory Authority: Chapter 49.17 RCW, 91-24-017 (Order 91-07), § 296-24-23007, Red 11/22/91, effective 12/24/91; Order 73-5, § 296-24-23007, Red 5/9/73 and Order 73-4, § 296-24-23007, Red 3/7/73.)

TABLE M-1.1
SUMMARY TABLE ON USE OF INDUSTRIAL TRUCKS IN VARIOUS LOCATIONS

Trucks (Descriptions of classes)	Groups (Examples of locations or atmosphere in classes and groups)				Divisions (Nature of hazardous conditions)	
Unclassified Locations not generating atmosphere as described in other classes.	NO GROUP DESIGNATIONS IN UNCLASSIFIED Piers and wharves inside and outside general storage, general industrial or commercial properties				NO DIVISIONS IN UNCLASSIFIED	
CLASS I LOCATIONS Locations in which flammable gases or vapors are, or may be, present in the air in quantities sufficient to produce explosive or ignitable mixtures.	A Acetylene	B Hydrogen	C Ethyl ether	D Gasoline Naphtha Alcohols Acetone Liqueur Solvent Benzene	1 Conditions exist continuously, intermittently, or periodically under normal operating conditions.	2 Condition may occur due to accidentally, for example, due to a puncture of a storage drum.
CLASS II LOCATIONS Locations which are hazardous because of the presence of combustible dust.	E Metal dust	F Carbon black Coal dust Coke dust	G Grain dust Flour dust Starch dust Organic dust		1 Explosive mixture may be present under normal operating conditions, or where failure of equipment may cause the condition to exist simultaneously with acting or sparking of electrical equipment, or where dusts of an electrically conducting nature may be present.	2 Explosive mixture not normally present, but where deposits of dust may cause heat rise in electrical equipment, or where such deposits may be ignited by arcs or sparks from electrical equipment.
CLASS III LOCATIONS Locations where easily ignitable fibers or flyings are present but not likely to be in suspension in quantities sufficient to produce ignitable mixtures.	CLASS III HAS NO GROUPS Baled waste, cocoa fiber, cotton, expeller, hemp, sila, jute, kapok, osium, sisal, Spanish moss, synthetic fibers, tow.				1 Locations in which easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.	2 Locations in which easily ignitable fibers are stored or handled (except in the process of manufacture).

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-23503 General requirements. (1) Application. This section applies to overhead and gantry cranes, including semigantry, cantilever gantry, wall cranes, storage bridge cranes, and others having the same fundamental characteristics. These cranes are grouped because they all have trolleys and similar travel characteristics.

(2) New and existing equipment. All new overhead and gantry cranes constructed and installed on or after the effective date of these standards, shall meet the design specifications of the American National Standards Institute, Safety

Code for Overhead and Gantry Cranes, ANSI B30.2.0-1967. Overhead and gantry cranes constructed before the effective date of these standards, should be modified to conform to those design specifications, unless it can be shown that the crane cannot feasibly or economically be altered and that the crane substantially complies with the requirements of this section. (See WAC ((296-24-010)) 296-350-700 variance ((and procedure)) from WISHA rules.)

(3) Modifications. Cranes may be modified and rerated provided such modifications and the supporting structure are checked thoroughly for the new rated load by a qualified engineer or the equipment manufacturer. The crane shall be

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tested in accordance with WAC 296-24-23521(2). New rated load shall be displayed in accordance with (5) of this section.

(4) Wind indicators and rail clamps.

(a) Outdoor storage bridges shall be provided with automatic rail clamps. A wind-indicating device shall be provided which will give a visible or audible alarm to the bridge operator at a predetermined wind velocity. If the clamps act on the rail heads, any beads or weld flash on the rail heads shall be ground off.

(b) Calculations for wind pressure on outside overhead traveling cranes shall be based on not less than 30 pounds per square foot of exposed surface.

(5) Rated load marking. The rated load of the crane shall be plainly marked on each side of the crane, and if the crane has more than one hoisting unit, each hoist shall have its rated load marked on it or its load block and this marking shall be clearly legible from the ground or floor.

(6) Clearance from obstruction.

(a) Minimum clearance of 3 inches overhead and 2 inches laterally shall be provided and maintained between crane and obstructions in conformity with Specification No. 61 Crane Manufacturers Association of America, Inc., 8720 Red Oak Blvd., Suite 201, Charlotte, NC 28217.

(b) Where passageways or walkways are provided obstructions shall not be placed so that safety of personnel will be jeopardized by movements of the crane.

(7) Clearance between parallel cranes. If the runways of two cranes are parallel, and there are no intervening walls or structure, there shall be adequate clearance provided and maintained between the two bridges.

(8) Designated personnel. Only designated personnel shall be permitted to operate a crane covered by this section.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-23507 Footwalks and ladders. (1) Location of footwalks.

(a) If sufficient headroom is available on cab-operated cranes, a footwalk shall be provided on the drive side along the entire length of the bridge of all cranes having the trolley running on the top of the girders. To give sufficient access to the opposite side of the trolley, there should be provided either a footwalk mounted on the trolley, a suitable footwalk or platform in the building, or a footwalk on the opposite side of the crane at least twice the length of the trolley.

(b) Footwalks should be located to give a headroom not less than 78 inches. In no case shall less than 48 inches be provided. If 48 inches of headroom cannot be provided, footwalks should be omitted from the crane and a stationary platform or landing stage built for workers making repairs.

(2) Construction of footwalks.

(a) Footwalks shall be of rigid construction and designed to sustain a distributed load of at least 50 pounds per square foot.

(b) Footwalks shall have a walking surface of antislip type.

Note: Wood will meet this requirement.

(c) Footwalks should be continuous and permanently secured.

(d) Footwalks should have a clear passageway at least 18 inches wide except opposite the bridge motor, where they should be not less than 15 inches. The inner edge shall extend at least to the line of the outside edge of the lower cover plate or flange of the girder.

(3) Toeboards and handrails for footwalks. Toeboards and handrails shall be in compliance with WAC 296-24-750 through 296-24-75011 and WAC 296-800-260.

(4) Ladders and stairways.

(a) Gantry cranes shall be provided with ladders or stairways extending from the ground to the footwalk or cab platform.

(b) Stairways shall be equipped with rigid and substantial metal handrails. Walking surfaces shall be of an antislip type.

(c) Ladders shall be permanently and securely fastened in place and shall be constructed in compliance with WAC 296-24-810 through 296-24-81011.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-23513 Electric equipment. (1) General.

(a) Wiring and equipment shall comply with chapter 296-24 WAC Part L, and WAC 296-800-280.

(b) The control circuit voltage shall not exceed 600 volts for a.c. or d.c. current.

(c) The voltage at pendant pushbuttons shall not exceed 150 volts for a.c. and 300 volts for d.c.

(d) Where multiple conductor cable is used with a suspended pushbutton station, the station shall be supported in a manner that will protect the electrical conductors against strain.

(e) Pendant control boxes shall be constructed to prevent electrical shock and shall be clearly marked for identification of functions.

(2) Equipment.

(a) Electrical equipment shall be so located or enclosed that live parts will not be exposed to accidental contact under normal operating conditions.

(b) Electric equipment shall be protected from dirt, grease, oil, and moisture.

(c) Guards for live parts shall be substantial and so located that they cannot be accidentally deformed so as to make contact with the live parts.

(3) Controllers.

(a) Cranes not equipped with spring-return controllers or momentary contact pushbuttons shall be provided with a device which will disconnect all motors from the line on failure of power and will not permit any motor to be restarted until the controller handle is brought to the "off" position, or a reset switch or button is operated.

(b) Lever operated controllers shall be provided with a notch or latch which in the "off" position prevents the handle from being inadvertently moved to the "on" position. An "off" detent or spring return arrangement is acceptable.

(c) The controller operating handle shall be located within convenient reach of the operator.

(d) As far as practicable, the movement of each controller handle shall be in the same general directions as the resultant movements of the load.

(e) The control for the bridge and trolley travel shall be so located that the operator can readily face the direction of travel.

(f) For floor-operated cranes, the controller or controllers if rope operated, shall automatically return to the "off" position when released by the operator.

(g) Pushbuttons in pendant stations shall return to the off position when pressure is released by the crane operator.

(h) Automatic cranes shall be so designed that all motions shall fail-safe if any malfunction of operation occurs.

(i) Remote-operated cranes shall function so that if the control signal for any crane motion becomes ineffective the crane motion shall stop.

(4) Resistors.

(a) Enclosures for resistors shall have openings to provide adequate ventilation, and shall be installed to prevent the accumulation of combustible matter near hot parts.

(b) Resistor units shall be supported so as to be free as possible from vibration.

(c) Provision shall be made to prevent broken parts or molten metal falling upon the operator or from the crane.

(5) Switches.

(a) The power supply to the runway conductors shall be controlled by a switch or circuit breaker located on a fixed structure, accessible from the floor, and arranged to be locked in the open position.

(b) On cab-operated cranes a switch or circuit breaker of the enclosed type, with provision for locking in the open position shall be provided in the leads from the runway conductors. A means of opening this switch or circuit breaker shall be located within easy reach of the operator.

(c) On floor-operated cranes, a switch or circuit breaker of the enclosed type, with provision for locking in the open position, shall be provided in the leads from the runway conductors. This disconnect shall be mounted on the bridge or footwalk near the runway collectors. One of the following types of floor operated disconnects shall be provided:

(i) Nonconductive rope attached to the main disconnect switch.

(ii) An undervoltage trip for the main circuit breaker operated by an emergency stop button in the pendant pushbutton station.

(iii) A main line contactor operated by a switch or pushbutton in the pendant pushbutton station.

(d) The hoisting motion of all electric traveling cranes shall be provided with an overtravel limit switch in the hoisting direction.

(e) All cranes using a lifting magnet shall have a magnet circuit switch of the enclosed type with provision for locking in the open position. Means for discharging the inductive load of the magnet shall be provided.

(6) Runway conductors. Conductors of the open type mounted on the crane runway beams or overhead shall be so located or so guarded that persons entering or leaving the cab or crane footwalk normally could not come into contact with them.

(7) Extension lamps. If a service receptacle is provided in the cab or on the bridge of cab-operated cranes, it shall be a grounded three-prong type permanent receptacle, not exceeding 300 volts.

(8) Floor operated cranes.

(a) An unobstructed aisle not less than three feet wide shall be maintained for travel of the operator except in such cases where the control handles are hung from the trolleys of traveling cranes.

(b) The handles of control ropes shall be distinctly different in contour so that, without looking, the operator will know which is the hoisting and which is the lowering handle. The direction of all movements of the crane shall be clearly indicated in some manner so that the operator can easily become familiar with them.

(c) When repairing runways, repairpersons shall place rail stops and warning signs or signals so as to protect both ends of the section to be repaired.

(d) Repairpersons shall take care to prevent loose parts from falling or being thrown upon the floor beneath.

AMENDATORY SECTION (Amending WSR 00-08-078, filed 4/4/00, effective 7/1/00)

WAC 296-24-23533 Crane and derrick suspended personnel (work) platforms. (1) Scope and application. This standard applies to the design, construction, testing, use and maintenance of personnel platforms, and the hoisting of personnel platforms on the load lines of cranes or derricks.

(2) Definitions. For the purposes of this section, the following definitions apply:

(a) "Failure" means load refusal, breakage, or separation of components.

(b) "Hoist" (or hoisting) means all crane or derrick functions such as lowering, lifting, swinging, booming in and out or up and down, or suspending a personnel platform.

(c) "Load refusal" means the point where the ultimate strength is exceeded.

(d) "Maximum intended load" means the total load of all employees tools, materials, and other loads reasonably anticipated to be applied to a personnel platform or personnel platform component at any one time.

(e) "Runway" means a firm, level surface designed, prepared, and designated as a path of travel for the weight and configuration of the crane being used to lift and travel with the crane suspended platform. An existing surface may be used as long as it meets these criteria.

(3) General requirements. The use of a crane or derrick to hoist employees on a personnel platform is prohibited, except when the erection, use, and dismantling of conventional means of reaching the worksite, such as a personnel hoist, ladder, stairway, aerial lift, elevating work platform or scaffold, would be more hazardous, or is not possible because of structural design or worksite conditions.

(4) Operational criteria.

(a) Hoisting of the personnel platform shall be performed in a slow, controlled, cautious manner with no sudden movements of the crane or derrick, or the platform.

(b) Load lines shall be capable of supporting, without failure, at least seven times the maximum intended load,

except that where rotation resistant rope is used, the lines shall be capable of supporting without failure, at least ten times the maximum intended load. The required design factor is achieved by taking the current safety factor of 3.5 and applying the fifty percent derating of the crane capacity.

(c) Load and boom hoist drum brakes, swing brakes, and locking devices such as pawls or dogs shall be engaged when the occupied personnel platform is in a stationary working position.

(d) Cranes and derricks with variable angle booms shall be equipped with a boom angle indicator, readily visible to the operator.

(e) Cranes with telescoping booms shall be equipped with a device to indicate clearly to the operator, at all times, the boom's extended length, or an accurate determination of the load radius to be used during the lift shall be made prior to hoisting personnel.

(f) A positive acting device shall be used which prevents contact between the load block or overhaul ball and the boom tip (anti-two-blocking device), or a system shall be used which deactivates the hoisting action before damage occurs in the event of a two-blocking situation (two block damage prevention feature).

(g) The load line hoist drum shall have a system or device on the power train, other than the load hoist brake, which regulates the lowering rate of speed of the hoist mechanism (controlled load lowering). Free fall is prohibited.

(h) The crane shall be uniformly level within one percent of level grade and located on firm footing. Cranes equipped with outriggers shall have them all fully deployed following manufacturer's specifications, insofar as applicable, when hoisting employees.

(i) The total weight of the loaded personnel platform and related rigging shall not exceed fifty percent of the rated capacity for the radius and configuration of the crane or derrick.

(j) The use of machines having live booms (booms in which lowering is controlled by a brake without aid from other devices which slow the lowering speeds) is prohibited.

(k) Multiple-part line block: When a multiple-part line block is in use, a substantial strap shall be used between the crane hook and common ring, shackle, or other equivalent device, to eliminate employee exposure to the lines running through the block, and to the block itself.

(5) Rigging.

(a) Lifting bridles on box-type platforms shall consist of four legs of equal length, with one end securely shackled to each corner of the platform and the other end securely attached to a common ring, shackle, or other equivalent device to accommodate the crane hook, or a strap to the crane hook.

(b) Shackle bolts used for rigging of personnel platforms shall be secured against displacement.

(c) A substantial safety line shall pass through the eye of each leg of the bridle adjacent to the common ring, shackle, or equivalent device and be securely fastened with a minimum amount of slack to the lift line above the headache ball or to the crane hook itself.

(d) All eyes in wire rope sling shall be fabricated with thimbles.

(e) Wire rope, shackles, rings, master links, and other rigging hardware must be capable of supporting, without failure, at least five times the maximum intended load applied or transmitted to that component. Where rotation resistant wire rope is used for slings, they shall be capable of supporting without failure at least ten times the maximum intended load.

(f) Hooks on headache ball assemblies, lower load blocks, or other attachment assemblies shall be of a type that can be closed and locked, eliminating the hook throat opening. Alternatively, an alloy anchor type shackle with a bolt, nut, and retaining pin shall be used.

(g) Bridles and associated rigging for attaching the personnel platform to the hoist line shall be used only for the platform and the necessary employees, their tools and the materials necessary to do their work, and shall not be used for any other purpose when not hoisting personnel.

(6) Personnel platforms - design criteria.

(a) The personnel platform and suspension system shall be designed by a qualified engineer or a qualified person competent in structural design.

(b) The suspension system shall be designed to minimize tipping of the platform due to movement of employees occupying the platform.

(c) The personnel platform itself, except the guardrail system and body belt/harness anchorages, shall be capable of supporting, without failure, its own weight and at least five times the maximum intended load based on a minimum allowance of five hundred pounds for the first person with light tools, and an additional two hundred fifty pounds for each additional person.

(d) Criteria for guardrail systems and body belt/harness anchorages are contained in Parts J-1 and J-2 of this chapter and [WAC 296-800-260](#).

(e) The personnel platform shall be conspicuously posted with a plate or other permanent marking which indicates the weight of the platform and its rated load capacity or maximum intended load.

(7) Platform specifications.

(a) Each personnel platform shall be equipped with a guardrail system which meets the requirements of WAC 296-24-75007, and shall be enclosed at least from the toeboard to mid-rail with either solid construction or expanded metal having openings no greater than one-half inch (1.27cm).

(b) A grab rail shall be installed inside the entire perimeter of the personnel platform.

(c) Access gates, if installed, shall not swing outward during hoisting.

(d) Access gates, including sliding or folding gates, shall be equipped with a restraining device to prevent accidental opening.

(e) Headroom shall be provided which allows employees to stand upright in the platform.

(f) In addition to the use of hard hats, employees shall be protected by overhead protection on the personnel platform when employees are exposed to falling objects.

(g) All rough edges exposed to contact by employees shall be surfaced or smoothed in order to prevent injury to employees from punctures or lacerations.

(h) All welding of the personnel platform and its components shall be performed by a qualified welder familiar with

the weld grades, types, and material specified in the platform design.

(i) Occupants of all personnel platforms shall wear a safety belt or harness and lanyard which meets the requirements of ANSI A10.14-1975.

(j) Box-type platform: The workers lanyard shall be secured to the work platform or guardrail of the work platform.

(k) Rescue platform:

(i) If the platform is used as a rescue vehicle, the injured worker shall be strapped into the stretcher or basket.

(ii) The basket shall then be secured by lanyard to an anchorage within the platform.

(l) Boatswains chair: The workers lanyard shall be secured to the lift line above the headache ball or to the crane hook itself.

(m) Barrel-type platform:

(i) The workers lanyard shall be secured to the lift line above the headache ball or to the crane hook itself.

(ii) A solid bar or rod shall be substantially attached in a rigid position to the bottom or side of the platform.

(iii) The side bar or rod shall extend a minimum of eight feet above the floor of the work platform.

(iv) The bottom of the barrel-type platform shall be of a convex shape to cause the platform to lay on its side when lowered to the ground or floor.

(v) Workers shall enter and exit from barrel-type platforms only when they are in an upright position, stable, and securely attached to the load line.

(vi) The employer shall use methods or devices which allow employees to safely enter or exit barrel-type platforms.

(8) Personnel platform loading.

(a) The personnel platform shall not be loaded in excess of its rated load capacity.

(b) The number of employees occupying the personnel platform shall not exceed the number required for the work being performed.

(c) Personnel platforms shall be used only for employees, their tools, and the materials necessary to do their work, and shall not be used to hoist only materials or tools when not hoisting personnel.

(d) Materials and tools for use during a personnel lift shall be secured to prevent displacement.

(e) Materials and tools for use during a personnel lift shall be evenly distributed within the confines of the platform while the platform is suspended.

(9) Trial lift, inspection, and prooftesting.

(a) A trial lift with the unoccupied personnel platform loaded at least to the anticipated liftweight shall be made from ground level, or any other location where employees will enter the platform, to each location at which the personnel platform is to be hoisted and positioned. This trial lift shall be performed immediately prior to placing personnel on the platform. The operator shall determine that all systems, controls, and safety devices are activated and functioning properly; that no interferences exist; and that all configurations necessary to reach those work locations will allow the operator to remain under the fifty percent limit of the hoist's rated capacity. Materials and tools to be used during the actual lift can be loaded in the platform, as provided in sub-

section (8)(d) and (e) of this section for the trial lift. A single trial lift may be performed at one time for all locations that are to be reached from a single set-up position.

(b) The trial lift shall be repeated prior to hoisting employees whenever the crane or derrick is moved and set up in a new location or returned to a previously used location. Additionally, the trial lift shall be repeated when the lift route is changed unless the operator determines that the route change is not significant (i.e., the route change would not affect the safety of hoisted employees).

(c) After the trial lift, and just prior to hoisting personnel, the platform shall be hoisted a few inches and inspected to ensure that it is secure and properly balanced. Employees shall not be hoisted unless the following conditions are determined to exist:

(i) Hoist ropes shall be free of kinks;

(ii) Multiple part lines shall not be twisted around each other;

(iii) The primary attachment shall be centered over the platform; and

(iv) The hoisting system shall be inspected if the load rope is slack to ensure all ropes are properly stowed on drums and in sheaves.

(d) A visual inspection of the crane or derrick, rigging, personnel platform, and the crane or derrick base support or ground shall be conducted by a competent person immediately after the trial lift to determine whether the testing has exposed any defect or produced any adverse effect upon any component or structure.

(e) Any defects found during inspections which create a safety hazard shall be corrected before hoisting personnel.

(f) At each job site, prior to hoisting employees on the personnel platform, and after any repair or modification, the platform and rigging shall be prooftested to one hundred twenty-five percent of the platform's rated capacity by holding it in a suspended position for five minutes with the test load evenly distributed on the platform (this may be done concurrently with the trial lift). After prooftesting, a competent person shall inspect the platform and rigging. Any deficiencies found shall be corrected and another prooftest shall be conducted. Personnel hoisting shall not be conducted until the prooftesting requirements are satisfied.

(g) The employer shall retain at the jobsite and produce when requested, documentation such as lift capacity information, verifying that the requirements of this standard have been met.

(10) Work practices.

(a) Employees shall keep all parts of the body inside the platform during raising, lowering, and positioning. This provision does not apply to an occupant of the platform performing the duties of a signal person.

(b) Before employees exit or enter a hoisted personnel platform that is not landed, the platform shall be secured to the structure where the work is to be performed, unless securing to the structure creates an unsafe situation.

(c) Tag lines shall be used unless their use creates an unsafe condition.

(d) The crane or derrick operator shall remain at the controls at all times when the crane engine is running and the platform is occupied.

(e) Hoisting of employees shall be promptly discontinued upon indication of any dangerous weather conditions or other impending danger.

(f) Employees being hoisted shall remain in continuous sight of and in direct communication with the operator or signal person. In those situations where direct visual contact with the operator is not possible, and the use of a signal person would create a greater hazard for that person, direct communication alone such as by radio may be used.

(g) Hand signals to the operator shall be in accordance with those prescribed by the applicable ANSI standard for the type of crane or lift in use unless voice communication equipment is utilized. Signals shall be discernable or audible at all times.

(h) Except over water, employees occupying the personnel platform shall use a body belt/harness system with lanyard appropriately attached to the lower load block or overhaul ball, or to a structural member within the personnel platform capable of supporting a fall impact for employees using the anchorage.

(i) No lifts shall be made on another of the crane's or derrick's load lines while personnel are suspended on a platform.

(11) Traveling.

(a) Hoisting of employees while the crane is traveling is prohibited except for portal, tower and locomotive cranes, or where the employer demonstrates that there is no less hazardous way to perform the work.

(b) Under any circumstances where a crane would travel while hoisting personnel, the employer shall implement the following procedures to safeguard employees:

(i) Crane travel shall be restricted to a fixed track or runway;

(ii) Travel shall be limited to the load radius of the boom used during the lift; and

(iii) The boom must be parallel to the direction of travel.

(c) A complete trial run shall be performed to test the route of travel before employees are allowed to occupy the platform. This trial run can be performed at the same time as the trial lift required by subsection (9)(a) of this section which tests the route of the lift.

(d) If travel is done with a rubber tired-carrier, the condition and air pressure of the tires shall be checked. The chart capacity for lifts on rubber shall be used for application of the fifty percent reduction of rated capacity. Notwithstanding subsection (4)(i) of this section, outriggers may be partially retracted as necessary for travel.

(12) Prelift meeting.

(a) A meeting attended by the crane or derrick operator, signal person(s) (if necessary for the lift), employee(s) to be lifted, and the person responsible for the task to be performed shall be held to review the appropriate requirements of this section and the procedures to be followed.

(b) This meeting shall be held prior to the trial lift at each new location, and shall be repeated for any employees newly assigned to the operation.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-31503 Gaseous hydrogen systems. (1) Design.

(a) Containers.

(i) Hydrogen containers shall comply with one of the following:

(A) Designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968.

(B) Designed, constructed, tested and maintained in accordance with U.S. Department of Transportation specifications and regulations.

(ii) Permanently installed containers shall be provided with substantial noncombustible supports on firm noncombustible foundations.

(iii) Each portable container shall be legibly marked with the name "hydrogen" in accordance with "marking compressed gas containers to identify the material contained" ANSI Z48.1-1954. Each manifolded hydrogen supply unit shall be legibly marked with the name hydrogen or a legend such as "this unit contains hydrogen."

(b) Safety relief devices.

(i) Hydrogen containers shall be equipped with safety relief devices as required by the ASME Boiler and Pressure Vessel Code, Section VIII Unfired Pressure Vessels, 1968 or the DOT specifications and regulations under which the container is fabricated.

(ii) Safety relief devices shall be arranged to discharge upward and unobstructed to the open air in such a manner as to prevent any impingement of escaping gas upon the container, adjacent structure of personnel. This requirement does not apply to DOT specification containers having an internal volume of 2 cubic feet or less.

(iii) Safety relief devices or vent piping shall be designed or located so that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(c) Piping, tubing, and fittings.

(i) Piping, tubing, and fittings shall be suitable for hydrogen service and for the pressures and temperatures involved. Case iron pipe and fittings shall not be used.

(ii) Piping and tubing shall conform to Section 2—"Industrial Gas and Air Piping"—Code for Pressure Piping, ANSI B31.1-1967 with addenda B31.1-1969.

(iii) Joints in piping and tubing may be made by welding or brazing or by use of flanged, threaded, socket, or compression fittings. Gaskets and thread sealants shall be suitable for hydrogen service.

(d) Equipment assembly.

(i) Valves, gauges, regulators, and other accessories shall be suitable for hydrogen service.

(ii) Installation of hydrogen systems shall be supervised by personnel familiar with proper practices with reference to their construction and use.

(iii) Storage containers, piping, valves, regulating equipment, and other accessories shall be readily accessible, and shall be protected against physical damage and against tampering.

(iv) Cabinets or housings containing hydrogen control or operating equipment shall be adequately ventilated.

(v) Each mobile hydrogen supply unit used as part of a hydrogen system shall be adequately secured to prevent movement.

(vi) Mobile hydrogen supply units shall be electrically bonded to the system before discharging hydrogen.

(e) Marking. The hydrogen storage location shall be permanently placarded as follows: "HYDROGEN—FLAMMABLE GAS—NO SMOKING—NO OPEN FLAMES," or equivalent.

(f) Testing. After installations, all piping, tubing, and fittings shall be tested and proved hydrogen gas tight at maximum operating pressure.

(2) Location.

(a) General.

(i) The system shall be located so that it is readily accessible to delivery equipment and to authorized personnel.

(ii) Systems shall be located above ground.

(iii) Systems shall not be located beneath electric power lines.

(iv) Systems shall not be located close to flammable liquid piping or piping of other flammable gases.

(v) Systems near aboveground flammable liquid storage shall be located on ground higher than the flammable liquid storage except when dikes, diversion curbs, grading, or separating solid walls are used to prevent accumulation of flammable liquids under the system.

(b) Specific requirements.

(i) The location of a system, as determined by the maximum total contained volume of hydrogen, shall be in the order of preference as indicated by Roman numerals in Table H-1.

TABLE H-1

Nature of location	Size of hydrogen system		
	Less than 3,000 CF	3,000 CF to 15,000 CF	In excess of 15,000 CF
Outdoors	I	I	I.
In a separate building	II	II	II.
In a special room	III	III	Not permitted.
Inside buildings not in a special room and exposed to other occupancies	IV	Not permitted.	Not permitted.

(ii) The minimum distance in feet from a hydrogen system of indicated capacity located outdoors, in separate buildings or in special rooms to any specified outdoor exposure shall be in accordance with Table H-2.

(iii) The distances in Table H-2 Items 1, 14, and 3 to 10 inclusive do not apply where protective structures such as

adequate fire walls are located between the system and the exposure.

(iv) Hydrogen systems of less than 3,000 CF when located inside buildings and exposed to other occupancies shall be situated in the building so that the system will be as follows:

(A) In an adequately ventilated area as in (3)(b)(ii) of this section.

(B) Twenty feet from stored flammable materials or oxidizing gases.

(C) Twenty-five feet from open flames, ordinary electrical equipment or other sources of ignition.

(D) Twenty-five feet from concentrations of people.

(E) Fifty feet from intakes of ventilation or air-conditioning equipment and air compressors.

(F) Fifty feet from other flammable gas storage.

(G) Protected against damage or injury due to falling objects or working activity in the area.

(H) More than one system of 3,000 CF or less may be installed in the same room, provided the systems are separated by at least 50 feet. Each such system shall meet all of the requirements of this section.

(3) Design consideration at specific locations.

(a) Outdoor locations.

(i) Where protective walls or roofs are provided, they shall be constructed of noncombustible materials.

(ii) Where the enclosing sides adjoin each other, the area shall be properly ventilated.

(iii) Electrical equipment shall meet the requirements for Class I, Division 2 hazardous locations of WAC 296-24-95613.

(b) Separate buildings.

(i) Separate buildings shall be built of at least noncombustible construction. Windows and doors shall be located so as to be readily accessible in case of emergency. Windows shall be of glass or plastic in metal frames.

(ii) Adequate ventilation to the outdoors shall be provided. Inlet openings shall be located near the floor in exterior walls only. Outlet openings shall be located at the high point of the room in exterior walls or roof. Inlet and outlet openings shall each have minimum total area of one square foot per 1,000 cubic feet of room volume. Discharge from outlet openings shall be directed or conducted to a safe location.

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per 30 cubic feet of room volume and may consist of any one or any combination of the following: Walls of light noncombustible material, preferably single thickness, single strength glass; lightly fastened hatch covers; lightly fastened swinging doors in exterior walls opening outward; lightly fastened walls or roof designed to relieve at a maximum pressure of 25 pounds per square foot.

(iv) There shall be no sources of ignition from open flames, electrical equipment, or heating equipment.

(v) Electrical equipment shall meet the requirements of chapter 296-24 WAC Part L, and WAC 296-800-280.

(vi) Heating, if provided, shall be by steam, hot water, or other indirect means.

(c) Special rooms.

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(i) Floor, walls, and ceiling shall have a fire-resistance rating of at least 2 hours. Walls or partitions shall be continuous from floor to ceiling and shall be securely anchored. At least one wall shall be an exterior wall. Openings to other parts of the building shall not be permitted. Windows and doors shall be in exterior walls and shall be located so as to be readily accessible in case of emergency. Windows shall be of glass or plastic in metal frames.

(ii) Ventilation shall be as provided in (3)(b)(ii) of this section.

(iii) Explosion venting shall be as provided in (3)(b)(iii) of this section.

(iv) There shall be no sources of ignition from open flames, electrical equipment or heating equipment.

(v) Electrical equipment shall meet the requirements of chapter 296-24 WAC Part L, and WAC 296-800-280.

(vi) Heating, if provided, shall be by steam, hot water, or indirect means.

(4) Operating instructions. For installations which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(5) Maintenance.

(a) The equipment and functioning of each charged gaseous hydrogen system shall be maintained in a safe operating condition in accordance with the requirements of this section. The area within 15 feet of any hydrogen container shall be kept free of dry vegetation and combustible material.

TABLE H-2

Type of outdoor exposure	Size of hydrogen system		
	Less than 3,000 CF	3,000 to 15,000 CF	In excess of 15,000 CF
1. Building or structure			
Wood frame construction*	- 10	25	50
Heavy timber, non-combustible or ordinary construction*	- 0	10	**25
Fire-resistive construction*	- 0	0	0
2. Wall openings			
Not above any part of a system	10	10	10
Above any part of a system	25	25	25
3. Flammable liquids above ground			
0 to 1,000 gallons	- 10	25	25
In excess of 1,000 gallons	- 25	50	50
4. Flammable liquids below ground			
0 to 1,000 gallons	- 10	10	10
Tank Vent or fill opening of tank	25	25	25

Type of outdoor exposure	Size of hydrogen system		
	Less than 3,000 CF	3,000 to 15,000 CF	In excess of 15,000 CF
5. Flammable liquids below ground			
in excess of 1,000 gallons			
Tank	- 20	20	20
Vent or fill opening of tank	25	25	25
6. Flammable gas storage, either high pressure or low pressure			
0 to 15,000 CF capacity	- 10	25	25
In excess of 15,000 CF capacity	25	50	50
7. Oxygen storage			
- 12,000 CF or less	-	Refer to NFPA No. 51, gas systems for welding and cutting (1969).	
More than 12,000 CF	-	Refer to NFPA No. 566, bulk oxygen systems at consumer sites (1969).	
8. Fast burning solids such as ordinary lumber, excelsior or paper	50	50	25
9. Slow burning solids such as heavy timber or coal	25	25	25
10. Open flames and other sources of ignition	25	25	50
11. Air compressor intakes or inlets to ventilating or air-condition equipment	50	50	50
12. Concentration of people***	25	50	50
13. Public sidewalks	15	15	15
14. Line of adjoining property which may be built upon	5	5	5

* Refer to NFPA No. 220 standard types of building construction for definitions of various types of construction. (1969 Ed.)
 ** But not less than one-half the height of adjacent side wall of the structure.
 *** In congested areas such as offices, lunchrooms, locker rooms, time-clock areas, and places of public assembly.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-31505 Liquefied hydrogen systems. (1) Design.

(a) Containers.

(i) Hydrogen containers shall comply with the following: Storage containers shall be designed, constructed, and tested

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in accordance with appropriate requirements of the ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels (1968) or applicable provisions of API Standard 620, Recommended Rules for Design and Construction of Large, Welded, Low-Pressure Storage Tanks, Second Edition (June 1963) and Appendix R (April 1965).

(ii) Portable containers shall be designed, constructed and tested in accordance with DOT specifications and regulations.

(b) Supports. Permanently installed containers shall be provided with substantial noncombustible supports securely anchored on firm noncombustible foundations. Steel supports in excess of 18 inches in height shall be protected with a protective coating having a 2-hour fire-resistance rating.

(c) Marking. Each container shall be legibly marked to indicate "LIQUEFIED HYDROGEN—FLAMMABLE GAS."

(d) Safety relief devices.

(i) Stationary liquefied hydrogen containers shall be equipped with safety relief devices sized in accordance with CGA Pamphlet S-1-1966, Part 3, Safety Relief Device Standards for Compressed Gas Storage Containers.

(A) Portable liquefied hydrogen containers complying with the U.S. Department of Transportation regulations shall be equipped with safety relief devices as required in the U.S. Department of Transportation specifications and regulations. Safety relief devices shall be sized in accordance with the requirements of CGA Pamphlet S-1-1966, Safety Relief Device Standards, Part 1, Compressed Gas Cylinders and Part 2, Cargo and Portable Tank Containers.

(ii) Safety relief devices shall be arranged to discharge unobstructed to the outdoors and in such a manner as to prevent impingement of escaping liquid or gas upon the container, adjacent structures or personnel. See (2)(a)(vi) of this section for venting of safety relief devices in special locations.

(iii) Safety relief devices or vent piping shall be designed or located so that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(iv) Safety relief devices shall be provided in piping wherever liquefied hydrogen could be trapped between closures

(e) Piping, tubing, and fittings.

(i) Piping, tubing, and fittings and gasket and thread sealants shall be suitable for hydrogen service at the pressures and temperatures involved. Consideration shall be given to the thermal expansion and contraction of piping systems when exposed to temperature fluctuations of ambient to liquefied hydrogen temperatures.

(ii) Gaseous hydrogen piping and tubing (above—20°F) shall conform to the applicable sections of Pressure Piping Section 2—Industrial Gas and Air Piping, ANSI B31.1-1967 with addenda B31.1-1969. Design of liquefied hydrogen or cold (-20°F or below) gas piping shall use Petroleum Refinery Piping ANSI B31.3-1966 or Refrigeration Piping ANSI B31.5-1966 with addenda B31.5a-1968 as a guide.

(iii) Joints in piping and tubing shall preferably be made by welding or brazing; flanged, threaded, socket, or suitable compression fittings may be used.

(iv) Means shall be provided to minimize exposure of personnel to piping operating at low temperatures and to prevent air condensate from contacting piping, structural members, and surfaces not suitable for cryogenic temperatures. Only those insulating materials which are rated nonburning in accordance with ASTM Procedures D1692-68 may be used. Other protective means may be used to protect personnel. The insulation shall be designed to have a vapor-tight seal in the outer covering to prevent the condensation of air and subsequent oxygen enrichment within the insulation. The insulation material and outside shield shall also be of adequate design to prevent attrition of the insulation due to normal operating conditions.

(v) Uninsulated piping and equipment which operate at liquefied-hydrogen temperature shall not be installed above asphalt surfaces or other combustible materials in order to prevent contact of liquid air with such materials. Drip pans may be installed under uninsulated piping and equipment to retain and vaporize condensed liquid air.

(f) Equipment assembly.

(i) Valves, gauges, regulators, and other accessories shall be suitable for liquefied hydrogen service and for the pressures and temperatures involved.

(ii) Installation of liquefied hydrogen systems shall be supervised by personnel familiar with proper practices and with reference to their construction and use.

(iii) Storage containers, piping, valves, regulating equipment, and other accessories shall be readily accessible and shall be protected against physical damage and against tampering. A shutoff valve shall be located in liquid product withdrawal lines as close to the container as practical. On containers of over 2,000 gallons capacity, this shutoff valve shall be of the remote control type with no connections, flanges, or other appurtenances (other than a welded manual shutoff valve) allowed in the piping between the shutoff valve and its connection to the inner container.

(iv) Cabinets or housings containing hydrogen control equipment shall be ventilated to prevent any accumulation of hydrogen gas.

(g) Testing.

(i) After installation, all field-erected piping shall be tested and proved hydrogen gas-tight at operating pressure and temperature.

(ii) Containers if out of service in excess of 1 year shall be inspected and tested as outlined in (1) of this section. The safety relief devices shall be checked to determine if they are operable and properly set.

(h) Liquefied hydrogen vaporizers.

(i) The vaporizer shall be anchored and its connecting piping shall be sufficiently flexible to provide for the effect of expansion and contraction due to temperature changes.

(ii) The vaporizer and its piping shall be adequately protected on the hydrogen and heating media sections with safety relief devices.

(iii) Heat used in a liquefied hydrogen vaporizer shall be indirectly supplied utilizing media such as air, steam, water, or water solutions.

(iv) A low temperature shutoff switch shall be provided in the vaporizer discharge piping to prevent flow of liquefied hydrogen in the event of the loss of the heat source.

(i) Electrical systems.

(i) Electrical wiring and equipment located within 3 feet of a point where connections are regularly made and disconnected, shall meet the requirements of chapter 296-24 WAC Part L for Class I, Division 1 locations.

(ii) Except as provided in (i) of this section, electrical wiring, and equipment located within 25 feet of a point where connections are regularly made and disconnected or within 25 feet of a liquid hydrogen storage container, shall meet the requirements of chapter 296-24 WAC Part L for Class I, Division 2 locations. When equipment approved for Class I, environments is not commercially available, the equipment may be:

(A) Purged or ventilated in accordance with NFPA No. 496-1967, Standard for Purged Enclosures for Electrical Equipment in Hazardous Locations,

(B) Intrinsically safe, or

(C) Approved for Class I, Group C atmospheres. This requirement does not apply to electrical equipment which is installed on mobile supply trucks or tank cars from which the storage container is filled.

(j) Bonding and grounding. The liquefied hydrogen container and associated piping shall be electrically bonded and grounded.

(2) Location of liquefied hydrogen storage.

(a) General requirements.

(i) The storage containers shall be located so that they are readily accessible to mobile supply equipment at ground level and to authorized personnel.

(ii) The containers shall not be exposed by electric power lines, flammable liquid lines, flammable gas lines, or lines carrying oxidizing materials.

(iii) When locating liquefied hydrogen storage containers near above-ground flammable liquid storage or liquid oxygen storage, locate the liquefied hydrogen container on ground higher than flammable liquid storage or liquid oxygen storage.

(iv) Where it is necessary to locate the liquefied hydrogen container on ground that is level with or lower than adjacent flammable liquid storage or liquid oxygen storage, suitable protective means shall be taken (such as by diking, diversion, curbs, grading), with respect to the adjacent flammable liquid storage or liquid oxygen storage, to prevent accumulation of liquids within 50 feet of the liquefied hydrogen container.

(v) Storage sites shall be fenced and posted to prevent entrance by unauthorized personnel. Sites shall also be placarded as follows: "Liquefied hydrogen—Flammable gas—No smoking—No open flames."

(vi) If liquefied hydrogen is located in (as specified in Table H-3) a separate building, in a special room, or inside buildings when not in a special room and exposed to other occupancies, containers shall have the safety relief devices vented unobstructed to the outdoors at a minimum elevation of 25 feet above grade to a safe location as required in (l)(d)(ii) of this section.

(b) Specific requirements.

(i) The location of liquefied hydrogen storage, as determined by the maximum total quantity of liquefied hydrogen,

shall be in the order of preference as indicated by Roman numerals in the following Table H-3.

TABLE H-3

MAXIMUM TOTAL QUANTITY OF LIQUEFIED HYDROGEN STORAGE PERMITTED

Nature of location	Size of hydrogen storage (capacity in gallons)			
	39.63 (150 liters) to 50	51 to 300	301 to 600	In excess of 600
Outdoors	I	I	I	I
In a separate building	II	II	II	Not permitted.
In a special room	III	III	Not permitted	Not permitted.
Inside buildings not in a special room and exposed to other occupancies	IV		No permitted	Not permitted.

Note: This table does not apply to the storage in dewars of the type generally used in laboratories for experimental purposes.

(ii) The minimum distance in feet from liquefied hydrogen systems of indicated storage capacity located outdoors, in a separate building, or in a special room to any specified exposure shall be in accordance with Table H-4.

TABLE H-4

MINIMUM DISTANCE (FEET) FROM LIQUEFIED HYDROGEN SYSTEMS TO EXPOSURE

Type of exposure	Liquefied hydrogen storage (capacity in gallons)		
	39.63 (150 liters) to 3,500	3,501 to 15,000	15,001 to 30,000
1. Fire-resistive building and fire walls*	5	5	5
2. Noncombustible building*	25	50	75
3. Other buildings*	50	75	100
4. Wall openings, air-compressor intakes, inlets for air-conditioning or ventilating equipment -	75	75	75
5. Flammable liquids (above ground and vent or fill openings if below ground) (see 513 and			

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Type of exposure	Liquefied hydrogen storage (capacity in gallons)		
	39.63 (150 liters) to 3,500	3,501 to 15,000	15,001 to 30,000
514)	50	75	100
6. Between stationary liquefied hydrogen containers	5	5	5
7. Flammable gas storage -	50	75	100
8. Liquid oxygen storage and other oxidizers (see 513 and 514)	100	100	100
9. Combustible solids	50	75	100
10. Open flames, smoking, and welding	50	50	50
11. Concentrations of people**	75	75	75
12. Public ways, railroads, and property lines	25	50	75

* Refer to standard types of building construction, NFPA No. 220-1969 for definitions of various types of construction.

** In congested areas such as offices, lunchrooms, locker rooms, time-clock areas, and places of public assembly.

Note 1: The distance in Nos. 2, 3, 5, 7, 9, and 12 in Table H-4 may be reduced where protective structures, such as firewalls equal to height of top of the container, to safeguard the liquefied hydrogen storage system, are located between the liquefied hydrogen storage installation and the exposure.

Note 2: Where protective structures are provided, ventilation and confinement of product should be considered. The 5-foot distance in Nos. 1 and 6 facilitates maintenance and enhances ventilation.

(c) Handling of liquefied hydrogen inside buildings other than separate buildings and special rooms. Portable liquefied hydrogen containers of 50 gallons or less capacity as permitted in Table H-3 and in compliance with (2)(a)(vi) of this section when housed inside buildings not located in a special room and exposed to other occupancies shall comply with the following minimum requirements:

(i) Be located 20 feet from flammable liquids and readily combustible materials such as excelsior or paper.

(ii) Be located 25 feet from ordinary electrical equipment and other sources of ignition including process or analytical equipment.

(iii) Be located 25 feet from concentrations of people.

(iv) Be located 50 feet from intakes of ventilation and air-conditioning equipment or intakes of compressors.

(v) Be located 50 feet from storage of other flammable-gases or storage of oxidizing gases.

(vi) Containers shall be protected against damage or injury due to falling objects or work activity in the area.

(vii) Containers shall be firmly secured and stored in an upright position.

(viii) Welding or cutting operations, and smoking shall be prohibited while hydrogen is in the room.

(ix) The area shall be adequately ventilated. Safety relief devices on the containers shall be vented directly outdoors or

to a suitable hood. See (1)(d)(ii) of this section and (2)(a)(vi) of this section.

(3) Design considerations at specific locations.

(a) Outdoor locations.

(i) Outdoor location shall mean outside of any building or structure, and includes locations under a weather shelter or canopy provided such locations are not enclosed by more than two walls set at right angles and are provided with vent-space between the walls and vented roof or canopy.

(ii) Roadways and yard surfaces located below liquefied hydrogen piping, from which liquid air may drop, shall be constructed of noncombustible materials.

(iii) If protective walls are provided, they shall be constructed of noncombustible materials and in accordance with the provisions of (3)(a)(i) of this section as applicable.

(iv) Electrical wiring and equipment shall comply with chapter 296-24 WAC Part L, and WAC 296-800-280.

(v) Adequate lighting shall be provided for nighttime transfer operation.

(b) Separate buildings.

(i) Separate buildings shall be of light noncombustible construction on a substantial frame. Walls and roofs shall be lightly fastened and designed to relieve at a maximum internal pressure of 25 pounds per square foot. Windows shall be of shatterproof glass or plastic in metal frames. Doors shall be located in such a manner that they will be readily accessible to personnel in an emergency.

(ii) Adequate ventilation to the outdoors shall be provided. Inlet openings shall be located near the floor level in exterior walls only. Outlet openings shall be located at the high point of the room in exterior walls or roof. Both the inlet and outlet vent openings shall have a minimum total area of 1 square foot per 1,000 cubic feet of room volume. Discharge from outlet openings shall be directed or conducted to a safe location.

(iii) There shall be no sources of ignition.

(iv) Electrical wiring and equipment shall comply with chapter 296-24 WAC Part L, and WAC 296-800-280.

(v) Heating, if provided, shall be by steam, hot water, or other indirect means.

(c) Special rooms.

(i) Floors, walls, and ceilings shall have a fire resistance rating of at least 2 hours. Walls or partitions shall be continuous from floor to ceiling and shall be securely anchored. At least one wall shall be an exterior wall. Openings to other parts of the building shall not be permitted. Windows and doors shall be in exterior walls and doors shall be located in such a manner that they will be accessible in an emergency. Windows shall be of shatterproof glass or plastic in metal frames.

(ii) Ventilation shall be as provided in (3)(b)(ii) of this section.

(iii) Explosion venting shall be provided in exterior walls or roof only. The venting area shall be equal to not less than 1 square foot per 30 cubic feet of room volume and may consist of any one or any combination of the following: Walls of light noncombustible material; lightly fastened hatch covers; lightly fastened swinging doors opening outward in exterior walls; lightly fastened walls or roofs designed to relieve at a maximum pressure of 25 pounds per square foot.

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- (iv) There shall be no sources of ignition.
- (v) Electrical wiring and equipment shall comply with chapter 296-24 WAC Part L, and WAC 296-800-280.
- (vi) Heating, if provided, shall be steam, hot water, or by other indirect means.
- (4) Operating instructions.
 - (a) Written instructions. For installation which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.
 - (b) Attendant. A qualified person shall be in attendance at all times while the mobile hydrogen supply unit is being unloaded.
 - (c) Security. Each mobile liquefied hydrogen supply unit used as part of a hydrogen system shall be adequately secured to prevent movement.
 - (d) Grounding. The mobile liquefied hydrogen supply unit shall be grounded for static electricity.
 - (5) Maintenance.
 - (a) The equipment and functioning of each charged liquefied hydrogen system shall be maintained in a safe operating condition in accordance with the requirements of this section. Weeds or similar combustibles shall not be permitted within 25 feet of any liquified hydrogen equipment.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-32003 Bulk oxygen systems. (1) Definitions. As used in this section: A bulk oxygen system is an assembly of equipment, such as oxygen storage containers, pressure regulators, safety devices, vaporizers, manifolds, and interconnecting piping, which has storage capacity of more than 13,000 cubic feet of oxygen, normal temperature and pressure (NTP), connected in service or ready for service, or more than 25,000 cubic feet of oxygen (NTP) including unconnected reserves on hand at the site. The bulk oxygen system terminates at the point where oxygen at service pressure first enters the supply line. The oxygen containers may be stationary or movable, and the oxygen may be stored as gas or liquid.

- (2) Location.
 - (a) General. Bulk oxygen storage systems shall be located above ground out of doors, or shall be installed in a building of noncombustible construction, adequately vented, and used for that purpose exclusively. The location selected shall be such that containers and associated equipment shall not be exposed by electric power lines, flammable or combustible liquid lines, or flammable gas lines.
 - (b) Accessibility. The system shall be located so that it is readily accessible to mobile supply equipment at ground level and to authorized personnel.

(c) Leakage. Where oxygen is stored as a liquid, non-combustible surfacing shall be provided in an area in which any leakage of liquid oxygen might fall during operation of the system and filling of a storage container. For purposes of these standards, asphaltic or bituminous paving is considered to be combustible.

(d) Elevation. When locating bulk oxygen systems near above ground flammable or combustible liquid storage which may be either indoors or outdoors, it is advisable to locate the

system on ground higher than the flammable or combustible liquid storage.

(e) Dikes. Where it is necessary to locate a bulk oxygen system on ground lower than adjacent flammable or combustible liquid storage suitable means shall be taken (such as by diking, diversion curbs, or grading) with respect to the adjacent flammable or combustible liquid storage to prevent accumulation of liquids under the bulk oxygen system.

(3) Distance between systems and exposures.

(a) General. The minimum distance from any bulk oxygen storage container to exposures, measured in the most direct line except as indicated in (3)(f) and (g) of this section shall be as indicated in (3)(b) to (r) of this section inclusive.

(b) Combustible structures. Fifty feet from any combustible structures.

(c) Fire resistive structures. Twenty-five feet from any structures with fire-resistive exterior walls or sprinklered buildings or other construction, but not less than one-half the height of adjacent side wall of the structure.

(d) Openings. At least 10 feet from any opening in adjacent walls of fire resistive structures. Spacing from such structures shall be adequate to permit maintenance, but shall not be less than 1 foot.

(e) Flammable liquid storage above ground.

Distance (feet)	Capacity (gallons)
50	0-1000
90	1001 or more

(f) Flammable liquid storage below ground.

Distance measured horizontally from oxygen storage container to flammable liquid tank (feet)	Distance from oxygen storage container to filling and vent connections or openings to flammable liquid tank (feet)	Capacity gallons
15	50	0-1000
30	50	1001 or more

(g) Combustible liquid storage above ground.

Distance (feet)	Capacity (gallons)
25	0-1000
50	1001 or more

(h) Combustible liquid storage below ground.

Distance measured horizontally from oxygen storage container to combustible liquid tank (feet)	Distance from oxygen storage container to filling and vent connections or openings to combustible liquid tank (feet)

PROPOSED

15 _____ 40

(i) Flammable gas storage. (Such as compressed flammable gases, liquefied flammable gases and flammable gases in low pressure gas holders):

Distance (feet)	Capacity (cu. ft. NTP)
50 _____	Less than 5000
90 _____	5000 or more

(j) Highly combustible materials. Fifty feet from solid materials which burn rapidly, such as excelsior or paper.

(k) Slow-burning materials. Twenty-five feet from solid materials which burn slowly, such as coal and heavy timber.

(l) Ventilation. Seventy-five feet in one direction and 35 feet in approximately 90° direction from confining walls (not including firewalls less than 20 feet high) to provide adequate ventilation in courtyards and similar confining areas.

(m) Congested areas. Twenty-five feet from congested areas such as offices, lunchrooms, locker rooms, time clock areas, and similar locations where people may congregate.

(n) Public areas. Fifty feet from places of public assembly.

(o) Patients. Fifty feet from areas occupied by nonambulatory patients.

(p) Sidewalks. Ten feet from any public sidewalk.

(q) Adjacent property. Five feet from any line of adjoining property.

(r) Exceptions. The distances in (3)(b), (c), (e) to (k) inclusive, and (p) and (q) of this section do not apply where protective structures such as firewalls of adequate height to safeguard the oxygen storage systems are located between the bulk oxygen storage installation and the exposure. In such cases, the bulk oxygen storage installation may be a minimum distance of 1 foot from the firewall.

(4) Storage containers.

(a) Foundations and supports. Permanently installed containers shall be provided with substantial noncombustible supports on firm noncombustible foundations.

(b) Construction—Liquid. Liquid oxygen storage containers shall be fabricated from materials meeting the impact test requirements of paragraph UG-84 of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968. Containers operating at pressures above 15 pounds per square inch gage (p.s.i.g.) shall be designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VII—Unfired Pressure Vessels—1968. Insulation surrounding the liquid oxygen container shall be noncombustible.

(c) Construction—Gaseous. High-pressure gaseous oxygen containers shall comply with one of the following:

(i) Designed, constructed, and tested in accordance with appropriate requirements of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968.

(ii) Designed, constructed, tested, and maintained in accordance with DOT specifications and regulations.

(5) Piping, tubing, and fittings.

(a) Selection. Piping, tubing, and fittings shall be suitable for oxygen service and for the pressures and temperatures involved.

(b) Specification. Piping and tubing shall conform to Section 2—Gas and Air Piping Systems of Code for Pressure Piping, ANSI, B31.1-1967 with addenda B31.10a-1969.

(c) Fabrication. Piping or tubing for operating temperatures below -20°F shall be fabricated from materials meeting the impact test requirements of paragraph UG-84 of ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessels—1968, when tested at the minimum operating temperature to which the piping may be subjected in service.

(6) Safety relief devices.

(a) General. Bulk oxygen storage containers, regardless of design pressure shall be equipped with safety relief devices as required by the ASME code or the DOT specifications and regulations.

(b) DOT containers. Bulk oxygen storage containers designed and constructed in accordance with DOT specification shall be equipped with safety relief devices as required thereby.

(c) ASME containers. Bulk oxygen storage containers designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code, Section VIII—Unfired Pressure Vessel—1968 shall be equipped with safety relief devices meeting the provisions of the Compressed Gas Association Pamphlet "Safety Relief Device Standards for Compressed Gas Storage Containers," S-1, Part 3.

(d) Insulation. Insulation casings on liquid oxygen containers shall be equipped with suitable safety relief devices.

(e) Reliability. All safety relief devices shall be so designed or located that moisture cannot collect and freeze in a manner which would interfere with proper operation of the device.

(7) Liquid oxygen vaporizers.

(a) Mounts and couplings. The vaporizer shall be anchored and its connecting piping be sufficiently flexible to provide for the effect of expansion and contraction due to temperature changes.

(b) Relief devices. The vaporizer and its piping shall be adequately protected on the oxygen and heating medium sections with safety relief devices.

(c) Heating. Heat used in an oxygen vaporizer shall be indirectly supplied only through media such as steam, air, water, or water solutions which do not react with oxygen.

(d) Grounding. If electric heaters are used to provide the primary source of heat, the vaporizing system shall be electrically grounded.

(8) Equipment assembly and installation.

(a) Cleaning. Equipment making up a bulk oxygen system shall be cleaned in order to remove oil, grease or other readily oxidizable materials before placing the system in service.

(b) Joints. Joints in piping and tubing may be made by welding or by use of flanged, threaded, slip, or compression fittings. Gaskets or thread sealants shall be suitable for oxygen service.

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(c) Accessories. Valves, gages, regulators, and other accessories shall be suitable for oxygen service.

(d) Installation. Installation of bulk oxygen systems shall be supervised by personnel familiar with proper practices with reference to their construction and use.

(e) Testing. After installation all field erected piping shall be tested and proved gas tight at maximum operating pressure. Any medium used for testing shall be oil free and nonflammable.

(f) Security. Storage containers, piping, valves, regulating equipment, and other accessories shall be protected against physical damage and against tampering.

(g) Venting. Any enclosure containing oxygen control or operating equipment shall be adequately vented.

(h) Placarding. The bulk oxygen storage location shall be permanently placarded to indicate: "OXYGEN—NO SMOKING—NO OPEN FLAMES," or an equivalent warning.

(i) Electrical wiring. Bulk oxygen installations are not hazardous locations as defined and covered by chapter 296-24 WAC Part L, and WAC 296-800-280. Therefore, general purpose or weatherproof types of electrical wiring and equipment are acceptable depending upon whether the installation is indoors or outdoors. Such equipment shall be installed according to chapter 296-24 WAC Part L, and WAC 296-800-280.

(9) Operating instructions. For installations which require any operation of equipment by the user, legible instructions shall be maintained at operating locations.

(10) Maintenance.

(a) The equipment and functioning of each charged bulk oxygen system shall be maintained in a safe operating condition in accordance with the requirements of this section. Wood and long dry grass shall be cut back within 15 feet of any bulk oxygen storage container.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-33011 Industrial plants. (1) Scope.

(a) Application. This section shall apply to those industrial plants where:

(i) The use of flammable or combustible liquids is incidental to the principal business, or

(ii) Where flammable or combustible liquids are handled or used only in unit physical operations such as mixing, drying, evaporating, filtering, distillation, and similar operations which do not involve chemical reaction. This section shall not apply to chemical plants, refineries or distilleries.

(b) Exceptions. Where portions of such plants involve chemical reactions such as oxidation, reduction, halogenation, hydrogenation, alkylation, polymerization, and other chemical processes, those portions of the plant shall be in accordance with WAC 296-24-33017.

(2) Incidental storage or use of flammable and combustible liquids.

(a) Application. This shall be applicable to those portions of an industrial plant where the use and handling of flammable or combustible liquids is only incidental to the principal business, such as automobile assembly, construc-

tion of electronic equipment, furniture manufacturing, or other similar activities.

(b) Containers. Flammable or combustible liquids shall be stored in tanks or closed containers.

(i) Except as provided in (b)(ii) and (iii) of this subsection all storage shall comply with WAC 296-24-33009 (3) or (4).

(A) When the only operation involved is the storage of flammables in containers or tanks that are closed and remain closed throughout the storage, WAC 296-24-33009(5) and tables H-14 and H-15 will apply.

(B) When the procedure involved is mixing, transferring, or other exposure of liquids to vaporization through operational procedures in which containers or tanks do not remain closed in the storage area, WAC 296-24-33009(4) and table H-13 shall be used to determine permissible quantities.

(ii) The quantity of liquid that may be located outside of an inside storage room or storage cabinet in a building or in any one fire area of a building shall not exceed:

(A) Twenty-five gallons of Class IA liquids in containers.

(B) One hundred twenty gallons of Class IB, IC, II, or III liquids in containers.

(C) Six hundred sixty gallons of Class IB, IC, II, or III liquids in a single portable tank.

(iii) Where large quantities of flammable or combustible liquids are necessary, storage may be in tanks which shall comply with the applicable requirements of WAC 296-24-33005.

(c) Separation and protection. Areas in which flammable or combustible liquids are transferred from one tank or container to another container shall be separated from other operations in the building by adequate distance or by construction having adequate fire resistance. Drainage or other means shall be provided to control spills. Adequate natural or mechanical ventilation shall be provided.

(d) Handling liquids at point of final use.

(i) Flammable liquids shall be kept in covered containers when not actually in use.

(ii) Where flammable or combustible liquids are used or handled, except in closed containers, means shall be provided to dispose promptly and safely of leakage or spills.

(iii) Class I liquids may be used only where there are no open flames or other sources of ignition within the possible path of vapor travel.

(iv) Flammable or combustible liquids shall be drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve. Transferring by means of air pressure on the container or portable tanks shall be prohibited.

(3) Unit physical operations.

(a) Application. This subsection (3) shall be applicable in those portions of industrial plants where flammable or combustible liquids are handled or used in unit physical operations such as mixing, drying, evaporating, filtering, distillation, and similar operations which do not involve chemical change. Examples are plants compounding cosmetics, phar-

maceuticals, solvents, cleaning fluids, insecticides, and similar types of activities.

(b) Location. Industrial plants shall be located so that each building or unit of equipment is accessible from at least one side for fire fighting and fire control purposes. Buildings shall be located with respect to lines of adjoining property which may be built upon as set forth in WAC 296-24-33017 (2)(a) and (b) except that the blank wall referred to in WAC 296-24-33017 (2)(b) shall have a fire resistance rating of at least two hours.

(c) Chemical processes. Areas where unstable liquids are handled or small scale unit chemical processes are carried on shall be separated from the remainder of the plant by a fire wall of two-hour minimum fire resistance rating.

(d) Drainage.

(i) Emergency drainage systems shall be provided to direct flammable or combustible liquid leakage and fire protection water to a safe location. This may require curbs, scuppers, or special drainage systems to control the spread of fire; see WAC 296-24-33005 (2)(g)(ii).

(ii) Emergency drainage systems, if connected to public sewers or discharged into public waterways, shall be equipped with traps or separators.

(iii) The industrial plant shall be designed and operated to prevent the normal discharge of flammable or combustible liquids into public waterways, public sewers, or adjoining property.

(e) Ventilation.

(i) Areas as defined in subsection (1)(a) of this section using Class I liquids shall be ventilated at a rate of not less than one cubic foot per minute per square foot of solid floor area. This shall be accomplished by natural or mechanical ventilation with discharge or exhaust to a safe location outside of the building. Provision shall be made for introduction of makeup air in such a manner as not to short circuit the ventilation. Ventilation shall be arranged to include all floor areas or pits where flammable vapors may collect.

(ii) Equipment used in a building and the ventilation of the building shall be designed so as to limit flammable vapor-air mixtures under normal operating conditions to the interior of equipment, and to not more than five feet from equipment which exposes Class I liquids to the air. Examples of such equipment are dispensing stations, open centrifuges, plate and frame filters, open vacuum filters, and surfaces of open equipment.

(f) Storage and handling. The storage, transfer, and handling of liquid shall comply with WAC 296-24-33017(4).

(4) Tank vehicle and tank car loading and unloading.

Tank vehicle and tank car loading or unloading facilities shall be separated from aboveground tanks, warehouses, other plant buildings or nearest line of adjoining property which may be built upon by a distance of twenty-five feet for Class I liquids and fifteen feet for Class II and Class III liquids measured from the nearest position of any fill stem. Buildings for pumps or shelters for personnel may be a part of the facility. Operations of the facility shall comply with the appropriate portions of WAC 296-24-33013(3).

(5) Fire control.

(a) Portable and special equipment. Portable fire extinguishment and control equipment shall be provided in such

quantities and types as are needed for the special hazards of operation and storage.

(b) Water supply. Water shall be available in volume and at adequate pressure to supply water hose streams, foam-producing equipment, automatic sprinklers, or water spray systems as the need is indicated by the special hazards of operation, dispensing and storage.

(c) Special extinguishers. Special extinguishing equipment such as that utilizing foam, inert gas, or dry chemical shall be provided as the need is indicated by the special hazards of operation dispensing and storage.

(d) Special hazards. Where the need is indicated by special hazards of operation, flammable or combustible liquid processing equipment, major piping, and supporting steel shall be protected by approved water spray systems, deluge systems, approved fire-resistant coatings, insulation, or any combination of these.

(e) Maintenance. All plant fire protection facilities shall be adequately maintained and periodically inspected and tested to make sure they are always in satisfactory operating condition, and they will serve their purpose in time of emergency.

(6) Sources of ignition.

(a) General. Adequate precautions shall be taken to prevent the ignition of flammable vapors. Sources of ignition include but are not limited to open flames; lightning; smoking; cutting and welding; hot surfaces; frictional heat; static, electrical and mechanical sparks; spontaneous ignition, including heat-producing chemical reactions; and radiant heat.

(b) Grounding. Class I liquids shall not be dispensed into containers unless the nozzle and container are electrically interconnected. Where the metallic floorplate on which the container stands while filling is electrically connected to the fill stem or where the fill stem is bonded to the container during filling operations by means of a bond wire, the provisions of these standards shall be deemed to have been complied with.

(7) Electrical.

(a) All electrical wiring and equipment shall be installed according to chapter 296-24 WAC Part L, and WAC 296-800-280.

(b) Locations where flammable vapor-air mixtures may exist under normal operations shall be classified Class I, Division 1 according to the requirements of chapter 296-24 WAC Part L. For those pieces of equipment installed in accordance with the requirements of subsection (3)(e)(ii) of this section, the Division 1 area shall extend five feet in all directions from all points of vapor liberation. All areas within pits shall be classified Division 1 if any part of the pit is within a Division 1 or 2 classified area, unless the pit is provided with mechanical ventilation.

(c) Locations where flammable vapor-air mixtures may exist under abnormal conditions and for a distance beyond Division 1 locations shall be classified Division 2 according to the requirements of chapter 296-24 WAC Part L. These locations include an area within twenty feet horizontally, three feet vertically beyond a Division 1 area, and up to three feet above floor or grade level within twenty-five feet, if indoors, or ten feet if outdoors, from any pump, bleeder,

withdrawal fitting, meter, or similar device handling Class I liquids. Pits provided with adequate mechanical ventilation within a Division 1 or 2 area shall be classified Division 2. If Class II or Class III liquids only are handled, then ordinary electrical equipment is satisfactory though care shall be used in locating electrical apparatus to prevent hot metal from falling into open equipment.

(d) Where the provisions of (a), (b), and (c) of this subsection require the installation of electrical equipment suitable for Class I, Division 1 or Division 2 locations, ordinary electrical equipment including switchgear may be used if installed in a room or enclosure which is maintained under positive pressure with respect to the hazardous area. Ventilation makeup air shall be uncontaminated by flammable vapors.

(8) Repairs to equipment. Hot work, such as welding or cutting operations, use of spark-producing power tools, and chipping operations shall be permitted only under supervision of an individual in responsible charge. The individual in responsible charge shall make an inspection of the area to be sure that it is safe for the work to be done and that safe procedures will be followed for the work specified.

(9) Housekeeping.

(a) General. Maintenance and operating practices shall be in accordance with established procedures which will tend to control leakage and prevent the accidental escape of flammable or combustible liquids. Spills shall be cleaned up promptly.

(b) Access. Adequate aisles shall be maintained for unobstructed movement of personnel and so that fire protection equipment can be brought to bear on any part of flammable or combustible liquid storage, use, or any unit physical operation.

(c) Waste and residue. Combustible waste material and residues in a building or unit operating area shall be kept to a minimum, stored in covered metal receptacles and disposed of daily.

(d) Clear zone. Ground area around buildings and unit operating areas shall be kept free of weeds, trash, or other unnecessary combustible materials.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-33015 Service stations. (1) Storage and handling.

(a) General provisions.

(i) Liquids shall be stored in approved closed containers not exceeding 60 gallons capacity, in tanks located underground, in tanks in special enclosures as described in (b) of this subsection, or in aboveground tanks as provided for in (3)(b)(i), (ii), (iii) and (iv) of this section.

(ii) Aboveground tanks, located in an adjoining bulk plant, may be connected by piping to service station underground tanks if, in addition to valves at aboveground tanks, a valve is also installed within control of service station personnel.

(iii) Apparatus dispensing Class I liquids into the fuel tanks of motor vehicles of the public shall not be located at a

bulk plant unless separated by a fence or similar barrier from the area in which bulk operations are conducted.

(iv) The provisions of subsection (1) of this section shall not prohibit the dispensing of flammable liquids in the open from a tank vehicle to a motor vehicle. Such dispensing shall be permitted provided:

(A) The tank vehicle complies with the requirements covered in the Standard on Tank Vehicles for Flammable Liquids, NFPA 385-1966.

(B) The dispensing is done on premises not open to the public.

(C) The dispensing hose does not exceed 50 feet in length.

(D) The dispensing nozzle is a listed automatic-closing type without a latch-open device.

(vi) Class I liquids shall not be stored or handled within a building having a basement or pit into which flammable vapors may travel, unless such area is provided with ventilation designed to prevent the accumulation of flammable vapors therein.

(vii) Accurate inventory records shall be maintained and reconciled on all Class I liquid storage tanks for possible indication of leakage from tanks or piping.

(b) Special enclosures.

(i) When installation of tanks in accordance with WAC 296-24-33005(3) is impractical because of property or building limitations, tanks for flammable or combustible liquids may be installed in buildings if properly enclosed.

(ii) The enclosure shall be substantially liquid and vapor-tight without backfill. Sides, top, and bottom of the enclosure shall be of reinforced concrete at least 6 inches thick, with openings for inspection through the top only. Tank connections shall be so piped or closed that neither vapors nor liquid can escape into the enclosed space. Means shall be provided whereby portable equipment may be employed to discharge to the outside any liquid or vapors which might accumulate should leakage occur.

(iii) At automotive service stations provided in connection with tenant or customer parking facilities at or below grade level in large buildings of commercial, mercantile, or residential occupancy, tanks containing Class I liquids, installed of necessity in accordance with subsection (1)(b)(ii) of this section, shall not exceed 6,000 gallons individual or 18,000 gallons aggregate capacity.

(c) Inside buildings.

(i) Except where stored in tanks as provided in subsection (1)(b) of this section, no Class I liquids shall be stored within any service station building except in closed containers of aggregate capacity not exceeding 60 gallons. One container not exceeding 60 gallons capacity equipped with an approved pump is permitted.

(ii) Class I liquids may be transferred from one container to another in lubrication or service rooms of a service station building provided the electrical installation complies with Table H-19 and provided that any heating equipment complies with subsection (5) of this section.

(iii) Class II and Class III liquids may be stored and dispensed inside service station buildings from tanks of not more than 120 gallons capacity each.

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(d) Labeling. No sale or purchase of any Class I, II, or III liquids shall be made in containers unless such containers are clearly marked with the name of the product contained therein.

(e) Dispensing into portable containers. No delivery of any Class I liquids shall be made into portable containers unless the container is constructed of metal, has a tight closure with screwed or spring cover, and is fitted with a spout or so designed that the contents can be poured without spilling.

(2) Dispensing systems.

(a) Location. Dispensing devices at automotive service stations shall be so located that all parts of the vehicle being served will be on the premises of the service station.

(b) Inside location. Approved dispensing units may be located inside of buildings. The dispensing area shall be separated from other areas in an approved manner. The dispensing unit and its piping shall be mounted either on a concrete island or protected against collision damage by suitable means and shall be located in a position where it cannot be struck by a vehicle descending a ramp or other slope out of control. The dispensing area shall be provided with an approved mechanical or gravity ventilation system. When dispensing units are located below grade, only approved mechanical ventilation shall be used and the entire dispensing area shall be protected by an approved automatic sprinkler system. Ventilating systems shall be electrically interlocked with gasoline dispensing units so that the dispensing units cannot be operated unless the ventilating fan motors are energized.

(c) Emergency power cutoff. A clearly identified and easily accessible switch(es) or a circuit breaker(s) shall be provided at a location remote from dispensing devices, including remote pumping systems, to shut off the power to all dispensing devices in the event of an emergency.

(d) Dispensing units.

(i) Class I liquids shall be transferred from tanks by means of fixed pumps so designed and equipped as to allow control of the flow and to prevent leakage or accidental discharge.

(ii) Only listed devices may be used for dispensing Class I liquids. No such device may be used if it shows evidence of having been dismantled.

(iii) Every dispensing device for Class I liquids installed after December 31, 1978, shall contain evidence of listing so placed that any attempt to dismantle the device will result in damage to such evidence, visible without disassembly or dismounting of the nozzle.

(iv) Class I liquids shall not be dispensed by pressure from drums, barrels, and similar containers. Approved pumps taking suction through the top of the container or approved self-closing faucets shall be used.

(v) The dispensing units, except those attached to containers, shall be mounted either on a concrete island or protected against collision damage by suitable means.

(e) Remote pumping systems.

(i) This subdivision shall apply to systems for dispensing Class I liquids where such liquids are transferred from storage to individual or multiple dispensing units by pumps located elsewhere than at the dispensing units.

(ii) Pumps shall be designed or equipped so that no part of the system will be subjected to pressures above its allowable working pressure. Pumps installed above grade, outside of buildings, shall be located not less than 10 feet from lines of adjoining property which is/ or may be built upon, and not less than 5 feet from any building opening. When an outside pump location is impractical, pumps may be installed inside of buildings, as provided for dispensers in (b) of this subsection, or in pits as provided in (e)(iii) of this subsection. Pumps shall be substantially anchored and protected against physical damage by vehicles.

(iii) Pits for subsurface pumps or piping manifolds of submersible pumps shall withstand the external forces to which they may be subjected without damage to the pump, tank, or piping. The pit shall be no larger than necessary for inspection and maintenance and shall be provided with a fitted cover.

(iv) A control shall be provided that will permit the pump to operate only when a dispensing nozzle is removed from its bracket on the dispensing unit and the switch on this dispensing unit is manually actuated. This control shall also stop the pump when all nozzles have been returned to their brackets.

(v) An approved impact valve, incorporating a fusible link, designed to close automatically in the event of severe impact or fire exposure shall be properly installed in the dispensing supply line at the base of each individual dispensing device.

(vi) Testing. After the completion of the installation, including any paving, that section of the pressure piping system between the pump discharge and the connection for the dispensing facility shall be tested for at least 30 minutes at the maximum operating pressure of the system. Such tests shall be repeated at 5-year intervals thereafter.

(f) Delivery nozzles.

(i) A listed manual or automatic-closing type hose nozzle valve shall be provided on dispensers used for the dispensing of Class I liquids.

(ii) Manual-closing type valves shall be held open manually during dispensing. Automatic-closing type valves may be used in conjunction with an approved latch-open device.

(g) Special type dispensers.

(i) Emergency controls shall be installed at an acceptable location, but controls shall not be more than 100 feet from dispensers.

(ii) Instructions for the operation of dispensers shall be conspicuously posted.

(3) Marine service stations.

(a) Dispensing.

(i) The dispensing area shall be located away from other structures so as to provide room for safe ingress and egress of craft to be fueled. Dispensing units shall in all cases be at least 20 feet from any activity involving fixed sources of ignition.

(ii) Dispensing shall be by approved dispensing units with or without integral pumps and may be located on open piers, wharves, or floating docks or on shore or on piers of the solid fill type.

(iii) Dispensing nozzles shall be automatic-closing without a hold-open latch.

TABLE H-19
ELECTRICAL EQUIPMENT HAZARDOUS
AREAS—SERVICE STATIONS

Location	Class I, Group D division	Extent of classified area
Underground tank:		
Fill opening _____	1	Any pit, box or space below grade level, any part of which is within the Division 1 or 2 classified area.
	2	Up to 18 inches above grade level within a horizontal radius of 10 feet from a loose fill connection and within a horizontal radius of 5 feet from a tight fill connection.
Vent—Discharging upward _____		
	1	Within 3 feet of open end of vent, extending in all directions.
	2	Area between 3 feet and 5 feet of open end of vent, extending in all directions.
Dispenser:		
Pits _____	1	Any pit, box or space below grade level, any part of which is within the Division 1 or 2 classified area.
Dispenser enclosure _____	1	The area 4 feet vertically above base within the enclosure and 18 inches horizontally in all directions.
Outdoor _____	2	Up to 18 inches above grade level within 20 feet horizontally of any edge of enclosure.
Indoor:		
With mechanical ventilation _____	2	Up to 18 inches above grade or floor level within 20 feet horizontally of any edge of enclosure.
With gravity ventilation _____	2	Up to 18 inches above grade or floor level within 25 feet horizontally of any edge of enclosure.

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(b) Tanks and pumps.

(i) Tanks, and pumps not integral with the dispensing unit, shall be on shore or on a pier of the solid fill type, except as provided below.

(ii) Where shore location would require excessively long supply lines to dispensers, tanks may be installed on a pier provided that applicable portions of WAC 296-24-33005 relative to spacing, diking, and piping are complied with and the quantity so stored does not exceed 1,100 gallons aggregate capacity.

(iii) Shore tanks supplying marine service stations may be located above ground, where rock ledges or high water table make underground tanks impractical.

(iv) Where tanks are at an elevation which would produce gravity head on the dispensing unit, the tank outlet shall be equipped with a pressure control valve positioned adjacent to and outside the tank block valve specified in WAC 296-24-33005 (2)(h)(ii), so adjusted that liquid cannot flow by gravity from the tank in case of piping or hose failure.

(c) Piping.

(i) Piping between shore tanks and dispensing units shall be as described in WAC 296-24-33007, except that, where dispensing is from a floating structure, suitable lengths of oil-resistant flexible hose may be employed between the shore piping and the piping on the floating structure as made necessary by change in water level or shoreline.

(ii) A readily accessible valve to shut off the supply from shore shall be provided in each pipeline at or near the approach to the pier and at the shore end of each pipeline adjacent to the point where flexible hose is attached.

(iii) Piping shall be located so as to be protected from physical damage.

(iv) Piping handling Class I liquids shall be grounded to control stray currents.

(4) Electrical equipment.

(a) Application. This subsection shall apply to areas where Class I liquids are stored or handled. For areas where Class II or Class III liquids are stored or handled the electrical equipment may be installed according to the provisions of chapter 296-24 WAC Part L, and WAC 296-800-280 for ordinary locations.

(b) All electrical equipment and wiring shall be of a type specified by and shall be installed according to chapter 296-24 WAC Part L, and WAC 296-800-280.

(c) So far as it applies, Table H-19 shall be used to delineate and classify hazardous areas for the purpose of installation of electrical equipment under normal circumstances. A classified area shall not extend beyond an unpierced wall, roof, or other solid partition.

(d) The area classifications listed shall be based on the assumption that the installation meets the applicable requirements of this section in all respects.

TABLE H-19
ELECTRICAL EQUIPMENT HAZARDOUS
AREAS—SERVICE STATIONS

Location	Class I, Group D division	Extent of classified area
Remote pump—Outdoor	1	Any pit, box or space below grade level if any part is within a horizontal distance of 10 feet from any edge of pump.
	2	Within 3 feet of any edge of pump, extending in all directions. Also up to 18 inches above grade level within 10 feet horizontally from any edge of pump.
Remote pump—Indoor	1	Entire area within any pit.
	2	Within 5 feet of any edge of pump, extending in all directions. Also up to 3 feet above floor or grade level within 25 feet horizontally from any edge of pump.
Lubrication or service room	1	Entire area within any pit.
	2	Area up to 18 inches above floor or grade level within entire lubrication room.
Dispenser for Class I liquids	2	Within 3 feet of any fill or dispensing point, extending in all directions.
Special enclosure inside building per WAC 296-24-33013 (1)(b)	1	Entire enclosure.
Sales, storage and rest rooms	Ordinary	If there is any opening to these rooms within the extent of a Division 1 area, the entire room shall be classified as Division 1.

(5) Heating equipment.

(a) Conformance. Heating equipment shall be installed as provided in (b) through (e) of this subsection.

(b) Application. Heating equipment may be installed in the conventional manner in an area except as provided in (c), (d) or (e) of this subsection.

(c) Special room. Heating equipment may be installed in a special room separated from an area classified by Table H-19 by walls having a fire resistance rating of at least 1 hour and without any openings in the walls within 8 feet of the floor into an area classified in Table H-19. This room shall not be used for combustible storage and all air for combustion purposes shall come from outside the building.

(d) Work areas. Heating equipment using gas or oil fuel may be installed in the lubrication, sales, or service room where there is no dispensing or transferring of Class I liquids provided the bottom of the combustion chamber is at least 18 inches above the floor and the heating equipment is protected from physical damage by vehicles. Heating equipment using gas or oil fuel listed for use in garages may be installed in the lubrication or service room where Class I liquids are dispensed provided the equipment is installed at least 8 feet above the floor.

(e) Electric heat. Electrical heating equipment shall conform to subsection (4) of this section.

(6) Drainage and waste disposal. Provision shall be made in the area where Class I liquids are dispensed to prevent spilled liquids from flowing into the interior of service station buildings. Such provision may be by grading driveways, raising door sills, or other equally effective means. Crankcase drainings and flammable or combustible liquids shall not be dumped into sewers but shall be stored in tanks or drums outside of any building until removed from the premises.

(7) Sources of ignition. In addition to the previous restrictions of this section, the following shall apply: There shall be no smoking or open flames in the areas used for fueling, servicing fuel systems for internal combustion engines, receiving or dispensing of flammable or combustible liquids. Conspicuous and legible signs prohibiting smoking shall be posted within sight of the customer being served. The motors of all equipment being fueled shall be shut off during the fueling operation.

(8) Fire control. Each service station shall be provided with at least one fire extinguisher having a minimum approved classification of 6 B, C located so that an extinguisher will be within 75 feet of each pump, dispenser, underground fill pipe opening, and lubrication or service room.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-33017 Processing plants. (1) Scope. This section shall apply to those plants or buildings which contain chemical operations such as oxidation, reduction, halogenation, hydrogenation, alkylation, polymerization, and other chemical processes but shall not apply to chemical plants, refineries or distilleries.

(2) Location.

(a) Classification. The location of each processing vessel shall be based upon its flammable or combustible liquid capacity. Processing vessels shall be located, with respect to distances to lines of adjoining property which may be built upon, in accordance with Table H-20, except when the processing plant is designed in accordance with (2)(b) of this section.

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TABLE H - 20

Processing vessels with emergency relief venting to permit pressure	Stable liquids	Unstable liquids
Not in excess of 2.5 p.s.i.g.	Table H-9	2 1/2 times Table H-9.
Over 2.5. p.s.i.g.	1 1/2 times Table H-9.	4 times Table H-9.

(b) Exception. The distances required in (2)(a) of this section may be waived when the vessels are housed within a building and the exterior wall facing the line of adjoining property which may be built upon is a blank wall having a fire-resistance rating of not less than 4 hours. When Class IA or unstable liquids are handled, the blank wall shall have explosion resistance in accordance with good engineering practice, see (3)(d) of this section.

(3) Processing building.

(a) Construction.

(i) Processing buildings shall be of fire-resistance or noncombustible construction, except heavy timber construction with load-bearing walls may be permitted for plants utilizing only stable Class II or Class III liquids. Except as provided in (2)(b) of this section or in the case of explosion resistant walls used in conjunction with explosion relieving facilities, see (3)(d) of this section, loadbearing walls are prohibited. Buildings shall be without basements or covered pits.

(ii) Areas shall have adequate exit facilities arranged to prevent occupants from being trapped in the event of fire. Exits shall not be exposed by the drainage facilities described in (3)(b) of this section.

(b) Drainage.

(i) Emergency drainage systems shall be provided to direct flammable or combustible liquid leakage and fire protection water to a safe location. This may require curbs, scuppers, or special drainage systems to control the spread of fire, see WAC 296-24-33005 (2)(g)(ii).

(ii) Emergency drainage systems, if connected to public sewers or discharged into public waterways, shall be equipped with traps or separators.

(iii) The processing plant shall be designed and operated to prevent the normal discharge of flammable or combustible liquids to public waterways, public sewers, or adjoining property.

(c) Ventilation.

(i) Enclosed processing buildings shall be ventilated at a rate of not less than 1 cubic foot per minute per square foot of solid floor area. This shall be accomplished by natural or mechanical ventilation with discharge or exhaust to a safe location outside of the building. Provision shall be made for introduction of makeup air in such a manner as not to short circuit the ventilation. Ventilation shall be arranged to include all floor areas or pits where flammable vapors may collect.

(ii) Equipment used in a building and the ventilation of the building shall be designed so as to limit flammable vapor-air mixtures under normal operating conditions to the interior of equipment, and to not more than 5 feet from equipment

which exposes Class I liquids to the air. Examples of such equipment are dispensing stations, open centrifuges, plate and frame filters, open vacuum filters, and surfaces of open equipment.

(d) Explosion relief. Areas where Class IA or unstable liquids are processed shall have explosion venting through one or more of the following methods:

(i) Open air construction.

(ii) Lightweight walls and roof.

(iii) Lightweight wall panels and roof hatches.

(iv) Windows of explosion venting type.

(4) Liquid handling.

(a) Storage.

(i) The storage of flammable or combustible liquids in tanks shall be in accordance with the applicable provisions of WAC 296-24-33005.

(ii) If the storage of flammable or combustible liquids in outside aboveground or underground tanks is not practical because of temperature or production considerations, tanks may be permitted inside of buildings or structures in accordance with the applicable provisions of WAC 296-24-33005.

(iii) Storage tanks inside of buildings shall be permitted only in areas at or above grade which have adequate drainage and are separated from the processing area by construction having a fire resistance rating of at least 2 hours.

(iv) The storage of flammable or combustible liquids in containers shall be in accordance with the applicable provisions of WAC 296-24-33009.

(b) Piping, valves, and fittings.

(i) Piping, valves, and fittings shall be in accordance with WAC 296-24-33007.

(ii) Approved flexible connectors may be used where vibration exists or where frequent movement is necessary. Approved hose may be used at transfer stations.

(iii) Piping containing flammable or combustible liquids shall be identified.

(c) Transfer.

(i) The transfer of large quantities of flammable or combustible liquids shall be through piping by means of pumps or water displacement. Except as required in process equipment, gravity flow shall not be used. The use of compressed air as a transferring medium is prohibited.

(ii) Positive displacement pumps shall be provided with pressure relief discharging back to the tank or to pump suction.

(d) Equipment.

(i) Equipment shall be designed and arranged to prevent the unintentional escape of liquids and vapors and to minimize the quantity escaping in the event of accidental release.

(ii) Where the vapor space of equipment is usually within the flammable range, the probability of explosion damage to the equipment can be limited by inerting, by providing an explosion suppression system, or by designing the equipment to contain the peak explosion pressure which may be modified by explosion relief. Where the special hazards of operation, sources of ignition, or exposures indicate a need, consideration shall be given to providing protection by one or more of the above means.

(5) Tank vehicle and tank car loading and unloading. Tank vehicle and tank car loading or unloading facilities shall

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be separated from aboveground tanks, warehouses, other plant buildings, or nearest line of adjoining property which may be built upon by a distance of 25 feet for Class I liquids and 15 feet for Class II and Class III liquids measured from the nearest position of any fill stem. Buildings for pumps or shelters for personnel may be a part of the facility. Operations of the facility shall comply with the appropriate portions of WAC 296-24-33013(3).

(6) Fire control.

(a) Portable extinguishers. Approved portable fire extinguishers of appropriate size, type and number shall be provided.

(b) Other controls. Where the special hazards of operation or exposure indicate a need, the following fire control provision shall be provided.

(i) A reliable water supply shall be available in pressure and quantity adequate to meet the probable fire demands.

(ii) Hydrants shall be provided in accordance with accepted good practice.

(iii) Hose connected to a source of water shall be installed so that all vessels, pumps, and other equipment containing flammable or combustible liquids can be reached with at least one hose stream. Nozzles that are capable of discharging a water spray shall be provided.

(iv) Processing plants shall be protected by an approved automatic sprinkler system or equivalent extinguishing system. If special extinguishing systems including but not limited to those employing foam, carbon dioxide, or dry chemical are provided, approved equipment shall be used and installed in an approved manner.

(c) Alarm systems. An approved means for prompt notification of fire to those within the plant and any public fire department available shall be provided. It may be advisable to connect the plant system with the public system where public fire alarm system is available.

(d) Maintenance. All plant fire protection facilities shall be adequately maintained and periodically inspected and tested to make sure they are always in satisfactory operating condition and that they will serve their purpose in time of emergency.

(7) Sources of ignition.

(a) General.

(i) Precautions shall be taken to prevent the ignition of flammable vapors. Sources of ignition include but are not limited to open flames; lightning; smoking; cutting and welding; hot surfaces; frictional heat; static, electrical, any mechanical sparks; spontaneous ignition, including heat-producing chemical reactions; and radiant heat.

(ii) Class I liquids shall not be dispensed into containers unless the nozzle and container are electrically interconnected. Where the metallic floorplate on which the container stands while filling is electrically connected to the fill stem or where the fill stem is bonded to the container during filling operations by means of a bond wire, the provisions of this section shall be deemed to have been complied with.

(b) Maintenance and repair.

(i) When necessary to do maintenance work in a flammable or combustible liquid processing area, the work shall be authorized by a responsible representative of the employer.

(ii) Hot work such as welding or cutting operations, use of spark-producing power tools, and chipping operations shall be permitted only under supervision of an individual in responsible charge who shall make an inspection of the area to be sure that it is safe for the work to be done and that safe procedures will be followed for the work specified.

(c) Electrical.

(i) All electrical wiring and equipment within storage or processing areas shall be installed according to chapter 296-24 WAC Part L, and WAC 296-800-280.

(ii) Locations where flammable vapor-air mixtures may exist under normal operations shall be classified Class I, Division 1 according to the requirements of chapter 296-24 WAC Part L. For those pieces of equipment installed in accordance with (3)(c)(ii) of this section, the Division 1 area shall extend 5 feet in all directions from all points of vapor liberation. All areas within pits shall be classified Division 1 if any part of the pit is within a Division 1 or 2 classified area, unless the pit is provided with mechanical ventilation.

(iii) Locations where flammable vapor-air mixtures may exist under abnormal conditions and for a distance beyond Division 1 locations shall be classified Division 2 according to the requirements of chapter 296-24 WAC Part L, and WAC 296-800-280. These locations include an area within 20 feet horizontally, 3 feet vertically beyond a Division 1 area, and up to 3 feet above floor or grade level within 25 feet, if indoors, or 10 feet if outdoors, from any pump, bleeder, withdrawal fittings, meter, or similar device handling Class I liquids. Pits provided with adequate mechanical ventilation within a Division 1 or 2 area shall be classified Division 2. If Class II or Class III liquids only are handled, then ordinary electrical equipment is satisfactory though care shall be used in locating electrical apparatus to prevent hot metal from falling into open equipment.

(iv) Where the provisions of (7)(c)(i), (ii), and (iii) of this section require the installation of explosion-proof equipment, ordinary electrical equipment including switchgear may be used if installed in a room or enclosure which is maintained under positive pressure with respect to the hazardous area. Ventilation makeup air shall be uncontaminated by flammable vapors.

(8) Housekeeping.

(a) General. Maintenance and operating practices shall be in accordance with established procedures which will tend to control leakage and prevent the accidental escape of flammable or combustible liquids. Spills shall be cleaned up promptly.

(b) Access. Adequate aisles shall be maintained for unobstructed movement of personnel and so that fire protection equipment can be brought to bear on any part of the processing equipment.

(c) Waste and residues. Combustible waste material and residues in a building or operating area shall be kept to a minimum, stored in closed metal waste cans, and disposed of daily.

(d) Clear zone. Ground area around buildings and operating areas shall be kept free of tall grass, weeds, trash, or other combustible materials.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-37005 Electrical and other sources of ignition. (1) Conformance. All electrical equipment, open flames and other sources of ignition shall conform to the requirements of this section, except as follows:

(a) Electrostatic apparatus shall conform to the requirements of WAC 296-24-37015 and 296-24-37017.

(b) Drying, curing, and fusion apparatus shall conform to the requirements of WAC 296-24-37019.

(c) Automobile undercoating spray operations in garages shall conform to the requirements of WAC 296-24-37021.

(d) Powder coating equipment shall conform to the requirements of WAC 296-24-37023.

(2) Minimum separation. There shall be no open flame or spark producing equipment in any spraying area nor within 20 feet thereof, unless separated by a partition.

(3) Hot surfaces. Space-heating appliances, steam pipes, or hot surfaces shall not be located in a spraying area where deposits of combustible residues may readily accumulate.

(4) Wiring conformance. Electrical wiring and equipment shall conform to the provisions of this section and chapter 296-24 WAC Part L, and WAC 296-800-280.

(5) Combustible residues, areas. Unless specifically approved for locations containing both deposits of readily ignitable residue and explosive vapors, there shall be no electrical equipment in any spraying area, whereon deposits of combustible residues may readily accumulate, except wiring in rigid conduit or in boxes or fittings containing no taps, splices, or terminal connections.

(6) Wiring type approved. Electrical wiring and equipment not subject to deposits of combustible residues but located in a spraying area as herein defined shall be of explosion-proof type approved for Class I, Group D locations and conform to the provisions of chapter 296-24 WAC Part L, for Class I, Division 1, hazardous locations. Electrical wiring, motors, and other equipment outside of but within twenty feet of any spraying area, and not separated therefrom by partitions, shall not produce sparks under normal operating conditions and conform to the provisions of chapter 296-24 WAC Part L for Class I, Division 2, hazardous locations.

(7) Lamps. Electric lamps outside of, but within twenty feet of any spraying area, and not separated therefrom by a partition, shall be totally enclosed to prevent the falling of hot particles and shall be protected from mechanical injury by suitable guards or by location.

(8) Portable lamps. Portable electric lamps shall not be used in any spraying area during spraying operations. Portable electric lamps, if used during cleaning or repairing operations, shall be of the type approved for hazardous Class I locations.

(9) Grounding.

(a) All metal parts of spray booths, exhaust ducts, and piping systems conveying flammable or combustible liquids or aerated solids shall be properly electrically grounded in an effective and permanent manner.

(b) "Airless" high-fluid pressure spray guns and any conductive object being sprayed should be properly electrically grounded.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-37019 Drying, curing, or fusion apparatus. (1) Conformance. Drying, curing, or fusion apparatus in connection with spray application of flammable and combustible finishes shall conform to the Standard for Ovens and Furnaces, NFPA 86A-1969, where applicable and shall also conform with the following requirements of this section.

(2) Alternate use prohibited. Spray booths, rooms, or other enclosures used for spraying operations shall not alternately be used for the purpose of drying by any arrangement which will cause a material increase in the surface temperature of the spray booth, room, or enclosure.

(3) Adjacent system interlocked. Except as specifically provided in (4) of this section, drying, curing, or fusion units utilizing a heating system having open flames or which may produce sparks shall not be installed in a spraying area, but may be installed adjacent thereto when equipped with an interlocked ventilating system arranged to:

(a) Thoroughly ventilate the drying space before the heating system can be started;

(b) Maintain a safe atmosphere at any source of ignition;

(c) Automatically shut down the heating system in the event of failure of the ventilating system.

(4) Alternate use permitted. Automobile refinishing spray booths or enclosures, otherwise installed and maintained in full conformity with this section, may alternately be used for drying with portable electrical infrared drying apparatus when conforming with the following:

(a) Interior (especially floors) of spray enclosures shall be kept free of overspray deposits.

(b) During spray operations, the drying apparatus and electrical connections and wiring thereto shall not be located within spray enclosure nor in any other location where spray residues may be deposited thereon.

(c) The spraying apparatus, the drying apparatus, and the ventilating system of the spray enclosure shall be equipped with suitable interlocks so arranged that:

(i) The spraying apparatus cannot be operated while the drying apparatus is inside the spray enclosure.

(ii) The spray enclosure will be purged of spray vapors for a period of not less than 3 minutes before the drying apparatus can be energized.

(iii) The ventilating system will maintain a safe atmosphere within the enclosure during the drying process and the drying process apparatus will automatically shut off in the event of failure of the ventilating system.

(d) All electrical wiring and equipment of the drying apparatus shall conform with the applicable sections of chapter 296-24 WAC Part L, and WAC 296-800-280. Only equipment of a type approved for Class I, Division 2 hazardous locations shall be located within 18 inches of floor level. All metallic parts of the drying apparatus shall be properly electrically bonded and grounded.

(e) The drying apparatus shall contain a prominently located, permanently attached warning sign indicating that ventilation should be maintained during the drying period and that spraying should not be conducted in the vicinity that spray will deposit on apparatus.

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AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-37023 Powder coating. (1) Electrical and other sources of ignition. Electrical equipment and other sources of ignition shall conform to the requirements of WAC 296-24-37005, 296-800-280 and chapter 296-24 WAC Part L.

(2) Ventilation.

(a) In addition to the provisions of WAC 296-24-37007, where applicable, exhaust ventilation shall be sufficient to maintain the atmosphere below the lowest explosive limits for the materials being applied. All nondeposited air-suspended powders shall be safely removed via exhaust ducts to the powder recovery cyclone or receptacle. Each installation shall be designed and operated to meet the foregoing performance specification.

(b) Powders shall not be released to the outside atmosphere.

(3) Drying, curing, or fusion equipment. The provisions of the Standard for Ovens and Furnaces, NFPA No. 86A-1969 shall apply where applicable.

(4) Operation and maintenance.

(a) All areas shall be kept free of the accumulation of powder coating dusts, particularly such horizontal surfaces as ledges, beams, pipes, hoods, booths, and floors.

(b) Surfaces shall be cleaned in such manner as to avoid scattering dust to other places or creating dust clouds.

(c) "No smoking" signs in large letters on contrasting color background shall be conspicuously posted at all powder coating areas and powder storage rooms.

(5) Fixed electrostatic spraying equipment. The provisions of WAC 296-24-37015 and other subsections of this section shall apply to fixed electrostatic equipment, except that electrical equipment not covered therein shall conform to (1) of this section.

(6) Electrostatic hand spraying equipment. The provisions of WAC 296-24-37017 and other subsections of this section, shall apply to electrostatic handguns when used in powder coating, except that electrical equipment not covered therein shall conform to (1) of this section.

(7) Electrostatic fluidized beds.

(a) Electrostatic fluidized beds and associated equipment shall be of approved types. The maximum surface temperature of this equipment in the coating area shall not exceed 150°F. The high voltage circuits shall be so designed as to not produce a spark of sufficient intensity to ignite any powder-air mixtures nor result in appreciable shock hazard upon coming in contact with a grounded object under normal operating conditions.

(b) Transformers, powerpacks, control apparatus, and all other electrical portions of the equipment, with the exception of the charging electrodes and their connections to the power supply shall be located outside of the powder coating area or shall otherwise conform to the requirements of (1) of this section.

(c) All electrically conductive objects within the charging influence of the electrodes shall be adequately grounded. The powder coating equipment shall carry a prominent, per-

manently installed warning regarding the necessity for grounding these objects.

(d) Objects being coated shall be maintained in contact with the conveyor or other support in order to insure proper grounding. Hangers shall be regularly cleaned to insure effective contact and areas of contact shall be sharp points or knife edges where possible.

(e) The electrical equipment shall be so interlocked with the ventilation system that the equipment cannot be operated unless the ventilation fans are in operation.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-40513 Extinguishment. (1) Extinguishers. Areas in the vicinity of dip tanks shall be provided with manual fire extinguishers suitable for flammable and combustible liquid fires, conforming to WAC ((~~296-24-592~~) 296-800-300).

(2) Automatic water spray extinguishing systems. Automatic water spray extinguishing systems shall conform to WAC 296-24-627 and shall be arranged to protect tanks, drainboards, and stock over drainboards.

(3) Automatic foam extinguishing systems. Automatic foam extinguishing systems shall conform to WAC 296-24-627 and;

(a) Foam producing material selected shall be suitable for intended use, taking into account characteristics of the dip tank liquid;

(b) Overflow pipe shall be arranged to prevent the floating away of foam and clogging overflow pipe. This may be accomplished by either of the following:

(i) Overflow pipe may be extended through tank wall and terminated in an ell pointing downward. The bottom of the overflow pipe at the point it pierces tank wall should not be over 2 inches above the opening or face of the ell.

(ii) Overflow pipe inlet may be provided with a removable screen of 1/4-inch mesh having an area at least twice the cross-sectional area of overflow pipe. Screens which may be clogged by dip tank ingredients shall be inspected and cleaned periodically.

(4) Automatic carbon dioxide systems. Automatic carbon dioxide systems shall conform to WAC 296-24-623 and shall be arranged to protect both dip tanks and drainboards and unless stock over drainboards is otherwise protected with automatic extinguishing facilities, shall also be arranged to protect such stock.

(5) Dry chemical extinguishing systems. Dry chemical extinguishing systems shall conform to WAC 296-24-622 and shall be arranged to protect both dip tanks and drainboards, and unless stock over drainboards is otherwise protected with automatic extinguishing facilities, shall also be arranged to protect such stock.

(6) Dip tank covers.

(a) Covers arranged to close automatically in the event of fire shall be actuated by approved automatic devices and shall also be arranged for manual operation.

(b) Covers shall be of substantial noncombustible material or of tin-clad type with enclosing metal applied with locked joints.

(c) Chains or wire rope shall be used for cover support or operating mechanism where the burning of a cord would interfere with the action of a device.

(d) Covers shall be kept closed when tanks are not in use.

AMENDATORY SECTION (Amending WSR 99-17-094, filed 8/17/99, effective 12/1/99)

WAC 296-24-47505 Basic rules. (1) Odorizing gases.

(a) All liquefied petroleum gases shall be effectively odorized by an approved agent of such character as to indicate positively, by distinct odor, the presence of gas down to concentration in air of not over one-fifth the lower limit of flammability. Odorization, however, is not required if harmful in the use of further processing of the liquefied petroleum gas, or if odorization will serve no useful purpose as a warning agent in such use or further processing.

(b) The odorization requirement of (a) of this subsection shall be considered to be met by the use of 1.0 pounds of ethyl mercaptan, 1.0 pounds of thiophane or 1.4 pounds of amyl mercaptan per ten thousand gallons of LP-gas. However, this listing of odorants and quantities shall not exclude the use of other odorants that meet the odorization requirements of (a) of this subsection.

(2) Approval of equipment and systems.

(a) Each system utilizing DOT containers in accordance with 49 CFR Part 178 shall have its container valves, connectors, manifold valve assemblies, and regulators approved.

(b) Each system for domestic or commercial use utilizing containers of two thousand gallons or less water capacity, other than those constructed in accordance with 49 CFR Part 178, shall consist of a container assembly and one or more regulators, and may include other parts. The system as a unit or the container assembly as a unit, and the regulator or regulators, shall be individually listed.

(c) In systems utilizing containers of over two thousand gallons water capacity, each regulator, container, valve, excess flow valve, gaging device, and relief valve installed on or at the container, shall have its correctness as to design, construction, and performance determined by listing by a nationally recognized testing laboratory. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

(d) The provisions of subsection (3)(a) of this section shall not be construed as prohibiting the continued use or reinstallation of containers constructed and maintained in accordance with the standard for the Storage and Handling of Liquefied Petroleum Gases NFPA No. 58 in effect at the time of fabrication.

(e) Containers used with systems embodied in this section and WAC 296-24-47509 (3)(c) and 296-24-47513, shall be constructed, tested, and stamped in accordance with DOT specifications effective at the date of their manufacture.

(3) Requirements for construction and original test of containers.

(a) Containers used with systems embodied in WAC 296-24-47509, 296-24-47513 through 296-24-47517, except as provided in WAC 296-24-47511 (3)(c), shall be designed, constructed, and tested in accordance with the Rules for Construction of Unfired Pressure Vessels, section VIII, Division

1, American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, 1968 edition.

(b) Containers constructed according to the 1949 and earlier editions of the ASME Code do not have to comply with U-2 through U-10 and U-19 thereof. Containers constructed according to U-70 in the 1949 and earlier editions do not meet the requirements of this section.

(c) Containers designed, constructed, and tested prior to July 1, 1961, according to the Code for Unfired Pressure Vessels for Petroleum Liquids and Gases, 1951 edition with 1954 Addenda, of the American Petroleum Institute and the American Society of Mechanical Engineers shall be considered in conformance. Containers constructed according to API-ASME Code do not have to comply with section I or with appendix to section I. W-601 to W-606 inclusive in the 1943 and earlier editions do not apply.

(4) Welding of containers.

(a) Welding to the shell, head, or any other part of the container subject to internal pressure, shall be done in compliance with the code under which the tank was fabricated. Other welding is permitted only on saddle plates, lugs, or brackets attached to the container by the tank manufacturer.

(b) Where repair or modification involving welding of DOT containers is required, the container shall be returned to a qualified manufacturer making containers of the same type, and the repair or modification made in compliance with DOT regulations.

(5) Markings on container.

(a) Each container covered in subsection (3)(a) of this section except as provided in subsection (2)(d) of this section shall be marked as specified in the following:

(i) With a marking identifying compliance with, and other markings required by, the rules of the reference under which the container is constructed; or with the stamp and other markings required by the laws, rules or regulations as administered by the state of Washington, department of labor and industries pertaining to such containers.

(ii) With notation as to whether the container is designed for underground or aboveground installation or both. If intended for both and different style hoods are provided, the marking shall indicate the proper hood for each type of installation.

(iii) With the name and address of the supplier of the container, or with the trade name of the container.

(iv) With the water capacity of the container in pounds or gallons, United States standard.

(v) With the pressure in p.s.i.g., for which the container is designed.

(vi) With the wording "This container shall not contain a product having a vapor pressure in excess of—p.s.i.g. at 100°F," see WAC 296-24-47509, Table H-31.

(vii) With the tare weight in pounds or other identified unit of weight for containers with a water capacity of three hundred pounds or less.

(viii) With marking indicating the maximum level to which the container may be filled with liquid at temperatures between 20°F and 130°F, except on containers provided with fixed maximum level indicators or which are filled by weighing. Markings shall be increments of not more than 20°F.

This marking may be located on the liquid level gaging device.

(ix) With the outside surface area in square feet.

(b) Markings specified shall be on a metal nameplate attached to the container and located in such a manner as to remain visible after the container is installed.

(c) When LP-gas and one or more other gases are stored or used in the same area, the containers shall be marked to identify their content. Marking shall be in compliance with American National Standard Z48.1-1954, "Method of Marking Portable Compressed Gas Containers to Identify the Material Contained."

(6) Location of containers and regulating equipment.

(a) Containers, and first stage regulating equipment if used, shall be located outside of buildings, except under one or more of the following:

(i) In buildings used exclusively for container charging, vaporization pressure reduction, gas mixing, gas manufacturing, or distribution.

(ii) When portable use is necessary and in accordance with WAC 296-24-47507(5).

(iii) LP-gas fueled stationary or portable engines in accordance with WAC 296-24-47511 (11) or (12).

(iv) LP-gas fueled industrial trucks used in accordance with WAC 296-24-47511(13).

(v) LP-gas fueled vehicles garaged in accordance with WAC 296-24-47511(14).

(vi) Containers awaiting use or resale when stored in accordance with WAC 296-24-47513.

(b) Each individual container shall be located with respect to the nearest important building or group of buildings or line of adjoining property which may be built on in accordance with Table H-23.

TABLE H-23

Water capacity per container	Minimum distances		
	Under-ground	Above-ground	Between above-ground containers
Less than 125 gals ¹	10 feet	None	None
125 to 250 gallons	10 feet	10 feet	None.
251 to 500 gallons	10 feet	10 feet	3 feet.
501 to 2,000 gallons	25 feet ²	25 feet ²	3 feet.
2,001 to 30,000 gallons	50 feet	50 feet	5 feet.
30,001 to 70,000 gallons	50 feet	75 feet	1/4 of sum diameters of adjacent containers.
70,001 to 90,000 gallons	50 feet	100 feet	

¹If the aggregate water capacity of a multicontainer installation at a consumer site is five hundred one gallons or greater, the minimum distance shall comply with the appropriate portion of this table, applying the aggregate capacity rather than the capacity per container. If more than one installation is made, each installation shall be separated from another installation by at least twenty-five feet. Do not apply the MINIMUM DISTANCES BETWEEN ABOVE-GROUND CONTAINERS to such installations.

²Note: The above distance requirements may be reduced to not less than ten feet for a single container of one thousand two hundred gallons water capacity or less, providing such a container is at least twenty-five feet from any other LP-gas container of more than one hundred twenty-five gallons water capacity.

(c) Containers installed for use shall not be stacked one above the other.

(d) In industrial installations involving containers of one hundred eighty thousand gallons aggregate water capacity or more, where serious mutual exposures between the container and adjacent properties prevail, firewalls or other means of special protection designed and constructed in accordance with good engineering practices are required.

(e) In the case of buildings devoted exclusively to gas manufacturing and distributing operations, the distances required by Table H-23 may be reduced provided that in no case shall containers of water capacity exceeding five hundred gallons be located closer than ten feet to such gas manufacturing and distributing buildings.

(f) Readily ignitable material such as weeds and long dry grass shall be removed within ten feet of any container.

(g) The minimum separation between liquefied petroleum gas containers and flammable liquid tanks shall be twenty feet, and the minimum separation between a container and the centerline of the dike shall be ten feet. The foregoing provision shall not apply when LP-gas containers of one hundred twenty-five gallons or less capacity are installed adjacent to Class III flammable liquid tanks of two hundred seventy-five gallons or less capacity.

(h) Suitable means shall be taken to prevent the accumulation of flammable liquids under adjacent liquefied petroleum gas containers, such as by diking, diversion curbs, or grading.

(i) When dikes are used with flammable liquid tanks, no liquefied petroleum gas containers shall be located within the diked area.

(7) Container valves and container accessories.

(a) Valves, fittings, and accessories connected directly to the container including primary shutoff valves, shall have a rated working pressure of at least 250 p.s.i.g. and shall be of material and design suitable for LP-gas service. Cast iron shall not be used for container valves, fittings, and accessories. This does not prohibit the use of container valves made of malleable or nodular iron.

(b) Connections to containers, except safety relief connections, liquid level gaging devices, and plugged openings, shall have shutoff valves located as close to the container as practicable.

(c) Excess flow valves, where required shall close automatically at the rated flows of vapor or liquid as specified by the manufacturer. The connections or line including valves, fittings, etc., being protected by an excess flow valve shall

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have a greater capacity than the rated flow of the excess flow valve.

(d) Liquid level gaging devices which are so constructed that outward flow of container contents shall not exceed that passed by a No. 54 drill size opening, need not be equipped with excess flow valves.

(e) Openings from container or through fittings attached directly on container to which pressure gage connection is made, need not be equipped with shutoff or excess flow valves if such openings are restricted to not larger than No. 54 drill size opening.

(f) Except as provided in WAC 296-24-47507 (5)(a)(ii), excess flow and back pressure check valves where required by this section shall be located inside of the container or at a point outside where the line enters the container; in the latter case, installation shall be made in such manner that any undue strain beyond the excess flow or back pressure check valve will not cause breakage between the container and such valve.

(g) Excess flow valves shall be designed with a bypass, not to exceed a No. 60 drill size opening to allow equalization of pressures.

(h) Containers of more than thirty gallons water capacity and less than two thousand gallons water capacity, filled on a volumetric basis, and manufactured after December 1, 1963, shall be equipped for filling into the vapor space.

(8) Piping—Including pipe, tubing, and fittings.

(a) Pipe, except as provided in WAC 296-24-47511 (6)(a) shall be wrought iron or steel (black or galvanized), brass, copper, or aluminum alloy. Aluminum alloy pipe shall be at least Schedule 40 in accordance with the specifications for Aluminum Alloy Pipe, American National Standards Institute (ANSI) H38.7-1969 (ASTM, B241-1969), except that the use of alloy 5456 is prohibited and shall be suitably marked at each end of each length indicating compliance with American National Standard Institute specifications. Aluminum alloy pipe shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by such liquids as water (except rain water), detergents, sewage, or leaking from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum nominal pipe size for aluminum pipe shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy pipe shall not be installed within six inches of the ground.

(i) Vapor piping with operating pressures not exceeding 125 p.s.i.g. shall be suitable for a working pressure of at least 125 p.s.i.g. Pipe shall be at least Schedule 40 ASTM A-53-69, Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal.

(ii) Vapor piping with operating pressures over 125 p.s.i.g. and all liquid piping shall be suitable for a working pressure of at least 250 p.s.i.g. Pipe shall be at least Schedule 80 if joints are threaded or threaded and back welded. At least Schedule 40 (ASTM A-53-1969 Grade B Electric Resistance Welded and Electric Flash Welded Pipe or equal) shall be used if joints are welded, or welded and flanged.

(b) Tubing shall be seamless and of copper, brass, steel, or aluminum alloy. Copper tubing shall be of Type K or L or equivalent as covered in the Specification for Seamless Copper Water Tube, ANSI H23.1-1970 (ASTM B88-1969). Aluminum alloy tubing shall be of Type A or B or equivalent as covered in Specification ASTM B210-1968 and shall be suitably marked every eighteen inches indicating compliance with ASTM specifications. The minimum nominal wall thickness of copper tubing and aluminum alloy tubing shall be as specified in Table H-24 and Table H-25.

TABLE H-24
WALL THICKNESS OF COPPER TUBING¹

Note: The standard size by which tube is designated is one-eighth-inch smaller than its nominal outside diameter.

Standard size (inches)	Nominal O.D. (inches)	Nominal wall thickness (inches)	
		Type K	Type L
1/4	0.375	0.035	0.030
3/8	0.500	0.049	0.035
1/2	0.625	0.049	0.040
5/8	0.750	0.049	0.042
3/4	0.875	0.065	0.045
1	1.125	0.065	0.050
1 1/4	1.375	0.065	0.055
1 1/2	1.625	0.072	0.060
2	2.125	0.083	0.070

¹Based on data in Specification for Seamless Copper Water Tubing, ANSI H23.1-1970 (ASTM B-88-69).

TABLE H-25
WALL THICKNESS OF ALUMINUM ALLOY TUBING¹

Outside diameter (inches)	Nominal wall thickness (inches)	
	Type A	Type B
3/8	0.035	0.049
1/2	0.035	0.049
5/8	0.042	0.049
3/4	0.049	0.058

¹Based on data in Standard Specification for Aluminum-Alloy Drawn Seamless Coiled Tubes for Special Purpose Applications, ASTM B210-68.

Aluminum alloy tubing shall be protected against external corrosion when it is in contact with dissimilar metals other than galvanized steel, or its location is subject to repeated wetting by liquids such as water (except rainwater), detergents, sewage, or leakage from other piping, or it passes through flooring, plaster, masonry, or insulation. Galvanized sheet steel or pipe, galvanized inside and out, may be considered suitable protection. The maximum outside diameter for aluminum alloy tubing shall be three-fourths inch and shall not be used for pressures exceeding 20 p.s.i.g. Aluminum alloy tubing shall not be installed within six inches of the ground.

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(c) In systems where the gas in liquid form without pressure reduction enters the building, only heavy walled seamless brass or copper tubing with an internal diameter not greater than three thirty-seconds inch, and a wall thickness of not less than three sixty-fourths inch shall be used. This requirement shall not apply to research and experimental laboratories, buildings, or separate fire divisions of buildings used exclusively for housing internal combustion engines, and to commercial gas plants or bulk stations where containers are charged, nor to industrial vaporizer buildings, nor to buildings, structures, or equipment under construction or undergoing major renovation.

(d) Pipe joints may be screwed, flanged, welded, soldered, or brazed with a material having a melting point exceeding 1,000°F. Joints on seamless copper, brass, steel, or aluminum alloy gas tubing shall be made by means of approved gas tubing fittings, or soldered or brazed with a material having a melting point exceeding 1,000°F.

(e) For operating pressures of 125 p.s.i.g. or less, fittings shall be designed for a pressure of at least 125 p.s.i.g. For operating pressures above 125 p.s.i.g., fittings shall be designed for a minimum of 250 p.s.i.g.

(f) The use of threaded cast iron pipe fittings such as ells, tees, crosses, couplings, and unions is prohibited. Aluminum alloy fittings shall be used with aluminum alloy pipe and tubing. Insulated fittings shall be used where aluminum alloy pipe or tubing connects with a dissimilar metal.

(g) Strainers, regulators, meters, compressors, pumps, etc., are not to be considered as pipe fittings. This does not prohibit the use of malleable, nodular, or higher strength gray iron for such equipment.

(h) All materials such as valve seats, packing, gaskets, diaphragms, etc., shall be of such quality as to be resistant to the action of liquefied petroleum gas under the service conditions to which they are subjected.

(i) All piping, tubing, or hose shall be tested after assembly and proved free from leaks at not less than normal operating pressures. After installation, piping and tubing of all domestic and commercial systems shall be tested and proved free of leaks using a manometer or equivalent device that will indicate a drop in pressure. Test shall not be made with a flame.

(j) Provision shall be made to compensate for expansion, contraction, jarring, and vibration, and for settling. This may be accomplished by flexible connections.

(k) Piping outside buildings may be buried, above ground, or both, but shall be well supported and protected against physical damage. Where soil conditions warrant, all piping shall be protected against corrosion. Where condensation may occur, the piping shall be pitched back to the container, or suitable means shall be provided for revaporization of the condensate.

(9) Hose specifications.

(a) Hose shall be fabricated of materials that are resistant to the action of LP-gas in the liquid and vapor phases. If wire braid is used for reinforcing the hose, it shall be of corrosion-resistant material such as stainless steel.

(b) Hose subject to container pressure shall be marked "LP-gas" or "LPG" at not greater than ten-foot intervals.

(c) Hose subject to container pressure shall be designed for a bursting pressure of not less than 1,250 p.s.i.g.

(d) Hose subject to container pressure shall have its correctness as to design construction and performance determined by being listed (see WAC 296-24-47501(15)).

(e) Hose connections subject to container pressure shall be capable of withstanding, without leakage, a test pressure of not less than 500 p.s.i.g.

(f) Hose and hose connections on the low-pressure side of the regulator or reducing valve shall be designed for a bursting pressure of not less than 125 p.s.i.g. or five times the set pressure of the relief devices protecting that portion of the system, whichever is higher.

(g) Hose may be used on the low-pressure side of regulators to connect to other than domestic and commercial gas appliances under the following conditions:

(i) The appliances connected with hose shall be portable and need a flexible connection.

(ii) For use inside buildings the hose shall be of minimum practical length, but shall not exceed six feet except as provided in WAC 296-24-47507 (5)(a)(vii) and shall not extend from one room to another, nor pass through any walls, partitions, ceilings, or floors. Such hose shall not be concealed from view or used in a concealed location. For use outside of buildings, the hose may exceed this length but shall be kept as short as practical.

(iii) The hose shall be approved and shall not be used where it is likely to be subjected to temperatures above 125°F. The hose shall be securely connected to the appliance and the use of rubber slip ends shall not be permitted.

(iv) The shutoff valve for an appliance connected by hose shall be in the metal pipe or tubing and not at the appliance end of the hose. When shutoff valves are installed close to each other, precautions shall be taken to prevent operation of the wrong valve.

(v) Hose used for connecting to wall outlets shall be protected from physical damage.

(10) Safety devices.

(a) Every container except those constructed in accordance with DOT specifications and every vaporizer (except motor fuel vaporizers and except vaporizers described in subsection (11)(b)(iii) of this section and WAC 296-24-47509 (4)(e)(i)) whether heated by artificial means or not, shall be provided with one or more safety relief valves of spring-loaded or equivalent type. These valves shall be arranged to afford free vent to the outer air with discharge not less than five feet horizontally away from any opening into the building which is below such discharge. The rate of discharge shall be in accordance with the requirements of (b) or (d) of this subsection in the case of vaporizers.

(b) Minimum required rate of discharge in cubic feet per minute of air at one hundred twenty percent of the maximum permitted start to discharge pressure for safety relief valves to be used on containers other than those constructed in accordance with DOT specification shall be as follows:

Surface area (sq. ft.)	Flow rate CFM air
20 or less	626
25	751

Surface area (sq. ft.)	Flow rate CFM air
30	872
35	990
40	1,100
45	1,220
50	1,330
55	1,430
60	1,540
65	1,640
70	1,750
75	1,850
80	1,950
85	2,050
90	2,150
95	2,240
100	2,340
105	2,440
110	2,530
115	2,630
120	2,720
125	2,810
130	2,900
135	2,990
140	3,080
145	3,170
150	3,260
155	3,350
160	3,440
165	3,530
170	3,620
175	3,700
180	3,790
185	3,880
190	3,960
195	4,050
200	4,130
210	4,300
220	4,470
230	4,630
240	4,800
250	4,960
260	5,130
270	5,290
280	5,450
290	5,610
300	5,760
310	5,920
320	6,080
330	6,230
340	6,390
350	6,540
360	6,690
370	6,840
380	7,000
390	7,150
400	7,300

Surface area (sq. ft.)	Flow rate CFM air
450	8,040
500	8,760
550	9,470
600	10,170
650	10,860
700	11,550
750	12,220
800	12,880
850	13,540
900	14,190
950	14,830
1,000	15,470
1,050	16,100
1,100	16,720
1,150	17,350
1,200	17,960
1,250	18,570
1,300	19,180
1,350	19,780
1,400	20,380
1,450	20,980
1,500	21,570
1,550	22,160
1,600	22,740
1,650	23,320
1,700	23,900
1,750	24,470
1,800	25,050
1,850	25,620
1,900	26,180
1,950	26,750
2,000	27,310

Surface area = total outside surface area of container in square feet.

(c) When the surface area is not stamped on the nameplate or when the marking is not legible, the area can be calculated by using one of the following formulas:

(i) Cylindrical container with hemispherical heads:

$$\text{Area} = \text{Overall length} \times \text{outside diameter} \times 3.1416.$$

(ii) Cylindrical container with other than hemispherical heads:

$$\text{Area} = (\text{Overall length} + 0.3 \text{ outside diameter}) \times \text{outside diameter} \times 3.1416.$$

Note: This formula is not exact, but will give results within the limits of practical accuracy for the sole purpose of sizing relief valves.

(iii) Spherical container:

$$\text{Area} = \text{Outside diameter squared} \times 3.1416.$$

Flow rate-CFM air = Required flow capacity in cubic feet per minute of air at standard conditions, 60°F and atmospheric pressure (14.7 p.s.i.a.).

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The rate of discharge may be interpolated for intermediate values of surface area. For containers with total outside surface area greater than two thousand square feet, the required flow rate can be calculated using the formula, flow rate-CFM air = 53.632 A^{0.82}.

A = Total outside surface area of the container in square feet.

Valves not marked "air" have flow rate marking in cubic feet per minute of liquefied petroleum gas. These can be converted to ratings in cubic feet per minute of air by multiplying the liquefied petroleum gas ratings by factors listed below. Air flow ratings can be converted to ratings in cubic feet per minute of liquefied petroleum gas by dividing the air ratings by the factors listed below.

Container type	AIR CONVERSION FACTORS				
	100	125	150	175	200
Air conversion factor	1.162	1.142	1.113	1.078	1.010

(d) Minimum required rate of discharge for safety relief valves for liquefied petroleum gas vaporizers (steam heated, water heated, and direct fired).

The minimum required rate of discharge for safety relief valves shall be determined as follows:

(i) Obtain the total surface area by adding the surface area of vaporizer shell in square feet directly in contact with LP-gas and the heat exchanged surface area in square feet directly in contact with LP-gas.

(ii) Obtain the minimum required rate of discharge in cubic feet of air per minute, at 60°F and 14.7 p.s.i.a. from (b) of this subsection, for this total surface area.

(e) Container and vaporizer safety relief valves shall be set to start-to-discharge, with relation to the design pressure of the container, in accordance with Table H-26.

TABLE H-26

Containers	Minimum (percent)	Maximum (percent)
ASME Code; Par. U-68, U-69—1949 and earlier editions	110	125
ASME Code; Par. U-200, U-201—1949 edition	88	100
ASME Code—1950, 1952, 1956, 1959, 1962, 1965 and 1968 (Division I) editions	88	100
API—ASME Code—all editions	88	100
DOT—As prescribed in 49 CFR Chapter I		

¹Manufacturers of safety relief valves are allowed a plus tolerance not exceeding ten percent of the set pressure marked on the valve.

(f) Safety relief devices used with systems employing containers other than those constructed according to DOT specifications shall be so constructed as to discharge at not less than the rates shown in (b) of this subsection, before the pressure is in excess of one hundred twenty percent of the maximum (not including the ten percent referred to in (e) of this subsection) permitted start to discharge pressure setting of the device.

(g) In certain locations sufficiently sustained high temperatures prevail which require the use of a lower vapor pressure product to be stored or the use of a higher designed pressure vessel in order to prevent the safety valves opening as the result of these temperatures. As an alternative the tanks may be protected by cooling devices such as by spraying, by shading, or other effective means.

(h) Safety relief valves shall be arranged so that the possibility of tampering will be minimized. If pressure setting or adjustment is external, the relief valves shall be provided with approved means for sealing adjustment.

(i) Shutoff valves shall not be installed between the safety relief devices and the container, or the equipment or piping to which the safety relief device is connected except that a shutoff valve may be used where the arrangement of this valve is such that full required capacity flow through the safety relief device is always afforded.

(j) Safety relief valves shall have direct communication with the vapor space of the container at all times.

(k) Each container safety relief valve used with systems covered by WAC 296-24-47509, 296-24-47511, and 296-24-47517, except as provided in WAC 296-24-47511 (3)(c) shall be plainly and permanently marked with the following: "Container type" of the pressure vessel on which the valve is designed to be installed; the pressure in p.s.i.g. at which the valve is set to discharge; the actual rate of discharge of the valve in cubic feet per minute of air at 60°F and 14.7 p.s.i.a.; and the manufacturer's name and catalog number, for example: T200-250-4050 AIR—indicating that the valve is suitable for use on a Type 200 container, that it is set to start to discharge at 250 p.s.i.g.; and that its rate of discharge is four thousand fifty cubic feet per minute of air as determined in (b) of this subsection.

(l) Safety relief valve assemblies, including their connections, shall be of sufficient size so as to provide the rate of flow required for the container on which they are installed.

(m) A hydrostatic relief valve shall be installed between each pair of shutoff valves on liquefied petroleum gas liquid piping so as to relieve into a safe atmosphere. The start-to-discharge pressure setting of such relief valves shall not be in excess of 500 p.s.i.g. The minimum setting on relief valves installed in piping connected to other than DOT containers shall not be lower than one hundred forty percent of the container relief valve setting and in piping connected to DOT containers not lower than 400 p.s.i.g. Such a relief valve should not be installed in the pump discharge piping if the same protection can be provided by installing the relief valve in the suction piping. The start-to-discharge pressure setting of such a relief valve, if installed on the discharge side of a pump, shall be greater than the maximum pressure permitted by the recirculation device in the system.

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(n) The discharge from any safety relief device shall not terminate in or beneath any building, except relief devices covered by subsection (6)(a)(i) through (vi) of this section, or WAC 296-24-47507 (4)(a) or (5).

(o) Container safety relief devices and regulator relief vents shall be located not less than five feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(11) Vaporizer and housing.

(a) Indirect fired vaporizers utilizing steam, water, or other heating medium shall be constructed and installed as follows:

(i) Vaporizers shall be constructed in accordance with the requirements of subsection (3)(a) through (c) of this section and shall be permanently marked as follows:

(A) With the code marking signifying the specifications to which the vaporizer is constructed.

(B) With the allowable working pressure and temperature for which the vaporizer is designed.

(C) With the sum of the outside surface area and the inside heat exchange surface area expressed in square feet.

(D) With the name or symbol of the manufacturer.

(ii) Vaporizers having an inside diameter of six inches or less exempted by the ASME Unfired Pressure Vessel Code, Section VIII of the ASME Boiler and Pressure Vessel Code—1968 shall have a design pressure not less than 250 p.s.i.g. and need not be permanently marked.

(iii) Heating or cooling coils shall not be installed inside a storage container.

(iv) Vaporizers may be installed in buildings, rooms, sheds, or lean-tos used exclusively for gas manufacturing or distribution, or in other structures of light, noncombustible construction or equivalent, well ventilated near the floor line and roof.

When vaporizing and/or mixing equipment is located in a structure or building not used exclusively for gas manufacturing or distribution, either attached to or within such a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least one hundred pounds per square foot. This wall shall have no openings or pipe or conduit passing through it. Such structure or room shall be provided with adequate ventilation and shall have a roof or at least one exterior wall of lightweight construction.

(v) Vaporizers shall have, at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with subsection (10)(d) of this section, except as provided in WAC 296-24-47509 (4)(e)(i).

(vi) The heating medium lines into and leaving the vaporizer shall be provided with suitable means for preventing the flow of gas into the heat systems in the event of tube rupture in the vaporizer. Vaporizers shall be provided with suitable automatic means to prevent liquid passing through the vaporizers to the gas discharge piping.

(vii) The device that supplies the necessary heat for producing steam, hot water, or other heating medium may be installed in a building, compartment, room, or lean-to which shall be ventilated near the floorline and roof to the outside. The device location shall be separated from all compartments or rooms containing liquefied petroleum gas vaporizers,

pumps, and central gas mixing devices by a wall designed to withstand a static pressure of at least one hundred pounds per square foot. This wall shall have no openings or pipes or conduit passing through it. This requirement does not apply to the domestic water heaters which may supply heat for a vaporizer in a domestic system.

(viii) Gas-fired heating systems supplying heat exclusively for vaporization purposes shall be equipped with automatic safety devices to shut off the flow of gas to main burners, if the pilot light should fail.

(ix) Vaporizers may be an integral part of a fuel storage container directly connected to the liquid section or gas section or both.

(x) Vaporizers shall not be equipped with fusible plugs.

(xi) Vaporizer houses shall not have unprotected drains to sewers or sump pits.

(b) Atmospheric vaporizers employing heat from the ground or surrounding air shall be installed as follows:

(i) Buried underground, or

(ii) Located inside the building close to a point at which pipe enters the building provided the capacity of the unit does not exceed one quart.

(iii) Vaporizers of less than one quart capacity heated by the ground or surrounding air, need not be equipped with safety relief valves provided that adequate tests demonstrate that the assembly is safe without safety relief valves.

(c) Direct gas-fired vaporizers shall be constructed, marked, and installed as follows:

(i) In accordance with the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code—1968 that are applicable to the maximum working conditions for which the vaporizer is designed.

(ii) With the name of the manufacturer; rated BTU input to the burner; the area of the heat exchange surface in square feet; the outside surface of the vaporizer in square feet; and the maximum vaporizing capacity in gallons per hour.

(iii) Vaporizers may be connected to the liquid section or the gas section of the storage container, or both; but in any case there shall be at the container a manually operated valve in each connection to permit completely shutting off when desired, of all flow of gas or liquid from container to vaporizer.

(iv) Vaporizers with capacity not exceeding thirty-five gallons per hour shall be located at least five feet from container shutoff valves. Vaporizers having capacity of more than thirty-five gallons but not exceeding one hundred gallons per hour shall be located at least ten feet from the container shutoff valves. Vaporizers having a capacity greater than one hundred gallons per hour shall be located at least fifty feet from container shutoff valves.

(v) Vaporizers may be installed in buildings, rooms, housings, sheds, or lean-tos used exclusively for vaporizing or mixing of liquefied petroleum gas. Vaporizing housing structures shall be of noncombustible construction, well ventilated near the floorline and the highest point of the roof. When vaporizer and/or mixing equipment is located in a structure or room attached to or within a building, such structure or room shall be separated from the remainder of the building by a wall designed to withstand a static pressure of at least one hundred pounds per square foot. This wall shall

have no openings or pipes or conduit passing through it. Such structure or room shall be provided with adequate ventilation, and shall have a roof or at least one exterior wall of light-weight construction.

(vi) Vaporizers shall have at or near the discharge, a safety relief valve providing an effective rate of discharge in accordance with subsection (10)(d) of this section. The relief valve shall be so located as not to be subjected to temperatures in excess of 140°F.

(vii) Vaporizers shall be provided with suitable automatic means to prevent liquid passing from the vaporizer to the gas discharge piping of the vaporizer.

(viii) Vaporizers shall be provided with means for manually turning off the gas to the main burner and pilot.

(ix) Vaporizers shall be equipped with automatic safety devices to shut off the flow of gas to main burners if the pilot light should fail. When the flow through the pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(x) Pressure regulating and pressure reducing equipment if located within ten feet of a direct fired vaporizer shall be separated from the open flame by a substantially airtight non-combustible partition or partitions.

(xi) Except as provided in (c)(v) of this subsection, the following minimum distances shall be maintained between direct fired vaporizers and the nearest important building or group of buildings or line of adjoining property which may be built upon:

(A) Ten feet for vaporizers having a capacity of fifteen gallons per hour or less vaporizing capacity.

(B) Twenty-five feet for vaporizers having a vaporizing capacity of sixteen to one hundred gallons per hour.

(C) Fifty feet for vaporizers having a vaporizing capacity exceeding one hundred gallons per hour.

(xii) Direct fired vaporizers shall not raise the product pressure above the design pressure of the vaporizer equipment nor shall they raise the product pressure within the storage container above the pressure shown in the second column of Table H-31. (See WAC 296-24-47509.)

(xiii) Vaporizers shall not be provided with fusible plugs.

(xiv) Vaporizers shall not have unprotected drains to sewers or sump pits.

(d) Direct gas-fired tank heaters, shall be constructed and installed as follows:

(i) Direct gas-fired tank heaters, and tanks to which they are applied, shall only be installed above ground.

(ii) Tank heaters shall be permanently marked with the name of the manufacturer, the rated B.T.U. input to the burner, and the maximum vaporizing capacity in gallons per hour.

Note: Tank heaters may be an integral part of a fuel storage container directly connected to the container liquid section, or vapor section, or both.

(iii) Tank heaters shall be provided with a means for manually turning off the gas to the main burner and pilot.

(iv) Tank heaters shall be equipped with an automatic safety device to shut off the flow of gas to main burners, if the

pilot light should fail. When flow through pilot exceeds 2,000 B.T.U. per hour, the pilot also shall be equipped with an automatic safety device to shut off the flow of gas to the pilot should the pilot flame be extinguished.

(v) Pressure regulating and pressure reducing equipment if located within ten feet of a direct fired tank heater shall be separated from the open flame by a substantially airtight non-combustible partition.

(vi) The following minimum distances shall be maintained between a storage tank heated by a direct fired tank heater and the nearest important building or group of buildings or line of adjoining property which may be built upon:

(A) Ten feet for storage containers of less than five hundred gallons water capacity.

(B) Twenty-five feet for storage containers of five hundred to one thousand two hundred gallons water capacity.

(C) Fifty feet for storage containers of over one thousand two hundred gallons water capacity.

(vii) No direct fired tank heater shall raise the product pressure within the storage container over seventy-five percent of the pressure set out in the second column of Table H-31. (See WAC 296-24-47509.)

(e) The vaporizer section of vaporizer-burners used for dehydrators or dryers shall be located outside of buildings; they shall be constructed and installed as follows:

(i) Vaporizer-burners shall have a minimum design pressure of 250 p.s.i.g. with a factor of safety of five.

(ii) Manually operated positive shutoff valves shall be located at the containers to shut off all flow to the vaporizer-burners.

(iii) Minimum distances between storage containers and vaporizer-burners shall be as follows:

Water capacity per container (gallons)	Minimum distances (feet)
Less than 501	10
501 to 2,000	25
Over 2,000	50

(iv) The vaporizer section of vaporizer-burners shall be protected by a hydrostatic relief valve. The relief valve shall be located so as not to be subjected to temperatures in excess of 140°F. The start-to-discharge pressure setting shall be such as to protect the components involved, but not less than 250 p.s.i.g. The discharge shall be directed upward and away from component parts of the equipment and away from operating personnel.

(v) Vaporizer-burners shall be provided with means for manually turning off the gas to the main burner and pilot.

(vi) Vaporizer-burners shall be equipped with automatic safety devices to shut off the flow of gas to the main burner and pilot in the event the pilot is extinguished.

(vii) Pressure regulating and control equipment shall be located or protected so that the temperatures surrounding this equipment shall not exceed 140°F except that equipment components may be used at higher temperatures if designed to withstand such temperatures.

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(viii) Pressure regulating and control equipment when located downstream of the vaporizer shall be designed to withstand the maximum discharge temperature of the vapor.

(ix) The vaporizer section of vaporizer-burners shall not be provided with fusible plugs.

(x) Vaporizer coils or jackets shall be made of ferrous metal or high temperature alloys.

(xi) Equipment utilizing vaporizer-burners shall be equipped with automatic shutoff devices upstream and downstream of the vaporizer section connected so as to operate in the event of excessive temperature, flame failure, and, if applicable, insufficient airflow.

(12) Filling densities.

(a) The "filling density" is defined as the percent ratio of the weight of the gas in a container to the weight of water the container will hold at 60°F. All containers shall be filled according to the filling densities shown in Table H-27.

TABLE H-27
MAXIMUM PERMITTED FILLING DENSITY

	Above ground containers		Underground containers, all capacities
	0 to 1,200 U.S. gals. (1,000 imp. gal. liters) total water cap. Percent	Over 1,200 U.S. gals. (1,000 imp. gals. liters) total water cap. Percent	
Specific gravity at 60°F (15.6°C)			
0.496-0.503	41	44	45
.504-.510	42	45	46
.511-.519	43	46	47
.520-.527	44	47	48
.528-.536	45	48	49
.537-.544	46	49	50
.545-.552	47	50	51
.553-.560	48	51	52
.561-.568	49	52	53
.569-.576	50	53	54
.577-.584	51	54	55
.585-.592	52	55	56
.593-.600	53	56	57

(b) Except as provided in (c) of this subsection, any container including mobile cargo tanks and portable tank containers regardless of size or construction, shipped under DOT jurisdiction or constructed in accordance with 49 CFR Chapter I specifications shall be charged according to 49 CFR Chapter I requirements.

(c) Portable containers not subject to DOT jurisdiction (such as, but not limited to, motor fuel containers on industrial and lift trucks, and farm tractors covered in subsection (5) of this section, or containers recharged at the installation)

may be filled either by weight, or by volume using a fixed length dip tube gaging device.

(13) LP-gas in buildings.

(a) Vapor shall be piped into buildings at pressures in excess of 20 p.s.i.g. only if the buildings or separate areas thereof,

(i) Are constructed in accordance with this section;

(ii) Are used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories or equipment and processes using such gas and having similar hazard;

(iii) Buildings, structures, or equipment under construction or undergoing major renovation.

(b) Liquid may be permitted in buildings as follows:

(i) Buildings, or separate areas of buildings, used exclusively to house equipment for vaporization, pressure reduction, gas mixing, gas manufacturing, or distribution, or to house internal combustion engines, industrial processes, research and experimental laboratories, or equipment and processes using such gas and having similar hazard; and when such buildings, or separate areas thereof are constructed in accordance with this section.

(ii) Buildings, structures, or equipment under construction or undergoing major renovation provided the temporary piping meets the following conditions:

(A) Liquid piping inside the building shall conform to the requirements of subsection (8) of this section, and shall not exceed three-fourths iron pipe size. Copper tubing with an outside diameter of three-fourths inch or less may be used provided it conforms to Type K of Specifications for Seamless Water Tube, ANSI H23.1-1970 (ASTM B88-1969) (see WAC 296-24-47505 Table H-24). All such piping shall be protected against construction hazards. Liquid piping inside buildings shall be kept to a minimum. Such piping shall be securely fastened to walls or other surfaces so as to provide adequate protection from breakage and so located as to subject the liquid line to lowest ambient temperatures.

(B) A shutoff valve shall be installed in each intermediate branch line where it takes off the main line and shall be readily accessible. A shutoff valve shall also be placed at the appliance end of the intermediate branch line. Such shutoff valve shall be upstream of any flexible connector used with the appliance.

(C) Suitable excess flow valves shall be installed in the container outlet line supplying liquid LP-gas to the building. A suitable excess flow valve shall be installed immediately downstream of each shutoff valve. Suitable excess flow valves shall be installed where piping size is reduced and shall be sized for the reduced size piping.

(D) Hydrostatic relief valves shall be installed in accordance with subsection (10)(m) of this section.

(E) The use of hose to carry liquid between the container and the building or at any point in the liquid line, except at the appliance connector, shall be prohibited.

(F) Where flexible connectors are necessary for appliance installation, such connectors shall be as short as practicable and shall comply with subsection (8)(b) or (9) of this section.

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(G) Release of fuel when any section of piping or appliances is disconnected shall be minimized by either of the following methods:

(I) Using an approved automatic quick-closing coupling (a type closing in both directions when coupled in the fuel line), or

(II) Closing the valve nearest to the appliance and allowing the appliance to operate until the fuel in the line is consumed.

(III) Portable containers shall not be taken into buildings except as provided in subsection (6)(a) of this section.

(14) Transfer of liquids. The employer shall assure that:

(a) At least one attendant shall remain close to the transfer connection from the time the connections are first made until they are finally disconnected, during the transfer of the product.

(b) Containers shall be filled or used only upon authorization of the owner.

(c) Containers manufactured in accordance with specifications of 49 CFR Part 178 and authorized by 49 CFR Chapter 1 as a "single trip" or "nonrefillable container" shall not be refilled or reused in LP-gas service.

(d) Gas or liquid shall not be vented to the atmosphere to assist in transferring contents of one container to another, except as provided in WAC 296-24-47511 (5)(d) and except that this shall not preclude the use of listed pump utilizing LP-gas in the vapor phase as a source of energy and venting such gas to the atmosphere at a rate not to exceed that from a No. 31 drill size opening and provided that such venting and liquid transfer shall be located not less than fifty feet from the nearest important building.

(e) Filling of fuel containers for industrial trucks or motor vehicles from industrial bulk storage containers shall be performed not less than ten feet from the nearest important masonry-walled building or not less than twenty-five feet from the nearest important building or other construction and, in any event, not less than twenty-five feet from any building opening.

(f) Filling of portable containers, containers mounted on skids, fuel containers on farm tractors, or similar applications, from storage containers used in domestic or commercial service, shall be performed not less than fifty feet from the nearest important building.

(g) The filling connection and the vent from the liquid level gages in containers, filled at point of installation, shall not be less than ten feet in any direction from air openings into sealed combustion system appliances or mechanical ventilation air intakes.

(h) Fuel supply containers shall be gaged and charged only in the open air or in buildings especially provided for that purpose.

(i) The maximum vapor pressure of the product at 100°F which may be transferred into a container shall be in accordance with WAC 296-24-47509(2) and 296-24-47511(3). (For DOT containers use DOT requirements.)

(j) Marketers and users shall exercise precaution to assure that only those gases for which the system is designed, examined, and listed, are employed in its operation, particularly with regard to pressures.

(k) Pumps or compressors shall be designed for use with LP-gas. When compressors are used they shall normally take suction from the vapor space of the container being filled and discharge to the vapor space of the container being emptied.

(l) Pumping systems, when equipped with a positive displacement pump, shall include a recirculating device which shall limit the differential pressure on the pump under normal operating conditions to the maximum differential pressure rating of the pump. The discharge of the pumping system shall be protected so that pressure does not exceed 350 p.s.i.g. If a recirculation system discharges into the supply tank and contains a manual shutoff valve, an adequate secondary safety recirculation system shall be incorporated which shall have no means of rendering it inoperative. Manual shutoff valves in recirculation systems shall be kept open except during an emergency or when repairs are being made to the system.

(m) When necessary, unloading piping or hoses shall be provided with suitable bleeder valves for relieving pressure before disconnection.

(n) Agricultural air moving equipment, including crop dryers, shall be shut down when supply containers are being filled unless the air intakes and sources of ignition on the equipment are located fifty feet or more from the container.

(o) Agricultural equipment employing open flames or equipment with integral containers, such as flame cultivators, weed burners, and, in addition, tractors, shall be shut down during refueling.

(15) Tank car or transport truck loading or unloading points and operations.

(a) The track of tank car siding shall be relatively level.

(b) A "tank car connected" sign, as covered by DOT rules, shall be installed at the active end or ends of the siding while the tank car is connected.

(c) While cars are on side track for loading or unloading, the wheels at both ends shall be blocked on the rails.

(d) The employer shall insure that an employee is in attendance at all times while the tank car, cars, or trucks are being loaded or unloaded.

(e) A backflow check valve, excess-flow valve, or a shutoff valve with means of remote closing, to protect against uncontrolled discharge of LP-gas from storage tank piping shall be installed close to the point where the liquid piping and hose or swing joint pipe is connected.

(f) Where practical, the distance of the unloading or loading point shall conform to the distances in subsection (6)(b) of this section.

(16) Instructions. Personnel performing installation, removal, operation, and maintenance work shall be properly trained in such function.

(17) Electrical equipment and other sources of ignition.

(a) Electrical equipment and wiring shall be of a type specified by and shall be installed according to chapter 296-24 WAC Part L, and WAC 296-800-280, for ordinary locations except that fixed electrical equipment in classified areas shall comply with subsection (18) of this section.

(b) Open flames or other sources of ignition shall not be permitted in vaporizer rooms (except those housing direct-fired vaporizers), pumphouses, container charging rooms or

other similar locations. Direct-fired vaporizers shall not be permitted in pumphouses or container charging rooms.

Note: Liquefied petroleum gas storage containers do not require lightning protection. Since liquefied petroleum gas is contained in a closed system of piping and equipment, the system need not be electrically conductive or electrically bonded for protection against static electricity (see NFPA No. 77-1972-1973, Recommended Practice for Static Electricity).

(c) Open flames (except as provided for in (b) of this subsection), cutting or welding, portable electric tools, and extension lights capable of igniting LP-gas, shall not be permitted within classified areas specified in Table H-28 of this section unless the LP-gas facilities have been freed of all liquid and vapor, or special precautions observed under carefully controlled conditions.

(18) Fixed electrical equipment in classified areas. Fixed electrical equipment and wiring installed within classified areas shall comply with Table H-28 of this section and shall be installed according to chapter 296-24 WAC Part L, and WAC 296-800-280. This provision does not apply to fixed electrical equipment at residential or commercial installations of LP-gas systems or to systems covered by WAC 296-24-47511.

(19) Liquid-level gaging device.

(a) Each container manufactured after December 31, 1965, and filled on a volumetric basis shall be equipped with a fixed liquid-level gage to indicate the maximum permitted filling level as provided in (e) of this subsection. Each container manufactured after December 31, 1969, shall have permanently attached to the container adjacent to the fixed level gage a marking showing the percentage full that will be shown by that gage. When a variable liquid-level gage is also provided, the fixed liquid-level gage will also serve as a means for checking the variable gage. These gages shall be used in charging containers as required in subsection (12) of this section.

(b) All variable gaging devices shall be arranged so that the maximum liquid level for butane, for a fifty-fifty mixture of butane and propane, and for propane, to which the container may be charged is readily determinable. The markings indicating the various liquid levels from empty to full shall be on the system nameplate or gaging device or part may be on the system nameplate and part on the gaging device. Dials of magnetic or rotary gages shall show whether they are for cylindrical or spherical containers and whether for aboveground or underground service. The dials of gages intended for use only on aboveground containers of over one thousand two hundred gallons water capacity shall be so marked.

(c) Gaging devices that require bleeding of the product to the atmosphere, such as the rotary tube, fixed tube, and slip tube, shall be designed so that the bleed valve maximum opening is not larger than a No. 54 drill size, unless provided with excess flow valve.

(d) Gaging devices shall have a design working pressure of at least 250 p.s.i.g.

(e) Length of tube or position of fixed liquid-level gage shall be designed to indicate the maximum level to which the container may be filled for the product contained. This level

shall be based on the volume of the product at 40°F at its maximum permitted filling density for aboveground containers and at 50°F for underground containers. The employer shall calculate the filling point for which the fixed liquid level gage shall be designed according to the method in this subsection.

TABLE H-28

Part	Location	Extent of classified area ¹	Equipment shall be suitable for Class I, Group D ²
A	Storage containers other than DOT cylinders.	Within 15 feet in all directions from connections, except connections otherwise covered in Table H-28.	Division 2.
B	Tank vehicle and tank car loading and unloading. ³	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade. (See Figure H-1.)	Division 2.
C	Gage vent openings other than those on DOT cylinders.	Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge.	Division 2.
D	Relief valve discharge other than those on DOT cylinders.	Within direct path of discharge.	Division 1. NOTE—Fixed electrical equipment should preferably not be installed.
		Within 5 feet in all directions from point of discharge.	Division 1.
		Beyond 5 feet but within 15 feet in all directions from point of discharge except within the direct path of discharge.	Division 2.
E	Pumps, compressors, gas-air mixers and vaporizers other than direct fired.		

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Part	Location	Extent of classified area ¹	Equipment shall be suitable for Class I, Group D ²	Part	Location	Extent of classified area ¹	Equipment shall be suitable for Class I, Group D ²
	Indoors without ventilation	Entire room and any adjacent room not separated by a gastight partition.	Division 1.			Within 15 feet in all directions from pit or trench when located outdoors.	Division 2.
		Within 15 feet of the exterior side of any exterior wall or roof that is not vaportight or within 15 feet of any exterior opening.	Division 2.		With adequate mechanical ventilation.	Entire pit or trench	Division 2
	Indoors with adequate ventilation. ⁴	Entire room and any adjacent room not separated by a gastight partition.	Division 2.			Entire room and any adjacent room not separated by a gastight partition.	Division 2.
	Outdoors in open air at or abovegrade.	Within 15 feet in all directions from this equipment and within the cylindrical volume between the horizontal equator of the sphere and grade. See Figure H-1.	Division 2.	H	Special buildings or rooms for storage of portable containers.	Entire room	Division 2.
				I	Pipelines and connections containing operational bleeds, drips, vents or drains.	Within 5 ft. in all directions from point of discharge.	Division 1.
F	Service station dispensing units.	Entire space within dispenser enclosure, and 18 inches horizontally from enclosure exterior up to an elevation 4 ft. above dispenser base. Entire pit or open space beneath dispenser.	Division 1.			Beyond 5 ft. from point of discharge, same as Part E of this table.	
		Up to 18 inches abovegrade within 20 ft. horizontally from any edge of enclosure.	Division 2.	J	Container filling: Indoors without ventilation.	Entire room	Division 1.
		NOTE: For pits within this area, see Part F of this table.			Indoors with adequate ventilation. ⁴	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
						Beyond 5 feet and entire room	Division 2.
					Outdoors in open air	Within 5 feet in all directions from connections regularly made or disconnected for product transfer.	Division 1.
G	Pits or trenches containing or located beneath LP-gas valves, pumps, compressors, regulators, and similar equipment.					Beyond 5 feet but within 15 feet in all directions from a point where connections are regularly made or disconnected and within the cylindrical volume between the horizontal equator of the sphere and grade (See Fig. H-1.)	Division 2.
	Without mechanical ventilation.	Entire pit or trench	Division 1.				
		Entire room and any adjacent room not separated by a gastight partition.	Division 2.				

¹The classified area shall not extend beyond an unpierced wall, roof, or solid vaportight partition.

²See chapter 296-46 WAC, and chapter 296-24 WAC Part L.

³When classifying extent of hazardous area, consideration shall be given to possible variations in the spotting of tank cars and tank vehicles at the unloading points and the

effect these variations of actual spotting point may have on the point of connection.

⁴Ventilation, either natural or mechanical, is considered adequate when the concentration of the gas in a gas-air mixture does not exceed twenty-five percent of the lower flammable limit under normal operating conditions.

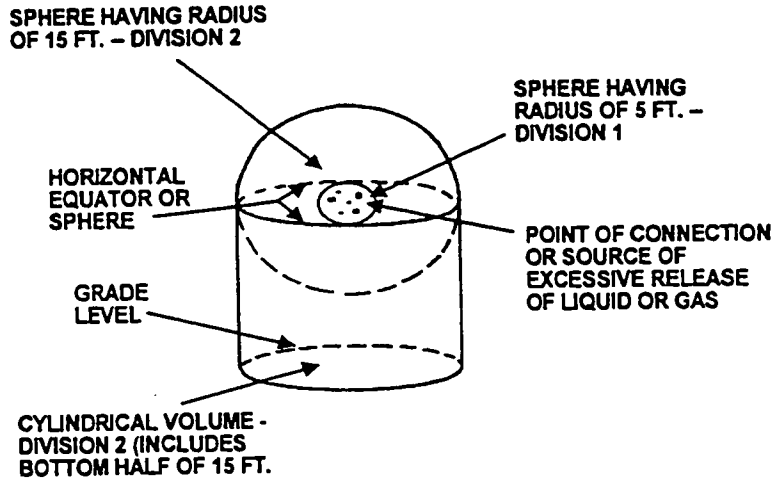


Figure H-1

Note: It is impossible to set out in a table the length of a fixed dip tube for various capacity tanks because of the varying tank diameters and lengths and because the tank may be installed either in a vertical or horizontal position. Knowing the maximum permitted filling volume in gallons, however, the length of the fixed tube can be determined by the use of a strapping table obtained from the container manufacturer. The length of the fixed tube should be such that when its lower end touches the surface of the liquid in the container, the contents of the container will be the maximum permitted volume as determined by the following formula:

$$\frac{\text{Water capacity (gals.) of container} \times \text{filling density}^{**}}{\text{Specific gravity of LP-gas} \times \text{volume correction factor}^{***} \times 100} = \text{Maximum volume of LP-gas}$$

* Measure at 60°F.

** From subsection (12)(a) of this section "filling densities."

*** For aboveground containers the liquid temperature is assumed to be 40°F and for underground containers the liquid temperature is assumed to be 50°F. To correct the liquid volumes at these temperatures to 60°F the following factors shall be used.

(i) Formula for determining maximum volume of liquefied petroleum gas for which a fixed length of dip tube shall be set:

TABLE H-29
VOLUME CORRECTION FACTORS

Specific gravity	Aboveground	Underground
0.500	1.033	1.017
.510	1.031	1.016
.520	1.029	1.015

Specific gravity	Aboveground	Underground
.530	1.028	1.014
.540	1.026	1.013
.550	1.025	1.013
.560	1.024	1.012
.570	1.023	1.011
.580	1.021	1.011
.590	1.020	1.010

(ii) The maximum volume of LP-gas which can be placed in a container when determining the length of the dip tube expressed as a percentage of total water content of the container is calculated by the following formula.

(iii) The maximum weight of LP-gas which may be placed in a container for determining the length of a fixed dip tube is determined by multiplying the maximum volume of liquefied petroleum gas obtained by the formula in (e)(i) of this subsection by the pounds of liquefied petroleum gas in a gallon at 40°F for aboveground and at 50°F for underground containers. For example, typical pounds per gallon are specified below:

Example: Assume a one hundred-gallon total water capacity tank for aboveground storage of propane having a specific gravity of 0.510 of 60°F.

$$\frac{100 \text{ (gals.)} \times 42 \text{ (filling density from (12)(a) of this subsection)}}{0.510 \times 1.031 \text{ (correction factor from Table H-29)} \times 100} = \frac{4200}{52.6}$$

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$\frac{4200}{52.6} = 79.8$ gallons propane, the maximum amount permitted to be placed in a 100-gallon total water capacity aboveground container equipped with a fixed dip tube.

Maximum volume of LP-gas (from formula in (e)(i) of this subsection) x 100 = Maximum percent of LP-gas
 Total water content of container in gallons.

	Aboveground, pounds per gallon	Underground, pounds per gallon
Propane	4.37	4.31
N Butane	4.97	4.92

(f) Fixed liquid-level gages used on containers other than DOT containers shall be stamped on the exterior of the gage with the letters "DT" followed by the vertical distance (expressed in inches and carried out to one decimal place) from the top of container to the end of the dip tube or to the centerline of the gage when it is located at the maximum permitted filling level. For portable containers that may be filled in the horizontal and/or vertical position the letters "DT" shall be followed by "V" with the vertical distance from the top of the container to the end of the dip tube for vertical filling and with "H" followed by the proper distance for horizontal filling. For DOT containers the stamping shall be placed both on the exterior of the gage and on the container. On aboveground or cargo containers where the gages are positioned at specific levels, the marking may be specified in percent of total tank contents and the marking shall be stamped on the container.

(g) Gage glasses of the columnar type shall be restricted to charging plants where the fuel is withdrawn in the liquid phase only. They shall be equipped with valves having metallic handwheels, with excess flow valves, and with extra-heavy glass adequately protected with a metal housing applied by the gage manufacturer. They shall be shielded against the direct rays of the sun. Gage glasses of the columnar type are prohibited on tank trucks, and on motor fuel tanks, and on containers used in domestic, commercial, and industrial installations.

(h) Gaging devices of the float, or equivalent type which do not require flow for their operation and having connections extending to a point outside the container do not have to be equipped with excess flow valves provided the piping and fittings are adequately designed to withstand the container pressure and are properly protected against physical damage and breakage.

(20) Requirements for appliances.

(a) Except as provided in (b) of this subsection, new commercial and industrial gas consuming appliances shall be approved.

(b) Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-gas and is in

good condition may be used with LP-gas only after it is properly converted, adapted, and tested for performance with LP-gas before the appliance is placed in use.

(c) Unattended heaters used inside buildings for the purpose of animal or poultry production or care shall be equipped with an approved automatic device designed to shut off the flow of gas to the main burners, and pilot if used, in the event of flame extinguishment.

(d) All commercial, industrial, and agricultural appliances or equipment shall be installed in accordance with the requirements of these standards and in accordance with the following:

(i) Domestic and commercial appliances—NFPA 54-1969, Standard for the Installation of Gas Appliances and Gas Piping.

(ii) Industrial appliances—NFPA 54A-1969, Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises.

(iii) Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines—NFPA 37-1970.

(iv) Standard for the Installation of Equipment for the Removal of Smoke and Grease-Laden Vapors from Commercial Cooking Equipment, NFPA 96-1970.

AMENDATORY SECTION (Amending WSR 99-10-071; filed 5/4/99, effective 9/1/99)

WAC 296-24-58513 Protective clothing. The following requirements apply to those employees who perform interior structural fire fighting. The requirements do not apply to employees who use fire extinguishers or standpipe systems to control or extinguish fires only in the incipient stage.

(1) General.

(a) The employer shall provide at no cost to the employee and assure the use of protective clothing which complies with the requirements of this section. The employer shall assure that protective clothing ordered or purchased after January 1, 1982, meets the requirements contained in this section. As the new equipment is provided, the employer shall assure that all fire brigade members wear the equipment when performing interior structural fire fighting. After July 1, 1985, the employer shall assure that all fire brigade members wear protective clothing meeting the requirements of this section when performing interior structural fire fighting.

(b) The employer shall assure that protective clothing protects the head, body, and extremities, and consists of at least the following components: Foot and leg protection; hand protection; body protection; eye, face and head protection.

(2) Foot and leg protection.

(a) Foot and leg protection shall meet the requirements of (b) and (c) of this subsection, and may be achieved by either of the following methods:

(i) Fully extended boots which provide protection for the legs; or

(ii) Protective shoes or boots worn in combination with protective trousers that meet the requirements of subsection (3) of this section.

(b) Protective footwear shall meet the requirements of WAC ((296-24-088)) 296-800-160 for Class 75 footwear. In

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addition, protective footwear shall be water-resistant for at least five inches (12.7 cm) above the bottom of the heel and shall be equipped with slip-resistant outer soles.

(c) Protective footwear shall be tested in accordance with WAC 296-24-63599(1) Appendix E, and shall provide protection against penetration of the midsole by a size 8D common nail when at least 300 pounds (1330 N) of static force is applied to the nail.

(3) Body protection.

(a) Body protection shall be coordinated with foot and leg protection to ensure full body protection for the wearer. This shall be achieved by one of the following methods:

(i) Wearing of a fire-resistive coat meeting the requirements of (b) of this subsection, in combination with fully extended boots meeting the requirements of subsection (2)(b) and (c) of this section; or

(ii) Wearing of fire-resistive coat in combination with protective trousers both of which meet the requirements of (b) of this subsection.

(b) The performance, construction, and testing of fire-resistive coats and protective trousers shall be at least equivalent to the requirements of the National Fire Protection Association (NFPA) standard NFPA No. 1971-1975, "Protective Clothing for Structural Fire Fighting," (see WAC 296-24-63499, Appendix D) with the following permissible variations from those requirements:

(i) Tearing strength of the outer shell shall be a minimum of eight pounds (35.6 N) in any direction when tested in accordance with WAC 296-24-63599(2), Appendix E; and

(ii) The outer shell may discolor but shall not separate or melt when placed in a forced air laboratory oven at a temperature of 500°F (260°C) for a period of five minutes. After cooling to ambient temperature and using the test method specified in WAC 296-24-63599(3) Appendix E, char length shall not exceed 4.0 inches (10.2 cm) and after-flame shall not exceed 2.0 seconds.

(4) Hand protection.

(a) Hand protection shall consist of protective gloves or glove system which will provide protection against cut, puncture, and heat penetration. Gloves or glove system shall be tested in accordance with the test methods contained in the National Institute for Occupational Safety and Health (NIOSH) 1976 publication, "The Development of Criteria for Fire Fighter's Gloves; Vol. II, Part II: Test Methods," (see WAC 296-24-63499, Appendix D—Availability of publications incorporated by references in WAC 296-24-58505—Fire brigades) and shall meet the following criteria for cut, puncture, and heat penetration:

(i) Materials used for gloves shall resist surface cut by a blade with an edge having a 60 degree included angle and a .001 inch (.0025 cm.) radius, under an applied force of 16 lbf (72N) and at a slicing velocity of greater or equal to 60 in/min. (2.5 cm/sec);

(ii) Materials used for the palm and palm side of the fingers shall resist puncture by a penetrometer (simulating a 4d lath nail), under an applied force of 13.2 lbf (60N) and at a velocity greater or equal to 20 in/min. (.85 cm/sec); and

(iii) The temperature inside the palm and gripping surface of the fingers of gloves shall not exceed 135°F (57°C)

when gloves or glove system are exposed to 932°F (500°C) for five seconds at 4 psi (28 kPa) pressure.

(b) Exterior materials of gloves shall be flame resistant and shall be tested in accordance with WAC 296-24-63599(3) Appendix E. Maximum allowable after-flame shall be 2.0 seconds, and the maximum char length shall be 4.0 inches (10.2 cm).

(c) When design of the fire-resistive coat does not otherwise provide protection for the wrists, protective gloves shall have wristlets of at least 4.0 inches (10.2 cm) in length to protect the wrist area when the arms are extended upward and outward from the body.

(5) Head, eye and face protection.

(a) Head protection shall consist of a protective head device with ear flaps and chin strap which meet the performance, construction, and testing requirements of the National Fire Safety and Research Office of the National Fire Prevention and Control Administration, United States Department of Commerce (now known as the United States Fire Administration), which are contained in, "Model Performance Criteria for Structural Fire Fighters' Helmets," (August 1977) (see WAC 296-24-63499, Appendix D).

(b) Protective eye and face devices which comply with WAC ((296-24-078)) 296-800-160 shall be used by fire brigade members when performing operations where the hazards of flying or falling materials which may cause eye and face injuries are present. Protective eye and face devices provided as accessories to protective head devices (face shields) are permitted when such devices meet the requirements of WAC ((296-24-078)) 296-800-160.

(c) Full facepieces, helmets, or hoods of breathing apparatus which meet the requirements of chapter 296-62 WAC, Part E and WAC 296-24-58515, shall be acceptable as meeting the eye and face protection requirements of (b) of this subsection.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-24-58517 Appendix A—Fire brigades. (1)

Scope. This section does not require an employer to organize a fire brigade. However, if an employer does decide to organize a fire brigade, the requirements of this section apply.

(2) Prefire planning. It is suggested that prefire planning be conducted by the local fire department and/or the workplace fire brigade in order for them to be familiar with the workplace and process hazards. Involvement with the local fire department or fire prevention bureau is encouraged to facilitate coordination and cooperation between members of the fire brigade and those who might be called upon for assistance during a fire emergency.

(3) Organizational statement. In addition to the information required in the organizational statement, WAC 296-24-58507(1), it is suggested that the organizational statement also contain the following information: A description of the duties that the fire brigade members are expected to perform; the line authority of each fire brigade officer; the number of the fire brigade officers and number of training instructors; and a list and description of the types of awards or recognition that brigade members may be eligible to receive.

(4) Physical capability. The physical capability requirement applies only to those fire brigade members who perform interior structural fire fighting. Employees who cannot meet the physical capability requirement may still be members of the fire brigade as long as such employees do not perform interior structural fire fighting. It is suggested that fire brigade members who are unable to perform interior structural fire fighting be assigned less stressful and physically demanding fire brigade duties, e.g., certain types of training, recordkeeping, fire prevention inspection and maintenance, and fire pump operations.

Physically capable can be defined as being able to perform those duties specified in the training requirements of WAC 296-24-58509. Physically capable can also be determined by physical performance tests or by a physical examination when the examining physician is aware of the duties that the fire brigade member is expected to perform.

It is also recommended that fire brigade members participate in a physical fitness program. There are many benefits which can be attributed to being physically fit. It is believed that physical fitness may help to reduce the number of sprain and strain injuries as well as contributing to the improvement of the cardiovascular system.

(5) Training and education. The section on training and education does not contain specific training and education requirements because the type, amount, and frequency of training and education will be as varied as are the purposes for which fire brigades are organized. However, the section does require that training and education be commensurate with those functions that the fire brigade is expected to perform; i.e., those functions specified in the organizational statement. Such a performance requirement provides the necessary flexibility to design a training program which meets the needs of individual fire brigades.

At a minimum, hands-on training is required to be conducted annually for all fire brigade members. However, for those fire brigade members who are expected to perform interior structural fire fighting, some type of training or education session must be provided at least quarterly.

In addition to the required hands-on training, it is strongly recommended that fire brigade members receive other types of training and education such as: Classroom instruction, review of emergency action procedures, prefire planning, review of special hazards in the workplace, and practice in the use of self-contained breathing apparatus.

It is not necessary for the employer to duplicate the same training or education that a fire brigade member receives as a member of a community volunteer fire department, rescue squad, or similar organization. However, such training or education must have been provided to the fire brigade member within the past year and it must be documented that the fire brigade member has received the training or education. For example: There is no need for a fire brigade member to receive another training class in the use of positive-pressure self-contained breathing apparatus if the fire brigade member has recently completed such training as a member of a community fire department. Instead, the fire brigade member should receive training or education covering other important equipment or duties of the fire brigade as they relate to the workplace hazards, facilities and processes.

It is generally recognized that the effectiveness of fire brigade training and education depends upon the expertise of those providing the training and education as well as the motivation of the fire brigade members. Fire brigade training instructors must receive a higher level of training and education than the fire brigade members they will be teaching. This includes being more knowledgeable about the functions to be performed by the fire brigade and the hazards involved. The instructors should be qualified to train fire brigade members and demonstrate skills in communication, methods of teaching, and motivation. It is important for instructors and fire brigade members alike to be motivated toward the goal of the fire brigade and be aware of the importance of the service that they are providing for the protection of other employees and the workplace.

It is suggested that publications from the International Fire Service Training Association, the National Fire Protection Association (NFPA-1041), the International Society of Fire Service Instructors and other fire training sources be consulted for recommended qualifications of fire brigade training instructors.

In order to be effective, fire brigades must have competent leadership and supervision. It is important for those who supervise the fire brigade during emergency situations, e.g., fire brigade chiefs, leaders, etc., to receive the necessary training and education for supervising fire brigade activities during these hazardous and stressful situations. These fire brigade members with leadership responsibilities should demonstrate skills in strategy and tactics, fire suppression and prevention techniques, leadership principles, prefire planning, and safety practices. It is again suggested that fire service training sources be consulted for determining the kinds of training and education which are necessary for those with fire brigade leadership responsibilities.

It is further suggested that fire brigade leaders and fire brigade instructors receive more formalized training and education on a continuing basis by attending classes provided by such training sources as universities and university fire extension services.

The following recommendations should not be considered to be all of the necessary elements of a complete comprehensive training program, but the information may be helpful as a guide in developing a fire brigade training program.

All fire brigade members should be familiar with exit facilities and their location, emergency escape routes for handicapped workers, and the workplace "emergency action plan."

In addition, fire brigade members who are expected to control and extinguish fires in the incipient stage should, at a minimum, be trained in the use of fire extinguishers, standpipes, and other fire equipment they are assigned to use. They should also be aware of first aid medical procedures and procedures for dealing with special hazards to which they may be exposed. Training and education should include both classroom instruction and actual operation of the equipment under simulated emergency conditions. Hands-on type training must be conducted at least annually but some functions should be reviewed more often.

In addition to the above training, fire brigade members who are expected to perform emergency rescue and interior structural fire fighting should, at a minimum, be familiar with the proper techniques in rescue and fire suppression procedures. Training and education should include fire protection courses, classroom training, simulated fire situations including "wet drills" and, when feasible, extinguishment of actual mock fires. Frequency of training or education must be at least quarterly, but some drills or classroom training should be conducted as often as monthly or even weekly to maintain the proficiency of fire brigade members.

There are many excellent sources of training and education that the employer may want to use in developing a training program for the workplace fire brigade. These sources include publications, seminars, and courses offered by universities.

There are also excellent fire school courses by such facilities as Texas A and M University, Delaware State Fire School, Lamar University, and Reno Fire School, that deal with those unique hazards which may be encountered by fire brigades in the oil and chemical industry. These schools, and others, also offer excellent training courses which would be beneficial to fire brigades in other types of industries. These courses should be a continuing part of the training program, and employers are strongly encouraged to take advantage of these excellent resources.

It is also important that fire brigade members be informed about special hazards to which they may be exposed during fire and other emergencies. Such hazards as storage and use areas of flammable liquids and gases, toxic chemicals, water-reactive substances, etc., can pose difficult problems. There must be written procedures developed that describe the actions to be taken in situations involving special hazards. Fire brigade members must be trained in handling these special hazards as well as keeping abreast of any changes that occur in relation to these special hazards.

(6) Fire fighting equipment. It is important that fire fighting equipment that is in damaged or unserviceable condition be removed from service and replaced. This will prevent fire brigade members from using unsafe equipment by mistake.

Fire fighting equipment, except portable fire extinguishers and respirators, must be inspected at least annually. Portable fire extinguishers and respirators are required to be inspected at least monthly.

(7) Protective clothing.

(a) General. WAC 296-24-58513 does not require all fire brigade members to wear protective clothing. It is not the intention of these standards to require employers to provide a full ensemble of protective clothing for every fire brigade member without consideration given to the types of hazardous environments to which the fire brigade member might be exposed. It is the intention of these standards to require adequate protection for those fire brigade members who might be exposed to fires in an advanced stage, smoke, toxic gases, and high temperatures. Therefore, the protective clothing requirements only apply to those fire brigade members who perform interior structural fire fighting operations.

Additionally, the protective clothing requirements do not apply to the protective clothing worn during outside fire fighting operations (brush and forest fires, crash crew opera-

tions) or other special fire fighting activities. It is important that the protective clothing to be worn during these types of fire fighting operations reflect the hazards which are expected to be encountered by fire brigade members.

(b) Foot and leg protection. WAC 296-24-58513 permits an option to achieve foot and leg protection.

The section recognizes the interdependence of protective clothing to cover one or more parts of the body. Therefore, an option is given so that fire brigade members may meet the foot and leg requirements by either wearing long fire-resistant coats in combination with fully extended boots, or by wearing shorter fire-resistant coats in combination with protective trousers and protective shoes or shorter boots.

(c) Body protection. WAC 296-24-58513(3) provides an option for fire brigade members to achieve body protection. Fire brigade members may wear a fire-resistant coat in combination with fully extended boots, or they may wear a fire-resistant coat in combination with protective trousers.

Fire-resistant coats and protective trousers meeting all of the requirements contained in NFPA 1971-1975, "Protective Clothing for Structural Fire Fighters," are acceptable as meeting the requirements of this standard.

The lining is required to be permanently attached to the outer shell. However, it is permissible to attach the lining to the outer shell material by stitching in one area such as at the neck. Fastener tape or snap fasteners may be used to secure the rest of the lining to the outer shell to facilitate cleaning. Reference to permanent lining does not refer to a winter liner which is a detachable extra lining used to give added protection to the wearer against the effects of cold weather and wind.

(d) Hand protection. The requirements of WAC 296-24-58513(4) on hand protection may be met by protective gloves or a glove system. A glove system consists of a combination of different gloves. The usual components of a glove system consist of a pair of gloves, which provide thermal insulation to the hand, worn in combination with a second pair of gloves which provide protection against flame, cut and puncture.

It is suggested that protective gloves provide dexterity and a sense of feel for objects. Criteria and test methods for dexterity are contained in the NIOSH publications, "The Development of Criteria for Firefighters' Gloves; Vol. I: Glove Requirements," and "Vol. II: Glove Criteria and Test Methods." These NIOSH publications also contain a permissible modified version of Federal Test Method 191, Method 5903, (WAC 296-24-63599(3) Appendix E) for flame resistance when gloves, rather than glove material, are tested for flame resistance.

(e) Head, eye and face protection. Head protective devices which meet the requirements contained in NFPA No. 1972 are acceptable as meeting the requirements of this standard for head protection.

Head protective devices are required to be provided with ear flaps so that the ear flaps will be available if needed. It is recommended that ear protection always be used while fighting interior structural fires.

Many head protective devices are equipped with face shields to protect the eyes and face. These face shields are permissible as meeting the eye and face protection requirements of this section as long as such face shields meet the

PROPOSED

requirements of WAC ((296-24-078)) 296-800-160 of the general safety and health standards.

Additionally, full facepieces, helmets or hoods of approved breathing apparatus which meet the requirements of WAC 296-62-071 and 296-24-58515 are also acceptable as meeting the eye and face protection requirements.

It is recommended that a flame resistant protective head covering such as a hood or snood, which will not adversely affect the seal of a respirator facepiece, be worn during interior structural fire fighting operations to protect the sides of the face and hair.

(8) Respiratory protective devices. Respiratory protection is required to be worn by fire brigade members while working inside buildings or confined spaces where toxic products of combustion or an oxygen deficiency is likely to be present; respirators are also to be worn during emergency situations involving toxic substances. When fire brigade members respond to emergency situations, they may be exposed to unknown contaminants in unknown concentrations. Therefore, it is imperative that fire brigade members wear proper respiratory protective devices during these situations. Additionally, there are many instances where toxic products of combustion are still present during mop-up and overhaul operations. Therefore, fire brigade members should continue to wear respirators during these types of operations.

Self-contained breathing apparatus are not required to be equipped with either buddy-breathing device or a quick disconnect valve. However, these accessories may be very useful and are acceptable as long as such accessories do not cause damage to the apparatus, restrict the air flow of the apparatus, or obstruct the normal operation of the apparatus.

Buddy-breathing devices are useful for emergency situations where a victim or another fire brigade member can share the same air supply with the wearer of the apparatus for emergency escape purposes.

The employer is encouraged to provide fire brigade members with an alternative means of respiratory protection to be used only for emergency escape purposes if the self-contained breathing apparatus becomes inoperative. Such alternative means of respiratory protection may be either a buddy-breathing device or an escape self-contained breathing apparatus (ESCBA). The ESCBA is a short-duration respiratory protective device which is approved for only emergency escape purposes. It is suggested that if ESCBA units are used, that they be of at least five minutes service life.

Quick disconnect valves are devices which start the flow of air by insertion of the hose (which leads to the facepiece) into the regulator of self-contained breathing apparatus, and stop the flow of air by disconnecting the hose from the regulator. These devices are particularly useful for those positive-pressure self-contained breathing apparatus which do not have the capability of being switched from the demand to the positive-pressure mode.

The use of a self-contained breathing apparatus where the apparatus can be switched from a demand to a positive-pressure mode is acceptable as long as the apparatus is in the positive-pressure mode when performing interior structural fire fighting operations. Also acceptable are approved respiratory protective devices which have been converted to the positive-pressure type when such modification is accom-

plished by trained and experienced persons using kits or parts approved by NIOSH and provided by the manufacturer and by following the manufacturer's instructions.

There are situations which require the use of respirators which have a duration of two hours or more. Presently, there are no approved positive-pressure apparatus with a rated service life of more than two hours. Consequently, negative-pressure self-contained breathing apparatus with a rated service life of more than two hours and which have a minimum protection factor of 5,000 as determined by an acceptable quantitative fit test performed on each individual, will be acceptable for use during situations which require long duration apparatus. Long duration apparatus may be needed in such instances as working in tunnels, subway systems, etc. Such negative-pressure breathing apparatus will continue to be acceptable for a maximum of eighteen months after a positive-pressure apparatus with the same or longer rated service life of more than two hours is certified by NIOSH/MSHA. After this eighteen-month phase-in period, all self-contained breathing apparatus used for these long duration situations will have to be of the positive-pressure type.

NEW SECTION

WAC 296-24-59212 Hydrostatic testing. (1) In addition to an external visual examination, the employer shall assure that an internal examination of cylinders and shells to be tested is made prior to the hydrostatic tests.

(2) The employer shall assure that portable fire extinguishers are hydrostatically tested whenever they show new evidence of corrosion or mechanical injury.

(3) The employer shall assure that hydrostatic tests are performed on extinguisher hose assemblies which are equipped with a shut-off nozzle at the discharge end of the hose. The test interval shall be the same as specified for the extinguisher on which the hose is installed.

(4) The employer shall assure that carbon dioxide hose assemblies with a shut-off nozzle are hydrostatically tested at 1,250 psi (8,620 kPa).

(5) The employer shall assure that dry chemical and dry powder hose assemblies with a shut-off nozzle are hydrostatically tested at 300 psi (2,070 kPa).

(6) Hose assemblies passing a hydrostatic test do not require any type of recording or stamping.

(7) The employer shall assure that hose assemblies for carbon dioxide extinguishers that require a hydrostatic test are tested within a protective cage device.

(8) The employer shall assure that carbon dioxide extinguishers and nitrogen or carbon dioxide cylinders used with wheeled extinguishers are tested every five years at 5/3 of the service pressure as stamped into the cylinder. Nitrogen cylinders which comply with 29 CFR 173.34(e)(15) may be hydrostatically tested every ten years.

(9) The employer shall assure that all stored pressure and Halon 1211 types of extinguishers are hydrostatically tested at the factory test pressure not to exceed two times the service pressure.

(10) The employer shall assure that acceptable self-generating type soda acid and foam extinguishers are tested at 350 psi (2,410 kPa).

(11) Air or gas pressure may not be used for hydrostatic testing.

(12) Extinguisher shells, cylinders, or cartridges which fail a hydrostatic pressure test, or which are not fit for testing shall be removed from service and from the workplace.

(13)(a) The equipment for testing compressed gas type cylinders shall be of the water-jacket type. The equipment shall be provided with an expansion indicator which operates with an accuracy within one percent of the total expansion or 0.1 cc (.1 mL) of liquid.

(b) The equipment for testing noncompressed gas type cylinders shall consist of the following:

(i) A hydrostatic test pump, hand or power operated, capable of producing not less than one hundred fifty percent of the test pressure, which shall include appropriate check valves and fittings;

(ii) A flexible connection for attachment to fittings to test through the extinguisher nozzle, test bonnet, or hose outlet, as is applicable; and

(iii) A protective cage or barrier for personal protection of the tester, designed to provide visual observation of the extinguisher under test.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-59215 Appendix A—Portable fire extinguishers. (1) Scope and application. The scope and application of this section is written to apply to three basic types of workplaces. First, there are those workplaces where the employer has chosen to evacuate all employees from the workplace at the time of a fire emergency. Second, there are those workplaces where the employer has chosen to permit certain employees to fight fires and to evacuate all other non-essential employees at the time of a fire emergency. Third, there are those workplaces where the employer has chosen to permit all employees in the workplace to use portable fire extinguishers to fight fires.

The section also addresses two kinds of work areas. The entire workplace can be divided into outside (exterior) work areas and inside (interior) work areas. This division of the workplace into two areas is done in recognition of the different types of hazards employees may be exposed to during fire fighting operations. Fires in interior workplaces, pose a greater hazard to employees; they can produce greater exposure to quantities of smoke, toxic gases, and heat because of the capability of a building or structure to contain or entrap these products of combustion until the building can be ventilated. Exterior work areas, normally open to the environment, are somewhat less hazardous, because the products of combustion are generally carried away by the thermal column of the fire. Employees also have a greater selection of evacuation routes if it is necessary to abandon fire fighting efforts.

In recognition of the degree of hazard present in the two types of work areas, the standards for exterior work areas are somewhat less restrictive in regards to extinguisher distribution. WAC ((~~296-24-59204~~) 296-800-300) explains this by specifying which sections apply.

(2) Portable fire extinguisher exemptions. In recognition of the three options given to employers in regard to the

amount of employee evacuation to be carried out, the standards permit certain exemptions based on the number of employees expected to use fire extinguishers.

Where the employer has chosen to totally evacuate the workplace at the time of a fire emergency and when fire extinguishers are not provided, the requirements of this section do not apply to that workplace.

Where the employer has chosen to partially evacuate the workplace or the effected area at the time of a fire emergency and has permitted certain designated employees to remain behind to operate critical plant operations or to fight fires with extinguishers, then the employer is exempt from the distribution requirements of this section. Employees who will be remaining behind to perform incipient fire fighting or members of a fire brigade must be trained in their duties. The training must result in the employees becoming familiar with the locations of fire extinguishers. Therefore, the employer must locate the extinguishers in convenient locations where the employees know they can be found. For example, they could be mounted in the fire truck or cart that the fire brigade uses when it responds to a fire emergency. They can also be distributed as set forth in the National Fire Protection Association's Standard No. 10, "Portable Fire Extinguishers."

Where the employer has decided to permit all employees in the workplace to use fire extinguishers, then the entire WISHA standard applies.

(3) Portable fire extinguisher mounting. Previous standards for mounting fire extinguishers have been criticized for requiring specific mounting locations. In recognition of this criticism, the standard has been rewritten to permit as much flexibility in extinguisher mounting as is acceptable to assure that fire extinguishers are available when needed and that employees are not subjected to injury hazards when they try to obtain an extinguisher.

It is the intent of WISHA to permit the mounting of extinguishers in any location that is accessible to employees without the use of portable devices such as a ladder. This limitation is necessary because portable devices can be moved or taken from the place where they are needed and, therefore, might not be available at the time of an emergency.

Employers are given as much flexibility as possible to assure that employees can obtain extinguishers as fast as possible. For example, an acceptable method of mounting extinguishers in areas where fork lift trucks or tow-motors are used is to mount the units on retractable board which, by means of counterweighting, can be raised above the level where they could be struck by vehicular traffic. When needed, they can be lowered quickly for use. This method of mounting can also reduce vandalism and unauthorized use of extinguishers. The extinguishers may also be mounted as outlined in the National Fire Protection Association's Standard No. 10, "Portable Fire Extinguishers."

(4) Selection and distribution. The employer is responsible for the proper selection and distribution of fire extinguishers and the determination of the necessary degree of protection. The selection and distribution of fire extinguishers must reflect the type and class of fire hazards associated with a particular workplace.

Extinguishers for protecting Class A hazards may be selected from the following types: Water, foam, loaded

stream, or multipurpose dry chemical. Extinguishers for protecting Class B hazards may be selected from the following types: Halon 1301, Halon 1211, carbon dioxide, dry chemicals, foam, or loaded stream. Extinguishers for Class C hazards may be selected from the following types: Halon 1301, Halon 1211, carbon dioxide, or dry chemical.

Combustible metal (Class D hazards) fires pose a different type of fire problem in the workplace. Extinguishers using water, gas, or certain dry chemicals cannot extinguish or control this type of fire. Therefore, certain metals have specific dry powder extinguishing agents which can extinguish or control this type of fire. Those agents which have been specifically approved for use on certain metal fires provide the best protection; however, there are also some "universal" type agents which can be used effectively on a variety of combustible metal fires if necessary. The "universal" type agents include: Foundry flux, Lith-X powder, TMB liquid, pyromet powder, TEC powder, dry talc, dry graphite powder, dry sand, dry sodium chloride, dry soda ash, lithium chloride, zirconium silicate, and dry dolomite.

Water is not generally accepted as an effective extinguishing agent for metal fires. When applied to hot burning metal, water will break down into its basic atoms of oxygen and hydrogen. This chemical breakdown contributes to the combustion of the metal. However, water is also a good universal coolant and can be used on some combustible metals, but only under proper conditions and application, to reduce the temperature of the burning metal below the ignition point. For example, automatic deluge systems in magnesium plants can discharge such large quantities of water on burning magnesium that the fire will be extinguished. The National Fire Protection Association has specific standards for this type of automatic sprinkler system. Further information on the control of metal fires with water can be found in the National Fire Protection Association's *Fire Protection Handbook*.

An excellent source of selection and distribution criteria is found in the National Fire Protection Association's Standard No. 10. Other sources of information include the National Safety Council and the employer's fire insurance carrier.

(5) Substitution of standpipe systems for portable fire extinguishers. The employer is permitted to substitute acceptable standpipe systems for portable fire extinguishers under certain circumstances. It is necessary to assure that any substitution will provide the same coverage that portable units provide. This means that fire hoses, because of their limited portability, must be spaced throughout the protected area so that they can reach around obstructions such as columns, machinery, etc., and so that they can reach into closets and other enclosed areas.

(6) Inspection, maintenance and testing. The ultimate responsibility for the inspection, maintenance and testing of portable fire extinguishers lies with the employer. The actual inspection, maintenance, and testing may, however, be conducted by outside contractors with whom the employer has arranged to do the work. When contracting for such work, the employer should assure that the contractor is capable of performing the work that is needed to comply with this standard.

If the employer should elect to perform the inspection, maintenance, and testing requirements of this section in-house, then the employer must make sure that those persons doing the work have been trained to do the work and to recognize problem areas which could cause an extinguisher to be inoperable. The National Fire Protection Association provides excellent guidelines in its standard for portable fire extinguishers. The employer may also check with the manufacturer of the unit that has been purchased and obtain guidelines on inspection, maintenance, and testing. Hydrostatic testing is a process that should be left to contractors or individuals using suitable facilities and having the training necessary to perform the work.

Any time the employer has removed an extinguisher from service to be checked or repaired, alternate equivalent protection must be provided. Alternate equivalent protection could include replacing the extinguisher with one or more units having equivalent or equal ratings, posting a fire watch, restricting the unprotected area from employee exposure, or providing a hose system ready to operate.

(7) Hydrostatic testing. As stated before, the employer may contract for hydrostatic testing. However, if the employer wishes to provide the testing service, certain equipment and facilities must be available. Employees should be made aware of the hazards associated with hydrostatic testing and the importance of using proper guards and water pressures. Severe injury can result if extinguisher shells fail violently under hydrostatic pressure.

Employers are encouraged to use contractors who can perform adequate and reliable service. Firms which have been certified by the Materials Transportation Board (MTB) of the United States Department of Transportation (DOT), or state licensed extinguisher servicing firms, or recognized by the National Association of Fire Equipment Distributors in Chicago, Illinois, are generally acceptable for performing this service.

(8) Training and education. This part of the standard is of the utmost importance to employers and employees if the risk of injury or death due to extinguisher use is to be reduced. If an employer is going to permit an employee to fight a workplace fire of any size, the employer must make sure that the employee knows everything necessary to assure the employee's safety.

Training and education can be obtained through many channels. Often, local fire departments in larger cities have fire prevention bureaus or similar organizations which can provide basic fire prevention training programs. Fire insurance companies will have data and information available. The National Fire Protection Association and the National Safety Council will provide, at a small cost, publications that can be used in a fire prevention program.

Actual fire fighting training can be obtained from various sources in the country. The Texas A and M University, the University of Maryland's Fire and Rescue Institute, West Virginia University's Fire Service Extension, Iowa State University's Fire Service Extension and other state training schools and land grant colleges have fire fighting programs directed to industrial applications. Some manufacturers of extinguishers, such as the Ansul Company and Safety First, conduct fire schools for customers in the proper use of extin-

guishers. Several large corporations have taken time to develop their own on-site training programs which expose employees to the actual "feeling" of fire fighting. Simulated fires for training of employees in the proper use of extinguishers are also an acceptable part of a training program.

In meeting the requirements of this section, the employer may also provide educational materials, without classroom instruction, through the use of employee notice campaigns using instruction sheets or flyers or similar types of informal programs. The employer must make sure that employees are trained and educated to recognize not only what type of fire is being fought and how to fight it, but also when it is time to get away from it and leave fire suppression to more experienced fire fighters.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-65501 Portable powered tools. (1) Portable circular saws.

(a) All portable, power-driven circular saws having a blade diameter greater than 2 in. shall be equipped with guards above and below the base plate or shoe. The upper guard shall cover the saw to the depth of the teeth, except for the minimum arc required to permit the base to be tilted for bevel cuts. The lower guard shall cover the saw to the depth of the teeth, except for the minimum arc required to allow proper retraction and contact with the work. When the tool is withdrawn from the work, the lower guard shall automatically and instantly return to covering position.

(b) (1)(a) of this section does not apply to circular saws used in the meat industry for meat cutting purposes.

(2) Switches and controls.

(a) All hand-held powered circular saws having a blade diameter-greater than 2 inches, electric, hydraulic or pneumatic chain saws, and percussion tools without positive accessory holding means shall be equipped with a constant pressure switch or control that will shut off the power when the pressure is released. All hand-held gasoline powered chain saws shall be equipped with a constant pressure throttle control that will shut off the power to the saw chain when the pressure is released.

(b) All hand-held powered drills, tappers, fastener drivers, horizontal, vertical, and angle grinders with wheels greater than 2 inches in diameter, disc sanders with discs greater than 2 inches in diameter, belt sanders, reciprocating saws, saber, scroll, and jig saws with blade shanks greater than a nominal one-fourth inch, and other similarly operating powered tools shall be equipped with a constant pressure switch or control and may have a lock-on control provided that turnoff can be accomplished by a single motion of the same finger or fingers that turn it on.

(c) All other hand-held powered tools, such as, but not limited to, platen sanders, grinders with wheels 2 inches in diameter or less, disc sanders with discs 2 inches in diameter or less, routers, planers, laminate trimmers, nibblers, shears, saber, scroll, and jig saws with blade shanks a nominal one-fourth of an inch wide or less, may be equipped with either a positive "on-off" control, or other controls as described by (2)(a) and (b) of this section.

(i) Saber, scroll, and jig saws with nonstandard blade holders may use blades with shanks which are nonuniform in width, provided the narrowest portion of the blade shank is an integral part in mounting the blade.

(ii) Blade shank width shall be measured at the narrowest portion of the blade shank when saber, scroll, and jig saws have nonstandard blade holders.

(iii) "Nominal" in this section means +0.05 inch.

(d) The operating control on hand-held power tools shall be so located as to minimize the possibility of its accidental operation, if such accidental operation would constitute a hazard to employees.

(e) This subdivision does not apply to concrete vibrators, concrete breakers, powered tampers, jack hammers, rock drills, garden appliances, household and kitchen appliances, personal care appliances, medical or dental equipment, or to fixed machinery.

(3) Portable belt sanding machines. Belt sanding machines shall be provided with guards at each nip point where the sanding belt runs onto a pulley. These guards shall effectively prevent the hands or fingers of the operator from coming in contact with the nip points. The unused run of the sanding belt shall be guarded against accidental contact.

(4) Cracked saws. All cracked saws shall be removed from service.

(5) Grounding. Portable electric powered tools shall meet the electrical requirements of chapter 296-24 WAC Part L, and WAC 296-800-280.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-24-67515 Personal protective equipment.

(1) Employers must use only respirators certified by NIOSH under 42 CFR part 84 for protecting employees from dusts produced during abrasive-blasting operations.

(2) Abrasive-blasting respirators. Abrasive-blasting respirators must be worn by all abrasive-blasting operators in the following situations: (a) When working inside of blast cleaning rooms, or (b) when using silica sand in manual blasting operations except where the nozzle and blast are physically separated from the operator in an exhaust ventilated enclosure, or (c) where concentrations of toxic dusts dispersed by the abrasive blasting may exceed the limits set in chapter 296-62 WAC, Part E except where the nozzle and blast are physically separated from the operator in an exhaust-ventilated enclosure.

(3) Particulate-filter respirators.

(a) Properly fitted particulate-filter respirators, commonly referred to as dust-filter respirators, may be used for short, intermittent, or occasional dust exposures such as clean-up, dumping of dust collectors, or unloading shipments of sand at a receiving point when it is not feasible to control the dust by enclosure, exhaust ventilation, or other means.

(b) Dust-filter respirators may also be used to protect the operator of outside (outdoor) abrasive-blasting operations where nonsilica abrasives are used on materials having low toxicity.

Note: The selection of a dust-filter respirator depends on the amount of dust in the breathing zone of the user. See WAC 296-62-07113 - Table 5.

(c) Dust-filter respirators used must be certified by NIOSH under 42 CFR part 84 for protection against the specific type of dust encountered.

(d) Dust-filter respirators must be properly fitted as required in chapter 296-62 WAC, Part E.

(e) Dust-filter respirators must not be used for continuous protection where silica sand is used as the blasting abrasive, or when toxic materials are blasted.

(4) A respiratory protection program as required in chapter 296-62 WAC, Part E must be established wherever it is necessary to use respirators.

(5) Personal protective clothing.

(a) Operators must be equipped with heavy canvas or leather gloves and aprons or equivalent protection to protect them from the impact of abrasives.

(b) Safety shoes must be worn where there is a hazard of foot injury.

(c) Equipment for protection of the eyes and face must be supplied to the operator and to other personnel working near abrasive blasting operations when the respirator design does not provide such protection.

(6) Personal protective clothing, equipment and their use must comply with WAC ((296-24-075 (Part A2))) 296-800-160.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-68503 Application of arc welding equipment.

Note: Assurance of consideration of safety in design is obtainable by choosing apparatus complying with the Requirements for Electric Arc-Welding Apparatus, NEMA EW-1-1962, National Electrical Manufacturers Association or the Safety Standard for Transformer-Type Arc-Welding Machines, ANSI C33.2-1956, Underwriters' Laboratories.

(1) Environmental conditions.

(a) Standard machines for arc welding service shall be designed and constructed to carry their rated load with rated temperature rises where the temperature of the cooling air does not exceed 40°C (104°F) and where the altitude does not exceed 3,300 feet, and shall be suitable for operation in atmospheres containing gases, dust, and light rays produced by the welding arc.

(b) Unusual service conditions may exist, and in such circumstances machines shall be especially designed to safely meet the requirements of the service. Chief among these conditions are exposure to:

- (i) Unusually corrosive fumes.
- (ii) Steam or excessive humidity.
- (iii) Excessive oil vapor.
- (iv) Flammable gases.
- (v) Abnormal vibration or shock.
- (vi) Excessive dust.
- (vii) Weather.
- (viii) Unusual seacoast or shipboard conditions.

(2) Voltage. Open circuit (no load) voltages of arc welding and cutting machines should be as low as possible consistent with satisfactory welding or cutting being done. The following limits shall not be exceeded:

(a) Alternating-current machines.

(i) Manual arc welding and cutting—80 volts.

(ii) Automatic (machine or mechanized) arc welding and cutting—100 volts.

(b) Direct-current machines.

(i) Manual arc welding and cutting—100 volts.

(ii) Automatic (machine or mechanized) arc welding and cutting—100 volts.

(c) When special welding and cutting processes require values of open circuit voltages higher than the above, means shall be provided to prevent the operator from making accidental contact with the high voltage by adequate insulation or other means.

Note: For a.c. welding under wet conditions or warm surroundings where perspiration is a factor, the use of reliable automatic controls for reducing no load voltage is recommended to reduce the shock hazard.

(3) Design.

(a) A controller integrally mounted in an electric motor driven welder shall have capacity for carrying rated motor current, shall be capable of making and interrupting stalled rotor current of the motor, and may serve as the running over-current device if provided with the number of over-current units as specified by chapter 296-24 WAC Part L, and WAC 296-800-280. Starters with magnetic undervoltage release should be used with machines installed more than one to a circuit to prevent circuit overload caused by simultaneously starting of several motors upon return of voltage.

(b) On all types of arc welding machines, control apparatus shall be enclosed except for the operating wheels, levers, or handles.

Note: Control handles and wheels should be large enough to be easily grasped by a gloved hand.

(c) Input power terminals, tap change devices and live metal parts connected to input circuits shall be completely enclosed and accessible only by means of tools.

(d) Terminals for welding leads should be protected from accidental electrical contact by employees or by metal objects i.e., vehicles, crane hooks, etc. Protection may be obtained by use of: Dead-front receptacles for plug connections; recessed openings with nonremovable hinged covers; heavy insulating sleeving or taping or other equivalent electrical and mechanical protection. If a welding lead terminal which is intended to be used exclusively for connection to the work is connected to the grounded enclosure, it must be done by a conductor at least two AWG sizes smaller than the grounding conductor and the terminal shall be marked to indicate that it is grounded.

(e) No connections for portable control devices such as push buttons to be carried by the operator shall be connected to an a.c. circuit of higher than 120 volts. Exposed metal parts of portable control devices operating on circuits above 50 volts shall be grounded by a grounding conductor in the control cable.

(f) Auto transformers or a.c. reactors shall not be used to draw welding current directly from any a.c. power source having a voltage exceeding 80 volts.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-68505 Installation of arc welding equipment. (1) General. Installation including power supply shall be according to the requirements of chapter 296-24 WAC Part L, and WAC 296-800-280.

(2) Grounding.

(a) The frame or case of the welding machine (except engine-driven machines) shall be grounded under the conditions and according to the methods prescribed in chapter 296-24 WAC Part L, and WAC 296-800-280.

(b) Conduits containing electrical conductors shall not be used for completing a work-lead circuit. Pipelines shall not be used as a permanent part of a work-lead circuit, but may be used during construction, extension or repair providing current is not carried through threaded joints, flanged bolted joints, or caulked joints and that special precautions are used to avoid sparking at connection of the work-lead cable.

(c) Chains, wire ropes, cranes, hoists, and elevators shall not be used to carry welding current.

(d) Where a structure, conveyor, or fixture is regularly employed as a welding current return circuit, joints shall be bonded or provided with adequate current collecting devices and appropriate periodic inspection should be conducted to ascertain that no condition of electrolysis or shock, or fire hazard exists by virtue of such use.

(e) All ground connections shall be checked to determine that they are mechanically strong and electrically adequate for the required current.

(3) Supply connections and conductors.

(a) A disconnecting switch or controller shall be provided at or near each welding machine which is not equipped with such a switch or controller mounted as an integral part of the machine. The switch shall be according to chapter 296-24 WAC Part L, and WAC 296-800-280. Overcurrent protection shall be provided as specified in chapter 296-24 WAC Part L, and WAC 296-800-280. A disconnect switch with overload protection or equivalent disconnect and protection means, permitted by chapter 296-24 WAC Part L, and WAC 296-800-280, shall be provided for each outlet intended for connection to a portable welding machine.

(b) For individual welding machines, the rated current-carrying capacity of the supply conductors shall be not less than the rated primary current of the welding machines.

(c) For groups of welding machines, the rated current-carrying capacity of conductors may be less than the sum of the rated primary currents of the welding machines supplied. The conductor rating shall be determined in each case according to the machine loading based on the use to be made of each welding machine and the allowance permissible in the event that all the welding machines supplied by the conductors will not be in use at the same time.

(d) In operations involving several welders on one structure, d.c. welding process requirements may require the use

of both polarities; or supply circuit limitations for a.c. welding may require distribution of machines among the phases of the supply circuit. In such cases no load voltages between electrode holders will be 2 times normal in d.c. or 1, 1.4, 1.73, or 2 times normal on a.c. machines. Similar voltage differences will exist if both a.c. and d.c. welding are done on the same structure.

(i) All d.c. machines shall be connected with the same polarity.

(ii) All a.c. machines shall be connected to the same phase of the supply circuit and with the same instantaneous polarity.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-69001 General. (1) Installation. All equipment shall be installed by a qualified electrician in conformance with chapter 296-24 WAC Part L, and WAC 296-800-280. There shall be a safety-type disconnecting switch or a circuit breaker or circuit interrupter to open each power circuit to the machine, conveniently located at or near the machine, so that the power can be shut off when the machine or its controls are to be serviced.

(2) Thermal protection. Ignitron tubes used in resistance welding equipment shall be equipped with a thermal protection switch.

(3) Personnel. Workers designated to operate resistance welding equipment shall have been properly instructed and judged competent to operate such equipment.

(4) Guarding. Controls of all automatic or air and hydraulic clamps shall be arranged or guarded to prevent the operator from accidentally activating them.

AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-24-70005 Protective clothing. (1) General requirements. Employees exposed to the hazards created by welding, cutting, or brazing operations shall be protected by personal protective equipment in accordance with the requirements of chapter 296-24 WAC, Part ((A-2)) L, and WAC 296-800-160. Appropriate protective clothing required for any welding operation will vary with the size, nature and location of the work to be performed.

(2) Specified protective clothing. Protective means which may be employed are as follows:

(a) Except when engaged in light work, all welders should wear flameproof gauntlet gloves.

(b) Flameproof aprons made of leather, asbestos, or other suitable material may also be desirable as protection against radiated heat and sparks.

(c) Woolen clothing preferable to cotton because it is not so readily ignited and helps protect the welder from changes in temperature. Cotton clothing, if used, should be chemically treated to reduce its combustibility. All outer clothing such as jumpers or overalls should be reasonably free from oil or grease.

(d) Sparks may lodge in rolled-up sleeves or pockets of clothing, or cuffs of overalls or trousers. It is therefore recom-

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mended that sleeves and collars be kept buttoned and pockets be eliminated from the front of overalls and aprons. Trousers or overalls should not be turned up on the outside.

Note: For heavy work, fire-resistant leggings, high boots, or other equivalent means should be used.

(e) In production work a sheet metal screen in front of the worker's legs can provide further protection against sparks and molten metal in cutting operations.

(f) Capes or shoulder covers made of leather or other suitable materials should be worn during overhead welding or cutting operations. Leather skull caps may be worn under helmets to prevent head burns.

(g) For overhead welding and cutting, or welding and cutting in extremely confined spaces, ear protection is sometimes desirable.

(h) Where there is exposure to sharp or heavy falling objects, or a hazard of bumping in confined spaces, hard hats or head protectors shall be used.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-75001 Terms. The following terms shall have the meaning ascribed in this section, when referred to in WAC 296-24-75003 through 296-24-75011, unless the context requires otherwise.

(1) Floor hole. An opening measuring less than 12 inches but more than 1 inch in its least dimension, in any floor, platform, pavement, or yard, through which materials but not persons may fall; such as a belt hole, pipe opening, or slot opening.

(2) Floor opening. An opening measuring 12 inches or more in its least dimension, in any floor, platform, pavement, or yard, through which persons may fall; such as a hatchway, stair or ladder opening, pit, or large manhole. Floor openings occupied by elevators, dumb waiters, conveyors, machinery, or containers are excluded from this part.

(3) Handrail. A single bar or pipe supported on brackets from a wall or partition, as on a stairway or ramp, to furnish persons with a handhold in case of tripping.

(4) Platform. A working space for persons, elevated above the surrounding floor or ground; such as a balcony or platform for the operation of machinery and equipment.

(5) Runway. A passageway for persons, elevated above the surrounding floor or ground level, such as a footwalk along shafting or a walkway between buildings.

(6) Standard railing. A vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of person.

(7) Standard strength and construction. Any construction of railings, covers, or other guards that meets the requirements of WAC 296-24-750 through 296-24-75011 and WAC 296-800-260.

(8) Stair railing. A vertical barrier erected along exposed sides of a stairway to prevent falls of persons.

(9) Toeboard. A vertical barrier at floor level erected along exposed edges of a floor opening, wall opening, platform, runway, or ramp to prevent falls of materials.

(10) Wall hole. An opening less than 30 inches but more than 1 inch high, of unrestricted width, in any wall or partition; such as a ventilation hole or drainage scupper.

(11) Wall opening. An opening at least 30 inches high and 18 inches wide, in any wall or partition, through which persons may fall; such as a yard-arm doorway or chute opening.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-75005 Protection for wall openings and holes. (1) Every wall opening from which there is a drop of more than 4 feet shall be guarded by one of the following:

(a) Rail, roller, picket fence, half door, or equivalent barrier.

The guard may be removable but should preferably be hinged or otherwise mounted so as to be conveniently replaceable. Where there is exposure below to falling materials, a removable toeboard or the equivalent shall also be provided. When the opening is not in use for handling materials, the guard shall be kept in position regardless of a door on the opening. In addition, a grab handle shall be provided on each side of the opening with its center approximately 4 feet above floor level and of standard strength and mounting.

(b) Extension platform onto which materials can be hoisted for handling, and which shall have side rails or equivalent guards of standard specifications.

(2) Every chute wall opening from which there is a drop of more than 4 feet shall be guarded by one or more of the barriers specified in WAC 296-24-75005 (1)(a) and (b), or as required by the conditions.

(3) Every window wall opening at a stairway landing, floor, platform, or balcony, from which there is a drop of more than 4 feet, and where the bottom of the opening is less than 3 feet above the platform or landing, shall be guarded by standard slats, standard grill work (as specified in WAC 296-24-75011(11)), or standard railing.

Where the window opening is below the landing, or platform, a standard toeboard shall be provided.

(4) Every temporary wall opening shall have adequate guards but these need not be of standard construction.

(5) Where there is a hazard of materials falling through a wall hole, and the lower edge of the near side of the hole is less than 4 inches above the floor, and the far side of the hole more than 5 feet above the next lower level, the hole shall be protected by a standard toeboard, or an enclosing screen either of solid construction, or as specified in WAC 296-24-75011(11) and 296-800-260.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-780 Portable wood ladders. The following terms shall have the meaning ascribed in this section when referred to in WAC 296-24-78003 through 296-24-78009 and WAC 296-800-290, unless the context requires otherwise.

(1) Ladders. A ladder is an appliance usually consisting of two side rails joined at regular intervals by crosspieces

called steps, rungs, or cleats, on which a person may step in ascending or descending.

(2) Stepladder. A stepladder is a self-supporting portable ladder, nonadjustable in length, having flat steps and a hinged back. Its size is designated by the overall length of the ladder measured along the front edge of the side rails.

(3) Single ladder. A single ladder is a nonself-supporting portable ladder, nonadjustable in length, consisting of but one section. Its size is designated by the overall length of the side rail.

(4) Extension ladder. An extension ladder is a nonself-supporting portable ladder adjustable in length. It consists of two or more sections traveling in guides or brackets so arranged as to permit length adjustment. Its size is designated by the sum of the lengths of the sections measured along the side rails.

(5) Sectional ladder. A sectional ladder is a nonself-supporting portable ladder, nonadjustable in length consisting of two or more sections of ladder so constructed that the sections may be combined to function as a single ladder. Its size is designated by the overall length of the assembled sections.

(6) Trestle ladder. A trestle ladder is a self-supporting portable ladder, nonadjustable in length, consisting of two sections hinged at the top to form equal angles with the base. The size is designated by the length of the side rails measured along the front edge.

(7) Extension trestle ladder. An extension trestle ladder is a self-supporting portable ladder, adjustable in length, consisting of a trestle ladder base and a vertically adjustable single ladder, with suitable means for locking the ladders together. The size is designated by the length of the trestle ladder base.

(8) Special-purpose ladder. A special-purpose ladder is a portable ladder which represents either a modification or a combination of design or construction features in one of the general-purpose types of ladders previously defined, in order to adapt the ladder to special or specific uses.

(9) Trolley ladder. A trolley ladder is a semifixed ladder, nonadjustable in length, supported by attachments to an overhead track, the plane of the ladder being at right angles to the plane of motion.

(10) Side-rolling ladder. A side-rolling ladder is a semifixed ladder, nonadjustable in length, supported by attachments to a guide rail, which is generally fastened to shelving, the plane of the ladder being also its plane of motion.

(11) Wood characteristics. Wood characteristics are distinguishing features which by their extent and number determine the quality of a piece of wood.

(12) Wood irregularities. Wood irregularities are natural characteristics in or on wood that may lower its durability, strength, or utility.

(13) Cross grain. Cross grain (slope of grain) is a deviation of the fiber direction from a line parallel to the sides of the piece.

(14) Knot. A knot is a branch or limb, imbedded in the tree and cut through in the process of lumber manufacture, classified according to size, quality, and occurrence. The size of the knot is determined as the average diameter on the surface of the piece.

(15) Pitch and bark pockets. A pitch pocket is an opening extending parallel to the annual growth rings containing, or that has contained, pitch, either solid or liquid. A bark pocket is an opening between annual growth rings that contains bark.

(16) Shake. A shake is a separation along the grain, most of which occurs between the rings of annual growth.

(17) Check. A check is a lengthwise separation of the wood, most of which occurs across the rings of annual growth.

(18) Wane. Wane is bark, or the lack of wood from any cause, on the corner of a piece.

(19) Decay. Decay is disintegration of wood substance due to action of wood-destroying fungi. It is also known as dote and rot.

(20) Compression failure. A compression failure is a deformation (buckling) of the fibers due to excessive compression along the grain.

(21) Compression wood. Compression wood is an aberrant (abnormal) and highly variable type of wood structure occurring in softwood species. The wood commonly has density somewhat higher than does normal wood, but somewhat lower stiffness and tensile strength for its weight in addition to high longitudinal shrinkage.

(22) Low density. Low-density wood is that which is exceptionally light in weight and usually deficient in strength properties for the species.

AMENDATORY SECTION (Amending Order 73-5, filed 5/9/73 and Order 73-4, filed 5/7/73)

WAC 296-24-79501 Terms. The following terms shall have the meaning ascribed in this section when referred to in WAC 296-24-79503 through 296-24-79507 and WAC 296-800-290, unless the context requires otherwise.

(1) Ladder. A ladder is an appliance usually consisting of two side rails joined at regular intervals by crosspieces called steps, rungs, or cleats, on which a person may step in ascending or descending.

(2) Step ladder. A step ladder is a self-supporting portable ladder, nonadjustable in length, having flat steps and a hinged back. Its size is designated by the overall length of the ladder measured along the front edge of the side rails.

(3) Single ladder. A single ladder is a nonself-supporting portable ladder, nonadjustable in length, consisting of but one section. Its size is designated by the overall length of the side rail.

(4) Extension ladder. An extension ladder is a nonself-supporting portable ladder adjustable in length. It consists of two or more sections traveling in guides or brackets so arranged as to permit length adjustment. Its size is designated by the sum of the lengths of the sections measured along the side rails.

(5) Platform ladder. A self-supporting ladder of fixed size with a platform provided at the working level. The size is determined by the distance along the front rail from the platform to the base of the ladder.

(6) Sectional ladder. A sectional ladder is a nonself-supporting portable ladder, nonadjustable in length, consisting of two or more sections so constructed that the sections may be

combined to function as a single ladder. Its size is designated by the overall length of the assembled sections.

(7) **Trestle ladder.** A trestle ladder is a self-supporting portable ladder, nonadjustable in length, consisting of two sections, hinged at the top to form equal angles with the base. The size is designated by the length of the side rails measured along the front edge.

(8) **Extension trestle ladder.** An extension trestle ladder is a self-supporting portable ladder, adjustable in length, consisting of a trestle ladder base and a vertically adjustable single ladder, with suitable means for locking the ladders together. The size is designated by the length of the trestle ladder base.

(9) **Special-purpose ladder.** A special-purpose ladder is a portable ladder which represents either a modification or a combination of design or construction features in one of the general-purpose types of ladders previously defined, in order to adapt the ladder to special or specific uses.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-24-81003 Design requirements. (1) Design considerations. All ladders, appurtenances, and fastenings shall be designed to meet the following load requirements:

(a) The minimum design live load shall be a single concentrated load of 200 pounds.

(b) The number and position of additional concentrated live-load units of 200 pounds each as determined from anticipated usage of the ladder shall be considered in the design.

(c) The live loads imposed by persons occupying the ladder shall be considered to be concentrated at such points as will cause the maximum stress in the structural member being considered.

(d) The weight of the ladder and attached appurtenances together with the live load shall be considered in the design of rails and fastenings.

(2) Design stresses.

(a) Design stresses for wood components of ladders shall not exceed those specified in WAC 296-24-78001 through 296-24-79507. All wood parts of fixed ladders shall meet the requirements of WAC 296-24-78005 and 296-800-290.

(b) For fixed ladders consisting of wood side rails and wood rungs or cleats, used at a pitch in the range 75 degrees to 90 degrees, and intended for use by no more than one person per section, single ladders as described in WAC 296-24-78007 (3)(b) are acceptable.

(3) **Fixed embedded steps.** Individual fixed steps used for access or egress, embedded in the walls of risers or the conical top sections of manholes shall be safe, well constructed, and installed in accordance with good engineering practices. Appurtenances penetrating the manhole walls are prohibited.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-24-95605 General requirements. (1) **Approval.** The conductors and equipment required or permitted by this section shall be acceptable only if approved.

(2) **Examination, installation, and use of equipment.**

(a) **Examination.** Electrical equipment shall be free from recognized hazards that are likely to cause death or serious physical harm to employees. Safety of equipment shall be determined using the following considerations:

(i) Suitability for installation and use in conformity with the provisions of this part. Suitability of equipment for an identified purpose may be evidenced by listing or labeling for that identified purpose.

(ii) Mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection thus provided.

(iii) Electrical insulation.

(iv) Heating effects under conditions of use.

(v) Arcing effects.

(vi) Classification by type, size, voltage, current capacity, specific use.

(vii) Other factors which contribute to the practical safeguarding of employees using or likely to come in contact with the equipment.

(b) **Installation and use.** Listed or labeled equipment shall be used or installed in accordance with any instructions included in the listing or labeling.

(3) **Splices.** Conductors shall be spliced or joined with splicing devices suitable for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices shall first be so spliced or joined as to be mechanically and electrically secure without solder and then soldered. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an insulating device suitable for the purpose.

(4) **Arcing parts.** Parts of electric equipment which in ordinary operation produce arcs, sparks, flames, or molten metal shall be enclosed or separated and isolated from all combustible material.

(5) **Marking.** Electrical equipment may not be used unless the manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product may be identified is placed on the equipment. Other markings shall be provided giving voltage, current, wattage, or other ratings as necessary. The marking shall be of sufficient durability to withstand the environment involved.

(6) **Identification of disconnecting means and circuits.** Each disconnecting means required by this part for motors and appliances shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident. These markings shall be of sufficient durability to withstand the environment involved.

(7) **600 volts, nominal, or less.**

(a) **Working space about electric equipment.** Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready and safe operation and maintenance of such equipment.

(i) **Working clearances.** Except as required or permitted elsewhere in this chapter, the dimension of the working space

in the direction of access to live parts operating at 600 volts or less and likely to require examination, adjustment, servicing, or maintenance while alive may not be less than indicated in Table S-1. In addition to the dimensions shown in Table S-1, workspace may not be less than 30 inches wide in front of the electric equipment. Distances shall be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. Concrete, brick, or tile walls are considered to be grounded. Working space is not required in back of assemblies such as dead-front switchboards or motor control centers where there are no renewable or adjustable parts such as fuses or switches on the back and where all connections are accessible from locations other than the back.

TABLE S-1—Working clearances

Nominal voltage to ground	Minimum clear distance for condition ² (ft)		
	(a)	(b)	(c)
0-150 -----	1/3	1/3	3
151-600 -----	1/3	3 1/2	4

¹ Minimum clear distances may be 2 feet 6 inches for installations built prior to effective date of this section.

² Conditions (a), (b), (c), are as follows: (a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating material. Insulated wire or insulated busbars operating at not over 300 volts are not considered live parts. (b) Exposed live parts on one side and grounded parts on the other side (c) Exposed live parts on both sides of the workspace (not guarded as provided in condition (a)) with the operator between.

(ii) **Clear spaces.** Working space required by this part may not be used for storage. When normally enclosed live parts are exposed for inspection or servicing, the working space, if in a passageway or general open space, shall be suitably guarded.

(iii) **Access and entrance to working space.** At least one entrance of sufficient area shall be provided to give access to the working space about electric equipment.

(iv) **Front working space.** Where there are live parts normally exposed on the front of switchboards or motor control centers, the working space in front of such equipment may not be less than 3 feet.

(v) **Illumination.** Illumination shall be provided for all working spaces about service equipment, switchboards, panelboards, and motor control centers installed indoors.

(vi) **Headroom.** The minimum headroom of working spaces about service equipment, switchboards, panelboards, or motor control centers shall be 6 feet 3 inches.

Note: As used in this section, a motor control center is an assembly of one or more enclosed sections having a common power bus and principally containing motor control units.

(b) **Guarding of live parts.**

(i) Except as required or permitted elsewhere in this section, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by approved cabinets or other forms of approved enclosures, or by any of the following means:

(A) By location in a room, vault, or similar enclosure that is accessible only to qualified persons.

(B) By suitable permanent, substantial partitions or screens so arranged that only qualified persons will have access to the space within reach of the live parts. Any openings in such partitions or screens shall be so sized and located that persons are not likely to come into accidental contact with live parts or to bring conducting objects into contact with them.

(C) By location on a suitable balcony, gallery, or platform so elevated and arranged as to exclude unqualified persons.

(D) By elevation of 8 feet or more above the floor or other working surface.

(ii) In locations where electric equipment would be exposed to physical damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

(iii) Entrances to rooms and other guarded locations containing exposed live parts shall be marked with conspicuous warning signs forbidding unqualified persons to enter.

(8) **Over 600 volts, nominal.**

(a) **General.** Conductors and equipment used on circuits exceeding 600 volts, nominal, shall comply with all applicable provisions of subsections (1) through (7) of this section and with the following provisions which supplement or modify those requirements. The provisions of (b), (c) and (d) of this subsection do not apply to equipment on the supply side of the service conductors.

(b) **Enclosure for electrical installations.** Electrical installations in a vault, room, closet or in an area surrounded by a wall, screen, or fence, access to which is controlled by lock and key or other approved means, are considered to be accessible to qualified persons only. A wall, screen, or fence less than 8 feet in height is not considered to prevent access unless it has other features that provide a degree of isolation equivalent to an 8 foot fence. The entrances to all buildings, rooms, or enclosures containing exposed live parts or exposed conductors operating at over 600 volts, nominal, shall be kept locked or shall be under the observation of a qualified person at all times.

(i) **Installations accessible to qualified persons only.** Electrical installations having exposed live parts shall be accessible to qualified persons only and shall comply with the applicable provisions of (c) of this subsection.

(ii) **Installations accessible to unqualified persons.** Electrical installations that are open to unqualified persons shall be made with metal-enclosed equipment or shall be enclosed in a vault or in an area, access to which is controlled by a lock. If metal-enclosed equipment is installed so that the bottom of the enclosure is less than 8 feet above the floor, the door or cover shall be kept locked. Metal-enclosed switchgear, unit substations, transformers, pull boxes, connection boxes, and other similar associated equipment shall be marked with appropriate caution signs. If equipment is

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exposed to physical damage from vehicular traffic, suitable guards shall be provided to prevent such damage. Ventilating or similar openings in metal-enclosed equipment shall be designed so that foreign objects inserted through these openings will be deflected from energized parts.

(c) **Workspace about equipment.** Sufficient space shall be provided and maintained about electric equipment to permit ready and safe operation and maintenance of such equipment. Where energized parts are exposed, the minimum clear workspace may not be less than 6 feet 6 inches high (measured vertically from the floor or platform), or less than 3 feet wide (measured parallel to the equipment). The depth shall be as required in Table S-2. The workspace shall be adequate to permit at least a 90-degree opening of doors or hinged panels.

(i) **Working space.** The minimum clear working space in front of electric equipment such as switchboards, control panels, switches, circuit breakers, motor controllers, relays, and similar equipment may not be less than specified in Table S-2 unless otherwise specified in this part. Distances shall be measured from the live parts if they are exposed, or from the enclosure front or opening if the live parts are enclosed. However, working space is not required in back of equipment such as deadfront switchboards or control assemblies where there are no renewable or adjustable parts (such as fuses or switches) on the back and where all connections are accessible from locations other than the back. Where rear access is required to work on deenergized parts on the back of enclosed equipment, a minimum working space of 30 inches horizontally shall be provided.

TABLE S-2—Minimum Depth of Clear Working Space in Front of Electric Equipment

Nominal voltage to ground	Conditions ² (ft)		
	(a)	(b)	(c)
601 to 2,500	3	4	5
2,501 to 9,000	4	5	6
9,001 to 25,000	5	6	9
25,001 to 75kV ¹	6	8	10
Above 75kV ¹	8	10	12

¹Minimum depth of clear working space in front of electric equipment with a nominal voltage to ground above 25,000 volts may be the same as for 25,000 volts under conditions (a), (b) and (c) for installations built prior to April 16, 1981. (2) Conditions (a), (b) and (c) are as follows: (a) Exposed live parts on one side and no live or grounded parts on the other side of the working space, or exposed live parts on both sides effectively guarded by suitable wood or other insulating materials. Insulated wire or insulated busbars operating at not over 300 volts are not considered live parts. (b) Exposed live parts on one side and grounded parts on the other side. Concrete, brick, or tile walls will be considered as grounded surfaces. (c) Exposed live parts on both sides of the workspace not guarded as provided in condition (a) with the operator between.

(ii) **Illumination.** Adequate illumination shall be provided for all working spaces about electric equipment. The lighting outlets shall be so arranged that persons changing lamps or making repairs on the lighting system will not be endangered by live parts or other equipment. The points of

control shall be so located that persons are not likely to come in contact with any live part or moving part of the equipment while turning on the lights.

(iii) **Elevation of unguarded live parts.** Unguarded live parts above working space shall be maintained at elevations not less than specified in Table S-3.

TABLE S-3—Elevation of Unguarded Energized Parts Above Working Space

Nominal voltage between phases	Minimum elevation
601 to 7,500	*8 feet 6 inches.
7,501 to 35,000	9 feet.
Over 35kV	9 feet+ 0.37 inches per kV above 35kV.

Note: Minimum elevation may be 8 feet 0 inches for installations built prior to April 16, 1981, if the nominal voltage between phases is in the range of 601-6600 volts.

(d) **Entrance and access to workspace.** (See WAC 296-24-95603 (2)(c) and 296-800-280.)

(i) At least one entrance not less than 24 inches wide and 6 feet 6 inches high shall be provided to give access to the working space about electric equipment. On switchboard and control panels exceeding 48 inches in width, there shall be one entrance at each end of such board where practicable. Where bare energized parts at any voltage or insulated energized parts above 600 volts are located adjacent to such entrance, they shall be suitably guarded.

(ii) Permanent ladders or stairways shall be provided to give safe access to the working space around electric equipment installed on platforms, balconies, mezzanine floors, or in attic or roof rooms or spaces.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-24-95607 Wiring design and protection.

(1) Use and identification of grounded and grounding conductors.

(a) **Identification of conductors.** A conductor used as a grounded conductor shall be identifiable and distinguishable from all other conductors. A conductor used as an equipment grounding conductor shall be identifiable and distinguishable from all other conductors.

(b) **Polarity of connections.** No grounded conductor may be attached to any terminal or lead so as to reverse designated polarity.

(c) **Use of grounding terminals and devices.** A grounding terminal or grounding-type device on a receptacle, cord connector, or attachment plug may not be used for purposes other than grounding.

(2) **Outlet devices.** Outlet devices shall have an ampere rating not less than the load to be served.

(3) **Outside conductors, 600 volts, nominal, or less.** Subdivisions (a), (b), (c) and (d) of this subsection apply to branch circuit, feeder, and service conductors rated 600 volts,

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nominal, or less and run outdoors as open conductors. Subdivision (e) of this subsection applies to lamps installed under such conductors.

(a) **Conductors on poles.** Conductors supported on poles shall provide a horizontal climbing space not less than the following:

(i) Power conductors below communication conductors—30 inches.

(ii) Power conductors alone or above communication conductors: 300 volts or less—24 inches; more than 300 volts—30 inches.

(iii) Communication conductors below power conductors with power conductors 300 volts or less—24 inches; more than 300 volts—30 inches.

(b) **Clearance from ground.** Open conductors shall conform to the following minimum clearances:

(i) 10 feet—above finished grade, sidewalks, or from any platform or projection from which they might be reached.

(ii) 12 feet—over areas subject to vehicular traffic other than truck traffic.

(iii) 15 feet—over areas other than those specified in item (b)(iv) of this subsection that are subject to truck traffic.

(iv) 18 feet—over public streets, alleys, roads, and driveways.

(c) **Clearance from building openings.** Conductors shall have a clearance of at least 3 feet from windows, doors, porches, fire escapes, or similar locations. Conductors run above the top level of a window are considered to be out of reach from that window and, therefore, do not have to be 3 feet away.

(d) **Clearance over roofs.** Conductors shall have a clearance of not less than 8 feet from the highest point of roofs over which they pass, except that:

(i) Where the voltage between conductors is 300 volts or less and the roof has a slope of not less than 4 inches in 12, the clearance from the roofs shall be at least 3 feet; or

(ii) Where the voltage between conductors is 300 volts or less and the conductors do not pass over more than 4 feet of the overhang portion of the roof and they are terminated at a through-the-roof raceway or approved support, the clearance from the roofs shall be at least 18 inches.

(e) **Location of outdoor lamps.** Lamps for outdoor lighting shall be located below all live conductors, transformers, or other electric equipment, unless such equipment is controlled by a disconnecting means that can be locked in the open position or unless adequate clearances or other safeguards are provided for relamping operations.

(4) Services.

(a) Disconnecting means.

(i) **General.** Means shall be provided to disconnect all conductors in a building or other structure from the service-entrance conductors. The disconnecting means shall plainly indicate whether it is in the open or closed position and shall be installed at a readily accessible location nearest the point of entrance of the service-entrance conductors.

(ii) **Simultaneous opening of poles.** Each service disconnecting means shall simultaneously disconnect all ungrounded conductors.

(b) **Services over 600 volts, nominal.** The following additional requirements apply to services over 600 volts, nominal.

(i) **Guarding.** Service-entrance conductors installed as open wires shall be guarded to make them accessible only to qualified persons.

(ii) **Warning signs.** Signs warning of high voltage shall be posted where other than qualified employees might come in contact with live parts.

(5) Overcurrent protection.

~~((a) 600 volts, nominal, or less. The following requirements apply to overcurrent protection of circuits rated 600 volts, nominal, or less.~~

~~(i) Protection of conductors and equipment. Conductors and equipment shall be protected from overcurrent in accordance with their ability to safely conduct current.~~

~~(ii) Grounded conductors. Except for motor running overload protection, overcurrent devices may not interrupt the continuity of the grounded conductor unless all conductors of the circuit are opened simultaneously.~~

~~(iii) Disconnection of fuses and thermal cutouts. Except for service fuses, all cartridge fuses which are accessible to other than qualified persons and all fuses and thermal cutouts on circuits over 150 volts to ground shall be provided with disconnecting means. This disconnecting means shall be installed so that the fuse or thermal cutout can be disconnected from its supply without disrupting service to equipment and circuits unrelated to those protected by the overcurrent device.~~

~~(iv) Location in or on premises. Overcurrent devices shall be readily accessible to each employee or authorized building management personnel. These overcurrent devices may not be located where they will be exposed to physical damage nor in the vicinity of easily ignitable material.~~

~~(v) Arcing or suddenly moving parts. Fuses and circuit breakers shall be so located or shielded that employees will not be burned or otherwise injured by their operation.~~

~~(vi) Circuit breakers.~~

~~(A) Circuit breakers shall clearly indicate whether they are in the open (off) or closed (on) position.~~

~~(B) Where circuit breaker handles on switchboards are operated vertically rather than horizontally or rotationally, the up position of the handle shall be the closed (on) position. (See WAC 296-24-95603 (2)(e).)~~

~~(C) If used as switches in 120-volt, fluorescent lighting circuits, circuit breakers shall be approved for the purpose and marked "SWD." (See WAC 296-24-95603 (2)(e).)~~

~~(b)) Over 600 volts, nominal. Feeders and branch circuits over 600 volts, nominal, shall have short-circuit protection.~~

(6) **Grounding.** Subdivisions (a) through (g) of this subsection contain grounding requirements for systems, circuits, and equipment.

(a) **Systems to be grounded.** The following systems which supply premises wiring shall be grounded:

(i) All 3-wire DC systems shall have their neutral conductor grounded.

(ii) Two-wire DC systems operating at over 50 volts through 300 volts between conductors shall be grounded unless:

(A) They supply only industrial equipment in limited areas and are equipped with a ground detector; or

(B) They are rectifier-derived from an AC system complying with items (a)(iii), (a)(iv), and (a)(v) of this subsection; or

(C) They are fire-protective signaling circuits having a maximum current of 0.030 amperes.

(iii) AC circuits of less than 50 volts shall be grounded if they are installed as overhead conductors outside of buildings or if they are supplied by transformers and the transformer primary supply system is ungrounded or exceeds 150 volts to ground.

(iv) AC systems of 50 volts to 1000 volts shall be grounded under any of the following conditions, unless exempted by item (a)(v) of this subsection:

(A) If the system can be so grounded that the maximum voltage to ground on the ungrounded conductors does not exceed 150 volts;

(B) If the system is nominally rated 480Y/277 volt, 3-phase, 4-wire in which the neutral is used as a circuit conductor;

(C) If the system is nominally rated 240/120 volt, 3-phase, 4-wire in which the midpoint of one phase is used as a circuit conductor; or

(D) If a service conductor is uninsulated.

(v) AC systems of 50 volts to 1000 volts are not required to be grounded under any of the following conditions:

(A) If the system is used exclusively to supply industrial electric furnaces for melting, refining, tempering, and the like.

(B) If the system is separately derived and is used exclusively for rectifiers supplying only adjustable speed industrial drives.

(C) If the system is separately derived and is supplied by a transformer that has a primary voltage rating less than 1000 volts, provided all of the following conditions are met:

(I) The system is used exclusively for control circuits;

(II) The conditions of maintenance and supervision assure that only qualified persons will service the installation;

(III) Continuity of control power is required; and

(IV) Ground detectors are installed on the control system.

(D) If the system is an isolated power system that supplies circuits in health care facilities.

(b) **Conductors to be grounded.** For AC premises wiring systems the identified conductor shall be grounded.

(c) **Grounding connections.**

(i) For a grounded system, a grounding electrode conductor shall be used to connect both the equipment grounding conductor and the grounded circuit conductor to the grounding electrode. Both the equipment grounding conductor and the grounding electrode conductor shall be connected to the grounded circuit conductor on the supply side of the service disconnecting means, or on the supply side of the system disconnecting means or overcurrent devices if the system is separately derived.

(ii) For an ungrounded service-supplied system, the equipment grounding conductor shall be connected to the grounding electrode conductor at the service equipment. For an ungrounded separately derived system, the equipment grounding conductor shall be connected to the grounding electrode conductor at, or ahead of, the system disconnecting means or overcurrent devices.

(iii) On extensions of existing branch circuits which do not have an equipment grounding conductor, grounding-type receptacles may be grounded to a grounded cold water pipe near the equipment.

(d) **Grounding path.** The path to ground from circuits, equipment, and enclosures shall be permanent and continuous.

(e) **Supports, enclosures, and equipment to be grounded.**

(i) **Supports and enclosures for conductors.** Metal cable trays, metal raceways, and metal enclosures for conductors shall be grounded, except that:

(A) Metal enclosures such as sleeves that are used to protect cable assemblies from physical damage need not be grounded; or

(B) Metal enclosures for conductors added to existing installations of open wire, knob-and-tube wiring, and nonmetallic-sheathed cable need not be grounded if all of the following conditions are met:

(I) Runs are less than 25 feet;

(II) Enclosures are free from probable contact with ground, grounded metal, metal laths, or other conductive materials; and

(III) Enclosures are guarded against employee contact.

(ii) **Service equipment enclosures.** Metal enclosures for service equipment shall be grounded.

(iii) **Frames of ranges and clothes dryers.** Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and metal outlet or junction boxes which are part of the circuit for these appliances shall be grounded.

(iv) **Fixed equipment.** Exposed noncurrent-carrying metal parts of fixed equipment which may become energized shall be grounded under any of the following conditions:

(A) If within 8 feet vertically or 5 feet horizontally of ground or grounded metal objects and subject to employee contact.

(B) If located in a wet or damp location and not isolated.

(C) If in electrical contact with metal.

(D) If in a hazardous (classified) location.

(E) If supplied by a metal-clad, metal-sheathed, or grounded metal raceway wiring method.

(F) If equipment operates with any terminal at over 150 volts to the ground; however, the following need not be grounded:

(I) Enclosures for switches or circuit breakers used for other than service equipment and accessible to qualified persons only;

(II) Metal frames of electrically heated appliances which are permanently and effectively insulated from ground; and

(III) The cases of distribution apparatus such as transformers and capacitors mounted on wooden poles at a height exceeding 8 feet above ground or grade level.

(v) **Equipment connected by cord and plug.** Under any of the conditions described in subitems (e)(v)(A) through (e)(v)(C) of this subsection, exposed noncurrent-carrying metal parts of cord-connected and plug-connected equipment which may become energized shall be grounded.

(A) If in hazardous (classified) locations (see WAC 296-24-95613).

(B) If operated at over 150 volts to ground, except for guarded motors and metal frames of electrically heated appliances if the appliance frames are permanently and effectively insulated from ground.

(C) If the equipment is of the following types:

(I) Refrigerators, freezers, and air conditioners;

(II) Clothes-washing, clothes-drying and dishwashing machines, sump pumps, and electrical aquarium equipment;

(III) Hand-held motor-operated tools;

(IV) Motor-operated appliances of the following types: Hedge clippers, lawn mowers, snow blowers, and wet scrubbers;

(V) Cord-connected and plug-connected appliances used in damp or wet locations or by employees standing on the ground or on metal floors or working inside of metal tanks or boilers;

(VI) Portable and mobile x-ray and associated equipment;

(VII) Tools likely to be used in wet and conductive locations; and

(VIII) Portable hand lamps. Tools likely to be used in wet and conductive locations need not be grounded if supplied through an isolating transformer with an ungrounded secondary of not over 50 volts. Listed or labeled portable tools and appliances protected by an approved system of double insulation, or its equivalent, need not be grounded. If such a system is employed, the equipment shall be distinctively marked to indicate that the tool or appliance utilizes an approved system of double insulation.

(vi) **Nonelectrical equipment.** The metal parts of the following nonelectrical equipment shall be grounded: Frames and tracks of electrically operated cranes; frames of nonelectrically driven elevator cars to which electric conductors are attached; hand operated metal shifting ropes or cables of electric elevators, and metal partitions, grill work, and similar metal enclosures around equipment of over 750 volts between conductors.

(f) **Methods of grounding fixed equipment.**

(i) Noncurrent-carrying metal parts of fixed equipment, if required to be grounded by this section, shall be grounded by an equipment grounding conductor which is contained within the same raceway, cable, or cord, or runs with or encloses the circuit conductors. For DC circuits only, the equipment grounding conductor may be run separately from the circuit conductors.

(ii) Electric equipment is considered to be effectively grounded if it is secured to, and in electrical contact with, a metal rack or structure that is provided for its support and the metal rack or structure is grounded by the method specified

for the noncurrent-carrying metal parts of fixed equipment in item (f)(i) of this subsection. For installations made before May 30, 1982, only, electric equipment is also considered to be effectively grounded if it is secured to, and in metallic contact with, the grounded structural metal frame of a building. Metal car frames supported by metal hoisting cables attached to or running over metal sheaves or drums of grounded elevator machines are also considered to be effectively grounded.

(g) **Grounding of systems and circuits of 1000 volts and over (high voltage).**

(i) **General.** If high voltage systems are grounded, they shall comply with all applicable provisions of subdivisions (a) through (f) of this subsection as supplemented and modified by the subdivision (g) of this subsection.

(ii) **Grounding of systems supplying portable or mobile equipment.** (See WAC 296-24-95603 (2)(c) and 296-800-280.) Systems supplying portable or mobile high voltage equipment, other than substations installed on a temporary basis, shall comply with the following:

(A) Portable and mobile high voltage equipment shall be supplied from a system having its neutral grounded through an impedance. If a delta-connected high voltage system is used to supply the equipment, a system neutral shall be derived.

(B) Exposed noncurrent-carrying metal parts of portable and mobile equipment shall be connected by an equipment grounding conductor to the point at which the system neutral impedance is grounded.

(C) Ground-fault detection and relaying shall be provided to automatically deenergize any high voltage system component which has developed a ground fault. The continuity of the equipment grounding conductor shall be continuously monitored so as to deenergize automatically the high voltage feeder to the portable equipment upon loss of continuity of the equipment grounding conductor.

(D) The grounding electrode to which the portable or mobile equipment system neutral impedance is connected shall be isolated from and separated in the ground by at least 20 feet from any other system or equipment grounding electrode, and there shall be no direct connection between the grounding electrodes, such as buried pipe, fence, etc.

(iii) **Grounding of equipment.** All noncurrent-carrying metal parts of portable equipment and fixed equipment including their associated fences, housings, enclosures, and supporting structures shall be grounded. However, equipment which is guarded by location and isolated from ground need not be grounded. Additionally, pole-mounted distribution apparatus at a height exceeding 8 feet above ground or grade level need not be grounded.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-24-007

Incorporation of standards of national organization.

WAC 296-24-008

Incorporation of standards of federal agency.

WAC 296-24-010	Variance and procedure.	WAC 296-24-088	Occupational foot protection.
WAC 296-24-015	Education and first-aid standards.	WAC 296-24-090	Hand protection.
WAC 296-24-020	Management's responsibility.	WAC 296-24-094	Lighting and illumination.
WAC 296-24-025	Employee's responsibility.	WAC 296-24-098	Appendix B to Part A-2—Nonmandatory compliance guidelines for hazard assessment and personal protective equipment selection.
WAC 296-24-040	Accident prevention programs.		
WAC 296-24-045	Safety and health committee plan.	WAC 296-24-12003	General requirements.
WAC 296-24-055	Safety bulletin board.	WAC 296-24-12005	Water supply.
WAC 296-24-061	First-aid requirements.	WAC 296-24-12007	Toilet facilities.
WAC 296-24-06105	What workplaces does this rule apply to?	WAC 296-24-12009	Washing facilities.
WAC 296-24-06110	What is the purpose of this rule?	WAC 296-24-12019	Waste disposal.
WAC 296-24-06115	What definitions apply to this section?	WAC 296-24-12021	Vermin control.
WAC 296-24-06120	How must an employer ensure that first-aid assistance is available in the workplace?	WAC 296-24-21503	Secure storage.
WAC 296-24-06125	How many employees must be trained in first aid?	WAC 296-24-21505	Housekeeping.
WAC 296-24-06130	What must first-aid training cover?	WAC 296-24-21507	Drainage.
WAC 296-24-06135	How often must employees complete first-aid training?	WAC 296-24-550	Means of egress.
WAC 296-24-06140	How must an employer document first-aid training?	WAC 296-24-55003	General requirements.
WAC 296-24-06145	What is the requirement for first-aid supplies?	WAC 296-24-55005	Fundamental requirements.
WAC 296-24-06150	What is the requirement to provide a first-aid station?	WAC 296-24-55007	Protection of employees exposed by construction and repair operations.
WAC 296-24-06155	APPENDIX 1 Evaluation worksheet for the first-aid response plan.	WAC 296-24-55009	Maintenance.
WAC 296-24-06160	APPENDIX 2—First-aid kit guidance.	WAC 296-24-565	Means of egress, general.
WAC 296-24-073	Safe place standards.	WAC 296-24-56501	Permissible exit components.
WAC 296-24-075	Personal protective equipment.	WAC 296-24-56503	Protective enclosure of exits.
WAC 296-24-07501	General requirements.	WAC 296-24-56505	Width and capacity of means of egress.
WAC 296-24-078	Eye and face protection.	WAC 296-24-56507	Egress capacity and occupant load.
WAC 296-24-084	Occupational head protection.	WAC 296-24-56509	Arrangement of exits.
WAC 296-24-086	Personal flotation devices.	WAC 296-24-56511	Access to exits.
		WAC 296-24-56513	Exterior ways of exit access.
		WAC 296-24-56515	Discharge from exits.
		WAC 296-24-56517	Headroom.
		WAC 296-24-56519	Changes in elevation.
		WAC 296-24-56521	Maintenance and workmanship.
		WAC 296-24-56523	Furnishings and decorations.
		WAC 296-24-56529	Fire retardant paints.
		WAC 296-24-56531	Exit marking.
		WAC 296-24-59205	General requirements.

WAC 296-24-59207	Selection and distribution.
WAC 296-24-59209	Inspection, maintenance and testing.
WAC 296-24-59211	Hydrostatic testing.
WAC 296-24-59213	Training and education.
WAC 296-24-65001	General requirements.
WAC 296-24-73503	Housekeeping.
WAC 296-24-73509	Floor loading protection.
WAC 296-24-73513	Buildings—Floors.
WAC 296-24-75003	Protection for floor openings.
WAC 296-24-76505	Where fixed stairs are required.
WAC 296-24-76507	Stair strength.
WAC 296-24-76509	Stair width.
WAC 296-24-76517	Railings and handrails.
WAC 296-24-79507	Care and maintenance and use of ladders.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-61705 Total flooding systems with potential health and safety hazards to employees. (1) The employer shall provide an emergency action plan in accordance with WAC 296-24-567 for each area within a workplace that is protected by a total flooding system which provides agent concentrations exceeding the maximum safe levels.

(2) Systems installed in areas where employees cannot enter during or after the system's operation are exempt from the requirements of this section.

(3) On all total flooding systems the employer ~~((shall))~~ **must** provide a predischarge employee alarm which ~~((complies with WAC 296-24-631, and is capable of being perceived above ambient light or noise levels before the system discharges, which))~~ will give employees time to safely exit from the discharge area prior to system discharge.

Your predischarge employee alarm systems must:

• Provide enough warning to allow employees to safely escape from the workplace or the immediate work area or both;

• Be capable of being perceived above ambient noise or light levels by all employees in the affected portions of the workplace before system discharge;

• Be distinctive and recognizable as a signal to evacuate the work area;

• Be kept in operating condition except when undergoing repairs or maintenance.

You must explain to each employee how to report emergencies in your workplace. Methods of reporting emergencies include manual pull box alarms, public address systems, radio, or telephones. Post emergency telephone numbers

near telephones, or employee notice boards, or other conspicuous locations if you use telephones to report emergencies.

If you use a communication system that also serves as an employee alarm system, all emergency messages must have priority over all nonemergency messages.

(4) The employer shall provide automatic actuation of total flooding systems by means of an approved fire detection device installed and interconnected with a predischarge employee alarm system to give employees time to safely exit from the discharge area prior to system discharge.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-62203 Specific requirements. (1) The employer shall assure that dry chemical agents are compatible with any foams or wetting agents with which they are used.

(2) The employer may not mix together dry chemical extinguishing agents of different compositions. The employer shall assure that dry chemical systems are refilled with the chemical stated on the approval nameplate or an equivalent compatible material.

(3) When dry chemical discharge may obscure vision, the employer ~~((shall))~~ **must** provide a predischarge employee alarm ~~((which complies with WAC 296-24-631, and))~~ which will give employees time to safely exit from the discharge area prior to system discharge.

Your predischarge employee alarm systems must:

• Provide enough warning to allow employees to safely escape from the workplace or the immediate work area or both.

• Be capable of being perceived above ambient noise or light levels by all employees in the affected portions of the workplace before system discharge.

• Be distinctive and recognizable as a signal to evacuate the work area.

• Be kept in operating condition except when undergoing repairs or maintenance.

You must explain to each employee how to report emergencies in your workplace. Methods of reporting emergencies include manual pull box alarms, public address systems, radio, or telephones. Post emergency telephone numbers near telephones, or employee notice boards, or other conspicuous locations if you use telephones to report emergencies.

If you use a communication system that also serves as an employee alarm system, all emergency messages must have priority over all nonemergency messages.

(4) The employer shall sample the dry chemical supply of all but stored pressure systems at least annually to assure that the dry chemical supply is free of moisture which may cause the supply to cake or form lumps.

(5) The employer shall assure that the rate of application of dry chemicals is such that the designed concentration of the system will be reached within thirty seconds of initial discharge.

PROPOSED

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-24-567 Employee emergency plans and fire prevention plans. (1) Emergency action plan.

(a) Scope and application. This subdivision applies to all emergency action plans required by a particular WISHA standard. The emergency action plan shall be in writing, and shall cover those designated actions employers and employees must take to ensure employee safety from fire and other emergencies.

(b) Elements. The following elements, at a minimum, shall be included in the plan:

(i) Emergency escape procedures and emergency escape route assignments;

(ii) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;

(iii) Procedures to account for all employees after emergency evacuation has been completed;

(iv) Rescue and medical duties for those employees who are to perform them;

(v) The preferred means of reporting fires and other emergencies; and

(vi) Names or regular job titles of persons or departments who can be contacted for further information or explanation of duties under the plan.

(c) Alarm systems.

~~((i) The employer shall establish an employee alarm system which complies with WAC 296-24-631.~~

~~((ii) If the employee alarm system is used for alerting fire brigade members, or for other purposes, a distinctive signal for each purpose shall be used.)) You must establish an employee alarm system which complies with WAC 296-800-310. The employee alarm system must provide warning for necessary emergency action as called for in your emergency action plan. The employee alarm must be distinctive and recognizable as a signal to perform actions designed under the emergency action plan.~~

(d) Evacuation. The employer shall establish in the emergency action plan the types of evacuation to be used in emergency circumstances.

(e) Training.

(i) Before implementing the emergency action plan, the employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees.

(ii) The employer shall review the plan with each employee covered by the plan at the following times:

(A) Initially when the plan is developed;

(B) Whenever the employee's responsibilities or designated actions under the plan change; and

(C) Whenever the plan is changed.

(iii) The employer shall review with each employee upon initial assignment those parts of the plan which the employee must know to protect the employee in the event of an emergency. The written plan shall be kept at the workplace and made available for employee review.

(2) Fire prevention plan.

(a) Scope and application. This subsection applies to all fire prevention plans required by a particular WISHA standard. The fire prevention plan shall be in writing.

(b) Elements. The following elements, at a minimum, shall be included in the fire prevention plan:

(i) A list of the major workplace fire hazards and their proper handling and storage procedures, potential ignition sources (such as welding, smoking and others) and their control procedures, and the type of fire protection equipment or systems which can control a fire involving them;

(ii) Names or regular job titles of those personnel responsible for maintenance of equipment and systems installed to prevent or control ignitions or fires; and

(iii) Names or regular job titles of those personnel responsible for control of fuel source hazards.

(c) Housekeeping. The employer shall control accumulations of flammable and combustible waste materials and residues so that they do not contribute to a fire emergency. The housekeeping procedures shall be included in the written fire prevention plan.

(d) Training.

(i) The employer shall apprise employees of the fire hazards of the materials and processes to which they are exposed.

(ii) The employer shall review with each employee upon initial assignment those parts of the fire prevention plan which the employee must know to protect the employee in the event of an emergency. The written plan shall be kept in the workplace and made available for employee review.

(e) Maintenance. The employer shall regularly and properly maintain, according to established procedures, equipment and systems installed on heat producing equipment to prevent accidental ignition of combustible materials. The maintenance procedures shall be included in the written fire prevention plan.

AMENDATORY SECTION (Amending Order 81-32, filed 12/24/81)

WAC 296-24-59201 Scope and application. The requirements of this section apply to the ~~((placement, use, maintenance, and testing of portable fire extinguishers provided for the use of employees. WAC 296-24-59207 does not apply to extinguishers provided for employee use on the outside of workplace buildings or structures. Where extinguishers are provided but are not intended for employee use and the employer has an emergency action plan and a fire prevention plan which meet the requirements of WAC 296-24-567, then only the requirements of WAC 296-24-59209 and 296-24-59211 apply)) hydrostatic testing of portable fire extinguishers provided for the use of employees.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-27-090

Reporting of fatality or multiple hospitalization incidents.

PROPOSED

- WAC 296-27-15501 Division of consultation and compliance, public records.
- WAC 296-27-15503 Special exemptions for confidential reports within the department's files.
- WAC 296-27-15505 Accident investigation reports.
- WAC 296-27-210 Abatement verification.
- WAC 296-27-21001 What is the purpose of this rule?
- WAC 296-27-21005 When does this rule apply?
- WAC 296-27-21010 What definitions apply to this rule?
- WAC 296-27-21015 What must an employer do when asked to abate a violation?
- WAC 296-27-21020 When must an employer submit additional documentation of abatement?
- WAC 296-27-21025 When must an employer provide abatement plans?
- WAC 296-27-21030 When must an employer submit progress reports?
- WAC 296-27-21035 What must an employer do to keep employees informed about abatement activities?
- WAC 296-27-21040 How will the department determine the date that documents are submitted?
- WAC 296-27-21045 What are the requirements related to movable equipment?
- WAC 296-27-21050 Appendix A (Nonmandatory).

- (2) These standards do not apply:
 - (a) To construction work, as defined in chapter 296-155 WAC, nor
 - (b) To installations under the exclusive control of electric utilities used for the purpose of communications or metering, or for generation, control, transformation, transmission, and distribution of electric energy, which are located in buildings used exclusively by the electric utilities for such purposes, or located outdoors on property owned or leased by the electric utilities or on public highways, streets, roads, etc., or outdoors by established rights on private property.
- (3) Operations or conditions not specifically covered by this chapter are subject to all the applicable standards contained in chapter 296-24 WAC, general safety and health standards, and chapter 296-800 WAC, the safety and health core rules. Operations which involve construction work, as defined in chapter 296-155 WAC are subject to all the applicable standards contained in chapter 296-155 WAC, safety standards for construction work.

(4) This standard shall augment the Washington state general safety and health standards, general occupational health standards, electrical workers safety rules, and any other standards which are applicable to all industries governed by chapter 80, Laws of 1973, Washington Industrial Safety and Health Act. In the event of any conflict between any portion of this chapter and any portion of any of the general application standards, the provisions of this chapter 296-32 WAC, shall apply.

(5) In exceptional cases where compliance with specific provisions of this chapter can only be accomplished to the serious detriment and disadvantage of an operation, variance from the requirement may be permitted by the director of the department of labor and industries after receipt of application for variance which meets the requirements of WAC ((~~296-24-010, general safety and health standards~~)) 296-350-700.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-32-220 General. (1) Buildings containing telecommunications centers.

(a) Illumination. Lighting in telecommunication centers shall be provided in an amount such that continuing work operations, routine observations, and the passage of employees can be carried out in a safe and healthful manner.

(b) Specific tasks in centers, such as splicing cable and the maintenance and repair of equipment frame lineups, the employer shall install permanent lighting or portable supplemental lighting to attain a higher level of illumination.

(c) Refer to WAC ((~~296-62-09003 (general occupational health standards)~~)) 296-800-210 which shall apply as minimum standards of illumination for industrial interiors.

(d) Illumination of field work. Whenever natural light is insufficient to illuminate the worksite, artificial illumination shall be provided to enable the employee to perform the work safely.

(2) Working surfaces.

(a) Working surfaces shall be in conformance with the latest edition of the general safety and health standard WAC

AMENDATORY SECTION (Amending Order 76-38, filed 12/30/76)

WAC 296-32-200 Scope and application. (1) This chapter sets forth safety and health standards that apply to the work conditions, practices, means, methods, operations, installations and processes performed at telecommunications centers and at telecommunications field installations, which are located outdoors or in building spaces used for such field installations. "Center" work includes the installation, operation, maintenance, rearrangement, and removal of communications equipment and other associated equipment in telecommunications switching centers. "Field" work includes the installation, operation, maintenance, rearrangement, and removal of conductors and other equipment used for signal or communication service, and of their supporting or containing structures, overhead or underground, on public or private rights of way, including buildings or other structures.

PROPOSED

296-24-735 through 296-24-76523, and chapter 296-800 WAC, the safety and health core rule book.

(b) Guard rails and toe boards may be omitted on distribution frame mezzanine platforms to permit access to equipment. This exemption applies only on the side or sides of the platform facing the frames and only on those portions of the platform adjacent to equipped frames.

(3) Working spaces.

(a) Space shall be provided for access to all medium high and high voltage equipment.

(b) Every structure, new or old, designed for human occupancy shall be provided with exits to permit the prompt escape of occupants in case of fire or other emergency. The means of egress shall be a continuous and unobstructed way of exit travel from any point in a building or structure to a public way and consist of three separate and distinct parts; the way of exit access, the exit and the way of exit discharge. A means of egress comprises the vertical and horizontal ways of travel and shall include intervening room spaces, doorways, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, horizontal exits, courts and yards.

(c) "Maintenance aisles," or "wiring aisles," between equipment frame lineups are working spaces and are not a means of egress for purposes of WAC 296-24-550 and 296-800-310.

(4) Special doors.

(a) When blastproof or power actuated doors are installed in specially designed hardsite security buildings and spaces, they shall be designed and installed so that they can be used as a means of egress in emergencies.

(b) When high voltage apparatus is isolated in a supplementary enclosure, interlocks shall be provided on all access doors. Warning signs shall be provided, which are visible both when the guard or cover is in place or removed.

(5) Equipment, machinery and machine guarding.

(a) When power plant machinery in telecommunications centers is operated with commutators and couplings uncovered, the adjacent housing shall be clearly marked to alert personnel to the rotating machinery.

(b) All power switches on power panels shall be in an open position when they are not controlling an operating circuit. Before opening any power circuit, the load shall be reduced. "Men working" signs, or similar wording shall be placed on switches associated with motors or generators under repair.

(c) When working on the brushes of a machine in operation, employees shall use care not to break a circuit. When it is necessary to remove a brush from the holder, the machine shall be shut down.

(d) Only fuse pullers specifically designed for that purpose shall be used when replacing cartridge type fuses.

(6) Battery handling.

(a) Eye protection devices which provide side as well as frontal eye protection for employees shall be provided when measuring storage battery specific gravity or handling electrolyte, and the employer shall ensure that such devices are used by the employees.

(b) The employer shall also ensure that acid resistant gloves and aprons shall be worn for protection against splattering.

(c) Facilities for quick drenching or flushing of the eyes and body shall be provided unless the storage batteries are of the enclosed type and equipped with explosion proof vents, in which case sealed water rinse or neutralizing packs may be substituted for the quick drenching or flushing facilities.

(d) Employees assigned to work with storage batteries shall be instructed in emergency procedures such as dealing with accidental acid spills.

(e) Electrolyte (acid or base, and distilled water) for battery cells shall be mixed in a well ventilated room. Acid or base shall be poured gradually, while stirring, into the water. Water shall never be poured into concentrated (greater than 75 percent) acid solutions. Electrolyte shall never be placed in metal containers nor stirred with metal objects.

(f) When taking specific gravity readings, the open end of the hydrometer shall be covered with an acid resistant material while moving it from cell to cell to avoid splashing or throwing the electrolyte.

(g) Ventilation, shall be provided to ensure diffusion of the gasses from the battery to prevent the accumulation of an explosive type mixture.

(h) Racks and trays shall be substantial and treated to be resistant to the electrolyte.

(i) Floors shall be of acid resistant construction or be protected from acid accumulation.

(7) Hazardous materials.

(a) Highway mobile vehicles and trailers stored in garages in accordance with WAC 296-24-47513 (4)(b) may be equipped to carry more than one LP-gas container, but the total capacity of LP-gas containers per work vehicle stored in garages shall not exceed 100 pounds of LP-gas.

(b) All container valves shall be closed when not in use.

(8) Compressed gas.

(a) When using or transporting nitrogen cylinders, special compartments, racks, or blocking shall be provided to prevent cylinder movement.

(b) Regulators shall be removed or guarded before a cylinder is transported.

(9) Support structures.

(a) No employee, or any material or equipment, shall be supported or permitted to be supported on any portion of a pole structure, platform, ladder, walkway or other elevated structure or aerial device unless the employer ensures that the support structure is first inspected by a competent person and it is determined to be strong, in good working condition and properly secured in place.

(b) Workers shall not throw anything from pole to ground, from pole to pole or from ground to pole.

(10) Power exposures.

(a) The employer shall ensure that no employee approaches or takes any conductive object closer to any electrically energized overhead power lines and parts than prescribed in Table 1 unless:

(i) The employee is insulated or guarded from the energized parts (insulating gloves rated for the voltage involved shall be considered adequate insulation), or

(ii) The energized parts are insulated or guarded from the employee and any other conductive object at a different potential, or

(iii) The power conductors and equipment are deenergized and grounded.

(b) While handling communication wires, metal sheaths, or communication equipment, contact shall be avoided with street lamp brackets, trolley span wires, power guys, transformer cases and any other power equipment that may be energized. The safest possible working position shall be assumed before starting work.

(c) Communication employees shall never work in the pole space on jointly used poles between normal primary and secondary attachments.

(d) Where a hazard of a power contact exists, due to use of long handled tools, proper rubber equipment shall be used.

TABLE 1

APPROACH DISTANCES TO EXPOSED ENERGIZED OVERHEAD POWER LINES AND PARTS

Voltage Range (phase to phase, RMS)	Approach Distance (inches)
300 V and less	(1)
Over 300 V, not over 750 V	12
Over 750 V not over 2 kV	18
Over 2 kV, not over 15 kV	24
Over 15 kV, not over 37 kV	36
Over 37 kV, not over 87.5 kV	42
Over 87.5 kV, not over 121 kV	48
Over 121 kV, not over 140 kV	54

(1) Avoid contact.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-32-230 Training. (1) Employers shall provide training in the various precautions and safe practices described in this section and shall insure that employees do not engage in the activities to which this chapter applies until such employees have received proper training in the various precautions and safe practices required by this section. However, where the employer can demonstrate that an employee is already trained in the precautions and safe practices required by this section prior to their employment, training need not be provided to that employee in accordance with this section.

(2) Where training is required, it shall consist of on-the-job training or classroom-type training or a combination of both.

(3) The training program shall include a list of the subject courses and the types of personnel required to receive such instruction. A written description of the training program and a record of employees who have received such training shall be maintained for the duration of the employee's employment and shall be made available upon request to the director of the department of labor and industries, or his/her authorized representative.

(4) Such training shall, where appropriate, include the following subjects:

(a) Recognition and avoidance of dangers relating to encounters with harmful substances, and animal, insect, or plant life.

(b) Procedures to be followed in emergency situations, and

(c) First aid training, including instruction in artificial respiration.

(5) It shall be the responsibility of the employer to hold monthly safety meetings at practical points throughout the operation and insist upon employees attending said meetings. Minutes shall be kept of each safety meeting and retained for a period of one year.

(6) It shall be the responsibility of management to develop and maintain a chemical hazard communication program as required by (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may become exposed, in the course of their employment.

AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-32-250 Tools and personal protective equipment—General. (1) Personal protective equipment, protective devices and special tools needed for the work of employees shall be provided and the employer shall ensure that they are used by employees.

(a) Before each day's use the employer shall ensure that these personal protective devices, tools, and equipment are carefully inspected by a competent person to ascertain that they are in good condition.

(b) Tools found to be defective shall be taken out of service.

(2) Head protection. Class B protective helmets shall be provided whenever there is exposure to overhead hazards and/or possible high voltage electrical contact.

(a) Employees working in areas where there is a possible danger of head injury from impact, falling or flying objects, shall be protected by protective helmets.

(b) Criteria for protective helmets.

(i) Protective helmets purchased after February 20, 1995, shall comply with ANSI Z89.1-1986, "American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements," which is incorporated by reference, or shall be demonstrated to be equally effective.

(ii) Protective helmets purchased before February 20, 1995, shall comply with the ANSI standard "American National Standard Safety Requirements for Industrial Head Protection," ANSI Z89.1-1969, or shall be demonstrated by the employer to be equally effective.

(3) Eye protection. Protective eye and face equipment shall be required where there is a possibility of injury that can be prevented by such equipment. In such cases, employers shall make conveniently available a type of protector suitable for the work to be performed, and employees shall use such protectors.

PROPOSED

Note: See ((chapter 296-24 WAC, Part A-2,)) WAC 296-800-160 for additional personal protective equipment requirements.

(4) Tent heaters, torches and open flame. Open flames shall not be used within ground tents or on platforms within aerial tents unless:

(a) The tent covers are constructed of fire resistant materials, and

(b) Ventilation is provided to maintain safe oxygen levels and avoid harmful buildup of combustion products and combustible gases.

(5) Portable power equipment.

(a) All portable power equipment used in the telecommunications industry shall be grounded.

(b) Nominal 120V, or less, portable generators used for providing power at work locations do not require grounding if the output circuit is completely isolated from the frame of the unit.

(c) Grounding shall be omitted when using soldering irons, guns or wire-wrap tools on telecommunication circuits.

(6) Vehicle-mounted utility generators. Vehicle-mounted utility generators used for providing nominal 240V AC or less for powering portable tools and equipment need not be grounded to earth if all of the following conditions are met:

(a) One side of the voltage source is solidly strapped to the metallic structure of the vehicle;

(b) Grounding-type outlets are used, with a "grounding" conductor between the outlet grounding terminal and the side of the voltage source that is strapped to the vehicle;

(c) All metallic encased tools and equipment that are powered from this system are equipped with three-wire cords and grounding-type attachment plugs, except as designated in subsection (7) of this section.

(7) Portable lights, tools and appliances. When operated from commercial power such metal parts of these devices shall be grounded, unless these tools or appliances are protected by a system of double insulation, or its equivalent. Where such a system is employed, the equipment shall be distinctively marked to indicate double insulation.

(8) Lead work. When operated from commercial power the metal housing of electric solder pots shall be grounded. Electric solder pots may be used with the power equipment described in this subsection, without a grounding conductor.

The employer shall ensure that wiping gloves or cloths and eye protection are used in lead wiping operations. A drip pan to catch hot lead drippings shall also be provided and used.

(9) Fire extinguishers.

(a) Fire extinguishers shall be provided for the protection of both the building structure and the occupancy hazards contained therein.

(b) Employees shall be familiar with the location and operation of fire extinguishers.

(c) Any fire extinguishers showing defects shall be removed from service.

(d) Fire extinguishers shall be thoroughly examined and/or recharged or repaired to insure operability and safety once every year.

(e) Each fire extinguisher shall have a durable tag securely attached to show the maintenance or recharge date and the initials or signature of the person performing this service.

AMENDATORY SECTION (Amending WSR 99-17-094, filed 8/17/99, effective 12/1/99)

WAC 296-32-260 Rubber insulating equipment. (1) Rubber insulating equipment designed for the voltage levels to be encountered shall be provided and the employer shall ensure that they are used by employees as required by this section. The requirements of WAC ((296-24-092)) 296-24-980, Electrical protective equipment, shall be followed except for Table A-6.

(2) The employer is responsible for periodic retesting of all insulating gloves, blankets, and other rubber insulating equipment. This retesting shall be electrical, visual and mechanical. The following maximum retesting intervals shall apply:

Gloves, Blankets, and Other Insulating Equipment	Natural Rubber (Months)	Synthetic Rubber (Months)
New _____	12	18
Reissued _____	9	15

(3) Protector for gloves. Approved protectors must be worn at all times over rubber gloves. Inner liners may be worn if desired.

(4) Gloves and blankets shall be marked to indicate compliance with the retest schedule and shall be marked with the date the next test date is due.

Any rubber gloves found to be defective shall be removed from service and marked as being defective.

(5) Patching rubber goods is prohibited; rubber protective equipment shall not be vulcanized or patched.

(6) Rubber gloves for workers. A pair of rubber gloves, specifically designed for the protection of workers, shall be assigned each worker when required to work on or be exposed to energized parts.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-37-510 Scope and application. (1) The requirements included in this vertical chapter shall apply throughout the state wherever diving takes place within the jurisdiction of the department of labor and industries. These requirements shall also be applicable to those diving related and supportive work activities not at the diving site but which have a direct effect on the safety of the diving operations. Examples may include but are not limited to: The supply of breathing air or gas; the supply of materials, equipment or supplies required by this chapter; the maintenance of diving equipment.

(2) This standard applies to diving and related support operations conducted in connection with all types of work and employments, including general industry, construction, ship repairing, shipbuilding, shipbreaking and longshoring.

PROPOSED

However, this standard does not apply to any diving operation:

(a) Performed solely for instructional purposes, using open-circuit, compressed-air SCUBA and conducted within the no-decompression limits;

(b) Performed solely for search, rescue, or related public safety purposes by or under the control of a governmental agency; or

(c) Governed by 45 CFR Part 46 (Protection of Human Subjects, United States Department of Health and Human Services) or equivalent rules or regulations established by another federal agency, which regulate research, development, or related purposes involving human subjects.

(d) Defined as scientific diving and which is under the direction and control of a diving program containing at least the following elements:

(i) Diving safety manual which includes at a minimum: Procedures covering all diving operations specific to the program; procedures for emergency care, including recompression and evacuation; and criteria for diver training and certification.

(ii) Diving control (safety) board, with the majority of its members being active divers, which shall at a minimum have the authority to: Approve and monitor diving projects; review and revise the diving safety manual; assure compliance with the manual; certify the depths to which a diver has been trained; take disciplinary action for unsafe practices; and, assure adherence to the buddy system (a diver is accompanied by and is in continuous contact with another diver in the water) for SCUBA diving.

(3) This chapter shall augment the requirements of the general safety and health standard, chapter 296-24 WAC (~~and~~), the general occupational health standard, chapter 296-62 WAC, and safety and health core rules, chapter 296-800 WAC. In instances where this chapter is in direct conflict with the requirements of any general horizontal standard, the requirements of this chapter shall apply.

(4) Hoisting gear used in diving operations shall be inspected and certified as required by chapter 296-56 WAC, safety standards for longshore, stevedore and related waterfront operations.

(5) Application in emergencies. An employer may deviate from the requirements of this standard to the extent necessary to prevent or minimize a situation which is likely to cause death, serious physical harm, or major environmental damage, provided that the employer:

(a) Notifies the assistant director of the department of labor and industries in Olympia or the regional administrator for the region within 48 hours of the onset of the emergency situation indicating the nature of the emergency and extent of the deviation from the prescribed regulations; and

(b) Upon request from the authority notified, submits such information in writing.

(6) Employer obligation. The employer shall be responsible for compliance with:

(a) All provisions of this standard of general applicability; and

(b) All requirements pertaining to specific diving modes to the extent diving operations in such modes are conducted.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-37-575 Recordkeeping requirements. (1) Recording and reporting.

(a) The employer shall comply with the requirements of chapters 296-27 (~~and~~), 296-350, and 296-800 WAC.

(b) The employer shall record the occurrence of any diving-related injury or illness which requires any dive team member to be hospitalized for 24 hours or more, specifying the circumstances of the incident and the extent of any injuries or illnesses.

(2) Availability of records.

(a) Upon the request of the director of the department of labor and industries or his duly authorized designees, the employer shall make available for inspection and copying any record or document required by this standard.

(b) Records and documents required by this standard shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Safe practices manuals (WAC 296-37-530), depth-time profiles (WAC 296-37-540), recording of dives (WAC 296-37-545), decompression procedure assessment evaluations (WAC 296-37-545), and records of hospitalizations (WAC 296-37-575) shall be provided in the same manner as employee exposure records or analyses using exposure or medical records. Equipment inspections and testing records which pertain to employees (WAC 296-37-570) shall also be provided upon request to employees and their designated representatives.

(c) Records and documents required by this standard shall be retained by the employer for the following period:

(i) Dive team member medical records (physician's reports) (WAC 296-37-525) - five years;

(ii) Safe practices manual (WAC 296-37-530) - current document only;

(iii) Depth-time profile (WAC 296-37-540) - until completion of the recording of dive, or until completion of decompression procedure assessment where there has been an incident of decompression sickness;

(iv) Recording dive (WAC 296-37-545) one year, except five years where there has been an incident of decompression sickness;

(v) Decompression procedure assessment evaluations (WAC 296-37-545) - five years;

(vi) Equipment inspections and testing records (WAC 296-37-570) - current entry or tag, or until equipment is withdrawn from service;

(vii) Records of hospitalizations (WAC 296-37-575) - five years.

(d) After the expiration of the retention period of any record required to be kept for five years, the employer shall forward such records to the National Institute for Occupational Safety and Health, Department of Health and Human Services. The employer shall also comply with any additional requirements set forth in WAC 296-62-05215.

(e) In the event the employer ceases to do business:

PROPOSED

(i) The successor employer shall receive and retain all dive and employee medical records required by this standard; or

(ii) If there is no successor employer, dive and employee medical records shall be forwarded to the National Institute for Occupational Safety and Health, Department of Health and Human Services.

AMENDATORY SECTION (Amending WSR 99-09-080, filed 4/20/99, effective 8/1/99)

WAC 296-45-015 Scope and application. (1) This chapter covers the operation and maintenance of electric power generation, control, transformation, transmission, and distribution lines and equipment. These provisions apply to:

(a) Power generation, transmission, and distribution installations, including related equipment for the purpose of communication or metering, which are accessible only to qualified employees;

Note: The types of installations covered by this chapter include the generation, transmission, and distribution installations of electric utilities, as well as equivalent installations of industrial establishments. Trolley maintenance, jumpering, and bypass is also covered by this chapter. Supplementary electric generating equipment that is used to supply a workplace for emergency, standby, or similar purposes only is covered under Part L of chapter 296-24 WAC and WAC 296-800-280.

(b) Other installations at an electric power generating station, as follows:

(i) Fuel and ash handling and processing installations, such as coal conveyors;

(ii) Water and steam installations, such as penstocks, pipelines, and tanks, providing a source of energy for electric generators; and

(iii) Chlorine and hydrogen systems.

(c) Test sites where electrical testing involving temporary measurements associated with electric power generation, transmission, and distribution is performed in laboratories, in the field, in substations, and on lines, as opposed to metering, relaying, and routine line work;

(d) Work on or directly associated with the installations covered in subsections (1)(a) through (c) of this section; and

(e) Line-clearance tree-trimming operations, as follows:

(i) This chapter except WAC 296-45-455, applies to line-clearance tree-trimming operations performed by qualified employees (those who are knowledgeable in the construction and operation of electric power generation, transmission, or distribution equipment involved, along with the associated hazards).

(ii) WAC 296-45-065, 296-45-125, 296-45-135, 296-45-255, 296-45-315, 296-45-375, and 296-45-455 through 296-45-45530 apply to line-clearance tree-trimming operations performed by line-clearance tree trimmers who are not qualified employees.

(2) Notwithstanding subsection (1) of this section, this chapter does not apply to electrical installations, electrical safety-related work practices, or electrical maintenance considerations covered by Part L of chapter 296-24 WAC and WAC 296-800-280.

Note 1: Work practices conforming to WAC 296-24-970 through 296-24-985 are considered as complying with the electrical safety-related work practice requirements of this chapter, provided the work is being performed on a generation or distribution installation meeting WAC 296-24-95601 through 296-24-95699. This chapter also applies to work by qualified persons directly on or associated with installations of electric power generation, transmission, and distribution lines or equipment, regardless of compliance with WAC 296-24-970 through 296-24-985.

Note 2: Work practices performed by qualified persons and conforming to this chapter are considered as complying with WAC 296-24-95601 through 296-24-95699.

(3) This section applies in addition to all other applicable safety and health standards administered by the department. Specific references in this section to other standards are provided for emphasis only.

(4) Operation, conditions, work methods and other work related situations or activities not specifically covered by this chapter are subject to the rules and regulations of chapter 296-24 WAC, General safety and health standards; chapter 296-62 WAC, General occupational health standards; chapter 296-155 WAC, Safety standards for construction work; chapter 296-800 WAC, Safety and health core rules; and, insofar as applicable to employee safety and health, chapter 19.29 RCW. Additionally, operations, conditions, work methods and other work related situations or activities may be subject to additional rules and regulations depending upon the nature of the work being performed.

(5) These rules shall not apply to the use of existing electrical installations during their lifetime, provided they are maintained in good condition and in accordance with the applicable safety factor requirements and the rules in effect at the time they were installed, and provided that reconstruction shall conform to the rules as herein provided.

(6) Any rule, regulation or standard contained within this chapter, if subject to interpretation, shall be interpreted so as to achieve employee safety, which is the ultimate purpose of this chapter.

(7) Should a rule or standard contained within this chapter conflict, in any manner, with a standard or rule contained within any other chapter of Title 296 WAC the standard or rule contained herein shall apply so long as the work being done is power generation, transmission, and distribution installations, including related equipment for the purpose of communication or metering, which are accessible only to qualified employees. If there are rules within this chapter that conflict, the rule that provides the greatest employee safety will apply.

(8) Neither the promulgation of these rules, nor anything contained in these rules shall be construed as affecting the relative status or civil rights or liabilities between employers and their employees and/or the employees of others and/or the public generally; nor shall the use herein of the words "duty" and "responsibility" or either, import or imply liability other than provided for in the industrial insurance and safety laws of the state of Washington, to any person for injuries due to negligence predicated upon failure to perform or discharge any such "duty" or "responsibility," but failure on the part of the employees, leadworker, or employer to comply with any compulsory rule may be cause for the department of labor

and industries to take action in accordance with the industrial insurance and safety laws.

(9) "Shall" and "must" as used in this chapter make the provisions mandatory. "Should," "may," or "it is recommended" are used to indicate the provisions are not mandatory but are recommended.

(10) If any section, subsection, phrase, or provisions of this chapter or part thereof should be held invalid by any court for any reason, such invalidity shall not in any way affect the validity of the remainder of this chapter, unless such decision renders the remainder of the provision unintelligible, or changes the meaning of such other provision or provisions.

(11) When the language used in this chapter indicates that it is the responsibility, duty, or obligation of the lead-worker or other employee, it shall also be the employer's responsibility, obligation, and duty.

Whenever this chapter refers to the provisions of another safety and health standard or statute affecting safety and health, such reference refers to the statute or code in effect at the time the work is being performed.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-035 Definitions. These definitions apply to chapter 296-45 WAC.

"Aerial manlift equipment" - Equipment such as extended towers, boom-mounted cages or baskets, and truck-mounted ladders, that is primarily designed to place personnel and equipment aloft to work on elevated structures and equipment.

"Affected employee" - An employee whose job requires him or her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout, or whose job requires him or her to work in an area in which such servicing or maintenance is being performed.

"Apprentice" - An employee who is being trained to be journey level.

"Approved" - Meets or exceeds the recognized standards of safety within the industry.

"Approved protectors" - Gloves worn over rubber insulating gloves which are of such material or substance and so constructed as to protect the rubber gloves from abrasions, lacerations, or other physical damage which might otherwise occur to rubber gloves. Approved protectors must conform to the standards which are recognized by the industry.

"Attendant" - An employee assigned to remain immediately outside the entrance to an enclosed or other space to render assistance as needed to employees inside the space.

"Authorized employee" - An employee who locks out or tags out machines or equipment in order to perform servicing or maintenance on that machine or equipment. An affected employee becomes an authorized employee when that employee's duties include performing servicing or maintenance covered under this section.

"Automatic circuit recloser" - A self-controlled device for interrupting and reclosing an alternating current circuit

with a predetermined sequence of opening and reclosing followed by resetting, hold-closed, or lockout operation.

"Barricade" - A physical obstruction such as tapes, cones, or A-frame type wood or metal structures intended to provide a warning about and to limit access to a hazardous area.

"Barrier" - A physical obstruction which is intended to prevent contact with energized lines or equipment or to prevent unauthorized access to a work area.

"Bond" - The electrical interconnection of conductive parts designed to maintain a common electrical potential.

"Bus" - A conductor or a group of conductors that serve as a common connection for two or more circuits.

"Bushing" - An insulating structure, including a through conductor or providing a passageway for such a conductor, with provision for mounting on a barrier, conducting or otherwise, for the purposes of insulating the conductor from the barrier and conducting current from one side of the barrier to the other.

"Cable" - A conductor with insulation, or a stranded conductor with or without insulation and other coverings (single-conductor cable), or a combination of conductors insulated from one another (multiple-conductor cable).

"Cable sheath" - A conductive protective covering applied to cables.

Note: A cable sheath may consist of multiple layers of which one or more is conductive.

"Circuit" - A conductor or system of conductors through which an electric current is intended to flow.

"Clearance" (between objects) - The clear distance between two objects measured surface to surface.

"Clearance" (for work) - Authorization to perform specified work or permission to enter a restricted area.

"Communication lines." (See "Lines, communication.")

"Conductor" - A material, usually in the form of a wire, cable, or bus bar, used for carrying an electric current.

"Covered conductor" - A conductor covered with a dielectric having no rated insulating strength or having a rated insulating strength less than the voltage of the circuit in which the conductor is used.

"Current-carrying part" - A conducting part intended to be connected in an electric circuit to a source of voltage. Noncurrent-carrying parts are those not intended to be so connected.

"De-energized" - Free from any electrical connection to a source of potential difference and from electric charge; not having a potential difference from that of the earth.

Note: The term is used only with reference to current-carrying parts, which are sometimes energized (alive).

"Designated employee/person" - An employee/person who is designated by the employer to perform specific duties under the terms of this section and who is knowledgeable in the construction and operation of the equipment and the hazards involved.

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"Electric line truck" - Any vehicle used to transport employees, tools, and material, which serves as a traveling workshop for electric power line construction and maintenance work. It may be equipped with a boom and auxiliary equipment for setting poles, digging holes, and elevating material and/or workers.

"Electric supply equipment" - Equipment that produces, modifies, regulates, controls, or safeguards a supply of electric energy.

"Electric supply lines." (See "Lines, electric supply.")

"Electric utility" - An organization responsible for the installation, operation, or maintenance of an electric supply system.

"Emergency" - An unforeseen occurrence endangering life, limb, or property.

"Enclosed" - Surrounded by a case, cage, fence or otherwise which will protect the contained equipment and prevent accidental contact of a person with live parts.

"Enclosed space" - A working space, such as a man-hole, vault, tunnel, or shaft, that has a limited means of egress or entry, that is designed for periodic employee entry under normal operating conditions, and that under normal conditions does not contain a hazardous atmosphere, but that may contain a hazardous atmosphere under abnormal conditions.

Note: Spaces that are enclosed but not designed for employee entry under normal operating conditions are not considered to be enclosed spaces for the purposes of this section. Similarly, spaces that are enclosed and that are expected to contain a hazardous atmosphere are not considered to be enclosed spaces for the purposes of this section. Such spaces meet the definition of permit spaces in WAC 296-62-145, and entry into them must be performed in accordance with that standard.

"Energized" (alive, live) - Electrically connected to a source of potential difference, or electrically charged so as to have a potential significantly different from that of earth in the vicinity.

"Energy isolating device" - A physical device that prevents the transmission or release of energy, including, but not limited to, the following: A manually operated electric circuit breaker, a disconnect switch, a manually operated switch, a slide gate, a slip blind, a line valve, blocks, and any similar device with a visible indication of the position of the device. (Push buttons, selector switches, and other control-circuit-type devices are not energy isolating devices.)

"Energy source" - Any electrical, mechanical, hydraulic, pneumatic, chemical, nuclear, thermal, or other energy source that could cause injury to personnel.

"Equipment" (electric) - A general term including material, fittings, devices, appliances, fixtures, apparatus, and the like used as part of or in connection with an electrical installation.

"Exposed" - Not isolated or guarded.

"Fault current" - The current that flows in an electrical system because of a defect in the circuit induced accidentally or otherwise.

"Fixed ladder" - A ladder that is permanently secured to a structure.

"Ground" - A conducting connection, whether intentional or accidental, between an electric circuit or equipment and the earth, or to some conducting body that serves in place of the earth.

"Grounded" - Connected to earth or to some conducting body that serves in place of the earth.

"Grounded system" - A system of conductors in which at least one conductor or point (usually the middle wire, or neutral point of transformer or generator windings) is intentionally grounded either solidly or through a current-limiting device (not a current-interrupting device).

"Groundperson" - A member of crew working on ground under direction of a leadworker.

"Guarded" - Covered, fenced, enclosed, or otherwise protected, by means of suitable covers or casings, barrier rails or screens, mats, or platforms, designed to prevent the possibility, under normal conditions, of dangerous approach or accidental contact by persons or objects.

Note: Wires which are insulated, but not otherwise protected, are not considered as guarded.

"Hazardous atmosphere" - An atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue (that is, escape unaided from an enclosed space), injury, or acute illness from one or more of the following causes:

- Flammable gas, vapor, or mist in excess of 10 percent of its lower flammable limit (LFL);
- Airborne combustible dust at a concentration that meets or exceeds its LFL;

Note: This concentration may be approximated as a condition in which the dust obscures vision at a distance of 5 feet (1.52 m) or less;

- Atmospheric oxygen concentration below 19.5 percent or above 23.5 percent;
- Atmospheric concentration of any substance for which a dose or a permissible exposure limit is published in chapter 296-62 WAC, Part L, or in chapter 296-62 WAC, toxic and hazardous substances, and which could result in employee exposure in excess of its dose or permissible exposure limit;

Note: An atmospheric concentration of any substance that is not capable of causing death, incapacitation, impairment of ability to self-rescue, injury, or acute illness due to its health effects is not covered by this provision.

- Any other atmospheric condition that is "immediately dangerous to life or health" (IDLH).

"IDLH" - Any condition that poses an immediate or delayed threat to life or that would cause irreversible adverse health effects or that would interfere with an individual's ability to escape unaided from a permit space.

Note: Some materials (hydrogen fluoride gas and cadmium vapor, for example) may produce immediate transient effects that, even if severe, may pass without medical attention, but are followed by sudden, possibly fatal collapse 12-72 hours after exposure. The victim "feels normal" from recovery from transient effects until collapse. Such materials in hazardous quantities are considered to be "immediately" dangerous to life or health.

Note: For air contaminants for which WISHA has not determined a dose or permissible exposure limit, other sources of information, such as Material Safety Data Sheets that comply with the Chemical Hazard Communication ((Standard, chapter 296-62 WAC, Part C)) Program, WAC 296-800-170, published information, and internal documents can provide guidance in establishing acceptable atmospheric conditions.

"High-power tests" - Tests in which fault currents, load currents, magnetizing currents, and line-dropping currents are used to test equipment, either at the equipment's rated voltage or at lower voltages.

"High-voltage tests" - Tests in which voltages of approximately 1000 volts are used as a practical minimum and in which the voltage source has sufficient energy to cause injury.

"High wind" - A wind of such velocity that the following hazards would be present:

- An employee would be exposed to being blown from elevated locations; or
- An employee or material handling equipment could lose control of material being handled; or
- An employee would be exposed to other hazards not controlled by the standard involved.

Note: Winds exceeding 40 miles per hour (64.4 kilometers per hour), or 30 miles per hour (48.3 kilometers per hour) if material handling is involved, are normally considered as meeting this criteria unless precautions are taken to protect employees from the hazardous effects of the wind.

"Insulated" - Separated from other conducting surfaces by a dielectric (including air space) offering a high resistance to the passage of current.

Note: When any object is said to be insulated, it is understood to be insulated for the conditions to which it is normally subjected. Otherwise, it is, within the purpose of this section, uninsulated.

"Insulation" (cable) - That which is relied upon to insulate the conductor from other conductors or conducting parts or from ground.

"Insulation shielding" - An envelope which encloses the insulation of a cable and provides an equipotential surface in contact with cable insulation.

"Isolated" - An object that is not readily accessible to persons unless special means of access are used.

"Leadworker" - The person directly in charge of workers doing the work, regardless of title.

"Line-clearance tree trimmer" - An employee who, through related training or on-the-job experience or both, is familiar with the special techniques and hazards involved in line-clearance tree trimming.

Note 1: An employee who is regularly assigned to a line-clearance tree-trimming crew and who is undergoing on-the-job training and who, in the course of such training, has demonstrated an ability to perform duties safely at his or her level of training and who is under the direct supervision of a line-clearance tree trimmer is considered to be a line-clearance tree trimmer.

Note 2: A line-clearance tree trimmer is not considered to be a "qualified employee" under this section unless he or she has the training required for a qualified employee under WAC 296-45-065. However, under the electrical safety-related

work practices standard, a line-clearance tree trimmer is considered to be a "qualified employee." Tree trimming performed by such "qualified employees" is not subject to the electrical safety-related work practice requirements contained in WAC 296-24-970. (See also the note following WAC 296-24-970 for information regarding the training an employee must have to be considered a qualified employee.)

"Line-clearance tree trimming" - The pruning, trimming, repairing, maintaining, removing, or clearing of trees or the cutting of brush that is within 10 feet (305 cm) of electric supply lines and equipment.

"Lines" -

• **"Communication lines"** - The conductors and their supporting or containing structures which are used for public or private signal or communication service, and which operate at potentials not exceeding 400 volts to ground or 750 volts between any two points of the circuit, and the transmitted power of which does not exceed 150 watts. If the lines are operating at less than 150 volts, no limit is placed on the transmitted power of the system. Under certain conditions, communication cables may include communication circuits exceeding these limitations where such circuits are also used to supply power solely to communication equipment.

Note: Telephone, telegraph, railroad signal, data, clock, fire, police alarm, cable television, and other systems conforming with this definition are included. Lines used for signaling purposes, but not included under this definition, are considered as electric supply lines of the same voltage.

• **"Electric supply lines"** - Conductors used to transmit electric energy and their necessary supporting or containing structures. Signal lines of more than 400 volts are always supply lines within this section, and those of less than 400 volts are considered as supply lines, if so run and operated throughout.

"Live-line tools and ropes" - Tools and ropes specifically designed for work on energized high voltage lines and equipment.

"Load-break elbow" - A connector designed to close and interrupt current on energized circuits within the design current and voltage rating.

"Manhole" - A subsurface enclosure which personnel may enter and which is used for the purpose of installing, operating, and maintaining submersible equipment or cable.

"Manhole steps" - A series of steps individually attached to or set into the walls of a manhole structure.

"Minimum approach distance" - The closest distance an employee is permitted to approach an energized or a grounded object.

"Neutral" - A system in which one conductor is used as the neutral for one or more circuits; one conductor may be used as the neutral for both primary and secondary circuits of a distribution system.

"Pole" - Any device used to support a power distribution or transmission line. The pole may be made of any substance including wood, concrete, metal, is usually cylindrical in shape and comparatively slender. It is the upright standard to which is affixed part of the power distribution and transmission line system as defined in this chapter.

"Power dispatcher" (load dispatcher or system operator) - A person who has been designated by the employer as having authority over switching and clearances of high voltage lines and station equipment.

"Protective devices" - Devices such as rubber gloves, rubber blankets, line hose, rubber boots, or other insulating devices, which are specifically designed for the protection of employees.

"Public highway" - Every way, land, road, street, boulevard, and every other way or place in the state open as a matter of right to public vehicular travel, both inside and outside the limits of cities and towns, regardless of ownership.

"Qualified person or qualified employee" - A person who is familiar with the construction of, or operation of such lines and/or equipment that concerns his/her position and who is fully aware of the hazards connected therewith, or, one who has passed a journey status examination for the particular branch of the electrical trades with which he/she may be connected.

Note 1: An employee must have the training required by WAC 296-45-065(1) in order to be considered a qualified employee.

Note 2: (Apprentice) Except under WAC 296-45-25510(12), an employee who is undergoing on-the-job training and who, in the course of such training, has demonstrated an ability to perform duties safely at his or her level of training and who is under the direct supervision of a qualified person is considered to be a qualified person for the performance of those duties.

"Rubber" - Any goods, equipment, or tool made out of either natural or synthetic rubber.

"Secured ladder" - A ladder which is not capable of being dislodged from the top by lateral, or jerking motion(s).

"Sheath" - As applied to tools carried in a lineman's tool belt, a sheath that effectively covers the tool and prevents such tool from falling from the belt.

"Step bolt" - A bolt or rung attached at intervals along a structural member and used for foot placement during climbing or standing.

"Supporting structure" - The main supporting unit (usually a pole or tower).

"Switch" - A device for opening and closing or for changing the connection of a circuit. In these rules, a switch is understood to be manually operable, unless otherwise stated.

"System operator or power dispatcher" - A qualified person who has been designated by the employer and having authority over switching, clearances, and operation of the system and its parts.

"Tag" - A system or method of identifying circuits, systems, or equipment for the purpose of alerting employees and others that the circuit, system, or equipment is being worked on.

"Underground network" - An underground electrical installation fed from multiple primary sources directly associated with area-wide secondary network connected into a common grid.

"Underground residential distribution system" (URD) - An electrical installation normally fed from a single

primary source which may feed one or more transformers with secondaries not connected to a common grid.

"Utility" - An organization responsible for the installation, operation, or maintenance of electric supply or communications systems.

"Vault" - An enclosure, above or below ground, which personnel may enter and which is used for the purpose of installing, operating, or maintaining equipment or cable.

"Vented vault" - A vault that has provision for air changes using exhaust flue stacks and low level air intakes operating on differentials of pressure and temperature providing for airflow which precludes a hazardous atmosphere from developing.

"Voltage" - The effective (rms) potential difference between any two conductors or between a conductor and ground. Voltages are expressed in nominal values unless otherwise indicated. The nominal voltage of a system or circuit is the value assigned to a system or circuit of a given voltage class for the purpose of convenient designation. The operating voltage of the system may vary above or below this value.

Note: Low voltage includes voltages from 50 to 600 volts. High voltage shall mean those voltages of 601 volts to 230,000. Extra high voltage means any voltage over 230,000 volts. Where the words "high voltage" are used in this chapter it shall include extra high voltage, unless otherwise specified.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-055 Employer's responsibility. (1) The employer shall provide and maintain the necessary protective devices specified in these rules and require the employees to use them properly.

(2) The employer shall develop and maintain a chemical hazard communication program as required by (~~Part C, chapter 296-62~~) WAC 296-800-170, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may become exposed, in the course of their employment.

(3) There shall be installed and maintained in every fixed establishment employing eight or more persons a safety bulletin board of a size to display and post safety bulletins, newsletters, posters, accident statistics and other safety educational material. It is recommended that safety bulletin boards be painted green and white.

(4) The employer shall require the leadworker to observe and enforce all safety rules and shall furnish a copy of the electrical workers' safety rules to each employee who is covered by these rules.

(5) The employer shall appoint only competent workers to supervise other employees and those appointed shall be responsible for the safety of the employees under their supervision.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-125 Medical services and first aid. The employer shall provide medical services and first aid as required in (~~chapter 296-24~~) WAC 296-800-160. In addition,

tion to the requirements of (~~chapter 296-24~~) WAC 296-800-160, the following requirements also apply:

(1) Cardiopulmonary resuscitation and first-aid training. When employees are performing work on or associated with exposed lines or equipment energized at 50 volts or more, persons trained in first aid including cardiopulmonary resuscitation (CPR) shall be available as follows:

(a) For field work involving two or more employees at a work location, at least two trained persons shall be available. However, only one trained person need be available if all new employees are trained in first aid, including CPR, within 3 months of their hiring dates.

(b) For fixed work locations such as generating stations, the number of trained persons available shall be sufficient to ensure that each employee exposed to electric shock can be reached within 4 minutes by a trained person. However, where the existing number of employees is insufficient to meet this requirement (at a remote substation, for example), all employees at the work location shall be trained.

(2) First-aid supplies. First-aid supplies required by (~~chapter 296-24~~) WAC 296-800-160 shall be placed in weatherproof containers if the supplies could be exposed to the weather.

(3) First-aid kits. Each first-aid kit shall be maintained, shall be readily available for use, and shall be inspected frequently enough to ensure that expended items are replaced but at least once per year.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-25505 Personal protective equipment.

(1) General. Personal protective equipment shall meet the requirements of chapter 296-24 WAC, Part (~~(A-2)~~) L and WAC 296-800-150.

(2) All protective hats shall be in accordance with the specifications of ANSI Z89.2-1971 Edition Industrial Protective Helmets for Electrical Workers, Class B, and shall be worn at the jobsite by employees who are exposed to overhead or electrical hazards.

(3) Wearing apparel. Goggles, hearing protection, respirators, rubber gloves, and other such personal protective devices shall not be interchanged among employees unless they have been sanitized.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-275 Ladders, platforms, and manhole steps. (1) General. Requirements for ladders contained in chapter 296-24 WAC, Part J-1, and WAC 296-800-290 apply, except as specifically noted in subsection (2) of this section.

(2) Special ladders and platforms. Portable ladders and platforms used on structures or conductors in conjunction with overhead line work need not meet chapter 296-24 WAC, Part J-1 (~~(e)~~), chapter 296-155 WAC, Part J or WAC 296-800-290. However, these ladders and platforms shall meet the following requirements:

(a) Ladders and platforms shall be secured to prevent their becoming accidentally dislodged.

(b) Ladders and platforms may not be loaded in excess of the working loads for which they are designed.

(c) Ladders and platforms may be used only in applications for which they were designed.

(d) In the configurations in which they are used, ladders and platforms shall be capable of supporting without failure at least 2.5 times the maximum intended load.

(e) All ladders shall be handled and stored in such a manner as to prevent damage to the ladder.

(f) When ascending or descending a ladder, the employee shall face the ladder and have free use of both hands.

(g) All defective ladders shall be taken out of service and labeled as defective.

(h) When a ladder is being used which is not fixed or otherwise secured, there shall be an attendant to hold the ladder and watch traffic when the work is being done on streets, alleys, sidewalks, or in industrial plants or other places where there exists the possibility of accidental contact with the ladder by third persons or vehicles.

(i) When working on the ladder, employees shall, where possible, tie the top of the ladder to a substantial object to prevent falling unless the ladder is equipped with approved hooks which may be used for the same purpose.

(j) Portable ladders shall not be moved with employees on the ladder.

(k) No employee shall ascend or descend a rolling ladder while it is moving.

(l) No employee shall stand on the top two steps of a step ladder.

(m) No employee shall use a step ladder as a straight ladder.

(n) Ladders shall always be placed on a secure footing with both legs resting firmly on the lower surface.

(o) Ladders made by fastening cleats or similar devices across a single rail shall not be used.

(3) Conductive ladders. Portable metal ladders and other portable conductive ladders may not be used near exposed energized lines or equipment. However, in specialized high-voltage work, conductive ladders shall be used where the employer can demonstrate that nonconductive ladders would present a greater hazard than conductive ladders.

Note: A greater electrical hazard would be static electricity such as might be found in extra high voltage substations.

(4) All conductive or metal ladders shall be prominently marked and identified as being conductive and shall be grounded when used near energized lines or equipment.

Note: See chapter 296-24 WAC for additional ladder requirements.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-285 Hand, and portable powered tools.

(1) General requirements.

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(a) The employer shall assure that each hand and portable powered tool, including any tool provided by an employee, is maintained in serviceable condition.

(b) The employer shall assure that each tool, including any tool provided by an employee, is inspected before initial use during each workshift. At a minimum, the inspection shall include the following:

(i) Handles and guards, to assure that they are sound, tight-fitting, properly shaped, free of splinters and sharp edges, and in place;

(ii) Controls, to assure proper function;

(iii) Heads of shock, impact-driven and driving tools, to assure that there is no mushrooming;

(iv) Cutting edges, to assure that they are sharp and properly shaped; and

(v) All other safety devices, to assure that they are in place and function properly.

(c) The employer shall assure that each tool is used only for purposes for which it has been designed.

(d) When the head of any shock, impact-driven or driving tool begins to chip, it shall be repaired or removed from service.

(e) The cutting edge of each tool shall be sharpened in accordance with manufacturer's specifications whenever it becomes dull during the workshift.

(f) Each tool shall be stored in the provided location when not being used at a work site.

(g) Racks, boxes, holsters or other means shall be provided, arranged and used for the transportation of tools so that a hazard is not created for any vehicle operator or passenger.

(2) Electric equipment connected by cord and plug must meet the following requirements:

(a) Cord- and plug-connected equipment supplied by premises wiring is covered by chapter 296-24 WAC, Part L and WAC 296-800-280.

(b) Any cord- and plug-connected equipment supplied by other than premises wiring shall comply with one of the following instead of chapter 296-24 WAC, Part L and WAC 296-800-280:

(i) It shall be equipped with a cord containing an equipment grounding conductor connected to the tool frame and to a means for grounding the other end (however, this option may not be used where the introduction of the ground into the work environment increases the hazard to an employee); or

(ii) It shall be of the double-insulated type conforming to 296-24 WAC, Part L and WAC 296-800-280; or

(iii) It shall be connected to the power supply through an isolating transformer with an ungrounded secondary.

(3) Portable and vehicle-mounted generators. Portable and vehicle-mounted generators used to supply cord- and plug-connected equipment shall meet the following requirements:

(a) The generator may only supply equipment located on the generator or the vehicle and cord- and plug-connected equipment through receptacles mounted on the generator or the vehicle.

(b) The non-current-carrying metal parts of equipment and the equipment grounding conductor terminals of the receptacles shall be bonded to the generator frame.

(c) In the case of vehicle-mounted generators, the frame of the generator shall be bonded to the vehicle frame.

(d) Any neutral conductor shall be bonded to the generator frame.

(4) Hydraulic and pneumatic tools must meet the following requirements:

(a) Safe operating pressures for hydraulic and pneumatic tools, hoses, valves, pipes, filters, and fittings may not be exceeded.

Note: If any hazardous defects are present, no operating pressure would be safe, and the hydraulic or pneumatic equipment involved may not be used. In the absence of defects, the maximum rated operating pressure is the maximum safe pressure.

(b) A hydraulic or pneumatic tool used where it may contact exposed live parts shall (use nonconductive hoses and) be designed and maintained for such use.

(c) The hydraulic system supplying a hydraulic tool used where it may contact exposed live parts shall provide protection against loss of insulating value for the voltage involved due to the formation of a partial vacuum in the hydraulic line.

Note: Hydraulic lines without check valves having a separation of more than 35 feet (10.7 m) between the oil reservoir and the upper end of the hydraulic system promote the formation of a partial vacuum.

(d) A pneumatic tool used on energized electric lines or equipment or used where it may contact exposed live parts shall provide protection against the accumulation of moisture in the air supply.

(e) Pressure shall be released before connections are broken, unless quick acting, self-closing connectors are used. Hoses may not be kinked.

(f) Employees may not use any part of their bodies to locate or attempt to stop a hydraulic leak.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-45510 Sprayers and related equipment. (1) Walking and working surfaces of sprayers and related equipment shall be covered with slip-resistant material. If slipping hazards cannot be eliminated, slip-resistant footwear or handrails and stair rails meeting the requirements of chapter 296-24 WAC, Part J-1, and WAC 296-800-260 may be used instead of slip-resistant material.

(2) Equipment on which employees stand to spray while the vehicle is in motion shall be equipped with guardrails around the working area. The guardrail shall be constructed in accordance with chapter 296-24 WAC, Part J-1 and WAC 296-800-260.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-48535 Chemical cleaning of boilers and pressure vessels. The following requirements apply to chemical cleaning of boilers and pressure vessels:

(1) Areas where chemical cleaning is in progress shall be cordoned off to restrict access during cleaning. If flammable

liquids, gases, or vapors or combustible materials will be used or might be produced during the cleaning process, the following requirements also apply:

(a) The area shall be posted with signs restricting entry and warning of the hazards of fire and explosion; and

(b) Smoking, welding, and other possible ignition sources are prohibited in these restricted areas.

(2) The number of personnel in the restricted area shall be limited to those necessary to accomplish the task safely.

(3) There shall be ready access to water or showers for emergency use.

Note: See chapter 296-24 WAC, Part B and WAC 296-800-230 for requirements that apply to the water supply and to washing facilities.

(4) Employees in restricted areas shall wear protective equipment meeting the requirements of this chapter and including, but not limited to, protective clothing, boots, goggles, and gloves.

AMENDATORY SECTION (Amending WSR 98-07-009, filed 3/6/98, effective 5/6/98)

WAC 296-45-075 Employer's safety program. (1) The employer shall hold safety meetings at least once a month, which meetings shall be held at a reasonable time and place as selected by the employer. The employer shall require all employees subject to provisions of this chapter to attend said meetings: Provided, That employees whose presence is otherwise required by reason of an emergency or whose function is such that they cannot leave their station or cease their work without serious detriment to the service provided, such as dispatcher, may be excused from such meeting under those circumstances. Minutes shall be kept of each safety meeting and retained for a period of one year.

(2) The employer or a representative(s) designated shall investigate all accidents or injuries of a serious nature and, where possible, take the proper remedial steps to prevent the occurrence of similar accidents.

(3) The employer shall furnish instructions stating the proper procedure in event of an emergency, which shall include the names of those individuals to be notified and methods of contacting them.

(4) The employer shall provide and make available to all employees accident report and safety suggestion forms or other approved methods. Safety suggestion forms should, where possible, be used for suggesting the elimination of hazardous conditions and such reported suggestions shall be retained (for one year) by the employer or an authorized representative.

(5) The employer must notify the department of employee fatalities or catastrophes according to the requirements of WAC ((296-24-020)) 296-800-320.

(6) Nothing contained within this chapter shall prohibit an employer or an authorized representative from disciplining employees for failure to comply with the provisions of this or any other safety code.

(7) Existing conditions related to the safety of the work to be performed shall be determined before work on or near electric lines or equipment is started. Such conditions

include, but are not limited to, the nominal voltages of lines and equipment, the maximum switching transient voltages, the presence of hazardous induced voltages, the presence and condition of protective grounds and equipment grounding conductors, the condition of poles, environmental conditions relative to safety, and the locations of circuits and equipment, including power and communication lines and fire protective signaling circuits.

AMENDATORY SECTION (Amending WSR 95-07-014, filed 3/6/95, effective 4/20/95)

WAC 296-52-465 Storage of ammonium nitrate. (1) Scope and definitions.

(a) Except as provided in (d) of this subsection applies to the storage of ammonium nitrate in the form of crystals, flakes, grains, or prills including fertilizer grade, dynamite grade, nitrous oxide grade, technical grade, and other mixtures containing 60 percent or more ammonium nitrate by weight but does not apply to blasting agents.

(b) This section does not apply to the transportation of ammonium nitrate while such transportation is being conducted under U.S. DOT jurisdiction and in compliance with DOT regulations (see 49 CFR Part 173).

(c) This section does not apply to storage under the jurisdiction of and in compliance with the regulations of the United States Coast Guard (see 46 CFR Parts 146-149).

(d) This section shall not apply to storage of ammonium nitrate and ammonium nitrate mixtures which are more sensitive than allowed by the "Definition and Test Procedures for Ammonium Nitrate Fertilizers" from the FERTILIZER INSTITUTE. Storage of ammonium nitrate which is above the sensitivity criteria shall comply with WAC 296-52-469, Storage of Blasting Agents and Supplies.

(e) Nothing in this section shall apply to the production of ammonium nitrate or to the storage of ammonium nitrate on the premises of the producing plant, provided that no distinct undue hazard to employees or the public is created.

(f) The definition and test procedures for ammonium nitrate fertilizer are those found in the bulletin, "Definition and test procedures for ammonium nitrate fertilizer," available from the Fertilizer Institute, 501 2nd St. N.E., Washington, D.C. 20006. This definition limits the contents of organic materials, metals, sulfur, etc., in a product that may be classified ammonium nitrate fertilizer.

(g) The standards for ammonium nitrate (nitrous oxide grade) are those found in the "specifications, properties, and recommendations for packaging, transportation, storage, and use of ammonium nitrate," available from the Compressed Gas Association, Inc., 1235 Jefferson Davis Highway, Suite 1004, Arlington, VA 22202-4100.

(2) General provisions.

(a) This subsection applies to all persons storing, having, or keeping ammonium nitrate, and to the owner or lessee of any building, premises, or structure in which ammonium nitrate is stored in quantities of 1,000 pounds (454 kg) or more.

(b) Approval of large quantity storage shall be subject to due consideration of the fire and explosion hazards, including

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exposure to toxic vapors from burning or decomposing ammonium nitrate.

(c) Storage buildings shall not have basements unless the basements are open on at least one side. Storage buildings shall not be over one story in height.

(d) Storage buildings shall have adequate ventilation or be of a construction that will be self-ventilating in the event of fire.

(e) The wall on the exposed side of a storage building within 50 feet (15.2 m) of a combustible building, forest, piles of combustible materials and similar exposure hazards shall be of fire-resistive construction. (See NFPA Std. 220, Type 1 Construction.) In lieu of the fire-resistive wall, other suitable means of exposure protection such as a free standing wall may be used. The roof coverings shall be Class C or better, as defined in Roof Coverings, NFPA 203M-1970.

(f) All flooring in storage and handling areas, shall be of noncombustible material or protected against impregnation by ammonium nitrate and shall be without open drains, traps, tunnels, pits, or pockets into which any molten ammonium nitrate could flow and be confined in the event of fire.

(g) The continued use of an existing storage building or structure not in strict conformity with this section may be approved in cases where such continued use will not constitute a hazard to life or adjoining property.

(h) Buildings and structures shall be dry and free from water seepage through the roof, walls, and floors.

(3) Storage of ammonium nitrate in bags, drums, or other containers.

(a) Bags and containers used for ammonium nitrate must comply with specifications and standards required for use in interstate commerce (see 49 CFR Chapter I).

(b) Containers used on the premises in the actual manufacturing or processing need not comply with provisions of (a) of this subsection.

(c) Containers of ammonium nitrate shall not be accepted for storage when the temperature of the ammonium nitrate exceeds 130°F (54.4°C).

(d) Bags of ammonium nitrate shall not be stored within 30 inches (76 cm) of the storage building walls and partitions.

(e) The height of piles shall not exceed 20 feet (6.1 m). The width of piles shall not exceed 20 feet (6.1 m) and the length 50 feet (15.2 m) except that where the building is of noncombustible construction or is protected by automatic sprinklers the length of piles shall not be limited. In no case shall the ammonium nitrate be stacked closer than 36 inches (0.9 m) below the roof or supporting and spreader beams overhead.

(f) Aisles shall be provided to separate piles by a clear space of not less than 3 feet (0.9 m) in width. At least one service or main aisle in the storage area shall be not less than 4 feet (1.2 m) in width.

(4) Storage of bulk ammonium nitrate.

(a) Warehouses shall have adequate ventilation or be capable of adequate ventilation in case of fire.

(b) Unless constructed of noncombustible material or unless adequate facilities for fighting a roof fire are available, bulk storage structures shall not exceed a height of 40 feet (12.2 m).

(c) Bins shall be clean and free of materials which may contaminate ammonium nitrate.

(d) Due to the corrosive and reactive properties of ammonium nitrate, and to avoid contamination, galvanized iron, copper, lead, and zinc shall not be used in a bin construction unless suitably protected. Aluminum bins and wooden bins protected against impregnation by ammonium nitrate are permissible. The partitions dividing the ammonium nitrate storage from other products which would contaminate the ammonium nitrate shall be of tight construction.

(e) The ammonium nitrate storage bins or piles shall be clearly identified by signs reading "ammonium nitrate" with letters at least 2 inches (5 cm) high.

(f) Piles or bins shall be so sized and arranged that all material in the pile is moved out periodically in order to minimize possible caking of the stored ammonium nitrate.

(g) Height or depth of piles shall be limited by the pressure-setting tendency of the product. However, in no case shall the ammonium nitrate be piled higher at any point than 36 inches (0.9 m) below the roof or supporting and spreader beams overhead.

(h) Ammonium nitrate shall not be accepted for storage when the temperature of the product exceeds 130°F (54.4°C).

(i) Dynamite, other explosives, and blasting agents shall not be used to break up or loosen caked ammonium nitrate.

(5) Contaminants.

(a) Ammonium nitrate shall be in a separate building or shall be separated by approved type firewalls of not less than 1 hour fire-resistance rating from storage of organic chemicals, acids, or other corrosive materials, materials that may require blasting during processing or handling, compressed flammable gases, flammable and combustible materials or other contaminating substances, including but not limited to animal fats, baled cotton, baled rags, baled scrap paper, bleaching powder, burlap or cotton bags, caustic soda, coal, coke, charcoal, cork, camphor, excelsior, fibers of any kind, fish oils, fish meal, foam rubber, hay, lubricating oil, linseed oil, or other oxidizable or drying oils, naphthalene, oakum, oiled clothing, oiled paper, oiled textiles, paint, straw, sawdust, wood shavings, or vegetable oils. Walls referred to in this subsection need extend only to the underside of the roof.

(b) In lieu of separation walls, ammonium nitrate may be separated from the materials referred to in (a) of this subsection by a space of at least 30 feet (9.1 m).

(c) Flammable liquids such as gasoline, kerosene, solvents, and light fuel oils shall not be stored on the premises except when such storage conforms to WAC 296-24-330, and when walls and sills or curbs are provided in accordance with (a) or (b) of this subsection.

(d) LP-Gas shall not be stored on the premises except when such storage conforms to WAC 296-24-475.

(e) Sulfur and finely divided metals shall not be stored in the same building with ammonium nitrate except when such storage conforms to chapter 296-52 WAC and NFPA Std. 495, Explosive Materials Code.

(f) Explosives and blasting agents shall not be stored in the same building with ammonium nitrate except on the premises of makers, distributors, and user-compounders of explosives or blasting agents.

(g) Where explosives or blasting agents are stored in separate buildings, other than on the premises of makers, distributors, and user-compounders of explosives or blasting agents, they shall be separated from the ammonium nitrate by the distances and/or barricades specified in Table H-22 of WAC 296-52-481, but by not less than 50 feet (15.2 m).

(h) Storage and/or operations on the premises of makers, distributors, and user-compounders of explosives or blasting agents shall be in conformity with chapter 296-52 WAC.

(6) General precautions.

(a) Electrical installations shall conform to the requirements of chapter 296-24 WAC, Part L, and WAC 296-800-280, for ordinary locations. They shall be designed to minimize damage from corrosion.

(b) In areas where lightning storms are prevalent, lightning protection shall be provided. (See the Lightning Protection Code, NFPA 78-1992.)

(c) Provisions shall be made to prevent unauthorized personnel from entering the ammonium nitrate storage area.

(7) Fire protection.

(a) Not more than 2,500 (2270 metric) tons of bagged ammonium nitrate shall be stored in a building or structure not equipped with an automatic sprinkler system. Sprinkler systems shall be of the approved type and installed in accordance with WAC 296-24-607.

(b) Suitable fire control devices such as small hose or portable fire extinguishers shall be provided throughout the warehouse and in the loading and unloading areas. Suitable fire control devices shall comply with the requirements of WAC 296-24-592 and 296-24-602.

(c) Water supplies and fire hydrants shall be available in accordance with recognized good practices.

AMENDATORY SECTION (Amending WSR 99-17-094, filed 8/17/99, effective 12/1/99)

WAC 296-52-489 Transportation. (1) Regulations governing the transportation of explosives on public highways are adopted by the United States Department of Transportation (see 49 CFR Parts 100 through 199) and the Washington utilities and transportation commission and administered by the Washington state patrol.

(2) The regulations of this section shall be applicable in- and-on job sites and off-highway roads. The department of labor and industries shall administer these regulations in locations such as but not limited to: Construction or mining access roads and blast sites; off-highway forest roads including both publicly and privately owned logging roads, haul roads or general access roads.

Note: Examples of publicly owned off-highway roads where these regulations are applicable shall include, but are not limited to: U.S. Forest Service roads, Bureau of Land Management roads, state department of natural resources roads, but specifically not including the state or interstate highway system.

(a) No person shall be allowed to smoke, carry matches or any other flame-producing device, except guards or commissioned law enforcement officers, to carry any firearms or loaded cartridges while in or near a motor vehicle transport-

ing explosives; or drive, load, or unload such vehicle in a careless or reckless manner.

(b) Explosives shall not be carried on any vehicle while vehicle is being used to transport workers other than driver and two persons.

(c) Explosives shall be transferred from a disabled vehicle to another, only when proper and qualified supervision is provided. Local fire and police departments shall be promptly notified in congested areas. In remote areas they shall be notified if appropriate.

(d) Other materials or supplies shall not be placed on or in the cargo space of a conveyance containing explosives, detonating cord or detonators, except carrying safety fuse, and properly secured, nonsparking equipment used expressly in the handling of such explosives will be permissible.

(3) Transportation vehicles.

(a) All vehicles used for transporting explosives shall be strong enough to carry the load without difficulty and be in good mechanical condition. The cargo compartment(s) shall have a tight floor and must not have any exposed spark producing metal on the inside which could come into contact with explosives cargo.

(b) Explosives vehicles used on any roadway which is open to public travel shall comply with WAC 296-52-550, Appendix II.

(c) Open top explosives transportation vehicles may only be used on the jobsite or on roads which are not open to public travel (while laden with explosives). In open top vehicles or trailers, explosives may only be transported in the original DOT approved shipping container(s)/box(es) or a daybox or portable magazine which complies with the requirements of this chapter. In all instances the explosive container(s), box(es), daybox or portable magazine shall be secured to the bed of the vehicle or trailer.

(i) If an explosives transportation vehicle or trailer does not have a fully enclosed cargo area with nonsparking interior, the cargo bed and all explosive cargo shall be covered with a flameproof and moisture-proof tarpaulin or other effective protection against moisture and sparks. Whenever tarpaulins are used for covering explosives, both the tarpaulin and the explosives container shall be secured to the body of the truck bed by means of rope, wire, or other equally efficient tie downs.

(ii) Packages of explosives shall not be loaded above the sides on open-sided vehicles.

(4) Vehicles shall be placarded and displayed as specified by the United States Department of Transportation, CFR 49-1981, Parts 100 through 199. Placards shall remain on the vehicle until all explosives have been removed from the vehicle.

(5)(a) Each motor vehicle used for transporting explosives shall be equipped with a minimum of two extinguishers, each having a rating of at least 2A 10BC. The driver shall be trained in the use of the extinguishers on the vehicle.

(i) Only extinguishers listed or approved by a nationally recognized testing laboratory shall be deemed suitable for use on explosives-carrying vehicles. Refer to WAC 296-24-58501(19) and 296-800-300 for definition of listed, and federal regulation 29 CFR 1910.7 for nationally recognized testing laboratory.

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(ii) Extinguishers shall be filled and ready for immediate use and readily available. Extinguishers shall be examined periodically by a competent person.

(b) A motor vehicle used for transporting explosives shall be given the following inspection to determine that it is in proper condition for safe transportation of explosives:

(i) Fire extinguishers shall be filled and in working order.

(ii) All electrical wiring shall be completely protected and securely fastened to prevent short-circuiting.

(iii) Chassis, motor, pan, and underside of body shall be reasonably clean and free of excess oil and grease.

(iv) Fuel tank and feedline shall be secure and have no leaks.

(v) Brakes, lights, horn, windshield wipers, and steering apparatus shall function properly.

(vi) Tires shall be checked for proper inflation and defects.

(vii) The vehicle shall be in proper condition in every other respect and acceptable for handling explosives.

(c) Motor vehicles or conveyances carrying explosives, blasting agents, or blasting supplies, shall not be taken inside a garage or shop for repairs or servicing.

(6) Operation of transportation vehicles.

(a) Vehicles transporting explosives shall only be driven by and be in the charge of a licensed driver who is not less than twenty-one years of age, physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use, or under the influence of intoxicants, narcotics, or other dangerous drugs. This rule does not apply to persons taking prescription drugs and/or narcotics as directed by a physician providing such use shall not endanger the worker or others. They shall be familiar with the traffic regulations, state laws, and the provisions of this section.

(i) Explosives may only be transported by a licensed manufacturer, blaster, purchaser or seller, or the designated agent or representative thereof, or a contract carrier for hire who complies with all requirements for transportation of hazardous materials.

(ii) The person in control of the explosive laden vehicle shall be made aware of the nature of the cargo and pertinent safety precautions relating to the particular explosive(s) being transported.

(b) Parking. A motor vehicle which contains Class A or Class B explosives must not be parked under any of the following circumstances:

(i) On or within 5 feet of the traveled portion of a public street or highway;

(ii) On private property (including premises of a fueling or eating facility) without the knowledge and consent of the person who is in charge of the property and who is aware of the nature of the hazardous materials the vehicle contains; or

(iii) Within 300 feet of a bridge, tunnel, dwelling, building, or place where people work, congregate, or assemble, except for brief periods when the necessities of operation require the vehicle to be parked and make it impracticable to park the vehicle in any other place.

(c) Every motor vehicle transporting any quantity of Class A or Class B explosives shall, at all times, be attended by a driver or other attendant of the motor carrier. This attendant shall have been made aware of the class of the explosive

material in the vehicle and of its inherent dangers, and shall have been instructed in the measures and procedures to be followed in order to protect the public from those dangers. The attendant shall have been made familiar with the vehicle to which assigned, and shall be trained, supplied with the necessary means, and authorized to move the vehicle when required.

(i) For the purpose of this subdivision, a motor vehicle shall be deemed "attended" only when the driver or other attendant is physically on or in the vehicle, or has the vehicle within the driver or attendants field of vision and can reach it quickly and without any kind of interference; "attended" also means that the driver or attendant is awake, alert, and not engaged in other duties or activities which may divert their attention from the vehicle.

(ii) An explosive laden vehicle may be left unattended for a period not to exceed 48 hours provided that:

(A) The vehicle is parked in a designated parking lot which complies with NFPA Std. 498 and with the appropriate clearance table of this chapter for the type and quantity of explosives carried;

(B) The designated parking lot is correctly bermed and walled or fenced and gated to prevent unauthorized entry;

(C) The designated lot is inspected and approved by the department of labor and industries and is provided with a full-time security patrol at all times when explosives are present;

(D) Trucks used for explosives delivery which contain only blasting agents (International Class 1.5 D) and no high explosives need not be attended provided the vehicle is locked to prevent movement of the vehicle, the cargo compartments are locked to prevent theft, the vehicle is parked according to all applicable storage distance requirements, and the vehicle is located in a secured area which restricts entry to the area by unauthorized personnel.

(d) No spark-producing metal, spark-producing tools, oils, matches, firearms, electric storage batteries, flammable substances, acids, oxidizing materials, or corrosive compounds shall be carried in the body of any motor truck and/or vehicle transporting explosives, unless the loading of such dangerous articles and the explosives comply with U.S. Department of Transportation regulations.

(e) Vehicles transporting explosives shall avoid congested areas and heavy traffic.

(f) Delivery and issue of explosives shall only be made by and to authorized persons and into authorized magazines or authorized temporary storage or handling area.

(7) Transporting blasting caps and explosives in the same vehicle.

(a) Fuse type blasting caps, blasting caps with safety fuse and/or blasting caps with metal clad mild detonating fuse shall not be transported over the highways on the same vehicle or trailer with other explosives, unless packaged, segregated, and transported in accordance with the department of transportation's hazardous materials regulations.

(b) Blasting caps rated by U.S. DOT as nonmass detonating may be transported in the same vehicle or trailer with other explosives when:

(i) The caps are carried in DOT approved shipping containers:

(ii) The truck or trailer complies with Appendix 1, WAC 296-52-550.

(8) When primers are made up at a central primer house for use in high speed tunneling, the following shall apply:

(a) Only enough primers shall be made up for each round of blasting.

(b) The primers shall be placed in separate containers or bins, categorized by degree of delay in such a manner so as to prevent them from physical impact.

(c) Explosives carried in the same magazine shall be separated by 1/4-inch steel, covered on each side by four inches of hardwood planking, or equivalent.

(d) Hoist operators shall be notified before explosives or blasting agents are transported in a shaft conveyance.

(e) Explosives and blasting agents shall be hoisted, lowered, or conveyed in a powder car. No other materials, supplies, or equipment shall be transported in the same conveyance at the same time.

(f) Only a state approved powder car or conveyance shall be used underground.

(g) All explosives or blasting agents in transit underground shall be taken to the place of use or storage without delay.

(h) The quantity of explosives or blasting agents taken to an underground loading area shall not exceed the amount estimated to be necessary for the blast.

(i) The number of primers for one round will be removed from the state approved car or vehicle at the face or heading after the drilling has been completed and the holes readied for loading. After loading the charge, the powder car or vehicle will be withdrawn from the tunnel.

(j) Wires on electric caps shall be kept shunted until wired to the bus wires.

(k) The powder car or conveyance shall be inspected daily for lights, brakes and external damage to electrical circuitry. The electrical system shall be checked weekly to detect any failures that may constitute an electrical hazard and a written certification record of such inspection shall be kept on file for the duration of the job. The certification record shall contain the date of inspection, the serial number or other positive identification of the unit being inspected and the signature of the person performing the inspection.

(l) The installation of auxiliary lights on truck beds, which are powered by the truck's electrical system, shall be prohibited.

(m) No one, except the operator, the helper, and/or the powderperson, shall be permitted to ride on a conveyance transporting explosives and blasting agents.

(n) No person shall ride in any shaft conveyance transporting explosives and blasting agents.

(o) No explosives or blasting agents shall be transported on a crew-haul trip.

(p) The car or conveyance containing explosives or blasting agents shall be pulled, not pushed, whenever possible.

(q) The powder car or conveyance especially built for the purpose of transporting explosives or blasting agents shall bear a reflectorized sign on each side with the word "explosives" in letters not less than 4 inches in height; upon a background of sharply contrasting color.

(r) Compartments for transporting detonators and explosives in the same car or conveyance shall be physically separated by a distance of 24 inches or by a solid partition at least 6 inches thick.

(s) Detonators and other explosives shall not be transported at the same time in any shaft conveyance.

(t) Explosives and/or blasting agents, not in original containers, shall be placed in a suitable container when transported manually.

(u) No explosives or blasting agents shall be transported on any locomotive. At least two car lengths shall separate the locomotive from the powder car.

(9) When explosives are carried to the blasting site from the main storage magazines by the blaster or helper:

(a) Special insulated containers or original DOT shipping containers shall be used for this purpose, either boxes or bags, one container for explosives and one for detonators.

(b) Detonators or explosives shall never be carried in pockets of clothing.

AMENDATORY SECTION (Amending WSR 95-07-014, filed 3/6/95, effective 4/20/95)

WAC 296-52-497 Blasting agents. (1) General. Unless otherwise set forth in this section, blasting agents, excluding water gels, shall be transported, stored, and used in the same manner as explosives. Water gels are covered in WAC 296-52-501.

(2) Fixed location mixing.

(a) Buildings or other facilities used for mixing blasting agents shall be located, with respect to inhabited buildings, passenger railroads, and public highways, in accordance with Table H-20. In determining the distance separating highways, railroads, and inhabited buildings from potential explosions (as prescribed in Table H-20), the sum of all masses which may propagate (i.e., lie at distances less than prescribed in Table H-22) from either individual or combined donor masses are included. However, when the ammonium nitrate must be included, only fifty percent of its weight shall be used because of its reduced blast effects.

(b) Buildings used for the mixing of blasting agents shall conform to the requirements of this section.

(i) Buildings shall be of noncombustible construction or sheet metal on wood studs.

(ii) Floors in a mixing plant shall be of concrete or of other nonabsorbent materials.

(iii) All fuel oil storage facilities shall be separated from the mixing plant and located in such a manner that in case of tank rupture, the oil will drain away from the mixing plant building.

(iv) The building shall be well ventilated.

(v) Heating units which do not depend on combustion processes, when properly designed and located, may be used in the building. All direct sources of heat shall be located outside the mixing building.

(vi) All internal-combustion engines used for electric power generation shall be located outside the mixing plant building, or shall be properly ventilated and isolated by a fire-wall. The exhaust systems on all such engines shall be

located so any spark emission cannot be a hazard to any materials in or adjacent to the plant.

(c) Equipment used for mixing blasting agents shall conform to the requirements of this subsection.

(i) The design of the mixer shall minimize the possibility of frictional heating, compaction, and especially confinement. All bearings and drive assemblies shall be mounted outside the mixer and protected against the accumulation of dust. All surfaces shall be accessible for cleaning.

(ii) Mixing and packaging equipment shall be constructed of materials compatible with the fuel-ammonium nitrate composition.

(iii) Suitable means shall be provided to prevent the flow of fuel oil to the mixer in case of fire. In gravity flow systems an automatic spring-loaded shutoff valve with fusible link shall be installed.

(d) The provisions of this subsection shall be considered when determining blasting agent compositions.

(i) The sensitivity of the blasting agent shall be determined by means of a No. 8 test blasting cap at regular intervals and after every change in formulation.

(ii) Oxidizers of small particle size, such as crushed ammonium nitrate prills or fines, may be more sensitive than coarser products and shall, therefore, be handled with greater care.

(iii) No hydrocarbon liquid fuel with flashpoint lower than that of No. 2 diesel fuel oil 125°F. minimum shall be used.

(iv) Crude oil and crankcase oil shall not be used.

(v) Metal powders such as aluminum shall be kept dry and shall be stored in containers or bins which are moisture-resistant or weathertight. Solid fuels shall be used in such manner as to minimize dust explosion hazards.

(vi) Peroxides and chlorates shall not be used.

(e) All electrical switches, controls, motors, and lights located in the mixing room shall conform to the requirements in chapter 296-24 WAC, Part L, and WAC 296-800-280; otherwise they shall be located outside the mixing room. The frame of the mixer and all other equipment that may be used shall be electrically bonded and be provided with a continuous path to the ground.

(f) Safety precautions at mixing plants shall include the requirements of this subsection.

(i) Floors shall be constructed so as to eliminate floor drains and piping into which molten materials could flow and be confined in case of fire.

(ii) The floors and equipment of the mixing and packaging room shall be cleaned regularly and thoroughly to prevent accumulation of oxidizers or fuels and other sensitizers.

(iii) The entire mixing and packaging plant shall be cleaned regularly and thoroughly to prevent excessive accumulation of dust.

(iv) Smoking, matches, open flames, spark-producing devices, and firearms (except firearms carried by law enforcement bomb squad members or qualified guards) shall not be permitted inside of or within 50 feet of any building or facility used for the mixing of blasting agents.

(v) The land surrounding the mixing plant shall be kept clear of brush, dried grass, leaves, and other materials for a distance of at least 25 feet.

(vi) Empty ammonium nitrate bags shall be disposed of daily in a safe manner.

(vii) No welding shall be permitted or open flames used in or around the mixing or storage area of the plant unless the equipment or area has been completely washed down and all oxidizer material removed.

(viii) Before welding or repairs to hollow shafts, all oxidizer material shall be removed from the outside and inside of the shaft and the shaft vented with a minimum one-half inch diameter opening.

(ix) Explosives shall not be permitted inside of or within 50 feet of any building or facility used for the mixing of blasting agents.

(3) Bulk delivery and mixing vehicles.

(a) The provisions of this subsection shall apply to off-highway private operations as well as to all public highway movements.

(b) A bulk vehicle body for delivering and mixing blasting agents shall conform with the requirements of this subsection.

(i) The body shall be constructed of noncombustible materials.

(ii) Vehicles used to transport bulk premixed blasting agents on public highways shall have closed bodies.

(iii) All moving parts of the mixing system shall be designed as to prevent a heat buildup. Shafts or axles which contact the product shall have outboard bearings with 1-inch minimum clearance between the bearings and the outside of the product container. Particular attention shall be given to the clearances on all moving parts.

(iv) A bulk delivery vehicle shall be strong enough to carry the load without difficulty and be in good mechanical condition.

(c) Operation of bulk delivery vehicles shall conform to the requirements of WAC 296-52-489(2). These include the placarding requirements as specified by department of transportation.

(i) The operator shall be trained in the safe operation of the vehicle together with its mixing, conveying, and related equipment. The employer shall assure that the operator is familiar with the commodities being delivered and the general procedure for handling emergency situations.

(ii) The hauling of either blasting caps or other explosives but not both, shall be permitted on bulk trucks provided that a special wood or nonferrous-lined container is installed for the explosives. Such blasting caps or other explosives shall be in DOT-specified shipping containers: See 49 CFR Chapter I.

(iii) No person shall smoke, carry matches or any flame-producing device, or carry any firearms while in or about bulk vehicles effecting the mixing transfer or down-the-hole loading of blasting agents at or near the blasting site.

(iv) Caution shall be exercised in the movement of the vehicle in the blasting area to avoid driving the vehicle on to or dragging hoses over firing lines, cap wires, or explosive materials. The employer shall assure that the driver, in mov-

ing the vehicle, has assistance of a second person to guide the driver's movements.

(v) No intransit mixing of materials shall be performed.

(d) Pneumatic loading from bulk delivery vehicles into blastholes primed with electric blasting caps or other static-sensitive systems shall conform to the requirements of this subsection.

(i) A positive grounding device shall be used to prevent the accumulation of static electricity.

(ii) A discharge hose shall be used that has a resistance range that will prevent conducting stray currents, but that is conductive enough to bleed off static buildup.

(iii) A qualified person shall evaluate all systems to determine if they will adequately dissipate static under potential field conditions.

(e) Repairs to bulk delivery vehicles shall conform to the requirements of this section.

(i) No welding or open flames shall be used on or around any part of the delivery equipment unless it has been completely washed down and all oxidizer material removed.

(ii) Before welding or making repairs to hollow shafts, the shaft shall be thoroughly cleaned inside and out and vented with a minimum one-half-inch diameter opening.

(4) Bulk storage bins.

(a) The bin, including supports, shall be constructed of compatible materials, waterproof, and adequately supported and braced to withstand the combination of all loads including impact forces arising from product movement within the bin and accidental vehicle contact with the support legs.

(b) The bin discharge gate shall be designed to provide a closure tight enough to prevent leakage of the stored product. Provision shall also be made so that the gate can be locked.

(c) Bin loading manways or access hatches shall be hinged or otherwise attached to the bin and be designed to permit locking.

(d) Any electrically driven conveyors for loading or unloading bins shall conform to the requirements of chapter 296-24 WAC, Part L, and WAC 296-800-280. They shall be designed to minimize damage from corrosion.

(e) Bins containing blasting agent shall be located, with respect to inhabited buildings, passenger railroads, and public highways, in accordance with Table H-20 and separation from other blasting agent storage and explosives storage shall be in conformity with Table H-22.

(f) Bins containing ammonium nitrate shall be separated from blasting agent storage and explosives storage in conformity with Table H-22.

(5) Transportation of packaged blasting agents.

(a) When blasting agents are transported in the same vehicle with explosives, all of the requirements of WAC 296-52-489 shall be complied with.

(b) Vehicles transporting blasting agents shall only be driven by and in charge of a driver at least twenty-one years of age who is capable, careful, reliable, and in possession of a valid motor vehicle operator's license. Such a person shall also be familiar with the states vehicle and traffic laws.

(c) No matches, firearms, acids, or other corrosive liquids shall be carried in the bed or body of any vehicle containing blasting agents.

(d) No person shall be permitted to ride upon, drive, load, or unload a vehicle containing blasting agents while smoking or under the influence of intoxicants, narcotics, or other dangerous drugs.

(e) It is prohibited for any person to transport or carry any blasting agents upon any public vehicle carrying passengers for hire.

(f) Vehicles transporting blasting agents shall be in safe operating condition at all times.

(g) When offering blasting agents for transportation on public highways the packaging, marking, and labeling of containers of blasting agents shall comply with the requirements of DOT.

(h) Vehicles used for transporting blasting agents on public highways shall be placarded in accordance with DOT regulations.

(6) Use of blasting agents. Persons using blasting agents shall comply with all of the applicable provisions of WAC 296-52-493.

AMENDATORY SECTION (Amending WSR 95-07-014, filed 3/6/95, effective 4/20/95)

WAC 296-52-501 Water gel (slurry) explosives and blasting agents. (1) General provisions. Unless otherwise set forth in this section, water gels and emulsions shall be transported, stored and used in the same manner as explosives or blasting agents in accordance with the classification of the product.

(2) Types and classifications.

(a) Water gels and emulsion explosives containing a substance in itself classified as an explosive shall be classified as an explosive and manufactured, transported, stored, and used as specified for "explosives" in this section, except as noted in subsection (d) of this section.

(b) Water gels and emulsion explosives containing no substance in itself classified as an explosive and which are cap-sensitive as defined in WAC 296-52-417 under blasting agent shall be classified as an explosive and manufactured, transported, stored and used as specified for "explosives" in this section.

(c) Water gels and emulsion blasting agents containing no substance in itself classified as an explosive and which are not cap-sensitive as defined in WAC 296-52-417 under blasting agent shall be classified as blasting agents and manufactured, transported, stored, and used as specified for "blasting agents" in this section.

(d) When tests on specific formulations of water gels result in department of transportation classification as a Class B explosive, bullet-resistant magazines are not required, see WAC 296-52-453.

(3) Fixed location mixing.

(a)(i) Buildings or other facilities used for manufacturing emulsions and water gels shall be located with respect to inhabited buildings, passenger railroads and public highways, in accordance with Table H-21.

(ii) In determining the distances separating highways, railroads, and inhabited buildings from potential explosions (as prescribed in Table H-20), the sum of all masses that may propagate (i.e., lie at distances less than prescribed in Table

H-22) from either individual or combined donor masses are included. However, when the ammonium nitrate must be included, only fifty percent of its weight shall be used because of its reduced blast effects.

(b) Buildings used for the manufacture of emulsions of water gels shall conform to the requirements of this subsection.

(i) Buildings shall be of noncombustible construction or sheet metal on wood studs.

(ii) Floors in a mixing plant shall be of concrete or of other nonabsorbent materials.

(iii) Where fuel oil is used all fuel oil storage facilities shall be separated from the manufacturing plant and located in such a manner that in case of tank rupture, the oil will drain away from the manufacturing plant building.

(iv) The building shall be well ventilated. Heating units that do not depend on combustion processes, when properly designed and located, may be used in the building. All direct sources of heat shall be provided exclusively from units located outside of the mixing building.

(v) All internal-combustion engines used for electric power generation shall be located outside the mixing plant building, or shall be properly ventilated and isolated by a fire-wall. The exhaust systems on all such engines shall be located so any spark emission cannot be a hazard to any materials in or adjacent to the plant.

(c) Ingredients of emulsion and water gels shall conform to the requirements of this subsection.

(i) Ingredients in themselves classified as Class A or Class B explosives shall be stored in conformity with WAC 296-52-461.

(ii) Nitrate-water solutions may be stored in tank cars, tank trucks, or fixed tanks without quantity or distance limitations. Spills or leaks which may contaminate combustible materials shall be cleaned up immediately.

(iii) Metal powders such as aluminum shall be kept dry and shall be stored in containers or bins which are moisture-resistant or weathertight. Solid fuels shall be used in such manner as to minimize dust explosion hazards.

(iv) Ingredients shall not be stored with incompatible materials.

(v) Peroxides and chlorates shall not be used.

(d) Mixing equipment shall comply with the requirements of this subsection.

(i) The design of the processing equipment, including mixing and conveying equipment, shall be compatible with the relative sensitivity of the materials being handled. Equipment shall be designed to minimize the possibility of frictional heating, compaction, overloading, and confinement.

(ii) Both equipment and handling procedures shall be designed to prevent the introduction of foreign objects or materials.

(iii) Mixers, pumps, valves, and related equipment shall be designed to permit regular and periodic flushing, cleaning, dismantling, and inspection.

(iv) All electrical equipment including wiring, switches, controls, motors, and lights, shall conform to the requirements of chapter 296-24 WAC, Part L, and WAC 296-800-280.

(v) All electric motors and generators shall be provided with suitable overload protection devices. Electrical generators, motors, proportioning devices, and all other electrical enclosures shall be electrically bonded. The grounding conductor to all such electrical equipment shall be effectively bonded to the service-entrance ground connection and to all equipment ground connections in a manner so as to provide a continuous path to ground.

(e) Mixing facilities shall comply with the fire prevention requirements of this subsection.

(i) The mixing, loading, and ingredient transfer areas where residues or spilled materials may accumulate shall be cleaned periodically. A cleaning and collection system for dangerous residues shall be provided.

(ii) A daily visual inspection shall be made of the mixing, conveying, and electrical equipment to establish that such equipment is in good operating condition. A program of systematic maintenance shall be conducted on regular schedule.

(iii) Heaters which are not dependent on the combustion process within the heating unit may be used within the confines of processing buildings, or compartments, if provided with temperature and safety controls and located away from combustible materials and the finished product.

(4) Bulk delivery and mixing vehicles.

(a) The design of vehicles shall comply with the requirements of this subsection.

(i) Vehicles used over public highways for the bulk transportation of emulsion and water gels or of ingredients classified as dangerous commodities, shall meet the requirements of the department of transportation and shall meet the requirements of WAC 296-52-489 and 296-52-497 of this section.

(ii) When electric power is supplied by a self-contained motor generator located on the vehicle the generator shall be at a point separate from where the water gel is discharged.

(iii) The design of processing equipment and general requirements shall conform to subsection (3)(c) and (d) of this section.

(iv) A positive action parking brake which will set the wheel brakes on at least one axle shall be provided on vehicles when equipped with air brakes and shall be used during bulk delivery operations. Wheel chocks shall supplement parking brakes whenever conditions may require.

(b) Operation of bulk delivery and mixing vehicles shall comply with the requirements of this subsection.

(i) The placarding requirements contained in DOT regulations apply to vehicles carrying water gel explosives or blasting agents.

(ii) The operator shall be trained in the safe operation of the vehicle together with its mixing, conveying, and related equipment. The operator shall be familiar with the commodities being delivered and the general procedure for handling emergency situations.

(iii) The hauling of either blasting caps or other explosives, but not both, shall be permitted on bulk trucks provided that a special wood or nonferrous-lined container is installed for the explosives. Such blasting caps or other explosives shall be in DOT-specified shipping containers; see 49 CFR Chapter I.

(iv) No person shall be allowed to smoke, carry matches or any flame-producing device, or carry any firearms while in or about bulk vehicles effecting the mixing, transfer, or down-the-hole loading of water gels at or near the blasting site.

(v) Caution shall be exercised in the movement of the vehicle in the blasting area to avoid driving the vehicle on to or dragging hoses over firing lines, cap wires, or explosive materials. The employer shall furnish the driver the assistance of a second person to guide the driver's movements.

(vi) No intransit mixing of materials shall be performed.

(vii) The location chosen for water gel or ingredient transfer from a support vehicle into the bore hole loading vehicle shall be away from the blasthole site when the bore holes are loaded or in the process of being loaded.

AMENDATORY SECTION (Amending WSR 99-17-117, filed 8/18/99, effective 12/1/99)

WAC 296-54-501 Scope and application. This chapter establishes safety practices for all types of logging, log road construction and other forest activities using logging machinery and/or power saws regardless of the end use of the wood. This chapter does not apply to log handling at sawmills, plywood mills, pulp mills, or other manufacturing operations governed by specific safety standards. This chapter provides minimum safety requirements for the logging industry. The logging industry is also covered by the general safety standards, chapter 296-24 WAC; occupational health standards, chapter 296-62 WAC; the safety and health core rules, chapter 296-800 WAC; or others that may apply. Chapter 296-52 WAC, which covers the possession, handling and use of explosives, applies when explosives are used in logging operations.

AMENDATORY SECTION (Amending WSR 99-17-117, filed 8/18/99, effective 12/1/99)

WAC 296-54-507 Employer's responsibilities. The employer must comply with the requirements of all safety and health regulations and must:

- (1) Provide safety training for new employees.
- (2) Take additional precautions to ensure safe logging operations when extreme weather or other extreme conditions create hazards. If the logging operation cannot be made safe, the work must be discontinued until safe to resume.
- (3) Ensure that danger trees within reach of landings, rigging, buildings, or work areas are either fell before regular logging operations begin, or arrange work so that employees are not exposed to the related hazards.
- (4) Develop and maintain a chemical hazard communication program as required by (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170. The program must provide information to all employees about hazardous chemicals or substances to which they are exposed, or may become exposed, in the course of their employment.
- (5) Ensure that intoxicating beverages and narcotics are prohibited on or near the worksite. The employer must remove from the worksite any employee under the influence of alcohol or narcotics.

Note: Narcotics do not include prescription drugs taken under a doctor's direction if the use does not endanger any employee.

AMENDATORY SECTION (Amending WSR 99-17-117, filed 8/18/99, effective 12/1/99)

WAC 296-54-51120 Eye and face protection. The employer must provide, at no cost to the employee, and ensure that each employee wears:

(1) Eye protection meeting the requirements of (~~chapter 296-24 WAC, Part A-2~~) WAC 296-800-160, where there is potential for eye injury from falling or flying objects; and

(2) Face protection meeting the requirements of (~~chapter 296-24 WAC, Part A-2~~) WAC 296-800-160, where there is potential for facial injury such as, but not limited to, operating a chipper. An employee using a chain saw may use either eye or face protection.

Note: The employee does not have to wear separate eye protection when the face protection also covers the eyes.

AMENDATORY SECTION (Amending WSR 99-17-117, filed 8/18/99, effective 12/1/99)

WAC 296-54-51160 Leg protection. (1) The employer must provide, at no cost to the employee, and ensure that each employee who operates a chain saw wears leg protection constructed with cut-resistant material, such as ballistic nylon. The leg protection must cover the full length of the thigh to the top of the boot on each leg to protect against contact with a moving chain saw.

EXCEPTION: This requirement does not apply to an employee working aloft in trees when supported by climbing spurs and climbing belt, or when an employee is working from a vehicle-mounted elevating and rotating work platform meeting the requirements of chapter 296-24 WAC, Part (~~F-2~~) 1-3, Vehicle-mounted elevating and rotating work platforms.

(2) Leg protection must be maintained in serviceable condition.

AMENDATORY SECTION (Amending WSR 99-17-117, filed 8/18/99, effective 12/1/99)

WAC 296-54-59340 Log unloading, booms, and rafting grounds—Dry land sorting and storage. (1) Unauthorized foot and vehicle traffic is prohibited in the sorting or storage area.

(2) Logs must be stored in a safe and orderly manner. Roadways and traffic lanes must be kept clear of protruding ends of logs and debris.

(3) Dry deck log storage areas must be kept orderly and maintained in a condition conducive to safe operation of mobile equipment. Roadways and walkways must have a smooth hard-packed surface wide enough to permit a safe operation. Bark, mud, and other debris must not be allowed to accumulate to the extent they constitute a hazard to the operation.

(4) The employer must implement an effective method to control dust at log dumps and in sorting and storage areas.

PROPOSED

(5) Only an authorized person shall operate or ride any lift truck, log stacker, or log unloader.

(6) Signaling log unloader operators at dry deck areas by throwing bark or chips in the air is prohibited. Hand, horn signals or other safe, effective means must be used at all times.

(7) Unnecessary talking to the operator while operating controls of a log stacker or log unloader is prohibited.

(8) Lift forks and arms of unloading machines must be lowered to their lowest position, and all equipment brakes set before the operator leaves the machine unattended.

(9) Log unloaders or stackers must not be moved about the premises for distances greater than absolutely necessary with the lift extended above the driver's head or with loads lifted higher than is necessary for vision.

(10) When truck drivers are out of the cab, they must be in the clear, and in view of the log unloader before the lift forks are moved under the load and the lift is made.

(11) Where logs are offloaded onto a dry deck by unloading lines, a self-releasing mechanism must be used. Employees are prohibited from climbing dry decks to release unloading lines.

(12) Employees must not enter the hazardous area near or under loads of logs being lifted, moved, or suspended.

(13) When log unloaders and log stackers are designed so that logs being handled may jeopardize the safety of the operator, the employer must provide overhead protection and any other necessary safeguards.

(14) Log unloaders and log stackers must be equipped with a horn or other audible warning device. If vision is impaired or restricted to the rear, the warning device must be sounded before operating the vehicle in reverse gear and periodically while backing. The warning device must be operative at all times.

(15) A limit stop, which will prevent the lift arms from over-traveling, must be installed on electric powered log unloaders.

(16) Shear guards must be installed on unloading machines and similar equipment on which the arms pivot and move alongside the operator creating a pinch point at that location.

(17) All forklift log handling machines must be equipped with a grapple arms and the arms must be used whenever logs are being carried.

(18) When log trucks are loaded by a log stacker and the lay of any log is higher than the stakes, the log stacker must remain against the completed load, or other suitable protection provided, to prevent the logs from falling until at least two wrappers and binders have been applied.

(19) All binders and wrappers must remain on the load until an approved safeguard has been provided to prevent logs from rolling off the side of the truck or trailer when binders are released. A shear log, or equivalent means, must be provided to ensure the log truck will be stationed close enough to the wrapper rack so that a log cannot fall between the log truck and the wrapper rack when removing binders and wrappers. At least one binder must remain secured while relocating or tightening other binders. Crotch lines, forklifts, log stackers, log unloaders, or other effective means must be used for this purpose.

(20) An extra wrapper or metal band of equal strength must be placed to hold the logs when it is necessary to remove a wrapper to prevent it from being fouled by the unloading machine.

(21) Machines with arms that block the regular exit when in the up position must have an emergency exit installed.

(22) Riding on any part of a log handling machine except under the canopy guard is prohibited.

(23) Identification tags must not be applied or pulled unless logs are resting in a stationary place, such as bunks, cradles, skids, or sorting tables.

(24) Employees must not approach the immediate vicinity of a forklift-type log handling machine without first notifying the operator of the person's intention and receiving an acknowledgement from the operator.

(25) When dry land log dumps use unloading methods similar to those of water dumps, the safety standards for water dumps apply.

(26) When logs are handled between sunset and sunrise or other periods of poor visibility, the employer must provide illumination that meets the requirements of WAC ((~~296-62-09003~~) 296-800-210) relating to illumination.

(27) Air operated stake releases must meet the following requirements:

(a) The air supply must be taken from the "wet" air reservoir or from the accessory air line to a spring loaded, normally closed control valve;

(b) The control valve must be located in the cab, positioned so that it is accessible only from the operator's position;

(c) The control valve must be fitted with a spring-loaded cover or otherwise guarded against inadvertent operation; and

(d) A separate air line must extend from the control valve to the tractor and trailer stake release chambers. The air line must be clearly identified or installed so that it cannot be mistaken for the service or emergency air line.

(28) Each deck must be constructed and located so it is stable and provides each employee with enough room to safely move and work in the area.

AMENDATORY SECTION (Amending WSR 99-02-024, filed 12/30/98, effective 3/30/99)

WAC 296-56-60001 Scope and applicability. (1) The rules included in this chapter apply throughout the state of Washington, to any and all waterfront operations under the jurisdiction of the department of labor and industries.

(2) These minimum requirements are promulgated in order to augment the general safety and health standards, and any other safety and health standards promulgated by the department of labor and industries which are applicable to all places of employment under the jurisdiction of the department of labor and industries. The rules of this chapter, and the rules of chapters 296-24 ((and)), 296-62 and 296-800 WAC are applicable to all longshore, stevedore and related waterfront operations: Provided, That such rules shall not be applicable to those operations under the exclusive safety jurisdiction of the federal government.

(3) The provisions of this chapter shall prevail in the event of a conflict with, or duplication of, provisions contained in chapters 296-24 (~~and~~), 296-62 and 296-800 WAC. Specific standards which are applicable include, but are not limited to:

(a) Electrical—Chapter 296-24 WAC Part L, and WAC 296-800-280.

(b) Toxic and hazardous substances are regulated by chapter 296-62 WAC. Where references to this chapter are given they are for informational purposes only. Where specific requirements of this chapter conflict with the provisions of chapter 296-62 WAC this chapter prevails. Chapter 296-62 WAC does not apply when a substance or cargo is contained within a manufacturer's original, sealed, intact means of packaging or containment complying with the department of transportation or International Maritime Organization requirements.

(c) Hearing conservation—Chapter 296-62 WAC Part K.

(d) Standards for commercial diving operations—Chapter 296-37 WAC.

(e) Safety requirements for scaffolding—Chapter 296-24 WAC Part ((J-1)) J-2.

(f) Safe practices of abrasive blasting operations—Chapter 296-24 WAC Part H-2.

(g) Access to employee exposure and medical records—Chapter 296-62 WAC Part B.

(h) Respiratory protection—Chapter 296-62 WAC Part E.

(i) Safety standards for grain handling facilities—Chapter 296-99 WAC.

(j) ~~Chemical hazard communication ((purpose—Chapter 296-62 WAC Part C))~~ program—WAC 296-800-170.

(k) Asbestos—Chapters 296-62 Part I-1 and 296-65 WAC.

(l) Permit - required confined spaces and confined space—Chapter 296-62 WAC Part M.

(m) Servicing multi-piece and single-piece rim wheels—Chapter 296-24 WAC Part D.

(n) First-aid requirements—(~~Chapter 296-24 WAC Part A-1~~) WAC 296-800-150.

(o) Employee emergency plans and fire prevention plans—Chapter 296-24 WAC Part G-1.

(4) The provisions of this chapter do not apply to the following:

(a) Fully automated bulk coal handling facilities contiguous to electrical power generating plants.

(b) Facilities subject to the regulations of the office of pipeline safety regulation of the materials transportation bureau, department of transportation, to the extent such regulations apply.

(5) WAC 296-62-074 shall apply to the exposure of every employee to cadmium in every employment and place of employment covered by chapter 296-56 WAC in lieu of any different standard on exposures to cadmium that would otherwise be applicable by virtue of those sections.

AMENDATORY SECTION (Amending WSR 99-02-024, filed 12/30/98, effective 3/30/99)

WAC 296-56-60009 Accident prevention program.

(1) An accident prevention program, which provides equitable management-employee participation, shall be established in all establishments, industrial plants, or operations.

(2) It shall be the responsibility of the employer to initiate and maintain the accident prevention program necessary to comply with this section. The division of WISHA services may be contacted for assistance in initiating and maintaining an effective accident prevention program.

(3) All accident prevention programs shall be tailored to the needs of the particular operation.

(4) Employer and employee representatives, as elected, delegated or appointed, shall attend and actively take part in frequent and regular safety committee meetings.

(5) Accident prevention programs shall provide for employer-employee safety meetings and frequent and regular safety inspections of job sites, materials, equipment, and operating procedures.

(6) A record of safety activities, such as inspections and meetings, shall be maintained by the employer for a period covering the previous twelve months and shall be made available, upon request, to noncompliance personnel of the department of labor and industries.

(7) Employees shall individually comply with all safety rules and cooperate with management in carrying out the accident prevention program.

(8) To make effective the preceding statement and promote on-the-job accident prevention, committees shall be established in each port. These committees shall consist of an equal number of port or stevedore company and longshoremen representatives at the job level with the industry or company safety supervisor serving as secretary and coordinator. Some functions of the committee are to maintain the interest of the workers in accident prevention by providing for their actual participation in the program, to direct their attention to the real causes of accidents, and to provide a means for making practical use of their intimate knowledge of working conditions and practices.

(9) It is intended that this program will produce mutually practical and effective recommendations regarding correction of accident-producing circumstances and conditions.

Note: For first aid requirements, see (~~chapter 296-24 WAC Part A-1~~) WAC 296-800-150.

Note: For emergency plan and fire prevention plan requirements, see chapter 296-24 WAC Part G-1.

AMENDATORY SECTION (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

WAC 296-56-60003 Variance and procedure. Conditions may exist under which certain state standards will not have practical application. In these cases, the director of the department of labor and industries has made provisions for the issuance of variances. The director or his/her authorized representative may, pursuant to this section, RCW 49.17.080 and 49.17.090, and WAC (~~296-350-200 through 296-350-~~

270)) 296-350-700, upon receipt of application and after investigation by the department, permit a variation from the requirements of this chapter. Any variance is limited to the particular case and application. It shall remain posted during the time which it is in effect. Variance application forms may be obtained from the department.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-001 Foreword. (1) This vertical standard is promulgated in accordance with applicable provisions of the Washington State Administrative Procedure Act, chapter 34.04 RCW, and the Washington Industrial Safety and Health Act, chapter 49.17 RCW.

(2) The requirements of this chapter shall be applied through the department of labor and industries, division of industrial safety and health, in accordance with administrative procedures provided for in chapter 49.17 RCW, and chapters 296-27, 296-350, ~~((and))~~ 296-360, and 296-800 WAC.

AMENDATORY SECTION (Amending WSR 94-16-145, filed 8/3/94, effective 9/12/94)

WAC 296-59-005 Incorporation of other standards.

(1) Lifts and tows shall be designed, installed, operated, and maintained in accordance with American National Standard Institute (ANSI) B77.1-1982, Standards for Passenger Tramways—Aerial Tramways and Lifts, Surface Lifts, and Tows—Safety Requirements.

(2) Future revised editions of ANSI B77.1-1982 may be used for new installations or major modifications of existing installations, as recommended or approved by the equipment manufacturer or a qualified design engineer, except that, where specific provisions exist, variances shall be requested from the department.

(3) Commercial explosives shall be transported, stored, and used in compliance with chapter 296-52 WAC, Safety standards for the possession and handling of explosives, and chapter 70.74 RCW, Washington State Explosives Act, except that avalanche control blasting shall comply with the special provisions of this chapter.

(4) The use of military type weapons for avalanche control shall comply with all requirements of the United States government and/or the military branch having jurisdiction. Compliance shall include qualification of employees, security requirements, and storage and handling of ammunition.

(5) The employer shall develop and maintain a chemical hazard communication program as required by ~~((chapter 296-62 WAC, Part C))~~ WAC 296-800-170, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may become exposed, in the course of their employment.

(6) When employees perform activities such as construction work or logging, the WAC chapter governing the specific activity shall apply, e.g., chapter 296-155 or 296-54 WAC, et seq.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-010 Safe place standards. The safe place requirements of the ~~((general))~~ safety and health ~~((standards, WAC 296-24-073))~~ core rules, WAC 296-800-110, shall be applicable within the scope of chapter 296-59 WAC.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-020 Management's responsibility. The ~~(("management's responsibility"))~~ "safe work environment" section of the ~~((general))~~ safety and health ~~((standards))~~ core rules, WAC ((296-24-020)) 296-800-110, shall be applicable within the scope of chapter 296-59 WAC.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-025 Employee's responsibility. The ~~(("employee's responsibility"))~~ "employee responsibilities" section of the ~~((general))~~ safety and health ~~((standards, WAC 296-24-025))~~ core rules, WAC 296-800-120, shall be applicable within the scope of chapter 296-59 WAC.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-030 Safety bulletin board. The "safety bulletin board" requirements of the ~~((general))~~ safety and health ~~((standards))~~ core rules, WAC ((296-25-055)) 296-800-190, shall be applicable within the scope of chapter 296-59 WAC.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-59-035 First-aid. The first-aid provisions of ~~((chapter 296-24 WAC, Part A-1 of))~~ the ~~((general))~~ safety and health ~~((standards))~~ core rules, WAC 296-800-150 apply within the scope of chapter 296-59 WAC.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-050 Personal protective equipment, general requirements. (1) Application.

(a) Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is indicated by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact.

(b) Employee-owned equipment. Where employees provide their own protective equipment, the employer shall be

responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment.

(c) Design, construction, testing, and use of personal protective equipment shall comply with the requirements of the ~~((General))~~ safety and health ~~((standards, chapter 296-24))~~ core rules, WAC ~~296-800-160~~; the Occupational health standards—Safety standards for carcinogens, chapter 296-62 WAC; or the currently applicable ANSI standard.

(2) Eye and face protection. Eye and face protective equipment shall be provided and worn where there is exposure in the work process or environment to hazard of injury, which can be prevented by such equipment.

(3) Occupational head protection. Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, shall be protected by protective helmets, i.e., a lift operator would not be required to use a hardhat while operating the lift. However, if that same person is assisting with maintenance operations and is working under a tower where overhead work is being done, that operator would now be required to wear an approved helmet.

(a) Helmets for the protection of employees against impact and/or penetration of falling and flying objects shall meet the specifications contained in American National Standards Institute, Z89.1-1986, Safety Requirements for Industrial Head Protection.

(b) Helmets for the head protection of employees exposed to high voltage electrical shock and burns shall meet the specifications contained in American National Standards Institute, Z89.2-1971, Safety Requirements for Industrial Protective Helmets for Electrical Workers, Class B.

(c) Approved head protection shall be worn by operators of snowmobiles and other mobile oversnow equipment which is not equipped with a rigid metal operator's cab.

(4) Occupational foot protection.

(a) Substantial footwear appropriate for the work conditions encountered shall be worn by all employees.

(b) Where the job assignment includes exposure to slipping hazards, soles and heels of footwear shall be of such material and design as to reduce the hazard of slipping.

(5) Safety belts, lifelines, lanyards, and nets.

(a) Safety belts, lifelines, and lanyards which meet the requirements of ANSI A10.14 shall be provided and used whenever employees are working in locations which expose them to a fall of more than ten feet. The particular work location and application shall dictate which type of belt or harness and length of lanyard is used.

(b) Lifelines shall be secured to an anchorage or structural member capable of supporting a minimum dead weight of five thousand four hundred pounds.

(c) Lifelines used on rock scaling applications or in areas where the lifeline may be subjected to cutting or abrasion shall be a minimum of seven-eighths inch wire core manila rope or equivalent. For all other lifeline applications, three-fourths inch manila rope or equivalent with a minimum break strength of five thousand four hundred pounds may be used.

(d) Each safety belt lanyard shall be a minimum of one-half inch nylon, or equivalent, with a minimum of five thousand four hundred pounds breaking strength.

(e) Employees will not be required to wear a safety belt and lanyard while riding on a standard lift chair while seated in the normal riding position.

(f) Safety nets meeting the requirements of ANSI A10.11 shall be used when other acceptable forms of fall protection are not useable. When used, safety nets shall extend a minimum of eight feet beyond the edge offering exposure, shall be hung with sufficient clearance to prevent user's contact with surfaces or objects below, and shall not be more than twenty-five feet below the fall exposure edge.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-065 Fire protection and ignition sources. The requirements of WAC 296-24-585 and 296-800-300, et seq., relating to fire protection requirements, shall be applicable within the scope of chapter 296-59 WAC.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-070 Illumination. (1) Sufficient illumination required. All areas shall be sufficiently illuminated in order that persons in the area can safely perform their assigned duties. The recommended levels of illumination specified in ~~((chapter 296-62 WAC, general occupational health standards))~~ the safety and health core rules, WAC 296-800-210, shall be followed. When areas are not specifically referred to in chapter ~~((296-62))~~ 296-800 WAC and the adequacy of illumination for the area or task performed is questionable, a determination of the amount of illumination needed may be made by the division of industrial safety and health.

(2) Emergency or secondary lighting system required.

(a) There shall be an emergency or secondary lighting system which can be actuated immediately upon failure of the normal power supply system. The emergency or secondary lighting system shall provide illumination in the following areas:

(i) Wherever it is necessary for workers to remain at their machine or station to shut down equipment in case of power failure;

(ii) At stairways and passageways or aiseways used by workers as an emergency exit in case of power failure;

(iii) In all plant first-aid and/or medical facilities;

(iv) In emergency power and control room, i.e., in emergency generator rooms unless arranged to start automatically in the event of power failure, or on ski lift motor drive rooms where it would be necessary for employees to switch on the emergency drive system during night skiing.

(b) Emergency lighting facilities shall be checked at least every thirty days for mechanical defects. Defective equipment shall be given priority for repair schedule.

(3) Extension cord type lights. All extension cord type lights shall be provided with proper guards.

PROPOSED

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-59-085 Scaffolds, construction, use, and maintenance. (1) Whenever work must be performed at a height which cannot be reached from the floor or permanent platform and where it would not be a safe practice to use a ladder, a properly constructed scaffold shall be provided and used.

(2) Scaffolds shall be constructed and used in compliance with WAC ((296-24-825 through 296-24-84013)) 296-24-860 through 296-24-862.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-62-05207 Preservation of records. (1) Unless a specific occupational safety and health standard provides a different period of time, each employer shall assure the preservation and retention of records as follows:

(a) Employee medical records. The medical record for each employee shall be preserved and maintained for at least the duration of employment plus thirty years, except that the following types of records need not be retained for any specific period:

(i) Health insurance claims records maintained separately from the employer's medical program and its records;

(ii) First-aid records (not including medical histories) of one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and the like which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, if made on-site by a nonphysician and if maintained separately from the employer's medical program and its records; and

(iii) The medical records of employees who have worked for less than one year for the employer need not be retained beyond the term of employment if they are provided to the employee upon the termination of employment.

(b) Employee exposure records. Each employee exposure record shall be preserved and maintained for at least thirty years, except that:

(i) Background data to environmental (workplace) monitoring or measuring, such as laboratory reports and worksheets, need only be retained for one year as long as the sampling results, the collection methodology (sampling plan), a description of the analytical and mathematical methods used, and a summary of other background data relevant to interpretation of the results obtained, are retained for at least thirty years; and

(ii) ((~~Material safety data sheets and WAC 296-62-05205(5)~~)) Employee exposure records concerning the identity of a substance or agent need not be retained for any specified period as long as some record of the identity (chemical name if known) of the substance or agent, where it was used, and when it was used is retained for at least thirty years; and

(iii) Biological monitoring results designated as exposure records by specific occupational safety and health standards shall be preserved and maintained as required by the specific standard.

(c) Analyses using exposure or medical records. Each analysis using exposure or medical records shall be preserved and maintained for at least thirty years.

(2) Nothing in this section is intended to mandate the form, manner, or process by which an employer preserves a record as long as the information contained in the record is preserved and retrievable, except that chest x-ray films shall be preserved in their original state.

PART B-1 TRADE SECRETS

NEW SECTION

WAC 296-62-05305 Meet certain conditions if you withhold trade secret information. You may withhold the specific chemical identity, including the chemical name and other specific identification of a toxic substance or hazardous chemical, from a disclosable record or a material safety data sheet if you meet each of the following conditions:

You:

- Can support the claim that the information withheld is a trade secret.
- Disclose all other available information about the properties and effects of the toxic substance.
- Disclose the information in the material safety data sheet about the properties and effects of the hazardous chemical.
- Inform the person requesting the information, or the material safety data sheet states that the specific chemical identity is being withheld as a trade secret.
- Make available the specific chemical identity to health professionals, employees, and their designated representatives according to the provisions of this rule.

Nothing in this rule hinders an employer from deleting from records requested by a health professional, employee, or designated representative any trade secret data which discloses manufacturing processes, or discloses the percentage of a chemical substance in a mixture.

You must notify the health professional, employee, or designated representative requesting records that information about the trade has been deleted from the records.

If deleting trade secret information from a record substantially impairs evaluation of the location or the time when exposure to a toxic substance occurred, you must provide alternative information that enables the requesting party to identify where and when the exposure occurred.

NEW SECTION

WAC 296-62-05310 Reveal trade secret information when it is needed in order to treat a medical or first-aid emergency. When a physician or nurse treating a patient determines that a medical emergency exists and the specific chemical identity of a toxic substance or hazardous chemical is necessary for emergency or first-aid treatment, you must immediately disclose the specific chemical identity of a trade secret chemical to the treating physician or nurse.

You must do this even if you do not have a written statement of need or a confidentiality agreement from the physician or nurse who is handling the medical emergency.

You may require a written statement of need and confidentiality agreement, in accordance with the provisions of nonemergency situations and confidentiality agreement of this rule (see WAC 296-62-05315), as soon as the circumstances of the medical emergency permit.

NEW SECTION

WAC 296-62-05315 Reveal trade secret information in nonemergency situations when requested by a health professional, employee, or designated representative.

The request by the health professional, employee, or designated representative must:

- Be in writing.
- Describe with reasonable detail one or more of the reasons the information is needed. The reason(s) must be related to occupational health needs, such as to:
 - Assess the hazards of the chemicals to which employees will be exposed.
 - Conduct or assess sampling of the workplace atmosphere to determine employee exposure levels.
 - Conduct preassignment or periodic medical surveillance of exposed employees.
 - Provide medical treatment to exposed employees.
 - Select or assess appropriate personal protective equipment for exposed employees.
 - Design or assess engineering controls or other protective measures for exposed employees.
 - Conduct studies to determine the health effects of exposure.
- Explain in detail why the disclosure of the specific chemical identity is essential.
- Explain why disclosing the:
 - Properties and effects of the chemical.
 - Measures for controlling workers' exposure to the chemical.
 - Methods of monitoring and analyzing worker exposure to the chemical.
 - Methods of diagnosing and treating harmful exposures to the chemical
- in lieu of trade secret information would prevent the health professional, employee, or designated representative from providing the occupational health services described in the occupational health needs description.
 - Describe procedures to be used to maintain the confidentiality of the disclosed information. The health professional, employee, or designated representative and the employer or contractor of the services of the health professional or designated representative agree in a written confidentiality agreement that the health professional, employee, or designated representative:
 - Will not use the trade secret information for any purpose other than the health need(s) described; and
 - Agree not to release the information under any circumstances other than to WISHA, except as authorized by the terms of the agreement or by the employer.

This confidentiality agreement may:

- Restrict the use of the information to the health purposes indicated in the written statement of need.
- Provide for appropriate legal remedies in the event of a breach of the agreement, including a reasonable preestimate of likely damages.
- Not include requirements for the posting of a penalty bond.

If the health professional, employee, or designated representative receiving the trade secret information decides that there is a need to disclose it to WISHA, he or she must inform the employer who provided the information prior to, or at the same time as disclosing it to WISHA.

Nothing in this section is meant to preclude the parties from pursuing noncontractual remedies to the extent permitted by law.

NEW SECTION

WAC 296-62-05320 Deny a written request for disclosure of a specific chemical identity in the manner specified in this rule. If you choose to deny a written request for disclosure of information about a specific chemical identity, your denial must:

- Be given to the health professional, employee, or designated representative within thirty days of the request.
- Be in writing.
- Include evidence to support the claim that the specific chemical identity is a trade secret.
- State the specific reasons why the request is being denied.
 - Explain in detail how alternative information may satisfy the specific medical or occupational health need without revealing the specific chemical identity.
 - If a request for information is denied under the non-emergency section of this rule, the request may then be referred with the written denial of the request to WISHA for consideration.
 - When a denial is referred to WISHA, WISHA must consider the evidence to determine if the:
 - Chemical manufacturer, importer or employer has supported the claim that the specific chemical identity is a trade secret.
 - Health professional, employee, or designated representative has supported the claim that there is a medical or occupational health need for the information.
 - Health professional, employee, or designated representative has demonstrated adequate means to protect the confidentiality of the trade secret information.

Potential outcomes of denying a written request for trade secret information:

- If WISHA determines that the specific chemical identity requested under the nonemergency situations section is not a bona fide trade secret, or that it is a trade secret but the requesting health professional, employee, or designated representative has a legitimate medical or occupational health need for the information, has executed a written confidentiality agreement, and has shown adequate means for complying

with the terms of such agreement, the chemical manufacturer, importer or employer will be subject to citation by WISHA.

• If a chemical manufacturer, importer or employer demonstrates to WISHA that the execution of a confidentiality agreement would not provide sufficient protection against potential harm from the unauthorized disclosure of a trade secret specific chemical identity, the director may issue such orders or impose such additional limitations or conditions upon the disclosure of the requested chemical information as may be appropriate to assure that the occupational health needs are met without an undue risk of harm to the chemical manufacturer, importer or employer.

• In spite of the existence of a trade secret claim, a chemical manufacturer, importer or employer must upon request, disclose to the director or his representative, any information that this section requires the chemical manufacturer, importer or employer to make available. Where there is a trade secret claim, such claim shall be made no later than at the time the information is provided to the director so that suitable determinations of trade secret status can be made and the necessary protections can be implemented.

NEW SECTION

WAC 296-62-05325 Understand what is a trade secret. The following is a reprint of the *Restatement of Torts* section 757, comment *b* (1939):

b. Definition of trade secret. A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it. It may be a formula for a chemical compound, a process of manufacturing, treating or preserving materials, a pattern for a machine or other device, or a list of customers. It differs from other secret information in a business (see § 759 of the *Restatement of Torts* which is not included in this Appendix) in that it is not simply information as to single or ephemeral events in the conduct of the business, as, for example, the amount or other terms of a secret bid for a contract or the salary of certain employees, or the security investments made or contemplated, or the date fixed for the announcement of a new policy or for bringing out a new model or the like. A trade secret is a process or device for continuous use in the operations of the business. Generally it relates to the production of goods, as, for example, a machine or formula for the production of an article. It may, however, relate to the sale of goods or to other operations in the business, such as a code for determining discounts, rebates or other concessions in a price list or catalogue, or a list of specialized customers, or a method of bookkeeping or other office management.

Secrecy. The subject matter of a trade secret must be secret. Matters of public knowledge or of general knowledge in an industry cannot be appropriated by one as his secret. Matters which are completely disclosed by the goods which one markets cannot be his secret. Substantially, a trade secret is

known only in the particular business in which it is used. It is not requisite that only the proprietor of the business know it. He may, without losing his protection, communicate it to employees involved in its use. He may likewise communicate it to others pledged to secrecy. Others may also know of it independently, as, for example, when they have discovered the process or formula by independent invention and are keeping it secret. Nevertheless, a substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring the information. An exact definition of a trade secret is not possible. Some factors to be considered in determining whether given information is one's trade secret are:

- (1) The extent to which the information is known outside of his business;
- (2) The extent to which it is known by employees and others involved in his business;
- (3) The extent of measures taken by him to guard the secrecy of the information;
- (4) The value of the information to him and his competitors;
- (5) The amount of effort or money expended by him in developing the information;
- (6) The ease or difficulty with which the information could be properly acquired or duplicated by others.

Novelty and prior art. A trade secret may be a device or process which is patentable; but it need not be that. It may be a device or process which is clearly anticipated in the prior art or one which is merely a mechanical improvement that a good mechanic can make. Novelty and invention are not requisite for a trade secret as they are for patentability. These requirements are essential to patentability because a patent protects against unlicensed use of the patented device or process even by one who discovers it properly through independent research. The patent monopoly is a reward to the inventor. But such is not the case with a trade secret. Its protection is not based on a policy of rewarding or otherwise encouraging the development of secret processes or devices. The protection is merely against breach of faith and reprehensible means of learning another's secret. For this limited protection it is not appropriate to require also the kind of novelty and invention which is a requisite of patentability. The nature of the secret is, however, an important factor in determining the kind of relief that is appropriate against one who is subject to liability under the rule stated in this section. Thus, if the secret consists of a device or process which is a novel invention, one who acquires the secret wrongfully is ordinarily enjoined from further use of it and is required to account for the profits derived from his past use. If, on the other hand, the secret consists of mechanical improvements that a good mechanic can make without resort to the secret, the wrongdoer's liability may be limited to damages, and an injunction against future use of the improvements made with the aid of the secret may be inappropriate.

AMENDATORY SECTION (Amending Order 88-11, filed 7/6/88)

WAC 296-62-054 Manufacturers, importers and distributors—Hazard communication ((purpose)). ((1) The

purpose of this section is to ensure that the hazards of all chemicals produced or imported are evaluated, and that information concerning their hazards is transmitted to employers and employees. This transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning, material safety data sheets and employee training.

(2) This occupational safety and health standard is intended to address comprehensively the issue of evaluating the potential hazards of chemicals, and communicating information concerning hazards and appropriate protective measures to employees. Evaluating the potential hazards of chemicals, and communicating information concerning hazards and appropriate protective measures to employees, may include, for example, but is not limited to, provisions for: Developing and maintaining a written hazard communication program for the workplace, including lists of hazardous chemicals present; labeling of containers of chemicals in the workplace, as well as of containers of chemicals being shipped to other workplaces; preparation and distribution of material safety data sheets to employees and downstream employers; and development and implementation of employee training programs regarding hazards of chemicals and protective measures.) **Your responsibility:** To ensure that the hazards of all chemicals produced or imported are evaluated and that information concerning their hazards is given to employers and employees.

Note: If you have employees exposed to the chemicals you produce, import or distribute, you must comply with "Chemical hazard communication rule" WAC 296-800-170.

You must:

- Determine whether the chemicals you produce in your workplace or import are hazardous. WAC 296-62-05402
- Use this criteria in making hazard determinations. WAC 296-62-05404
- Determine whether the chemicals you produce or import are health hazards. WAC 296-62-05406
- Obtain or develop a material safety data sheet for each hazardous chemical you produce or import. WAC 296-62-05408
- Label clearly each container of hazardous chemicals that leaves your workplace. WAC 296-62-05410
- Provide material safety data sheets. WAC 296-62-05412

Application of this standard:

The Manufacturers, Importers, and Distributors Hazardous Communication Rule DOES NOT APPLY to:

- Any hazardous waste as such term is defined by the Hazardous Waste Management Act chapter 70.105 RCW, when subject to regulations issued under that act by the department of ecology that describes specific safety, labeling, personnel training and other standards for the accumulation, handling and management of hazardous waste;
- Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C.

6901 et seq.), when subject to regulations issued under that act by the Environmental Protection Agency;

• Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.), when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations;

- Tobacco or tobacco products;
- Wood or wood products, including lumber that will not be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to the employees is the potential for flammability or combustibility (wood or wood products that have been treated with hazardous chemicals covered by this standard, and wood that may be subsequently sawed or cut, generating dust, are not exempted);
- Articles are manufactured items other than a fluid or particle:
 - That are formed to a specific shape or design during manufacture;
 - That have end use function(s) dependent in whole or in part upon their shape or design during end use; and
 - That under normal conditions of use do not release more than very small quantities, e.g., minute or trace amounts of a hazardous chemical (as determined under the hazard determination section of this rule), and do not pose a physical hazard or health risk to employees.

• Food or alcoholic beverages that are sold, used, or prepared in a retail establishment (such as grocery store, restaurant, or drinking place), and foods intended for personal consumption by employees while in the workplace;

• Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid, final form for direct administration to the patient (e.g., tablets or pills); drugs that are packaged by the chemical manufacturer for sale to consumers in a retail establishment (e.g., over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g., first aid supplies);

• Cosmetics that are packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace;

• Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substance Act (15 U.S.C. 1261 et seq.) respectively, where the employer can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure that is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended;

- Ionizing and nonionizing radiation; and
- Biological hazards.

NEW SECTION

WAC 296-62-05402 Determine whether the chemicals you produce in your workplace or import are haz-

ardous. Chemical manufacturers and importers must evaluate chemicals produced in their workplaces or imported by them to determine if they are hazardous.

Chemical manufacturers, importers or employers evaluating chemicals must identify and consider the available scientific evidence concerning physical and health hazards. For health hazards, evidence that is statistically significant and that is based on at least one positive study conducted in accordance with established scientific principles is considered to be sufficient to establish a hazardous effect if the results of the study meet the definitions of health hazards in this part. WAC 296-62-05406 must be consulted for the scope of health hazards covered, and WAC 296-62-05404 must be consulted for the criteria to be followed with respect to the completeness of the evaluation, and the data to be reported.

The chemical manufacturer, importer or employer evaluating chemicals must treat the following sources as establishing that the chemicals listed in them are hazardous:

- Chapter 296-62 WAC, General occupational health standards;
- 29 C.F.R. Part 1910, Subpart Z, Toxic and Hazardous Substances, Occupational Safety and Health Administration (OSHA); or
- *Threshold Limit Values for Chemical Substances and Physical Agents in the Work Environment*, American Conference of Governmental Industrial Hygienists (ACGIH) (latest edition).
- The chemical manufacturer, importer, or employer is responsible for evaluating the hazards associated with the chemicals in these source lists in accordance with this requirement of the standard.

Chemical manufacturers, importers and employers evaluating chemicals must treat the following sources as establishing that a chemical is a carcinogen or potential carcinogen for hazard communication purposes:

- National Toxicology Program (NTP), Annual Report on Carcinogens (latest edition);
- International Agency for Research on Cancer (IARC) Monographs (latest editions);
- Chapter 296-62 WAC, General occupational health standards; or
- 29 C.F.R. Part 1910, Subpart Z, Toxic and Hazardous Substances, Occupational Safety and Health Administration.

Note: The *Registry of Toxic Effects of Chemical Substances* published by the National Institute for Occupational Safety and Health indicates whether a chemical has been found by NTP or IARC to be a potential carcinogen.

The chemical manufacturer, importer or employer must determine the hazards of mixtures of chemicals as follows:

- If a mixture has been tested as a whole to determine its hazards, the results of such testing must be used to determine whether the mixture is hazardous;
- If a mixture has not been tested as a whole to determine whether the mixture is a health hazard, the mixture must be assumed to present the same health hazards as do the components that comprise one percent (by weight or volume) or greater of the mixture, except that the mixture must be assumed to present a carcinogenic hazard if it contains a com-

ponent in concentrations of 0.1 percent or greater that is considered to be a carcinogen;

- If a mixture has not been tested as a whole to determine whether the mixture is a physical hazard, the chemical manufacturer, importer, or employer may use whatever scientifically valid data is available to evaluate the physical hazard potential of the mixture; and

- If the chemical manufacturer, importer, or employer has evidence to indicate that a component present in the mixture in concentrations of less than one percent (or in the case of carcinogens, less than 0.1 percent) could be released in concentrations that would exceed an established WISHA or OSHA permissible exposure limit or ACGIH threshold limit value, or could present a health risk to employees in those concentrations, the mixture must be assumed to present the same hazard.

Chemical manufacturers, importers, or employers evaluating chemicals must describe in writing the procedures they use to determine the hazards of the chemical they evaluate. The written procedures are to be made available, upon request, to employees, their designated representatives, the director or his/her designee and the National Institute of Occupational Safety and Health (NIOSH). The written description may be incorporated into the written hazard communication program required under WAC 296-800-17005.

NEW SECTION

WAC 296-62-05404 Use these criteria in making hazard determinations. The hazard determination requirement of this standard is performance-oriented. Chemical manufacturers, importers, and employers evaluating chemicals are not required to follow any specific methods for determining hazards, but they must be able to demonstrate that they have adequately ascertained the hazards of the chemicals produced or imported in accordance with the criteria set forth in this rule.

Hazard evaluation is a process that relies heavily on the professional judgment of the evaluator, particularly in the area of chronic hazards. The performance-orientation of the hazard determination does not diminish the duty of the chemical manufacturer, importer or employer to conduct a thorough evaluation, examining all relevant data and producing a scientifically defensible evaluation. For purposes of this standard, the following criteria shall be used in making hazard determinations that meet the requirements of this rule.

- **Carcinogenicity:** A determination by the National Toxicology Program, the International Agency for Research on Cancer, WISHA or OSHA that a chemical is a carcinogen or potential carcinogen will be considered conclusive evidence for purposes of this part. In addition, however, all available scientific data on carcinogenicity must be evaluated in accordance with the provisions of the requirements of this rule.

- **Human data:** Where available, epidemiological studies and case reports of adverse health effects shall be considered in the evaluation.

- **Animal data:** Human evidence of health effects in exposed populations is generally not available for the majority of chemicals produced or used in the workplace. Therefore, the available results of toxicological testing in animal populations shall be used to predict the health effects that

may be experienced by exposed workers. In particular, the definitions of certain acute hazards refer to specific animal testing results.

- Adequacy and reporting of data. The results of any studies that are designed and conducted according to established scientific principles, and that report statistically significant conclusions regarding the health effects of a chemical, shall be a sufficient basis for a hazard determination and reported on any material safety data sheet. In vitro studies alone generally do not form the basis for a definitive finding of a hazard under the hazard communication standard since they have a positive or negative result rather than a statistically significant finding.

The chemical manufacturer, importer, or employer may also report the results of other scientifically valid studies that tend to refute the findings of hazard.

NEW SECTION

WAC 296-62-05406 Determine whether the chemicals you produce or import are health hazards. Although safety hazards related to the physical characteristics of a chemical can be objectively defined in terms of testing requirements (e.g., flammability), health hazard definitions are less precise and more subjective. Health hazards may cause measurable changes in the body — such as decreased pulmonary function. These changes are generally indicated by the occurrence of signs and symptoms in the exposed employees — such as shortness of breath, a nonmeasurable, subjective feeling. Employees exposed to such hazards must be apprised of both the change in body function and the signs and symptoms that may occur to signal that change.

The determination of occupational health hazards is complicated by the fact that many of the effects or signs and symptoms occur commonly in nonoccupationally exposed populations, so that effects of exposure are difficult to separate from normally occurring illnesses. Occasionally, a substance causes an effect that is rarely seen in the population at large, such as angiosarcomas caused by vinyl chloride exposure, thus making it easier to ascertain that the occupational exposure was the primary causative factor. More often, however, the effects are common, such as lung cancer. The situation is further complicated by the fact that most chemicals have not been adequately tested to determine their health hazard potential, and data do not exist to substantiate these effects.

There have been many attempts to categorize effects and to define them in various ways. Generally, the terms "acute" and "chronic" are used to delineate between effects on the basis of severity or duration. "Acute" effects usually occur rapidly as a result of short-term exposures, and are of short duration. "Chronic" effects generally occur as a result of long-term exposure, and are of long duration.

The acute effects referred to most frequently are those defined by the American National Standards Institute (ANSI) standard for Precautionary Labeling of Hazardous Industrial Chemicals (Z129.1-1988) — irritation, corrosivity, sensitization and lethal dose. Although these are important health effects, they do not adequately cover the considerable range

of acute effects that may occur as a result of occupational exposure, such as, for example, narcosis.

Similarly, the term chronic effect is often used to cover only carcinogenicity, teratogenicity, and mutagenicity. These effects are obviously a concern in the workplace, but again, do not adequately cover the area of chronic effects, excluding, for example, blood dyscrasias (such as anemia), chronic bronchitis and liver atrophy.

The goal of defining precisely, in measurable terms, every possible health effect that may occur in the workplace as a result of chemical exposures cannot realistically be accomplished. This does not negate the need for employees to be informed of such effects and protected from them.

WAC 296-62-05404 outlines the principles and procedures of hazard assessment.

For purposes of this part, any chemicals that meet any of the following definitions, as determined by the criteria set forth in WAC 296-62-05404, are health hazards. However, this is not intended to be an exclusive categorization scheme. If there are available scientific data that involve other animal species or test methods, they must also be evaluated to determine the applicability of the hazard communication rule.

- Carcinogen: A chemical is considered to be a carcinogen if:

- ◆ It has been evaluated by the International Agency for Research on Cancer (IARC), and found to be a carcinogen or potential carcinogen; or

- ◆ It is listed as a carcinogen or potential carcinogen in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or

- ◆ It is regulated by WISHA as a carcinogen.

- Corrosive: A chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. For example, a chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described by the U.S. Department of Transportation in Appendix A to 49 C.F.R. Part 173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term must not refer to action on inanimate surfaces.

- Highly toxic: A chemical falling within any of the following categories:

- ◆ A chemical that has a median lethal dose (LD₅₀) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

- ◆ A chemical that has a median lethal dose (LD₅₀) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between two and three kilograms each.

- ◆ A chemical that has a median lethal concentration (LC₅₀) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume, or dust, when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

- Irritant: A chemical, which is not corrosive, but that causes a reversible inflammatory effect on living tissue by

chemical action at the site of contact. A chemical is a skin irritant if, when tested on the intact skin of albino rabbits by the methods of 16 C.F.R. 1500.41 for four hours exposure or by other appropriate techniques, it results in an empirical score of five or more. A chemical is an eye irritant if so determined under the procedure listed in 16 C.F.R. 1500.42 or other appropriate techniques.

- Sensitizer: A chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

- Toxic: A chemical falling within any of the following categories:

- ◆ A chemical that has a median lethal dose (LD₅₀) of more than 50 milligrams per kilogram but not more than 500 milligrams per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

- ◆ A chemical that has a median lethal dose (LD₅₀) of more than 200 milligrams per kilogram but not more than 1,000 milligrams per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between two and three kilograms each.

- ◆ A chemical that has a median lethal concentration (LC₅₀) in air of more than 200 parts per million but not more than 2,000 parts per million by volume of gas or vapor, or more than two milligrams per liter but not more than 20 milligrams per liter of mist, fume, or dust, when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

- Target organ effects: The following is a target organ categorization of effects that may occur, including examples of signs and symptoms and chemicals that have been found to cause such effects. These examples are presented to illustrate the range and diversity of effects and hazards found in the workplace, and the broad scope employers must consider in this area, but are not intended to be all-inclusive.

- (a) **Hepatotoxins:** Chemicals that produce liver damage.
 Signs & symptoms: Jaundice, liver enlargement.
 Chemicals: Carbon tetrachloride, nitrosamines.
- (b) **Nephrotoxins:** Chemicals that produce kidney damage.
 Signs & symptoms: Edema; proteinuria.
 Chemicals: Halogenated hydrocarbons; uranium.
- (c) **Neurotoxins:** Chemicals that produce their primary toxic effects on the nervous system.
 Signs & symptoms: Narcosis; behavioral changes; decrease in motor functions.
 Chemicals: Mercury, carbon disulfide.

- (d) **Agents that act on the blood or hemato-poietic system:** Decrease hemoglobin function; deprive the body of oxygen.
 Signs & symptoms: Cyanosis; loss of consciousness.
 Chemicals: Carbon monoxide; cyanides.
- (e) **Agents that damage the lung:** Chemicals that irritate or damage the pulmonary tissue.
 Signs & symptoms: Cough; tightness in chest; shortness of breath.
 Chemicals: Silica; asbestos.
- (f) **Reproductive toxins:** Chemicals that affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis).
 Signs & symptoms: Birth defects; sterility.
 Chemicals: Lead; DBCP.
- (g) **Cutaneous hazards:** Chemicals that affect the dermal layer of the body.
 Signs & symptoms: Defatting of the skin; rashes; irritation.
 Chemicals: Ketones; chlorinated compounds.
- (h) **Eye hazards:** Chemicals that affect the eye or visual capacity.
 Signs & symptoms: Conjunctivitis; corneal damage.
 Chemicals: Organic solvents; acids.

NEW SECTION

WAC 296-62-05408 Obtain or develop a material safety data sheet for each hazardous chemical you produce or import. Chemical manufacturers and importers must obtain or develop a material safety data sheet (MSDS) for each hazardous chemical they produce or import.

Each material safety data sheet must be in English (although the employer may maintain copies in other languages) and must contain at least the following information:

- The identity used on the label, and, except as provided for in the trade secrets rule, WAC 296-62-053:

- ◆ If the hazardous chemical is a single substance, its chemical and common name(s);

- ◆ If the hazardous chemical is a mixture that has been tested as a whole to determine its hazards, the chemical and common name(s) of the ingredients that contribute to these known hazards, and the common name(s) of the mixture itself; or

- ◆ If the hazardous chemical is a mixture that has not been tested as a whole:

PROPOSED

(A) The chemical and common name(s) of all ingredients that have been determined to be health hazards, and that comprise 1% or greater of the composition, except that chemicals identified as carcinogens under "*Determine whether the chemicals you produce in your workplace or import are hazardous.*" section in "Manufactures, importers and distributors, chemical hazard communication," WAC 296-62-05401, shall be listed if the concentrations are 0.1% or greater; and

(B) The chemical and common name(s) of all ingredients that have been determined to be health hazards, and that comprise less than one percent (0.1% for carcinogens) of the mixture, if there is evidence that the ingredient(s) could be released from the mixture in concentrations that would exceed an established WISHA or OSHA permissible exposure limit or ACGIH threshold limit value, or could present a health risk to employees; and

(C) The chemical and common name(s) of all ingredients that have been determined to present a physical hazard when present in the mixture;

- Physical and chemical characteristics of the hazardous chemical (such as vapor pressure, flash point);
- The physical hazards of the hazardous chemical, including the potential for fire, explosion, and reactivity;
- The acute and chronic health hazards of the hazardous chemical, including signs and symptoms of exposure, and any medical conditions that are generally recognized as being aggravated by exposure to the chemical;
- The primary route(s) of entry;
- The WISHA or OSHA permissible exposure limit, ACGIH threshold limit value, and any other exposure limit used or recommended by the chemical manufacturer, importer, or employer preparing the material safety data sheet (the PELs and TLVs include the 8-hour TWA, STEL, ceiling value and skin notation where available);
- Whether the hazardous chemical is listed in the National Toxicology Program (NTP) Annual Report on Carcinogens (latest edition) or has been found to be a potential carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest editions), or by WISHA or OSHA;
- Any generally applicable precautions for safe handling and use that are known to the chemical manufacturer, importer or employer preparing the material safety data sheet, including appropriate hygienic practices, protective measures during repair and maintenance of contaminated equipment, and procedures for clean-up of spills and leaks;
- Any generally applicable control measures that are known to the chemical manufacturer, importer or employer preparing the material safety data sheet, such as appropriate engineering controls, work practices, or personal protective equipment;
- Emergency and first aid procedures;
- The date of preparation of the material safety data sheet or the last change to it; and
- The name, address and telephone number of the chemical manufacturer, importer, employer or other responsible party preparing or distributing the material safety data sheet, who can provide additional information on the hazardous

chemical and appropriate emergency procedures, if necessary.

If no relevant information is found for any given category on the material safety data sheet, the chemical manufacturer, importer or employer preparing the material safety data sheet must mark it to indicate that no applicable information was found.

Where complex mixtures have similar hazards and contents (i.e., the chemical ingredients are essentially the same, but the specific composition varies from mixture to mixture), the chemical manufacturer, importer or employer may prepare one material safety data sheet to apply to all of these similar mixtures.

The chemical manufacturer, importer or employer preparing the material safety data sheet must ensure that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If the chemical manufacturer, importer or employer preparing the material safety data sheet becomes newly aware of any significant information regarding the hazards of a chemical, or ways to protect against the hazards, this new information must be added to the material safety data sheet within three months. If the chemical is not currently being produced or imported, the chemical manufacturer or importer must add the information to the material safety data sheet before the chemical is introduced into the workplace again.

NEW SECTION

WAC 296-62-05410 Label clearly each container of hazardous chemicals that leaves your workplace. The chemical manufacturer, importer, or distributor must ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged or marked with the following information:

- Identity of the hazardous chemical(s);
- Appropriate hazard warnings; and
- Name and address of the chemical manufacturer, importer, or other responsible party.

For solid metal (such as a steel beam or a metal casting), solid wood, or plastic items that are not exempted as articles due to their downstream use, or shipments of whole grain, the required label may be:

- Transmitted to the customer at the time of the initial shipment, and need not be included with subsequent shipments to the same employer unless the information on the label changes;
- Transmitted with the initial shipment itself, or with the material safety data sheet that is to be provided prior to or at the time of the first shipment; and
- This exception to requiring labels on every container of hazardous chemicals is only for the solid material itself and does not apply to hazardous chemicals used in conjunction with, or known to be present with, the material and to which employees handling the items in transit may be exposed (for example, cutting fluids or pesticides in grain).

Chemical manufacturers, importers, or distributors must ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked in accordance with this part in a manner that does not conflict with the require-

ments of the Hazardous Materials Transportation Act (49 U.S.C. 1801 et seq.) and regulations issued under that act by the department of transportation.

If the hazardous chemical is regulated by WISHA or OSHA in a substance-specific health standard, the chemical manufacturer, importer, distributor or employer must ensure that the labels or other forms of warning used are in accordance with the requirements of that standard.

The chemical manufacturer, importer, distributor or employer need not affix new labels to comply with this part if existing labels already convey the required information.

Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical must revise the labels for the chemical within three months of becoming aware of the new information. Labels on containers of hazardous chemicals shipped after that time must contain the new information. If the chemical is not currently produced or imported, the chemical manufacturer, importer, distributor, or employer must add the information to the label before the chemical is shipped or introduced into the workplace again.

Retention of DOT markings, placards and labels.

■ Any employer who receives a package of hazardous material that is required to be marked, labeled or placarded in accordance with the U.S. Department of Transportation's Hazardous Materials Regulations (49 C.F.R. Parts 171 through 180) must retain those markings, labels and placards on the package until the packaging is sufficiently cleaned of residue and purged of vapors to remove any potential hazards.

■ Any employer who receives a freight container, rail freight car, motor vehicle, or transport vehicle that is required to be marked or placarded in accordance with the Hazardous Materials Regulations must retain those markings and placards on the freight container, rail freight car, motor vehicle or transport vehicle until the hazardous materials that require the marking or placarding are sufficiently removed to prevent any potential hazards.

■ Markings, placards and labels must be maintained in a manner that ensures that they are readily visible.

■ For nonbulk packages that will not be reshipped, the provisions of this section are met if a label or other acceptable marking is affixed in accordance with this rule.

■ For the purposes of this section, the term "hazardous material" and any other terms not defined in this section have the same definition as in the Hazardous Materials Regulations (49 C.F.R. Parts 171 through 180).

The hazard communication rule does not require labeling of the following chemicals:

- Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when subject to the labeling requirements of that act and labeling regulations issued under that act by the Environmental Protection Agency;

- Any chemical substance or mixture as such terms are defined in the Toxic Substance Control Act (15 U.S.C. 2601 et seq.), when subject to the labeling requirements of that act and labeling requirements issued under that act by the Environmental Protection Agency;

- Any food, food additive, color additive, drug, cosmetic, or medical or veterinary device or product, including materials intended for use as ingredients in such products (e.g., flavors and fragrances), as such terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Virus-Serum Toxin Act of 1913 (21 U.S.C. 151 et seq.) and regulations issued under those acts, when they are subject to the labeling requirements under those acts by either the Food and Drug Administration or the department of agriculture;

- Any distilled spirits (beverage alcohols), wine, or malt beverage intended for nonindustrial use, as such terms are defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that act, when subject to the labeling requirements of that act and labeling regulations issued under that act by the Bureau of Alcohol, Tobacco, and Firearms;

- Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, when subject to a consumer product safety standard or labeling requirement of those acts, or regulations issued under those acts by the Consumer Product Safety Commission; and

- Agricultural or vegetable seed treated with pesticides and labeled in accordance with the Federal Seed Act (7 U.S.C. 1551 et seq.) and the labeling requirements issued under that act by the department of agriculture.

NEW SECTION

WAC 296-62-05412 Provide material safety data sheets. Chemical manufacturers or importers must:

- Ensure that distributors and employers are provided an appropriate material safety data sheet with their initial shipment, and with the first shipment after a material safety data sheet is updated;

- Either provide material safety data sheets with the shipped containers or send them to the distributor or employer prior to or at the time of the shipment;

- If the material safety data sheet is not provided with a shipment that has been labeled as a hazardous chemical, the distributor or employer must obtain one from the chemical manufacturer or importer as soon as possible; and

- Also, provide distributors or employers with a material safety data sheet upon request.

Distributors must:

- Ensure that material safety data sheets, and updated information, are provided to other distributors and employers with their initial shipment and with the first shipment after a material safety data sheet is updated;

- Either provide material safety data sheets with the shipped containers, or send them to the other distributor or employer prior to or at the time of the shipment;

- If the material safety data sheet is not provided with a shipment that has been labeled as a hazardous chemical, the distributor must obtain one from the chemical manufacturer or importer as soon as possible.

Retailers selling hazardous chemicals to employers having a commercial account must provide a material safety data sheet to such employers upon request, and must post a sign or

otherwise inform them that a material safety data sheet is available.

Wholesale distributors selling hazardous chemicals to employers over-the-counter may also provide material safety data sheets upon request of the employer at the time of the over-the-counter purchase, and must post a sign or otherwise inform such employers that a material safety data sheet is available.

If an employer without a commercial account purchases a hazardous chemical from a retail distributor not required to have material safety data sheets on file (i.e., the retail distributor does not have a commercial account and does not use the materials), the retail distributor must provide the employer, upon request, with the name, address, and telephone number of the chemical manufacturer, importer, or distributor from which a material safety data sheet can be obtained.

Wholesale distributors must also provide material safety data sheets to employers or other distributors upon request.

Chemical manufacturers, importers, and distributors need not provide material safety data sheets to retail distributors that have informed them that the retail distributor does not sell the product to commercial accounts or open the sealed container to use it in their own workplaces.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-05403	Scope and application.
WAC 296-62-05405	Definitions applicable to this part.
WAC 296-62-05407	Hazard determination.
WAC 296-62-05409	Written hazard communication program.
WAC 296-62-05411	Labels and other forms of warning.
WAC 296-62-05413	Material safety data sheets.
WAC 296-62-05415	Employee information and training.
WAC 296-62-05417	Trade secrets.
WAC 296-62-05419	Effective dates.
WAC 296-62-05421	Appendix A—Health hazard definitions (mandatory).
WAC 296-62-05423	Appendix B—Hazard determination (mandatory).
WAC 296-62-05425	Appendix C—Information sources (advisory).
WAC 296-62-05427	Appendix D.
WAC 296-62-05429	Appendix E—Guidelines for employer compliance (advisory).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-05211	Trade secrets.
WAC 296-62-12007	Effective date.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-010 Purpose and scope. ~~((1) Purpose. The purpose of this chapter is:~~

~~(a) To protect the health of workmen by prescribing minimum requirements for the prevention or control of conditions in industry hazardous to health.~~

~~(b) Assist in the provision of a healthful working environment.~~

~~(2) Scope. This chapter shall apply to all industry coming under the jurisdiction of the department of labor and industries.)~~ The rules in this chapter are designed to protect the health of employees and help to create a healthy work place by establishing requirements to control health hazards. Requirements for chemical hazard communication programs, workplace lighting levels and exposure records are in chapter 296-800 WAC, the safety and health core rules.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-050 Application for waiver or variances. See WAC ~~((296-24-010))~~ 296-350-700 Variance ((and procedure)) from WISHA rules.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07101 To whom does chapter 296-62 WAC, Part E apply? Chapter 296-62 WAC, Part E applies to all employers covered by WISHA. Other requirements for personal protective equipment (PPE) are found in ~~((chapter 296-24 WAC, Part A-2))~~ WAC 296-800-160.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07306 Requirements for areas containing carcinogens listed in WAC 296-62-07302. (1) A regulated area shall be established by an employer where listed carcinogens are manufactured, processed, used, repackaged, released, handled or stored.

(2) All such areas shall be controlled in accordance with the requirements for the following category or categories describing the operation involved:

(a) Isolated systems. Employees working with carcinogens within an isolated system such as a "glove box" shall wash their hands and arms upon completion of the assigned task and before engaging in other activities not associated with the isolated system.

(b) Closed system operation. Within regulated areas where carcinogens are stored in sealed containers, or contained in a closed system including piping systems with any sample ports or openings closed while carcinogens are contained within:

(i) Access shall be restricted to authorized employees only;

(ii) Employees shall be required to wash hands, forearms, face and neck upon each exit from the regulated areas, close to the point of exit and before engaging in other activities.

(c) Open vessel system operations. Open vessel system operations as defined in WAC 296-62-07304(12) are prohibited.

(d) Transfer from a closed system. Charging or discharging point operations, or otherwise opening a closed system. In operations involving "laboratory-type hoods," or in locations where a carcinogen is contained in an otherwise "closed system," but is transferred, charged, or discharged into other normally closed containers, the provisions of this section shall apply.

(i) Access shall be restricted to authorized employees only;

(ii) Each operation shall be provided with continuous local exhaust ventilation so that air movement is always from ordinary work areas to the operation. Exhaust air shall not be discharged to regulated areas, nonregulated areas or the external environment unless decontaminated. Clean makeup air shall be introduced in sufficient volume to maintain the correct operation of the local exhaust system.

(iii) Employees shall be provided with, and required to wear, clean, full body protective clothing (smocks, coveralls, or long-sleeved shirt and pants), shoe covers and gloves prior to entering the regulated area.

(iv) Employees engaged in handling operations involving the following carcinogens must be provided with and required to wear and use a full-face, supplied-air respirator, of the continuous flow or pressure-demand type as required in chapter 296-62 WAC, Part E:

- Methyl Chloromethyl Ether;
- bis-Chloromethyl Ether;
- Ethylenimine;
- beta-Propiolactone;
- 4-Amino Diphenyl.

(v) Employees engaged in handling operations involving:

- 4-nitrobiphenyl;
- alpha-naphthylamine;
- 4-4'methylene bis(2-chloroaniline);
- 3-3'dichlorobenzidine (and its salts);
- beta-naphthylamine;
- benzidine;
- 2-acetylamino fluorene;
- 4-dimethylaminobenzene;
- n-nitrosodimethylamine

must be provided with, and required to wear and use, a half-face, filter-type respirator certified for solid or liquid particulates with minimum efficiency rating of 95% as required in chapter 296-62 WAC, Part E. A respirator affording higher levels of protection than this respirator may be substituted.

(vi) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified, as required under WAC 296-62-07310 (2), (3) and (4).

(vii) Employees shall be required to wash hands, forearms, face and neck on each exit from the regulated area, close to the point of exit, and before engaging in other activities.

(viii) Employees shall be required to shower after the last exit of the day.

(ix) Drinking fountains are prohibited in the regulated area.

(e) Maintenance and decontamination activities. In clean up of leaks or spills, maintenance or repair operations on contaminated systems or equipment, or any operations involving work in an area where direct contact with carcinogens could result, each authorized employee entering the area shall:

(i) Be provided with and required to wear, clean, impervious garments, including gloves, boots and continuous-air supplied hood in accordance with (~~chapter 296-24 WAC, the general safety and health standards~~) WAC 296-800-160, and respiratory protective equipment required by this chapter 296-62 WAC;

(ii) Be decontaminated before removing the protective garments and hood;

(iii) Be required to shower upon removing the protective garments and hood.

(f) Laboratory activities. The requirements of this subdivision shall apply to research and quality control activities involving the use of carcinogens listed in WAC 296-62-07302.

(i) Mechanical pipetting aids shall be used for all pipetting procedures.

(ii) Experiments, procedures and equipment which could produce aerosols shall be confined to laboratory-type hoods or glove boxes.

(iii) Surfaces on which carcinogens are handled shall be protected from contamination.

(iv) Contaminated wastes and animal carcasses shall be collected in impervious containers which are closed and decontaminated prior to removal from the work area. Such wastes and carcasses shall be incinerated in such a manner that no carcinogenic products are released.

(v) All other forms of listed carcinogens shall be inactivated prior to disposal.

(vi) Laboratory vacuum systems shall be protected with high efficiency scrubbers or with disposable absolute filters.

(vii) Employees engaged in animal support activities shall be:

(A) Provided with, and required to wear, a complete protective clothing change, clean each day, including coveralls

or pants and shirt, foot covers, head covers, gloves, and appropriate respiratory protective equipment or devices; and

(B) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified as required under WAC 296-62-07310 (2), (3) and (4).

(C) Required to wash hands, forearms, face and neck upon each exit from the regulated area close to the point of exit, and before engaging in other activities; and

(D) Required to shower after the last exit of the day.

(viii) Employees, other than those engaged only in animal support activities, each day shall be:

(A) Provided with and required to wear a clean change of appropriate laboratory clothing, such as a solid front gown, surgical scrub suit, or fully buttoned laboratory coat.

(B) Prior to each exit from a regulated area, employees shall be required to remove and leave protective clothing and equipment at the point of exit and at the last exit of the day, to place used clothing and equipment in impervious containers at the point of exit for purposes of decontamination or disposal. The contents of such impervious containers shall be identified as required under WAC 296-62-07310 (2), (3) and (4).

(C) Required to wash hands, forearms, face and neck upon each exit from the regulated area close to the point of exit, and before engaging in other activities.

(ix) Air pressure in laboratory areas and animal rooms where carcinogens are handled and bioassay studies are performed shall be negative in relation to the pressure in surrounding areas. Exhaust air shall not be discharged to regulated areas, nonregulated areas or the external environment unless decontaminated.

(x) There shall be no connection between regulated areas and any other areas through the ventilation system.

(xi) A current inventory of the carcinogens shall be maintained.

(xii) Ventilated apparatus such as laboratory-type hoods, shall be tested at least semi-annually or immediately after ventilation modification or maintenance operations, by personnel fully qualified to certify correct containment and operation.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07308 General regulated area requirements. (1) Respirator program. The employer must implement a respiratory protection program as required in chapter 296-62 WAC, Part E (except WAC 296-62-07130 (1) and (5) and 296-62-07131).

(2) Emergencies. In an emergency, immediate measures including, but not limited to, the requirements of (a), (b), (c), (d) and (e) of this subsection shall be implemented.

(a) The potentially affected area shall be evacuated as soon as the emergency has been determined.

(b) Hazardous conditions created by the emergency shall be eliminated and the potentially affected area shall be decontaminated prior to the resumption of normal operations.

(c) Special medical surveillance by a physician shall be instituted within twenty-four hours for employees present in the potentially affected area at the time of the emergency. A report of the medical surveillance and any treatment shall be included in the incident report, in accordance with WAC 296-62-07312(2).

(d) Where an employee has a known contact with a listed carcinogen, such employee shall be required to shower as soon as possible, unless contraindicated by physical injuries.

(e) An incident report on the emergency shall be reported as provided in WAC 296-62-07312(2).

(3) Hygiene facilities and practices.

(a) Storage or consumption of food, storage or use of containers of beverages, storage or application of cosmetics, smoking, storage of smoking materials, tobacco products or other products for chewing, or the chewing of such products, are prohibited in regulated areas.

(b) Where employees are required by this section to wash, washing facilities shall be provided in accordance with WAC ((~~296-24-12009, of the general safety and health standards~~)) 296-800-230.

(c) Where employees are required by this section to shower, shower facilities shall be provided.

(i) One shower shall be provided for each ten employees of each sex, or numerical fraction thereof, who are required to shower during the same shift.

(ii) Body soap or other appropriate cleansing agents convenient to the showers shall be provided as specified in WAC 296-24-12009, of the general safety and health standards.

(iii) Showers shall be provided with hot and cold water feeding a common discharge line.

(iv) Employees who use showers shall be provided with individual clean towels.

(d) Where employees wear protective clothing and equipment, clean change rooms shall be provided and shall be equipped with storage facilities for street clothes and separate storage facilities for the protective clothing for the number of such employees required to change clothes.

(e) Where toilets are in regulated areas, such toilets shall be in a separate room.

(4) Contamination control.

(a) Regulated areas, except for outdoor systems, shall be maintained under pressure negative with respect to nonregulated areas. Local exhaust ventilation may be used to satisfy this requirement. Clean makeup air in equal volume shall replace air removed.

(b) Any equipment, material, or other item taken into or removed from a regulated area shall be done so in a manner that does not cause contamination in nonregulated areas or the external environment.

(c) Decontamination procedures shall be established and implemented to remove carcinogens from the surfaces of materials, equipment and the decontamination facility.

(d) Dry sweeping and dry mopping are prohibited.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07336 Acrylonitrile. (1) Scope and application.

(a) This section applies to all occupational exposure to acrylonitrile (AN), Chemical Abstracts Service Registry No. 000107131, except as provided in (b) and (c) of this subsection.

(b) This section does not apply to exposures which result solely from the processing, use, and handling of the following materials:

(i) ABS resins, SAN resins, nitrile barrier resins, solid nitrile elastomers, and acrylic and modacrylic fibers, when these listed materials are in the form of finished polymers, and products fabricated from such finished polymers;

(ii) Materials made from and/or containing AN for which objective data is reasonably relied upon to demonstrate that the material is not capable of releasing AN in airborne concentrations in excess of 1 ppm as an eight-hour time-weighted average, under the expected conditions of processing, use, and handling which will cause the greatest possible release; and

(iii) Solid materials made from and/or containing AN which will not be heated above 170°F during handling, use, or processing.

(c) An employer relying upon exemption under (1)(b)(ii) shall maintain records of the objective data supporting that exemption, and of the basis of the employer's reliance on the data as provided in subsection (17) of this section.

(2) Definitions, as applicable to this section:

(a) "Acrylonitrile" or "AN" - acrylonitrile monomer, chemical formula $CH_2=CHCN$.

(b) "Action level" - a concentration of AN of 1 ppm as an eight-hour time-weighted average.

(c) "Authorized person" - any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the opportunity to observe monitoring procedures under subsection (18) of this section.

(d) "Decontamination" means treatment of materials and surfaces by water washdown, ventilation, or other means, to assure that the materials will not expose employees to airborne concentrations of AN above 1 ppm as an eight-hour time-weighted average.

(e) "Director" - the director of labor and industries, or his authorized representative.

(f) "Emergency" - any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which is likely to, or does, result in unexpected exposure to AN in excess of the ceiling limit.

(g) "Liquid AN" means AN monomer in liquid form, and liquid or semiliquid polymer intermediates, including slurries, suspensions, emulsions, and solutions, produced during the polymerization of AN.

(h) "Polyacrylonitrile" or "PAN" - polyacrylonitrile homopolymers or copolymers, except for materials as exempted under subsection (1)(b) of this section.

(3) Permissible exposure limits.

(a) Inhalation.

(i) Time-weighted average limit.(TWA). The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of two parts acrylonitrile per million parts of air (2 ppm), as an eight-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration of acrylonitrile in excess of 10 ppm as averaged over any fifteen-minute period during the working day.

(b) Dermal and eye exposure. The employer shall assure that no employee is exposed to skin contact or eye contact with liquid AN or PAN.

(4) Notification of use and emergencies.

(a) Use. Within ten days of the effective date of this standard, or within fifteen days following the introduction of AN into the workplace, every employer shall report, unless he has done so pursuant to the emergency temporary standard, the following information to the director for each such workplace:

(i) The address and location of each workplace in which AN is present;

(ii) A brief description of each process of operation which may result in employee exposure to AN;

(iii) The number of employees engaged in each process or operation who may be exposed to AN and an estimate of the frequency and degree of exposure that occurs; and

(iv) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to AN. Whenever there has been a significant change in the information required by this subsection, the employer shall promptly amend such information previously provided to the director.

(b) Emergencies and remedial action. Emergencies, and the facts obtainable at that time, shall be reported within 24 hours of the initial occurrence to the director. Upon request of the director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of a similar nature.

(5) Exposure monitoring.

(a) General.

(i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to AN over an eight-hour period.

(ii) For the purposes of this section, employee exposure is that which would occur if the employee were not using a respirator.

(b) Initial monitoring. Each employer who has a place of employment in which AN is present shall monitor each such workplace and work operation to accurately determine the airborne concentrations of AN to which employees may be exposed. Such monitoring may be done on a representative basis, provided that the employer can demonstrate that the determinations are representative of employee exposures.

(c) Frequency.

(i) If the monitoring required by this section reveals employee exposure to be below the action level, the employer may discontinue monitoring for that employee. The employer shall continue these quarterly measurements until at least two

consecutive measurements taken at least seven days apart, are below the action level, and thereafter the employer may discontinue monitoring for that employee.

(ii) If the monitoring required by this section reveals employee exposure to be at or above the action level but below the permissible exposure limits, the employer shall repeat such monitoring for each such employee at least quarterly.

(iii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly measurements until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limits, and thereafter the employer shall monitor at least quarterly.

(d) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to AN, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to AN, additional monitoring which complies with this subsection shall be conducted.

(e) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure exceeds the permissible exposure limits, the employer shall include in the written notice a statement that the permissible exposure limits were exceeded and a description of the corrective action being taken to reduce exposure to or below the permissible exposure limits.

(f) Accuracy of measurement. The method of measurement of employee exposures shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of AN at or above the permissible exposure limits, and plus or minus 35 percent for concentrations of AN between the action level and the permissible exposure limits.

(g) Weekly survey of operations involving liquid AN. In addition to monitoring of employee exposures to AN as otherwise required by this subsection, the employer shall survey areas of operations involving liquid AN at least weekly to detect points where AN liquid or vapor are being released into the workplace. The survey shall employ an infra-red gas analyzer calibrated for AN, a multipoint gas chromatographic monitor, or comparable system for detection of AN. A listing of levels detected and areas of AN release, as determined from the survey, shall be posted prominently in the workplace, and shall remain posted until the next survey is completed.

(6) Regulated areas.

(a) The employer shall establish regulated areas where AN concentrations are in excess of the permissible exposure limits.

(b) Regulated areas shall be demarcated and segregated from the rest of the workplace, in any manner that minimizes the number of persons who will be exposed to AN.

(c) Access to regulated areas shall be limited to authorized persons or to persons otherwise authorized by the act or regulations issued pursuant thereto.

(d) The employer shall assure that in the regulated area, food or beverages are not present or consumed, smoking products are not present or used, and cosmetics are not applied, (except that these activities may be conducted in the lunchrooms, change rooms and showers required under subsections (13)(a)-(13)(c) of this section.

(7) Methods of compliance.

(a) Engineering and work practice controls.

(i) The employer shall institute engineering or work practice controls to reduce and maintain employee exposures to AN, to or below the permissible exposure limits, except to the extent that the employer establishes that such controls are not feasible.

(ii) Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposures to or below the permissible exposure limits, the employer shall nonetheless use them to reduce exposures to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (8) of this section.

(b) Compliance program.

(i) The employer shall establish and implement a written program to reduce employee exposures to or below the permissible exposure limits solely by means of engineering and work practice controls, as required by subsection (7)(a) of this section.

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation or process resulting in employee exposure to AN above the permissible exposure limits;

(B) Engineering plans and other studies used to determine the controls for each process;

(C) A report of the technology considered in meeting the permissible exposure limits;

(D) A detailed schedule for the implementation of engineering or work practice controls; and

(E) Other relevant information.

(iii) The employer shall complete the steps set forth in the compliance program by the dates in the schedule.

(iv) Written plans for such a program shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, or any affected employee or representative.

(v) The plans required by this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(8) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Work operations, such as maintenance and repair activities or reactor cleaning, for which the employer estab-

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lishes that engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce employee exposure to or below the permissible exposure limits;

(iv) In emergencies.

(b) Respirator program.

The employer must implement a respiratory protection program in accordance with chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(c) Respirator selection. The employer must select the appropriate respirator from Table I of this subsection.

TABLE I
RESPIRATORY PROTECTION FOR ACRYLONITRILE (AN)

Concentration of AN or Condition of Use	Respirator Type
(a) Less than or equal to 25 x permissible exposure limits.	(i) Any Type C supplied air respirator.
(b) Less than or equal to 100 x permissible exposure limits.	(i) Any supplied air respirator with full facepiece; or
	(ii) Any self-contained breathing apparatus with full facepiece.
(c) Less than or equal to 250 x permissible exposure limits	(i) Supplied air respirator in positive pressure mode with full facepiece, helmet, hood, or suit.
(d) Greater than 250 x permissible exposure limits.	(i) Supplied air respirator with full facepiece and an auxiliary self-contained air supply, operated in pressure demand mode; or
	(ii) Open circuit self-contained breathing apparatus with full facepiece in positive pressure mode.
(e) Emergency entry into unknown concentration or firefighting	(i) Any self-contained breathing apparatus with full facepiece in positive pressure mode.
(f) Escape.	(i) Any organic vapor gas mask; or
	(ii) Any self-contained breathing.

(9) Emergency situations.

(a) Written plans.

(i) A written plan for emergency situations shall be developed for each workplace where AN is present. Appropriate portions of the plan shall be implemented in the event of an emergency.

(ii) The plan shall specifically provide that employees engaged in correcting emergency conditions shall be equipped as required in subsection (8) of this section until the emergency is abated.

(b) Alerting employees.

(i) Where there is the possibility of employee exposure to AN in excess of the ceiling limit due to the occurrence of an emergency, a general alarm shall be installed and maintained to promptly alert employees of such occurrences.

(ii) Employees not engaged in correcting the emergency shall be evacuated from the area and shall not be permitted to return until the emergency is abated.

(10) Protective clothing and equipment.

(a) Provision and use. Where eye or skin contact with liquid AN or PAN may occur, the employer shall provide at no cost to the employee, and assure that employees wear, appropriate protective clothing or other equipment in accordance with WAC ((296-24-07501 and 296-24-07804)) 296-800-160 to protect any area of the body which may come in contact with liquid AN or PAN.

(b) Cleaning and replacement.

(i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection, as needed to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least weekly to each affected employee.

(ii) The employer shall assure that impermeable protective clothing which contacts or is likely to have contacted liquid AN shall be decontaminated before being removed by the employee.

(iii) The employer shall assure that AN- or PAN-contaminated protective clothing and equipment is placed and stored in closable containers which prevent dispersion of the AN or PAN outside the container.

(iv) The employer shall assure that an employee whose nonimpermeable clothing becomes wetted with liquid AN shall immediately remove that clothing and proceed to shower. The clothing shall be decontaminated before it is removed from the regulated area.

(v) The employer shall assure that no employee removes AN-or PAN-contaminated protective equipment or clothing from the change room, except for those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(vi) The employer shall inform any person who launders or cleans AN-or PAN-contaminated protective clothing or equipment of the potentially harmful effects of exposure to AN.

(vii) The employer shall assure that containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (16)(c)(ii) of this section, and that such labels remain affixed when such containers leave the employer's workplace.

(11) Housekeeping.

(a) All surfaces shall be maintained free of accumulations of liquid AN and of PAN.

(b) For operations involving liquid AN, the employer shall institute a program for detecting leaks and spills of liquid AN, including regular visual inspections.

(c) Where spills of liquid AN are detected, the employer shall assure that surfaces contacted by the liquid AN are decontaminated. Employees not engaged in decontamination activities shall leave the area of the spill, and shall not be permitted in the area until decontamination is completed.

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(d) Liquids. Where AN is present in a liquid form, or as a resultant vapor, all containers or vessels containing AN shall be enclosed to the maximum extent feasible and tightly covered when not in use, with adequate provision made to avoid any resulting potential explosion hazard.

(e) Surfaces.

(i) Dry sweeping and the use of compressed air for the cleaning of floors and other surfaces where AN and PAN are found is prohibited.

(ii) Where vacuuming methods are selected, either portable units or a permanent system may be used.

(A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that AN is not reintroduced into the workplace air; and

(B) Portable vacuum units used to collect AN may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (16)(c)(ii) of this section.

(iii) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.

(12) Waste disposal. AN and PAN waste, scrap, debris, bags, containers or equipment, shall be disposed of in sealed bags or other closed containers which prevent dispersion of AN outside the container, and labeled as prescribed in subsection (16)(c)(ii) of this section.

(13) Hygiene facilities and practices. Where employees are exposed to airborne concentrations of AN above the permissible exposure limits, or where employees are required to wear protective clothing or equipment pursuant to subsection (11) of this section, or where otherwise found to be appropriate, the facilities required by WAC 296-24-12009 and 296-800-230 shall be provided by the employer for the use of those employees, and the employer shall assure that the employees use the facilities provided. In addition, the following facilities or requirements are mandated.

(a) Change rooms. The employer shall provide clean change rooms in accordance with WAC 296-24-12011.

(b) Showers.

(i) The employer shall provide shower facilities in accordance with WAC 296-24-12009(3).

(ii) In addition, the employer shall also assure that employees exposed to liquid AN and PAN shower at the end of the work shift.

(iii) The employer shall assure that, in the event of skin or eye exposure to liquid AN, the affected employee shall shower immediately to minimize the danger of skin absorption.

(c) Lunchrooms.

(i) Whenever food or beverages are consumed in the workplace, the employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees exposed to AN above the permissible exposure limits.

(ii) In addition, the employer shall also assure that employees exposed to AN above the permissible exposure limits wash their hands and face prior to eating.

(14) Medical surveillance.

(a) General.

(i) The employer shall institute a program of medical surveillance for each employee who is or will be exposed to AN above the action level. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Initial examinations. At the time of initial assignment, or upon institution of the medical surveillance program, the employer shall provide each affected employee an opportunity for a medical examination, including at least the following elements:

(i) A work history and medical history with special attention to skin, respiratory, and gastrointestinal systems, and those non-specific symptoms, such as headache, nausea, vomiting, dizziness, weakness, or other central nervous system dysfunctions that may be associated with acute or chronic exposure to AN.

(ii) A physical examination giving particular attention to central nervous system, gastrointestinal system, respiratory system, skin and thyroid.

(iii) A 14" x 17" posteroanterior chest x-ray.

(iv) Further tests of the intestinal tract, including fecal occult blood screening, and proctosigmoidoscopy, for all workers 40 years of age or older, and for any other affected employees for whom, in the opinion of the physician, such testing is appropriate.

(c) Periodic examinations.

(i) The employer shall provide examinations specified in this subsection at least annually for all employees specified in subsection (14)(a) of this section.

(ii) If an employee has not had the examinations prescribed in subsection (14)(b) of this section within six months of termination of employment, the employer shall make such examination available to the employee upon such termination.

(d) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to AN, the employer shall provide appropriate examination and emergency medical treatment.

(e) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's representative exposure level;

(iv) The employee's anticipated or estimated exposure level (for preplacement examinations or in cases of exposure due to an emergency);

(v) A description of any personal protective equipment used or to be used; and

(vi) Information from previous medical examinations of the affected employee, which is not otherwise available to the examining physician.

(f) Physician's written opinion.

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(i) The employer shall obtain a written opinion from the examining physician which shall include:

(A) The results of the medical examination and test performed;

(B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of the employee's health from exposure to AN;

(C) Any recommended limitations upon the employee's exposure to AN or upon the use of protective clothing and equipment such as respirators; and

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to AN.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(15) Employee information and training.

(a) Training program.

(i) The employer shall institute a training program for all employees where there is occupational exposure to AN and shall assure their participation in the training program.

(ii) The training program shall be provided at the time of initial assignment, or upon institution of the training program, and at least annually thereafter, and the employer shall assure that each employee is informed of the following:

(A) The information contained in Appendices A, B and C;

(B) The quantity, location, manner of use, release or storage of AN and the specific nature of operations which could result in exposure to AN, as well as any necessary protective steps;

(C) The purpose, proper use, and limitations of respirators and protective clothing;

(D) The purpose and a description of the medical surveillance program required by subsection (14) of this section;

(E) The emergency procedures developed, as required by subsection (9) of this section; and

(F) The engineering and work practice controls, their function and the employee's relationship thereto; and

(G) A review of this standard.

(b) Access to training materials.

(i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(16) Signs and labels.

(a) General.

(i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to, or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label, required by this subsection, which contradicts or detracts from such effects of the required sign or label.

(b) Signs.

(i) The employer shall post signs to clearly indicate all workplaces where AN concentrations exceed the permissible exposure limits. The signs shall bear the following legend:

DANGER
ACRYLONITRILE (AN)
CANCER HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS REQUIRED

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(c) Labels.

(i) The employer shall assure that precautionary labels are affixed to all containers of AN, and to containers of PAN and products fabricated from PAN, except for those materials for which objective data is provided as to the conditions specified in subsection (1)(b) of this section. The employer shall assure that the labels remain affixed when the AN or PAN are sold, distributed or otherwise leave the employer's workplace.

(ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER
CONTAINS ACRYLONITRILE (AN)
CANCER HAZARD

(17) Recordkeeping.

(a) Objective data for exempted operations.

(i) Where the processing, use, and handling of products fabricated from PAN are exempted pursuant to subsection (1)(b) of this section, the employer shall establish and maintain an accurate record of objective data reasonably relied upon in support of the exemption.

(ii) This record shall include the following information:

(A) The relevant condition in subsection (1)(b) upon which exemption is based;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and/or analysis of the material for the release of AN;

(D) A description of the operation exempted and how the data supports the exemption; and

(E) Other data relevant to the operations, materials, and processing covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.

(ii) This record shall include:

(A) The dates, number, duration, and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;

(B) A description of the sampling and analytical methods used and the data relied upon to establish that the methods used meet the accuracy and precision requirements of subsection (5)(f) of this section;

(C) Type of respiratory protective devices worn, if any; and

(D) Name, social security number and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least 40 years or the duration of employment plus 20 years, whichever is longer.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (14) of this section.

(ii) This record shall include:

(A) A copy of the physicians' written opinions;

(B) Any employee medical complaints related to exposure to AN;

(C) A copy of the information provided to the physician as required by subsection (14)(f) of this section; and

(D) A copy of the employee's medical and work history.

(iii) The employer shall assure that this record be maintained for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(d) Availability.

(i) The employer shall assure that all records required to be maintained by this section be made available upon request to the director for examination and copying.

(ii) Records required by subdivisions (a) through (c) of this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Records required by subdivision (a) of this section shall be provided in the same manner as exposure monitoring records.

(iii) The employer shall assure that employee medical records required to be maintained by this section, be made available, upon request, for examination and copying, to the affected employee or former employee, or to a physician designated by the affected employee, former employee, or designated representative.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained pursuant to this section, the employer shall transmit these records to the director.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(18) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees, or their designated representatives, an

opportunity to observe any monitoring of employee exposure to AN conducted pursuant to subsection (5) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to AN requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled:

(A) To receive an explanation of the measurement procedures;

(B) To observe all steps related to the measurement of airborne concentrations of AN performed at the place of exposure; and

(C) To record the results obtained.

(19) Appendices. The information contained in the appendices is not intended, by itself, to create any additional obligation not otherwise imposed, or to detract from any obligation.

AMENDATORY SECTION (Amending Order 88-04, filed 5/11/88)

WAC 296-62-07338 Appendix B—Substance technical guidelines for acrylonitrile. (1) Physical and chemical data.

(a) Substance identification:

(i) Synonyms: AN; VCN; vinyl cyanide; propenenitrile; cyanoethylene; Acrylon; Carbacryl; Fumigrain; Ventox.

(ii) Formula: CH₂=CHCN.

(iii) Molecular weight: 53.1.

(b) Physical data:

(i) Boiling point (760 mm Hg): 77.3°C (171°F);

(ii) Specific gravity (water=1): 0.81 (at 20°C or 68°F);

(iii) Vapor density (air=1 at boiling point of acrylonitrile): 1.83;

(iv) Melting point: -83°C (-117°F);

(v) Vapor pressure (@20°F): 83 mm Hg;

(vi) Solubility in water, percent by weight @20°C (68°F): 7.35;

(vii) Evaporation rate (Butyl Acetate=1): 4.54; and

(viii) Appearance and odor: Colorless to pale yellow liquid with a pungent odor at concentrations above the permissible exposure level. Any detectable odor of acrylonitrile may indicate overexposure.

(2) Fire, explosion, and reactivity hazard data.

(a) Fire:

(i) Flash point: -1°C (30°F) (closed cup).

(ii) Autoignition temperature: 481°C (898°F).

(iii) Flammable limits air, percent by volume: Lower: 3, Upper: 17.

(iv) Extinguishing media: Alcohol foam, carbon dioxide, and dry chemical.

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(v) Special fire-fighting procedures: Do not use a solid stream of water, since the stream will scatter and spread the fire. Use water to cool containers exposed to a fire.

(vi) Unusual fire and explosion hazards: Acrylonitrile is a flammable liquid. Its vapors can easily form explosive mixtures with air. All ignition sources must be controlled where acrylonitrile is handled, used, or stored in a manner that could create a potential fire or explosion hazard. Acrylonitrile vapors are heavier than air and may travel along the ground and be ignited by open flames or sparks at locations remote from the site at which acrylonitrile is being handled.

(vii) For purposes of compliance with the requirements of WAC ((296-24-330)) 296-800-300, acrylonitrile is classified as a class IB flammable liquid. For example, 7,500 ppm, approximately one-fourth of the lower flammable limit, would be considered to pose a potential fire and explosion hazard.

(viii) For purposes of compliance with WAC 296-24-59207, acrylonitrile is classified as a Class B fire hazard.

(ix) For purpose of compliance with WAC 296-24-95613, locations classified as hazardous due to the presence of acrylonitrile shall be Class I, Group D.

(b) Reactivity:

(i) Conditions contributing to instability: Acrylonitrile will polymerize when hot, and the additional heat liberated by the polymerization may cause containers to explode. Pure AN may self-polymerize, with a rapid build-up of pressure, resulting in an explosion hazard. Inhibitors are added to the commercial product to prevent self-polymerization.

(ii) Incompatibilities: Contact with strong oxidizers (especially bromine) and strong bases may cause fires and explosions. Contact with copper, copper alloys, ammonia, and amines may start serious decomposition.

(iii) Hazardous decomposition products: Toxic gases and vapors (such as hydrogen cyanide, oxides of nitrogen, and carbon monoxide) may be released in a fire involving acrylonitrile and certain polymers made from acrylonitrile.

(iv) Special precautions: Liquid acrylonitrile will attack some forms of plastics, rubbers, and coatings.

(3) Spill, leak, and disposal procedures.

(a) If acrylonitrile is spilled or leaked, the following steps should be taken:

(i) Remove all ignition sources.

(ii) The area should be evacuated at once and re-entered only after the area has been thoroughly ventilated and washed down with water.

(iii) If liquid acrylonitrile or polymer intermediate, collect for reclamation or absorb in paper, vermiculite, dry sand, earth, or similar material, or wash down with water into process sewer system.

(b) Persons not wearing protective equipment should be restricted from areas of spills or leaks until clean-up has been completed.

(c) Waste disposal methods: Waste materials shall be disposed of in a manner that is not hazardous to employees or to the general population. Spills of acrylonitrile and flushing of such spills shall be channeled for appropriate treatment or collection for disposal. They shall not be channeled directly into the sanitary sewer system. In selecting the method of

waste disposal, applicable local, state, and federal regulations should be consulted.

(4) Monitoring and measurement procedures.

(a) Exposure above the permissible exposure limit:

(i) Eight-hour exposure evaluation: Measurements taken for the purpose of determining employee exposure under this section are best taken so that the average eight-hour exposure may be determined from a single eight-hour sample or two four-hour samples. Air samples should be taken in the employee's breathing zone (air that would most nearly represent that inhaled by the employee).

(ii) Ceiling evaluation: Measurements taken for the purpose of determining employee exposure under this section must be taken during periods of maximum expected airborne concentrations of acrylonitrile in the employee's breathing zone. A minimum of three measurements should be taken on one work shift. The average of all measurements taken is an estimate of the employee's ceiling exposure.

(iii) Monitoring techniques: The sampling and analysis under this section may be performed by collecting the acrylonitrile vapor on charcoal adsorption tubes or other composition adsorption tubes, with subsequent chemical analysis. Sampling and analysis may also be performed by instruments such as real-time continuous monitoring systems, portable direct-reading instruments, or passive dosimeters. Analysis of resultant samples should be by gas chromatograph.

(iv) Appendix D lists methods of sampling and analysis which have been tested by NIOSH and OSHA for use with acrylonitrile. NIOSH and OSHA have validated modifications of NIOSH Method S-156 (see Appendix D) under laboratory conditions for concentrations below 1 ppm. The employer has the obligation of selecting a monitoring method which meets the accuracy and precision requirements of the standard under his/her unique field conditions. The standard requires that methods of monitoring must be accurate, to a 95-percent confidence level, to ± 35 -percent for concentrations of AN at or above 2 ppm, and to ± 50 -percent for concentrations below 2 ppm. In addition to the methods described in Appendix D, there are numerous other methods available for monitoring for AN in the workplace. Details on these other methods have been submitted by various companies to the rulemaking record, and are available at the OSHA Docket Office.

(b) Since many of the duties relating to employee exposure are dependent on the results of monitoring and measuring procedures, employers shall assure that the evaluation of employee exposures is performed by a competent industrial hygienist or other technically qualified person.

(5) Protective clothing.

(a) Employees shall be provided with and required to wear appropriate protective clothing to prevent any possibility of skin contact with liquid AN. Because acrylonitrile is absorbed through the skin, it is important to prevent skin contact with liquid AN. Protective clothing shall include impermeable coveralls or similar full-body work clothing, gloves, head-coverings, as appropriate to protect areas of the body which may come in contact with liquid AN.

(b) Employers should ascertain that the protective garments are impermeable to acrylonitrile. Nonimpermeable

clothing and shoes should not be allowed to become contaminated with liquid AN. If permeable clothing does become contaminated, it should be promptly removed, placed in a regulated area for removal of the AN, and not worn again until the AN is removed. If leather footwear or other leather garments become wet from acrylonitrile, they should be replaced and not worn again, due to the ability of leather to absorb acrylonitrile and hold it against the skin. Since there is no pain associated with the blistering which may result from skin contact with liquid AN, it is essential that the employee be informed of this hazard so that he or she can be protected.

(c) Any protective clothing which has developed leaks or is otherwise found to be defective shall be repaired or replaced. Clean protective clothing shall be provided to the employee as necessary to assure its protectiveness. Whenever impervious clothing becomes wet with liquid AN, it shall be washed down with water before being removed by the employee. Employees are also required to wear splash-proof safety goggles where there is any possibility of acrylonitrile contacting the eyes.

(6) Housekeeping and hygiene facilities. For purposes of complying with WAC 296-24-120, 296-800-220 and 296-800-230, the following items should be emphasized:

(a) The workplace should be kept clean, orderly, and in a sanitary condition. The employer is required to institute a leak and spill detection program for operations involving liquid AN in order to detect sources of fugitive AN emissions.

(b) Dry sweeping and the use of compressed air is unsafe for the cleaning of floors and other surfaces where liquid AN may be found.

(c) Adequate washing facilities with hot and cold water are to be provided, and maintained in a sanitary condition. Suitable cleansing agents are also to be provided to assure the effective removal of acrylonitrile from the skin.

(d) Change or dressing rooms with individual clothes storage facilities must be provided to prevent the contamination of street clothes with acrylonitrile. Because of the hazardous nature of acrylonitrile, contaminated protective clothing should be placed in a regulated area designated by the employer for removal of the AN before the clothing is laundered or disposed of.

(7) Miscellaneous precautions.

(a) Store acrylonitrile in tightly-closed containers in a cool, well-ventilated area and take necessary precautions to avoid any explosion hazard.

(b) High exposures to acrylonitrile can occur when transferring the liquid from one container to another.

(c) Nonsparking tools must be used to open and close metal acrylonitrile containers. These containers must be effectively grounded and bonded prior to pouring.

(d) Never store uninhibited acrylonitrile.

(e) Acrylonitrile vapors are not inhibited.

They may form polymers and clog vents of storage tanks.

(f) Use of supplied-air suits or other impervious coverings may be necessary to prevent skin contact with and provide respiratory protection from acrylonitrile where the concentration of acrylonitrile is unknown or is above the ceiling limit. Supplied-air suits should be selected, used, and maintained under the immediate supervision of persons knowl-

edgeable in the limitations and potential life-endangering characteristics of supplied-air suits.

(g) Employers shall advise employees of all areas and operations where exposure to acrylonitrile could occur.

(8) Common operations. Common operations in which exposure to acrylonitrile is likely to occur include the following: Manufacture of the acrylonitrile monomer; synthesis of acrylic fibers, ABS, SAN, and nitrile barrier plastics and resins, nitrile rubber, surface coatings, specialty chemicals; use as a chemical intermediate; use as a fumigant; and in the cyanoethylation of cotton.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07342 1,2-Dibromo-3-chloropropane.

(1) Scope and application.

(a) This section applies to occupational exposure to 1,2-dibromo-3-chloropropane (DBCP).

(b) This section does not apply to:

(i) Exposure to DBCP which results solely from the application and use of DBCP as a pesticide; or

(ii) The storage, transportation, distribution or sale of DBCP in intact containers sealed in such a manner as to prevent exposure to DBCP vapors or liquids, except for the requirements of subsections (11), (16) and (17) of this section.

(2) Definitions applicable to this section:

(a) "Authorized person" - any person specifically authorized by the employer and whose duties require the person to be present in areas where DBCP is present; and any person entering this area as a designated representative of employees exercising an opportunity to observe employee exposure monitoring.

(b) "DBCP" - 1,2-dibromo-3-chloropropane, Chemical Abstracts Service Registry Number 96-12-8, and includes all forms of DBCP.

(c) "Director" - the director of labor and industries, or his authorized representative.

(d) "Emergency" - any occurrence such as, but not limited to equipment failure, rupture of containers, or failure of control equipment which may, or does, result in unexpected release of DBCP.

(3) Permissible exposure limits.

(a) Inhalation.

(i) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration in excess of 1 part DBCP per billion part of air (ppb) as an eight-hour time-weighted average.

(ii) Ceiling limit. The employer shall assure that no employee is exposed to an airborne concentration in excess of 5 parts DBCP per billion parts of air (ppb) as averaged over any 15 minutes during the working day.

(b) Dermal and eye exposure. The employer shall assure that no employee is exposed to eye or skin contact with DBCP.

(4) Notification of use. Within ten days of the effective date of this section or within ten days following the introduction of DBCP into the workplace, every employer who has a

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workplace where DBCP is present shall report the following information to the director for each such workplace:

(a) The address and location of each workplace in which DBCP is present;

(b) A brief description of each process or operation which may result in employee exposure to DBCP;

(c) The number of employees engaged in each process or operation who may be exposed to DBCP and an estimate of the frequency and degree of exposure that occurs;

(d) A brief description of the employer's safety and health program as it relates to limitation of employee exposure to DBCP.

(5) Regulated areas. The employer shall establish, within each place of employment, regulated areas wherever DBCP concentrations are in excess of the permissible exposure limit.

(a) The employer shall limit access to regulated areas to authorized persons.

(b) All employees entering or working in a regulated area shall wear respiratory protection in accordance with Table I.

(6) Exposure monitoring.

(a) General. Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to DBCP over an eight-hour period. (For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.)

(b) Initial. Each employer who has a place of employment in which DBCP is present shall monitor each workplace and work operation to accurately determine the airborne concentrations of DBCP to which employees may be exposed.

(c) Frequency.

(i) If the monitoring required by this section reveals employee exposures to be below the permissible exposure limits, the employer shall repeat these determinations at least quarterly.

(ii) If the monitoring required by this section reveals employee exposure to be in excess of the permissible exposure limits, the employer shall repeat these determinations for each such employee at least monthly. The employer shall continue these monthly determinations until at least two consecutive measurements, taken at least seven days apart, are below the permissible exposure limit, thereafter the employer shall monitor at least quarterly.

(d) Additional. Whenever there has been a production process, control or personnel change which may result in any new or additional exposure to DBCP, or whenever the employer has any other reason to suspect a change which may result in new or additional exposure to DBCP, additional monitoring which complies with subsection (6) shall be conducted.

(e) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of results which represent the employee's exposure.

(ii) Whenever the results indicate that employee exposure exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the

corrective action being taken to reduce exposure to or below the permissible exposure limits.

(f) Accuracy of measurement. The method of measurement shall be accurate, to a confidence level of 95 percent, to within plus or minus 25 percent for concentrations of DBCP at or above the permissible exposure limits.

(7) Methods of compliance.

(a) Priority of compliance methods. The employer shall institute engineering and work practice controls to reduce and maintain employee exposures to DBCP at or below the permissible exposure limit, except to the extent that the employer establishes that such controls are not feasible. Where feasible engineering and work practice controls are not sufficient to reduce employee exposures to within the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest level achievable by these controls, and shall supplement them by use of respiratory protection.

(b) Compliance program.

(i) The employer shall establish and implement a written program to reduce employee exposure to DBCP to or below the permissible exposure limit solely by means of engineering and work practice controls as required by this section.

(ii) The written program shall include a detailed schedule for development and implementation of the engineering and work practice controls. These plans shall be revised at least every six months to reflect the current status of the program.

(iii) Written plans for these compliance programs shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, and any affected employee or designated representative of employees.

(iv) The employer shall institute and maintain at least the controls described in his most recent written compliance program.

(8) Respiratory protection.

(a) General. For employees who are required to use respirators under this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Period necessary to install or implement feasible engineering and work-practice controls;

(ii) Maintenance and repair activities for which engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce employee exposure to or below the permissible exposure limit;

(iv) Emergencies.

(b) The employer must establish, implement, and maintain a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(c) Respirator selection. The employer must select the appropriate respirator from Table I of this subsection.

TABLE I
RESPIRATORY PROTECTION FOR DBCP

Concentration Not Greater Than	Respirator Type
(a) 10 ppb:	(i) Any supplied-air respirator. (ii) Any self-contained breathing apparatus.
(b) 50 ppb:	(i) Any supplied-air respirator with full facepiece, helmet or hood. (ii) Any self-contained breathing apparatus with full facepiece.
(c) 250 ppb:	(i) A Type C supplied-air respirator operated in pressure-demand or other positive pressure or continuous flow mode.
(d) 500 ppb:	(i) A Type C supplied-air respirator with full facepiece operated in pressure-demand mode with full facepiece.
(e) Greater than 500 ppb or entry into unknown concentrations:	(i) A combination respirator which includes a Type C supplied-air respirator with full facepiece operated in pressure-demand mode and an auxiliary self-contained breathing apparatus. (ii) A self-contained breathing apparatus with full facepiece operated in pressure-demand mode.
(f) Firefighting:	(i) A self-contained breathing apparatus with full facepiece operated in pressure-demand mode.

(9) Reserved.

(10) Emergency situations.

(a) Written plans.

(i) A written plan for emergency situations shall be developed for each workplace in which DBCP is present.

(ii) Appropriate portions of the plan shall be implemented in the event of an emergency.

(b) Employees engaged in correcting conditions shall be equipped as required in subsection (11) of this section until the emergency is abated.

(c) Evacuation. Employees not engaged in correcting the emergency shall be removed and restricted from the area and normal operations in the affected area shall not be resumed until the emergency is abated.

(d) Alerting employees. Where there is a possibility of employee exposure to DBCP due to the occurrence of an

emergency, a general alarm shall be installed and maintained to promptly alert employees of such occurrences.

(e) Medical surveillance. For any employee exposed to DBCP in an emergency situation, the employer shall provide medical surveillance in accordance with subsection (14) of this section.

(f) Exposure monitoring.

(i) Following an emergency, the employer shall conduct monitoring which complies with subsection (6) of this section.

(ii) In workplaces not normally subject to periodic monitoring, the employer may terminate monitoring when two consecutive measurements indicate exposures below the permissible exposure limit.

(11) Protective clothing and equipment.

(a) Provision and use. Where eye or skin contact with liquid or solid DBCP may occur, employers shall provide at no cost to the employee, and assure that employees wear impermeable protective clothing and equipment in accordance with WAC ((~~296-24-07501 and 296-24-07801~~)) 296-800-160 to protect the area of the body which may come in contact with DBCP.

(b) Cleaning and replacement.

(i) The employer shall clean, launder, maintain, or replace protective clothing and equipment required by this subsection to maintain their effectiveness. In addition, the employer shall provide clean protective clothing and equipment at least daily to each affected employee.

(ii) Removal and storage.

(A) The employer shall assure that employees remove DBCP contaminated work clothing only in change rooms provided in accordance with subsection (13) of this section.

(B) The employer shall assure that employees promptly remove any protective clothing and equipment which becomes contaminated with DBCP-containing liquids and solids. This clothing shall not be reworn until the DBCP has been removed from the clothing or equipment.

(C) The employer shall assure that no employee takes DBCP contaminated protective devices and work clothing out of the change room, except those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(iii) The employer shall assure that DBCP-contaminated protective work clothing and equipment is placed and stored in closed containers which prevent dispersion of DBCP outside the container.

(iv) The employer shall inform any person who launders or cleans DBCP-contaminated protective clothing or equipment of the potentially harmful effects of exposure to DBCP.

(v) The employer shall assure that the containers of contaminated protective clothing and equipment which are to be removed from the workplace for any reason are labeled in accordance with subsection (16)(c) of this section.

(vi) The employer shall prohibit the removal of DBCP from protective clothing and equipment by blowing or shaking.

(12) Housekeeping.

(a) Surfaces.

(i) All surfaces shall be maintained free of accumulations of DBCP.

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(ii) Dry sweeping and the use of air for the cleaning of floors and other surfaces where DBCP dust or liquids are found is prohibited.

(iii) Where vacuuming methods are selected, either portable units or a permanent system may be used.

(A) If a portable unit is selected, the exhaust shall be attached to the general workplace exhaust ventilation system or collected within the vacuum unit, equipped with high efficiency filters or other appropriate means of contaminant removal, so that DBCP is not reintroduced into the workplace air; and

(B) Portable vacuum units used to collect DBCP may not be used for other cleaning purposes and shall be labeled as prescribed by subsection (16)(c) of this section.

(iv) Cleaning of floors and other contaminated surfaces may not be performed by washing down with a hose, unless a fine spray has first been laid down.

(b) Liquids. Where DBCP is present in a liquid form, or as a resultant vapor, all containers or vessels containing DBCP shall be enclosed to the maximum extent feasible and tightly covered when not in use.

(c) Waste disposal. DBCP waste, scrap, debris, bags, containers or equipment, shall be disposed in sealed bags or other closed containers which prevent dispersion of DBCP outside the container.

(13) Hygiene facilities and practices.

(a) Change rooms. The employer shall provide clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment whenever employees are required to wear protective clothing and equipment in accordance with subsections (8), (9) and (11) of this section.

(b) Showers.

(i) The employer shall assure that employees working in the regulated area shower at the end of the work shift.

(ii) The employer shall assure that employees whose skin becomes contaminated with DBCP-containing liquids or solids immediately wash or shower to remove any DBCP from the skin.

(iii) The employer shall provide shower facilities in accordance with WAC 296-24-12009 (3)(c).

(c) Lunchrooms. The employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees working in regulated areas.

(d) Lavatories.

(i) The employer shall assure that employees working in the regulated area remove protective clothing and wash their hands and face prior to eating.

(ii) The employer shall provide a sufficient number of lavatory facilities which comply with WAC ((~~296-24-12009 (1) and (2))~~) 296-800-230.

(e) Prohibition of activities in regulated areas. The employer shall assure that, in regulated areas, food or beverages are not present or consumed, smoking products and implements are not present or used, and cosmetics are not present or applied.

(14) Medical surveillance.

(a) General. The employer shall institute a program of medical surveillance for each employee who is or will be

exposed, without regard to the use of respirators, to DBCP. The employer shall provide each such employee with an opportunity for medical examinations and tests in accordance with this subsection. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee.

(b) Frequency and content. At the time of initial assignment, annually thereafter, and whenever exposure to DBCP occurs, the employer shall provide a medical examination for employees who work in regulated areas, which includes at least the following:

(i) A complete medical and occupational history with emphasis on reproductive history.

(ii) A complete physical examination with emphasis on the genito-urinary tract, testicle size, and body habitus including the following tests:

(A) Sperm count;

(B) Complete urinalysis (U/A);

(C) Complete blood count; and

(D) Thyroid profile.

(iii) A serum specimen shall be obtained and the following determinations made by radioimmunoassay techniques utilizing National Institutes of Health (NIH) specific antigen or one of equivalent sensitivity:

(A) Serum multiphasic analysis (SMA 12);

(B) Serum follicle stimulating hormone (FSH);

(C) Serum luteinizing hormone (LH); and

(D) Serum estrogen (females).

(iv) Any other tests deemed appropriate by the examining physician.

(c) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to DBCP, the employer shall provide the employee with a medical examination which shall include those elements considered appropriate by the examining physician.

(d) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The level of DBCP to which the employee is exposed; and

(iv) A description of any personal protective equipment used or to be used.

(e) Physician's written opinion.

(i) For each examination under this section, the employer shall obtain and provide the employee with a written opinion from the examining physician which shall include:

(A) The results of the medical tests performed;

(B) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at an increased risk of material impairment of health from exposure to DBCP;

(C) Any recommended limitations upon the employee's exposure to DBCP or upon the use of protective clothing and equipment such as respirators; and

(D) A statement that the employee was informed by the physician of the results of the medical examination, and any

medical conditions which require further examination or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure to DBCP.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(f) Emergency situations. If the employee is exposed to DBCP in an emergency situation, the employer shall provide the employee with a sperm count test as soon as practicable, or, if the employee is unable to produce a semen specimen, the hormone tests contained in subsection (14)(b) of this section. The employer shall provide these same tests three months later.

(15) Employee information and training.

(a) Training program.

(i) Within thirty days of the effective date of this standard, the employer shall institute a training program for all employees who may be exposed to DBCP and shall assure their participation in such training program.

(ii) The employer shall assure that each employee is informed of the following:

(A) The information contained in Appendices A, B and C;

(B) The quantity, location, manner of use, release or storage of DBCP and the specific nature of operations which could result in exposure to DBCP as well as any necessary protective steps;

(C) The purpose, proper use, limitations, and other training requirements covering respiratory protection as required in chapter 296-62 WAC, Part E;

(D) The purpose and description of the medical surveillance program required by subsection (14) of this section; and

(E) A review of this standard.

(b) Access to training materials.

(i) The employer shall make a copy of this standard and its appendices readily available to all affected employees.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(16) Signs and labels.

(a) General.

(i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label required by this subsection which contradicts or detracts from the required sign or label.

(b) Signs.

(i) The employer shall post signs to clearly indicate all work areas where DBCP may be present. These signs shall bear the legend:

DANGER

1,2-Dibromo-3-chloropropane

(Insert appropriate trade or common names)

CANCER HAZARD

AUTHORIZED PERSONNEL ONLY

(ii) Where airborne concentrations of DBCP exceed the permissible exposure limits, the signs shall bear the additional legend:

RESPIRATOR REQUIRED

(c) Labels.

(i) The employer shall assure that precautionary labels are affixed to all containers of DBCP and of products containing DBCP, and that the labels remain affixed when the DBCP or products containing DBCP are sold, distributed, or otherwise leave the employer's workplace. Where DBCP or products containing DBCP are sold, distributed or otherwise leave the employer's workplace bearing appropriate labels required by EPA under the regulations in 40 CFR Part 162, the labels required by this subsection need not be affixed.

(ii) The employer shall assure that the precautionary labels required by this subsection are readily visible and legible. The labels shall bear the following legend:

DANGER

1,2-Dibromo-3-chloropropane

CANCER HAZARD

(17) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (6) of this section.

(ii) This record shall include:

(A) The dates, number, duration and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure;

(B) A description of the sampling and analytical methods used;

(C) Type of respiratory worn, if any; and

(D) Name, Social Security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least forty years or the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by subsection (14) of this section.

(ii) This record shall include:

(A) The name and Social Security number of the employee;

(B) A copy of the physician's written opinion;

(C) Any employee medical complaints related to exposure to DBCP;

(D) A copy of the information provided the physician as required by subsection (14)(c) of this section; and

(E) A copy of the employee's medical and work history.

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(iii) The employer shall maintain this record for at least forty years or the duration of employment plus twenty years, whichever is longer.

(c) Availability.

(i) The employer shall assure that all records required to be maintained by this section be made available upon request to the director for examination and copying.

(ii) Employee exposure monitoring records and employee medical records required by this subsection shall be provided upon request to employees' designated representatives and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209; and 296-62-05213 through 296-62-05217.

(d) Transfer of records.

(i) If the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section for the prescribed period.

(ii) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall transmit these records by mail to the director.

(iii) At the expiration of the retention period for the records required to be maintained under this section, the employer shall transmit these records by mail to the director.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(18) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe any monitoring of employee exposure to DBCP conducted under subsection (6) of this section.

(b) Observation procedures.

(i) Whenever observation of the measuring or monitoring of employee exposure to DBCP requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with personal protective clothing or equipment required to be worn by employees working in the area, assure the use of such clothing and equipment, and require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring or measurement, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the measurement of airborne concentrations of DBCP performed at the place of exposure; and

(C) Record the results obtained.

(19) Appendices. The information contained in the appendices is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligation.

AMENDATORY SECTION (Amending WSR 99-17-094, filed 8/17/99, effective 12/1/99)

WAC 296-62-07347 Inorganic arsenic. (1) Scope and application. This section applies to all occupational exposures to inorganic arsenic except that this section does not

apply to employee exposures in agriculture or resulting from pesticide application, the treatment of wood with preservatives or the utilization of arsenically preserved wood.

(2) Definitions.

(a) "Action level" - a concentration of inorganic arsenic of 5 micrograms per cubic meter of air ($5 \mu\text{g}/\text{m}^3$) averaged over any eight-hour period.

(b) "Authorized person" - any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under subsection (5) of this section.

(c) "Director" - the director of the department of labor and industries, or his/her designated representative.

(d) "Inorganic arsenic" - copper aceto-arsenite and all inorganic compounds containing arsenic except arsine, measured as arsenic (As).

(3) Permissible exposure limit. The employer shall assure that no employee is exposed to inorganic arsenic at concentrations greater than 10 micrograms per cubic meter of air ($10 \mu\text{g}/\text{m}^3$), averaged over any eight-hour period.

(4) Notification of use.

(a) Within sixty days after the introduction of inorganic arsenic into the workplace, every employer who is required to establish a regulated area in his/her workplaces shall report in writing to the department of labor and industries for each such workplace:

(i) The address of each such workplace;

(ii) The approximate number of employees who will be working in regulated areas; and

(iii) A brief summary of the operations creating the exposure and the actions which the employer intends to take to reduce exposures.

(b) Whenever there has been a significant change in the information required by subsection (4)(a) of this section, the employer shall report the changes in writing within sixty days to the department of labor and industries.

(5) Exposure monitoring.

(a) General.

(i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to inorganic arsenic over an eight-hour period.

(ii) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(iii) The employer shall collect full shift (for at least seven continuous hours) personal samples including at least one sample for each shift for each job classification in each work area.

(b) Initial monitoring. Each employer who has a workplace or work operation covered by this standard shall monitor each such workplace and work operation to accurately determine the airborne concentration of inorganic arsenic to which employees may be exposed.

(c) Frequency.

(i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be

repeated except as otherwise provided in subsection (5)(d) of this section.

(ii) If the initial monitoring, required by this section, or subsequent monitoring reveals employee exposure to be above the permissible exposure limit, the employer shall repeat monitoring at least quarterly.

(iii) If the initial monitoring, required by this section, or subsequent monitoring reveals employee exposure to be above the action level and below the permissible exposure limit the employee shall repeat monitoring at least every six months.

(iv) The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue monitoring for that employee until such time as any of the events in subsection (5)(d) of this section occur.

(d) Additional monitoring. Whenever there has been a production, process, control or personal change which may result in new or additional exposure to inorganic arsenic, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to inorganic arsenic, additional monitoring which complies with subsection (5) of this section shall be conducted.

(e) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposures.

(ii) Whenever the results indicate that the representative employee exposure exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken to reduce exposure to or below the permissible exposure limit.

(f) Accuracy of measurement.

(i) The employer shall use a method of monitoring and measurement which has an accuracy (with a confidence level of 95 percent) of not less than plus or minus 25 percent for concentrations of inorganic arsenic greater than or equal to 10 $\mu\text{g}/\text{m}^3$.

(ii) The employer shall use a method of monitoring and measurement which has an accuracy (with confidence level of 95 percent) of not less than plus or minus 35 percent for concentrations of inorganic arsenic greater than 5 $\mu\text{g}/\text{m}^3$ but less than 10 $\mu\text{g}/\text{m}^3$.

(6) Regulated area.

(a) Establishment. The employer shall establish regulated areas where worker exposures to inorganic arsenic, without regard to the use of respirators, are in excess of the permissible limit.

(b) Demarcation. Regulated areas shall be demarcated and segregated from the rest of the workplace in any manner that minimizes the number of persons who will be exposed to inorganic arsenic.

(c) Access. Access to regulated areas shall be limited to authorized persons or to persons otherwise authorized by the Act or regulations issued pursuant thereto to enter such areas.

(d) Provision of respirators. All persons entering a regulated area shall be supplied with a respirator, selected in accordance with subsection (8)(c) of this section.

(e) Prohibited activities. The employer shall assure that in regulated areas, food or beverages are not consumed, smoking products, chewing tobacco and gum are not used and cosmetics are not applied, except that these activities may be conducted in the lunchrooms, change rooms and showers required under subsection (12) of this section. Drinking water may be consumed in the regulated area.

(7) Methods of compliance.

(a) Controls.

(i) The employer shall institute engineering and work practice controls to reduce exposures to or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible.

(ii) Where engineering and work practice controls are not sufficient to reduce exposures to or below the permissible exposure limit, they shall nonetheless be used to reduce exposures to the lowest levels achievable by these controls and shall be supplemented by the use of respirators in accordance with subsection (8) of this section and other necessary personal protective equipment. Employee rotation is not required as a control strategy before respiratory protection is instituted.

(b) Compliance program.

(i) The employer shall establish and implement a written program to reduce exposures to or below the permissible exposure limit by means of engineering and work practice controls.

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which inorganic arsenic is emitted; e.g., machinery used, material processed, controls in place, crew size, operating procedures and maintenance practices;

(B) Engineering plans and studies used to determine methods selected for controlling exposure to inorganic arsenic;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Monitoring data;

(E) A detailed schedule for implementation of the engineering controls and work practices that cannot be implemented immediately and for the adaption and implementation of any additional engineering and work practices necessary to meet the permissible exposure limit;

(F) Whenever the employer will not achieve the permissible exposure limit with engineering controls and work practices, the employer shall include in the compliance plan an analysis of the effectiveness of the various controls, shall install engineering controls and institute work practices on the quickest schedule feasible, and shall include in the compliance plan and implement a program to minimize the discomfort and maximize the effectiveness of respirator use; and

(G) Other relevant information.

(iii) Written plans for such a program shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, any affected employee or authorized employee representatives.

(iv) The plans required by this subsection shall be revised and updated at least every six months to reflect the current status of the program.

(8) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Period necessary to install or implement feasible engineering or work-practice controls;

(ii) Work operations, such as maintenance and repair activities, in which the employer establishes that engineering and work-practice controls are not feasible;

(iii) Work operations for which engineering work-practice controls are not yet sufficient to reduce employee exposures to or below the permissible exposure limit;

(iv) Emergencies.

(b) Respirator program.

(i) The employer must establish, implement, and maintain a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(ii) If an employee exhibits breathing difficulty during fit testing or respirator use, they must be examined by a physician trained in pulmonary medicine to determine whether they can use a respirator while performing the required duty.

(c) Respirator selection.

(i) The employer must use Table I of this section to select the appropriate respirator or combination of respirators for inorganic arsenic compounds without significant vapor pressure, and Table II of this section to select the appropriate respirator or combination of respirators for inorganic arsenic compounds that have significant vapor pressure.

(ii) Where employee exposures exceed the permissible exposure limit for inorganic arsenic and also exceed the relevant limit for other gases (for example, sulfur dioxide), any air-purifying respirator provided to the employee as specified by this section must have a combination high-efficiency filter with an appropriate gas sorbent. (See footnote in Table I)

(iii) Employees required to use respirators may choose, and the employer must provide, a powered air-purifying respirator if it will provide proper protection. In addition, the employer must provide a combination dust and acid-gas respirator to employees who are exposed to gases over the relevant exposure limits.

TABLE I

RESPIRATORY PROTECTION FOR INORGANIC ARSENIC PARTICULATE EXCEPT FOR THOSE WITH SIGNIFICANT VAPOR PRESSURE

Concentration of Inorganic Arsenic (as As) or Condition of Use	Required Respirator
(i) Unknown or greater or lesser than 20,000 $\mu\text{g}/\text{m}^3$ (20 mg/m^3) firefighting.	(A) Any full facepiece self-contained or breathing apparatus operated in positive pressure mode.
(ii) Not greater than 20,000 $\mu\text{g}/\text{m}^3$ (20 mg/m^3)	(A) Supplied air respirator with full facepiece, hood, or helmet or suit and operated in positive pressure mode.
(iii) Not greater than 10,000 $\mu\text{g}/\text{m}^3$ (10 mg/m^3)	(A) Powered air-purifying respirators in all inlet face coverings with high-efficiency filters. ¹ (B) Half-mask supplied air respirators operated in positive pressure mode.
(iv) Not greater than 500 $\mu\text{g}/\text{m}^3$	(A) Full facepiece air-purifying respirator equipped with high-efficiency filter. ¹ (B) Any full facepiece supplied air respirator. (C) Any full facepiece self-contained breathing apparatus.
(v) Not greater than 100 $\mu\text{g}/\text{m}^3$	(A) Half-mask air-purifying respirator equipped with high-efficiency filter. ¹ (B) Any half-mask supplied air respirator.

¹High-efficiency filter-99.97 pct efficiency against 0.3 micrometer monodisperse diethyl-hexyl phthalate (DOP) particles.

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TABLE II

RESPIRATORY PROTECTION FOR INORGANIC ARSENICALS
(SUCH AS ARSENIC TRICHLORIDE² AND ARSENIC PHOSPHIDE)
WITH SIGNIFICANT VAPOR PRESSURE

Concentration of Inorganic Arsenic (as As) or Condition of Use	Required Respirator
(i) Unknown or greater or lesser than 20,000 µg/m ³ (20 mg/m ³) or firefighting.	(A) Any full facepiece contained breathing apparatus operated in positive pressure mode.
(ii) Not greater than 20,000 µg/m ³ (20 mg/m ³)	(A) Supplied air respirator with full facepiece hood, or helmet or suit and operated in positive pressure mode.
(iii) Not greater than 10,000 µg/m ³ (10 mg/m ³)	(A) Half-mask ² supplied air respirator operated in positive pressure mode.
(iv) Not greater than 500 µg/m ³	(A) Front or back mounted gas mask equipped with high-efficiency filter ¹ and acid gas canister. (B) Any full facepiece supplied air respirator. (C) Any full facepiece self-contained breathing apparatus.
(v) Not greater than 100 µg/m ³	(A) Half-mask ² air-purifying respirator equipped with high-efficiency filter ¹ and acid gas cartridge. (B) Any half-mask supplied air respirator.

¹High efficiency filter-99.97 pct efficiency against 0.3 micrometer monodisperse diethyl-hexyl phthalate (DOP) particles.

²Half-mask respirators shall not be used for protection against arsenic trichloride, as it is rapidly absorbed through the skin.

(9) **Reserved.**

(10) Protective work clothing and equipment.

(a) Provision and use. Where the possibility of skin or eye irritation from inorganic arsenic exists, and for all workers working in regulated areas, the employer shall provide at no cost to the employee and assure that employees use appro-

priate and clean protective work clothing and equipment such as, but not limited to:

- (i) Coveralls or similar full-body work clothing;
- (ii) Gloves, and shoes or coverlets;
- (iii) Face shields or vented goggles when necessary to prevent eye irritation, which comply with the requirements of WAC ((296-24-07801 (1)-(6))) 296-800-160.
- (iv) Impervious clothing for employees subject to exposure to arsenic trichloride.

(b) Cleaning and replacement.

(i) The employer shall provide the protective clothing required in subsection (10)(a) of this section in a freshly laundered and dry condition at least weekly, and daily if the employee works in areas where exposures are over 100 µg/m³ of inorganic arsenic or in areas where more frequent washing is needed to prevent skin irritation.

(ii) The employer shall clean, launder, or dispose of protective clothing required by subsection (10)(a) of this section.

(iii) The employer shall repair or replace the protective clothing and equipment as needed to maintain their effectiveness.

(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms prescribed in subsection (13)(a) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change-room which prevents dispersion of inorganic arsenic outside the container.

(vi) The employer shall inform in writing any person who cleans or launders clothing required by this section, of the potentially harmful affects including the carcinogenic effects of exposure to inorganic arsenic.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment in the workplace or which are to be removed from the workplace are labeled as follows:

Caution: Clothing contaminated with inorganic arsenic; do not remove dust by blowing or shaking. Dispose of inorganic arsenic contaminated wash water in accordance with applicable local, state, or federal regulations.

(viii) The employer shall prohibit the removal of inorganic arsenic from protective clothing or equipment by blowing or shaking.

(11) Housekeeping.

(a) Surfaces. All surfaces shall be maintained as free as practicable of accumulations of inorganic arsenic.

(b) Cleaning floors. Floors and other accessible surfaces contaminated with inorganic arsenic may not be cleaned by the use of compressed air, and shoveling and brushing may be used only where vacuuming or other relevant methods have been tried and found not to be effective.

(c) Vacuuming. Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner to minimize the reentry of inorganic arsenic into the workplace.

(d) Housekeeping plan. A written housekeeping and maintenance plan shall be kept which shall list appropriate frequencies for carrying out housekeeping operations, and for

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cleaning and maintaining dust collection equipment. The plan shall be available for inspection by the director.

(e) Maintenance of equipment. Periodic cleaning of dust collection and ventilation equipment and checks of their effectiveness shall be carried out to maintain the effectiveness of the system and a notation kept of the last check of effectiveness and cleaning or maintenance.

(12) **Reserved.**

(13) Hygiene facilities and practices.

(a) Change rooms. The employer shall provide for employees working in regulated areas or subject to the possibility of skin or eye irritation from inorganic arsenic, clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment in accordance with WAC 296-24-12011.

(b) Showers.

(i) The employer shall assure that employees working in regulated areas or subject to the possibility of skin or eye irritation from inorganic arsenic shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-24-12009(3).

(c) Lunchrooms.

(i) The employer shall provide for employees working in regulated areas, lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees working in regulated areas.

(ii) The employer shall assure that employees working in the regulated area or subject to the possibility of skin or eye irritation from exposure to inorganic arsenic wash their hands and face prior to eating.

(d) Lavatories. The employer shall provide lavatory facilities which comply with WAC ((296-24-12009 (1) and (2))) 296-800-230.

(e) Vacuuming clothes. The employer shall provide facilities for employees working in areas where exposure, without regard to the use of respirators, exceeds 100 $\mu\text{g}/\text{m}^3$ to vacuum their protective clothing and clean or change shoes worn in such areas before entering change rooms, lunchrooms or shower rooms required by subsection (10) of this section and shall assure that such employees use such facilities.

(f) Avoidance of skin irritation. The employer shall assure that no employee is exposed to skin or eye contact with arsenic trichloride, or to skin or eye contact with liquid or particulate inorganic arsenic which is likely to cause skin or eye irritation.

(14) Medical surveillance.

(a) General.

(i) Employees covered. The employer shall institute a medical surveillance program for the following employees:

(A) All employees who are or will be exposed above the action level, without regard to the use of respirators, at least thirty days per year; and

(B) All employees who have been exposed above the action level, without regard to respirator use, for thirty days or more per year for a total of ten years or more of combined employment with the employer or predecessor employers

prior to or after the effective date of this standard. The determination of exposures prior to the effective date of this standard shall be based upon prior exposure records, comparison with the first measurements taken after the effective date of this standard, or comparison with records of exposures in areas with similar processes, extent of engineering controls utilized and materials used by that employer.

(ii) Examination by physician. The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician, and shall be provided without cost to the employee, without loss of pay and at a reasonable time and place.

(b) Initial examinations. For employees initially covered by the medical provisions of this section, or thereafter at the time of initial assignment to an area where the employee is likely to be exposed over the action level at least thirty days per year, the employer shall provide each affected employee an opportunity for a medical examination, including at least the following elements:

(i) A work history and a medical history which shall include a smoking history and the presence and degree of respiratory symptoms such as breathlessness, cough, sputum production and wheezing.

(ii) A medical examination which shall include at least the following:

(A) A 14" by 17" posterior-anterior chest x-ray and International Labor Office UICC/Cincinnati (ILO U/C) rating;

(B) A nasal and skin examination; and

(C) Other examinations which the physician believes appropriate because of the employees exposure to inorganic arsenic or because of required respirator use.

(c) Periodic examinations.

(i) The employer shall provide the examinations specified in subsection (14)(b)(i) and (ii)(A), (B) and (C) of this section at least annually for covered employees who are under forty-five years of age with fewer than ten years of exposure over the action level without regard to respirator use.

(ii) The employer shall provide the examinations specified in subsection (14)(b)(i) and (ii)(B) and (C) of this section at least semi-annually, and the x-ray requirements specified in subsection (14)(b)(ii)(A) of this section at least annually, for other covered employees.

(iii) Whenever a covered employee has not taken the examinations specified in subsection (14)(b)(i) and (ii)(B) and (C) of this section within six months preceding the termination of employment, the employer shall provide such examinations to the employee upon termination of employment.

(d) Additional examinations. If the employee for any reason develops signs or symptoms commonly associated with exposure to inorganic arsenic the employer shall provide an appropriate examination and emergency medical treatment.

(e) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's exposure;

(iii) The employee's representative exposure level or anticipated exposure level;

(iv) A description of any personal protective equipment used or to be used; and

(v) Information from previous medical examinations of the affected employee which is not readily available to the examining physician.

(f) Physician's written opinion.

(i) The employer shall obtain a written opinion from the examining physician which shall include:

(A) The results of the medical examination and tests performed;

(B) The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from exposure to inorganic arsenic;

(C) Any recommended limitations upon the employee's exposure to inorganic arsenic or upon the use of protective clothing or equipment such as respirators; and

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.

(ii) The employer shall instruct the physician not to reveal in the written opinion specific findings or diagnoses unrelated to occupational exposure.

(iii) The employer shall provide a copy of the written opinion to the affected employee.

(15) Employee information and training.

(a) Training program.

(i) The employer shall institute a training program for all employees who are subject to exposure to inorganic arsenic above the action level without regard to respirator use, or for whom there is the possibility of skin or eye irritation from inorganic arsenic. The employer shall assure that those employees participate in the training program.

(ii) The training program shall be provided for employees covered by this provision, at the time of initial assignment for those subsequently covered by this provision, and shall be repeated at least quarterly for employees who have optional use of respirators and at least annually for other covered employees thereafter, and the employer shall assure that each employee is informed of the following:

(A) The information contained in Appendix A;

(B) The quantity, location, manner of use, storage, sources of exposure, and the specific nature of operations which could result in exposure to inorganic arsenic as well as any necessary protective steps;

(C) The purpose, proper use, and limitation of respirators;

(D) The purpose and a description of medical surveillance program as required by subsection (14) of this section;

(E) The engineering controls and work practices associated with the employee's job assignment; and

(F) A review of this standard.

(b) Access to training materials.

(i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(16) Signs and labels.

(a) General.

(i) The employer may use labels or signs required by other statutes, regulations, or ordinances in addition to, or in combination with, signs and labels required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign or label required by this subsection which contradicts or detracts from the meaning of the required sign or label.

(b) Signs.

(i) The employer shall post signs demarcating regulated areas bearing the legend:

DANGER

INORGANIC ARSENIC

CANCER HAZARD

AUTHORIZED PERSONNEL ONLY

NO SMOKING OR EATING

RESPIRATOR REQUIRED

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(c) Labels. The employer shall apply precautionary labels to all shipping and storage containers of inorganic arsenic, and to all products containing inorganic arsenic except when the inorganic arsenic in the product is bound in such a manner so as to make unlikely the possibility of airborne exposure to inorganic arsenic. (Possible examples of products not requiring labels are semiconductors, light emitting diodes and glass.) The label shall bear the following legend:

DANGER

CONTAINS INORGANIC ARSENIC

CANCER HAZARD

HARMFUL IF INHALED OR SWALLOWED

USE ONLY WITH ADEQUATE VENTILATION

OR RESPIRATORY PROTECTION

(17) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required by subsection (5) of this section.

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(ii) This record shall include:

(A) The date(s), number, duration location, and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The purpose, proper use, limitations, and other training requirements covering respiratory protection as required in chapter 296-62 WAC, Part E;

(D) Name, Social Security number, and job classification of the employees monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) The environmental variables that could affect the measurement of the employee's exposure.

(iii) The employer shall maintain these monitoring records for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (14) of this section.

(ii) This record shall include:

(A) The name, Social Security number, and description of duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to inorganic arsenic.

(iii) The employer shall in addition keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (14) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information;

(C) The initial x-ray;

(D) The x-rays for the most recent five years; and

(E) Any x-rays with a demonstrated abnormality and all subsequent x-rays.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least forty years, or for the duration of employment, plus twenty years, whichever is longer.

(c) Availability.

(i) The employer shall make available upon request all records required to be maintained by subsection (17) of this section to the director for examination and copying.

(ii) Records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(iii) The employer shall make available upon request an employee's medical records and exposure records representa-

tive of that employee's exposure required to be maintained by subsection (17) of this section to the affected employee or former employee or to a physician designated by the affected employee or former employee.

(d) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if he requests them within that period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(18) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to inorganic arsenic conducted pursuant to subsection (5) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to inorganic arsenic requires entry into an area where the use of respirators, protective clothing, or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing, and such equipment, and shall require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to;

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of inorganic arsenic performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(19) Appendices. The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07367 Respiratory protection and personal protective equipment. (1) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of WAC 296-62-07355 through 296-62-07389. Respirators must be used during:

(a) Periods necessary to install or implement feasible engineering and work-practice controls;

(b) Work operations, such as maintenance and repair activities, vessel cleaning, or other activities, for which engineering and work-practice controls are not feasible;

(c) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce employee exposure to or below the TWA or excursion limit;

(d) Emergencies.

(2) Respirator program. The employer must establish, implement, and maintain a respiratory protection program as required in chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(3) Respirator selection. The employer must select the appropriate respirator from Table 1 of this section.

Table 1.—Minimum Requirements for Respiratory Protection for Airborne EtO

Condition of use or concentration of airborne EtO (ppm)	Minimum required respirator
Equal to or less than 50	(a) Full facepiece respirator with EtO approved canister, front-or back-mounted.
Equal to or less than 2,000	(a) Positive-pressure supplied air respirator, equipped with full facepiece, hood or helmet, or
	(b) Continuous-flow supplied air respirator (positive pressure) equipped with hood, helmet or suit.
Concentration above 2,000 or unknown concentration (such as in emergencies)	(a) Positive-pressure self-contained breathing apparatus (SCBA), equipped with full facepiece, or
	(b) Positive-pressure full facepiece supplied air respirator equipped with an auxiliary positive-pressure self-contained breathing apparatus.
Firefighting	(a) Positive pressure self-contained breathing apparatus equipped with full facepiece.
Escape	(a) Any respirator described above.

Note: Respirators approved for use in higher concentrations are permitted to be used in lower concentrations.

(4) Protective clothing and equipment. Where employees could have eye or skin contact with EtO or EtO solutions, the employer must select and provide, at no cost to the employee, appropriate protective clothing or other equipment in accordance with ((chapter 296-24 WAC, Part A-2)) WAC 296-800-160, and to protect any area of the body that may come in contact with liquid EtO or EtO in solution, and must ensure that the employee wears the protective clothing and equipment provided.

AMENDATORY SECTION (Amending Order 88-25, filed 11/14/88)

WAC 296-62-07373 Communication of EtO hazards to employees. (1) Signs and labels.

(a) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER
ETHYLENE OXIDE
CANCER HAZARD AND REPRODUCTIVE HAZARD
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING MAY BE REQUIRED
TO BE WORN IN THIS AREA

(b) The employer shall ensure that precautionary labels are affixed to all containers of EtO whose contents are capable of causing employee exposure at or above the action level or whose contents may reasonably be foreseen to cause employee exposure above the excursion limit, and that the labels remain affixed when the containers of EtO leave the workplace. For the purpose of this subsection, reaction vessels, storage tanks, and pipes or piping systems are not considered to be containers. The labels shall comply with the requirements of WAC ((296-62-05411)) 296-800-170 of WISHA's chemical hazard communication standard, and shall include the following legend:

(i)
DANGER
CONTAINS ETHYLENE OXIDE
CANCER HAZARD AND REPRODUCTIVE HAZARD; and

(ii) A warning statement against breathing airborne concentrations of EtO.

(c) The labeling requirements under WAC 296-62-07355 through 296-62-07389 do not apply where EtO is used as a pesticide, as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when it is labeled pursuant to that act and regulations issued under that act by the Environmental Protection Agency.

(2) Material safety data sheets. Employers who are manufacturers or importers of EtO shall comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413 of the hazard communication standard.

(3) Information and training.

(a) The employer shall provide employees who are potentially exposed to EtO at or above the action level or above the excursion limit with information and training on EtO at the time of initial assignment and at least annually thereafter.

(b) Employees shall be informed of the following:

(i) The requirements of WAC 296-62-07353 through 296-62-07389 with an explanation of its contents, including Appendices A and B;

(ii) Any operations in their work area where EtO is present;

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(iii) The location and availability of the written EtO final rule; and

(iv) The medical surveillance program required by WAC 296-62-07371 with an explanation of the information in Appendix C.

(c) Employee training shall include at least:

(i) Methods and observations that may be used to detect the presence or release of EtO in the work area (such as monitoring conducted by the employer, continuous monitoring devices, etc.);

(ii) The physical and health hazards of EtO;

(iii) The measures employees can take to protect themselves from hazards associated with EtO exposure, including specific procedures the employer has implemented to protect employees from exposure to EtO, such as work practices, emergency procedures, and personal protective equipment to be used; and

(iv) The details of the hazard communication program developed by the employer, including an explanation of the labeling system and how employees can obtain and use the appropriate hazard information.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-62-07385 Appendix B—Substance technical guidelines for ethylene oxide (nonmandatory). (1)

Physical and chemical data:

(a) Substance identification:

(i) Synonyms: Dihydrooxirene, dimethylene oxide, EO, 1,2-epoxyethane, EtO, ETO, oxacyclopropane, oxane, oxidoethane, alpha/beta-oxidoethane, oxiran, oxirane.

(ii) Formula: (C₂H₄O).

(iii) Molecular weight: 44.06.

(b) Physical data:

(i) Boiling point (760 mm Hg): 10.70°C (51.3°F);

(ii) Specific gravity (water= 1): 0.87 (at 20°C or 68°F);

(iii) Vapor density (air= 1): 1.49;

(iv) Vapor pressure (at 20°C): 1,095 mm Hg;

(v) Solubility in water: Complete;

(vi) Appearance and odor: Colorless liquid; gas at temperature above 10.7°F or 51.3°C with ether-like odor above 700 ppm.

(2) Fire, explosion, and reactivity hazard data:

(a) Fire:

(i) Flash point; Less than 0°F (open cup);

(ii) Stability: Decomposes violently at temperatures above 800°F;

(iii) Flammable limits in air, percent by volume: Lower: 3, Upper: 100;

(iv) Extinguishing media: Carbon dioxide for small fires, polymer or alcohol foams for large fires;

(v) Special fire fighting procedures: Dilution of ethylene oxide with 23 volumes of water renders it nonflammable;

(vi) Unusual fire and explosion hazards: Vapors of EtO will burn without the presence of air or other oxidizers. EtO vapors are heavier than air and may travel along the ground and be ignited by open flames or sparks at locations remote from the site at which EtO is being used.

(vii) For purposes of compliance with the requirements of WAC 296-24-330, EtO is classified as a flammable gas. For example, 7,500 ppm, approximately one-fourth of the lower flammable limit, would be considered to pose a potential fire and explosion hazard.

(viii) For purposes of compliance with WAC 296-24-585, EtO is classified as a Class B fire hazard.

(ix) For purpose of compliance with chapter 296-24 WAC Part L, and WAC 296-800-280, locations classified as hazardous due to the presence of EtO shall be Class I.

(b) Reactivity:

(i) Conditions contributing to instability: EtO will polymerize violently if contaminated with aqueous alkalis, amines, mineral acids, metal chlorides, or metal oxides. Violent decomposition will also occur at temperatures above 800°F;

(ii) Incompatibilities: Alkalines and acids;

(iii) Hazardous decomposition products: Carbon monoxide and carbon dioxide.

(3) Spill, leak, and disposal procedures:

(a) If EtO is spilled or leaked, the following steps should be taken:

(i) Remove all ignition sources.

(ii) The area should be evacuated at once and re-entered only after the area has been thoroughly ventilated and washed down with water.

(b) Persons not wearing appropriate protective equipment should be restricted from areas of spills or leaks until cleanup has been completed.

(c) Waste disposal method: Waste material should be disposed of in a manner that is not hazardous to employees or to the general population. In selecting the method of waste disposal, applicable local, state, and federal regulations should be consulted.

(4) Monitoring and measurement procedures:

(a) Exposure above the permissible exposure limit:

(i) Eight-hour exposure evaluation: Measurements taken for the purpose of determining employee exposure under this section are best taken with consecutive samples covering the full shift. Air samples should be taken in the employee's breathing zone (air that would most nearly represent that inhaled by the employee.)

(ii) Monitoring techniques: The sampling and analysis under this section may be performed by collection of the EtO vapor on charcoal adsorption tubes or other composition adsorption tubes, with subsequent chemical analysis. Sampling and analysis may also be performed by instruments such as real time continuous monitoring systems, portable direct reading instruments, or passive dosimeters as long as measurements taken using these methods accurately evaluate the concentration of EtO in employees' breathing zones.

(iii) Appendix D describes the validated method of sampling and analysis which has been tested by OSHA for use with EtO. Other available methods are also described in Appendix D. The employer has the obligation of selecting a monitoring method which meets the accuracy and precision requirements of the standard under his/her unique field conditions. The standard requires that the method of monitoring should be accurate, to a 95 percent confidence level, to plus

or minus 25 percent for concentrations of EtO at 1 ppm, and to plus or minus 35 percent for concentrations at 0.5 ppm. In addition to the method described in Appendix D, there are numerous other methods available for monitoring for EtO in the workplace. Details on these other methods have been submitted by various companies to the rulemaking record, and are available at the OSHA Docket Office.

(b) Since many of the duties relating to employee exposure are dependent on the results of measurement procedures, employers should assure that the evaluation of employee exposures is performed by a technically qualified person.

(5) Protective clothing and equipment:

(a) Employees should be provided with and be required to wear appropriate protective clothing wherever there is significant potential for skin contact with liquid EtO or EtO-containing solutions. Protective clothing shall include impermeable coveralls or similar full-body work clothing, gloves, and head coverings, as appropriate to protect areas of the body which may come in contact with liquid EtO or EtO-containing solutions.

(b) Employers should ascertain that the protective garments are impermeable to EtO. Permeable clothing, including items made of rubber, and leather shoes should not be allowed to become contaminated with liquid EtO. If permeable clothing does become contaminated, it should be immediately removed, while the employer is under an emergency deluge shower. If leather footwear or other leather garments become wet from EtO they should be discarded and not be worn again, because leather absorbs EtO and holds it against the skin.

(c) Any protective clothing that has been damaged or is otherwise found to be defective should be repaired or replaced. Clean protective clothing should be provided to the employee as necessary to assure employee protection. Whenever impermeable clothing becomes wet with liquid EtO, it should be washed down with water before being removed by the employee. Employees are also required to wear splash-proof safety goggles where there is any possibility of EtO contacting the eyes.

(6) Miscellaneous precautions:

(a) Store EtO in tightly closed containers in a cool, well-ventilated area and take all necessary precautions to avoid any explosion hazard.

(b) Nonsparking tools must be used to open and close metal containers. These containers must be effectively grounded and bonded.

(c) Do not incinerate EtO cartridges, tanks or other containers.

(d) Employers should advise employees of all areas and operations where exposure to EtO occurs.

(7) Common operations:

Common operations in which exposure to EtO is likely to occur include the following: (a) Manufacture of EtO, (b) surfactants, (c) ethanolamines, (d) glycol ethers, (e) specialty chemicals, and (f) use as a sterilant in the hospital, health product and spice industries.

AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-62-07417 Protective work clothing and equipment. (1) Provision and use. If an employee is exposed to airborne cadmium above the PEL or where skin or eye irritation is associated with cadmium exposure at any level, the employer shall provide at no cost to the employee, and assure that the employee uses, appropriate protective work clothing and equipment that prevents contamination of the employee and the employee's garments. Protective work clothing and equipment includes, but is not limited to:

(a) Coveralls or similar full-body work clothing;

(b) Gloves, head coverings, and boots or foot coverings; and

(c) Face shields, vented goggles, or other appropriate protective equipment that complies with ((chapter 296-24 WAC, Part A-2)) WAC 296-800-160.

(2) Removal and storage.

(a) The employer shall assure that employees remove all protective clothing and equipment contaminated with cadmium at the completion of the work shift and do so only in change rooms provided in accordance with WAC 296-62-07419(1).

(b) The employer shall assure that no employee takes cadmium-contaminated protective clothing or equipment from the workplace, except for employees authorized to do so for purposes of laundering, cleaning, maintaining, or disposing of cadmium contaminated protective clothing and equipment at an appropriate location or facility away from the workplace.

(c) The employer shall assure that contaminated protective clothing and equipment, when removed for laundering, cleaning, maintenance, or disposal, is placed and stored in sealed, impermeable bags or other closed, impermeable containers that are designed to prevent dispersion of cadmium dust.

(d) The employer shall assure that bags or containers of contaminated protective clothing and equipment that are to be taken out of the change rooms or the workplace for laundering, cleaning, maintenance, or disposal shall bear labels in accordance with WAC 296-62-07425(3).

(3) Cleaning, replacement, and disposal.

(a) The employer shall provide the protective clothing and equipment required by subsection (1) of this section in a clean and dry condition as often as necessary to maintain its effectiveness, but in any event at least weekly. The employer is responsible for cleaning and laundering the protective clothing and equipment required by this paragraph to maintain its effectiveness and is also responsible for disposing of such clothing and equipment.

(b) The employer also is responsible for repairing or replacing required protective clothing and equipment as needed to maintain its effectiveness. When rips or tears are detected while an employee is working they shall be immediately mended, or the worksuit shall be immediately replaced.

(c) The employer shall prohibit the removal of cadmium from protective clothing and equipment by blowing, shaking, or any other means that disperses cadmium into the air.

(d) The employer shall assure that any laundering of contaminated clothing or cleaning of contaminated equipment in the workplace is done in a manner that prevents the release of airborne cadmium in excess of the permissible exposure limit prescribed in WAC 296-62-07405.

(e) The employer shall inform any person who launders or cleans protective clothing or equipment contaminated with cadmium of the potentially harmful effects of exposure to cadmium and that the clothing and equipment should be laundered or cleaned in a manner to effectively prevent the release of airborne cadmium in excess of the PEL.

AMENDATORY SECTION (Amending Order 93-01, filed 3/13/93, effective 4/27/93)

WAC 296-62-07419 Hygiene areas and practices. (1) General. For employees whose airborne exposure to cadmium is above the PEL, the employer shall provide clean change rooms, handwashing facilities, showers, and lunchroom facilities that comply with WAC 296-24-120 and 296-800-230.

(2) Change rooms. The employer shall assure that change rooms are equipped with separate storage facilities for street clothes and for protective clothing and equipment, which are designed to prevent dispersion of cadmium and contamination of the employee's street clothes.

(3) Showers and handwashing facilities.

(a) The employer shall assure that employees who are exposed to cadmium above the PEL shower during the end of the work shift.

(b) The employer shall assure that employees whose airborne exposure to cadmium is above the PEL wash their hands and faces prior to eating, drinking, smoking, chewing tobacco or gum, or applying cosmetics.

(4) Lunchroom facilities.

(a) The employer shall assure that the lunchroom facilities are readily accessible to employees, that tables for eating are maintained free of cadmium, and that no employee in a lunchroom facility is exposed at any time to cadmium at or above a concentration of 2.5 µg/m³.

(b) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface cadmium has been removed from the clothing and equipment by HEPA vacuuming or some other method that removes cadmium dust without dispersing it.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07425 Communication of cadmium hazards to employees. (1) General. In communications concerning cadmium hazards, employers shall comply with the requirements of WISHA's Chemical Hazard Communication Standard, (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, including but not limited to the requirements concerning warning signs and labels, material safety data sheets (MSDS), and employee information and training. In addition, employers shall comply with the following requirements:

(2) Warning signs.

(a) Warning signs shall be provided and displayed in regulated areas. In addition, warning signs shall be posted at all approaches to regulated areas so that an employee may read the signs and take necessary protective steps before entering the area.

(b) Warning signs required by (a) of this subsection shall bear the following information:

DANGER CADMIUM CANCER HAZARD CAN CAUSE LUNG
AND KIDNEY DISEASE AUTHORIZED PERSONNEL ONLY
RESPIRATORS REQUIRED IN THIS AREA

(c) The employer shall assure that signs required by this subsection are illuminated, cleaned, and maintained as necessary so that the legend is readily visible.

(3) Warning labels.

(a) Shipping and storage containers containing cadmium, cadmium compounds, or cadmium contaminated clothing, equipment, waste, scrap, or debris shall bear appropriate warning labels, as specified in (b) of this subsection.

(b) The warning labels shall include at least the following information:

DANGER CONTAINS CADMIUM CANCER HAZARD AVOID
CREATING DUST CAN CAUSE LUNG AND KIDNEY DISEASE

(c) Where feasible, installed cadmium products shall have a visible label or other indication that cadmium is present.

(4) Employee information and training.

(a) The employer shall institute a training program for all employees who are potentially exposed to cadmium, assure employee participation in the program, and maintain a record of the contents of such program.

(b) Training shall be provided prior to or at the time of initial assignment to a job involving potential exposure to cadmium and at least annually thereafter.

(c) The employer shall make the training program understandable to the employee and shall assure that each employee is informed of the following:

(i) The health hazards associated with cadmium exposure, with special attention to the information incorporated in WAC 296-62-07441, Appendix A;

(ii) The quantity, location, manner of use, release, and storage of cadmium in the workplace and the specific nature of operations that could result in exposure to cadmium, especially exposures above the PEL;

(iii) The engineering controls and work practices associated with the employee's job assignment;

(iv) The measures employees can take to protect themselves from exposure to cadmium, including modification of such habits as smoking and personal hygiene, and specific procedures the employer has implemented to protect employees from exposure to cadmium such as appropriate work practices, emergency procedures, and the provision of personal protective equipment;

(v) The purpose, proper selection, fitting, proper use, and limitations of protective clothing;

(vi) The purpose and a description of the medical surveillance program required by WAC 296-62-07423;

(vii) The contents of this section and its appendices;
 (viii) The employee's rights of access to records under WAC 296-62-05213 and 296-800-170; and

(ix) The purpose, proper use, limitations, and other training requirements for respiratory protection as required in chapter 296-62 WAC, Part E.

(d) Additional access to information and training program and materials.

(i) The employer shall make a copy of this section and its appendices readily available without cost to all affected employees and shall provide a copy if requested.

(ii) The employer shall provide to the director, upon request, all materials relating to the employee information and the training program.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07460 Butadiene. (1) Scope and application.

(a) This section applies to all occupational exposures to 1,3-Butadiene (BD), Chemical Abstracts Service Registry No. 106-99-0, except as provided in (b) of this subsection.

(b)(i) Except for the recordkeeping provisions in subsection (13)(a) of this section, this section does not apply to the processing, use, or handling of products containing BD or to other work operations and streams in which BD is present where objective data are reasonably relied upon that demonstrate the work operation or the product or the group of products or operations to which it belongs may not reasonably be foreseen to release BD in airborne concentrations at or above the action level or in excess of the STEL under the expected conditions of processing, use, or handling that will cause the greatest possible release or in any plausible accident.

(ii) This section also does not apply to work operations, products or streams where the only exposure to BD is from liquid mixtures containing 0.1% or less of BD by volume or the vapors released from such liquids, unless objective data become available that show that airborne concentrations generated by such mixtures can exceed the action level or STEL under reasonably predictable conditions of processing, use or handling that will cause the greatest possible release.

(iii) Except for labeling requirements and requirements for emergency response, this section does not apply to the storage, transportation, distribution or sale of BD or liquid mixtures in intact containers or in transportation pipelines sealed in such a manner as to fully contain BD vapors or liquids.

(c) Where products or processes containing BD are exempted under (b) of this subsection, the employer shall maintain records of the objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in subsection (13)(a) of this section.

(2) Definitions: For the purpose of this section, the following definitions shall apply:

"Action level" means a concentration of airborne BD of 0.5 ppm calculated as an 8-hour time-weighted average.

"Director" means the director of the department of labor and industries, or authorized representatives.

"Authorized person" means any person specifically designated by the employer, whose duties require entrance into a regulated area, or a person entering such an area as a designated representative of employees to exercise the right to observe monitoring and measuring procedures under subsection (4)(h) of this section, or a person designated under the WISH Act or regulations issued under the WISH Act to enter a regulated area.

"1,3-Butadiene" means an organic compound with chemical formula $\text{CH}_2=\text{CH}-\text{CH}=\text{CH}_2$ that has a molecular weight of approximately 54.15 gm/mole.

"Business day" means any Monday through Friday, except those days designated as federal, state, local or company specific holidays.

"Complete blood count (CBC)" means laboratory tests performed on whole blood specimens and includes the following: White blood cell count (WBC), hematocrit (Hct), red blood cell count (RBC), hemoglobin (Hgb), differential count of white blood cells, red blood cell morphology, red blood cell indices, and platelet count.

"Day" means any part of a calendar day.

"Emergency situation" means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment that may or does result in an uncontrolled significant release of BD.

"Employee exposure" means exposure of a worker to airborne concentrations of BD which would occur if the employee were not using respiratory protective equipment.

"Objective data" means monitoring data, or mathematical modelling or calculations based on composition, chemical and physical properties of a material, stream or product.

"Permissible exposure limits (PELs)" means either the 8-hour time-weighted average (8-hr TWA) exposure or the short-term exposure limit (STEL).

"Physician or other licensed health care professional" is an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to independently provide or be delegated the responsibility to provide one or more of the specific health care services required by (k) of this subsection.

"Regulated area" means any area where airborne concentrations of BD exceed or can reasonably be expected to exceed the 8-hour time-weighted average (8-hr TWA) exposure of 1 ppm or the short-term exposure limit (STEL) of 5 ppm for 15 minutes.

"This section" means this 1,3-butadiene standard.

(3) Permissible exposure limits (PELs).

(a) Time-weighted average (TWA) limit. The employer shall ensure that no employee is exposed to an airborne concentration of BD in excess of one part BD per million parts of air (ppm) measured as an eight (8)-hour time-weighted average.

(b) Short-term exposure limit (STEL). The employer shall ensure that no employee is exposed to an airborne concentration of BD in excess of five parts of BD per million parts of air (5 ppm) as determined over a sampling period of fifteen minutes.

(4) Exposure monitoring.

(a) General.

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(i) Determinations of employee exposure shall be made from breathing zone air samples that are representative of the 8-hour TWA and 15-minute short-term exposures of each employee.

(ii) Representative 8-hour TWA employee exposure shall be determined on the basis of one or more samples representing full-shift exposure for each shift and for each job classification in each work area.

(iii) Representative 15-minute short-term employee exposures shall be determined on the basis of one or more samples representing 15-minute exposures associated with operations that are most likely to produce exposures above the STEL for each shift and for each job classification in each work area.

(iv) Except for the initial monitoring required under (b) of this subsection, where the employer can document that exposure levels are equivalent for similar operations on different work shifts, the employer need only determine representative employee exposure for that operation from the shift during which the highest exposure is expected.

(b) Initial monitoring.

(i) Each employer who has a workplace or work operation covered by this section, shall perform initial monitoring to determine accurately the airborne concentrations of BD to which employees may be exposed, or shall rely on objective data pursuant to subsection (1)(b)(i) of this section to fulfill this requirement.

(ii) Where the employer has monitored within two years prior to the effective date of this section and the monitoring satisfies all other requirements of this section, the employer may rely on such earlier monitoring results to satisfy the requirements of (b)(i) of this subsection, provided that the conditions under which the initial monitoring was conducted have not changed in a manner that may result in new or additional exposures.

(c) Periodic monitoring and its frequency.

(i) If the initial monitoring required by (b) of this subsection reveals employee exposure to be at or above the action level but at or below both the 8-hour TWA limit and the STEL, the employer shall repeat the representative monitoring required by (a) of this subsection every twelve months.

(ii) If the initial monitoring required by (b) of this subsection reveals employee exposure to be above the 8-hour TWA limit, the employer shall repeat the representative monitoring required by (a)(ii) of this subsection at least every three months until the employer has collected two samples per quarter (each at least 7 days apart) within a two-year period, after which such monitoring must occur at least every six months.

(iii) If the initial monitoring required by (b) of this subsection reveals employee exposure to be above the STEL, the employer shall repeat the representative monitoring required by (a)(iii) of this subsection at least every three months until the employer has collected two samples per quarter (each at least 7 days apart) within a two-year period, after which such monitoring must occur at least every six months.

(iv) The employer may alter the monitoring schedule from every six months to annually for any required representative monitoring for which two consecutive measurements taken at least 7 days apart indicate that employee exposure

has decreased to or below the 8-hour TWA, but is at or above the action level.

(d) Termination of monitoring.

(i) If the initial monitoring required by (b) of this subsection reveals employee exposure to be below the action level and at or below the STEL, the employer may discontinue the monitoring for employees whose exposures are represented by the initial monitoring.

(ii) If the periodic monitoring required by (c) of this subsection reveals that employee exposures, as indicated by at least two consecutive measurements taken at least 7 days apart, are below the action level and at or below the STEL, the employer may discontinue the monitoring for those employees who are represented by such monitoring.

(e) Additional monitoring.

(i) The employer shall institute the exposure monitoring required under subsection (4) of this section whenever there has been a change in the production, process, control equipment, personnel or work practices that may result in new or additional exposures to BD or when the employer has any reason to suspect that a change may result in new or additional exposures.

(ii) Whenever spills, leaks, ruptures or other breakdowns occur that may lead to employee exposure above the 8-hr TWA limit or above the STEL, the employer shall monitor (using leak source, such as direct reading instruments, area or personal monitoring), after the cleanup of the spill or repair of the leak, rupture or other breakdown, to ensure that exposures have returned to the level that existed prior to the incident.

(f) Accuracy of monitoring.

Monitoring shall be accurate, at a confidence level of 95 percent, to within plus or minus 25 percent for airborne concentrations of BD at or above the 1 ppm TWA limit and to within plus or minus 35 percent for airborne concentrations of BD at or above the action level of 0.5 ppm and below the 1 ppm TWA limit.

(g) Employee notification of monitoring results.

(i) The employer shall, within 5 business days after the receipt of the results of any monitoring performed under this section, notify the affected employees of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(ii) The employer shall, within 15 business days after receipt of any monitoring performed under this section indicating the 8-hour TWA or STEL has been exceeded, provide the affected employees, in writing, with information on the corrective action being taken by the employer to reduce employee exposure to or below the 8-hour TWA or STEL and the schedule for completion of this action.

(h) Observation of monitoring.

(i) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to BD conducted in accordance with this section.

(ii) Observation procedures. When observation of the monitoring of employee exposure to BD requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer at no cost with protective clothing and equipment, and shall ensure that

the observer uses this equipment and complies with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish a regulated area wherever occupational exposures to airborne concentrations of BD exceed or can reasonably be expected to exceed the permissible exposure limits, either the 8-hr TWA or the STEL.

(b) Access to regulated areas shall be limited to authorized persons.

(c) Regulated areas shall be demarcated from the rest of the workplace in any manner that minimizes the number of employees exposed to BD within the regulated area.

(d) An employer at a multiemployer worksite who establishes a regulated area shall communicate the access restrictions and locations of these areas to other employers with work operations at that worksite whose employees may have access to these areas.

(6) Methods of compliance.

(a) Engineering controls and work practices.

(i) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to or below the PELs, except to the extent that the employer can establish that these controls are not feasible or where subsection (8)(a)(i) of this section applies.

(ii) Wherever the feasible engineering controls and work practices which can be instituted are not sufficient to reduce employee exposure to or below the 8-hour TWA or STEL, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of subsection (8) of this section.

(b) Compliance plan.

(i) Where any exposures are over the PELs, the employer shall establish and implement a written plan to reduce employee exposure to or below the PELs primarily by means of engineering and work practice controls, as required by (a) of this subsection, and by the use of respiratory protection where required or permitted under this section. No compliance plan is required if all exposures are under the PELs.

(ii) The written compliance plan shall include a schedule for the development and implementation of the engineering controls and work practice controls including periodic leak detection surveys.

(iii) Copies of the compliance plan required in (b) of this subsection shall be furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans shall be reviewed at least every 12 months, and shall be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(iv) The employer shall not implement a schedule of employee rotation as a means of compliance with the PELs.

(7) Exposure goal program.

(a) For those operations and job classifications where employee exposures are greater than the action level, in addition to compliance with the PELs, the employer shall have an exposure goal program that is intended to limit employee exposures to below the action level during normal operations.

(b) Written plans for the exposure goal program shall be furnished upon request for examination and copying to the

director, affected employees and designated employee representatives.

(c) Such plans shall be updated as necessary to reflect significant changes in the status of the exposure goal program.

(d) Respirator use is not required in the exposure goal program.

(e) The exposure goal program shall include the following items unless the employer can demonstrate that the item is not feasible, will have no significant effect in reducing employee exposures, or is not necessary to achieve exposures below the action level:

(i) A leak prevention, detection, and repair program.

(ii) A program for maintaining the effectiveness of local exhaust ventilation systems.

(iii) The use of pump exposure control technology such as, but not limited to, mechanical double-sealed or seal-less pumps.

(iv) Gauging devices designed to limit employee exposure, such as magnetic gauges on rail cars.

(v) Unloading devices designed to limit employee exposure, such as a vapor return system.

(vi) A program to maintain BD concentration below the action level in control rooms by use of engineering controls.

(8) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Nonroutine work operations that are performed infrequently and for which exposures are limited in duration;

(iii) Work operations for which feasible engineering controls and work-practice controls are not yet sufficient to reduce employee exposures to or below the PELs;

(iv) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1), 296-62-07131 (4)(b)(i) and (ii), and 296-62-07150 through 296-62-07156).

(ii) If air-purifying respirators are used, the employer must replace the air-purifying filter elements according to the replacement schedule set for the class of respirators listed in Table 1 of this section, and at the beginning of each work shift.

(iii) Instead of using the replacement schedule listed in Table 1 of this section, the employer may replace cartridges or canisters at 90% of their expiration service life, provided the employer:

(A) Demonstrates that employees will be adequately protected by this procedure;

(B) Uses BD breakthrough data for this purpose that have been derived from tests conducted under worst-case conditions of humidity, temperature, and air-flow rate through the filter element, and the employer also describes the data supporting the cartridge- or canister-change schedule, as well as the basis for using the data in the employer's respirator program.

(iv) A label must be attached to each filter element to indicate the date and time it is first installed on the respirator.

(v) If NIOSH approves an end-of-service-life indicator (ESLI) for an air-purifying filter element, the element may be used until the ESLI shows no further useful service life or until the element is replaced at the beginning of the next work shift, whichever occurs first.

(vi) Regardless of the air-purifying element used, if an employee detects the odor of BD, the employer must replace the air-purifying element immediately.

(c) Respirator selection.

(i) The employer must select appropriate respirators from Table 1 of this section.

Table 1. - Minimum Requirements for Respiratory Protection for Airborne BD

Concentration of Airborne BD (ppm) or condition of use	Minimum required respirator
Less than or equal to 5 ppm (5 times PEL)	(a) Air-purifying half mask or full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 4 hours.
Less than or equal to 10 ppm (10 times PEL)	(a) Air-purifying half mask or full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 3 hours.
Less than or equal to 25 ppm (25 times PEL)	(a) Air-purifying full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 2 hours. (b) Any powered air-purifying respirator equipped with approved BD or organic vapor cartridges. PAPR cartridges shall be replaced every 2 hours. (c) Continuous flow supplied air respirator equipped with a hood or helmet.
Less than or equal to 50 ppm (50 times PEL)	(a) Air-purifying full facepiece respirator equipped with approved BD or organic vapor cartridges or canisters. Cartridges or canisters shall be replaced every 1 hour. (b) Powered air purifying respirator equipped with a tight-fitting facepiece and an approved

Concentration of Airborne BD (ppm) or condition of use	Minimum required respirator
Less than or equal to 1,000 ppm (1,000 times PEL)	BD or organic vapor cartridges. PAPR cartridges shall be replaced every 1 hour. (a) Supplied air respirator equipped with a half mask or full facepiece and operated in a pressure demand or other positive pressure mode.
Greater than 1,000 ppm	(a) Self-contained breathing unknown concentration, or apparatus equipped with a fire fighting full facepiece and operated in a pressure demand or other positive pressure mode. (b) Any supplied air respirator equipped with a full facepiece and operated in a pressure demand or other positive pressure mode in combination with an auxiliary self-contained breathing apparatus operated in a pressure demand or other positive pressure mode.
Escape from IDLH Conditions	(a) Any positive pressure self-contained breathing apparatus with an appropriate service life. (b) Any air-purifying full facepiece respirator equipped with a front or back mounted BD or organic vapor canister.

Notes: Respirators approved for use in higher concentrations are permitted to be used in lower concentrations. Full facepiece is required when eye irritation is anticipated.

(ii) Air-purifying respirators must have filter elements certified by NIOSH for organic vapor or BD.

(iii) When an employee whose job requires the use of a respirator cannot use a negative-pressure respirator, the employer must provide the employee with a respirator that has less breathing resistance than the negative-pressure respirator, such as a powered air-purifying respirator or supplied-air respirator, when the employee is able to use it and if it provides the employee adequate protection.

(9) Protective clothing and equipment. Where appropriate to prevent eye contact and limit dermal exposure to BD, the employer shall provide protective clothing and equipment at no cost to the employee and shall ensure its use. Eye and face protection shall meet the requirements of WAC ((296-24-078)) 296-800-160.

(10) Emergency situations. Written plan. A written plan for emergency situations shall be developed, or an existing plan shall be modified, to contain the applicable elements

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specified in WAC 296-24-567, Employee emergency plans and fire prevention plans, and in WAC 296-62-3112, hazardous waste operations and emergency responses, for each workplace where there is a possibility of an emergency.

(11) Medical screening and surveillance.

(a) Employees covered. The employer shall institute a medical screening and surveillance program as specified in this subsection for:

(i) Each employee with exposure to BD at concentrations at or above the action level on 30 or more days or for employees who have or may have exposure to BD at or above the PELs on 10 or more days a year;

(ii) Employers (including successor owners) shall continue to provide medical screening and surveillance for employees, even after transfer to a non-BD exposed job and regardless of when the employee is transferred, whose work histories suggest exposure to BD:

(A) At or above the PELs on 30 or more days a year for 10 or more years;

(B) At or above the action level on 60 or more days a year for 10 or more years; or

(C) Above 10 ppm on 30 or more days in any past year; and

(iii) Each employee exposed to BD following an emergency situation.

(b) Program administration.

(i) The employer shall ensure that the health questionnaire, physical examination and medical procedures are provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(ii) Physical examinations, health questionnaires, and medical procedures shall be performed or administered by a physician or other licensed health care professional.

(iii) Laboratory tests shall be conducted by an accredited laboratory.

(c) Frequency of medical screening activities. The employer shall make medical screening available on the following schedule:

(i) For each employee covered under (a)(i) and (ii) of this subsection, a health questionnaire and complete blood count (CBC) with differential and platelet count every year, and a physical examination as specified below:

(A) An initial physical examination that meets the requirements of this rule, if twelve months or more have elapsed since the last physical examination conducted as part of a medical screening program for BD exposure;

(B) Before assumption of duties by the employee in a job with BD exposure;

(C) Every 3 years after the initial physical examination;

(D) At the discretion of the physician or other licensed health care professional reviewing the annual health questionnaire and CBC;

(E) At the time of employee reassignment to an area where exposure to BD is below the action level, if the employee's past exposure history does not meet the criteria of (a)(ii) of this subsection for continued coverage in the screening and surveillance program, and if twelve months or more have elapsed since the last physical examination; and

(F) At termination of employment if twelve months or more have elapsed since the last physical examination.

(ii) Following an emergency situation, medical screening shall be conducted as quickly as possible, but not later than 48 hours after the exposure.

(iii) For each employee who must wear a respirator, physical ability to perform the work and use the respirator must be determined as required by WAC 296-62-071.

(d) Content of medical screening.

(i) Medical screening for employees covered by (a)(i) and (ii) of this subsection shall include:

(A) A baseline health questionnaire that includes a comprehensive occupational and health history and is updated annually. Particular emphasis shall be placed on the hematopoietic and reticuloendothelial systems, including exposure to chemicals, in addition to BD, that may have an adverse effect on these systems, the presence of signs and symptoms that might be related to disorders of these systems, and any other information determined by the examining physician or other licensed health care professional to be necessary to evaluate whether the employee is at increased risk of material impairment of health from BD exposure. Health questionnaires shall consist of the sample forms in Appendix C to this section, or be equivalent to those samples;

(B) A complete physical examination, with special emphasis on the liver, spleen, lymph nodes, and skin;

(C) A CBC; and

(D) Any other test which the examining physician or other licensed health care professional deems necessary to evaluate whether the employee may be at increased risk from exposure to BD.

(ii) Medical screening for employees exposed to BD in an emergency situation shall focus on the acute effects of BD exposure and at a minimum include: A CBC within 48 hours of the exposure and then monthly for three months; and a physical examination if the employee reports irritation of the eyes, nose, throat, lungs, or skin, blurred vision, coughing, drowsiness, nausea, or headache. Continued employee participation in the medical screening and surveillance program, beyond these minimum requirements, shall be at the discretion of the physician or other licensed health care professional.

(e) Additional medical evaluations and referrals.

(i) Where the results of medical screening indicate abnormalities of the hematopoietic or reticuloendothelial systems, for which a nonoccupational cause is not readily apparent, the examining physician or other licensed health care professional shall refer the employee to an appropriate specialist for further evaluation and shall make available to the specialist the results of the medical screening.

(ii) The specialist to whom the employee is referred under this subsection shall determine the appropriate content for the medical evaluation, e.g., examinations, diagnostic tests and procedures, etc.

(f) Information provided to the physician or other licensed health care professional. The employer shall provide the following information to the examining physician or other licensed health care professional involved in the evaluation:

(i) A copy of this section including its appendices;

(ii) A description of the affected employee's duties as they relate to the employee's BD exposure;

(iii) The employee's actual or representative BD exposure level during employment tenure, including exposure incurred in an emergency situation;

(iv) A description of pertinent personal protective equipment used or to be used; and

(v) Information, when available, from previous employment-related medical evaluations of the affected employee which is not otherwise available to the physician or other licensed health care professional or the specialist.

(g) The written medical opinion.

(i) For each medical evaluation required by this section, the employer shall ensure that the physician or other licensed health care professional produces a written opinion and provides a copy to the employer and the employee within 15 business days of the evaluation. The written opinion shall be limited to the following information:

(A) The occupationally pertinent results of the medical evaluation;

(B) A medical opinion concerning whether the employee has any detected medical conditions which would place the employee's health at increased risk of material impairment from exposure to BD;

(C) Any recommended limitations upon the employee's exposure to BD; and

(D) A statement that the employee has been informed of the results of the medical evaluation and any medical conditions resulting from BD exposure that require further explanation or treatment.

(ii) The written medical opinion provided to the employer shall not reveal specific records, findings, and diagnoses that have no bearing on the employee's ability to work with BD.

Note: This provision does not negate the ethical obligation of the physician or other licensed health care professional to transmit any other adverse findings directly to the employee.

(h) Medical surveillance.

(i) The employer shall ensure that information obtained from the medical screening program activities is aggregated (with all personal identifiers removed) and periodically reviewed, to ascertain whether the health of the employee population of that employer is adversely affected by exposure to BD.

(ii) Information learned from medical surveillance activities must be disseminated to covered employees, as defined in (a) of this subsection, in a manner that ensures the confidentiality of individual medical information.

(12) Communication of BD hazards to employees.

(a) Hazard communication. The employer shall communicate the hazards associated with BD exposure in accordance with the requirements of the chemical hazard communication standard, WAC ((296-62-054)) 296-800-170.

(b) Employee information and training.

(i) The employer shall provide all employees exposed to BD with information and training in accordance with the requirements of the chemical hazard communication standard, WAC ((296-62-054)) 296-800-170.

(ii) The employer shall institute a training program for all employees who are potentially exposed to BD at or above the action level or the STEL, ensure employee participation

in the program and maintain a record of the contents of such program.

(iii) Training shall be provided prior to or at the time of initial assignment to a job potentially involving exposure to BD at or above the action level or STEL and at least annually thereafter.

(iv) The training program shall be conducted in a manner that the employee is able to understand. The employer shall ensure that each employee exposed to BD over the action level or STEL is informed of the following:

(A) The health hazards associated with BD exposure, and the purpose and a description of the medical screening and surveillance program required by this section;

(B) The quantity, location, manner of use, release, and storage of BD and the specific operations that could result in exposure to BD, especially exposures above the PEL or STEL;

(C) The engineering controls and work practices associated with the employee's job assignment, and emergency procedures and personal protective equipment;

(D) The measures employees can take to protect themselves from exposure to BD;

(E) The contents of this standard and its appendices; and

(F) The right of each employee exposed to BD at or above the action level or STEL to obtain:

(I) Medical examinations as required by subsection (10) of this section at no cost to the employee;

(II) The employee's medical records required to be maintained by subsection (13)(c) of this section; and

(III) All air monitoring results representing the employee's exposure to BD and required to be kept by subsection (13)(b) of this section.

(c) Access to information and training materials.

(i) The employer shall make a copy of this standard and its appendices readily available without cost to all affected employees and their designated representatives and shall provide a copy if requested.

(ii) The employer shall provide to the director, or the designated employee representatives, upon request, all materials relating to the employee information and the training program.

(13) Recordkeeping.

(a) Objective data for exemption from initial monitoring.

(i) Where the processing, use, or handling of products or streams made from or containing BD are exempted from other requirements of this section under subsection (1)(b) of this section, or where objective data have been relied on in lieu of initial monitoring under subsection (4)(b)(ii) of this section, the employer shall establish and maintain a record of the objective data reasonably relied upon in support of the exemption.

(ii) This record shall include at least the following information:

(A) The product or activity qualifying for exemption;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and analysis of the material for the release of BD;

(D) A description of the operation exempted and how the data support the exemption; and

(E) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure measurements.

(i) The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to BD as prescribed in subsection (4) of this section.

(ii) The record shall include at least the following information:

(A) The date of measurement;

(B) The operation involving exposure to BD which is being monitored;

(C) Sampling and analytical methods used and evidence of their accuracy;

(D) Number, duration, and results of samples taken;

(E) Type of protective devices worn, if any;

(F) Name, Social Security number and exposure of the employees whose exposures are represented; and

(G) The written corrective action and the schedule for completion of this action required by subsection (4)(g)(ii) of this section.

(iii) The employer shall maintain this record for at least 30 years in accordance with WAC 296-62-052.

(c) Medical screening and surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical screening and surveillance under this section.

(ii) The record shall include at least the following information:

(A) The name and Social Security number of the employee;

(B) Physician's or other licensed health care professional's written opinions as described in subsection (11) (e) of this section;

(C) A copy of the information provided to the physician or other licensed health care professional as required by subsection (11)(e) of this section.

(iii) Medical screening and surveillance records shall be maintained for each employee for the duration of employment plus 30 years, in accordance with WAC 296-62-052.

(d) Availability.

(i) The employer, upon written request, shall make all records required to be maintained by this section available for examination and copying to the director.

(ii) Access to records required to be maintained by (a) and (b) of this subsection shall be granted in accordance with WAC 296-62-05209.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the employer shall transfer records required by this section to the successor employer. The successor employer shall receive and maintain these records. If there is no successor employer, the employer shall notify the director, at least three months prior to disposal, and transmit them to the director if requested by the director within that period.

(ii) The employer shall transfer medical and exposure records as set forth in WAC 296-62-05215.

(14) Dates.

(a) Effective date. This section shall become effective (day, month), 1997.

(b) Start-up dates.

(i) The initial monitoring required under subsection (4)(b) of this section shall be completed immediately or within sixty days of the introduction of BD into the workplace.

(ii) The requirements of subsections (3) through (13) of this section, including feasible work practice controls but not including engineering controls specified in subsection (6)(a) of this section, shall be complied with immediately.

(iii) Engineering controls specified by subsection (6)(a) of this section shall be implemented by February 4, 1999, and the exposure goal program specified in subsection (7) of this section shall be implemented by February 4, 2000.

(15) Appendices.

Appendices A, B, C, D, and F to this section are informational and are not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

Appendix A. Substance Safety Data Sheet For 1,3-Butadiene (Non-Mandatory)

(1) Substance Identification.

(a) Substance: 1,3-Butadiene (CH₂=CH-CH=CH₂).

(b) Synonyms: 1,3-Butadiene (BD); butadiene; biethylene; bi-vinyl; divinyl; butadiene-1,3; buta-1,3-diene; erythrene; NCI-C50602; CAS-106-99-0.

(c) BD can be found as a gas or liquid.

(d) BD is used in production of styrene-butadiene rubber and polybutadiene rubber for the tire industry. Other uses include copolymer latexes for carpet backing and paper coating, as well as resins and polymers for pipes and automobile and appliance parts. It is also used as an intermediate in the production of such chemicals as fungicides.

(e) Appearance and odor: BD is a colorless, non-corrosive, flammable gas with a mild aromatic odor at standard ambient temperature and pressure.

(f) Permissible exposure: Exposure may not exceed 1 part BD per million parts of air averaged over the 8-hour workday, nor may short-term exposure exceed 5 parts of BD per million parts of air averaged over any 15-minute period in the 8-hour workday.

(2) Health Hazard Data.

(a) BD can affect the body if the gas is inhaled or if the liquid form, which is very cold (cryogenic), comes in contact with the eyes or skin.

(b) Effects of overexposure: Breathing very high levels of BD for a short time can cause central nervous system effects, blurred vision, nausea, fatigue, headache, decreased blood pressure and pulse rate, and unconsciousness. There are no recorded cases of accidental exposures at high levels that have caused death in humans, but this could occur. Breathing lower levels of BD may cause irritation of the eyes, nose, and throat. Skin contact with liquefied BD can cause irritation and frostbite.

(c) Long-term (chronic) exposure: BD has been found to be a potent carcinogen in rodents, inducing neoplastic lesions at multiple target sites in mice and rats. A recent study of BD-exposed workers showed that exposed workers have an

increased risk of developing leukemia. The risk of leukemia increases with increased exposure to BD. OSHA has concluded that there is strong evidence that workplace exposure to BD poses an increased risk of death from cancers of the lymphohematopoietic system.

(d) Reporting signs and symptoms: You should inform your supervisor if you develop any of these signs or symptoms and suspect that they are caused by exposure to BD.

(3) Emergency First Aid Procedures.

In the event of an emergency, follow the emergency plan and procedures designated for your work area. If you have been trained in first aid procedures, provide the necessary first aid measures. If necessary, call for additional assistance from co-workers and emergency medical personnel.

(a) Eye and Skin Exposures: If there is a potential that liquefied BD can come in contact with eye or skin, face shields and skin protective equipment must be provided and used. If liquefied BD comes in contact with the eye, immediately flush the eyes with large amounts of water, occasionally lifting the lower and the upper lids. Flush repeatedly. Get medical attention immediately. Contact lenses should not be worn when working with this chemical. In the event of skin contact, which can cause frostbite, remove any contaminated clothing and flush the affected area repeatedly with large amounts of tepid water.

(b) Breathing: If a person breathes in large amounts of BD, move the exposed person to fresh air at once. If breathing has stopped, begin cardiopulmonary resuscitation (CPR) if you have been trained in this procedure. Keep the affected person warm and at rest. Get medical attention immediately.

(c) Rescue: Move the affected person from the hazardous exposure. If the exposed person has been overcome, call for help and begin emergency rescue procedures. Use extreme caution so that you do not become a casualty. Understand the plant's emergency rescue procedures and know the locations of rescue equipment before the need arises.

(4) Respirators and Protective Clothing.

(a) Respirators: Good industrial hygiene practices recommend that engineering and work practice controls be used to reduce environmental concentrations to the permissible exposure level. However, there are some exceptions where respirators may be used to control exposure. Respirators may be used when engineering and work practice controls are not technically feasible, when such controls are in the process of being installed, or when these controls fail and need to be supplemented or during brief, non-routine, intermittent exposure. Respirators may also be used in situations involving non-routine work operations which are performed infrequently and in which exposures are limited in duration, and in emergency situations. In some instances cartridge respirator use is allowed, but only with strict time constraints. For example, at exposure below 5 ppm BD, a cartridge (or canister) respirator, either full or half face, may be used, but the cartridge must be replaced at least every 4 hours, and it must be replaced every 3 hours when the exposure is between 5 and 10 ppm.

If the use of respirators is necessary, the only respirators permitted are those that have been approved by the National Institute for Occupational Safety and Health (NIOSH). In addition to respirator selection, a complete respiratory pro-

tection program must be instituted which includes regular training, maintenance, fit testing, inspection, cleaning, and evaluation of respirators. If you can smell BD while wearing a respirator, proceed immediately to fresh air, and change cartridge (or canister) before re-entering an area where there is BD exposure. If you experience difficulty in breathing while wearing a respirator, tell your supervisor.

(b) Protective Clothing: Employees should be provided with and required to use impervious clothing, gloves, face shields (eight-inch minimum), and other appropriate protective clothing necessary to prevent the skin from becoming frozen by contact with liquefied BD (or a vessel containing liquid BD).

Employees should be provided with and required to use splash-proof safety goggles where liquefied BD may contact the eyes.

(5) Precautions for Safe Use, Handling, and Storage.

(a) Fire and Explosion Hazards: BD is a flammable gas and can easily form explosive mixtures in air. It has a lower explosive limit of 2%, and an upper explosive limit of 11.5%. It has an autoignition temperature of 420 deg. C (788 deg. F). Its vapor is heavier than air (vapor density, 1.9) and may travel a considerable distance to a source of ignition and flash back. Usually it contains inhibitors to prevent self-polymerization (which is accompanied by evolution of heat) and to prevent formation of explosive peroxides. At elevated temperatures, such as in fire conditions, polymerization may take place. If the polymerization takes place in a container, there is a possibility of violent rupture of the container.

(b) Hazard: Slightly toxic. Slight respiratory irritant. Direct contact of liquefied BD on skin may cause freeze burns and frostbite.

(c) Storage: Protect against physical damage to BD containers. Outside or detached storage of BD containers is preferred. Inside storage should be in a cool, dry, well-ventilated, noncombustible location, away from all possible sources of ignition. Store cylinders vertically and do not stack. Do not store with oxidizing material.

(d) Usual Shipping Containers: Liquefied BD is contained in steel pressure apparatus.

(e) Electrical Equipment: Electrical installations in Class I hazardous locations, as defined in Article 500 of the National Electrical Code, should be in accordance with Article 501 of the Code. If explosion-proof electrical equipment is necessary, it shall be suitable for use in Group B. Group D equipment may be used if such equipment is isolated in accordance with Section 501-5(a) by sealing all conduit 1/2-inch size or larger. See Venting of Deflagrations (NFPA No. 68, 1994), National Electrical Code (NFPA No. 70, 1996), Static Electricity (NFPA No. 77, 1993), Lightning Protection Systems (NFPA No. 780, 1995), and Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids (NFPA No. 325, 1994).

(f) Fire Fighting: Stop flow of gas. Use water to keep fire-exposed containers cool. Fire extinguishers and quick drenching facilities must be readily available, and you should know where they are and how to operate them.

(g) Spill and Leak: Persons not wearing protective equipment and clothing should be restricted from areas of

spills or leaks until clean-up has been completed. If BD is spilled or leaked, the following steps should be taken:

- (i) Eliminate all ignition sources.
- (ii) Ventilate area of spill or leak.
- (iii) If in liquid form, for small quantities, allow to evaporate in a safe manner.
- (iv) Stop or control the leak if this can be done without risk. If source of leak is a cylinder and the leak cannot be stopped in place, remove the leaking cylinder to a safe place and repair the leak or allow the cylinder to empty.

(h) Disposal: This substance, when discarded or disposed of, is a hazardous waste according to Federal regulations (40 CFR part 261). It is listed as hazardous waste number D001 due to its ignitability. The transportation, storage, treatment, and disposal of this waste material must be conducted in compliance with 40 CFR parts 262, 263, 264, 268 and 270. Disposal can occur only in properly permitted facilities. Check state and local regulation of any additional requirements as these may be more restrictive than federal laws and regulation.

(i) You should not keep food, beverages, or smoking materials in areas where there is BD exposure, nor should you eat or drink in such areas.

(j) Ask your supervisor where BD is used in your work area and ask for any additional plant safety and health rules.

(6) Medical Requirements.

Your employer is required to offer you the opportunity to participate in a medical screening and surveillance program if you are exposed to BD at concentrations exceeding the action level (0.5 ppm BD as an 8-hour TWA) on 30 days or more a year, or at or above the 8-hr TWA (1 ppm) or STEL (5 ppm for 15 minutes) on 10 days or more a year. Exposure for any part of a day counts. If you have had exposure to BD in the past, but have been transferred to another job, you may still be eligible to participate in the medical screening and surveillance program.

The WISHA rule specifies the past exposures that would qualify you for participation in the program. These past exposure are work histories that suggest the following:

- (a) That you have been exposed at or above the PELs on 30 days a year for 10 or more years;
- (b) That you have been exposed at or above the action level on 60 days a year for 10 or more years; or
- (c) That you have been exposed above 10 ppm on 30 days in any past year.

Additionally, if you are exposed to BD in an emergency situation, you are eligible for a medical examination within 48 hours. The basic medical screening program includes a health questionnaire, physical examination, and blood test. These medical evaluations must be offered to you at a reasonable time and place, and without cost or loss of pay.

(7) Observation of Monitoring.

Your employer is required to perform measurements that are representative of your exposure to BD and you or your designated representative are entitled to observe the monitoring procedure. You are entitled to observe the steps taken in the measurement procedure, and to record the results obtained. When the monitoring procedure is taking place in an area where respirators or personal protective clothing and equipment are required to be worn, you or your representa-

tive must also be provided with, and must wear, the protective clothing and equipment.

(8) Access to Information.

(a) Each year, your employer is required to inform you of the information contained in this appendix. In addition, your employer must instruct you in the proper work practices for using BD, emergency procedures, and the correct use of protective equipment.

(b) Your employer is required to determine whether you are being exposed to BD. You or your representative has the right to observe employee measurements and to record the results obtained. Your employer is required to inform you of your exposure. If your employer determines that you are being overexposed, he or she is required to inform you of the actions which are being taken to reduce your exposure to within permissible exposure limits and of the schedule to implement these actions.

(c) Your employer is required to keep records of your exposures and medical examinations. These records must be kept by the employer for at least thirty (30) years.

(d) Your employer is required to release your exposure and medical records to you or your representative upon your request.

Appendix B. Substance Technical Guidelines for 1,3-Butadiene (Non-Mandatory)

(1) Physical and Chemical Data.

(a) Substance identification:

(i) Synonyms: 1,3-Butadiene (BD); butadiene; biethylene; bivinyl; divinyl; butadiene-1,3; buta-1,3-diene; erythrene; NCI-C50620; CAS-106-99-0.

(ii) Formula: $(CH_2)=CH-CH=CH_2$.

(iii) Molecular weight: 54.1.

(b) Physical data:

(i) Boiling point (760 mm Hg): -4.7 deg. C (23.5 deg. F).

(ii) Specific gravity (water=1): 0.62 at 20 deg. C (68 deg. F).

(iii) Vapor density (air=1 at boiling point of BD): 1.87.

(iv) Vapor pressure at 20 deg. C (68 deg. F): 910 mm Hg.

(v) Solubility in water, g/100 g water at 20 deg. C (68 deg. F): 0.05.

(vi) Appearance and odor: Colorless, flammable gas with a mildly aromatic odor. Liquefied BD is a colorless liquid with a mildly aromatic odor.

(2) Fire, Explosion, and Reactivity Hazard Data.

(a) Fire:

(i) Flash point: -76 deg. C (-105 deg. F) for take out; liquefied BD; Not applicable to BD gas.

(ii) Stability: A stabilizer is added to the monomer to inhibit formation of polymer during storage. Forms explosive peroxides in air in absence of inhibitor.

(iii) Flammable limits in air, percent by volume: Lower: 2.0; Upper: 11.5.

(iv) Extinguishing media: Carbon dioxide for small fires, polymer or alcohol foams for large fires.

(v) Special fire fighting procedures: Fight fire from protected location or maximum possible distance. Stop flow of gas before extinguishing fire. Use water spray to keep fire-exposed cylinders cool.

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(vi) Unusual fire and explosion hazards: BD vapors are heavier than air and may travel to a source of ignition and flash back. Closed containers may rupture violently when heated.

(vii) For purposes of compliance with the requirements of WAC 296-24-330, BD is classified as a flammable gas. For example, 7,500 ppm, approximately one-fourth of the lower flammable limit, would be considered to pose a potential fire and explosion hazard.

(viii) For purposes of compliance with WAC 296-24-585, BD is classified as a Class B fire hazard.

(ix) For purposes of compliance with WAC 296-24-956 and 296-800-280, locations classified as hazardous due to the presence of BD shall be Class I.

(b) Reactivity:

(i) Conditions contributing to instability: Heat. Peroxides are formed when inhibitor concentration is not maintained at proper level. At elevated temperatures, such as in fire conditions, polymerization may take place.

(ii) Incompatibilities: Contact with strong oxidizing agents may cause fires and explosions. The contacting of crude BD (not BD monomer) with copper and copper alloys may cause formations of explosive copper compounds.

(iii) Hazardous decomposition products: Toxic gases (such as carbon monoxide) may be released in a fire involving BD.

(iv) Special precautions: BD will attack some forms of plastics, rubber, and coatings. BD in storage should be checked for proper inhibitor content, for self-polymerization, and for formation of peroxides when in contact with air and iron. Piping carrying BD may become plugged by formation of rubbery polymer.

(c) Warning Properties:

(i) Odor Threshold: An odor threshold of 0.45 ppm has been reported in The American Industrial Hygiene Association (AIHA) Report, Odor Thresholds for Chemicals with Established Occupational Health Standards. (Ex. 32-28C).

(ii) Eye Irritation Level: Workers exposed to vapors of BD (concentration or purity unspecified) have complained of irritation of eyes, nasal passages, throat, and lungs. Dogs and rabbits exposed experimentally to as much as 6700 ppm for 7 1/2 hours a day for 8 months have developed no histologically demonstrable abnormality of the eyes.

(iii) Evaluation of Warning Properties: Since the mean odor threshold is about half of the 1 ppm PEL, and more than 10-fold below the 5 ppm STEL, most wearers of air purifying respirators should still be able to detect breakthrough before a significant overexposure to BD occurs.

(3) Spill, Leak, and Disposal Procedures.

(a) Persons not wearing protective equipment and clothing should be restricted from areas of spills or leaks until cleanup has been completed. If BD is spilled or leaked, the following steps should be taken:

(i) Eliminate all ignition sources.

(ii) Ventilate areas of spill or leak.

(iii) If in liquid form, for small quantities, allow to evaporate in a safe manner.

(iv) Stop or control the leak if this can be done without risk. If source of leak is a cylinder and the leak cannot be

stopped in place, remove the leaking cylinder to a safe place and repair the leak or allow the cylinder to empty.

(b) Disposal: This substance, when discarded or disposed of, is a hazardous waste according to Federal regulations (40 CFR part 261). It is listed by the EPA as hazardous waste number D001 due to its ignitability. The transportation, storage, treatment, and disposal of this waste material must be conducted in compliance with 40 CFR parts 262, 263, 264, 268 and 270. Disposal can occur only in properly permitted facilities. Check state and local regulations for any additional requirements because these may be more restrictive than federal laws and regulations.

(4) Monitoring and Measurement Procedures.

(a) Exposure above the Permissible Exposure Limit (8-hr TWA) or Short-Term Exposure Limit (STEL):

(i) 8-hr TWA exposure evaluation: Measurements taken for the purpose of determining employee exposure under this standard are best taken with consecutive samples covering the full shift. Air samples must be taken in the employee's breathing zone (air that would most nearly represent that inhaled by the employee).

(ii) STEL exposure evaluation: Measurements must represent 15 minute exposures associated with operations most likely to exceed the STEL in each job and on each shift.

(iii) Monitoring frequencies: Table 1 gives various exposure scenarios and their required monitoring frequencies, as required by the final standard for occupational exposure to butadiene.

Table 1. — Five Exposure Scenarios and Their Associated Monitoring Frequencies

Action Level	8-hr TWA	STEL	Required Monitoring Activity
—*	—	—	No 8-hr TWA or STEL monitoring required.
+*	—	—	No STEL monitoring required. Monitor 8-hr TWA annually.
+	—	—	No STEL monitoring required. Periodic monitoring 8-hr TWA, in accordance with (4)(c)(iii)**.
+	+	+	Periodic monitoring 8-hr TWA, in accordance with (4)(c)(iii)**. Periodic monitoring STEL in accordance with (4)(c)(iii).
+	—	+	Periodic monitoring STEL, in accordance with (4)(c)(iii). Monitor 8-hr TWA annually.

Footnote (*) Exposure Scenario, Limit Exceeded: += Yes, -= No.

Footnote (**) The employer may decrease the frequency of exposure monitoring to annually when at least 2 consecutive measurements taken at least 7 days apart show exposures to be below the 8-hr TWA, but at or above the action level.

(iv) Monitoring techniques: Appendix D describes the validated method of sampling and analysis which has been tested by OSHA for use with BD. The employer has the obligation of selecting a monitoring method which meets the accuracy and precision requirements of the standard under his or her unique field conditions. The standard requires that the method of monitoring must be accurate, to a 95 percent

confidence level, to plus or minus 25 percent for concentrations of BD at or above 1 ppm, and to plus or minus 35 percent for concentrations below 1 ppm.

(5) Personal Protective Equipment.

(a) Employees should be provided with and required to use impervious clothing, gloves, face shields (eight-inch minimum), and other appropriate protective clothing necessary to prevent the skin from becoming frozen from contact with liquid BD.

(b) Any clothing which becomes wet with liquid BD should be removed immediately and not re-worn until the butadiene has evaporated.

(c) Employees should be provided with and required to use splash proof safety goggles where liquid BD may contact the eyes.

(6) Housekeeping and Hygiene Facilities.

For purposes of complying with WAC 296-24-120 (~~(Part B-1 Sanitation)~~), 296-800-220 and 296-800-230, the following items should be emphasized:

(a) The workplace should be kept clean, orderly, and in a sanitary condition.

(b) Adequate washing facilities with hot and cold water are to be provided and maintained in a sanitary condition.

(7) Additional Precautions.

(a) Store BD in tightly closed containers in a cool, well-ventilated area and take all necessary precautions to avoid any explosion hazard.

(b) Nonsparking tools must be used to open and close metal containers. These containers must be effectively grounded.

(c) Do not incinerate BD cartridges, tanks or other containers.

(d) Employers must advise employees of all areas and operations where exposure to BD might occur.

Appendix C. Medical Screening and Surveillance for 1,3-Butadiene (Nonmandatory)

(1) Basis for Medical Screening and Surveillance Requirements.

(a) Route of Entry Inhalation.

(b) Toxicology.

Inhalation of BD has been linked to an increased risk of cancer, damage to the reproductive organs, and fetotoxicity. Butadiene can be converted via oxidation to epoxybutene and diepoxybutane, two genotoxic metabolites that may play a role in the expression of BD's toxic effects. BD has been tested for carcinogenicity in mice and rats. Both species responded to BD exposure by developing cancer at multiple primary organ sites. Early deaths in mice were caused by malignant lymphomas, primarily lymphocytic type, originating in the thymus.

Mice exposed to BD have developed ovarian or testicular atrophy. Sperm head morphology tests also revealed abnormal sperm in mice exposed to BD; lethal mutations were found in a dominant lethal test. In light of these results in animals, the possibility that BD may adversely affect the reproductive systems of male and female workers must be considered.

Additionally, anemia has been observed in animals exposed to butadiene. In some cases, this anemia appeared to

be a primary response to exposure; in other cases, it may have been secondary to a neoplastic response.

(c) Epidemiology.

Epidemiologic evidence demonstrates that BD exposure poses an increased risk of leukemia. Mild alterations of hematologic parameters have also been observed in synthetic rubber workers exposed to BD.

(2) Potential Adverse Health Effects.

(a) Acute.

Skin contact with liquid BD causes characteristic burns or frostbite. BD in gaseous form can irritate the eyes, nasal passages, throat, and lungs. Blurred vision, coughing, and drowsiness may also occur. Effects are mild at 2,000 ppm and pronounced at 8,000 ppm for exposures occurring over the full workshift.

At very high concentrations in air, BD is an anesthetic, causing narcosis, respiratory paralysis, unconsciousness, and death. Such concentrations are unlikely, however, except in an extreme emergency because BD poses an explosion hazard at these levels.

(b) Chronic.

The principal adverse health effects of concern are BD-induced lymphoma, leukemia and potential reproductive toxicity. Anemia and other changes in the peripheral blood cells may be indicators of excessive exposure to BD.

(c) Reproductive.

Workers may be concerned about the possibility that their BD exposure may be affecting their ability to procreate a healthy child. For workers with high exposures to BD, especially those who have experienced difficulties in conceiving, miscarriages, or stillbirths, appropriate medical and laboratory evaluation of fertility may be necessary to determine if BD is having any adverse effect on the reproductive system or on the health of the fetus.

(3) Medical Screening Components At-A-Glance.

(a) Health Questionnaire.

The most important goal of the health questionnaire is to elicit information from the worker regarding potential signs or symptoms generally related to leukemia or other blood abnormalities. Therefore, physicians or other licensed health care professionals should be aware of the presenting symptoms and signs of lymphohematopoietic disorders and cancers, as well as the procedures necessary to confirm or exclude such diagnoses. Additionally, the health questionnaire will assist with the identification of workers at greatest risk of developing leukemia or adverse reproductive effects from their exposures to BD.

Workers with a history of reproductive difficulties or a personal or family history of immune deficiency syndromes, blood dyscrasias, lymphoma, or leukemia, and those who are or have been exposed to medicinal drugs or chemicals known to affect the hematopoietic or lymphatic systems may be at higher risk from their exposure to BD. After the initial administration, the health questionnaire must be updated annually.

(b) Complete Blood Count (CBC).

The medical screening and surveillance program requires an annual CBC, with differential and platelet count, to be provided for each employee with BD exposure. This test is to be performed on a blood sample obtained by phle-

botomy of the venous system or, if technically feasible, from a fingerstick sample of capillary blood. The sample is to be analyzed by an accredited laboratory.

Abnormalities in a CBC may be due to a number of different etiologies. The concern for workers exposed to BD includes, but is not limited to, timely identification of lymphohematopoietic cancers, such as leukemia and non-Hodgkin's lymphoma. Abnormalities of portions of the CBC are identified by comparing an individual's results to those of an established range of normal values for males and females. A substantial change in any individual employee's CBC may also be viewed as "abnormal" for that individual even if all measurements fall within the population-based range of normal values. It is suggested that a flowsheet for laboratory values be included in each employee's medical record so that comparisons and trends in annual CBCs can be easily made.

A determination of the clinical significance of an abnormal CBC shall be the responsibility of the examining physician, other licensed health care professional, or medical specialist to whom the employee is referred. Ideally, an abnormal CBC should be compared to previous CBC measurements for the same employee, when available. Clinical common sense may dictate that a CBC value that is very slightly outside the normal range does not warrant medical concern. A CBC abnormality may also be the result of a temporary physical stressor, such as a transient viral illness, blood donation, or menorrhagia, or laboratory error. In these cases, the CBC should be repeated in a timely fashion, i.e., within 6 weeks, to verify that return to the normal range has occurred. A clinically significant abnormal CBC should result in removal of the employee from further exposure to BD. Transfer of the employee to other work duties in a BD-free environment would be the preferred recommendation.

(c) Physical Examination.

The medical screening and surveillance program requires an initial physical examination for workers exposed to BD; this examination is repeated once every three years. The initial physical examination should assess each worker's baseline general health and rule out clinical signs of medical conditions that may be caused by or aggravated by occupational BD exposure. The physical examination should be directed at identification of signs of lymphohematopoietic disorders, including lymph node enlargement, splenomegaly, and hepatomegaly.

Repeated physical examinations should update objective clinical findings that could be indicative of interim development of a lymphohematopoietic disorder, such as lymphoma, leukemia, or other blood abnormality. Physical examinations may also be provided on an as needed basis in order to follow up on a positive answer on the health questionnaire, or in response to an abnormal CBC. Physical examination of workers who will no longer be working in jobs with BD exposure are intended to rule out lymphohematopoietic disorders.

The need for physical examinations for workers concerned about adverse reproductive effects from their exposure to BD should be identified by the physician or other licensed health care professional and provided accordingly. For these workers, such consultations and examinations may relate to developmental toxicity and reproductive capacity.

Physical examination of workers acutely exposed to significant levels of BD should be especially directed at the respiratory system, eyes, sinuses, skin, nervous system, and any region associated with particular complaints. If the worker has received a severe acute exposure, hospitalization may be required to assure proper medical management. Since this type of exposure may place workers at greater risk of blood abnormalities, a CBC must be obtained within 48 hours and repeated at one, two, and three months.

Appendix D: Sampling and Analytical Method for 1,3-Butadiene (Non-Mandatory)

OSHA Method No.: 56.

Matrix: Air.

Target concentration: 1 ppm (2.21 mg/m(3)).

Procedure: Air samples are collected by drawing known volumes of air through sampling tubes containing charcoal adsorbent which has been coated with 4-tert-butylcatechol. The samples are desorbed with carbon disulfide and then analyzed by gas chromatography using a flame ionization detector.

Recommended sampling rate and air volume: 0.05 L/min and 3 L.

Detection limit of the overall procedure: 90 ppb (200 ug/m(3)) (based on 3 L air volume).

Reliable quantitation limit: 155 ppb (343 ug/m(3)) (based on 3 L air volume).

Standard error of estimate at the target concentration: 6.5%.

Special requirements: The sampling tubes must be coated with 4-tert-butylcatechol. Collected samples should be stored in a freezer.

Status of method: A sampling and analytical method has been subjected to the established evaluation procedures of the Organic Methods Evaluation Branch, OSHA Analytical Laboratory, Salt Lake City, Utah 84165.

(1) Background.

This work was undertaken to develop a sampling and analytical procedure for BD at 1 ppm. The current method recommended by OSHA for collecting BD uses activated coconut shell charcoal as the sampling medium (Ref. 5.2). This method was found to be inadequate for use at low BD levels because of sample instability.

The stability of samples has been significantly improved through the use of a specially cleaned charcoal which is coated with 4-tert-butylcatechol (TBC). TBC is a polymerization inhibitor for BD (Ref. 5.3).

(a) Toxic effects.

Symptoms of human exposure to BD include irritation of the eyes, nose and throat. It can also cause coughing, drowsiness and fatigue. Dermatitis and frostbite can result from skin exposure to liquid BD. (Ref. 5.1)

NIOSH recommends that BD be handled in the workplace as a potential occupational carcinogen. This recommendation is based on two inhalation studies that resulted in cancers at multiple sites in rats and in mice. BD has also demonstrated mutagenic activity in the presence of a liver microsomal activating system. It has also been reported to have adverse reproductive effects. (Ref. 5.1)

(b) Potential workplace exposure.

About 90% of the annual production of BD is used to manufacture styrene-butadiene rubber and Polybutadiene rubber. Other uses include: Polychloroprene rubber, acrylonitrile butadiene-styrene resins, nylon intermediates, styrene-butadiene latexes, butadiene polymers, thermoplastic elastomers, nitrile resins, methyl methacrylate-butadiene styrene resins and chemical intermediates. (Ref. 5.1)

(c) Physical properties (Ref. 5.1).

CAS No.: 106-99-0

Molecular weight: 54.1

Appearance: Colorless gas

Boiling point: -4.41 deg. C (760 mm Hg)

Freezing point: -108.9 deg. C

Vapor pressure: 2 atm (a) 15.3 deg. C; 5 atm (a) 47 deg.

C Explosive limits: 2 to 11.5% (by volume in air)

Odor threshold: 0.45 ppm

Structural formula: $H(2)C:CHCH:CH(2)$

Synonyms: BD; biethylene; bivinyl; butadiene; divinyl; buta-1,3-diene; alpha-gamma-butadiene; erythrene; NCI-C50602; pyrrolylene; vinyl ethylene.

(d) Limit defining parameters.

The analyte air concentrations listed throughout this method are based on an air volume of 3 L and a desorption volume of 1 mL. Air concentrations listed in ppm are referenced to 25 deg. C and 760 mm Hg.

(e) Detection limit of the analytical procedure.

The detection limit of the analytical procedure was 304 pg per injection. This was the amount of BD which gave a response relative to the interferences present in a standard.

(f) Detection limit of the overall procedure.

The detection limit of the overall procedure was 0.60 ug per sample (90 ppb or 200 ug/m³). This amount was determined graphically. It was the amount of analyte which, when spiked on the sampling device, would allow recovery approximately equal to the detection limit of the analytical procedure.

(g) Reliable quantitation limit.

The reliable quantitation limit was 1.03 ug per sample (155 ppb or 343 ug/m³). This was the smallest amount of analyte which could be quantitated within the limits of a recovery of at least 75% and a precision (+/- 1.96 SD) of +/- 25% or better.

(h) Sensitivity.(1)

Footnote (1)

The reliable quantitation limit and detection limits reported in the method are based upon optimization of the instrument for the smallest possible amount of analyte. When the target concentration of an analyte is exceptionally higher than these limits, they may not be attainable at the routine operation parameters.

The sensitivity of the analytical procedure over a concentration range representing 0.6 to 2 times the target concentration, based on the recommended air volume, was 387 area units per ug/mL. This value was determined from the slope of the calibration curve. The sensitivity may vary with the particular instrument used in the analysis.

(i) Recovery.

The recovery of BD from samples used in storage tests remained above 77% when the samples were stored at ambient temperature and above 94% when the samples were

stored at refrigerated temperature. These values were determined from regression lines which were calculated from the storage data. The recovery of the analyte from the collection device must be at least 75% following storage.

(j) Precision (analytical method only).

The pooled coefficient of variation obtained from replicate determinations of analytical standards over the range of 0.6 to 2 times the target concentration was 0.011.

(k) Precision (overall procedure).

The precision at the 95% confidence level for the refrigerated temperature storage test was +/- 12.7%. This value includes an additional +/- 5% for sampling error. The overall procedure must provide results at the target concentrations that are +/- 25% at the 95% confidence level.

(l) Reproducibility.

Samples collected from a controlled test atmosphere and a draft copy of this procedure were given to a chemist unassociated with this evaluation. The average recovery was 97.2% and the standard deviation was 6.2%.

(2) Sampling procedure.

(a) Apparatus. Samples are collected by use of a personal sampling pump that can be calibrated to within +/- 5% of the recommended 0.05 L/min sampling rate with the sampling tube in line.

(b) Samples are collected with laboratory prepared sampling tubes. The sampling tube is constructed of silane-treated glass and is about 5-cm long. The ID is 4 mm and the OD is 6 mm. One end of the tube is tapered so that a glass wool end plug will hold the contents of the tube in place during sampling. The opening in the tapered end of the sampling tube is at least one-half the ID of the tube (2 mm). The other end of the sampling tube is open to its full 4-mm ID to facilitate packing of the tube. Both ends of the tube are fire-polished for safety. The tube is packed with 2 sections of pre-treated charcoal which has been coated with TBC. The tube is packed with a 50-mg backup section, located nearest the tapered end, and with a 100-mg sampling section of charcoal. The two sections of coated adsorbent are separated and retained with small plugs of silanized glass wool. Following packing, the sampling tubes are sealed with two 7/32 inch OD plastic end caps. Instructions for the pretreatment and coating of the charcoal are presented in Section 4.1 of this method.

(c) Reagents.

None required.

(d) Technique.

(i) Properly label the sampling tube before sampling and then remove the plastic end caps.

(ii) Attach the sampling tube to the pump using a section of flexible plastic tubing such that the larger front section of the sampling tube is exposed directly to the atmosphere. Do not place any tubing ahead of the sampling tube. The sampling tube should be attached in the worker's breathing zone in a vertical manner such that it does not impede work performance.

(iii) After sampling for the appropriate time, remove the sampling tube from the pump and then seal the tube with plastic end caps. Wrap the tube lengthwise.

(iv) Include at least one blank for each sampling set. The blank should be handled in the same manner as the samples with the exception that air is not drawn through it.

(v) List any potential interferences on the sample data sheet.

(vi) The samples require no special shipping precautions under normal conditions. The samples should be refrigerated if they are to be exposed to higher than normal ambient temperatures. If the samples are to be stored before they are shipped to the laboratory, they should be kept in a freezer. The samples should be placed in a freezer upon receipt at the laboratory.

(e) Breakthrough.

(Breakthrough was defined as the relative amount of analyte found on the backup section of the tube in relation to the total amount of analyte collected on the sampling tube. Five-percent breakthrough occurred after sampling a test atmosphere containing 2.0 ppm BD for 90 min. at 0.05 L/min. At the end of this time 4.5 L of air had been sampled and 20.1 ug of the analyte was collected. The relative humidity of the sampled air was 80% at 23 deg. C.)

Breakthrough studies have shown that the recommended sampling procedure can be used at air concentrations higher than the target concentration. The sampling time, however, should be reduced to 45 min. if both the expected BD level and the relative humidity of the sampled air are high.

(f) Desorption efficiency.

The average desorption efficiency for BD from TBC coated charcoal over the range from 0.6 to 2 times the target concentration was 96.4%. The efficiency was essentially constant over the range studied.

(g) Recommended air volume and sampling rate.

(h) The recommended air volume is 3 L.

(i) The recommended sampling rate is 0.05 L/min. for 1 hour.

(j) Interferences.

There are no known interferences to the sampling method.

(k) Safety precautions.

(i) Attach the sampling equipment to the worker in such a manner that it will not interfere with work performance or safety.

(ii) Follow all safety practices that apply to the work area being sampled.

(3) Analytical procedure.

(a) Apparatus.

(i) A gas chromatograph (GC), equipped with a flame ionization detector (FID).(2)

Footnote (2) A Hewlett-Packard Model 5840A GC was used for this evaluation. Injections were performed using a Hewlett-Packard Model 7671A automatic sampler.

(ii) A GC column capable of resolving the analytes from any interference.(3)

Footnote (3) A 20-ft x 1/8-inch OD stainless steel GC column containing 20% FFAP on 80/100 mesh Chromabsorb W-AW-DMCS was used for this evaluation.

(iii) Vials, glass 2-mL with Teflon-lined caps.

(iv) Disposable Pasteur-type pipets, volumetric flasks, pipets and syringes for preparing samples and standards, making dilutions and performing injections.

(b) Reagents.

(i) Carbon disulfide.(4)

Footnote (4) Fisher Scientific Company A.C.S. Reagent Grade solvent was used in this evaluation.

The benzene contaminant that was present in the carbon disulfide was used as an internal standard (ISTD) in this evaluation.

(ii) Nitrogen, hydrogen and air, GC grade.

(iii) BD of known high purity.(5)

Footnote (5) Matheson Gas Products, CP Grade 1,3-butadiene was used in this study.

(c) Standard preparation.

(i) Prepare standards by diluting known volumes of BD gas with carbon disulfide. This can be accomplished by injecting the appropriate volume of BD into the headspace above the 1-mL of carbon disulfide contained in sealed 2-mL vial. Shake the vial after the needle is removed from the septum.(6)

Footnote (6) A standard containing 7.71 ug/mL (at ambient temperature and pressure) was prepared by diluting 4 uL of the gas with 1-mL of carbon disulfide.

(ii) The mass of BD gas used to prepare standards can be determined by use of the following equations:

$$MV = (760/BP)(273+t)/(273)(22.41)$$

Where:

MV = ambient molar volume

BP = ambient barometric pressure

T = ambient temperature

$$\text{ug/uL} = 54.09/MV$$

ug/standard = (ug/uL)(uL) BD used to prepare the standard

(d) Sample preparation.

(i) Transfer the 100-mg section of the sampling tube to a 2-mL vial. Place the 50-mg section in a separate vial. If the glass wool plugs contain a significant amount of charcoal, place them with the appropriate sampling tube section.

(ii) Add 1-mL of carbon disulfide to each vial.

(iii) Seal the vials with Teflon-lined caps and then allow them to desorb for one hour. Shake the vials by hand vigorously several times during the desorption period.

(iv) If it is not possible to analyze the samples within 4 hours, separate the carbon disulfide from the charcoal, using a disposable Pasteur-type pipet, following the one hour. This separation will improve the stability of desorbed samples.

(v) Save the used sampling tubes to be cleaned and repacked with fresh adsorbent.

(e) Analysis.

(i) GC Conditions.

Column temperature: 95 deg. C

Injector temperature: 180 deg. C

Detector temperature: 275 deg. C

Carrier gas flow rate: 30 mL/min.

Injection volume: 0.80 uL

GC column: 20-ft x 1/8-in OD stainless steel GC column containing 20%

FFAP on 80/100 Chromabsorb W-AW-DMCS.

(ii) Chromatogram. See Section 4.2.

(iii) Use a suitable method, such as electronic or peak heights, to measure detector response.

(iv) Prepare a calibration curve using several standard solutions of different concentrations. Prepare the calibration curve daily. Program the integrator to report the results in ug/mL.

(v) Bracket sample concentrations with standards.

(f) Interferences (analytical).

(i) Any compound with the same general retention time as the analyte and which also gives a detector response is a potential interference. Possible interferences should be reported by the industrial hygienist to the laboratory with submitted samples.

(ii) GC parameters (temperature, column, etc.) may be changed to circumvent interferences.

(iii) A useful means of structure designation is GC/MS. It is recommended that this procedure be used to confirm samples whenever possible.

(g) Calculations.

(i) Results are obtained by use of calibration curves. Calibration curves are prepared by plotting detector response against concentration for each standard. The best line through the data points is determined by curve fitting.

(ii) The concentration, in ug/mL, for a particular sample is determined by comparing its detector response to the calibration curve. If any analyte is found on the backup section, this amount is added to the amount found on the front section. Blank corrections should be performed before adding the results together.

(iii) The BD air concentration can be expressed using the following equation:

$$\text{mg/m}^3 = (A)(B)/(C)(D)$$

Where:

A = ug/mL from Section 3.7.2

B = volume

C = L of air sampled

D = efficiency

(iv) The following equation can be used to convert results in mg/m³ to ppm:

$$\text{ppm} = (\text{mg/m}^3)(24.46)/54.09$$

Where:

mg/m³ = result from Section 3.7.3.

24.46 = molar volume of an ideal gas at 760 mm Hg and 25 deg. C.

(h) Safety precautions (analytical).

(i) Avoid skin contact and inhalation of all chemicals.

(ii) Restrict the use of all chemicals to a fume hood whenever possible.

(iii) Wear safety glasses and a lab coat in all laboratory areas.

(4) Additional Information.

(a) A procedure to prepare specially cleaned charcoal coated with TBC.

(i) Apparatus.

(A) Magnetic stirrer and stir bar.

(B) Tube furnace capable of maintaining a temperature of 700 deg. C and equipped with a quartz tube that can hold 30 g of charcoal.(8)

Footnote (8) A Lindberg Type 55035 Tube furnace was used in this evaluation.

(C) A means to purge nitrogen gas through the charcoal inside the quartz tube.

(D) Water bath capable of maintaining a temperature of 60 deg. C.

(E) Miscellaneous laboratory equipment: One-liter vacuum flask, 1-L Erlenmeyer flask, 350-M1 Buchner funnel with a coarse fitted disc, 4-oz brown bottle, rubber stopper, Teflon tape etc.

(ii) Reagents.

(A) Phosphoric acid, 10% by weight, in water.(9)

Footnote (9) Baker Analyzed Reagent grade was diluted with water for use in this evaluation.

(B) 4-tert-Butylcatechol (TBC).(10)

Footnote (10) The Aldrich Chemical Company 99% grade was used in this evaluation.

(C) Specially cleaned coconut shell charcoal, 20/40 mesh.(11)

Footnote (11) Specially cleaned charcoal was obtained from Supelco, Inc. for use in this evaluation. The cleaning process used by Supelco is proprietary.

(D) Nitrogen gas, GC grade.

(iii) Procedure.

Weigh 30g of charcoal into a 500-mL Erlenmeyer flask. Add about 250 mL of 10% phosphoric acid to the flask and then swirl the mixture. Stir the mixture for 1 hour using a magnetic stirrer. Filter the mixture using a fitted Buchner funnel. Wash the charcoal several times with 250-mL portions of deionized water to remove all traces of the acid. Transfer the washed charcoal to the tube furnace quartz tube. Place the quartz tube in the furnace and then connect the nitrogen gas purge to the tube. Fire the charcoal to 700 deg. C. Maintain that temperature for at least 1 hour. After the charcoal has cooled to room temperature, transfer it to a tared beaker. Determine the weight of the charcoal and then add an amount of TBC which is 10% of the charcoal, by weight.

CAUTION-TBC is toxic and should only be handled in a fume hood while wearing gloves.

Carefully mix the contents of the beaker and then transfer the mixture to a 4-oz bottle. Stopper the bottle with a clean rubber stopper which has been wrapped with Teflon tape. Clamp the bottle in a water bath so that the water level is above the charcoal level. Gently heat the bath to 60 deg. C and then maintain that temperature for 1 hour. Cool the charcoal to room temperature and then transfer the coated charcoal to a suitable container.

The coated charcoal is now ready to be packed into sampling tubes. The sampling tubes should be stored in a sealed container to prevent contamination. Sampling tubes should be stored in the dark at room temperature. The sampling tubes should be segregated by coated adsorbent lot number.

(b) Chromatograms.

The chromatograms were obtained using the recommended analytical method. The chart speed was set at 1 cm/min. for the first three min. and then at 0.2 cm/min. for the time remaining in the analysis.

The peak which elutes just before BD is a reaction product between an impurity on the charcoal and TBC. This peak is always present, but it is easily resolved from the analyte. The peak which elutes immediately before benzene is an oxidation product of TBC.

(5) References.

(a) "Current Intelligence Bulletin 41, 1,3-Butadiene", U.S. Dept. of Health and Human Services, Public Health Service, Center for Disease Control, NIOSH.

(b) "NIOSH Manual of Analytical Methods", 2nd ed.; U.S. Dept. of Health Education and Welfare, National Institute for Occupational Safety and Health: Cincinnati, OH. 1977, Vol. 2, Method No. S91 DHEW (NIOSH) Publ. (U.S.), No. 77-157-B.

(c) Hawley, G.C., Ed. "The Condensed Chemical Dictionary", 8th ed.; Van Nostrand Rienhold Company: New York, 1971; 139.5.4. Chem. Eng. News (June 10, 1985), (63), 22-66.

Appendix E: Reserved.

APPENDIX F, MEDICAL QUESTIONNAIRES, (Non-mandatory)

1,3-Butadiene (BD) Initial Health Questionnaire

DIRECTIONS:

You have been asked to answer the questions on this form because you work with BD (butadiene). These questions are about your work, medical history, and health concerns. Please do your best to answer all of the questions. If you need help, please tell the doctor or health care professional who reviews this form.

This form is a confidential medical record. Only information directly related to your health and safety on the job may be given to your employer. Personal health information will not be given to anyone without your consent.

Date: _____
Name: _____ SSN _/ _/ _
Last First MI

Job Title: _____

Company's Name: _____

Supervisor's Name: _____

Supervisor's Phone No.: () ___-____

Work History

1. Please list all jobs you have had in the past, starting with the job you have now and moving back in time to your first job. (For more space, write on the back of this page.)

Main Job Duty

Year

Company Name

City, State

Chemicals

- 1.
2.
3.
4.
5.
6.
7.
8.

2. Please describe what you do during a typical work day. Be sure to tell about your work with BD.

3. Please check any of these chemicals that you work with now or have worked with in the past:

- benzene
glues
toluene
inks, dyes
other solvents, grease cutters
insecticides (like DDT, lindane, etc.)
paints, varnishes, thinners, strippers
dusts
carbon tetrachloride ("carbon tet")
arsine
carbon disulfide
lead
cement
petroleum products
nitrites

4. Please check the protective clothing or equipment you use at the job you have now:

- gloves
coveralls
respirator
dust mask
safety glasses, goggles

Please circle your answer.

5. Does your protective clothing or equipment fit you properly? yes no

6. Have you ever made changes in your protective clothing or equipment to make it fit better? yes no

7. Have you been exposed to BD when you were not wearing protective clothing or equipment? yes no

8. Where do you eat, drink and/or smoke when you are at work? (Please check all that apply.)

- Cafeteria/restaurant/snack bar
Break room/employee lounge
Smoking lounge
At my work station

Please circle your answer.

9. Have you been exposed to radiation (like x-rays or nuclear material) at the job you have now or at past jobs? yes no

PROPOSED

10. Do you have any hobbies that expose you to dusts or chemicals (including paints, glues, etc.)? yes no

11. Do you have any second or side jobs? yes no
If yes, what are your duties there?

12. Were you in the military? yes no

If yes, what did you do in the military?

Family Health History

1. In the FAMILY MEMBER column, across from the disease name, write which family member, if any, had the disease.

Table with 2 columns: DISEASE, FAMILY MEMBER. Rows include Cancer, Lymphoma, Sickle Cell Disease or Trait, Immune Disease, Leukemia, Anemia.

2. Please fill in the following information about family health

- Relative
Alive?
Age at Death?
Cause of Death?
Father
Mother
Brother/Sister
Brother/Sister
Brother/Sister

Personal Health History

Birth Date __/__/__ Age __ Sex __ Height __ Weight __

Please circle your answer.

1. Do you smoke any tobacco products? yes no
2. Have you ever had any kind of surgery or operation? yes no

If yes, what type of surgery:

3. Have you ever been in the hospital for any other reasons? yes no

If yes, please describe the reason

4. Do you have any on-going or current medical problems or conditions? yes no

If yes, please describe:

5. Do you now have or have you ever had any of the following? Please check all that apply to you.

- unexplained fever
anemia ("low blood")
HIV/AIDS
weakness
sickle cell
miscarriage
skin rash
bloody stools
leukemia/lymphoma
neck mass/swelling
wheezing
yellowing of skin
bruising easily
lupus
weight loss
kidney problems
enlarged lymph nodes
liver disease
cancer
infertility
drinking problems
thyroid problems
night sweats
chest pain
still birth
eye redness
lumps you can feel
child with birth defect
autoimmune disease
overly tired
lung problems
rheumatoid arthritis
mononucleosis ("mono")
nagging cough

Please circle your answer.

6. Do you have any symptoms or health problems that you think may be related to your work with BD? yes no

If yes, please describe:

7. Have any of your co-workers had similar symptoms or

PROPOSED

problems? yes no don't know

If yes, please describe: _____

8. Do you notice any irritation of your eyes, nose, throat, lungs, or skin when working with BD? yes no

9. Do you notice any blurred vision, coughing, drowsiness, nausea, or headache when working with BD? yes no

10. Do you take any medications (including birth control or over-the-counter)? yes no

If yes, please list: _____

11. Are you allergic to any medication, food, or chemicals? yes no

If yes, please list: _____

12. Do you have any health conditions not covered by this questionnaire that you think are affected by your work with BD? yes no

If yes, please explain: _____

13. Did you understand all the questions? yes no

Signature _____

1,3-Butadiene (BD) Health Update Questionnaire

DIRECTIONS:

You have been asked to answer the questions on this form because you work with BD (butadiene). These questions are about your work, medical history, and health concerns. Please do your best to answer all of the questions. If you need help, please tell the doctor or health care professional who reviews this form.

This form is a confidential medical record. Only information directly related to your health and safety on the job may be given to your employer. Personal health information will not be given to anyone without your consent.

Date: _____
Name: _____ SSN _/ _/ _

Last First MI

Job Title: _____

Company's Name: _____

Supervisor's Name: _____

Supervisor's Phone No.: () ____ - ____

1. Please describe any NEW duties that you have at your job. _____

2. Please describe any additional job duties you have:

Please circle your answer.

3. Are you exposed to any other chemicals in your work since the last time you were evaluated for exposure to BD? yes no

If yes, please list what they are: _____

4. Does your personal protective equipment and clothing fit you properly? yes no

5. Have you made changes in this equipment or clothing to make it fit better? yes no

6. Have you been exposed to BD when you were not wearing protective clothing or equipment? yes no

7. Are you exposed to any NEW chemicals at home or while working on hobbies? yes no

If yes, please list what they are: _____

8. Since your last BD health evaluation, have you started working any new second or side jobs? yes no

If yes, what are your duties there? _____

Personal Health History

1. What is your current weight? ____ pounds

2. Have you been diagnosed with any new medical conditions or illness since your last evaluation? yesno

If yes, please tell what they are: _____

3. Since your last evaluation, have you been in the hospital for any illnesses, injuries, or surgery? yes no

If yes, please describe: _____

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4. Do you have any of the following? Please place a check for all that apply to you.

- unexplained fever
- anemia ("low blood")
- HIV/AIDS
- weakness
- sickle cell
- miscarriage
- skin rash
- bloody stools
- leukemia/lymphoma
- neck mass/swelling
- wheezing
- yellowing of skin
- bruising easily
- lupus
- weight loss
- kidney problems
- enlarged lymph nodes
- liver disease
- cancer
- infertility
- drinking problems
- thyroid problems
- night sweats
- chest pain
- still birth
- eye redness
- lumps you can feel
- child with birth defect
- autoimmune disease
- overly tired
- lung problems
- rheumatoid arthritis
- mononucleosis ("mono")
- nagging cough

Please circle your answer.

5. Do you have any symptoms or health problems that you think may be related to your work with BD? yes no

If yes, please describe: _____

6. Have any of your co-workers had similar symptoms or problems? yes no don't know

If yes, please describe: _____

7. Do you notice any irritation of your eyes, nose, throat, lungs, or skin when working with BD? yes no

8. Do you notice any blurred vision, coughing, drowsiness, nausea, or headache when working with BD? yes no

9. Have you been taking any NEW medications (including birth control or over-the-counter)? yes no

If yes, please list:

10. Have you developed any new allergies to medications, foods, or chemicals? yes no

If yes, please list:

11. Do you have any health conditions not covered by this questionnaire that you think are affected by your work with BD? yes no

If yes, please explain: _____

12. Do you understand all the questions? yes no

Signature

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07470 Methylene chloride. This occupational health standard establishes requirements for employers to control occupational exposure to methylene chloride (MC). Employees exposed to MC are at increased risk of developing cancer, adverse effects on the heart, central nervous system and liver, and skin or eye irritation. Exposure may occur through inhalation, by absorption through the skin, or through contact with the skin. MC is a solvent which is used in many different types of work activities, such as paint stripping, polyurethane foam manufacturing, and cleaning and degreasing. Under the requirements of subsection (4) of this section, each covered employer must make an initial determination of each employee's exposure to MC. If the employer determines that employees are exposed below the action level, the only other provisions of this section that apply are that a record must be made of the determination, the employees must receive information and training under subsection (12) of this section and, where appropriate, employees must be protected from contact with liquid MC under subsection (8) of this section.

The provisions of the MC standard are as follows:

(1) Scope and application. This section applies to all occupational exposures to methylene chloride (MC), Chemical Abstracts Service Registry Number 75-09-2, in general industry, construction and shipyard employment.

(2) Definitions. For the purposes of this section, the following definitions shall apply:

"Action level" means a concentration of airborne MC of 12.5 parts per million (ppm) calculated as an eight (8)-hour time-weighted average (TWA).

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"Authorized person" means any person specifically authorized by the employer and required by work duties to be present in regulated areas, or any person entering such an area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under subsection (4) of this section, or any other person authorized by the WISH Act or regulations issued under the act.

"Director" means the director of the department of labor and industries, or designee.

"Emergency" means any occurrence, such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment, which results, or is likely to result in an uncontrolled release of MC. If an incidental release of MC can be controlled by employees such as maintenance personnel at the time of release and in accordance with the leak/spill provisions required by subsection (6) of this section, it is not considered an emergency as defined by this standard.

"Employee exposure" means exposure to airborne MC which occurs or would occur if the employee were not using respiratory protection.

"Methylene chloride (MC)" means an organic compound with chemical formula, CH₂Cl₂. Its Chemical Abstracts Service Registry Number is 75-09-2. Its molecular weight is 84.9 g/mole.

"Physician or other licensed health care professional" is an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to independently provide or be delegated the responsibility to provide some or all of the health care services required by subsection (10) of this section.

"Regulated area" means an area, demarcated by the employer, where an employee's exposure to airborne concentrations of MC exceeds or can reasonably be expected to exceed either the 8-hour TWA PEL or the STEL.

"Symptom" means central nervous system effects such as headaches, disorientation, dizziness, fatigue, and decreased attention span; skin effects such as chapping, erythema, cracked skin, or skin burns; and cardiac effects such as chest pain or shortness of breath.

"This section" means this methylene chloride standard.

(3) Permissible exposure limits (PELs).

(a) Eight-hour time-weighted average (TWA) PEL. The employer shall ensure that no employee is exposed to an airborne concentration of MC in excess of twenty-five parts of MC per million parts of air (25 ppm) as an 8-hour TWA.

(b) Short-term exposure limit (STEL). The employer shall ensure that no employee is exposed to an airborne concentration of MC in excess of one hundred and twenty-five parts of MC per million parts of air (125 ppm) as determined over a sampling period of fifteen minutes.

(4) Exposure monitoring.

(a) Characterization of employee exposure.

(i) Where MC is present in the workplace, the employer shall determine each employee's exposure by either:

(A) Taking a personal breathing zone air sample of each employee's exposure; or

(B) Taking personal breathing zone air samples that are representative of each employee's exposure.

(ii) Representative samples. The employer may consider personal breathing zone air samples to be representative of employee exposures when they are taken as follows:

(A) 8-hour TWA PEL. The employer has taken one or more personal breathing zone air samples for at least one employee in each job classification in a work area during every work shift, and the employee sampled is expected to have the highest MC exposure.

(B) Short-term exposure limits. The employer has taken one or more personal breathing zone air samples which indicate the highest likely 15-minute exposures during such operations for at least one employee in each job classification in the work area during every work shift, and the employee sampled is expected to have the highest MC exposure.

(C) Exception. Personal breathing zone air samples taken during one work shift may be used to represent employee exposures on other work shifts where the employer can document that the tasks performed and conditions in the workplace are similar across shifts.

(iii) Accuracy of monitoring. The employer shall ensure that the methods used to perform exposure monitoring produce results that are accurate to a confidence level of 95 percent, and are:

(A) Within plus or minus 25 percent for airborne concentrations of MC above the 8-hour TWA PEL or the STEL; or

(B) Within plus or minus 35 percent for airborne concentrations of MC at or above the action level but at or below the 8-hour TWA PEL.

(b) Initial determination. Each employer whose employees are exposed to MC shall perform initial exposure monitoring to determine each affected employee's exposure, except under the following conditions:

(i) Where objective data demonstrate that MC cannot be released in the workplace in airborne concentrations at or above the action level or above the STEL. The objective data shall represent the highest MC exposures likely to occur under reasonably foreseeable conditions of processing, use, or handling. The employer shall document the objective data exemption as specified in subsection (13) of this section;

(ii) Where the employer has performed exposure monitoring within 12 months prior to December 1, and that exposure monitoring meets all other requirements of this section, and was conducted under conditions substantially equivalent to existing conditions; or

(iii) Where employees are exposed to MC on fewer than 30 days per year (e.g., on a construction site), and the employer has measurements by direct reading instruments which give immediate results (such as a detector tube) and which provide sufficient information regarding employee exposures to determine what control measures are necessary to reduce exposures to acceptable levels.

(c) Periodic monitoring. Where the initial determination shows employee exposures at or above the action level or above the STEL, the employer shall establish an exposure monitoring program for periodic monitoring of employee exposure to MC in accordance with Table 1:

Table 1

Six Initial Determination Exposure Scenarios and Their Associated Monitoring Frequencies

Exposure scenario	Required monitoring activity
Below the action level and at or below the STEL.	No 8-hour TWA or STEL monitoring required.
Below the action level and above the STEL.	No 8-hour TWA monitoring required; monitor STEL exposures every three months.
At or above the action level, at or below the TWA, and at or below the STEL.	Monitor 8-hour TWA exposures every six months.
At or above the action level, at or below the TWA, and above the STEL.	Monitor 8-hour TWA exposures every six months and monitor STEL exposures every three months.
Above the TWA and at or below the STEL.	Monitor 8-hour TWA exposures every three months. In addition, without regard to the last sentence of the note to subsection (3) of this section, the following employers must monitor STEL exposures every three months until either the date by which they must achieve the 8-hour TWAs PEL under subsection (3) of this section or the date by which they in fact achieve the 8-hour TWA PEL, whichever comes first: <ul style="list-style-type: none"> • Employers engaged in polyurethane foam manufacturing; • Foam fabrication; • Furniture refinishing; • General aviation aircraft striping; • Product formulation; • Use of MC-based adhesives for boat building and repair; • Recreational vehicle manufacture, van conversion, or upholstery; and use of MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinet making, or floor refinishing and resurfacing.

Exposure scenario	Required monitoring activity
Above the TWA and above the STEL.	Monitor both 8-hour TWA exposures and STEL exposures every three months.

(Note to subsection (3)(c) of this section: The employer may decrease the frequency of exposure monitoring to every six months when at least 2 consecutive measurements taken at least 7 days apart show exposures to be at or below the 8-hour TWA PEL. The employer may discontinue the periodic 8-hour TWA monitoring for employees where at least two consecutive measurements taken at least 7 days apart are below the action level. The employer may discontinue the periodic STEL monitoring for employees where at least two consecutive measurements taken at least 7 days apart are at or below the STEL.)

(d) Additional monitoring.

(i) The employer shall perform exposure monitoring when a change in workplace conditions indicates that employee exposure may have increased. Examples of situations that may require additional monitoring include changes in production, process, control equipment, or work practices, or a leak, rupture, or other breakdown.

(ii) Where exposure monitoring is performed due to a spill, leak, rupture or equipment breakdown, the employer shall clean up the MC and perform the appropriate repairs before monitoring.

(e) Employee notification of monitoring results.

(i) The employer shall, within 15 working days after the receipt of the results of any monitoring performed under this section, notify each affected employee of these results in writing, either individually or by posting of results in an appropriate location that is accessible to affected employees.

(ii) Whenever monitoring results indicate that employee exposure is above the 8-hour TWA PEL or the STEL, the employer shall describe in the written notification the corrective action being taken to reduce employee exposure to or below the 8-hour TWA PEL or STEL and the schedule for completion of this action.

(f) Observation of monitoring.

(i) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to MC conducted in accordance with this section.

(ii) Observation procedures. When observation of the monitoring of employee exposure to MC requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide, at no cost to the observer(s), and the observer(s) shall be required to use such clothing and equipment and shall comply with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish a regulated area wherever an employee's exposure to airborne concentrations of MC exceeds or can reasonably be expected to exceed either the 8-hour TWA PEL or the STEL.

(b) The employer shall limit access to regulated areas to authorized persons.

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(c) The employer shall supply a respirator, selected in accordance with subsection (7)(c) of this section, to each person who enters a regulated area and shall require each affected employee to use that respirator whenever MC exposures are likely to exceed the 8-hour TWA PEL or STEL.

(Note to subsection (5)(c) of this section: An employer who has implemented all feasible engineering, work practice and administrative controls (as required in subsection (6) of this section), and who has established a regulated area (as required by subsection (5)(a) of this section) where MC exposure can be reliably predicted to exceed the 8-hour TWA PEL or the STEL only on certain days (for example, because of work or process schedule) would need to have affected employees use respirators in that regulated area only on those days.)

(d) The employer shall ensure that, within a regulated area, employees do not engage in nonwork activities which may increase dermal or oral MC exposure.

(e) The employer shall ensure that while employees are wearing respirators, they do not engage in activities (such as taking medication or chewing gum or tobacco) which interfere with respirator seal or performance.

(f) The employer shall demarcate regulated areas from the rest of the workplace in any manner that adequately establishes and alerts employees to the boundaries of the area and minimizes the number of authorized employees exposed to MC within the regulated area.

(g) An employer at a multi-employer worksite who establishes a regulated area shall communicate the access restrictions and locations of these areas to all other employers with work operations at that worksite.

(6) Methods of compliance.

(a) Engineering and work practice controls. The employer shall institute and maintain the effectiveness of engineering controls and work practices to reduce employee exposure to or below the PELs except to the extent that the employer can demonstrate that such controls are not feasible.

(b) Wherever the feasible engineering controls and work practices which can be instituted are not sufficient to reduce employee exposure to or below the 8-TWA PEL or STEL, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by the use of respiratory protection that complies with the requirements of subsection (7) of this section.

(c) Prohibition of rotation. The employer shall not implement a schedule of employee rotation as a means of compliance with the PELs.

(d) Leak and spill detection.

(i) The employer shall implement procedures to detect leaks of MC in the workplace. In work areas where spills may occur, the employer shall make provisions to contain any spills and to safely dispose of any MC-contaminated waste materials.

(ii) The employer shall ensure that all incidental leaks are repaired and that incidental spills are cleaned promptly by employees who use the appropriate personal protective equipment and are trained in proper methods of cleanup.

(Note to subsection (6)(d)(ii) of this section: See Appendix A of this section for examples of procedures that satisfy this requirement. Employers covered by this standard may

also be subject to the hazardous waste and emergency response provisions contained in WAC 296-62-3112.)

(7) Respiratory protection.

(a) General requirements. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods when an employee's exposure to MC exceeds or can reasonably be expected to exceed the 8-hour TWA PEL or the STEL (for example, when an employee is using MC in a regulated area);

(ii) Periods necessary to install or implement feasible engineering and work-practice controls;

(iii) In a few work operations, such as some maintenance operations and repair activities, for which the employer demonstrates that engineering and work practice controls are infeasible;

(iv) Work operations for which feasible engineering and work practice controls are not sufficient to reduce exposures to or below the PELs;

(v) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07131 (4)(b)(i) and (ii)).

(ii) Employers who provide employees with gas masks with organic-vapor canisters for the purpose of emergency escape must replace the canisters after any emergency use and before the gas masks are returned to service.

(c) Respirator selection. The employer must select appropriate atmosphere-supplying respirators from Table 2 of this section.

Table 2.—Minimum Requirements for Respiratory Protection for Airborne Methylene Chloride

Methylene chloride airborne concentration (ppm) or condition of use	Minimum respirator required ¹
Up to 625 ppm (25 X PEL)	(1) Continuous flow supplied-air respirator, hood or helmet.
Up to 1250 ppm (50 X 8 hr TWA PEL)	(1) Full facepiece supplied-air respirator operated in negative pressure (demand) mode. (2) Full facepiece self-contained breathing apparatus (SCBA) operated in negative pressure (demand) mode.
Up to 5000 ppm (200 X 8-TWA PEL)	(1) Continuous flow supplied-air respirator, full facepiece. (2) Pressure demand supplied-air respirator, full facepiece. (3) Positive pressure full face-piece SCBA.

Methylene chloride air-borne concentration (ppm) or condition of use	Minimum respirator required ¹
Unknown concentration, or above 5000 ppm (Greater than 200 X 8-TWA PEL)	(1) Positive pressure full face-piece SCBA. (2) Full facepiece pressure demand supplied-air respirator with an auxiliary self-contained air supply.
Fire fighting	Positive pressure full facepiece SCBA.
Emergency escape	(1) Any continuous flow or pressure demand SCBA. (2) Gas mask with organic vapor canister.

¹ Respirators assigned for higher airborne concentrations may be used at lower concentrations.

(d) Medical evaluation. Before having an employee use a supplied-air respirator in the negative-pressure mode, or a gas mask with an organic-vapor canister for emergency escape, the employer must:

(i) Have a physician or other licensed health care professional (PLHCP) evaluate the employee's ability to use such respiratory protection;

(ii) Ensure that the PLHCP provides their findings in a written opinion to the employee and the employer.

Note: See WAC 296-62-07150 through 296-62-07156 for medical evaluation requirements for employees using respirators.

(8) Protective work clothing and equipment.

(a) Where needed to prevent MC-induced skin or eye irritation, the employer shall provide clean protective clothing and equipment which is resistant to MC, at no cost to the employee, and shall ensure that each affected employee uses it. Eye and face protection shall meet the requirements of WAC ((296-24-078)) 296-800-160, as applicable.

(b) The employer shall clean, launder, repair and replace all protective clothing and equipment required by this subsection as needed to maintain their effectiveness.

(c) The employer shall be responsible for the safe disposal of such clothing and equipment.

(Note to subsection (8)(c) of this section: See Appendix A for examples of disposal procedures that will satisfy this requirement.)

(9) Hygiene facilities.

(a) If it is reasonably foreseeable that employees' skin may contact solutions containing 0.1 percent or greater MC (for example, through splashes, spills or improper work practices), the employer shall provide conveniently located washing facilities capable of removing the MC, and shall ensure that affected employees use these facilities as needed.

(b) If it is reasonably foreseeable that an employee's eyes may contact solutions containing 0.1 percent or greater MC (for example through splashes, spills or improper work practices), the employer shall provide appropriate eyewash facilities

within the immediate work area for emergency use, and shall ensure that affected employees use those facilities when necessary.

(10) Medical surveillance.

(a) Affected employees. The employer shall make medical surveillance available for employees who are or may be exposed to MC as follows:

(i) At or above the action level on 30 or more days per year, or above the 8-hour TWA PEL or the STEL on 10 or more days per year;

(ii) Above the 8-TWA PEL or STEL for any time period where an employee has been identified by a physician or other licensed health care professional as being at risk from cardiac disease or from some other serious MC-related health condition and such employee requests inclusion in the medical surveillance program;

(iii) During an emergency.

(b) Costs. The employer shall provide all required medical surveillance at no cost to affected employees, without loss of pay and at a reasonable time and place.

(c) Medical personnel. The employer shall ensure that all medical surveillance procedures are performed by a physician or other licensed health care professional, as defined in subsection (2) of this section.

(d) Frequency of medical surveillance. The employer shall make medical surveillance available to each affected employee as follows:

(i) Initial surveillance. The employer shall provide initial medical surveillance under the schedule provided by subsection (14)(b)(iii) of this section, or before the time of initial assignment of the employee, whichever is later. The employer need not provide the initial surveillance if medical records show that an affected employee has been provided with medical surveillance that complies with this section within 12 months before December 1.

(ii) Periodic medical surveillance. The employer shall update the medical and work history for each affected employee annually. The employer shall provide periodic physical examinations, including appropriate laboratory surveillance, as follows:

(A) For employees 45 years of age or older, within 12 months of the initial surveillance or any subsequent medical surveillance; and

(B) For employees younger than 45 years of age, within 36 months of the initial surveillance or any subsequent medical surveillance.

(iii) Termination of employment or reassignment. When an employee leaves the employer's workplace, or is re-assigned to an area where exposure to MC is consistently at or below the action level and STEL, medical surveillance shall be made available if six months or more have elapsed since the last medical surveillance.

(iv) Additional surveillance. The employer shall provide additional medical surveillance at frequencies other than those listed above when recommended in the written medical opinion. (For example, the physician or other licensed health care professional may determine an examination is warranted in less than 36 months for employees younger than 45 years of age based upon evaluation of the results of the annual medical and work history.)

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(e) Content of medical surveillance.

(i) Medical and work history. The comprehensive medical and work history shall emphasize neurological symptoms, skin conditions, history of hematologic or liver disease, signs or symptoms suggestive of heart disease (angina, coronary artery disease), risk factors for cardiac disease, MC exposures, and work practices and personal protective equipment used during such exposures.

(Note to subsection (10)(e)(i) of this section: See Appendix B of this section for an example of a medical and work history format that would satisfy this requirement.)

(ii) Physical examination. Where physical examinations are provided as required above, the physician or other licensed health care professional shall accord particular attention to the lungs, cardiovascular system (including blood pressure and pulse), liver, nervous system, and skin. The physician or other licensed health care professional shall determine the extent and nature of the physical examination based on the health status of the employee and analysis of the medical and work history.

(iii) Laboratory surveillance. The physician or other licensed health care professional shall determine the extent of any required laboratory surveillance based on the employee's observed health status and the medical and work history.

(Note to subsection (10)(e)(iii) of this section: See Appendix B of this section for information regarding medical tests. Laboratory surveillance may include before-and-after-shift carboxyhemoglobin determinations, resting ECG, hematocrit, liver function tests and cholesterol levels.)

(iv) Other information or reports. The medical surveillance shall also include any other information or reports the physician or other licensed health care professional determines are necessary to assess the employee's health in relation to MC exposure.

(f) Content of emergency medical surveillance. The employer shall ensure that medical surveillance made available when an employee has been exposed to MC in emergency situations includes, at a minimum:

(i) Appropriate emergency treatment and decontamination of the exposed employee;

(ii) Comprehensive physical examination with special emphasis on the nervous system, cardiovascular system, lungs, liver and skin, including blood pressure and pulse;

(iii) Updated medical and work history, as appropriate for the medical condition of the employee; and

(iv) Laboratory surveillance, as indicated by the employee's health status.

(Note to subsection (10)(f)(iv) of this section: See Appendix B for examples of tests which may be appropriate.)

(g) Additional examinations and referrals. Where the physician or other licensed health care professional determines it is necessary, the scope of the medical examination shall be expanded and the appropriate additional medical surveillance, such as referrals for consultation or examination, shall be provided.

(h) Information provided to the physician or other licensed health care professional. The employer shall provide the following information to a physician or other licensed health care professional who is involved in the diagnosis of MC-induced health effects:

(i) A copy of this section including its applicable appendices;

(ii) A description of the affected employee's past, current and anticipated future duties as they relate to the employee's MC exposure;

(iii) The employee's former or current exposure levels or, for employees not yet occupationally exposed to MC, the employee's anticipated exposure levels and the frequency and exposure levels anticipated to be associated with emergencies;

(iv) A description of any personal protective equipment, such as respirators, used or to be used; and

(v) Information from previous employment-related medical surveillance of the affected employee which is not otherwise available to the physician or other licensed health care professional.

(i) Written medical opinions.

(i) For each physical examination required by this section, the employer shall ensure that the physician or other licensed health care professional provides to the employer and to the affected employee a written opinion regarding the results of that examination within 15 days of completion of the evaluation of medical and laboratory findings, but not more than 30 days after the examination. The written medical opinion shall be limited to the following information:

(A) The physician's or other licensed health care professional's opinion concerning whether exposure to MC may contribute to or aggravate the employee's existing cardiac, hepatic, neurological (including stroke) or dermal disease or whether the employee has any other medical condition(s) that would place the employee's health at increased risk of material impairment from exposure to MC;

(B) Any recommended limitations upon the employee's exposure to MC, removal from MC exposure, or upon the employee's use of protective clothing or equipment and respirators;

(C) A statement that the employee has been informed by the physician or other licensed health care professional that MC is a potential occupational carcinogen, of risk factors for heart disease, and the potential for exacerbation of underlying heart disease by exposure to MC through its metabolism to carbon monoxide; and

(D) A statement that the employee has been informed by the physician or other licensed health care professional of the results of the medical examination and any medical conditions resulting from MC exposure which require further explanation or treatment.

(ii) The employer shall instruct the physician or other licensed health care professional not to reveal to the employer, orally or in the written opinion, any specific records, findings, and diagnoses that have no bearing on occupational exposure to MC.

(Note to subsection (10)(h)(ii) of this section: The written medical opinion may also include information and opinions generated to comply with other OSHA health standards.)

(j) Medical presumption. For purposes of this subsection (10), the physician or other licensed health care professional shall presume, unless medical evidence indicates to the contrary, that a medical condition is unlikely to require medical removal from MC exposure if the employee is not exposed to

MC above the 8-hour TWA PEL. If the physician or other licensed health care professional recommends removal for an employee exposed below the 8-hour TWA PEL, the physician or other licensed health care professional shall cite specific medical evidence, sufficient to rebut the presumption that exposure below the 8-hour TWA PEL is unlikely to require removal, to support the recommendation. If such evidence is cited by the physician or other licensed health care professional, the employer must remove the employee. If such evidence is not cited by the physician or other licensed health care professional, the employer is not required to remove the employee.

(k) Medical removal protection (MRP).

(i) Temporary medical removal and return of an employee.

(A) Except as provided in (j) of this subsection, when a medical determination recommends removal because the employee's exposure to MC may contribute to or aggravate the employee's existing cardiac, hepatic, neurological (including stroke), or skin disease, the employer must provide medical removal protection benefits to the employee and either:

(I) Transfer the employee to comparable work where methylene chloride exposure is below the action level; or

(II) Remove the employee from MC exposure.

(B) If comparable work is not available and the employer is able to demonstrate that removal and the costs of extending MRP benefits to an additional employee, considering feasibility in relation to the size of the employer's business and the other requirements of this standard, make further reliance on MRP an inappropriate remedy, the employer may retain the additional employee in the existing job until transfer or removal becomes appropriate, provided:

(I) The employer ensures that the employee receives additional medical surveillance, including a physical examination at least every 60 days until transfer or removal occurs; and

(II) The employer or PLHCP informs the employee of the risk to the employee's health from continued MC exposure.

(C) The employer shall maintain in effect any job-related protective measures or limitations, other than removal, for as long as a medical determination recommends them to be necessary.

(ii) End of MRP benefits and return of the employee to former job status.

(A) The employer may cease providing MRP benefits at the earliest of the following:

(I) Six months;

(II) Return of the employee to the employee's former job status following receipt of a medical determination concluding that the employee's exposure to MC no longer will aggravate any cardiac, hepatic, neurological (including stroke), or dermal disease;

(III) Receipt of a medical determination concluding that the employee can never return to MC exposure.

(B) For the purposes of this subsection (10), the requirement that an employer return an employee to the employee's former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent tempo-

rary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(l) Medical removal protection benefits.

(i) For purposes of this subsection (10), the term medical removal protection benefits means that, for each removal, an employer must maintain for up to six months the earnings, seniority, and other employment rights and benefits of the employee as though the employee had not been removed from MC exposure or transferred to a comparable job.

(ii) During the period of time that an employee is removed from exposure to MC, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iii) If a removed employee files a workers' compensation claim for a MC-related disability, the employer shall continue the MRP benefits required by this section until either the claim is resolved or the 6-month period for payment of MRP benefits has passed, whichever occurs first. To the extent the employee is entitled to indemnity payments for earnings lost during the period of removal, the employer's obligation to provide medical removal protection benefits to the employee shall be reduced by the amount of such indemnity payments.

(iv) The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal from either a publicly or an employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(m) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to MC or otherwise places any limitation on an employee due to the effects of MC exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to those required by (l) of this subsection.

(n) Multiple health care professional review mechanism.

(i) If the employer selects the initial physician or licensed health care professional (PLHCP) to conduct any medical examination or consultation provided to an employee under (k) of this subsection, the employer shall notify the employee of the right to seek a second medical opinion each time the employer provides the employee with a copy of the written opinion of that PLHCP.

(ii) If the employee does not agree with the opinion of the employer-selected PLHCP, notifies the employer of that fact, and takes steps to make an appointment with a second PLHCP within 15 days of receiving a copy of the written opinion of the initial PLHCP, the employer shall pay for the PLHCP chosen by the employee to perform at least the following:

(A) Review any findings, determinations or recommendations of the initial PLHCP; and

(B) Conduct such examinations, consultations, and laboratory tests as the PLHCP deems necessary to facilitate this review.

(iii) If the findings, determinations or recommendations of the second PLHCP differ from those of the initial PLHCP, then the employer and the employee shall instruct the two health care professionals to resolve the disagreement.

(iv) If the two health care professionals are unable to resolve their disagreement within 15 days, then those two health care professionals shall jointly designate a PLHCP who is a specialist in the field at issue. The employer shall pay for the specialist to perform at least the following:

(A) Review the findings, determinations, and recommendations of the first two PLHCPs; and

(B) Conduct such examinations, consultations, laboratory tests and discussions with the prior PLHCPs as the specialist deems necessary to resolve the disagreements of the prior health care professionals.

(v) The written opinion of the specialist shall be the definitive medical determination. The employer shall act consistent with the definitive medical determination, unless the employer and employee agree that the written opinion of one of the other two PLHCPs shall be the definitive medical determination.

(vi) The employer and the employee or authorized employee representative may agree upon the use of any expeditious alternate health care professional determination mechanism in lieu of the multiple health care professional review mechanism provided by this section so long as the alternate mechanism otherwise satisfies the requirements contained in this section.

(11) Hazard communication. The employer shall communicate the following hazards associated with MC on labels and in material safety data sheets in accordance with the requirements of the chemical hazard communication standard, WAC ((296-62-054)) 296-800-170: Cancer, cardiac effects (including elevation of carboxyhemoglobin), central nervous system effects, liver effects, and skin and eye irritation.

(12) Employee information and training.

(a) The employer shall provide information and training for each affected employee prior to or at the time of initial assignment to a job involving potential exposure to MC.

(b) The employer shall ensure that information and training is presented in a manner that is understandable to the employees.

(c) In addition to the information required under the chemical hazard communication standard at WAC ((296-62-054)) 296-800-170:

(i) The employer shall inform each affected employee of the requirements of this section and information available in its appendices, as well as how to access or obtain a copy of it in the workplace;

(ii) Wherever an employee's exposure to airborne concentrations of MC exceeds or can reasonably be expected to exceed the action level, the employer shall inform each affected employee of the quantity, location, manner of use, release, and storage of MC and the specific operations in the workplace that could result in exposure to MC, particularly noting where exposures may be above the 8-hour TWA PEL or STEL;

(d) The employer shall train each affected employee as required under the chemical hazard communication standard at WAC ((296-62-054)) 296-800-170, as appropriate.

(e) The employer shall re-train each affected employee as necessary to ensure that each employee exposed above the action level or the STEL maintains the requisite understanding of the principles of safe use and handling of MC in the workplace.

(f) Whenever there are workplace changes, such as modifications of tasks or procedures or the institution of new tasks or procedures, which increase employee exposure, and where those exposures exceed or can reasonably be expected to exceed the action level, the employer shall update the training as necessary to ensure that each affected employee has the requisite proficiency.

(g) An employer whose employees are exposed to MC at a multi-employer worksite shall notify the other employers with work operations at that site in accordance with the requirements of the chemical hazard communication standard, WAC ((296-62-054)) 296-800-170, as appropriate.

(h) The employer shall provide to the director, upon request, all available materials relating to employee information and training.

(13) Recordkeeping.

(a) Objective data.

(i) Where an employer seeks to demonstrate that initial monitoring is unnecessary through reasonable reliance on objective data showing that any materials in the workplace containing MC will not release MC at levels which exceed the action level or the STEL under foreseeable conditions of exposure, the employer shall establish and maintain an accurate record of the objective data relied upon in support of the exemption.

(ii) This record shall include at least the following information:

(A) The MC-containing material in question;

(B) The source of the objective data;

(C) The testing protocol, results of testing, and/or analysis of the material for the release of MC;

(D) A description of the operation exempted under subsection (4)(b)(i) of this section and how the data support the exemption; and

(E) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(iii) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(b) Exposure measurements.

(i) The employer shall establish and keep an accurate record of all measurements taken to monitor employee exposure to MC as prescribed in subsection (4) of this section.

(ii) Where the employer has 20 or more employees, this record shall include at least the following information:

(A) The date of measurement for each sample taken;

(B) The operation involving exposure to MC which is being monitored;

(C) Sampling and analytical methods used and evidence of their accuracy;

(D) Number, duration, and results of samples taken;

(E) Type of personal protective equipment, such as respiratory protective devices, worn, if any; and

(F) Name, Social Security number, job classification and exposure of all of the employees represented by monitoring, indicating which employees were actually monitored.

(iii) Where the employer has fewer than 20 employees, the record shall include at least the following information:

(A) The date of measurement for each sample taken;

(B) Number, duration, and results of samples taken; and

(C) Name, Social Security number, job classification and exposure of all of the employees represented by monitoring, indicating which employees were actually monitored.

(iv) The employer shall maintain this record for at least thirty (30) years, in accordance with WAC 296-62-052.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance under subsection (10) of this section.

(ii) The record shall include at least the following information:

(A) The name, Social Security number and description of the duties of the employee;

(B) Written medical opinions; and

(C) Any employee medical conditions related to exposure to MC.

(iii) The employer shall ensure that this record is maintained for the duration of employment plus thirty (30) years, in accordance with WAC 296-62-052.

(d) Availability.

(i) The employer, upon written request, shall make all records required to be maintained by this section available to the director for examination and copying in accordance with WAC 296-62-052.

(Note to subsection (13)(d)(i) of this section: All records required to be maintained by this section may be kept in the most administratively convenient form (for example, electronic or computer records would satisfy this requirement).)

(ii) The employer, upon request, shall make any employee exposure and objective data records required by this section available for examination and copying by affected employees, former employees, and designated representatives in accordance with WAC 296-62-052.

(iii) The employer, upon request, shall make employee medical records required to be kept by this section available for examination and copying by the subject employee and by anyone having the specific written consent of the subject employee in accordance with WAC 296-62-052.

(e) Transfer of records. The employer shall comply with the requirements concerning transfer of records set forth in WAC 296-62-05215.

(14) Dates.

(a) Engineering controls required under subsection (6)(a) of this section shall be implemented according to the following schedule:

(i) For employers with fewer than 20 employees, no later than April 10, 2000.

(ii) For employers with fewer than 150 employees engaged in foam fabrication; for employers with fewer than 50 employees engaged in furniture refinishing, general aviation aircraft stripping, and product formulation; for employers with fewer than 50 employees using MC-based adhesives for boat building and repair, recreational vehicle manufac-

ture, van conversion, and upholstery; for employers with fewer than 50 employees using MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinet making and/or floor refinishing and resurfacing, no later than April 10, 2000.

(iii) For employers engaged in polyurethane foam manufacturing with 20 or more employees, no later than October 10, 1999.

(b) Use of respiratory protection whenever an employee's exposure to MC exceeds or can reasonably be expected to exceed the 8-hour TWA PEL, in accordance with subsection (3)(a), (5)(c), (6)(a) and (7)(a) of this section, shall be implemented according to the following schedule:

(i) For employers with fewer than 150 employees engaged in foam fabrication; for employers with fewer than 50 employees engaged in furniture refinishing, general aviation aircraft stripping, and product formulation; for employers with fewer than 50 employees using MC-based adhesives for boat building and repair, recreational vehicle manufacture, van conversion, and upholstery; for employers with fewer than 50 employees using MC in construction work for restoration and preservation of buildings, painting and paint removal, cabinet making and/or floor refinishing and resurfacing, no later than April 10, 2000.

(ii) For employers engaged in polyurethane foam manufacturing with 20 or more employees, no later than October 10, 1999.

(c) Notification of corrective action under subsection (4)(e)(ii) of this section, no later than 90 days before the compliance date applicable to such corrective action.

(d) Transitional dates. The exposure limits for MC specified in WAC 296-62-07515 Table 1, shall remain in effect until the start-up dates for the exposure limits specified in subsection (14) of this section, or if the exposure limits in this section are stayed or vacated.

(e) Unless otherwise specified in this subsection (14), all other requirements of this section shall be complied with immediately.

(15) Appendices. The information contained in the appendices does not, by itself, create any additional obligations not otherwise imposed or detract from any existing obligation.

AMENDATORY SECTION (Amending WSR 97-18-062, filed 9/2/97, effective 12/1/97)

WAC 296-62-07473 Appendix A. Substance Safety Data Sheet and Technical Guidelines for Methylene Chloride

I. Substance Identification

A. Substance: Methylene chloride (CH₂Cl₂).

B. Synonyms: MC, Dichloromethane (DCM); Methylene dichloride; Methylene bichloride; Methane dichloride; CAS: 75-09-2; NCI-C50102.

C. Physical data:

1. Molecular weight: 84.9.

2. Boiling point (760 mm Hg): 39.8 deg.C (104 deg. F).

3. Specific gravity (water=1): 1.3.

4. Vapor density (air=1 at boiling point): 2.9.

5. Vapor pressure at 20 deg. C (68 deg. F): 350 mm Hg.

6. Solubility in water, g/100 g water at 20 deg. C (68 deg. F)=1.32.

7. Appearance and odor: colorless liquid with a chloroform-like odor.

D. Uses: MC is used as a solvent, especially where high volatility is required. It is a good solvent for oils, fats, waxes, resins, bitumen, rubber and cellulose acetate and is a useful paint stripper and degreaser. It is used in paint removers, in propellant mixtures for aerosol containers, as a solvent for plastics, as a degreasing agent, as an extracting agent in the pharmaceutical industry and as a blowing agent in polyurethane foams. Its solvent property is sometimes increased by mixing with methanol, petroleum naphtha or tetrachloroethylene.

E. Appearance and odor: MC is a clear colorless liquid with a chloroform-like odor. It is slightly soluble in water and completely miscible with most organic solvents.

F. Permissible exposure: Exposure may not exceed 25 parts MC per million parts of air (25 ppm) as an eight-hour time-weighted average (8-hour TWA PEL) or 125 parts of MC per million parts of air (125 ppm) averaged over a 15-minute period (STEL).

II. Health Hazard Data

A. MC can affect the body if it is inhaled or if the liquid comes in contact with the eyes or skin. It can also affect the body if it is swallowed.

B. Effects of overexposure:

1. Short-term Exposure: MC is an anesthetic. Inhaling the vapor may cause mental confusion, light-headedness, nausea, vomiting, and headache. Continued exposure may cause increased light-headedness, staggering, unconsciousness, and even death. High vapor concentrations may also cause irritation of the eyes and respiratory tract. Exposure to MC may make the symptoms of angina (chest pains) worse. Skin exposure to liquid MC may cause irritation. If liquid MC remains on the skin, it may cause skin burns. Splashes of the liquid into the eyes may cause irritation.

2. Long-term (chronic) exposure: The best evidence that MC causes cancer is from laboratory studies in which rats, mice and hamsters inhaled MC 6 hours per day, 5 days per week for 2 years. MC exposure produced lung and liver tumors in mice and mammary tumors in rats. No carcinogenic effects of MC were found in hamsters. There are also some human epidemiological studies which show an association between occupational exposure to MC and increases in biliary (bile duct) cancer and a type of brain cancer. Other epidemiological studies have not observed a relationship between MC exposure and cancer. WISHA interprets these results to mean that there is suggestive (but not absolute) evidence that MC is a human carcinogen.

C. Reporting signs and symptoms: You should inform your employer if you develop any signs or symptoms and suspect that they are caused by exposure to MC.

D. Warning Properties:

1. Odor Threshold: Different authors have reported varying odor thresholds for MC. Kirk-Othmer and Sax both reported 25 to 50 ppm; Summer and May both reported 150 ppm; Spector reports 320 ppm. Patty, however, states that since one can become adapted to the odor, MC should not be considered to have adequate warning properties.

2. Eye Irritation Level: Kirk-Othmer reports that "MC vapor is seriously damaging to the eyes." Sax agrees with Kirk-Othmer's statement. The ACGIH Documentation of TLVs states that irritation of the eyes has been observed in workers exposed to concentrations up to 5000 ppm.

3. Evaluation of Warning Properties: Since a wide range of MC odor thresholds are reported (25-320 ppm), and human adaptation to the odor occurs, MC is considered to be a material with poor warning properties.

III. Emergency First Aid Procedures

In the event of emergency, institute first aid procedures and send for first aid or medical assistance.

A. Eye and Skin Exposures: If there is a potential for liquid MC to come in contact with eye or skin, face shields and skin protective equipment must be provided and used. If liquid MC comes in contact with the eye, get medical attention. Contact lenses should not be worn when working with this chemical.

B. Breathing: If a person breathes in large amounts of MC, move the exposed person to fresh air at once. If breathing has stopped, perform cardiopulmonary resuscitation. Keep the affected person warm and at rest. Get medical attention as soon as possible.

C. Rescue: Move the affected person from the hazardous exposure immediately. If the exposed person has been overcome, notify someone else and put into effect the established emergency rescue procedures. Understand the facility's emergency rescue procedures and know the locations of rescue equipment before the need arises. Do not become a casualty yourself.

IV. Respirators, Protective Clothing, and Eye Protection

A. Respirators: Good industrial hygiene practices recommend that engineering controls be used to reduce environmental concentrations to the permissible exposure level. However, there are some exceptions where respirators may be used to control exposure. Respirators may be used when engineering and work practice controls are not feasible, when such controls are in the process of being installed, or when these controls fail and need to be supplemented. Respirators may also be used for operations which require entry into tanks or closed vessels, and in emergency situations. If the use of respirators is necessary, the only respirators permitted are those that have been approved by the National Institute for Occupational Safety and Health (NIOSH). Supplied-air respirators are required because air-purifying respirators do not provide adequate respiratory protection against MC. In addition to respirator selection, a complete written respiratory protection program should be instituted which includes regular training, maintenance, inspection, cleaning, and evaluation. If you can smell MC while wearing a respirator, proceed immediately to fresh air. If you experience difficulty in breathing while wearing a respirator, tell your employer.

B. Protective Clothing: Employees must be provided with and required to use impervious clothing, gloves, face shields (eight-inch minimum), and other appropriate protective clothing necessary to prevent repeated or prolonged skin contact with liquid MC or contact with vessels containing liquid MC. Any clothing which becomes wet with liquid MC should be removed immediately and not reworn until the employer has ensured that the protective clothing is fit for

reuse. Contaminated protective clothing should be placed in a regulated area designated by the employer for removal of MC before the clothing is laundered or disposed of. Clothing and equipment should remain in the regulated area until all of the MC contamination has evaporated; clothing and equipment should then be laundered or disposed of as appropriate.

C. Eye Protection: Employees should be provided with and required to use splash-proof safety goggles where liquid MC may contact the eyes.

V. Housekeeping and Hygiene Facilities

For purposes of complying with WAC 296-24-120, 296-800-220 and 296-800-230, the following items should be emphasized:

A. The workplace should be kept clean, orderly, and in a sanitary condition. The employer should institute a leak and spill detection program for operations involving liquid MC in order to detect sources of fugitive MC emissions.

B. Emergency drench showers and eyewash facilities are recommended. These should be maintained in a sanitary condition. Suitable cleansing agents should also be provided to assure the effective removal of MC from the skin.

C. Because of the hazardous nature of MC, contaminated protective clothing should be placed in a regulated area designated by the employer for removal of MC before the clothing is laundered or disposed of.

VI. Precautions for Safe Use, Handling, and Storage

A. Fire and Explosion Hazards: MC has no flash point in a conventional closed tester, but it forms flammable vapor-air mixtures at approximately 100 deg. C (212 deg. F), or higher. It has a lower explosion limit of 12%, and an upper explosion limit of 19% in air. It has an autoignition temperature of 556.1 deg. C (1033 deg. F), and a boiling point of 39.8 deg. C (104 deg. F). It is heavier than water with a specific gravity of 1.3. It is slightly soluble in water.

B. Reactivity Hazards: Conditions contributing to the instability of MC are heat and moisture. Contact with strong oxidizers, caustics, and chemically active metals such as aluminum or magnesium powder, sodium and potassium may cause fires and explosions. Special precautions: Liquid MC will attack some forms of plastics, rubber, and coatings.

C. Toxicity: Liquid MC is painful and irritating if splashed in the eyes or if confined on the skin by gloves, clothing, or shoes. Vapors in high concentrations may cause narcosis and death. Prolonged exposure to vapors may cause cancer or exacerbate cardiac disease.

D. Storage: Protect against physical damage. Because of its corrosive properties, and its high vapor pressure, MC should be stored in plain, galvanized or lead lined, mild steel containers in a cool, dry, well ventilated area away from direct sunlight, heat source and acute fire hazards.

E. Piping Material: All piping and valves at the loading or unloading station should be of material that is resistant to MC and should be carefully inspected prior to connection to the transport vehicle and periodically during the operation.

F. Usual Shipping Containers: Glass bottles, 5- and 55-gallon steel drums, tank cars, and tank trucks.

Note: This section addresses MC exposure in marine terminal and longshore employment only where leaking or broken packages allow MC exposure that is not addressed through compliance with WAC 296-56.

G. Electrical Equipment: Electrical installations in Class I hazardous locations as defined in Article 500 of the National Electrical Code, should be installed according to Article 501 of the code; and electrical equipment should be suitable for use in atmospheres containing MC vapors. See Flammable and Combustible Liquids Code (NFPA No. 325M), Chemical Safety Data Sheet SD-86 (Manufacturing Chemists' Association, Inc.).

H. Fire Fighting: When involved in fire, MC emits highly toxic and irritating fumes such as phosgene, hydrogen chloride and carbon monoxide. Wear breathing apparatus and use water spray to keep fire-exposed containers cool. Water spray may be used to flush spills away from exposures. Extinguishing media are dry chemical, carbon dioxide, foam. For purposes of compliance with WAC 296-24-956, locations classified as hazardous due to the presence of MC shall be Class I.

I. Spills and Leaks: Persons not wearing protective equipment and clothing should be restricted from areas of spills or leaks until cleanup has been completed. If MC has spilled or leaked, the following steps should be taken:

1. Remove all ignition sources.

2. Ventilate area of spill or leak.

3. Collect for reclamation or absorb in vermiculite, dry sand, earth, or a similar material.

J. Methods of Waste Disposal: Small spills should be absorbed onto sand and taken to a safe area for atmospheric evaporation. Incineration is the preferred method for disposal of large quantities by mixing with a combustible solvent and spraying into an incinerator equipped with acid scrubbers to remove hydrogen chloride gases formed. Complete combustion will convert carbon monoxide to carbon dioxide. Care should be taken for the presence of phosgene.

K. You should not keep food, beverage, or smoking materials, or eat or smoke in regulated areas where MC concentrations are above the permissible exposure limits.

L. Portable heating units should not be used in confined areas where MC is used.

M. Ask your supervisor where MC is used in your work area and for any additional plant safety and health rules.

VII. Medical Requirements

Your employer is required to offer you the opportunity to participate in a medical surveillance program if you are exposed to MC at concentrations at or above the action level (12.5 ppm 8-hour TWA) for more than 30 days a year or at concentrations exceeding the PELs (25 ppm 8-hour TWA or 125 ppm 15-minute STEL) for more than 10 days a year. If you are exposed to MC at concentrations over either of the PELs, your employer will also be required to have a physician or other licensed health care professional ensure that you are able to wear the respirator that you are assigned. Your employer must provide all medical examinations relating to your MC exposure at a reasonable time and place and at no cost to you.

VIII. Monitoring and Measurement Procedures

A. Exposure above the Permissible Exposure Limit:

1. Eight-hour exposure evaluation: Measurements taken for the purpose of determining employee exposure under this section are best taken with consecutive samples covering the

full shift. Air samples must be taken in the employee's breathing zone.

2. Monitoring techniques: The sampling and analysis under this section may be performed by collection of the MC vapor on two charcoal adsorption tubes in series or other composition adsorption tubes, with subsequent chemical analysis. Sampling and analysis may also be performed by instruments such as real-time continuous monitoring systems, portable direct reading instruments, or passive dosimeters as long as measurements taken using these methods accurately evaluate the concentration of MC in employees' breathing zones. OSHA method 80 is an example of a validated method of sampling and analysis of MC. Copies of this method are available from OSHA or can be downloaded from the Internet at <http://www.osha.gov>. The employer has the obligation of selecting a monitoring method which meets the accuracy and precision requirements of the standard under his or her unique field conditions. The standard requires that the method of monitoring must be accurate, to a 95 percent confidence level, to plus or minus 25 percent for concentrations of MC at or above 25 ppm, and to plus or minus 35 percent for concentrations at or below 25 ppm. In addition to OSHA method 80, there are numerous other methods available for monitoring for MC in the workplace.

B. Since many of the duties relating to employee exposure are dependent on the results of measurement procedures, employers must assure that the evaluation of employee exposure is performed by a technically qualified person.

IX. Observation of Monitoring

Your employer is required to perform measurements that are representative of your exposure to MC and you or your designated representative are entitled to observe the monitor-

ing procedure. You are entitled to observe the steps taken in the measurement procedure, and to record the results obtained. When the monitoring procedure is taking place in an area where respirators or personal protective clothing and equipment are required to be worn, you or your representative must also be provided with, and must wear, protective clothing and equipment.

Access To Information

A. Your employer is required to inform you of the information contained in this Appendix. In addition, your employer must instruct you in the proper work practices for using MC, emergency procedures, and the correct use of protective equipment.

B. Your employer is required to determine whether you are being exposed to MC. You or your representative has the right to observe employee measurements and to record the results obtained. Your employer is required to inform you of your exposure. If your employer determines that you are being over exposed, he or she is required to inform you of the actions which are being taken to reduce your exposure to within permissible exposure limits.

C. Your employer is required to keep records of your exposures and medical examinations. These records must be kept by the employer for at least thirty (30) years.

D. Your employer is required to release your exposure and medical records to you or your representative upon your request.

E. Your employer is required to provide labels and material safety data sheets (MSDS) for all materials, mixtures or solutions composed of greater than 0.1 percent MC. An example of a label that would satisfy these requirements would be:

Danger Contains Methylene Chloride

Potential Cancer Hazard

May worsen heart disease because methylene chloride is converted to carbon monoxide in the body.

May cause dizziness, headache, irritation of the throat and lungs, loss of consciousness and death at high concentrations (for example, if used in a poorly ventilated room).

Avoid Skin Contact. Contact with liquid causes skin and eye irritation.

X. Common Operations and Controls

The following list includes some common operations in which exposure to MC may occur and control methods which may be effective in each case:

Operations	Controls
Use as solvent in paint and varnish removers cold cleaning and ultrasonic cleaning, and as a solvent in furniture stripping.	General dilution ventilation; local; manufacture of aerosols; cold cleaning exhaust ventilation; personal protective equipment; substitution.
Use as solvent in vapor degreasing.	Process enclosure; local exhaust ventilation; chilling coils; substitution.
Use as a secondary refrigerant in air scientific testing.	General dilution ventilation; local conditioning and exhaust ventilation; personal protective equipment.

PROPOSED

AMENDATORY SECTION (Amending Order 81-19, filed 7/27/81)

WAC 296-62-07519 Thiram. (1) Scope and application. This section applies to occupational exposure to thiram (tetramethylthiuram disulfide), in addition to those requirements listed in WAC 296-62-07515. Nothing in this section shall preclude the application of other appropriate standards and regulations to minimize worker exposure to thiram.

(2) Definitions. The following definitions are applicable to this section:

(a) Clean - the absence of dirt or materials which may be harmful to a worker's health.

(b) Large seedlings - those seedlings of such size, either by length or breadth, that it is difficult to avoid contact of the thiram treated plant with the mouth or face during planting operations.

(3) General requirements.

(a) Workers should not be allowed to work more than five days in any seven day period with or around the application of thiram or thiram treated seedlings.

(b) Washing and worker hygiene.

(i) Workers shall wash their hands prior to eating or smoking at the close of work.

(ii) Warm (at least 85°F, 29.4°C) wash water and single use hand wiping materials shall be provided for washing.

(iii) The warm water and hand wiping materials shall be at fixed work locations or at the planting unit.

(iv) Where warm water is not available within 15 minutes travel time, nonalcoholic based waterless hand cleaner shall be provided.

(v) Every planter or nursery worker shall be advised to bathe or shower daily.

(vi) The inside of worker carrying vehicles shall be washed or vacuumed and wiped down at least weekly during the period of thiram use.

(c) Personal protective measures.

(i) Clothing shall be worn by workers to reduce skin contact with thiram to the legs, arms and torso.

(ii) For those workers who have thiram skin irritations, exposed areas of the body shall be protected by a suitable barrier cream.

(iii) Clothing worn by workers shall be washed or changed at least every other day.

(iv) Only impervious gloves may be worn by workers.

(v) Workers hands should be clean of thiram before placing them into gloves.

(vi) Thiram applicators shall be provided with and use respiratory protection in accordance with WAC 296-62-071, disposable coveralls or rubber slickers or other impervious clothing, rubberized boots, head covers and rubberized gloves.

(vii) Nursery workers, other than applicators, who are likely to be exposed to thiram shall be provided with and use disposable coveralls or rubber slickers or other impervious clothing, impervious footwear and gloves, and head covers in accordance with WAC ((296-24-075)) 296-800-160, unless showers have been provided and are used.

(viii) Eye protection according to WAC ((296-24-078)) 296-800-160, shall be provided and worn by workers who

may be exposed to splashes of thiram during spraying, plug bundling, belt line grading and plugging or other operations.

(ix) Item (viii) of this subdivision need not be complied with where pressurized emergency eye wash fountains are within 10 seconds travel time of the work location. (Approved respirator - see WAC 296-62-071.)

(x) A dust mask shall be worn, when planting large seedlings, to avoid mouth and face contact with the thiram treated plant unless equally effective measures or planting practices have been established.

(d) Food handling.

(i) Food snacks, beverages, smoking materials, or any other item which is consumed shall not be stored or consumed in the packing area of the nursery.

(ii) Worker carrying vehicles shall have a clean area for carrying lunches.

(iii) The clean area of the vehicle shall be elevated from the floor and not used to carry other than food or other consumable items.

(iv) The carrying of lunches, food or other consumable items in tree planting bags is prohibited.

(v) Care shall be taken to insure that worker exposure to thiram spray, including downwind driftings, is minimized or eliminated.

(vi) When bags that contained thiram or thiram treated seedlings are burned, prevent worker exposure to the smoke.

(e) Thiram use and handling.

(i) Thiram treated seedlings shall be allowed to dry or stabilize prior to packing.

(ii) Seedlings shall be kept moist during packing and whenever possible during planting operations.

(iii) Floors, where thiram is used, shall not be dry swept but instead vacuumed, washed or otherwise cleaned at least daily.

(iv) Silica chips used to cover thiram treated seedling plugs shall be removed at the nursery.

(f) Training.

(i) Each worker engaged in operations where exposure to thiram may occur shall be provided training on the hazards of thiram, as well as the necessary precautions for its safe use and handling.

(ii) The training shall include instruction in:

(A) The nature of the health hazard(s) from exposure to thiram including specifically the potential for alcohol intolerance, drug interaction, and skin irritation;

(B) The specific nature of operations which could result in exposure to thiram and the necessary protective steps;

(C) The purpose for, proper use, and limitations of protective devices including respirators and clothing;

(D) The necessity for and requirements of good personal hygiene; and

(E) A review of the thiram rules at the worker's first training and indoctrination, and annually thereafter.

(4) Effective date. This standard shall become effective 30 days after being filed with the code reviser.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07521 Lead. (1) Scope and application.

(a) This section applies to all occupational exposure to lead, except as provided in subdivision (1)(b).

(b) This section does not apply to the construction industry or to agricultural operations covered by chapter 296-306 WAC.

(2) Definitions as applicable to this part.

(a) "Action level" - employee exposure, without regard to the use of respirators, to an airborne concentration of lead of thirty micrograms per cubic meter of air ($30 \mu\text{g}/\text{m}^3$) averaged over an eight-hour period.

(b) "Director" - the director of the department of labor and industries.

(c) "Lead" - metallic lead, all inorganic lead compounds, and organic lead soaps. Excluded from this definition are all other organic lead compounds.

(3) General requirements.

(a) Employers will assess the hazards of lead in the work place and provide information to the employees about the hazards of the lead exposures to which they may be exposed.

(b) Information provided shall include:

(i) Exposure monitoring (including employee notification);

(ii) Written compliance programs;

(iii) Respiratory protection programs;

(iv) Personnel protective equipment and housekeeping;

(v) Medical surveillance and examinations;

(vi) Training requirements;

(vii) Recordkeeping requirements.

(4) Permissible exposure limit (PEL).

(a) The employer shall assure that no employee is exposed to lead at concentrations greater than fifty micrograms per cubic meter of air ($50 \mu\text{g}/\text{m}^3$) averaged over an eight-hour period.

(b) If an employee is exposed to lead for more than eight hours in any work day, the permissible exposure limit, as a time weighted average (TWA) for that day, shall be reduced according to the following formula:

$$\text{Maximum permissible limit (in } \mu\text{g}/\text{m}^3) = 400 \div \text{hours worked in the day.}$$

(c) When respirators are used to supplement engineering and work practice controls to comply with the PEL and all the requirements of subsection (7) have been met, employee exposure, for the purpose of determining whether the employer has complied with the PEL, may be considered to be at the level provided by the protection factor of the respirator for those periods the respirator is worn. Those periods may be averaged with exposure levels during periods when respirators are not worn to determine the employee's daily TWA exposure.

(5) Exposure monitoring.

(a) General.

(i) For the purposes of subsection (5), employee exposure is that exposure which would occur if the employee were not using a respirator.

(ii) With the exception of monitoring under subdivision (5)(c), the employer shall collect full shift (for at least seven continuous hours) personal samples including at least one

sample for each shift for each job classification in each work area.

(iii) Full shift personal samples shall be representative of the monitored employee's regular, daily exposure to lead.

(b) Initial determination. Each employer who has a workplace or work operation covered by this standard shall determine if any employee may be exposed to lead at or above the action level.

(c) Basis of initial determination.

(i) The employer shall monitor employee exposures and shall base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:

(A) Any information, observations, or calculations which would indicate employee exposure to lead;

(B) Any previous measurements of airborne lead; and

(C) Any employee complaints of symptoms which may be attributable to exposure to lead.

(ii) Monitoring for the initial determination may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.

(iii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy the requirement to monitor under item (5)(c)(i) if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (5)(i) of this section.

(d) Positive initial determination and initial monitoring.

(i) Where a determination conducted under subdivision (5)(b) and (5)(c) of this section shows the possibility of any employee exposure at or above the action level, the employer shall conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.

(ii) Measurements of airborne lead made in the preceding twelve months may be used to satisfy this requirement if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (5)(i) of this section.

(e) Negative initial determination. Where a determination, conducted under subdivisions (5)(b) and (5)(c) of this section is made that no employee is exposed to airborne concentrations of lead at or above the action level, the employer shall make a written record of such determination. The record shall include at least the information specified in subdivision (5)(c) of this section and shall also include the date of determination, location within the worksite, and the name and social security number of each employee monitored.

(f) Frequency.

(i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be repeated except as otherwise provided in subdivision (5)(g) of this section.

(ii) If the initial determination or subsequent monitoring reveals employee exposure to be at or above the action level but below the permissible exposure limit the employer shall repeat monitoring in accordance with this subsection at least every six months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue

monitoring for that employee except as otherwise provided in subdivision (5)(g) of this section.

(iii) If the initial monitoring reveals that employee exposure is above the permissible exposure limit the employer shall repeat monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in item (5)(f)(ii), except as otherwise provided in subdivision (5)(g) of this section.

(g) Additional monitoring. Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to lead, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to lead, additional monitoring in accordance with this subsection shall be conducted.

(h) Employee notification.

(i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure, without regard to respirators, exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken or to be taken to reduce exposure to or below the permissible exposure limit.

(i) Accuracy of measurement. The employer shall use a method of monitoring and analysis which has an accuracy (to a confidence level of ninety-five percent) of not less than plus or minus twenty percent for airborne concentrations of lead equal to or greater than 30 µg/m³.

(6) Methods of compliance.

(a) Engineering and work practice controls.

(i) Where any employee is exposed to lead above the permissible exposure limit for more than thirty days per year, the employer shall implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I below, except to the extent that the employer can demonstrate that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted are not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer shall nonetheless use them to reduce exposures to the lowest feasible level and shall supplement them by the use of respiratory protection which complies with the requirements of subsection (7) of this section.

(ii) Where any employee is exposed to lead above the permissible exposure limit, but for thirty days or less per year, the employer shall implement engineering controls to reduce exposures to 200 µg/m³, but thereafter may implement any combination of engineering, work practice (including administrative controls), and respiratory controls to reduce and maintain employee exposure to lead to or below 50 µg/m³.

TABLE 1

Industry	Compliance dates: ¹ (50 µg/m ³)
Lead chemicals, secondary copper smelting.	July 19, 1996
Nonferrous foundries	July 19, 1996. ²
Brass and bronze ingot manufacture.	6 years. ³

¹ Calculated by counting from the date the stay on implementation of subsection (6)(a) was lifted by the U.S. Court of Appeals for the District of Columbia, the number of years specified in the 1978 lead standard and subsequent amendments for compliance with the PEL of 50 µg/m³ for exposure to airborne concentrations of lead levels for the particular industry.

² Large nonferrous foundries (20 or more employees) are required to achieve the PEL of 50 µg/m³ by means of engineering and work practice controls. Small nonferrous foundries (fewer than 20 employees) are required to achieve an 8-hour TWA of 75 µg/m³ by such controls.

³ Expressed as the number of years from the date on which the Court lifts the stay on the implementation of subsection (6)(a) for this industry for employers to achieve a lead in air concentration of 75 µg/m³. Compliance with subsection (6) in this industry is determined by a compliance directive that incorporates elements from the settlement agreement between OSHA and representatives of the industry.

(b) Respiratory protection. Where engineering and work practice controls do not reduce employee exposure to or below the 50 µg/m³ permissible exposure limit, the employer shall supplement these controls with respirators in accordance with subsection (7).

(c) Compliance program.

(i) Each employer shall establish and implement a written compliance program to reduce exposures to or below the permissible exposure limit, and interim levels if applicable, solely by means of engineering and work practice controls in accordance with the implementation schedule in subdivision (6)(a).

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which lead is emitted; e.g., machinery used, material processed, controls in place, crew size, employee job responsibilities, operating procedures and maintenance practices;

(B) A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to lead;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Air monitoring data which documents the source of lead emissions;

(E) A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.;

(F) A work practice program which includes items required under subsections (8), (9) and (10) of this regulation;

(G) An administrative control schedule required by subdivision (6)(f), if applicable; and

(H) Other relevant information.

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(iii) Written programs shall be submitted upon request to the director, and shall be available at the worksite for examination and copying by the director, any affected employee or authorized employee representatives.

(iv) Written programs shall be revised and updated at least every six months to reflect the current status of the program.

(d) Mechanical ventilation.

(i) When ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every three months. Measurements of the system's effectiveness in controlling exposure shall be made within five days of any change in production, process, or control which might result in a change in employee exposure to lead.

(ii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the employer shall assure that (A) the system has a high efficiency filter with reliable back-up filter; and (B) controls to monitor the concentration of lead in the return air and to bypass the recirculation system automatically if it fails are installed, operating, and maintained.

(e) Administrative controls. If administrative controls are used as a means of reducing employees TWA exposure to lead, the employer shall establish and implement a job rotation schedule which includes:

(i) Name or identification number of each affected employee;

(ii) Duration and exposure levels at each job or work station where each affected employee is located; and

(iii) Any other information which may be useful in assessing the reliability of administrative controls to reduce exposure to lead.

(7) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Period necessary to install or implement engineering or work-practice controls;

(ii) Work operations for which engineering and work-practice controls are not sufficient to reduce exposures to or below the permissible exposure limit;

(iii) Periods when an employee requests a respirator.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and 296-62-07150 through 296-62-07156).

(ii) If an employee has breathing difficulty during fit testing or respirator use, the employer must provide the employee with a medical examination as required by subsection (11)(c)(ii)(C) of this section to determine whether or not the employee can use a respirator while performing the required duty.

(c) Respirator selection.

(i) The employer must select the appropriate respirator or combination of respirators from Table II of this section.

(ii) The employer must provide a powered air-purifying respirator instead of the respirator specified in Table II of this section when an employee chooses to use this type of respirator and that such a respirator provides adequate protection to the employee.

TABLE II
RESPIRATORY PROTECTION FOR LEAD AEROSOLS

Airborne Concentration of Lead or Condition of Use	Required Respirator ¹
Not in excess of 0.5 mg/m ³ (10X PEL).	Half-mask, air-purifying respirator equipped with high efficiency filters. ^{2,3}
Not in excess of 2.5 mg/m ³ (50X PEL).	Full facepiece, air-purifying respirator with high efficiency filters. ³
Not in excess of 50 mg/m ³ (1000X PEL).	(1) Any powered, air-purifying respirator with high efficiency filters ³ ; or (2) Half-mask supplied-air respirator operated in positive-pressure mode. ²
Not in excess of 100 mg/m ³ (2000X PEL).	Supplied-air respirators with full facepiece, hood, helmet, or suit, operated in positive pressure mode.
Greater than 100 mg/m ³ , unknown concentration or fire fighting.	Full facepiece, self-contained breathing apparatus operated in positive-pressure mode.

Note: ¹ Respirators specified for high concentrations can be used at lower concentrations of lead.

² Full facepiece is required if the lead aerosols cause eye or skin irritation at the use concentrations.

³ A high efficiency particulate filter means 99.97 percent efficient against 0.3 micron size particles.

(8) Protective work clothing and equipment.

(a) Provision and use. If an employee is exposed to lead above the PEL, without regard to the use of respirators or where the possibility of skin or eye irritation exists, the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, hats, and shoes or disposable shoe coverlets; and

(iii) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC ((~~296-24-078~~) 296-800-160).

(b) Cleaning and replacement.

(i) The employer shall provide the protective clothing required in subdivision (8)(a) of this section in a clean and dry condition at least weekly, and daily to employees whose exposure levels without regard to a respirator are over 200 µg/m³ of lead as an eight-hour TWA.

(ii) The employer shall provide for the cleaning, laundering, or disposal of protective clothing and equipment required by subdivision (8)(a) of this section.

(iii) The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

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(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms provided for that purpose as prescribed in subdivision (10)(b) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change-room which prevents dispersion of lead outside the container.

(vi) The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment required by subdivision (8)(b)(v) are labeled as follows:

CAUTION: CLOTHING CONTAMINATED WITH LEAD.
DO NOT REMOVE DUST BY BLOWING OR SHAKING.
DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

(viii) The employer shall prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

(9) Housekeeping.

(a) Surfaces. All surfaces shall be maintained as free as practicable of accumulations of lead.

(b) Cleaning floors.

(i) Floors and other surfaces where lead accumulates may not be cleaned by the use of compressed air.

(ii) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other equally effective methods have been tried and found not to be effective.

(c) Vacuuming. Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner which minimizes the reentry of lead into the workplace.

(10) Hygiene facilities and practices.

(a) The employer shall assure that in areas where employees are exposed to lead above the PEL, without regard to the use of respirators, food or beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in change rooms, lunchrooms, and showers required under subdivision (10)(b) through (10)(d) of this section.

(b) Change rooms.

(i) The employer shall provide clean change rooms for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that change rooms are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.

(c) Showers.

(i) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators, shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-24-12009.

(iii) The employer shall assure that employees who are required to shower pursuant to item (10)(c)(i) do not leave the workplace wearing any clothing or equipment worn during the work shift.

(d) Lunchrooms.

(i) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that lunchroom facilities have a temperature controlled, positive pressure, filtered air supply, and are readily accessible to employees.

(iii) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL without regard to the use of a respirator wash their hands and face prior to eating, drinking, smoking or applying cosmetics.

(iv) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface lead dust has been removed by vacuuming, downdraft booth, or other cleaning method.

(e) Lavatories. The employer shall provide an adequate number of lavatory facilities which comply with WAC ((~~296-24-12009 (1) and (2))~~) 296-800-230.

(11) Medical surveillance.

(a) General.

(i) The employer shall institute a medical surveillance program for all employees who are or may be exposed above the action level for more than thirty days per year.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician.

(iii) The employer shall provide the required medical surveillance including multiple physician review under item (11)(c)(iii) without cost to employees and at a reasonable time and place.

(b) Biological monitoring.

(i) Blood lead and ZPP level sampling and analysis. The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels to each employee covered under item (11)(a)(i) of this section on the following schedule:

(A) At least every six months to each employee covered under item (11)(a)(i) of this section;

(B) At least every two months for each employee whose last blood sampling and analysis indicated a blood lead level at or above 40 µg/100 g of whole blood. This frequency shall continue until two consecutive blood samples and analyses indicate a blood lead level below 40 µg/100 g of whole blood; and

(C) At least monthly during the removal period of each employee removed from exposure to lead due to an elevated blood lead level.

(ii) Follow-up blood sampling tests. Whenever the results of a blood lead level test indicate that an employee's blood lead level exceeds the numerical criterion for medical removal under item (12)(a)(i)(A), the employer shall provide a second (follow-up) blood sampling test within two weeks

after the employer receives the results of the first blood sampling test.

(iii) Accuracy of blood lead level sampling and analysis. Blood lead level sampling and analysis provided pursuant to this section shall have an accuracy (to a confidence level of ninety-five percent) within plus or minus fifteen percent or 6 µg/100 ml, whichever is greater, and shall be conducted by a laboratory licensed by the Center for Disease Control (CDC), United States Department of Health, Education and Welfare or which has received a satisfactory grade in blood lead proficiency testing from CDC in the prior twelve months.

(iv) Employee notification. Within five working days after the receipt of biological monitoring results, the employer shall notify in writing each employee whose blood lead level exceeds 40 µg/100 g: (A) of that employee's blood lead level and (B) that the standard requires temporary medical removal with medical removal protection benefits when an employee's blood lead level exceeds the numerical criterion for medical removal under item (12)(a)(i) of this section.

(c) Medical examinations and consultations.

(i) Frequency. The employer shall make available medical examinations and consultations to each employee covered under item (11)(a)(i) of this section on the following schedule:

(A) At least annually for each employee for whom a blood sampling test conducted at any time during the preceding twelve months indicated a blood lead level at or above 40 µg/100 g;

(B) Prior to assignment for each employee being assigned for the first time to an area in which airborne concentrations of lead are at or above the action level;

(C) As soon as possible, upon notification by an employee either that the employee has developed signs or symptoms commonly associated with lead intoxication, that the employee desires medical advice concerning the effects of current or past exposure to lead on the employee's ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during use; and

(D) As medically appropriate for each employee either removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited pursuant to a final medical determination.

(ii) Content. Medical examinations made available pursuant to subitems (11)(c)(i)(A) through (B) of this section shall include the following elements:

(A) A detailed work history and a medical history, with particular attention to past lead exposure (occupational and nonoccupational), personal habits (smoking, hygiene), and past gastrointestinal, hematologic, renal, cardiovascular, reproductive and neurological problems;

(B) A thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Pulmonary status should be evaluated if respiratory protection will be used;

(C) A blood pressure measurement;

(D) A blood sample and analysis which determines:

(I) Blood lead level;

(II) Hemoglobin and hematocrit determinations, red cell indices, and examination of peripheral smear morphology;

(III) Zinc protoporphyrin;

(IV) Blood urea nitrogen; and

(V) Serum creatinine;

(E) A routine urinalysis with microscopic examination; and

(F) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

The content of medical examinations made available pursuant to subitems (11)(c)(i)(C) through (D) of this section shall be determined by an examining physician and, if requested by an employee, shall include pregnancy testing or laboratory evaluation of male fertility.

(iii) Multiple physician review mechanism.

(A) If the employer selects the initial physician who conducts any medical examination or consultation provided to an employee under this section, the employee may designate a second physician:

(I) To review any findings, determinations or recommendations of the initial physician; and

(II) To conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(B) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the foregoing notification, or receipt of the initial physician's written opinion, whichever is later:

(I) The employee informing the employer that he or she intends to seek a second medical opinion, and

(II) The employee initiating steps to make an appointment with a second physician.

(C) If the findings, determinations or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(D) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician:

(I) To review any findings, determinations or recommendations of the prior physicians; and

(II) To conduct such examinations, consultations, laboratory tests and discussions with the prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(E) The employer shall act consistent with the findings, determinations and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

(iv) Information provided to examining and consulting physicians.

(A) The employer shall provide an initial physician conducting a medical examination or consultation under this section with the following information:

(I) A copy of this regulation for lead including all appendices;

(II) A description of the affected employee's duties as they relate to the employee's exposure;

(III) The employee's exposure level or anticipated exposure level to lead and to any other toxic substance (if applicable);

(IV) A description of any personal protective equipment used or to be used;

(V) Prior blood lead determinations; and

(VI) All prior written medical opinions concerning the employee in the employer's possession or control.

(B) The employer shall provide the foregoing information to a second or third physician conducting a medical examination or consultation under this section upon request either by the second or third physician, or by the employee.

(v) Written medical opinions.

(A) The employer shall obtain and furnish the employee with a copy of a written medical opinion from each examining or consulting physician which contains the following information:

(I) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at increased risk of material impairment of the employee's health from exposure to lead;

(II) Any recommended special protective measures to be provided to the employee, or limitations to be placed upon the employee's exposure to lead;

(III) Any recommended limitation upon the employee's use of respirators, including a determination of whether the employee can wear a powered air purifying respirator if a physician determines that the employee cannot wear a negative pressure respirator; and

(IV) The results of the blood lead determinations.

(B) The employer shall instruct each examining and consulting physician to:

(I) Not reveal either in the written opinion, or in any other means of communication with the employer, findings, including laboratory results, or diagnoses unrelated to an employee's occupational exposure to lead; and

(II) Advise the employee of any medical condition, occupational or nonoccupational, which dictates further medical examination or treatment.

(vi) Alternate physician determination mechanisms. The employer and an employee or authorized employee representative may agree upon the use of any expeditious alternate physician determination mechanism in lieu of the multiple physician review mechanism provided by this subsection so long as the alternate mechanism otherwise satisfies the requirements contained in this subsection.

(d) Chelation.

(i) The employer shall assure that any person whom he retains, employs, supervises or controls does not engage in prophylactic chelation of any employee at any time.

(ii) If therapeutic or diagnostic chelation is to be performed by any person in item (11)(d)(i), the employer shall assure that it be done under the supervision of a licensed phy-

sician in a clinical setting with thorough and appropriate medical monitoring and that the employee is notified in writing prior to its occurrence.

(12) Medical removal protection.

(a) Temporary medical removal and return of an employee.

(i) Temporary removal due to elevated blood lead levels.

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above 60 $\mu\text{g}/100\text{ g}$ of whole blood; and

(B) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that the average of the last three blood sampling tests conducted pursuant to this section (or the average of all blood sampling tests conducted over the previous six months, whichever is longer) indicates that the employee's blood lead level is at or above 50 $\mu\text{g}/100\text{ g}$ of whole blood; provided, however, that an employee need not be removed if the last blood sampling test indicates a blood lead level at or below 40 $\mu\text{g}/100\text{ g}$ of whole blood.

(ii) Temporary removal due to a final medical determination.

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a final medical determination results in a medical finding, determination, or opinion that the employee has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the phrase "final medical determination" shall mean the outcome of the multiple physician review mechanism or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section.

(C) Where a final medical determination results in any recommended special protective measures for an employee, or limitations on an employee's exposure to lead, the employer shall implement and act consistent with the recommendation.

(iii) Return of the employee to former job status.

(A) The employer shall return an employee to his or her former job status:

(I) For an employee removed due to a blood lead level at or above 60 $\mu\text{g}/100\text{ g}$, or due to an average blood lead level at or above 50 $\mu\text{g}/100\text{ g}$, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below 40 $\mu\text{g}/100\text{ g}$ of whole blood;

(II) For an employee removed due to a final medical determination, when a subsequent final medical determination results in a medical finding, determination, or opinion that the employee no longer has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the requirement that an employer return an employee to his or her former job status is not intended to expand upon or restrict any rights an

employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(iv) Removal of other employee special protective measure or limitations. The employer shall remove any limitations placed on an employee or end any special protective measures provided to an employee pursuant to a final medical determination when a subsequent final medical determination indicates that the limitations or special protective measures are no longer necessary.

(v) Employer options pending a final medical determination. Where the multiple physician review mechanism, or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section, has not yet resulted in a final medical determination with respect to an employee, the employer shall act as follows:

(A) Removal. The employer may remove the employee from exposure to lead, provide special protective measures to the employee, or place limitations upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status.

(B) Return. The employer may return the employee to his or her former job status, end any special protective measures provided to the employee, and remove any limitations placed upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status, with two exceptions. If:

(I) The initial removal, special protection, or limitation of the employee resulted from a final medical determination which differed from the findings, determinations, or recommendations of the initial physician; or

(II) The employee has been on removal status for the preceding eighteen months due to an elevated blood lead level, then the employer shall await a final medical determination.

(b) Medical removal protection benefits.

(i) Provision of medical removal protection benefits. The employer shall provide to an employee up to eighteen months of medical removal protection benefits on each occasion that an employee is removed from exposure to lead or otherwise limited pursuant to this section.

(ii) Definition of medical removal protection benefits. For the purposes of this section, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the earnings, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to lead or otherwise limited.

(iii) Follow-up medical surveillance during the period of employee removal or limitation. During the period of time that an employee is removed from normal exposure to lead or otherwise limited, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iv) Workers' compensation claims. If a removed employee files a claim for workers' compensation payments for a lead-related disability, then the employer shall continue

to provide medical removal protection benefits pending disposition of the claim. To the extent that an award is made to the employee for earnings lost during the period of removal, the employer's medical removal protection obligation shall be reduced by such amount. The employer shall receive no credit for workers' compensation payments received by the employee for treatment related expenses.

(v) Other credits. The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(vi) Employees whose blood lead levels do not adequately decline within eighteen months of removal. The employer shall take the following measures with respect to any employee removed from exposure to lead due to an elevated blood lead level whose blood lead level has not declined within the past eighteen months of removal so that the employee has been returned to his or her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section to obtain a final medical determination with respect to the employee;

(B) The employer shall assure that the final medical determination obtained indicates whether or not the employee may be returned to his or her former job status, and if not, what steps should be taken to protect the employee's health;

(C) Where the final medical determination has not yet been obtained, or once obtained indicates that the employee may not yet be returned to his or her former job status, the employer shall continue to provide medical removal protection benefits to the employee until either the employee is returned to former job status, or a final medical determination is made that the employee is incapable of ever safely returning to his or her former job status.

(D) Where the employer acts pursuant to a final medical determination which permits the return of the employee to his or her former job status despite what would otherwise be an unacceptable blood lead level, later questions concerning removing the employee again shall be decided by a final medical determination. The employer need not automatically remove such an employee pursuant to the blood lead level removal criteria provided by this section.

(vii) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to lead or otherwise places limitations on an employee due to the effects of lead exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to that required by item (12)(b)(i) of this section.

(13) Employee information and training.

(a) Training program.

(i) Each employer who has a workplace in which there is a potential exposure to airborne lead at any level shall inform employees of the content of Appendices A and B of this regulation.

(ii) The employer shall institute a training program for and assure the participation of all employees who are subject to exposure to lead at or above the action level or for whom the possibility of skin or eye irritation exists.

(iii) The employer shall provide initial training by one hundred eighty days from the effective date for those employees covered by item (13)(a)(ii) on the standard's effective date and prior to the time of initial job assignment for those employees subsequently covered by this subsection.

(iv) The training program shall be repeated at least annually for each employee.

(v) The employer shall assure that each employee is informed of the following:

(A) The content of this standard and its appendices;

(B) The specific nature of the operations which could result in exposure to lead above the action level;

(C) The purpose, proper use, limitations, and other training requirements for respiratory protection as required by chapter 296-62 WAC, Part E;

(D) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females);

(E) The engineering controls and work practices associated with the employee's job assignment;

(F) The contents of any compliance plan in effect; and

(G) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician.

(b) Access to information and training materials.

(i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(iii) In addition to the information required by item (13)(a)(v), the employer shall include as part of the training program, and shall distribute to employees, any materials pertaining to the Occupational Safety and Health Act, the regulations issued pursuant to the act, and this lead standard, which are made available to the employer by the director.

(14) Signs.

(a) General.

(i) The employer may use signs required by other statutes, regulations or ordinances in addition to, or in combination with, signs required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign required by this subsection which contradicts or detracts from the meaning of the required sign.

(b) Signs.

(i) The employer shall post the following warning signs in each work area where the PEL is exceeded:

WARNING

LEAD WORK AREA

POISON

NO SMOKING OR EATING

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(15) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and maintain an accurate record of all monitoring required in subsection (5) of this section.

(ii) This record shall include:

(A) The date(s), number, duration, location and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The type of respiratory protective devices worn, if any;

(D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) The environmental variables that could affect the measurement of employee exposure.

(iii) The employer shall maintain these monitoring records for at least forty years or for the duration of employment plus twenty years, whichever is longer.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (11) of this section.

(ii) This record shall include:

(A) The name, social security number, and description of the duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to lead.

(iii) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (11) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information; and

(C) A copy of the results of biological monitoring.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least forty years, or for the duration of employment plus twenty years, whichever is longer.

(c) Medical removals.

(i) The employer shall establish and maintain an accurate record for each employee removed from current exposure to lead pursuant to subsection (12) of this section.

PROPOSED

(ii) Each record shall include:

(A) The name and social security number of the employee;

(B) The date on each occasion that the employee was removed from current exposure to lead as well as the corresponding date on which the employee was returned to his or her former job status;

(C) A brief explanation of how each removal was or is being accomplished; and

(D) A statement with respect to each removal indicating whether or not the reason for the removal was an elevated blood lead level.

(iii) The employer shall maintain each medical removal record for at least the duration of an employee's employment.

(d) Availability.

(i) The employer shall make available upon request all records required to be maintained by subsection (15) of this section to the director for examination and copying.

(ii) Environmental monitoring, medical removal, and medical records required by this subsection shall be provided upon request to employees, designated representatives, and the assistant director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217. Medical removal records shall be provided in the same manner as environmental monitoring records.

(iii) Upon request, the employer shall make an employee's medical records required to be maintained by this section available to the affected employee or former employee or to a physician or other individual designated by such affected employee or former employees for examination and copying.

(e) Transfer of records.

(i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (15) of this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if requested within the period.

(iv) The employer shall also comply with any additional requirements involving transfer of records set forth in WAC 296-62-05215.

(16) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to lead conducted pursuant to subsection (5) of this section.

(b) Observation procedures.

(i) Whenever observation of the monitoring of employee exposure to lead requires entry into an area where the use of respirators, protective clothing or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing and such equipment; and shall

require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of lead performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(17) Appendices. The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation.

(a) Appendix A. Substance Data Sheet for Occupational Exposure to Lead.

(i) Substance identification.

(A) Substance. Pure lead (Pb) is a heavy metal at room temperature and pressure and is a basic chemical element. It can combine with various other substances to form numerous lead compounds.

(B) Compounds covered by the standard. The word "lead" when used in this standard means elemental lead, all inorganic lead compounds (except those which are not biologically available due to either solubility or specific chemical interaction), and a class of organic lead compounds called lead soaps. This standard does not apply to other organic lead compounds.

(C) Uses. Exposure to lead occurs in at least 120 different occupations, including primary and secondary lead smelting, lead storage battery manufacturing, lead pigment manufacturing and use, solder manufacturing and use, shipbuilding and ship repairing, auto manufacturing, and printing.

(D) Permissible exposure. The Permissible Exposure Limit (PEL) set by the standard is 50 micrograms of lead per cubic meter of air ($50 \mu\text{g}/\text{m}^3$), averaged over an eight-hour work day.

(E) Action level. The standard establishes an action level of 30 micrograms per cubic meter of air ($30 \mu\text{g}/\text{m}^3$) time weighted average, based on an eight-hour work day. The action level initiates several requirements of the standard, such as exposure monitoring, medical surveillance, and training and education.

(ii) Health hazard data.

(A) Ways in which lead enters your body.

(I) When absorbed into your body in certain doses lead is a toxic substance. The object of the lead standard is to prevent absorption of harmful quantities of lead. The standard is intended to protect you not only from the immediate toxic effects of lead, but also from the serious toxic effects that may not become apparent until years of exposure have passed.

(II) Lead can be absorbed into your body by inhalation (breathing) and ingestion (eating). Lead (except for certain organic lead compounds not covered by the standard, such as tetraethyl lead) is not absorbed through your skin. When lead is scattered in the air as a dust, fume or mist, it can be inhaled and absorbed through your lungs and upper respiratory tract. Inhalation of airborne lead is generally the most important

source of occupational lead absorption. You can also absorb lead through your digestive system if lead gets into your mouth and is swallowed. If you handle food, cigarettes, chewing tobacco, or make-up which have lead on them or handle them with hands contaminated with lead, this will contribute to ingestion.

(III) A significant portion of the lead that you inhale or ingest gets into your blood stream. Once in your blood stream lead is circulated throughout your body and stored in various organs and body tissues. Some of this lead is quickly filtered out of your body and excreted, but some remains in your blood and other tissue. As exposure to lead continues, the amount stored in your body will increase if you are absorbing more lead than your body is excreting. Even though you may not be aware of any immediate symptoms of disease, this lead stored in your tissues can be slowly causing irreversible damage, first to individual cells, then to your organs and whole body systems.

(B) Effects of overexposure to lead.

(I) Short-term (acute) overexposure. Lead is a potent, systemic poison that serves no known useful function once absorbed by your body. Taken in large enough doses, lead can kill you in a matter of days. A condition affecting the brain called acute encephalopathy may arise which develops quickly to seizures, coma, and death from cardiorespiratory arrest. A short-term dose of lead can lead to acute encephalopathy. Short-term occupational exposures of this magnitude are highly unusual, but not impossible. Similar forms of encephalopathy may, however arise from extended, chronic exposure to lower doses of lead. There is no sharp dividing line between rapidly developing acute effects of lead, and chronic effects which take longer to acquire. Lead adversely affects numerous body systems, and causes forms of health impairment and disease which arise after periods of exposure as short as days or as long as several years.

(II) Long-term (chronic) overexposure.

a) Chronic overexposure to lead may result in severe damage to your blood-forming, nervous, urinary and reproductive systems. Some common symptoms of chronic overexposure include loss of appetite, metallic taste in the mouth, anxiety, constipation, nausea, pallor, excessive tiredness, weakness, insomnia, headache, nervous irritability, muscle and joint pain or soreness, fine tremors, numbness, dizziness, hyperactivity and colic. In lead colic there may be severe abdominal pain.

b) Damage to the central nervous system in general and the brain (encephalopathy) in particular is one of the most severe forms of lead poisoning. The most severe, often fatal, form of encephalopathy may be preceded by vomiting, a feeling of dullness progressing to drowsiness and stupor, poor memory, restlessness, irritability, tremor, and convulsions. It may arise suddenly with the onset of seizures, followed by coma, and death. There is a tendency for muscular weakness to develop at the same time. This weakness may progress to paralysis often observed as a characteristic "wrist drop" or "foot drop" and is a manifestation of a disease to the nervous system called peripheral neuropathy.

c) Chronic overexposure to lead also results in kidney disease with few, if any, symptoms appearing until extensive and most likely permanent kidney damage has occurred.

Routine laboratory tests reveal the presence of this kidney disease only after about two-thirds of kidney function is lost. When overt symptoms of urinary dysfunction arise, it is often too late to correct or prevent worsening conditions, and progression of kidney dialysis or death is possible.

d) Chronic overexposure to lead impairs the reproductive systems of both men and women. Overexposure to lead may result in decreased sex drive, impotence and sterility in men. Lead can alter the structure of sperm cells raising the risk of birth defects. There is evidence of miscarriage and stillbirth in women whose husbands were exposed to lead or who were exposed to lead themselves. Lead exposure also may result in decreased fertility, and abnormal menstrual cycles in women. The course of pregnancy may be adversely affected by exposure to lead since lead crosses the placental barrier and poses risks to developing fetuses. Children born of parents either one of whom were exposed to excess lead levels are more likely to have birth defects, mental retardation, behavioral disorders or die during the first year of childhood.

e) Overexposure to lead also disrupts the blood-forming system resulting in decreased hemoglobin (the substance in the blood that carries oxygen to the cells) and ultimately anemia. Anemia is characterized by weakness, pallor and fatigability as a result of decreased oxygen carrying capacity in the blood.

(III) Health protection goals of the standard.

a) Prevention of adverse health effects for most workers from exposure to lead throughout a working lifetime requires that worker blood lead (PbB) levels be maintained at or below forty micrograms per one hundred grams of whole blood (40 $\mu\text{g}/100\text{g}$). The blood lead levels of workers (both male and female workers) who intend to have children should be maintained below 30 $\mu\text{g}/100\text{g}$ to minimize adverse reproductive health effects to the parents and to the developing fetus.

b) The measurement of your blood lead level is the most useful indicator of the amount of lead absorbed by your body. Blood lead levels (PbB) are most often reported in units of milligrams (mg) or micrograms (μg) of lead (1 mg=1000 μg) per 100 grams (100g), 100 milliliters (100 ml) or deciliter (dl) of blood. These three units are essentially the same. Sometimes PbB's are expressed in the form of mg% or $\mu\text{g}\%$. This is a shorthand notation for 100g, 100ml, or dl.

c) PbB measurements show the amount of lead circulating in your blood stream, but do not give any information about the amount of lead stored in your various tissues. PbB measurements merely show current absorption of lead, not the effect that lead is having on your body or the effects that past lead exposure may have already caused. Past research into lead-related diseases, however, has focused heavily on associations between PbBs and various diseases. As a result, your PbB is an important indicator of the likelihood that you will gradually acquire a lead-related health impairment or disease.

d) Once your blood lead level climbs above 40 $\mu\text{g}/100\text{g}$, your risk of disease increases. There is a wide variability of individual response to lead, thus it is difficult to say that a particular PbB in a given person will cause a particular effect.

Studies have associated fatal encephalopathy with PbBs as low as 150 $\mu\text{g}/100\text{g}$. Other studies have shown other forms of disease in some workers with PbBs well below 80 $\mu\text{g}/100\text{g}$. Your PbB is a crucial indicator of the risks to your health, but one other factor is extremely important. This factor is the length of time you have had elevated PbBs. The longer you have an elevated PbB, the greater the risk that large quantities of lead are being gradually stored in your organs and tissues (body burden). The greater your overall body burden, the greater the chances of substantial permanent damage.

e) The best way to prevent all forms of lead-related impairments and diseases—both short-term and long-term—is to maintain your PbB below 40 $\mu\text{g}/100\text{g}$. The provisions of the standard are designed with this end in mind. Your employer has prime responsibility to assure that the provisions of the standard are complied with both by the company and by individual workers. You as a worker, however, also have a responsibility to assist your employer in complying with the standard. You can play a key role in protecting your own health by learning about the lead hazards and their control, learning what the standard requires, following the standard where it governs your own action, and seeing that your employer complies with the provisions governing his actions.

(IV) Reporting signs and symptoms of health problems. You should immediately notify your employer if you develop signs or symptoms associated with lead poisoning or if you desire medical advice concerning the effects of current or past exposure to lead on your ability to have a healthy child. You should also notify your employer if you have difficulty breathing during a respirator fit test or while wearing a respirator. In each of these cases your employer must make available to you appropriate medical examinations or consultations. These must be provided at no cost to you and at a reasonable time and place.

(b) Appendix B. Employee Standard Summary. This appendix summarizes key provisions of the standard that you as a worker should become familiar with. The appendix discusses the entire standard.

(i) Permissible exposure limit (PEL). The standard sets a permissible exposure limit (PEL) of fifty micrograms of lead per cubic meter of air (50 $\mu\text{g}/\text{m}^3$), averaged over an eight-hour workday. This is the highest level of lead in air to which you may be permissibly exposed over an eight-hour workday. Since it is an eight-hour average it permits short exposures above the PEL so long as for each eight-hour workday your average exposure does not exceed the PEL.

(ii) Exposure monitoring.

(A) If lead is present in the work place where you work in any quantity, your employer is required to make an initial determination of whether the action level is exceeded for any employee. The initial determination must include instrument monitoring of the air for the presence of lead and must cover the exposure of a representative number of employees who are reasonably believed to have the highest exposure levels. If your employer has conducted appropriate air sampling for lead in the past year he may use these results. If there have been any employee complaints of symptoms which may be attributable to exposure to lead or if there is any other information or observations which would indicate employee expo-

sure to lead, this must also be considered as part of the initial determination. If this initial determination shows that a reasonable possibility exists that any employee may be exposed, without regard to respirators, over the action level (30 $\mu\text{g}/\text{m}^3$) your employer must set up an air monitoring program to determine the exposure level of every employee exposed to lead at your work place.

(B) In carrying out this air monitoring program, your employer is not required to monitor the exposure of every employee, but he or she must monitor a representative number of employees and job types. Enough sampling must be done to enable each employee's exposure level to be reasonably represented by at least one full shift (at least seven hours) air sample. In addition, these air samples must be taken under conditions which represent each employee's regular, daily exposure to lead.

(C) If you are exposed to lead and air sampling is performed, your employer is required to quickly notify you in writing of air monitoring results which represent your exposure. If the results indicate your exposure exceeds the PEL (without regard to your use of respirators), then your employer must also notify you of this in writing, and provide you with a description of the corrective action that will be taken to reduce your exposure.

(D) Your exposure must be rechecked by monitoring every six months if your exposure is over the action level but below the PEL. Air monitoring must be repeated every three months if you are exposed over the PEL. Your employer may discontinue monitoring for you if two consecutive measurements, taken at least two weeks apart, are below the action level. However, whenever there is a production, process, control, or personnel change at your work place which may result in new or additional exposure to lead, or whenever there is any other reason to suspect a change which may result in new or additional exposure to lead, your employer must perform additional monitoring.

(iii) Methods of compliance. Your employer is required to assure that no employee is exposed to lead in excess of the PEL. The standard establishes a priority of methods to be used to meet the PEL.

(iv) Respiratory protection.

(A) Your employer is required to provide and assure your use of respirators when your exposure to lead is not controlled below the PEL by other means. The employer must pay the cost of the respirator. Whenever you request one, your employer is also required to provide you a respirator even if your air exposure level does not exceed the PEL. You might desire a respirator when, for example, you have received medical advice that your lead absorption should be decreased. Or, you may intend to have children in the near future, and want to reduce the level of lead in your body to minimize adverse reproductive effects. While respirators are the least satisfactory means of controlling your exposure, they are capable of providing significant protection if properly chosen, fitted, worn, cleaned, maintained, and replaced when they stop providing adequate protection.

(B) Your employer is required to select respirators from the seven types listed in Table II of the respiratory protection section of this standard (see subsection (7)(c) of this section).

Any respirator chosen must be certified by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 42 CFR part 84. This respirator selection table will enable your employer to choose a type of respirator which will give you a proper amount of protection based on your airborne lead exposure. Your employer may select a type of respirator that provides greater protection than that required by the standard; that is, one recommended for a higher concentration of lead than is present in your work place. For example, a powered air purifying respirator (PAPR) is much more protective than a typical negative-pressure respirator, and may also be more comfortable to wear. A PAPR has a filter, cartridge or canister to clean the air, and a power source which continuously blows filtered air into your breathing zone. Your employer might make a PAPR available to you to ease the burden of having to wear a respirator for long periods of time. The standard provides that you can obtain a PAPR upon request.

(C) Your employer must also start a respiratory protection program. This program must include written procedures for the proper selection, use, cleaning, storage, and maintenance of respirators.

(D) Your employer must assure that your respirator facepiece fits properly. Proper fit of a respirator facepiece is critical to your protection against air borne lead. Obtaining a proper fit on each employee may require your employer to make available several different types of respirator masks. To ensure that your respirator fits properly and that facepiece leakage is minimal, your employer must give you either a qualitative or quantitative fit test as required in chapter 296-62 WAC, Part E.

(E) You must also receive from your employer proper training in the use of respirators. Your employer is required to teach you how to wear a respirator, to know why it is needed, and to understand its limitations.

(F) The standard provides that if your respirator uses filter elements, you must be given an opportunity to change the filter elements whenever an increase in breathing resistance is detected. You also must be permitted to periodically leave your work area to wash your face and respirator facepiece whenever necessary to prevent skin irritation. If you ever have difficulty breathing during a fit test or while using a respirator, your employer must make a medical examination available to you to determine whether you can safely wear a respirator. The result of this examination may be to give you a positive pressure respirator (which reduces breathing resistance) or to provide alternative means of protection.

(v) Protective work clothing and equipment. If you are exposed to lead above the PEL, or if you are exposed to lead compounds such as lead arsenate or lead azide which can cause skin and eye irritation, your employer must provide you with protective work clothing and equipment appropriate for the hazard. If work clothing is provided, it must be provided in a clean and dry condition at least weekly, and daily if your airborne exposure to lead is greater than 200 $\mu\text{g}/\text{m}^3$. Appropriate protective work clothing and equipment can include coveralls or similar full-body work clothing, gloves, hats, shoes or disposable shoe coverlets, and face shields or vented goggles. Your employer is required to provide all such

equipment at no cost to you. He or she is responsible for providing repairs and replacement as necessary and also is responsible for the cleaning, laundering or disposal of protective clothing and equipment. Contaminated work clothing or equipment must be removed in change rooms and not worn home or you will extend your exposure and expose your family since lead from your clothing can accumulate in your house, car, etc. Contaminated clothing which is to be cleaned, laundered or disposed of must be placed in closed containers in the change room. At no time may lead be removed from protective clothing or equipment by any means which disperses lead into the work room air.

(vi) Housekeeping. Your employer must establish a housekeeping program sufficient to maintain all surfaces as free as practicable of accumulations of lead dust. Vacuuming is the preferred method of meeting this requirement, and the use of compressed air to clean floors and other surfaces is absolutely prohibited. Dry or wet sweeping, shoveling, or brushing may not be used except where vacuuming or other equally effective methods have been tried and do not work. Vacuums must be used and emptied in a manner which minimizes the reentry of lead into the work place.

(vii) Hygiene facilities and practices.

(A) The standard requires that change rooms, showers and filtered air lunchrooms be constructed and made available to workers exposed to lead above the PEL. When the PEL is exceeded, the employer must assure that food and beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in these facilities. Change rooms, showers and lunchrooms, must be used by workers exposed in excess of the PEL. After showering, no clothing or equipment worn during the shift may be worn home and this includes shoes and underwear. Your own clothing worn during the shift should be carried home and cleaned carefully so that it does not contaminate your home. Lunchrooms may not be entered with protective clothing or equipment unless surface dust has been removed by vacuuming, downdraft booth or other cleaning methods. Finally, workers exposed above the PEL must wash both their hands and faces prior to eating, drinking, smoking or applying cosmetics.

(B) All of the facilities and hygiene practices just discussed are essential to minimize additional sources of lead absorption from inhalation or ingestion of lead that may accumulate on you, your clothes or your possessions. Strict compliance with these provisions can virtually eliminate several sources of lead exposure which significantly contribute to excessive lead absorption.

(viii) Medical surveillance.

(A) The medical surveillance program is part of the standard's comprehensive approach to the prevention of lead-related disease. Its purpose is to supplement the main thrust of the standard which is aimed at minimizing airborne concentrations of lead and sources of ingestion. Only medical surveillance can determine if the other provisions of the standard have effectively protected you as an individual. Compliance with the standard's provision will protect most workers from the adverse effects of lead exposure, but may not be satisfactory to protect individual workers (I) who have high body burdens of lead acquired over past years, (II) who have

additional uncontrolled sources of nonoccupational lead exposure, (III) who exhibit unusual variations in lead absorption rates, or (IV) who have specific nonwork related medical conditions which could be aggravated by lead exposure (e.g., renal disease, anemia). In addition, control systems may fail, or hygiene and respirator programs may be inadequate. Periodic medical surveillance of individual workers will help detect those failures. Medical surveillance will also be important to protect your reproductive ability - regardless of whether you are a man or a woman.

(B) All medical surveillance required by the standard must be performed by or under the supervision of a licensed physician. The employer must provide required medical surveillance without cost to employees and at a reasonable time and place. The standard's medical surveillance program has two parts - periodic biological monitoring, and medical examinations.

(C) Your employer's obligation to offer medical surveillance is triggered by the results of the air monitoring program. Medical surveillance must be made available to all employees who are exposed in excess of the action level for more than 30 days a year. The initial phase of the medical surveillance program, which included blood lead level tests and medical examinations, must be completed for all covered employees no later than 180 days from the effective date of this standard. Priority within this first round of medical surveillance must be given to employees whom the employer believes to be at greatest risk from continued exposure (for example, those with the longest prior exposure to lead, or those with the highest current exposure). Thereafter, the employer must periodically make medical surveillance - both biological monitoring and medical examinations - available to all covered employees.

(D) Biological monitoring under the standard consists of blood lead level (PbB) and zinc protoporphyrin tests at least every six months after the initial PbB test. A zinc protoporphyrin (ZPP) test is a very useful blood test which measures an effect of lead on your body. If a worker's PbB exceeds 40 $\mu\text{g}/100\text{g}$, the monitoring frequency must be increased from every six months to at least every two months and not reduced until two consecutive PbBs indicate a blood lead level below 40 $\mu\text{g}/100\text{g}$. Each time your PbB is determined to be over 40 $\mu\text{g}/100\text{g}$, your employer must notify you of this in writing within five working days of the receipt of the test results. The employer must also inform you that the standard requires temporary medical removal with economic protection when your PbB exceeds certain criteria (see Discussion of Medical Removal Protection - subsection (12)). During the first year of the standard, this removal criterion is 80 $\mu\text{g}/100\text{g}$. Anytime your PbB exceeds 80 $\mu\text{g}/100\text{g}$ your employer must make available to you a prompt follow-up PbB test to ascertain your PbB. If the two tests both exceed 80 $\mu\text{g}/100\text{g}$ and you are temporarily removed, then your employer must make successive PbB tests available to you on a monthly basis during the period of your removal.

(E) Medical examinations beyond the initial one must be made available on an annual basis if your blood lead levels exceeds 40 $\mu\text{g}/100\text{g}$ at any time during the preceding year. The initial examination will provide information to establish

a baseline to which subsequent data can be compared. An initial medical examination must also be made available (prior to assignment) for each employee being assigned for the first time to an area where the airborne concentration of lead equals or exceeds the action level. In addition, a medical examination or consultation must be made available as soon as possible if you notify your employer that you are experiencing signs or symptoms commonly associated with lead poisoning or that you have difficulty breathing while wearing a respirator or during a respirator fit test. You must also be provided a medical examination or consultation if you notify your employer that you desire medical advice concerning the effects of current or past exposure to lead on your ability to procreate a healthy child.

(F) Finally, appropriate follow-up medical examinations or consultations may also be provided for employees who have been temporarily removed from exposure under the medical removal protection provisions of the standard (see item (ix) below).

(G) The standard specifies the minimum content of pre-assignment and annual medical examinations. The content of other types of medical examinations and consultations is left up to the sound discretion of the examining physician. Pre-assignment and annual medical examinations must include (I) a detailed work history and medical history, (II) a thorough physical examination, and (III) a series of laboratory tests designed to check your blood chemistry and your kidney function. In addition, at any time upon your request, a laboratory evaluation of male fertility will be made (microscopic examination of a sperm sample), or a pregnancy test will be given.

(H) The standard does not require that you participate in any of the medical procedures, tests, etc., which your employer is required to make available to you. Medical surveillance can, however, play a very important role in protecting your health. You are strongly encouraged, therefore, to participate in a meaningful fashion. Generally, your employer will choose the physician who conducts medical surveillance under the lead standard - unless you and your employer can agree on the choice of a physician or physicians. Some companies and unions have agreed in advance, for example, to use certain independent medical laboratories or panels of physicians. Any of these arrangements are acceptable so long as required medical surveillance is made available to workers.

(I) The standard requires your employer to provide certain information to a physician to aid in his or her examination of you. This information includes (I) the standard and its appendices, (II) a description of your duties as they relate to lead exposure, (III) your exposure level, (IV) a description of personal protective equipment you wear, (V) prior blood level results, and (VI) prior written medical opinions concerning you that the employer has. After a medical examination or consultation the physician must prepare a written report which must contain (I) the physician's opinion as to whether you have any medical conditions which places you at increased risk of material impairment to health from exposure to lead, (II) any recommended special protective measures to be provided to you, (III) any blood lead level determinations, and (IV) any recommended limitation on your use

of respirators. This last element must include a determination of whether you can wear a powered air purifying respirator (PAPR) if you are found unable to wear a negative pressure respirator.

(J) The medical surveillance program of the lead standard may at some point in time serve to notify certain workers that they have acquired a disease or other adverse medical condition as a result of occupational lead exposure. If this is true these workers might have legal rights to compensation from public agencies, their employers, firms that supply hazardous products to their employers, or other persons. Some states have laws, including worker compensation laws, that disallow a worker to learn of a job-related health impairment to sue, unless the worker sues within a short period of time after learning of the impairment. (This period of time may be a matter of months or years.) An attorney can be consulted about these possibilities. It should be stressed that WISHA is in no way trying to either encourage or discourage claims or lawsuits. However, since results of the standard's medical surveillance program can significantly affect the legal remedies of a worker who has acquired a job-related disease or impairment, it is proper for WISHA to make you aware of this.

(K) The medical surveillance section of the standard also contains provisions dealing with chelation. Chelation is the use of certain drugs (administered in pill form or injected into the body) to reduce the amount of lead absorbed in body tissues. Experience accumulated by the medical and scientific communities has largely confirmed the effectiveness of this type of therapy for the treatment of very severe lead poisoning. On the other hand it has also been established that there can be a long list of extremely harmful side effects associated with the use of chelating agents. The medical community has balanced the advantages and disadvantages resulting from the use of chelating agents in various circumstances and has established when the use of these agents is acceptable. The standard includes these accepted limitations due to a history of abuse of chelation therapy by some lead companies. The most widely used chelating agents are calcium disodium EDTA, (Ca Na₂EDTA), Calcium Disodium Versenate (Versenate), and d-penicillamine (penicillamine or Cupramine).

(L) The standard prohibits "prophylactic chelation" of any employee by any person the employer retains, supervises or controls. "Prophylactic chelation" is the routine use of chelating or similarly acting drugs to prevent elevated blood levels in workers who are occupationally exposed to lead, or the use of these drugs to routinely lower blood lead levels to predesignated concentrations believed to be safe. It should be emphasized that where an employer takes a worker who has no symptoms of lead poisoning and has chelation carried out by a physician (either inside or outside of a hospital) solely to reduce the worker's blood lead level, that will generally be considered prophylactic chelation. The use of a hospital and a physician does not mean that prophylactic chelation is not being performed. Routine chelation to prevent increased or reduce current blood lead levels is unacceptable whatever the setting.

(M) The standard allows the use of "therapeutic" or "diagnostic" chelation if administered under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring. Therapeutic chelation responds to severe lead poisoning where there are marked symptoms. Diagnostic chelation, involves giving a patient a dose of the drug then collecting all urine excreted for some period of time as an aid to the diagnosis of lead poisoning.

(N) In cases where the examining physician determines that chelation is appropriate, you must be notified in writing of this fact before such treatment. This will inform you of a potentially harmful treatment, and allow you to obtain a second opinion.

(ix) Medical removal protection.

(A) Excessive lead absorption subjects you to increased risk of disease. Medical removal protection (MRP) is a means of protecting you when for whatever reasons, other methods, such as engineering controls, work practices, and respirators, have failed to provide the protection you need. MRP involves the temporary removal of a worker from his or her regular job to a place of significantly lower exposure without any loss of earnings, seniority, or other employment rights or benefits. The purpose of this program is to cease further lead absorption and allow your body to naturally excrete lead which has previously been absorbed. Temporary medical removal can result from an elevated blood lead level, or a medical opinion. Up to eighteen months of protection is provided as a result of either form of removal. The vast majority of removed workers, however, will return to their former jobs long before this eighteen month period expires. The standard contains special provisions to deal with the extraordinary but possible case where a long-term worker's blood lead level does not adequately decline during eighteen months of removal.

(B) During the first year of the standard, if your blood lead level is 80 µg/100g or above you must be removed from any exposure where your air lead level without a respirator would be 100 µg/m³ or above. If you are removed from your normal job you may not be returned until your blood lead level declines to at least 60 µg/100g. These criteria for removal and return will change according to the following schedule:

TABLE 1

Effective Date	Removal Blood Level (µg/100g)	Air Lead (µg/m ³)	Return Blood Lead (µg/100g)
9/6/81	At or above 70	50 or above	At or below 50
9/6/82	At or above 60	30 or above	At or below 40
9/6/84	At or above 50 averaged over six months	30 or above	At or below 40

(C) You may also be removed from exposure even if your blood lead levels are below these criteria if a final medical determination indicates that you temporarily need reduced lead exposure for medical reasons. If the physician who is implementing your employer's medical program makes a final written opinion recommending your removal or other special protective measures, your employer must

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implement the physician's recommendation. If you are removed in this manner, you may only be returned when the physician indicates it is safe for you to do so.

(D) The standard does not give specific instructions dealing with what an employer must do with a removed worker. Your job assignment upon removal is a matter for you, your employer and your union (if any) to work out consistent with existing procedures for job assignments. Each removal must be accomplished in a manner consistent with existing collective bargaining relationships. Your employer is given broad discretion to implement temporary removals so long as no attempt is made to override existing agreements. Similarly, a removed worker is provided no right to veto an employer's choice which satisfies the standard.

(E) In most cases, employers will likely transfer removed employees to other jobs with sufficiently low lead exposure. Alternatively, a worker's hours may be reduced so that the time weighted average exposure is reduced, or he or she may be temporarily laid off if no other alternative is feasible.

(F) In all of these situations, MRP benefits must be provided during the period of removal - i.e., you continue to receive the same earnings, seniority, and other rights and benefits you would have had if you had not been removed. Earnings include more than just your base wage; it includes overtime, shift differentials, incentives, and other compensation you would have earned if you had not been removed. During the period of removal you must also be provided with appropriate follow-up medical surveillance. If you were removed because your blood lead level was too high, you must be provided with a monthly blood test. If a medical opinion caused your removal, you must be provided medical tests or examinations that the physician believes to be appropriate. If you do not participate in this follow-up medical surveillance, you may lose your eligibility for MRP benefits.

(G) When you are medically eligible to return to your former job, your employer must return you to your "former job status." This means that you are entitled to the position, wages, benefits, etc., you would have had if you had not been removed. If you would still be in your old job if no removal had occurred, that is where you go back. If not, you are returned consistent with whatever job assignment discretion your employer would have had if no removal had occurred. MRP only seeks to maintain your rights, not expand them or diminish them.

(H) If you are removed under MRP and you are also eligible for worker compensation or other compensation for lost wages, your employer's MRP benefits obligation is reduced by the amount that you actually receive from these other sources. This is also true if you obtain other employment during the time you are laid off with MRP benefits.

(I) The standard also covers situations where an employer voluntarily removes a worker from exposure to lead due to the effects of lead on the employee's medical condition, even though the standard does not require removal. In these situations MRP benefits must still be provided as though the standard required removal. Finally, it is important to note that in all cases where removal is required, respirators cannot be used as a substitute. Respirators may be used before removal becomes necessary, but not as an alternative

to a transfer to a low exposure job, or to a lay-off with MRP benefits.

(x) Employee information and training.

(A) Your employer is required to provide an information and training program for all employees exposed to lead above the action level or who may suffer skin or eye irritation from lead. This program must inform these employees of the specific hazards associated with their work environment, protective measures which can be taken, the danger of lead to their bodies (including their reproductive systems), and their rights under the standard. In addition, your employer must make readily available to all employees, including those exposed below the action level, a copy of the standard and its appendices and must distribute to all employees any materials provided to the employer under the Washington Industrial Safety and Health Act (WISHA).

(B) Your employer is required to complete this training for all employees by March 4, 1981. After this date, all new employees must be trained prior to initial assignment to areas where there is possibility of exposure over the action level. This training program must also be provided at least annually thereafter.

(xi) Signs. The standard requires that the following warning sign be posted in work areas where the exposure to lead exceeds the PEL:

WARNING
LEAD WORK AREA
NO SMOKING OR EATING

(xii) Recordkeeping.

(A) Your employer is required to keep all records of exposure monitoring for airborne lead. These records must include the name and job classification of employees measured, details of the sampling and analytic techniques, the results of this sampling and the type of respiratory protection being worn by the person sampled. Your employer is also required to keep all records of biological monitoring and medical examination results. These must include the names of the employees, the physician's written opinion and a copy of the results of the examination. All of the above kinds of records must be kept for 40 years, or for at least 20 years after your termination of employment, whichever is longer.

(B) Recordkeeping is also required if you are temporarily removed from your job under the MRP program. This record must include your name and social security number, the date of your removal and return, how the removal was or is being accomplished, and whether or not the reason for the removal was an elevated blood lead level. Your employer is required to keep each medical removal record only for as long as the duration of an employee's employment.

(C) The standard requires that if you request to see or copy environmental monitoring, blood lead level monitoring, or medical removal records, they must be made available to you or to a representative that you authorize. Your union also has access to these records. Medical records other than PbBs must also be provided to you upon request, to your physician or to any other person whom you may specifically designate. Your union does not have access to your personal medical records unless you authorize their access.

(xiii) Observations of monitoring. When air monitoring for lead is performed at your work place as required by this standard, your employer must allow you or someone you designate to act as an observer of the monitoring. Observers are entitled to an explanation of the measurement procedure, and to record the results obtained. Since results will not normally be available at the time of the monitoring, observers are entitled to record or receive the results of the monitoring when returned by the laboratory. Your employer is required to provide the observer with any personal protective devices required to be worn by employees working in the areas that is being monitored. The employer must require the observer to wear all such equipment and to comply with all other applicable safety and health procedures.

(xiv) Effective date. The standard's effective date is September 6, 1980, and the employer's obligation under the standard begin to come into effect as of that date. The standard was originally adopted as WAC 296-62-07349 and later recodified to WAC 296-62-07521.

(c) Appendix C. Medical Surveillance Guidelines.

(i) Introduction.

(A) The primary purpose of the Washington Industrial Safety and Health Act of 1973 is to assure, so far as possible, safe and healthful working conditions for every working man and woman. The occupational health standard for inorganic lead* was promulgated to protect workers exposed to inorganic lead including metallic lead, all inorganic lead compounds and organic lead soaps.

*The term inorganic lead used throughout the medical surveillance appendices is meant to be synonymous with the definition of lead set forth in the standard.

(B) Under this final standard in effect as of September 6, 1980, occupational exposure to inorganic lead is to be limited to 50 µg/m³ (micrograms per cubic meter) based on an eight-hour time-weighted average (TWA). This level of exposure eventually must be achieved through a combination of engineering, work practice and other administrative controls. Periods of time ranging from one to ten years are provided for different industries to implement these controls which are based on individual industry considerations. Until these controls are in place, respirators must be used to meet the 50 µg/m³ exposure limit.

(C) The standard also provides for a program of biological monitoring and medical surveillance for all employees exposed to levels of inorganic lead above the action level of 30 µg/m³ for more than thirty days per year.

(D) The purpose of this document is to outline the medical surveillance provisions of the standard for inorganic lead, and to provide further information to the physician regarding the examination and evaluation of workers exposed to inorganic lead.

(E) Item (ii) provides a detailed description of the monitoring procedure including the required frequency of blood testing for exposed workers, provisions for medical removal protection (MRP), the recommended right of the employee to a second medical opinion, and notification and recordkeeping requirements of the employer. A discussion of the requirements for respirator use and respirator monitoring and

WISHA's position on prophylactic chelation therapy are also included in this section.

(F) Item (iii) discusses the toxic effects and clinical manifestations of lead poisoning and effects of lead intoxication on enzymatic pathways in heme synthesis. The adverse effects on both male and female reproductive capacity and on the fetus are also discussed.

(G) Item (iv) outlines the recommended medical evaluation of the worker exposed to inorganic lead including details of the medical history, physical examination, and recommended laboratory tests, which are based on the toxic effects of lead as discussed in item (ii).

(H) Item (v) provides detailed information concerning the laboratory tests available for the monitoring of exposed workers. Included also is a discussion of the relative value of each test and the limitations and precautions which are necessary in the interpretation of the laboratory results.

(I) Airborne levels to be achieved without reliance or respirator protection through a combination of engineering and work practice or other administrative controls are illustrated in the following table:

Industry	Permissible Lead Level/Compliance Date		
	200µg/m ³	100µg/m ³	50µg/m ³
Primary Lead Production	1973	06/29/84	06/29/91
Secondary Lead Production	1973	06/29/84	06/29/91
Lead Acid Battery Manufacturing	1973	06/29/83	06/29/91
Automobile Mfg./Solder, Grinding	1973	N/A	03/08/97
Electronics, Gray Iron Foundries, Ink Mfg., Paints and Coatings Mfg., Can Mfg., Wallpaper Mfg., and Printing.	1973	N/A	06/29/91
Lead Chemical Mfg., Non-ferrous Foundries, Leaded Steel Mfg., Battery Breaking in the Collection and Processing of Scrap (when not a part of secondary lead smelter) Secondary Copper Smelter, Brass and Bronze Ingot Production.	1973	N/A	N/A ^{1*}
All Other Industries	1973	N/A	09/08/92

* Feasibility of achieving the PEL by engineering and work practice controls for these industries has yet to be resolved in court, therefore no date has been scheduled.

(ii) Medical surveillance and monitoring requirements for workers exposed to inorganic lead.

(A) Under the occupational health standard for inorganic lead, a program of biological monitoring and medical surveillance is to be made available to all employees exposed to lead above the action level of 30 µg/m³ TWA for more than thirty days each year. This program consists of periodic blood sampling and medical evaluation to be performed on a schedule which is defined by previous laboratory results, worker complaints or concerns, and the clinical assessment of the examining physician.

(B) Under this program, the blood lead level of all employees who are exposed to lead above the action level of

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30 µg/m³ is to be determined at least every six months. The frequency is increased to every two months for employees whose last blood lead level was between 40 µg/100g whole blood and the level requiring employee medical removal to be discussed below. For employees who are removed from exposure to lead due to an elevated blood lead, a new blood lead level must be measured monthly. Zinc protoporphyrin (ZPP) measurement is required on each occasion that a blood lead level measurement is made.

(C) An annual medical examination and consultation performed under the guidelines discussed in item (iv) is to be made available to each employee for whom a blood test conducted at any time during the preceding twelve months indicated a blood lead level at or above 40 µg/100g. Also, an examination is to be given to all employees prior to their assignment to an area in which airborne lead concentrations reach or exceed the action level. In addition, a medical examination must be provided as soon as possible after notification by an employee that the employee has developed signs or symptoms commonly associated with lead intoxication, that

the employee desires medical advice regarding lead exposure and the ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during respirator use. An examination is also to be made available to each employee removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited or specially protected pursuant to medical recommendations.

(D) Results of biological monitoring or the recommendations of an examining physician may necessitate removal of an employee from further lead exposure pursuant to the standard's medical removal program (MRP). The object of the MRP program is to provide temporary medical removals to workers either with substantially elevated blood lead levels or otherwise at risk of sustaining material health impairment from continued substantial exposure to lead. The following guidelines which are summarized in Table 10 were created under the standard for the temporary removal of an exposed employee and his or her subsequent return to work in an exposure area.

TABLE 10

		EFFECTIVE DATE				
		Sept. 6, 1980	Sept. 6, 1981	Sept. 6, 1982	Sept. 6, 1983	Sept. 6, 1984
A.	Blood lead level requiring employee medical removal (level must be confirmed with second follow-up blood lead level within two weeks of first report).	>80 µg/100g.	>70 µg/100g.	>60 µg/100g.	>60 µg/100g.	>60 µg/100g or average of last three blood samples or all blood samples over previous 6 months (whichever is over a longer time period) is 50 µg/100g. or greater unless last sample is 40 µg/100g or less.
B.	Frequency which employees exposed is action level of lead (30 µg/m ³ TWA) must have blood lead level checked. (ZPP is also required in each occasion that a blood test is obtained):					
1.	Last blood lead level less than 40 µg/100g	Every 6 months.	Every 6 months.	Every 6 months.	Every 6 months.	Every 6 months.
2.	Last blood lead level between 40 µg/100g and level requiring medical removal (see A above)	Every 2 months.	Every 2 months.	Every 2 months.	Every 2 months.	Every 2 months.
3.	Employees removed from exposure to lead because of an elevated blood lead level	Every 1 month.	Every 1 month.	Every 1 month.	Every 1 month.	Every 1 month.
C.	Permissible airborne exposure limit for workers removed from work due to an elevated blood lead level (without regard to respirator protection).	100 µg/m ³ 8 hr TWA	50 µg/m ³ 8 hr TWA	30 µg/m ³ 8 hr TWA	30 µg/m ³ 8 hr TWA	30 µg/m ³ 8 hr TWA

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TABLE 10

		EFFECTIVE DATE				
		Sept. 6, 1980	Sept. 6, 1981	Sept. 6, 1982	Sept. 6, 1983	Sept. 6, 1984
D.	Blood lead level confirmed with a second blood analysis, at which employee may return to work. Permissible exposure without regard to respirator protection is listed by industry in Table 1.	60 µg/100g	50 µg/100g	40 µg/100g	40 µg/100g	40 µg/100g

Note: Where medical opinion indicates that an employee is at risk of material impairment from exposure to lead, the physician can remove an employee from exposure exceeding the action level (or less) or recommend special protective measures as deemed appropriate and necessary. Medical monitoring during the medical removal period can be more stringent than noted in the table above if the physician so specifies. Return to work or removal of limitations and special protections is permitted when the physician indicates that the worker is no longer at risk of material impairment.

(E) Under the standard's ultimate worker removal criteria, a worker is to be removed from any work having any eight-hour TWA exposure to lead of 30 µg/m³ or more whenever either of the following circumstances apply. (I) a blood lead level of 60 µg/100g or greater is obtained and confirmed by a second follow-up blood lead level performed within two weeks after the employer receives the results of the first blood sample test, or (II) the average of the previous three blood lead determinations or the average of all blood lead determinations conducted during the previous six months, whichever encompasses the longest time period, equals or exceeds 50 µg/100g, unless the last blood sample indicates a blood lead level at or below 40 µg/100g, in which case the employee need not be removed. Medical removal is to continue until two consecutive blood lead levels are 40 µg/100g or less.

(F) During the first two years that the ultimate removal criteria are being phased in, the return criteria have been set to assure that a worker's blood lead level has substantially declined during the period of removal. From March 1, 1979, to March 1, 1980, the blood lead level requiring employee medical removal is 80 µg/100g. Workers found to have a confirmed blood lead at this level or greater need only be removed from work having a daily eight hour TWA exposure to lead at or above 100 µg/m³. Workers so removed are to be returned to work when their blood lead levels are at or below 60 µg/100g of whole blood. From March 1, 1980, to March 1, 1981, the blood lead level requiring medical removal is 70 µg/100g. During this period workers need only be removed from jobs having a daily eight hour TWA exposure to lead at or above 50 µg/m³ and are to be returned to work when a level of 50 µg/100g is achieved. Beginning March 1, 1981, return depends on the worker's blood lead level declining to 40 µg/100g of whole blood.

(G) As part of the standard, the employer is required to notify in writing each employee whose whole blood lead level exceeds 40 µg/100g. In addition, each such employee is to be informed that the standard requires medical removal with MRP benefits, discussed below, when an employee's blood lead level exceeds the above defined limits.

(H) In addition to the above blood lead level criteria, temporary worker removal may also take place as a result of

medical determinations and recommendations. Written medical opinions must be prepared after each examination pursuant to the standard. If the examining physician includes medical finding, determination or opinion that the employee has a medical condition which places the employee at increased risk of material health impairment from exposure to lead, then the employee must be removed from exposure to lead at or above the action level. Alternatively, if the examining physician recommends special protective measures for an employee (e.g., use of a powered air purifying respirator) or recommends limitations on an employee's exposure to lead, then the employer must implement these recommendations. Recommendations may be more stringent than the specific provisions of the standard. The examining physician, therefore, is given broad flexibility to tailor special protective procedures to the needs of individual employees. This flexibility extends to the evaluation and management of pregnant workers and male and female workers who are planning to conceive children. Based on the history, physical examination, and laboratory studies, the physician might recommend special protective measures or medical removal for an employee who is pregnant or who is planning to conceive a child when, in the physician's judgment, continued exposure to lead at the current job would pose a significant risk. The return of the employee to his or her former job status, or the removal of special protections or limitations, depends upon the examining physician determining that the employee is no longer at increased risk of material impairment or that the special measures are no longer needed.

(I) During the period of any form of special protection or removal, the employer must maintain the worker's earnings, seniority, and other employment rights and benefits (as though the worker has not been removed) for a period of up to eighteen months. This economic protection will maximize meaningful worker participation in the medical surveillance program, and is appropriate as part of the employer's overall obligation to provide a safe and healthful work place. The provisions of MRP benefits during the employee's removal period may, however, be conditioned upon participation in medical surveillance.

(J) On rare occasions, an employee's blood lead level may not acceptably decline within eighteen months of removal. This situation will arise only in unusual circum-

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stances, thus the standard relies on an individual medical examination to determine how to protect such an employee. This medical determination is to be based on both laboratory values, including lead levels, zinc protoporphyrin levels, blood counts, and other tests felt to be warranted, as well as the physician's judgment that any symptoms or findings on physical examination are a result of lead toxicity. The medical determination may be that the employee is incapable of ever safely returning to his or her former job status. The medical determination may provide additional removal time past eighteen months for some employees or specify special protective measures to be implemented.

(K) The lead standard provides for a multiple physician review in cases where the employee wishes a second opinion concerning potential lead poisoning or toxicity. If an employee wishes a second opinion, he or she can make an appointment with a physician of his or her choice. This second physician will review the findings, recommendations or determinations of the first physician and conduct any examinations, consultations or tests deemed necessary in an attempt to make a final medical determination. If the first and second physicians do not agree in their assessment they must try to resolve their differences. If they cannot reach an agreement then they must designate a third physician to resolve the dispute.

(L) The employer must provide examining and consulting physicians with the following specific information: A copy of the lead regulations and all appendices, a description of the employee's duties as related to exposure, the exposure level to lead and any other toxic substances (if applicable), a description of personal protective equipment used, blood lead levels, and all prior written medical opinions regarding the employee in the employer's possession or control. The employer must also obtain from the physician and provide the employee with a written medical opinion containing blood lead levels, the physician's opinion as to whether the employee is at risk of material impairment to health, any recommended protective measures for the employee if further exposure is permitted, as well as any recommended limitations upon an employee's use of respirators.

(M) Employers must instruct each physician not to reveal to the employer in writing or in any other way his or her findings, laboratory results, or diagnoses which are felt to be unrelated to occupational lead exposure. They must also instruct each physician to advise the employee of any occupationally or nonoccupationally related medical condition requiring further treatment or evaluation.

(N) The standard provides for the use of respirators when engineering and other primary controls have not been fully implemented. However, the use of respirator protection shall not be used in lieu of temporary medical removal due to elevated blood lead levels or findings that an employee is at risk of material health impairment. This is based on the numerous inadequacies of respirators including skin rash where the facepiece makes contact with the skin, unacceptable stress to breathing in some workers with underlying cardiopulmonary impairment, difficulty in providing adequate fit, the tendency for respirators to create additional hazards by interfering with vision, hearing, and mobility, and the difficulties of assuring the maximum effectiveness of a complicated work practice

program involving respirators. Respirators do, however, serve a useful function where engineering and work practice are inadequate by providing interim or short-term protection, provided they are properly selected for the environment in which the employee will be working, properly fitted to the employee, maintained and cleaned periodically, and worn by the employee when required.

(O) In its final standard on occupational exposure to inorganic lead, WISHA has prohibited prophylactic chelation. Diagnostic and therapeutic chelation are permitted only under the supervision of a licensed physician with appropriate medical monitoring in an acceptable clinical setting. The decision to initiate chelation therapy must be made on an individual basis and take into account the severity of symptoms felt to be a result of lead toxicity along with blood lead levels, ZPP levels and other laboratory tests as appropriate. EDTA and penicillamine, which are the primary chelating agents used in the therapy of occupational lead poisoning, have significant potential side effects and their use must be justified on the basis of expected benefits to the worker.

(P) Unless frank and severe symptoms are present, therapeutic chelation is not recommended given the opportunity to remove a worker from exposure and allow the body to naturally excrete accumulated lead. As a diagnostic aid, the chelation mobilization test using CA-EDTA has limited applicability. According to some investigators, the tests can differentiate between lead-induced and other nephropathies. The test may also provide an estimation of the mobile fraction of the total body lead burden.

(Q) Employers are required to assure that accurate records are maintained on exposure monitoring, medical surveillance, and medical removal for each employee. Exposure monitoring and medical surveillance records must be kept for forty years or the duration of employment plus twenty years, whichever is longer, while medical removal records must be maintained for the duration of employment. All records required under the standard must be made available upon request to representatives of the director of the department of labor and industries. Employers must also make environmental and biological monitoring and medical removal records available to affected employees and to former employees or their authorized employee representatives. Employees or their specifically designated representatives have access to their entire medical surveillance records.

(R) In addition, the standard requires that the employer inform all workers exposed to lead at or above the action level of the provisions of the standard and all its appendices, the purpose and description of medical surveillance and provisions for medical removal protection if temporary removal is required. An understanding of the potential health effects of lead exposure by all exposed employees along with full understanding of their rights under the lead standard is essential for an effective monitoring program.

(iii) Adverse health effects of inorganic lead.

(A) Although the toxicity of lead has been known for 2,000 years, the knowledge of the complex relationship between lead exposure and human response is still being refined. Significant research into the toxic properties of lead continues throughout the world, and it should be anticipated that our understanding of thresholds of effects and margins of

safety will be improved in future years. The provisions of the lead standard are founded on two prime medical judgments; first, the prevention of adverse health effects from exposure to lead throughout a working lifetime requires that worker blood lead levels be maintained at or below 40 $\mu\text{g}/100\text{g}$, and second, the blood lead levels of workers, male or female, who intend to parent in the near future should be maintained below 30 $\mu\text{g}/100\text{g}$ to minimize adverse reproduction health effects to the parent and developing fetus. The adverse effects of lead on reproduction are being actively researched and WISHA encourages the physician to remain abreast of recent developments in the area to best advise pregnant workers or workers planning to conceive children.

(B) The spectrum of health effects caused by lead exposure can be sub-divided into five developmental states; normal, physiological changes of uncertain significance, pathophysiological changes, overt symptoms (morbidity), and mortality. Within this process there are no sharp distinctions, but rather a continuum of effects. Boundaries between categories overlap due to the wide variation of individual responses and exposures in the working population. WISHA's development of the lead standard focused on pathophysiological changes as well as later stages of disease.

(I) Heme synthesis inhibition.

a) The earliest demonstrated effect of lead involves its ability to inhibit at least two enzymes of the heme synthesis pathway at very low blood levels. Inhibition of delta aminolevulinic acid dehydrase (ALA-D) which catalyzes the conversion of delta-aminolevulinic acid (ALA) to protoporphyrin is observed at a blood lead level below 20 $\mu\text{g}/100\text{g}$ whole blood. At a blood lead level of 40 $\mu\text{g}/100\text{g}$, more than twenty percent of the population would have seventy percent inhibition of ALA-D. There is an exponential increase in ALA excretion at blood lead levels greater than 40 $\mu\text{g}/100\text{g}$.

b) Another enzyme, ferrochelatase, is also inhibited at low blood lead levels. Inhibition of ferrochelatase leads to increased free erythrocyte protoporphyrin (FEP) in the blood which can then bind to zinc to yield zinc protoporphyrin. At a blood lead level of 50 $\mu\text{g}/100\text{g}$ or greater, nearly 100 percent of the population will have an increase FEP. There is also an exponential relationship between blood lead levels greater than 40 $\mu\text{g}/100\text{g}$ and the associated ZPP level, which has led to the development of the ZPP screening test for lead exposure.

c) While the significance of these effects is subject to debate, it is WISHA's position that these enzyme disturbances are early stages of a disease process which may eventually result in the clinical symptoms of lead poisoning. Whether or not the effects do progress to the later stages of clinical disease, disruption of these enzyme processes over a working lifetime is considered to be a material impairment of health.

d) One of the eventual results of lead-induced inhibition of enzymes in the heme synthesis pathway is anemia which can be asymptomatic if mild but associated with a wide array of symptoms including dizziness, fatigue, and tachycardia when more severe. Studies have indicated that lead levels as low as 50 $\mu\text{g}/100\text{g}$ can be associated with a definite decreased hemoglobin, although most cases of lead-induced anemia, as

well as shortened red-cell survival times, occur at lead levels exceeding 80 $\mu\text{g}/100\text{g}$. Inhibited hemoglobin synthesis is more common in chronic cases whereas shortened erythrocyte life span is more common in acute cases.

e) In lead-induced anemias, there is usually a reticulocytosis along with the presence of basophilic stippling, and ringed sideroblasts, although none of the above are pathognomonic for lead-induced anemia.

(II) Neurological effects.

a) Inorganic lead had been found to have toxic effects on both the central and peripheral nervous systems. The earliest stage of lead-induced central nervous system effects first manifest themselves in the form of behavioral disturbances and central nervous system symptoms including irritability, restlessness, insomnia and other sleep disturbances, fatigue, vertigo, headache, poor memory, tremor, depression, and apathy. With more severe exposure, symptoms can progress to drowsiness, stupor, hallucinations, delirium, convulsions and coma.

b) The most severe and acute form of lead poisoning which usually follows ingestion or inhalation of large amounts of lead is acute encephalopathy which may arise precipitously with the onset of intractable seizures, coma, cardiorespiratory arrest, and death within 48 hours.

c) While there is disagreement about what exposure levels are needed to produce the earliest symptoms, most experts agree that symptoms definitely can occur at blood lead levels of 60 $\mu\text{g}/100\text{g}$ whole blood and therefore recommend a 40 $\mu\text{g}/100\text{g}$ maximum. The central nervous system effects frequently are not reversible following discontinued exposure or chelation therapy and when improvement does occur, it is almost always only partial.

d) The peripheral neuropathy resulting from lead exposure characteristically involves only motor function with minimal sensory damage and has a marked predilection for the extensor muscles of the most active extremity. The peripheral neuropathy can occur with varying degrees of severity. The earliest and mildest form which can be detected in workers with blood lead levels as low as 50 $\mu\text{g}/100\text{g}$ is manifested by slowing or motor nerve conduction velocity often without clinical symptoms. With progression of the neuropathy there is development of painless extensor muscle weakness usually involving the extensor muscles of the fingers and hand in the most active upper extremity, followed in severe cases by wrist drop, much less commonly, foot drop.

e) In addition to slowing of nerve conduction, electromyographical studies in patients with blood lead levels greater than 50 $\mu\text{g}/100\text{g}$ have demonstrated a decrease in the number of acting motor unit potentials, an increase in the duration of motor unit potentials, and spontaneous pathological activity including fibrillations and fasciculation. Whether these effects occur at levels of 40 $\mu\text{g}/100\text{g}$ is undetermined.

f) While the peripheral neuropathies can occasionally be reversed with therapy, again such recovery is not assured particularly in the more severe neuropathies and often improvement is only partial. The lack of reversibility is felt to be due in part to segmental demyelination.

(III) Gastrointestinal. Lead may also effect the gastrointestinal system producing abdominal colic or diffuse

abdominal pain, constipation, obstipation, diarrhea, anorexia, nausea and vomiting. Lead colic rarely develops at blood lead levels below 80 µg/100g.

(IV) Renal.

a) Renal toxicity represents one of the most serious health effects of lead poisoning. In the early stages of disease nuclear inclusion bodies can frequently be identified in proximal renal tubular cells. Renal functions remain normal and the changes in this stage are probably reversible. With more advanced disease there is progressive interstitial fibrosis and impaired renal function. Eventually extensive interstitial fibrosis ensues with sclerotic glomeruli and dilated and atrophied proximal tubules; all represent end stage kidney disease. Azotemia can be progressive, eventually resulting in frank uremia necessitating dialysis. There is occasionally associated hypertension and hyperuricemia with or without gout.

b) Early kidney disease is difficult to detect. The urinalysis is normal in early lead nephropathy and the blood urea nitrogen and serum creatinine increase only when two-thirds of kidney function is lost. Measurement of creatinine clearance can often detect earlier disease as can other methods of measurement of glomerular filtration rate. An abnormal Ca-EDTA mobilization test has been used to differentiate between lead-induced and other nephropathies, but this procedure is not widely accepted. A form of Fanconi syndrome with aminoaciduria, glycosuria, and hyperphosphaturia indicating severe injury to the proximal renal tubules is occasionally seen in children.

(V) Reproductive effects.

a) Exposure to lead can have serious effects on reproductive function in both males and females. In male workers exposed to lead there can be a decrease in sexual drive, impotence, decreased ability to produce healthy sperm, and sterility. Malformed sperm (teratospermia), decreased number of sperm (hypospermia), and sperm with decreased motility (asthenospermia) can occur. Teratospermia has been noted at mean blood lead levels of 53 µg/100g and hypospermia and asthenospermia at 41 µg/100g. Furthermore, there appears to be a dose-response relationship for teratospermia in lead exposed workers.

b) Women exposed to lead may experience menstrual disturbances including dysmenorrhea, menorrhagia and amenorrhea. Following exposure to lead, women have a higher frequency of sterility, premature births, spontaneous miscarriages, and stillbirths.

c) Germ cells can be affected by lead and cause genetic damage in the egg or sperm cells before conception and result in failure to implant, miscarriage, stillbirth, or birth defects.

d) Infants of mothers with lead poisoning have a higher mortality during the first year and suffer from lowered birth weights, slower growth, and nervous system disorders.

e) Lead can pass through the placental barrier and lead levels in the mother's blood are comparable to concentrations of lead in the umbilical cord at birth. Transplacental passage becomes detectable at 12-14 weeks of gestation and increases until birth.

f) There is little direct data on damage to the fetus from exposure to lead but it is generally assumed that the fetus and

newborn would be at least as susceptible to neurological damage as young children. Blood lead levels of 50-60 µg/100g in children can cause significant neurobehavioral impairments, and there is evidence of hyperactivity at blood levels as low as 25 µg/100g. Given the overall body of literature concerning the adverse health effects of lead in children, WISHA feels that the blood lead level in children should be maintained below 30 µg/100g with a population mean of 15 µg/100g. Blood lead levels in the fetus and newborn likewise should not exceed 30 µg/100g.

g) Because of lead's ability to pass through the placental barrier and also because of the demonstrated adverse effects of lead on reproductive function in both males and females as well as the risk of genetic damage of lead on both the ovum and sperm, WISHA recommends a 30 µg/100g maximum permissible blood lead level in both males and females who wish to bear children.

(IV) Other toxic effects.

a) Debate and research continue on the effects of lead on the human body. Hypertension has frequently been noted in occupationally exposed individuals although it is difficult to assess whether this is due to lead's adverse effects on the kidneys or if some other mechanism is involved.

b) Vascular and electrocardiographic changes have been detected but have not been well characterized. Lead is thought to impair thyroid function and interfere with the pituitary-adrenal axis, but again these effects have not been well defined.

(iv) Medical evaluation.

(A) The most important principle in evaluating a worker for any occupational disease including lead poisoning is a high index of suspicion on the part of the examining physician. As discussed in Section (ii), lead can affect numerous organ systems and produce a wide array of signs and symptoms, most of which are nonspecific and subtle in nature at least in the early stages of disease. Unless serious concern for lead toxicity is present, many of the early clues to diagnosis may easily be overlooked.

(B) The crucial initial step in the medical evaluation is recognizing that a worker's employment can result in exposure to lead. The worker will frequently be able to define exposures to lead and lead-containing materials but often will not volunteer this information unless specifically asked. In other situations the worker may not know of any exposures to lead but the suspicion might be raised on the part of the physician because of the industry or occupation of the worker. Potential occupational exposure to lead and its compounds occur in at least 120 occupations, including lead smelting, the manufacture of lead storage batteries, the manufacture of lead pigments and products containing pigments, solder manufacture, shipbuilding and ship repair, auto manufacturing, construction, and painting.

(C) Once the possibility for lead exposure is raised, the focus can then be directed toward eliciting information from the medical history, physical exam, and finally from laboratory data to evaluate the worker for potential lead toxicity.

(D) A complete and detailed work history is important in the initial evaluation. A listing of all previous employment with information on work processes, exposure to fumes or

dust, known exposures to lead or other toxic substances, respiratory protection used, and previous medical surveillance should all be included in the worker's record. Where exposure to lead is suspected, information concerning on-the-job personal hygiene, smoking or eating habits in work areas, laundry procedures, and use of any protective clothing or respiratory protection equipment should be noted. A complete work history is essential in the medical evaluation of a worker with suspected lead toxicity, especially when long-term effects such as neurotoxicity and nephrotoxicity are considered.

(E) The medical history is also of fundamental importance and should include a listing of all past and current medical conditions, current medications including proprietary drug intake, previous surgeries and hospitalizations, allergies, smoking history, alcohol consumption, and also nonoccupational lead exposures such as hobbies (hunting, riflery). Also known childhood exposures should be elicited. Any previous history of hematological, neurological, gastrointestinal, renal, psychological, gynecological, genetic, or reproductive problems should be specifically noted.

(F) A careful and complete review of systems must be performed to assess both recognized complaints and subtle or slowly acquired symptoms which the worker might not appreciate as being significant. The review of symptoms should include the following:

- | | |
|--|---|
| General | - weight loss, fatigue, decreased appetite. |
| Head, Eyes, Ears, Nose, Throat (HEENT) | - headaches, visual disturbance or decreased visual acuity, hearing deficits or tinnitus, pigmentation of the oral mucosa, or metallic taste in mouth. |
| Cardiopulmonary | - shortness of breath, cough, chest pains, palpitations, or orthopnea. |
| Gastrointestinal | - nausea, vomiting, heartburn, abdominal pain, constipation or diarrhea. |
| Neurologic | - irritability, insomnia, weakness (fatigue), dizziness, loss of memory, confusion, hallucinations, incoordination, ataxia, decreased strength in hands or feet, disturbance in gait, difficulty in climbing stairs, or seizures. |
| Hematologic | - pallor, easy fatigability, abnormal blood loss, melena. |

Reproductive (male or female and spouse where relevant)

- history of infertility, impotence, loss of libido, abnormal menstrual periods, history of miscarriages, stillbirths, or children with birth defects.

Musculoskeletal

- muscle and joint pains.

(G) The physical examination should emphasize the neurological, gastrointestinal, and cardiovascular systems. The worker's weight and blood pressure should be recorded and the oral mucosa checked for pigmentation characteristic of a possible Burtonian or lead line on the gingiva. It should be noted, however, that the lead line may not be present even in severe lead poisoning if good oral hygiene is practiced.

(H) The presence of pallor on skin examination may indicate an anemia, which if severe might also be associated with a tachycardia. If an anemia is suspected, an active search for blood loss should be undertaken including potential blood loss through the gastrointestinal tract.

(I) A complete neurological examination should include an adequate mental status evaluation including a search for behavioral and psychological disturbances, memory testing, evaluation for irritability, insomnia, hallucinations, and mental clouding. Gait and coordination should be examined along with close observation for tremor. A detailed evaluation of peripheral nerve function including careful sensory and motor function testing is warranted. Strength testing particularly of extensor muscle groups of all extremities is of fundamental importance.

(J) Cranial nerve evaluation should also be included in the routine examination.

(K) The abdominal examination should include auscultation for bowel sounds and abnormal bruits and palpation for organomegaly, masses, and diffuse abdominal tenderness.

(L) Cardiovascular examination should evaluate possible early signs of congestive heart failure. Pulmonary status should be addressed particularly if respirator protection is contemplated.

(M) As part of the medical evaluation, the lead standard requires the following laboratory studies.

(I) Blood lead level.

(II) Hemoglobin and hematocrit determinations, red cell indices, and examination of the peripheral blood smear to evaluate red blood cell morphology.

(III) Blood urea nitrogen.

(IV) Serum creatinine.

(V) Routine urinalysis with microscopic examination.

(VI) A zinc protoporphyrin level.

(N) In addition to the above, the physician is authorized to order any further laboratory or other tests which he or she deems necessary in accordance with sound medical practice. The evaluation must also include pregnancy testing or laboratory evaluation of male fertility if requested by the employee.

(O) Additional tests which are probably not warranted on a routine basis but may be appropriate when blood lead and ZPP levels are equivocal include delta aminolevulinic acid and coproporphyrin concentrations in the urine, and dark-

field illumination for detection of basophilic stippling in red blood cells.

(P) If an anemia is detected further studies including a careful examination of the peripheral smear, reticulocyte count, stool for occult blood, serum iron, total iron binding capacity, bilirubin, and, if appropriate vitamin B12 and folate may be of value in attempting to identify the cause of the anemia.

(Q) If a peripheral neuropathy is suspected, nerve conduction studies are warranted both for diagnosis and as a basis to monitor any therapy.

(R) If renal disease is questioned, a 24-hour urine collection for creatinine clearance, protein, and electrolytes may be indicated. Elevated uric acid levels may result from lead-induced renal disease and a serum uric acid level might be performed.

(S) An electrocardiogram and chest x-ray may be obtained as deemed appropriate.

(T) Sophisticated and highly specialized testing should not be done routinely and where indicated should be under the direction of a specialist.

(v) Laboratory evaluation.

(A) The blood level at present remains the single most important test to monitor lead exposure and is the test used in the medical surveillance program under the lead standard to guide employee medical removal. The ZPP has several advantages over the blood lead level. Because of its relatively recent development and the lack of extensive data concerning its interpretation, the ZPP currently remains an ancillary test.

(B) This section will discuss the blood lead level and ZPP in detail and will outline their relative advantages and disadvantages. Other blood tests currently available to evaluate lead exposure will also be reviewed.

(C) The blood lead level is a good index of current or recent lead absorption when there is no anemia present and when the worker has not taken any chelating agents. However, blood lead levels along with urinary lead levels do not necessarily indicate the total body burden of lead and are not adequate measures of past exposure. One reason for this is that lead has a high affinity for bone and up to 90 percent of the body's total lead is deposited there. A very important component of the total lead body burden is lead in soft tissue (liver, kidneys, and brain). This fraction of the lead body burden, the biologically active lead, is not entirely reflected by blood lead levels since it is a function of the dynamics of lead absorption, distribution, deposition in bone and excretion. Following discontinuation of exposure to lead, the excess body burden is only slowly mobilized from bone and other relatively stable stores and excreted. Consequently, a high blood lead level may only represent recent heavy exposure to lead without a significant total body excess and likewise a low blood lead level does not exclude an elevated total body burden of lead.

(D) Also due to its correlation with recent exposures, the blood lead level may vary considerably over short time intervals.

(E) To minimize laboratory error and erroneous results due to contamination, blood specimens must be carefully collected after thorough cleaning of the skin with appropriate methods using lead-free containers and analyzed by a reliable

laboratory. Under the standard, samples must be analyzed in laboratories which are approved by the Center for Disease Control (CDC) or which have received satisfactory grades in proficiency testing by the CDC in the previous year. Analysis is to be made using atomic absorption spectrophotometry anodic stripping; voltammetry or any method which meets the accuracy requirements set forth by the standard.

(F) The determination of lead in urine is generally considered a less reliable monitoring technique than analysis of whole blood primarily due to individual variability in urinary excretion capacity as well as the technical difficulty of obtaining accurate 24 hour urine collections. In addition, workers with renal insufficiency, whether due to lead or some other cause, may have decreased lead clearance and consequently urine lead levels may underestimate the true lead burden. Therefore, urine lead levels should not be used as a routine test.

(G) The zinc protoporphyrin test, unlike the blood lead determination, measures an adverse metabolic effect of lead and as such is a better indicator of lead toxicity than the level of blood lead itself. The level of ZPP reflects lead absorption over the preceding three to four months, and therefore is a better indicator of lead body burden. The ZPP requires more time than the blood lead to read significantly elevated levels; the return to normal after discontinuing lead exposure is also slower. Furthermore, the ZPP test is simpler, faster, and less expensive to perform and no contamination is possible. Many investigators believe it is the most reliable means of monitoring chronic lead absorption.

(H) Zinc protoporphyrin results from the inhibition of the enzyme ferrochelatase which catalyzes the insertion of an iron molecule into the protoporphyrin molecule, which then becomes heme. If iron is not inserted into the molecule then zinc, having a greater affinity for protoporphyrin, takes place in the iron, forming ZPP.

(I) An elevation in the level of circulating ZPP may occur at blood lead levels as low as 20-30 $\mu\text{g}/100\text{g}$ in some workers. Once the blood lead level has reached 40 $\mu\text{g}/100\text{g}$ there is more marked rise in the ZPP value from its normal range of less than 100 $\mu\text{g}/100\text{ml}$. Increases in blood lead levels beyond 40 $\mu\text{g}/100\text{g}$ are associated with exponential increases in ZPP.

(J) Whereas blood lead levels fluctuate over short time spans, ZPP levels remain relatively stable. ZPP is measured directly in red blood cells and is present for the cell's entire 120 day lifespan. Therefore, the ZPP level in blood reflects the average ZPP production over the previous three to four months and consequently the average lead exposure during that time interval.

(K) It is recommended that a hematocrit be determined whenever a confirmed ZPP of 50 $\mu\text{g}/100\text{ml}$ whole blood is obtained to rule out a significant underlying anemia. If the ZPP is in excess of 100 $\mu\text{g}/100\text{ml}$ and not associated with abnormal elevations in blood lead levels, the laboratory should be checked to be sure the blood leads were determined using atomic absorption spectrophotometry, anodic stripping voltammetry or any method which meets the accuracy requirements set forth by the standard, by a CDC approved laboratory which is experienced in lead level determinations.

Repeat periodic blood lead studies should be obtained in all individuals with elevated ZPP levels to be certain that an associated elevated blood lead level has not been missed due to transient fluctuations in blood leads.

(L) ZPP has characteristic fluorescence spectrum with a peak at 594nm which is detectable with a hematofluorimeter. The hematofluorimeter is accurate and portable and can provide on-site, instantaneous results for workers who can be frequently tested via a finger prick.

(M) However, careful attention must be given to calibration and quality control procedures. Limited data on blood lead - ZPP correlations and the ZPP levels which are associated with the adverse health effects discussed in item (ii) are the major limitations of the test. Also it is difficult to correlate ZPP levels with environmental exposure and there is some variation of response with age and sex. Nevertheless, the ZPP promises to be an important diagnostic test for the early detection of lead toxicity and its value will increase as more data is collected regarding its relationship to other manifestations of lead poisoning.

(N) Levels of delta-aminolevulinic acid (ALA) in the urine are also used as a measure of lead exposure. Increasing concentrations of ALA are believed to result from the inhibition of the enzyme delta-aminolevulinic acid dehydrase (ALA-D). Although the test is relatively easy to perform, inexpensive, and rapid, the disadvantages include variability in results, the necessity to collect a complete 24 hour urine sample which has a specific gravity greater than 1.010, and also the fact that ALA decomposes in the presence of light.

(O) The pattern of porphyrin excretion in the urine can also be helpful in identifying lead intoxication. With lead poisoning, the urine concentrations of coproporphyrins I and II, porphobilinogen and uroporphyrin I rise. The most important increase, however, is that of coproporphyrin III; levels may exceed 5,000 µg/l in the urine in lead poisoned individuals, but its correlation with blood lead levels and ZPP are not as good as those of ALA. Increases in urinary porphyrins are not diagnostic of lead toxicity and may be seen in porphyria, some liver diseases, and in patients with high reticulocyte counts.

(vi) Summary.

(A) The WISHA standard for inorganic lead places significant emphasis on the medical surveillance of all workers exposed to levels of inorganic lead above the action level of 30 µg/m³ TWA. The physician has a fundamental role in this surveillance program, and in the operation of the medical removal protection program.

(B) Even with adequate worker education on the adverse health effects of lead and appropriate training in work practices, personal hygiene and other control measures, the physician has a primary responsibility for evaluating potential lead toxicity in the worker. It is only through a careful and detailed medical and work history, a complete physical examination and appropriate laboratory testing that an accurate assessment can be made. Many of the adverse health effects of lead toxicity are either irreversible or only partially reversible and therefore early detection of disease is very important.

(C) This document outlines the medical monitoring program as defined by the occupational safety and health stan-

dard for inorganic lead. It reviews the adverse health effects of lead poisoning and describes the important elements of the history and physical examinations as they relate to these adverse effects.

(D) It is hoped that this review and discussion will give the physician a better understanding of the WISHA standard with the ultimate goal of protecting the health and well-being of the worker exposed to lead under his or her care.

(d) Appendix D. Recommendations to employers concerning high-risk tasks (nonmandatory).

The department advises employers that the following tasks have a high risk for lead overexposure (this list is not complete; other tasks also can result in lead over-exposure):

- Any open flame operation involving lead-containing solder in a manner producing molten solder, including the manufacture or repair of motor vehicle radiators;
- Sanding, cutting or grinding of lead-containing solder;
- Breaking, recycling or manufacture of lead-containing batteries;
- Casting objects using lead, brass, or lead-containing alloys;
- Where lead-containing coatings or paints are present:
 - abrasive blasting
 - welding
 - cutting
 - torch burning
 - manual demolition of structures
 - manual scraping
 - manual sanding
 - heat gun applications
 - power tool cleaning
 - rivet busting
 - clean-up activities where dry expendable abrasives are used
 - abrasive blasting enclosure movement and removal;
- Spray-painting with lead-containing paint;
- Using lead-containing mortar;
- Lead burning;
- Operation or cleaning of shooting facilities where lead bullets are used;
- Formulation or processing of lead-containing pigments or paints;
- Cutting, burning, or melting of lead-containing materials.

The department recommends that annual blood lead testing be offered to all employees potentially overexposed to lead, including those performing the tasks listed above, regardless of air lead levels. Research has shown that air lead levels often do not accurately predict workers' lead overexposure. The blood lead testing will provide the most information if performed during a period of peak lead exposure.

Employers should be aware that the United States Public Health Service has set a goal of eliminating occupational exposures which result in whole blood lead levels of 25 µg/dl or greater. This goal should guide whether employees' blood lead levels indicate lead overexposure.

If blood lead levels are elevated in an employee performing a task associated with lead overexposure, employers should assess the maintenance and effectiveness of exposure

controls, hygiene facilities, respiratory protection program, the employee's work practices and personal hygiene, and the employee's respirator use, if any. If a deficiency exists in any of these areas, the employer should correct the problem.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07523 Benzene. (1) Scope and application.

(a) This section applies to all occupational exposures to benzene. Chemical Abstracts Service Registry No. 71-43-2, except as provided in (b) and (c) of this subsection.

(b) This section does not apply to:

(i) The storage, transportation, distribution, dispensing, sale or use of gasoline, motor fuels, or other fuels containing benzene subsequent to its final discharge from bulk wholesale storage facilities, except that operations where gasoline or motor fuels are dispensed for more than four hours per day in an indoor location are covered by this section.

(ii) Loading and unloading operations at bulk wholesale storage facilities which use vapor control systems for all loading and unloading operations, except for the provisions of WAC 296-62-054 and 296-800-170 as incorporated into this section and the emergency provisions of subsections (7) and (9)(d) of this section.

(iii) The storage, transportation, distribution, or sale of benzene or liquid mixtures containing more than 0.1 percent benzene in intact containers or in transportation pipelines while sealed in such a manner as to contain benzene vapors or liquid, except for the provisions of WAC 296-62-054 and 296-800-170 as incorporated into this section and the emergency provisions of subsections (7) and (9)(d) of this section.

(iv) Containers and pipelines carrying mixtures with less than 0.1 percent benzene and natural gas processing plants processing gas with less than 0.1 percent benzene.

(v) Work operations where the only exposure to benzene is from liquid mixtures containing 0.5 percent or less of benzene by volume, or the vapors released from such liquids until September 12, 1988; work operations where the only exposure to benzene is from liquid mixtures containing 0.3 percent or less of benzene by volume or the vapors released from such liquids from September 12, 1988, to September 12, 1989; and work operations where the only exposure to benzene is from liquid mixtures containing 0.1 percent or less of benzene by volume or the vapors released from such liquids after September 12, 1989; except that tire building machine operators using solvents with more than 0.1 percent benzene are covered by subsection (9) of this section.

(vi) Oil and gas drilling, production, and servicing operations.

(vii) Coke oven batteries.

(c) The cleaning and repair of barges and tankers which have contained benzene are excluded from subsection (6) of this section (Methods of compliance), subsection (5)(a) of this section (General), and subsection (5)(f) of this section (Accuracy of monitoring). Engineering and work practice controls shall be used to keep exposures below 10 ppm unless it is proven to be not feasible.

(2) Definitions.

(a) "Action level" means an airborne concentration of benzene of 0.5 ppm calculated as an 8-hour time-weighted average.

(b) "Authorized person" means any person specifically authorized by the employer whose duties require the person to enter a regulated area, or any person entering such an area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under subsection (5) of this section, or any other person authorized by the Washington Industrial Safety and Health Act (WISHA) or regulations issued under WISHA.

(c) "Benzene" (C₆H₆) (CAS Registry No. 71-43-2) means liquefied or gaseous benzene. It includes benzene contained in liquid mixtures and the benzene vapors released by these liquids. It does not include trace amounts of unreacted benzene contained in solid materials.

(d) "Bulk wholesale storage facility" means a bulk terminal or bulk plant where fuel is stored prior to its delivery to wholesale customers.

(e) "Container" means any barrel, bottle, can, cylinder, drum, reaction vessel, storage tank, or the like, but does not include piping systems.

(f) "Day" means any part of a calendar day.

(g) "Director" means the director of the department of labor and industries, or his/her designated representative.

(h) "Emergency" means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which may or does result in an unexpected significant release of benzene.

(i) "Employee exposure" means exposure to airborne benzene which would occur if the employee were not using respiratory protective equipment.

(j) "Regulated area" means any area where airborne concentrations of benzene exceed or can reasonably be expected to exceed, the permissible exposure limits, either the 8-hour time-weighted average exposure of 1 ppm or the short-term exposure limit of 5 ppm for fifteen minutes.

(k) "Vapor control system" means any equipment used for containing the total vapors displaced during the loading of gasoline, motor fuel, or other fuel tank trucks and the displacing of these vapors through a vapor processing system or balancing the vapor with the storage tank. This equipment also includes systems containing the vapors displaced from the storage tank during the unloading of the tank truck which balance the vapors back to the tank truck.

(3) Permissible exposure limits (PELs).

(a) Time-weighted average limit (TWA). The employer shall assure that no employee is exposed to an airborne concentration of benzene in excess of one part of benzene per million parts of air (1 ppm) as an 8-hour time-weighted average.

(b) Short-term exposure limit (STEL). The employer shall assure that no employee is exposed to an airborne concentration of benzene in excess of 5 ppm as averaged over any fifteen minute period.

(4) Regulated areas.

(a) The employer shall establish a regulated area wherever the airborne concentration of benzene exceeds or can reasonably be expected to exceed the permissible exposure limits, either the 8-hour time-weighted average exposure of 1

ppm or the short-term exposure limit of 5 ppm for fifteen minutes.

(b) Access to regulated areas shall be limited to authorized persons.

(c) Regulated areas shall be determined from the rest of the workplace in any manner that minimizes the number of employees exposed to benzene within the regulated area.

(5) Exposure monitoring.

(a) General.

(i) Determinations of employee exposure shall be made from breathing zone air samples that are representative of each employee's average exposure to airborne benzene.

(ii) Representative 8-hour TWA employee exposures shall be determined on the basis of one sample or samples representing the full shift exposure for each job classification in each work area.

(iii) Determinations of compliance with the STEL shall be made from fifteen minute employee breathing zone samples measured at operations where there is reason to believe exposures are high, such as where tanks are opened, filled, unloaded, or gauged; where containers or process equipment are opened and where benzene is used for cleaning or as a solvent in an uncontrolled situation. The employer may use objective data, such as measurements from brief period measuring devices, to determine where STEL monitoring is needed.

(iv) Except for initial monitoring as required under (b) of this subsection, where the employer can document that one shift will consistently have higher employee exposures for an operation, the employer shall only be required to determine representative employee exposure for that operation during the shift on which the highest exposure is expected.

(b) Initial monitoring.

(i) Each employer who has a place of employment covered under subsection (1)(a) of this section shall monitor each of these workplaces and work operations to determine accurately the airborne concentrations of benzene to which employees may be exposed.

(ii) The initial monitoring required under (b)(i) of this subsection shall be completed by sixty days after the effective date of this standard or within thirty days of the introduction of benzene into the workplace. Where the employer has monitored within one year prior to the effective date of this standard and the monitoring satisfies all other requirements of this section, the employer may rely on such earlier monitoring results to satisfy the requirements of (b)(i) of this subsection.

(c) Periodic monitoring and monitoring frequency.

(i) If the monitoring required by (b)(i) of this subsection reveals employee exposure at or above the action level but at or below the TWA, the employer shall repeat such monitoring for each such employee at least every year.

(ii) If the monitoring required by (b)(i) of this subsection reveals employee exposure above the TWA, the employer shall repeat such monitoring for each such employee at least every six months.

(iii) The employer may alter the monitoring schedule from every six months to annually for any employee for whom two consecutive measurements taken at least seven

days apart indicate that the employee exposure has decreased to the TWA or below, but is at or above the action level.

(iv) Monitoring for the STEL shall be repeated as necessary to evaluate exposures of employees subject to short term exposures.

(d) Termination of monitoring.

(i) If the initial monitoring required by (b)(i) of this subsection reveals employee exposure to be below the action level the employer may discontinue the monitoring for that employee, except as otherwise required by (e) of this subsection.

(ii) If the periodic monitoring required by (c) of this subsection reveals that employee exposures, as indicated by at least two consecutive measurements taken at least seven days apart, are below the action level the employer may discontinue the monitoring for that employee, except as otherwise required by (e) of this subsection.

(e) Additional monitoring.

(i) The employer shall institute the exposure monitoring required under (b) and (c) of this subsection when there has been a change in the production, process, control equipment, personnel, or work practices which may result in new or additional exposures to benzene, or when the employer has any reason to suspect a change which may result in new or additional exposures.

(ii) Whenever spills, leaks, ruptures, or other breakdowns occur that may lead to employee exposure, the employer shall monitor (using area or personal sampling) after the cleanup of the spill or repair of the leak, rupture or other breakdown to ensure that exposures have returned to the level that existed prior to the incident.

(f) Accuracy of monitoring. Monitoring shall be accurate, to a confidence level of ninety-five percent, to within plus or minus twenty-five percent for airborne concentrations of benzene.

(g) Employee notification of monitoring results.

(i) The employer shall, within fifteen working days after the receipt of the results of any monitoring performed under this standard, notify each employee of these results in writing either individually or by posting of results in an appropriate location that is accessible to affected employees.

(ii) Whenever the PELs are exceeded, the written notification required by (g)(i) of this subsection shall contain the corrective action being taken by the employer to reduce the employee exposure to or below the PEL, or shall refer to a document available to the employee which states the corrective actions to be taken.

(6) Methods of compliance.

(a) Engineering controls and work practices.

(i) The employer shall institute engineering controls and work practices to reduce and maintain employee exposure to benzene at or below the permissible exposure limits, except to the extent that the employer can establish that these controls are not feasible or where the provisions of (a)(iii) of this subsection or subsection (7)(a) of this section apply.

(ii) Wherever the feasible engineering controls and work practices which can be instituted are not sufficient to reduce employee exposure to or below the PELs, the employer shall use them to reduce employee exposure to the lowest levels achievable by these controls and shall supplement them by

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the use of respiratory protection which complies with the requirements of subsection (7) of this section.

(iii) Where the employer can document that benzene is used in a workplace less than a total of thirty days per year, the employer shall use engineering controls, work practice controls or respiratory protection or any combination of these controls to reduce employee exposure to benzene to or below the PELs, except that employers shall use engineering and work practice controls, if feasible, to reduce exposure to or below 10 ppm as an 8-hour TWA.

(b) Compliance program.

(i) When any exposures are over the PEL, the employer shall establish and implement a written program to reduce employee exposure to or below the PEL primarily by means of engineering and work practice controls, as required by (a) of this subsection.

(ii) The written program shall include a schedule for development and implementation of the engineering and work practice controls. These plans shall be reviewed and revised as appropriate based on the most recent exposure monitoring data, to reflect the current status of the program.

(iii) Written compliance programs shall be furnished upon request for examination and copying to the director, affected employees, and designated employee representatives.

(7) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Work operations for which the employer establishes that compliance with either the TWA or STEL through the use of engineering and work-practice controls is not feasible; for example some maintenance and repair activities, vessel cleaning, or other operations where engineering and work-practice controls are infeasible because exposures are intermittent and limited in duration;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient, or are not required under subsection (6)(a)(iii) of this section, to reduce exposure to or below the PELs;

(iv) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1), 296-62-07131 (4)(b)(i) and (ii), and 296-62-07150 through 296-62-07156).

(ii) For air-purifying respirators, the employer must replace the air-purifying element at the expiration of its service life or at the beginning of each shift in which such elements are used, whichever comes first.

(iii) If NIOSH certifies an air-purifying element with an end-of-service-life indicator for benzene, such an element may be used until the indicator shows no further useful life.

(c) Respirator selection.

(i) The employer must select the appropriate respirator from Table 1 of this section.

(ii) Any employee who cannot use a negative-pressure respirator must be allowed to use a respirator with less breathing resistance, such as a powered air-purifying respirator or supplied-air respirator.

TABLE 1. - RESPIRATORY PROTECTION FOR BENZENE

Airborne concentration of benzene or condition of use		Respirator type	
(a)	Less than or equal to 10 ppm.	(1)	Half-mask air-purifying respirator with organic vapor cartridge.
(b)	Less than or equal to 50 ppm.	(1)	Full facepiece respirator with organic vapor cartridges.
		(1)	Full facepiece gas mask with chin style canister. ¹
(c)	Less than or equal to 100 ppm.	(1)	Full facepiece powered air-purifying respirator with organic vapor canister. ¹
(d)	Less than or equal to 1,000 ppm.	(1)	Supplied air respirator with full facepiece in positive-pressure mode.
(e)	Greater than 1,000 ppm or unknown concentration.	(1)	Self-contained breathing apparatus with full facepiece in positive-pressure mode.
		(2)	Full facepiece positive-pressure supplied-air respirator with auxiliary self-contained air supply.
(f)	Escape	(1)	Any organic vapor gas mask; or
		(2)	Any self-contained breathing apparatus with full facepiece.
(g)	Firefighting	(1)	Full facepiece self-contained breathing apparatus in positive pressure mode.

¹Canisters must have a minimum service life of four (4) hours when tested at 150 ppm benzene, at a flow rate of 64 LPM, 25° C, and 85% relative humidity for non-powered air purifying respirators. The flow rate shall be 115 LPM and 170 LPM respectively for tight fitting and loose fitting powered air-purifying respirators.

(8) Protective clothing and equipment. Personal protective clothing and equipment shall be worn where appropriate to prevent eye contact and limit dermal exposure to liquid benzene. Protective clothing and equipment shall be provided by the employer at no cost to the employee and the employer shall assure its use where appropriate. Eye and face protection shall meet the requirements of WAC ((296-24-07801)) 296-800-160.

(9) Medical surveillance.

(a) General.

(i) The employer shall make available a medical surveillance program for employees who are or may be exposed to benzene at or above the action level thirty or more days per year; for employees who are or may be exposed to benzene at or above the PELs ten or more days per year; for employees who have been exposed to more than 10 ppm of benzene for thirty or more days in a year prior to the effective date of the

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standard when employed by their current employer; and for employees involved in the tire building operations called tire building machine operators, who use solvents containing greater than 0.1 percent benzene.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician and that all laboratory tests are conducted by an accredited laboratory.

(iii) The employer shall assure that persons other than licensed physicians who administer the pulmonary function testing required by this section shall complete a training course in spirometry sponsored by an appropriate governmental, academic, or professional institution.

(iv) The employer shall assure that all examinations and procedures are provided without cost to the employee and at a reasonable time and place.

(b) Initial examination.

(i) Within sixty days of the effective date of this standard, or before the time of initial assignment, the employer shall provide each employee covered by (a)(i) of this subsection with a medical examination including the following elements:

(A) A detailed occupational history which includes:

(I) Past work exposure to benzene or any other hematological toxins;

(II) A family history of blood dyscrasias including hematological neoplasms;

(III) A history of blood dyscrasias including genetic hemoglobin abnormalities, bleeding abnormalities, abnormal function of formed blood elements;

(IV) A history of renal or liver dysfunction;

(V) A history of medicinal drugs routinely taken;

(VI) A history of previous exposure to ionizing radiation; and

(VII) Exposure to marrow toxins outside of the current work situation.

(B) A complete physical examination.

(C) Laboratory tests. A complete blood count including a leukocyte count with differential, a quantitative thrombocyte count, hematocrit, hemoglobin, erythrocyte count and erythrocyte indices (MCV, MCH, MCHC). The results of these tests shall be reviewed by the examining physician.

(D) Additional tests as necessary in the opinion of the examining physician, based on alterations to the components of the blood or other signs which may be related to benzene exposure.

(E) For all workers required to wear respirators for at least thirty days a year, the physical examination shall pay special attention to the cardiopulmonary system and shall include a pulmonary function test.

(ii) No initial medical examination is required to satisfy the requirements of (b)(i) of this subsection if adequate records show that the employee has been examined in accordance with the procedures of (b)(i) of this subsection within the twelve months prior to the effective date of this standard.

(c) Periodic examinations.

(i) The employer shall provide each employee covered under (a)(i) of this subsection with a medical examination annually following the previous examination. These periodic examinations shall include at least the following elements:

(A) A brief history regarding any new exposure to potential marrow toxins, changes in medicinal drug use, and the appearance of physical signs relating to blood disorders;

(B) A complete blood count including a leukocyte count with differential, quantitative thrombocyte count, hemoglobin, hematocrit, erythrocyte count and erythrocyte indices (MCV, MCH, MCHC); and

(C) Appropriate additional tests as necessary, in the opinion of the examining physician, in consequence of alterations in the components of the blood or other signs which may be related to benzene exposure.

(ii) Where the employee develops signs and symptoms commonly associated with toxic exposure to benzene, the employer shall provide the employee with an additional medical examination which shall include those elements considered appropriate by the examining physician.

(iii) For persons required to use respirators for at least thirty days a year, a pulmonary function test shall be performed every three years. A specific evaluation of the cardiopulmonary system shall be made at the time of the pulmonary function test.

(d) Emergency examinations.

(i) In addition to the surveillance required by (a)(i) of this subsection, if an employee is exposed to benzene in an emergency situation, the employer shall have the employee provide a urine sample at the end of the employee's shift and have a urinary phenol test performed on the sample within seventy-two hours. The urine specific gravity shall be corrected to 1.024.

(ii) If the result of the urinary phenol test is below 75 mg phenol/L of urine, no further testing is required.

(iii) If the result of the urinary phenol test is equal to or greater than 75 mg phenol/L of urine, the employer shall provide the employee with a complete blood count including an erythrocyte count, leukocyte count with differential and thrombocyte count at monthly intervals for a duration of three months following the emergency exposure.

(iv) If any of the conditions specified in (e)(i) of this subsection exists, then the further requirements of (e) of this subsection shall be met and the employer shall, in addition, provide the employees with periodic examinations if directed by the physician.

(e) Additional examinations and referrals.

(i) Where the results of the complete blood count required for the initial and periodic examinations indicate any of the following abnormal conditions exist, then the blood count shall be repeated within two weeks.

(A) The hemoglobin level or the hematocrit falls below the normal limit (outside the ninety-five percent confidence interval (C.I.)) as determined by the laboratory for the particular geographic area and/or these indices show a persistent downward trend from the individual's preexposure norms; provided these findings cannot be explained by other medical reasons.

(B) The thrombocyte (platelet) count varies more than twenty percent below the employee's most recent values or falls outside the normal limit (ninety-five percent C.I.) as determined by the laboratory.

(C) The leukocyte count is below 4,000 per mm³ or there is an abnormal differential count.

(ii) If the abnormality persists, the examining physician shall refer the employee to a hematologist or an internist for further evaluation unless the physician has good reason to believe such referral is unnecessary. (See Appendix C for examples of conditions where a referral may be unnecessary.)

(iii) The employer shall provide the hematologist or internist with the information required to be provided to the physician under this subsection and the medical record required to be maintained by subsection (11)(b)(ii) of this section.

(iv) The hematologist's or internist's evaluation shall include a determination as to the need for additional tests, and the employer shall assure that these tests are provided.

(f) Information provided to the physician. The employer shall provide the following information to the examining physician:

- (i) A copy of this regulation and its appendices;
- (ii) A description of the affected employee's duties as they relate to the employee's exposure;
- (iii) The employee's actual or representative exposure level;
- (iv) A description of any personal protective equipment used or to be used; and

(v) Information from previous employment-related medical examinations of the affected employee which is not otherwise available to the examining physician.

(g) Physician's written opinions.

(i) For each examination under this section, the employer shall obtain and provide the employee with a copy of the examining physician's written opinion within fifteen days of the examination. The written opinion shall be limited to the following information:

(A) The occupationally pertinent results of the medical examination and tests;

(B) The physician's opinion concerning whether the employee has any detected medical conditions which would place the employee's health at greater than normal risk of material impairment from exposure to benzene;

(C) The physician's recommended limitations upon the employee's exposure to benzene or upon the employee's use of protective clothing or equipment and respirators.

(D) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions resulting from benzene exposure which require further explanation or treatment.

(ii) The written opinion obtained by the employer shall not reveal specific records, findings, and diagnoses that have no bearing on the employee's ability to work in a benzene-exposed workplace.

(h) Medical removal plan.

(i) When a physician makes a referral to a hematologist/internist as required under (e)(ii) of this subsection, the employee shall be removed from areas where exposures may exceed the action level until such time as the physician makes a determination under (h)(ii) of this subsection.

(ii) Following the examination and evaluation by the hematologist/internist, a decision to remove an employee from areas where benzene exposure is above the action level or to allow the employee to return to areas where benzene exposure is above the action level shall be made by the phy-

sician in consultation with the hematologist/internist. This decision shall be communicated in writing to the employer and employee. In the case of removal, the physician shall state the required probable duration of removal from occupational exposure to benzene above the action level and the requirements for future medical examinations to review the decision.

(iii) For any employee who is removed pursuant to (h)(ii) of this subsection, the employer shall provide a follow-up examination. The physician, in consultation with the hematologist/internist, shall make a decision within six months of the date the employee was removed as to whether the employee shall be returned to the usual job or whether the employee should be removed permanently.

(iv) Whenever an employee is temporarily removed from benzene exposure pursuant to (h)(i) or (ii) of this subsection, the employer shall transfer the employee to a comparable job for which the employee is qualified (or can be trained for in a short period) and where benzene exposures are as low as possible, but in no event higher than the action level. The employer shall maintain the employee's current wage rate, seniority, and other benefits. If there is no such job available, the employer shall provide medical removal protection benefits until such a job becomes available or for six months, whichever comes first.

(v) Whenever an employee is removed permanently from benzene exposure based on a physician's recommendation pursuant to (h)(iii) of this subsection, the employee shall be given the opportunity to transfer to another position which is available or later becomes available for which the employee is qualified (or can be trained for in a short period) and where benzene exposures are as low as possible but in no event higher than the action level. The employer shall assure that such employee suffers no reduction in current wage rate, seniority, or other benefits as a result of the transfer.

(i) Medical removal protection benefits.

(i) The employer shall provide to an employee six months of medical removal protection benefits immediately following each occasion an employee is removed from exposure to benzene because of hematological findings pursuant to (h)(i) and (ii) of this subsection, unless the employee has been transferred to a comparable job where benzene exposures are below the action level.

(ii) For the purposes of this section, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the current wage rate, seniority, and other benefits of an employee as though the employee had not been removed.

(iii) The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program, or from employment with another employer made possible by virtue of the employee's removal.

(10) Communication of benzene hazards to employees.

(a) Signs and labels.

(i) The employer shall post signs at entrances to regulated areas. The signs shall bear the following legend:

DANGER
 BENZENE
 CANCER HAZARD
 FLAMMABLE-NO SMOKING
 AUTHORIZED PERSONNEL ONLY
 RESPIRATOR REQUIRED

(ii) The employer shall ensure that labels or other appropriate forms of warning are provided for containers of benzene within the workplace. There is no requirement to label pipes: The labels shall comply with the requirements of WAC ((296-62-05411)) 296-800-170 and in addition shall include the following legend:

DANGER
 CONTAINS BENZENE
 CANCER HAZARD

(b) Material safety data sheets.

(i) Employers shall obtain or develop, and shall provide access to their employees, to a material safety data sheet (MSDS) which addresses benzene and complies with WAC 296-62-054 and 296-800-170.

(ii) Employers who are manufacturers or importers shall:

(A) Comply with subsection (1) of this section; and

(B) Comply with the requirement in WISHA's hazard communication standard, WAC 296-62-054 (Hazard communication purpose), that they deliver to downstream employers an MSDS which addresses benzene.

(c) Information and training.

(i) The employer shall provide employees with information and training at the time of their initial assignment to a work area where benzene is present. If exposures are above the action level, employees shall be provided with information and training at least annually thereafter.

(ii) The training program shall be in accordance with the requirements of WAC ((296-62-05415 (1) and (2))) 296-800-170, and shall include specific information on benzene for each category of information included in that section.

(iii) In addition to the information required under WAC ((296-62-054)) 296-800-170, the employer shall:

(A) Provide employees with an explanation of the contents of this section, including Appendices A and B, and indicate to them where the standard is available; and

(B) Describe the medical surveillance program required under subsection (9) of this section, and explain the information contained in Appendix C.

(11) Recordkeeping.

(a) Exposure measurements.

(i) The employer shall establish and maintain an accurate record of all measurements required by subsection (5) of this section, in accordance with WAC 296-62-052.

(ii) This record shall include:

(A) The dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;

(B) A description of the sampling and analytical methods used;

(C) A description of the type of respiratory protective devices worn, if any; and

(D) The name, Social Security number, job classification, and exposure levels of the employee monitored and all other employees whose exposure the measurement is intended to represent.

(iii) The employer shall maintain this record for at least the duration of employment plus thirty years, in accordance with Part B, Access to records, WAC 296-62-052 through 296-62-05223.

(b) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance required by subsection (9) of this section, in accordance with WAC 296-62-052.

(ii) This record shall include:

(A) The name and Social Security number of the employee;

(B) The employer's copy of the physician's written opinion on the initial, periodic, and special examinations, including results of medical examinations and all tests, opinions, and recommendations;

(C) Any employee medical complaints related to exposure to benzene;

(D) A copy of the information provided to the physician as required by subsection (9)(f)(ii) through (v) of this section; and

(E) A copy of the employee's medical and work history related to exposure to benzene or any other hematologic toxins.

(iii) The employer shall maintain this record for at least the duration of employment plus thirty years, in accordance with Part B, Access to records, WAC 296-62-052 through 296-62-05223.

(c) Availability.

(i) The employer shall assure that all records required to be maintained by this section shall be made available upon request to the director for examination and copying.

(ii) Employee exposure monitoring records required by this subsection shall be provided upon request for examination and copying to employees, employee representatives, and the director in accordance with WAC 296-62-05201 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(iii) Employee medical records required by this subsection shall be provided upon request for examination and copying, to the subject employee, to anyone having the specific written consent of the subject employee, and to the director in accordance with WAC 296-62-052.

(d) Transfer of records.

(i) The employer shall comply with the requirements involving transfer of records set forth in WAC 296-62-05205.

(ii) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director, at least three months prior to disposal, and transmit them to the director if required by the director within that period.

(12) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees, or their designated representatives, an opportunity to observe the measuring or monitoring of

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employee exposure to benzene conducted pursuant to subsection (5) of this section.

(b) Observation procedures. When observation of the measuring or monitoring of employee exposure to benzene requires entry into areas where the use of protective clothing and equipment or respirators is required, the employer shall provide the observer with personal protective clothing and equipment or respirators required to be worn by employees working in the area, assure the use of such clothing and equipment or respirators, and require the observer to comply with all other applicable safety and health procedures.

(13) Appendices. The information contained in WAC 296-62-07525, Appendices A, B, C, and D is not intended, by itself, to create any additional obligations not otherwise imposed or to detract from any existing obligations.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-07540 Formaldehyde. (1) Scope and application. This standard applies to all occupational exposures to formaldehyde, i.e., from formaldehyde gas, its solutions, and materials that release formaldehyde.

(2) Definitions. For purposes of this standard, the following definitions shall apply:

(a) "Action level" means a concentration of 0.5 part formaldehyde per million parts of air (0.5 ppm) calculated as an 8-hour time-weighted average (TWA) concentration.

(b) "Approved" means approved by the director of the department of labor and industries or his/her authorized representative: Provided, however, That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health, the provision of WAC ((296-24-006)) 296-800-370 shall apply.

(c) "Authorized person" means any person required by work duties to be present in regulated work areas, or authorized to do so by the employer, by this section of the standard, or by the WISHA Act.

(d) "Director" means the director of the department of labor and industries, or his/her designated representative.

(e) "Emergency" is any occurrence, such as but not limited to equipment failure, rupture of containers, or failure of control equipment that results in an uncontrolled release of a significant amount of formaldehyde.

(f) "Employee exposure" means the exposure to airborne formaldehyde which would occur without corrections for protection provided by any respirator that is in use.

(g) "Formaldehyde" means the chemical substance, HCHO, Chemical Abstracts Service Registry No. 50-00-0.

(3) Permissible exposure limit (PEL).

(a) TWA: The employer shall assure that no employee is exposed to an airborne concentration of formaldehyde which exceeds 0.75 part formaldehyde per million parts of air as an 8-hour TWA.

(b) Short term exposure limit (STEL): The employer shall assure that no employee is exposed to an airborne concentration of formaldehyde which exceeds two parts formal-

dehyde per million parts of air (2 ppm) as a fifteen-minute STEL.

(4) Exposure monitoring.

(a) General.

(i) Each employer who has a workplace covered by this standard shall monitor employees to determine their exposure to formaldehyde.

(ii) Exception. Where the employer documents, using objective data, that the presence of formaldehyde or formaldehyde-releasing products in the workplace cannot result in airborne concentrations of formaldehyde that would cause any employee to be exposed at or above the action level or the STEL under foreseeable conditions of use, the employer will not be required to measure employee exposure to formaldehyde.

(iii) When an employee's exposure is determined from representative sampling, the measurements used shall be representative of the employee's full shift or short-term exposure to formaldehyde, as appropriate.

(iv) Representative samples for each job classification in each work area shall be taken for each shift unless the employer can document with objective data that exposure levels for a given job classification are equivalent for different workshifts.

(b) Initial monitoring. The employer shall identify all employees who may be exposed at or above the action level or at or above the STEL and accurately determine the exposure of each employee so identified.

(i) Unless the employer chooses to measure the exposure of each employee potentially exposed to formaldehyde, the employer shall develop a representative sampling strategy and measure sufficient exposures within each job classification for each workshift to correctly characterize and not underestimate the exposure of any employee within each exposure group.

(ii) The initial monitoring process shall be repeated each time there is a change in production, equipment, process, personnel, or control measures which may result in new or additional exposure to formaldehyde.

(iii) If the employer receives reports or signs or symptoms of respiratory or dermal conditions associated with formaldehyde exposure, the employer shall promptly monitor the affected employee's exposure.

(c) Periodic monitoring.

(i) The employer shall periodically measure and accurately determine exposure to formaldehyde for employees shown by the initial monitoring to be exposed at or above the action level or at or above the STEL.

(ii) If the last monitoring results reveal employee exposure at or above the action level, the employer shall repeat monitoring of the employees at least every six months.

(iii) If the last monitoring results reveal employee exposure at or above the STEL, the employer shall repeat monitoring of the employees at least once a year under worst conditions.

(d) Termination of monitoring. The employer may discontinue periodic monitoring for employees if results from two consecutive sampling periods taken at least seven days apart show that employee exposure is below the action level and the STEL. The results must be statistically representative

and consistent with the employer's knowledge of the job and work operation.

(e) Accuracy of monitoring. Monitoring shall be accurate, at the ninety-five percent confidence level, to within plus or minus twenty-five percent for airborne concentrations of formaldehyde at the TWA and the STEL and to within plus or minus thirty-five percent for airborne concentrations of formaldehyde at the action level.

(f) Employee notification of monitoring results. Within fifteen days of receiving the results of exposure monitoring conducted under this standard, the employer shall notify the affected employees of these results. Notification shall be in writing, either by distributing copies of the results to the employees or by posting the results. If the employee exposure is over either PEL, the employer shall develop and implement a written plan to reduce employee exposure to or below both PELs, and give written notice to employees. The written notice shall contain a description of the corrective action being taken by the employer to decrease exposure.

(g) Observation of monitoring.

(i) The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to formaldehyde required by this standard.

(ii) When observation of the monitoring of employee exposure to formaldehyde requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the clothing and equipment to the observer, require the observer to use such clothing and equipment, and assure that the observer complies with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish regulated areas where the concentration of airborne formaldehyde exceeds either the TWA or the STEL and post all entrances and accessways with signs bearing the following information:

DANGER
FORMALDEHYDE
IRRITANT AND POTENTIAL CANCER HAZARD
AUTHORIZED PERSONNEL ONLY

(b) The employer shall limit access to regulated areas to authorized persons who have been trained to recognize the hazards of formaldehyde.

(c) An employer at a multi-employer worksite who establishes a regulated area shall communicate the access restrictions and locations of these areas to other employers with work operations at that worksite.

(6) Methods of compliance.

(a) Engineering controls and work practices. The employer shall institute engineering and work practice controls to reduce and maintain employee exposures to formaldehyde at or below the TWA and the STEL.

(b) Exception. Whenever the employer has established that feasible engineering and work practice controls cannot reduce employee exposure to or below either of the PELs, the employer shall apply these controls to reduce employee

exposures to the extent feasible and shall supplement them with respirators which satisfy this standard.

(7) Respiratory protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this subsection. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls;

(ii) Work operations, such as maintenance and repair activities or vessel cleaning, for which the employer establishes that engineering and work-practice controls are not feasible;

(iii) Work operations for which feasible engineering and work-practice controls are not yet sufficient to reduce exposure to or below the PELs;

(iv) Emergencies.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1), 296-62-07131 (4)(b)(i) and (ii), and 296-62-07150 through 296-62-07156).

(ii) If air-purifying chemical-cartridge respirators are used, the employer must:

(A) Replace the cartridge after three hours of use or at the end of the workshift, whichever occurs first, unless the cartridge contains a NIOSH-certified end-of-service-life indicator (ESLI) to show when breakthrough occurs.

(B) Unless the canister contains a NIOSH-certified ESLI to show when breakthrough occurs, replace canisters used in atmospheres up to 7.5 ppm (10 x PEL) every four hours and industrial-sized canisters used in atmospheres up to 75 ppm (100 x PEL) every two hours, or at the end of the workshift, whichever occurs first.

(c) Respirator selection.

(i) The employer must select appropriate respirators from Table 1 of this section.

TABLE 1
MINIMUM REQUIREMENTS FOR RESPIRATORY PROTECTION
AGAINST FORMALDEHYDE

Condition of use or formaldehyde concentration (ppm)	Minimum respirator required ¹
Up to 7.5 ppm (10 x PEL)	Full facepiece with cartridges or canisters specifically approved for protection against formaldehyde ² .
Up to 75 ppm (100 x PEL)	Full-face mask with chin style or chest or back mounted type industrial size canister specifically approved for protection against formaldehyde. Type C supplied-air respirator pressure demand or continuous flow type, with full facepiece, hood, or helmet.
Above 75 ppm or unknown (emergencies) (100 x PEL)	Self-contained breathing apparatus (SCBA) with positive-pressure full facepiece.

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TABLE 1
MINIMUM REQUIREMENTS FOR RESPIRATORY PROTECTION
AGAINST FORMALDEHYDE

	Combination supplied-air, full facepiece positive-pressure respirator with auxiliary self-contained air supply.
Fire fighting	SCBA with positive-pressure in full facepiece.
Escape.....	SCBA in demand or pressure demand mode. Full-face mask with chin style or front or back mounted type industrial size canister specifically approved for protection against formaldehyde.

¹ Respirators specified for use at higher concentrations may be used at lower concentrations.

² A half-mask respirator with cartridges specifically approved for protection against formaldehyde can be substituted for the full facepiece respirator providing that effective gas-proof goggles are provided and used in combination with the half-mask respirator.

(ii) The employer must provide a powered air-purifying respirator adequate to protect against formaldehyde exposure to any employee who has difficulty using a negative-pressure respirator.

(8) Protective equipment and clothing. Employers shall comply with the provisions of WAC ((~~296-24-07501 and 296-24-07801~~)) 296-800-160. When protective equipment or clothing is provided under these provisions, the employer shall provide these protective devices at no cost to the employee and assure that the employee wears them.

(a) Selection. The employer shall select protective clothing and equipment based upon the form of formaldehyde to be encountered, the conditions of use, and the hazard to be prevented.

(i) All contact of the eyes and skin with liquids containing one percent or more formaldehyde shall be prevented by the use of chemical protective clothing made of material impervious to formaldehyde and the use of other personal protective equipment, such as goggles and face shields, as appropriate to the operation.

(ii) Contact with irritating or sensitizing materials shall be prevented to the extent necessary to eliminate the hazard.

(iii) Where a face shield is worn, chemical safety goggles are also required if there is a danger of formaldehyde reaching the area of the eye.

(iv) Full body protection shall be worn for entry into areas where concentrations exceed 100 ppm and for emergency reentry into areas of unknown concentration.

(b) Maintenance of protective equipment and clothing:

(i) The employer shall assure that protective equipment and clothing that has become contaminated with formaldehyde is cleaned or laundered before its reuse.

(ii) When ventilating formaldehyde-contaminated clothing and equipment, the employer shall establish a storage area so that employee exposure is minimized. Containers for contaminated clothing and equipment and storage areas shall have labels and signs containing the following information:

DANGER

FORMALDEHYDE-CONTAMINATED (CLOTHING) EQUIPMENT
AVOID INHALATION AND SKIN CONTACT

(iii) The employer shall assure that only persons trained to recognize the hazards of formaldehyde remove the contaminated material from the storage area for purposes of cleaning, laundering, or disposal.

(iv) The employer shall assure that no employee takes home equipment or clothing that is contaminated with formaldehyde.

(v) The employer shall repair or replace all required protective clothing and equipment for each affected employee as necessary to assure its effectiveness.

(vi) The employer shall inform any person who launders, cleans, or repairs such clothing or equipment of formaldehyde's potentially harmful effects and of procedures to safely handle the clothing and equipment.

(9) Hygiene protection.

(a) The employer shall provide change rooms, as described in WAC 296-24-120 for employees who are required to change from work clothing into protective clothing to prevent skin contact with formaldehyde.

(b) If employees' skin may become splashed with solutions containing one percent or greater formaldehyde, for example because of equipment failure or improper work practices, the employer shall provide conveniently located quick drench showers and assure that affected employees use these facilities immediately.

(c) If there is any possibility that an employee's eyes may be splashed with solutions containing 0.1 percent or greater formaldehyde, the employer shall provide acceptable eye-wash facilities within the immediate work area for emergency use.

(10) Housekeeping. For operations involving formaldehyde liquids or gas, the employer shall conduct a program to detect leaks and spills, including regular visual inspections.

(a) Preventative maintenance of equipment, including surveys for leaks, shall be undertaken at regular intervals.

(b) In work areas where spillage may occur, the employer shall make provisions to contain the spill, to decontaminate the work area, and to dispose of the waste.

(c) The employer shall assure that all leaks are repaired and spills are cleaned promptly by employees wearing suitable protective equipment and trained in proper methods for cleanup and decontamination.

(d) Formaldehyde-contaminated waste and debris resulting from leaks or spills shall be placed for disposal in sealed containers bearing a label warning of formaldehyde's presence and of the hazards associated with formaldehyde.

(11) Emergencies. For each workplace where there is the possibility of an emergency involving formaldehyde, the employer shall assure appropriate procedures are adopted to minimize injury and loss of life. Appropriate procedures shall be implemented in the event of an emergency.

(12) Medical surveillance.

(a) Employees covered.

(i) The employer shall institute medical surveillance programs for all employees exposed to formaldehyde at concen-

PROPOSED

trations at or exceeding the action level or exceeding the STEL.

(ii) The employer shall make medical surveillance available for employees who develop signs and symptoms of overexposure to formaldehyde and for all employees exposed to formaldehyde in emergencies. When determining whether an employee may be experiencing signs and symptoms of possible overexposure to formaldehyde, the employer may rely on the evidence that signs and symptoms associated with formaldehyde exposure will occur only in exceptional circumstances when airborne exposure is less than 0.1 ppm and when formaldehyde is present in materials in concentrations less than 0.1 percent.

(b) Examination by a physician. All medical procedures, including administration of medical disease questionnaires, shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(c) Medical disease questionnaire. The employer shall make the following medical surveillance available to employees prior to assignment to a job where formaldehyde exposure is at or above the action level or above the STEL and annually thereafter. The employer shall also make the following medical surveillance available promptly upon determining that an employee is experiencing signs and symptoms indicative of possible overexposure to formaldehyde.

(i) Administration of a medical disease questionnaire, such as in Appendix D, which is designed to elicit information on work history, smoking history, any evidence of eye, nose, or throat irritation; chronic airway problems or hyperreactive airway disease; allergic skin conditions or dermatitis; and upper or lower respiratory problems.

(ii) A determination by the physician, based on evaluation of the medical disease questionnaire, of whether a medical examination is necessary for employees not required to wear respirators to reduce exposure to formaldehyde.

(d) Medical examinations. Medical examinations shall be given to any employee who the physician feels, based on information in the medical disease questionnaire, may be at increased risk from exposure to formaldehyde and at the time of initial assignment and at least annually thereafter to all employees required to wear a respirator to reduce exposure to formaldehyde. The medical examination shall include:

(i) A physical examination with emphasis on evidence of irritation or sensitization of the skin and respiratory system, shortness of breath, or irritation of the eyes.

(ii) Laboratory examinations for respirator wearers consisting of baseline and annual pulmonary function tests. As a minimum, these tests shall consist of forced vital capacity (FVC), forced expiratory volume in one second (FEV1), and forced expiratory flow (FEF).

(iii) Any other test which the examining physician deems necessary to complete the written opinion.

(iv) Counseling of employees having medical conditions that would be directly or indirectly aggravated by exposure to formaldehyde on the increased risk of impairment of their health.

(e) Examinations for employees exposed in an emergency. The employer shall make medical examinations avail-

able as soon as possible to all employees who have been exposed to formaldehyde in an emergency.

(i) The examination shall include a medical and work history with emphasis on any evidence of upper or lower respiratory problems, allergic conditions, skin reaction or hypersensitivity, and any evidence of eye, nose, or throat irritation.

(ii) Other examinations shall consist of those elements considered appropriate by the examining physician.

(f) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and Appendices A, C, D, and E;

(ii) A description of the affected employee's job duties as they relate to the employee's exposure to formaldehyde;

(iii) The representative exposure level for the employee's job assignment;

(iv) Information concerning any personal protective equipment and respiratory protection used or to be used by the employee; and

(v) Information from previous medical examinations of the affected employee within the control of the employer.

(vi) In the event of a nonroutine examination because of an emergency, the employer shall provide to the physician as soon as possible: A description of how the emergency occurred and the exposure the victim may have received.

(g) Physician's written opinion.

(i) For each examination required under this standard, the employer shall obtain a written opinion from the examining physician. This written opinion shall contain the results of the medical examination except that it shall not reveal specific findings or diagnoses unrelated to occupational exposure to formaldehyde. The written opinion shall include:

(A) The physician's opinion as to whether the employee has any medical condition that would place the employee at an increased risk of material impairment of health from exposure to formaldehyde;

(B) Any recommended limitations on the employee's exposure or changes in the use of personal protective equipment, including respirators;

(C) A statement that the employee has been informed by the physician of any medical conditions which would be aggravated by exposure to formaldehyde, whether these conditions may have resulted from past formaldehyde exposure or from exposure in an emergency, and whether there is a need for further examination or treatment.

(ii) The employer shall provide for retention of the results of the medical examination and tests conducted by the physician.

(iii) The employer shall provide a copy of the physician's written opinion to the affected employee within fifteen days of its receipt.

(h) Medical removal.

(i) The provisions of this subdivision apply when an employee reports significant irritation of the mucosa of the eyes or of the upper airways, respiratory sensitization, dermal irritation, or dermal sensitization attributed to workplace formaldehyde exposure. Medical removal provisions do not apply in case of dermal irritation or dermal sensitization

when the product suspected of causing the dermal condition contains less than 0.05% formaldehyde.

(ii) An employee's report of signs or symptoms of possible overexposure to formaldehyde shall be evaluated by a physician selected by the employer pursuant to (c) of this subsection. If the physician determines that a medical examination is not necessary under (c)(ii) of this subsection, there shall be a two-week evaluation and remediation period to permit the employer to ascertain whether the signs or symptoms subside untreated or with the use of creams, gloves, first aid treatment, or personal protective equipment. Industrial hygiene measures that limit the employee's exposure to formaldehyde may also be implemented during this period. The employee shall be referred immediately to a physician prior to expiration of the two-week period if the signs or symptoms worsen. Earnings, seniority, and benefits may not be altered during the two-week period by virtue of the report.

(iii) If the signs or symptoms have not subsided or been remedied by the end of the two-week period, or earlier if signs or symptoms warrant, the employee shall be examined by a physician selected by the employer. The physician shall presume, absent contrary evidence, that observed dermal irritation or dermal sensitization are not attributable to formaldehyde when products to which the affected employee is exposed contain less than 0.1% formaldehyde.

(iv) Medical examinations shall be conducted in compliance with the requirements of (e)(i) and (ii) of this subsection. Additional guidelines for conducting medical exams are contained in WAC 296-62-07546, Appendix C.

(v) If the physician finds that significant irritation of the mucosa of the eyes or the upper airways, respiratory sensitization, dermal irritation, or dermal sensitization result from workplace formaldehyde exposure and recommends restrictions or removal. The employer shall promptly comply with the restrictions or recommendations of removal. In the event of a recommendation of removal, the employer shall remove the affected employee from the current formaldehyde exposure and if possible, transfer the employee to work having no or significantly less exposure to formaldehyde.

(vi) When an employee is removed pursuant to item (v) of this subdivision, the employer shall transfer the employee to comparable work for which the employee is qualified or can be trained in a short period (up to six months), where the formaldehyde exposures are as low as possible, but not higher than the action level. The employer shall maintain the employee's current earnings, seniority, and other benefits. If there is no such work available, the employer shall maintain the employee's current earnings, seniority, and other benefits until such work becomes available, until the employee is determined to be unable to return to workplace formaldehyde exposure, until the employee is determined to be able to return to the original job status, or for six months, whichever comes first.

(vii) The employer shall arrange for a follow-up medical examination to take place within six months after the employee is removed pursuant to this subsection. This examination shall determine if the employee can return to the original job status, or if the removal is to be permanent. The physician shall make a decision within six months of the date the employee was removed as to whether the employee can be

returned to the original job status, or if the removal is to be permanent.

(viii) An employer's obligation to provide earnings, seniority, and other benefits to a removed employee may be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program or from employment with another employer made possible by virtue of the employee's removal.

(ix) In making determinations of the formaldehyde content of materials under this subsection the employer may rely on objective data.

(i) Multiple physician review.

(i) After the employer selects the initial physician who conducts any medical examination or consultation to determine whether medical removal or restriction is appropriate, the employee may designate a second physician to review any findings, determinations, or recommendations of the initial physician and to conduct such examinations, consultations, and laboratory tests as the second physician deems necessary and appropriate to evaluate the effects of formaldehyde exposure and to facilitate this review.

(ii) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation for the purpose of medical removal or restriction.

(iii) The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the notification of the right to seek a second medical opinion, or receipt of the initial physician's written opinion, whichever is later:

(A) The employee informs the employer of the intention to seek a second medical opinion; and

(B) The employee initiates steps to make an appointment with a second physician.

(iv) If the findings, determinations, or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve the disagreement. If the two physicians are unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician who shall be a specialist in the field at issue:

(A) To review the findings, determinations, or recommendations of the prior physicians; and

(B) To conduct such examinations, consultations, laboratory tests, and discussions with prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(v) In the alternative, the employer and the employee or authorized employee representative may jointly designate such third physician.

(vi) The employer shall act consistent with the findings, determinations, and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

(13) Hazard communication.

(a) General. Notwithstanding any exemption granted in WAC (~~(296-62-05403-(6)(e))~~) 296-800-170 for wood products, each employer who has a workplace covered by this standard shall comply with the requirements of WAC (~~(296-62-05409 through 296-62-05419)~~) 296-800-170. The definitions of the chemical hazard communication standard shall apply under this standard.

(i) The following shall be subject to the hazard communication requirements of this section: Formaldehyde gas, all mixtures or solutions composed of greater than 0.1 percent formaldehyde, and materials capable of releasing formaldehyde into the air under reasonably foreseeable concentrations reaching or exceeding 0.1 ppm.

(ii) As a minimum, specific health hazards that the employer shall address are: Cancer, irritation and sensitization of the skin and respiratory system, eye and throat irritation, and acute toxicity.

(b) Manufacturers and importers who produce or import formaldehyde or formaldehyde-containing products shall provide downstream employers using or handling these products with an objective determination through the required labels and MSDSs if these items may constitute a health hazard within the meaning of WAC 296-62-05407 under normal conditions of use.

(c) Labels.

(i) The employer shall assure that hazard warning labels complying with the requirements of WAC (~~(296-62-05411)~~) 296-800-170 are affixed to all containers of materials listed in (a)(i) of this subsection, except to the extent that (a)(i) of this subsection is inconsistent with this item.

(ii) Information on labels. As a minimum, for all materials listed in (a)(i) of this subsection, capable of releasing formaldehyde at levels of 0.1 ppm to 0.5 ppm, labels shall identify that the product contains formaldehyde: List the name and address of the responsible party; and state that physical and health hazard information is readily available from the employer and from material safety data sheets.

(iii) For materials listed in (a)(i) of this subsection, capable of releasing formaldehyde at levels above 0.5 ppm, labels shall appropriately address all the hazards as defined in (~~Part C, WAC 296-62-054 through 296-62-05425~~) WAC 296-800-170, and Appendices A and B, including respiratory sensitization, and shall contain the words "Potential Cancer Hazard."

(iv) In making the determinations of anticipated levels of formaldehyde release, the employer may rely on objective data indicating the extent of potential formaldehyde release under reasonably foreseeable conditions of use.

(v) Substitute warning labels. The employer may use warning labels required by other statutes, regulations, or ordinances which impart the same information as the warning statements required by this subitem.

(d) Material safety data sheets.

(i) Any employer who uses formaldehyde-containing materials listed in (a)(i) of this subsection shall comply with the requirements of WAC (~~(296-62-05413)~~) 296-800-170 with regard to the development and updating of material safety data sheets.

(ii) Manufacturers, importers, and distributors of formaldehyde containing materials listed in (a)(i) of this subsection

shall assure that material safety data sheets and updated information are provided to all employers purchasing such materials at the time of the initial shipment and at the time of the first shipment after a material safety data sheet is updated.

(e) Written hazard communication program. The employer shall develop, implement, and maintain at the workplace, a written hazard communication program for formaldehyde exposures in the workplace, which at a minimum describes how the requirements specified in this section for labels and other forms of warning and material safety data sheets, and subsection (14) of this section for employee information and training, will be met. Employees in multi-employer workplaces shall comply with the requirements of WAC (~~(296-62-05409-(2)(b))~~) 296-800-170.

(14) Employee information and training.

(a) Participation. The employer shall assure that all employees who are assigned to workplaces where there is a health hazard from formaldehyde participate in a training program, except that where the employer can show, using objective data, that employees are not exposed to formaldehyde at or above 0.1 ppm, the employer is not required to provide training.

(b) Frequency. Employers shall provide such information and training to employees at the time of their initial assignment and whenever a new exposure to formaldehyde is introduced into their work area. The training shall be repeated at least annually.

(c) Training program. The training program shall be conducted in a manner which the employee is able to understand and shall include:

(i) A discussion of the contents of this regulation and the contents of the material safety data sheet;

(ii) The purpose for and a description of the medical surveillance program required by this standard, including:

(A) A description of the potential health hazards associated with exposure to formaldehyde and a description of the signs and symptoms of exposure to formaldehyde.

(B) Instructions to immediately report to the employer the development of any adverse signs or symptoms that the employee suspects is attributable to formaldehyde exposure.

(iii) Description of operations in the work area where formaldehyde is present and an explanation of the safe work practices appropriate for limiting exposure to formaldehyde in each job;

(iv) The purpose for, proper use of, and limitations of personal protective clothing;

(v) Instructions for the handling of spills, emergencies, and clean-up procedures;

(vi) An explanation of the importance of engineering and work practice controls for employee protection and any necessary instruction in the use of these controls;

(vii) A review of emergency procedures including the specific duties or assignments of each employee in the event of an emergency; and

(viii) The purpose, proper use, limitations, and other training requirements for respiratory protection as required by chapter 296-62 WAC, Part E.

(d) Access to training materials.

(i) The employer shall inform all affected employees of the location of written training materials and shall make these

materials readily available, without cost, to the affected employees.

(ii) The employer shall provide, upon request, all training materials relating to the employee training program to the director of labor and industries, or his/her designated representative.

(15) Recordkeeping.

(a) Exposure measurements. The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to formaldehyde. This record shall include:

- (i) The date of measurement;
- (ii) The operation being monitored;
- (iii) The methods of sampling and analysis and evidence of their accuracy and precision;
- (iv) The number, durations, time, and results of samples taken;
- (v) The types of protective devices worn; and
- (vi) The names, job classifications, Social Security numbers, and exposure estimates of the employees whose exposures are represented by the actual monitoring results.

(b) Exposure determinations. Where the employer has determined that no monitoring is required under this standard, the employer shall maintain a record of the objective data relied upon to support the determination that no employee is exposed to formaldehyde at or above the action level.

(c) Medical surveillance. The employer shall establish and maintain an accurate record for each employee subject to medical surveillance under this standard. This record shall include:

- (i) The name and Social Security number of the employee;
- (ii) The physician's written opinion;
- (iii) A list of any employee health complaints that may be related to exposure to formaldehyde; and
- (iv) A copy of the medical examination results, including medical disease questionnaires and results of any medical tests required by the standard or mandated by the examining physician.

(d) Record retention. The employer shall retain records required by this standard for at least the following periods:

- (i) Exposure records and determinations shall be kept for at least thirty years; and
 - (ii) Medical records shall be kept for the duration of employment plus thirty years.
- (e) Availability of records.
- (i) Upon request, the employer shall make all records maintained as a requirement of this standard available for examination and copying to the director of labor and industries, or his/her designated representative.

(ii) The employer shall make employee exposure records, including estimates made from representative monitoring and available upon request for examination and copying, to the subject employee, or former employee, and employee representatives in accordance with WAC 296-62-052 through 296-62-05209 and 296-62-05213 through 296-62-05217 and WAC 296-800-180.

(iii) Employee medical records required by this standard shall be provided upon request for examination and copying,

to the subject employee, or former employee, or to anyone having the specific written consent of the subject employee or former employee in accordance with WAC 296-62-05201 through 296-62-05209, and 296-62-05213 through 296-62-05217.

AMENDATORY SECTION (Amending Order 92-15, filed 2/3/93, effective 3/15/93)

WAC 296-62-07601 Scope and application. (1) WAC 296-62-076 applies to all occupational exposures to MDA, Chemical Abstracts Service Registry No. 101-77-9, except as provided in subsections (2) through (7) of this section.

(2) Except as provided in subsection (8) of this section and WAC 296-62-07609(5), this section does not apply to the processing, use, and handling of products containing MDA where initial monitoring indicates that the product is not capable of releasing MDA in excess of the action level under the expected conditions of processing, use, and handling which will cause the greatest possible release; and where no "dermal exposure to MDA" can occur.

(3) Except as provided in subsection (8) of this section, WAC 296-62-076 does not apply to the processing, use, and handling of products containing MDA where objective data are reasonably relied upon which demonstrate the product is not capable of releasing MDA under the expected conditions of processing, use, and handling which will cause the greatest possible release; and where no "dermal exposure to MDA" can occur.

(4) WAC 296-62-076 does not apply to the storage, transportation, distribution, or sale of MDA in intact containers sealed in such a manner as to contain the MDA dusts, vapors, or liquids, except for the provisions of WAC 296-62-054 ((and)), 296-62-07607 and 296-800-170.

(5) WAC 296-62-076 does not apply to the construction industry as defined in WAC 296-155-012(6). (Exposure to MDA in the construction industry is covered by WAC 296-155-173.)

(6) Except as provided in subsection (8) of this section, WAC 296-62-076 does not apply to materials in any form which contain less than 0.1% MDA by weight or volume.

(7) Except as provided in subsection (8) of this section, WAC 296-62-076 does not apply to "finished articles containing MDA."

(8) Where products containing MDA are exempted under subsections (2) through (7) of this section, the employer shall maintain records of the initial monitoring results or objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in the recordkeeping provision of WAC 296-62-07631.

AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-62-07617 Protective work clothing and equipment. (1) Provision and use. Where employees are subject to dermal exposure to MDA, where liquids containing MDA can be splashed into the eyes, or where airborne concentrations of MDA are in excess of the PEL, the employer shall provide, at no cost to the employee, and ensure that the

employee uses, appropriate protective work clothing and equipment which prevent contact with MDA such as, but not limited to:

- (a) Aprons, coveralls, or other full-body work clothing;
- (b) Gloves, head coverings, and foot coverings; and
- (c) Face shields, chemical goggles; or
- (d) Other appropriate protective equipment which comply with (~~chapter 296-24 WAC, Part A-2~~) WAC 296-800-160.

(2) Removal and storage.

(a) The employer shall ensure that, at the end of their work shift, employees remove MDA-contaminated protective work clothing and equipment that is not routinely removed throughout the day in change rooms provided in accordance with the provisions established for change rooms.

(b) The employer shall ensure that, during their work shift, employees remove all other MDA-contaminated protective work clothing or equipment before leaving a regulated area.

(c) The employer shall ensure that no employee takes MDA-contaminated work clothing or equipment out of the change room, except those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(d) MDA-contaminated work clothing or equipment shall be placed and stored in closed containers which prevent dispersion of the MDA outside the container.

(e) Containers of MDA-contaminated protective work clothing or equipment which are to be taken out of change rooms or the workplace for cleaning, maintenance, or disposal shall bear labels warning of the hazards of MDA.

(3) Cleaning and replacement.

(a) The employer shall provide the employee with clean protective clothing and equipment. The employer shall ensure that protective work clothing or equipment required by this paragraph is cleaned, laundered, repaired, or replaced at intervals appropriate to maintain its effectiveness.

(b) The employer shall prohibit the removal of MDA from protective work clothing or equipment by blowing, shaking, or any methods which allow MDA to reenter the workplace.

(c) The employer shall ensure that laundering of MDA-contaminated clothing shall be done so as to prevent the release of MDA in the workplace.

(d) Any employer who gives MDA-contaminated clothing to another person for laundering shall inform such person of the requirement to prevent the release of MDA.

(e) The employer shall inform any person who launders or cleans protective clothing or equipment contaminated with MDA of the potentially harmful effects of exposure.

(f) MDA-contaminated clothing shall be transported in properly labeled, sealed, impermeable bags or containers.

AMENDATORY SECTION (Amending Order 92-15, filed 2/3/93, effective 3/15/93)

WAC 296-62-07621 Communication of hazards to employees. (1) Signs and labels.

(a) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER MDA MAY CAUSE CANCER LIVER TOXIN
AUTHORIZED PERSONNEL ONLY
RESPIRATORS AND PROTECTIVE CLOTHING
MAY BE REQUIRED TO BE WORN IN THIS AREA

(b) The employer shall ensure that labels or other appropriate forms of warning are provided for containers of MDA within the workplace. The labels shall comply with the requirements of WAC (~~(296-62-05411)~~) 296-800-170 and shall include the following legend:

(i) For pure MDA

DANGER CONTAINS MDA MAY CAUSE CANCER LIVER TOXIN

(ii) For mixtures containing MDA

DANGER CONTAINS MDA CONTAINS MATERIALS
WHICH MAY CAUSE CANCER LIVER TOXIN

(2) Material safety data sheets (MSDS).

(a) Employers shall obtain or develop, and shall provide access to their employees, to a material safety data sheet (MSDS) for MDA. In meeting this obligation, employers shall make appropriate use of the information found in Appendices A and B.

(b) Employers who are manufacturers or importers shall:

(i) Comply with subdivision (1)(b) of this section as appropriate; and

(ii) Comply with the requirement in WISHA hazard communication standard, WAC 296-62-054, that they deliver to downstream employers an MSDS for MDA.

(3) Information and training.

(a) The employer shall provide employees with information and training on MDA, in accordance with WAC (~~(296-62-054 through 296-62-05415)~~) 296-800-170, at the time of initial assignment and at least annually thereafter.

(b) In addition to the information required under WAC (~~(296-62-054)~~) 296-800-170, the employer shall:

(i) Provide an explanation of the contents of WAC 296-62-076, including Appendices A and B, and indicate to employees where a copy of the standard is available;

(ii) Describe the medical surveillance program required under WAC 296-62-07625, and explain the information contained in Appendix C; and

(iii) Describe the medical removal provision required under WAC 296-62-07625.

(4) Access to training materials.

(a) The employer shall make readily available to all affected employees, without cost, all written materials relating to the employee training program, including a copy of this regulation.

(b) The employer shall provide to the director, upon request, all information and training materials relating to the employee information and training program.

AMENDATORY SECTION (Amending Order 92-15, filed 2/3/93, effective 3/15/93)

WAC 296-62-07631 Recordkeeping. (1) Monitoring data for exempted employers.

(a) Where as a result of the initial monitoring the processing, use, or handling of products made from or containing MDA are exempted from other requirements of this section under WAC 296-62-07601(2), the employer shall establish and maintain an accurate record of monitoring relied on in support of the exemption.

(b) This record shall include at least the following information:

- (i) The product qualifying for exemption;
- (ii) The source of the monitoring data (e.g., was monitoring performed by the employer or a private contractor);
- (iii) The testing protocol, results of testing, and/or analysis of the material for the release of MDA;
- (iv) A description of the operation exempted and how the data support the exemption (e.g., are the monitoring data representative of the conditions at the affected facility); and
- (v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(2) Objective data for exempted employers.

(a) Where the processing, use, or handling of products made from or containing MDA are exempted from other requirements of WAC 296-62-076 under WAC 296-62-07601, the employer shall establish and maintain an accurate record of objective data relied upon in support of the exemption.

(b) This record shall include at least the following information:

- (i) The product qualifying for exemption;
- (ii) The source of the objective data;
- (iii) The testing protocol, results of testing, and/or analysis of the material for the release of MDA;
- (iv) A description of the operation exempted and how the data support the exemption; and
- (v) Other data relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(c) The employer shall maintain this record for the duration of the employer's reliance upon such objective data.

(3) Exposure measurements.

(a) The employer shall establish and maintain an accurate record of all measurements required by WAC 296-62-07609, in accordance with Part B of this chapter.

(b) This record shall include:

- (i) The dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures;
- (ii) Identification of the sampling and analytical methods used;
- (iii) A description of the type of respiratory protective devices worn, if any; and
- (iv) The name, Social Security number, job classification, and exposure levels of the employee monitored and all other employees whose exposure the measurement is intended to represent.

(c) The employer shall maintain this record for at least 30 years, in accordance with Part B of this chapter.

(4) Medical surveillance.

(a) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance

required by WAC 296-62-07625, 296-62-07627, and 296-62-07629, in accordance with Part B of this chapter.

(b) This record shall include:

(i) The name, Social Security number, and description of the duties of the employee;

(ii) The employer's copy of the physician's written opinion on the initial, periodic, and any special examinations, including results of medical examination and all tests, opinions, and recommendations;

(iii) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(iv) Any employee medical complaints related to exposure to MDA.

(c) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(i) A copy of this standard and its appendices, except that the employer may keep one copy of the standard and its appendices for all employees provided the employer references the standard and its appendices in the medical surveillance record of each employee;

(ii) A copy of the information provided to the physician as required by any sections in the regulatory text;

(iii) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to the information;

(iv) A copy of the employee's medical and work history related to exposure to MDA.

(d) The employer shall maintain this record for at least the duration of employment plus 30 years, in accordance with Part B of this chapter.

(5) Medical removals.

(a) The employer shall establish and maintain an accurate record for each employee removed from current exposure to MDA pursuant to WAC 296-62-07625, 296-62-07627, and 296-62-07629.

(b) Each record shall include:

(i) The name and Social Security number of the employee;

(ii) The date of each occasion that the employee was removed from current exposure to MDA as well as the corresponding date on which the employee was returned to his or her former job status;

(iii) A brief explanation of how each removal was or is being accomplished; and

(iv) A statement with respect to each removal indicating the reason for the removal.

(c) The employer shall maintain each medical removal record for at least the duration of an employee's employment plus 30 years.

(6) Availability.

(a) The employer shall assure that records required to be maintained by WAC 296-62-076 shall be made available, upon request, to the director for examination and copying.

(b) Employee exposure monitoring records required by WAC 296-62-076 shall be provided upon request for examination and copying to employees, employee representatives, and the director in accordance with the applicable sections of WAC ((296-62-054)) 296-800-170.

(c) Employee medical records required by this section shall be provided upon request for examination and copying, to the subject employee, to anyone having the specific written consent of the subject employee, and to the director in accordance with Part B of this chapter.

(7) Transfer of records.

(a) The employer shall comply with the requirements involving transfer of records set forth in WAC 296-62-05215.

(b) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer shall notify the director, at least 90 days prior to disposal, and transmit the records to the director if so requested by the director within that period.

AMENDATORY SECTION (Amending WSR 97-19-014, filed 9/5/97, effective 11/5/97)

WAC 296-62-07717 Protective work clothing and equipment. (1) Provision and use. If an employee is exposed to asbestos above the permissible exposure limits, or where the possibility of eye irritation exists, or for which a required negative exposure assessment is not produced and for any employee performing Class I operations, the employer shall provide at no cost to the employee and require that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

(a) Coveralls or similar full-body work clothing;

(b) Gloves, head coverings, and foot coverings; and

(c) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC ((296-24-07801)) 296-800-160.

(2) Removal and storage.

(a) The employer shall ensure that employees remove work clothing contaminated with asbestos only in change rooms provided in accordance with WAC 296-62-07719(1).

(b) The employer shall ensure that no employee takes contaminated work clothing out of the change room, except those employees authorized to do so for the purpose of laundering, maintenance, or disposal.

(c) Contaminated clothing. Contaminated clothing shall be transported in sealed impermeable bags, or other closed, impermeable containers, and be labeled in accordance with WAC 296-62-07721.

(d) Containers of contaminated protective devices or work clothing which are to be taken out of change rooms or the workplace for cleaning, maintenance, or disposal, shall bear labels in accordance with WAC 296-62-07721(6).

(3) Cleaning and replacement.

(a) The employer shall clean, launder, repair, or replace protective clothing and equipment required by this paragraph to maintain their effectiveness. The employer shall provide clean protective clothing and equipment at least weekly to each affected employee.

(b) The employer shall prohibit the removal of asbestos from protective clothing and equipment by blowing or shaking.

(c) Laundering of contaminated clothing shall be done so as to prevent the release of airborne fibers of asbestos in excess of the permissible exposure limits prescribed in WAC 296-62-07705.

(d) Any employer who gives contaminated clothing to another person for laundering shall inform such person of the requirement in (c) of this subsection to effectively prevent the release of airborne fibers of asbestos in excess of the permissible exposure limits.

(e) The employer shall inform any person who launders or cleans protective clothing or equipment contaminated with asbestos of the potentially harmful effects of exposure to asbestos.

(f) Contaminated clothing shall be transported in sealed impermeable bags, or other closed, impermeable containers, and labeled in accordance with WAC 296-62-07721.

(4) Inspection of protective clothing for construction and shipyard work.

(a) The competent person shall examine worksuits worn by employees at least once per workshift for rips or tears that may occur during performance of work.

(b) When rips or tears are detected while an employee is working, rips and tears shall be immediately mended, or the worksuit shall be immediately replaced.

AMENDATORY SECTION (Amending WSR 99-17-026, filed 8/10/99, effective 11/10/99)

WAC 296-62-07721 Communication of hazards to employees. (1) Communication of hazards to employees. General industry requirements.

(a) Introduction. This section applies to the communication of information concerning asbestos hazards in general industry. Asbestos exposure in industry occurs in a wide variety of industrial and commercial settings. Employees who manufacture asbestos-containing products may be exposed to asbestos fibers. Employees who repair and replace automotive brakes and clutches may be exposed to asbestos fibers. In addition, employees engaged in housekeeping activities in industrial facilities with asbestos product manufacturing operations, and in public and commercial buildings with installed asbestos-containing materials may be exposed to asbestos fibers. It should be noted that employees who perform housekeeping activities during and after construction activities are covered by asbestos construction work requirements in WAC 296-62-077. Housekeeping employees, regardless of industry designation, should know whether building components they maintain may expose them to asbestos. Building owners are often the only and/or best source of information concerning the presence of previously installed asbestos-containing building materials. Therefore they, along with employers of potentially exposed employees, are assigned specific information conveying and retention duties under this section.

(b) Installed asbestos-containing material. Employers and building owners are required to treat installed TSI and sprayed-on and troweled-on surfacing materials as ACM for the purposes of this standard. These materials are designated "presumed ACM or PACM," and are defined in WAC 296-62-07703. Asphalt and vinyl flooring installed no later than 1980 also must be treated as asbestos-containing. The employer or building owner may demonstrate that PACM and flooring materials do not contain asbestos by complying with WAC 296-62-07712 (10)(a)(ix).

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(c) Duties of employers and building and facility owners.

(i) Building and facility owners must determine the presence, location, and quantity of ACM and/or PACM at the worksite. Employers and building and facility owners must exercise due diligence in complying with these requirements to inform employers and employees about the presence and location of ACM and PACM.

(ii) Before authorizing or allowing any construction, renovation, remodeling, maintenance, repair, or demolition project, an owner or owner's agent must perform, or cause to be performed, a good faith inspection to determine whether materials to be worked on or removed contain asbestos. The inspection must be documented by a written report maintained on file and made available upon request to the director.

(A) The good faith inspection must be conducted by an accredited inspector.

(B) Such good faith inspection is not required if the owner or owner's agent is reasonably certain that asbestos will not be disturbed by the project or the owner or owner's agent assumes that the suspect material contains asbestos and handles the material in accordance with WAC 296-62-07701 through 296-62-07753.

(iii) The owner or owner's agent must provide, to all contractors submitting a bid to undertake any construction, renovation, remodeling, maintenance, repair, or demolition project, the written statement either of the reasonable certainty of nondisturbance of asbestos or of assumption of the presence of asbestos. Contractors must be provided with the written report before they apply or bid to work.

(iv) Any owner or owner's agent who fails to comply with (c)(ii) and (iii) of this subsection must be subject to a mandatory fine of not less than two hundred fifty dollars for each violation. Each day the violation continues must be considered a separate violation. In addition, any construction, renovation, remodeling, maintenance, repair, or demolition which was started without meeting the requirements of this section must be halted immediately and cannot be resumed before meeting such requirements.

(v) Building and facility owners must inform employers of employees, and employers must inform employees who will perform housekeeping activities in areas which contain ACM and/or PACM of the presence and location of ACM and/or PACM in such areas which may be contacted during such activities.

(vi) Upon written or oral request, building or facility owners must make a copy of the written report required in this section available to the department of labor and industries and the collective bargaining representatives or employee representatives of any employee who may be exposed to any asbestos or asbestos-containing materials. A copy of the written report must be posted conspicuously at the location where employees report to work.

(vii) Building and facility owners must maintain records of all information required to be provided according to this section and/or otherwise known to the building owner concerning the presence, location and quantity of ACM and PACM in the building/facility. Such records must be kept for the duration of ownership and must be transferred to successive owners.

(2) Communication of hazards to employees. Requirements for construction and shipyard employment activities.

(a) Introduction. This section applies to the communication of information concerning asbestos hazards in construction and shipyard employment activities. Most asbestos-related construction and shipyard activities involve previously installed building materials. Building/vessel owners often are the only and/or best sources of information concerning them. Therefore, they, along with employers of potentially exposed employees, are assigned specific information conveying and retention duties under this section. Installed Asbestos Containing Building/Vessel Material: Employers and building/vessel owners must identify TSI and sprayed or troweled on surfacing materials as asbestos-containing unless the employer, by complying with WAC 296-62-07721(3) determines it is not asbestos containing. Asphalt or vinyl flooring/decking material installed in buildings or vessels no later than 1980 must also be considered as asbestos containing unless the employer/owner, according to WAC 296-62-07712 (10)(a)(ix) determines it is not asbestos containing. If the employer or building/vessel owner has actual knowledge or should have known, through the exercise of due diligence, that materials other than TSI and sprayed-on or troweled-on surfacing materials are asbestos containing, they must be treated as such. When communicating information to employees according to this standard; owners and employers must identify "PACM" as ACM. Additional requirements relating to communication of asbestos work on multi-employer worksites are set out in WAC 296-62-07706.

(b) Duties of building/vessel and facility owners.

(i) Before work subject to this section is begun, building/vessel and facility owners must identify the presence, location and quantity of ACM, and/or PACM at the worksite. All thermal system insulation and sprayed on or troweled on surfacing materials in buildings/vessels or substrates constructed no later than 1980 must be identified as PACM. In addition, resilient flooring/decking material installed no later than 1980 must also be identified as asbestos containing.

(ii) Before authorizing or allowing any construction, renovation, remodeling, maintenance, repair, or demolition project, a building/vessel and facility owner or owner's agent must perform, or cause to be performed, a good faith inspection to determine whether materials to be worked on or removed contain asbestos. The inspection must be documented by a written report maintained on file and made available upon request to the director.

(A) The good faith inspection must be conducted by an accredited inspector.

(B) Such good faith inspection is not required if the building/vessel and facility owner or owner's agent assumes that the suspect material contains asbestos and handles the material in accordance with WAC 296-62-07701 through 296-62-07753 or if the owner or the owner's agent is reasonably certain that asbestos will not be disturbed by the project.

(iii) The building/vessel and facility owner or owner's agent must provide, to all contractors submitting a bid to undertake any construction, renovation, remodeling, maintenance, repair, or demolition project, the written statement either of the reasonable certainty of nondisturbance of asbes-

tos or of assumption of the presence of asbestos. Contractors must be provided the written report before they apply or bid on work.

(iv) Any building/vessel and facility owner or owners agent who fails to comply with WAC 296-62-07721 (2)(b)(ii) and (iii) must be subject to a mandatory fine of not less than two hundred fifty dollars for each violation. Each day the violation continues must be considered a separate violation. In addition, any construction, renovation, remodeling, maintenance, repair, or demolition which was started without meeting the requirements of this section must be halted immediately and cannot be resumed before meeting such requirements.

(v) Upon written or oral request, building/vessel and facility owner or owner's agent must make a copy of the written report required in this section available to the department of labor and industries and the collective bargaining representatives or employee representatives of any employee who may be exposed to any asbestos or asbestos-containing materials. A copy of the written report must be posted conspicuously at the location where employees report to work.

(vi) Building/vessel and facility owner or owner's agent must notify in writing the following persons of the presence, location and quantity of ACM or PACM, at worksites in their buildings/facilities/vessels.

(A) Prospective employers applying or bidding for work whose employees reasonably can be expected to work in or adjacent to areas containing such material;

(B) Employees of the owner who will work in or adjacent to areas containing such material;

(C) On multi-employer worksites, all employers of employees who will be performing work within or adjacent to areas containing such materials;

(D) Tenants who will occupy areas containing such materials.

(c) Duties of employers whose employees perform work subject to this standard in or adjacent to areas containing ACM and PACM. Building/vessel and facility owner or owner's agents whose employees perform such work must comply with these provisions to the extent applicable.

(i) Before work subject to this standard is begun, building/vessel and facility owner or owner's agents must determine the presence, location, and quantity of ACM and/or PACM at the worksite according to WAC 296-62-07721 (2)(b).

(ii) Before work under this standard is performed employers of employees who will perform such work must inform the following persons of the location and quantity of ACM and/or PACM present at the worksite and the precautions to be taken to insure that airborne asbestos is confined to the area.

(A) Owners of the building/vessel or facility;

(B) Employees who will perform such work and employers of employees who work and/or will be working in adjacent areas;

(iii) Upon written or oral request, a copy of the written report required in this section must be made available to the department of labor and industries and the collective bargaining representatives or employee representatives of any employee who may be exposed to any asbestos or asbestos-

containing materials. A copy of the written report must be posted conspicuously at the location where employees report to work.

(iv) Within 10 days of the completion of such work, the employer whose employees have performed work subject to this standard, must inform the building/vessel or facility owner and employers of employees who will be working in the area of the current location and quantity of PACM and/or ACM remaining in the former regulated area and final monitoring results, if any.

(d) In addition to the above requirements, all employers who discover ACM and/or PACM on a worksite must convey information concerning the presence, location and quantity of such newly discovered ACM and/or PACM to the owner and to other employers of employees working at the worksite, within 24 hours of the discovery.

(e) No contractor may commence any construction, renovation, remodeling, maintenance, repair, or demolition project without receiving a copy of the written response or statement required by WAC 296-62-07721 (2)(b). Any contractor who begins any project without the copy of the written report or statement will be subject to a mandatory fine of not less than two hundred fifty dollars per day. Each day the violation continues will be considered a separate violation.

(3) Criteria to rebut the designation of installed material as PACM.

(a) At any time, an employer and/or building/vessel owner may demonstrate, for purposes of this standard, that PACM does not contain asbestos. Building/vessel owners and/or employers are not required to communicate information about the presence of building material for which such a demonstration according to the requirements of (b) of this subsection has been made. However, in all such cases, the information, data and analysis supporting the determination that PACM does not contain asbestos, must be retained according to WAC 296-62-07727.

(b) An employer or owner may demonstrate that PACM does not contain asbestos by the following:

(i) Having a completed inspection conducted according to the requirements of AHERA (40 CFR Part 763, Subpart E) which demonstrates that the material is not ACM;

(ii) Performing tests of the material containing PACM which demonstrate that no asbestos is present in the material. Such tests must include analysis of bulk samples collected in the manner described in 40 CFR 763.86, Asbestos-containing materials in schools. The tests, evaluation and sample collection must be conducted by an accredited inspector. Analysis of samples must be performed by persons or laboratories with proficiency demonstrated by current successful participation in a nationally recognized testing program such as the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute for Standards and Technology (NIST) or the Round Robin for bulk samples administered by the American Industrial Hygiene Associate (AIHA), or an equivalent nationally recognized Round Robin testing program.

(4) At the entrance to mechanical rooms/areas in which employees reasonably can be expected to enter and which contain TSI or surfacing ACM and PACM, the building/vessel and facility owner or owner's agent must post

signs which identify the material which is present, its location, and appropriate work practices which, if followed, will ensure that ACM and/or PACM will not be disturbed. The employer shall ensure, to the extent feasible, that employees who come in contact with these signs can comprehend them. Means to ensure employee comprehension may include the use of foreign languages, pictographs, graphics, and awareness training.

(5) Warning signs.

(a) Warning signs that demarcate the regulated area must be provided and displayed at each location where a regulated area is required. In addition, warning signs must be posted at all approaches to regulated areas and be posted at such a distance from such a location that an employee may read the signs and take necessary protective steps before entering the area marked by the signs.

(b) The warning signs required by (a) of this subsection must bear the following information:

DANGER
ASBESTOS

CANCER AND LUNG DISEASE HAZARD

AUTHORIZED PERSONNEL ONLY

RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN
THIS AREA

(c) The employer shall ensure that employees working in and contiguous to regulated areas comprehend the warning signs required to be posted by (a) of this subsection. Means to ensure employee comprehension may include the use of foreign languages, pictographs, and graphics.

(6) Warning labels.

(a) Warning labels must be affixed to all products containing asbestos including raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, and to their containers including waste containers. Installed asbestos products must contain a visible label, except where such a label would clearly not be feasible.

(b) Labels must be printed in large, bold letters on a contrasting background.

(c) The labels must comply with the requirements of WAC ((296-62-05411)) 296-800-170, and must include the following information:

DANGER
CONTAINS ASBESTOS FIBERS
AVOID CREATING DUST
CANCER AND LUNG DISEASE HAZARD
AVOID BREATHING AIRBORNE ASBESTOS FIBERS

(7) The provisions for labels required by subsection (6)(a) of this section or for material safety data sheets required by subsection (8) of this section do not apply where:

(a) Asbestos fibers have been modified by a bonding agent, coating, binder, or other material, provided that the manufacturer can demonstrate that during any reasonably foreseeable use, handling, storage, disposal, processing, or transportation, no airborne concentrations of fibers of asbestos in excess of the excursion limit will be released; or

(b) Asbestos is present in a product in concentrations less than 1.0 percent by weight.

(8) Material safety data sheets. Employers who are manufacturers or importers of asbestos, or asbestos products must comply with the requirements regarding development of material safety data sheets as specified in WAC 296-62-05413, except as provided by subsection (7) of this section.

(9) When a building/vessel owner/or employer identifies previously installed PACM and/or ACM, labels or signs must be affixed or posted so that employees will be notified of what materials contain PACM and/or ACM. The employer must attach such labels in areas where they will clearly be noticed by employees who are likely to be exposed, such as at the entrance to mechanical rooms/areas. Signs required by subsection (5)(a) of this section may be posted in lieu of labels so long as they contain information required for labeling. The employer must ensure, to the extent feasible, that employees who come in contact with these signs can comprehend them. Means to ensure employee comprehension may include the use of foreign languages, pictographs, graphics, and awareness training.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-62-11021 Open surface tanks. (1) General.

(a) This section applies to all operations involving the immersion of materials in liquids, or in the vapors of such liquids, for the purpose of cleaning or altering the surface or adding to or imparting a finish thereto or changing the character of the materials, and their subsequent removal from the liquid or vapor, draining, and drying. These operations include washing, electroplating, anodizing, pickling, quenching, dyeing, dipping, tanning, dressing, bleaching, degreasing, alkaline cleaning, stripping, rinsing, digesting, and other similar operations.

(b) Except where specific construction specifications are prescribed in this section, hoods, ducts, elbows, fans, blowers, and all other exhaust system parts, components, and supports thereof shall be so constructed as to meet conditions of service and to facilitate maintenance and shall conform in construction to the specifications contained in American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1960.

(2) Classification of open-surface tank operations.

(a) Open-surface tank operations shall be classified into 16 classes, numbered A-1 to D-4, inclusive.

(b) Determination of class. Class is determined by two factors, hazard potential designated by a letter from A to D, inclusive, and rate of gas, vapor, or mist evolution designated by a number from 1 to 4, inclusive (for example, B.3).

(c) Hazard potential is an index, on a scale of from A to D, inclusive, of the severity of the hazard associated with the substance contained in the tank because of the toxic, flammable, or explosive nature of the vapor, gas, or mist produced therefrom. The toxic hazard is determined from the concentration, measured in parts by volume of a gas or vapor, per million parts by volume of contaminated air (ppm), or in milligrams of mist per cubic meter of air (mg/m³), below which ill effects are unlikely to occur to the exposed worker. The

concentrations shall be those in WAC 296-62-075 through 296-62-07515.

(d) The relative fire or explosion hazard is measured in degrees Fahrenheit in terms of the closed-cup flash point of the substance in the tank. Detailed information on the prevention of fire hazards in dip tanks may be found in Dip Tanks Containing Flammable or Combustible Liquids, NFPA No. 34-1966, National Fire Protection Association. Where the tank contains a mixture of liquids, other than organic solvents, whose effects are additive, the hygienic standard of the most toxic component (for example, the one having the lowest ppm or mg/m³) shall be used, except where such substance constitutes an insignificantly small fraction of the mixture. For mixtures of organic solvents, their combined effect, rather than that of either individually, shall determine the hazard potential. In the absence of information to the contrary, the effects shall be considered as additive. If the sum of the ratios of the airborne concentration of that contaminant exceeds unity, the toxic concentration shall be considered to have been exceeded. (See Note A of (2)(e) of this section.)

(e) Hazard potential shall be determined from Table 16, with the value indicating greater hazard being used. When the hazardous material may be either a vapor with a permissible exposure limit in ppm or a mist with a TLV in mg/m³, the TLV indicating the greater hazard shall be used (for example, A takes precedence over B or C; B over C; C over D).

Note A:

$$\frac{c_1}{PEL} + \frac{c_2}{PEL} + \frac{c_3}{PEL} + \dots + \frac{c_N}{PEL} > 1$$

where:

c = Concentration measured at the operation in ppm.

TABLE 16
DETERMINATION OF HAZARD POTENTIAL

Hazard potential	Toxicity Group		
	Gas or vapor (ppm)	Mist (mg/m ³)	Flash point (in degrees F.)
A	0 - 10	0 - 0.1
B	11 - 100	0.11 - 1.0	Under 100
C	101 - 500	1.1 - 10	100-200
D	Over 500	Over 10	Over 200

(f) Rate of gas, vapor, or mist evolution is a numerical index, on a scale of from 1 to 4, inclusive, both of the relative capacity of the tank to produce gas, vapor, or mist and of the relative energy with which it is projected or carried upwards from the tank. Rate is evaluated in terms of;

(i) The temperature of the liquid in the tank in degrees Fahrenheit;

(ii) The number of degrees Fahrenheit that this temperature is below the boiling point of the liquid in degrees Fahrenheit;

(iii) The relative evaporation of the liquid in still air at room temperature in an arbitrary scale—fast, medium, slow, or nil; and

(iv) The extent that the tank gases or produces mist in an arbitrary scale—high, medium, low, and nil. (See Table 17, Note 2.) Gassing depends upon electrochemical or mechanical processes, the effects of which have to be individually evaluated for each installation (see Table 17, Note 3).

(g) Rate of evolution shall be determined from Table 17. When evaporation and gassing yield different rates, the lowest numerical value shall be used.

TABLE 17
DETERMINATION OF RATE OF GAS, VAPOR, OR MIST EVOLUTION¹

Rate	Liquid temperature, °F	Degrees below boiling point	Evaporation ²	Relative Gassing ³
1	Over 200	0-20	Fast	High
2	150-200	21-50	Medium ...	Medium
3	94-149	51-100	Slow	Low
4	Under 94	Over 100	Nil	Nil

Note 1. In certain classes of equipment, specifically vapor degreasers, an internal condenser or vapor level thermostat is used to prevent the vapor from leaving the tank during normal operations. In such cases, rate of vapor evolution from the tank into the workroom is not dependent upon the factors listed in the table, but rather upon abnormalities of operating procedure, such as carry out of vapors from excessively fast action, dragout of liquid by entrainment in parts, contamination of solvent by water and other materials, or improper heat balance. When operating procedure is excellent, effective rate of evolution may be taken as 4. When operating procedures are average, the effective rate of evolution may be taken as 3. When operation is poor, a rate of 2 or 1 is indicated, depending upon observed conditions.

Note 2. Relative evaporation rate is determined according to the methods described by A. K. Doolittle in Industrial and Engineering Chemistry, vol. 27, p. 1169, (3) where time for 100—percent evaporation is as follows: Fast: 0-3 hours; Medium: 3-12 hours; Slow: 12-50 hours; Nil: more than 50 hours.

Note 3. Gassing means the formation by chemical or electrochemical action of minute bubbles of gas under the surface of the liquid in the tank and is generally limited to aqueous solutions.

(3) Ventilation. Where ventilation is used to control potential exposures to workers as defined in (2)(c) of this section, it shall be adequate to reduce the concentration of the air contaminant to the degree that a hazard to the worker does not exist. Methods of ventilation are discussed in American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1960.

(4) Control requirements.

(a) Control velocities shall conform to Table 18 in all cases where the flow of air past the breathing or working zone of the operator and into the hoods is undisturbed by local environmental conditions, such as open windows, wall fans, unit heaters, or moving machinery.

(b) All tanks exhausted by means of hoods which;

(i) Project over the entire tank;

(ii) Are fixed in position in such a location that the head of the workman, in all his normal operating positions while working at the tank, is in front of all hood openings; and

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(iii) Are completely enclosed on at least two sides, shall be considered to be exhausted through an enclosing hood.

(iv) The quantity of air in cubic feet per minute necessary to be exhausted through an enclosing hood shall be not less than the product of the control velocity times the net area of all openings in the enclosure through which air can flow into the hood.

TABLE 18

CONTROL VELOCITIES IN FEET PER MINUTE (F.P.M.) FOR UNDISTURBED LOCATIONS

Class (See Sub-paragraph (2) and Tables 16 and 17)	Enclosing hood (See Subparagraph (4)(ii))		Lateral exhaust ¹ (See Subparagraph (4)(iii))	Canopy hood ² (See Subparagraph (4)(iv))	
	One open side	Two open sides		Three open sides	Four open sides
A-1 and A-2	100	150	150	Do not use	Do not use
A-3 (Note ²), B-1, B-2, and C-1	75	100	100	125	175
B-3, C-2, and D-1 (Note ³)	65	90	75	100	150
A-4 (Note ²), C-3, and D-2 (Note ³)	50	75	50	75	125
B-4, C-4, D-3 (Note ³), and D-4	General room ventilation required.				

¹ See Table 19 for computation of ventilation rate.

² Do not use canopy hood for Hazard Potential A processes.

³ Where complete control of hot water is desired, design as next highest class.

(c) All tanks exhausted by means of hoods which do not project over the entire tank, and in which the direction of air movement into the hood or hoods is substantially horizontal, shall be considered to be laterally exhausted. The quantity of air in cubic feet per minute necessary to be laterally exhausted per square foot of tank area in order to maintain the required control velocity shall be determined from Table 19 for all variations in ratio of tank width (W) to tank length (L). The total quantity of air in cubic feet per minute required to be exhausted per tank shall be not less than the product of the area of tank surface times the cubic feet per minute per square foot of tank area, determined from Table 19.

(i) For lateral exhaust hoods over 42 inches wide, or where it is desirable to reduce the amount of air removed from the workroom, air supply slots or orifices shall be provided along the side or the center of the tank opposite from

the exhaust slots. The design of such systems shall meet the following criteria:

(A) The supply air volume plus the entrained air shall not exceed 50 percent of the exhaust volume.

(B) The velocity of the supply airstream as it reaches the effective control area of the exhaust slot shall be less than the effective velocity over the exhaust slot area.

(C) The vertical height of the receiving exhaust hood, including any baffle, shall not be less than one-quarter the width of the tank.

(D) The supply airstream shall not be allowed to impinge on obstructions between it and the exhaust slot in such a manner as to significantly interfere with the performance of the exhaust hood.

TABLE 19

MINIMUM VENTILATION RATE IN CUBIC FEET OF AIR PER MINUTE PER SQUARE FOOT OF TANK AREA FOR LATERAL EXHAUST

Required minimum control velocity, f.p.m. (from Table)	C.f.m. per sq. ft. to maintain required minimum velocities at following ratios (tank width (W)/tank length (L)). ^{1,3}				
	0.0-0.09	0.1-0.24	0.25-0.49	0.5-0.99	1.0-2.0
Hood along one side or two parallel sides of tank when one hood is against a wall or baffle.²					
Also for a manifold along tank centerline. ³					
50	50	60	75	90	100
75	75	90	110	130	150
100	100	125	150	175	200
150	150	190	225	260	300
Hood along one side or two parallel sides of free standing tank not against wall or baffle.					
50	75	90	100	110	125
75	110	130	150	170	190
100	150	175	200	225	250
150	225	260	300	340	375

¹ It is not practicable to ventilate across the long dimension of a tank whose ratio W/L exceeds 2.0.

It is understandable to do so when W/L exceeds 1.0. For circular tanks with lateral exhaust along up the circumference use W/L= 1.0 for over one-half the circumference use W/L= 0.5.

² Baffle is a vertical plate the same length as the tank, and with the top of the plate as high as the tank is wide. If the exhaust hood is on the side of a tank against a building wall or close to it, it is perfectly baffled.

³ Use W/L as tank width in computing when manifold is along centerline, or when hoods are used on two parallel sides of a tank.

Tank Width (W) means the effective width over which the hood must pull air to operate (for example, where the hood face is not back from the edge of the tank, this set back must be added in measuring tank width). The surface area of tanks can frequently be reduced and better control obtained (particularly on conveyORIZED systems) by using covers extending from the upper edges of the slots toward the center of the tank.

(E) Since most failure of push-pull systems result from excessive supply air volumes and pressures, methods of measuring and adjusting the supply air shall be provided. When

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satisfactory control has been achieved, the adjustable features of the hood shall be fixed so that they will not be altered.

(d) All tanks exhausted by means of hoods which project over the entire tank, and which do not conform to the definition of enclosing hoods, shall be considered to be overhead canopy hoods. The quantity of air in cubic feet per minute necessary to be exhausted through a canopy hood shall be not less than the product of the control velocity times the net area of all openings between the bottom edges of the hood and the top edges of the tank.

(e) The rate of vapor evolution (including steam or products of combustion) from the process shall be estimated. If the rate of vapor evolution is equal to or greater than 10 percent of the calculated exhaust volume required, the exhaust volume shall be increased in equal amount.

(5) Spray cleaning and degreasing. Wherever spraying or other mechanical means are used to disperse a liquid above an open-surface tank, control must be provided for the airborne spray. Such operations shall be enclosed as completely as possible. The inward air velocity into the enclosure shall be sufficient to prevent the discharge of spray into the workroom. Mechanical baffles may be used to help prevent the discharge of spray. Spray painting operations are covered in WAC 296-62-11019.

(6) Control means other than ventilation. Tank covers, foams, beads, chips, or other materials floating on the tank surface so as to confine gases, mists, or vapors to the area under the cover or to the foam, bead, or chip layer; or surface tension depressive agents added to the liquid in the tank to minimize mist formation, or any combination thereof, may all be used as gas, mist, or vapor control means for open-surface tank operations, provided that they effectively reduce the concentrations of hazardous materials in the vicinity of the worker below the limits set in accordance with (2) of this section.

(7) System design.

(a) The equipment for exhausting air shall have sufficient capacity to produce the flow of air required in each of the hoods and openings of the system.

(b) The capacity required in (7)(a) of this section shall be obtained when the airflow producing equipment is operating against the following pressure losses, the sum of which is the static pressure:

(i) Entrance losses into the hood.

(ii) Resistance to airflow in branch pipe including bends and transformations.

(iii) Entrance loss into the main pipe.

(iv) Resistance to airflow in main pipe including bends and transformations.

(v) Resistance of mechanical equipment; that is, filters, washers, condensers, absorbers, etc., plus their entrance and exit losses.

(vi) Resistance in outlet duct and discharge stack.

(c) Two or more operations shall not be connected to the same exhaust system where either one or the combination of the substances removed may constitute a fire, explosion, or chemical reaction hazard in the duct system. Traps or other devices shall be provided to insure that condensate in ducts does not drain back into any tank.

(d) The exhaust system, consisting of hoods, ducts, air mover, and discharge outlet shall be designed in accordance with American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1960, or the manual, Industrial Ventilation, published by the American Conference of Governmental Industrial Hygienists. Airflow and pressure loss data provided by the manufacturer of any air cleaning device shall be included in the design calculations.

(8) Operation.

(a) The required airflow shall be maintained at all times during which gas, mist, or vapor is emitted from the tank, and at all times the tank, the draining, or the drying area is in operation or use. When the system is first installed, the airflow from each hood shall be measured by means of a pitot traverse in the exhaust duct and corrective action taken if the flow is less than that required. When the proper flow is obtained, the hood static pressure shall be measured and recorded. At intervals of not more than 3 months operation, or after a prolonged shutdown period, the hoods and duct system shall be inspected for evidence of corrosion or damage. In any case where the airflow is found to be less than required, it shall be increased to the required value. (Information on airflow and static pressure measurement and calculations may be found in American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, Z9.2-1960, or in the manual, Industrial Ventilation, published by the American Conference of Governmental Industrial Hygienists.)

(b) The exhaust system shall discharge to the outer air in such a manner that the possibility of its effluent entering any building is at a minimum. Recirculation shall only be through a device for contaminant removal which will prevent the creation of a health hazard in the room or area to which the air is recirculated.

(c) A volume of outside air in the range of 90 percent to 110 percent of the exhaust volume shall be provided to each room having exhaust hoods. The outside air supply shall enter the workroom in such a manner as not to be detrimental to any exhaust hood. The airflow of the makeup air system shall be measured on installation. Periodically, thereafter, the airflow should be remeasured, and corrective action shall be taken when the airflow is below that required. The makeup air shall be uncontaminated.

(9) Personal protection.

(a) All employees working in and around open surface tank operations must be instructed as to the hazards of their respective jobs, and in the personal protection and first aid procedures applicable to these hazards.

(b) All persons required to work in such a manner that their feet may become wet shall be provided with rubber or other impervious boots or shoes, rubbers, or wooden-soled shoes sufficient to keep feet dry.

(c) All persons required to handle work wet with a liquid other than water shall be provided with gloves impervious to such a liquid and of a length sufficient to prevent entrance of liquid into the tops of the gloves. The interior of gloves shall be kept free from corrosive or irritating contaminants.

(d) All persons required to work in such a manner that their clothing may become wet shall be provided with such

aprons, coats, jackets, sleeves, or other garments made of rubber, or of other materials impervious to liquids other than water, as are required to keep their clothing dry. Aprons shall extend well below the top of boots to prevent liquid splashing into the boots. Provision of dry, clean, cotton clothing along with rubber shoes or short boots and an apron impervious to liquids other than water shall be considered a satisfactory substitute where small parts are cleaned, plated, or acid dipped in open tanks and rapid work is required.

(e) Whenever there is a danger of splashing, for example, when additions are made manually to the tanks, or when acids and chemicals are removed from the tanks, the employees so engaged shall be required to wear either tight-fitting chemical goggles or an effective face shield. (See WAC ((296-24-078)) 296-800-160.)

(f) When, during emergencies as described in (11)(e) of this section, employees must be in areas where concentrations of air contaminants are greater than the limit set by (2)(c) of this section or oxygen concentrations are less than 19.5%, they must be required to wear respirators adequate to reduce their exposure to a level below these limits or that provide adequate oxygen. Such respirators must also be provided in marked, quickly accessible storage compartments built for the purpose, when there exists the possibility of accidental release of hazardous concentrations of air contaminants. Respirators must be certified by NIOSH under 42 CFR part 84 and used in accordance with the applicable provisions of chapter 296-62 WAC Part E.

(g) Near each tank containing a liquid which may burn, irritate, or otherwise be harmful to the skin if splashed upon the worker's body, there shall be a supply of clean cold water. The water pipe (carrying a pressure not exceeding 25 pounds) shall be provided with a quick opening valve and at least 48 inches of hose not smaller than three-fourths inch, so that no time may be lost in washing off liquids from the skin or clothing. Alternatively, deluge showers and eye flushes shall be provided in cases where harmful chemicals may be splashed on parts of the body.

(h) Operators with sores, burns, or other skin lesions requiring medical treatment shall not be allowed to work at their regular operations until so authorized by a physician. Any small skin abrasions, cuts, rash, or open sores which are found or reported shall be treated by a properly designated person so that chance of exposures to the chemicals are removed. Workers exposed to chromic acids shall have a periodic examination made of the nostrils and other parts of the body, to detect incipient ulceration.

(i) Sufficient washing facilities, including soap, individual towels, and hot water, shall be provided for all persons required to use or handle any liquids which may burn, irritate, or otherwise be harmful to the skin, on the basis of at least one basin (or its equivalent) with a hot water faucet for every 10 employees. (See WAC ((296-24-12009)) 296-800-230.)

(j) Locker space or equivalent clothing storage facilities shall be provided to prevent contamination of street clothing.

(k) First aid facilities specific to the hazards of the operations conducted shall be readily available.

(10) Special precautions for cyanide. Dikes or other arrangements shall be provided to prevent the possibility of intermixing of cyanide and acid in the event of tank rupture.

(11) Inspection, maintenance, and installation.

(a) Floors and platforms around tanks shall be prevented from becoming slippery both by original type of construction and by frequent flushing. They shall be firm, sound, and of the design and construction to minimize the possibility of tripping.

(b) Before cleaning the interior of any tank, the contents shall be drained off, and the cleanout doors shall be opened where provided. All pockets in tanks or pits, where it is possible for hazardous vapors to collect, shall be ventilated and cleared of such vapors.

(c) Tanks which have been drained to permit employees to enter for the purposes of cleaning, inspection, or maintenance may contain atmospheres which are hazardous to life or health, through the presence of flammable or toxic air contaminants, or through the absence of sufficient oxygen. Before employees shall be permitted to enter any such tank, appropriate tests of the atmosphere shall be made to determine if the limits set by (2)(c) of this section are exceeded, or if the oxygen concentration is less than 19.5%.

(d) If the tests made in accordance with (11)(c) of this section indicate that the atmosphere in the tank is unsafe, before any employee is permitted to enter the tank, the tank shall be ventilated until the hazardous atmosphere is removed, and ventilation shall be continued so as to prevent the occurrence of a hazardous atmosphere as long as an employee is in the tank.

(e) If, in emergencies, such as rescue work, it is necessary to enter a tank which may contain a hazardous atmosphere, suitable respirators, such as self-contained breathing apparatus; hose mask with blower, if there is a possibility of oxygen deficiency; or a gas mask, selected and operated in accordance with (9)(f) of this section, shall be used. If a contaminant in the tank can cause dermatitis, or be absorbed through the skin, the employee entering the tank shall also wear protective clothing. At least one trained standby employee, with suitable respirator, shall be present in the nearest uncontaminated area. The standby employee must be able to communicate with the employee in the tank and be well able to haul him out of the tank with a lifeline if necessary.

(f) Maintenance work requiring welding or open flame, where toxic metal fumes such as cadmium, chromium, or lead may be evolved, shall be done only with sufficient local exhaust ventilation to prevent the creation of a health hazard, or be done with respirators selected and used in accordance with (9)(f) of this section. Welding, or the use of open flames near any solvent cleaning equipment shall be permitted only after such equipment has first been thoroughly cleared of solvents and vapors.

(12) Vapor degreasing tanks.

(a) In any vapor degreasing tank equipped with a condenser and vapor level thermostat, the condenser or thermostat shall keep the level of vapors below the top edge of the tank by a distance at least equal to one-half the tank width, or at least 36 inches, whichever is shorter.

(b) Where gas is used as a fuel for heating vapor degreasing tanks, the combustion chamber shall be of tight construction, except for such openings as the exhaust flue, and those that are necessary for supplying air for combustion. Flues

shall be of corrosion-resistant construction and shall extend to the outer air. If mechanical exhaust is used on this flue, a draft diverter shall be used. Special precautions must be taken to prevent solvent fumes from entering the combustion air of this or any other heater when chlorinated or fluorinated hydrocarbon solvents (for example, trichloroethylene; Freon) are used.

(c) Heating elements shall be so designed and maintained that their surface temperature will not cause the solvent or mixture to decompose, break down, or be converted into an excessive quantity of vapor.

(d) Tanks or machines of more than 4 square feet of vapor area, used for solvent cleaning or vapor degreasing, shall be equipped with suitable cleanout or sludge doors located near the bottom of each tank or still. These doors shall be so designed and gasketed that there will be no leakage of solvent when they are closed.

(13) Scope.

(a) This paragraph applies to all operations involving the immersion of materials in liquids, or in the vapors of such liquids, for the purpose of cleaning or altering their surfaces, or adding or imparting a finish thereto, or changing the character of the materials, and their subsequent removal from the liquids or vapors, draining, and drying. Such operations include washing, electroplating, anodizing, pickling, quenching, dyeing, dipping, tanning, dressing, bleaching, degreasing, alkaline cleaning, stripping, rinsing, digesting, and other similar operations, but do not include molten materials handling operations, or surface coating operations.

(b) "Molten materials handling operations" means all operations, other than welding, burning, and soldering operations, involving the use, melting, smelting, or pouring of metals, alloys, salts, or other similar substances in the molten state. Such operations also include heat treating baths, descaling baths, die casting stereotyping, galvanizing, tinning, and similar operations.

(c) "Surface coating operations" means all operations involving the application of protective, decorative, adhesive, or strengthening coating or impregnation to one or more surfaces, or into the interstices of any object or material, by means of spraying, spreading, flowing, brushing, roll coating, pouring, cementing, or similar means; and any subsequent draining or drying operations, excluding open-tank operations.

AMENDATORY SECTION (Amending Order 77-14, filed 7/25/77)

WAC 296-62-20013 Protective clothing and equipment. (1) Provision and Use. The employer shall provide and assure the use of appropriate protective clothing and equipment, such as but not limited to:

- (a) Flame resistant jacket and pants;
- (b) Flame resistant gloves;
- (c) Face shields or vented goggles which comply with WAC ((296-24-078)) 296-800-160;
- (d) Footwear providing insulation from hot surfaces;
- (e) Safety shoes which comply with WAC ((296-24-088)) 296-800-160; and

(f) Protective helmets which comply with WAC ((296-24-084)) 296-800-160.

(2) Cleaning and Replacement.

(a) The employer shall provide the protective clothing required by subsection (1)(a) and (b) of this section in a clean and dry condition at least weekly.

(b) The employer shall clean, launder, or dispose of protective clothing required by subsections (1)(a) and (b) of this section.

(c) The employer shall repair or replace the protective clothing and equipment as needed to maintain their effectiveness.

(d) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms prescribed in WAC 296-62-20015.

(e) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the changeroom.

(f) The employer shall inform any person who cleans or launders protective clothing required by this section, of the potentially harmful effects of exposure to coke oven emissions.

AMENDATORY SECTION (Amending Order 77-14, filed 7/25/77)

WAC 296-62-20015 Hygiene facilities and practices.

(1) Change rooms. The employer shall provide clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing and equipment whenever employees are required to wear protective clothing and equipment in accordance with WAC 296-62-20013.

(2) Showers.

(a) The employer shall assure that employees working in the regulated area shower at the end of the work shift.

(b) The employer shall provide shower facilities in accordance with WAC 296-24-12009.

(3) Lunchrooms. The employer shall provide lunchroom facilities which have a temperature controlled, positive pressure, filtered air supply, and which are readily accessible to employees working in the regulated area.

(4) Lavatories.

(a) The employer shall assure that employees working in the regulated area wash their hands and face prior to eating.

(b) The employer shall provide lavatory facilities in accordance with WAC ((296-24-12007)) 296-800-230.

(5) Prohibition of activities in the regulated area.

(a) The employer shall assure that in the regulated area, food or beverages are not present or consumed, smoking products are not present or used, and cosmetics are not applied, except, that these activities may be conducted in the lunchrooms, change rooms and showers required under subsection (1)-(3) of this section.

(b) Drinking water may be consumed in the regulated area.

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AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-30001 Scope and application. (1) Scope. This section covers employers who have employees who work in the following operations:

(a) Clean-up operations required by a governmental body, whether federal, state, local, or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the EPA's National Priority Site List (NPL), state priority site lists, sites recommended for the EPA NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);

(b) Corrective actions involving clean-up operations at sites covered by the Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 U.S.C. 6901 et seq.);

(c) Voluntary clean-up operations at sites recognized by federal, state, local, or other governmental bodies as uncontrolled hazardous waste sites;

(d) Operations involving hazardous wastes that are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 under RCRA; or by agencies under agreement with U.S.E.P.A. to implement RCRA regulations.

(2) Application.

(a) All requirements of this chapter and chapters 296-24 (~~and~~), 296-155, and 296-800 WAC apply to hazardous waste operations whether covered by this part or not. If there is a conflict or overlap, the provision more protective of employee safety and health must apply.

(b) Hazardous substance clean-up operations within the scope of subsection (1)(a), (b), and (c) of this section must comply with all sections of WAC 296-62-410, Part R, Emergency response to hazardous substance release.

(c) Operations within the scope of subsection (1)(d) of this section must comply only with the requirements of WAC 296-62-3140 through 296-62-31430.

Notes and Exceptions:

(i) All provisions of WAC 296-62-3140 through 296-62-31430 cover any treatment, storage, or disposal (TSD) operation regulated by 40 CFR Parts 264 and 265 or by state law authorized under RCRA, and required to have a permit or interim status from EPA under 40 CFR 270.1 or from a state agency under RCRA.

(ii) Employers who are not required to have a permit or interim status because they are conditionally exempt small quantity generators under 40 CFR 261.5 or are generators who qualify under 40 CFR 262.34 for exemptions from regulation under 40 CFR Parts 264, 265, and 270 ("excepted employers") are not covered by WAC 296-62-31405 through 296-62-31445. Excepted employers who are required by the EPA or state agency to have their employees engage in emergency response or who direct their employees to engage in emergency response are covered by WAC 296-62-31450 through 296-62-31470 and cannot be exempted by WAC 296-62-31455. Excepted employers who are not required to have employees engage in emergency response, who direct

their employees to evacuate in the case of such emergencies and who meet the requirements of WAC 296-62-31455 are exempt from the balance of WAC 296-62-31450 through 296-62-31470.

(iii) If an area is used primarily for treatment, storage or disposal, any emergency response operations in that area must comply with WAC 296-62-31410 through 296-62-31470. In other areas not used primarily for treatment, storage or disposal, any emergency response operations must comply with WAC 296-62-410, Part R, Emergency response to hazardous substance release. Compliance with the requirements of WAC 296-62-410, Part R, Emergency response to hazardous substance release must be deemed to be in compliance with the requirements of WAC 296-62-31450 through 296-62-31470.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-30230 Risk identification. Once the presence and concentrations of specific hazardous substances and health hazards have been established, the risks associated with these substances must be identified. Employees who will be working on the site must be informed of any risks that have been identified. In situations covered by (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, training required by those standards need not be duplicated.

Note: Risks to consider include, but are not limited to:

- (1) Exposures exceeding the permissible exposure limits and published exposure levels.
- (2) IDLH concentrations.
- (3) Potential skin absorption and irritation sources.
- (4) Potential eye irritation sources.
- (5) Explosion sensitivity and flammability ranges.
- (6) Oxygen deficiency.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-30235 Employee notification. Any information concerning the chemical, physical, and toxicologic properties of each substance known or expected to be present on site that is available to the employer and relevant to the duties an employee is expected to perform must be made available to all employees prior to the commencement of their work activities. The employer may use information developed for the chemical hazard communication standard, (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, for this purpose.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-30425 Training course content for 40 and 80 hour hazardous waste cleanup courses. As a minimum, the training course content for the 40 hour and 80 hour training program must include the following topics:

- (1) Overview of the applicable sections of Part P of chapter 296-62 WAC and the elements of an employer's effective occupational safety and health program.

(2) Effect of chemical exposure to hazardous substances (i.e., toxicity, carcinogens, irritants, sensitizers, etc.).

(3) Effects of biological and radiological exposures.

(4) Fire and explosion hazards (i.e., flammable and combustible liquids, reactive materials).

(5) General safety hazards, including electrical hazards, powered equipment hazards, walking-working surface hazards and those hazards associated with hot and cold temperature extremes.

(6) Permit-required confined space, tank, and vault hazards and entry procedures.

(7) Names of personnel and alternates, where appropriate, responsible for site safety and health at the site.

(8) Specific safety, health, and other hazards that are to be addressed at a site and in the site safety and health plan.

(9) Use of personal protective equipment and the implementation of the personal protective equipment program.

(10) Work practices that will minimize employee risk from site hazards.

(11) Safe use of engineering controls and equipment and any new relevant technology or procedure.

(12) Content of the medical surveillance program and requirements, including the recognition of signs and symptoms of overexposure to hazardous substances.

(13) The contents of an effective site safety and health plan.

(14) Use of monitoring equipment with "hands-on" experience and the implementation of the employee and site monitoring program.

(15) Implementation and use of the information program.

(16) Drum and container handling procedures and the elements of a spill containment program.

(17) Selection and use of material handling equipment.

(18) Methods for assessment of risk and handling of radioactive wastes.

(19) Methods for handling shock-sensitive wastes.

(20) Laboratory waste pack handling procedures.

(21) Container sampling procedures and safeguards.

(22) Safe preparation procedures for shipping and transport of containers.

(23) Decontamination program and procedures.

(24) Emergency response plan and procedures including first aid.

(25) Safe site illumination levels.

(26) Site sanitation procedures and equipment for employee needs.

(27) Review of the applicable appendices to Part P of chapter 296-62 WAC.

(28) Overview and explanation of WISHA's chemical hazard communication standard (~~Part C of chapter 296-62~~) WAC 296-800-170.

(29) Sources of reference, additional information and efficient use of relevant manuals and hazard coding systems.

(30) Principles of toxicology and biological monitoring.

(31) Rights and responsibilities of employees and employers under WISHA and CERCLA.

(32) Hands-on field exercises and demonstrations.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-30435 16-hour supplemental training for hazardous waste sites. As a minimum, employees who have received 24 hours of training for hazardous waste site operations must receive training in the following topics before they are allowed to work as general site workers or if they are required to wear respirators:

(1) Relevant chemical exposures to hazardous substances beyond that previously covered.

(2) Site hazards including fire and explosion, confined spaces, oxygen deficiency, electrical, powered equipment, and walking-working surfaces beyond that previously covered.

(3) Names of personnel and alternates responsible for site safety and health at the site, where appropriate.

(4) Use of monitoring equipment and the implementation of the employee and the site monitoring program beyond that previously covered.

(5) Implementation and use of the informational program.

(6) Drum and container handling procedures and the elements of a spill containment program.

(7) Selection and use of material handling equipment.

(8) Methods for assessment of risk and handling of radioactive wastes.

(9) Methods for handling shock-sensitive wastes.

(10) Laboratory waste pack handling procedures.

(11) Container sampling procedures and safeguards.

(12) Safe preparation procedures for shipping and transport of containers.

(13) Decontamination program and procedures.

(14) Safety site illumination levels.

(15) Site sanitation procedures and equipment.

(16) Review of the applicable appendices to Part P of chapter 296-62 WAC.

(17) Overview and explanation of WISHA's Chemical hazard communication standard (~~Part C of chapter 296-62~~) WAC 296-800-170.

(18) Sources of reference and additional information.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-30605 Personal protective equipment selection. (1) Personal protective equipment (PPE) must be selected and used which will protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

(2) Personal protective equipment selection must be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

(3) Positive pressure self-contained breathing apparatus, or positive pressure air-line respirators equipped with an escape air supply must be used when chemical exposure levels present will create a substantial possibility of immediate

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death, immediate serious illness or injury, or impair the ability to escape.

(4) Totally encapsulating chemical protective suits (protection equivalent to Level A protection as recommended in Appendix B) must be used in conditions where skin absorption of a hazardous substance may result in a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(5) The level of protection provided by PPE selection must be increased when additional information or site conditions indicate that increased protection is necessary to reduce employee exposures below permissible exposure limits and published exposure levels for hazardous substances and health hazards. (See WAC 296-62-3170 - Appendix B for guidance on selecting PPE ensembles.)

Note: The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in increased hazardous exposures to employees.

(6) Personal protective equipment must be selected and used to meet the requirements of (~~chapter 296-24 WAC, Part A-2~~) WAC 296-800-160, and additional requirements specified in this part.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-3090 General requirements for handling drums and containers. (1) Hazardous substances and contaminated soils, liquids, and other residues must be handled, transported, labeled, and disposed of in accordance with this section.

(2) Drums and containers used during the clean-up must meet the appropriate DOT, OSHA, WISHA, and EPA regulations for the wastes that they contain.

(3) When practical, drums and containers must be inspected and their integrity must be assured prior to being moved. Drums or containers that cannot be inspected before being moved because of storage conditions (i.e., buried beneath the earth, stacked behind other drums, stacked several tiers high in a pile, etc.) must be moved to an accessible location and inspected prior to further handling.

(4) Unlabeled drums and containers must be considered to contain hazardous substances and handled accordingly until the contents are positively identified and labeled.

(5) Site operations must be organized to minimize the amount of drum or container movement.

(6) Prior to movement of drums or containers, all employees exposed to the transfer operation must be warned of the potential hazards associated with the contents of the drums or containers.

(7) United States Department of Transportation specified salvage drums or containers and suitable quantities of proper absorbent must be kept available and used in areas where spills, leaks, or ruptures may occur.

(8) Where major spills may occur, a spill containment program, which is part of the employer's safety and health program required in WAC 296-62-3010, must be imple-

mented to contain and isolate the entire volume of the hazardous substance being transferred.

(9) Drums and containers that cannot be moved without rupture, leakage, or spillage must be emptied into a sound container using a device classified for the material being transferred.

(10) A ground-penetrating system or other type of detection system or device must be used to estimate the location and depth of buried drums or containers.

(11) Soil or covering material must be removed with caution to prevent drum or container rupture.

(12) Fire extinguishing equipment meeting the requirements of (~~Part G of chapter 296-24~~) WAC 296-800-300 must be on hand and ready for use to control incipient fires.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-31410 Hazard communication program requirements under RCRA. The employer must implement a hazard communication program meeting the requirements of (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, as part of the employer's safety and health program.

Note: The exemption for hazardous waste provided in WAC (~~296-62-054~~) 296-800-170 is applicable to this section.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-3195 Appendix E—Training curriculum guidelines. The following nonmandatory general criteria may be used for assistance in developing site-specific training curriculum used to meet the training requirements of WAC 296-62-3040 through 296-62-30465, 296-62-31435 through 296-62-31445, 296-62-31465, 296-62-4102 through 296-62-41021, and 296-62-41023.

These are generic guidelines and they are not presented as a complete training curriculum for any specific employer. Site-specific training programs must be developed on the basis of a needs assessment of the hazardous waste site, RCRA/TSD, or emergency response operation in accordance with this chapter (chapter 296-62 WAC, Part P and Part R).

The guidance set forth here presents a highly effective program that in the areas covered would meet or exceed the regulatory requirements. In addition, other approaches could meet the regulatory requirements.

Suggested general criteria:

Definitions:

"Competent" means possessing the skills, knowledge, experience, and judgment to perform assigned tasks or activities satisfactorily as determined by the employer.

"Demonstration" means the showing by actual use of equipment or procedures.

"Hands-on training" means training in a simulated work environment that permits each student to have experience performing tasks, making decisions, or using equipment appropriate to the job assignment for which the training is being conducted.

"Initial training" means training required prior to beginning work.

"Lecture" means an interactive discourse with a class lead by an instructor.

"Proficient" means meeting a stated level of achievement.

"Site-specific" means individual training directed to the operations of a specific job site.

"Training hours" means the number of hours devoted to lecture, learning activities, small group work sessions, demonstration, evaluations, or hands-on experience.

Suggested core criteria:

(1) Training facility. The training facility should have available sufficient resources, equipment, and site locations to perform concise and hands-on training when appropriate. Training facilities should have sufficient organization, support staff, and services to conduct training in each of the courses offered.

(2) Training director. Each training program should be under the direction of a training director who is responsible for the program. The training director should have a minimum of two years of employee education experience.

(3) Instructors. Instructors should be deemed competent on the basis of previous documented experience in their area of instruction, successful completion of a "train-the-trainer" program specific to the topics they will teach, and an evaluation of instructional competence by the training director.

(a) Instructors should be required to maintain professional competency by participating in continuing education or professional development programs or by successfully completing an annual refresher course and having an annual review by the training director.

(b) The annual review by the training director should include observation of an instructor's delivery, a review of those observations with the trainer, and an analysis of any instructor or class evaluations completed by the students during the previous year.

(4) Course materials. The training director should approve all course materials to be used by the training provider. Course materials should be reviewed and updated at least annually. Materials and equipment should be in good working order and maintained properly.

(a) All written and audio-visual materials in training curricula should be peer reviewed by technically competent outside reviewers or by a standing advisory committee.

(b) Reviewers should possess expertise in the following disciplines were applicable: Occupational health, industrial hygiene and safety, chemical/environmental engineering, employee education, or emergency response. One or more of the peer reviewers should be an employee experienced in the work activities to which the training is directed.

(5) Students. The program for accepting students should include:

(a) Assurance that the student is or will be involved in work where chemical exposures are likely and that the student possesses the skills necessary to perform the work.

(b) A policy on the necessary medical clearance.

(6) Ratios. Student-instructor ratios should not exceed thirty students per instructor. Hands-on activity requiring the

use of personal protective equipment should have the following student-instructor ratios: For Level C or Level D personal protective equipment the ratio should be ten students per instructor. For Level A or Level B personal protective equipment the ratio should be five students per instructor.

(7) Proficiency assessment. Proficiency should be evaluated and documented by the use of a written assessment and a skill demonstration selected and developed by the training director and training staff. The assessment and demonstration should evaluate the knowledge and individual skills developed in the course of training. The level of minimum achievement necessary for proficiency must be specified in writing by the training director.

(a) If a written test is used, there should be a minimum of fifty questions. If a written test is used in combination with a skills demonstration, a minimum of twenty-five questions should be used. If a skills demonstration is used, the tasks chosen and the means to rate successful completion should be fully documented by the training director.

(b) The content of the written test or of the skill demonstration must be relevant to the objectives of the course.

The written test and skill demonstration should be updated as necessary to reflect changes in the curriculum and any update should be approved by the training director.

(c) The proficiency assessment methods, regardless of the approach or combination of approaches used, should be justified, documented and approved by the training director.

(d) The proficiency of those taking the additional courses for supervisors should be evaluated and documented by using proficiency assessment methods acceptable to the training director. These proficiency assessment methods must reflect the additional responsibilities borne by supervisory personnel in hazardous waste operations or emergency response.

(8) Course certificate. Written documentation should be provided to each student who satisfactorily completes the training course. The documentation should include:

(a) Student's name.

(b) Course title.

(c) Course date.

(d) Statement that the student has successfully completed the course.

(e) Name and address of the training provider.

(f) An individual identification number for the certificate.

(g) List of the levels of personal protective equipment used by the student to complete the course.

(i) This documentation may include a certificate and an appropriate wallet-sized laminated card with a photograph of the student and the above information.

(ii) When such course certificate cards are used, the individual identification number for the training certificate should be shown on the card.

(9) Recordkeeping. Training providers should maintain records listing the dates courses were presented, the names of the individual course attendees, the names of those students successfully completing each course, and the number of training certificates issued to each successful student. These records should be maintained for a minimum of five years after the date an individual participated in a training program offered by the training provider. These records should be

available and provided upon the student's request or as mandated by law.

(10) Program quality control. The training director should conduct or direct an annual written audit of the training program. Program modifications to address deficiencies, if any, should be documented, approved, and implemented by the training provider. The audit and the program modification documents should be maintained at the training facility.

Suggested Program Quality Control Criteria:

Factors listed here are suggested criteria for determining the quality and appropriateness of employee health and safety training for hazardous waste operations and emergency response.

(1) Training plan. Adequacy and appropriateness of the training program's curriculum development, instructor training, distribution of course materials, and direct student training should be considered, including:

(a) The duration of training, course content, and course schedules/agendas;

(b) The different training requirements of the various target populations, as specified in the appropriate generic training curriculum;

(c) The process for the development of curriculum, which includes appropriate technical input, outside review, evaluation, program pretesting.

(d) The adequate and appropriate inclusion of hands-on, demonstration, and instruction methods;

(e) Adequate monitoring of student safety, progress, and performance during the training.

(2) Program management, training director, staff, and consultants. Adequacy and appropriateness of staff performance and delivering an effective training program should be considered, including:

(a) Demonstration of the training director's leadership in assuring quality of health and safety training;

(b) Demonstration of the competency of the staff to meet the demands of delivering high quality hazardous waste employee health and safety training;

(c) Organization charts establishing clear lines of authority;

(d) Clearly defined staff duties including the relationship of the training staff to the overall program;

(e) Evidence that the training organizational structure suits the needs of the training program;

(f) Appropriateness and adequacy of the training methods used by the instructors;

(g) Sufficiency of the time committed by the training director and staff to the training program;

(h) Adequacy of the ratio of training staff to students;

(i) Availability and commitment of the training program of adequate human and equipment resources in the areas of:

(i) Health effects;

(ii) Safety;

(iii) Personal protective equipment (PPE);

(iv) Operational procedures;

(v) Employee protection practices/procedures;

(j) Appropriateness of management controls;

(k) Adequacy of the organization and appropriate resources assigned to assure appropriate training;

(l) In the case of multiple-site training programs, adequacy of management of the satellite centers.

(3) Training facilities and resources. Adequacy and appropriateness of the facilities and resources for supporting the training program should be considered, including:

(a) Space and equipment to conduct the training;

(b) Facilities for representative hands-on training;

(c) In the case of multiple-site programs, equipment and facilities at the satellite centers;

(d) Adequacy and appropriateness of the quality control and evaluations program to account for instructor performance;

(e) Adequacy and appropriateness of the quality control and evaluation program to ensure appropriate course evaluation, feedback, updating, and corrective action;

(f) Adequacy and appropriateness of disciplines and expertise being used within the quality control and evaluation program;

(g) Adequacy and appropriateness of the role of student evaluations to provide feedback for training program improvement.

(4) Quality control and evaluation. Adequacy and appropriateness of quality control and evaluation plans for training programs should be considered, including:

(a) A balanced advisory committee and/or competent outside reviewers to give overall policy guidance;

(b) Clear and adequate definition of the composition and active programmatic role of the advisory committee or outside reviewers;

(c) Adequacy of the minutes or reports of the advisory committee or outside reviewers' meetings or written communication;

(d) Adequacy and appropriateness of the quality control and evaluations program to account for instructor performance;

(e) Adequacy and appropriateness of the quality control and evaluation program to ensure appropriate course evaluation, feedback, updating, and corrective action;

(f) Adequacy and appropriateness of disciplines and expertise being used within the quality control and evaluation program;

(g) Adequacy and appropriateness of the role of student evaluations to provide feedback for training program improvement.

(5) Students. Adequacy and appropriateness of the program for accepting students should be considered, including:

(a) Assurance that the student already possess the necessary skills for their job, including necessary documentation;

(b) Appropriateness of methods the program uses to ensure that recruits are capable of satisfactorily completing training;

(c) Review and compliance with any medical clearance policy.

(6) Institutional environment and administrative support. The adequacy and appropriateness of the institutional environment and administrative support system for the training program should be considered, including:

(a) Adequacy of the institutional commitment to the employee training program;

(b) Adequacy and appropriateness of the administrative structure and administrative support.

(7) Summary of evaluation questions. Key questions for evaluating the quality and appropriateness of an overall training program should include the following:

- (a) Are the program objectives clearly stated?
- (b) Is the program accomplishing its objectives?
- (c) Are appropriate facilities and staff available?
- (d) Is there an appropriate mix of classroom, demonstration, and hands-on training?
- (e) Is the program providing quality employee health and safety training that fully meets the intent of regulatory requirements?
- (f) What are the program's main strengths?
- (g) What are the program's main weaknesses?
- (h) What is recommended to improve the program?
- (i) Are instructors instructing according to their training outlines?
- (j) Is the evaluation tool current and appropriate for the program content?
- (k) Is the course material current and relevant to the target group?

Suggested Training Curriculum Guidelines:

The following training curriculum guidelines are for those operations specifically identified in this Part P, as requiring training. Issues such as qualifications of instructors, training certification, and similar criteria appropriate to all categories of operations addressed in this Part P, have been covered in the preceding section and are not readdressed in each of the generic guidelines. Basic core requirements for training programs that are addressed include: (1) *General hazardous waste operations*; (2) *RCRA operations—Treatment, storage, and disposal facilities*.

(1) General hazardous waste operations and site-specific training.

(a) Off-site training. Training course content for hazardous waste operations, required by WAC 296-62-3040 through 296-62-30465, should include the following topics or procedures:

- (i) Regulatory knowledge.
 - (A) A review of this Part P and the core elements of an occupational safety and health program.
 - (B) The content of a medical surveillance program as outlined in WAC 296-62-3050 through 296-62-30535.
 - (C) The content of an effective site safety and health plan consistent with the requirements of WAC 296-62-30135(2).
 - (D) Emergency response plan and procedures as outlined in WAC 296-24-567 and 296-62-3110 through 296-62-31110.
 - (E) Adequate illumination.
 - (F) Sanitation recommendation and equipment.
 - (G) Review and explanation of WISHA's hazard-communication standard (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, and chapter 296-24 WAC, Part A-4, safety procedures for the control of hazardous energy (lockout/tagout).
 - (H) Review of other applicable standards including but not limited to those in the construction standards, chapter 296-155 WAC.

(I) Rights and responsibilities of employers and employees under applicable WISHA/OSHA and department of ecology (DOE)/Environmental Protection Association (EPA) regulations and laws.

(ii) Technical knowledge.

(A) Type of potential exposures to chemical, biological, and radiological hazards; types of human responses to these hazards and recognition of those responses; principles of toxicology and information about acute and chronic hazards; health and safety considerations of new technology.

(B) Fundamentals of chemical hazards including but not limited to vapor pressure, boiling points, flash points, pH, other physical and chemical properties.

(C) Fire and explosion hazards of chemicals.

(D) General safety hazards such as but not limited to electrical hazards, powered equipment hazards, motor vehicle hazards, walking-working surface hazards, excavation hazards, and hazards associated with working in hot and cold temperature extremes.

(E) Review and knowledge of confined space entry procedures in chapter 296-62 WAC, Part M.

(F) Work practices to minimize employee risk from site hazards.

(G) Safe use of engineering controls, equipment, and any new relevant safety technology or safety procedures.

(H) Review and demonstration of competency with air sampling and monitoring equipment that may be used in a site monitoring program.

(I) Container sampling procedures and safeguarding; general drum and container handling procedures including special requirement for laboratory waste packs, shock-sensitive wastes, and radioactive wastes.

(J) The elements of a spill control program.

(K) Proper use and limitations of material handling equipment.

(L) Procedures for safe and healthful preparation of containers for shipping and transport.

(M) Methods of communication including those used while wearing respiratory protection.

(iii) Technical skills.

(A) Selection, use maintenance, and limitations of personal protective equipment including the components and procedures for carrying out a respirator program to comply with chapter 296-62 WAC Part E, Respiratory Protection.

(B) Instruction in decontamination programs including personnel, equipment, and hardware; hands-on training including Levels A, B, and C ensembles and appropriate decontamination lines; field activities including the donning and doffing of protective equipment to a level commensurate with the employee's anticipated job function and responsibility and to the degree required by potential hazards.

(C) Sources for additional hazard information; exercises using relevant manuals and hazard coding systems.

(iv) Additional suggested items.

(A) A laminated, dated card or certificate with photo, denoting limitations and level of protection for which the employee is trained should be issued to those students successfully completing a course.

(B) Attendance should be required at all training modules, with successful completion of exercises and a final written or oral examination with at least fifty questions.

(C) A minimum of one-third of the program should be devoted to hands-on exercises.

(D) A curriculum should be established for the eight-hour refresher training required by WAC 296-62-30460, with delivery of such courses directed toward those areas of previous training that need improvement or reemphasis.

(E) A curriculum should be established for the required eight-hour training for supervisors. Demonstrated competency in the skills and knowledge provided in forty-hour and eighty-hour courses should be prerequisites for supervisor training.

(b) Refresher training. The eight-hour annual refresher training required in WAC 296-62-30460 should be conducted by qualified training providers. Refresher training should include at a minimum the following topics and procedures:

(i) Review of and retraining on relevant topics covered in the forty-hour and eighty-hour programs, as appropriate, using reports by the students on their work experiences.

(ii) Update on developments with respect to material covered in the forty-hour and eighty-hour courses.

(iii) Review of changes to pertinent provisions of DOE/EPA or WISHA/OSHA standards or laws.

(iv) Introduction of additional subject areas as appropriate.

(v) Hands-on review of new or altered PPE or decontamination equipment or procedures. Review of new developments in personal protective equipment.

(vi) Review of newly developed air and contaminant monitoring equipment.

(c) On-site training. The employer should provide employees engaged in hazardous waste site activities with information and training prior to initial assignment into their work area, as follows:

(i) The requirements of the hazard communication program including the location and availability of the written program, required lists of hazardous chemicals, and material safety data sheets.

(ii) Activities and locations in their work area where hazardous substance may be present.

(iii) Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by the employer, continuous monitoring devices, visual appearances, or other evidence (sight, sound or smell)) of hazardous chemicals being released, and applicable alarms from monitoring devices that record chemical releases.

(iv) The physical and health hazards of substances known or potentially present in the work area.

(v) The measures employees can take to help protect themselves from worksite hazards, including specific procedures the employer has implemented.

(vi) An explanation of the labeling system and material safety data sheets and how employees can obtain and use appropriate hazard information.

(vii) The elements of the confined space program including special PPE, permits, monitoring requirements, commu-

nication procedures, emergency response, and applicable lockout procedures.

(d) The employer should provide hazardous waste employees with information and training and should provide a review and access to the site safety and health plan as follows:

(i) Names of personnel and alternate responsible for site safety and health.

(ii) Safety and health hazards present on the site.

(iii) Selection, use, maintenance, and limitations of personal protective equipment specific to the site.

(iv) Work practices by which the employee can minimize risks from hazards.

(v) Safe use of engineering controls and equipment available on site.

(vi) Safe decontamination procedures established to minimize employee contact with hazardous substances, including:

(A) Employee decontamination;

(B) Clothing decontamination; and

(C) Equipment decontamination.

(vii) Elements of the site emergency response plan, including:

(A) Preemergency planning.

(B) Personnel roles and lines of authority and communication.

(C) Emergency recognition and prevention.

(D) Safe distances and places of refuge.

(E) Site security and control.

(F) Evacuation routes and procedures.

(G) Decontamination procedures not covered by the site safety and health plan.

(H) Emergency medical treatment and first aid.

(I) Emergency equipment and procedures for handling emergency incidents.

(e) The employer should provide hazardous waste employees with information and training on personal protective equipment used at the site, such as the following:

(i) PPE to be used based upon known or anticipated site hazards.

(ii) PPE limitations of materials and construction; limitations during temperature extremes, heat stress, and other appropriate medical considerations; use and limitations of respirator equipment as well as documentation procedures as outlined in chapter 296-62 WAC, Part E, Respiratory Protection.

(iii) PPE inspection procedures prior to, during, and after use.

(iv) PPE donning and doffing procedures.

(v) PPE decontamination and disposal procedures.

(vi) PPE maintenance and storage.

(vii) Task duration as related to PPE limitations.

(f) The employer should instruct the employee about the site medical surveillance program relative to the particular site, including:

(i) Specific medical surveillance programs that have been adapted for the site.

(ii) Specific signs and symptoms related to exposure to hazardous materials on the site.

(iii) The frequency and extent of periodic medical examinations that will be used on the site.

(iv) Maintenance and availability of records.

(v) Personnel to be contacted and procedures to be followed when signs and symptoms of exposures are recognized.

(g) The employees will review and discuss the site safety and health plan as part of the training program. The location of the site safety and health plan and all written programs should be discussed with employees including a discussion of the mechanisms for access, review, and references described.

(2) RCRA operations training for treatment, storage and disposal facilities.

(a) As a minimum, the training course required in WAC 296-62-31435 through 296-62-31440 and 296-62-31465 should include the following topics:

(i) Review of the applicable parts of this Part P and the elements of the employer's occupational safety and health plan.

(ii) Review of relevant hazards such as, but not limited to, chemical, biological, and radiological exposures; fire and explosion hazards; thermal extremes; and physical hazards.

(iii) General safety hazards including those associated with electrical hazards, powered equipment hazards, lockout/tagout procedures, motor vehicle hazards and walking-working surface hazards.

(iv) Confined space hazards and procedures.

(v) Work practices to minimize employee risk from workplace hazards.

(vi) Emergency response plan and procedures including first aid meeting the requirements of WAC 296-62-31450.

(vii) A review of procedures to minimize exposure to hazardous waste and various type of waste streams, including the materials handling program and spill containment program.

(viii) A review of chemical hazard communication programs meeting the requirements of (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170.

(ix) A review of medical surveillance programs meeting the requirements of WAC 296-62-3050 and 296-62-31415 including the recognition of signs and symptoms of overexposure to hazardous substance including known synergistic interactions.

(x) A review of decontamination programs and procedures meeting the requirements of WAC 296-62-3100 and 296-62-31420.

(xi) A review of an employer's requirements to implement a training program and its elements.

(xii) A review of the criteria and programs for proper selection and use of personal protective equipment, including respirators.

(xiii) A review of the applicable appendices to this Part P (Appendices A through E).

(xiv) Principles of toxicology and biological monitoring as they pertain to occupational health.

(xv) Rights and responsibilities of employees and employers under applicable WISHA/OSHA and DOE/EPA regulations and laws.

(xvi) Hands-on exercises and demonstrations of competency with equipment to illustrate the basic equipment princi-

ples that may be used during the performance of work duties, including the donning and doffing of PPE.

(xvii) Sources of reference, efficient use of relevant manuals, and knowledge of hazard coding systems to include information contained in hazardous waste manifests.

(xviii) At least eight hours of hands-on training.

(xix) Training in the job skills required for an employee's job function and responsibility before they are permitted to participate in or supervise field activities.

(b) The individual employer should provide hazardous waste employees with information and training prior to an employee's initial assignment into a work area. The training and information should cover the following topics:

(i) The emergency response plan and procedures including first aid.

(ii) A review of the employer's hazardous waste handling procedures including the materials handling program and elements of the spill containment program, location of spill response kits or equipment, and the names of those trained to respond to releases.

(iii) The hazardous communication program meeting the requirements of (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170.

(iv) A review of the employer's medical surveillance program including the recognition of signs and symptoms of exposure to relevant hazardous substance including known synergistic interactions.

(v) A review of the employer's decontamination program and procedures.

(vi) A review of the employer's training program and the parties responsible for that program.

(vii) A review of the employer's personal protective equipment program including the proper selection and use of PPE based upon specific site hazards.

(viii) All relevant site-specific procedures addressing potential safety and health hazards. This may include, as appropriate, biological and radiological exposures, fire and explosion hazards, thermal hazards, and physical hazards such as electrical hazards, powered equipment hazards, lockout/tagout hazards, motor vehicle hazards, and walking-working surface hazards.

(ix) Safe use of engineering controls and equipment on-site.

(x) Names of personnel and alternates responsible for safety and health.

AMENDATORY SECTION (Amending Order 90-10, filed 8/13/90, effective 9/24/90)

WAC 296-62-40003 Definitions applicable to all sections of this chapter. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

(1) "Action level" means a concentration designated in WAC 296-62-075 for a specific substance, calculated as an 8-hour time-weighted average, which initiates certain required activities such as exposure monitoring and medical surveillance.

(2) "Carcinogen" (see "select carcinogen").

(3) "Chemical hygiene officer" means an employee who is designated by the employer, and who is qualified by training or experience, to provide technical guidance in the development and implementation of the provisions of the chemical hygiene plan. This definition is not intended to place limitations on the position description or job classification that the designated individual shall hold within the employer's organizational structure.

(4) "Chemical hygiene plan" means a written program developed and implemented by the employer which sets forth procedures, equipment, personal protective equipment, and work practices that are capable of protecting employees from the health hazards presented by hazardous chemicals used in that particular workplace and meets the requirements of WAC 296-62-40009.

(5) "Combustible liquid" means any liquid having a flashpoint at or above 100°F (37.8°C), but below 200°F (93.3°C), except any mixture having components with flashpoints of 200°F (93.3°C), or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.

(6) "Compressed gas" means:

(a) A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70°F (21.1°C); or

(b) A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C); or

(c) A liquid having a vapor pressure exceeding 40 psi at 100°F (37.8°C) as determined by ASTM D-323-72.

(7) "Designated area" means an area which may be used for work with "select carcinogens," reproductive toxins or substances which have a high degree of acute toxicity. A designated area may be the entire laboratory, an area of a laboratory or a device such as a laboratory hood.

(8) "Director" means the director of the department of labor and industries or his/her designee.

(9) "Emergency" means any occurrence such as, but not limited to, equipment failure, rupture of containers or failure of control equipment which results in an uncontrolled release of a hazardous chemical into the workplace.

(10) "Employee" means an individual employed in a laboratory workplace who may be exposed to hazardous chemicals in the course of his or her assignments.

(11) "Explosive" means a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.

(12) "Flammable" means a chemical that falls into one of the following categories:

(a) "Aerosol, flammable" means an aerosol that, when tested by the method described in 16 C.F.R. 1500.45, yields a flame protection exceeding 18 inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;

(b) "Gas, flammable" means:

(i) A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of 13 percent by volume or less; or

(ii) A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than 12 percent by volume, regardless of the lower limit.

(c) "Liquid, flammable" means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99 percent or more of the total volume of the mixture.

(d) "Solid, flammable" means a solid, other than a blasting agent or explosive as defined in WAC 296-52-417, that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 C.F.R. 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

(13) "Flashpoint" means the minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:

(a) Tagliabue Closed Tester (see American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79))-for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100 deg.F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

(b) Pensky-Martens Closed Tester (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79))-for liquids with a viscosity equal to or greater than 45 SUS at 100 deg.F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

(c) Setaflash Closed Tester (see American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78)).

Note: Organic peroxides, which undergo autoaccelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified above.

(14) "Hazardous chemical" means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term "health hazard" includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic systems, and agents which damage the lungs, skin, eyes, or mucous membranes.

Note: Appendices A and B of the Hazard Communication Standard (WAC ((296-62-054)) 296-800-170) provide further guidance in defining the scope of health hazards and determining whether or not a chemical is to be considered hazardous for purposes of this standard.

(15) "Laboratory" means a facility where the "laboratory use of hazardous chemicals" occurs. It is a workplace where relatively small quantities of hazardous chemicals are used on a nonproduction basis.

(16) "Laboratory scale" means work with substances in which the containers used for reactions, transfers, and other

handling of substances are designed to be easily and safely manipulated by one person. "Laboratory scale" excludes those workplaces whose function is to produce commercial quantities of materials.

(17) "Laboratory-type hood" means a device located in a laboratory, enclosure on five sides with a moveable sash or fixed partial enclosed on the remaining side; constructed and maintained to draw air from the laboratory and to prevent or minimize the escape of air contaminants into the laboratory; and allows chemical manipulations to be conducted in the enclosure without insertion of any portion of the employee's body other than hands and arms.

Note: Walk-in hoods with adjustable sashes meet the above definition provided that the sashes are adjusted during use so that the airflow and the exhaust of air contaminants are not compromised and employees do not work inside the enclosure during the release of airborne hazardous chemicals.

(18) "Laboratory use of hazardous chemicals" means handling or use of such chemicals in which all of the following conditions are met:

(a) Chemical manipulations are carried out on a "laboratory scale";

(b) Multiple chemical procedures or chemicals are used;

(c) The procedures involved are not part of a production process, nor in any way simulate a production process; and

(d) "Protective laboratory practices and equipment" are available and in common use to minimize the potential for employee exposure to hazardous chemicals.

(19) "Medical consultation" means a consultation which takes place between an employee and a licensed physician for the purpose of determining what medical examinations or procedures, if any, are appropriate in cases where a significant exposure to a hazardous chemical may have taken place.

(20) "Organic peroxide" means an organic compound that contains the bivalent -O-O-structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

(21) "Oxidizer" means a chemical other than a blasting agent or explosive as defined in WAC 296-52-417, that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

(22) "Physical hazard" means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.

(23) "Protective laboratory practices and equipment" means those laboratory procedures, practices, and equipment accepted by laboratory health and safety experts as effective, or that the employer can show to be effective, in minimizing the potential for employee exposure to hazardous chemicals.

(24) "Reproductive toxins" means chemicals which affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis).

(25) "Select carcinogen" means any substance which meets one of the following criteria:

(a) It is regulated by WISHA as a carcinogen; or

(b) It is listed under the category, "known to be carcinogens," in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or

(c) It is listed under Group I ("carcinogenic to humans") by the International Agency for Research on Cancer Monographs (IARC) (latest editions); or

(d) It is listed in either Group 2A or 2B by IARC or under the category, "reasonably anticipated to be carcinogens" by NTP, and causes statistically significant tumor incidence in experimental animals in accordance with any of the following criteria:

(i) After inhalation exposure of 6-7 hours per day, 5 days per week, for a significant portion of a lifetime to dosages of less than 10 mg/m³; or

(ii) After repeated skin application of less than 300 (mg/kg of body weight) per week; or

(iii) After oral dosages of less than 50 mg/kg of body weight per day.

(26) "Unstable (reactive)" means a chemical which is the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shock, pressure, or temperature.

(27) "Water-reactive" means a chemical that reacts with water to release a gas that is either flammable or presents a health hazard.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-62-40015 Hazard identification. (1) With respect to labels and material safety data sheets:

(a) Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.

(b) Employers shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are readily accessible to laboratory employees.

(2) The following provisions shall apply to chemical substances developed in the laboratory:

(a) If the composition of the chemical substance which is produced exclusively for the laboratory's use is known, the employer shall determine if it is a hazardous chemical as defined in the definition section, Part Q of this standard. If the chemical is determined to be hazardous, the employer shall provide appropriate training as required under WAC 296-62-40011.

(b) If the chemical produced is a byproduct whose composition is not known, the employer shall assume that the substance is hazardous and shall implement WAC 296-62-40009.

(c) If the chemical substance is produced for another user outside of the laboratory, the employer shall comply with the chemical hazard communication standard (WAC ((296-62-054) 296-800-170) including the requirements for preparation of material safety data sheets and labeling.

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AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-41031 Personal protective equipment selection. (1) Personal protective equipment (PPE) must be selected and used which will protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

(2) Personal protective equipment selection must be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

(3) Positive pressure self-contained breathing apparatus, or positive pressure air-line respirators equipped with an escape air supply must be used when chemical exposure levels present will create a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(4) Totally encapsulating chemical protective suits (protection equivalent to Level A protection as recommended in Appendix B) must be used in conditions where skin absorption of a hazardous substance may result in a substantial possibility of immediate death, immediate serious illness or injury, or impair the ability to escape.

(5) The level of protection provided by PPE selection must be increased when additional information or site conditions indicate that increased protection is necessary to reduce employee exposures below permissible exposure limits and published exposure levels for hazardous substances and health hazards. (See WAC 296-62-41082 - Appendix B for guidance on selecting PPE ensembles.)

Note: The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in increased hazardous exposures to employees.

(6) Personal protective equipment must be selected and used to meet the requirements of (~~chapter 296-24 WAC, Part A-2~~) WAC 296-800-160, and additional requirements specified in this part.

AMENDATORY SECTION (Amending WSR 99-07-097, filed 3/23/99, effective 6/23/99)

WAC 296-62-41086 Appendix E—Training curriculum guidelines. The following nonmandatory general criteria may be used for assistance in developing training curriculum used to meet the training requirements of Part R.

These are generic guidelines and they are not presented as a complete training curriculum for any specific employer. Site-specific training programs must be developed on the basis of a needs assessment of the emergency response operation in accordance with this chapter (chapter 296-62 WAC, Part R).

The guidance set forth here presents a highly effective program that in the areas covered would meet or exceed the regulatory requirements. In addition, other approaches could meet the regulatory requirements.

Suggested general criteria:

Definitions:

Suggested core criteria:

"Competent" means possessing the skills, knowledge, experience, and judgment to perform assigned tasks or activities satisfactorily as determined by the employer.

"Demonstration" means the showing by actual use of equipment or procedures.

"Hands-on training" means training in a simulated work environment that permits each student to have experience performing tasks, making decisions, or using equipment appropriate to the job assignment for which the training is being conducted.

"Initial training" means training required before beginning work.

"Lecture" means an interactive discourse with a class lead by an instructor.

"Proficient" means meeting a stated level of achievement.

"Site-specific" means individual training directed to the operations of a specific job site.

"Training hours" means the number of hours devoted to lecture, learning activities, small group work sessions, demonstration, evaluations, or hands-on experience.

(1) Training facility. The training facility should have available sufficient resources, equipment, and site locations to perform concise and hands-on training when appropriate. Training facilities should have sufficient organization, support staff, and services to conduct training in each of the courses offered.

(2) Training director. Each training program should be under the direction of a training director who is responsible for the program. The training director should have a minimum of two years of employee education experience.

(3) Instructors. Instructors should be deemed competent on the basis of previous documented experience in their area of instruction, successful completion of a "train-the-trainer" program specific to the topics they will teach, and an evaluation of instructional competence by the training director.

(a) Instructors should be required to maintain professional competency by participating in continuing education or professional development programs or by successfully completing an annual refresher course and having an annual review by the training director.

(b) The annual review by the training director should include observation of an instructor's delivery, a review of those observations with the trainer, and an analysis of any instructor or class evaluations completed by the students during the previous year.

(4) Course materials. The training director should approve all course materials to be used by the training provider. Course materials should be reviewed and updated at least annually. Materials and equipment should be in good working order and maintained properly.

(a) All written and audio-visual materials in training curricula should be peer reviewed by technically competent outside reviewers or by a standing advisory committee.

(b) Reviewers should possess expertise in the following disciplines were applicable: Occupational health, industrial hygiene and safety, chemical/environmental engineering, employee education, or emergency response. One or more of

the peer reviewers should be an employee experienced in the work activities to which the training is directed.

(5) Students. The program for accepting students should include:

(a) Assurance that the student is or will be involved in work where chemical exposures are likely and that the student possesses the skills necessary to perform the work.

(b) A policy on the necessary medical clearance.

(6) Ratios. Student-instructor ratios should not exceed thirty students per instructor. Hands-on activity requiring the use of personal protective equipment should have the following student-instructor ratios: For Level C or Level D personal protective equipment the ratio should be ten students per instructor. For Level A or Level B personal protective equipment the ratio should be five students per instructor.

(7) Proficiency assessment. Proficiency should be evaluated and documented by the use of a written assessment and a skill demonstration selected and developed by the training director and training staff. The assessment and demonstration should evaluate the knowledge and individual skills developed in the course of training. The level of minimum achievement necessary for proficiency shall be specified in writing by the training director.

(a) If a written test is used, there should be a minimum of fifty questions. If a written test is used in combination with a skills demonstration, a minimum of twenty-five questions should be used. If a skills demonstration is used, the tasks chosen and the means to rate successful completion should be fully documented by the training director.

(b) The content of the written test or of the skill demonstration shall be relevant to the objectives of the course.

The written test and skill demonstration should be updated as necessary to reflect changes in the curriculum and any update should be approved by the training director.

(c) The proficiency assessment methods, regardless of the approach or combination of approaches used, should be justified, documented and approved by the training director.

(d) The proficiency of those taking the additional courses for supervisors should be evaluated and documented by using proficiency assessment methods acceptable to the training director. These proficiency assessment methods must reflect the additional responsibilities borne by supervisory personnel in hazardous waste operations or emergency response.

(8) Course certificate. Written documentation should be provided to each student who satisfactorily completes the training course. The documentation should include:

(a) Student's name.

(b) Course title.

(c) Course date.

(d) Statement that the student has successfully completed the course.

(e) Name and address of the training provider.

(f) An individual identification number for the certificate.

(g) List of the levels of personal protective equipment used by the student to complete the course.

(i) This documentation may include a certificate and an appropriate wallet-sized laminated card with a photograph of the student and the above information.

(ii) When such course certificate cards are used, the individual identification number for the training certificate should be shown on the card.

(9) Recordkeeping. Training providers should maintain records listing the dates courses were presented, the names of the individual course attendees, the names of those students successfully completing each course, and the number of training certificates issued to each successful student. These records should be maintained for a minimum of five years after the date an individual participated in a training program offered by the training provider. These records should be available and provided upon the student's request or as mandated by law.

(10) Program quality control. The training director should conduct or direct an annual written audit of the training program. Program modifications to address deficiencies, if any, should be documented, approved, and implemented by the training provider. The audit and the program modification documents should be maintained at the training facility.

Suggested Program Quality Control Criteria:

Factors listed here are suggested criteria for determining the quality and appropriateness of employee health and safety training for hazardous waste operations and emergency response.

(a) Training plan. Adequacy and appropriateness of the training program's curriculum development, instructor training, distribution of course materials, and direct student training should be considered, including:

(i) The duration of training, course content, and course schedules/agendas;

(ii) The different training requirements of the various target populations, as specified in the appropriate generic training curriculum;

(iii) The process for the development of curriculum, which includes appropriate technical input, outside review, evaluation, program pretesting.

(iv) The adequate and appropriate inclusion of hands-on, demonstration, and instruction methods;

(v) Adequate monitoring of student safety, progress, and performance during the training.

(b) Program management, training director, staff, and consultants. Adequacy and appropriateness of staff performance and delivering an effective training program should be considered, including:

(i) Demonstration of the training director's leadership in assuring quality of health and safety training;

(ii) Demonstration of the competency of the staff to meet the demands of delivering high quality hazardous waste employee health and safety training;

(iii) Organization charts establishing clear lines of authority;

(iv) Clearly defined staff duties including the relationship of the training staff to the overall program;

(v) Evidence that the training organizational structure suits the needs of the training program;

(vi) Appropriateness and adequacy of the training methods used by the instructors;

(vii) Sufficiency of the time committed by the training director and staff to the training program;

(viii) Adequacy of the ratio of training staff to students;

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(ix) Availability and commitment of the training program of adequate human and equipment resources in the areas of:

- (A) Health effects;
- (B) Safety;
- (C) Personal protective equipment (PPE);
- (D) Operational procedures;
- (E) Employee protection practices/procedures;
- (x) Appropriateness of management controls;
- (xi) Adequacy of the organization and appropriate resources assigned to assure appropriate training;
- (xii) In the case of multiple-site training programs, adequacy of management of the satellite centers.

(c) Training facilities and resources. Adequacy and appropriateness of the facilities and resources for supporting the training program should be considered, including:

- (i) Space and equipment to conduct the training;
- (ii) Facilities for representative hands-on training;
- (iii) In the case of multiple-site programs, equipment and facilities at the satellite centers;
- (iv) Adequacy and appropriateness of the quality control and evaluations program to account for instructor performance;

(v) Adequacy and appropriateness of the quality control and evaluation program to ensure appropriate course evaluation, feedback, updating, and corrective action;

(vi) Adequacy and appropriateness of disciplines and expertise being used within the quality control and evaluation program;

(vii) Adequacy and appropriateness of the role of student evaluations to provide feedback for training program improvement.

(d) Quality control and evaluation. Adequacy and appropriateness of quality control and evaluation plans for training programs should be considered, including:

- (i) A balanced advisory committee and/or competent outside reviewers to give overall policy guidance;
- (ii) Clear and adequate definition of the composition and active programmatic role of the advisory committee or outside reviewers;

(iii) Adequacy of the minutes or reports of the advisory committee or outside reviewers' meetings or written communication;

(iv) Adequacy and appropriateness of the quality control and evaluations program to account for instructor performance;

(v) Adequacy and appropriateness of the quality control and evaluation program to ensure appropriate course evaluation, feedback, updating, and corrective action;

(vi) Adequacy and appropriateness of disciplines and expertise being used within the quality control and evaluation program;

(vii) Adequacy and appropriateness of the role of student evaluations to provide feedback for training program improvement.

(e) Students. Adequacy and appropriateness of the program for accepting students should be considered, including:

- (i) Assurance that the student already possess the necessary skills for their job, including necessary documentation;

(ii) Appropriateness of methods the program uses to ensure that recruits are capable of satisfactorily completing training;

(iii) Review and compliance with any medical clearance policy.

(f) Institutional environment and administrative support. The adequacy and appropriateness of the institutional environment and administrative support system for the training program should be considered, including:

(i) Adequacy of the institutional commitment to the employee training program;

(ii) Adequacy and appropriateness of the administrative structure and administrative support.

(g) Summary of evaluation questions. Key questions for evaluating the quality and appropriateness of an overall training program should include the following:

- (i) Are the program objectives clearly stated?
- (ii) Is the program accomplishing its objectives?
- (iii) Are appropriate facilities and staff available?
- (iv) Is there an appropriate mix of classroom, demonstration, and hands-on training?
- (v) Is the program providing quality employee health and safety training that fully meets the intent of regulatory requirements?

(vi) What are the program's main strengths?

(vii) What are the program's main weaknesses?

(viii) What is recommended to improve the program?

(ix) Are instructors instructing according to their training outlines?

(x) Is the evaluation tool current and appropriate for the program content?

(xi) Is the course material current and relevant to the target group?

Suggested Training Curriculum Guidelines:

The following training curriculum guidelines are for those operations specifically identified in this Part R as requiring training. Issues such as qualifications of instructors, training certification, and similar criteria appropriate to all categories of operations addressed in this Part R have been covered in the preceding section and are not addressed in each of the generic guidelines.

(h) Emergency response training.

(i) General considerations. Emergency response organizations are required to consider the topics listed in WAC 296-62-41020. Emergency response organizations may use some or all of the following topics to supplement those mandatory topics when developing their response training programs. Many of the topics would require an interaction between the response provider and the individuals responsible for the site where the response would be expected.

(A) Hazard recognition, including:

(I) Nature of hazardous substances present;

(II) Practical applications of hazard recognition, including presentations on biology, chemistry, and physics.

(B) Principles of toxicology, biological monitoring, and risk assessment.

(C) Safe work practices and general site safety.

(D) Engineering controls and hazardous waste operations.

(E) Site safety plans and standard operating procedures.

- (F) Decontamination procedures and practices.
- (G) Emergency procedures, first aid, and self-rescue.
- (H) Safe use of field equipment.
- (I) Storage, handling, use and transportation of hazardous substances.
- (J) Use, care, and limitations of personal protective equipment.
- (K) Safe sampling techniques.
- (L) Rights and responsibilities of employees under WISHA and other related regulations and laws concerning right-to-know, safety and health, compensations and liability.
- (M) Medical monitoring requirements.
- (N) Community relations.
- (ii) Suggested criteria for specific courses.
 - (A) First responder awareness level.
 - (I) Review of and demonstration of competency in performing the applicable skills of WAC 296-62-41010.
 - (II) Hands-on experience with the U.S. Department of Transportation's Emergency Response Guidebook (ERG) and familiarization with ((~~chapter 296-62-WAC, Part C~~) WAC 296-800-170, the chemical hazard communication standard.
 - (III) Review of the principles and practices for analyzing an incident to determine both the hazardous substances present and the basic hazard and response information for each hazardous substance present.
 - (IV) Review of procedures for implementing actions consistent with the local emergency response plan, the organization's standard operating procedures, and the current edition of DOT's ERG including emergency notification procedures and follow-up communications.
 - (V) Review of the expected hazards including fire and explosions hazards, confined space hazards, electrical hazards, powered equipment hazards, motor vehicle hazards, and walking-working surface hazards.
 - (VI) Awareness and knowledge of the competencies for the First Responder at the Awareness Level covered in the National Fire Protection Association's Standard No. 472, Professional Competence of Responders to Hazardous Materials Incidents.
 - (B) First responder operations level.
 - (I) Review of and demonstration of competency in performing the applicable skills of WAC 296-62-41010.
 - (II) Hands-on experience with the U.S. Department of Transportation's Emergency Response Guidebook (ERG), manufacturer material safety data sheets, CHEMTREC/CANUTEC, shipper or manufacturer contacts, and other relevant sources of information addressing hazardous substance releases. Familiarization with ((~~chapter 296-62-WAC, Part C~~) WAC 296-800-170, the chemical hazard communication standard.
 - (III) Review of the principles and practices for analyzing an incident to determine the hazardous substances present, the likely behavior of the hazardous substance and its container, the types of hazardous substance transportation containers and vehicles, the types and selection of the appropriate defensive strategy for containing the release.
 - (IV) Review of procedures for implementing continuing response actions consistent with the local emergency response plan, the organization's standard operating proce-

dures, and the current edition of DOT's ERG including extended emergency notification procedures and follow-up communications.

(V) Review of the principles and practice for proper selection and use of personal protective equipment.

(VI) Review of the principles and practice of personnel and equipment decontamination.

(VII) Review of the expected hazards including fire and explosions hazards, confined space hazards, electrical hazards, powered equipment hazards, motor vehicle hazards, and walking-working surface hazards.

(VIII) Awareness and knowledge of the competencies for the First Responder at the Operations Level covered in the National Fire Protection Association's Standard No. 472, Professional Competence of Responders to Hazardous Materials Incidents.

(C) Hazardous materials technician.

(I) Review of and demonstration of competency in performing the applicable skills of WAC 296-62-41010.

(II) Hands-on experience with written and electronic information relative to response decision making including, but not limited to, the U.S. Department of Transportation's Emergency Response Guidebook (ERG), manufacturer material safety data sheets, CHEMTREC/CANUTEC, shipper or manufacturer contacts, computer data bases and response models, and other relevant sources of information addressing hazardous substance releases. Familiarization with ((~~chapter 296-62-WAC, Part C~~) WAC 296-800-170, the chemical hazard communication standard.

(III) Review of the principles and practices for analyzing an incident to determine the hazardous substances present, their physical and chemical properties, the likely behavior of the hazardous substance and its container, the types of hazardous substance transportation containers and vehicles involved in the release, the appropriate strategy for approaching release sites and containing the release.

(IV) Review of procedures for implementing continuing response actions consistent with the local emergency response plan, the organization's standard operating procedures, and the current edition of DOT's ERG including extended emergency notification procedures and follow-up communications.

(V) Review of the principles and practice for proper selection and use of personal protective equipment.

(VI) Review of the principles and practices of establishing exposure zones, proper decontamination and medical surveillance stations and procedures.

(VII) Review of the expected hazards including fire and explosions hazards, confined space hazards, electrical hazards, powered equipment hazards, motor vehicle hazards, and walking-working surface hazards.

(VIII) Awareness and knowledge of the competencies for the Hazardous Materials Technician covered in the National Fire Protection Association's Standard No. 472, Professional Competence of Responders to Hazardous Materials Incidents.

(D) Hazardous materials specialist.

(I) Review of and demonstration of competency in performing the applicable skills of WAC 296-62-41010.

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(II) Hands-on experience with retrieval and use of written and electronic information relative to response decision making including, but not limited to, the U.S. Department of Transportation's Emergency Response Guidebook (ERG), manufacturer material safety data sheets, CHEMTREC/CANUTEC, shipper or manufacturer contacts, computer data bases and response models, and other relevant sources of information addressing hazardous substance releases. Familiarization with ((chapter 296-62 WAC, Part C)) WAC 296-800-170, the chemical hazard communication standard.

(III) Review of the principles and practices for analyzing an incident to determine the hazardous substances present, their physical and chemical properties, and the likely behavior of the hazardous substance and its container, vessel, or vehicle.

(IV) Review of the principles and practices for identification of the types of hazardous substance transportation containers, vessels and vehicles involved in the release; selecting and using the various types of equipment available for plugging or patching transportation containers, vessels or vehicles; organizing and directing the use of multiple teams of hazardous material technicians and selecting the appropriate strategy for approaching release sites and containing or stopping the release.

(V) Review of procedures for implementing continuing response actions consistent with the local emergency response plan, the organization's standard operating procedures, including knowledge of the available public and private response resources, establishment of an incident command post, direction of hazardous material technician teams, and extended emergency notification procedures and follow-up communications.

(VI) Review of the principles and practice for proper selection and use of personal protective equipment.

(VII) Review of the principles and practices of establishing exposure zones and proper decontamination, monitoring and medical surveillance stations and procedures.

(VIII) Review of the expected hazards including fire and explosions hazards, confined space hazards, electrical hazards, powered equipment hazards, motor vehicle hazards, and walking-working surface hazards.

(IX) Awareness and knowledge of the competencies for the Off-site Specialist Employee covered in the National Fire Protection Association's Standard No. 472, Professional Competence of Responders to Hazardous Materials Incidents.

(E) Incident commander.

The incident commander is the individual who, at any one time, is responsible for and in control of the response effort. This individual is the person responsible for the direction and coordination of the response effort. An incident commander's position should be occupied by the most senior, appropriately trained individual present at the response site. Yet, as necessary and appropriate by the level of response provided, the position may be occupied by many individuals during a particular response as the need for greater authority, responsibility, or training increases. It is possible for the first responder at the awareness level to assume the duties of incident commander until a more senior and appropriately trained individual arrives at the response site.

Therefore, any emergency responder expected to perform as an incident commander should be trained to fulfill the obligations of the position at the level of response they will be providing including the following:

(I) Ability to analyze a hazardous substance incident to determine the magnitude of the response problem.

(II) Ability to plan and implement an appropriate response plan within the capabilities of available personnel and equipment.

(III) Ability to implement a response to favorably change the outcome of the incident in a manner consistent with the local emergency response plan and the organization's standard operating procedures.

(IV) Ability to evaluate the progress of the emergency response to ensure that the response objectives are being met safely, effectively, and efficiently.

(V) Ability to adjust the response plan to the conditions of the response and to notify higher levels of response when required by the changes to the response plan.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-62-09003	Lighting and illumination.
WAC 296-62-12000	Environmental tobacco smoke in office work environments—Scope and application.
WAC 296-62-12003	Definitions.
WAC 296-62-12005	Controls for environmental tobacco smoke.
WAC 296-62-12009	Appendix—Smoking cessation program information—Nonmandatory.

AMENDATORY SECTION (Amending WSR 98-02-029, filed 12/31/97, effective 1/31/98)

WAC 296-63-009 Exemption requests. (1) Employers who do not have hazardous chemicals at their workplace may submit a written request for exemption to the department. Submission of an exemption request does not relieve an employer of his/her obligation to pay the fee assessment until such time as the request is approved. Employers granted exemptions will be removed from the listing of employers to be assessed a fee beginning with the current billing period.

(2) Exemptions shall only be considered for an employer's entire workplace consisting of all activities reported to the department under the same employer identification number.

(3) Each request for exemption must contain the following information:

- Firm name and employer identification number;
- Complete mailing address;
- Complete location (such as street) address;

(d) A certified statement in the form required by RCW 9A.72.085 that a hazardous chemical survey of the employer's premises has been completed by a qualified person, the identity and qualifications of the person completing the survey, and that no hazardous chemicals as defined by WAC ((296-62-054 through 296-62-05427)) 296-800-170 are present at the workplace.

(4) The department may schedule an on-site inspection to determine the validity of the exemption request.

(5) The employer shall provide to the department within five working days of receiving a request from the department, any additional information identified by the department as necessary for evaluating the exemption request.

(6) Exemption requests shall be mailed to:

Right to Know Program
Department of Labor and Industries
P.O. Box 44620
Olympia, Washington 98504-4620

AMENDATORY SECTION (Amending Order 93-06, filed 10/20/93, effective 12/1/93)

WAC 296-67-005 Definitions. "Atmospheric tank" means a storage tank which has been designed to operate at pressures from atmospheric through 0.5 p.s.i.g. (pounds per square inch gauge, 3.45 Kpa).

"Boiling point" means the boiling point of a liquid at a pressure of 14.7 pounds per square inch absolute (p.s.i.a.) (760 mm.). For the purposes of this part, where an accurate boiling point is unavailable for the material in question, or for mixtures which do not have a constant boiling point, the 10 percent point of a distillation performed in accordance with the Standard Method of Test for Distillation of Petroleum Products, ASTM D-86-62, may be used as the boiling point of the liquid.

"Catastrophic release" means a major uncontrolled emission, fire, or explosion, involving one or more highly hazardous chemicals, that presents serious danger to employees in the workplace.

"Facility" means the buildings, containers, or equipment which contain a process.

"Highly hazardous chemical" means a substance possessing toxic, reactive, flammable, or explosive properties and specified by WAC 296-67-001 (2)(a).

"Hot work" means work involving electric or gas welding, cutting, brazing, or similar flame or spark-producing operations.

"Normally unoccupied remote facility" means a facility which is operated, maintained, or serviced by employees who visit the facility only periodically to check its operation and to perform necessary operating or maintenance tasks. No employees are permanently stationed at the facility. Facilities meeting this definition are not contiguous with, and must be geographically remote from all other buildings, processes, or persons.

"Process" means any activity involving a highly hazardous chemical including any use, storage, manufacturing, handling, or the on-site movement of such chemicals, or combination of these activities. For purposes of this definition, any

group of vessels which are interconnected and separate vessels which are located such that a highly hazardous chemical could be involved in a potential release shall be considered a single process.

"Replacement in kind" means a replacement which satisfies the design specification.

"Trade secret" means any confidential formula, pattern, process, device, information, or compilation of information that is used in an employer's business, and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it. Chapter 296-62 WAC, Part ((C)) B-1, sets out the criteria to be used in evaluating trade secrets.

AMENDATORY SECTION (Amending Order 92-06, filed 8/10/92, effective 9/10/92)

WAC 296-67-053 Emergency planning and response.

The employer shall establish and implement an emergency action plan for the entire plant in accordance with the provisions of WAC 296-24-567. In addition, the emergency action plan shall include procedures for handling small releases. Employers covered under this standard may also be subject to the hazardous waste and emergency response provisions contained in ((chapter 296-62 WAC, Part P)) WAC 296-800-170.

AMENDATORY SECTION (Amending Order 92-06, filed 8/10/92, effective 9/10/92)

WAC 296-67-061 Trade secrets. (1) Employers shall make all information necessary to comply with the section available to those persons responsible for compiling the process safety information (required by WAC 296-67-013), those assisting in the development of the process hazard analysis (required by WAC 296-67-017), those responsible for developing the operating procedures (required by WAC 296-67-021), and those involved in incident investigations (required by WAC 296-67-049), emergency planning and response (WAC 296-67-053) and compliance audits (WAC 296-67-057) without regard to possible trade secret status of such information.

(2) Nothing in this section shall preclude the employer from requiring the persons to whom the information is made available under WAC 296-67-061 to enter into confidentiality agreements not to disclose the information as set forth in WAC ((296-62-054)) 296-62-053.

(3) Subject to the rules and procedures set forth in WAC ((296-62-05417 (1) through (14))) 296-62-053, employees and their designated representatives shall have access to trade secret information contained within the process hazard analysis and other documents required to be developed by this standard.

AMENDATORY SECTION (Amending Order 93-06, filed 10/20/93, effective 12/1/93)

WAC 296-67-291 Appendix C—Compliance guidelines and recommendations for process safety management (nonmandatory). This appendix serves as a nonman-

datory guideline to assist employers and employees in complying with the requirements of this section, as well as provides other helpful recommendations and information. Examples presented in this appendix are not the only means of achieving the performance goals in the standard. This appendix neither adds nor detracts from the requirements of the standard.

(1) Introduction to process safety management. The major objective of process safety management of highly hazardous chemicals is to prevent unwanted releases of hazardous chemicals especially into locations which could expose employees and others to serious hazards. An effective process safety management program requires a systematic approach to evaluating the whole process. Using this approach the process design, process technology, operational and maintenance activities and procedures, nonroutine activities and procedures, emergency preparedness plans and procedures, training programs, and other elements which impact the process are all considered in the evaluation. The various lines of defense that have been incorporated into the design and operation of the process to prevent or mitigate the release of hazardous chemicals need to be evaluated and strengthened to assure their effectiveness at each level. Process safety management is the proactive identification, evaluation and mitigation or prevention of chemical releases that could occur as a result of failures in process, procedures, or equipment. The process safety management standard targets highly hazardous chemicals that have the potential to cause a catastrophic incident. This standard as a whole is to aid employers in their efforts to prevent or mitigate episodic chemical releases that could lead to a catastrophe in the workplace and possibly to the surrounding community. To control these types of hazards, employers need to develop the necessary expertise, experiences, judgment, and proactive initiative within their workforce to properly implement and maintain an effective process safety management program as envisioned in the WISHA standard. This WISHA standard is required by the Clean Air Act amendments as is the Environmental Protection Agency's Risk Management Plan. Employers, who merge the two sets of requirements into their process safety management program, will better assure full compliance with each as well as enhancing their relationship with the local community. While WISHA believes process safety management will have a positive effect on the safety of employees in workplaces and also offers other potential benefits to employers (increased productivity), smaller businesses which may have limited resources available to them at this time, might consider alternative avenues of decreasing the risks associated with highly hazardous chemicals at their workplaces. One method which might be considered is the reduction in the inventory of the highly hazardous chemical. This reduction in inventory will result in a reduction of the risk or potential for a catastrophic incident. Also, employers including small employers may be able to establish more efficient inventory control by reducing the quantities of highly hazardous chemicals on site below the established threshold quantities. This reduction can be accomplished by ordering smaller shipments and maintaining the minimum inventory necessary for efficient and safe operation. When reduced inventory is not feasible, then the employer might consider

dispersing inventory to several locations on site. Dispersing storage into locations where a release in one location will not cause a release in another location is a practical method to also reduce the risk or potential for catastrophic incidents.

(2) Employee involvement in process safety management. Section 304 of the Clean Air Act amendments states that employers are to consult with their employees and their representatives regarding the employers efforts in the development and implementation of the process safety management program elements and hazard assessments. Section 304 also requires employers to train and educate their employees and to inform affected employees of the findings from incident investigations required by the process safety management program. Many employers, under their safety and health programs, have already established means and methods to keep employees and their representatives informed about relevant safety and health issues and employers may be able to adapt these practices and procedures to meet their obligations under this standard. Employers who have not implemented an occupational safety and health program may wish to form a safety and health committee of employees and management representatives to help the employer meet the obligations specified by this standard. These committees can become a significant ally in helping the employer to implement and maintain an effective process safety management program for all employees.

(3) Process safety information. Complete and accurate written information concerning process chemicals, process technology, and process equipment is essential to an effective process safety management program and to a process hazards analysis. The compiled information will be a necessary resource to a variety of users including the team that will perform the process hazards analysis as required under WAC 296-67-017; those developing the training programs and the operating procedures; contractors whose employees will be working with the process; those conducting the prestartup reviews; local emergency preparedness planners; and incurrence and enforcement officials. The information to be compiled about the chemicals, including process intermediates, needs to be comprehensive enough for an accurate assessment of the fire and explosion characteristics, reactivity hazards, the safety and health hazards to workers, and the corrosion and erosion effects on the process equipment and monitoring tools. Current material safety data sheet (MSDS) information can be used to help meet this requirement which must be supplemented with process chemistry information including runaway reaction and over pressure hazards if applicable. Process technology information will be a part of the process safety information package and it is expected that it will include diagrams of the type shown in WAC 296-67-289, Appendix B of this part as well as employer established criteria for maximum inventory levels for process chemicals; limits beyond which would be considered upset conditions; and a qualitative estimate of the consequences or results of deviation that could occur if operating beyond the established process limits. Employers are encouraged to use diagrams which will help users understand the process. A block flow diagram is used to show the major process equipment and interconnecting process flow lines and show flow rates, stream composition, temperatures, and pressures when nec-

essary for clarity. The block flow diagram is a simplified diagram. Process flow diagrams are more complex and will show all main flow streams including valves to enhance the understanding of the process, as well as pressures and temperatures on all feed and product lines within all major vessels, in and out of headers and heat exchangers, and points of pressure and temperature control. Also, materials of construction information, pump capacities and pressure heads, compressor horsepower and vessel design pressures and temperatures are shown when necessary for clarity. In addition, major components of control loops are usually shown along with key utilities on process flow diagrams. Piping and instrument diagrams (P&IDs) may be the more appropriate type of diagrams to show some of the above details and to display the information for the piping designer and engineering staff. The P&IDs are to be used to describe the relationships between equipment and instrumentation as well as other relevant information that will enhance clarity. Computer software programs which do P&IDs or other diagrams useful to the information package, may be used to help meet this requirement. The information pertaining to process equipment design must be documented. In other words, what were the codes and standards relied on to establish good engineering practice. These codes and standards are published by such organizations as the American Society of Mechanical Engineers, American Petroleum Institute, American National Standards Institute, National Fire Protection Association, American Society for Testing and Materials, National Board of Boiler and Pressure Vessel Inspectors, National Association of Corrosion Engineers, American Society of Exchange Manufacturers Association, and model building code groups. In addition, various engineering societies issue technical reports which impact process design. For example, the American Institute of Chemical Engineers has published technical reports on topics such as two phase flow for venting devices. This type of technically recognized report would constitute good engineering practice. For existing equipment designed and constructed many years ago in accordance with the codes and standards available at that time and no longer in general use today, the employer must document which codes and standards were used and that the design and construction along with the testing, inspection and operation are still suitable for the intended use. Where the process technology requires a design which departs from the applicable codes and standards, the employer must document that the design and construction is suitable for the intended purpose.

(4) Process hazard analysis. A process hazard analysis (PHA), sometimes called a process hazard evaluation, is one of the most important elements of the process safety management program. A PHA is an organized and systematic effort to identify and analyze the significance of potential hazards associated with the processing or handling of highly hazardous chemicals. A PHA provides information which will assist employers and employees in making decisions for improving safety and reducing the consequences of unwanted or unplanned releases of hazardous chemicals. A PHA is directed toward analyzing potential causes and consequences of fires, explosions, releases of toxic or flammable chemicals and major spills of hazardous chemicals. The PHA focuses on equipment, instrumentation, utilities, human actions (rou-

tine and nonroutine), and external factors that might impact the process. These considerations assist in determining the hazards and potential failure points or failure modes in a process. The selection of a PHA methodology or technique will be influenced by many factors including the amount of existing knowledge about the process. Is it a process that has been operated for a long period of time with little or no innovation and extensive experience has been generated with its use? Or, is it a new process or one which has been changed frequently by the inclusion of innovative features? Also, the size and complexity of the process will influence the decision as to the appropriate PHA methodology to use. All PHA methodologies are subject to certain limitations. For example, the checklist methodology works well when the process is very stable and no changes are made, but it is not as effective when the process has undergone extensive change. The checklist may miss the most recent changes and consequently the changes would not be evaluated. Another limitation to be considered concerns the assumptions made by the team or analyst. The PHA is dependent on good judgment and the assumptions made during the study need to be documented and understood by the team and reviewer and kept for a future PHA. The team conducting the PHA need to understand the methodology that is going to be used. A PHA team can vary in size from two people to a number of people with varied operational and technical backgrounds. Some team members may only be a part of the team for a limited time. The team leader needs to be fully knowledgeable in the proper implementation of the PHA methodology that is to be used and should be impartial in the evaluation. The other full or part time team members need to provide the team with expertise in areas such as process technology, process design, operating procedures and practices, including how the work is actually performed, alarms, emergency procedures, instrumentation, maintenance procedures, both routine and non-routine tasks, including how the tasks are authorized, procurement of parts and supplies, safety and health, and any other relevant subject as the need dictates. At least one team member must be familiar with the process. The ideal team will have an intimate knowledge of the standards, codes, specifications and regulations applicable to the process being studied. The selected team members need to be compatible and the team leader needs to be able to manage the team, and the PHA study. The team needs to be able to work together while benefiting from the expertise of others on the team or outside the team, to resolve issues, and to forge a consensus on the findings of the study and recommendations. The application of a PHA to a process may involve the use of different methodologies for various parts of the process. For example, a process involving a series of unit operations of varying sizes, complexities, and ages may use different methodologies and team members for each operation. Then the conclusions can be integrated into one final study and evaluation. A more specific example is the use of a checklist PHA for a standard boiler or heat exchanger and the use of a hazard and operability PHA for the overall process. Also, for batch type processes like custom batch operations, a generic PHA of a representative batch may be used where there are only small changes of monomer or other ingredient ratios and the chemistry is documented for the full range and ratio of batch ingre-

dients. Another process that might consider using a generic type of PHA is a gas plant. Often these plants are simply moved from site to site and therefore, a generic PHA may be used for these movable plants. Also, when an employer has several similar size gas plants and no sour gas is being processed at the site, then a generic PHA is feasible as long as the variations of the individual sites are accounted for in the PHA. Finally, when an employer has a large continuous process which has several control rooms for different portions of the process such as for a distillation tower and a blending operation, the employer may wish to do each segment separately and then integrate the final results. Additionally, small businesses which are covered by this rule, will often have processes that have less storage volume, less capacity, and less complicated than processes at a large facility. Therefore, WISHA would anticipate that the less complex methodologies would be used to meet the process hazard analysis criteria in the standard. These process hazard analyses can be done in less time and with a few people being involved. A less complex process generally means that less data, P&IDs, and process information is needed to perform a process hazard analysis. Many small businesses have processes that are not unique, such as cold storage lockers or water treatment facilities. Where employer associations have a number of members with such facilities, a generic PHA, evolved from a checklist or what-if questions, could be developed and used by each employer effectively to reflect his/her particular process; this would simplify compliance for them. When the employer has a number of processes which require a PHA, the employer must set up a priority system of which PHAs to conduct first. A preliminary or gross hazard analysis may be useful in prioritizing the processes that the employer has determined are subject to coverage by the process safety management standard. Consideration should first be given to those processes with the potential of adversely affecting the largest number of employees. This prioritizing should consider the potential severity of a chemical release, the number of potentially affected employees, the operating history of the process such as the frequency of chemical releases, the age of the process and any other relevant factors. These factors would suggest a ranking order and would suggest either using a weighing factor system or a systematic ranking method. The use of a preliminary hazard analysis would assist an employer in determining which process should be of the highest priority and thereby the employer would obtain the greatest improvement in safety at the facility. Detailed guidance on the content and application of process hazard analysis methodologies is available from the American Institute of Chemical Engineers' Center for Chemical Process Safety (see WAC 296-67-293, Appendix D).

(5) Operating procedures and practices. Operating procedures describe tasks to be performed, data to be recorded, operating conditions to be maintained, samples to be collected, and safety and health precautions to be taken. The procedures need to be technically accurate, understandable to employees, and revised periodically to ensure that they reflect current operations. The process safety information package is to be used as a resource to better assure that the operating procedures and practices are consistent with the known hazards of the chemicals in the process and that the

operating parameters are accurate. Operating procedures should be reviewed by engineering staff and operating personnel to ensure that they are accurate and provide practical instructions on how to actually carry out job duties safely. Operating procedures will include specific instructions or details on what steps are to be taken or followed in carrying out the stated procedures. These operating instructions for each procedure should include the applicable safety precautions and should contain appropriate information on safety implications. For example, the operating procedures addressing operating parameters will contain operating instructions about pressure limits, temperature ranges, flow rates, what to do when an upset condition occurs, what alarms and instruments are pertinent if an upset condition occurs, and other subjects. Another example of using operating instructions to properly implement operating procedures is in starting up or shutting down the process. In these cases, different parameters will be required from those of normal operation. These operating instructions need to clearly indicate the distinctions between startup and normal operations such as the appropriate allowances for heating up a unit to reach the normal operating parameters. Also the operating instructions need to describe the proper method for increasing the temperature of the unit until the normal operating temperature parameters are achieved. Computerized process control systems add complexity to operating instructions. These operating instructions need to describe the logic of the software as well as the relationship between the equipment and the control system; otherwise, it may not be apparent to the operator. Operating procedures and instructions are important for training operating personnel. The operating procedures are often viewed as the standard operating practices (SOPs) for operations. Control room personnel and operating staff, in general, need to have a full understanding of operating procedures. If workers are not fluent in English then procedures and instructions need to be prepared in a second language understood by the workers. In addition, operating procedures need to be changed when there is a change in the process as a result of the management of change procedures. The consequences of operating procedure changes need to be fully evaluated and the information conveyed to the personnel. For example, mechanical changes to the process made by the maintenance department (like changing a valve from steel to brass or other subtle changes) need to be evaluated to determine if operating procedures and practices also need to be changed. All management of change actions must be coordinated and integrated with current operating procedures and operating personnel must be oriented to the changes in procedures before the change is made. When the process is shut down in order to make a change, then the operating procedures must be updated before startup of the process. Training in how to handle upset conditions must be accomplished as well as what operating personnel are to do in emergencies such as when a pump seal fails or a pipeline ruptures. Communication between operating personnel and workers performing work within the process area, such as nonroutine tasks, also must be maintained. The hazards of the tasks are to be conveyed to operating personnel in accordance with established procedures and to those performing the actual tasks. When the

work is completed, operating personnel should be informed to provide closure on the job.

(6) Employee training. All employees, including maintenance and contractor employees, involved with highly hazardous chemicals need to fully understand the safety and health hazards of the chemicals and processes they work with for the protection of themselves, their fellow employees and the citizens of nearby communities. Training conducted in compliance with WAC ((296-62-054)) 296-800-170, ((the)) chemical hazard communication program standard, will help employees to be more knowledgeable about the chemicals they work with as well as familiarize them with reading and understanding MSDS. However, additional training in subjects such as operating procedures and safety work practices, emergency evacuation and response, safety procedures, routine and nonroutine work authorization activities, and other areas pertinent to process safety and health will need to be covered by an employer's training program. In establishing their training programs, employers must clearly define the employees to be trained and what subjects are to be covered in their training. Employers in setting up their training program will need to clearly establish the goals and objectives they wish to achieve with the training that they provide to their employees. The learning goals or objectives should be written in clear measurable terms before the training begins. These goals and objectives need to be tailored to each of the specific training modules or segments. Employers should describe the important actions and conditions under which the employee will demonstrate competence or knowledge as well as what is acceptable performance. Hands-on-training where employees are able to use their senses beyond listening, will enhance learning. For example, operating personnel, who will work in a control room or at control panels, would benefit by being trained at a simulated control panel or panels. Upset conditions of various types could be displayed on the simulator, and then the employee could go through the proper operating procedures to bring the simulator panel back to the normal operating parameters. A training environment could be created to help the trainee feel the full reality of the situation but, of course, under controlled conditions. This realistic type of training can be very effective in teaching employees correct procedures while allowing them to also see the consequences of what might happen if they do not follow established operating procedures. Other training techniques using videos or on-the-job training can also be very effective for teaching other job tasks, duties, or other important information. An effective training program will allow the employee to fully participate in the training process and to practice their skill or knowledge. Employers need to periodically evaluate their training programs to see if the necessary skills, knowledge, and routines are being properly understood and implemented by their trained employees. The means or methods for evaluating the training should be developed along with the training program goals and objectives. Training program evaluation will help employers to determine the amount of training their employees understood, and whether the desired results were obtained. If, after the evaluation, it appears that the trained employees are not at the level of knowledge and skill that was expected, the employer will need to revise the training program, provide retraining, or

provide more frequent refresher training sessions until the deficiency is resolved. Those who conducted the training and those who received the training should also be consulted as to how best to improve the training process. If there is a language barrier, the language known to the trainees should be used to reinforce the training messages and information. Careful consideration must be given to assure that employees including maintenance and contract employees receive current and updated training. For example, if changes are made to a process, impacted employees must be trained in the changes and understand the effects of the changes on their job tasks (e.g., any new operating procedures pertinent to their tasks). Additionally, as already discussed the evaluation of the employee's absorption of training will certainly influence the need for training.

(7) Contractors. Employers who use contractors to perform work in and around processes that involve highly hazardous chemicals, will need to establish a screening process so that they hire and use contractors who accomplish the desired job tasks without compromising the safety and health of employees at a facility. For contractors, whose safety performance on the job is not known to the hiring employer, the employer will need to obtain information on injury and illness rates and experience and should obtain contractor references. Additionally, the employer must assure that the contractor has the appropriate job skills, knowledge and certifications (such as for pressure vessel welders). Contractor work methods and experiences should be evaluated. For example, does the contractor conducting demolition work swing loads over operating processes or does the contractor avoid such hazards? Maintaining a site injury and illness log for contractors is another method employers must use to track and maintain current knowledge of work activities involving contract employees working on or adjacent to covered processes. Injury and illness logs of both the employer's employees and contract employees allow an employer to have full knowledge of process injury and illness experience. This log will also contain information which will be of use to those auditing process safety management compliance and those involved in incident investigations. Contract employees must perform their work safely. Considering that contractors often perform very specialized and potentially hazardous tasks such as confined space entry activities and nonroutine repair activities it is quite important that their activities be controlled while they are working on or near a covered process. A permit system or work authorization system for these activities would also be helpful to all affected employers. The use of a work authorization system keeps an employer informed of contract employee activities, and as a benefit the employer will have better coordination and more management control over the work being performed in the process area. A well run and well maintained process where employee safety is fully recognized will benefit all of those who work in the facility whether they be contract employees or employees of the owner.

(8) Prestartup safety. For new processes, the employer will find a PHA helpful in improving the design and construction of the process from a reliability and quality point of view. The safe operation of the new process will be enhanced by making use of the PHA recommendations before final

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installations are completed. P&IDs are to be completed along with having the operating procedures in place and the operating staff trained to run the process before startup. The initial startup procedures and normal operating procedures need to be fully evaluated as part of the prestartup review to assure a safe transfer into the normal operating mode for meeting the process parameters. For existing processes that have been shutdown for turnaround, or modification, etc., the employer must assure that any changes other than "replacement in kind" made to the process during shutdown go through the management of change procedures. P&IDs will need to be updated as necessary, as well as operating procedures and instructions. If the changes made to the process during shutdown are significant and impact the training program, then operating personnel as well as employees engaged in routine and nonroutine work in the process area may need some refresher or additional training in light of the changes. Any incident investigation recommendations, compliance audits or PHA recommendations need to be reviewed as well to see what impacts they may have on the process before beginning the startup.

(9) Mechanical integrity. Employers will need to review their maintenance programs and schedules to see if there are areas where "breakdown" maintenance is used rather than an ongoing mechanical integrity program. Equipment used to process, store, or handle highly hazardous chemicals needs to be designed, constructed, installed, and maintained to minimize the risk of releases of such chemicals. This requires that a mechanical integrity program be in place to assure the continued integrity of process equipment. Elements of a mechanical integrity program include the identification and categorization of equipment and instrumentation, inspections and tests, testing and inspection frequencies, development of maintenance procedures, training of maintenance personnel, the establishment of criteria for acceptable test results, documentation of test and inspection results, and documentation of manufacturer recommendations as to meantime to failure for equipment and instrumentation. The first line of defense an employer has available is to operate and maintain the process as designed, and to keep the chemicals contained. This line of defense is backed up by the next line of defense which is the controlled release of chemicals through venting to scrubbers or flares, or to surge or overflow tanks which are designed to receive such chemicals, etc. These lines of defense are the primary lines of defense or means to prevent unwanted releases. The secondary lines of defense would include fixed fire protection systems like sprinklers, water spray, or deluge systems, monitor guns, etc., dikes, designed drainage systems, and other systems which would control or mitigate hazardous chemicals once an unwanted release occurs. These primary and secondary lines of defense are what the mechanical integrity program needs to protect and strengthen these primary and secondary lines of defenses where appropriate. The first step of an effective mechanical integrity program is to compile and categorize a list of process equipment and instrumentation for inclusion in the program. This list would include pressure vessels, storage tanks, process piping, relief and vent systems, fire protection system components, emergency shutdown systems, and alarms and interlocks and pumps. For the categorization of instrumenta-

tion and the listed equipment the employer would prioritize which pieces of equipment require closer scrutiny than others. Meantime to failure of various instrumentation and equipment parts would be known from the manufacturer's data or the employer's experience with the parts, which would then influence the inspection and testing frequency and associated procedures. Also, applicable codes and standards such as the National Board Inspection Code, or those from the American Society for Testing and Material, American Petroleum Institute, National Fire Protection Association, American National Standards Institute, American Society of Mechanical Engineers, and other groups, provide information to help establish an effective testing and inspection frequency, as well as appropriate methodologies. The applicable codes and standards provide criteria for external inspections for such items as foundation and supports, anchor bolts, concrete or steel supports, guy wires, nozzles and sprinklers, pipe hangers, grounding connections, protective coatings and insulation, and external metal surfaces of piping and vessels, etc. These codes and standards also provide information on methodologies for internal inspection, and a frequency formula based on the corrosion rate of the materials of construction. Also, erosion both internal and external needs to be considered along with corrosion effects for piping and valves. Where the corrosion rate is not known, a maximum inspection frequency is recommended, and methods of developing the corrosion rate are available in the codes. Internal inspections need to cover items such as vessel shell, bottom and head; metallic linings; nonmetallic linings; thickness measurements for vessels and piping; inspection for erosion, corrosion, cracking and bulges; internal equipment like trays, baffles, sensors, and screens for erosion, corrosion or cracking and other deficiencies. Some of these inspections may be performed by state or local government inspectors under state and local statutes. However, each employer needs to develop procedures to ensure that tests and inspections are conducted properly and that consistency is maintained even where different employees may be involved. Appropriate training is to be provided to maintenance personnel to ensure that they understand the preventive maintenance program procedures, safe practices, and the proper use and application of special equipment or unique tools that may be required. This training is part of the overall training program called for in the standard. A quality assurance system is needed to help ensure that the proper materials of construction are used, that fabrication and inspection procedures are proper, and that installation procedures recognize field installation concerns. The quality assurance program is an essential part of the mechanical integrity program and will help to maintain the primary and secondary lines of defense that have been designed into the process to prevent unwanted chemical releases or those which control or mitigate a release. "As built" drawings, together with certifications of coded vessels and other equipment, and materials of construction need to be verified and retained in the quality assurance documentation. Equipment installation jobs need to be properly inspected in the field for use of proper materials and procedures and to assure that qualified craftsmen are used to do the job. The use of appropriate gaskets, packing, bolts, valves, lubricants, and welding rods need to be verified in the field. Also procedures for

installation of safety devices need to be verified, such as the torque on the bolts on ruptured disc installations, uniform torque on flange bolts, proper installation of pump seals, etc. If the quality of parts is a problem, it may be appropriate to conduct audits of the equipment supplier's facilities to better assure proper purchases of required equipment which is suitable for its intended service. Any changes in equipment that may become necessary will need to go through the management of change procedures.

(10) Nonroutine work authorizations. Nonroutine work which is conducted in process areas needs to be controlled by the employer in a consistent manner. The hazards identified involving the work that is to be accomplished must be communicated to those doing the work, but also to those operating personnel whose work could affect the safety of the process. A work authorization notice or permit must have a procedure that describes the steps the maintenance supervisor, contractor representative or other person needs to follow to obtain the necessary clearance to get the job started. The work authorization procedures need to reference and coordinate, as applicable, lockout/tagout procedures, line breaking procedures, confined space entry procedures and hot work authorizations. This procedure also needs to provide clear steps to follow once the job is completed in order to provide closure for those that need to know the job is now completed and equipment can be returned to normal.

(11) Managing change. To properly manage changes to process chemicals, technology, equipment and facilities, one must define what is meant by change. In this process safety management standard, change includes all modifications to equipment, procedures, raw materials and processing conditions other than "replacement in kind." These changes need to be properly managed by identifying and reviewing them prior to implementation of the change. For example, the operating procedures contain the operating parameters (pressure limits, temperature ranges, flow rates, etc.) and the importance of operating within these limits. While the operator must have the flexibility to maintain safe operation within the established parameters, any operation outside of these parameters requires review and approval by a written management of change procedure. Management of change covers such as changes in process technology and changes to equipment and instrumentation. Changes in process technology can result from changes in production rates, raw materials, experimentation, equipment unavailability, new equipment, new product development, change in catalyst and changes in operating conditions to improve yield or quality. Equipment changes include among others change in materials of construction, equipment specifications, piping prearrangements, experimental equipment, computer program revisions and changes in alarms and interlocks. Employers need to establish means and methods to detect both technical changes and mechanical changes. Temporary changes have caused a number of catastrophes over the years, and employers need to establish ways to detect temporary changes as well as those that are permanent. It is important that a time limit for temporary changes be established and monitored since, without control, these changes may tend to become permanent. Temporary changes are subject to the management of change provisions. In addition, the management of change procedures are used to insure

that the equipment and procedures are returned to their original or designed conditions at the end of the temporary change. Proper documentation and review of these changes is invaluable in assuring that the safety and health considerations are being incorporated into the operating procedures and the process. Employers may wish to develop a form or clearance sheet to facilitate the processing of changes through the management of change procedures. A typical change form may include a description and the purpose of the change, the technical basis for the change, safety and health considerations, documentation of changes for the operating procedures, maintenance procedures, inspection and testing, P&IDs, electrical classification, training and communications, prestartup inspection, duration if a temporary change, approvals and authorization. Where the impact of the change is minor and well understood, a check list reviewed by an authorized person with proper communication to others who are affected may be sufficient. However, for a more complex or significant design change, a hazard evaluation procedure with approvals by operations, maintenance, and safety departments may be appropriate. Changes in documents such as P&IDs, raw materials, operating procedures, mechanical integrity programs, electrical classifications, etc., need to be noted so that these revisions can be made permanent when the drawings and procedure manuals are updated. Copies of process changes need to be kept in an accessible location to ensure that design changes are available to operating personnel as well as to PHA team members when a PHA is being done or one is being updated.

(12) Investigation of incidents. Incident investigation is the process of identifying the underlying causes of incidents and implementing steps to prevent similar events from occurring. The intent of an incident investigation is for employers to learn from past experiences and thus avoid repeating past mistakes. The incidents for which WISHA expects employers to become aware and to investigate are the types of events which result in or could reasonably have resulted in a catastrophic release. Some of the events are sometimes referred to as "near misses," meaning that a serious consequence did not occur, but could have. Employers need to develop in-house capability to investigate incidents that occur in their facilities. A team needs to be assembled by the employer and trained in the techniques of investigation including how to conduct interviews of witnesses, needed documentation and report writing. A multidisciplinary team is better able to gather the facts of the event and to analyze them and develop plausible scenarios as to what happened, and why. Team members should be selected on the basis of their training, knowledge and ability to contribute to a team effort to fully investigate the incident. Employees in the process area where the incident occurred should be consulted, interviewed, or made a member of the team. Their knowledge of the events form a significant set of facts about the incident which occurred. The report, its findings and recommendations are to be shared with those who can benefit from the information. The cooperation of employees is essential to an effective incident investigation. The focus of the investigation should be to obtain facts, and not to place blame. The team and the investigation process should clearly deal with all involved individuals in a fair, open, and consistent manner.

(13) Emergency preparedness. Each employer must address what actions employees are to take when there is an unwanted release of highly hazardous chemicals. Emergency preparedness or the employer's tertiary (third) lines of defense are those that will be relied on along with the secondary lines of defense when the primary lines of defense which are used to prevent an unwanted release fail to stop the release. Employers will need to decide if they want employees to handle and stop small or minor incidental releases. Whether they wish to mobilize the available resources at the plant and have them brought to bear on a more significant release. Or whether employers want their employees to evacuate the danger area and promptly escape to a preplanned safe zone area, and allow the local community emergency response organizations to handle the release. Or whether the employer wants to use some combination of these actions. Employers will need to select how many different emergency preparedness or tertiary lines of defense they plan to have and then develop the necessary plans and procedures, and appropriately train employees in their emergency duties and responsibilities and then implement these lines of defense. Employers at a minimum must have an emergency action plan which will facilitate the prompt evacuation of employees due to an unwanted release of a highly hazardous chemical. This means that the employer will have a plan that will be activated by an alarm system to alert employees when to evacuate and, that employees who are physically impaired, will have the necessary support and assistance to get them to the safe zone as well. The intent of these requirements is to alert and move employees to a safe zone quickly. Delaying alarms or confusing alarms are to be avoided. The use of process control centers or similar process buildings in the process area as safe areas is discouraged. Recent catastrophes have shown that a large life loss has occurred in these structures because of where they have been sited and because they are not necessarily designed to withstand over-pressures from shockwaves resulting from explosions in the process area. Unwanted incidental releases of highly hazardous chemicals in the process area must be addressed by the employer as to what actions employees are to take. If the employer wants employees to evacuate the area, then the emergency action plan will be activated. For outdoor processes where wind direction is important for selecting the safe route to a refuge area, the employer should place a wind direction indicator such as a wind sock or pennant at the highest point that can be seen throughout the process area. Employees can move in the direction of cross wind to upwind to gain safe access to the refuge area by knowing the wind direction. If the employer wants specific employees in the release area to control or stop the minor emergency or incidental release, these actions must be planned for in advance and procedures developed and implemented. Preplanning for handling incidental releases for minor emergencies in the process area needs to be done, appropriate equipment for the hazards must be provided, and training conducted for those employees who will perform the emergency work before they respond to handle an actual release. The employer's training program, including the hazard communication standard training is to address the training needs for employees who are expected to handle incidental or minor releases. Preplanning for releases that are

more serious than incidental releases is another important line of defense to be used by the employer. When a serious release of a highly hazardous chemical occurs, the employer through preplanning will have determined in advance what actions employees are to take. The evacuation of the immediate release area and other areas as necessary would be accomplished under the emergency action plan. If the employer wishes to use plant personnel such as a fire brigade, spill control team, a hazardous materials team, or use employees to render aid to those in the immediate release area and control or mitigate the incident, these actions are covered by WAC 296-62-300, the hazardous waste operations and emergency response (HAZWOPER) standard. If outside assistance is necessary, such as through mutual aid agreements between employers or local government emergency response organizations, these emergency responders are also covered by HAZWOPER. The safety and health protections required for emergency responders are the responsibility of their employers and of the on-scene incident commander. Responders may be working under very hazardous conditions and therefore the objective is to have them competently led by an on-scene incident commander and the commander's staff, properly equipped to do their assigned work safely, and fully trained to carry out their duties safely before they respond to an emergency. Drills, training exercises, or simulations with the local community emergency response planners and responder organizations is one means to obtain better preparedness. This close cooperation and coordination between plant and local community emergency preparedness managers will also aid the employer in complying with the Environmental Protection Agency's risk management plan criteria. One effective way for medium to large facilities to enhance coordination and communication during emergencies for on plant operations and with local community organizations is for employers to establish and equip an emergency control center. The emergency control center would be sited in a safe zone area so that it could be occupied throughout the duration of an emergency. The center would serve as the major communication link between the on-scene incident commander and plant or corporate management as well as with the local community officials. The communication equipment in the emergency control center should include a network to receive and transmit information by telephone, radio, or other means. It is important to have a backup communication network in case of power failure or one communication means fails. The center should also be equipped with the plant layout and community maps, utility drawings including fire water, emergency lighting, appropriate reference materials such as a government agency notification list, company personnel phone list, SARA Title III reports and material safety data sheets, emergency plans and procedures manual, a listing with the location of emergency response equipment, mutual aid information, and access to meteorological or weather condition data and any dispersion modeling data.

(14) Compliance audits. Employers need to select a trained individual or assemble a trained team of people to audit the process safety management system and program. A small process or plant may need only one knowledgeable person to conduct an audit. The audit is to include an evaluation of the design and effectiveness of the process safety manage-

ment system and a field inspection of the safety and health conditions and practices to verify that the employer's systems are effectively implemented. The audit should be conducted or led by a person knowledgeable in audit techniques and who is impartial towards the facility or area being audited. The essential elements of an audit program include planning, staffing, conducting the audit, evaluation and corrective action, follow-up and documentation. Planning in advance is essential to the success of the auditing process. Each employer needs to establish the format, staffing, scheduling, and verification methods prior to conducting the audit. The format should be designed to provide the lead auditor with a procedure or checklist which details the requirements of each section of the standard. The names of the audit team members should be listed as part of the format as well. The checklist, if properly designed, could serve as the verification sheet which provides the auditor with the necessary information to expedite the review and assure that no requirements of the standard are omitted. This verification sheet format could also identify those elements that will require evaluation or a response to correct deficiencies. This sheet could also be used for developing the follow-up and documentation requirements. The selection of effective audit team members is critical to the success of the program. Team members should be chosen for their experience, knowledge, and training and should be familiar with the processes and with auditing techniques, practices, and procedures. The size of the team will vary depending on the size and complexity of the process under consideration. For a large, complex, highly instrumented plant, it may be desirable to have team members with expertise in process engineering and design, process chemistry, instrumentation and computer controls, electrical hazards and classifications, safety and health disciplines, maintenance, emergency preparedness, warehousing or shipping, and process safety auditing. The team may use part-time members to provide for the depth of expertise required as well as for what is actually done or followed, compared to what is written. An effective audit includes a review of the relevant documentation and process safety information, inspection of the physical facilities, and interviews with all levels of plant personnel. Utilizing the audit procedure and checklist developed in the preplanning stage, the audit team can systematically analyze compliance with the provisions of the standard and any other corporate policies that are relevant. For example, the audit team will review all aspects of the training program as part of the overall audit. The team will review the written training program for adequacy of content, frequency of training, effectiveness of training in terms of its goals and objectives as well as to how it fits into meeting the standard's requirements, documentation, etc. Through interviews, the team can determine the employee's knowledge and awareness of the safety procedures, duties, rules, emergency response assignments, etc. During the inspection, the team can observe actual practices such as safety and health policies, procedures, and work authorization practices. This approach enables the team to identify deficiencies and determine where corrective actions or improvements are necessary. An audit is a technique used to gather sufficient facts and information, including statistical information, to verify compliance with standards. Auditors should select as part of

their preplanning a sample size sufficient to give a degree of confidence that the audit reflects the level of compliance with the standard. The audit team, through this systematic analysis, should document areas which require corrective action as well as those areas where the process safety management system is effective and working in an effective manner. This provides a record of the audit procedures and findings, and serves as a baseline of operation data for future audits. It will assist future auditors in determining changes or trends from previous audits. Corrective action is one of the most important parts of the audit. It includes not only addressing the identified deficiencies, but also planning, followup, and documentation. The corrective action process normally begins with a management review of the audit findings. The purpose of this review is to determine what actions are appropriate, and to establish priorities, timetables, resource allocations, and requirements and responsibilities. In some cases, corrective action may involve a simple change in procedure or minor maintenance effort to remedy the concern. Management of change procedures need to be used, as appropriate, even for what may seem to be a minor change. Many of the deficiencies can be acted on promptly, while some may require engineering studies or in-depth review of actual procedures and practices. There may be instances where no action is necessary and this is a valid response to an audit finding. All actions taken, including an explanation where no action is taken on a finding, needs to be documented as to what was done and why. It is important to assure that each deficiency identified is addressed, the corrective action to be taken noted, and the audit person or team responsible be properly documented by the employer. To control the corrective action process, the employer should consider the use of a tracking system. This tracking system might include periodic status reports shared with affected levels of management, specific reports such as completion of an engineering study, and a final implementation report to provide closure for audit findings that have been through management of change, if appropriate, and then shared with affected employees and management. This type of tracking system provides the employer with the status of the corrective action. It also provides the documentation required to verify that appropriate corrective actions were taken on deficiencies identified in the audit.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-500 Foreword. (1) General requirements. The chapter 296-78 WAC shall apply to and include safety requirements for all installations where the primary manufacturing of wood building products takes place. The installations may be a permanent fixed establishment or a portable operation. These operations shall include but are not limited to log and lumber handling, sawing, trimming and planing, plywood or veneer manufacturing, canting operations, waste or residual handling, operation of dry kilns, finishing, shipping, storage, yard and yard equipment, and for power tools and affiliated equipment used in connection with such operation. WAC 296-78-450 shall apply to shake and shingle manufacturing. The provisions of WAC 296-78-500 through 296-78-84011 are also applicable in shake and shin-

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gle manufacturing except in instances of conflict with the requirements of WAC 296-78-705. (Rev. 1-28-76.)

(2) This standard shall augment the Washington state general safety and health standards, general occupational health standards, electrical workers safety rules, and any other standards which are applicable to all industries governed by chapter 80, Laws of 1973, Washington Industrial Safety and Health Act. In the event of any conflict between any portion of this chapter and any portion of any of the general application standards, the provisions of this chapter 296-78 WAC, shall apply.

(3) In exceptional cases where compliance with specific provisions of this chapter can only be accomplished to the serious detriment and disadvantage of an operation, variance from the requirement may be permitted by the director of the department of labor and industries after receipt of application for variance which meets the requirements of (~~WAC 296-24-010, general safety and health standards~~) chapter 296-350 WAC.

(4) No safety program will run itself. To be successful, the wholehearted interest of the employees' group (labor unions) and management must not only be behind the program, but the fact must also be readily apparent to all.

AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-78-515 Management's responsibility. (1) It shall be the responsibility of management to establish, supervise, and enforce, in a manner which is effective in practice:

- (a) A safe and healthful working environment.
- (b) An accident prevention program as required by these standards.
- (c) Training programs to improve the skill and competency of all employees in the field of occupational safety and health. Such training shall include the on-the-job instructions on the safe use of powered materials handling equipment, machine tool operations, use of toxic materials and operation of utility systems prior to assignments to jobs involving such exposures.

(2) The employer shall develop and maintain a chemical hazard communication program as required by (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may become exposed, in the course of their employment.

(3) Management shall not assign mechanics, millwrights, or other persons to work on equipment by themselves when there is a probability that the person could fall from elevated work locations or equipment or that a person could be pinned down by heavy parts or equipment so that they could not call for or obtain assistance if the need arises.

Note: This subsection does not apply to operators of motor vehicles, watchperson or certain other jobs which, by their nature, are singular employee assignments. However, a definite procedure for checking the welfare of all employees during their working hours shall be instituted and all employees so advised.

(4) After the emergency actions following accidents that cause serious injuries that have immediate symptoms, a pre-

liminary investigation of the cause of the accident shall be conducted. The investigation shall be conducted by a person designated by the employer, the immediate supervisor of the injured employee, witnesses, employee representative if available and any other person with the special expertise required to evaluate the facts relating to the cause of the accident. The findings of the investigation shall be documented by the employer for reference at any following formal investigation.

(5) Reporting of fatality or multiple hospitalization incidents.

(a) Within eight hours after the fatality or probable fatality of any employee from a work-related incident or the inpatient hospitalization of two or more employees as a result of a work-related incident, the employer of any employees so affected shall report the fatality/multiple hospitalization by telephone or in person, to the nearest office of the department or by using the OSHA toll-free central telephone number, 1-800-321-6742.

(i) This requirement applies to each such fatality or hospitalization of two or more employees which occurs within thirty days of the incident.

(ii) Exception: If any employer does not learn of a reportable incident at the time it occurs and the incident would otherwise be reportable under this subsection, the employer shall make a report within eight hours of the time the incident is reported to any agent or employee of the employer.

(iii) Each report required by this subsection shall relate the following information: Establishment name, location of the incident, time of the incident, number of fatalities or hospitalized employees, contact person, phone number, and a brief description of the incident.

(b) Equipment involved in an incident resulting in an immediate or probable fatality or in the in-patient hospitalization of two or more employees, shall not be moved, until a representative of the department investigates the incident and releases such equipment, except where removal is essential to prevent further incident. Where necessary to remove the victim, such equipment may be moved only to the extent of making possible such removal.

(c) Upon arrival of a department investigator, employer shall assign to assist the investigator, the immediate supervisor and all employees who were witnesses to the incident, or whoever the investigator deems necessary to complete the investigation.

(6) A system for maintaining records of occupational injuries and illnesses as prescribed by chapter 296-27 WAC.

- Note: Recordable cases include:
- (a) Every occupational death.
 - (b) Every industrial illness.
 - (c) Every occupational injury that involves one of the following:
 - (i) Unconsciousness.
 - (ii) Inability to perform all phases of regular job.
 - (iii) Inability to work full time on regular job.
 - (iv) Temporary assignment to another job.
 - (v) Medical treatment beyond first aid.

All employers with eleven or more employees shall record occupational injury and illness information on forms OSHA 101 - supplementary record occupational injuries and ill-

nesses and OSHA 200 - log and summary. Forms other than OSHA 101 may be substituted for the supplementary record of occupational injuries and illnesses if they contain the same items.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-78-540 First-aid training and certification.

The employer must ensure that first-aid trained personnel are available to help employees who are injured or who become acutely ill on the job. The employer must meet this requirement by maintaining first-aid trained staff on the job site. The employer must ensure that:

(1) Each person in charge of employees has first-aid training; or another person with first-aid training is present or available to the employees. Such training must be successfully completed every two years as required in (~~chapter 296-24 WAC, Part A-1~~) WAC 296-800-150;

(2) Documentation of first-aid training is kept as required in (~~chapter 296-24 WAC, Part A-1~~) WAC 296-800-150;

(3) Emergency telephone numbers are adequately posted;

(4) First-aid training includes the core elements contained in (~~chapter 296-24 WAC, Part A-1~~) WAC 296-800-150.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-78-545 First-aid supplies. The first-aid kits and supplies requirements of (~~the general safety and health standards, chapter 296-24 WAC, Part A-1~~) WAC 296-800-150 apply within the scope of chapter 296-78 WAC.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-78-56501 Log dumps and ponds. (1) Log dumps, booms, ponds or storage areas, if used at night, shall be illuminated in accordance with the requirements of WAC (~~296-62-09003, general occupational health standards~~) 296-800-210, safety and health core rules.

(2) A log dump shall be constructed at each log pond or decking ground. Log trucks shall not be unloaded by use of peavies or by hand.

(a) The roadbed shall be of hard packed gravel, heavy planking or equivalent material and shall be maintained at all times. Roadbeds at log dumps shall be of width and evenness to insure safe operation of equipment.

(b) A mechanical unloading device shall be provided and used for unloading logs. Log unloading areas shall be arranged and maintained to provide a safe working area.

(c) Signs prohibiting unauthorized foot or vehicle traffic in log unloading and storage areas shall be posted.

(d) At no time shall one person be permitted to work alone on a log dump, a booming or rafting grounds, or a log pond.

(3) Water log dumps. Ungrounded electrically powered hoists using handheld remote control in grounded locations, such as log dumps or mill log lifts, shall be actuated by circuits operating at less than 50 volts to ground.

(4)(a) A brow log, skid timbers or the equivalent shall be installed on all log dumps.

(b) Where logs are unloaded onto skids, sufficient space shall be provided between the top of the skids and the ground to accommodate the body of a person.

(c) All truck dumps shall be built with not more than six inches variation of level from side to side.

(5)(a) All truck log dumps shall be equipped with a positive safeguard to prevent logs from leaving the load on the side opposite the brow log. Jill pokes shall not be used on truck log dumps.

(b) Unloading lines shall be attached and tightened or other positive safeguard in place before binder chains are released at any log dump.

(c) Stakes and chocks which trip shall be constructed in such manner that the tripping mechanism that releases the stake or chocks is activated at the opposite side of the load being tripped.

(d) Binders shall be released only from the side on which the unloader operates, except when released by remote control devices or except when person making release is protected by racks or stanchions or other equivalent means.

(e) Loads on which a binder is fouled by the unloading machine shall have an extra binder or metal band of equal strength placed around the load, or the load shall be otherwise secured so that the fouled binder can be safely removed.

(f) Unloading lines, crotch lines, or equally effective means shall be arranged and used in a manner to minimize the possibility of any log swinging or rolling back.

(6)(a) In unloading operations, the operator of unloading machine shall have an unobstructed view of the vehicle and the logs being unloaded.

(b) Unloading lines shall be arranged so that it is not necessary for the employees to attach them from the pond or dump site of the load except when entire loads are lifted from the log-transporting vehicle.

(7) All log dumps shall be kept reasonably free of bark and other debris.

(8) Employees shall remain in the clear until all moving equipment has come to a complete stop.

(9) Artificial log ponds subject to unhealthy stagnation shall be drained, cleansed, and water changed at least once every six months.

(10) All employees whose regular work requires walking on logs shall wear spiked or calked shoes, except when working in snow.

(11) Employees working on, over or along water, where the danger of drowning exists, shall be provided with and shall wear approved personal flotation devices.

(a) Employees are not considered exposed to the danger of drowning:

(i) When working behind standard height and strength guardrails;

(ii) When working inside operating cabs or stations which eliminate the possibility of accidentally falling into the water;

(iii) When wearing approved safety belts with lifeline attached so as to preclude the possibility of falling into the water;

(iv) When water depth is known to be chest-deep or less.

(b) Prior to and after each use, personal floating devices shall be inspected for defects which would reduce their designed effectiveness. Defective personal flotation devices shall not be used.

(c) To meet the approved criteria required by this subsection (11), a personal flotation device shall be approved by the United States Coast Guard as a Type I PFD, Type II PFD, Type III PFD, or Type V PFD, or their equivalent, pursuant to 46 CFR 160 (Coast Guard lifesaving equipment specifications) and 33 CFR 175.23 (Coast Guard table of devices equivalent to personal flotation devices). Ski belt or inflatable type personal flotation devices are specifically prohibited.

(12)(a) Wooden pike poles shall be of continuous, straight grained No. 1 material. Defective poles, blunt or dull pikes shall not be used.

(b) Aluminum or other metal poles shall not be used where hazard of coming in contact with live electric wires exists.

(13)(a) Walkways and floats shall be provided and security anchored to provide safe passage for workers.

(b) Permanent cable swifters shall be so arranged that it will not be necessary to roll boom sticks in order to attach or detach them.

(c) Inspection of cable or dogging lines shall be made as necessary to determine when repair or removal from service is necessary.

(14)(a) Decks of floats or other walkways shall be kept above the waterline at all times and shall be capable of supporting four times the load to be imposed.

(b) Floating donkeys or other power-driven machinery used on booms shall be placed on a raft or float with enough buoyancy to keep the deck above water.

(15)(a) All regular boom sticks and foot logs shall be reasonably straight, have all protruding knots and bark removed, and shall be capable of supporting above the waterline at either end, any necessary weight of workers and equipment.

(b) Stiff booms shall be two float logs wide secured by boom chains or other connecting devices, and of a width adequate for the working needs. Walking surfaces shall be free of loose material and maintained in good repair.

(c) Boom sticks shall be fastened together with crosssties or couplings.

AMENDATORY SECTION (Amending Order 94-16, filed 9/30/94, effective 11/20/94)

WAC 296-78-670 Glue machines. (1) Personal protective equipment as required by the (~~general safety and health standard, chapter 296-24 WAC, Part A-2~~) safety and health core rules, WAC 296-800-160, and the general occupational health standard, WAC 296-62-11021, and proper washing facilities with noncaustic soap and sterilizers, shall be provided for all employees handling glue. Rubber gloves and other personal equipment must be sterilized when transferred from one person to another.

(2) Glue spreaders shall be enclosed on the in-running side, leaving only sufficient space to insert the stock.

(3) All glue spreaders shall be equipped with a panic bar or equivalent type device that can be reached from either the infeed or outfeed side of the spreader to shut-off the power in an emergency situation. Such device shall be installed on existing glue spreaders no later than April 1, 1982, and be standard equipment on any glue spreader purchased after January 1, 1982.

(4) All glue mixing and handling rooms where located above work areas shall have water tight floors.

(5) All glue rooms shall be provided with ventilation in accordance with WAC 296-62-110 through 296-62-11013, of the general occupational health standard.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-71001 General. (1) Construction when not specifically covered in these standards shall be governed by such other standards adopted by the department of labor and industries as may apply.

(2) All buildings, docks, tramways, walkways, log dumps and other structures shall be so designed, constructed, and maintained as to provide a safety factor of four. This means that all members shall be capable of supporting four times the maximum load to be imposed. This provision refers to buildings, docks and so forth designed and constructed subsequent to the effective date of these standards and also refers in all cases where either complete or major changes or repairs are made to such buildings, docks, tramways, walkways, log dumps and other structures.

(3) Basements on ground floors under mills shall be evenly surfaced, free from unnecessary obstructions and debris, and provided with lighting facilities in compliance with the requirements of the (~~general occupational health standards~~) safety and health core rules, WAC ((296-62-09003)) 296-800-210.

(4) All engines, motors, transmission machinery or operating equipment installed in mill basements or ground floors shall be equipped with standard safeguards for the protection of workers.

(5) Hazard marking. Physical hazard marking shall be as specified in WAC 296-24-135 through 296-24-13503 of the general safety and health standards.

(6) Flooring of buildings, ramps and walkways not subject to supporting motive equipment shall be of not less than two-inch wood planking or material of equivalent structural strength.

(7) Flooring of buildings, ramps, docks, trestles and other structure required to support motive equipment shall be of not less than full two and one-half inch wood planing or material of equivalent structural strength. However, where flooring is covered by steel floor plates, two inch wood planking or material of equivalent structural strength may be used.

(8) Walkways, docks, and platforms.

(a) Walkways, docks and platforms shall be constructed and maintained in accordance with the requirements of (~~the~~)

~~general safety and health standards,))~~ WAC 296-24-735 through 296-24-75011 and WAC 296-800-270.

(b) Maintenance. Walkways shall be evenly floored and kept in good repair.

(c) Where elevated platforms are used they shall be equipped with stairways or ladders in accordance with ~~((the general safety and health standards,))~~ WAC 296-24-765 through 296-24-81013, and WAC 296-800-250 and 296-800-290.

AMENDATORY SECTION (Amending WSR 96-17-056, filed 8/20/96, effective 10/15/96)

WAC 296-78-71003 Floor and wall openings. (1) All floor and wall openings either temporary or permanent, shall be protected as required by ~~((the general safety and health standards,))~~ WAC 296-24-750 through 296-24-75011 and WAC 296-800-260.

(2) The area under floor openings shall, where practical, be fenced off. When this is not practical, the areas shall be plainly marked with yellow lines and telltails shall be installed to hang within five and one-half feet of the ground or floor level.

(3) Where floor openings are used to drop materials from one level to another, audible warning systems shall be installed and used to indicate to employees on the lower level that material is to be dropped.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-71009 Stairways and ladders. (1) Stairways shall be used in preference over ladders wherever possible. Stairways or ladders, whichever is used, shall be constructed and maintained in accordance with the provisions of ~~((the general safety and health standard,))~~ WAC 296-24-75009 through 296-24-81013, and WAC 296-800-250 and 296-800-290.

(2) Doors shall not open directly on a flight of stairs.

(3) Permanent ladders shall be fastened securely at both top and bottom.

(4) Portable ladders shall not be used upon footing other than suitable type.

(5) Hooks or other means of securing portable ladders when in use, shall be provided.

(6) Portable ladders shall not be used for oiling machinery which is in motion.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-71011 Egress and exit. (1) In all enclosed buildings, means of egress shall be provided in accordance with the provisions of ~~((the general safety and health standard,))~~ WAC 296-24-550 through 296-24-56531 and WAC 296-800-310.

(2) All swinging doors shall be provided with windows, the bottom of which shall be not more than forty-eight inches above the floor. One window shall be provided for each section of double swinging doors. All such windows shall be of

shatter proof or safety glass unless otherwise protected against breakage.

(3) Outside exits shall open outward. Where sliding doors are used as exits, an inner door not less than two feet six inches by six feet shall be cut inside each of the main doors and arranged to open outward.

(4) At least two fire escapes or substantial outside stairways, shall be provided for mill buildings where the floor level is more than eight feet above the ground.

(a) Buildings over one hundred fifty feet in length shall have at least one additional fire escape or substantial outside stairway for each additional one hundred fifty feet of length or fraction thereof.

(b) Passageways to fire escapes or outside stairways shall be marked and kept free of obstructions at all times.

(c) Fire protection. The requirements of WAC 296-24-585 through 296-24-62003 of the general safety and health standard, and WAC 296-800-300 of the safety and health core rules, shall be complied with in providing the necessary fire protection for sawmills.

(d) Fire drills shall be held at least quarterly and shall be documented.

(5) Where a doorway opens upon a roadway, railroad track, or upon a tramway or dock over which vehicles travel, a barricade or other safeguard and a warning sign shall be placed to prevent workers from stepping directly into moving traffic.

(6) Tramways and trestles shall be substantially supported by piling or framed bent construction which shall be frequently inspected and maintained in good repair at all times. Tramways or trestles used both for vehicular and pedestrian traffic shall have a walkway with standard hand rail at the outer edge and shear timber on the inner edge, and shall provide three feet clearance to vehicles. When walkways cross over other thoroughfares, they shall be solidly fenced at the outer edge to a height of 42 inches over such thoroughfares.

(7) Where tramways and trestles are built over railroads they shall have a vertical clearance of twenty-two feet above the top of the rails. When constructed over carrier docks or roads, they shall have a vertical clearance of not less than six feet above the drivers foot rest on the carrier, and in no event shall this clearance be less than twelve feet from the surface of the lower roadway or dock.

(8) Walkways (either temporary or permanent) shall be not less than twenty-four inches wide and two inches thick, nominal size, securely fastened at each end. When such walkways are used on an incline the angle shall not be greater than twenty degrees from horizontal.

(9) Walkways from the shore or dock to floats or barges shall be securely fastened at the shore end only and clear space provided for the other end to adjust itself to the height of the water.

(10) Cleats of one by four inch material shall be fastened securely across walkways at uniform intervals of eighteen inches whenever the grade is sufficient to create a slipping hazard.

AMENDATORY SECTION (Amending WSR 96-17-056, filed 8/20/96, effective 10/15/96)

WAC 296-78-71015 Tanks and chemicals. (1) All open vats and tanks into which workers may fall shall be guarded with standard railings or screen guards in all cases where such guarding is possible with regard to practical operation.

(2) Foundations of elevated tanks shall be accessible for inspections. When the tank platform is more than five feet above the ground a stairway or ladder shall be permanently attached.

(3) Every open tank over five feet in height shall be equipped with fixed standard ladders both inside and out, extending from the bottom to the rim of the tank arranged to be accessible to each other, so far as local conditions permit.

(4) The use of chemicals for treating of lumber for prevention of sap stain or mold or as preservatives, shall conform to the requirements of WAC 296-62-11021, open surface tanks.

(a) Storage, handling, and use of chemicals. Threshold limits. Employees shall not be exposed to airborne concentration of toxic dusts, vapors, mists or gases that exceed the threshold limit values set forth in chapter 296-24 WAC, Part A-2, general safety and health standards, and chapter 296-62 WAC, Part E, general occupational health standards.

(b) Protective equipment. The use of chemicals shall be controlled so as to protect employees from harmful exposure to toxic materials. Where necessary, employees shall be provided with and required to wear such protective equipment as will afford adequate protection against harmful exposure as required by chapter 296-24 WAC, Part A-2, general safety and health standards, and chapter 296-62 WAC, Part E, general occupational health standards.

(5)(a) Means shall be provided and used to collect any excess of chemicals used in treating lumber so as to protect workers from accidental contact with harmful concentrations of toxic chemicals or fumes.

(b) Dip tanks containing flammable or combustible liquids shall be constructed, maintained and used in accordance with WAC 296-24-405 of the general safety and health standards.

(c) An evacuation plan shall be developed and implemented for all employees working in the vicinity of dip tanks using flammable and/or combustible liquids. A copy of the plan shall be available at the establishment for inspection at all times. Every employee shall be made aware of the evacuation plan and know what to do in the event of an emergency and be evacuated in accordance with the plan. The plan shall be reviewed with employees at least quarterly and documented.

(d) When automatic foam, automatic carbon dioxide or automatic dry chemical extinguishing systems are used, an alarm device shall be activated to alert employees in the dip tank area before and during the activation of the system. The following combinations of extinguishment systems when used in conjunction with the evacuation plan as stated above will be acceptable in lieu of bottom drains:

(i) A dip tank cover with an automatic foam extinguishing system under the cover, or an automatic carbon dioxide

system, or an automatic dry chemical extinguishing system, or an automatic water spray extinguishing system;

(ii) An automatic dry chemical extinguishing system with an automatic carbon dioxide system or a second automatic dry chemical extinguishing system or an automatic foam extinguishing system;

(iii) An automatic carbon dioxide system with a second automatic carbon dioxide system or an automatic foam extinguishing system.

(e) The automatic water spray extinguishing systems, automatic foam extinguishing systems, and dip tank covers shall conform with the requirements of WAC 296-24-405. The automatic carbon dioxide systems and dry chemical extinguishing system shall conform with the requirements of WAC 296-24-615 and 296-24-620.

(6) Where workers are engaged in the treating of lumber with chemicals or are required to handle lumber or other materials so treated, the workers shall be provided with, at no cost to the worker, and required to use such protective equipment as will provide complete protection against contact with toxic chemicals or fumes therefrom.

(7) Sanitation requirements. The requirements of WAC ~~((296-24-120 through 296-24-13013 of the general safety and health standards))~~ 296-800-220 and 296-800-230 (safety and health core rules), shall govern sanitation practices.

(8) The sides of steam vats and soaking pits unless otherwise guarded shall extend forty-two inches above the floor level. The floor adjacent thereto shall be of nonslip construction.

(9) Large steam vats or soaking pits, divided into sections, shall be provided with substantial walkways between each section, each walkway to be provided with standard railings which may be removable if necessary.

(10) Covers shall be removed only from that portion of the steaming vats on which workers are working and a portable railing shall be placed at this point to protect the operators.

(11) Workers shall not ride or step on logs in steam vats.

AMENDATORY SECTION (Amending WSR 96-17-056, filed 8/20/96, effective 10/15/96)

WAC 296-78-71017 Dry kilns. (1) Dry kilns shall be so constructed upon solid foundations that tracks will not sag. Dry kilns shall be provided with suitable walkways. Each kiln shall have doors that operate from the inside and be provided with escape doors of adequate height and width to accommodate an average size man, that also operates from the inside, and shall be located in or near the main door. Escape doors shall swing in the direction of exit. Kiln doors and door carriers shall be fitted with safety devices to prevent the doors or carriers from falling.

(2) Ladders. A fixed ladder, in accordance with the requirements of WAC 296-24-810 through 296-24-81013 of the general safety and health standards and WAC 296-800-290 of the safety and health core rules, or other means shall be provided to permit access to the roof. Where controls and machinery are mounted on the roof, a permanent stairway with standard handrail shall be installed in accordance with the requirements of WAC ~~((296-24-765 through 296-24-~~

~~76523 of the general safety and health standards)) 296-800-290.~~

(3) A heated room shall be provided for the use of the kiln operator in inclement weather. He should remain in such room for at least ten minutes after leaving a hot kiln before going to cold outside air.

(4) Where operating pits are used, they shall be well ventilated, drained and lighted. Substantial gratings shall be installed at the kiln floor line. Steam lines shall be provided with insulation wherever exposed to contact by employees. Fans shall be enclosed by standard safeguards.

(5) Mechanical equipment. All belts, pulleys, blowers, and other exposed moving equipment used in or about kilns shall be guarded in accordance with the requirements of WAC 296-24-205 through 296-24-20533 of the general safety and health standards.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-78-71019 Exhaust systems. (1) Air requirements in buildings, where persons are habitually employed, shall meet the requirements of the general occupational health standard, WAC 296-62-100 through 296-62-11013.

(2) Where the natural ventilation is not sufficient to remove dust, fumes or vapors that create or constitute a hazard, additional means of removal shall be provided.

(3) All mills containing one or more machines whose operations create dust, shavings, chips or slivers during a period of time equal to or greater than one-fourth of the working day or shift, shall be equipped with a collecting system either continuous or automatic in action and of sufficient strength and capacity to thoroughly remove such refuse from the points of operation of the machines and the work areas.

(4) Each woodworking machine that creates dust, shavings, chips, or slivers shall be equipped with an exhaust or conveyor system located and adjusted to remove the maximum amount of refuse from the point of operation and immediate vicinity.

(5) Blower, collecting and exhaust systems shall be designed, constructed and maintained in accordance with American National Standards Z33.1 - 1961 (for the installation of blower and exhaust systems for dust, stock and vapor removal or conveying) and Z12.2 - 1962 (R1969) (code for the prevention of dust explosions in woodworking and wood flour manufacturing plants).

(6) Fans used for ventilating shall be of ample capacity, as evidenced by the performance schedules of the manufacturers, and shall be guarded when exposed to contact. Hoods, dust conveyors, dust collectors and other accessory equipment shall be large enough to insure free intake and discharge.

(7) The outlet or discharge of all ventilating equipment shall be so arranged that at no time will the dust, vapors, gases or other air borne impurities discharged, create or constitute a hazard.

(8) Where a hood is used to form a part or all of the guard required on a given machine, it shall be constructed of not less than ten U.S. gauge sheet metal, or if of cast iron it shall be not less than three-sixteenths inches in thickness.

(9) All exhaust pipes shall be of such construction and internal dimensions as to minimize the possibility of clogging. They shall be readily accessible for cleaning.

(10) All exhaust pipes shall empty into settling or dust chambers which shall effectively prevent the dust or refuse from entering any work area. Such settling or dust chambers shall be so designed and operated as to reduce to a minimum the danger of fire or dust explosions.

(11) In lieu of a general ventilating system, exhaust or blower units may be installed on the dust or fume producing machine, provided the required protection is secured thereby.

(12) When proper ventilation is not provided, and temporary hazardous conditions are therefore encountered, the employer shall furnish approved respiratory and visual equipment: Provided, however, That the exposure to such hazard shall not be for more than two hours duration. Protective measures and equipment shall meet the requirements of the general occupational health standard, chapter 296-62 WAC, Part E (~~and the requirements of the general safety and health standard, WAC 296-24-081 through 296-24-08113~~)).

(13) Provisions for the daily removal of refuse shall be made in all operations not required to have an exhaust system, or having refuse too heavy, or bulky, or otherwise unsuitable to be handled by an exhaust system.

AMENDATORY SECTION (Amending Order 82-22, filed 6/11/82)

WAC 296-78-71023 Lighting. The lighting and illumination requirements of (~~the general occupational health standards, WAC 296-62-09003~~) the safety and health core rules, WAC 296-800-210, shall apply.

AMENDATORY SECTION (Amending Order 91-07, filed 11/22/91, effective 12/24/91)

WAC 296-78-730 Electrical service and equipment. (1) Electrical service and equipment shall be constructed, maintained, inspected and operated according to chapter 296-24 WAC, General safety and health standards, Part L, and WAC 296-800-280 of the safety and health core rules.

(2) Repairs. Electrical repairs shall be made only by authorized and qualified personnel.

(3) Identification. Marks of identification on electrical equipment shall be clearly visible.

(4) Protective equipment. Rubber protective equipment shall be provided as required by WAC 296-24-092(1) of the general safety and health standard.

(5) Open switches. Before working on electrical equipment, switches shall be open and shall be locked out.

(6) Concealed conductors. Where electrical conductors are known to be concealed, no work shall be performed until such conductors are located.

(7) Overload relays. Overload relays shall be reset by authorized qualified personnel only.

(8) Passageways to panels. Passageways to switch centers or panels shall at all times be kept free from obstruction. Not less than three feet of clear space shall be maintained in front of switch centers or panels at all times.

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(9) Bridging fuses. Fuses shall not be doubled or bridged.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-735 Elevators, moving walks. Elevators, moving walks and other lifting devices intended for either passenger or freight service shall be constructed, maintained, inspected and operated in accordance with the provisions of chapter 70.87 RCW, WAC ((296-24-870)) 296-24-875 through 296-24-90009 of the general safety and health standards, and those specific standards which are applicable from the division of building and construction safety inspection services, elevator section.

AMENDATORY SECTION (Amending Order 81-21, filed 8/27/81)

WAC 296-78-795 Crane cages. (1) Safe means of escape shall be provided for operators of all cranes in all operating locations. Rope ladders shall not be used as a regular means of access but may be installed as an emergency escape device to be used in the event of fire, mechanical breakdown or other emergency.

(2) The operator's cage shall be located at a place from which signals can be clearly distinguishable, and shall be securely fastened in a place and well braced to minimize vibration. It shall be large enough to allow ample room for the control equipment and the operator. The operator shall not be required to step over an open space of more than eighteen inches when entering the cage.

(3) Cab operated cranes shall be equipped with a portable fire extinguisher which meets the requirements of ((the general safety and health standard,)) WAC 296-24-590 through 296-24-59007 and WAC 296-800-300.

(4) In establishments where continuous loud noises prevail such as caused by the operation of pneumatic tools, steam exhausts from boilers, etc., adequate signals shall be installed on cranes or one or more employees shall be placed on the floor for each crane operated to give warning to other employees of the approach of a crane with a load. Where there are more than two cranes on the same runway or within the same building structure, signaling devices are required to give warning to other employees of the approach of a crane with a load.

(5) Cages of cranes subjected to heat from below shall be of noncombustible construction and shall have a steel plate shield not less than one-eighth inch thick, placed not less than six inches below the bottom of the floor of the cage.

(6) Outside crane cages shall be enclosed. There shall be windows on three sides of the cage. The windows in the front and the side opposite the door shall be the full width of the cage.

(7) The floor of the cage on out-door cranes shall be extended to form an entrance landing which shall be equipped with a handrail and toeboard constructed to the specifications of WAC 296-78-790 of this chapter.

(8) A copy of the rules for operators shall be permanently posted in the cages of all cage-operated cranes.

AMENDATORY SECTION (Amending WSR 96-17-056, filed 8/20/96, effective 10/15/96)

WAC 296-78-84005 Dry kilns. (1) Transfer, kiln and dolly tracks shall be properly maintained at all times and shall have a grade of not more than one and one-fourth percent. Bumpers or stops shall be installed at the ends of all tracks capable of stopping a normal load for which the track is installed. A means shall be provided for chocking or blocking cars.

(2) Doors.

(a) Main kiln doors. Main kiln doors shall be provided with a method of holding them open while kiln is being loaded.

(b) Counterweights on vertical lift doors shall be boxed or otherwise guarded.

(c) Means shall be provided to firmly secure main doors, when they are disengaged from carriers and hangers, to prevent toppling.

(3) Kilns whose operation requires inside inspection shall be maintained with not less than eighteen inches clearance between loaded cars and the walls of the kiln. The requirements for personal protective equipment specified in ((chapter 296-24 WAC, Part A-2, general safety and health standards)) WAC 296-800-160, safety and health core rules, and chapter 296-62 WAC, Part E, general occupational health standards, shall be complied with.

(4) Kiln loads shall be equipped or arranged for easy attachment and detachment of transfer cables. Means for stopping kiln cars shall be available at all times.

(5) Cars shall not be moved until tracks are clear and workers are out of the bight of transfer lines.

(6) When kiln or dolly loads of lumber are permitted to coast through or adjacent to any work area, audible warning shall be given.

(7) Stickers shall not be allowed to protrude more than two inches from the sides of kiln stacks.

(8) Yards and storage areas shall be kept reasonably free of debris and unnecessary obstruction. Warning signs shall be conspicuously posted wherever there is danger from moving vehicles or equipment.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-010 Scope and application. (1) This chapter applies to establishments, firms, persons and corporations that manufacture, process, store, finish, or convert pulp, paper or paperboard and includes all buildings, machinery, and equipment.

(2) This chapter shall augment the Washington state general safety and health standards (chapter 296-24 WAC) ((and)), general occupational health standards (chapter 296-62 WAC), and safety and health core rules (chapter 296-800 WAC). In the event of any conflict between any portion of this chapter and any portion of any of the general application standards, the provisions of this chapter 296-79 WAC, shall prevail.

(3) The rules contained in this chapter are minimum requirements and the use of additional guards, or other

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means, methods or procedures may be needed to make the work or place of work safe.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-020 General requirements. (1) House-keeping.

(a) Floors must be kept reasonably clear of spilled or leaking oil, grease, water, broke, etc., that may cause slipping, tripping or falling. Nonskid type surfacing must be installed in vehicular or pedestrian traffic areas where slipping hazards otherwise would exist.

In areas where it is not possible to keep the floor free of materials which cause a slipping hazard, mats, cleats, or other suitable materials which will effectively minimize or eliminate the hazard must be installed.

(b) Hoses, cords, slings or similar items or equipment must be stored in such a manner that they will not create a hazard.

(2) Storage and transportation of materials. Materials, objects or equipment must be stored or transported by methods which will prevent them from falling, tipping or rolling.

(3) Warning of open manholes or excavations. Open manholes or excavations must be:

- Roped off, barricaded, or adequately safeguarded when located in or adjacent to walkways, aiseways, or roadways.
- Provided with warning lights or lanterns during periods of darkness or reduced visibility.

(4) Training. Employees must receive proper instruction and be familiar with safe operating procedures:

(a) Before they supervise the operation, or make adjustments to any machine or equipment.

(b) To be able to cope with emergencies arising from breaks, ruptures, or spills which would create a hazardous condition.

(c) For lifting and moving objects. Mechanical devices should be used or employees should ask for assistance in lifting or moving heavy objects.

(d) On prompt reporting of any faulty equipment or hazardous condition to the person in charge.

(5) Working alone. When an employee is assigned to work alone in a remote or isolated area, procedures must be developed to ensure:

- That the employee reports by use of radio or telephone to someone periodically; or
- At reasonable intervals a designated person must check on the employee; and
- All persons involved in working alone are advised of the procedures to be followed.

(6) Exits from hazardous areas. Where physically and reasonably possible, there must be at least two unobstructed exits from any hazardous area. Such exits should be on opposite walls.

(7) Safe work area. Sufficient clearance must be maintained between machines to allow employees a safe work area.

(8) Protection from overhead hazard. Warning signs/devices must be:

- Placed in conspicuous locations below areas where overhead work is being done and
- Removed promptly when work is completed and the overhead hazard no longer exists.

(9) Welding areas protected.

(a) Areas in which welding is being done must be screened or barricaded to protect persons from flash burns, when practical.

(b) If the welding process cannot be isolated, all persons who may be exposed to the hazard of arc flash must be properly protected.

(10) Testing safety devices. Brakes, back stops, anti-run-away devices, overload releases, emergency stops, and other safety devices must be inspected and tested frequently to ensure that all are operative and maintained in good repair.

(11) Starting and stopping devices.

• Electrically or manually operated power starting or stopping devices must be provided within easy reach of the operator from the normal operating position.

• If necessary for safety of the operation, the machine must be so equipped that retarding or braking action can be applied at the time of or after the source of power is deactivated.

(12) Interlocks:

Interlocks that affect the safety of employees must not be bypassed except where the employer demonstrates that alternate procedures or devices provide a level of safety for employees equivalent to that provided by the safety interlock. Interlocks are considered to be bypassed anytime the designed control strategy is bypassed by means including, but not limited to, a temporary wiring change, physical interference or a temporary software change of "force."

Prior to bypassing a safety interlock the employer must:

• Develop a written procedure detailing how the bypass will be accomplished and the alternate means of protecting employees.

• Inform affected employees of all pertinent information including at a minimum the reason for the change, the date of the change, who is responsible for the change, and approximately how long the change will be in effect.

• Post appropriate warning of the change on the equipment or area.

(13) Designing control systems. Employers must ensure that all control systems are designed to:

• Ensure that the system does not create an unsafe state that endangers personnel.

• Ensure that when control systems fail, the equipment being controlled fails to a safe state.

• Have an independent method to safely stop the process or equipment, such as a hardwired emergency stop button or other controls that deenergize the system, or independent methods to force the system to a safe state.

(14) Compressed air.

(a) Compressed air must not be used for cleaning clothing that is being worn, or if it will endanger persons in the area.

(b) Sections of high pressure air hoses must be properly coupled and have safety chains or equivalent safety device attached between the sections (30 psi or more is high pressure air).

(15) Punch bars. Open pipes must not be used as punch bars if the use would create a hazard.

(16) Saw table limit stop or extension. Employees must be protected from contact with the front edge of a circular saw by:

- A limit stop which will prevent the forward swing of the cutting edge from extending beyond the edge of the table or

- Installation of a table extension.

(17) Powder-actuated tools.

- Powder-actuated tool design, construction, operation and use shall comply with all requirements specified in "safety requirements for powder actuated fastening systems," (see chapter 296-24 WAC, Part H-1).

- A careful check must be made to ensure that no cartridges or charges are left where they could enter equipment or be accidentally discharged in any area where they could create a fire or explosion hazard.

(18) Ladders required on waterfront docks. Employers must ensure that either permanent ladders or portable ladders:

- Are readily available for emergency use on all waterfront docks.

- Extend from the face of the dock to the water line at its lowest elevation.

- Are installed at intervals not to exceed 400 feet.

- Are noticeable by painting the dock area immediately adjacent to the ladder with a bright color which contrasts with the surrounding area.

- Have been secured with a suitable method.

Note: When working on or around water also see ((chapter 296-24 WAC, Part A-2)) WAC 296-800-160.

(19) Prevent overhang while removing materials. Extreme care must be taken to prevent material from creating an overhang while removing the materials from piles or bins.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-040 Fire protection, ignition sources and means of egress. For fire protection, ignition source, and means of egress requirements see chapter 296-24 WAC, Part G-1, G-2 and G-3 and WAC 296-800-300.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-050 Personal protection clothing and equipment. See ((chapter 296-24 WAC, Part A-2;)) WAC 296-800-160 for additional personal protective equipment requirements.

(1) Rings or other jewelry that could create a hazard should not be worn by employees while in the performance of their work.

(2) Protective footwear.

- Employees who work in areas where there is a possibility of foot injury due to falling or rolling objects must wear safety type footwear.

- Employers will supply shoe guards and toe protectors.

- Employers must also make safety shoes available for purchase by employees at not more than actual cost to the employer.

(3) Calks or other suitable footwear that will afford reasonable protection from slipping must be:

- Worn while working on logs.

- Made available at not more than actual cost to the employer.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-090 Electrical equipment and distribution. All electrical installations and electrical utilization equipment must comply with chapter 296-24 WAC, Part L, and WAC 296-800-280.

(1) Operator controlled devices. Push buttons, selector switches, remote control switches, automatic circuit activating devices, and other control circuit type devices must be marked to indicate their function and the equipment they control.

(2) Posting equipment automatically activated or remotely controlled. If it will create a hazard to personnel, equipment which is automatically activated or remotely controlled must be posted, warning persons that machine may start automatically.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-100 Floors, platforms, stairways, ladders, loading docks. See chapter 296-24 WAC, Part J, and chapter 296-800 WAC.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-120 Scaffolds, construction, use and maintenance. See General safety and health standards, chapter 296-24 WAC, Part ((J-4)) J-2 or Safety standards for construction work, chapter 296-155 WAC, Part J-1.

AMENDATORY SECTION (Amending WSR 99-16-083, filed 8/3/99, effective 11/3/99)

WAC 296-79-300 Machine room equipment and procedures. (1) Pulp and paper machines must be equipped with emergency stopping control(s) which can be actuated quickly from all normal operating stations. If useful for the safety of personnel, the stopping control(s) must be interlocked with adequate retarding or braking action to stop the machine as quickly as is practical. The devices must consist of push buttons for electric motive power (or electrically operated engine stops), pull cords connected directly to the prime mover, control clutches, or other devices.

(2) Steps and footwalks along the fourdrinier/forming and press section must have nonslip surfacing and be complete with standard handrails, when practical.

(3) If a machine must be lubricated while in operation an automatic lubricating device must be provided or oil cups and

grease fittings must be provided which can be serviced safely without exposing the worker to any hazards.

(4) All levers carrying weights must be so constructed that weights will not slip or fall off.

(5) Guarding inrunning nip points.

(a) The drums on pulp and paper machine winders.

(i) These drums must be provided with suitable guards to prevent a person from being caught between the roll and the front drum on the winder when the pinch point is on the operator's side.

(ii) Such guards must be interlocked with the drive mechanism to prevent the winder from running while the guard is not in place. Except that the winder may be wired to allow it to run at thread or jog speed only for adjustment and start-up purposes while the guard is not in position.

(iii) A zero speed switch or locking device must be installed to prevent the guard from being removed while the roll is turning above thread or jog speed.

(b) Rewinders.

When rewinding large rolls and the nip point is adjacent to the normal work area.

- The nip point must be protected by a barrier guard and
- Such guard must be interlocked with the drive mechanism to prevent operating the machine above thread or jog speed without the guard in place and
- A zero speed switch must be installed to prevent the guard from being raised while the roll is turning.

(c) Inrunning nips where paper is not being fed into a calender must be guarded.

(6) An audible alarm must be sounded prior to starting up any section of a pulp or paper machine. Sufficient time must be allowed between activation of the alarm system and start-up of the equipment to allow any persons to clear the hazardous area.

(7) When starting up a dryer section, steam to heat the drums must be introduced slowly and while the drums are revolving.

(8) A safe method must be used when starting paper into the nip of drum type reels or calender stacks. This may be accomplished by the use of feeder belts, carrier ropes, air carriage or other device or instrument.

- A rope carrying system should be used wherever possible at points of transfer, or
- Sheaves should be spaced so that they do not create a nip point with each other and the sheave and its support should be capable of withstanding the speed and breaking strength of the rope for which they are intended.

(9) Employees must not feed a stack with any hand held device which is capable of going through the nip.

(10) Employees must not attempt to remove a broken carrier rope from a dryer while the section is running at operating speed.

(11) Employees must stop the dryer to remove a wrap except in cases where it can be safely removed by using air or other safe means.

(12) To remove deposits from rolls, a specially designed scraper or tool shall be used. Scraping of rolls must be performed on the outgoing nip side.

(13) Doctor blades.

(a) Cleaning. Employees must not place their hands between the sharp edge of an unloaded doctor blade and the roll while cleaning the doctor blade.

(b) Doctor blades must have the sharp edges properly guarded during transportation and storage.

(c) Special protective gloves must be provided and must be worn by employees when filing or handling sharp edged doctor blades.

(14) Handling reels.

(a) Reels must stop rotating before being lifted away from reel frame.

Crane hooks must not be used to stop a turning reel.

(b) Exposed rotating reel shafts with square block ends must be guarded.

(c) The crane operator must ascertain that reels are properly seated at winder stand or at reel arms before they disengage the hooks.

(d) On stored reels, a clearance of at least 8 inches between the reels of paper must be maintained.

(15) All winder shafts must be equipped with a winder collar guide. The winder must have a guide rail to align the shaft for easy entrance into the opened rewind shaft bearing housing. If winder shafts are too heavy for manual handling, mechanical equipment must be used.

(16) Shaftless winders must be provided with a barrier guard of sufficient strength and size to confine the rolls in the event they become dislodged while running.

(17) All calender stacks and spreader bars must be grounded according to chapter 296-24 WAC, Part L, and WAC 296-800-280 as protection against shock induced by static electricity.

(18) Nonskid type surface required.

(a) All exposed sole plates between dryers, calenders, reels, and rewinders must have a nonskid type surface.

(b) A nonskid type surface must be provided in the work areas around the winders or rewinders.

(19) If a powered roll ejector is used it should be interlocked to prevent accidental actuation until the receiving platform or roll lowering table is in position to receive the roll.

(20) Employees must keep clear of hazardous areas around the lowerator, especially all lowerator openings in a floor and where roll is being discharged.

(21) Provision must be made to hold the rider roll when in a raised position unless counterbalancing eliminates the hazard.

(22) Drain openings in pits. Flush floor drain openings larger than 3 inches in diameter in the bottom of pits must be guarded to prevent workers from stepping through, while working in this area.

(23) Employees must not enter into or climb on any paper machine roll that is subject to free turning unless a positive locking device has been installed to prevent the roll from turning.

(24) The employer must ensure sufficient inspection and nondestructive examination of reel spool and calender roll journals. The type and frequency of testing must be adequate to detect indications of failure. Any reel spool or calender roll journal found to have an indication of failure must be

removed from service. Nondestructive examination personnel must be qualified in accordance with SNT-TC 1A.

AMENDATORY SECTION (Amending WSR 97-22-065, filed 11/3/97, effective 1/1/98)

WAC 296-99-010 What safety hazards does this chapter require the employer to control? This chapter directs the employer to control dust fires, explosions and other safety hazards in grain handling facilities including the waterfront dock areas at marine terminals (chapter 296-56 WAC will not apply).

All provisions from chapters 296-24 (~~and~~), 296-62, and 296-800 WAC also apply. If rules in either of these chapters conflict with rules in chapter 296-99 WAC, chapter 296-99 WAC will prevail.

AMENDATORY SECTION (Amending WSR 97-22-065, filed 11/3/97, effective 1/1/98)

WAC 296-99-040 What practices must an employer follow for entry into grain storage structures? This section applies to employee entry into all grain storage structures.

(1) The employer must ensure that the practice of walking down grain is prohibited. "Walking down grain" means an employee walks on grain to make it flow within or out from a grain storage structure, or an employee is on moving grain.

(2) The employer must ensure that during the entry and occupation of a storage structure the employee uses:

- A body harness with a lifeline; or
- A boatswain's chair that meets the requirements of Part ((J-1)) J-2 of chapter 296-24 WAC whenever:

(a) The employee is exposed to a fall hazard such as when entering from the top or above the level of the stored grain; or

(b) The employee is exposed to an engulfment hazard such as when entering at the level of the stored grain, or while walking or standing on the grain. The lifeline must be rigged so that its position and length will prevent the employee from sinking below waist level.

(3) The employer must ensure that during the occupation of storage structures, including walking or standing on grain, employees are protected from hazards related to:

- Mechanical;
- Electrical;
- Hydraulic; and
- Pneumatic equipment.

By using safeguards, lockout-tagout, or other equally effective means. All provisions for the control of hazardous energy (lockout/tagout) from WAC 296-24-110 apply to this chapter.

(4) The employer must ensure that employees are prohibited from entering any storage structure where a build-up of grain overhead (bridging) or on the sides could fall and bury them.

(5) The employer must ensure, as minimum precautions, that employee entry and occupation of all grain storage structures including flat storage structures is done according to all

applicable requirements of WAC 296-62-145, confined space, when the storage structure:

- Has limited or restricted means of entry and exit; and
- Is not designed for continuous employee occupancy.

(6) The employer may allow an employee to perform confined space entry work in grain storage structures without a permit if the employer's representative personally monitors the work to prevent employee exposure to illness or injury from atmospheric hazards during the entire operation.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-005 Purpose and scope. (1) The standards included in this chapter apply throughout the state of Washington, to any and all work places subject to the Washington Industrial Safety and Health Act (chapter 49.17 RCW), where construction, alteration, demolition, related inspection, and/or maintenance and repair work, including painting and decorating, is performed. These standards are minimum safety requirements with which all industries must comply when engaged in the above listed types of work.

(2) If a provision of this chapter conflicts with a provision of the general safety and health standard (chapter 296-24 WAC) ((~~or~~), the general occupational health standard (chapter 296-62 WAC), or the safety and health core rules (chapter 296-800 WAC), the provision of this chapter shall prevail. When a provision of this chapter conflicts with a provision of another vertical safety standard applying to the place of work, the provisions of the vertical standard of specific application shall prevail.

AMENDATORY SECTION (Amending WSR 00-08-078, filed 4/4/00, effective 7/1/00)

WAC 296-155-110 Accident prevention program. (1) Exemptions. Workers of employers whose primary business is other than construction, who are engaged solely in maintenance and repair work, including painting and decorating, are exempt from the requirement of this section provided:

(a) The maintenance and repair work, including painting and decorating, is being performed on the employer's premises, or facility.

(b) The length of the project does not exceed one week.

(c) The employer is in compliance with the requirements of WAC ((296-24-040)) 296-800-140 Accident prevention program(s), and WAC ((296-24-045)) 296-800-130, Safety ((and health)) committees ((plan)) and safety meetings.

(2) Each employer shall develop a formal accident-prevention program, tailored to the needs of the particular plant or operation and to the type of hazard involved. The department may be contacted for assistance in developing appropriate programs.

(3) The following are the minimal program elements for all employers:

A safety orientation program describing the employer's safety program and including:

(a) How, where, and when to report injuries, including instruction as to the location of first-aid facilities.

- (b) How to report unsafe conditions and practices.
- (c) The use and care of required personal protective equipment.
- (d) The proper actions to take in event of emergencies including the routes of exiting from areas during emergencies.
- (e) Identification of the hazardous gases, chemicals, or materials involved along with the instructions on the safe use and emergency action following accidental exposure.
- (f) A description of the employer's total safety program.
- (g) An on-the-job review of the practices necessary to perform the initial job assignments in a safe manner.
- (4) Each accident-prevention program shall be outlined in written format.
- (5) Every employer shall conduct crew leader-crew safety meetings as follows:
 - (a) Crew leader-crew safety meetings shall be held at the beginning of each job, and at least weekly thereafter.
 - (b) Crew leader-crew meetings shall be tailored to the particular operation.
 - (6) Crew leader-crew safety meetings shall address the following:
 - (a) A review of any walk-around safety inspection conducted since the last safety meeting.
 - (b) A review of any citation to assist in correction of hazards.
 - (c) An evaluation of any accident investigations conducted since the last meeting to determine if the cause of the unsafe acts or unsafe conditions involved were properly identified and corrected.
 - (d) Attendance shall be documented.
 - (e) Subjects discussed shall be documented.

Note: Subcontractors and their employees may, with the permission of the general contractor, elect to fulfill the requirements of subsection (5)(a) and (b) of this section by attending the prime contractors crew leader-crew safety meeting. Any of the requirements of subsections (6)(a), (b), (c), and (7) of this section not satisfied by the prime contractors safety meetings shall be the responsibility of the individual employers.

- (7) Minutes of each crew leader-crew meeting shall be prepared and a copy shall be maintained at the location where the majority of the employees of each construction site report for work each day.
- (8) Minutes of crew leader-crew safety meetings shall be retained by the employer for at least one year and shall be made available for review by personnel of the department, upon request.
- (9) Every employer shall conduct walk-around safety inspections as follows:
 - (a) At the beginning of each job, and at least weekly thereafter, a walk-around safety inspection shall be conducted jointly by one member of management and one employee, elected by the employees, as their authorized representative.
 - (b) The employer shall document walk-around safety inspections and such documentation shall be available for inspection by personnel of the department.
 - (c) Records of walk-around inspections shall be maintained by the employer until the completion of the job.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-155-140 Sanitation. (1) Potable water.

- (a) An adequate supply of potable water shall be provided in all places of employment.
- (b) Portable containers used to dispense drinking water shall be capable of being tightly closed and equipped with a tap. Water shall not be dipped from containers.
- (c) Any container used to distribute drinking water shall be clearly marked as to the nature of its contents and not used for any other purpose.
- (d) The common drinking cup is prohibited.
- (e) Where single service cups (to be used but once) are supplied, both a sanitary container for the unused cups and a receptacle for disposing of the used cups shall be provided.
- (f) All water containers used to furnish drinking water shall be thoroughly cleaned at least once each week or more often as conditions require.
- (g) The requirements of this subsection do not apply to mobile crews or to normally unattended work locations as long as employees working at these locations have transportation immediately available, within the normal course of their duties, to nearby facilities otherwise meeting the requirements of this section.
- (h) The following definitions apply:
 - (i) Mobile crew: A work crew that routinely moves to a different work location periodically. Normally a mobile crew is not at the same location all day.
 - (ii) Normally unattended work location: An unattended site that is visited occasionally by one or more employees.
 - (iii) Nearby facility: A sanitary facility that is within three minutes travel by the transportation provided.
 - (iv) "Potable water" means water which meets the quality standards for drinking purposes of state or local authority having jurisdiction or water that meets the quality standards prescribed by the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.
- (2) Wash water.
 - (a) Clean, tepid wash water, between 70 and 100 degrees Fahrenheit, shall be provided at all construction sites.
 - (b) Individual hand towels shall be provided. Both a sanitary container for the unused towels and a receptacle for disposal of used towels shall be provided.
 - (c) Hand soap, industrial hand cleaner or similar cleansing agents shall be provided. Cleansing agents shall be adequate to remove any paints, coatings, herbicides, insecticides or other contaminants.
 - (d) The requirements of this subsection do not apply to mobile crews or to normally unattended work locations as long as employees working at these locations have transportation immediately available, within the normal course of their duties, to nearby facilities otherwise meeting the requirements of this section.
 - (e) Gasoline or solvents shall not be used for personal cleaning.
 - (f) Wash water areas will be maintained in a dry condition. Slipping or other hazards shall be eliminated from the wash water area before it is acceptable for use.

PROPOSED

(3) Nonpotable water.

(a) Outlets for nonpotable water, such as water for industrial or fire fighting purposes only, shall be identified by signs meeting the requirements of Part E of this chapter, to indicate clearly that the water is unsafe and is not to be used for drinking, washing or cooking purposes.

(b) There shall be no cross-connection, open or potential, between a system furnishing potable water, a system furnishing nonpotable water or a system furnishing wash water.

(4) Toilets.

(a) The provisions of this section apply to both portable chemical toilets and to flush toilets, except where flush toilets are used the requirements of WAC ((~~296-24-12007-1(a)~~) 296-800-230) shall apply instead of (b) of this subsection.

(b) Accessible toilets shall be provided for employees according to the following table:

TABLE B-1

<u>Number of Employees</u>	<u>Toilets Required</u>
1 - 10	1
11 - 25	2
26 - 40	3
41 - 60	4
61 - 80	5
Over 80	one additional toilet for each additional twenty employees or any fraction thereof.

(c) When the employer provides both flush and portable chemical toilets, the number of employees allowed to be served by the flush toilets, per WAC ((~~296-24-12007-1(a)~~) 296-800-230) will be calculated. That number will be subtracted from the total number of employees and the employer will be required to provide an adequate number of portable chemical toilets for the number of remaining employees, as required by (b) of this subsection.

(d) Toilets shall be maintained in clean, sanitary and functional condition. Internal latches shall be provided to secure the units from inadvertent entry. Where there are twenty or more employees consisting of both sexes, facilities shall be provided for each sex.

(i) Each unit shall be properly cleaned on a routine basis.

(ii) Chemicals, toilet tissue and sanitary seat covers shall be maintained in a supply sufficient for use during the entire shift.

(iii) Any defective or inadequate unit shall be immediately removed from service.

(e) Specifications. The following specifications apply:

(i) A noncaustic chemical toilet (portable chemical toilet is) a self-contained unit equipped with a waste receiving chemical holding container.

(ii) Portable chemical toilets consisting of only a holding tank, commonly referred to as "elevator units" or "elevator toilets" are not acceptable. "Elevator units" may be used if they are individually located in a lockable room which affords privacy. When this type unit is used in a private indi-

vidual lockable room the entire room will be considered a toilet facility, as such the room will meet all requirements of toilet facilities and be inspected in accordance with subsection (5)(b)(iii) of this section.

(iii) Rooms, buildings or shelters housing toilets shall be of sound construction, easy to clean, provide shelter and provide privacy. The toilet rooms shall be ventilated to the outside and adequately lighted. All openings into the toilet room shall be covered with 16-mesh screen.

(iv) Toilets shall be serviced on a regular schedule. Servicing shall include the use of a disinfectant for cleaning urinals and seats, removing waste from containers, recharging containers with an odor controlling chemical and installing an adequate supply of toilet tissue and seat covers.

(v) Service shall be performed in accordance with local codes by approved servicing organizations. Waste shall be disposed of or discharged in accordance with requirements of local health department regulations.

(vi) Waste containers shall be fabricated from impervious materials, e.g. plastic, steel, fiberglass or their equivalent. Containers shall be water tight and capable of containing the chemical waste in a sanitary manner. The container shall be fitted to the building in a manner so as to prevent insects from entering from the exterior of the building. Containers shall be adequate in size to be used by the number of persons, according to the schedule for minimum requirements, without filling the container to more than half of its volume before regularly scheduled servicing.

(vii) Removal of waste shall be handled in a clean and sanitary manner by means of a vacuum hose and received by a leak-proof tank truck. All valves on the tank shall be leak-proof.

(viii) Provisions shall be made so service trucks have a clear approach and convenient access to the toilets to be serviced.

(ix) Disposal of waste from tank trucks shall be in accordance with local health department requirements. In the absence of provisions by local health departments, waste must be disposed of through municipal or district sanitary sewage systems. Municipal or area sanitary sewage districts shall provide sewage disposal locations and facilities which are adequate and convenient for duly authorized toilet service organizations.

(f) The requirements of this subsection do not apply to mobile crews or to normally unattended work locations as long as employees working at these locations have transportation immediately available, within the normal course of their duties, to nearby facilities otherwise meeting the requirements of this section.

(5)(a) On multi-employer worksites, the prime contractor shall ensure that the requirements of this section are met. Each employer is responsible for seeing that facilities for their own employees are provided.

(b) Each employer shall ensure, at the beginning of each shift, that the sanitation facilities required by this section are inspected. If any facility or unit fails to meet the following requirements, immediate corrective action shall be taken. Such action shall be documented and maintained at the site for at least 72 hours. Inspection shall establish:

PROPOSED

(i) Potable water: Sufficient supply of water, sufficient supply of cups, container integrity, cleanliness of unit and area, capacity of trash receptacle (empty).

(ii) Wash water: Sufficient supply of clean water, proper temperature, sufficient supply of towels, sufficient supply of cleansing agents, container integrity, cleanliness of unit and area without the presence of physical hazards, capacity of trash receptacle (empty).

(iii) Toilets: Sufficient supply of toilet tissue and sanitary seat covers, capacity and condition of chemical agent, capacity and condition of holding tank, cleanliness of unit and area without the presence of physical hazards, physical and structural condition of unit, condition of lock, condition of toilet seat and tissue holder, absence of all foreign debris.

(c) The location of the facilities required by subsections (1), (2) and (4) of this section shall be as close as practical to the highest concentration of employees.

(i) On multistory structures they shall be furnished on every third floor.

(ii) At all sites they shall be located within 200 feet horizontally of all employees.

(iii) The requirements of subsection (5)(c)(i) and (ii) do not apply to mobile crews or to normally unattended work locations as long as employees working at these locations have transportation immediately available, within the normal course of their duties, to nearby facilities otherwise meeting the requirements of this section.

(6) Food handling. All employees' food service facilities and operations shall meet the applicable laws, ordinances and regulations of the jurisdictions in which they are located.

(7) Temporary sleeping quarters. When temporary sleeping quarters are provided, they shall be heated, ventilated and lighted.

AMENDATORY SECTION (Amending Order 92-15, filed 2/3/93, effective 3/15/93)

WAC 296-155-17323 Communication of hazards to employees. (1) Signs and labels.

(a) The employer shall post and maintain legible signs demarcating regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER MDA MAY CAUSE CANCER LIVER TOXIN
 AUTHORIZED PERSONNEL ONLY
 RESPIRATORS AND PROTECTIVE CLOTHING
 MAY BE REQUIRED TO BE WORN IN THIS AREA

(b) The employer shall ensure that labels or other appropriate forms of warning are provided for containers of MDA within the workplace. The labels shall comply with the requirements of WAC ((~~296-62-05414~~) 296-800-170) and shall include one of the following legends:

(i) For pure MDA

DANGER CONTAINS MDA MAY CAUSE CANCER LIVER TOXIN

(ii) For mixtures containing MDA

DANGER CONTAINS MDA CONTAINS MATERIALS
 WHICH MAY CAUSE CANCER LIVER TOXIN

(2) Material safety data sheets (MSDS). Employers shall obtain or develop, and shall provide access to their employees to, a material safety data sheet (MSDS) for MDA.

(3) Information and training.

(a) The employer shall provide employees with information and training on MDA, in accordance with WAC ((~~296-62-054 through 296-62-05415~~) 296-800-170), at the time of initial assignment and at least annually thereafter.

(b) In addition to the information required under WAC ((~~296-62-054~~) 296-800-170), the employer shall:

(i) Provide an explanation of the contents of this section, including Appendices A and B of this section, and indicate to employees where a copy of the standard is available;

(ii) Describe the medical surveillance program required under WAC 296-155-17327, and explain the information contained in Appendix C of this standard; and

(iii) Describe the medical removal provision required under WAC 296-155-17327.

(4) Access to training materials.

(a) The employer shall make readily available to all affected employees, without cost, all written materials relating to the employee training program, including a copy of this regulation.

(b) The employer shall provide to the director, upon request, all information and training materials relating to the employee information and training program.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-155-174 Cadmium. (1) Scope. This standard applies to all occupational exposures to cadmium and cadmium compounds, in all forms, in all construction work where an employee may potentially be exposed to cadmium. Construction work is defined as work involving construction, alteration, and/or repair, including but not limited to the following:

(a) Wrecking, demolition, or salvage of structures where cadmium or materials containing cadmium are present;

(b) Use of cadmium containing-paints and cutting, brazing, burning, grinding, or welding on surfaces that were painted with cadmium-containing paints;

(c) Construction, alteration, repair, maintenance, or renovation of structures, substrates, or portions thereof, that contain cadmium, or materials containing cadmium;

(d) Cadmium welding; cutting and welding cadmium-plated steel; brazing or welding with cadmium alloys;

(e) Installation of products containing cadmium;

(f) Electrical grounding with cadmium-welding, or electrical work using cadmium-coated conduit;

(g) Maintaining or retrofitting cadmium-coated equipment;

(h) Cadmium contamination/emergency cleanup; and

(i) Transportation, disposal, storage, or containment of cadmium or materials containing cadmium on the site or location at which construction activities are performed.

PROPOSED

(2) Definitions.

(a) Action level (AL) is defined as an airborne concentration of cadmium of 2.5 micrograms per cubic meter of air ($2.5 \mu\text{g}/\text{m}^3$), calculated as an 8-hour time-weighted average (TWA).

(b) Authorized person means any person authorized by the employer and required by work duties to be present in regulated areas or any person authorized by WISHA or regulations issued under it to be in regulated areas.

(c) Competent person, in accordance with WAC 296-155-012(4), means a person designated by the employer to act on the employer's behalf who is capable of identifying existing and potential cadmium hazards in the workplace and the proper methods to control them in order to protect workers, and has the authority necessary to take prompt corrective measures to eliminate or control such hazards. The duties of a competent person include at least the following: Determining prior to the performance of work whether cadmium is present in the workplace; establishing, where necessary, regulated areas and assuring that access to and from those areas is limited to authorized employees; assuring the adequacy of any employee exposure monitoring required by this standard; assuring that all employees exposed to air cadmium levels above the PEL wear appropriate personal protective equipment and are trained in the use of appropriate methods of exposure control; assuring that proper hygiene facilities are provided and that workers are trained to use those facilities; and assuring that the engineering controls required by this standard are implemented, maintained in proper operating condition, and functioning properly.

(d) Director means the director of the department of labor and industries or authorized representative.

(e) Employee exposure and similar language referring to the air cadmium level to which an employee is exposed means the exposure to airborne cadmium that would occur if the employee were not using respiratory protective equipment.

(f) Final medical determination is the written medical opinion of the employee's health status by the examining physician under subsection (12)(c) through (l) of this section or, if multiple physician review under subsection (12)(m) of this section or the alternative physician determination under subsection (12)(n) of this section is invoked, it is the final, written medical finding, recommendation or determination that emerges from that process.

(g) High-efficiency particulate air (HEPA) filter means a filter capable of trapping and retaining at least 99.97 percent of mono-dispersed particles of 0.3 micrometers in diameter.

(h) Regulated area means an area demarcated by the employer where an employee's exposure to airborne concentrations of cadmium exceeds, or can reasonably be expected to exceed the permissible exposure limit (PEL).

(i) This section means this cadmium standard.

(3) Permissible exposure limit (PEL). The employer shall assure that no employee is exposed to an airborne concentration of cadmium in excess of five micrograms per cubic meter of air ($5 \mu\text{g}/\text{m}^3$), calculated as an 8-hour time-weighted average exposure (TWA).

(4) Exposure monitoring

(a) General.

(i) Prior to the performance of any construction work where employees may be potentially exposed to cadmium, the employer shall establish the applicability of this standard by determining whether cadmium is present in the workplace and whether there is the possibility that employee exposures will be at or above the action level. The employer shall designate a competent person who shall make this determination. Investigation and material testing techniques shall be used, as appropriate, in the determination. Investigation shall include a review of relevant plans, past reports, material safety data sheets, and other available records, and consultations with the property owner and discussions with appropriate individuals and agencies.

(ii) Where cadmium has been determined to be present in the workplace, and it has been determined that there is a possibility the employee's exposure will be at or above the action level, the competent person shall identify employees potentially exposed to cadmium at or above the action level.

(iii) Determinations of employee exposure shall be made from breathing-zone air samples that reflect the monitored employee's regular, daily 8-hour TWA exposure to cadmium.

(iv) Eight-hour TWA exposures shall be determined for each employee on the basis of one or more personal breathing-zone air samples reflecting full shift exposure on each shift, for each job classification, in each work area. Where several employees perform the same job tasks, in the same job classification, on the same shift, in the same work area, and the length, duration, and level of cadmium exposures are similar, an employer may sample a representative fraction of the employees instead of all employees in order to meet this requirement. In representative sampling, the employer shall sample the employee(s) expected to have the highest cadmium exposures.

(b) Specific.

(i) Initial monitoring. Except as provided for in (b)(iii) of this subsection, where a determination conducted under (a)(i) of this subsection shows the possibility of employee exposure to cadmium at or above the action level, the employer shall conduct exposure monitoring as soon as practicable that is representative of the exposure for each employee in the workplace who is or may be exposed to cadmium at or above the action level.

(ii) In addition, if the employee periodically performs tasks that may expose the employee to a higher concentration of airborne cadmium, the employee shall be monitored while performing those tasks.

(iii) Where the employer has objective data, as defined in subsection (14)(b) of this section, demonstrating that employee exposure to cadmium will not exceed airborne concentrations at or above the action level under the expected conditions of processing, use, or handling, the employer may rely upon such data instead of implementing initial monitoring.

(iv) Where a determination conducted under (a) or (b) of this subsection is made that a potentially exposed employee is not exposed to airborne concentrations of cadmium at or above the action level, the employer shall make a written record of such determination. The record shall include at least the monitoring data developed under (b)(i) through (iii) of

this subsection, where applicable, and shall also include the date of determination, and the name and Social Security number of each employee.

(c) Monitoring frequency (periodic monitoring).

(i) If the initial monitoring or periodic monitoring reveals employee exposures to be at or above the action level, the employer shall monitor at a frequency and pattern needed to assure that the monitoring results reflect with reasonable accuracy the employee's typical exposure levels, given the variability in the tasks performed, work practices, and environmental conditions on the job site, and to assure the adequacy of respiratory selection and the effectiveness of engineering and work practice controls.

(ii) If the initial monitoring or the periodic monitoring indicates that employee exposures are below the action level and that result is confirmed by the results of another monitoring taken at least seven days later, the employer may discontinue the monitoring for those employees whose exposures are represented by such monitoring.

(d) Additional monitoring. The employer also shall institute the exposure monitoring required under (b)(i) and (c) of this subsection whenever there has been a change in the raw materials, equipment, personnel, work practices, or finished products that may result in additional employees being exposed to cadmium at or above the action level or in employees already exposed to cadmium at or above the action level being exposed above the PEL, or whenever the employer or competent person has any reason to suspect that any other change might result in such further exposure.

(e) Employee notification of monitoring results.

(i) No later than five working days after the receipt of the results of any monitoring performed under this section, the employer shall notify each affected employee individually in writing of the results. In addition, within the same time period, the employer shall post the results of the exposure monitoring in an appropriate location that is accessible to all affected employees.

(ii) Wherever monitoring results indicate that employee exposure exceeds the PEL, the employer shall include in the written notice a statement that the PEL has been exceeded and a description of the corrective action being taken by the employer to reduce employee exposure to or below the PEL.

(f) Accuracy of measurement. The employer shall use a method of monitoring and analysis that has an accuracy of not less than plus or minus 25 percent ($\pm 25\%$), with a confidence level of 95 percent, for airborne concentrations of cadmium at or above the action level and the permissible exposure limit.

(5) Regulated areas.

(a) Establishment. The employer shall establish a regulated area wherever an employee's exposure to airborne concentrations of cadmium is, or can reasonably be expected to be in excess of the permissible exposure limit (PEL).

(b) Demarcation. Regulated areas shall be demarcated from the rest of the workplace in any manner that adequately establishes and alerts employees of the boundaries of the regulated area, including employees who are or may be incidentally in the regulated areas, and that protects persons outside

the area from exposure to airborne concentrations of cadmium in excess of the PEL.

(c) Access. Access to regulated areas shall be limited to authorized persons.

(d) Provision of respirators. Each person entering a regulated area shall be supplied with and required to use a respirator, selected in accordance with subsection (7)(b) of this section.

(e) Prohibited activities. The employer shall assure that employees do not eat, drink, smoke, chew tobacco or gum, or apply cosmetics in regulated areas, or carry the products associated with any of these activities into regulated areas or store such products in those areas.

(6) Methods of compliance.

(a) Compliance hierarchy.

(i) Except as specified in (a)(ii) of this subsection, the employer shall implement engineering and work practice controls to reduce and maintain employee exposure to cadmium at or below the PEL, except to the extent that the employer can demonstrate that such controls are not feasible.

(ii) The requirement to implement engineering controls to achieve the PEL does not apply where the employer demonstrates the following:

(A) The employee is only intermittently exposed; and

(B) The employee is not exposed above the PEL on 30 or more days per year (12 consecutive months).

(iii) Wherever engineering and work practice controls are not sufficient to reduce employee exposure to or below the PEL, the employer nonetheless shall implement such controls to reduce exposures to the lowest levels achievable. The employer shall supplement such controls with respiratory protection that complies with the requirements of subsection (7) of this section and the PEL.

(iv) The employer shall not use employee rotation as a method of compliance.

(b) Specific operations.

(i) Abrasive blasting. Abrasive blasting on cadmium or cadmium-containing materials shall be conducted in a manner that will provide adequate protection.

(ii) Heating cadmium and cadmium-containing materials. Welding, cutting, and other forms of heating of cadmium or cadmium-containing materials shall be conducted in accordance with the requirements of WAC 296-155-415 and 296-155-420, where applicable.

(c) Prohibitions.

(i) High speed abrasive disc saws and similar abrasive power equipment shall not be used for work on cadmium or cadmium-containing materials unless they are equipped with appropriate engineering controls to minimize emissions, if the exposure levels are above the PEL.

(ii) Materials containing cadmium shall not be applied by spray methods, if exposures are above the PEL, unless employees are protected with supplied-air respirators with full facepiece, hood, helmet, suit, operated in positive pressure mode and measures are instituted to limit overspray and prevent contamination of adjacent areas.

(d) Mechanical ventilation.

(i) When ventilation is used to control exposure, measurements that demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity,

or static pressure shall be made as necessary to maintain its effectiveness.

(ii) Measurements of the system's effectiveness in controlling exposure shall be made as necessary within five working days of any change in production, process, or control that might result in a significant increase in employee exposure to cadmium.

(iii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the system shall have a high efficiency filter and be monitored to assure effectiveness.

(iv) Procedures shall be developed and implemented to minimize employee exposure to cadmium when maintenance of ventilation systems and changing of filters is being conducted.

(e) Compliance program.

(i) Where employee exposure to cadmium exceeds the PEL and the employer is required under (a) of this subsection to implement controls to comply with the PEL, prior to the commencement of the job the employer shall establish and implement a written compliance program to reduce employee exposure to or below the PEL. To the extent that engineering and work practice controls cannot reduce exposures to or below the PEL, the employer shall include in the written compliance program the use of appropriate respiratory protection to achieve compliance with the PEL.

(ii) Written compliance programs shall be reviewed and updated as often and as promptly as necessary to reflect significant changes in the employer's compliance status or significant changes in the lowest air cadmium level that is technologically feasible.

(iii) A competent person shall review the comprehensive compliance program initially and after each change.

(iv) Written compliance programs shall be provided upon request for examination and copying to the director, or authorized representatives, affected employees, and designated employee representatives.

(7) Respirator protection.

(a) General. For employees who use respirators required by this section, the employer must provide respirators that comply with the requirements of this section. Respirators must be used during:

(i) Periods necessary to install or implement feasible engineering and work-practice controls when employee exposures exceed the PEL.

(ii) Maintenance and repair activities, and brief or intermittent operations, for which employee exposures exceed the PEL and engineering and work-practice controls are not feasible or are not required.

(iii) Work operations in regulated areas specified in subsection (5) of this section.

(iv) Work operations for which the employer has implemented all feasible engineering and work-practice controls, and such controls are not sufficient to reduce exposures to or below the PEL.

(v) Emergencies.

(vi) Work operations for which an employee, who is exposed to cadmium at or above the action level, requests a respirator.

(vii) Work operations for which engineering controls are not required under (a)(ii) of this subsection to reduce employee exposures that exceed the PEL.

(b) Respirator program.

(i) The employer must implement a respiratory protection program as required by chapter 296-62 WAC, Part E (except WAC 296-62-07130(1) and WAC 296-62-07150 through WAC 296-62-07156).

(ii) If an employee has breathing difficulty during fit testing or respirator use, the employer must provide the employee with a medical examination as required by subsection (12)(f)(ii) of this section to determine if the employee can use a respirator while performing the required duties.

(iii) No employees must use a respirator when, based on their recent medical examination, the examining physician determines that the employee will be unable to continue to function normally while using a respirator. If the physician determines the employee must be limited in, or removed from, their current job because of the employee's inability to use a respirator, the job limitation or removal must be conducted as required by (k) and (l) of this subsection.

(c) Respirator selection.

(i) The employer must select the appropriate respirator from Table 1 of this section.

Table 1

Respiratory Protection for Cadmium

Airborne concentration or condition of use ^a	Required respirator type ^b
10 x or less	A half-mask, air-purifying respirator equipped with a HEPA ^c filter. ^d
25 x or less	A powered air-purifying respirator ("PAPR") with a loose-fitting hood or helmet equipped with a HEPA filter, or a supplied-air respirator with a loose-fitting hood or helmet facepiece operated in the continuous flow mode.
50 x or less	A full facepiece air-purifying respirator equipped with a HEPA filter, or a powered air-purifying respirator with a tight-fitting half-mask equipped with a HEPA filter, or a supplied air respirator with a tight-fitting half-mask operated in the continuous flow mode.
250 x or less	A powered air-purifying respirator with a tight-fitting full facepiece equipped with a HEPA filter, or a supplied-air respirator with a tight-fitting full facepiece operated in the continuous flow mode.

PROPOSED

Table 1

Respiratory Protection for Cadmium

Airborne concentration or condition of use ^a	Required respirator type ^b
1000 x or less	A supplied-air respirator with half-mask or full facepiece operated in the pressure demand or other positive pressure mode.
>1000 x or unknown concentrations	A self-contained breathing apparatus with a full facepiece operated in the pressure demand or other positive pressure mode, or a supplied-air respirator with a full facepiece operated in the pressure demand or other positive pressure mode and equipped with an auxiliary escape type self-contained breathing apparatus operated in the pressure demand mode.
Fire fighting	A self-contained breathing apparatus with full facepiece operated in the pressure demand or other positive pressure mode.

Note: ^aConcentrations expressed as multiple of the PEL.

^bRespirators assigned for higher environmental concentrations may be used at lower exposure levels. Quantitative fit testing is required for all tight-fitting air purifying respirators where airborne concentration of cadmium exceeds 10 times the TWA PEL (10 x 5 µg/m³= 50 µg/m³). A full facepiece respirator is required when eye irritation is experienced.

^c HEPA means High Efficiency Particulate Air.

^d Fit testing, qualitative or quantitative, is required.

Source: Respiratory Decision Logic, NIOSH, 1987.

(ii) The employer shall provide a powered, air-purifying respirator (PAPR) instead of a negative-pressure respirator when an employee entitled to a respirator chooses to use this type of respirator and such a respirator will provide adequate protection to the employee.

(8) Emergency situations. The employer shall develop and implement a written plan for dealing with emergency situations involving substantial releases of airborne cadmium. The plan shall include provisions for the use of appropriate respirators and personal protective equipment. In addition, employees not essential to correcting the emergency situation shall be restricted from the area and normal operations halted in that area until the emergency is abated.

(9) Protective work clothing and equipment

(a) Provision and use. If an employee is exposed to airborne cadmium above the PEL or where skin or eye irritation is associated with cadmium exposure at any level, the employer shall provide at no cost to the employee, and assure that the employee uses, appropriate protective work clothing and equipment that prevents contamination of the employee

and the employee's garments. Protective work clothing and equipment includes, but is not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, head coverings, and boots or foot coverings; and

(iii) Face shields, vented goggles, or other appropriate protective equipment that complies with WAC 296-155-215.

(b) Removal and storage.

(i) The employer shall assure that employees remove all protective clothing and equipment contaminated with cadmium at the completion of the work shift and do so only in change rooms provided in accordance with subsection (10)(a) of this section.

(ii) The employer shall assure that no employee takes cadmium-contaminated protective clothing or equipment from the workplace, except for employees authorized to do so for purposes of laundering, cleaning, maintaining, or disposing of cadmium-contaminated protective clothing and equipment at an appropriate location or facility away from the workplace.

(iii) The employer shall assure that contaminated protective clothing and equipment, when removed for laundering, cleaning, maintenance, or disposal, is placed and stored in sealed, impermeable bags or other closed, impermeable containers that are designed to prevent dispersion of cadmium dust.

(iv) The employer shall assure that containers of contaminated protective clothing and equipment that are to be taken out of the change rooms or the workplace for laundering, cleaning, maintenance or disposal shall bear labels in accordance with subsection (13)(c) of this section.

(c) Cleaning, replacement, and disposal.

(i) The employer shall provide the protective clothing and equipment required by (a) of this subsection in a clean and dry condition as often as necessary to maintain its effectiveness, but in any event at least weekly. The employer is responsible for cleaning and laundering the protective clothing and equipment required by this subsection to maintain its effectiveness and is also responsible for disposing of such clothing and equipment.

(ii) The employer also is responsible for repairing or replacing required protective clothing and equipment as needed to maintain its effectiveness. When rips or tears are detected while an employee is working they shall be immediately mended, or the worksuit shall be immediately replaced.

(iii) The employer shall prohibit the removal of cadmium from protective clothing and equipment by blowing, shaking, or any other means that disperses cadmium into the air.

(iv) The employer shall assure that any laundering of contaminated clothing or cleaning of contaminated equipment in the workplace is done in a manner that prevents the release of airborne cadmium in excess of the permissible exposure limit prescribed in subsection (3) of this section.

(v) The employer shall inform any person who launders or cleans protective clothing or equipment contaminated with cadmium of the potentially harmful effects of exposure to cadmium, and that the clothing and equipment should be laundered or cleaned in a manner to effectively prevent the release of airborne cadmium in excess of the PEL.

(10) Hygiene areas and practices.

PROPOSED

(a) General. For employees whose airborne exposure to cadmium is above the PEL, the employer shall provide clean change rooms, handwashing facilities, showers, and lunchroom facilities that comply with WAC 296-155-140.

(b) Change rooms. The employer shall assure that change rooms are equipped with separate storage facilities for street clothes and for protective clothing and equipment, which are designed to prevent dispersion of cadmium and contamination of the employee's street clothes.

(c) Showers and handwashing facilities.

(i) The employer shall assure that employees whose airborne exposure to cadmium is above the PEL shower during the end of the work shift.

(ii) The employer shall assure that employees who are exposed to cadmium above the PEL wash their hands and faces prior to eating, drinking, smoking, chewing tobacco or gum, or applying cosmetics.

(d) Lunchroom facilities.

(i) The employer shall assure that the lunchroom facilities are readily accessible to employees, that tables for eating are maintained free of cadmium, and that no employee in a lunchroom facility is exposed at any time to cadmium at or above a concentration of 2.5 µg/m³.

(ii) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface cadmium has been removed from the clothing and equipment by HEPA vacuuming or some other method that removes cadmium dust without dispersing it.

(11) Housekeeping.

(a) All surfaces shall be maintained as free as practicable of accumulations of cadmium.

(b) All spills and sudden releases of material containing cadmium shall be cleaned up as soon as possible.

(c) Surfaces contaminated with cadmium shall, wherever possible, be cleaned by vacuuming or other methods that minimize the likelihood of cadmium becoming airborne.

(d) HEPA-filtered vacuuming equipment or equally effective filtration methods shall be used for vacuuming. The equipment shall be used and emptied in a manner that minimizes the reentry of cadmium into the workplace.

(e) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other methods that minimize the likelihood of cadmium becoming airborne have been tried and found not to be effective.

(f) Compressed air shall not be used to remove cadmium from any surface unless the compressed air is used in conjunction with a ventilation system designed to capture the dust cloud created by the compressed air.

(g) Waste, scrap, debris, bags, containers, personal protective equipment, and clothing contaminated with cadmium and consigned for disposal shall be collected and disposed of in sealed impermeable bags or other closed, impermeable containers. These bags and containers shall be labeled in accordance with subsection (13)(b) of this section.

(12) Medical surveillance.

(a) General.

(i) Scope.

(A) Currently exposed—The employer shall institute a medical surveillance program for all employees who are or may be exposed at or above the action level and all employees who perform the following tasks, operations, or jobs: Electrical grounding with cadmium-welding; cutting, brazing, burning, grinding, or welding on surfaces that were painted with cadmium-containing paints; electrical work using cadmium-coated conduit; use of cadmium containing paints; cutting and welding cadmium-plated steel; brazing or welding with cadmium alloys; fusing of reinforced steel by cadmium welding; maintaining or retrofitting cadmium-coated equipment; and, wrecking and demolition where cadmium is present. A medical surveillance program will not be required if the employer demonstrates that the employee:

(I) Is not currently exposed by the employer to airborne concentrations of cadmium at or above the action level on 30 or more days per year (twelve consecutive months); and

(II) Is not currently exposed by the employer in those tasks on 30 or more days per year (twelve consecutive months).

(B) Previously exposed—The employer shall also institute a medical surveillance program for all employees who might previously have been exposed to cadmium by the employer prior to the effective date of this section in tasks specified under (a)(i)(A) of this subsection, unless the employer demonstrates that the employee did not in the years prior to the effective date of this section work in those tasks for the employer with exposure to cadmium for an aggregated total of more than 12 months.

(ii) To determine an employee's fitness for using a respirator, the employer shall provide the limited medical examination specified in (f) of this subsection.

(iii) The employer shall assure that all medical examinations and procedures required by this section are performed by or under the supervision of a licensed physician, who has read and is familiar with the health effects WAC 296-62-07441, Appendix A, the regulatory text of this section, the protocol for sample handling and lab selection in WAC 296-62-07451, Appendix F, and the questionnaire of WAC 296-62-07447, Appendix D.

(iv) The employer shall provide the medical surveillance required by this section, including multiple physician review under (m) of this subsection without cost to employees, and at a time and place that is reasonable and convenient to employees.

(v) The employer shall assure that the collecting and handling of biological samples of cadmium in urine (CdU), cadmium in blood (CdB), and beta-2 microglobulin in urine (B₂-M) taken from employees under this section is done in a manner that assures their reliability and that analysis of biological samples of cadmium in urine (CdU), cadmium in blood (CdB), and beta-2 microglobulin in urine (B₂-M) taken from employees under this section is performed in laboratories with demonstrated proficiency to perform the particular analysis. (See WAC 296-62-07451, Appendix F.)

(b) Initial examination.

(i) For employees covered by medical surveillance under (a)(i) of this subsection, the employer shall provide an initial medical examination. The examination shall be provided to

those employees within 30 days after initial assignment to a job with exposure to cadmium or no later than 90 days after the effective date of this section, whichever date is later.

(ii) The initial medical examination shall include:

(A) A detailed medical and work history, with emphasis on: Past, present, and anticipated future exposure to cadmium; any history of renal, cardiovascular, respiratory, hematopoietic, reproductive, and/or musculo-skeletal system dysfunction; current usage of medication with potential nephrotoxic side-effects; and smoking history and current status; and

(B) Biological monitoring that includes the following tests:

(I) Cadmium in urine (CdU), standardized to grams of creatinine (g/Cr);

(II) Beta-2 microglobulin in urine (B₂-M), standardized to grams of creatinine (g/Cr), with pH specified, as described in WAC 296-62-07451, Appendix F; and

(III) Cadmium in blood (CdB), standardized to liters of whole blood (lwb).

(iii) Recent examination: An initial examination is not required to be provided if adequate records show that the employee has been examined in accordance with the requirements of (b)(ii) of this subsection within the past 12 months. In that case, such records shall be maintained as part of the employee's medical record and the prior exam shall be treated as if it were an initial examination for the purposes of (c) and (d) of this subsection.

(c) Actions triggered by initial biological monitoring.

(i) If the results of the biological monitoring tests in the initial examination show the employee's CdU level to be at or below 3 µg/g Cr, B₂-M level to be at or below 300 µg/g Cr and CdB level to be at or below 5 µg/lwb, then:

(A) For employees who are subject to medical surveillance under (a)(i)(A) of this subsection because of current or anticipated exposure to cadmium, the employer shall provide the minimum level of periodic medical surveillance in accordance with the requirements in (d)(i) of this subsection; and

(B) For employees who are subject to medical surveillance under (a)(i)(B) of this subsection because of prior but not current exposure, the employer shall provide biological monitoring for CdU, B₂-M, and CdB one year after the initial biological monitoring and then the employer shall comply with the requirements of (d)(vi) of this subsection.

(ii) For all employees who are subject to medical surveillance under (a)(i) of this subsection, if the results of the initial biological monitoring tests show the level of CdU to exceed 3 µg/g Cr, the level of B₂-M to be in excess of 300 µg/g Cr, or the level of CdB to be in excess of 5 µg/lwb, the employer shall:

(A) Within two weeks after receipt of biological monitoring results, reassess the employee's occupational exposure to cadmium as follows:

(I) Reassess the employee's work practices and personal hygiene;

(II) Reevaluate the employee's respirator use, if any, and the respirator program;

(III) Review the hygiene facilities;

(IV) Reevaluate the maintenance and effectiveness of the relevant engineering controls;

(V) Assess the employee's smoking history and status;

(B) Within 30 days after the exposure reassessment, specified in (c)(ii)(A) of this subsection, take reasonable steps to correct any deficiencies found in the reassessment that may be responsible for the employee's excess exposure to cadmium; and

(C) Within 90 days after receipt of biological monitoring results, provide a full medical examination to the employee in accordance with the requirements of (d)(ii) of this subsection. After completing the medical examination, the examining physician shall determine in a written medical opinion whether to medically remove the employee. If the physician determines that medical removal is not necessary, then until the employee's CdU level falls to or below 3 µg/g Cr, B₂-M level falls to or below 300 µg/g Cr and CdB level falls to or below 5 µg/lwb, the employer shall:

(I) Provide biological monitoring in accordance with (b)(ii)(B) of this subsection on a semiannual basis; and

(II) Provide annual medical examinations in accordance with (d)(ii) of this subsection.

(iii) For all employees who are subject to medical surveillance under (a)(i) of this subsection, if the results of the initial biological monitoring tests show the level of CdU to be in excess of 15 µg/g Cr, or the level of CdB to be in excess of 15 µg/lwb, or the level of B₂-M to be in excess of 1,500 µg/g Cr, the employer shall comply with the requirements of (c)(ii)(A) and (B) of this subsection. Within 90 days after receipt of biological monitoring results, the employer shall provide a full medical examination to the employee in accordance with the requirements of (d)(ii) of this subsection. After completing the medical examination, the examining physician shall determine in a written medical opinion whether to medically remove the employee. However, if the initial biological monitoring results and the biological monitoring results obtained during the medical examination both show that: CdU exceeds 15 µg/g Cr; or CdB exceeds 15 µg/lwb; or B₂-M exceeds 1500 µg/g Cr, and in addition CdU exceeds 3 µg/g Cr or CdB exceeds 5 µg/liter of whole blood, then the physician shall medically remove the employee from exposure to cadmium at or above the action level. If the second set of biological monitoring results obtained during the medical examination does not show that a mandatory removal trigger level has been exceeded, then the employee is not required to be removed by the mandatory provisions of this section. If the employee is not required to be removed by the mandatory provisions of this section or by the physician's determination, then until the employee's CdU level falls to or below 3 µg/g Cr, B₂-M level falls to or below 300 µg/g Cr and CdB level falls to or below 5 µg/lwb, the employer shall:

(A) Periodically reassess the employee's occupational exposure to cadmium;

(B) Provide biological monitoring in accordance with (b)(ii)(B) of this subsection on a quarterly basis; and

(C) Provide semiannual medical examinations in accordance with (d)(ii) of this subsection.

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(iv) For all employees to whom medical surveillance is provided, beginning on January 1, 1999, and in lieu of (c)(iii) of this subsection, whenever the results of initial biological monitoring tests show the employee's CdU level to be in excess of 7 µg/g Cr, or B₂-M level to be in excess of 750 µg/g Cr, or CdB level to be in excess of 10 µg/lwb, the employer shall comply with the requirements of (c)(ii)(A) and (B) of this subsection. Within 90 days after receipt of biological monitoring results, the employer shall provide a full medical examination to the employee in accordance with the requirements of (d)(ii) of this subsection. After completing the medical examination, the examining physician shall determine in a written medical opinion whether to medically remove the employee. However, if the initial biological monitoring results and the biological monitoring results obtained during the medical examination both show that: CdU exceeds 7 µg/g Cr; or CdB exceeds 10 µg/lwb; or B₂-M exceeds 750 µg/g Cr, and in addition CdU exceeds 3 µg/g Cr or CdB exceeds 5 µg/liter of whole blood, then the physician shall medically remove the employee from exposure to cadmium at or above the action level. If the second set of biological monitoring results obtained during the medical examination does not show that a mandatory removal trigger level has been exceeded, then the employee is not required to be removed by the mandatory provisions of this section. If the employee is not required to be removed by the mandatory provisions of this section or by the physician's determination, then until the employee's CdU level falls to or below 3 µg/g Cr, B₂-M level falls to or below 300 µg/g Cr and CdB level falls to or below 5 µg/lwb, the employer shall:

(A) Periodically reassess the employee's occupational exposure to cadmium;

(B) Provide biological monitoring in accordance with (b)(ii)(B) of this subsection on a quarterly basis; and

(C) Provide semiannual medical examinations in accordance with (d)(ii) of this subsection.

(d) Periodic medical surveillance.

(i) For each employee who is covered by medical surveillance under (a)(i)(A) of this subsection because of current or anticipated exposure to cadmium, the employer shall provide at least the minimum level of periodic medical surveillance, which consists of periodic medical examinations and periodic biological monitoring. A periodic medical examination shall be provided within one year after the initial examination required by (b) of this subsection and thereafter at least biennially. Biological sampling shall be provided at least annually either as part of a periodic medical examination or separately as periodic biological monitoring.

(ii) The periodic medical examination shall include:

(A) A detailed medical and work history, or update thereof, with emphasis on: Past, present, and anticipated future exposure to cadmium; smoking history and current status; reproductive history; current use of medications with potential nephrotoxic side-effects; any history of renal, cardiovascular, respiratory, hematopoietic, and/or musculoskeletal system dysfunction; and as part of the medical and work history, for employees who wear respirators, questions 3 through 11 and 25 through 32 in WAC 296-62-07447, Appendix D;

(B) A complete physical examination with emphasis on: Blood pressure, the respiratory system, and the urinary system;

(C) A 14 inch by 17 inch, or a reasonably standard sized posterior-anterior chest x-ray (after the initial x-ray, the frequency of chest x-rays is to be determined by the examining physician);

(D) Pulmonary function tests, including forced vital capacity (FVC) and forced expiratory volume at 1 second (FEV1);

(E) Biological monitoring, as required in (b)(ii)(B) of this subsection;

(F) Blood analysis, in addition to the analysis required under (b)(ii)(B) of this subsection, including blood urea nitrogen, complete blood count, and serum creatinine;

(G) Urinalysis, in addition to the analysis required under (b)(ii)(B) of this subsection, including the determination of albumin, glucose, and total and low molecular weight proteins;

(H) For males over 40 years old, prostate palpation, or other at least as effective diagnostic test(s); and

(I) Any additional tests or procedures deemed appropriate by the examining physician.

(iii) Periodic biological monitoring shall be provided in accordance with (b)(ii)(B) of this subsection.

(iv) If the results of periodic biological monitoring or the results of biological monitoring performed as part of the periodic medical examination show the level of the employee's CdU, B₂-M, or CdB to be in excess of the levels specified in (c)(ii) and (iii) of this subsection; or, beginning on January 1, 1999, in excess of the levels specified in (c)(ii) or (iv) of this subsection, the employer shall take the appropriate actions specified in (c)(ii) through (iv) of this subsection, respectively.

(v) For previously exposed employees under (a)(i)(B) of this subsection:

(A) If the employee's levels of CdU did not exceed 3 µg/g Cr, CdB did not exceed 5 µg/lwb, and B₂-M did not exceed 300 µg/g Cr in the initial biological monitoring tests, and if the results of the follow-up biological monitoring required by (c)(i)(B) of this subsection one year after the initial examination confirm the previous results, the employer may discontinue all periodic medical surveillance for that employee.

(B) If the initial biological monitoring results for CdU, CdB, or B₂-M were in excess of the levels specified in (c)(i) of this subsection, but subsequent biological monitoring results required by (c)(ii) through (iv) of this subsection show that the employee's CdU levels no longer exceed 3 µg/g Cr, CdB levels no longer exceed 5 µg/lwb, and B₂-M levels no longer exceed 300 µg/g Cr, the employer shall provide biological monitoring for CdU, CdB, and B₂-M one year after these most recent biological monitoring results. If the results of the follow-up biological monitoring specified in this section, confirm the previous results, the employer may discontinue all periodic medical surveillance for that employee.

(C) However, if the results of the follow-up tests specified in (d)(v)(A) or (B) of this subsection indicate that the level of the employee's CdU, B₂-M, or CdB exceeds these

same levels, the employer is required to provide annual medical examinations in accordance with the provisions of (d)(ii) of this subsection until the results of biological monitoring are consistently below these levels or the examining physician determines in a written medical opinion that further medical surveillance is not required to protect the employee's health.

(vi) A routine, biennial medical examination is not required to be provided in accordance with (c)(i) and (d) of this subsection if adequate medical records show that the employee has been examined in accordance with the requirements of (d)(ii) of this subsection within the past 12 months. In that case, such records shall be maintained by the employer as part of the employee's medical record, and the next routine, periodic medical examination shall be made available to the employee within two years of the previous examination.

(e) Actions triggered by medical examinations. If the results of a medical examination carried out in accordance with this section indicate any laboratory or clinical finding consistent with cadmium toxicity that does not require employer action under (b), (c), or (d) of this subsection, the employer shall take the following steps and continue to take them until the physician determines that they are no longer necessary.

(i) Periodically reassess: The employee's work practices and personal hygiene; the employee's respirator use, if any; the employee's smoking history and status; the respiratory protection program; the hygiene facilities; the maintenance and effectiveness of the relevant engineering controls; and take all reasonable steps to correct the deficiencies found in the reassessment that may be responsible for the employee's excess exposure to cadmium.

(ii) Provide semiannual medical reexaminations to evaluate the abnormal clinical sign(s) of cadmium toxicity until the results are normal or the employee is medically removed; and

(iii) Where the results of tests for total proteins in urine are abnormal, provide a more detailed medical evaluation of the toxic effects of cadmium on the employee's renal system.

(f) Examination for respirator use.

(i) To determine an employee's fitness for respirator use, the employer shall provide a medical examination that includes the elements specified in (f)(i)(A) through (D) of this subsection. This examination shall be provided prior to the employee's being assigned to a job that requires the use of a respirator or no later than 90 days after this section goes into effect, whichever date is later, to any employee without a medical examination within the preceding 12 months that satisfies the requirements of this section.

(A) A detailed medical and work history, or update thereof, with emphasis on: Past exposure to cadmium; smoking history and current status; any history of renal, cardiovascular, respiratory, hematopoietic, and/or musculo-skeletal system dysfunction; a description of the job for which the respirator is required; and questions 3 through 11 and 25 through 32 in WAC 296-62-07447, Appendix D;

(B) A blood pressure test;

(C) Biological monitoring of the employee's levels of CdU, CdB and B₂-M in accordance with the requirements of (b)(ii)(B) of this subsection, unless such results already have been obtained within the twelve months; and

(D) Any other test or procedure that the examining physician deems appropriate.

(ii) After reviewing all the information obtained from the medical examination required in (f)(i) of this subsection, the physician shall determine whether the employee is fit to wear a respirator.

(iii) Whenever an employee has exhibited difficulty in breathing during a respirator fit test or during use of a respirator, the employer, as soon as possible, shall provide the employee with a periodic medical examination in accordance with (d)(ii) of this subsection to determine the employee's fitness to wear a respirator.

(iv) Where the results of the examination required under (f)(i), (ii), or (iii) of this subsection are abnormal, medical limitation or prohibition of respirator use shall be considered. If the employee is allowed to wear a respirator, the employee's ability to continue to do so shall be periodically evaluated by a physician.

(g) Emergency examinations.

(i) In addition to the medical surveillance required in (b) through (f) of this subsection, the employer shall provide a medical examination as soon as possible to any employee who may have been acutely exposed to cadmium because of an emergency.

(ii) The examination shall include the requirements of (d)(ii), of this subsection, with emphasis on the respiratory system, other organ systems considered appropriate by the examining physician, and symptoms of acute overexposure, as identified in Appendix A, WAC 296-62-07441 (2)(b)(i) and (ii) and (4).

(h) Termination of employment examination.

(i) At termination of employment, the employer shall provide a medical examination in accordance with (d)(ii) of this subsection, including a chest x-ray where necessary, to any employee to whom at any prior time the employer was required to provide medical surveillance under (a)(i) or (g) of this subsection. However, if the last examination satisfied the requirements of (d)(ii) of this subsection and was less than six months prior to the date of termination, no further examination is required unless otherwise specified in (c) or (e) of this subsection;

(ii) In addition, if the employer has discontinued all periodic medical surveillance under (d)(v) of this subsection, no termination of employment medical examination is required.

(i) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and appendices;

(ii) A description of the affected employee's former, current, and anticipated duties as they relate to the employee's occupational exposure to cadmium;

(iii) The employee's former, current, and anticipated future levels of occupational exposure to cadmium;

(iv) A description of any personal protective equipment, including respirators, used or to be used by the employee,

including when and for how long the employee has used that equipment; and

(v) Relevant results of previous biological monitoring and medical examinations.

(j) Physician's written medical opinion.

(i) The employer shall promptly obtain a written, signed, medical opinion from the examining physician for each medical examination performed on each employee. This written opinion shall contain:

(A) The physician's diagnosis for the employee;

(B) The physician's opinion as to whether the employee has any detected medical condition(s) that would place the employee at increased risk of material impairment to health from further exposure to cadmium, including any indications of potential cadmium toxicity;

(C) The results of any biological or other testing or related evaluations that directly assess the employee's absorption of cadmium;

(D) Any recommended removal from, or limitation on the activities or duties of the employee or on the employee's use of personal protective equipment, such as respirators;

(E) A statement that the physician has clearly and carefully explained to the employee the results of the medical examination, including all biological monitoring results and any medical conditions related to cadmium exposure that require further evaluation or treatment, and any limitation on the employee's diet or use of medications.

(ii) The employer shall promptly obtain a copy of the results of any biological monitoring provided by an employer to an employee independently of a medical examination under (b) and (d) of this subsection, and, in lieu of a written medical opinion, an explanation sheet explaining those results.

(iii) The employer shall instruct the physician not to reveal orally or in the written medical opinion given to the employer specific findings or diagnoses unrelated to occupational exposure to cadmium.

(k) Medical removal protection (MRP).

(i) General.

(A) The employer shall temporarily remove an employee from work where there is excess exposure to cadmium on each occasion that medical removal is required under (c), (d), or (f) of this subsection and on each occasion that a physician determines in a written medical opinion that the employee should be removed from such exposure. The physician's determination may be based on biological monitoring results, inability to wear a respirator, evidence of illness, other signs or symptoms of cadmium-related dysfunction or disease, or any other reason deemed medically sufficient by the physician.

(B) The employer shall medically remove an employee in accordance with (k) of this subsection regardless of whether at the time of removal a job is available into which the removed employee may be transferred.

(C) Whenever an employee is medically removed under (k) of this subsection, the employer shall transfer the removed employee to a job where the exposure to cadmium is within the permissible levels specified in subsection (12) of this section as soon as one becomes available.

(D) For any employee who is medically removed under the provisions of (k)(i) of this subsection, the employer shall provide follow-up medical examinations semiannually until, in a written medical opinion, the examining physician determines that either the employee may be returned to his/her former job status or the employee must be permanently removed from excess cadmium exposure.

(E) The employer may not return an employee who has been medically removed for any reason to his/her former job status until a physician determines in a written medical opinion that continued medical removal is no longer necessary to protect the employee's health.

(ii) Where an employee is found unfit to wear a respirator under (f)(ii) of this subsection, the employer shall remove the employee from work where exposure to cadmium is above the PEL.

(iii) Where removal is based upon any reason other than the employee's inability to wear a respirator, the employer shall remove the employee from work where exposure to cadmium is at or above the action level.

(iv) Except as specified in (k)(v) of this subsection, no employee who was removed because his/her level of CdU, CdB and/or B₂-M exceeded the trigger levels in (c) or (d) of this subsection may be returned to work with exposure to cadmium at or above the action level until the employee's levels of CdU fall to or below 3 µg/g Cr, CdB fall to or below 5 µg/lwb, and B₂-M fall to or below 300 µg/g Cr.

(v) However, when in the examining physician's opinion continued exposure to cadmium will not pose an increased risk to the employee's health and there are special circumstances that make continued medical removal an inappropriate remedy, the physician shall fully discuss these matters with the employee, and then in a written determination may return a worker to his/her former job status despite what would otherwise be unacceptably high biological monitoring results. Thereafter and until such time as the employee's biological monitoring results have decreased to levels where he/she could have been returned to his/her former job status, the returned employee shall continue medical surveillance as if he/she were still on medical removal. Until such time, the employee is no longer subject to mandatory medical removal. Subsequent questions regarding the employee's medical removal shall be decided solely by a final medical determination.

(vi) Where an employer, although not required by this section to do so, removes an employee from exposure to cadmium or otherwise places limitations on an employee due to the effects of cadmium exposure on the employee's medical condition, the employer shall provide the same medical removal protection benefits to that employee under (l) of this subsection as would have been provided had the removal been required under (k) of this subsection.

(l) Medical removal protection benefits.

(i) The employer shall provide medical removal protection benefits to an employee for up to a maximum of 18 months each time, and while the employee is temporarily medically removed under (k) of this subsection.

(ii) For purposes of this section, the requirement that the employer provide medical removal protection benefits means

that the employer shall maintain the total normal earnings, seniority, and all other employee rights and benefits of the removed employee, including the employee's right to his/her former job status, as if the employee had not been removed from the employee's job or otherwise medically limited.

(iii) Where, after 18 months on medical removal because of elevated biological monitoring results, the employee's monitoring results have not declined to a low enough level to permit the employee to be returned to his/her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section in order to obtain a final medical determination as to whether the employee may be returned to his/her former job status or must be permanently removed from excess cadmium exposure; and

(B) The employer shall assure that the final medical determination indicates whether the employee may be returned to his/her former job status and what steps, if any, should be taken to protect the employee's health.

(iv) The employer may condition the provision of medical removal protection benefits upon the employee's participation in medical surveillance provided in accordance with this section.

(m) Multiple physician review.

(i) If the employer selects the initial physician to conduct any medical examination or consultation provided to an employee under this section, the employee may designate a second physician to:

(A) Review any findings, determinations, or recommendations of the initial physician; and

(B) Conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(ii) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician provided by the employer conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, multiple physician review upon the employee doing the following within fifteen (15) days after receipt of this notice, or receipt of the initial physician's written opinion, whichever is later:

(A) Informing the employer that he or she intends to seek a medical opinion; and

(B) Initiating steps to make an appointment with a second physician.

(iii) If the findings, determinations, or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(iv) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee, through their respective physicians, shall designate a third physician to:

(A) Review any findings, determinations, or recommendations of the other two physicians; and

(B) Conduct such examinations, consultations, laboratory tests, and discussions with the other two physicians as

the third physician deems necessary to resolve the disagreement among them.

(v) The employer shall act consistently with the findings, determinations, and recommendations of the third physician, unless the employer and the employee reach an agreement that is consistent with the recommendations of at least one of the other two physicians.

(n) Alternate physician determination. The employer and an employee or designated employee representative may agree upon the use of any alternate form of physician determination in lieu of the multiple physician review provided by (m) of this subsection, so long as the alternative is expeditious and at least as protective of the employee.

(o) Information the employer must provide the employee.

(i) The employer shall provide a copy of the physician's written medical opinion to the examined employee within five working days after receipt thereof.

(ii) The employer shall provide the employee with a copy of the employee's biological monitoring results and an explanation sheet explaining the results within five working days after receipt thereof.

(iii) Within 30 days after a request by an employee, the employer shall provide the employee with the information the employer is required to provide the examining physician under (i) of this subsection.

(p) Reporting. In addition to other medical events that are required to be reported on the OSHA Form No. 200, the employer shall report any abnormal condition or disorder caused by occupational exposure to cadmium associated with employment as specified in Chapter (V)(E) of the Bureau of Labor Statistics Recordkeeping Guidelines for Occupational Injuries and Illnesses.

(13) Communication of cadmium hazards to employees

(a) General. In communications concerning cadmium hazards, employers shall comply with the requirements of WISHA's Hazard Communication Standard, chapter 296-62 WAC, Part C, including but not limited to the requirements concerning warning signs and labels, material safety data sheets (MSDS), and employee information and training. In addition, employers shall comply with the following requirements:

(b) Warning signs.

(i) Warning signs shall be provided and displayed in regulated areas. In addition, warning signs shall be posted at all approaches to regulated areas so that an employee may read the signs and take necessary protective steps before entering the area.

(ii) Warning signs required by (b)(i) of this subsection shall bear the following information:

Danger, Cadmium, Cancer Hazard, Can Cause Lung and
Kidney Disease, Authorized Personnel Only, Respirators
Required in This Area

(iii) The employer shall assure that signs required by this section are illuminated, cleaned, and maintained as necessary so that the legend is readily visible.

(c) Warning labels.

(i) Shipping and storage containers containing cadmium, cadmium compounds, or cadmium contaminated clothing, equipment, waste, scrap, or debris shall bear appropriate warning labels, as specified in (c)(ii) of this subsection.

(ii) The warning labels shall include at least the following information:

Danger, Contains Cadmium, Cancer Hazard, Avoid Creating Dust, Can Cause Lung and Kidney Disease

(iii) Where feasible, installed cadmium products shall have a visible label or other indication that cadmium is present.

(d) Employee information and training.

(i) The employer shall institute a training program for all employees who are potentially exposed to cadmium, assure employee participation in the program, and maintain a record of the contents of such program.

(ii) Training shall be provided prior to or at the time of initial assignment to a job involving potential exposure to cadmium and at least annually thereafter.

(iii) The employer shall make the training program understandable to the employee and shall assure that each employee is informed of the following:

(A) The health hazards associated with cadmium exposure, with special attention to the information incorporated in WAC 296-62-07441, Appendix A;

(B) The quantity, location, manner of use, release, and storage of cadmium in the workplace and the specific nature of operations that could result in exposure to cadmium, especially exposures above the PEL;

(C) The engineering controls and work practices associated with the employee's job assignment;

(D) The measures employees can take to protect themselves from exposure to cadmium, including modification of such habits as smoking and personal hygiene, and specific procedures the employer has implemented to protect employees from exposure to cadmium such as appropriate work practices, emergency procedures, and the provision of personal protective equipment;

(E) The purpose, proper selection, fitting, proper use, and limitations of respirators and protective clothing;

(F) The purpose and a description of the medical surveillance program required by subsection (12) of this section;

(G) The contents of this section and its appendices; and

(H) The employee's rights of access to records under chapter 296-62 WAC, Part B.

(iv) Additional access to information and training program and materials.

(A) The employer shall make a copy of this section and its appendices readily available to all affected employees and shall provide a copy without cost if requested.

(B) Upon request, the employer shall provide to the director or authorized representative, all materials relating to the employee information and the training program.

(e) Multi-employer workplace. In a multi-employer workplace, an employer who produces, uses, or stores cadmium in a manner that may expose employees of other employers to cadmium shall notify those employers of the potential hazard in accordance with WAC ((296-62-05409))

296-800-170 of the chemical hazard communication program standard.

(14) Recordkeeping.

(a) Exposure monitoring.

(i) The employer shall establish and keep an accurate record of all air monitoring for cadmium in the workplace.

(ii) This record shall include at least the following information:

(A) The monitoring date, shift, duration, air volume, and results in terms of an 8-hour TWA of each sample taken, and if cadmium is not detected, the detection level;

(B) The name, Social Security number, and job classification of all employees monitored and of all other employees whose exposures the monitoring result is intended to represent, including, where applicable, a description of how it was determined that the employee's monitoring result could be taken to represent other employee's exposures;

(C) A description of the sampling and analytical methods used and evidence of their accuracy;

(D) The type of respiratory protective device, if any, worn by the monitored employee and by any other employee whose exposure the monitoring result is intended to represent;

(E) A notation of any other conditions that might have affected the monitoring results;

(F) Any exposure monitoring or objective data that were used and the levels.

(iii) The employer shall maintain this record for at least thirty (30) years, in accordance with WAC 296-62-05207.

(iv) The employer shall also provide a copy of the results of an employee's air monitoring prescribed in subsection (4) of this section to an industry trade association and to the employee's union, if any, or, if either of such associations or unions do not exist, to another comparable organization that is competent to maintain such records and is reasonably accessible to employers and employees in the industry.

(b) Objective data for exemption from requirement for initial monitoring.

(i) For purposes of this section, objective data are information demonstrating that a particular product or material containing cadmium or a specific process, operation, or activity involving cadmium cannot release dust or fumes in concentrations at or above the action level even under the worst-case release conditions. Objective data can be obtained from an industry-wide study or from laboratory product test results from manufacturers of cadmium-containing products or materials. The data the employer uses from an industry-wide survey must be obtained under workplace conditions closely resembling the processes, types of material, control methods, work practices, and environmental conditions in the employer's current operations.

(ii) The employer shall maintain the record for at least 30 years of the objective data relied upon.

(c) Medical surveillance.

(i) The employer shall establish and maintain an accurate record for each employee covered by medical surveillance under (a)(i) of this subsection.

(ii) The record shall include at least the following information about the employee:

(A) Name, Social Security number, and description of duties;

(B) A copy of the physician's written opinions and of the explanation sheets for biological monitoring results;

(C) A copy of the medical history, and the results of any physical examination and all test results that are required to be provided by this section, including biological tests, x-rays, pulmonary function tests, etc., or that have been obtained to further evaluate any condition that might be related to cadmium exposure;

(D) The employee's medical symptoms that might be related to exposure to cadmium; and

(E) A copy of the information provided to the physician as required by subsection (12)(i) of this section.

(iii) The employer shall assure that this record is maintained for the duration of employment plus thirty (30) years, in accordance with WAC 296-62-05207.

(iv) At the employee's request, the employer shall promptly provide a copy of the employee's medical record, or update as appropriate, to a medical doctor or a union specified by the employee.

(d) Training. The employer shall certify that employees have been trained by preparing a certification record which includes the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed. The certification records shall be prepared at the completion of training and shall be maintained on file for one (1) year beyond the date of training of that employee.

(e) Availability.

(i) Except as otherwise provided for in this section, access to all records required to be maintained by (a) through (d) of this subsection shall be in accordance with the provisions of WAC 296-62-052.

(ii) Within 15 days after a request, the employer shall make an employee's medical records required to be kept by (c) of this subsection available for examination and copying to the subject employee, to designated representatives, to anyone having the specific written consent of the subject employee, and after the employee's death or incapacitation, to the employee's family members.

(f) Transfer of records. Whenever an employer ceases to do business and there is no successor employer or designated organization to receive and retain records for the prescribed period, the employer shall comply with the requirements concerning transfer of records set forth in WAC 296-62-05215.

(15) Observation of monitoring.

(a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to cadmium.

(b) Observation procedures. When observation of monitoring requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the observer with that clothing and equipment and shall assure that the observer uses such clothing and equipment and complies with all other applicable safety and health procedures.

(16) Appendices.

(a) Compliance with the fit testing requirements in WAC 296-62-07201 through 296-62-07248, Appendices A-1, A-2 and A-3 of chapter 296-62 WAC, Part E, are mandatory.

(b) Except where portions of WAC 296-62-07441, 296-62-07443, 296-62-07447, 296-62-07449, and 296-62-07451, Appendices A, B, D, E, and F, respectively, to this section are expressly incorporated in requirements of this section, these appendices are purely informational and are not intended to create any additional obligations not otherwise imposed or to detract from any existing obligations.

AMENDATORY SECTION (Amending Order 93-07, filed 10/29/93, effective 12/10/93)

WAC 296-155-17609 Exposure assessment. (1) General.

(a) Each employer who has a workplace or operation covered by this standard shall initially determine if any employee may be exposed to lead at or above the action level.

(b) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(c) With the exception of monitoring under subsection (3) of this section, where monitoring is required by this standard, the employer shall collect personal samples representative of a full shift including at least one sample for each job classification in each work area either for each shift or for the shift with the highest exposure level.

(d) Full shift personal samples shall be representative of the monitored employee's regular, daily exposure to lead.

(2) Protection of employees during assessment of exposure.

(a) With respect to the lead related tasks listed in this subdivision, where lead is present, until the employer performs an employee exposure assessment as required in this section and documents that the employee performing any of the listed tasks is not exposed above the PEL, the employer shall treat the employee as if the employee were exposed above the PEL, and not in excess of ten (10) times the PEL, and shall implement employee protective measures prescribed in subdivision (e) of this subsection. The tasks covered by this requirement are:

(i) Where lead containing coatings or paint are present: Manual demolition of structures (e.g, dry wall), manual scraping, manual sanding, heat gun applications, and power tool cleaning with dust collection systems;

(ii) Spray painting with lead paint.

(b) In addition, with regard to tasks not listed in subdivision (a), where the employer has any reason to believe that an employee performing the task may be exposed to lead in excess of the PEL, until the employer performs an employee exposure assessment as required by this section and documents that the employee's lead exposure is not above the PEL the employer shall treat the employee as if the employee were exposed above the PEL and shall implement employee protective measures as prescribed in subdivision (e) of this subsection.

(c) With respect to the tasks listed in this subdivision, where lead is present, until the employer performs an employee exposure assessment as required in this section,

and documents that the employee performing any of the listed tasks is not exposed in excess of 500 $\mu\text{g}/\text{m}^3$, the employer shall treat the employee as if the employee were exposed to lead in excess of 500 $\mu\text{g}/\text{m}^3$ and shall implement employee protective measures as prescribed in subdivision (e) of this subsection. Where the employer does establish that the employee is exposed to levels of lead below 500 $\mu\text{g}/\text{m}^3$, the employer may provide the exposed employee with the appropriate respirator prescribed for such use at such lower exposures, in accordance with Table 1 of WAC 296-155-17613. The tasks covered by this requirement are:

(i) Using lead containing mortar; lead burning;
 (ii) Where lead containing coatings or paint are present: Rivet busting; power tool cleaning without dust collection systems; cleanup activities where dry expendable abrasives are used; and abrasive blasting enclosure movement and removal.

(d) With respect to the tasks listed in this subdivision, where lead is present, until the employer performs an employee exposure assessment as required in this section and documents that the employee performing any of the listed tasks is not exposed to lead in excess of 2,500 $\mu\text{g}/\text{m}^3$ (50xPEL), the employer shall treat the employee as if the employee were exposed to lead in excess of 2,500 $\mu\text{g}/\text{m}^3$ and shall implement employee protective measures as prescribed in (e) of this subsection. Where the employer does establish that the employee is exposed to levels of lead below 2,500 $\mu\text{g}/\text{m}^3$, the employer may provide the exposed employee with the appropriate respirator prescribed for use at such lower exposures, in accordance with Table I of this WAC 296-155-17613. Protection described in this section is required where lead containing coatings or paint are present on structures when performing:

- (i) Abrasive blasting;
- (ii) Welding;
- (iii) Cutting; and
- (iv) Torch burning.

(e) Until the employer performs an employee exposure assessment as required by this section and determines actual employee exposure, the employer shall provide to employees performing the tasks described in (a) through (d) of this subsection with interim protection as follows:

(i) Appropriate respiratory protection in accordance with WAC 296-155-17613.

(ii) Appropriate personal protective clothing and equipment in accordance with WAC 296-155-17615.

(iii) Change areas in accordance with WAC 296-155-17619(2).

(iv) Hand washing facilities in accordance with WAC 296-155-17619(5).

(v) Biological monitoring in accordance with WAC 296-155-17621 (1)(a), to consist of blood sampling and analysis for lead and zinc protoporphyrin levels, and

(vi) Training as required by WAC 296-155-17625 (1)(a) regarding ~~(Part C of chapter 296-62 WAC,)~~ WAC 296-800-170, Chemical hazard communication; training as required by WAC 296-155-17625 (2)(c), regarding use of respirators; and training in accordance with WAC 296-155-100.

(3) Basis of initial determination.

(a) Except as provided by (c) and (d) of this subsection the employer shall monitor employee exposures and shall base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:

(i) Any information, observations, or calculations which would indicate employee exposure to lead;

(ii) Any previous measurements of airborne lead; and

(iii) Any employee complaints of symptoms which may be attributable to exposure to lead.

(b) Monitoring for the initial determination where performed may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.

(c) Where the employer has previously monitored for lead exposures, and the data were obtained within the past 12 months during work operations conducted under workplace conditions closely resembling the processes, type of material, control methods, work practices, and environmental conditions used and prevailing in the employer's current operations, the employer may rely on such earlier monitoring results to satisfy the requirements of subdivision (a) of this subsection and subsection (5) of this section if the sampling and analytical methods meet the accuracy and confidence levels of subsection (9) of this section.

(d) Where the employer has objective data, demonstrating that a particular product or material containing lead or a specific process, operation or activity involving lead cannot result in employee exposure to lead at or above the action level during processing, use, or handling, the employer may rely upon such data instead of implementing initial monitoring.

(i) The employer shall establish and maintain an accurate record documenting the nature and relevancy of objective data as specified in WAC 296-155-17629(4), where used in assessing employee exposure in lieu of exposure monitoring.

(ii) Objective data, as described in subdivision (d) of this subsection, is not permitted to be used for exposure assessment in connection with subsection (2) of this section.

(4) Positive initial determination and initial monitoring.

(a) Where a determination conducted under subsections (1), (2) and (3) of this section shows the possibility of any employee exposure at or above the action level the employer shall conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.

(b) Where the employer has previously monitored for lead exposure, and the data were obtained within the past 12 months during work operations conducted under workplace conditions closely resembling the processes, type of material, control methods, work practices, and environmental conditions used and prevailing in the employer's current operations, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection if the sampling and analytical methods meet the accuracy and confidence levels of subsection (9) of this section.

(5) Negative initial determination. Where a determination, conducted under subsections (1), (2), and (3) of this section is made that no employee is exposed to airborne concen-

trations of lead at or above the action level the employer shall make a written record of such determination. The record shall include at least the information specified in subsection (3)(a) of this section and shall also include the date of determination, location within the worksite, and the name and social security number of each employee monitored.

(6) Frequency.

(a) If the initial determination reveals employee exposure to be below the action level further exposure determination need not be repeated except as otherwise provided in subsection (7) of this section.

(b) If the initial determination or subsequent determination reveals employee exposure to be at or above the action level but at or below the PEL the employer shall perform monitoring in accordance with this section at least every 6 months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least 7 days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subsection (7) of this section.

(c) If the initial determination reveals that employee exposure is above the PEL the employer shall perform monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least 7 days apart, are at or below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in subdivision (b) of this subsection, except as otherwise provided in subsection (7) of this section. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least 7 days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subsection (7) of this section.

(7) Additional exposure assessments. Whenever there has been a change of equipment, process, control, personnel or a new task has been initiated that may result in additional employees being exposed to lead at or above the action level or may result in employees already exposed at or above the action level being exposed above the PEL, the employer shall conduct additional monitoring in accordance with this section.

(8) Employee notification.

(a) Within 5 working days after completion of the exposure assessment the employer shall notify each employee in writing of the results which represent that employee's exposure.

(b) Whenever the results indicate that the representative employee exposure, without regard to respirators, is at or above the PEL the employer shall include in the written notice a statement that the employee's exposure was at or above that level and a description of the corrective action taken or to be taken to reduce exposure to below that level.

(9) Accuracy of measurement. The employer shall use a method of monitoring and analysis which has an accuracy (to a confidence level of 95%) of not less than plus or minus 25 percent for airborne concentrations of lead equal to or greater than $30 \mu\text{g}/\text{m}^3$.

AMENDATORY SECTION (Amending Order 93-07, filed 10/29/93, effective 12/10/93)

WAC 296-155-17615 Protective work clothing and equipment. (1) Provision and use. Where an employee is exposed to lead above the PEL without regard to the use of respirators, where employees are exposed to lead compounds which may cause skin or eye irritation (e.g., lead arsenate, lead azide), and as protection for employees performing tasks as specified in WAC 296-155-17609(2), the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment that prevents contamination of the employee and the employee's garments such as, but not limited to:

(a) Coveralls or similar full-body work clothing;
(b) Gloves, hats, and shoes or disposable shoe coverlets;
and

(c) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC ((296-24-078)) 296-800-160.

(2) Cleaning and replacement.

(a) The employer shall provide the protective clothing required in subsection (1) of this section in a clean and dry condition at least weekly, and daily to employees whose exposure levels without regard to a respirator are over $200 \mu\text{g}/\text{m}^3$ of lead as an 8-hour TWA.

(b) The employer shall provide for the cleaning, laundering, and disposal of protective clothing and equipment required by subsection (1) of this section.

(c) The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

(d) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change areas provided for that purpose as prescribed in WAC 296-155-17619(2).

(e) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the change area which prevents dispersion of lead outside the container.

(f) The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead.

(g) The employer shall assure that the containers of contaminated protective clothing and equipment required by subdivision (e) of this subsection are labeled as follows:

Caution: Clothing contaminated with lead. Do not remove dust by blowing or shaking. Dispose of lead contaminated wash water in accordance with applicable local, state, or federal regulations.

(h) The employer shall prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

AMENDATORY SECTION (Amending WSR 94-16-145, filed 8/3/94, effective 9/12/94)

WAC 296-155-180 Hazard communication. General. The employer shall develop and maintain a chemical hazard communication program as required by ((chapter 296-

PROPOSED

62 WAC, Part C)) WAC 296-800-170, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may become exposed, in the course of their employment.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-155-200 General requirements. (1) Application.

(a) Protective equipment, including personal protective equipment for eyes, face, head, hearing, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.

(b) Employee owned equipment. Where employees provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance and sanitation of such equipment.

(c) Design. All personal protective equipment shall be of safe design and construction for the work to be performed.

(2) Construction personnel shall comply with plant or job safety practices and procedures, peculiar to particular industries and plants, relating to protective equipment and procedures when engaged in construction work in such plants or job sites.

(3) The employer is responsible for requiring the wearing of appropriate personal protective equipment in all operations where there is an exposure to hazardous conditions or where this part indicates a need for using such equipment to reduce the hazards to the employees.

(4) Where there is a danger of contact with moving parts of machinery, or the work process is such that a hazard exists:

(a) The clothing of employees shall fit closely about the body.

(b) Dangling neck wear, bracelets, wristwatches, rings, or similar articles shall not be worn by employees.

(5) Employees, whose duties are performed in areas and under circumstances where they are exposed to the danger of moving vehicles, shall wear work vests of highly visible materials, or equivalent distinguishing apparel.

(6) Employers shall ensure that employees wear no less than a short sleeved shirt, long pants, and shoes. Employees shall wear no less than a short sleeved shirt, long pants, and shoes. Shoes shall meet the requirements of WAC 296-155-212.

Note: For additional personal protective and life saving equipment requirements, refer to ((the general safety and health standards, WAC 296-24-075 through 296-24-092)) WAC 296-800-160.

AMENDATORY SECTION (Amending WSR 95-17-036, filed 8/9/95, effective 9/25/95)

WAC 296-155-20301 Definitions. Confined space means a space that:

(1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and

(2) Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and

(3) Is not designed for continuous employee occupancy.

"**Corrosives**" means substances which in contact with living tissue cause destruction of the tissue by chemical action.

"**Hazardous atmosphere**" means an atmosphere that may expose employees to the risk of death, incapacitation, impairment of ability to self-rescue (that is, escape unaided from a permit space), injury, or acute illness from one or more of the following causes:

(1) Flammable gas, vapor, or mist in excess of ten percent of its lower flammable limit (LFL);

(2) Airborne combustible dust at a concentration that meets or exceeds its LFL;

Note: This concentration may be approximated as a condition in which the dust obscures vision at a distance of five feet (1.52m) or less.

(3) Atmospheric oxygen concentration below 19.5 percent or above 23.5 percent;

(4) Atmospheric concentration of any substance for which a dose or a permissible exposure limit is published in chapter 296-62 WAC, general occupational health standards, and which could result in employee exposure in excess of its dose or permissible exposure limit;

Note: An atmospheric concentration of any substance that is not capable of causing death, incapacitation, impairment of ability to self-rescue, injury, or acute illness due to its health effects is not covered by this provision.

(5) Any other atmospheric condition that is immediately dangerous to life or health.

Note: For air contaminants for which WISHA has not determined a dose or permissible exposure limit, other sources of information, such as material safety data sheets that comply with the Chemical Hazard Communication Standard, ((chapter 296-62 WAC, Part C)) WAC 296-800-170, published information, and internal documents can provide guidance in establishing acceptable atmospheric conditions.

"**Irritants**" means substances which on immediate, prolonged, or repeated contact with normal living tissue will induce a local inflammatory reaction.

"**Oxygen deficient atmospheres**" means atmospheres at sea level having less than 19.5% oxygen by volume or having a partial pressure of 148 millimeters of mercury or less. This may deviate when working at higher altitudes and should be determined for an individual location. Factors such as acclimatization, physical condition of persons involved, etc., must be considered for such circumstances and condi-

tions. (See chapter 296-62 WAC, Part M, permit-required confined spaces.)

"**Toxicants**" means substances which have the inherent capacity to produce personal injury or illness to persons by absorption through any body surface.

AMENDATORY SECTION (Amending Order 94-07, filed 7/20/94, effective 9/20/94)

WAC 296-155-260 Fire protection. (1) General requirements.

(a) The employer shall be responsible for development of a fire protection program to be followed throughout all phases of construction and demolition work, and the employer shall provide for fire fighting equipment as specified in this part. As fire hazards occur, there shall be no delay in providing necessary equipment.

(b) Access to all available fire fighting equipment shall be maintained at all times.

(c) All fire fighting equipment, provided by the employer, shall be conspicuously located.

(d) All fire fighting equipment shall be periodically inspected by a competent person, and maintained in operating condition. Defective equipment shall be immediately replaced.

(e) As warranted by the project, the employer shall provide a trained and equipped fire fighting organization (fire brigade) to assure adequate protection to life.

(2) Water supply.

(a) A temporary or permanent water supply, of sufficient volume, duration, and pressure, required to properly operate fire fighting equipment shall be made available as soon as combustible materials accumulate.

(b) Where underground water mains are to be provided, they shall be installed, completed, and made available for use as soon as practicable.

(3) Portable fire fighting equipment.

(a) A fire extinguisher, rated not less than 2A, shall be provided for each 3,000 square feet of a combustible building area, or major fraction thereof. Travel distance from any point of the protected area to the nearest fire extinguisher shall not exceed a horizontal distance of 100 feet.

Note: One 55-gallon open drum of water with two fire pails may be substituted for a fire extinguisher having a 2A rating.

(b) A 1/2-inch diameter garden-type hose line, not to exceed 100 feet in length and equipped with a nozzle, may be substituted for a 2A-rated fire extinguisher, provided it is capable of discharging a minimum of 5 gallons per minute with a minimum hose stream range of 30 feet horizontally. The garden-type hose lines shall be mounted on conventional racks or reels. The number and location of hose racks or reels shall be such that at least one hose stream can be applied to all points in the area.

(c) One or more fire extinguishers, rated not less than 2A, shall be provided on each floor. In multistory buildings, where combustibles are present, at least one fire extinguisher shall be located adjacent to a stairway.

(d) Extinguishers and water drums, subject to freezing, shall be protected from freezing.














(e) A fire extinguisher, rated not less than 10B, shall be provided within 50 feet of wherever more than 5 gallons of flammable or combustible liquids or 5 pounds of flammable gas are being used on the jobsite. This requirement does not apply to the integral fuel tanks of motor vehicles.

(f) Carbon tetrachloride and other toxic vaporizing liquid fire extinguishers are prohibited.

(g) Portable fire extinguishers shall be inspected periodically and maintained in accordance with Maintenance and Use of Portable Fire Extinguishers, NFPA No. 10A-1981 and ~~((the general safety and health standards, chapter 296-24 WAC, Part G-3))~~ WAC 296-800-300.

(h) Fire extinguishers which have been listed or approved by a nationally recognized testing laboratory, shall be used to meet the requirements of this part. (See Table D-1)

PROPOSED

	WATER TYPE				FOAM	CARBON DIOXIDE	DRY CHEMICAL			
	 1 1/2" HOSE PREFORMED	 CHARGED HOSE REEL	 WATER PUMP TRUCK	 WATER TANK TRUCK			SODIUM OR POTASSIUM BICARBONATE		MULTI-PURPOSE ABC	
							 CARTRIDGE OPERATED	 STORED PRESSURE	 STORED PRESSURE	 CARTRIDGE OPERATED
CLASS A FIRES WOOD, PAPER, RUBBER, GLASS, CLOTHING, PLASTICS 	YES	YES	YES	YES	YES	NO <small>(WET WALL CORROSION TEST 1 SURFACE FRESH)</small>	NO <small>(WET WALL CORROSION TEST 1 SURFACE FRESH)</small>	NO <small>(WET WALL CORROSION TEST 1 SURFACE FRESH)</small>	YES	YES
CLASS B FIRES LIQUID BURNING FLUIDS, GASOLINE, OIL, PAINTS, GREASE, FUEL 	NO	NO	NO	NO	YES	YES	YES	YES	YES	YES
CLASS C FIRES ELECTRICAL EQUIPMENT 	NO	NO	NO	NO	NO	YES	YES	YES	YES	YES
CLASS D FIRES COMBUSTIBLE METALS 	SPECIAL EXTINGUISHING AGENTS APPROVED BY RECOGNIZED TESTING LABORATORIES									
METHODS OF OPERATION	FULL PWR - 1489FFF LEVER	TWIN SPINDLE GUNS AND PUMP	PUMP HANDLE	TWIN SPINDLE GUNS	TWIN SPINDLE GUNS	FULL PWR 1204422 (PWR)	100% ABC 1489FFF (PWR)	FULL PWR 1489FFF HANDLE	FULL PWR - 1489FFF HANDLE P	100% ABC 1489FFF (PWR)
RANGE	30' - 40'	30' - 40'	30' - 40'	30' - 40'	30' - 40'	5' - 8'	5' - 20'	5' - 20'	5' - 20'	5' - 20'
MAINTENANCE	TEST AND RECHARGE MONTHLY	WHEN USE CHECKED MONTHLY WHEN IF RECHARGE MONTHLY	RECHARGE AND FILL WITH WATER MONTHLY	DISCHARGE MONTHLY RECHARGE	RECHARGE MONTHLY RECHARGE	WHEN USE MONTHLY	WHEN USE CHECK CONDITION OF DRY CHEMICAL MONTHLY	CHECK PRESSURE GAGE AND CONDITION OF DRY CHEMICAL MONTHLY	WHEN USE CHECK CONDITION OF DRY CHEMICAL MONTHLY	WHEN USE CHECK CONDITION OF DRY CHEMICAL MONTHLY

PROPOSED

Note: One hundred feet, or less, of 1-1/2 inch hose, with a nozzle capable of discharging water at 25 gallons or more per minute, may be substituted for a fire extinguisher rated not more than 2A in the designated area provided that the hose line can reach all points in the area.

(i) If fire hose connections are not compatible with local fire fighting equipment, the contractor shall provide adapters, or equivalent, to permit connections.

(j) During demolition involving combustible materials, charged hose lines, supplied by hydrants, water tank trucks with pumps, or equivalent, shall be made available.

(4) Fixed fire fighting equipment.

(a) Sprinkler protection.

(i) If the facility being constructed includes the installation of automatic sprinkler protection, the installation shall closely follow the construction and be placed in service as soon as applicable laws permit following completion of each story.

(ii) During demolition or alterations, existing automatic sprinkler installations shall be retained in service as long as reasonable. The operation of sprinkler control valves shall be permitted only by properly authorized persons.

Note: Modification of sprinkler systems to permit alterations or additional demolition should be expedited so that the automatic protection may be returned to service as quickly as possible. Sprinkler control valves shall be checked daily at close of work to ascertain that the protection is in service.

(b) Standpipes. In all structures in which standpipes are required, or where standpipes exist in structures being altered, they shall be brought up as soon as applicable laws permit, and shall be maintained as construction progresses in such a manner that they are always ready for fire protection use. The standpipes shall be provided with Siamese fire

department connections on the outside of the structure, at the street level, which shall be conspicuously marked. There shall be at least one standard hose outlet at each floor.

(5) Fire alarm devices.

(a) An alarm system, e.g., telephone system, siren, etc., shall be established by the employer whereby employees on the site and the local fire department can be alerted for an emergency.

(b) The alarm code and reporting instructions shall be conspicuously posted at phones and at employee entrances.

(6) Fire cutoffs.

(a) Fire walls and exit stairways, required for the completed buildings, shall be given construction priority. Fire doors, with automatic closing devices, shall be hung on openings as soon as practical.

(b) Fire cutoffs shall be retained in buildings undergoing alterations or demolition until operations necessitate their removal.

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.

AMENDATORY SECTION (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

WAC 296-155-407 Protective clothing. (1) General requirements. Employees exposed to the hazards created by welding, cutting, or brazing operations shall be protected by personal protective equipment in accordance with the requirements of chapter 296-24 WAC, ((Part A-2 and)) Part I and WAC 296-800-160. Appropriate protective clothing required for any welding operation will vary with the size, nature and location of the work to be performed.

(2) Specified protective clothing. Protective means which may be employed are as follows:

(a) Except when engaged in light work, all welders should wear flameproof gauntlet gloves.

(b) Flameproof aprons made of leather, or other suitable material may also be desirable as protection against radiated heat and sparks.

(c) Woolen clothing preferable to cotton because it is not so readily ignited and helps protect the welder from changes in temperature. Cotton clothing, if used, should be chemically treated to reduce its combustibility. All outer clothing such as jumpers or overalls should be reasonably free from oil or grease.

(d) Sparks may lodge in rolled-up sleeves or pockets of clothing, or cuffs of overalls or trousers. It is therefore recommended that sleeves and collars be kept buttoned and pockets be eliminated from the front of overalls and aprons. Trousers or overalls should not be turned up on the outside.

Note: For heavy work, fire-resistant leggings, high boots, or other equivalent means should be used.

(e) In production work a sheet metal screen in front of the worker's legs can provide further protection against sparks and molten metal in cutting operations.

(f) Capes or shoulder covers made of leather or other suitable materials should be worn during overhead welding or cutting operations. Leather skull caps may be worn under helmets to prevent head burns.

(g) Where there is exposure to sharp or heavy falling objects, or a hazard of bumping in confined spaces, hard hats or head protectors shall be used.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-155-120 First-aid training and certification. This section is designed to assure that all employees in this state are afforded quick and effective first-aid attention in the event of an on the job injury. To achieve this purpose the presence of personnel trained in first-aid procedures at or near those places where employees are working is required. Compliance with the provisions of this section may require the presence of more than one first-aid trained person.

(1) The first-aid training requirements of the ~~((general))~~ safety and health ~~((standards))~~ **core rules**, chapter ~~((296-24))~~ **296-800** WAC, ~~((Part A-1))~~ apply within the scope of chapter 296-155 WAC.

(2) Each employer must have available at all worksites, where a crew is present, a person or persons holding a valid first-aid certificate.

(3) All crew leaders, supervisors or persons in direct charge of one or more employees must have a valid first-aid certificate.

(4) For the purposes of this section, a crew means a group of two or more employees working at any worksite.

Note: The requirement that all crew leaders, supervisors or person in direct charge of one or more employees (subsection (3) of this section) applies even if other first-aid trained person(s) are available. In emergencies, crew leaders will be permitted to work up to thirty days without having the

required certificate, providing an employee in the crew or another crew leaders in the immediate work area has the necessary certificate.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-155-125 First-aid supplies. (1) The first-aid kits and supplies requirements of the ~~((general))~~ safety and health ~~((standards))~~ **core rules**, chapter ~~((296-24))~~ **296-800** WAC, ~~((Part A-1))~~ apply within the scope of chapter 296-155 WAC.

(2) All vehicles used to transport work crews must be equipped with first-aid supplies.

(3) When practical, a poster must be fastened and maintained either on or in the cover of each first-aid kit and at or near all phones plainly stating the worksite address or location, and the phone numbers of emergency medical responders for the worksite.

(4) Requirements of WAC 296-62-130, Emergency washing facilities, apply within the scope of chapter 296-155 WAC.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-155-130 First-aid station. Employers with fifty or more employees per shift at one location must establish a first-aid station in accordance with the requirements in chapter ~~((296-24))~~ **296-800** WAC ~~((, Part A-1))~~.

AMENDATORY SECTION (Amending Order 92-15, filed 2/3/93, effective 3/15/93)

WAC 296-155-17321 Hygiene facilities and practices. (1) General.

(a) The employer shall provide decontamination areas for employees required to work in regulated areas or required by WAC 296-155-17319 to wear protective clothing. Exception: In lieu of the decontamination area requirement specified in this subsection, the employer may permit employees engaged in small scale, short duration operations, to clean their protective clothing or dispose of the protective clothing before such employees leave the area where the work was performed.

(b) Change areas. The employer shall ensure that change areas are equipped with separate storage facilities for protective clothing and street clothing, in accordance with WAC 296-24-12011.

(c) Equipment area. The equipment area shall be supplied with impermeable, labeled bags and containers for the containment and disposal of contaminated protective clothing and equipment.

(2) Shower area.

(a) Where feasible, shower facilities shall be provided which comply with WAC ~~((296-24-12009(3)))~~ **296-24-12010** wherever the possibility of employee exposure to airborne levels of MDA in excess of the permissible exposure limit exists.

(b) Where dermal exposure to MDA occurs, the employer shall ensure that materials spilled or deposited on the skin are removed as soon as possible by methods which do not facilitate the dermal absorption of MDA.

(3) Lunch areas.

(a) Whenever food or beverages are consumed at the worksite and employees are exposed to MDA the employer shall provide clean lunch areas where MDA levels are below the action level and where no dermal exposure to MDA can occur.

(b) The employer shall ensure that employees wash their hands and faces with soap and water prior to eating, drinking, smoking, or applying cosmetics.

(c) The employer shall ensure that employees do not enter lunch facilities with contaminated protective work clothing or equipment.

AMENDATORY SECTION (Amending WSR 99-10-071, filed 5/4/99, effective 9/1/99)

WAC 296-155-17625 Employee information and training. (1) General.

(a) The employer shall communicate information concerning lead hazards according to the requirements of WISHA's Hazard Communication Standard for the construction industry, (~~part C of~~) chapter (~~(296-62)~~) 296-800 WAC, including but not limited to the requirements concerning warning signs and labels, material safety data sheets (MSDS), and employee information and training. In addition, employers shall comply with the following requirements:

(b) For all employees who are subject to exposure to lead at or above the action level on any day or who are subject to exposure to lead compounds which may cause skin or eye irritation (e.g., lead arsenate, lead azide), the employer shall provide a training program in accordance with subsection (2) of this section and assure employee participation.

(c) The employer shall provide the training program as initial training prior to the time of job assignment or prior to the start up date for this requirement, whichever comes last.

(d) The employer shall also provide the training program at least annually for each employee who is subject to lead exposure at or above the action level on any day.

(2) Training program. The employer shall assure that each employee is trained in the following:

(a) The content of this standard and its appendices;

(b) The specific nature of the operations which could result in exposure to lead above the action level;

(c) The training requirements for respiratory protection as required by chapter 296-62 WAC, Part E (see WAC 296-62-07117, 296-62-07172, and WAC 296-62-07186 through 296-62-07190);

(d) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females and hazards to the fetus and additional precautions for employees who are pregnant);

(e) The engineering controls and work practices associated with the employee's job assignment including training of

employees to follow relevant good work practices described in Appendix B, WAC 296-155-17652;

(f) The contents of any compliance plan in effect;

(g) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician; and

(h) The employee's right of access to records under Part B, chapter 296-62 WAC and chapter 296-800 WAC.

(3) Access to information and training materials.

(a) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

(b) The employer shall provide, upon request, all materials relating to the employee information and training program to affected employees and their designated representatives, and the director.

AMENDATORY SECTION (Amending WSR 95-04-007, filed 1/18/95, effective 3/1/95)

WAC 296-155-407 Protective clothing. (1) General requirements. Employees exposed to the hazards created by welding, cutting, or brazing operations shall be protected by personal protective equipment in accordance with the requirements of chapter (~~(296-24)~~) 296-800 WAC, (~~Part A-2~~) and chapter 296-24 WAC, Part I. Appropriate protective clothing required for any welding operation will vary with the size, nature and location of the work to be performed.

(2) Specified protective clothing. Protective means which may be employed are as follows:

(a) Except when engaged in light work, all welders should wear flameproof gauntlet gloves.

(b) Flameproof aprons made of leather, or other suitable material may also be desirable as protection against radiated heat and sparks.

(c) Woolen clothing preferable to cotton because it is not so readily ignited and helps protect the welder from changes in temperature. Cotton clothing, if used, should be chemically treated to reduce its combustibility. All outer clothing such as jumpers or overalls should be reasonably free from oil or grease.

(d) Sparks may lodge in rolled-up sleeves or pockets of clothing, or cuffs of overalls or trousers. It is therefore recommended that sleeves and collars be kept buttoned and pockets be eliminated from the front of overalls and aprons. Trousers or overalls should not be turned up on the outside.

Note: For heavy work, fire-resistant leggings, high boots, or other equivalent means should be used.

(e) In production work a sheet metal screen in front of the worker's legs can provide further protection against sparks and molten metal in cutting operations.

(f) Capes or shoulder covers made of leather or other suitable materials should be worn during overhead welding or cutting operations. Leather skull caps may be worn under helmets to prevent head burns.

(g) Where there is exposure to sharp or heavy falling objects, or a hazard of bumping in confined spaces, hard hats or head protectors shall be used.

AMENDATORY SECTION (Amending Order 74-19, filed 5/6/74)

WAC 296-301-010 Textiles—Application requirements. (1) Application. The requirements of this chapter for textile safety apply to the design, installation, processes, operation, and maintenance of textile machinery, equipment, and other plant facilities in all plants engaged in the manufacture and processing of textiles, except those processes used exclusively in the manufacture of synthetic fibers.

(2) These standards shall be augmented by the Washington state general safety and health standards, and any other regulations of general application which are or will be made applicable to all industries.

(3) The provisions of this chapter shall prevail in the event of conflict with or duplication of, provisions contained in chapter 296-24 WAC, the general safety and health standards (~~and~~), chapter 296-62 WAC, the general occupational health standards, and chapter 296-800 WAC, the safety and health core rule book.

(4) WAC (~~(296-24-006 through)~~) 296-24-012 (~~(of the general safety and health standards,)~~) and 296-800-360 shall apply where applicable to this industry.

AMENDATORY SECTION (Amending WSR 99-17-094 and 99-22-093, filed 8/17/99 and 11/2/99, effective 1/1/00)

WAC 296-301-020 General safety requirements. (1) Means of stopping machines. Every textile machine shall be provided with individual mechanical or electrical means for stopping such machines. On machines driven by belts and shafting a locking-type shifter or an equivalent positive device shall be used. On operations where injury to the operator might result if motors were to restart after power failures, provision shall be made to prevent machines from automatically restarting upon restoration of power.

(2) Handles. Stopping and starting handles shall be designed to the proper length to prevent the worker's hand or fingers from striking against any revolving part, gear guard, or any other part of the machine.

(3) Machine guarding. An employer must ensure that power transmission parts are guarded according to the requirements of WAC 296-24-205 through 296-24-20527.

(4) Housekeeping. Aisles and working spaces shall be kept in good order in accordance with requirements of WAC 296-24-735 through 296-24-73505 and WAC 296-800-220.

(5) Inspection and maintenance. All guards and other safety devices, including starting and stopping devices, shall be properly maintained.

(6) Lighting and illumination. Lighting and illumination shall conform to (~~the general occupational health standards, chapter 296-62~~) the safety and health core rule book, WAC 296-800-210.

(7) Identification of piping systems. Identification of piping systems shall conform to American National Standard A13.1-1956.

(8) Identification of physical hazards. Identification of physical hazards shall be in accordance with the requirements of WAC 296-24-135 through 296-24-13503, of the general safety and health standards.

(9) Steam pipes. All pipes carrying steam or hot water for process or servicing machinery, when exposed to contact and located within seven feet of the floor or working platform shall be covered with a heat-insulating material, or guarded with equivalent protection.

AMENDATORY SECTION (Amending WSR 99-17-094, filed 8/17/99, effective 12/1/99)

WAC 296-301-220 Personal protective equipment. (1) Personal protective equipment. Workers engaged in handling acids or caustics in bulk, repairing pipe lines containing acids or caustics, etc., shall be provided with personal protective equipment to conform to the requirements of WAC (~~(296-24-07501 and 296-24-07801)~~) 296-800-160.

(2) Respiratory protection. Employers must provide respiratory protection as required in chapter 296-62 WAC, Part E.

AMENDATORY SECTION (Amending WSR 00-01-038, filed 12/7/99, effective 2/1/00)

WAC 296-301-215 First aid. The first-aid provisions of (~~chapter 296-24 WAC, Part A-1 of the general safety and health standards,)~~ the safety and health core rule book, WAC 296-800-150 apply within the scope of chapter 296-301 WAC.

AMENDATORY SECTION (Amending Order 74-17, filed 5/6/74)

WAC 296-302-010 Bakery equipment—General requirements. (1) Application. The requirements of this chapter shall apply to the design, installation, operation and maintenance of machinery and equipment used within a bakery.

(2) These standards shall be augmented by the Washington state general safety and health standards, and any other regulations of general application which are or will be made applicable to all industries.

(3) The provisions of this chapter shall prevail in the event of a conflict with, or duplication of, provisions contained in chapters 296-24 (~~and~~), 296-62, and 296-800 WAC.

(4) WAC (~~(296-24-006 through)~~) 296-24-012 (~~(of the general safety and health standards, chapter 296-24 WAC)~~) and 296-800-360, shall apply where applicable to this industry.

AMENDATORY SECTION (Amending Order 74-17, filed 5/6/74)

WAC 296-302-02501 General requirements for flour-handling. (1) Wherever any of the various pieces of apparatus comprising a flour-handling system are run in electrical unity with one another the following safeguards shall apply:

(a) Each apparatus shall be safeguarded by a disconnecting means for the motor circuits as required by National Electrical Code - 1971 edition.

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(b) Wherever a flour-handling system is of such size that the beginning of its operation is far remote from its final delivery end, all electric motors operating each apparatus comprising this system shall be controlled at each of two points, one located at each remote end, either of which will stop all motors.

(c) Motor control switches shall be capable of being locked in the open position.

(d) Control circuits for magnetic controllers shall be so arranged that the opening of any one of several limit switches, which may be on an individual unit, will serve to de-energize all of the motors of that unit.

(2) Removable covers on all flour-handling equipment shall be so designed that the lifting effort shall not be more than 50 pounds.

(3) Wherever flour-handling systems are of large construction, suitable walkways or platforms or both shall be constructed around and over bins and apparatus, in accordance with the applicable requirements of the general safety and health standard((s)), chapter 296-24 WAC and safety and health core rules, chapter 296-800 WAC.

(a) All walkway surfaces shall be maintained in nonslip condition.

(b) Elevated walkways shall have railings and toeboards in compliance with applicable requirements of the general safety and health standard((s)), chapter 296-24 WAC and safety and health core rules, chapter 296-800 WAC.

(c) All ladders leading to upper walkways shall be in accordance with the applicable requirements of the general safety and health standard((s)), chapter 296-24 WAC and safety and health core rules, chapter 296-800 WAC.

(d) Wherever walkways are near the ceiling construction of the building, where obstruction to head room is lower than normal standing height, methods shall be provided to warn any occupant of the walkway. This should be done by means of "tell tales" or other suitable means located ahead of the obstruction. Suitable signs shall also be placed on walkways warning occupants of possible danger.

(4) All oscillating and vibrating sifters shall be protected with guard rails in compliance with applicable requirements of the general safety and health standard((s)), chapter 296-24 WAC and safety and health core rules, chapter 296-800 WAC.

(5) All mechanical transmission shafting, gearing, and sprocket drives shall be completely guarded, preferably with dust-tight housing. Lubrication fittings shall extend to the outside of the guard.

(6) All guards shall be readily removable.

(7) All flour-handling equipment, each individual unit or the entire system collectively, shall be so constructed that all interior or exterior protruding corners are of a rounded nature.

(8) When Class II hazardous conditions prevail, electric motors, motor controllers, and switches shall be of the type approved for such locations in accordance with the requirements of the National Electrical Code - 1971 edition.

AMENDATORY SECTION (Amending Order 74-17, filed 5/6/74)

WAC 296-302-050 Miscellaneous equipment. (1) Proof boxes. All door locks shall be operable both from within and outside the box. Guide rails shall be installed to center the rack as it enters, passes through, and leaves the proof box.

(2) Fermentation room. Fermentation room doors shall have nonshatterable wire glass or plastic panels for vision through doors.

(3) Troughs. Troughs shall be mounted on antifriction bearing casters thus making it possible for the operator to move and direct the motion of the trough with a minimum of effort.

(4) Hand trucks.

(a) Casters shall be set back from corners to be out of the way of toes and heels, but not far enough back to cause the truck to be unstable.

(b) A lock or other device shall be provided to hold the handle in vertical position when the truck is not in use.

(5) Lift trucks. A lock or other device shall be provided to hold the handle in vertical position when the truck is not in use.

(6) Racks.

(a) Sharp splintered or rough corners and edges shall be eliminated.

(b) Racks shall be equipped with handles so located with reference to the frame of the rack that no part of the operator's hands extends beyond the outer edge of the frame when holding onto the handles.

(c) Antifriction bearing casters shall be used to give the operator better control of the rack.

(d) End guards shall be used at shelf levels on proofing racks.

(7) Conveyors.

(a) Wherever a conveyor passes over a main aisleway, regularly occupied work area, or passageway, the underside of the conveyor shall be completely enclosed to prevent broken chains or other material from falling in the passageway or work area.

(b) Stop bumpers shall be installed on all delivery ends of conveyors, wherever manual removal of the product carried is practiced.

(c) All conveyors shall have stop buttons at all operating stations. In addition, emergency stop bars or switches shall be installed at any machine infeed location fed by the conveyor where pinch points exist.

(8) Overhead rail systems.

(a) Handles for operating devices for trolley switches which hang less than 6 feet 8 inches from the floor shall be of pliable material.

(b) Floor scales. Nonshatterable transparent material shall be used to cover dials.

(9) Dough chutes. The entrance to the chute shall be guarded so as to protect the employee from falling into chute, stepping into chute, or tripping over too low an edge of the chute.

(10) Skids.

(a) All sharp corners or edges shall be eliminated on all metal skids.

(b) All edges and corners shall be protected on skids to prevent exposed splinters.

(11) Ingredient premixers, (~~(emulsifiers))~~ emulsifiers, etc.

(a) All top openings shall be provided with covers attached to the machines. These covers should be so arranged and interlocked that power will be shutoff whenever the cover is opened to a point where the operator's fingers might come in contact with the beaters.

(b) Portable electrical agitators for ingredient premixers shall have the attachment cord so wired that the agitator will be grounded whenever it is connected to a source of power.

(12) Chain tackle.

(a) All chain tackle shall be marked prominently, permanently, and legibly with maximum load capacity.

(b) All chain tackle shall be marked permanently, and legibly with minimum support specification.

(c) Safety hooks shall be used.

(13) Trough hoists, etc.

(a) All hoists shall be marked prominently, permanently, and legibly with maximum load capacity.

(b) All hoists shall be marked permanently and legibly with minimum support specifications.

(c) Safety catches shall be provided for the chain so that the chain will hold the load in any position.

(d) Safety hooks shall be used.

(14) Air-conditioning units.

(a) All sharp corners and edges shall be eliminated.

(b) On large units with doors to chambers large enough to be entered, all door locks shall be operable from both inside and outside.

(15) Pan washing tanks.

(a) Counter-balanced hinged covers, or sliding covers, shall be provided.

(b) The surface of the floor of the working platform shall be maintained in nonslip condition.

(c) Working platforms shall be kept at least 32 inches below the top of the tank or guardrail.

(d) All electrical sockets in pan washing rooms shall be nonmetallic and keyless and other electrical equipment shall be moisture proof.

(e) Power ventilated exhaust hoods shall be provided over the tanks.

(16) Pan washing machines. Sharp corners and edges shall be eliminated.

(17) Cake depositors. All pinch points shall be eliminated, guarded, or shielded so that hands and arms cannot reach these pinch points while the machine is in operation.

(18) Icing machines. All pinch points shall be eliminated, or provided with guards or shields so hands and arms cannot reach these pinch points while the machine is in operation.

(19) Bread coolers, conveyor type.

(a) All pinch points shall be eliminated or guarded.

(b) Stop bumpers on all delivery ends of conveyors shall be installed wherever manual removal of the product carried is practiced.

(20) Bread coolers, rack type.

(a) Guardrails shall be installed to the center rack as it enters and leaves the cooler.

(b) All door locks shall be operable from both within and outside the cooler.

(21) Bread and cake boxes, trays, etc.

(a) Sharp corners and edges shall be eliminated on metal parts.

(b) All wooden corners and edges shall be protected to prevent splinters.

(22) Doughnut machines. Separate flues shall be provided, (a) for venting vapors from the frying section, and (b) for venting products of combustion from the combustion chamber used to heat the fat.

(23) Open fat kettles.

(a) The floor around kettles shall be maintained in non-slip condition.

(b) Fire extinguishing devices suitable for Class-B fires shall be provided. See (~~(general safety and health standards,))~~ WAC (~~(296-24-590))~~ 296-800-300, fire extinguishers.

(c) Goggles or face shields shall be provided to prevent injuries from hot fat splashes.

(d) The top of the kettle shall be not less than 36 inches above floor or working level.

(24) Steam kettles.

(a) Positive locking devices shall be provided to hold kettles in the desired position.

(b) Kettles with steam jackets shall be provided with safety valves in accordance with the ASME Pressure Vessel Code, section VIII, Unfired Pressure Vessels, 1968.

AMENDATORY SECTION (Amending Order 74-17, filed 5/6/74)

WAC 296-302-060 Biscuit and cracker equipment.

(1) Meal, peanut, and fig grinders.

(a) If the hopper is removable it shall be provided with an electric interlock so that the machine cannot be put in operation when the hopper is removed.

(b) Where grid guards cannot be used, feed conveyors to hoppers, or baffle-type hoppers, shall be provided. Hoppers in such cases shall be enclosed and provided with hinged covers, and equipped with electric interlock to prevent operation of the machine with the cover open.

(2) Sugar and spice pulverizers.

(a) All drive belts used in connection with sugar and spice pulverizers shall be grounded by means of metal combs or other effective means of removing static electricity. All pulverizing of sugar or spice grinding shall be done in accordance with NFPA 62-1967 (Standard for Dust Hazards of Sugar and Cocoa), NFPA 656-1959 (Standard for Dust Hazards in Spice Grinding Plants).

(b) Magnetic separators shall be provided to reduce fire and explosion hazards.

(3) Cheese, fruit, and food cutters. These machines shall be protected in accordance with the requirements of (1) of this section.

(4) Jam, icing, and marshmallow beaters of horizontal tub type. All top openings shall be provided with covers attached to the machines.

(5) Reversible dough brakes. Reversible brakes shall be provided with a guard or tripping mechanism on each side of the rolls. These guards shall be so arranged as to stop the machine or reverse the direction of the rolls so that they are outrunning if the guard is moved by contact of the operator.

(6) Cross-roll brakes. Cross-roll brakes shall be provided with guards that are similar in number and equal in effectiveness to guards on hand-fed brakes.

(7) Box- and roll-type dough sheeters.

(a) Sheeting rolls shall be guarded at the point where the dough enters the rolls so that the operator's fingers cannot get into the nip point.

(b) Hoppers for sheeters shall have an automatic stop bar or automatic stopping device along the back edge of the hopper. If construction does not permit location at the back edge, the automatic stop bar or automatic stopping device shall be located where it will be most effective to accomplish the desired protection.

(8) Cutting and panning, embossing, peeling, bar, and frutana machines.

(a) Roll stands, other than hand fed, shall be guarded at the point where the dough enters the rolls so that the operator's fingers cannot get into the nip points.

(b) Guards shall be provided at each side of the cutter to prevent hands from getting under the cutter.

(c) Reciprocating panner heads shall be guarded to protect the operator from being caught between moving and stationary parts.

(d) Motor control buttons shall be located within view of the cutting head.

(9) Rotary, die machines, pretzel rolling, and pretzel-stick extruding machines. Dough hoppers shall have the entire opening protected with grid-type guards to prevent the employee from getting his hands caught in moving parts, or the hopper shall be extended high enough so that the operator's hands cannot get into moving parts.

(10) Band ovens. Band ovens shall be so arranged, or guarded, that the operator cannot get caught at the nip point between the band and the drive pulley or the takeup pulley, or between the oven conveyor and the oven frame.

(11) Wafer-cutting machines. These machines shall be so guarded that it will be impossible for employee's fingers or hands to come in contact with the saws or knives while feeding the machine.

(12) Pan cooling towers.

(a) Where pan cooling towers extend to two or more floors, a lockout switch shall be provided on each floor in order that mechanics working on the tower may positively lock the mechanism against starting. Only one start switch shall be used in the motor control circuit.

(b) All unused sides of pan cooling tower conveyors shall be enclosed or effectively guarded to a height of 7 feet above each floor.

(c) Wherever a pan cooling tower conveyor passes through a floor, the opening shall be protected by a standard railing and toeboard as defined by the general safety and health standard((s)), chapter 296-24 WAC and safety and health core rules, chapter 296-800 WAC, or by other equivalent protection.

(d) Wherever a pan conveyor passes over a main aisleway, regularly occupied work area, or passageway, the underside of the conveyor shall be completely enclosed to prevent pans, broken chains, or other material from falling in the aisleway, work area or passageway.

(e) Sprocket wheels of pan conveyors shall be enclosed so that accidental contact cannot be made at the point where the chain comes in contact with the sprocket.

(f) Wherever conveyor bars, flights, and attachments pass in opposite directions within 6 inches of each other, a sheet metal partition or screen with openings no larger than one-half inch shall be placed between the conveyor chains which run in opposite directions.

(13) Chocolate melting, refining, and mixing kettles. Each kettle shall be provided with a cover to enclose the top of the kettle. The bottom outlet of each kettle shall be of such size and shape that the operator cannot reach in to touch the revolving paddle or come in contact with the shear point between the paddle and the side of the kettle.

(14) Caddie, cover, and box stitchers (wire stitchers). A guard shall be mounted on the stitching head to prevent operators from getting fingers caught between the stitching head and the clincher block.

(15) Carton-wrapping and bundling machines. The end seal drums on carton and bundling machines shall be provided with guards.

(16) Carton and lining feeding machines. Cutting knives shall be provided with a hinged hood to cover the knives. These guards shall be electrically interlocked to stop the machine if they are removed.

(17) Peanut cooling trucks. Mechanically operated peanut cooling trucks shall have a grid-type cover over the entire top.

AMENDATORY SECTION (Amending Order 74-17, filed 5/6/74)

WAC 296-302-06513 Oil-burning equipment. (1) The storage and distribution of fuel oil in bakeries shall be arranged according to reference NFPA 31-1968 Standard for Installation of Oil Burning Equipment.

(2) Oil burners shall be of a type approved by Underwriters' Laboratories, Inc. (See WAC ((~~296-24-006, of the general safety and health standards~~)) 296-800-360, using standards from outside organizations.)

(a) Each oil burner shall be equipped with an electric ignition or gas pilot.

(b) Oil burners shall be protected against flame failure and overflowing of oil by a quick-acting combustion safeguard operated by the main burner flame. The time interval between flame failure and fuel shutoff shall be short enough to prevent a dangerous accumulation of an explosive mixture or the entry of a dangerous amount of fuel oil into the heating system; with the exception that on ovens requiring 150,000 b.t.u. per hour or less any combustion safeguard listed by the Underwriters Laboratories, Inc., may be used. (See WAC 296-24-006, of the general safety and health standards.)

(c) The shutting off of the fuel supply shall be accomplished by stopping the individual burner pump equipped with a pressure cutoff valve, or by closing a suitable valve.

(d) Oil-fired ovens shall have dampers so arranged that a small amount of air is passed through the furnace at all times.

(e) Oil burners capable of being withdrawn from the furnace (for adjustment, etc.) shall be provided with an interlock which will prevent the burner from starting when in the withdrawn position.

(f) Preheating of oil, where necessary, shall be done by steam, hot water, or electric heater, and shall be thermostatically controlled. Heaters shall be substantially constructed with all joints made oil tight. Thermometers shall be installed at accessible locations to indicate the temperature of the heated oil. Heaters shall be bypassed or provided with means to prevent abnormal pressure.

(g) Oil burners equipped with mechanical means for supplying air shall have an interlock between the air pressure and the oil supply so that the burner cannot operate unless air for proper combustion is available.

(3) High-pressure atomizing oil burners shall be provided with a pressure cutoff valve between the pump and the nozzle.

(4) Air atomizing burners equipped with maximum-minimum or modulating controls, and which are arranged to have the ignition turned off after initial lighting has been accomplished, shall be equipped with a quick-acting flame safeguard directly actuated by the main flame of the burner.

(5) Mechanical atomizing burners of the rotary type shall be operated on the on-off principle and shall be equipped with safeguards actuated by the main flame.

(6) Evaporator-type burners shall be installed in such a way that provision is made to open the draft damper before oil can be admitted to the burners.

(7) Burners supplied by "vapofiers" shall be equipped with a protected gas or electric pilot. In combination vapofier-gas heating systems, the burner shall be protected in accordance with the requirements of WAC 296-302-06509.

AMENDATORY SECTION (Amending Order 74-18, filed 5/6/74)

WAC 296-303-01001 General industrial safety standards. (1) General. These standards shall be augmented by the Washington state general safety and health standards, and any other regulations of general application which are or will be made applicable to all industries.

(2) Additional requirements. The employer shall comply with the provisions of the standards referenced in this section. In the event of any conflict between this section and WAC 296-303-015 through 296-303-040, the requirements of WAC 296-303-015 through 296-303-040 shall apply. The provisions of this chapter shall prevail in the event of conflict with, or duplication of, provisions contained in chapters 296-24 ((and)), 296-62, and 296-800 WAC.

(a) Industrial lighting. American National Standard Practice for Industrial Lighting, ANSI A11.1-1965 (R-1970).

(b) Floor and wall openings, railings, and toeboards. American National Standard Safety Requirements for Floor and Wall Openings, Railings, and Toeboards, ANSI A13.1-1956.

(c) Identification of piping systems. American National Standard Safety Standard for Mechanical Power Transmission Apparatus, ANSI A13.1-1956.

(d) Mechanical power transmission apparatus. American National Standard Safety Standard for Mechanical Power Transmission Apparatus, ANSI B15.1-1971.

(e) Pressure piping—Power piping. American National Standard Code for Pressure Piping—Power Piping, ANSI B31.1.0-1967. Addenda to the American National Standard Code for Pressure Piping—Power Piping, ANSI B31.1.0a-1969.

(f) Sanitation. American National Standard Requirements for Sanitation in Places of Employment, ANSI Z4.1-1968.

(g) Local exhaust systems. American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2-1960.

(h) Gas appliances and gas piping. American National Standard for the Installation of Gas Appliances and Gas Piping, ANSI Z21.30-1964.

(3) WAC ((~~296-24-006 through~~)) 296-24-012 ((~~of the general safety and health standards, chapter 296-24 WAC,~~)) and 296-800-360 shall apply where applicable to this industry.

AMENDATORY SECTION (Amending WSR 98-02-006, filed 12/26/97, effective 3/1/98)

WAC 296-304-010 Scope and application. (1) The provisions and standards of the general safety and health standards, chapters 296-24 ((and)), 296-62 and 296-800 WAC, and such other codes and standards as are promulgated by the department of labor and industries which are applicable to all industries, shall be applicable in the ship repairing, shipbuilding, or shipbreaking industries whenever the employees are covered under the Washington State Industrial Safety and Health Act, chapter 49.17 RCW. The rules of this chapter and the rules of the aforementioned chapters 296-24 ((and)), 296-62, and 296-800 WAC are applicable to all ship repairing, shipbuilding, and shipbreaking industries and operations, provided that such rules shall not be applicable to those operations under the exclusive safety jurisdiction of the federal government.

(2) The responsibility for compliance with these regulations is placed upon "employers" as defined in WAC 296-304-01001.

(3) It is not the intent of these regulations to place additional responsibilities or duties on owners, operators, agents or masters of vessels unless such persons are acting as employers, nor is it the intent of these regulations to relieve such owners, operators, agents or masters of vessels from responsibilities or duties now placed upon them by law, regulation or custom.

(4) The responsibilities placed upon the competent person herein shall be deemed to be the responsibilities of the employer.

AMENDATORY SECTION (Amending WSR 98-02-006, filed 12/26/97, effective 3/1/98)

WAC 296-304-06013 Health and sanitation. "Hazardous material" - A material with one or more of the following characteristics:

- Has a flash point below 140°F, closed cup, or is subject to spontaneous heating;
- Has a threshold limit value below 500 p.p.m. in the case of a gas or vapor, below 500 mg./m.3 for fumes, and below 25 m.p.p.c.f. in case of a dust;
- Has a single dose oral LD50 below 500 mg./kg.;
- Is subject to polymerization with the release of large amounts of energy;
- Is a strong oxidizing or reducing agent;
- Causes first degree burns to skin in short time exposure, or is systematically toxic by skin contact; or
- In the course of normal operations, may produce dusts, gases, fumes, vapors, mists, or smokes that have one or more of the above characteristics.

(1) No chemical product, such as a solvent or preservative; no structural material, such as cadmium or zinc coated steel, or plastic material; and no process material, such as welding filler metal; which is a hazardous material may be used until the employer has ascertained the potential fire, toxic, or reactivity hazards which are likely to be encountered in the handling, application, or utilization of such a material.

(2) In order to ascertain the hazards, as required by subsection (1) of this section, the employer shall obtain the following items of information which are applicable to a specific product or material to be used:

(a) The name, address, and telephone number of the source of the information specified in this section preferably those of the manufacturer of the product or material.

(b) The trade name and synonyms for a mixture of chemicals, a basic structural material, or for a process material; and the chemical name and synonyms, chemical family, and formula for a single chemical.

(c) Chemical names of hazardous ingredients, including, but not limited to, those in mixtures, such as those in: (i) Paints, preservatives, and solvents; (ii) alloys, metallic coatings, filler metals and their coatings or core fluxes; and (iii) other liquids, solids, or gases (e.g., abrasive materials).

(d) An indication of the percentage, by weight or volume, which each ingredient of a mixture bears to the whole mixture, and of the threshold limit value of each ingredient, in appropriate units.

(e) Physical data about a single chemical or a mixture of chemicals, including boiling point, in degrees Fahrenheit; vapor pressure, in millimeters of mercury; vapor density of gas or vapor (air=1); solubility in water, in percent by weight; specific gravity of material (water=1); percentage volatile, by volume, at 70°F.; evaporation rate for liquids (either butyl acetate or ether may be taken as 1); and appearance and odor.

(f) Fire and explosion hazard data about a single chemical or a mixture of chemicals, including flashpoint, in degrees Fahrenheit; flammable limits, in percent by volume in air; suitable extinguishing media or agents; special fire fighting procedures; and unusual fire and explosion hazard information.

(g) Health hazard data, including threshold limit value, in appropriate units, for a single hazardous chemical or for the individual hazardous ingredients of a mixture as appropriate, effects of overexposure; and emergency and first aid procedures.

(h) Reactivity data, including stability, incompatibility, hazardous decomposition products, and hazardous polymerization.

(i) Procedures to be followed and precautions to be taken in cleaning up and disposing of materials leaked or spilled.

(j) Special protection information, including use of personal protective equipment, such as respirators, eye protection, and protective clothing, and of ventilation, such as local exhaust, general, special, or other types.

(k) Special precautionary information about handling and storing.

(l) Any other general precautionary information.

(3) The pertinent information required by subsection (2) of this section shall be recorded either on United States Department of Labor Form LSB 00S-4, Material Safety Data Sheet, or on an essentially similar form which has been approved by the department of labor and industries. Copies of Form LSB 00S-4 may be obtained at any of the following regional offices of the occupational safety and health administration:

(a) Pacific region. (Arizona, California, Hawaii, and Nevada.)

10353 Federal Building, 450 Golden Gate Avenue, Box 36017, San Francisco, Calif. 94102.

(b) Region X, OSHA, (Alaska, Washington, Idaho, and Oregon), Federal Office Building, 909 First Avenue, Seattle, Washington 98174.

A completed MSDS form shall be preserved and available for inspection for each hazardous chemical on the work-site.

(4) The employer shall instruct employees who will be exposed to the hazardous materials as to the nature of the hazards and the means of avoiding them.

(5) The employer shall provide all necessary controls, and the employees shall be protected by suitable personal protective equipment against the hazards identified under subsection (1) of this section and those hazards for which specific precautions are required in WAC 296-304-020 through 296-304-04013.

(6) The employer shall provide adequate washing facilities for employees engaged in the application of paints or coatings or in other operations where contaminants can, by ingestion or absorption, be detrimental to the health of the employees. The employer shall encourage good personal hygiene practices by informing the employees of the need for removing surface contaminants by thorough washing of hands and face prior to eating or smoking.

(7) The employer shall not permit eating or smoking in areas undergoing surface preparation or preservation or where shiprepairing, shipbuilding, or shipbreaking operations produce atmospheric contamination.

(8) The employer shall not permit employees to work in the immediate vicinity of uncovered garbage and shall ensure that employees working beneath or on the outboard side of a

vessel are not subject to contamination by drainage or waste from overboard discharges.

(9) Requirements of ~~((chapter 296-62 WAC, Part C))~~ WAC 296-800-170, Chemical hazard communication program, will apply to shiprepairing, shipbuilding, and ship-breaking when potential hazards of chemicals and communicating information concerning hazards and appropriate protective equipment is applicable to an operation.

AMENDATORY SECTION (Amending WSR 99-05-080, filed 2/17/99, effective 6/1/99)

WAC 296-305-01003 Scope and application. (1) The rules of this chapter shall apply with respect to any and all activities, operations and equipment of employers and employees involved in providing fire protection services which are subject to the provisions of the Washington Industrial Safety and Health Act of 1973 (chapter 49.17 RCW).

(2) The provisions of this chapter apply to all fire fighters and their work places, including the fire combat scene. Although enforcement of applicable standards will result from provable violations of these standards at the fire combat scene, agents of the department will not act in any manner that will reduce or interfere with the effectiveness of the emergency response of a fire fighting unit. Activities directly related to the combating of a fire will not be subjected to the immediate restraint provisions of RCW 49.17.130.

(3) In the development of this document many consensus standards of the industry were considered and evaluated as to adaptability to the Washington state fire service industry. Where adaptable and meaningful, the fire fighter safety elements of these standards were incorporated into this WAC. Chapter 296-305 WAC, shall be considered as the fire fighter safety standards for the state of Washington.

(4) The provisions of this chapter cover existing requirements that apply to all fire departments. All fire departments shall have in place their own policy statement and operating instructions that meet or exceed these requirements. This chapter contains state and/or federal performance criteria that fire departments shall meet.

(5) Unless specifically stated otherwise by rule, if a duplication of regulations, or a conflict exists between the rules regulating wildland fire fighting and other rules in the chapter, only the rules regulating wildland fire fighting shall apply to wildland fire fighting activities and equipment.

(6) The provisions of this chapter shall be supplemented by the provisions of the general safety and health standards of the department of labor and industries, chapters 296-24 (including Part G-2, Fire protection) ~~((and)), 296-62 and 296-800 WAC~~. In the event of conflict between any provision(s) of this chapter and any provision(s) of the general safety and health standards, the provision(s) of this chapter shall apply.

(7) The provisions of this standard do not apply to industrial fire brigades, as defined in this chapter. Industrial fire brigades are covered under the provisions of chapter 296-24 WAC, Part G-2, Fire protection.

AMENDATORY SECTION (Amending WSR 99-05-080, filed 2/17/99, effective 6/1/99)

WAC 296-305-01005 Definitions. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

Accident: An unexpected event that interrupts or interferes with the orderly progress of the fire department operations and may or may not include personal injury or property damage.

Accountability system: A system of fire fighter accountability that provides for the tracking and inventory of all members.

ACGIH: American Conference of Governmental Industrial Hygienists.

Aerial ladder: A ladder mounted on top of an apparatus, hydraulic or pneumatic controlled.

Aerial tower: Telescopic elevating platform or water tower assembly usually with a ladder on top of the section.

Aerial platform: A device consisting of two or more booms or sections with a passenger carrying platform assembly.

ANSI: American National Standards Institute.

Apparatus: A mobile piece of fire equipment such as a pumper, aerial, tender, automobile, etc.

Approved:

(1) A method, equipment, procedure, practice, tool, etc., which is sanctioned, consented to, confirmed or accepted as good or satisfactory for a particular purpose or use by a person, or organization authorized to make such a judgment.

(2) Means approved by the director of the department of labor and industries or his/her authorized representative: Provided, however, That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or the Bureau of Mines, the provisions of chapter ~~((296-24))~~ 296-800 WAC ~~((, Part A-1,))~~ shall apply.

Audiogram: A chart, graph, or table resulting from an audiometric test showing an individual's hearing threshold levels as a function of frequency.

Authorized person: A person approved or assigned by the employer to perform a specific type of duty or duties or to be at a specific location or locations at the job site.

Beacon: A flashing or rotating light.

Bloodborne pathogens: Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Blowup (wildfire): Sudden increase in fire intensity or rate of spread sufficient to preclude direct control or to upset existing control plans. Often accompanied by violent convection and may have other characteristics of a fire storm.

Chemical-protective clothing: Items made from chemical-resistive materials, such as clothing, hood, boots, and gloves, that are designed and configured to protect the wearer's torso, head, arms, legs, hands, and feet from hazardous materials. Chemical-protective clothing (garments) can

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be constructed as a single, or multi-piece, garment. The garment may completely enclose the wearer either by itself or in combination with the wearer's respiratory protection, attached or detachable hood, gloves, and boots.

Chief: The employer representative highest in rank who is responsible for the fire department's operation.

Combat scene: The site where the suppression of a fire or emergency exists.

Confinement: Those procedures taken to keep a material in a defined or local area.

Confined space: Means a space that:

(1) Is large enough and so configured that an employee can bodily enter and perform assigned work; and

(2) Has limited or restricted means for entry or exit (for example, tanks, vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry.); and

(3) Is not designed for continuous employee occupancy.

Containment: The actions taken to keep a material in its container (e.g. stop the release of the material or reduce the amount being released.)

Contaminated: The presence or the reasonably anticipated presence of nuisance materials foreign to the normal atmospheres, blood, hazardous waste, or other potentially infectious materials on an item or surface.

Contaminated laundry: Laundry which has been soiled with blood or other potentially infectious materials or may contain contaminated sharps.

Contamination: The process of transferring a hazardous material from its source to people, animals, the environment, or equipment, which may act as a carrier.

dBA: A measure of noise level expressed as decibels measured on the "A" scale.

Deck pipe: A permanently mounted device which delivers a large stream of water.

Decontamination:

(1) The physical or chemical process of reducing and preventing the spread of contamination from persons or equipment used at a hazardous materials incident.

(2) The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

Department: Department of labor and industries.

Director of fire department: The chief or principle administrator of the fire department.

Director: The director of the department of labor and industries, or his/her designated representative.

Disinfection: A procedure which inactivates virtually all recognized pathogenic microorganisms, but not necessarily all microbial forms (example: bacterial endospores) on inanimate objects.

Drill tower: A structure which may or may not be attached to the station and which is principally used for training fire fighters in fire service techniques.

Driver: A person having satisfactorily completed the fire department's "requirements of driver" of a specific piece of fire apparatus.

Emergency: A sudden and unexpected event calling for immediate action.

Emergency incident: A specific emergency operation.

Emergency medical care: The provision of treatment to, and/or transportation of, patients which may include first-aid, cardiopulmonary resuscitation, basic life support, advanced life support, and other medical procedures that occur prior to arrival at a hospital or other health care facility.

Emergency operations: Activities of the fire department relating to rescue, fire suppression, emergency medical care, and special operations, including response to the scene of an incident and all functions performed at the scene.

Employee: An employee of an employer who is employed in the business of his/her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is their personal labor for an employer under this chapter whether by way of manual labor or otherwise. Also see "Member."

Employer: Any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations.

Employer representative: A fire department officer authorized by the chief or director of the fire department to act in his/her behalf.

Engine (pumper): A piece of apparatus equipped with hose and a pump for the purpose of supplying water under pressure through hose lines.

Engineering control: Any procedure other than an administrative control that reduces exposures by modifying the source or reducing the exposure to an individual. Examples of engineering controls include the use of isolation, containment, encapsulation, sound absorbing materials for noise control, and ventilation.

Explosion proof equipment: Equipment enclosed in a case that is capable of withstanding an explosion or a specified gas or vapor which may occur within it and of preventing the ignition of a specified gas or vapor surrounding the enclosure by sparks, flashes, or explosion of the gas or vapor within, and which operates at such an external temperature that it will not ignite a surrounding flammable atmosphere.

Fastest means available: The (nearest-closest) telephone, portable radio, mobile radio, telephone/radio dispatcher or any other mode of mechanical communication.

Fire apparatus: A fire department emergency vehicle used for rescue, fire suppression, or other specialized functions.

Fire boat: A fire department watercraft having a permanent, affixed fire fighting capability.

Fire combat training: Training received by fire fighters on the drill ground, drill tower, or industrial site to maintain the fire fighter's proficiency.

Fire department: An organization providing any or all of the following: Rescue, fire suppression, and other related activities. For the purposes of this standard the term "Fire Department" shall include any public, private, or military organization engaging in this type of activity.

Fire department facility: Any building or area owned, operated, occupied, or used by a fire department on a routine basis. This does not include locations where a fire department may be summoned to perform emergency operations or other duties, unless such premises are normally under the control of the fire department.

Fire department safety officer: The member of the fire department assigned and authorized as the principal safety officer to perform the duties and responsibilities specified in this standard.

Fire fighter: A member of a fire department whose duties require the performance of essential fire fighting functions or substantially similar functions.

Fire retardant: Any material used to reduce, stop or prevent the flame spread.

Fly: Extendible sections of ground or aerial ladders.

Foot stand, ladder: Devices attached to inside of beams of ladders that when folded down, provide foot space.

Ground jack: Heavy jacks attached to frame of chassis of aerial-equipped apparatus to provide stability when the aerial portion of the apparatus is used.

Ground mobile attack: The activities of wildland fire fighting with hose lines being used by personnel working around a moving engine. See mobile attack.

Guideline: An organizational directive that establishes a standard course of action.

Halyard: Rope used on extension ladders for the purpose of raising or lowering fly section(s). A wire cable may be referred to as a halyard when used on the uppermost fly section(s) of three or four section extension ladders.

Hazard communication program: A procedure to address comprehensively the issue of evaluating the potential hazards of chemicals and communicating information concerning hazards and appropriate protective measures to employees. See ((chapter 296-62 WAC, Part C)) WAC 296-800-170, Chemical Hazard Communication(s) Program.

Hazardous area: The immediate area where members might be exposed to a hazard.

Hazardous atmosphere: Any atmosphere, either immediately or not immediately dangerous to life or health, which is oxygen deficient or which contains a toxic or disease-producing contaminant.

Hazardous condition: The physical condition or act which is causally related to accident occurrence. The hazardous condition is related directly to both the accident type and the agency of the accident.

Hazardous material: A substance (solid, liquid, or gas) that when released is capable of creating harm to people, the environment, and property.

Hazardous substances: Substances that present an unusual risk to persons due to properties of toxicity, chemical activity, corrosivity, etiological hazards of similar properties.

HEPA filtration: High efficiency particulate air filtration found in vacuum system capable of filtering 0.3 micron particles with 99.97% efficiency.

Hose bed: Portion of fire apparatus where hose is stored.

Hose tower: A vertical enclosure where hose is hung to dry.

Hot zone: Area immediately surrounding a hazardous materials incident, which extends far enough to prevent adverse effects from hazardous materials releases to personnel outside the zone. This zone is also referred to as the exclusion zone or the restricted zone in other documents.

Identify: To select or indicate verbally or in writing using recognized standard terms. To establish the identity of; the fact of being the same as the one described.

IDLH: Immediately dangerous to life and health.

Imminent hazard (danger): An act or condition that is judged to present a danger to persons or property and is so immediate and severe that it requires immediate corrective or preventative action.

Incident commander: The person in overall command of an emergency incident. This person is responsible for the direction and coordination of the response effort.

Incident command system (ICS): A system that includes: Roles, responsibilities, operating requirements, guidelines and procedures for organizing and operating an on-scene management structure.

Incipient (phase) fire: The beginning of a fire; where the oxygen content in the air has not been significantly reduced and the fire is producing minute amounts of water vapor, carbon dioxide, carbon monoxide and other gases; the room has a normal temperature and can be controlled or extinguished with a portable fire extinguisher or small hose, e.g., a kitchen stove fire.

Industrial fire brigade: An organized group of employees whose primary employment is other than fire fighting who are knowledgeable, trained and skilled in specialized operations based on site-specific hazards present at a single commercial facility or facilities under the same management.

Initial stage (initial action): Shall encompass the control efforts taken by resources which are first to arrive at an incident.

Injury: Physical damage suffered by a person that requires treatment by a practitioner of medicine (a physician, nurse, paramedic or EMT) within one year of the incident regardless of whether treatment was actually received.

Interior structural fire fighting: The physical activity of fire suppression, rescue or both, inside of buildings or enclosed structures which are involved in a fire situation beyond the incipient stage. See structural fire fighting.

Life safety or rescue rope: Rope dedicated solely for the purpose of constructing lines for supporting people during rescue, fire fighting, or other emergency operations, or during training evolutions.

PROPOSED

Line: Rope when in use.

Live fire training: Any fire set within a structure, tank, pipe, pan, etc., under controlled conditions to facilitate the training of fire fighters under actual fire conditions.

Locking in: The act of securing oneself to a ladder by hooking a leg over a rung and placing top of foot against the other leg or against the ladder.

Manned station: See staffed station.

May: A permissive use or an alternative method to a specified requirement.

Member: A person involved in performing the duties and responsibilities of a fire department under the auspices of the organization. A fire department member may be a full-time or part-time employee or a paid or unpaid volunteer, may occupy any position or rank within the fire department, and engages in emergency operations. Also see Employee.

Mobile attack: The act of fighting wildland fires from a moving engine.

Monitor: A portable appliance that delivers a large stream of water.

Mop up: The act of making a wildfire/wildland fire safe after it is controlled, such as extinguishing or removing burning materials along or near the control line, felling snags, trenching logs to prevent rolling.

NFPA: National Fire Protection Association.

NIIMS: National Interagency Incident Management System.

NIOSH: National Institute of Occupational Safety and Health.

Nondestructive testing: A test to determine the characteristics or properties of a material or substance that does not involve its destruction or deterioration.

Nonskid: The surface treatment that lessens the tendency of a foreign substance to reduce the coefficient of friction between opposing surfaces.

Occupational exposure: Means reasonably anticipated skin, eye, mucous membrane or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Officer: (1) Person in charge of a particular task or assignment.

(2) A supervisor.

OSHA: Occupational Safety and Health Administration.

Other potentially infectious materials (OPIM): (1) The following body fluids: Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;

(2) Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and

(3) HIV-containing cell or tissue cultures, organ cultures, and HIV-or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Outrigger: Manually or hydraulically operated metal enclosures and jacks which are extended and placed in contact with the ground to give the apparatus a wide, solid base to support different loads.

Overhauling: That portion of fire extinguishment involving discovery of hidden fires or smoldering material.

PASS: Personal alert safety system.

PEL: Permissible exposure limit.

Personal protective equipment (PPE): (1) The equipment provided to shield or isolate a person from the chemical, physical, and thermal hazards that may be encountered at a hazardous materials incident. Personal protective equipment includes both personal protective clothing and respiratory protection. Adequate personal protective equipment should protect the respiratory system, skin, eyes, face, hands, feet, head, body, and hearing.

(2) Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

Place of employment: Any premises, room or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control. For the purposes of this code, fireground and emergency scenes are also considered places of employment.

Platform: The portion of a telescoping or articulating boom used as a working surface.

Positive communication: Visual, audible, physical, safety guide rope, or electronic means which allows for two way message generation and reception.

PPE: Personal protective equipment.

Prefire training: The training of fire fighters in recognizing sources and locations of potential fires and the method of fire combat to be used.

Probable fatality: (1) An occupational injury or illness, which, by the doctor's prognosis, could lead to death.

(2) An occupational injury or illness, which by its very nature, is considered life threatening.

Protective clothing: Equipment designed to protect the wearer from heat and/or hazardous materials contacting the skin or eyes. Protective clothing is divided into five types:

- (1) Structural fire fighting protective clothing;
- (2) Liquid splash-protective clothing;
- (3) Vapor-protective clothing;
- (4) High temperature-protective proximity clothing; and
- (5) Wildland fire fighting clothing.

Note: See Protective ensemble.

Protective ensemble: Multiple elements of clothing and equipment designed to provide a degree of protection for fire fighters from adverse exposures to the inherent risks of structural fire fighting operations and certain other emergency operations. The elements of the protective ensemble are helmets, coats, trousers, gloves, footwear, interface components (hoods), and if applicable, personal alert system (PASS) devices, and self-contained breathing apparatus.

Proximity protective clothing: Radiant reflective protective garments configured as a coat and trousers, or as a coverall, and interface components that are designed to provide protection for the fire fighter's body from conductive, convective, and radiant heat.

Pumper: See engine.

Qualified: One who by possession of a recognized degree, certificate or professional standing, or who by knowledge, training or experience has successfully demonstrated his/her ability to solve or resolve problems related to the subject matter, the work or the project.

Rapid intervention team (RIT): On-scene team of at least two members designated, dedicated and equipped to effect an immediate rescue operation if the need arises.

RCW: Revised Code of Washington.

Rescue: Those activities directed at locating endangered persons at an emergency incident and removing those persons from danger.

Rescue craft: Any fire department watercraft used for rescue operations.

Respirator: A device designed to protect the wearer from breathing harmful atmospheres. See respiratory protection.

Respiratory equipment: Self-contained breathing apparatus designed to provide the wearer with a supply of respirable atmosphere carried in or generated by the breathing apparatus. When in use, this breathing apparatus requires no intake of air or oxygen from the outside atmosphere.

(1) Respirators (closed circuit): Those types of respirators which retain exhaled air in the system and recondition such air for breathing again.

(2) Respirators (open circuit): Those types of respirators which exhaust exhaled air to the outside of the mask into the ambient air.

(3) Respirators (demand): Those types of respirators whose input air to the mask is started when a negative pressure is generated by inhalation.

(4) Respirators (pressure demand): Those types of respirators which constantly and automatically maintain a positive pressure in the mask by the introduction of air when the positive pressure is lowered (usually from .018 psi to .064 psi) through the process of inhalation or leakage from the mask.

Respiratory protection: Equipment designed to protect the wearer from the inhalation of contaminants. Respiratory protection is divided into three types:

(1) Positive pressure self-contained breathing apparatus (SCBA);

(2) Positive pressure airline respirators;

(3) Negative pressure air purifying respirators.

Responding: The usual reference to the act of responding or traveling to an alarm or request for assistance.

Risk assessment: To set or determine the possibility of suffering harm or loss, and to what extent.

Safe and healthful working environment: The work surroundings of an employee with minimum exposure to unsafe acts and/or unsafe conditions.

Safety officer: Either the fire department safety officer or an assistant safety officer (see fire department safety officer).

Safety net: A rope or nylon strap net not to exceed 6-inch mesh, stretched and suspended above ground level at the base of drill tower, and at such a height that a falling body would be arrested prior to striking the ground.

Scabbard: A guard which will prevent accidental injury and covers the blade and pick of an axe or other sharp instrument when worn by the fire fighter.

SCBA: Self contained breathing apparatus.

Service testing: The regular, periodic inspection and testing of apparatus and equipment according to an established schedule and procedure, to insure that it is in safe and functional operating condition.

Shall: Mandatory.

Should: Recommended.

Signalman: A person so positioned that he/she can direct the driver when the drivers vision is obstructed or obscured.

SOP: Standard operating procedure or guidelines.

Staffed station: A fire station continuously occupied by fire fighters on scheduled work shifts. The staffed station may also serve as headquarters for volunteers.

Standard operating procedure or guidelines: An organizational directive that establishes a standard course of action. See SOP.

Station (fire station): Structure in which fire service apparatus and/or personnel are housed.

Structural fire fighting: The activities of rescuing, fire suppression, and property conservation involving buildings, enclosed structures, vehicles, vessels, or similar properties that are involved in a fire or emergency situation. See interior structural fire fighting.

Structural fire fighting protective clothing: This category of clothing, often called turnout or bunker gear, means the protective clothing normally worn by fire fighters during structural fire fighting operations. It includes a helmet, coat, pants, boots, gloves, and a hood. Structural fire fighters' protective clothing provides limited protection from heat but may not provide adequate protection from the harmful gases, vapors, liquids, or dusts that are encountered during hazardous materials incidents.

Support function: A hazardous chemical operation involving controlled chemical uses or exposures in nonflammable atmospheres with minimum threats in loss of life, personnel injury, or damage to property or to the environment. Functions include decontamination, remedial cleanup of identified chemicals, and training.

Support function protective garment: A chemical-protective suit that meets the requirements of NFPA Standard on Support Function Garments, 1993.

Tail/running board: Standing space on the side or rear of an engine or pumper apparatus.

Team: Two or more individuals who are working together in positive communication with each other through visual, audible, physical, safety guide rope, electronic, or other means to coordinate their activities and who are in close

proximity to each other to provide assistance in case of emergency.

Tillerman: Rear driver of tractor-trailer aerial ladder.

Trench: A narrow excavation made below the surface of the ground. The depth is generally greater than the width, but the width of a trench is not greater than 15 feet.

Turnout clothing: See structural fire fighting protective clothing.

Turntable: The rotating surface located at the base of an aerial ladder, or boom, on aerial apparatus.

Universal precaution: An approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

Vapor barrier: Material used to prevent or substantially inhibit the transfer of water, corrosive liquids and steam or other hot vapors from the outside of a garment to the wearer's body.

Variance: An allowed or authorized deviation from specific standard(s) when an employer substitutes measures which afford an equal degree of safety. Variances are issued as temporary or permanent with interim measures issued, when requested, until a determination or decision is made.

Vessel: Means every description of watercraft or other artificial contrivance used or capable of being used as a means of transportation on water, including special-purpose floating structures not primarily designed for or used as a means of transportation on water.

WAC: Washington Administrative Code.

Wheel blocks (chocks): A block or wedge placed under a wheel to prevent motion.

Wildfire: An unplanned and unwanted fire requiring suppression action; an uncontrolled fire, usually spreading through vegetative fuels and often threatening structures.

Wildland fire: A fire burning in natural vegetation that requires an individual or crew(s) to expend more than one hour of labor to confine, control and extinguish. Agencies may substitute crews to avoid the one hour bench mark or increase crew size to complete the job in less than one hour. One hour was chosen as the maximum time that individuals should work in high temperatures in structural protective clothing.

Wildland fire fighting enclosure: A fire apparatus enclosure with a minimum of three sides and a bottom.

WISHA: Washington Industrial Safety Health Act.

Work environment: The surrounding conditions, influences or forces to which an employee is exposed while working.

Workplace: See place of employment.

WRD: WISHA regional directive.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-01009 Appeals. Any party authorized to appeal from an action of the department as set forth in RCW 49.17.140(3), may do so by filing a notice of appeal in writ-

ing. The appeal must contain the recommended subject matter, as noted below, by serving a copy of such notice of appeal either in person or by mail upon the assistant director of the Consultation and Compliance Services Division, (7273 Linderson Way, Tumwater, Washington) P.O. Box 44600, Olympia, Washington 98504-4600. The appeal must be sent to the department within fifteen working days of the communication of the notice.

The notice of appeal should contain:

- (1) The name and address of the appealing party and his/her representative if any;
- (2) The place where the alleged safety violation occurred;
- (3) A statement identifying the order, decision or citation appealed from, by report number and date of issuance;
- (4) The grounds upon which the appealing party considers such order, decision, or citation to be unjust or unlawful;
- (5) A statement of facts in support of each grounds stated;
- (6) The relief sought, including the specific nature and extent;
- (7) A statement that the person signing the notice of appeal has read it and to the best of his/her knowledge, information and belief there is good ground to support it. A notice of appeal may be signed by the party or by his/her authorized representative.

References:

~~(WAC 296-350-030, Notice of appeal—Filing and service.~~
~~WAC 296-350-040, Notice of appeal))~~ WAC 296-800-350, Inspections, citations and appeals—Contents RCW 49.17.140(3).

AMENDATORY SECTION (Amending WSR 99-05-080, filed 2/17/99, effective 6/1/99)

WAC 296-305-01509 Management's responsibility.

- (1) It shall be the responsibility of management to establish, supervise, maintain, and enforce, in a manner which is effective in practice:
 - (a) A safe and healthful working environment, as it applies to noncombat conditions or to combat conditions at a fire scene after the fire has been extinguished, as determined by the officer in charge.
 - (b) An accident prevention program as required by this chapter.
 - (c) Programs for training employees in the fundamentals of accident prevention.
 - (d) Procedures to be used by the fire department safety officer and incident commander to ensure that emergency medical care is provided for members on duty.
 - (e) An accident investigation program as required by this chapter.
- (2) The fire department shall be responsible for providing suitable expertise to comply with all testing requirements in this chapter. Such expertise may be secured from within the fire department, from equipment and apparatus manufacturers, or other suitable sources.
- (3) Members who are under the influence of alcohol or drugs shall not participate in any fire department operations

or other functions. This rule does not apply to persons taking prescription drugs as directed by a physician or dentist providing such use does not endanger the worker or others.

(4) Alcoholic beverages shall not be allowed in station houses, except at those times when station houses are used as community centers, with the approval of management.

(5) A bulletin board or posting area exclusively for safety and health and large enough to display the required safety and health posters. The WISHA poster (WISHA form F416-081-000) and other safety education material shall be provided. A bulletin board of "white background" and "green trim" is recommended.

(6) The fire department shall develop and maintain a hazard communication program as required by (~~chapter 296-62 WAC, Part C~~) WAC 296-800-170, which will provide information to all employees relative to hazardous chemicals or substances to which they are exposed, or may routinely be exposed to, in the course of their employment.

(7) Personnel.

(a) The employer shall assure that employees who are expected to do interior structural fire fighting are physically capable of performing duties that may be assigned to them during emergencies.

(b) The employer shall not permit employees with known physical limitations reasonably identifiable to the employer, for example, heart disease or seizure disorder, to participate in structural fire fighting emergency activities unless the employee has been released by a physician to participate in such activities.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-01515 First-aid training and certification. (1) All fire fighters except directors of fire departments and the directors' designated personnel, shall have as a minimum first-aid training as evidenced by a current, valid first-aid card, EMT or First Responder certification.

(2) New fire fighters shall have such first-aid training within 90 days of the date of their employment or enroll for training in the next available class for which they are eligible.

(3) First-aid training and certification for other employees and directors of fire departments shall conform to the requirements of (~~chapter 296-24 WAC, Part A-1~~) WAC 296-800-150.

(4) Fire service duties include exposure to bloodborne pathogens. The requirements of this section and chapter 296-62 WAC, Part J, Biological Agents, shall apply.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-01517 First-aid kits. (1) To assure the emergency medical care of the fire fighters there shall be present at each emergency incident at least the following items:

- 1 (one) utility scissors, EMT-type
- 1 CPR barrier
- 3 (three) rolls 1 inch adhesive tape
- 6 (six) 4" x 4" sterile, individually wrapped gauze pads

4 (four) combination pads, sterile, individually wrapped

4 (four) soft roller bandages, assorted size, sterile, individually wrapped cling type

2 (two) burn sheets, sterile, individually wrapped

2 (two) triangular bandages

1 (one) multi-trauma dressing, sterile

2 (two) supply disposable gloves

2 (two) wire splints or equivalent

(2) All fire stations shall maintain a first-aid kit. The kit shall contain at least the following items:

6 (six) 4" x 4" sterile, individually wrapped gauze pads

4 (four) combination pads, sterile, individually wrapped

2 (two) rolls 1 inch adhesive tape

4 (four) soft roller bandages, assorted size, sterile, individually wrapped cling type

2 (two) triangular bandages

1 (one) utility scissors, EMT-type

1 (one) pair tweezers

1 (one) package assorted adhesive bandages

(3) All fire apparatus shall contain a first-aid kit as described in (~~chapter 296-24 WAC, Part A-1~~) WAC 296-800-150.

(4) All fire departments providing emergency medical services to the public shall conform to the requirements of chapter 18.73 RCW Emergency Care and Transportation Services (and if applicable, chapter 248-17 WAC, Ambulance Rules and Regulations) which require additional first-aid equipment.

Additional references: Chapter (~~(294-24)~~) 296-800 WAC(~~(, Part A-1)~~).

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-04511 Elevated platforms. (1) Elevated platform system design requirements:

(a) The platform shall have a minimum floor area of fourteen square feet.

(b) The platform shall be provided with a guard railing. The guard railing shall be 42 to 45 inches high on all sides.

(c) The railing shall be constructed so that there is no opening below it greater than 19 inches.

(d) There shall be two gates below the top railing, each of which shall be provided with suitable safety latches.

(e) A kick plate not less than four inches high shall be provided around the floor of the platform.

(f) Drain openings shall be provided to prevent water accumulation on the platform.

(g) A heat-protective shield shall be provided on the platform for the protection of the operator.

(h) Hydraulic or pneumatic systems shall have a minimum bursting strength of at least four times the operating pressure for which the system is designed.

(i) The basic structural elements of the hydraulic or articulating boom shall have a safety factor of three.

(j) Each hydraulic or pneumatic system for the boom shall be equipped with a pilot operated check valve or other appropriate device to prevent free fall in the event of hydraulic failure.

(2) Requirements related to the controlling of elevated platforms:

(a) A control or device shall be provided at both the lower control station and the platform control station to allow either operator to completely deactivate the platform controls.

(b) During the deactivation of the platform controls, the lower controls shall remain operable.

(c) A plate shall be located at the platform control unit or units listing the following information:

(i) Model and serial number of the manufacturer;

(ii) Rated capacity of the platform;

(iii) Operating pressure of the hydraulic or pneumatic systems or both;

(iv) Caution or restriction of operation or both; and

(v) Control instructions.

(vi) This plate shall be clearly visible to the operator at the lower control position.

(d) There shall be an operator at the lower controls at all times while the fire fighter is in the bucket.

(e) The operator at the lower controls shall make certain the fire fighter on the platform is secured by his life belt, or equivalent, before raising the platform.

(3) Testing of elevated platforms and related apparatus shall be conducted annually.

(a) Testing of elevated platforms and related apparatus shall be in accordance with NFPA, Standard for Testing Fire Department Aerial Ladders 1914, 1991 edition.

(b) It is recommended that the boom section as well as the support section of the apparatus which supports the turntable should be nondestructively tested by a certified testing agency every five years.

(c) After any accident that causes structural damage, testing shall be performed and all defects detected shall be corrected before the apparatus is returned to service.

(d) Elevated platform testing shall follow recommendations of the current National Fire Code.

(e) Fire apparatus elevated platforms shall be positioned for the greatest stability feasible at the fire scene.

(4) A two-way voice communication system shall be installed between the platform and the lower control station.

(5) Automotive apparatus used in conjunction with elevated platforms shall be used in accordance with the following:

(a) Hand or air brakes shall be set before the platform is operated.

(b) Jacks or outriggers shall be used if the platform is to be elevated.

(c) Wheel blocks shall also be used when the platform is in operation unless the type of apparatus is one that has wheels that lift off the ground when the jacks or outriggers are engaged.

(d) Ground plates shall be used under the outriggers or jacks.

(e) Sand shall be put under jacks and outriggers when operating on ice or snow.

(f) When working on or near energized electrical lines, the fire department shall develop operational procedures for observing the following minimum working clearances:

(i) For lines rated 50 kv or below, the minimum clearance shall be ten feet.

(ii) For lines rated over 50 kv, the minimum clearance shall be ten feet plus 0.4 inch for each 1 kv.

(iii) For low voltage lines (operating at 750 volts or less), the work shall be performed in a manner to prevent the fire fighters contacting the energized conductor.

(6) Appliances mounted on elevated platforms. Platform mounted monitors shall be operated in accordance with the manufacturer's instructions.

Additional References: WAC ((296-24-885)) 296-24-880.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-05503 Summary of training requirements. (1) Training on hearing conservation shall conform to chapter 296-62 WAC, Part K, and WAC 296-305-02005.

(2) Training on medical procedures shall conform to WAC 296-305-02501.

(3) Training on respiratory equipment shall conform to chapter 296-62 WAC, Part E, Respiratory protection, and WAC 296-305-04001.

(4) Training on employee right-to-know procedures shall conform to ((chapter 296-62 WAC, Part C)) WAC 296-800-170, chemical hazard communication program.

(5) Training on overhaul procedures and operations shall conform to WAC 296-305-05001.

(6) Training on wildland fires shall conform to WAC 296-305-07001 through 296-305-07019.

(7) Training on confined space entry and/or rescue shall conform to chapter 296-62 WAC, Part M, Permit-required confined spaces and WAC 296-305-05003.

(8) Live fire training in structures shall conform to NFPA 1403 and this section.

(9) The employer shall provide training and education for all members commensurate with those duties and functions that members are expected to perform. Such training and education shall be provided to members before they perform emergency activities. Fire service leaders and training instructors shall be provided with training and education which is more comprehensive than that provided to the general membership of the fire department.

(10) The employer shall assure that training and education is conducted frequently enough to assure that each member is able to perform the member's assigned duties and functions satisfactorily and in a safe manner so as not to endanger members or other employees. All members shall be provided with training at least annually. In addition, members who are expected to perform interior structural fire fighting shall be provided with an education session or training at least quarterly.

AMENDATORY SECTION (Amending WSR 99-05-080, filed 2/17/99, effective 6/1/99)

WAC 296-305-06005 Ground ladders. This section establishes the minimum requirements for the construction,

care and use of the common types of ladders used in fire combat.

(1) Ladder locks or pawls on extension ladders shall be so fastened or secured to the beams that vibration and use will not cause loosening of bolts and nuts.

(a) Pawls or ladder locks shall be so constructed that the hook portion of the pawl that engages the rung shall have sufficient bearing surface or area to prevent the hook from cutting into rungs when engaged.

(b) Such hooks shall be properly finished to eliminate sharp edges and points.

(2) Staypoles or tormenters shall be furnished on all extension ladders extending over forty feet. Staypole or tormenters spikes shall not project beyond the butt of the ladder when nested.

(3) All ladders shall be stored in a manner to provide ease of access for inspection, and to prevent danger of accident when withdrawing them for use.

(4) Fire fighters shall climb and descend ground ladders with the fly in, for safety purposes, when not in conflict with the manufacturer's recommendations. Even when ladders are routinely used in the fly out configuration, in adverse conditions fire fighters shall be permitted to climb and descend ground ladders with the fly in to assure secure footing.

(5) All ladders regardless of type shall be inspected thoroughly after each use. Records shall be kept of the inspections and repairs.

(6) The following metal ladder components shall be checked:

(a) Rungs for welds, damage or weakness caused by overloading or bumping against other objects, looseness and cracks, etc.

(b) Beams for welds, rivets and bolts, signs of strain or metal fatigue, and deformation from heat or overloading.

(c) Bolts and rivets for tightness.

(d) Butt spurs for excessive wear or other defects.

(e) Halyards for the same defects listed for wood ladder halyards and cable halyards, for fraying or breaking.

(f) Heat sensor label, when provided, for change indicating heat exposure.

(7) The following wood ladder components shall be checked:

(a) Bolts for snugness and tightness without crushing the wood.

(b) Beams for dark streaks; when a wood ground ladder develops dark streaks in the beams, the ladder shall be removed from service and service tested as specified in this chapter, prior to further use.

(c) Protective varnish finish for damage or wear, at least once a month and redone annually or at such frequency as specified by the manufacturer. If the protective finish becomes charred or blistered, the ladder shall be removed from service and service tested as specified in this chapter, prior to further use.

(8) Methods of fastening ladder halyards, either of wire or fibrous material, shall be in a manner that the connection is stronger than the halyard.

(9) Any defect noted in above visual inspection shall be corrected prior to testing.

(10) Every portable ladder shall be tested following the correction of defects disclosed by the visual inspections.

(11) New ground ladders purchased after the effective date of this chapter shall be constructed and certified in accordance with the requirements of NFPA Standard 1931, 1994 edition.

(12) All fireground ladders shall be inspected and maintained in accordance with the requirements of the 1994 edition of NFPA 1932. When metal ground ladders are tested, they shall be tested in accordance with the strength service testing procedures of the 1984 edition of NFPA 1932.

(a) Extension ladders that were constructed prior to the adoption of the 1984 edition of NFPA 1931, may, when tested in accordance with this chapter, be tested with a minimum test load of 400 pounds and a preload of 300 pounds. Ladders tested under this exception shall be used with a maximum load limit of 500 pound distributed or 400 pound concentrated. Ladders shall be tested in the configuration they are used.

(b) Additional requirements for wooden ground ladders; whenever any wood ground ladder has been exposed or is suspected of having been exposed to direct flame contact the ladder shall be service tested as specified in section 5-2 of NFPA Standard 1932, 1984 edition.

Note 1: Hardness testing and eddy current NDE testing is not required in the fire department annual maintenance inspection unless the individual ladder has been subjected to a high heat exposure which could have annealed the metal and diminished the structural integrity. The ladder manufacturer's recommendations should be followed with respect to hardness and eddy current testing.

Note 2: Testing should follow the recommended procedures taught by Washington State Fire Protection Bureau.

Additional references: Chapter 296-24 WAC, Part J-1 and WAC 296-800-290.

AMENDATORY SECTION (Amending WSR 99-05-080, filed 2/17/99, effective 6/1/99)

WAC 296-305-06007 Electrical. (1) Temporary lighting with the use of 110 - 120 VAC equipment.

(a) All lighting equipment shall be provided with heavy duty flexible cords with SO or SJ jackets or equivalent. All lighting equipment shall be used with heavy duty flexible extension cords with 12-3 conductors with SO or SJ jackets or equivalent.

(b) Electrical cords shall have weather tight bodies and caps, 20 amp rated at 120 VAC with appropriately sized plugs and sockets.

(c) Temporary lights that are used in moist, damp, and/or other hazardous locations shall be approved for the purpose.

(d) Temporary lights shall be constructed so that water cannot enter or accumulate in wireways, lampholders or other electrical parts.

(e) Temporary lights that are used in moist and/or other hazardous locations shall have 120 VAC single-phase 15 and/or 20 amp in-line resettable ground fault circuit interrupters.

(f) Temporary lights shall be equipped with a handle and be insulated from heat and possible electrical shock.

(g) Temporary lights shall not be suspended by their electrical cords unless cords and lights are designed and labeled for this means of suspension.

(h) Temporary lights shall be protected by guards of a nonconductive or insulated material to prevent accidental contact with the bulb.

(2) 120 VAC cord reels shall be approved for use in damp or hazardous locations.

(a) Bodies and caps shall be weather tight, 20 amp rated at 120 VAC.

(b) Cords on cord reels that do not exceed 150 feet in length shall be SO or SJ type jackets or equivalent.

(c) Cords that exceed 150 feet in length on reels, shall have 10-3 conductors.

(d) Cord reels that are not permanently mounted on a vehicle shall be insulated from the ground when in use.

(3) Twelve volt portable type hand lanterns shall be constructed of molded composition or other type approved for the purpose.

(a) Portable hand lanterns used in moist and/or other hazardous locations shall be operated at a maximum of 12 volts.

(b) Hand lamps shall be equipped with a handle and a substantial guard over the bulb and attached to the lampholder.

(4) Portable and vehicle-mounted generators.

(a) Portable generators. Under the following conditions, the frame of a portable generator shall not be required to be grounded and shall be permitted to serve as the grounding electrode for a system supplied by the generator:

(i) The generator supplies only equipment mounted on the generator or cord-connected and plug-connected equipment through receptacles mounted on the generator, or both, and

(ii) The noncurrent-carrying metal part of equipment and the equipment grounding conductor terminals of the receptacles are bonded to the generator frame.

(b) Vehicle-mounted generators. Under the following conditions, the frame of a vehicle may serve as the grounding electrode for a system supplied by a generator located on the vehicle:

(i) The frame of the generator is bonded to the vehicle frame; and

(ii) The generator supplies only equipment located on the vehicle and/or cord-connected and plug-connected equipment through receptacles mounted on the vehicle or on the generator; and

(iii) The noncurrent-carrying metal parts of equipment and the equipment grounding conductor terminals of the receptacles are bonded to the generator frame.

Additional references: Article 250 National Electrical Code. Chapter 296-24 WAC, Part L and WAC 296-800-280.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-06503 General requirements. (1) Stations and administrative offices shall comply with the requirements of the general occupational health standards, WAC ((296-62-09003)) 296-800-210, Lighting ((and illumination)) in the workplace.

(2) Every new fire station built after the effective date of this chapter, whether manned or unmanned, shall be equipped with an approved emergency lighting system that will light dormitories, hallways, and apparatus bay areas in case of electrical power failure.

(3) No new fire station or new addition to an existing fire station, shall incorporate sliding poles or slides in their design or construction.

(4) The requirements of chapter 296-24 WAC, Part B-2, Window washing, shall be followed when employees are engaged in window washing operations.

(5) All new fire stations and other new fire department facilities which contain sleeping quarters shall be fully protected with automatic sprinkler systems.

(6) All existing fire stations and existing fire department facilities with sleeping quarters, that undergo a major renovation that consists of more than sixty percent of the assessed evaluation of the existing structure shall be fully protected with automatic sprinkler systems.

(7) Eye protection shall be worn when charging, changing or adding fluid to storage batteries. Personnel that will be charging storage batteries shall be qualified to perform this function by the employer. See WAC 296-24-23015.

(8) Stairway tread shall be of a nonskid design. Examples of nonskid: Grip strut grating, serrated edge grating, metal grating, aluminum safety tread, abrasive metal stair tread, or pressure sensitive nonskid type.

(9) In existing facilities where sliding poles or slides are used, the pole or slide hole shall be guarded in such a manner as to prevent anyone from walking directly into the pole or slide hole opening.

(10) To absorb the shock to sliding employees, the bottom of all slide poles or slides shall have a three-foot diameter cushioned rubber mat, or its equivalent.

(11) Nothing shall be stored or placed at the bottom of a pole or slide hole for a radius of three feet from the pole. Doors shall not protrude within three feet of the pole or slide.

(12) Stair and landing protection: Stairways, guardrails, landings, and handrails shall be constructed to the requirements of chapter 19.27 RCW the State Building Code Act, and chapter 296-24 WAC, Part J-1.

(13) A standard guard railing for a landing platform shall include a toeboard, which is a vertical barrier, at floor level erected along exposed edges of a floor opening, wall opening, platform, runway or ramp to prevent falls of material.

(14) Any new facility, or addition, alteration, or repair to an existing facility shall be in compliance with chapter 19.27 RCW, the State Building Code Act.

(15) New stations containing a kitchen, and station kitchens remodeled after the date of this chapter, shall have an alarm activated service disconnect of fixed cooking appliances.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-06511 Indoor air quality. Air quality shall be consistent with WAC 296-62-075 through 296-62-07515, Air contaminants and WAC ((296-62-12000 through

~~296-62-12009~~) 296-800-240, Environmental tobacco smoke ((in office work environments)).

Note: For extended work shifts all eight-hour PEL's shall be time-weighted to adjust for additional worker exposure during extended work shifts.

(1) If indoor air monitoring indicates over-exposure to contaminant PEL's, engineering controls shall be utilized to reduce fire fighter exposure to the lowest feasible level.

(2) All fixed internal combustion equipment such as, but not limited to emergency generators, shall be effectively exhausted to the exterior of the fire stations.

(3) All facilities dedicated to the maintenance and repair of internal combustion equipment shall have means for effective ventilation to the exterior of the building.

(4) All fire stations built after January 1, 1997, shall be designed and constructed to conform to ACGIH ventilation recommended criteria for exhaust of internal combustion engines.

Additional reference: Industrial Ventilation Manual of Recommended Practices ISBN No.: 0-936712-65-1.

AMENDATORY SECTION (Amending WSR 96-11-067, filed 5/10/96, effective 1/1/97)

WAC 296-305-06515 Hose drying towers. (1) The floor openings on hose tower platforms shall be equipped with a forty-two inch guardrail with mid-rail and shall be capable of withstanding a force of 250 pounds applied in any direction at any point on the top rail. The work platform shall be equipped with toeboards.

(2) The requirements for offset ladder platforms and ladder cage guards, when ladders extend beyond twenty feet, shall apply to hose drying towers.

(3) Ropes and attachments used to hoist hose in the hose towers shall have a breaking strength of 1500 pounds for a safe load strength of 300 pounds (five-to-one safety factor).

(4) Approved head protection shall be worn by all persons in the hose tower whenever hose handling/hanging operations are taking place.

(5) Ropes utilizing a pulley block shall be appropriately sized for the sheave to prevent possible jamming or damage to the rope.

Additional reference: Chapter 296-24 WAC, Part J-1 and chapter 296-800 WAC.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-350-100 Inspections and citations.
- WAC 296-350-10010 Selecting workplaces to inspect.
- WAC 296-350-10020 Inspections—Site visit.
- WAC 296-350-10030 Complaints by employees or employee representatives.
- WAC 296-350-10040 Results of a WISHA inspection—Notice of violations.

- WAC 296-350-10050 Posting a citation and notice.
- WAC 296-350-150 Civil penalties.
- WAC 296-350-15010 Assessing civil penalties—Purpose.
- WAC 296-350-15015 Minimum penalty amounts.
- WAC 296-350-15020 Severity and probability determine base penalties.
- WAC 296-350-15025 Severity.
- WAC 296-350-15030 Probability.
- WAC 296-350-15035 Gravity and base penalties.
- WAC 296-350-15040 Adjustments to base penalties.
- WAC 296-350-15045 Increasing penalty amounts.
- WAC 296-350-350 Extension of abatement date(s)—Application—Authority.
- WAC 296-350-35010 Application for extension of abatement date(s).
- WAC 296-350-35015 Extension of abatement date(s)—Application—Timeliness.
- WAC 296-350-35020 Extension of abatement date(s)—Application—Service.
- WAC 296-350-35025 Extension of abatement date(s)—Application—Contents.
- WAC 296-350-35030 Extension of abatement date(s)—Provisional determination.
- WAC 296-350-35035 Extension of abatement date(s)—Notice of application—Notice of opportunity for hearing—Notice of provisional determination.
- WAC 296-350-35040 Extension of abatement date(s)—Posting.
- WAC 296-350-35045 Extension of abatement date(s)—Application for hearing.
- WAC 296-350-35050 Extension of abatement date(s)—Notice of hearing.
- WAC 296-350-35055 Extension of abatement date(s)—Hearings.
- WAC 296-350-35060 Extension of abatement date(s)—Decision and order.
- WAC 296-350-500 Citation and notice—Copy to employee representative.

PROPOSED

WAC 296-350-600	WISHA appeals.
WAC 296-350-60010	Filing an appeal—Who, when and where.
WAC 296-350-60015	What must be in a WISHA appeal.
WAC 296-350-60020	Why we reassume jurisdiction.
WAC 296-350-60030	Reviewing appeals and extending review time.
WAC 296-350-60035	Informal WISHA conferences.
WAC 296-350-60040	Issuing and appealing corrective notices.
WAC 296-350-60045	Notifying employees.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed changes add no new costs for small businesses.

RCW 34.05.328 does not apply to this rule adoption. These rules do not meet the definition of significant legislative rules because they have been rewritten for clarity only.

Hearing Location: OB 2 Auditorium, Corner of 14th and Jefferson, Olympia, Washington 98501, on January 23, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper by January 16, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Number, Kelly Cooper, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by January 23, 2001.

Date of Intended Adoption: No sooner than January 24, 2001.

November 16, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

PURPOSE

NEW SECTION

WAC 388-835-0005 What is the purpose of this chapter? (1) The purpose of this chapter is to establish rules authorized by Title 71A RCW, Developmental disabilities that:

(a) Regulate the purchase and provision of services in intermediate care facility for the mentally retarded (ICF/MR); and

(b) Assure adequate ICF/MR care, service, and protection are provided through licensing and certification procedures; and

(c) Establish standards for providing habilitative training, health-related care, supervision, and residential services to eligible persons.

(2) Except where specifically referenced, this chapter supersedes and replaces any and all sections affecting ICF/MR facilities or programs contained in chapter 388-96 WAC.

DEFINITIONS

NEW SECTION

WAC 388-835-0010 What terms and definitions are important to understanding this chapter? Unless the context clearly requires otherwise, the following terms and definitions are used consistently throughout the chapter:

"**Accrual method of accounting**" is a method of accounting where:

(1) Revenues are reported when they are earned, regardless of when they are collected; and

(2) Expenses are reported when they are incurred, regardless of when they are paid.

WSR 00-23-108

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed November 21, 2000, 3:52 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 98-09-092.

Title of Rule: Chapter 388-835 WAC, ICF/MR, facility certified by Title XIX as an intermediate care facility for providing services to persons with mental retardation or related conditions.

Purpose: To rewrite according to the principles in the governor's executive order on regulatory improvement (97-02).

Statutory Authority for Adoption: RCW 71A.20.140 and 74.09.120, 42 C.F.R. 483.440.

Statute Being Implemented: RCW 71A.20.140 and 74.09.120, and 42 C.F.R. 483.440.

Summary: The rule regulates the purchase and provision of intermediate care facility for the mentally retarded (ICF/MR) services by DSHS to persons who are eligible.

Reasons Supporting Proposal: Governor's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Ron Sherman, P.O. Box 45310, Olympia, WA 98504, (360) 902-8433.

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

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this chapter revision is to establish rules authorized by Title 71A RCW. The rule is being rewritten for clarity as a result of the rule review required under EO 97-02. No policy changes have been made and there are no anticipated effects other than a more easily understood rule.

"Active treatment," as used in this chapter, is defined in 42 CFR 483.440(a) and includes implementation of an individual program plan for each resident as outlined in 42 CFR 483.440 (c) through (f).

"Administration and management" means activities used to maintain, control, and evaluate an organization's use of resources while pursuing its goals, objectives and policies.

"Admission" means entering a state-certified facility and being authorized to receive services from it.

"Allowable costs" are documented costs that:

- (1) Are necessary, ordinary, and related to providing ICF/MR services to ICF/MR residents; and
- (2) Not expressly declared **"nonallowable"** by applicable statutes or regulations.

"Appraisal" is a process performed by a professional person either designated by the American Institute of Real Estate Appraisers as a member, appraisal institute (MAI), or by the Society of Real Estate Appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). The appraisal process is used to establish the fair market value of an asset or to reconstruct the historical cost of an asset that was acquired in a past period. The appraisal process includes recording and analyzing property facts, rights, investments and values based on a personal inspection and a property inventory.

"Arm's-length transaction" is a transaction resulting from good faith bargaining between a buyer and seller who hold adverse positions in the market place. Arm's-length transactions are presumed to be objective transactions. A sale or exchange of ICF/MR or nursing home facilities among two or more parties where all parties continue to own one or more of the facilities involved in the transaction is not considered an arm's-length transactions. The sale of an ICF/MR facility that is subsequently leased back to the seller within five years of the date of sale is not considered an arm's-length transaction for purposes of chapter 388-835 WAC.

"Assets" are economic resources of the provider, recognized, and measured in conformity with generally accepted accounting principles. Assets also include deferred charges that are recognized and measured according to generally accepted accounting principles. (The value of assets acquired in a change of ownership transaction entered into after September 30, 1984, cannot exceed the acquisition cost of the owner of record as of July 18, 1984.)

"Bad debts" or **"uncollectable accounts"** are amounts considered uncollectable from accounts and notes receivable. Generally accepted accounting principles must be followed when accounting for bad debts.

"Beds," unless otherwise specified, means the number of set-up beds in an ICF/MR facility. The number of set-up beds cannot exceed the number of licensed beds for the facility.

"Beneficial owner": For a definition, see WAC 388-835-0015.

"Boarding home" means any home or other institution licensed according to the requirements of chapter 18.20 RCW.

"Capitalization" means recording expenditures as assets.

"Capitalized lease" is a lease that is recorded, according to generally accepted accounting principles, as an asset with an associated liability.

"Cash method of accounting" is a method of accounting where revenues are recorded only when cash is received and expenses are not recorded until cash is paid.

"Change of ownership," see WAC 388-835-0020.

"Charity allowances" are reductions in a provider's charges because of the indigence or medical indigence of a resident.

"Consent" means the process of obtaining a person's permission before initiating procedures or actions against that person.

"Contract" means a contract between the department and a provider for the delivery of ICF/MR services to eligible Medicaid recipients.

"Provider" means an entity contracting with the department to deliver ICF/MR services to eligible Medicaid recipients.

"Courtesy allowances" are reductions in charges to physicians, clergy, and others for services received from a provider. Employee fringe benefits are not considered courtesy allowances.

"Custody" means the immediate physical confinement, sheltering and supervision of a person in order to provide them with care and protect their welfare.

"DDD" means the division of developmental disabilities of the department.

"Department" means the department of social and health services (DSHS) and its employees.

"Depreciation" is the systematic distribution of the cost (or depreciable base) of a tangible asset over its estimated useful life.

"Discharge" means the process that takes place when:

- (1) A resident leaves a residential facility; and
- (2) The facility relinquishes any responsibility it acquired when the resident was admitted.

"Donated asset" is an asset given to a provider without any payment in cash, property, or services. An asset is not considered donated if the provider makes a nominal payment when acquiring it. An asset purchased using donated funds is not a donated asset.

"Entity" means an individual, partnership, corporation, public institution established by law, or any other association of individuals, capable of entering into enforceable contracts.

"Equity capital" is the total tangible and other assets that are necessary, ordinary, and related to resident care listed on a provider's most recent cost report minus the total related long-term debt from the same cost report plus working capital as defined in this section.

"Exemption" means a department approved written request asking for an exception to a rule in this chapter.

"Facility" means a residential setting certified, according to federal regulations, as an ICF/MR by the department. A state facility is either a state-owned and operated residential living center or a state-operated living alternative

(SOLA). A private facility is a residential setting licensed as a nursing home under chapter 18.51 RCW or a boarding home licensed under chapter 18.20 RCW.

"**Fair market value**" is the purchase price of an asset resulting from an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

"**Financial statements**" are statements prepared and presented according to generally accepted accounting principles and practice and the requirements of this chapter. Financial statements and their related notes include, but are not limited to, balance sheet, statement of operations, and statement of change in financial position.

"**Fiscal year**" is the operating or business year of a provider. Providers report on the basis of a twelve-month fiscal year, but this chapter allows reports covering abbreviated fiscal periods.

"**Funded capacity**," for a state facility, is the number of beds on file with the office of financial management on the first day of each biennium that are available for use during each fiscal year of the biennium.

"**Generally accepted accounting principles**" are the accounting principles currently approved by the financial accounting standard board (FASB).

"**Generally accepted auditing standards**" are the auditing standards currently approved by the American Institute of Certified Public Accountants (AICPA).

"**Goodwill**" is the excess of the purchase price of a business over the fair market value of all identifiable, tangible, and intangible assets acquired. "**Goodwill**" also means the excess of the price paid for an asset over fair market value.

"**Habilitative services**" means those services required by an individual habilitation plan.

"**Harmful**" is when an individual is at immediate risk of serious bodily harm.

"**Historical cost**" is the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

"**Imprest fund**" is a fund:

- (1) Regularly replenished for the amounts expended from it; and
- (2) The cash in the fund and the receipts for expenditures should always equal a predetermined amount.
- (3) An example of an imprest fund is a petty cash fund.

"**ICF/MR**" means a facility certified by Title XIX as an intermediate care facility for providing services to persons with mental retardation or related conditions.

"**Interest**" is the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the borrower.

"**Joint facility costs**" are any expenses incurred that benefit more than one facility or a facility and any other entity.

"**Lease agreement**" is a contract for a specified period of time between two parties regarding the possession and use of real or personal property and/or assets in exchange for specified periodic payments.

"**Medicaid program**" means either the state medical assistance program provided under RCW 74.09.500 or authorized state medical services.

"**Medical assistance recipient**" is an individual that the department declares eligible for medical assistance services provided in chapter 74.09 RCW.

"**Modified accrual method of accounting**" is a method of accounting that records revenues only when cash is received and records expenses when they are incurred, regardless of when they are paid.

"**Net book value**" is the historical cost of an asset less its accumulated depreciation.

"**Nonallowable costs**" are costs that are not documented, necessary, ordinary and related to providing services to residents.

"**Nonrestricted funds**" are donated funds not restricted to a specific use by the donor. General operating funds are an example of nonrestricted funds.

"**Nursing home**" means a home, place, or institution, licensed according to chapter 18.51 RCW, where skilled nursing, intermediate care, and ICF/MR services are delivered.

"**Operating lease**" is a lease, according to generally accepted accounting principles, that requires rental or lease payments to be charged to current expenses when they are incurred.

"**Ordinary costs**" are costs that, by their nature and magnitude, a prudent and cost conscious management would pay.

"**Owner**" means a sole proprietor, general or limited partner, or beneficial interest holder of at least five percent of a corporation's outstanding stock.

"**Ownership interest**" means all beneficial interests owned by a person (calculated in the aggregate) regardless of the form such beneficial ownership takes. Also, see WAC 388-835-0015.

"**Per diem costs**" or "**per resident day costs**" are total allowable costs for a fiscal period divided by total resident days for that same period.

"**Prospective daily payment rate**" is the daily amount the department assigns to each provider for providing services to ICF/MR residents. The rate is used to compute the department's maximum participation in the provider's cost.

"**Qualified mental retardation professional (QMRP)**" means QMRP as defined under 42 CFR 483.430(a).

"**Qualified therapist**," see WAC 388-835-0030.

"**Regression analysis**" is a statistical technique used to analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

"**Regional services**" are the services of a local office of the division of developmental disabilities.

"**Related organization**" is an entity that either controls another entity or is controlled by another entity or provider. Control results from common ownership or the ability to exercise significant influence on the other entity's activities. Control occurs when an entity or provider has:

(1) At least a five percent ownership interest in the other entity; or

(2) The ability to influence the activities of the other.

"Relative" means spouse; natural parent, child, or sibling; adopted child or adoptive parent; stepparent, stepchild, stepbrother, stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

"Resident" or **"person"** means a person the division determines is, under RCW 71A.16.040 eligible for division-funded services.

"Resident day" means a calendar day of resident care. When computing calendar days of resident care, the day of admission is always counted. The day of discharge is counted only when discharge and admission occur on the same day. For the purpose of this definition, a person is considered admitted when they are assigned a bed and a resident record is opened for them.

"Resident care and training staff" are staff whose primary responsibility is the care and development of the residents, including:

- (1) Resident activity program;
- (2) Domiciliary services; and
- (3) Habilitative services under the supervision of a QMRP.

"Restricted fund" is a fund where the donor restricts the use of the fund principal or income to a specific purpose. Restricted funds generally fall into one of three categories:

- (1) Funds restricted to specific operating purposes; or
- (2) Funds restricted to additions of property, plant, and equipment; or
- (3) Endowment funds.

"RHC" - Residential habilitation center. A facility owned and operated by the state and is certified as an ICF/MR or a nursing facility.

"Secretary" means the secretary of DSHS.

"Start-up costs" are the one-time costs incurred from the time preparations begin on a newly constructed or purchased building until the first resident is admitted. Such **"pre-opening"** costs include, but are not limited to, administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, and training costs. Start-up costs do not include expenditures for capital assets.

"Superintendent" means the superintendent of a residential habilitation center (RHC) or the superintendent's designee.

"Title XIX" means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

"Uniform chart of accounts" means a list of department established account titles and related code numbers that providers must use when reporting costs.

"Vendor number" or **"provider number"** is a number assigned by the department to each provider who delivers ICF/MR services to ICF/MR Medicaid recipients.

"Working capital" is the difference between the total current assets that are necessary, ordinary, and related to resident care, as reported in a provider's most recent cost report,

and the total current liabilities necessary, ordinary, and related to resident care reported in the same cost report.

NEW SECTION

WAC 388-835-0015 What is a "beneficial owner"? A beneficial owner is any person who:

(1) Has or shares, by contract, arrangement, understanding, relationship, or otherwise, the power to:

(a) Vote or direct the voting of an ownership interest; and/or

(b) Invest, including the power to dispose of or direct the disposition of an ownership interest.

(2) Creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device to divest a beneficial owner of their ownership or prevent the vesting of their ownership in order to evade the reporting requirements of this chapter;

(3) Has the right to acquire a beneficial ownership interest within sixty days of one of the following occurring:

(a) Exercising any option, warrant, or right;

(b) Converting an ownership interest;

(c) Revoking a trust, discretionary account, or similar arrangement; or

(d) Automatically terminating a trust, discretionary account, or similar arrangement.

(e) Any person acquiring an ownership interest by exercising (a), (b) or (c) of this subsection must be deemed the beneficial owner of that interest.

(4) In the ordinary course of business, according to a written pledge agreement, becomes a pledge of an ownership interest. A pledge must not be deemed the beneficial owner of a pledged ownership interest except when all of the following conditions are met:

(a) The pledge must follow all the steps in the pledge agreement and:

(i) Declare a default and determine the power to vote;

(ii) Direct the vote; or

(iii) Dispose of the pledged ownership interest; or

(iv) Direct how the disposition of the pledged ownership interest will take place.

(b) The agreement must:

(i) Be bona fide;

(ii) Not change or influence a provider's control; and

(iii) Not be related to any transaction attempting to change or influence a provider's control.

(c) The agreement, before default, cannot grant the pledge the power to:

(i) Vote or direct the vote of the pledged ownership interest; or

(ii) Dispose or direct the disposition of the pledged ownership interest except where credit is extended and the pledge is a broker or dealer.

NEW SECTION

WAC 388-835-0020 What is a "change in ownership"? (1) A "change in ownership" is a change in the individual or legal organization responsible for the daily operation of an ICF/MR facility.

PROPOSED

(2) Types of events causing a change in ownership include but are not limited to:

(a) Changing the form of legal organization of the owner, such as a sole proprietorship becomes a partnership or corporation;

(b) Transferring the title to the ICF/MR enterprise from the provider to another party;

(c) Leasing the ICF/MR facility to another party or an existing lease is terminated;

(d) When the provider is a partnership, any event that dissolves the partnership;

(e) When the provider is a corporation and the corporation:

(i) Is dissolved;

(ii) Merges with another corporation which is the survivor; or

(iii) Consolidates with one or more other corporations to form a new corporation.

(3) Ownership does not change when:

(a) The provider contracts with another party to manage the facility and act as the provider's agent subject to the provider's general approval of daily operating decisions; or

(b) When the provider is a corporation, some or all of its corporate stock is transferred.

NEW SECTION

WAC 388-835-0025 How can lease agreements be terminated? (1) Lease agreements can be terminated by:

(a) Eliminating or adding parties to the agreement;

(b) Expiration of the agreement;

(c) Modifying of any lease term in the agreement;

(d) Terminating the agreement by any means by either party; or

(e) Extending or renewing the agreement, even if done according to its renewal provision, creates a new agreement and effectively terminates the old one.

(2) A strictly formal change in a lease agreement modifying the method, frequency, or manner in which lease payments are made without increasing the total payment obligation of the lessee is not considered a modification of the lease terms.

NEW SECTION

WAC 388-835-0030 What is a "qualified therapist"?

A qualified therapist is any of the following:

(1) An activity specialist who has department specified specialized education, training, or experience;

(2) An audiologist eligible for a certificate of clinical competency in audiology or possessing the equivalent education and clinical experience;

(3) A dental hygienist defined, licensed and regulated by chapter 18.29 RCW;

(4) A dietitian either:

(a) Eligible for registration by the American Dietetic Association under requirements in effect on January 17, 1974; or

(b) With a baccalaureate degree whose major studies covered food and nutrition, dietetics, or food service manage-

ment; plus one year supervisory experience in the dietetic service of a health care institution; and annual participation in, continuing dietetic education;

(5) An occupational therapist who graduated from a program in occupational therapy or who possesses the equivalent of such education or training and meets all Washington state legal requirements;

(6) A pharmacist who is licensed by the Washington state board of pharmacy to engage in the practice of pharmacy;

(7) A physical therapist, meaning someone practicing physical therapy as defined in RCW 18.74.010(3). Physical therapist does not include massage operators as defined in RCW 18.108.010;

(8) A physician as defined, licensed and regulated by chapter 18.71 RCW or an osteopathic physician as defined, licensed and regulated by chapter 18.57 RCW;

(9) A psychologist as defined, licensed and regulated by chapter 18.83 RCW;

(10) A qualified mental retardation professional;

(11) A registered nurse as defined by chapter 18.88A RCW;

(12) A social worker who is a graduate of a school of social work; or

(13) A speech pathologist either:

(a) Eligible for a certificate of clinical competence in speech pathology; or

(b) Possessing the equivalent education and clinical experience.

EXEMPTIONS

NEW SECTION

WAC 388-835-0035 Does DSHS grant exemptions to these rules? (1) DSHS may approve an exemption to a specific rule in this chapter if an:

(a) Assessment of the request concludes that the exemption will not undermine the legislative intent of Title 71A RCW, Developmental disabilities; and

(b) Evaluation of the request shows that the exemption will not adversely effect the quality of service, supervision, health, and safety of department-served persons.

(2) Agencies and individual providers must retain a copy of each department-approved exemption.

(3) Actions regarding exemption requests are not subject to appeal.

GENERAL REQUIREMENTS

NEW SECTION

WAC 388-835-0040 What general requirements apply to ICF/MR care facilities? The following general requirements apply:

(1) The division will recognize only the official name of an ICF/MR as shown on the license.

(2) All state and private ICF/MR facilities must be certified as a Title XIX IMR ICF/MR facility.

(3) All private ICF/MR facilities with a certified capacity of at least sixteen beds must be licensed as a nursing home under chapter 18.51 RCW, Nursing homes.

(4) All private ICF/MR facilities with a certified capacity of less than sixteen beds must be licensed as a boarding home for the aged under chapter 18.20 RCW.

(5) All facilities certified to provide ICF/MR services must comply with all applicable Title XIX, Section 1905 of the Social Security Act 42 U.S.C federal regulations as amended. In addition, all private-operated facilities must comply with state regulation governing the licensing of nursing homes or boarding homes for the aged and any other relevant state regulations.

(6) All certified facilities must only admit persons with developmental disabilities as residents.

(7) State facilities may not exceed funded capacity unless authorized by the secretary to do so (see RCW 71A.20.090).

NEW SECTION

WAC 388-835-0045 What are the minimum staff requirements for an ICF/MR facility? All ICF/MR facilities must provide sufficient number of qualified staff to meet the needs of their residents.

NEW SECTION

WAC 388-835-0050 What general requirements apply to the quality of ICF/MR services? (1) DSHS is responsible for assuring the:

(a) Health care and habilitative training needs of an individual are identified and met according to state and federal regulations.

(b) Individual is placed in a facility certified as capable of meeting their needs.

(2) DDD regional service staff is responsible for authorizing changes in residential services.

(3) All services provided must be essential to the resident's habilitation and health care needs and to achieving the primary goal of attaining the highest level of independence possible for each individual resident.

(4) A resident in an ICF/MR is eligible for community residential services when such services meet their needs.

(5) Every ICF/MR must provide habilitative training and health care that at least includes the following:

(a) Active treatment;

(b) Services according to the identified needs of the individual resident and provided by or under the supervision of qualified therapists;

(c) Routine items and supplies provided uniformly to all residents;

(d) Providing necessary surgical appliances, prosthetic devices, and aids to mobility for the exclusive use of individual residents;

(e) Nonreusable supplies not usually provided to all residents may be individually ordered. A department representative must authorize requests for such supplies.

(6) Each ICF/MR facility is responsible for providing transportation for residents. This responsibility may include the guarantee of a resident's use of public transportation.

NEW SECTION

WAC 388-835-0055 What are the resident's rights if DSHS decides that they are no longer eligible for ICF/MR services? (1) A resident, their guardian, next-of-kin, or responsible party must be informed by DSHS in writing twenty-eight days before any re-determination of their eligibility for ICF/MR services takes place.

(2) The re-determination notice must include:

(a) The reasons for the proposed eligibility change;

(b) A statement that the resident or any other individual designated by the resident has a right to a conference with a DDD representative within twenty-eight days of receipt of the notice;

(c) A statement that the resident has the right to request a hearing to contest the department's decision within twenty-eight days of the notice;

(d) Information as to how a hearing can be requested;

(e) A statement that the resident has the right to be represented at the hearing by an authorized representative; and

(f) Information regarding the availability and location of legal services within the resident's community.

NEW SECTION

WAC 388-835-0060 What are DSHS responsibilities when it decides to re-determine a resident eligibility for ICF/MR services? DSHS must send a hearing request form with the notice of re-determination.

(1) If the resident requests a hearing within the twenty-eight day time period, DSHS must not re-determine eligibility until a hearing decision is reached or appeal rights have been exhausted unless re-determination is warranted by the resident's health or safety needs.

(2) If the secretary or the secretary's designee concludes that re-determination is not appropriate, no further action will be taken to re-determine eligibility unless there is a change in the situation or circumstances. If there is a change in the situation or circumstances, the request may be resubmitted.

(3) If the secretary or the secretary's designee affirms the decision to change the resident's eligibility and no judicial review is filed within twenty-eight days of the receipt of notice of re-determination, the department must proceed with the planned action.

(4) If the secretary or secretary's designee affirms the decision to change the resident's eligibility and a request for judicial review has been filed, any proposed re-determination must be delayed until the appeal process is complete unless a delay jeopardizes the resident's health or safety.

NEW SECTION

WAC 388-835-0065 Do residents always have a right to a hearing? Advance notice and planning does not include a right to a hearing for a resident when the department con-

cludes that the facility where the resident resides cannot provide Title XIX services due to:

- (1) Termination of the facility's contract;
- (2) De-certification of the facility;
- (3) Nonrenewal of the facility's contract;
- (4) Revocation of the facility's license; or
- (5) An emergency suspension of the facility's license.

PLACEMENT—TRANSFER—RELOCATION—DISCHARGE

NEW SECTION

WAC 388-835-0070 What requirements apply to the placement of individuals in an ICF/MR facility? (1) Placing individuals in an ICF/MR facility is the responsibility of the division of developmental disabilities and must be done according to applicable federal and state regulations.

(2) A facility may not admit an individual who requires services the facility cannot provide.

(3) Department representatives must determine an individual's eligibility for ICF/MR services before payment can be approved.

NEW SECTION

WAC 388-835-0075 What if an individual is transferred between facilities? (1) When an individual is transferred between facilities, all essential information concerning the individual, their condition, regimen of care and training must be transmitted, in writing, by the sending facility to the receiving facility at the time of the transfer.

(2) "Transferred between facilities" means transferred from:

- (a) An ICF/MR to ICF/MR;
- (b) An ICF/MR to a hospital;
- (c) A hospital to an ICF/MR; or
- (d) An ICF/MR or hospital to alternative community placement.

NEW SECTION

WAC 388-835-0080 What if an ICF/MR facility is closed? (1) When a facility plans to close, it must notify the department, in writing, at least one hundred and eighty days before the date of closure.

(2) Upon receipt of a notice of closure, the department must stop referring individuals to the facility and begin the orderly transfer of its residents.

NEW SECTION

WAC 388-835-0085 Why is an individual transferred or discharged? An individual admitted to a facility can be transferred or discharged only for:

- (1) Medical reasons;
- (2) The individual's welfare;
- (3) The welfare of other residents; or
- (4) At the request of the resident or legal guardian.

NEW SECTION

WAC 388-835-0090 What is the basis of the decision to transfer or discharge an individual? The decision to transfer or discharge an individual must be based on:

- (1) An assessment of the resident in consultation with the service provider and the parent or guardian; and
- (2) A review of the relevant records.

NEW SECTION

WAC 388-835-0095 Is a transfer plan required for each resident? (1) DDD must prepare a written plan for each resident to be transferred.

(2) These plans must:

- (a) Identify the location of available facilities that provide services appropriate and consistent with the resident's needs;
- (b) Provide for coordination between the staffs of the old and new agencies;
- (c) Allow for a pre-transfer visit, when the resident's condition permits, to the new facility, so the resident can become familiar with the new surroundings and residents;
- (d) Encourage active participation by the resident's guardian or family in the transfer preparation;
- (e) Facilitate discussions between the staffs of the old and new facilities regarding expectations;
- (f) Provide opportunities for consultations on request between the two staffs; and
- (g) Require follow-up by DDD to monitor the effects of the transfer.

NEW SECTION

WAC 388-835-0100 Why would an individual move? An individual may move if:

- (1) The services provided to an individual do not meet their needs;
- (2) A facility's ICF/MR certification or license is revoked or suspended;
- (3) Medical reasons dictate relocation;
- (4) A resident's welfare would be improved;
- (5) The welfare of the other residents would be enhanced;
- (6) There is no payment for services provided to the resident during their stay at the facility; or
- (7) The resident and/or guardian make a formal request.

NEW SECTION

WAC 388-835-0105 What are DSHS' responsibilities for placing individuals? (1) When services available to an individual do not meet their needs, the department is responsible for initiating and facilitating the resident's relocation.

(2) The department may enforce immediate movement of a resident from an ICF/MR facility when the facility's ICF/MR certification or license is revoked or suspended.

(3) The department must notify a resident and their guardian, next of kin, or responsible party, in writing, when:

(a) DSHS or Health Care Financing Administration (HCFA) determines a facility no longer meets certification requirements as an ICF/MR;

(b) DSHS determines the facility does not meet contract requirements; or

(c) A facility voluntarily terminates their contract with DSHS or stops participating in the ICF/MR program.

NEW SECTION

WAC 388-835-0110 Is DSHS required to give written notice when it intends to transfer an individual? (1) WAC 388-835-054 requires that DSHS give the resident and their guardian, next of kin, or responsible party twenty-eight days notice, in writing, of its intent to transfer the resident.

(2) If there is a serious and immediate threat to the resident's health or safety, DSHS is not required to give the resident and their guardian, next of kin, or responsible party twenty-eight days notice of its intent to transfer the resident.

NEW SECTION

WAC 388-835-0115 Can a facility request that an individual be transferred? Facilities can request that a resident be transferred for the following reasons:

(1) Medical reasons;

(2) The individual's welfare;

(3) The welfare of the other residents; or

(4) Nonpayment for services provided to the resident during the resident's stay at the facility.

NEW SECTION

WAC 388-835-0120 What steps must be followed when a facility makes a transfer request? The following steps apply when a facility wants a resident transferred:

(1) The facility must send their request to the department in writing. The request must explain why the relocation is necessary and document that the interdisciplinary team responsible for developing the resident's habilitation plans agrees with the request.

(2) DSHS must approve or deny the request within fifteen working days of receiving it. The department's decision must be based upon:

(a) An on-site visit with the resident; and

(b) A review of the resident's records.

(3) The facility administrator must be informed of the department's decision.

(4) If the facility's request is approved, the department must give the resident and their guardian, next of kin, or responsible party twenty-eight days notice, in writing, of its intent to transfer the resident.

NEW SECTION

WAC 388-835-0125 Can residents request a transfer? (1) Every resident has a right to:

(a) Request a transfer; and

(b) Select where they wish to move.

(2) If the resident's selection is available and appropriate to their habilitation and health care needs, the department must make all reasonable attempts to accomplish transfer.

(3) If the selection is neither appropriate nor available, the resident may make another selection.

(4) All requests by the resident or their guardian must be in writing.

(5) DDD is solely responsible for arranging the resident's transfer.

NEW SECTION

WAC 388-835-0130 What rights are available to a resident regarding a proposed transfer? (1) A resident, their guardian, next-of-kin, or responsible party must be notified in writing at least twenty-eight days before any transfer occurs.

(2) The transfer notice must include:

(a) The reasons supporting the proposed transfer;

(b) A statement that the resident or any other individual designated by the resident has a right to a conference with a DDD representative within twenty-eight days of receipt of the notice;

(c) A statement that the resident has the right to request a hearing to contest the department's decision within twenty-eight days of the notice;

(d) Information as to how a hearing can be requested;

(e) A statement that the resident has the right to be represented at the hearing by an authorized representative; and

(f) Information regarding the availability and location of legal services within the resident's community.

NEW SECTION

WAC 388-835-0135 What are DSHS responsibilities when it decides to transfer a resident? DSHS must send a hearing request form with the notice of transfer.

(1) If the resident requests a hearing within the twenty-eight day time period, DSHS must not transfer the resident until a hearing decision is reached or appeal rights have been exhausted unless the transfer is warranted by the resident's health or safety needs or the welfare of the other residents.

(2) If the secretary or the secretary's designee concludes that the transfer is not appropriate, no further action is to be taken to transfer unless there is a change in the situation or circumstances surrounding the transfer request. If there is a change in the situation or circumstances, the request may be resubmitted.

(3) If the secretary or the secretary's designee affirms the decision to transfer the resident and no judicial review is filed within twenty-eight days of the receipt of notice of transfer, DSHS must proceed with the planned action.

(4) If the secretary or secretary's designee affirms the decision to transfer the resident and a request for judicial review has been filed, any proposed transfer must be delayed until the appeal process is complete unless a delay jeopardizes the resident's health or safety or the welfare of other residents.

NEW SECTION

WAC 388-835-0140 Do residents always have a right to a hearing? Advance notice and planning does not include a right to a hearing for a resident when the department concludes that the facility where the resident resides cannot provide Title XIX services due to:

- (1) Termination of the facility's contract;
- (2) De-certification of the facility;
- (3) Nonrenewal of the facility's contract;
- (4) Revocation of the facility's license; or
- (5) An emergency suspension of the facility's license.

**DISCHARGE/READMISSION
AND INCIDENT REPORTING**

NEW SECTION

WAC 388-835-0145 Does a facility have a responsibility to report incidents involving residents? Any facility that has an ICF/MR contract with DSHS must immediately contact their DDD regional services office regarding unauthorized leaves, disappearances, serious accidents, or other traumatic incidents effecting a resident or the resident's health or welfare.

NEW SECTION

WAC 388-835-0150 When does DSHS require discharge and readmission of a resident? DSHS requires discharge and readmission for all residents admitted as hospital inpatients.

SOCIAL LEAVE FOR ICF/MR RESIDENTS

NEW SECTION

WAC 388-835-0155 What requirements apply to social leaves for ICF/MR residents? (1) All social leaves should be consistent with the goals and objectives in the resident's individual habilitation plan.

(2) Any facility vacancies resulting from a resident's social leave will be reimbursed if the leave complies with the individual habilitation plan and the following conditions:

- (a) The facility must notify the DDD director or their designee of all social leaves exceeding fifty-three hours.
- (b) All social leaves exceeding seven consecutive days must receive prior written approval from the DDD director or their designee.
- (c) The DDD director or their designee must give written approval before a resident can accumulate more than seventeen days of social leave per year.

**SUPERINTENDENT'S AUTHORITY
TO DETAIN A RESIDENT**

NEW SECTION

WAC 388-835-0160 Can residential habilitation center (RHC) superintendents involuntarily detain residents? (1) When an RHC resident decides to initiate a voluntary discharge, the superintendent must determine if the discharge is harmful to the resident.

(2) If the superintendent concludes that the discharge is harmful, they may detain the resident for up to forty-eight hours until the harm passes. The superintendent may also refer the resident to a mental health professional as defined in RCW 71.05.150.

(3) At the end of the forty-eight hour detention period, the superintendent must release the resident.

(4) If, within six months, the superintendent detains the resident a second time, they must refer the resident to a mental health professional within eight hours of the second detention. During this second detention, the resident may only be held until the mental health professional:

- (a) Investigates and evaluates the specific facts surrounding the situation; and
- (b) Determines if further detention is necessary (see RCW 71.05.150).

(5) Nothing in this section prevents a superintendent or their designee from allowing a resident to leave the RHC for specified periods necessary for their habilitation or care.

NEW SECTION

WAC 388-835-0165 Is a superintendent required to give notice when they detain a resident? (1) When a superintendent detains an RHC resident, the superintendent or their designee must notify the resident and their legal representative as required in RCW 71A.10.070.

(2) If the resident's legal representative is not available, the superintendent must also notify one or more of the following persons in the order of priority listed:

- (a) A parent of the resident;
- (b) Other persons of close kinship relationship to the resident;
- (c) The Washington protection and advocacy agency for the rights of a person with a developmental disability, appointed in compliance with 42 USC section 6042; or
- (d) A person, who is not a DSHS employee or an ICF/MR but who, in the superintendent's opinion, is concerned with the resident's welfare.

(3) Nothing in this section prevents a superintendent from notifying:

- (a) A mental health professional;
- (b) Local law enforcement;
- (c) Adult protective services;
- (d) Child protective services;
- (e) Other agencies as appropriate; or
- (f) Director, division of developmental disabilities, or designee.

NEW SECTION

WAC 388-835-0170 What is a superintendent's responsibility when a resident voluntarily leaves an RHC? When a resident voluntarily leaves RHC programs and services, the superintendent must initiate discharge proceedings.

ICR/MR CONTRACTSNEW SECTION

WAC 388-835-0175 What if a facility violates its ICF/MR contract? (1) If a facility violates the terms of their contract, DSHS may temporarily suspend referring residents to it.

(2) Whenever DSHS suspends referrals it must notify the facility immediately, in writing, and give the reasons for its action.

(3) The suspension may continue until DSHS determines that the circumstances leading to it have been corrected.

NEW SECTION

WAC 388-835-0180 What if an ICF/MR contract is terminated? (1) Before a contract is terminated, the provider must give DSHS one hundred and eighty days written notice of the termination.

(2) When a contract is terminated, the provider must submit final reports to DSHS according to the requirements of WAC 388-835-124.

(3) When notified of a contract termination, DSHS must determine, by preliminary or final settlement calculations, the amount of any overpayments made to the provider, including overpayments disputed by the provider. If preliminary or final settlements are not available for any periods before the termination date of the contract, DSHS must use available relevant information to make a reasonable estimate of any overpayments or underpayments.

(4) The provider must file a properly completed final cost report (see the requirements in WAC 388-835-0225, 388-835-0230, and 388-835-0235). This report may be audited by DSHS. A final settlement must be determined within ninety days after the audit process is completed (including any administrative review of the audit requested by the provider) or within twelve months of the termination of the contract if an audit is not performed.

NEW SECTION

WAC 388-835-0185 Does DSHS withhold payment for services when a contract is terminated? (1) Payment for services provided before a contract was terminated, equal to the amount determined in WAC 388-835-0180(3), may be withheld by DSHS until the provider files a properly completed final annual cost report and a final settlement has been calculated.

(2) Instead of withholding payments, DSHS may allow a provider to offer security equal to the determined and/or estimated overpayments even when the overpayments are being

disputed in good faith. Types of security acceptable to DSHS are:

(a) A surety bond issued by a bonding company acceptable to DSHS;

(b) An assignment of funds to DSHS;

(c) Collateral acceptable to DSHS;

(d) A purchaser's assumption of liability for the provider's overpayment; or

(e) Any combination of (a) through (d) of this subsection.

(3) DSHS must release any payments withheld if a provider gives acceptable security equal to the determined and/or estimated overpayments.

NEW SECTION

WAC 388-835-0190 What happens to withheld payments and security from a provider when a final settlement is determined? (1) When a final settlement is determined, security held by DSHS must be released to the provider after any related overpayments owed to the department have been paid.

(2) If the provider disagrees with the settlement and does not repay any overpayments owed, DSHS must retain security equal to the amount of the disputed overpayments until the administrative appeal process is completed.

(3) If the total of withheld payments, bonds, and assignments is less than the total of the determined and/or estimated overpayments, the unsecured portion of the overpayments is a debt owed to the state of Washington. This debt becomes a lien against the provider's real and personal property when DSHS files with the auditor in the county where the provider resides or owns property. This lien has preference over all unsecured creditor claims against the provider.

(4) If the total existing overpayments exceed the value of the security held by DSHS, DSHS may use whatever legal means are available to recover the difference.

NEW SECTION

WAC 388-835-0195 What requirements apply to surety bonds or assigned funds used as security by a provider? All surety bonds or assignment of funds, offered as security, must be:

(1) At least equal in amount to the determined and/or estimated overpayments minus any withheld payments even if the overpayments are the subject of a good faith dispute;

(2) Issued or accepted by a bonding company or financial institution licensed to transact business in Washington state;

(3) For a term sufficient to cover the time period needed to determine a final settlement and exhaust administrative and judicial remedies;

(4) Forfeited to DSHS if the term proves insufficient and the bond or assignment is not renewed for an amount equal to any remaining overpayment in dispute;

(5) Paid to DSHS if a properly completed final cost report is not filed by the provider or if financial records sup-

porting this report are not retained and available to the auditor; and

(6) Paid to DSHS if the provider does not pay the refund owed within sixty days following receipt of a written demand to do so or the conclusion of any administrative or judicial proceedings held to settle the dispute.

NEW SECTION

WAC 388-835-0200 Does de-certification, termination or nonrenewal of a contract stop payment of Title XIX funds? A de-certification, termination, or nonrenewal of a contract stops the payment of Title XIX funds. Actions such as these do not affect a facility's right to operate as a nursing home or boarding home, but they do disqualify the facility from operating as an ICF/MR facility and receiving federal funds.

NEW SECTION

WAC 388-835-0205 How does a change in ownership affect an ICF/MR contract with DSHS? (1) On the effective date of a change of ownership, DSHS's contract with the former owner is terminated. The former owner must give DSHS one hundred and eighty days written notice before the contract is terminated. When a certificate of need is required for the new owner and the new owner wishes to continue to provide services to residents without interruption, a certificate of need must be obtained before the former owner submits their notice of termination (see chapter 70.38 RCW for certificate of need requirements).

(2) If the new provider plans to participate in the cost related reimbursement system, they must meet the conditions specified in WAC 388-835-0215 and submit the projected budget required in WAC 388-835-0220. The new owner's CF/MR contract is effective on the date ownership changes.

(3) When a contract is terminated, the provider must reverse any accumulated liabilities assumed by a new owner against the appropriate accounts.

PROSPECTIVE COST RELATED REIMBURSEMENT SYSTEM

NEW SECTION

WAC 388-835-0210 What is the prospective cost related reimbursement system (PCRRS)? PCRRS is the system used by DSHS pay for ICF/MR services provided to ICF/MR residents. Reimbursement rates for such services are determined according to the principles, methods, and standards contained in this chapter.

NEW SECTION

WAC 388-835-0215 What are the requirements for participating in PCRRS? To participate in PCRRS, an entity responsible for operating an ICF/MR facility must:

(1) Obtain a state certificate of need as required by chapter 70.38 RCW, Health planning and development;

(2) Possess a current license to operate an appropriate facility (e.g., nursing home, boarding home);

(3) Be currently certified under Title XIX to provide ICF/MR services;

(4) Hold a current contract to provide ICF/MR services and comply with all of its provisions; and

(5) Comply with all applicable federal and state regulations, including the requirements of this chapter.

NEW SECTION

WAC 388-835-0220 What are the projected budget requirements for new providers? (1) Unless the DDD director approves a shorter period, each new provider must submit a one-year projected budget to DSHS at least sixty days before the contract will become effective.

(2) The projected budget must cover the twelve months immediately following the date the provider will enter the program.

(3) The projected budget must:

(a) Be prepared according to DSHS instructions;

(b) Be completed on the forms provided by DSHS; and

(c) Include all earnest money, purchase, and lease agreements involved in the change of ownership transaction.

(4) A new provider must also clearly identify, in their projected budget, all individuals and organizations having a beneficial ownership interest in the:

(a) Current operating entity;

(b) Land, building, or equipment used by the facility; and

(c) Purchasing or leasing entity.

(5) For purposes of this section, a "new provider" is one:

(a) Operating a new facility;

(b) Acquiring or assuming responsibility for operating an existing facility; or

(c) Obtaining a certificate of need approval due to an addition to or renovation of a facility.

FILING COST REPORTS

NEW SECTION

WAC 388-835-0225 How should cost reports be prepared? (1) All cost reports must be legible and reproducible. All entries must be in black or dark blue ink or submitted in an acceptable, indelible copy.

(2) All providers must complete reports according to the instructions provided by DSHS. If no specific instruction covers a particular situation, generally accepted accounting principles must be followed.

(3) All providers must use the accrual method of accounting, except for governmental institutions operated on a modified accrual basis.

(4) All revenue and expense accruals not received or paid within one hundred twenty days after the accrual is made must be reversed against the appropriate accounts, unless special circumstances are documented that justify continuing to carry all or part of the accrual (e.g., contested billings). Accruals for vacation pay, holiday pay, sick pay and taxes may be carried for longer periods if it is the provider's usual

policy to do so and generally accepted accounting principles are followed.

(5) Methods of allocating costs, including indirect and overhead costs, must be consistently applied. Providers operating multi-service facilities or facilities incurring joint facility costs must allocate those costs according to the benefits received from the resources represented by those costs.

NEW SECTION

WAC 388-835-0230 Must a cost report be certified?

(1) Every provider cost report required by DSHS must be accompanied by a certification signed on behalf of the provider who was responsible to DSHS during the reporting period.

(2) If a provider files a federal income tax return, the person normally signing the return and the ICF/MR facility administrator must sign the certification.

(3) If someone, who is not an employee of the provider, prepares the cost report, they must submit, as part of the certification, a signed statement indicating their relationship to the provider.

(4) Only original signatures must be affixed to certifications submitted to DSHS.

NEW SECTION

WAC 388-835-0235 When are cost reports due to DSHS? (1) Each private provider must submit an annual cost report to DSHS for the period January 1 through December 31 (calendar year) of the preceding year.

(2) Annual calendar year cost reports for a private facility must be submitted to DSHS by March 31 of the following year.

(3) Each state facility must submit an annual cost report to DSHS for the period from July 1 of the preceding year through June 30 of the current year (state fiscal year).

(4) Annual fiscal year cost reports for state facilities must be submitted to DSHS by December 31 following the end of the fiscal year.

(5) If a contract is terminated, the provider must submit a final cost report and any other reports due under subsection (2) within one hundred twenty days after the effective date of termination or the expiration of the final extension granted by DSHS (see WAC 388-835-0340). For these reports, the reporting period is January 1 of the year of termination to the effective date of termination.

(6) A new provider must submit a cost report to DSHS by March 31 of the year following the effective date of their contract or the expiration of the final extension granted by DSHS (see WAC 388-835-0340). The period to be reported is the period extending from the contract's effective date through December 31 of that year.

NEW SECTION

WAC 388-835-0240 Does DSHS grant extensions for cost reporting deadlines? (1) DSHS, after receiving a written request stating why an extension is necessary, may grant a maximum of two thirty-day extensions for filing any

required reports. However, the written request must be received at least ten days before the due date of the reports.

(2) DSHS grants extensions only when it is clear why the due date cannot be met and the circumstances requiring the extension were not foreseeable by the provider.

NEW SECTION

WAC 388-835-0245 What if a provider fails to submit a final report? (1) If a provider does not submit a final report, all payments received by the provider for the unreported period become a debt owed to DSHS. After receiving DSHS's written demand for repayment, the provider has thirty days to repay this debt.

(2) Interest, at the rate of one percent per month on any unpaid balance, will begin to accrue thirty days after the provider receives DSHS's written demand for repayment.

NEW SECTION

WAC 388-835-0250 What if a provider submits improperly completed or late reports? (1) All providers must submit an annual report, including their proposed settlement by cost center, that is prepared according to this chapter's requirements and DSHS instructions. If an annual cost report is not properly prepared, DSHS may return it, in whole or in part, to the provider for correction and/or completion.

(2) If DSHS does not receive a properly completed report, including any approved extensions, on or before its due date, all or part of any payments due under the contract may be withheld until the report is properly completed and received by DSHS.

NEW SECTION

WAC 388-835-0255 What if a provider files a report containing false information? (1) Knowingly filing a report with false information (or with reason to know) is cause for termination of a provider's contract with DSHS.

(2) Any required adjustments to reimbursement rates because a false report was filed will be made according to WAC 388-835-0900.

(3) DSHS may refer for prosecution under applicable statutes, any provider who files a false report.

NEW SECTION

WAC 388-835-0260 Can providers amend annual cost reports filed with DSHS? DSHS must consider amendments to annual reports only when:

(1) Determining allowable costs affecting a final settlement computation, and

(2) Filed before the provider receives notification that a DSHS field audit has been scheduled.

NEW SECTION

WAC 388-835-0265 Can providers file amendments if a DSHS field audit has been scheduled? (1) A provider may file amendments after receiving a notice of a field audit

only when reimbursement rates need to be adjusted because significant errors or omissions were made when they were calculated.

(2) Errors of omissions are considered "significant" if they result in a net difference of two cents or more per resident day or one thousand dollars or more in reported costs, whichever is higher, in any cost area.

(3) Only the pages requiring changes and the certification required by WAC 388-835-0332 must be filed with the amendment.

(4) Any adjustments to reimbursement rates resulting from an amended report will be made according to WAC-388-385-0885.

NEW SECTION

WAC 388-835-0270 Can providers file amendments if DSHS does not conduct a field audit? If DSHS does not conduct a field audit and the preliminary settlement report becomes the final report, DSHS must consider amendments only when filed within thirty days after the provider receives the final settlement report.

NEW SECTION

WAC 388-835-0275 What requirements apply when amendments are filed? (1) When amendments are filed, a provider must report:

- (a) The circumstances surrounding the amendments;
- (b) The reasons why the amendments are needed; and
- (c) All relevant supporting documentation.

(2) DSHS may refuse to consider any amendment that gives a provider a more favorable settlement or rate if the amendment is the result of:

- (a) Circumstances over which the provider has control; or
- (b) Good-faith error using the system of cost allocation and accounting in effect during the reporting period in question.

(3) Acceptance or use by DSHS of an amendment to a cost report does not release a provider from civil or criminal liability.

MAINTAINING COST REPORT RECORDS

NEW SECTION

WAC 388-835-0280 Do ICF/MR providers have to maintain records related to their contracts? (1) A provider must, according to the terms of their contract, maintain adequate records so DSHS can audit reported data to verify provider compliance with generally accepted accounting principles and DSHS reimbursement principles and reporting instructions.

(2) If a provider maintains records based upon a chart of accounts other than the one established by DSHS, they must give DSHS a written schedule clearly illustrating how their individual account numbers correspond to those used by DSHS.

(3) After filing a report with DSHS, a provider must keep for five years, at a location in Washington state specified by the provider, all records supporting the report.

(4) If at the end of five years there are unresolved audit issues related to the report, the records supporting the report must be kept until the issues are resolved.

(5) Providers, according to the terms of their contract, must make records available for review upon demand by authorized personnel from DSHS and the United States Department of Health and Human Services during normal business hours at a location in Washington state specified by the provider.

(6) When a contract is terminated, final settlement must not be made until accessibility to and preservation of the provider's records within Washington state is assured.

NEW SECTION

WAC 388-835-0285 What if a provider fails to maintain records or refuses to let them be reviewed? (1) If a provider fails to maintain adequate records or fails to allow their inspection by authorized personnel, DSHS may suspend all or part of subsequent reimbursement payments due under the contract.

(2) Once the provider complies with the recording keeping and inspection provisions of their contract, DSHS must resume current contract payments and must release payments suspended while the provider was out of compliance.

NEW SECTION

WAC 388-835-0290 Does DSHS have a responsibility to retain provider reports? (1) DSHS must retain required reports for five years following their filing date.

(2) If at the end of five years there are unresolved audit issues surrounding a report, the report must be retained until those issues are resolved.

NEW SECTION

WAC 388-835-0295 Are the reports submitted to DSHS by providers available to the public? According to chapter 388-01 WAC, all required financial and statistical reports submitted by ICF/MR facilities to DSHS are public documents and available to the public upon request.

FIELD AUDITS

NEW SECTION

WAC 388-835-0300 What is an ICF/MR field audit? A field audit consists of an on-site audit of the provider's financial records to verify that information provided on the cost report for the period being audited is accurate and represents allowable cost.

NEW SECTION

WAC 388-835-0305 When does DSHS schedule a field audit? (1) DSHS may schedule cost report field audits

PROPOSED

using auditors employed by or under contract with DSHS. DSHS must notify a facility selected for an audit within one hundred twenty days after the facility submits a completed and correct cost report.

(2) DSHS must give priority to field audits of final annual reports and, whenever possible, must begin these audits within ninety days after a properly completed final annual report is received.

(3) DSHS normally notifies a provider at least ten working days before the field audit begins.

NEW SECTION

WAC 388-835-0310 When does DSHS complete a field audit? (1) If auditors are given timely access to a ICF/MR facility and to all records necessary to conducting their audit, DSHS must complete an audit within one year:

(a) Of receiving a properly completed annual cost report; or

(b) After the facility is notified it has been selected for an audit.

(2) For a state ICF/MR, DSHS must complete a field audit within three years after a properly completed cost report is received if auditors are given timely access to the facility and all records necessary to conducting their audit.

NEW SECTION

WAC 388-835-0315 How should a provider prepare for a field audit? (1) A provider must allow auditors access to the ICF/MR facility and all financial and statistical records. These records must be available at a location in the state of Washington specified by the provider. They must include:

(a) All income tax returns relating to the audited cost report and work papers supporting the report's data; or

(b) Work papers related to resident trust funds.
(2) The provider must reconcile reported cost data with:

(a) Applicable federal income and payroll tax returns; and

(b) The financial statements for the period covered by the report.

(c) The reconciliation must be in a form that facilitates verification by the auditors.

(3) The provider must designate and make available to the auditors at least one individual familiar with the internal operations of the facility being audited. The designated individual(s) must have sufficient knowledge and access to records to effectively respond to auditor questions and requests for information and documentation.

NEW SECTION

WAC 388-835-0320 What is the scope of a field audit? (1) Auditors must review a provider's record keeping and accounting practices and, where appropriate, make written recommendations for improvements.

(2) Auditors must examine a provider's financial and statistical records to verify that:

(a) Supporting records are in agreement with reported data; and

(b) Only assets, liabilities, and revenue and expense items that DSHS has specified as allowable costs have been included by the provider when computing the cost of services provided under the contract;

(c) Allowable costs have been accurately determined and are necessary, ordinary, and related to resident care;

(d) Related organizations and beneficial ownership interests have been correctly disclosed; and

(e) Resident trust funds have been properly maintained.

(3) Auditors must give the provider a draft of their audit narrative and summaries for review and comment before the final narratives and summaries are prepared.

(4) When an audit discloses material discrepancies, undocumented costs, or mishandling of patient trust funds, DSHS auditors, in order to determine if similar problem exist and take corrective action, may:

(a) Re-open a maximum of two prior unaudited cost reporting or trust fund periods; and/or

(b) Select future periods for audit.

(c) DSHS auditors may select reported costs and trust fund accounts for audit on a random or other basis.

NEW SECTION

WAC 388-835-0325 What if an auditor discovers that provider reports are inadequately documented? (1) An auditor must disallow any assets, liabilities, revenues, or expenses reported as allowable that are not supported by adequate documentation in the provider's financial records.

(2) Adequate documentation must show that reported costs were:

(a) Incurred during the period covered by the report;

(b) Related to resident care and training; and

(c) Necessary, ordinary and prudent.

(3) Adequate documentation must also show that reported assets were used to provide resident care and training.

NEW SECTION

WAC 388-835-0330 Are final audit narratives and summaries available to the public? The auditor's final audit narrative and summaries are considered public documents and will be available to the public through the public disclosure process in chapter 388-01 WAC.

RESIDENT TRUST ACCOUNTS

NEW SECTION

WAC 388-835-0335 What general requirements apply to accounting for resident trust accounts? (1) A provider must establish and maintain a bookkeeping system for all resident money received by the facility on behalf of the resident.

(2) This system must be incorporated into the facility's business records and be capable of being audited.

PROPOSED

(3) The bookkeeping system must apply to residents that are:

(a) Incapable of handling their money and whose guardian, relative, DDD regional service office administrator, or physician requests in writing that the facility accept this responsibility. (If the Social Security Form SSA-780, "Certificate of Applicant for Benefits on Behalf of Another," is used as documentation, it must be signed by one of the persons designated in this subsection.)

(b) Capable of handling their own money, but they ask the facility, in writing, to accept this responsibility for them.

(4) It is the facility's responsibility to maintain written authorization requests in a resident's file.

(5) A resident must be given at least a quarterly reporting of all financial transactions affecting their account. The resident's representative payee, guardian and/or other designated agents must be sent a copy of this quarterly report or any other reports related to the resident's account.

(6) Facilities must purchase surety bonds, or otherwise provide assurances or security satisfactory to DSHS, that assures the security of all resident personal funds deposited with them.

(7) Facilities may not require residents to deposit personal funds with them. A facility may hold a resident's personal funds only if the resident or resident's guardian gives written authorization to do so.

NEW SECTION

WAC 388-835-0340 What specific accounting procedures apply to resident trust accounts? (1) A provider must maintain a subsidiary ledger with an account for each resident for whom the provider holds money in trust.

(2) Each account and related supporting information must be:

(a) Maintained at the facility;

(b) Kept current;

(c) Balanced each month; and

(d) Detailed, with supporting verification, showing all money received on behalf of the individual resident and how that money was used.

(3) A provider must make each resident trust account available to DSHS representatives for inspection and audit.

(4) A provider must maintain each resident trust accounts for a minimum of five years.

(5) A provider must notify the DDD regional service office when an individual's account balance is within one hundred dollars of the amount listed on their award letter.

(6) A resident can accumulate funds by:

(a) Not spending their entire clothing and personal incidentals allowance; and

(b) Saving other income DSHS specifically designates as exempt.

NEW SECTION

WAC 388-835-0345 Can residents overdraw their trust account? (1) A resident may not overdraw their account (show a debit balance).

(2) If residents want to spend an amount greater than the balance in their trust account, the facility may loan the residents money from facility funds.

(3) The facility can collect loans to residents by installments from the portion of the resident's allowance remaining at the end of each month.

(4) The facility cannot charge residents interest on these loans.

NEW SECTION

WAC 388-835-0350 Can a resident trust account be charged for Title XIX services? Resident trust accounts cannot be charged for services provided under Title XIX.

NEW SECTION

WAC 388-835-0355 Can a resident trust account be charged for medical services, drugs, therapy and equipment? (1) Any properly made charge to a resident's trust account for medical services must be supported by a written denial from DSHS.

(2) Any request for additional equipment such as a walker, wheelchair or crutches must have a written denial from DSHS before a resident's trust account can be charged.

(3) A request for physical therapy, certain drugs or other medical services must have a written denial from DSHS before a resident's trust account can be charged.

(4) A written denial from DSHS is not required when the pharmacist verifies a drug is not covered by the program (e.g., items on the FDA list of ineffective or possible effective drugs, nonformulary over-the-counter (OTC) medications such as vitamins, nose drops, etc.) The pharmacist's notation that the program does not cover the drugs is sufficient.

NEW SECTION

WAC 388-835-0360 Can providers create petty cash funds for residents? (1) Providers may maintain petty cash funds for residents.

(2) The fund must be an imprest type fund.

(3) The cash for the fund must come from trust money.

(4) The amount of the fund must be reasonable and necessary for the size of the facility and the needs of the residents, but must not exceed five hundred dollars.

NEW SECTION

WAC 388-835-0365 Can providers create checking accounts for residents? (1) A provider must deposit all money, over and above the trust fund petty cash amount, intact into a trust fund checking account that is separate and apart from any other bank account(s) of the facility or other facilities.

(2) Deposits of resident allowances must be made intact into the trust checking account within one week from the time payment is received from DSHS, social security administration, or any other payor.

(3) A provider must make any related bankbooks, bank statements, check book, check register, all voided and all canceled checks available to DSHS representatives for audit and inspection. The provider must retain these supporting records and documents for at least five years.

(4) Resident trust money cannot be used to pay checking account service charges.

(5) Each bank's trust account must be reconciled each month to the trust account ledger for each resident.

NEW SECTION

WAC 388-835-0370 What controls must a provider use to ensure the safety of trust fund money? (1) A provider must not release trust fund money to anyone other than the:

- (a) Resident or, with their written consent, their guardian;
- (b) Resident's designated agent as appointed by power of attorney; or
- (c) Appropriate DSHS personnel designated by the DDD regional services administrator.

(2) A provider must complete a receipt, in duplicate, when money is received. One copy must be given to the person making the payment or deposit and the other copy must remain in the receipt book for easy reference.

(3) All residents must endorse, with their own signature, any checks or state warrants they receive. Only when a resident is incapable of signing their own name may the provider use the resident's "X" mark followed by their printed name and the signature of two witnesses.

(4) When both a general fund account and a trust fund account are kept at the same bank, the trust account portion of any deposit can be deposited directly to the trust account.

(5) A provider must credit a resident's trust account ledger sheet when the resident's allowance is received. This entry must be referenced with the receipt number and must be supported by a copy of the deposit slip (one copy for all deposits made).

NEW SECTION

WAC 388-835-0375 Can a resident withdraw trust money? Any money held in trust for a resident must be available to them for their personal and incidental needs upon their request or the request of one of the individuals designated in WAC 388-835-0335.

NEW SECTION

WAC 388-835-0380 What happens to resident funds when a change of ownership occurs? (1) When a facility is sold or some other transfer of ownership takes place, the former provider must provide the new provider with a written accounting, based upon generally accepted auditing standards, of all resident funds being transferred. The former provider must also obtain a written receipt for the funds from the new provider.

(2) Before any transfer of ownership occurs, the facility must give each resident, or their representative, a written accounting of any personal funds held by the facility.

(3) If there is disagreement regarding the accounting offered by the former provider, the resident retains all rights and remedies provided under state law.

NEW SECTION

WAC 388-835-0385 How are trust fund monies refunded? When a resident is discharged and/or transferred, the balance of their trust account, along with a receipt, will be returned to the individual designated in WAC 388-835-0335 within thirty days of the resident's transfer or discharge.

NEW SECTION

WAC 388-835-0390 How are trust funds liquidated?

(1) In the case of deceased resident, the provider must obtain a receipt from the next-of-kin, guardian, or duly qualified agent when the balance of the trust fund is released. If the next-of-kin, guardian or duly qualified agent cannot be identified, the DDD regional service office must be contacted, in writing within seven days of the resident's death, to assist in the release of the resident's trust fund money. A check or other document showing payment to the next-of-kin, guardian, or duly qualified agent will serve as a receipt.

(2) In situations where the resident leaves the ICF/MR facility without authorization and their whereabouts is unknown, the facility:

(a) Will make a reasonable attempt to locate the missing resident. A "reasonable attempt" includes, but is not limited to, contacting friends, relatives, police, the guardian, and the DDD regional office in the area; and

(b) If the resident cannot be located after ninety days, the facility must notify the department of revenue regarding the existence of "abandoned property" (see chapter 63.29 RCW Uniform Unclaimed Property Act). The facility must deliver to the department of revenue the balance of the resident's trust fund account within twenty days following their notification.

NEW SECTION

WAC 388-835-0395 How must a facility maintain resident property records? (1) A facility must maintain a current, written record for each resident that includes written receipts for all personal property entrusted to the facility by the resident.

(2) All property records must be available to the resident or designated resident representative (see WAC 388-835-0645).

(3) A facility must issue or obtain written receipts when taking possession or disposing of a resident's personal property. The facility must retain copies and/or originals of these receipts.

(4) A facility must maintain all resident property records so they are available to auditors and in a manner that facilitates the audit process.

ALLOWABLE AND UNALLOWABLE COSTS

NEW SECTION

WAC 388-835-0400 What are allowable costs? (1) Allowable costs are documented costs that are necessary, ordinary, related to providing ICF/MR services to ICF/MR residents, and not expressly declared nonallowable by applicable statutes or regulations. Costs are ordinary if they are of the nature and magnitude that a prudent and cost conscious management would pay.

(2) Allowable costs do not include increased costs resulting from transactions or the application of accounting methods which circumvent the principles of the prospective cost-related reimbursement system.

(3) DSHS does not allow increased costs resulting from a series of transactions between the same parties and involving the same assets (e.g., sale and leaseback, successive sales or leases of a single facility or piece of equipment).

(4) When a provider requests a rate adjustment according to WAC 388-835-0900 or 388-835-0905, any cost audited previously and not disallowed is subject to DSHS review and reconsideration according to the criteria in this section.

NEW SECTION

WAC 388-835-0405 What are unallowable costs? (1) Costs are unallowable if they are not documented, necessary, or ordinary and do not relate to providing services to ICF/MR residents.

(2) Examples of unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the Medicaid program. Costs of nonprogram items or services will not be allowed even if indirectly reimbursed by DSHS as a result of an authorized reduction in resident contribution.

(b) Costs of services and items provided to ICF/MR residents covered by DSHS's medical care program but not included in ICF/MR services.

(c) Costs associated with a capital expenditure subject to Section 1122 approval (part 100, Title 42 CFR) if DSHS found the expenditure was not consistent with applicable standards, criteria, or plans. If DSHS was not given timely notice of a proposed capital expenditure, all associated costs will not be allowed as of the date the costs were determined to be nonreimbursable under applicable federal regulations.

(d) Costs associated with a construction or acquisition project that requires certificate of need approval according to chapter 70.38 RCW and that approval was not obtained.

(e) Costs associated with outside activities (e.g., costs allocable to the use of a vehicle for personal purposes, or related to the part of a facility leased out for office space).

(f) All salaries or other compensation of officers, directors, stockholders, and others associated with the provider or home office, except compensation paid for services related to resident care and training.

(g) Costs in excess of limits set in this chapter or costs violating principles contained in this chapter.

(h) Costs resulting from transactions or the application of accounting methods used to circumvent the principles of the prospective cost-related reimbursement system.

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of cost to the related organization or market meaning the price paid for comparable services, facilities or supplies when purchased in an arms length transaction.

(j) Balances of accounts that cannot be collected (bad debts or uncollectable accounts).

(k) Charity and courtesy allowances.

(l) Cash, assessments, or other contributions to political parties, and cost incurred to improve community or public relations. Dues to charitable organizations, professional organizations and trade associations are allowable costs.

(m) Any portion of trade association dues for legal and consultant fees and costs related to lawsuits or other legal action against DSHS.

(n) Travel expenses for trade association boards of directors in excess of the twelve allowable meetings per calendar year.

(o) Vending machine expenses.

(p) Expenses for barber or beautician services not included in routine care.

(q) Funeral and burial expenses.

(r) Costs of gift shop operations and inventory.

(s) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in resident activity programs or in ICF/MR programs where clothing is a part of routine care.

(t) Fund-raising expenses except those directly related to the resident activity program.

(u) Penalties and fines.

(v) Expenses related to telephones, televisions, radios, and similar appliances in a resident's private accommodations.

(w) Federal, state, and other income taxes.

(x) Costs of special care services, except where authorized by DSHS.

(y) Expenses for "key-person" insurance and other insurance or retirement plans not available to all employees.

(z) Expenses of profit-sharing plans.

(aa) Expenses related to the purchase and/or use of private or commercial aircraft that exceed what a prudent provider would spend for ordinary and economical transportation when conducting resident care business.

(bb) Personal expenses and allowances of owners or relatives.

(cc) All expenses of maintaining professional licenses or membership in professional organizations.

(dd) Costs related to agreements not to compete.

(ee) Goodwill and the amortization of goodwill.

(ff) Expenses related to vehicles in excess of what a prudent provider would expend for the ordinary and economic provision of transportation needs related to resident care.

(gg) Legal and consultant fees related to a fair hearing against DSHS. Including but not limited to, fees for accounting services used to prepare for an administrative judicial review resulting in a final administrative decision favorable to DSHS or where DSHS's decision is allowed to stand.

(hh) Legal and consultant fees related to a lawsuit against DSHS, including suits appealing administrative decisions.

(ii) Lease acquisition costs and other intangibles not related to resident care and training.

(jj) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds.

(kk) Travel expenses outside the states of Idaho, Oregon, and Washington and the Province of British Columbia except travel to and from the home and central office of a chain organization operation outside those areas if the travel is necessary, ordinary, and related to resident care and training.

(ll) Moving expenses of employees when a demonstrated, good-faith effort has not been made to recruit employees within the states of Idaho, Oregon, and Washington and Province of British Columbia.

NEW SECTION

WAC 388-835-0410 Can a provider offset miscellaneous revenues against allowable costs? (1) A provider must reduce allowable costs whenever the item, service, or activity covered by the costs generate revenue or financial benefits (e.g., purchase discounts or rebates) other than through the provider's normal billing for ICF/MR services.

(2) A provider must not deduct unrestricted grants, gifts, endowments, and interest earned from them from the allowable costs of a nonprofit facility.

(3) When goods or services are sold, the reduction in allowable costs must be the actual cost of the item, service, or activity. If actual cost cannot be accurately determined, the reduction must be the full amount of the revenue received. When financial benefits such as purchase discounts or rebates are received, the reduction must be the amount of the discount or rebate.

NEW SECTION

WAC 388-835-0415 Are the costs of meeting required standards allowable costs? (1) All necessary and ordinary expenses incurred by a provider to meet required standards associated with providing ICF/MR services are allowable costs.

(2) Examples are the cost of:

(a) Meeting licensing and certification standards;

(b) Fulfilling accounting and reporting requirements imposed by this chapter; and

(c) Performing any resident assessment activity required by DSHS.

NEW SECTION

WAC 388-835-0420 Are costs associated with related organizations allowable costs? (1) DSHS allows costs applicable to services, facilities, and supplies furnished to a provider by a related organization only to the following extent:

(a) The costs do not exceed the lower of the cost to the related organization; or

(b) Market, meaning the price paid for comparable services, facilities, or supplies when purchased in an arm's length transaction.

(2) Private facilities must make all cost documentation regarding related organizations available to the auditors at the time and place the entity's financial records are audited. State facilities must make all cost documentation regarding related organizations available to the auditors at DSHS's offices of accounting services, financial recovery, or budget when the facility is audited.

(3) DSHS disallows all payments to or for the benefit of a related organization where the cost to the related organization cannot be documented.

NEW SECTION

WAC 388-835-0425 Are start-up costs allowable costs? DSHS allows all necessary and ordinary start-up costs in the administration and operations rate component. Start-up costs must be amortized over at least sixty consecutive months beginning with the month the first resident is admitted for care.

NEW SECTION

WAC 388-835-0430 Are organizational costs allowable costs? (1) DSHS allows necessary and ordinary costs directly related to the creation of a provider's corporation or other form of business that are incurred before the admission of the first resident.

(2) DSHS allows these costs in the administration and operation cost area if they are amortized over at least sixty consecutive months beginning with the month in which the first resident is admitted for care.

(3) Examples of allowable organization costs include, but are not limited to, legal fees incurred in establishing the corporation or other organization and fees paid to states for incorporation.

(4) Organization costs do not include costs relating to the issuance and sale of shares of stock or other securities.

NEW SECTION

WAC 388-835-0435 Are education and training costs allowable costs? (1) DSHS allows ordinary expenses associated with on-the-job and in-service training required for employee orientation and certification when those expenses directly relate to performing an employee's assigned duties.

(2) Ordinary expenses for staff training are allowable costs.

(3) Necessary and ordinary expenses for recreational and social activity training conducted by a provider for volunteers are allowable costs.

(4) Training program expenses for other nonemployees are not allowable costs, except the costs associated with training county-contracted training program employees by an ICF/MR as a condition of the ICF/MR's agreement with the county-contracted training program.

(5) DSHS must allow expenses for travel in the states of Idaho, Oregon, and Washington and Province of British Columbia associated with education and training if the expenses meet the requirements of this chapter.

NEW SECTION

WAC 388-835-0440 Are operating lease costs allowable costs? Facility and/or equipment rental or lease costs associated with an arm's length operating lease are allowable costs.

NEW SECTION

WAC 388-835-0445 Are rental expenses paid to related organizations allowable costs? The expense of renting facilities or equipment from a related organization are allowable to the extent that the rent paid does not exceed the related organization's costs of owning (e.g., depreciation, interest on a mortgage) or leasing the assets. Computing the related organization's cost of owning or leasing the asset must be according to the requirements of this chapter.

NEW SECTION

WAC 388-835-0450 What is allowable interest? (1) DSHS allows a provider's necessary and ordinary interest costs incurred for working capital loans and capital indebtedness.

(a) "Necessary" means the interest expense must be incurred in connection with a loan satisfying a financial need of the provider and for a purpose related to resident care and training. Interest expense related to a business opportunity or goodwill is unallowable.

(b) "Ordinary" means the interest rate for the loan must not exceed the rate a prudent borrower would pay, in an arm's length transaction, for a comparable loan in the money market at that time.

(c) Interest expense must include amortization of bond discounts and expenses related to the bond issue. The amortization period must be the period from the date the bonds are sold to their maturity date or their date of extinguishment if they are retired before they mature.

(d) Interest expense for assets acquired in a change of ownership after September 30, 1984, is disallowed on any loan principal in excess of the former owner's depreciation base on July 18, 1984.

(2) Interest that is paid to or for the benefit of a related organization is allowed but only to the extent that the actual interest does not exceed the related organization's cost of using the funds.

(3) For construction loans, a provider must capitalize interest expense and loan origination fees incurred during the period of construction. Such costs must be amortized over the life of the constructed asset beginning with the date the first resident is admitted or the date the asset is put into service, whichever occurs first.

NEW SECTION

WAC 388-835-0455 Can a provider offset interest income against allowable costs? Except for nonprofit facilities, a provider must deduct from allowable interest expense all interest income earned from either investing or lending nonrestricted and restricted funds.

NEW SECTION

WAC 388-835-0460 How does DSHS calculate total compensation for owners and relatives? (1) Total compensation means the compensation provided in the employment contract, including benefits. The employment contract can be written, verbal, or inferred from the acts of the parties.

(2) In the absence of a contract, total compensation includes gross salary or wages and fringe benefits (e.g., health insurance) available to all employees.

(3) Total compensation does not include payroll taxes paid by the provider.

NEW SECTION

WAC 388-835-0465 How does DSHS define owner or relative compensation? (1) DSHS limits the total compensation of an owner or an owner's relative to the ordinary compensation for necessary services actually performed.

(a) Compensation is ordinary if it is the amount usually paid for comparable services in a comparable facility to an unrelated employee, and does not exceed limits established in this chapter.

(b) A service is necessary if it is related to resident care and training and would have to be performed by another person if the owner or relative did not perform it.

(2) A provider, in maintaining customary time records adequate for audit, must include time records for owners and relatives receiving compensation. These records must document how compensated time was spent performing necessary services.

(3) For purposes of this section, if the provider is a corporation, "owner" includes all corporate officers and directors.

CAPITALIZED COSTS AND DEPRECIATION

NEW SECTION

WAC 388-835-0470 What requirements apply to capitalizing equipment, including furniture and furnishings? A provider must capitalize equipment, including furniture and furnishings according to the following table:

Equipment, including furniture and furnishings	Historical cost	Useful life
For settlement purposes beginning January 1, 1981 and for rate setting purposes beginning July 1, 1982	At least \$500 per item	At least one year from date asset is put into service

PROPOSED

Equipment, including furniture and furnishings	Historical cost	Useful life
For settlement purposes beginning January 1, 1990 and for rate setting purposes beginning July 1, 1990	At least \$1,000 per item	At least one year from date asset is put into service
For settlement purposes beginning January 1, 1996 and for rate setting purposes beginning July 1, 1996	At least \$500 per item	At least one year

NEW SECTION

WAC 388-835-0475 What requirements apply to capitalizing buildings, other real property items, components, improvements and leasehold improvements? Buildings and other real property items, components, improvements and leasehold improvements must be capitalized if they are:

- (1) Required or authorized by the lease agreement;
- (2) Cost more than five hundred dollars; and
- (3) Involve at least one of the following:
 - (a) Increase the interior floor space of the structure;
 - (b) Increase or renew paved areas outside the structure that are either adjacent to the structure or provide access to it;
 - (c) Modification to the exterior or interior walls of the structure;
 - (d) Installation of additional heating, cooling, electrical, water-related, or similar fixed equipment;
 - (e) Landscaping or redecorating; or
 - (f) Increasing the structure's useful life by at least two years.

NEW SECTION

WAC 388-835-0480 How are the useful lives of leasehold improvements determined? The useful lives for all leasehold improvements are based upon the American Hospital Association (AHA) guidelines for the applicable asset.

NEW SECTION

WAC 388-835-0485 What are depreciable assets? Depreciable assets are tangible assets that are subject to depreciation and in which a provider has an ownership interest.

NEW SECTION

WAC 388-835-0490 What are some examples of depreciable assets? Some examples of depreciable assets are:

- (1) Buildings, meaning the basic structure or shell and additions to it.
- (2) Equipment such as elevators, heating system, and air conditioning system that are attached to a building and characterized by:

- (a) An economic useful life of at least three years but shorter than the life of the building to which it is attached;
 - (b) Incapable of being removed from the building to which it is attached;
 - (c) A unit cost sufficiently large enough to justify ledger control; and
 - (d) A physical size and identity that makes control by identification tags possible.
- (3) Equipment not attached to buildings.
- (4) Land improvements such as paving, tunnels, underpasses, on-site sewer and water lines, parking lots, shrubbery, fences, wall, etc., where replacement is the responsibility of the provider.
- (5) Leasehold improvements and additions made by the lessee belong to the lessor after the lease expires.

NEW SECTION

WAC 388-835-0495 What is "minor equipment"? (1) Minor equipment includes items such as wastebaskets, bedpans, syringes, catheters, silverware, mops, and buckets.

- (2) Minor equipment is generally characterized as:
- (a) Not occupying a fixed location and is used by a variety of departments;
 - (b) Small in size and unit cost;
 - (c) Subject to inventory control;
 - (d) A fairly large number of items are in use; and
 - (e) Possessing a useful life of one to three years.
- (3) If properly capitalized (see WAC 388-835-0230), minor equipment is depreciated. If not properly capitalized, minor equipment is expensed when acquired.

NEW SECTION

WAC 388-835-0500 Is land a depreciable asset? Because the economic useful life of land is considered to be unlimited, land is not a depreciable asset.

NEW SECTION

WAC 388-835-0505 What costs are included in the capitalized cost of land? Examples of costs that are capitalized as land costs include the cost of:

- (1) Off-site sewer and water lines;
- (2) Public utility charges necessary to service the land;
- (3) Government assessments for street paving and sewers;
- (4) Permanent roadways and grading of a nondepreciable nature; and
- (5) Curbs and sidewalks, the replacement of which is not the responsibility of the provider.

NEW SECTION

WAC 388-835-0510 What is the depreciation base of a tangible asset? (1) The depreciation base of a tangible asset is the asset's historical cost at the time it is acquired by the provider in an arm's length transaction:

- (a) Plus the cost of preparing the asset for use;

(b) Less the asset's estimated salvage value, if any, where the straight-line or sum-of-the-years digits methods of depreciation is used;

(c) Less any goodwill; and

(d) Less any accumulated depreciation incurred during periods the asset was used by the provider personally or in another business.

(2) When depreciable assets are acquired from a related organization, the provider's depreciation base cannot exceed the base the related organization had or would have had under a contract with DSHS.

NEW SECTION

WAC 388-835-0515 Can an appraisal be used to establish historical cost? (1) If DSHS challenges the historical cost of an asset or if a provider is unable to adequately document the historical cost of an asset, the department may use an appraisal process to establish the asset's fair market value at the time of purchase.

(2) If an appraisal process is used to establish the fair market value of equipment, vendors dealing in that particular type of equipment must perform the appraisals.

NEW SECTION

WAC 388-835-0520 What is the depreciation base of a donated or inherited asset? (1) The depreciation base of donated and/or inherited assets is the lesser of:

(a) Fair market value at the date of donation or death, less goodwill. (Any estimated salvage value must be deducted from fair market value when either the straight-line or sum-of-the-years digits method of depreciation is used); or

(b) The historical cost of the last owner to contract with DSHS, if any.

(2) If the donation or distribution is between related organization, the base must be the lesser of:

(a) Fair market value, less goodwill and; where appropriate, salvage value, or

(b) The depreciation base the related organization used or would have used when contracting with DSHS.

NEW SECTION

WAC 388-835-0525 How is the useful life of a depreciable asset determined? (1) Except for buildings, a provider must not adopt useful lives shorter than the guideline lives contained in the Internal Revenue Service class life ADR system or published by the American Hospital Association. Thirty years is the shortest useful life a provider can adopt for buildings.

(2) Useful life is measured from the date of the most recent arm's length acquisition of the asset.

(3) Building improvements to owned or leased buildings must be depreciated over the remaining useful life of the building or fifteen years, whichever is greater, except for improvements to licensed boarding home facilities required by the Fire Safety Evaluation System (FSES) of the 1984 Life Safety Code. Improvements to these licensed boarding home facilities must be depreciated for at least five years. A pro-

vider must receive DSHS approval before following this exception.

(4) Improvements to leased property that are, according to the lease agreement, the responsibility of the provider must be depreciated over the useful life of the improvement, except for improvements to licensed boarding home facilities required by the Fire safety Evaluation System (FSES) of the 1984 Life Safety Code. Improvements to these licensed boarding home facilities must be depreciated for at least five years. A provider must receive DSHS approval before following this exception.

(5) A provider may change the estimated useful life of an asset to a longer period if necessary.

NEW SECTION

WAC 388-835-0530 What depreciation methods are approved by DSHS? (1) Buildings, building improvements, land improvements, leasehold improvements, and fixed equipment must be depreciated using the straight-line method.

(2) Equipment must be depreciated using the straight-line method, the sum-of-the-years digits method, or the declining balance method at a rate not to exceed one hundred fifty percent of the straight-line rate. Providers electing to use either the sum-of-the-years digits method or the declining balance method may change to the straight-line method without permission of the department.

NEW SECTION

WAC 388-835-0535 What is depreciation expense? (1) Depreciation expense on tangible assets used to provide ICF/MR services is an allowable cost.

(2) Depreciation expense must be:

(a) Identifiable and recorded in the provider's accounting records; and

(b) Computed using the depreciation base, useful lives and methods specified in this chapter.

(3) If a provider reports annual depreciation expense that includes depreciation on assets unrelated to resident care and training, the annual reported expense must be reduced accordingly.

(4) Once a tangible asset is fully depreciated, no additional depreciation can be claimed unless a new depreciation base is established according to the rules of this chapter.

NEW SECTION

WAC 388-835-0540 Can providers claim depreciation on assets that are abandoned, retired or disposed in some other way? (1) Depreciation cannot be claimed on tangible assets that are sold, traded, scrapped, exchanged, stolen, wrecked or destroyed by fire or some other casualty.

(2) Depreciation cannot be claimed on permanently abandoned assets.

(3) If an asset has been retired from active use but is being held for stand-by or emergency service and DSHS has determined that the asset is needed and can be effectively

used in the future, depreciation may be claimed by the provider.

GAINS AND LOSSES ON RETIRED ASSETS

NEW SECTION

WAC 388-835-0545 How must providers account for gains and losses on the retirement of tangible assets? For settlement purposes beginning with January 1 1981 and for rate setting purposes beginning with the July 1, 1982 rate period, the rules in WAC 388-835-0265 through WAC 388-835-0275 apply.

NEW SECTION

WAC 388-835-0550 How are gains and losses calculated when a tangible asset is retired? When a tangible asset is retired, the difference between the assets undepreciated base and any proceeds received from its retirement is considered a gain or loss on retirement.

NEW SECTION

WAC 388-835-0555 How must providers account for gains and losses on retired assets that are replaced? If a provider replaces a retired asset, any gain or loss on retirement must be deducted from or added to the cost of the replacement asset, respectively. However, a loss on retirement can only be added to the replacement asset's cost if the provider makes a reasonable effort to recover at least the outstanding book value of the retired asset.

NEW SECTION

WAC 388-835-0560 How must providers account for gains and losses on retired assets that are not replaced?

(1) If a retired asset is not replaced the gain or loss on retirement must be spread over the actual life of the asset up to the date of retirement. However, a loss can only be spread if the provider has made a reasonable effort to recover at least the outstanding book value of the retired asset.

(2) DSHS will calculate any difference between the actual reimbursements paid and the amount of reimbursement that should be paid after the gain or loss is spread. If the difference results from a gain DSHS must recover the difference from the provider. If the difference results from a loss the difference will be added to allowable costs when determining the settlement.

NEW SECTION

WAC 388-835-0565 How must providers account for gains and losses on retired assets if they terminate their contract with DSHS? If a retired asset is not replaced and the provider is terminating their contract with DSHS, the gain or loss on retirement must be accounted for according to the requirements in WAC 388-835-0280.

NEW SECTION

WAC 388-835-0570 Can DSHS recover reimbursements for depreciation expense? If a provider terminates their contract without selling or otherwise retiring equipment that was depreciated using an accelerated method, depreciation schedules for this equipment for those periods when the provider participated in the ICF/MR program must be adjusted. DSHS will recover any difference between reimbursement actually paid for depreciation and the reimbursement that would have been paid if the straight-line method had been used.

REIMBURSEMENT RATES

NEW SECTION

WAC 388-835-0575 What requirements apply to calculating ICF/MR reimbursement rates? (1) Medicaid program reimbursement rates established according to this chapter apply only to facilities holding appropriate state licenses and certified to provide ICF/MR services according to state and federal laws and regulations.

(2) All rates must be reasonable and adequate to meet the costs incurred by economically and efficiently operated facilities providing ICF/MR services according to state and federal laws and regulations.

(3) For private facilities:

(a) Final payments must be the lower of the facility's prospective rate or allowable costs.

(b) Prospective rates must be determined according to WAC 388-835-0845, 388-835-0850, 388-835-0860, 388-835-865, 388-835-0870, 388-835-0875, and 388-835-0880.

(c) Final payments must be determined according to WAC 388-835-0880.

(4) For state facilities:

(a) Final payments must be the facility's allowable costs.

(b) Interim rates must be calculated using the most recent annual reported costs (see WAC 388-835-0845) divided by the total resident days during the reporting period. These costs may be adjusted to incorporate federal, state, or department changes in program standards or services.

(c) Final payments must be determined according to WAC 388-835-0880.

NEW SECTION

WAC 388-835-0580 What program services are not covered by DSHS prospective reimbursement rates?

Medical services that are part of DSHS's medical care program but not included in ICF/MR services are not covered by prospective reimbursement rates. Payments are made directly to the service provider according to WAC 388-835-0835 requirements.

NEW SECTION

WAC 388-835-0585 What requirements apply to prospective reimbursement rates for new providers? (1) A prospective reimbursement rate for a new provider must be

established within sixty days after DSHS receives a properly completed projected budget from the provider. The effective date of the reimbursement rate must be the same as the effective date of the contract.

(2) The prospective reimbursement rate must be based on the:

- (a) Provider's projected cost of operation;
- (b) Costs and payment rates of the prior provider, if any; and/or
- (c) Costs and payment rates, taking into account applicable lids or maximums, of other providers in comparable circumstances.

(3) If DSHS does not receive a properly completed projected budget at least sixty days before the contract's effective date, a preliminary rate, based on information from former and/or comparable providers, will be prepared by DSHS. This preliminary rate must remain in effect until an initial prospective rate can be set.

(4) If a change of ownership takes place that does not result from an arm's length transaction, the new provider's prospective rates for administration, operations and property costs cannot exceed the former provider's rates. The former provider's rates can be adjusted, if necessary, to reflect changes in economic trends.

NEW SECTION

WAC 388-835-0590 How are reimbursement rates calculated? (1) Each provider's reimbursement rate must be recalculated once each calendar year. The recalculated rate will be implemented prospectively. The recalculated rate will be effective on July 1 of the calendar year in which it was computed. Rates may be recalculated to reflect legislative inflation adjustments or to comply with the requirements of WAC 388-835-0900.

(2) If a provider participated in the ICF/MR program for at least six months during the previous calendar year, their rates must be based on the prior period's allowable costs. If the provider participated in the program for less than six months in the previous calendar year, their rates must be calculated according to WAC 388-835-0840 requirements.

(3) Unless circumstances beyond DSHS's control interfere, all providers submitting correct and complete cost reports by March 31 must receive notification of their new rates by July 1.

(4) When calculating a provider's rate, DSHS must use data from the most recent and complete cost report submitted by the provider and reviewed by DSHS as described in WAC 388-835-0700.

(5) Inflation factor adjustments are based on the Implicit Price Deflator for Personal Consumption from the state of Washington, Economic and Revenue Forecast prepared by the Office of the Forecast Council.

NEW SECTION

WAC 388-835-0595 When does DSHS review a provider's annual cost report? DSHS must review and analyze each annual cost report within six months after it is properly completed and filed with the department.

NEW SECTION

WAC 388-835-0600 What is the purpose of reviewing a provider's annual cost report? DSHS reviews and analyzes annual cost reports to determine if the information contained in them is correct, complete, and reported according to generally accepted accounting principles, the requirements of this chapter and any other applicable rules and instructions issued by the department.

NEW SECTION

WAC 388-835-0605 What is the scope of an annual cost report review? (1) DSHS' review and analysis may include, but is not limited to:

- (a) An examination of prior years reported costs;
- (b) An examination of any cost report review adjustments made in prior years and their final disposition;
- (c) An examination of findings, if any, from prior year cost report field audits; and
- (d) Findings, if any, from the field audit of the cost report currently being reviewed.

(2) If it appears that a provider incorrectly calculated or reported their costs, DSHS may:

- (a) Request additional information from the provider;
- (b) Schedule a special field audit of the provider; or
- (c) Make adjustments to the reported information. If adjustments are made, DSHS must give the provider a schedule of the adjustments including an explanation for each one and the dollar amount associated with each one.

(3) If the provider believes that DSHS adjustments are incorrect, the adjustments must be reviewed according to WAC 388-835-0900. If this review does not satisfactorily resolve the dispute, the adjustment must be further reviewed according to WAC 388-835-0910.

NEW SECTION

WAC 388-835-0610 Can DSHS accumulate cost report information and use it for department purposes? DSHS may accumulate data from properly completed cost reports for:

- (1) Use in exception profiling and establishing rates; and
- (2) Analytical, statistical, or informational purposes that the department considers important.

NEW SECTION

WAC 388-835-0615 What are component rates and cost centers? (1) A provider's overall ICF/MR resident reimbursement rate consists of five component rates within three cost centers.

- (2) The five component rates are:
 - (a) Resident care and habilitative services;
 - (b) Food;
 - (c) Administration and operations;
 - (d) Property; and
 - (e) Return on equity.
- (3) The three cost centers are:
 - (a) Resident care and habilitation;

- (b) Administration, operations, and property; and
- (c) Return on equity.

NEW SECTION

WAC 388-835-0620 What reimbursement requirements apply to resident care and habilitation cost centers? (1) Resident care and habilitation cost centers at facilities with at least sixteen residents and licensed as a nursing facility, must, according to applicable federal and state regulations, reimburse for resident living services, habilitative and training services, recreation services, and nursing services.

(2) Resident care and habilitation cost centers at facilities with less than sixteen residents and licensed as a boarding home, must, according to applicable federal and state regulations, reimburse for resident living services, habilitative and training services, recreation services, and nursing services. These cost centers must also reimburse for resident care and training staff who perform any of the administration and operations functions specified in WAC 388-835-0870.

(3) A facility's resident care and habilitation cost center rate must be its most recent reported costs per resident day adjusted for inflation.

NEW SECTION

WAC 388-835-0625 What requirements apply to administration, operations and property cost center rates? Administration, operations, and property cost center rates are the sum of three separate rate components:

- (1) The food rate component established by WAC 388-835-0865;
- (2) The administration and operations rate component established by WAC 388-835-0870; and
- (3) The property rate component established by WAC 388-835-0875.

NEW SECTION

WAC 388-835-0630 What is the food rate component? The food rate component reimburses for the necessary and ordinary costs of a resident's bulk and raw food, dietary supplements, beverages with meals and nourishment between meals.

NEW SECTION

WAC 388-835-0635 Is there a limit to the allowable cost for administrative personnel? Compensation for administrative personnel is an allowable cost within the limits contained in this section:

- (1) For purposes of this section "compensation" means gross salaries, wages, and the applicable cost of fringe benefits made available to all employees. Compensation does not include payroll taxes paid by the provider.
- (2) A licensed administrator's total compensation for actual services rendered to an ICF/MR facility on a full-time

basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) is allowable at the lower of:

- (a) Actual compensation received; or
- (b) For calendar year 2000, the amount specified in the following table that corresponds to the number of set-up beds in the facility.

Number of set-up beds	Maximum compensation
15 or less	\$42,886
16 to 79	\$47,739
80 to 159	\$52,832
160 and up	\$56,163

(c) The maximum compensation amounts will be adjusted annually for inflation. Inflation factor adjustments are based on the Implicit Price Deflator for Personal Consumption from the state of Washington, Economic and Revenue Forecast prepared by the Office of the Forecast Council.

(d) A licensed administrator's compensation will be allowed only if DSHS is notified in writing within ten days following the start of their employment.

(3) Total compensation of not more than one full-time licensed assistant administrator will be allowed if there are at least eighty set-up beds in the ICF/MR facility. Compensation is allowable at the lower of:

- (a) Actual compensation received; or
- (b) Seventy-five percent of the amount specified in the above table.

(4) Total compensation of not more than one full-time registered administrator-in-training is allowed at the lower of:

- (a) Actual compensation received; or
- (b) Sixty percent of the amount specified by DDD in the above table.

(5) The cost of a licensed administrator, assistant administrator, or administrator-in-training is not an allowable expense in ICF/MR facilities with fifteen beds or less. The facility's qualified mental retardation professional (QMRP) will provide administrative services.

(6) A QMRP's total compensation of wages and/or salary is allowable at the lower of:

- (a) Actual compensation received; or
- (b) The amount specified in DDD in the above table.

(7) If a licensed administrator, licensed assistant administrator, registered administrator-in-training, or QMRP are employed on a less than full-time basis, allowable compensation must be the lower of:

- (a) Actual compensation received; or
- (b) The maximum amount allowed multiplied by the percentage derived from dividing actual hours worked plus reasonable vacation, holiday and sick time, by two thousand and eighty hours.

(8) A provider must maintain time records for any licensed administrators, assistant administrators, administrators-in-training, or QMRPs they employ.

NEW SECTION

WAC 388-835-0640 Can a provider hire an individual or firm to manage their ICF/MR facility? (1) A pro-

PROPOSED

vider can enter into an agreement with an individual or firm to manage their ICF/MR facility as the provider's agent, however, the provider must submit a copy of the agreement to DSHS at least sixty days before it becomes effective.

(2) Copies of any amendments to a management agreement must be received by DSHS at least thirty days before the amendment become effective.

(3) Management fees for periods before DSHS receives a copy of the agreement are not allowable costs.

(4) The department may waive the sixty-day notice requirement to protect the health and safety of facility residents. Any waiver of the sixty-day notice requirement by DSHS must be in writing.

NEW SECTION

WAC 388-835-0645 Are management fees allowable costs? Management fees are allowable costs only when there is:

- (1) A written management agreement that:
 - (a) Creates a principal and/or agent relationship between the provider and the manager; and
 - (b) Identifies the items, services, and activities that the manager will provide.
- (2) Documentation that verifies the management service was performed.
- (3) Assurance that the service performed was necessary and did not duplicate any service provided by the provider.

NEW SECTION

WAC 388-835-0650 Are all management fee's allowable? Providers must limit the amount of allowable fees for general management services (including corporate management fees, business entity management fees, board of director fees and overhead and indirect costs associated with providing general management services) to:

- (1) The maximum allowable compensation for a licensed administrator and, if the facility has at least eighty set-up beds, an assistant administrator even if one is not employed minus the actual compensation received by the licensed administrator and assistant administrator.
- (2) The maximum allowable compensation for a QMRP at a ICF/MR facilities with fifteen beds or fewer, minus the actual compensation received by the QMRP.

NEW SECTION

WAC 388-835-0655 Are management fees involving a related organization allowable costs? (1) A management fee paid to or for the benefit of a related organization is allowable if it does not exceed the lesser of:

- (a) The limits set out in WAC 388-835-0400; or
 - (b) The lower of the related organization's actual cost of providing necessary resident care and training services under the management agreement or the cost of comparable services purchased in an arm's length transaction elsewhere.
- (2) If related organization costs are joint facility costs, their measurement must comply with the requirements of WAC 388-835-0400.

NEW SECTION

WAC 388-835-0660 How do overhead and indirect costs relate to allowable costs? (1) For general administrative and management services, costs such as central office costs, owner compensation, and other fees or compensation, including joint facility costs, must include the overhead and indirect costs associated with providing general management services that are not allocated to specific services.

(2) General administrative and management service costs as described in subsection (1) of this section are subject to the management fee limits established in WAC 388-835-0405.

NEW SECTION

WAC 388-835-0665 Are travel and housing expenses of nonresident staff working at a provider's ICF/MR facility allowable costs? (1) All necessary travel and housing expenses of nonresident staff working at a provider's ICF/MR facility are allowable costs if their visit does not exceed three weeks.

(2) If the nonresident staff visit extends beyond three weeks, any travel and housing expenses are subject to the management fee limits established in WAC 388-835-0405.

NEW SECTION

WAC 388-835-0670 Are bonuses paid to a provider's employees allowable costs? (1) Bonuses paid to employees at a provider's ICF/MR facility are compensation.

(2) Bonuses paid to central office employees are management costs that are subject to the management fee limits established in WAC 388-835-0405.

(3) Bonuses paid to other employees not located at an ICF/MR facility and performing managerial services are management costs that are subject to the management fee limits established in WAC 388-835-0405.

NEW SECTION

WAC 388-835-0675 Are fees paid to members of the board of directors or corporations allowable costs? Fees paid to board of director members or corporations operating ICF/MR facilities are management costs subject to the management fee limits established in WAC 388-835-0405.

NEW SECTION

WAC 388-835-0680 How is the administration and operations rate component computed? (1) The administration and operations rate component includes reimbursement for the necessary and ordinary costs of:

- (a) Overall administration and management of the facility;
- (b) Operations and maintenance of the physical plant;
- (c) Resident transportation;
- (d) Dietary service (other than the cost of food and beverages);
- (e) Laundry service;

(f) Medical and habilitative supplies;

(g) Taxes; and

(h) Insurance.

(2) An ICF/MR facility's administration and operations rate component is the lesser of:

(a) Its most recent reported cost per resident day adjusted for inflation; or

(b) The calculated rate that is at or above eighty-five percent of state and private facilities' most recent reported cost per resident day adjusted for inflation. This ranking must be based on cost reports used to determine rates for facilities with an occupancy level of at least eighty-five percent during the cost report period.

NEW SECTION

WAC 388-835-0685 How is the property rate component computed? (1) The property rate component reimburses an ICF/MR facility for the necessary and ordinary costs of leases, depreciation, and interest.

(2) It is the facility's most recent desk-reviewed cost per resident day.

NEW SECTION

WAC 388-835-0690 Does DSHS pay a return on equity to providers? DSHS pays a return on equity to proprietary providers.

NEW SECTION

WAC 388-835-0695 How is a return on equity calculated? Calculating return on equity is a three-step process.

(1) First, a provider's net equity is calculated using appropriate items from the provider's most recent cost report and relevant Medicare rules and regulations. Note: Goodwill is not included in the calculation of net equity. Also, monthly equity calculations will not be used.

(2) Second, the Medicare rate of return for the twelve-month period ending on the provider's cost report-closing date is multiplied by the provider's net equity.

(3) Finally, the amount calculated in subsection (2) is divided by the provider's annual resident days for the cost report period to determine a return on equity rate per resident day.

NEW SECTION

WAC 388-835-0700 What if a provider's cost report covers a period shorter than twelve months? If a provider's cost report covers less than a twelve-month period, annual resident days are estimated by using the actual resident days reported by the provider. The provider will then be paid a prospective rate per resident day. The prospective rate will either be the rate per resident day calculated in WAC 388-835-0010 or two dollars per resident day whichever is less.

NEW SECTION

WAC 388-835-0705 Are return on equity calculations subject to field audits? (1) All information used to calculate return on equity is subject to field audit.

(2) A field audit can be used to determine whether the providers reported equity exceeds the equity calculated according to Medicare and the rules of this chapter.

NEW SECTION

WAC 388-835-0710 How does DSHS use field audit results? DSHS can use the field audit results to recalculate the provider's return on equity rate for the reported rate period. Any payments received by the provider in excess of the return on equity rate must be refunded to DSHS as part of the settlement procedure established in WAC 388-835-0720.

NEW SECTION

WAC 388-835-0715 Does DSHS place upper limits on the reimbursement rates it pays providers? DSHS limits its reimbursement rates to the following:

(1) Reimbursement rates for providers cannot exceed the provider's customary charge to the general public for the type of service covered by the rate.

(2) Public facilities rendering services for free or for a nominal charge will be reimbursed according to the methods and standards established in this chapter.

SETTLEMENTS

NEW SECTION

WAC 388-835-0720 What general requirements apply to settlements between DSHS and providers? (1) Except as otherwise provided in this chapter, settlements must be calculated at the lower of a provider's prospective reimbursement rate or audited allowable costs.

(2) Each provider must complete a proposed preliminary settlement as part of their annual cost report. The due date for the proposed preliminary settlement is the same as the due date for the annual cost report. After reviewing the proposed preliminary settlement, DSHS must issue a preliminary settlement report to the provider.

(3) If a field audit is conducted, DSHS must evaluate the audit findings and issue a final settlement that incorporates the auditor's findings and DSHS's evaluation.

(4) If according to a preliminary or final settlement and the procedures in this chapter, a provider received overpayments from DSHS, they must refund those overpayments to the department. Conversely, DSHS must pay provider for any underpayments for which the department is responsible.

(5) Following a preliminary or final settlement, payment for services must be at the most recent available settlement rate.

PROPOSED

NEW SECTION

WAC 388-835-0725 What requirements apply to paying overpayments and underpayments? (1) Within thirty days after submitting a preliminary or final settlement report to the provider, DSHS must pay any underpayments it owes.

(2) If a provider received overpayments or payments in error from DSHS, they must refund those payments within thirty days after receiving the preliminary or final settlement report.

(3) If a provider fails to comply with subsection (2) and the contract has not been terminated, DSHS must deduct the amount the provider owes, plus interest, from the department's current monthly payment due to the provider. The interest rate charged by DSHS on any unpaid balance is one percent per month.

(4) If a provider fails to comply with subsection (2) and the contract has been terminated, DSHS may:

(a) Deduct the amount owed by the provider, plus interest, from any amounts due to the provider from the department. (The interest rate on any unpaid balance is of one percent per month); or

(b) Use whatever legal means is available to recover the overpayment or erroneous payment plus interest on the unpaid balance at the rate of one percent per month.

NEW SECTION

WAC 388-835-0730 What if the amount of overpayment or underpayment is being disputed? (1) A provider does not have to refund any disputed amounts if they, in good faith, disagree with a settlement report and file a timely request for an administrative or judicial hearing.

(2) DSHS cannot withhold any amount owed by a provider, plus interest, from current payments due to the provider if the provider's debt is being administratively reviewed or judicially appealed.

(3) DSHS may recover portions of refunds and assess interest on amounts not specifically disputed by a provider in an administrative hearing or judicial appeal.

(4) If the administrative or judicial remedy sought by the provider is not granted or is partially granted after all appeals are exhausted or terminated by mutual agreement, the provider must refund all amounts owed to DSHS. These amounts, plus interest, must be paid within sixty days following the date of an administrative or judicial decision or the date the dispute process was mutually terminated. Interest accrues on the amount owed from the date a review was requested to the date the debt is repaid.

NEW SECTION

WAC 388-835-0735 What requirements apply to a provider's proposed preliminary settlement? (1) Proposed preliminary settlements submitted by providers must use the prospective rate for the resident care and habilitation cost center at which the provider was paid during the report period, including any resident specific payment adjustments. Resident specific payments must be weighted by the number

of paid resident days each rate was in effect and compared to the provider's allowable costs for the cost center divided by total resident days.

(2) A provider's administration, operations, and property cost center settlement rate must be the prospective rate for the report period, including any payment adjustments, weighted by the number of paid resident days each rate was in effect.

(3) A provider's return on equity settlement rate must be the prospective rate for the report period weighted by the number of paid resident days the rate was in effect.

NEW SECTION

WAC 388-835-0740 How must DSHS respond to a provider's proposed preliminary settlement? (1) DSHS has one hundred twenty days after receiving a proposed preliminary settlement to review it for accuracy and either accept or reject it.

(2) If accepted, the proposed preliminary settlement becomes the preliminary settlement report.

(3) If rejected, DSHS must issue a preliminary settlement report by cost center that fully substantiates disallowed costs, refunds, or underpayments due and adjustments to the proposed preliminary settlement.

NEW SECTION

WAC 388-835-0745 What recourse does a provider have if DSHS rejects their proposed preliminary settlement? A provider has thirty days after receiving a preliminary settlement report to contest it (see WAC 388-835-0950 and 388-835-0960). After thirty days, if the preliminary settlement report has not been contested, it cannot be reviewed.

NEW SECTION

WAC 388-835-0750 What requirements apply to final settlements? (1) A final settlement must be by cost center and must fully substantiate all:

(a) Disallowed costs;

(b) Refunds;

(c) Underpayments; or

(d) Adjustments to cost reports, financial statements, other reports, and schedules submitted by the provider.

(2) A final settlement report must use the prospective rate at which the provider was paid during the report period, including any resident specific payment adjustments made for resident care and training cost center. Resident specific payments must be weighted by the number of paid resident days reported for the period each rate was in effect. DSHS must compare these payments to the provider's audited allowable costs for the period.

(3) A provider's administration operations and property cost center settlement rate is the prospective rate for the period weighted by the number of paid resident days each rate was in effect.

(4) A provider's return of equity rate is the prospective rate for the report period weighted by the number of paid resident days the rate was in effect.

PROPOSED

NEW SECTION

WAC 388-835-0755 Can a provider disagree with a final settlement report? A provider has thirty days after receiving a final settlement report to contest it (see WAC 388-835-0950 and 388-835-0960). After thirty days, if the final settlement report has not been contested, it cannot be reviewed.

NEW SECTION

WAC 388-835-0760 What if DSHS conducts an audit during the final settlement process? (1) If DSHS conducts an audit, it must issue a final settlement report to the provider after the audit process is completed. Completing the audit process includes exhausting or mutual terminating the reviews and/or appeals of audit findings or determinations.

(2) If a provider, in good faith, is disputing audit findings or determinations through the administrative review or judicial appeal process, DSHS may issue a partial final settlement report to recover overpayments based on audit findings or determinations not being disputed.

NEW SECTION

WAC 388-835-0765 Why is a state facility settlement important? The state facility settlement is determined to establish a state facility's final payment.

NEW SECTION

WAC 388-835-0770 How is a state facility settlement calculated? The settlement must be calculated as follows:

(1) If the state facility's allowable costs for the report period are greater than their interim payment, the amount owed to the facility is the allowable cost amount minus the interim payment.

(2) If the state facility's allowable costs for the report period are less than their interim payment, the amount owed by the department is the interim payment minus the allowable cost amount.

NEW SECTION

WAC 388-835-0775 How is a state facility settlement implemented? (1) The settlement is implemented in a two-step process consisting of the facility first submitting a proposed preliminary settlement to DSHS and DSHS responding with a final settlement report that it submits to the state facility.

(2) The proposed preliminary settlement must be:

(a) Submitted to DSHS when the state facility submits their cost report.

(b) Responded to by DSHS within one hundred twenty days after they receive it from the state facility. DSHS must verify the accuracy of the facility's proposal and issue a preliminary settlement substantiating the settlement amount.

(3) The final settlement is the preliminary settlement issued by DSHS if an audit is not conducted.

(4) If an audit is conducted, DSHS must submit a final settlement report to the state facility after the audit process is completed. This report must substantiate all disallowed costs, refunds, underpayments, or adjustments to the provider's financial statements, cost report, and final settlement.

NEW SECTION

WAC 388-835-0780 Does DSHS have a responsibility to notify each provider regarding prospective reimbursement rates? (1) DSHS must give written notification to each provider regarding DSHS's prospective reimbursement rate.

(2) Unless specified at the time the reimbursement rate is issued, the rate will be effective from the first day of the month the rate is issued until a new rate becomes effective.

(3) If a rate is changed because of a successful provider appeal, the effective date of the new rate is the same as the effective date of the old rate.

NEW SECTION

WAC 388-835-0785 Can DSHS increase prospective reimbursement rates? (1) Except for the situations described in subsection (3) and (4) of this section, DSHS prospective reimbursement rates are the maximum provider payment rates for those periods to which they apply.

(2) DSHS does not grant rate adjustments for cost increases that are or were subject to management control or negotiations. Examples include, but are not limited to, all lease cost increases or any cost increases not expressly authorized in subsection (3) and (4).

(3) DSHS does adjust rates for any capitalized additions or replacements made as a condition for licensure or certification.

(4) DSHS does adjust rates for cost increases that must be incurred and cannot be met through the provider's prospective rate. Examples of such cost increases are:

(a) Program changes required by DSHS;

(b) Changes in staffing levels or consultants at a facility required by DSHS;

(c) Changes required by a survey; and

(d) Changes in revenue assessments required by the state legislature.

NEW SECTION

WAC 388-835-0790 How does a provider request a rate increase? (1) Any provider requesting a rate adjustment must submit a:

(a) Financial analysis showing the increased cost and an estimate of the rate increase needed to cover the increased cost. The estimated rate increase must be computed according to allowable methods;

(b) Written justification for granting the rate increase; and

(c) Certification and documentation that show the staffing changes and/or other improvements started or completed.

(2) Provider's requesting adjustments under WAC 388-835-0900 must submit a written plan identifying the staff

they are going to add and the resident needs they have not met because of insufficient staffing.

(3) When reviewing provider requests made under WAC 388-835-0900, DSHS considers:

- (a) If the additional staff requested by a provider is appropriate for meeting resident needs;
- (b) Staffing level comparisons with facilities having similar characteristics;
- (c) The facility's physical layout;
- (d) Supervision and management of current staff;
- (e) Historical trends regarding the facility's under-spending for resident care and habilitation;
- (f) Number and position of existing staff; and
- (g) Other resources available to the provider.

NEW SECTION

WAC 388-835-0795 What requirements apply to providers who receive rate increases? (1) Providers that receive prospective rate increases may be required to submit quarterly reports showing how the additional funds were spent. If required, a quarterly report would begin on the first day of the month following the date the rate increase is granted.

(2) If the additional funds resulting from the rate increase are not spent on DSHS approved changes or improvements approved, DSHS may ask that they be returned immediately.

(3) If a facility gives written notice to DSHS that it intends to close by a specific date and that returning the funds would jeopardize its ability to provide for the health, safety, and welfare of its residents, it may not have to return the additional funds.

ERRORS AND OMISSIONS

NEW SECTION

WAC 388-835-0800 What if DSHS discovers that a prospective rate calculation was affected by an error or omission? (1) DSHS may adjust prospective rates resulting from cost report errors, computational errors or omissions by either DSHS or the provider.

(2) In addition to adjusting the rate, DSHS must notify the provider in writing:

- (a) Regarding the nature and substance of each adjustment;
- (b) That the effective date of each adjustment is the same as the effective date of the original rate; and
- (c) Of any amount due to either DSHS or the provider as a result of an adjustment.

NEW SECTION

WAC 388-835-0805 What if a provider discovers an error or omission that affected their cost report? (1) If a provider discovers an error or omission that caused their cost report to be incorrect, the provider must submit amended cost report pages.

(2) Amended cost report pages must be certified and accompanied by a written explanation why the amendment is necessary. Amendments are not accepted by DSHS unless they comply with the requirements in WAC 388-835-0815.

(3) If DSHS concludes that the amendment changes are material, the amended pages must be audited by a field audit.

(4) If DSHS concludes that the amendments are incorrect or unacceptable as a result of the field audit or other information it receives, any rate adjustment based on the amendments is null and void. Any scheduled future rate payment increases resulting from the amendments must be canceled immediately.

(5) Any rate adjustment payments must be made according to the repayment provisions in WAC 388-835-0905.

NEW SECTION

WAC 388-835-0810 What other requirements apply to rate adjustments resulting from errors or omissions?

(1) No adjustment can be made to a rate more than:

- (a) One hundred twenty days after the field audit narrative and summary is sent to the provider; or
- (b) One hundred twenty days after a preliminary settlement becomes a final settlement.

(2) A final settlement that is concluded within the one hundred twenty-day time limits could only be reopened to adjust prospective rates that are based upon errors or omissions.

(3) Only adjustments to prospective rates (and the related computations) resulting from errors or omissions can be reviewed if a timely request is filed according to the provisions of WAC 388-835-0950.

NEW SECTION

WAC 388-835-0815 What requirements apply to repayment of amounts owed due to errors or omissions?

(1) Repayment (or starting repayment) of any amount owed to DSHS by a provider as a result of an error or omission rate adjustment must occur:

- (a) Within sixty days after the provider receives a rate adjustment notification from DSHS; or
- (b) According to a repayment schedule developed by DSHS.

(2) If a provider does not repay its debt to DSHS when it is due, DSHS may deduct the amount owed from the providers current DSHS payment.

(3) If a provider unsuccessfully contests the rate adjustment (see WAC 388-835-0950, they must repay DSHS (or start repayment) within sixty days after the administrative or judicial proceedings are completed.

(4) If DSHS owes a provider as a result of a rate adjustment, DSHS must pay the provider within thirty days after notifying the provider of the adjustment.

PUBLIC REVIEW—PUBLIC DISCLOSURENEW SECTION

WAC 388-835-0820 What role does the public play in setting prospective reimbursement rates? Each year before prospective reimbursement rates are set, DSHS will give all interested members of the public an opportunity to review and comment on the department's proposed rate setting methods and standards.

NEW SECTION

WAC 388-835-0825 What is DSHS' public disclosure responsibility regarding rate setting methodology? Without identifying individual ICF/MR facilities and in compliance with public disclosure statute and rule requirements, DSHS will provide the public with full and complete information regarding its rate setting methodology.

BILLING PROCEDURES AND PAYMENTSNEW SECTION

WAC 388-835-0830 How does a provider bill DSHS for services provided? (1) A provider must bill DSHS each month, from the first through the last day, for care provided to medical care recipients by completing and returning an IMR statement filed according to department instructions.

(2) A provider cannot bill DSHS for services provided to a resident until they receive a DSHS resident award letter. When the provider receives the award letter, they can bill for services provided since the resident's admission or eligibility date.

(3) A provider cannot bill DSHS for the day of a resident's death, discharge, or transfer from the ICF/MR facility.

NEW SECTION

WAC 388-835-0835 How does DSHS pay a provider? (1) DSHS will reimburse a provider for billed service rendered under the ICF/MR contract according to the appropriate rate assigned to the provider.

(2) For each resident, DSHS will pay an amount equal to the appropriate rates multiplied by the number of resident days each rate was in effect, less any amount a resident is required to pay (see WAC 388-835-0940).

(3) A provider must accept DSHS's reimbursement rates as full compensation for all services the provider is obligated to provide under their contract. The provider must not seek or accept additional compensation any contracted services from or on behalf of a resident.

NEW SECTION

WAC 388-835-0840 Can DSHS withhold provider payments? DSHS cannot withhold a provider payment until the provider is given written notification explaining why the payment is being withheld.

NEW SECTION

WAC 388-835-0845 Can DSHS terminate Medicaid Title XIX payments to providers? DSHS must terminate all Medicaid Title XIX payments to a provider no later than sixty days after a:

- (1) Contract expires, is terminated or is not renewed;
- (2) Facility license is revoked; or
- (3) Facility is decertified as a Title XIX facility.

NEW SECTION

WAC 388-835-0850 Who is responsible for collecting from residents any amounts they may own for their care?

(1) DSHS will notify a provider of the amount each resident is required to pay for care provided under the contract and the date the payment is due.

(2) The provider is responsible for:

(a) Collecting from the resident; and

(b) Accounting for, according to procedures established by DSHS, any authorized reduction in the resident's contribution.

NEW SECTION

WAC 388-835-0855 What if a resident's circumstances change causing a provider to contribute more to the resident's care? (1) If a provider receives documentation verifying a change in a resident's income or resources that will reduce the resident's ability to contribute to the cost of their care, the provider must report this information in writing to the DDD regional services office within seventy-two hours.

(2) Any necessary corrections should be made in the next ICF/MR statement and a copy of the supporting documentation should be attached.

(3) If a provider receives increased funds for a resident, the normal amount must be allowed for clothing, personal, and incidental expenses and the balance must be applied to the cost of care.

RECEIVERSHIPNEW SECTION

WAC 388-835-0860 What is the role of a receiver when an ICF/MR facility is placed in receivership? If an ICF/MR facility is providing care to state medical assistance recipients and is placed under receivership, the receiver:

(1) Becomes the Medicaid provider during the receivership period;

(2) Assumes all new provider reporting responsibilities;

(3) Assumes all other new provider responsibilities established in this chapter; and

(4) Is responsible, during the receivership period, for refunding any Medicaid rate payments received that exceed cost of services provided.

PROPOSED

NEW SECTION

WAC 388-835-0865 How does DSHS determine prospective reimbursement rates during receivership? When establishing prospective reimbursement rates during receivership, DSHS must consider:

(1) Court ordered compensation, if any, for the receiver. Receiver compensation may already be available through the:

- (a) Return on equity cost center rate, or
- (b) Facility administrator salary where the receiver is also the facility's administrator.

(c) In order to satisfy the court order when existing sources of compensation are less than the compensation ordered by the court, DSHS could consider the difference as an additional allowable cost when establishing prospective reimbursement rates.

(2) Start-up costs and costs of repairs, replacements, and additional staff needed for resident health, training, security, and welfare. No additional money will be added to the rate if these costs can be covered through the return on equity cost center rate; and

(3) Any other allowable costs contained in this chapter.

NEW SECTION

WAC 388-835-0870 What if the court asks DSHS to recommend a receiver's compensation? If ask for a recommendation regarding receiver compensation by the court, DSHS must consider the:

(1) Range of compensation for private ICF/MR facility managers;

(2) Experience and training of the receiver;

(3) Size, location, and current condition of the facility; and

(4) Additional factors considered appropriate.

NEW SECTION

WAC 388-835-0875 Can DSHS give emergency or transitional financial assistance to a receiver? (1) In response to a court order, DSHS must give up to thirty thousand dollars of emergency or transitional financial assistance to a receiver.

(2) DSHS must recover any emergency or transitional assistance given to a receiver from facility generated revenue that is not obligated for facility operations.

(3) If DSHS has not fully recovered the emergency or transitional assistance when the receivership ends, DSHS may file:

(a) An action against the former licensee or owner to recover what is owed; or

(b) A lien against the facility or the proceeds from the sale of the facility.

NEW SECTION

WAC 388-835-0880 What happens when a receivership ends? When a receivership ends, DSHS may revise the facility's Medicaid reimbursement as follows:

(1) The Medicaid reimbursement rate for the former owner or licensee must be what it was before receivership unless the former owner or licensee requests prospective rate revisions according to the requirements of this chapter.

(2) The Medicaid reimbursement rate for licensed replacement operators must be established according to the rules in this chapter governing prospective reimbursement rates for new providers.

DISPUTE RESOLUTIONNEW SECTION

WAC 388-835-0885 What disputes between providers and DSHS can be resolved through the administrative review process? A provider can use the administrative review process to contest:

(1) An "errors or omissions" reimbursement rate adjustment issued to the provider (see WAC 388-835-0845) or DSHS's refusal to adjust a rate the provider believes is incorrect due to errors or omissions. The provider must request an administrative review twenty-eight days of receiving notification that a rate has been adjusted or that DSHS refuses to adjust the rate.

(2) The way in which a DSHS rule, contract provision, or policy statement was applied when calculating the provider's prospective cost related reimbursement system's rate.

(3) An audit finding, other audit determination, a rate review or other settlement determination.

NEW SECTION

WAC 388-835-0890 What disputes cannot be resolved through the administrative review and fair hearing processes? DSHS' administrative review and fair hearing processes cannot be used to challenge:

(1) The adequacy of any prospective or settlement reimbursement rate or rate component, either individually or collectively;

(2) Audit actions or adjustment conducted under the federal Boren Amendment payment standard contained in federal regulations at 42 USC 1396a (a)(13)(A); or

(3) DSHS's efforts to comply with the Boren standard.

NEW SECTION

WAC 388-835-0900 How does a provider request an administrative review? (1) A provider challenging an audit or settlement determination has a maximum of twenty-eight days after receiving the finding or decision to file a written request for an administrative review.

(2) Written requests must be filed with the:

(a) Office of Financial Recovery services when the provider challenges an audit finding (adjusting journal entries or AJEs) or other audit determination; or

(b) DDD Director when the provider challenges a rate, desk review, or other settlement determination.

(3) The written request must:

(a) Be signed by the provider or facility administrator;

(b) Identify the specific determination being challenged and the date it was issued;

(c) State, as specifically as possible, the issues and regulations involved and why the provider claims the determination was erroneous; and

(d) Be accompanied by any documentation that will be used to support the provider's position.

NEW SECTION

WAC 388-835-0905 What happens after a provider requests an administrative review? (1) After receiving a provider's request, DSHS must schedule a conference between the provider and appropriate department representatives.

(2) Unless both parties agree, in writing, to a specific later date, the conference must be scheduled at least fourteen days after DSHS notifies the provider that a conference will be held and no later than ninety days after DSHS receives the provider's review request.

(3) The conference may be conducted by telephone unless DSHS or the provider requests, in writing, that it be held in person.

(4) The provider and DSHS representatives must participate in the conference.

(5) Either at the conference or before, the provider must give DSHS any documentation:

(a) Requested by DSHS that the provider is required to maintain for audit purposes under WAC 388-835-0270; and

(b) The provider intends to use to support their position.

(6) At the conference DSHS and the provider must clarify the issues and attempt to resolve them.

(7) If additional documentation is necessary to resolve the issues, a second conference meeting must be scheduled. Unless both parties agree, in writing, to a specific later date, this second conference meeting must be scheduled not later than thirty days after the first session.

(8) Regardless of whether an agreement is reached, DSHS must give the provider a written decision within sixty days after the conference ends.

NEW SECTION

WAC 388-835-0910 What if a provider disagrees with the administrative review decision? (1) If they disagree with the administrative review decision, a provider has a right to request an adjudicative proceeding within twenty-eight days of receiving the decision.

(2) To request an adjudicative proceeding, a provider must:

(a) File a written request with the office of administrative hearings (OAH);

(b) Sign the request or have it signed by the facility administrator;

(c) State as specifically as possible the issues and regulations involved;

(d) State the reasons for disagreeing with the administrative review decision; and

(e) Attach a copy of the contested decision and any documentation the provider will use to support their position.

(3) The adjudicative proceeding must be governed by the Administrative Procedure Act (chapter 34.05 RCW), this chapter, and chapter 388-02 WAC. If any part of this chapter conflict with chapter 388-02 WAC, this chapter prevails.

NEW SECTION

WAC 388-835-0915 Can DSHS withhold an undisputed overpayment amount from a current ICF/MR payment? DSHS is authorized to withhold from an ICF/MR's current payment all amounts found by a preliminary or final settlement to be overpayments if they are not identified by the ICF/MR as overpayments and challenged in an administrative or judicial review.

NEW SECTION

WAC 388-835-0920 Can DSHS withhold a disputed overpayment amount from a current ICF/MR payment? Once administrative and judicial review processes are complete, contested overpayments retained by an ICF/MR may be withheld from the ICF/MR's current payment but only to the extent DSHS's position or claims are upheld.

COST OF CARE OF MENTALLY DEFICIENT PERSONS RESIDING IN STATE INSTITUTIONS

NEW SECTION

WAC 388-835-0925 What is the purpose of this section? The purpose of this chapter is to regulate the costs of care of mentally/physically deficient persons.

NEW SECTION

WAC 388-835-0930 How is the payment for residential facilities set? The department sets the payment for residential facilities by the methodology noted in chapter 388-835 WAC.

NEW SECTION

WAC 388-835-0935 How much of a resident's income is exempt from paying their care? Residents whose total resources are insufficient to pay the actual cost of care must be entitled to a monthly exemption from income in the amount of twenty-five dollars.

NEW SECTION

WAC 388-835-0940 What if the estate of a resident is able to pay all or a portion of their monthly cost? (1) If DSHS finds that the estate of a resident is able to pay all or a portion of their monthly costs for care, support, and treatment, they must serve a written notice of finding of responsibility (NFR) on the:

(a) Guardian of the resident's estate; or

PROPOSED

(b) If a guardian has not been appointed, resident's spouse or parent or other person acting in a representative capacity and in possession of the resident's property; and

(c) The superintendent of the state school.

(2) If a resident is an adult and is not under a legal disability, the department must personally serve the NFR on the resident.

NEW SECTION

WAC 388-835-0945 If a resident or guardian is served by DSHS with a NFR when is payment due? If a resident or guardian is served by DSHS with an NFR, payment is due twenty-eight days after receiving the notice.

NEW SECTION

WAC 388-835-0950 May a resident or guardian request a hearing if they disagree with the NFR? If a resident or guardian disagrees with the NFR, they have the right to ask for a hearing under chapter 34.05 RCW. They must file a written hearing request within twenty-eight days of receipt with the secretary of DSHS, ATTN: Determination Officer, P.O. Box 9768, Olympia, WA 98504.

NEW SECTION

WAC 388-835-0955 What information must be included in the request for a hearing? The request for hearing must include:

- (1) A specific statement of the issues and law involved;
 - (2) The grounds for contesting the department decision;
- and
- (3) A copy of the NFR being contested.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-835-010 Terms—Definitions.
- WAC 388-835-015 Exemptions.
- WAC 388-835-020 ICF/MR care.
- WAC 388-835-025 Name of IMR.
- WAC 388-835-030 Closure of an IMR facility.
- WAC 388-835-035 Adequate IMR care.
- WAC 388-835-040 Continuity of resident care.
- WAC 388-835-045 IMR contract—Noncompliance.
- WAC 388-835-050 Minimum staff requirements.
- WAC 388-835-055 Placement of client.
- WAC 388-835-060 Transfer of client—Relocation.

- WAC 388-835-065 Resident rights—Relocation redetermination of eligibility.
- WAC 388-835-070 Transfer or discharge planning.
- WAC 388-835-075 Discharge, readmission, and incident reporting.
- WAC 388-835-080 Social leave for IMR residents.
- WAC 388-835-085 Superintendent's limited authority to hold.
- WAC 388-835-090 Prospective cost-related reimbursement.
- WAC 388-835-095 Conditions of participation.
- WAC 388-835-100 Projected budget for new contractors.
- WAC 388-835-105 Change of ownership.
- WAC 388-835-110 Termination of contract.
- WAC 388-835-115 Due dates for reports.
- WAC 388-835-120 Requests for extensions.
- WAC 388-835-125 Reports.
- WAC 388-835-130 Failure to submit final reports.
- WAC 388-835-135 Improperly completed or late reports.
- WAC 388-835-140 Completing reports and maintaining records.
- WAC 388-835-145 Certification requirement.
- WAC 388-835-150 Reports—False information.
- WAC 388-835-155 Amendments to reports.
- WAC 388-835-160 Requirement for retention of reports by the department.
- WAC 388-835-165 Requirements for retention of records by the contractor.
- WAC 388-835-170 Disclosure of IMR facility reports.
- WAC 388-835-175 Desk review.
- WAC 388-835-180 Field audits.
- WAC 388-835-185 Preparation for audit by the contractor.
- WAC 388-835-190 Scope of field audits.
- WAC 388-835-195 Inadequate documentation.
- WAC 388-835-200 Deadline for completion of audits.
- WAC 388-835-205 Disclosure of audit narratives and summaries.

PROPOSED

WAC 388-835-210	Resident trust accounts.	WAC 388-835-360	Retirement of depreciable assets.
WAC 388-835-215	Accounting procedures for resident trust accounts.	WAC 388-835-365	Handling of gains and losses upon retirement of depreciable assets.
WAC 388-835-220	Trust moneys—Imprest fund.		
WAC 388-835-225	Trust moneys control or disbursement.	WAC 388-835-370	Handling of gains and losses upon retirement of depreciable assets—Other periods.
WAC 388-835-230	Trust moneys availability.		
WAC 388-835-235	Accounting upon change of ownership.	WAC 388-835-375	Handling of gains and losses upon retirement of depreciable assets.
WAC 388-835-240	Procedure for refunding trust money.	WAC 388-835-380	Recovery of excess over straight-line depreciation.
WAC 388-835-245	Liquidation of trust fund.	WAC 388-835-385	Unallowable costs.
WAC 388-835-250	Resident property records.	WAC 388-835-390	Reimbursement principles.
WAC 388-835-255	Allowable costs.	WAC 388-835-395	Program services not covered by the reimbursement rate.
WAC 388-835-260	Substance prevails over form.		
WAC 388-835-265	Offset of miscellaneous revenues.	WAC 388-835-400	Prospective reimbursement rate for new contractors.
WAC 388-835-270	Costs of meeting standards.	WAC 388-835-405	Rate determination.
WAC 388-835-275	Limit on costs to related organizations.	WAC 388-835-410	Desk review for rate determination.
WAC 388-835-280	Start-up costs.	WAC 388-835-415	Cost centers.
WAC 388-835-285	Organization costs.	WAC 388-835-420	Resident care and habilitation cost center rate.
WAC 388-835-290	Education and training.	WAC 388-835-425	Administration, operations, and property cost center rate.
WAC 388-835-295	Total compensation—Owners, relatives, and certain administrative personnel.	WAC 388-835-430	Food rate component.
WAC 388-835-300	Owner or relative—Compensation.	WAC 388-835-435	Maximum allowable compensation of certain administrative personnel.
WAC 388-835-305	Allowable interest.	WAC 388-835-440	Management agreements, management fees, central office services, and board of directors.
WAC 388-835-310	Offset of interest income.		
WAC 388-835-315	Operating leases of facilities and equipment.	WAC 388-835-445	Administration and operations rate component.
WAC 388-835-320	Rental expense paid to related organizations.	WAC 388-835-450	Property rate component.
WAC 388-835-325	Capitalization.	WAC 388-835-455	Return on equity.
WAC 388-835-330	Depreciation expense.	WAC 388-835-460	Upper limits to reimbursement rate.
WAC 388-835-335	Depreciable assets.	WAC 388-835-465	Principles of settlement.
WAC 388-835-340	Depreciation base.	WAC 388-835-470	Procedures for overpayments and underpayments.
WAC 388-835-345	Depreciation base—Donated or inherited assets.	WAC 388-835-475	Preliminary settlement.
WAC 388-835-350	Lives.	WAC 388-835-480	Final settlement.
WAC 388-835-355	Methods of depreciation.	WAC 388-835-485	Interim rate.

WAC 388-835-490	Final payment.
WAC 388-835-495	Notification of rates.
WAC 388-835-500	Adjustments required due to errors or omissions.
WAC 388-835-505	Receivership.
WAC 388-835-510	Adjustments to prospective rates.
WAC 388-835-515	Public review of rate-setting methods and standards.
WAC 388-835-520	Public disclosure of rate-setting methodology.
WAC 388-835-525	Billing period.
WAC 388-835-530	Billing procedures.
WAC 388-835-535	Charges to residents.
WAC 388-835-540	Payment.
WAC 388-835-545	Suspension of payment.
WAC 388-835-550	Termination of payments.
WAC 388-835-555	Disputes.
WAC 388-835-560	Recoupment of undisputed overpayments.
WAC 388-835-565	Administrative review— Adjudicative proceeding.

**WSR 00-24-082
PROPOSED RULES
SOUTHWEST**

CLEAN AIR AGENCY

[Filed December 5, 2000, 10:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-022.

Title of Rule: SWCAA 400 General Regulations for Air Pollution Sources.

Purpose: The purpose of this rule making is to revise sections to reflect the name change for the agency, adopt the most current federal NESHAP and MACT standards and update the definition of volatile organic compounds.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: RCW 70.94.141.

Summary: The changes proposed in this rule are administrative in nature. The rule is being revised to reflect a name change for the agency, to update adoption of federal NESHAP and MACT standards and update definition.

Reasons Supporting Proposal: The name of the agency was changed July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA). Federal delegation agreements with EPA requires that SWCAA periodically update adoption of federal standards.

Name of Agency Personnel Responsible for Drafting and Implementation: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058; and Enforcement: Robert D. Elliott, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058.

Name of Proponent: Southwest Clean Air Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an existing rule. Only administrative type changes are being proposed. There will be no effect on the public or regulated businesses as a result of these changes.

Proposal Changes the Following Existing Rules: Titles and rule numbers that include the agency name are being changed to reflect the name of the agency.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes proposed by SWCAA are consistent with federal and state rules already in effect. This agency is not subject to the small business economic impact provisions of chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking section 201, chapter 403, Laws of 1995.

Hearing Location: Office of SWCAA, 1308 N.E. 134th Street, Vancouver, WA 98685, on February 1, 2001, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by January 26, 2001, TDD (360) 574-3058.

Submit Written Comments to: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA 98685, fax (360) 574-3058, by January 19, 2001.

Date of Intended Adoption: February 1, 2001.

December 4, 2000

Robert D. Elliott

Executive Director

((SWAPCA)) SWCAA 400

**General Regulations
For Air Pollution Sources**

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-010 Policy and Purpose

[Statutory Authority: Chapter 70.94.057 RCW, and 70.94.141 RCW. Original adoption by Board 12/17/68; Board amended 10/29/69 (Sec. 1.01 and 1.02); 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) It is the policy of the Southwest Clean Air ((~~Pollution Control Authority~~) **Agency** (herein after referred to as the ((~~Authority~~) **Agency** or ((SWAPCA)) **SWCAA**) to maintain such a reasonable degree of purity of the air as will protect human health and safety and to the greatest degree practicable, prevent injury to plant and animal life or to property and

be consistent with the economic and industrial well being of the jurisdiction of the ((Authority)) Agency.

(2) Pursuant to the U.S. Clean Air Act (42 U.S.C. 7401 et seq.) and the Washington Clean Air Act (RCW 70.94), the ((Authority)) Agency has adopted regulations for the control of air contaminant emissions, including toxic air contaminants, substances for which primary and secondary National Ambient Air Quality Standards (NAAQS) have been established and volatile organic compounds, to prevent air pollution. In conformance with these laws, the policy of ((SWAPCA)) SWCAA is to control and regulate the emission of air contaminants from sources within the jurisdiction of ((SWAPCA)) SWCAA, to prevent violations of federal, state and local air pollution regulations, to provide uniform administration and enforcement of the aforementioned regulations, and to effectuate the requirements and purpose of Chapter 70.94 Revised Code of Washington (RCW).

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-020 Applicability

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.422 RCW. Original adoption by Board 12/17/68 (Regulation 1); Board amended 10/29/69 (Regulation 2); 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The provisions of this regulation shall apply within Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties of Washington State.

(2) The ((Authority)) Agency is authorized to enforce this regulation and may also adopt standards or requirements. These standards or requirements may not be less stringent than the current state air quality rules and may be more stringent than the current regulations. Unless properly delegated by Ecology, the ((Authority)) Agency does not have jurisdiction over the following sources:

(a) Specific source categories over which the State, by separate regulation, has assumed or hereafter assumes jurisdiction.

(b) Automobiles, trucks, aircraft, chemical pulp mills and primary aluminum reduction facilities.

(c) Those sources under the jurisdiction of the Energy Facility Site Evaluation Council (EFSEC) as provided in Washington Administrative Code (WAC) 463.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-030 Definitions

[Statutory Authority: Chapter 70.94.030 RCW, and 70.94.141 RCW. Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 3/20/84; Amended by Board 12/16/86; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

Except as provided elsewhere in this regulation the following definitions apply throughout the regulation:

(1) "Actual emissions" means the actual rate of emissions of a pollutant from an emission unit, as determined in accordance with (a) through (c) of this subsection.

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the emissions unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The ((Authority)) Agency shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(b) The ((Authority)) Agency may presume that source specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.

(c) For any emissions unit ((which)) that has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the emissions unit on that date.

(2) "Adverse impact on visibility" means visibility impairment ((which)) that interferes with the management, protection, preservation, or enjoyment of the visitor's visual experience of a Federal Class I area. This determination must be made on a case-by-case basis taking into account the geographic extent, intensity, duration, frequency, and time of visibility impairment, and how these factors correlate with (a) times of visitor use of the Federal Class I area and (b) the frequency and timing of natural conditions that reduce visibility. This term does not include effects on integral vistas.

(3) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof. This includes any substance regulated as an air pollutant under WAC 173-460, NESHAPS, Section 112 of the Federal Clean Air Act Amendments or substance for which a primary or secondary National Ambient Air Quality Standard has been established, and volatile organic compounds. "Air pollutant" means the same as "air contaminant". A criteria pollutant is an air pollutant for which a criteria document has been prepared by EPA and has a primary or secondary ambient air quality standard. These pollutants are identified at 40 CFR Part 50 and include sulfur oxides (measured as sulfur dioxide), particulate matter, carbon monoxide, ozone, nitrogen dioxide, and lead. Volatile organic compounds as a category are no longer identified as a criteria pollutant.

(4) "Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities, and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property. For the purposes of this regulation air pollution shall not include air contaminants emitted in compliance with Chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of various pesticides.

(5) "Allowable emissions" means the emission rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to federally

enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 CFR Part 60, 61, or 63;

(b) Any applicable State Implementation Plan emission limitation including those with a future compliance date;

(c) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date; or

(d) The emission rate specified by an applicable regulatory order.

(6) "Ambient air" means the surrounding outside air.

(7) "Ambient air quality standard" (AAQS) means an established concentration, exposure time, and frequency of occurrence of an air contaminant or multiple air contaminants in the ambient air which shall not be exceeded.

(8) "~~((Authority))~~ Agency" means the Southwest Clean Air ~~((Pollution Control Authority))~~ Agency ~~((SWAPCA))~~ SWCAA.

(9) "Best available control technology, (BACT)" means an emission limitation (including a visible emission standard) based on the maximum degree of reduction for each air pollutant subject to regulation under Chapter 70.94 RCW which would be emitted from or which results from any new or modified stationary source, which the ~~((Authority))~~ Agency, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning or treatment, clean fuels, or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of the "best available control technology" result in emissions of any air pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60, Part 61, and Part 63 as they exist on ~~((August))~~ July 1, ((1998)) 2000, or their later enactments as adopted by reference by the ~~((Authority))~~ Agency by rule. Emissions from any source utilizing clean fuels, or any other means, to comply with this paragraph shall not be allowed to increase above levels that would have been required under the definition of BACT in the Federal Clean Air Act as it existed prior to enactment of the Clean Air Act Amendments of 1990.

(10) "Best available retrofit technology (BART)" means an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant ~~((which))~~ that is emitted by an existing stationary facility. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology.

(11) "Board" means the Board of Directors of the Southwest Clean Air ~~((Pollution Control Authority))~~ Agency.

(12) "Bubble" means a set of emission limits which allows an increase in emissions from a given emissions

unit(s) in exchange for a decrease in emissions from another emissions unit(s), pursuant to RCW 70.94.155, and ~~((SWAPCA))~~ SWCAA 400-120.

(13) "Capacity factor" means the ratio of the average load on a machine or equipment for the period of time considered, to the manufacturer's capacity rating of the machine or equipment.

(14) "Class I area" means any area designated pursuant to §§ 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas potentially affected by emissions from sources within ~~((SWAPCA))~~ SWCAA jurisdiction:

Alpine Lakes Wilderness;

Glacier Peak Wilderness;

Goat Rocks Wilderness;

Mount Adams Wilderness;

Mount Rainier National Park;

Mt. Hood Wilderness Area;

Mt. Jefferson Wilderness Area.

(15) "Closure" means permanently stopping or terminating all processes at a facility. Such termination of processes shall result in no emissions of pollutants to the ambient air. Closure does not mean temporary shutdown of operations. A facility shall be considered "permanently closed" if operations have ceased and registration fees are not paid as set forth in ~~((SWAPCA))~~ SWCAA 400-100 (2)(e). Process and pollution control equipment may remain in place and on site but shall be configured such that the equipment or processes are incapable of generating emissions to the atmosphere (e.g. disconnection of power to equipment, mechanical positioning that inhibits processing; placing of padlocks on equipment to prevent operation). Closure of a facility requires notification to ~~((SWAPCA))~~ SWCAA in accordance with ~~((SWAPCA))~~ SWCAA 400-100 (2)(d). New Source Review and applicable emission control technology requirements in accordance with current requirements for similar facilities will be required of the facility prior to restart if the annual registration fee is not paid.

(16) "Combustion and incineration sources" means emissions units using combustion for waste disposal, steam production, chemical recovery or other process requirements, but excludes open burning.

(17) "Commenced construction" means that an owner or operator has all the necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time. (ref. 40 CFR 52.21)

(18) "Concealment" means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

(19) "Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or modification of an emis-

sions unit) which would result in a change in actual emissions. (ref. 40 CFR 52.21)

(20) "Control Officer" means the Executive Director of the Southwest Clean Air (~~(Pollution Control Authority)) Agency.~~

(21) "Director" means the director of the Washington State Department of Ecology (WDOE) or duly authorized representative.

(22) "Dispersion technique" means a method (~~(which)) that~~ attempts to affect the concentration of a pollutant in the ambient air other than by the use of pollution abatement equipment or integral process pollution controls.

(23) "Ecology" means the Washington State Department of Ecology (WDOE).

(24) "Emission" means a release of air contaminants into the ambient air.

(25) "Emission control technology" means emission control equipment integral or in addition to the emission unit or other technology, device, component or control parameter that is integral to the design of an emission unit or the basic design to the emission unit; i.e., low NOx burner for a boiler or turbine.

(26) "Emission reduction credit (ERC)" means a credit granted pursuant to (~~(SWAPCA)) SWCAA~~ 400-131. This is a voluntary reduction in emissions beyond required levels of control. ERCs may be sold, leased, banked for future use or traded in accordance with applicable regulations. Emission reduction credits shall provide an incentive for reducing emissions below the required levels and to establish a framework to promote a market based approach to air pollution control.

(27) "Emission standard" and "emission limitation" mean a requirement established under the FCAA or Chapter 70.94 RCW or local regulation which limits the quantity, rate, or concentration of emissions of air contaminants on a continuous basis, including any requirement relating to the operation or maintenance of a source to assure continuous emission reduction and any design, equipment, work practice, or operational standard promulgated under the FCAA or Chapter 70.94 RCW.

(28) "Emissions unit" means any part of a stationary source (~~(which)) that~~ emits or would have the potential to emit any pollutant subject to regulation under the FCAA, Chapter 70.94 RCW or Chapter 70.98 RCW.

(29) "Excess emissions" means emissions of an air pollutant in excess of any applicable emission standard.

(30) "Excess stack height" means that portion of a stack which exceeds the greater of sixty-five meters (213.25 feet) or the calculated stack height described in (~~(SWAPCA)) SWCAA~~ 400-200(2).

(31) "Executive Director" means the Control Officer of the Southwest Clean Air (~~(Pollution Control Authority)) Agency.~~

(32) "Existing stationary facility" means a stationary source of air pollutants (~~(which)) that~~ has the potential to emit two hundred fifty tons per year or more of any air pollutant. In determining potential to emit, fugitive emissions, to the extent quantifiable, must be counted. For purposes of determining whether a stationary source is an existing stationary facility the term "building, structure, facility, or installation"

means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant emitting activities shall be considered as part of the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual*, 1987.

(33) "Federal Clean Air Act (FCAA)" means the Federal Clean Air Act, also known as Public Law 88-206, Stat. 392, December 17, 1963, 42 U.S.C. 7401 et seq., as last amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990.

(34) "Federal land manager" means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

(35) "Fossil fuel-fired steam generator" means a device, furnace, or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

(36) "Fugitive dust" means a type of particulate emission made airborne by forces of wind, human activity, or both. Unpaved roads, construction sites, and tilled land are examples of areas that originate fugitive dust. Fugitive dust is a type of fugitive emission.

(37) "Fugitive emissions" means emissions which do not pass and which could not reasonably be collected to pass through a stack, chimney, vent, or other functionally equivalent opening.

(38) "General process unit" means an emissions unit using a procedure or a combination of procedures for the purpose of causing a change in material by either chemical or physical means, excluding combustion.

(39) "Good agricultural practices" means economically feasible practices (~~(which)) that~~ are customary among or appropriate to farms and ranches of a similar nature in the local area.

(40) "Good engineering practice (GEP)" refers to a calculated stack height based on the equation specified in (~~(SWAPCA)) SWCAA~~ 400-200 (2)(a)(ii).

(41) "Incinerator" means a furnace used primarily for the thermal destruction of waste.

(42) "In operation" means engaged in activity related to the primary design function of the source.

(43) "Integral vista" means a view perceived from within a mandatory Class I federal area of a specific landmark or panorama located outside the boundary of the mandatory Class I federal area.

(44) "Lowest achievable emission rate (LAER)" means for any source that rate of emissions which reflects the more stringent of:

(a) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the proposed new or modified source demonstrates that such limitations are not achievable; or

(b) The most stringent emission limitation which is achieved in practice by such class or category of source In no event shall the application of this term permit a proposed new or modified source to emit any pollutant in excess of the

amount allowable under applicable new source performance standards.

(45) "Maintenance Area" or "Maintenance Plan Area" means a geographical area of the jurisdiction of ((SWAPCA)) SWCAA which was formerly designated as a nonattainment area and which has been redesignated as an attainment area as provided under 40 CFR 52. The maintenance area designation shall be in effect as long as there is a federal or state requirement to have a maintenance plan in effect.

(46) "Maintenance Pollutant" means a pollutant for which a maintenance plan area was formerly designated a nonattainment area.

(47) "Major modification" means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Federal Clean Air Act. Any net emissions increase that is considered significant for volatile organic compounds or oxides of nitrogen shall be considered significant for ozone. A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair, and replacement;
 (b) Use of an alternative fuel or raw material by reason of an order under sections 2 (a) and (b) of the Energy Supply and Environmental Supply Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the FCAA, 42 U.S.C. 7425;

(d) Use of an alternative fuel at a steam-generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(i) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976, in a Prevention of Significant Deterioration permit or an Order of Approval for a Notice of Construction application; or

(ii) The source is approved to use under any federally enforceable notice of construction approval or a PSD permit issued by the Environmental Protection Agency;

(f) An increase in the hours of operation or in the production rate, unless such change is prohibited under any federally enforceable permit condition ((which)) that was established after December 21, 1976, in a Prevention of Significant Deterioration permit or an Order of Approval for a Notice of Construction application;

(g) Any change in ownership at a stationary source.

(48) "Major stationary source" means:

(a) Any stationary source which:

(i) Emits or has the potential to emit one hundred tons per year or more of any air contaminant regulated by the Washington State or Federal Clean Air Acts;

(ii) Is located in a "marginal" or "moderate" ozone nonattainment area and which emits or has the potential to emit one hundred tons per year or more of volatile organic compounds or oxides of nitrogen;

(iii) Is located in a "serious" carbon monoxide nonattainment area where stationary sources contribute significantly to carbon monoxide levels and which emits or has the potential to emit fifty tons per year or more of carbon monoxide; or

(iv) Is located in a "serious" particulate matter (PM₁₀) nonattainment area and which emits or has the potential to emit seventy tons per year or more of PM₁₀ emissions.

(b) Any physical change that would occur at a stationary source not qualifying under (a) of this subsection as a major stationary source, if the change would constitute a major stationary source by itself;

(c) A major stationary source that is major for VOCs or NO_x shall be considered major for ozone;

(d) The fugitive emissions of a stationary source shall not be included in determining whether it is a major stationary source, unless the stationary source belongs to one of the following categories of stationary sources or the source is a major stationary source due to (a)(iii) or (iv) of this subsection:

- (i) Coal cleaning plants (with thermal dryers);
- (ii) Kraft pulp mills;
- (iii) Portland cements plants;
- (iv) Primary zinc smelters;
- (v) Iron and steel mills;
- (vi) Primary aluminum ore reduction plants;
- (vii) Primary copper smelters;
- (viii) Municipal incinerators capable of charging more than two hundred fifty tons of refuse per day;
- (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- (x) Petroleum refineries;
- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);
- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units per hour heat input;
- (xxii) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand barrels (12,600,000 gallons);
- (xxiii) Taconite ore processing plants;
- (xxiv) Glass fiber processing plants;
- (xxv) Charcoal production plants;
- (xxvi) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units per hour heat input; and
- (xxvii) Any other stationary source category which, as of August 7, 1980, was being regulated under sections 111 or 112 of the Federal Clean Air Act.

(e) For purposes of determining whether a stationary source is a major stationary source, the term "building, structure, facility, or installation" means all the pollutant-emitting activities which belong to the same industrial grouping, are

located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same major group (i.e., which have the same two digit code) as described in the *Standard Industrial Classification Manual*, 1987.

(49) "Mandatory Class I federal area" means any area defined in Section 162(a) of the FCAA. The mandatory Class I federal areas potentially affected by emissions from sources within ((SWAPCA)) SWCAA jurisdiction are as follows:

Alpine Lakes Wilderness;
Glacier Peak Wilderness;
Goat Rocks Wilderness;
Mount Adams Wilderness;
Mount Rainier National Park;
Mt. Hood Wilderness Area;
Mt. Jefferson Wilderness Area.

(50) "Masking" means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor, usually to a less offensive odor.

(51) "Materials handling" means the handling, transporting, loading, unloading, storage, and transfer of materials with no significant alteration of the chemical or physical properties of the material.

(52) "Modification" means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code, and with rules implementing that section.

(53) "National Emission Standards for Hazardous Air Pollutants (NESHAPS)" means the federal regulations set forth in 40 CFR Part 61 or Part 63.

(54) "Natural conditions" means naturally occurring phenomena that reduce visibility as measured in terms of visual range, contrast, or coloration.

(55) "Net emissions increase" means:

(a) The amount by which the sum of the following exceeds zero:

(i) Any increase in actual emissions from a particular change or change in method of operation at a source; and

(ii) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(b) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if the changes in actual emissions occur between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs.

(c) An increase or decrease in actual emissions is creditable only if:

(i) It occurred no more than one year prior to the date of submittal of a complete Notice of Construction application for the particular change, or it has been documented by an

emission reduction credit, in which case the credit shall expire ten years after the date of original issue of the ERC. Any emissions increases occurring between the date of issuance of the ERC and the date when a particular change becomes operational shall be counted against the ERC.

(ii) The ((Authority)) Agency or Ecology has not relied on it in issuing any permit or Order of Approval for the source under regulations approved pursuant to 40 CFR 51 Subpart I or the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21, which order or permit is in effect when the increase in emissions from the particular change occurs.

(d) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(e) A decrease in actual emissions is creditable only to the extent that:

(i) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(ii) It is federally enforceable at and after the time that actual construction on the particular change begins;

(iii) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change; and

(iv) The ((Authority)) Agency has not relied on it in issuing any permit, regulatory order or Order of Approval under regulations approved pursuant to 40 CFR 51 Subpart I, the EPA has not relied on it in issuing a PSD permit pursuant to 40 CFR 52.21 or Ecology or the ((Authority)) Agency has not relied on it in demonstrating attainment or reasonable further progress.

(f) An increase that results from a physical change at a source occurs when the emission unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed one hundred eighty days.

(56) "New source" means one or more of the following:

(a) The construction or modification of a stationary source that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted;

(b) Any other project that constitutes a new source under the Federal Clean Air Act;

(c) Restart after a lapse in one year or more in payment of registration fees or operating permit fees;

(d) Restart after a period of five years of non-operation where registration or operating permit fees have been paid.

(e) Relocation of an existing business to a new location.

(57) "New Source Performance Standards (NSPS)" means the federal regulations set forth in 40 CFR Part 60 and adopted by the ((Authority)) Agency in ((SWAPCA)) SWCAA 400-115.

(58) "Nonattainment area" means a clearly delineated geographic area ((which)) that has been designated by EPA promulgation as exceeding a National Ambient Air Quality Standard or standards.

(59) "Notice of Construction application (NOC)" means a written application from the source by which the ((Author-

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ity)) Agency records and tracks requests from registered and nonregistered sources for the purpose of obtaining information regarding proposed changes or activities at a source. Types of changes may include modifications, alterations, changes to process or control equipment, establishment of emission limits, installation of new sources, control technology determinations, PSD determinations and other items specified by the ((Authority)) Agency. A Notice of Construction application shall be submitted to the ((Authority)) Agency for review and approval prior to construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source or portable source. A Notice of Construction application may be submitted to the ((Authority)) Agency for activities not requiring New Source Review and shall not automatically impose New Source Review requirements. (For more information refer to ((SWAPCA)) SWCAA 400-109.)

(60) "Opacity" means the degree to which an object seen through a plume is obscured, stated as a percentage.

(61) "Open or outdoor burning" means the combustion of material in an open fire or in an outdoor container, without providing for the control of combustion or the control of the emissions from the combustion. Open burning includes all forms of outdoor burning except those listed as exempt in ((SWAPCA)) SWCAA 425-020. Wood waste disposal in wigwam burners is not considered open or outdoor burning.

(62) "Order" or Regulatory Order means any order issued by the ((Authority)) Agency pursuant to Chapter 70.94 RCW, including, but not limited to RCW 70.94.332, 70.94.152, 70.94.153 and 70.94.141(3), and includes, where used in the generic sense, the terms order, corrective action order, order of approval, compliance schedule order, consent order, order of denial, order of violation, order of prevention, order of discontinuance, administrative order, and regulatory order.

(63) "Order of Approval" and "Approval Order" mean a regulatory order issued by the ((Authority)) Agency to approve a Notice of Construction application for a proposed new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source or portable source. Note: For more information refer to ((SWAPCA)) SWCAA 400-230 (1)(a).

(64) "Particulate matter" or "particulates" means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

(65) "Particulate matter emissions" means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in 40 CFR Part 60 or by a test method specified in the Washington State Implementation Plan.

(66) "Parts per million (ppm)" means parts of a contaminant per million parts of gas or carrier medium, by volume. When calculating or measuring the ppm of a given gas or carrier stream, such measurement or calculation shall be exclusive of water and particulate matter.

(67) "Person" means an individual, firm, public or private corporation, owner, owner's agent, operator, contractor,

association, partnership, political subdivision, municipality, or government agency.

(68) "PM₁₀" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

(69) "PM₁₀ emissions" means finely divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the Washington State Implementation Plan.

(70) "PM_{2.5}" means finely divided solid or liquid material, including condensable particulate matter, with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in 40 CFR Part 50 or by a test method specified in the Washington State Implementation Plan.

(71) "Pollutant" means the same as air contaminant, air pollutant and air pollution. (Refer to definitions 3, 4 and 78)

(72) "Potential to emit" means the maximum capacity (i.e., design capacity) of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

(73) "Prevention of Significant Deterioration (PSD)" means the program set forth in ((SWAPCA)) SWCAA 400-141 and WAC 173-400-141.

(74) "Projected width" means that dimension of a structure determined from the frontal area of the structure, projected onto a plane perpendicular to a line between the center of the stack and the center of the building.

(75) "Reasonably attributable" means attributable by visual observation or any other technique the ((Authority)) Agency deems appropriate.

(76) "Reasonably available control technology (RACT)" means the lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any source or source category shall be adopted only after

public notice and opportunity for comment are afforded. RACT shall apply to existing sources.

(77) "Regulatory order" means an order issued by the ~~((Authority))~~ Agency to an air contaminant source which applies to that source, any applicable provision of Chapter 70.94 RCW, or the rules adopted thereunder, or, the regulations of the ~~((Authority))~~ Agency. Note: For further clarification refer also to the definition of Order and Order of Approval and ~~((SWAPCA))~~ SWCAA 400-230.

(78) "Significant" or "significant emission rate" means, in reference to a net emissions increase or the potential of a source to emit any of the following pollutants, a rate of emission equal to or greater than any one of the following rates:

<u>Pollutant</u>	<u>Tons/Year</u>
Carbon monoxide	100
Nitrogen oxides	40
Sulfur dioxide	40
Particulate matter (PM)	25
Fine particulate matter (PM ₁₀)	15
Volatile organic compounds (VOC)	40
Lead	0.6
Fluorides	3
Sulfuric acid mist	7
Hydrogen sulfide (H ₂ S)	10
Total reduced sulfur (including H ₂ S)	10
Municipal waste combustor organics (measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans)	0.0000035
Municipal waste combustor metals (measured as PM)	15
Municipal waste combustor acid gases (measured as SO ₂ and hydrogen chloride)	40

(79) "Significant visibility impairment" means visibility impairment which interferes with the management, protection, preservation, or enjoyment of visitor visual experience of a Class I area as defined in Section 162(a) of the FCAA. The determination must be made on a case-by-case basis, taking into account the geographic extent, intensity, duration, frequency, and time of the visibility impairment, and how these factors correlate with the time of visitor use of the Class I area and frequency and timing of natural conditions that reduce visibility.

(80) "Source" means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous and adjacent properties, and are under the control of the same person (or persons under common control), whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same

two digit code) as described in the *Standard Industrial Classification Manual*, 1987.

(81) "Source category" means all sources of the same type or classification as described in the *Standard Industrial Classification Manual*, 1987.

(82) "Southwest Clean Air ~~((Pollution Control Authority))~~ Agency (~~((SWAPCA))~~ SWCAA" or "~~((Authority))~~ Agency" means the local air pollution agency empowered to enforce and implement the Federal Clean Air Act (42 U.S.C. 7401, et seq.) and the Clean Air Washington Act (RCW 70.94) in Clark, Cowlitz, Lewis, Skamania and Wahkiakum Counties of Washington State.

(83) "Stack" means any emission point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

(84) "Stack height" means the height of an emission point measured from the ground-level elevation at the base of the stack.

(85) "Standard conditions" means a temperature of 20 degrees C (68 degrees F) and a pressure of 29.92 inches (760 mm) of mercury except as otherwise specified.

(86) "State Implementation Plan, (SIP)" means a comprehensive plan developed/prepared by the Washington State Department of Ecology with assistance from the Southwest Clean Air ~~((Pollution Control Authority))~~ Agency, other regional air pollution control authorities and other interested planning and governing entities, and submitted to EPA for approval, which provides for implementation, maintenance and enforcement of the primary and secondary National Ambient Air Quality Standards.

(87) "Stationary source" means any building, structure, facility, or installation (~~(which))~~ that emits or may emit any contaminant. This term does not include emissions resulting directly from an internal combustion engine for transportation purposes or from a non-road engine or non-road vehicle as defined in Section 216 of the FCAA.

(88) "Sulfuric acid plant" means any facility producing sulfuric acid by the contact process by burning elemental sulfur, alkylation acid, hydrogen sulfide, or acid sludge.

(89) "Total reduced sulfur, (TRS)" means the sum of the sulfur compounds hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides emitted and measured by EPA Method 16 or an approved equivalent method and expressed as hydrogen sulfide.

(90) "Total suspended particulate" means particulate matter as measured by the method described in 40 CFR Part 50 Appendix B as in effect on July 1, ~~((1998))~~ 2000.

(91) "United States Environmental Protection Agency, (USEPA)" shall be referred to as EPA.

(92) "Upgraded" is defined only for gasoline dispensing facilities and means the modification of a gasoline storage tank or piping to add cathodic protection, tank lining or spill and overfill protection that involved removal of ground or ground cover above a portion of the product piping. "Modification" of a gasoline dispensing facility means the same as "upgraded".

(93) "Visibility impairment" means any perceptible degradation in visibility (visual range, contrast, coloration) not caused by natural conditions.

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(94) "Visibility impairment of Class I areas" means visibility impairment within the area and visibility impairment of any formally designated integral vista associated with the area.

(95) "Volatile organic compound (VOC)" means:

(a) Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any organic compound other than the following, which have negligible photochemical activity: acetone; ethane; methane; methyl acetate; t-butyl acetate (TBAC), methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,2-trichloro 1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,2-dichloro 1,1,2,2 tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1,-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); perchlorobenzotrifluoride (PCBTF); cyclic, branched, or linear completely methylated siloxanes; perchloroethylene (tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee); difluoromethane (HFC-32); ethylfluoride (HFC-161); 1,1,1,3,3,3-hexafluoropropane (HFC-236fa); 1,1,2,2,3-pentafluoropropane (HFC-245ca); 1,1,2,3,3-pentafluoropropane (HFC-245ea); 1,1,1,2,3-pentafluoropropane (HFC-245eb); 1,1,1,3,3-pentafluoropropane (HFC-245fa); 1,1,1,2,3,3-hexafluoropropane (HFC-236ea); 1,1,1,3,3-pentafluorobutane (HFC-365mfc); chlorofluoromethane (HCFC-31); 1-chloro-1-fluoroethane (HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C4F9OCH3); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CFCF2OCH3); 1-ethoxy-1,1,2,2,3,3,4,4-nonafluorobutane (C4F9OC2H5); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CFCF2OC2H5); and perfluorocarbon compounds which fall into these classes:

(i) Cyclic, branched, or linear, completely fluorinated alkanes;

(ii) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;

(iii) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and

(iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(b) For the purpose of determining compliance with emission limits, VOCs will be measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION

~~((SWAPCA)) SWCAA 400-035 Open Fires (Deleted)~~

[Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 12/18/79 deleted-now covered by ~~((SWAPCA)) SWCAA 425 (WAC 173-425))~~

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

~~((SWAPCA)) SWCAA 400-040 General Standards for Maximum Emissions~~

[Statutory Authority: Chapter 70.94.040 RCW, 70.94.141 RCW, and 70.94.154 RCW. Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 12/18/79; Amended by Board 3/20/84; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

All sources and emissions units are required to meet the emission standards of this section. Where an emission standard listed in another section is applicable to a specific emissions unit, such standard shall take precedent over a general emission standard listed in this section. When two or more emissions units are connected to a common stack and the operator elects not to provide the means or facilities to sample emissions from the individual emissions units, and the relative contributions of the individual emissions units to the common discharge are not readily distinguishable, then the emissions of the common stack must meet the most restrictive standard of any of the connected emissions units. Further, all emissions units are required to use reasonably available control technology (RACT) ~~((which))~~ that may be determined for some sources or source categories to be more stringent than the applicable emission limitations of this regulation or any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, the ~~((Authority))~~ Agency shall, as provided in RCW 70.94.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

(1) **Visible emissions.** No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any emissions unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity as determined in accordance with Appendix A by a Certified Observer certified in accordance with EPA Method 9 "Visual Determination of the Opacity of Emissions from Stationary Sources" as specified in 40 CFR 60 Appendix A except:

(a) When the emissions occur due to soot blowing/grate cleaning and the operator can demonstrate that the emissions will not exceed twenty percent opacity for more than fifteen minutes in any eight consecutive hours. The intent of this

provision is to permit the soot blowing and grate cleaning necessary to the operation of boiler facilities. This practice, except for testing and trouble shooting, is to be scheduled for the same approximate times each day and the ((Authority)) Agency shall be advised of the schedule.

(b) When the owner or operator of a source supplies valid data to show that the presence of uncombined water is the only reason for the opacity to exceed twenty percent.

(c) When two or more sources are connected to a common stack, the ((Authority)) Agency may allow or require the use of an alternate time period if it is more representative of normal operations.

(d) When an alternate opacity limit has been established per RCW 70.94.331 (2)(c).

(2) **Fallout.** No person shall cause or permit the emission of particulate matter from any source to be deposited beyond the property under direct control of the owner(s) or operator(s) of the source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.

(3) **Fugitive emissions.** The owner or operator of any emissions unit engaging in materials handling, construction, demolition or any other operation ((which)) that is a source of fugitive emission:

(a) If located in an attainment area and not impacting any nonattainment area, shall take reasonable precautions to prevent the release of air contaminants from the operation.

(b) If the emissions unit has been identified as a significant contributor to the nonattainment status of a designated nonattainment area, shall be required to use reasonable and available control methods, which shall include any necessary changes in technology, process, or other control strategies to control emissions of the contaminants for which nonattainment has been designated.

(4) **Odors.**

(a) Any person who shall cause or allow the generation of any odor from any source, which may unreasonably interfere with any other property owner's use and enjoyment of his property must use recognized good practice and procedures to reduce these odors to a reasonable minimum.

(b) A scentometer No. 1 odor strength or equivalent dilution in residential and commercial areas shall not be exceeded.

(c) A scentometer No. 3 odor strength or equivalent dilution in all other land use areas shall not be exceeded.

Scentometer Readings

Scentometer No.	Concentration Range No. of Thresholds
0	1 to 2
1	2 to 8
2	8 to 32
3	32 to 128
4	128

(d) A violation of this section shall have occurred when two measurements made within a period of one (1) hour, separated by at least fifteen (15) minutes, off the property sur-

rounding the air contaminant source exceeds the scentometer limitations set hereunder.

(e) When the source is a manufacturing process, no violation of this section shall have occurred provided that Best Available Control Technology (BACT), Maximum Available Control Technology (MACT), or Lowest Achievable Emission Rate (LAER), as applicable for odor control and abatement, is provided and is operating in compliance with other applicable regulations and emission limits.

(f) When the source is using "good agricultural practices", as provided in RCW 70.94.640, no violation of this section shall have occurred.

(5) **Emissions detrimental to persons or property.** No person shall cause or permit the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.

(6) **Sulfur dioxide.**

No person shall cause or permit the emission of a gas containing sulfur dioxide from any emissions unit in excess of one thousand ppm of sulfur dioxide on a dry basis, corrected to seven percent oxygen or twelve percent CO₂ as required by the applicable emission standard for combustion sources, and based on the average of any period of sixty consecutive minutes.

(7) **Concealment and masking.** No person shall cause or permit the installation or use of any means ((which)) that conceals or masks an emission of an air contaminant which would otherwise violate any provisions of this section.

(8) **Fugitive dust sources.**

(a) The owner or operator of a source of fugitive dust shall take reasonable precautions to prevent fugitive dust from becoming airborne and shall maintain and operate the source to minimize emissions.

(b) The owner(s) or operator(s) of any existing source(s) of fugitive dust that has been identified as a significant contributor to a PM₁₀ nonattainment area shall be required to use reasonably available control technology (RACT) to control emissions. Significance will be determined by the criteria found in ((SWAPCA)) SWCAA 400-113(3).

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) **SWCAA 400-050 Emission Standards for Combustion and Incineration Units**

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption by board 12/18/79; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Combustion and incineration emissions units shall meet all requirements of ((SWAPCA)) SWCAA 400-040 and, in addition, no person shall cause or permit emissions of particulate matter in excess of 0.23 gram per dry cubic meter at standard conditions (0.1 grain/dscf), except, for an emissions unit combusting wood derived fuels for the production of steam. No person shall allow or permit the emission of particulate matter from an emissions unit combusting wood

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derived fuels in excess of 0.46 gram per dry cubic meter at standard conditions (0.2 grain/dscf), as measured by EPA Method 5 or other acceptable sampling methods approved in advance by the ((Authority)) Agency.

(2) For any incinerator, no person shall cause or permit emissions in excess of one hundred (100) ppm of total carbonyls as measured by applicable sampling methods or other acceptable procedures approved in advance by the ((Authority)) Agency including but not limited to those methods contained in "Source Test Manual - Procedures for Compliance Testing", State of Washington, Department of Ecology. Incinerators shall be operated only during daylight hours unless written permission to operate at other times is received from the ((Authority)) Agency.

(3) Measured concentrations for combustion and incineration sources shall be adjusted in accordance with the following listing. Source categories not identified shall have measured concentrations for volumes corrected to seven percent oxygen, except when the ((Authority)) Agency determines that an alternate oxygen correction factor is more representative of normal operations. Concentrations for the following sources shall normally be adjusted to the following oxygen concentrations: gas, diesel, & oil fired boilers: 3%; medical/hospital waste incinerators: 12%; natural gas turbines: 15%.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-052 Stack Sampling of Major Combustion Sources

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-21-003 filed 10/7/93, effective 11/8/93; 99-07-027 filed 3/10/99, effective 4/11/99]

(1) **General Requirements.** No owner or operator of a major source which is also a combustion or incineration source shall operate the source except in compliance with the requirements of this section.

(2) **Applicability.** All sources that are designated as major as a result of the operation of a combustion or incineration unit (or units) where the combined emissions of a single pollutant from the combustion or incineration unit (or units) are 100 tons per year or more of oxides of nitrogen, carbon monoxide, particulate matter, sulfur dioxide or volatile organic compounds.

(3) **Emissions Sampling Requirements.** The owner or operator of a major combustion or incineration source identified in (2) shall cause or conduct emissions tests at least once every two calendar years to quantify emissions of the pollutants for which the source has been designated major. In the event that the combined emissions of a single pollutant from several emissions units establishes the source as major, emissions tests shall be conducted at least once every two calendar years for all emissions units which emit 30 percent or more of the emissions of the pollutant for which the source has been designated major. Emissions testing shall be performed in accordance with ((SWAPCA)) SWCAA 400-106.

(4) **Sampling Methods.** All emissions tests shall be conducted in accordance with the specific test methods approved in advance by the ((Authority)) Agency.

(5) **Additional Requirements.** Nothing in this section shall be construed as to limit the ability of the ((Authority)) Agency to impose additional or supplemental emissions testing requirements for any emissions unit within the ((Authority)) Agency's jurisdiction in accordance with ((SWAPCA)) SWCAA 400-105(4).

(6) **Alternative Sampling Schedules.** The ((Authority)) Agency may on a case-by-case basis, accept or require an alternative emissions sampling schedule provided sufficient source-specific sampling data exists to adequately demonstrate that the source is capable of continuous compliance with any emission standards that are applicable to the source. Alternative sampling schedules shall be based upon measured emissions relative to the applicable emissions limitation. The ((Authority)) Agency may reduce the frequency of the required emissions testing.

(7) **Continuous Emissions Monitors.** The use of continuous emissions monitors shall be acceptable as an alternative emissions sampling schedule.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-060 Emission Standards for General Process Units

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption by Board 12/18/79; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

General process units shall meet all applicable provisions of ((SWAPCA)) SWCAA 400-040 and, no person shall cause or permit the emission of particulate material from any general process operation in excess of 0.23 grams per dry cubic meter at standard conditions (0.1 grain/dscf) of exhaust gas. EPA test methods from 40 CFR 60 Appendix A which are adopted by reference as in effect July 1, ((1998)) 2000 and any other appropriate test procedures approved in advance by the ((Authority)) Agency shall be used to determine compliance.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-070 Emission Standards for Certain Source Categories

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

The ((Authority)) Agency finds that the reasonable regulation of sources within certain categories requires separate standards applicable to such categories. The standards set forth in this section shall be the maximum allowable standards for emissions units within the categories listed.

(1) Wigwam burners.

The use of wigwam ("tee-pee", "conical", or equivalent type) burners is prohibited effective January 1, 1994.

(2) Hog fuel boilers.

(a) Hog fuel boilers shall meet all provisions of ((SWAPCA)) SWCAA 400-040 and ((SWAPCA)) SWCAA 400-050(1), except that emissions may exceed twenty percent opacity for up to fifteen consecutive minutes once in any eight hours. The intent of this provision is to permit the soot blowing and grate cleaning necessary for efficient operation of these units. This practice is to be scheduled for the same specific times each day and the ((Authority)) Agency shall be notified of the schedule or any changes.

(b) All hog fuel boilers shall utilize RACT and shall be operated and maintained to minimize emissions.

(3) Orchard heating.

(a) Burning of rubber materials, asphaltic products, crankcase oil or petroleum wastes, plastic, or garbage is prohibited.

(b) It is unlawful to burn any material or operate any orchard-heating device that causes a visible emission exceeding twenty percent opacity, except during the first thirty minutes after such device or material is ignited.

(4) Catalytic cracking units.

(a) All existing catalytic cracking units shall meet all provisions of ((SWAPCA)) SWCAA 400-040:

(i) No person shall cause or permit the emission for more than three minutes, in any one hour, of an air contaminant from any catalytic cracking unit which at the emission point, or within a reasonable distance of the emission point, exceeds twenty percent opacity.

(ii) No person shall cause or permit the emission of particulate material in excess of 0.46 grams per dry cubic meter at standard conditions (0.20 grains/dscf) of exhaust gas.

(b) All new catalytic cracking units shall install BACT ((which)) that may be more stringent than the provisions of ((SWAPCA)) SWCAA 400-115.

(5) **Sulfuric acid plants.** No person shall cause to be discharged into the atmosphere from a sulfuric acid plant, any gases which contain acid mist, expressed as H₂SO₄, in excess of 0.15 pounds per ton of acid produced. Sulfuric acid production shall be expressed as one hundred percent H₂SO₄.

(6) **Gasoline dispensing facilities.** All gasoline dispensing facilities shall meet all the provisions of ((SWAPCA)) SWCAA 491 "Emission Standards and Controls for Sources Emitting Gasoline Vapors".

(7) **Dry cleaning facilities.** All dry cleaning facilities shall meet all the provisions of ((SWAPCA)) SWCAA 494 "Dry Cleaning Operations".

(8) Abrasive blasting.

(a) Abrasive blasting shall be performed inside a booth or structure designed to capture the blast grit, overspray, and removed material except that outdoor blasting of structures or items too large to be reasonably handled indoors or in an enclosure shall employ control measures such as curtailment during windy periods, wet blasting, and/or enclosure of the area being blasted with tarps.

(b) Outdoor blasting shall be performed with either steel shot or an abrasive material containing less than one percent (by mass) which would pass through a No. 200 sieve.

(c) All abrasive blasting with sand shall be performed inside a blasting booth, enclosure or structure designed to capture fugitive particulate matter.

(d) All abrasive blasting of materials that have a coating or that may contain a substance that is identified as a toxic air pollutant in WAC 173-460 or a hazardous substance shall be analyzed prior to blast operations. If a toxic or hazardous material is present in the blast media or removed media, all material shall be handled and disposed of in accordance with applicable regulations.

(9) Sewage sludge incinerators. Standards for the incineration of sewage sludge found in 40 CFR Part 503 Subparts A (General Provisions) and E (Incineration) in effect on July 1, 2000, are adopted by reference.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-074 Gasoline Transport Tankers

[Statutory Authority: Chapter 70.94.141 RCW; refer to WAC 173-491-040. Original adoption 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Each owner(s) and/or operator(s) of a gasoline transport tank doing business within the designated ozone non-attainment area or ozone maintenance plan area of ((SWAPCA)) SWCAA jurisdiction shall register the transport tank with ((SWAPCA)) SWCAA prior to being placed into service. Such registration shall be made annually with ((SWAPCA)) SWCAA.

(2) Each registered gasoline transport tanker shall pay an annual registration fee in accordance with the schedule provided in ((SWAPCA)) SWCAA 400-100 (3)(a)(i). Each transport tanker shall have its own registration sticker, certification test and shall be assessed a separate registration fee.

(3) Prior to registration, ((SWAPCA)) SWCAA shall review the leak test certification documentation from the testing company required under ((SWAPCA)) SWCAA 490-202(3). Upon demonstration of a successful leak test and payment of registration fees, ((SWAPCA)) SWCAA shall issue a registration sticker that shall be applied to the tanker.

(4) The owner(s) and/or operator(s) of a gasoline loading or unloading facility shall only allow the transfer of gasoline between the facility and a transport tank when a current leak test certification for the transport tank is on file with the facility or a valid ((SWAPCA)) SWCAA registration sticker is displayed on the tank(s).

(5) Each owner(s) and/or operator(s) of a petroleum product transport tank doing business within ((SWAPCA)) SWCAA jurisdiction shall notify ((SWAPCA)) SWCAA of a change in status of a tanker. Change in status shall include sale, operating only out of ((SWAPCA)) SWCAA jurisdiction, out of service, or other similar change. Such notification shall be made in writing to ((SWAPCA)) SWCAA within 10 days of the change of status.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-075 Emission Standards for Sources Emitting Hazardous Air Pollutants

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/18/79; Amended by Board 12/16/86; 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

(1) The emission standards for hazardous air pollutants promulgated by the United States Environmental Protection Agency (USEPA) as in effect ((~~August~~) July 1, ((1998)) 2000, as contained in Title 40, Code of Federal Regulations, Part 61 and Part 63, are adopted by reference. The term "Administrator" in 40 CFR Part 61 shall mean the Administrator of EPA, the Director of Ecology and the Control Officer of the ((~~Authority~~) Agency.

(2) The ((~~Authority~~) Agency) may require that source tests be conducted and require access to records, books, files, and other information specific to the control, recovery or release of those pollutants regulated under 40 CFR Part 61 and/or Part 63 in order to determine the status of compliance of sources of these contaminants and to carry out its enforcement responsibilities.

(3) Source testing, monitoring, and analytical methods for sources of hazardous air pollutants shall conform with the requirements of Title 40, Code of Federal Regulations, Part 61 and/or Part 63, as in effect ((~~August~~) July 1, ((1998)) 2000.

(4) This section shall not apply to any source operating pursuant to a waiver granted by EPA or an exemption granted by the President of the United States during the effective life of such waiver or exemption.

(5) Specific standards of performance referred to as Maximum Achievable Control Technology (MACT) have been promulgated by the USEPA. As of ((~~August~~) July 1, ((1998)) 2000 the following standards of performance as set forth in 40 CFR 63 are hereby adopted by reference:

- Subpart A National Emission Standards for Hazardous Air Pollutants for Source Categories: General Provisions (40 CFR 63.1 et seq.)
- Subpart B National Emission Standards for Hazardous Air Pollutants for Source Categories: Equivalent Emission Limitation By Permit (ref. 40 CFR 63.50 et seq.)
- Subpart D National Emission Standards for Hazardous Air Pollutants for Source Categories: Early Reduction Program (ref. 40 CFR 63.70 et seq.)
- Subpart F National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry (ref. 40 CFR 63.100 et seq.)
- Subpart G National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manu-

facturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (ref. 40 CFR 63.110 et seq.)

- Subpart H National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks (ref. 40 CFR 63.160 et seq.)
- Subpart I National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (ref. 40 CFR 60.190 et seq.)
- Subpart L National Emission Standards for Hazardous Air Pollutants for Coke Oven Operations (ref. 40 CFR 63.300 et seq.)
- Subpart M National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (ref. 40 CFR 63.320 et seq.)
- Subpart N National Emission Standards for Hazardous Air Pollutants from Hard and Decorative Electroplating and Anodizing Operations (ref. 40 CFR 63.340 et seq.)
- Subpart O National Ethylene Oxide Air Emission Standards for Commercial Sterilizers (ref. 40 CFR 63.360 et seq.)
- Subpart Q National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers (ref. 40 CFR 63.400 et seq.)
- Subpart R National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Operations (Stage I) (ref. 40 CFR 63.420 et seq.)
- Subpart S National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry (ref. 40 CFR 63.440 et seq.)
- Subpart T National Emission Standards for Hazardous Air Pollutants for Halogenated Solvents Cleaning Operations (ref. 40 CFR 63.460 et seq.)
- Subpart U National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins and Group IV Polymers and Resins (ref. 40 CFR 63.480 et seq.)
- Subpart W National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production (ref. 40 CFR 63.520 et seq.)
- Subpart X National Emission Standards for Hazardous Air Pollutants for Secondary Lead Smelting Manufacturing Operations (ref. 40 CFR 63.541 et seq.)
- Subpart Y National Emission Standards for Hazardous Air Pollutants for Marine Vessel Loading Operations (ref. 40 CFR 63.560 et seq.)

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Subpart CC	National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (ref. 40 CFR 63.640 et seq.)
Subpart DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations (ref. 40 CFR 63.680 et seq.)
Subpart EE	National Emission Standards for Hazardous Air Pollutants for Magnetic Tape Manufacturing Operations (ref. 40 CFR 63.710 et seq.)
Subpart GG	National Emission Standards for Hazardous Air Pollutants for Aerospace Manufacturing Operations (ref. 40 CFR 63.740 et seq.)
Subpart II	National Emission Standards for Hazardous Air Pollutants for Shipbuilding and Ship Repair (Surface Coating) (ref. 40 CFR 63.780 et seq.)
Subpart JJ	National Emission Standards for Hazardous Air Pollutants for Wood Furniture Manufacturing Operations (ref. 40 CFR 63.800 et seq.)
Subpart KK	National Emission Standards for Hazardous Air Pollutants for the Printing and Publishing Industry (ref. 40 CFR 63.820 et seq.)
Subpart LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants (ref. 40 CFR 63.840 et seq.)
<u>Subpart OO</u>	<u>National Emission Standards for Tanks – Level 1 (ref. 40 CFR 63.900 et seq.)</u>
<u>Subpart PP</u>	<u>National Emission Standards for Containers (ref. 40 CFR 63.920 et seq.)</u>
<u>Subpart QQ</u>	<u>National Emission Standards for Surface Impoundments (ref. 40 CFR 63.940 et seq.)</u>
<u>Subpart RR</u>	<u>National Emission Standards for Individual Drain Systems (ref. 40 CFR 63.960 et seq.)</u>
<u>Subpart VV</u>	<u>National Emission Standards for Oil-Water Separators and Organic-Water Separators (ref. 40 CFR 63.1040 et seq.)</u>
<u>Subpart EEE</u>	<u>National Emission Standards for hazardous Air Pollutants from Hazardous Waste Combustors (ref. 40 CFR 63.1211 et seq.)</u>
<u>Subpart III</u>	<u>National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production (ref. 40 CFR 63.1290 et seq.)</u>
Subpart JJJ	National Emission Standards for Hazardous Air Pollutants Emissions: Group IV Polymers and Resins (ref. 40 CFR 63.1310 et seq.)

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

~~((SWAPCA))~~ **SWCAA 400-076 Emission Standards for Sources Emitting Toxic Air Pollutants**

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

(1) The term toxic air pollutants (TAP) or toxic air contaminant means any air pollutant listed in WAC 173-460-150 or 460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 or 460-160. The Chemical Abstract Service (CAS) number shall be the primary means used to specifically identify a substance. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

(2) All sources subject to the requirements of ~~((SWAPCA))~~ SWCAA 400-110, 400-111, 400-112, 400-113 or 400-114 shall be subject to the requirements of WAC 173-460. All sources subject to review under ~~((SWAPCA))~~ SWCAA 400 shall also be reviewed for applicability and/or compliance under WAC 173-460.

(3) The New Source Review fee schedule provided in ~~((SWAPCA))~~ SWCAA 400-110 shall be applicable to all sources subject to WAC 173-460. The fees identified in ~~((SWAPCA))~~ SWCAA 400-110 shall not be duplicate to any fees collected under WAC 173-460. Only a single fee shall apply to sources that are subject to ~~((SWAPCA))~~ SWCAA 400 and WAC 173-460.

(4) A Notice of Construction is a written application to request approval for construction or modification of an air contaminant source. If a Notice of Construction application is required under both ~~((SWAPCA))~~ SWCAA 400 and WAC 173-460, then the applications shall be combined. All sources subject to WAC 173-460 shall file a Notice of Construction application in accordance with ~~((SWAPCA))~~ SWCAA 400-109 "Notice of Construction Application" and ~~((SWAPCA))~~ SWCAA 400-110 "New Source Review".

(5) ~~((Authority))~~ Agency actions including issuance of regulatory orders and enforcement actions for sources subject to WAC 173-460 shall be the same as those actions for sources subject to and identified in ~~((SWAPCA))~~ SWCAA 400.

(6) Sources subject to WAC 173-460 shall be subject to the registration requirements of ~~((SWAPCA))~~ SWCAA 400-100. Where a source is subject to both ~~((SWAPCA))~~ SWCAA 400 and WAC 173-460, only one registration shall be provided and only one fee shall be collected in accordance with the schedule outlined in ~~((SWAPCA))~~ SWCAA 400-100.

Reviser's note: The brackets and enclosed material in the text of 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.

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~~((SWAPCA))~~ **SWCAA 400-080 Compliance Schedules** (deleted 3/20/84)

PROPOSED

[Original adoption by Board 12/17/68 (Regulation 1); Amended by Board 10/29/69 (Regulation 2); Amended by Board 3/20/84 deleted-now covered by SWCAA 400-161]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-081 Startup and Shutdown

[Statutory Authority: Chapter 70.94.141 RCW. 93-21-003 filed 10/7/93, effective 11/8/93; Original adoption 95-17-084 filed 8/21/95, effective 9/21/95]

(1) In promulgating technology-based emission standards and making control technology determinations (e.g., BACT, RACT, LAER, BART) the ((Authority)) Agency shall consider any physical and operational constraints on the ability of a source to comply with the applicable standard during startup or shutdown.

(2) Where the ((Authority)) Agency determines that the source or source category, operated and maintained in accordance with good air pollution control practice, is not capable of achieving continuous compliance with an emission standard during startup or shutdown, the ((Authority)) Agency shall include in regulatory orders or the Operating Permit, appropriate emission limitations, operating parameters, or other criteria to regulate the performance of the source during startup or shutdown conditions.

(3) In modeling the emissions of a source for purposes of demonstrating attainment or maintenance of national ambient air quality standards, the ((Authority)) Agency shall take into account any incremental increase in allowable emissions under startup or shutdown conditions authorized by an emission limitation or other operating parameter adopted under this section.

(4) Any emission limitation or other parameter adopted under this section which increases allowable emissions during startup or shutdown conditions over levels authorized in the Washington State Implementation Plan shall not take effect until approved by EPA as a SIP amendment.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-090 Voluntary Limits on Emissions (renumbered to 400-091 9/21/95)

[Statutory Authority: Chapter 70.94.141 RCW. Section originally numbered SWCAA 400-090 - 93-21-003 filed 10/7/93, effective 11/8/93; renumbered to SWCAA 400-091 - 95-17-084 filed 8/21/95, effective 9/21/95]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-091 Voluntary Limits on Emissions

[Statutory Authority: Chapter 70.94.141 RCW. Section previously numbered SWCAA 400-090 - 93-21-003 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

(1) Voluntary limits on emissions and limitations on potential to emit or process parameters or throughputs may be requested by a source by submittal of a complete Notice of Construction application to the ((Authority)) Agency as provided in ((SWAPCA)) SWCAA 400-109. Confidential information shall be identified as set forth in ((SWAPCA)) SWCAA 400-270. Upon request by the owner or operator of a source, and completion of review of the application by the ((Authority)) Agency, the ((Authority)) Agency shall issue a regulatory order which reduces that source's potential to emit to an amount agreed to by the owner or operator and the ((Authority)) Agency.

(2) A condition contained in an order issued under this section shall be less than the source's otherwise allowable annual emissions of that air contaminant, process parameter or throughputs, under all applicable requirements of Chapter 70.94 RCW and the FCAA, including any standard or other requirement provided for in the Washington State Implementation Plan (SIP).

(3) Any order issued under this section shall include monitoring, recordkeeping and reporting requirements sufficient to ensure that the source complies with any emission limit, process parameter or throughput, established under this section. Monitoring requirements shall use terms, test methods, units, averaging periods, and other statistical conventions consistent with the requirements of ((SWAPCA)) SWCAA 400-105.

(4) Any order issued under this section shall be subject to the public notice and comment procedures under ((SWAPCA)) SWCAA 400-171.

(5) The terms and conditions of a regulatory order issued under this section shall be federally enforceable, upon approval, of this section as an element of the Washington State Implementation Plan. Any proposed increase in emissions above limits contained in an order issued under this section shall require revision or revocation of the order.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-030, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-099 Per Capita Fees

[Statutory Authority: Chapter 70.94.093 RCW. Original Board adoption - 99-07-030 filed 3/10/99, effective 4/11/99]

Each component city or town and county shall pay such proportion of the supplemental income to the ((Authority))

Agency as determined by either one of two methods as provided under RCW 70.94.093. The first method is based on the assessed valuation of property within such city or town and county limits bears to the total assessed valuation of taxable property within the jurisdiction of ((SWAPCA)) SWCAA. The second method is based on the total population of such city or town and county bears to the total population of the jurisdiction of ((SWAPCA)) SWCAA. In addition, a combination of the two methods is allowable provided that such combination is shared at 50 percent each. The ((SWAPCA)) SWCAA Board of Directors has elected to use the second method based on population (per capita). The "per capita" assessment has been established at 30 cents per person. The population shall be determined by the most recent census, estimate or survey by the federal bureau of census or any state board or commission authorized to make such a census, estimate or survey.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-032, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-100 Registration Requirements and Operating Permit Fees

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.151 RCW, 70.94.162 RCW, 70.94.200 RCW, and 70.94.395 RCW. Original Board adoption 10/29/69 (Regulation 2 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; 92-04-030 filed 1/28/92, effective 2/28/92; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-032 filed 3/10/99, effective 4/11/99]

(1) **Applicability.** All sources or emission units that emit contaminants to the ambient air shall be registered with the ((Authority)) Agency in accordance with this section as set forth in RCW 70.94.151 except those sources or emission units specifically exempted by ((SWAPCA)) SWCAA 400-100(3) and ((SWAPCA)) SWCAA 400-101.

(2) **General requirements.**

(a) A unique registration number shall be assigned to all sources required to be registered with ((SWAPCA)) SWCAA and a separate registration fee shall be provided for each air contaminant emission unit; provided that, an owner has the option to register a process with a detailed inventory of air contaminant sources and emissions related to the process. A registration fee shall not be collected for exempt emission units identified at ((SWAPCA)) SWCAA 400-101.

(b) Registration information shall be provided to the source on forms supplied by the ((Authority)) Agency. The forms shall be verified by the source and returned to the ((Authority)) Agency with payment in full within the time specified by the ((Authority)) Agency.

(c) Annual registration fees that are unpaid after June 30 for the effective year shall be considered to be in default and the source shall be considered to be out of business and/or in violation of item (d) below for failure to report closure. At the discretion of the Control Officer, all Orders of Approval for existing equipment shall become invalid for this source and the source shall be required to submit a Notice of Construction and applicable fees in accordance with ((SWAPCA)) SWCAA 400-110 prior to resuming opera-

tions. Prior to taking actions to 'un-register' a source, the source must be notified by certified letter. The registration program covers the period of July 1 through June 30. Sources or emission units operating less than six months in the current registration period that are terminated, shall not be liable for registration fees. This does not apply to temporary or portable stationary sources.

(d) A report of closure or discontinuance shall be filed with the ((Authority)) Agency within ninety days after operations producing emissions permanently cease at any source. (Refer to ((SWAPCA)) SWCAA 400-230 for issuance of an Order of Discontinuance.)

(3) **Registration Fees.** Before the Control Officer may register any emission unit, the use of which may emit contaminants to the atmosphere, an annual registration fee of \$75.00 for each emission unit, plus \$25 per ton of each criteria air pollutant and VOC (combined) for fiscal year 1998/1999, plus \$10 per ton of total toxic air pollutants greater than 1.0 tons, shall be paid. The \$25 per ton of each criteria air pollutant and VOC shall be adjusted in fiscal year 1999/2000, and beyond, to \$39 per ton.

(a) **Exceptions:**

(i) An annual registration fee of \$50.00 shall be charged to each gasoline transport tank.

(ii) The registration fee for a small operation may be waived or reduced by the Control Officer provided sufficient demonstration of circumstances is presented, subject to the discretion of the Control Officer.

(iii) Emissions units and activities specifically exempted under ((SWAPCA)) SWCAA 400-101 are not required to comply with the requirements of this section.

(iv) Operating Permit Program sources, as defined in RCW 70.94.030(17) shall pay an operating permit fee in accordance with ((SWAPCA)) SWCAA 400-100(4). Operating Permit Program sources, as defined in RCW 70.94.030(17) are not required to comply with the registration requirements of this section after EPA grants interim or final approval of the ((SWAPCA)) SWCAA Operating Permit Program pursuant to 40 CFR Part 70.

(4) **Operating Permit Fees.** Fee determination and certification for sources subject to 70.94.161 RCW requirements.

(a) **Applicability.** The owner or operator of all sources subject to the requirement to obtain an Operating Permit under 40 CFR 70 or 70.94.161 RCW, shall pay an annual fee, or the equivalent over some other period as approved, subject to the discretion of the Control Officer, sufficient to cover all reasonable (direct and indirect) costs required to develop and administer the Operating Permit Program requirements as specified in this section.

(b) **Pollutants for which fees will be assessed.**

(1) A volatile organic compound.

(2) Each pollutant regulated under Section 7411 or 7412 of the 1990 Federal Clean Air Act Amendments.

(3) Each pollutant for which a national primary ambient air quality standard has been promulgated except that carbon monoxide shall be excluded from this reference. PM₁₀ emissions will be utilized for purposes of calculating particulate matter emissions when such data is provided by the 40 CFR

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Part 70 source. Source test data is required to demonstrate the PM₁₀ portion of total particulate matter emissions.

(4) Emissions of each regulated pollutant emitted in excess of 7500 tons from a source shall be excluded from fee assessment.

(c) **Program cost projections.** The ((Authority)) Agency shall prepare an Operating Permit Program budget each year based on a projected workload evaluation. Only fee eligible activities as specified in ((SWAPCA)) SWCAA 400-100(f) and Ecology's development and oversight costs, as provided in RCW 70.94.162 shall be considered in the workload analysis. The projected budget shall be submitted to the ((Authority)) Agency's Technical Advisory Council, as described in ((SWAPCA)) SWCAA 400-172, for comments. The Technical Advisory Council shall be given an opportunity to provide input regarding the projected budget. The Control Officer shall evaluate all comments and revise the projected budget where deemed appropriate. After consideration of the comments, the Control Officer shall submit the proposed budget to the Board of Directors for approval. The approved budget shall be used in the equations below to determine the Operating Permit Program fees. The ((Authority)) Agency shall publish the proposed and approved budgets and workload analysis in the Permit Register.

(d) **Three part fee assessment methodology.** Operating Permit Program fees shall be determined using a three-part fee assessment methodology as described below:

(1) **Participation Fee.** Fees sufficient to cover one-third of the Board approved Operating Permit Program budget shall be assessed such that each source shall pay an equal share. The total Operating Permit Program budget shall be divided by three. This amount shall be further divided by the number of 40 CFR Part 70 sources within the ((Authority)) Agency's jurisdiction. Participation fees shall be equal in amount for each 40 CFR Part 70 source. The participation portion of the fee shall be assessed according to the following formula:

PF = B÷3+n, where;

- PF = Participation fee portion of total fee;
- B = The total ((Authority)) Agency budget for the Operating Permit Program;
- n = The number of 40 CFR Part 70 sources.

(2) **Emissions Fee.** Fees sufficient to cover one-third of the budget shall be assessed such that each source shall pay an amount equal to that source's portion of the total annual emissions of the fee applicable pollutants from all 40 CFR Part 70 sources within the ((Authority)) Agency's jurisdiction. The total Operating Permit Program budget shall be divided by three. The ratio of each source's annual emissions (in tons) to the total annual emissions of fee applicable pollutants emitted by all 40 CFR Part 70 sources within the ((Authority)) Agency's jurisdiction shall be paid by the owner or operator of each source. The emissions portion of the fee shall be assessed according to the following formula:

EF = B÷3*SE+TE, where:

- EF = Emissions fee portion of total fee;

- B = The total ((Authority)) Agency budget for the Operating Permit Program;
- SE = The sum of annual emissions of fee applicable pollutants in tons per year from the individual 40 CFR Part 70 source;
- TE = The sum of annual emissions of fee applicable pollutants in tons per year from all 40 CFR Part 70 sources.

(3) **Complexity Fee.** Fees sufficient to cover one-third of the budget shall be assessed such that each 40 CFR Part 70 source shall pay an amount equal to that source's portion of the total emissions units at all 40 CFR Part 70 sources within the ((Authority)) Agency's jurisdiction. The total Operating Permit Program budget shall be divided by three. The ratio of each source's emissions units to the total number of emissions units located at all 40 CFR Part 70 sources within the ((Authority)) Agency's jurisdiction shall be paid by the owner or operator of each source. The complexity portion of the fee shall be assessed according to the following formula:

CF = B÷3*SU+TU, where:

- CF = Complexity fee portion of total fee;
- B = The total ((Authority)) Agency budget for the Operating Permit Program;
- SU = The number of emission units at a source;
- TU = The number of emissions units at all 40 CFR Part 70 sources.

(4) **Total Fee.** The amount of the annual assessed fees for each 40 CFR Part 70 source shall be the sum of the participation, emissions and complexity fee portions (PF+EF+CF= Total Fee). The sum of the total fees for all 40 CFR Part 70 sources within the ((Authority)) Agency's jurisdiction shall be equal in amount to the Board adopted budget for the Operating Permit Program.

(e) **Accountability.**

(1) The sum of the fees assessed by the ((Authority)) Agency to all sources required to obtain Operating Permits within the ((Authority)) Agency's jurisdiction shall not exceed the cost of developing and administering the program. All fees collected from permit program sources as provided in RCW 70.94.162, shall be deposited in a dedicated air operating permit account. Such fees shall be used exclusively to support and administer the operating permit program.

(2) The ((Authority)) Agency shall keep a record of all reasonable (direct and indirect) costs to develop and administer the Operating Permit Program as specified in 40 CFR Part 70. This information shall be used by the ((Authority)) Agency to develop the Operating Permit Program budget specified in section (3) above. The information obtained from tracking revenues, time and expenditures shall not provide a basis for challenge to the amount of an individual source's fee.

(3) In the event that the assessed fees exceed the cost of developing and administering the Operating Permit Program, such excess fees shall be used to develop and administer the Operating Permit Program in the next subsequent year. The

amount of the excess fees shall be deducted from the projected budget of the next subsequent year prior to fee assessment for the subsequent year.

(f) Fee eligible activities.

(1) Preapplication assistance and review of an application and proposed compliance plan for a permit, permit revision or permit renewal;

(2) Source inspections, testing and other data gathering activities necessary for development of a permit, permit revision or renewal;

(3) Acting on an application for a permit, permit revision or renewal, including the costs of developing an applicable requirement as part of the processing of a permit, permit revision or renewal, preparing a draft permit and fact sheet and preparing a final permit, but excluding the costs of developing BACT, LAER, BART or RACT requirements for criteria and toxic air pollutants;

(4) Notifying and soliciting, reviewing and responding to comment from the public and contiguous states and tribes, conducting public hearings regarding the issuance of a draft permit and other costs of providing information to the public regarding operating permits and the permit issuance process;

(5) Modeling necessary to establish permit limits or to determine compliance with permit limits;

(6) Reviewing compliance certifications and emission reports, conducting related compilation and reporting activities;

(7) Conducting compliance inspections, complaint investigations and other activities necessary to ensure that a source is complying with permit conditions;

(8) Administrative enforcement activities and penalty assessment, excluding the costs of proceedings before the Pollution Control Hearings Board (PCHB) and all costs of judicial enforcement;

(9) The share attributable to permitted sources to the development and maintenance of emissions inventories;

(10) The share attributable to permitted sources of ambient air quality monitoring and associated recording and reporting activities;

(11) Training for permit administration and enforcement;

(12) Fee determination, assessment and collection, including the costs of necessary administrative dispute resolution and enforcement;

(13) Required fiscal audits, periodic performance audits and reporting activities;

(14) Tracking of time, revenues and expenditures and accounting activities;

(15) Administering the permit program including costs of clerical support, supervision and management;

(16) Provision of assistance to small business under jurisdiction of ((SWAPCA)) SWCAA as required under Section 507 of the Federal Clean Air Act; and

(17) Other activities required by operating permit regulations issued by EPA under the Federal Clean Air Act.

(g) Late Fee Payments. Fees shall be paid in accordance with the schedule of payment agreed upon in advance by the Control Officer and each operating permit source. Delinquent fees are subject to a late fee equal to three times

the operating permit fee. The penalties authorized by this subsection are additional to and in no way prejudice ((SWAPCA)) SWCAA's ability to exercise other civil and criminal remedies, including authority to revoke a source's operating permit for failure to pay all or part of its permit fee.

(h) Schedules of Payment. A source shall be allowed to pay its annual operating permit fees in one, two or four installments. Each schedule of payment shall specify the terms and dates of payments.

(i) Transfer of Ownership. Transfer of ownership of a source shall not affect that source's obligation to pay operating permit fees. Any liability for fee payment, including payment of delinquent fees and other penalties shall survive any transfer of ownership of a source.

(5) Inspections.

(a) Periodic onsite inspections of emission units and sources shall be allowed to verify compliance with applicable requirements, regulations, orders or rules governing the processes, equipment, or emissions from a source as set forth in RCW 70.94.200.

(b) ((Authority)) Agency personnel or representatives shall have the authority to enter at reasonable times upon any private or public property excepting non-multiple unit private dwellings housing two families or less for the purpose of investigating conditions specific to the control, recovery, or release of air contaminants to the atmosphere.

(c) No person shall refuse entry or access to ((Authority)) Agency personnel who request entry for the purpose of inspection, who present appropriate credentials.

(d) No person shall obstruct, hamper or interfere with any such inspection.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 00-24-083

PROPOSED RULES

SOUTHWEST

CLEAN AIR AGENCY

[Filed December 5, 2000, 10:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-022.

Title of Rule: SWCAA 400 General Regulations for Air Pollution Sources.

Purpose: This rule provides for registration of sources, establishment of fees, and new source review requirements.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: RCW 70.94.141.

Summary: The changes proposed in this rule are administrative in nature. The rule is being revised to reflect a name change for the agency, provides additional detail for new source review fees and administrative clarification.

Reasons Supporting Proposal: The name of the agency was changed July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA).

Name of Agency Personnel Responsible for Drafting and Implementation: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058; and Enforcement: Robert D. Elliott, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058.

Name of Proponent: Southwest Clean Air Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an existing rule. Only administrative type changes are being proposed. There will be no effect on the public or regulated businesses as a result of these changes.

Proposal Changes the Following Existing Rules: Titles and rule numbers that include the agency name are being changed to reflect the name of the agency. Additional fee categories are added to provide more clarification of the applicable fees for certain activities. The fees for these categories are consistent with current activities and do not represent an increase or decrease in fees.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes proposed by SWCAA are consistent with federal and state rules already in effect. This agency is not subject to the small business economic impact provisions of chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking section 201, chapter 403, Laws of 1995.

Hearing Location: Office of SWCAA, 1308 N.E. 134th Street, Vancouver, WA 98685, on February 1, 2001, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by January 26, 2001, TDD (360) 574-3058.

Submit Written Comments to: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA 98685, fax (360) 574-3058, by January 19, 2001.

Date of Intended Adoption: February 1, 2001.

December 4, 2000

Robert D. Elliott

Executive Director

AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-101 Sources Exempt from Registration Requirements

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.163 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 4.08); Amended by Board 10/29/69 (Regulation 2 Sec 3.03); Amended by Board 12/18/79 (400-100(3)); Amended by Board 12/18/79; Amended by Board 4/17/84; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-028 filed 3/10/99, effective 4/11/99]

All air contaminant emissions units shall be registered with the ((Authority)) Agency except for the emissions units listed in this section. In the event that a registered source has

any of these emissions units at a location that is otherwise required to be registered or obtain an operating permit, the ((Authority)) Agency may require that these emissions units be included on the permit or registration. However, registration fees shall not be assessed for any of the exempt emissions units. Any source exempted from registration under this section shall maintain sufficient documentation acceptable to the ((Authority)) Agency that the source is entitled to exemption under this section. Any source exempted from registration under this section shall also be considered exempt from the requirements of ((SWAPCA)) SWCAA 400-110, 400-111, 400-112, 400-113, and 400-114. For the purpose of identifying sources or emission units exempt from registration, the source's or emission unit's potential to emit shall be used as the basis for emissions and shall consider emissions before application of any control equipment. All exempt emission units shall be identified on an ~~Order of Authorization to Operate~~ inspection report for an otherwise registered source (refer to ((SWAPCA)) SWCAA 400-109). An exemption for an entire facility or source shall be valid only if the combined emissions from all emission units at that site or facility are less than 1.0 ton per year for criteria pollutants and VOCs and less than the Small Quantity Emission Rate for each toxic air pollutant identified in WAC 173-460. If any exemption threshold is exceeded for an emission unit or units, either individually or combined, the source or emission unit(s) shall not be considered to be exempt.

List of Exempt Emission Units or Sources as a Single Source or Emission Unit:

(1) Air conditioning or ventilating systems designed for space heating and cooling, combined or separate, that are less than 2.0 million Btu per hour which do not exhaust to the atmosphere contaminants generated by or released from process equipment.

(2) Any commercial or industrial manufacturing operation or business or process(es) associated with such operation or business which emits less than one ton per year combined of nitrogen oxides, carbon monoxide, PM₁₀, sulfur dioxide and volatile organic compounds from all emissions units combined. The one ton exemption does not apply to emissions of toxic air pollutants. Sources or emission units with emissions of toxic air pollutants to the ambient air may be exempted only if the annual emissions quantity for each toxic air pollutant is below the Small Quantity Emission Rate (annual rate) for each toxic air pollutant emitted as identified in WAC 173-460.

(3) Any commercial or industrial manufacturing operation or business or process(es) associated with such operation or business which is of insufficient stature to trigger a new source review fee assessment, from all emission units combined, as specified in Table A under ((SWAPCA)) SWCAA 400-110.

(4) Asphalt roofing and application equipment (not manufacturing or storage equipment).

(5) Fuel burning equipment unless waste-derived fuel is burned, which:

(a) is used solely for a private dwelling serving less than five families; or

- (b) has an energy input of less than 2 million Btu per hour.
- (6) Fuel burning equipment used exclusively for office space heating other than boilers.
- (7) Insecticide, pesticide or fertilizer spray equipment.
- (8) Laundering devices, dryers, extractors or tumblers for fabrics using water solutions of bleach and/or detergents.
- (9) Portable, manually operated welding, brazing or soldering equipment when used at other than the owner's principal place of business.
- (10) Welding stations involved solely in the repair and maintenance of a facility. This exemption does not extend to manufacturing operations where welding is an integral part of the manufacturing process.
- (11) Food preparation facilities, establishments or equipment.
- (12) Retail paint sales establishments (not including manufacturing).
- (13) Sampling connections used exclusively to withdraw materials for laboratory analyses and testing.
- (14) Sewing equipment.
- (15) Sources which due to the amount and nature of air contaminants produced and their potential to contribute to air pollution, are determined through review by the ((Authority)) Agency to not warrant registration; provided that, for new sources, such determination shall be based upon review of a Notice of Construction application.
- (16) Spray painting or blasting equipment used at a temporary location to clean or paint bridges, water towers, buildings or other structures.
- (17) Chemical and physical laboratory operations or equipment, including fume hoods and vacuum producing devices provided the emissions do not exceed those listed in ((SWAPCA)) SWCAA 400-101(2). This exemption applies to incidental fume hoods or laboratory equipment used by a source to perform in-house analyses that do not exceed the small quantity exemption of (2) above. This exemption does not apply to sources whose primary activity is chemical or physical laboratory operations.
- (18) Residential wood heaters.
- (19) Office equipment, operations and supplies.
- (20) Internal combustion including diesel engines used for standby emergency power generation ((which)) that are used less than 100 hours per year and are rated at less than 500 horsepower.
- (21) Steam cleaning equipment used exclusively for that purpose.
- (22) Refrigeration systems ((which)) that are not in air pollution control service.
- (23) Housekeeping activities and equipment.
- (24) Natural draft hoods, natural draft stacks, or natural draft ventilators for sanitary and storm drains, safety valves and storage tanks.
- (25) Natural and forced air vents and stacks for bathroom/toilet facilities.
- (26) Personal care activities.
- (27) Lawn and landscaping activities.
- (28) Flares used to indicate danger to the public.
- (29) Fire fighting and similar safety equipment and equipment used to train fire fighters.

(30) Materials and equipment used by, and activities related to operation of an infirmary provided that operation of an infirmary is not the primary business activity at the source in question.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

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AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-105 Records, Monitoring and Reporting

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/18/79; Amended by Board 4/17/84 - renumbered to 400-170; Amended by Board (400-170) 12/16/86; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-028 filed 3/10/99, effective 4/11/99]

The owner or operator of each registered source or emission unit shall maintain records of the type and quantity of emissions from the source and other information deemed necessary to determine whether the source is in compliance with applicable emission limitations, operating limitations, and control measures. Sources that are not subject to the registration requirements of ((SWAPCA)) SWCAA 400-100 because they are exempt under ((SWAPCA)) SWCAA 400-101 shall maintain records and other information necessary and sufficient to substantiate that their small quantity emissions are less than the applicable thresholds.

(1) **Emission inventory.**

(a) ~~When requested, t~~ Smaller sources. The owner(s) or operator(s) of ~~any all~~ any all air contaminant sources shall submit an inventory of emissions from the source each year to the ((Authority)) Agency. The inventory shall include stack and fugitive emissions of particulate matter, PM₁₀, sulfur dioxide, oxides of nitrogen, carbon monoxide, total reduced sulfur compounds (TRS), fluorides, lead, VOCs, and toxic air pollutants identified in WAC 173-460. The owner(s) or operator(s) shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards. Emission reports shall be submitted to the Agency no later than March 15 of each year for the previous calendar year.

(b) Larger sources. At a minimum, the sources satisfying the criteria of 40 CFR 51.320 et seq. (Subpart Q) will be submitted to EPA for inclusion in the national emission database. The emission inventory form supplied by the ((Authority)) Agency shall be completed and returned to the ((Authority)) Agency by ~~April~~ March 15th for the following sources:

(i) Sources with the potential to emit over 100 tons of criteria pollutants, 10 tons of a single hazardous air pollutant or 25 tons of combined hazardous air pollutants, sources subject to NSPS, except Subpart AAA, and sources subject to NES-HAPS, except Subpart M, sources are required to submit an emissions inventory. Only the hazardous air pollutants listed in Section 112 of the FCAA are considered for inclusion as hazardous air pollutant emissions for the purpose of deter-

mining those sources required to submit an emissions inventory.

(ii) In ozone nonattainment or maintenance plan areas, those sources that emit over 10.0 tons of VOCs per year or over 25.0 tons per year of NO_x are also required to submit emission inventories. Sources subject to this section are also required to submit average daily emissions or process throughput data for NO_x and VOCs for ozone season in preparation for the SIP update.

(iii) Sources with actual emissions or potential to emit greater than 50% of the Title V permit thresholds as identified in (i) above.

(iv) Synthetic minor or Title V opt out sources.

(2) **Monitoring.** The ((Authority)) Agency shall conduct a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations and movements of air contaminants. As a part of this program, the Control Officer or an authorized representative may require any source under the jurisdiction of the ((Authority)) Agency to conduct stack and/or ambient air monitoring and to report the results to the ((Authority)) Agency.

(3) **Investigation of conditions.** Upon presentation of appropriate credentials, for the purpose of investigating conditions specific to the control, recovery, or release of air contaminants into the atmosphere, personnel from the ((Authority)) Agency shall have the power to enter at reasonable times upon any private or public property, excepting non-multiple unit private dwellings housing one or two families.

(4) **Continuous monitoring and recording.** Owners and operators of the following categories of sources shall install, calibrate, maintain and operate equipment for continuously monitoring and recording those emissions specified.

(a) Fossil fuel-fired steam generators.

(i) Opacity, except where:

(A) Steam generator capacity is less than two hundred fifty million Btu per hour heat input; or

(B) Only gaseous fuel is burned.

(ii) Sulfur dioxide, except where steam generator capacity is less than two hundred fifty million Btu per hour heat input or if sulfur dioxide control equipment is not required.

(iii) Percent oxygen or carbon dioxide where such measurements are necessary for the conversion of sulfur dioxide continuous emission monitoring data.

(iv) General exception. These requirements do not apply to a fossil fuel-fired steam generator with an annual average capacity factor of less than thirty percent, as reported to the Federal Power Commission for calendar year 1974, or as otherwise demonstrated to the ((Authority)) Agency by the owner(s) or operator(s).

(b) Sulfuric acid plants. Sulfur dioxide where production capacity is more than three hundred tons per day, expressed as one hundred percent acid, except for those facilities where conversion to sulfuric acid is utilized primarily as a means of preventing emissions to the atmosphere of sulfur dioxide or other sulfur compounds.

(c) Fluidized bed catalytic cracking units catalyst regenerators at petroleum refineries. Opacity where fresh feed capacity is more than twenty thousand barrels per day.

(d) Wood residue fuel-fired steam generators.

(i) Opacity, except where steam generator capacity is less than one hundred million Btu per hour heat input.

(ii) Continuous monitoring equipment. The requirements of ((SWAPCA)) SWCAA 400-105(54)(e) do not apply to wood residue fuel-fired steam generators, but continuous monitoring equipment required by ((SWAPCA)) SWCAA 400-105 (54)(d) shall be subject to approval by the ((Authority)) Agency.

(e) Owners and operators of those sources required to install continuous monitoring equipment under this section shall demonstrate to the ((Authority)) Agency, compliance with the equipment and performance specifications and observe the reporting requirements contained in 40 CFR Part 51, Appendix P, Sections 3, 4 and 5, and 40 CFR 60 Appendices B through F, as appropriate, as in effect ((August)) July 1, ((1998)) 2000 which is adopted by reference.

(f) Special considerations. If for reason of physical plant limitations or extreme economic situations, the ((Authority)) Agency determines that continuous monitoring is not a reasonable requirement, alternative monitoring and reporting procedures shall be established on an individual basis. Alternative monitoring and reporting procedures may include continuous monitoring of process/operational parameters as a surrogate to continuous emissions monitoring and/or stack tests conducted at a frequency sufficient to determine compliance with applicable regulations and permit requirements as well as to quantify emissions.

(g) Exemptions. This subsection (5) does not apply to any source which is:

(i) Subject to a new source performance standard. NSPS sources shall be governed by ((SWAPCA)) SWCAA 400-115.

(ii) Not subject to an applicable emission standard.

(h) Monitoring system malfunctions. A source may be temporarily exempted from the monitoring and reporting requirements of this section during periods of monitoring system malfunctions provided that the source owner(s) or operator(s) shows to the satisfaction of the ((Authority)) Agency that the malfunction was unavoidable and is being repaired as expeditiously as practicable.

(5) **Change in raw materials or fuels for sources not subject to requirements of the Operating Permit Program.** Any change or series of changes in raw material or fuel which will result in a cumulative increase in emissions of sulfur dioxide of forty tons per year or more over that stated in the initial inventory required by ((SWAPCA)) SWCAA 400-105(1) shall require the submittal of sufficient information to the ((Authority)) Agency to determine the effect of the increase upon ambient concentrations of sulfur dioxide. The ((Authority)) Agency may issue regulatory orders requiring controls to reduce the effect of such increases. Cumulative changes in raw material or fuel of less than 0.5 percent increase or decrease in average annual sulfur content over the initial inventory shall not require such notice.

(6) **Misrepresentation.** No person shall make any false material statement, representation or certification in any form, notice, or report required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit or order in force pursuant thereto.

(7) **Tampering.** No person shall render inaccurate any monitoring device or method required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

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AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-106 Emission Testing at Sources

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption - 99-07-028 filed 3/10/99, effective 4/11/99]

(1) **Requirement to Test.** The ((Authority)) Agency may conduct or require that emission testing be conducted of the source or any emissions unit within the jurisdiction of the ((Authority)) Agency to determine compliance, evaluate control equipment performance, evaluate RACT or quantify emissions.

(2) **Test Methods.** Any required source emission testing shall be performed using appropriate sampling and analytical methods as approved in advance by the ((Authority)) Agency including, but not limited to, approved EPA methods from 40 CFR 51, 60, ((Appendix A)) 61, and 63 which are hereby adopted by reference, Opacity Determination Method ((SWAPCA)) SWCAA Method 9 - Appendix A to ((SWAPCA)) SWCAA 400), Oregon Department of Environmental Quality (DEQ) Method 8 "Sampling Particulate Emissions from Stationary Sources (High Volume Method)" hereby adopted by reference, or alternate procedures approved in writing by the ((Authority)) Agency.

(3) **Accommodations for Sampling.** The operator of a source shall provide the necessary platform and sampling ports for ((Authority)) Agency personnel or others to perform a test of an emissions unit. The ((Authority)) Agency shall be allowed to obtain a sample from any emissions unit. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

(4) **Notification.** The owner or operator of a source shall notify the ((Authority)) Agency in writing at least 2 weeks (10 business days) prior to any required emissions test and provide the ((Authority)) Agency an opportunity to review the test plan. ((Authority)) Agency personnel shall be informed at least three days prior to testing so that they have an opportunity to be present during testing.

(5) **Test Duration.** A minimum of three test runs one hour in length shall be performed at normal operating conditions unless otherwise approved in advance to establish that collected data is representative of normal operations. The source shall be operated at or near its maximum rated capacity during testing. Compliance shall be determined by averaging the results of the individual test runs.

(6) **Records.** A complete record of production related parameters including startups, shutdowns, and adjustments

shall be kept during emissions testing to correlate operations with emissions and shall be recorded in the final test report.

(7) **Reports.** Results of all required source or emissions testing shall be submitted to the ((Authority)) Agency within 45 days of test completion. Measured concentrations for combustion and incineration sources shall be corrected as provided in ((SWAPCA)) SWCAA 400-050(3). The report shall include:

(a) A description of the source including manufacturer, model number and design capacity of the equipment, and the location of the sample ports or test locations.

(b) Time and date of the test and identification and qualifications of the personnel involved.

(c) A summary of results, reported in units and averaging periods consistent with the applicable emission standard or limit.

(d) A summary of control system or equipment operating conditions.

(e) A summary of production related parameters.

(f) A description of the test methods or procedures used including all field data, quality assurance/quality control procedures and documentation.

(g) A description of the analytical procedures used including all laboratory data, quality assurance/quality control procedures and documentation.

(h) Copies of field data and example calculations.

(i) Chain of custody information.

(j) Calibration documentation.

(k) Discussion of any abnormalities associated with the results.

(l) A statement signed by the senior management official of the testing firm certifying the validity of the source test report.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-107 Excess Emissions

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 4.07 & 4.08); Amended by Board 10/29/69 (Regulation 2 Sec 5.07); 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The owner or operator of a source shall have the burden of proving to the ((Authority)) Agency or the decision-making entity (e.g., Pollution Control Hearings Board) in an enforcement action that excess emissions were unavoidable. This demonstration shall be a condition to obtaining relief under subsections (4), (5) and (6) of this section.

(2) Excess emissions determined by the ((Authority)) Agency to be unavoidable under the procedures and criteria in this section shall be excused and not subject to penalty.

(3) Excess emissions shall be reported to the ((Authority)) Agency as soon as possible. Upon request by the ((Authority)) Agency, the owner(s) or operator(s) of the source(s) shall submit a full written report including the known causes, the corrective actions taken, and the preven-

tive measures to be taken to minimize or eliminate the chance of recurrence.

(4) Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the source reports as required under subsection (3) of this section and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

(5) Excess emissions due to scheduled maintenance shall be considered unavoidable if the source reports as required under subsection (3) of this section and adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

(6) Excess emissions due to upsets shall be considered unavoidable provided the source reports as required under subsection (3) of this section and adequately demonstrates that:

(a) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

(b) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and

(c) The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded; and

(d) The owner or operator(s) actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs, or other relevant evidence.

Reviser's note: The brackets and enclosed material in the text of 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.

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AMENDATORY SECTION (Amending WSR 99-07-027, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-109 Notice of Construction Application

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-027 filed 3/10/99, effective 4/11/99]

(1) **Purpose.** A Notice of Construction (NOC) application is the document or form used by the ((Authority)) Agency to record and track requests from individual sources, registered and non-registered, for the purpose of obtaining information regarding proposed changes or activities at a source. Confidential information shall be identified as set forth in ((SWAPCA)) SWCAA 400-270. Changes may include modifications, alterations, changes to process or con-

trol equipment, establishment of emission limits, and installation of new sources.

(2) **Applicability.**

(a) A Notice of Construction application consistent with ((SWAPCA)) SWCAA 400-110 shall be submitted for all new installations, modifications, changes, and alterations to process and emission control equipment consistent with the definition of new source.

(b) Submittal of a Notice of Construction application shall not automatically impose New Source Review requirements for meeting emissions standards (including, but not limited to: NSPS, NESHAPs, any ambient air quality standard, etc.).

(3) **Types of Applications.** A Notice of Construction application may be submitted for, but not be limited to, the following activities:

(a) New construction or installation.

(b) Change of existing approved emission limits (including Title V opt-out requests - ((SWAPCA)) SWCAA 400-091).

(c) Review of existing or installed equipment operating without prior approval.

(d) Modification, alteration or replacement of existing process or control equipment.

(e) Change of registered owner (purchase or sale of source, facility or equipment).

(f) Change of location of operations of existing portable and stationary equipment.

(g) Review of existing equipment with an expired or lapsed approval or registration.

(h) Review of a case-by-case RACT, BACT, MACT or other similar determination.

(i) Other activities as identified by the ((Authority)) Agency.

(4) **Fees.** A fee consistent with the fee schedule (Tables A and B) provided in ((SWAPCA)) SWCAA 400-110 shall be paid by the owner or operator to the ((Authority)) Agency prior to review of the Notice of Construction application by the ((Authority)) Agency.

(5) ((Authority)) Agency Actions. Each acceptable and complete Notice of Construction application shall have an Order of Approval or other applicable order issued by the ((Authority)) Agency. A Notice of Construction for a gasoline dispensing station shall be submitted and approved as provided in ((SWAPCA)) SWCAA 400-110(8). The requirements of SEPA (State Environmental Policy Act) shall be complied with for each Notice of Construction. Demonstration of completion of an environmental checklist as provided in WAC 197-11 shall be submitted with each Notice of Construction. Issuance of regulatory orders for all Notice of Construction applications shall be consistent with the requirements of ((SWAPCA)) SWCAA 400-110. Requirements for New Source Review are provided in ((SWAPCA)) SWCAA 400-110, 400-111, 400-112, 400-113 & 400-114. A Notice of Construction application may be withdrawn prior to issuance of a final regulatory order by the ((Authority)) Agency as provided in (6) below; or an application may be determined by the ((Authority)) Agency to be exempt as provided under 400-100, 400-101, or 400-110. An application deter-

mined to be exempt will be processed as identified in (6) below.

(6) Withdrawal or Exempt.

(a) A Notice of Construction application may be withdrawn by the applicant at any time prior to issuance of a regulatory order. The applicant must provide a written and signed request to the ((Authority)) Agency indicating their desire to withdraw a Notice of Construction application, and certification that the proposed equipment or modification will not be installed, constructed, or operated without prior review and approval from the ((Authority)) Agency. The ((Authority)) Agency shall provide written response to acknowledge withdrawal of the application.

(b) After review by the ((Authority)) Agency, an application may be determined to be exempt from the registration requirements of ((SWAPCA)) SWCAA 400-100 and New Source Review requirements of ((SWAPCA)) SWCAA 400-110. Written notification shall be provided by the ((Authority)) Agency to the applicant for all applications that are determined to be exempt. For withdrawn or exempt applications, filing fees will not be refunded to the applicant. Review fees, if provided with the application, may be refunded, upon request, provided that substantial time has not been expended by the ((Authority)) Agency for review of the Notice of Construction application.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-030, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-110 New Source Review

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.152 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; 92-06-015 filed 2/25/92, effective 3/25/92; 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-030 filed 3/10/99, effective 4/11/99]

(1) Applicability.

(a) New Source Review (NSR) means that if the new source, modification or substantial alteration or replacement, meets the definition of "new source" then that new source or modification must demonstrate that all applicable emission standards have been or will be met by the proposed modification or new source. A complete Notice of Construction application shall be submitted for each source required to submit an application under the requirements of this section. Confidential information shall be identified as set forth in ((SWAPCA)) SWCAA 400-270.

Before the ((Authority)) Agency may review a Notice of Construction application, a filing fee of \$300.00 and a review fee, as shown in Table A shall be submitted by the applicant. If offsetting emission reductions or other types of review identified in Table B are required to be performed by the ((Authority)) Agency as a result of the proposed installation, alteration, or modification, an additional review fee shall be paid. (Total Fee = Filing Fee + Review Fee [Table A] + Additional Review Fee [Table B]).

Notice of Construction application review fees based on emissions are to utilize actual or approved emissions, after

controls, as supported by test data or emission factors, not potential to emit. Other review fees as noted in the fee tables are based on design capacities of the source equipment. Where a source may fall under multiple categories, only one fee per application shall apply; Table A fees are not considered additive as they apply to an application. In general, the fee determination shall be based on the primary emission unit or activity of the new, modified or altered source.

TABLE A
Notice of Construction Application Review Fees

i. Fuel Burning Equipment (Million Btu/hr heat input @ design capacity):			
	((2-or-more-but)) ((4)) Less than 5	\$	300.00
	5 or more but less than 10		400.00
	10 or more but less than 30		550.00
	30 or more but less than 50		700.00
	50 or more but less than 100		1200.00
	100 or more but less than 250		2,500.00
	250 or more but less than 500		4,000.00
	500 or more		6,000.00
ii. Discharge from control equipment or from uncontrolled process equipment (Actual Cubic Feet per Minute - ACFM):			
	Less than 50	\$	300.00
	50 or more but less than 5,000		400.00
	5,000 or more but less than 20,000		500.00
	20,000 or more but less than 50,000		600.00
	50,000 or more but less than 100,000		700.00
	100,000 or more but less than 250,000		1,000.00
	250,000 or more but less than 500,000		2,000.00
	500,000 or more		4,000.00
iii. Refuse Burning Equipment (Incinerators)(Tons/day):			
	0.5 or more but less than 5	\$	500.00
	5 or more but less than 12		1,000.00
	12 or more but less than 250		3,000.00
	250 or more		4,000.00
iv. Storage Tanks, Reservoirs, or Containers (Gallons-total capacity): (Other than gasoline or diesel fuel dispensing facilities)			
	250 or more but less than 10,000	\$	300.00
	10,000 or more but less than 40,000		700.00
	40,000 or more but less than 100,000		1,000.00
	100,000 or more		2,000.00
v. Gasoline Dispensing Facilities			
	Stage I	\$	300.00
	Stage II		400.00
	Stages I & II, combined		500.00
	Toxics review for gasoline facility		1500.00
	Stage II removal		300.00

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vi.	Other (Not classified in Subsection i., ii., iii., or iv. above)	\$ 200.00/ton of emission
vii.	Toxic Air Contaminants	\$200.00 up to one ton and \$100.00 for each additional ton
viii.	Major Source or Major Modification	\$ 5,000.00
ix.	Synthetic minor application (including, but not limited to: Title V, HAP)	Not to exceed \$5,000.00
x.	Particulate Matter and Fugitive Emissions from Rock Crushing, Material Transfer and Ship Loading (Emissions - tons per year)	
	((+0 or more but)) less than or equal to 10	\$ 300.00
	More than 10 but less than or equal to 50	700.00
	More than 50 but less than or equal to 100	1,000.00
	More than 100 but less than 250	2,500.00
	250 or greater	5,000.00
xi.	Modifications to an Existing Order	\$ 300.00
xii.	Installation or Operation of a Temporary, Substitute or Emergency Source	\$ 500.00
<u>xiii.</u>	<u>Dry cleaner</u>	<u>\$ 300.00</u>
<u>xiv.</u>	<u>Standby diesel generators</u>	<u>\$ 400.00</u>
<u>xv.</u>	<u>Crematory/Small Incinerators/Small Flares</u>	<u>\$ 400.00</u>
<u>xvi.</u>	<u>Gluing/flow coating operations without active ventilation</u>	<u>\$ 500.00</u>
<u>xvii.</u>	<u>Soil remediation</u>	<u>\$ 500.00</u>

**TABLE B
Other Review Fees**

The following fees are considered additive to the filing and review fees assessed for Notice of Construction applications (Table A). These fees apply to activities that may be requested of and performed by the ((Authority)) Agency with or without submittal of a Notice of Construction application and are not part of the activities normally performed by the ((Authority)) Agency as part of the Notice of Construction application review.

((xiii)) <u>xviii.</u>	Emission Offset Analysis or Bubble	\$ 400.00
((xiv)) <u>xix.</u>	Emission Reduction Credit (ERC) Application (Deposit or withdrawal)	\$ 400.00
((xv)) <u>xx.</u>	State Environmental Policy Act (SEPA) - Lead Agency	\$ 1000.00
((xvi)) <u>xxi.</u>	Environmental Impact Statement (EIS) Review	\$ 500.00
((xvii)) <u>xxii.</u>	RACT/BACT/MACT/BART/LAER Determination	\$ 50.00/hr
((xviii)) <u>xxiii.</u>	Variance request	\$ 500.00

(b) A Notice of Construction application that meets the minimum requirements for New Source Review must be filed by the owner or operator and an Order of Approval issued by the ((Authority)) Agency prior to the establishment of any new source or emission unit or modification which is listed in ((SWAPCA)) SWCAA 400-100 or required to obtain an Operating Permit under RCW 70.94.161.

(c) The ((Authority)) Agency may require that:

(i) a Notice of Construction application be filed by the owner or operator of a proposed new source or modification,

(ii) the source meets all New Source Review requirements, and

(iii) an Order of Approval be issued by the ((Authority)) Agency prior to the establishment of any new source or emission unit or modification, other than a single family or a duplex dwelling.

(d) New Source Review of a modification shall be limited to the emission unit or units proposed to be added to an existing source or modified and the air contaminants whose emissions would increase as a result of the modification.

(e) New Source Review is not required for those sources whose facility wide combined emissions (potential to emit) do not exceed the limits specified in ((SWAPCA)) SWCAA 400-101 or whose emission unit capacities are less than the minimum quantities specified in Table A of ((SWAPCA)) SWCAA 400-110 (1)(a). The owner or operator of an exempt facility shall maintain sufficient documentation acceptable to the ((Authority)) Agency to substantiate that the source is entitled to exemption under this section. An emission unit exempt from registration under ((SWAPCA)) SWCAA 400-100 or 400-101 may be exempt from New Source Review requirements.

(f) New Source Review is not required when the following conditions are met:

(i) Performance of routine maintenance or repair that involves the replacement of like-in-kind air pollution control equipment or controls. This includes upgrades of parts or components where due to wear or breakage, parts or components must be replaced and exact replacement parts or components are no longer available from the original equipment manufacturer or after market vendors. In no case shall the replacement parts result in an increase in actual emissions above allowable emissions;

(ii) A process change is made that does not result in an emission of a different type not previously approved or an increase in capacity and total air pollutant emissions;

(iii) A process change is made that does not result in an emission of a different type of toxic air pollutant, as provided in WAC 173-460, not previously approved and individual toxic air pollutant emissions do not exceed the Small Quantity Emission Rates specified in the Small Quantity Emission Rate tables in WAC 173-460-080 (annual rate);

(iv) A raw material composition change that does not result in individual toxic air pollutant emissions that exceed the Small Quantity Emission Rates specified in the Small Quantity Emission Rate tables in WAC 173-460-080 (annual rate);

(g) Any source required to submit a Notice of Construction application for New Source Review is required to demonstrate that all applicable emission standards have been or

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will be met by the proposed modification or new source. Examples of applicable emissions standards may include, but not be limited to: RACT, BACT, LAER, BART, MACT, NSPS, NESHAPS, and any ambient air quality standards as

identified in Table C below. Requirements for new and modified sources and replacement or alteration of control equipment are further addressed in ((SWAPGA)) SWCAA 400-111, 400-112, 400-113, 400-114, and 400-151.

TABLE C

Emission Concentration Regulatory Standards and Significance Levels

Pollutant	Averaging Period	Class II Significant Impact Criteria $\mu\text{g}/\text{m}^3$ (ppm)	Class I PSD Increments $\mu\text{g}/\text{m}^3$ (ppm)	Class II PSD Increments $\mu\text{g}/\text{m}^3$ (ppm)	NAAQS		Washington
					Primary Ambient Standards $\mu\text{g}/\text{m}^3$ (ppm)	Secondary Ambient Standards $\mu\text{g}/\text{m}^3$ (ppm)	Ambient Standards $\mu\text{g}/\text{m}^3$ (ppm)
Carbon Monoxide (CO) (WAC 173-475)	8-Hour	500	—	—	10,000 ^b (9.0)	10,000 ^b (9.0)	10,000 ^b (9.0)
	1-Hour	2,000	—	—	40,000 ^b (35.0)	40,000 ^b (35.0)	40,000 ^b (35.0)
Nitrogen Dioxide (NO ₂) (WAC 173-475)	Annual ^a (arithmetic mean)	1	2.5	25	100 (0.05)	100 (0.05)	100 (0.05)
Ozone (O ₃) (WAC 173-475)	1-Hour ^e	—	—	—	(0.12)	(0.12)	(0.12)
Ozone (O ₃) (40 CFR Part 50) (62 FR 38856)	8-Hour ^f	—	—	—	(0.08)	(0.08)	
Sulfur Dioxide (SO ₂) (WAC 173-474)	Annual ^a	1	2	20	80 (0.03)	—	53 (0.02)
	24-Hour	5	5	91	365 ^b (0.14)	—	260 ^b (0.10)
	3-Hour	25	25	512	—	1,300 ^b (0.50)	—
	1-Hour	—	—	—	—	—	1,065 ^b (0.40) ^d
Total Reduced Sulfur (TRS)	1-Hour	—	—	—	—	—	—
Total Suspended Particulates (TSP) (WAC 173-470)	Annual ^a (geometric mean)	1	5	19	75	60 ^c	60
	24-hour	5	10	37	260 ^b	150 ^b	150 ^b
Particulate Matter less than 10 μm (PM ₁₀) (WAC 173-470)	Annual (geometric mean)	1	—	17	50	50	50
	24-Hour ⁱ	5	—	30	150 ^b	150 ^b	150 ^b
Particulate Matter less than 2.5 μm (40 CFR Part 50) (62 FR 38652)	Annual ^g	—	—	—	15	15	—
	24-Hour ^h	—	—	—	65	65	—
Lead	Quarterly Average	—	—	—	1.5	1.5	1.5

$\mu\text{g}/\text{m}^3$ = micrograms per cubic meter; ppm = parts per million

^a Never to be exceeded.

^b Not to be exceeded more than once per year.

^c This is not a standard, rather it is to be used as a guide in assessing whether implementation plans will achieve the 24-hour standard.

^d Also, 0.25 ppm not to be exceeded more than twice in seven days.

^e Not to be exceeded on more than 1 day per calendar year as provided in WAC 173-475

^f Based on the three year average of the annual fourth-highest daily maximum 8-hour average ozone concentration at each monitor.

^g Based on the 3-year average of annual arithmetic mean PM_{2.5} concentrations.

^h Based on the 3-year average of the 98th percentile of 24-hour PM_{2.5} concentrations at each monitor within an area.

ⁱ Based on the 99th percentile of 24-hour PM₁₀ concentrations at each monitor.

Annual standards never to be exceeded; short term standards not to be exceeded more than once per year unless otherwise noted.

Sources include the EPA New Source Review Workshop Manual, 40 CFR 52.21 and individual WAC Chapters.

The significant impact criteria are used to determine if a proposed project or modification will cause a significant deterioration in ambient air quality for Class II areas. If a

proposed project impacts (i.e., changes in ambient concentrations resulting from the proposed project or modification alone) are predicted to be less than the significant impact cri-

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teria, then the air quality analysis is complete at that point. If the ambient impact of a proposed project or modification exceeds these levels, compliance with available PSD increments and AAQS must then be demonstrated. If a proposed project or modification exceeds the significant ambient concentrations for Class II areas, monitoring of existing ambient air quality may be required if data sufficient to characterize background air quality are not available.

(2) **Completeness determination.** Within thirty (30) calendar days of receipt of a Notice of Construction application, the ((Authority)) Agency shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary, based upon review of information already supplied, to complete the application as provided under RCW 70.94.152. For a project subject to PSD review under ((SWAPCA)) SWCAA 400-141 a completeness determination includes a determination that the application provides all information required to conduct PSD review. The ((Authority)) Agency may request additional clarification of information submitted from the source after a completeness determination has been made for a Notice of Construction application.

(3) **Final determination/Regulatory Orders.**

(a) Within sixty (60) calendar days of receipt of a complete application, the ((Authority)) Agency shall either issue a final decision on the application or, for those projects subject to public notice, issue a preliminary determination and initiate notice and comment procedures under ((SWAPCA)) SWCAA 400-171 on a proposed decision, followed as promptly as possible by a final decision. An owner or operator seeking to construct or modify a source that requires an operating permit may elect to integrate review of the operating permit application or amendment required under RCW 70.94.161 and the Notice of Construction application required by this section. A Notice of Construction application designated for integrated review shall be processed in accordance with WAC 173-401 procedures and deadlines.

(b) Every final determination on a Notice of Construction application that results in the issuance of an Order of Approval by the ((Authority)) Agency shall be reviewed and signed prior to issuance by a professional engineer or staff under the direct supervision of a professional engineer in the employ of the ((Authority)) Agency.

(c) If the new source is a major stationary source or the change is a major modification, the ((Authority)) Agency shall submit any control technology determination(s) included in a final Order of Approval to the RACT/BACT/LAER clearinghouse maintained by EPA.

(4) **Appeals.** An Order of Approval, any conditions contained in an Order of Approval, the denial of a Notice of Construction application, or any other regulatory order issued by the ((Authority)) Agency, may be appealed to the Board of Directors as specified in ((SWAPCA)) SWCAA 400-220 of this regulation or appealed directly to the Pollution Control Hearings Board within 30 calendar days of receipt as provided in Chapter 43.21B RCW. The ((Authority)) Agency shall promptly mail copies of each order approving or denying a Notice of Construction application to the applicant and to any other party who submitted timely comments on the

application, along with a notice advising the parties of their rights of appeal to the Pollution Control Hearings Board and, where applicable, to the EPA Environmental Appeals Board.

(5) **Portable sources.** For portable sources which locate temporarily at particular sites, the owner(s) or operator(s) shall be allowed to operate at the temporary location without filing a Notice of Construction application for each location provided that:

(a) The source/emissions units are registered with the ((Authority)) Agency.

(b) The source/emissions units have an Order of Approval as a portable source.

(c) The owner(s) or operator(s) notifies the ((Authority)) Agency of intent to operate at the new location at least ten business days prior to starting the operation.

(d) The owner(s) or operator(s) supplies sufficient information including production quantities and hours of operation, to enable the ((Authority)) Agency to determine that the operation will comply with the emission standards for a new source, and will not cause a violation of applicable ambient air quality standards and, if in a nonattainment area, will not interfere with scheduled attainment of ambient standards.

(e) The owner(s) and/or resident(s) of immediately adjacent properties shall be notified by the owner(s) or operator(s) of the portable source in writing at least 10 business days prior to commencement of operations at the proposed location with copies mailed to the ((Authority)) Agency. Written notification to the adjacent landowners/residents shall be by certified mail with return receipt requested. Such written notification shall include a complete description of the proposed operation, the associated emissions control provisions and equipment, the total estimated project emissions, the name, address and phone number of the person in charge of the operation, and the address and phone number for ((SWAPCA)) SWCAA. Written notification shall indicate that all comments shall be directed to the ((Authority)) Agency.

Sources that do not operate within the jurisdiction of the Agency for a period of more than 5 years shall be considered to be nonoperational and will be removed from active registration. Any such source shall be required to go through new source review prior to operating again within the jurisdiction of the Agency consistent with the definition of new source.

(6) **Compliance.** Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) **Expiration.** Approval to construct or modify a stationary source shall become invalid if construction is not commenced within eighteen months after the date of issuance of an Order of Approval, if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The ((Authority)) Agency may extend the eighteen-month period upon a satisfactory demonstration that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen months of the projected and approved commencement date. The

((Authority)) Agency may specify an earlier date for commencement of construction in an Order of Approval.

(8) Temporary, Emergency, or Substitution Sources.

(a) A temporary source shall be considered to be a new source. The ((Authority)) Agency may require that a Notice of Construction application and applicable review fees be submitted before reviewing a request for a temporary, emergency or substitution source. The ((Authority)) Agency may provide approval for special situations for a source without meeting the requirements for New Source Review when one or more of the following conditions are met:

(i) The temporary source is needed to replace a previously approved similar source where the approved source is non-functional due to breakdown or other similar circumstances beyond the control of the owner or operator. This may include replacement steam or power supply units where facilities have an immediate need to continue production or service to public or private industries, or have a need for an extended or unscheduled shutdown of equipment that is of a duration not otherwise planned for. The ((Authority)) Agency may provide written approval for a temporary source that may include but not be limited to emission limits, operational or maintenance requirements or limitations, monitoring and reporting requirements, and testing requirements. Installation of a temporary source due to poor or improper maintenance or operations is required to submit a Notice of Construction application for permanent replacement within 30 days of installation.

(ii) The temporary source is necessary to support public or private needs in the event of a local or regional disaster when proper planning could not be accommodated. In no event shall the temporary source be authorized for operations for durations greater than three months. Written approval shall be provided by the ((Authority)) Agency that may contain, but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements, and testing requirements. For operations greater than three months the owner or operator shall submit a Notice of Construction application under New Source Review requirements ((SWAPCA)) SWCAA 400-110) for approval from the ((Authority)) Agency.

(iii) The temporary source is a one time special need, urgent application, that can not otherwise be accommodated through the New Source Review process due to the critical nature of the source and time constraints. As a condition of approval under this expedited approval process, a new source of this type could not request to be allowed or expected to operate within the jurisdiction of the ((Authority)) Agency for the following three years. Written approval shall be provided by the ((Authority)) Agency that may contain but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements and testing requirements. In no case shall approval be provided for operation greater than three months. For operations greater than three months, the owner or operator shall submit a Notice of Construction application under the New Source Review requirements of ((SWAPCA)) SWCAA 400-110.

(b) An emergency source is the result of an emergency situation that could not otherwise be planned for. The ((Authority)) Agency shall provide written approval for an emergency source provided that the owner or operator has provided sufficient documentation or demonstration of the need for the source to the satisfaction of the Control Officer. The written approval may include but not be limited to: emission limits, operation and maintenance requirements and limitations, monitoring and reporting requirements, and testing requirements. In no case shall approval be provided for operations greater than three months.

(c) A substitute source is the same as a temporary source as in (a) above. A substitute source may be of a different manufacturer and model number and size and may result in increased emissions from installation from previously approved equipment on a short-term basis. The ((Authority)) Agency shall provide written approval for a substitute source that may include but not be limited to: emission limits, operational or maintenance requirements or limitations, monitoring and reporting requirements, and testing requirements. In no event shall the substitute source be authorized for operations for durations greater than three months. For operations greater than three months, the owner or operator shall submit a Notice of Construction application under the New Source Review requirements of ((SWAPCA)) SWCAA 400-110.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-111 Requirements for Sources in a Maintenance Plan Area

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-028 filed 3/10/99, effective 4/11/99]

Any person proposing to install, construct or operate a new source or emission unit or make a modification to an existing source or emission unit shall file a Notice of Construction application with the ((Authority)) Agency in accordance with ((SWAPCA)) SWCAA 400-109 and shall be subject to the New Source Review provisions of ((SWAPCA)) SWCAA 400-110. Confidential information shall be identified as set forth in ((SWAPCA)) SWCAA 400-270. A Notice of Construction application to establish a new source or make a modification to a source in an area that is covered by a maintenance plan, shall result in the issuance of an Order of Approval or other regulatory order. Such order shall contain such conditions as are reasonably necessary to assure the maintenance of compliance with this section, if it is determined that the proposed project satisfies all of the requirements of this section. New sources or modifications within a designated maintenance plan area, including sources of VOC or NO_x in a designated ozone maintenance plan area, shall meet the requirements listed below.

(1) **Emission Standards.** The proposed new source or modification shall:

(a) comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air

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Pollutants, emission standards adopted under Chapter 70.94 RCW and, the applicable emission standards of the ((Authority)) Agency; and

(b) not cause any ambient air quality standard as provided in ((SWAPCA)) SWCAA 400-113(3) to be exceeded; and

(c) not violate the requirements for reasonable further progress established by the Washington State Implementation Plan; and

(d) minimize emissions to the extent that the new source or modification will not delay the attainment date for a non-attainment area, exceed emission levels or other requirements provided in a maintenance plan for an area that was previously identified as a nonattainment area, nor cause or contribute to a violation of any ambient air quality standard.

(2) **BACT.** Except as provided in Section (7) of this section, the owner or operator of the proposed new source or modification shall apply BACT for each pollutant. In the case of a modification, the requirement for BACT shall apply to each new or modified emission unit which increases emissions. For phased construction projects, the determination of BACT shall be reviewed at the latest reasonable time prior to commencement of construction of each independent phase.

(3) **Source Compliance.** The owner or operator of the proposed new source or modification shall certify that all sources owned or operated by such person (or by an entity controlling, controlled by, or under common control with such person) in Washington are in compliance or on a schedule for compliance, with all applicable emission limitations and standards under the Washington Clean Air Act (RCW 70.94).

(4) **Offsets or Growth Allowance.** The owner or operator of a proposed new major source or major modification shall provide offsets as specified in Section (8) of this section. Except as provided in Section (7) of this section, the requirements of this Section may be met in whole or in part in an ozone maintenance plan area with an allocation by ((SWAPCA)) SWCAA from a growth allowance, if available, in accordance with Section (8) of this section and the applicable maintenance plan in the SIP adopted by the Board and approved by EPA.

(5) **Net Air Quality Benefit.** For cases in which emission reduction or offsets are required in accordance with Section (4) above, the applicant shall demonstrate that a net air quality benefit will be achieved in the maintenance plan area. If the proposed new source or the proposed modification is major for the contaminant for which the area has a maintenance plan, allowable emissions of the maintenance pollutant from the proposed new source or modification shall be offset by reductions in actual emissions of the maintenance pollutant. All offsetting emission reductions must satisfy the following requirements of Section (8).

(6) **Alternative Analysis.**

(a) Except as provided in Subsection (c) of this section, the owner or operator of a proposed major source or major modification shall conduct an alternatives analysis;

(b) This analysis shall include an evaluation of alternative sites, sizes, production processes, and environmental control techniques for such proposed source or modification

((which)) that demonstrates that benefits of the proposed source or modification significantly outweigh the environmental and social costs imposed as a result of its location, construction or modification;

(c) This analysis shall not be required for a major source or major modification that is subject to this rule due to emissions of particulate matter in a designated TSP maintenance area.

(7) **Contingency Plan Requirements.** If the contingency plan in an applicable maintenance plan (CO or ozone) has been triggered due to a violation of an ozone ambient air quality standard or a second violation of the CO ambient air quality standard, this Section shall apply in addition to other requirements of this rule and the applicable approved maintenance plan adopted by the Board and approved by EPA as a revision to the SIP.

(a) The requirements for BACT in Section (2) of this Section shall be replaced by a requirement for LAER. If the new source is a major stationary source or the proposed modification is a major modification, it must achieve LAER for the maintenance pollutant and for which the proposed new source or modification is major.

(b) An allocation from a growth allowance shall not be used to meet the requirement for offsets in Section (4) of this Section. The growth allowance emissions shall be unavailable until such time as sufficient demonstration is made to reinstate the growth allowance emissions.

(8) **Industrial Growth Allowance and Offset Allocation.**

(a) Industrial growth allowances for sources in a maintenance plan area are identified in and governed by the Washington State Implementation Plan and the applicable maintenance plan for the applicable maintenance plan area.

(b) The growth allowance emissions may be increased or decreased as provided in a revision to the maintenance plan submitted to and approved by EPA. In the event of a confirmed ozone violation, the growth allowance for VOC and NO_x emissions shall be eliminated and new sources shall be required to implement LAER and offsets. Growth allowance emissions may be reinstated as provided in the EPA approved maintenance plan.

(c) The owner or operator of a proposed new major source or major modification emitting VOCs or NO_x, may obtain a portion of any remaining emissions in the respective growth allowance in accordance with the following process:

(i) Access is on a first-come-first-served basis, based on the date of a complete notice of construction and allowance allocation request;

(ii) No single source may receive an emissions allocation of more than 50% of any remaining growth allowance, or up to 10.0 tons per year, which ever is greater. On a case-by-case basis, the ((SWAPCA)) SWCAA Board of Directors may approve an emissions allocation of greater than 50% upon consideration of the following:

(A) Information submitted by the source to ((SWAPCA)) SWCAA justifying its request for exceeding the 50% emissions allocation, based on significant economic, employment, or other benefits to the maintenance plan area

that will result from the proposed new major source or major modification;

(B) Information provided by ((SWAPCA)) SWCAA on other known new major sources or major modifications seeking an emissions allocation from the same growth allowance; and

(C) Other relevant information submitted by the source or ((SWAPCA)) SWCAA.

(iii) To avoid jeopardizing maintenance of the ozone standard during the interim years of the ozone maintenance plan, ((SWAPCA)) SWCAA shall allocate only a portion of the VOC and NO_x growth allowances each year. ((SWAPCA)) SWCAA will track use of VOC and NO_x emissions from the growth allowances. The amount of the growth allowance that can be allocated each year is identified in the applicable ozone maintenance plan.

(iv) The amount of the CO growth allowance that can be allocated is identified in the applicable CO Maintenance Plan, if any.

(d) If no emissions remain in the respective growth allowance or the contingency plan has been triggered which effectively zeros the growth allowance, the owner or operator of the proposed major source or major modification shall provide offsets. Applicants in a maintenance area shall demonstrate the following:

(i) A demonstration shall be provided showing that the proposed offsets will improve air quality in the same geographical area affected by the new source or modification. This demonstration may require that air quality modeling be conducted according to the procedures specified in 40 CFR Part 51, Appendix W, Guideline on Air Quality Models (Revised).

(ii) Offsets for VOCs or nitrogen oxides shall be within the same maintenance plan area as the proposed source. Offsets for particulate matter, PM₁₀, sulfur dioxide, carbon monoxide, nitrogen dioxide, lead, and other pollutants shall be less than the level of significant air quality impact. (Refer to ((SWAPCA)) SWCAA 400-110 (1)(g) for significance levels).

(iii) New sources or modifications shall meet the following offset requirements:

(A) Within a designated maintenance plan area, the offsets shall provide reductions ((which)) that are equivalent or greater than the proposed increases. The offsets shall be appropriate in terms of short term, seasonal, and yearly time periods to mitigate the impacts of the proposed emissions;

(B) Outside a designated maintenance plan area, owners or operators of new sources or modifications which have a significant air quality impact on the maintenance plan area as provided in ((SWAPCA)) SWCAA 400-113(3) shall provide emission offsets which are sufficient to reduce impacts to levels below the significant air quality impact level with the maintenance plan area; and

(C) The emission reductions must provide for a net air quality benefit.

(I) New major sources within an ozone maintenance plan area shall:

(a) Offset the new VOC emissions at a ratio of 1.1 to 1, if the VOC emissions exceed either 100 tons per year or 700 pounds per day.

(b) Offset the new NO_x emissions at a ratio of 1.1 to 1, if the NO_x emissions exceed either 100 tons per year or 700 pounds per day.

(II) Sources within an ozone maintenance plan area undergoing major modifications shall:

(a) Offset the entire VOC emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(b) Offset the entire NO_x emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(III) New major sources within a carbon monoxide maintenance plan area shall:

(a) Offset the new carbon monoxide emissions at a ratio of 1 to 1, if the carbon monoxide emissions exceed either 100 tons per year or 700 pounds per day.

(IV) Sources within a carbon monoxide maintenance plan area undergoing major modifications shall:

(a) Offset the entire carbon monoxide emissions increase at a ratio of 1 to 1, if such increase exceeds either 100 tons per year or 700 pounds per day.

(D) New major sources or major modifications with CO emissions greater than 250 tpy are required to obtain offsets and comply with the PSD requirements of ((SWAPCA)) SWCAA 400-141.

(iv) The emission reduction shall be of the same type of pollutant as the emissions from the new source or modification. Sources of PM₁₀ shall be offset with particulate in the same size range.

(v) The emission reductions shall be contemporaneous, that is, the reductions shall take effect prior to the time of startup but not more than two years prior to the submittal of a complete notice of construction application for the new source or modification. This time limitation may be extended through banking, as provided in ((SWAPCA)) SWCAA 400-130, 400-131 and 400-136 for banking activities approved after the effective date of this regulation. In the case of replacement facilities, ((SWAPCA)) SWCAA may allow simultaneous operation of the old and new facilities during the startup period of the new facility provided that emissions do not exceed the new emission limits.

(vi) New major sources or major modifications in a maintenance plan area shall:

(A) The proposed new level of allowable emissions of the source or emissions units providing the reduction must be less than the current level of actual emissions of that source or emission unit(s). No emission reduction can be credited for actual emissions ((which)) that exceed the current allowable emissions of the source or emissions unit(s) providing the reduction. Emission reductions imposed by local, state, or federal regulations, regulatory orders or permits cannot be credited.

(B) If the offsets are provided by another source, the reductions in emissions from that source must be federally enforceable by the time the new or modified source commences operation. The new source may not commence oper-

ation before the date such reductions are actually achieved. ((SWAPCA)) SWCAA may allow simultaneous operation of the old and new facilities during the startup period of the new facility provided that the facility wide emissions do not exceed the new emission limit.

(9) **PSD Applicability.** If the proposed new source is a major stationary source or the proposed modification is a major modification for the purposes of the PSD program as described in ((SWAPCA)) SWCAA 400-141, the new source or modification shall meet the requirements of that program for all pollutants. For maintenance plan pollutants, the source shall meet all PSD requirements in addition to the additional requirements of this Section.

(10) **Toxics.** If the proposed new source or modification will emit any toxic air pollutants regulated under WAC 173-460, the source shall meet all applicable requirements of that regulation.

(11) **Visibility.** If the proposed new source is a major stationary source or the proposed modification is a major modification, the source shall meet all the visibility protection requirements of 40 CFR 52.27 as in effect on July 1, ((+998)) 2000.

(12) **Noncompliance.** Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-112 Requirements for New Sources in Nonattainment Areas

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-028 filed 3/10/99, effective 4/11/99]

A Notice of Construction application to establish a new source or make a modification to a source in a nonattainment area, shall result in the issuance of an Order of Approval or other regulatory order, which contains such conditions as are reasonably necessary to assure the maintenance of compliance with this section, if the ((Authority)) Agency determines that the proposed project satisfies each of the following requirements:

(1) The proposed new source or modification will comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, emission standards adopted under Chapter 70.94 RCW and, the applicable emission standards of the ((Authority)) Agency.

(2) The proposed new source will employ BACT for all air contaminants, except that if the new source is a major stationary source or the proposed modification is a major modification it must achieve LAER for the contaminants for

which the area has been designated nonattainment and for which the proposed new source or modification is major.

(3) The proposed new source will not cause any ambient air quality standard to be exceeded, will not violate the requirements for reasonable further progress established by the Washington State Implementation Plan and will comply with ((SWAPCA)) SWCAA 400-113(3) for all contaminants for which the area has not been designated nonattainment.

(4) If the proposed new source is a major stationary source or the proposed modification is a major modification, and the ((Authority)) Agency has determined, based on review of an analysis performed by the source of alternative sites, sizes, production processes, and environmental control techniques, that the benefits of the project significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

(5) If the proposed new source or the proposed modification is major for the contaminant for which the area is designated nonattainment, allowable emissions of the pollutant for which the area has been designated nonattainment from the proposed new source or modification are offset by reductions in actual emissions of the pollutant for which the area has been designated nonattainment from existing sources in the nonattainment area so as to represent (when considered together with the nonattainment provisions of section 172 of the FCAA) reasonable further progress. All offsetting emission reductions must satisfy the following requirements:

(a) The proposed new level of allowable emissions of the source or emissions units providing the reduction must be less than the current level of actual emissions of that source or emission unit(s). No emission reduction can be credited for actual emissions ((which)) that exceed the current allowable emissions of the source or emissions unit(s) providing the reduction. Emission reductions imposed by local, state, or federal regulations, regulatory orders or permits cannot be credited.

(b) The emission reductions must provide for a net air quality benefit.

(i) New major sources within a marginal ozone nonattainment area shall:

(A) Offset the new VOC emissions at a ratio of 1.1 to 1, if the VOC emissions exceed either 100 tons per year or 700 pounds per day.

(B) Offset the new NO_x emissions at a ratio of 1.1 to 1, if the NO_x emissions exceed either 100 tons per year or 700 pounds per day.

(ii) Sources within a marginal ozone nonattainment area undergoing major modifications shall:

(A) Offset the entire VOC emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(B) Offset the entire NO_x emissions increase at a ratio of 1.1 to 1, if such increase exceeds either 40 tons per year or 290 pounds per day.

(iii) New major sources within a moderate carbon monoxide nonattainment area shall:

(A) Offset the new carbon monoxide emissions at a ratio of 1 to 1, if the carbon monoxide emissions exceed either 100 tons per year or 700 pounds per day.

(iv) Sources within a moderate carbon monoxide nonattainment area undergoing major modifications shall:

(A) Offset the entire carbon monoxide emissions increase at a ratio of 1 to 1, if such increase exceeds either 100 tons per year or 700 pounds per day.

(c) If the offsets are provided by another source, the reductions in emissions from that source must be federally enforceable by the time the new or modified source commences operation. The new source may not commence operation before the date such reductions are actually achieved. An emission reduction credit issued under SWAPCA 400-131 may be used to satisfy some or all of the offset requirements of this subsection.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) If the proposed new source is a major stationary source or the proposed modification is a major modification, the owner or operator has demonstrated that all major stationary sources owned or operated by such person (or by any entity controlling, controlled by, or under common control with such person) in Washington are subject to emission limitations and are in compliance, or on a schedule for compliance, with all applicable emission limitations and standards under the Federal Clean Air Act, including all rules contained in the EPA-approved Washington State Implementation Plan.

(8) If the proposed new source is a major stationary source or the proposed modification is a major modification for the purposes of the PSD program described in ((SWAPCA)) SWCAA 400-141 it meets the requirements of that program for all contaminants for which the area has not been designated nonattainment.

(9) If the proposed new source or modification will emit any toxic air pollutants regulated under WAC 173-460, the source meets all applicable requirements of that Chapter.

(10) If the proposed new source is a major stationary source or the proposed modification is a major modification, the ((Authority)) Agency has complied with the visibility protection review requirements of 40 CFR 52.28 (c) through (h), as in effect on ((August)) July 1, ((1998)) 2000, and determined that the project meets the criteria set forth in 40 CFR 52.28(g). For purposes of this subsection definitions referenced in 40 CFR 52.28(b) are incorporated by reference, except that the term "visibility protection area" means any Class I area, and terms defined in ((SWAPCA)) SWCAA 400-030 shall have the meanings defined in that section. References in 40 CFR 52.28 to "the Administrator" shall mean the agency (either Ecology or the ((Authority)) Agency) processing the Notice of Construction application.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-113 Requirements for New Sources in Attainment or Nonclassifiable Areas

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-028 filed 3/10/99, effective 4/11/99]

Any person proposing to install, construct or operate a new source or emission unit or modification to an existing source or emission unit shall file a Notice of Construction application with the ((Authority)) Agency and shall be subject to the New Source Review provisions of ((SWAPCA)) SWCAA 400-110. Confidential information shall be identified as set forth in ((SWAPCA)) SWCAA 400-270. A Notice of Construction application to establish a new source or make a modification to a source in an area that is in attainment or unclassifiable for any air contaminant the proposed new source would emit and that is in attainment or unclassifiable for ozone if the proposed new or modified source would emit VOCs or NO_x, shall result in the issuance of an Order of Approval or other regulatory order. Such order shall contain such conditions as are reasonably necessary to assure the maintenance of compliance with this section, if it is determined that the proposed project satisfies all of the following requirements:

(1) The proposed new source or modification will comply with all applicable New Source Performance Standards, National Emission Standards for Hazardous Air Pollutants, emission standards adopted under Chapter 70.94 RCW and the applicable emission standards of the ((Authority)) Agency.

(2) The proposed new source or modification will employ BACT for all pollutants not previously emitted or whose emissions would increase as a result of the new source or modification.

(3) Allowable emissions from the proposed new source or modification will not delay the attainment date for an area not in attainment or unclassifiable nor cause or contribute to a violation of any ambient air quality standard. This requirement will be considered to be met if the projected impact of the allowable emissions from the proposed new source or the projected impact of the increase in allowable emissions from the proposed modification at any location within a nonattainment or maintenance plan area does not exceed the following levels for the pollutant(s) for which the area has been designated nonattainment:

<u>Pollutant</u>	<u>Annual Average</u>	<u>24-Hour Average</u>	<u>8-Hour Average</u>	<u>3-Hour Average</u>	<u>1-Hour Average</u>
CO	-	-	0.5 mg/m ³	-	2 mg/m ³
SO ₂	1.0 µg/m ³	5 µg/m ³	-	25 µg/m ³	30 µg/m ³
PM ₁₀	1.0 µg/m ³	5 µg/m ³	-	-	-
NO ₂	1.0 µg/m ³	-	-	-	-

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An offsetting emission reduction may be used to satisfy some or all of the requirements of this subsection.

(4) If the proposed new source is a major stationary source or the proposed modification is a major modification for purposes of the PSD program described in ((SWAPCA)) SWCAA 400-141, it meets all applicable requirements of that section.

(5) If the proposed new source or the proposed modification will emit any toxic air pollutants regulated under WAC 173-460, the source meets all applicable requirements of that Chapter.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

(7) If, within the meaning of the PSD program described in ((SWAPCA)) SWCAA 400-141, the proposed new source is a major stationary source or the proposed modification is a major modification, the source would not cause an adverse impact upon visibility.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-114 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.153 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 3); Amended by Board 12/18/79; Amended by Board 8/18/81; Amended by Board 3/20/84; Renumbered from 400-110 93-21-004 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Any person proposing to replace or substantially alter the emission control technology installed on an existing stationary source or emission unit shall file a Notice of Construction application with the ((Authority)) Agency and shall be subject to the New Source Review process of ((SWAPCA)) SWCAA 400-110. If the replacement or substantial alteration meets the definition of "new source" or "modification" then the new source emissions standards of ((SWAPCA)) SWCAA 400-111, 400-112 or ((SWAPCA)) SWCAA 400-113 shall apply. If the replacement or substantial alteration does not meet the definition of "new source" or "modification" then RACT or other requirements shall apply. Replacement or substantial alteration of control technology does not include routine maintenance, repair or parts replacement.

(2) For projects not otherwise reviewable under ((SWAPCA)) SWCAA 400-110, the ((Authority)) Agency may:

(a) Require that the owner or operator employ RACT for the affected emission unit;

(b) Prescribe reasonable operation and maintenance conditions for the control equipment; and

(c) Prescribe other requirements authorized by Chapter 70.94 RCW.

(3) Within thirty calendar days of receipt of a Notice of Construction application under this section the ((Authority))

Agency shall either notify the applicant in writing that the application is complete or notify the applicant in writing of all additional information necessary to complete the application. Within thirty calendar days of receipt of a complete Notice of Construction application under this section the ((Authority)) Agency shall either issue an Order of Approval or a proposed RACT determination for the proposed project.

(4) Construction shall not commence, as defined in ((SWAPCA)) SWCAA 400-030(16), on a project subject to review under this section until the ((Authority)) Agency issues a final Order of Approval. However, any Notice of Construction application filed under this section shall be deemed to be approved without conditions if the ((Authority)) Agency takes no action within thirty days of receipt of a complete Notice of Construction application. The ((Authority)) Agency may request clarification of information submitted in support of the application after the application has been determined to be complete.

(5) An Order of Approval to replace or substantially alter emission control technology shall become invalid if construction is not commenced within eighteen months from the date of issuance of an Order of Approval, if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The ((Authority)) Agency may extend the eighteen month period upon a satisfactory demonstration that an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen months of the projected and approved commencement date. The ((Authority)) Agency may specify an earlier date for commencement of construction in an Order of Approval.

(6) Noncompliance with any emission limit, test requirement, reporting requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 00-24-084

PROPOSED RULES

SOUTHWEST

CLEAN AIR AGENCY

[Filed December 5, 2000, 10:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-022.

Title of Rule: SWCAA 400 General Regulations for Air Pollution Sources.

Purpose: These rules provide for adoption of federal new source performance standards, establishment of an emission reduction bank and program, PSD, visibility protection, administrative activities of the agency and Visual Opacity Determination Method.

Statutory Authority for Adoption: RCW 70.94.141.

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Statute Being Implemented: RCW 70.94.141.

Summary: The changes proposed in this rule are administrative in nature. The rule is being revised to reflect a name change for the agency. SWCAA is updating adoption of existing new source performance standards and providing administrative clarifications.

Reasons Supporting Proposal: The name of the agency was changed July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA).

Name of Agency Personnel Responsible for Drafting and Implementation: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058; and Enforcement: Robert D. Elliott, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058.

Name of Proponent: Southwest Clean Air Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an existing rule. Only administrative type changes are being proposed. There will be no effect on the public or regulated businesses as a result of these changes.

Proposal Changes the Following Existing Rules: Titles and rule numbers that include the agency name are being changed to reflect the name of the agency.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes proposed by SWCAA are consistent with federal and state rules already in effect. This agency is not subject to the small business economic impact provisions of chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking section 201, chapter 403, Laws of 1995.

Hearing Location: Office of SWCAA, 1308 N.E. 134th Street, Vancouver, WA 98685, on February 1, 2001, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by January 26, 2001, TDD (360) 574-3058.

Submit Written Comments to: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA 98685, fax (360) 574-3058, by January 19, 2001.

Date of Intended Adoption: February 1, 2001.

December 4, 2000
Robert D. Elliott
Executive Director

AMENDATORY SECTION (Amending WSR 99-07-028, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-115 Standards of Performance for New Sources

[Statutory Authority: Chapter 70.94.141 RCW. Originally adopted by Board 12/18/79; Amended by Board 4/17/84 (renumbered to 400-135); Amended by Board 12/16/86; 93-16-007 filed 7/22/93, effective 8/22/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-028 filed 3/10/99, effective 4/11/99]

Title 40, Code of Federal Regulations, Part 60 (Standards of Performance for New Sources), as in effect on

((August)) July 1, ((1998)) 2000, is adopted by reference except for sections 60.5 (Determination of Construction or Modification) and 60.6 (Review of Plans). The term "Administrator" in 40 CFR Part 60 shall mean the Administrator of EPA, the Director of Ecology and the Control Officer of the ((Authority)) Agency.

As of ((August)) July 1, ((1998)) 2000, the federal regulations adopted by reference hereby set standards of performance affecting facilities for the following described subparts of 40 CFR Part 60:

- Subpart D Fossil fuel-fired steam generators for which construction commenced after August 17, 1971, and prior to September 19, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts (ref. 40 CFR 60.40 et seq.)
- Subpart Da Electric utility steam generating units for which construction commenced after September 18, 1978, which have a heat input greater than 73 megawatts but not greater than 250 megawatts (ref. 40 CFR 60.40a et seq.)
- Subpart Db Industrial-commercial-institutional steam generating units for which construction commenced after June 19, 1984, and prior to June 19, 1986, which have a heat input greater than 29 megawatts but less than 73 megawatts (ref. 40 CFR 60.40b et seq.)
- Subpart Dc Small industrial-commercial-institutional steam generating units (ref. 40 CFR 60.40c et seq.)
- Subpart E Incinerators (ref. 40 CFR 60.50 et seq.)
- Subpart Ea Municipal waste combustors for which construction commenced after December 20, 1989 and on or before September 20, 1994 (ref. 40 CFR 60.50a et seq.)
- Subpart Eb Large Municipal waste combustors for which construction is commenced after September 20, 1994 or for which Modification of reconstruction is commenced after June 19, 1996 (ref. 40 CFR 60.50b et seq.)
- Subpart Ec Hospital/medical/infectious waste incinerators for which construction is commenced after June 20, 1996 (ref. 40 CFR 60.50c et seq.)
- Subpart F Portland cement plants (ref. 40 CFR 60.60 et seq.)
- Subpart G Nitric acid plants (ref. 40 CFR 60.70 et seq.)
- Subpart H Sulfuric acid plants (ref. 40 CFR 60.80 et seq.)
- Subpart I Hotmix asphalt facilities ((concrete plants)) (ref. 40 CFR 60.90 et seq.)
- Subpart J Petroleum refineries which produce less than 25,000 barrels per day of

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	refined products (ref. 40 CFR 60.100 et seq.)	Subpart CC	Glass manufacturing plants (ref. 40 CFR 60.290 et seq.)
Subpart K	Storage vessels for petroleum liquid constructed after June 11, 1973, and prior to May 19, 1978, which have a capacity greater than 40,000 gallons (ref. 40 CFR 60.110 et seq.)	Subpart DD	Grain elevators (ref. 40 CFR 60.300 et seq.)
Subpart Ka	Storage vessels for petroleum liquids <u>for which construction, reconstruction or modification commenced after May 18, 1978, and prior to July 23, 1984 ((which)) have a capacity greater than 40,000 gallons</u> (ref. 40 CFR 60.110a et seq.)	Subpart EE	Industrial surface coating: metal furniture (ref. 40 CFR 60.310 et seq.)
Subpart Kb	Volatile organic liquid storage vessels (including petroleum liquid storage vessels) constructed, reconstructed, or modified after July 23, 1984 (ref. 40 CFR 60.110b et seq.)	Subpart GG	Stationary gas turbines (ref. 40 CFR 60.330 et seq.)
Subpart L	Secondary lead smelters (ref. 40 CFR 60.120 et seq.)	Subpart HH	Lime manufacturing plants (ref. 40 CFR 60.340 et seq.)
Subpart M	Brass and bronze ingot production plants (ref. 40 CFR 60.130 et seq.)	Subpart KK	Lead-acid battery plants (ref. 40 CFR 60.370 et seq.)
Subpart N	Iron and steel plants (ref. 40 CFR 60.140 et seq.)	Subpart LL	Metallic mineral processing plants (ref. 40 CFR 60.380 et seq.)
Subpart O	Sewage treatment plants (ref. 40 CFR 60.150 et seq.)	Subpart MM	Automobile and light duty truck surface coating operations (ref. 40 CFR 60.390 et seq.)
Subpart P	Primary copper smelters (ref. 40 CFR 60.160 et seq.)	Subpart NN	Phosphate rock plants (ref. 40 CFR 60.400 et seq.)
Subpart Q	Primary zinc smelters (ref. 40 CFR 60.170 et seq.)	Subpart PP	Ammonium sulfate manufacture (ref. 40 CFR 60.420 et seq.)
Subpart R	Primary lead smelters (ref. 40 CFR 60.180 et seq.)	Subpart QQ	Publication rotogravure printing (ref. 40 CFR 60.430 et seq.)
Subpart S	Primary aluminum reduction plants (ref. 40 CFR 60.190 et seq.)	Subpart RR	Pressure sensitive tape and label surface coating operations (ref. 40 CFR 60.440 et seq.)
Subpart T	Phosphate fertilizer industry: Wet process phosphoric acid plants (ref. 40 CFR 60.200 et seq.)	Subpart SS	Industrial surface coating: Large appliances (ref. 40 CFR 60.450 et seq.)
Subpart U	Phosphate fertilizer industry: Superphosphoric acid plants (ref. 40 CFR 60.210 et seq.)	Subpart TT	Industrial surface coating: Metal coils (ref. 40 CFR 60.460 et seq.)
Subpart V	Phosphate fertilizer industry: Diammonium phosphate plants (ref. 40 CFR 60.220 et seq.)	Subpart UU	Asphalt processing and asphalt roofing manufacture (ref. 40 CFR 60.470 et seq.)
Subpart W	Phosphate fertilizer industry: Triple superphosphate plants (ref. 40 CFR 60.230 et seq.)	Subpart VV	Synthetic Organic Chemical Manufacturing Industry equipment leaks (VOC) (ref. 40 CFR 60.480 et seq.)
Subpart X	Phosphate fertilizer industry: Granular triple superphosphate storage facilities (ref. 40 CFR 60.240 et seq.)	Subpart WW	Beverage can surface coating operations (ref. 40 CFR 60.490 et seq.)
Subpart Y	Coal preparation plants (ref. 40 CFR 60.250 et seq.)	Subpart XX	Bulk gasoline terminals (ref. 40 CFR 60.500 et seq.)
Subpart Z	Ferroalloy production facilities (ref. 40 CFR 60.260 et seq.)	Subpart AAA	New residential wood heaters (ref. 40 CFR 60.530 et seq.)
Subpart AA	Steel plants: Electric arc furnaces (ref. 40 CFR 60.270 et seq.)	Subpart BBB	Rubber tire manufacturing industry (ref. 40 CFR 60.540 et seq.)
Subpart AAa	Steel plants: Electric arc furnaces and argon-oxygen decarburization vessels (ref. 40 CFR 60.270a et seq.)	Subpart DDD	VOC emissions from the polymer manufacturing industry (ref. 40 CFR 60.560 et seq.)
Subpart BB	Kraft pulp mills (ref. 40 CFR 60.280 et seq.)	Subpart FFF	Flexible vinyl and urethane coating and printing (ref. 40 CFR 60.580 et seq.)
		Subpart GGG	Petroleum refineries - compressors and fugitive emission sources (ref. 40 CFR 60.590 et seq.)
		Subpart HHH	Synthetic fiber production facilities (ref. 40 CFR 60.600 et seq.)
		Subpart III	VOC emissions from Synthetic Organic Chemical Manufacturing Industry air oxidation unit processes (ref. 40 CFR 60.610 et seq.)
		Subpart JJJ	Petroleum dry cleaners (ref. 40 CFR 60.620 et seq.)

Subpart KKK	Equipment leaks of VOC from onshore natural gas processing plants (ref. 40 CFR 60.630 et seq.)
Subpart LLL	Onshore natural gas processing; SO ₂ emissions (ref. 40 CFR 60.640 et seq.)
Subpart NNN	VOC emissions from Synthetic Organic Chemical Manufacturing Industry distillation operations (ref. 40 CFR 60.660 et seq.)
Subpart OOO	Nonmetallic mineral processing plants (ref. 40 CFR 60.670 et seq.)
Subpart PPP	Wool fiberglass insulation manufacturing plants (ref. 40 CFR 60.680 et seq.)
Subpart QQQ	VOC emissions from petroleum refinery waste water emissions (ref. 40 CFR 60.690 et seq.)
Subpart RRR	Volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes (ref. 40 CFR 60.700 et seq.)
Subpart SSS	Magnetic tape coating facilities (ref. 40 CFR 60.710 et seq.)
Subpart TTT	Industrial surface coating: Surface coating of plastic parts for business machines (ref. 40 CFR 60.720 et seq.)
<u>Subpart UUU</u>	<u>Calciners and dryers in mineral industries (ref. 40 CFR 60.730 et seq.)</u>
Subpart VVV	Polymeric coating of supporting substrates facilities (ref. 40 CFR 60.740 et seq.)
Subpart WWW	Municipal solid waste landfills (ref. 40 CFR 60.750 et seq.)

Note: For fossil fuel fired steam generators referenced by Subpart D and Da above, units greater than 250 megawatts are governed by the Energy Facility Site Evaluation Council (EFSEC) in Title 463 WAC.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Authority and appear in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-116 Maintenance of Equipment

[Statutory Authority: Chapter 70.94.152(7) RCW, and 70.94.155 RCW. Original Board adoption 95-17-084 filed 8/21/95, effective 9/21/95]

(1) Any equipment, including features, machines, and devices constituting parts of or called for by plans, specifications, or other information submitted for approval or required as part of an approval shall be maintained and operate in good working order. Defective or malfunctioning equipment that emit air pollutants shall be repaired immediately or shall be taken out of service.

(2) Any equipment that serves as air contaminant control or capture equipment shall be maintained and operate in good working order at all times in accordance with good operations and maintenance practices and in accordance with

((Authority)) **Agency** approval conditions. Defective or malfunctioning equipment shall be repaired immediately or shall be taken out of service.

(3) ((SWAPCA)) **SWCAA** shall have the authority to require that an Operations and Maintenance (O&M) plan be developed and implemented for each emission unit or piece of control or capture equipment in order to assure continuous compliance with approval conditions. A copy of the plan shall be available for site inspections. The plan shall reflect good industrial practice and shall include periodic inspection of all equipment and control apparatus, monitoring and recording of equipment and control apparatus performance, prompt repair of any defective equipment or control apparatus, procedures for start up, shut down and normal operation, and a record of all actions required by the plan. The plan shall be reviewed by the source or owner at least annually and updated to reflect any changes in good industrial practices. The O&M plan shall be available at or near the equipment it applies to so as to assist operations and maintenance personnel in assuring good operations and maintenance practices as well as the ability to log and record equipment performance parameters. As a minimum, the O&M plan shall contain each of the parameters required to be monitored, logged or recorded as provided in an Order of Approval.

(4) Noncompliance with any emission limit, test requirement, reporting or record keeping requirement or other requirement identified in a regulatory order issued pursuant to this section shall be considered a violation of this section.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Authority and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-120 Bubble Rules

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.155 RCW. Original adoption by Board 4/17/84 under 400-115; 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) **Applicability.** The owner(s) or operator(s) of any source(s) may apply for a bubble for any contaminant regulated by state or federal law or regulations established to implement such laws for which the emission requirement may be stated as an allowable limit in weight of air contaminant per unit time for the emissions units involved.

(2) **Conditions.** A bubble may be authorized provided the following conditions have been demonstrated to the satisfaction of the ((Authority)) **Agency**.

(a) The contaminants exchanged must be of the same type, that is, PM₁₀ for PM₁₀, sulfur dioxide for sulfur dioxide, etc.

(b) The bubble will not interfere with the attainment and maintenance of ambient air quality standards.

(c) The bubble will not result in a delay in compliance by any source, nor a delay in any existing enforcement action.

(d) The bubble will not supersede NSPS, NESHAPS, BACT, or LAER. The emissions of hazardous air contaminants shall not be increased.

(e) The bubble will not result in an increase in the sum of actual emission rates of the contaminant involved from the emissions units involved.

(f) A bubble may not be authorized solely for opacity limits. However, if the emission limit for particulates for a given emissions unit is increased as part of a bubble, the opacity limit for the given emissions unit may be increased subject to the following limitations:

(i) The new opacity limit shall be specific for the given emissions unit;

(ii) The new opacity limit shall be consistent with the new particulate matter emission limit(s) and/or PM₁₀ emission limit(s);

(iii) An opacity greater than twenty percent shall never be authorized;

(iv) If the given emissions unit emits or has the potential to emit 100 tons per year or more of particulate matter, the opacity shall be monitored continuously.

(g) The emission limits of the bubble are equivalent to existing limits in enforceability.

(h) Concurrent with or prior to the authorization of a bubble, each emission unit involved in a bubble shall receive or have received a regulatory order or permit that establishes total allowable emissions from the source of the contaminant being bubbled, expressed as weight of the contaminant per unit time.

(i) There will be no net adverse impact upon air quality from the establishment of new emission requirements for a specific source or emissions unit. Determination of net adverse impact shall include but not be limited to public perception of opacity and public perception of odorous contaminants.

(j) Specific situations may require additional demonstration as requested by the ((Authority)) Agency.

(3) **Jurisdiction.** Whenever a bubble application involves emissions units, some of which are under the jurisdiction of Ecology and some of which are under the jurisdiction of the ((Authority)) Agency, approval will require concurrence by both authorities. The new emission limits for each emissions unit will be enforced by the agency of original jurisdiction.

(4) **Additional information.** Within thirty calendar days, after the receipt of a bubble application and all supporting data and documentation, the ((Authority)) Agency may require the submission of additional information needed to review the application.

(5) **Approval.** Within thirty calendar days after all the required information has been received, the ((Authority)) Agency shall approve or deny the application, based on a finding that conditions in subsection (2)(a) through (j) of this section have been satisfied or not. If the application is approved, a regulatory order or equivalent document shall be issued which includes new allowable emissions limits expressed in weight of pollutant per unit time for each emissions unit affected by the bubble. The regulatory order or equivalent document shall include any conditions required to

assure that subsection (2)(a) through (j) of this section will be satisfied. If the bubble depends in whole or in part upon the shutdown of equipment, the regulatory order or equivalent document shall prohibit operation of the affected equipment.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-130 Use of Emission Reduction Credits

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption by Board 12/16/86; Amended by Board 9/21/93; 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

(1) **Applicability.** The owner(s) of any emission reduction credits (ERCs) shall maintain its ability to use said ERCs through approval and registration with the ((Authority)) Agency. An ERC shall be considered an emission unit and subject to registration. If the owner of said ERCs fails to maintain or renew its annual registration 6 months beyond the due date or fails to pay its operating permit fee 6 months beyond the due date or has not applied for emission reduction credits, then said amount of emission reductions credit shall revert back to the ((Authority)) Agency. The ((Authority)) Agency may keep said credits in a credit bank to be used by the ((Authority)) Agency in the best interest of the area or credits may be dissolved by the ((Authority)) Agency.

(2) **Permissible use.** An ERC may be used to satisfy the requirements for authorization of a bubble under ((SWAPCA)) SWCAA 400-120, as a part of a determination of "net emissions increase," as an offsetting reduction to satisfy the requirements for new source review per ((SWAPCA)) SWCAA 400-111, 400-112, ((SWAPCA)) SWCAA 400-113(3) or ((SWAPCA)) SWCAA 400-113(6), or to satisfy requirements for PSD review per ((SWAPCA)) SWCAA 400-113(4). The use of any ERC shall be consistent with all other federal, state, and local requirements of the program in which it is used.

(3) **Conditions of use.** An ERC may be used only for the contaminant(s) for which it was issued and in the area for which it was issued except in the case of transportable pollutants which will be determined on a case by case basis and per interagency agreement for interstate transfers. The ((Authority)) Agency may impose additional conditions of use of ERCs to account for temporal and spatial differences between the emissions unit(s) that generated the ERC and the emissions unit(s) that use the ERC. An ERC may not be used in place of a growth allowance as required under ((SWAPCA)) SWCAA 400-111.

(4) **Procedures to use ERC.**

(a) **Individual use.** When an ERC is used under subsection (2) of this section, an application must be submitted to the ((Authority)) Agency and the ((Authority)) Agency must issue a Regulatory Order for use of the ERC(s).

(b) **Sale or transfer of an ERC.** An ERC may be sold or otherwise transferred to a person other than the person to whom it was originally issued. An application for the sale or

transfer must be submitted by the original ERC owner to the ((Authority)) Agency. After receiving an application, the ((Authority)) Agency shall reissue a Regulatory Order to the new owner. The ((Authority)) Agency shall update the ERC bank to reflect the availability or ownership of ERCs. No discounting shall happen as part of this type of transaction.

(5) **Expiration of ERC.** An unused ERC and any unused portion thereof shall expire five years after the date the emission reduction was accomplished and not the date of the Regulatory Order.

(6) **Maintenance of ERCs.** The ((Authority)) Agency has established its policy and procedure for maintenance of said credits in SWCAA 400-136 Maintenance of Emission Reduction Credits in Bank.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-131 Deposit of Emission Reduction Credits Into Bank

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.850 RCW. Originally adopted by Board as 400-120 on 3/20/84; renumbered to 400-131 in 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

(1) **Applicability.** The owner(s) or operator(s) of any source(s) may apply to the ((Authority)) Agency for an emission reduction credit (ERC) if the source proposes to reduce its actual emissions rate for any contaminant regulated by state or federal law or regulations established to implement such law(s) for which the emission requirement may be stated as an allowable limit in weight of contaminant per unit time for the emissions unit(s) involved.

(2) **Time of application.** The application for an ERC must be made prior to or within one hundred eighty days after the emission reduction has been accomplished.

(3) **Conditions.** An ERC may be authorized provided the following conditions have been demonstrated to the satisfaction of the ((Authority)) Agency.

(a) No part of the emission reductions claimed for credit shall have been required pursuant to an adopted rule.

(b) The quantity of emissions reductions claimed for credit shall be less than or equal to the old allowable emissions rate or the old actual emissions rate, whichever is the lesser, minus the new allowable emissions rate.

(c) The ERC application must include a description of all the changes that are required to accomplish the claimed emissions reduction, such as, new control equipment, process modifications, limitation of hours of operation, permanent shutdown of equipment, specified control practices and any other pertinent supporting information.

(d) The quantity of emission reductions claimed must be greater than 1 ton/year and be readily quantifiable for the emissions unit(s) involved.

(e) No part of the emission reductions claimed for credit shall have been used as part of a determination of net emission increase, nor as part of an offsetting transaction under ((SWAPCA)) SWCAA 400-112(5) nor as part of a bubble

transaction under ((SWAPCA)) SWCAA 400-120 nor to satisfy NSPS, NESHAPS, BACT, MACT, RACT, LAER or other applicable emission standard.

(f) Concurrent with or prior to the authorization of an ERC, the applicant shall have received a regulatory order or permit that establishes total allowable emissions from the source or emissions unit of the contaminant for which the ERC is requested, expressed as weight of contaminant per unit time.

(g) The use of any ERC shall be consistent with all other federal, state, and local requirements of the program in which it is used.

(4) **Additional information.** Within thirty days after the receipt of an ERC application, supporting data and documentation, the ((Authority)) Agency may require the submission of additional information needed to review the application.

(5) **Approval.** Within thirty days after all required information has been received, the ((Authority)) Agency shall approve or deny the application, based on a finding that conditions in subsection (3)(a) through (f) of this section have been satisfied or not. If the application is approved, the ((Authority)) Agency shall:

(a) Issue a regulatory order or equivalent document to assure that the emissions from the source will not exceed the allowable emission rates claimed in the ERC application, expressed in weight of pollutant per unit time for each emission unit involved. The regulatory order or equivalent document shall include any conditions required to assure that subsection (3)(a) through (f) of this section will be satisfied. If the ERC depends in whole or in part upon the shutdown of equipment, the regulatory order or equivalent document must prohibit operation of the affected equipment; and,

(b) Issue a Regulatory Order with emission reduction credit. The Regulatory Order shall specify the issue date, the contaminant(s) involved, the emission decrease expressed as weight of pollutant per unit time, the nonattainment area involved, if applicable, and the person to whom the Regulatory Order is issued.

(6) **Maintenance and use of ERCs.** The ((Authority)) Agency has established its policy and procedure for maintenance of said ERCs in ((SWAPCA)) SWCAA 400-136. The ((Authority)) Agency has established its policy and procedure for use of ERCs in ((SWAPCA)) SWCAA 400-130.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-135 Criminal Penalties (renumbered 4/17/84 to 400-210)

[Originally adopted by Board 12/18/79; Amended by Board 4/17/84 renumbered to 400-210; 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

Reviser's note: The brackets and enclosed material in the text of 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.

PROPOSED

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-136 Maintenance of Emission Reduction Credits in Bank

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.850 RCW. Original Board adoption as 400-125 4/17/84; renumbered to 400-136 in 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

(1) **Applicability.** The ((Authority)) Agency shall maintain a bank for the purpose of administering emission reduction credits (ERCs) pursuant to the provisions of RCW 70.94.850.

(2) **Conditions for ERC Bank.**

(a) ERCs established under ((SWAPCA)) SWCAA 400-131 or used under ((SWAPCA)) SWCAA 400-130 shall be available for said credit bank.

(b) ERCs shall not have been used, sold or transferred to another entity for use; e.g. ERCs cannot be banked or used by two sources at one time.

(c) ERCs established under ((SWAPCA)) SWCAA 400-131 or used under ((SWAPCA)) SWCAA 400-130 for a specific source shall be allocated privately and not be included in the bank for public allocation unless 1) specifically requested by the owner(s) of the ERCs or 2) if the owner of the ERCs fails to maintain registration with the ((Authority)) Agency.

(3) **Maintenance of the Bank.**

(a) The ((Authority)) Agency shall maintain an emission inventory of all allowed and actual emissions (including any growth allowances identified in a Maintenance Plan) in each of the nonattainment or maintenance areas by pollutant or in the case of ozone, it shall be volatile organic compounds and oxides of nitrogen.

(b) The ERCs contained in the bank shall be discounted by 10% to allow for minor emissions increases in nonattainment areas by minor sources each of which would emit less than one ton per year. Minor emitting sources shall be ineligible to receive or expend an emission reduction credit as identified in ((SWAPCA)) SWCAA 400-131 or 400-130. ERCs shall be discounted at the applicable ratio on a one-time basis at the time of deposit into the bank. ERCs shall not be discounted each time a transaction is completed. If reductions in emission beyond those identified in the Washington State Implementation Plan are required to meet an ambient air quality standard, if the standard cannot be met through controls on operating sources, and if the plan must be revised, ERCs may be discounted by the ((Authority)) Agency over and above the initial 10% without compensation to the holder after public involvement per ((SWAPCA)) SWCAA 400-171. Any such discount shall not exceed the percentage of additional emission reduction needed to reach or maintain attainment status.

(c) The Control Officer shall not provide greater than 25% of the available emission credit in the bank to a single applicant. Any exceptions shall be considered on a case-by-case basis by the Board of Directors after a public notice at the next regularly scheduled meeting.

(d) When the Control Officer issues credits for a new or modified source, the amount of emission credits shall be removed from the bank and a Regulatory Order allocating the

emission credits shall be issued. The applicant shall start a continuous program of construction or process modification within 18 months. If the applicant does not exercise the approval, the emission credit shall expire and revert to the bank. If there is a six month delay in construction after the start of a continuous program to construct or modify a source or emissions unit the remaining amount of the emission reduction credit shall be reviewed by the Control Officer and if it is determined that the unused portion of the credit will not, in all likelihood be used in the next year, the Control Officer shall notify the applicant that the credit has expired and shall revert to the bank. The applicant shall reapply, as needed, for use of the emission reduction credits when a continuous program of construction or modification begins.

(4) **Annual Review.** The ((Authority)) Agency shall review the content and administration of this section annually to ensure regulatory consistency and equity of impact as a portion of the Washington State Implementation Plan review. The results of the review shall be reported to the Board with recommendations for correction if the Control Officer deems that such corrections are necessary to properly administer the emission credit bank.

(5) **Issuance and use of ERCs.** The ((Authority)) Agency has established its policy and procedure for deposit of ERCs in ((SWAPCA)) SWCAA 400-131. The ((Authority)) Agency has established its policy and procedure for use of ERCs in ((SWAPCA)) SWCAA 400-130.

(6) **Expiration of Public Credits.**

(a) Emissions reduction credits deposited in the bank for public allocation (public bank) as the result of the shutdown of the Carborundum facility expired on July 8, 1996 as provided in Regulatory Order ((SWAPCA)) SWCAA 86-843 establishing such credits.

(b) Emission reduction credits deposited in the bank for public allocation as the result of Board Resolution 1988-3 amended by Board Resolution 1989-3 expire on January 24, 1999.

(c) Credits and Regulatory Orders/certificates assigned to sources from this public bank expired on July 8, 1996.

(d) Each source which had credits assigned from the public bank by issuance of a Regulatory Order shall be approved for the total of previous emissions plus any additional amount approved under a Regulatory Order assigning public credits to that source effective July 8, 1996.

(e) Emission reduction credits deposited into the public bank shall not be available to be assigned to any source after July 8, 1996.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-141 Prevention of Significant Deterioration (PSD)

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

Section 40 CFR 52.21, Subparts (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (r), (t), (v), and (w), Prevention of Significant Deterioration of Air Quality, as in effect on July 1, (~~1998~~) 2000, are incorporated by reference with the following additions and modifications:

(1) **Administrator.** In 40 CFR 52.21 (b)(17), federally enforceable, (f)(1)(v), (f)(3), and (f)(4)(i), exclusions from increment consumption, (g), redesignation, (l) and (2), air quality models, (p)(2), federal land manager, and (t), disputed permits or redesignations, the word "Administrator" shall be construed in its original meaning. In 40 CFR 52.21 (b)(3)(iii) Administrator shall mean the Administrator of EPA, Director of Ecology and Control Officer of the ((Authority)) Agency.

(2) **Contemporaneous.** Subpart 40 CFR 52.21 (b)(3)(ii) is changed to read: "An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between the date ten years before construction on the particular change commences and the date that the increase from the particular change occurs. If a decrease occurred more than one year prior to the date of submittal of the Notice of Construction application for the particular change it can only be credited if the decrease has been documented by an emission reduction credit."

(3) **Public participation.** Subpart 40 CFR 51.166(q) public participation, as in effect July 1, (~~1998~~) 2000 is hereby incorporated by reference except that in 40 CFR 51.166 (q)(2)(iv), the phrase "specified time period" shall mean thirty days and the word "Administrator" shall mean the EPA Administrator.

(4) **Section 40 CFR 51.166 Subpart (p)(1).** Sources Impacting Federal Class I areas - additional requirements - Notice to EPA, as in effect on July 1, (~~1998~~) 2000, is herein incorporated by reference.

(5) **Secondary emissions.** Subpart 40 CFR 52.21 (b)(18) is changed to read: Emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the stationary source or modification ((which)) that causes the secondary emissions. Secondary emissions may include, but are not limited to:

(a) Emissions from ships or trains coming to or from the new or modified stationary source; and

(b) Emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification.

(6) **Significant.** The definition of "significant" in 40 CFR 52.21 (b)(23) is changed to exclude from the list of pol-

lutants which may trigger PSD review any pollutant listed under FCAA § 112.

[Note - ((SWAPCA)) SWCAA has not been delegated authority by Ecology for the PSD program.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-150 Variance (renumbered 11/93 to 400-180)

[Original Board adoption 12/17/68 (Regulation 1 Sec 2.07); Amended by Board 12/18/79; Amended by Board 4/17/84; Repealed and renumber to 400-180 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-151 Retrofit Requirements for Visibility Protection

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93]

(1) **Determination of best available retrofit technology (BART).** The ((Authority)) Agency shall identify and analyze each source which may reasonably be anticipated to cause or contribute to impairment of visibility in any mandatory Class I area in Washington and any adjacent state and to determine BART for the contaminant of concern and those additional air pollution control technologies that are to be required to reduce impairment from the source.

(2) **Initially defined BART.** The owner(s) or operator(s) of any source(s) to which significant visibility impairment of a mandatory Class I area is reasonably attributable shall apply BART for each contaminant contributing to visibility impairment that is emitted at more than 250 tons per year. Each source for which BART is required must install and operate BART as expeditiously as possible, but in no case later than five years after the conditions are included in a regulatory order.

(3) **Future definitions of BART.** The owner(s) or operator(s) of any source(s) to which significant visibility impairment of a mandatory Class I area is reasonably attributable shall apply BART as new technology becomes available for a contaminant if:

(a) The source emits more than 250 tons per year of the contaminant; and,

(b) The controls representing BART have not previously been required in this section.

(4) **Appeal.** Any source owner or operator required by this section to install, operate, and maintain BART, may apply to the EPA Administrator for an exception from that requirement pursuant to 40 CFR 51.303.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-160 Use of Dispersion Techniques (renumbered 11/93 to 400-200)

[Original Board adoption 4/17/84 (Refer to WAC 403); Amended by Board and renumbered to 400-200 in 93-21-005 filed 10/7/93, effective 11/8/93]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-161 Compliance Schedules

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 10/29/69 (Regulation 2 Sec 5.08); Amended by Board 12/18/79 renumbered to 400-080; Amended by Board 4/17/84 deleted section; New section added 93-21-005 filed 10/7/93, effective 11/8/93]

(1) **Issuance.** Whenever a source is found to be in violation of an emission standard or other provision of this regulation the ((Authority)) Agency may issue a regulatory order requiring that the source be brought into compliance within a specified time. The order shall contain a schedule for installation of emission control technology, with intermediate benchmark dates and a final completion date, and shall constitute a compliance schedule. Requirements for public involvement ((SWAPCA)) SWCAA 400-171) must be met.

(2) **Federal action.** A source shall be considered to be in compliance with this regulation if all the provisions of its individual compliance schedule included with a regulatory order are being met. Such compliance does not preclude federal enforcement action by the EPA until and unless the schedule is submitted and adopted as an amendment to the State Implementation Plan.

(3) **Penalties for delayed compliance.** Sources on a compliance schedule but not meeting emissions standards may be subject to penalties as provided in the Federal Clean Air Act.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-170 Requirements for Board and Director (renumbered on 11/93 to 400-220)

[Original Board adoption 12/18/79; Amended by Board 12/18/79 renumbered to 400-190; Amended by Board 11/93 deleted section renumbered to 400-220, 93-21-005 filed 10/7/93, effective 11/8/93]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-171 Public Involvement

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

(1) **Applicability.** The ((Authority)) Agency shall provide public notice for a preliminary determination of a regulatory order prior to issuance of the final approval or denial of any of the following types of applications or other actions:

(a) Notice of Construction application for any new or modified source or emissions unit that results in a significant increase in emissions (actual or potential to emit) of any pollutant regulated by state or federal law (significant as defined in ((SWAPCA)) SWCAA 400-030). Furthermore, public notice for each regulatory order for a non-significant increase may be provided at the discretion of the Control Officer; or

(b) Any application or other proposed action for which a public hearing is required by PSD rules; or

(c) Any order to determine RACT; or

(d) Any order to establish a compliance schedule or a variance. A variance shall be handled as provided in SWCAA 400-180; or

(e) The establishment, disestablishment or redesignation of a nonattainment area, or the changing of the boundaries thereof; or

(f) Any order to demonstrate the creditable height of a stack which exceeds the GEP formula height and sixty-five meters, by means of a fluid model or a field study, for the purposes of establishing an emission limitation; or

(g) Any order to authorize a bubble; or

(h) Issuance of an Order of Discontinuance as provided in SWCAA 400-230(1)(g); or

((h))i) An order issued under ((SWAPCA)) SWCAA 400-091 which establishes limitations on a source's potential to emit for the purpose of opting out of the Title V Air Operating Permit program (WAC 173-401); or

((i))j) Any Notice of Construction application or other proposed action made pursuant to this regulation in which there is a substantial public interest according to the discretion of the Control Officer;
except:

((j))k) Any Notice of Construction application or other proposed action which results in a reduction of emissions from a previously established emission limit in an order issued by the ((Authority)) Agency that has previously been subjected to public notice, or other permitting authority, may not require public notice in accordance with this section. This exemption does not apply to those sources opting out of the Title V Air Operating Permit program (WAC 173-401).

((k))l) Any Notice of Construction application or other proposed action ((which)) that does not result in a net emissions increase (actual or potential to emit) unless otherwise required by the ((Authority)) Agency.

((l))m) Public notice for a preliminary determination of a regulatory order may run concurrently with immediate approval to operate provided that a corporate officer of the source submits an affidavit that they understand the liability associated with the action and agree to implement any necessary changes that would have otherwise resulted from the public comment process.

(2) **Public notice.** Public notice shall be made only after all information required by the ((Authority)) Agency has been submitted and after applicable preliminary determinations, if any, have been made. Public notice shall include:

(a) Availability for public inspection in at least one location near the proposed project, of the nonproprietary information submitted by the applicant and of any applicable preliminary determinations, including analyses of the effect(s) on air quality.

(b) Publication in a newspaper of general circulation in the area of the proposed project of notice:

(i) Giving a brief description of the proposal;

(ii) Advising of the location of the documents made available for public inspection;

(iii) Advising of a thirty-day period for submitting written comment to the ((Authority)) Agency;

(iv) Advising that a public hearing may be held if the ((Authority)) Agency determines within a thirty-day period that significant public interest exists.

(c) A copy of the notice shall be sent to the EPA Regional Administrator.

(d) Public participation procedures for Notice of Construction applications that are processed in coordination with an application to issue or modify a Title V Air Operating Permit shall be conducted as provided in WAC 173-401.

(3) **Public comment.** No final decision on any application or action of any of the types described in subsection (1) of this section, shall be made until the public comment period has ended and any comments received have been considered. Unless a public hearing is held, the public comment period shall be the thirty-day period for written comment published as provided above. If a public hearing is held, the public comment period shall extend through the hearing date and thereafter for such period, if any, as the notice of public hearing may specify.

(4) **Public hearings.** The applicant, any interested governmental entity, any group or any person may request a public hearing within the thirty-day period published as above. Any such request shall indicate the interest of the entity filing it and why a hearing is warranted. The ((Authority)) Agency may, at the discretion of the Control Officer, hold a public hearing if it determines significant public interest exists. Any such hearing(s) shall be held upon such notice and at a time(s) and place(s) as the ((Authority)) Agency deems reasonable.

(5) **Other requirements of law.** Whenever procedures permitted or mandated by law will accomplish the objectives of public notice and opportunity for comment, such procedures may be used in lieu of the provisions of this section.

(6) **Public information.** Copies of Notices of Construction, regulatory orders, and modifications thereof which are issued hereunder shall be available for public inspection on request at the ((Authority)) Agency.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-172 Technical Advisory Council

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.240 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 2.06); Amended by Board

12/18/79 recodified and removed; Amended by Board new section 93-21-005 filed 10/7/93, effective 11/8/93]

(1) **Purpose.** To provide input to the Board of Directors regarding technical and practical aspects of present and proposed regulations. To provide a cross section of knowledge of air quality problems and methods of reducing air pollution in the Southwest ~~Clean Air Pollution Control~~ ((Authority)) Agency's jurisdiction.

(2) **Objectives.** Review regulations and make recommendations to conform with the federal and state requirements and SIP.

(a) Study changes of the federal and state clean air acts. Draft and make recommendations for necessary revisions to ((SWAPCA)) SWCAA regulations. Provide technical support for those recommendations.

(b) Participate, as requested by the Board of Directors, in SIP revisions required by the FCAA as the revisions affect the region.

(3) **Committee.** The committee shall consist of at least seven members. These members shall represent, with technical interest, the public at large and the legal profession, with at least two members being representatives of industry. Each member shall retain the right to vote.

(4) **Chair.** The Chair of the Board of Directors shall serve as the ex officio member and Chair of the Technical Advisory Council. The Technical Advisory Council may adopt rules of procedure and shall meet on call subject to timely notice. The Technical Advisory Council shall elect a Vice Chair from the Council who shall retain the right to vote.

(5) **Term of Office.** Members may be appointed for a three year term ending June 30 of the third year of said term. No member shall serve for more than two consecutive three year terms.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-180 Variance

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.181 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 2.07); Amended by Board 12/18/79; Amended by Board 4/17/84; Repealed and renumbered to 400-180 93-21-005 filed 10/7/93, effective 11/8/93, previous 400-180 (Maintenance of Pay was deleted; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99)]

Any person who owns or is in control of a plant, building, structure, establishment, process, or equipment may apply to the ((Authority)) Agency for a variance from provisions of ((SWAPCA)) SWCAA regulations governing the quality, nature, duration, or extent of discharges of air contaminants in accordance with the provisions of RCW 70.94.181.

(1) **Jurisdiction.** Sources in any area over which the ((Authority)) Agency has jurisdiction shall make application to the ((Authority)) Agency. Variances to State rules shall

require approval of Ecology prior to being issued by the ((Authority)) Agency. The Board of Directors may grant a variance only after public involvement per ((SWAPCA)) SWCAA 400-171.

(2) **Full faith and credit.** Variances granted in compliance with state and federal laws by the ((Authority)) Agency for sources under its jurisdiction shall be accepted as variances to this regulation.

(3) **EPA concurrence.** No variance or renewal shall be construed to set aside or delay any requirements of the Federal Clean Air Act except with the approval and written concurrence of the USEPA.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-190 Requirements for Nonattainment Areas

[Statutory Authority: Chapter 70.94.141 RCW. Original Board Adoption 93-21-005 filed 10/7/93, effective 11/8/93]

The development of specific requirements for nonattainment areas shall include consultation with local government in the area and shall include public involvement per ((SWAPCA)) SWCAA 400-171. Requirements for new or modified sources in nonattainment areas are found in ((SWAPCA)) SWCAA 400-110 and ((SWAPCA)) SWCAA 400-112.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-200 Creditable Stack Height and Dispersion Techniques

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption 400-160 4/17/84 (Refer to WAC 403); Amended by Board 92-04-030 filed 1/28/92; Amended by Board and renumbered to 400-200 in 93-21-005 filed 10/7/93, effective 11/8/93, original 400-200 was renumbered to 400-230; 95-17-084 filed 8/21/95, effective 9/21/95]

(1) **Applicability.** These provisions shall apply to all sources except:

(a) Stacks for which construction had commenced on or before December 31, 1970, except where pollutants are being emitted from such stacks used by sources which were constructed, or reconstructed, or for which major modifications were carried out after December 31, 1970;

(b) Coal-fired steam electric generating units subject to the provisions of Section 118 of the Federal Clean Air Act, which commenced operation before July 1, 1957, and for whose stacks construction commenced before February 8, 1974;

(c) Flares;

(d) Open or outdoor burning for agricultural or silvicultural purposes as covered under the Smoke Management Plan;

(e) Residential wood combustion and open or outdoor burning for which episodic restrictions apply.

These provisions shall not be construed to limit the actual stack height.

(2) **Prohibitions.** No source may use dispersion techniques or excess stack height to meet ambient air quality standards or PSD increment limitations.

(a) **Excess stack height.** Excess stack height is that portion of a stack ((which)) that exceeds the greater of:

(i) Sixty-five meters (213.25 feet), measured from the ground level elevation at the base of the stack; or

(ii) $H_g = H + 1.5L$ where:

H_g = "good engineering practice" (GEP) stack height, measured from the ground level elevation at the base of the stack,

H = height of nearby structure(s) measured from the ground level elevation at the base of the stack,

L = lesser dimension, height or projected width, of nearby structure(s), subject to the provisions below.

"Nearby," as used in this subsection for purposes of applying the GEP formula means that distance up to five times the lesser of the height or the width dimension of a structure, but not greater than 0.8 kilometer (1/2 mile).

(b) **Dispersion techniques.** Increasing final exhaust gas plume rise by manipulating source process parameters, exhaust gas parameters, stack parameters, or combining exhaust gases from several existing stacks into one stack; or other selective handling of exhaust gas streams so as to increase the exhaust gas plume rise. This does not include:

(i) The reheating of a gas stream, following the use of a pollution control system, for the purpose of returning the gas to the temperature at which it was originally discharged from the facility generating the gas stream;

(ii) The merging of gas streams where:

(A) The source was originally designed and constructed with such merged gas streams, as demonstrated by the source owner(s) or operator(s).

(B) Such merging is part of a change in operation at the facility that includes the installation of pollution controls and is accompanied by a net reduction in the allowable emissions of a pollutant. This exclusion shall apply only to the emission limitation for the pollutant affected by such change in operation.

(C) Before July 8, 1985, such merging was part of a change in operation at the facility that included the installation of emissions control equipment or was carried out for sound economic or engineering reasons, and not primarily motivated by an intent to gain emissions credit for greater dispersion.

(3) **Exception.** The ((Authority)) Agency may require the use of a field study or fluid model to verify the creditable stack height for the source. This also applies to a source seeking credit after the effective date of this rule for an increase in existing stack height up to that established by the GEP formula. A fluid model or field study shall be performed according to the procedures described in the *EPA Guideline for Determination of Good Engineering Practice Height* (Technical Support Document of the Stack Height Regulations). The creditable height demonstrated by a fluid

model or field study shall ensure that the emissions from a stack do not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created by the source itself, nearby structures or nearby terrain features.

(a) "Nearby," as used in this subsection for conducting a field study or fluid model, means not greater than 0.8 km, except that the portion of a terrain feature may be considered to be nearby which falls within a distance of up to ten times the maximum height of the feature, not to exceed two miles if such feature achieves a height 0.8 km from the stack that is at least forty percent of the GEP stack height or twenty-six meters, whichever is greater, as measured from the ground-level elevation at the base of the stack. The height of the structure or terrain feature is measured from the ground-level elevation at the base of the stack.

(b) "Excessive concentration" is defined for the purpose of determining creditable stack height under this subsection and means a maximum ground-level concentration owing to a significant downwash effect which contributes to excursion over an ambient air quality standard. For sources subject to PSD review (WAC 173-400-141 and 40 CFR 52.21) an excessive concentration alternatively means a maximum ground-level concentration owing to a significant downwash effect (~~(which)~~) that contributes to excursion over a PSD increment. The emission rate used in this demonstration shall be the emission rate specified in the State Implementation Plan, or in the absence of such, the actual emission rate of the source. "Significant downwash effect" means a maximum ground-level concentration due to emissions from a stack due in whole or in part to downwash, wakes, and eddy effects produced by nearby structures or nearby terrain features which individually is at least forty percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

~~((SWAPCA))~~ **SWCAA 400-205 Adjustment for Atmospheric Conditions**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93]

Varying the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant is prohibited, except as directed according to air pollution episode regulations as specified at ~~((SWAPCA))~~ **SWCAA 400-230(5)**.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

~~((SWAPCA))~~ **SWCAA 400-210 Emission Requirements of Prior Jurisdictions**

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.331 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93, previous 400-210 (Criminal Penalties) was renumbered to 400-240]

Any emissions unit that was under the jurisdiction of the ~~((Authority))~~ **Agency** and now is under the jurisdiction of Ecology, shall meet all emission requirements that were applicable prior to transfer of jurisdiction if those standards are more stringent than the standards of this regulation or the specific regulation relating to that source.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

~~((SWAPCA))~~ **SWCAA 400-220 Requirements for Board Members**

[Statutory Authority: Chapter 70.94.100 RCW, and 70.94.141 RCW. Original Board adoption as 400-170 12/18/79; Amended by Board 4/17/84 renumbered to 400-190; Amended by Board deleted section and renumbered to 400-220 in 93-21-005 filed 10/7/93, effective 11/8/93]

(1) **Public interest.** A majority of the members of the ~~((Authority))~~ **Agency's** Board of Directors shall represent the public interest. A majority of the members of the Board shall not derive any significant portion of their income from persons subject to enforcement orders pursuant to the State and Federal Clean Air Acts. An elected public official and the Board shall be presumed to represent the public interest. In the event that a member derives a significant portion of his/her income from persons subject to enforcement orders, he/she shall delegate sole responsibility for administration of any part of the program (~~(which)~~) that involves these persons to an assistant.

(2) **Disclosure.** Each member of the ~~((Authority))~~ **Agency's** Board of Directors shall adequately disclose any potential conflict of interest in any matter prior to any action or consideration thereon, and the member shall remove themselves from participation as a Board member in any action or voting on such matter.

(3) **Define significant income.** For the purposes of this section, "significant portion of income" shall mean twenty percent of gross personal income for a calendar year. In the case of a retired person, "significant portion of income" shall mean fifty percent of income in the form of pension or retirement benefits from a single source other than Social Security. Income derived from employment with local or state government shall not be considered in the determination of "significant portion of income".

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

~~((SWAPCA))~~ **SWCAA 400-230 Regulatory Actions & Civil Penalties**

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.211 RCW, 70.94.332 RCW, 70.94.425 RCW, 70.94.431, and 70.94.435 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 2 & 3); Amended by Board renumbered to 400-130 12/18/79; Amended by Board renumbered to 400-200 4/17/84;

PROPOSED

Amended by Board 12/16/86; Amended by Board 1/21/92, 92-04-030 filed 1/28/92; 93-21-005 filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

(1) The ((Authority)) Agency shall have the power to issue such orders as necessary to effectuate the purpose of RCW 70.94 as provided in, including but not limited to: RCW 70.94.141, RCW 70.94.152, RCW 70.94.153, and RCW 70.94.332. The ((Authority)) Agency may issue orders for establishing limits and controls for sources of emissions to the ambient air or otherwise controlling activities that may violate any ambient air quality regulations, including but not limited to the following:

(a) **Order of Approval.** An Order of Approval may be issued by the ((Authority)) Agency to provide approval for a Notice of Construction application. An Order of Approval shall contain the following, as appropriate: reference to applicable regulations, emissions limitations, control and process equipment operating conditions and limits, testing requirements, monitoring and reporting requirements, and other conditions considered necessary by the ((Authority)) Agency. An Order of Approval which constitutes the final determination of the ((Authority)) Agency, shall be issued within sixty (60) calendar days of a complete application or for those projects subject to public notice, as promptly as possible after the 30 calendar day public notice requirements have been satisfied. An Order of Approval may not identify all applicable regulations. All Orders of Approval may be subject to the public notice and comment procedures set forth in ((SWAPCA)) SWCAA 400-171 (2), (3), and (4).

(b) **Order of Denial.** An Order of Denial may be issued by the ((Authority)) Agency in response to a Notice of Construction application that is incomplete, not feasible, proposes inadequate control technology, or otherwise would result in violation of any ambient air quality regulation, control technology requirement, or emission standards in the area in which the equipment would be located and operated. All Orders of Denial shall be subject to the public notice and comment procedures set forth in ((SWAPCA)) SWCAA 400-171 (2), (3), and (4).

(c) **Order of Violation.** An Order of Violation may be issued by the ((Authority)) Agency to document specific regulation(s) alleged to be violated and establish the facts surrounding a violation. An Order of Violation may be prepared by the ((Authority)) Agency only after formal written notice has been served on the source as provided in (2) below. The Order of Violation shall not be subject to the public notice and comment period set forth in ((SWAPCA)) SWCAA 400-171.

(d) **Order of Prevention.** An Order of Prevention may be issued by the ((Authority)) Agency to a source to prevent installation or construction of an emission unit, performance of an activity, or actions that may otherwise endanger public health that are on site, in the process of being installed, or have been installed, constructed or operated without prior ((Authority)) Agency review and approval or actions are being conducted in addition to a previous ((Authority)) Agency approval without prior approval. An Order of Prevention shall not be subject to the public notice and comment period set forth in ((SWAPCA)) SWCAA 400-171.

(e) **Consent Order.** A Consent Order may be issued by the ((Authority)) Agency to establish emission limits, operation and maintenance limits or controls, monitoring or reporting requirements, testing requirements, or other limits or controls as necessary that are determined by the ((Authority)) Agency to be necessary. Actions identified in a Consent Order may be necessary to demonstrate compliance with applicable regulations, provide measures whereby a source may take the necessary steps to achieve compliance, establish a schedule for activities, or provide other information that the Control Officer deems appropriate. The Consent Order shall be agreed to and signed by an appropriate officer of the company or source for which the Consent Order is prepared and the Control Officer, or designee, of the ((Authority)) Agency. Installation, construction, modification or operation of a source shall be subject to the New Source Review requirements of ((SWAPCA)) SWCAA 400-110. A Consent Order shall not be subject to the public notice and comment period set forth in ((SWAPCA)) SWCAA 400-171 at the discretion of the Control Officer.

(f) **Compliance Schedule Order.** A Compliance Schedule Order may be issued by the ((Authority)) Agency to a source to identify specific actions that must be implemented to establish, maintain, and/or demonstrate compliance with applicable regulations and identify the schedule by which these actions must be completed. All Compliance Schedule Orders shall be subject to the public notice and comment period set forth in SWAPCA 400-171 (2), (3), and (4). Refer to ((SWAPCA)) SWCAA 400-161 for further guidance.

(g) **Order of Discontinuance.** The ((Authority)) Agency may issue an Order of Discontinuance for any source that has discontinued operations and/or has not maintained their source registration for emission units. (Refer to ((SWAPCA)) SWCAA 400-100 (2)(d)). An Order of Discontinuance may also be issued to a source that continues to operate in violation of applicable regulations and requirements. Such issuance may require that the source cease operations that result in emissions to the ambient air that are in violation of applicable regulatory orders, requirements and regulations.

(i) Any source that fails to maintain registration fees (i.e., payment of registration fees by June 30 of each year), may be issued an Order of Discontinuance. The Order of Discontinuance shall identify the source location and emission units and identify the most current registration activity.

(ii) The Order of Discontinuance shall provide for discontinuance of operations at that source or facility and all previous authorizations, orders, agreements or stipulations shall be superseded, directly or indirectly, by the Order of Discontinuance without specific identification in the Order of Discontinuance.

(iii) The Order of Discontinuance shall be subject to the public notice and comment procedures set forth in ((SWAPCA)) SWCAA 400-171 (2), (3), and (4).

(iv) For sources that have ceased doing business in ((SWAPCA)) SWCAA jurisdiction, or the state of Washington, the ((Authority)) Agency shall make a reasonable effort to establish contact with the source. If the ((Authority)) Agency is unable to establish contact with the source, the

((Authority)) Agency shall issue an Order of Discontinuance via certified mail, return receipt requested, to the last known address. Lack of response by the source or return of the notification by the US Postal Service shall be considered de facto evidence that the source has discontinued operations.

(v) The source shall have 30 calendar days from the date of the final regulatory order after public notice in which to pay past due and current registration fees. If the source fails to pay current registration fees, the source or facility shall be considered discontinued and shall be required to submit a Notice of Construction application under the New Source Review procedures of ((SWAPCA)) SWCAA 400-110 prior to resuming or restarting operations.

(vi) Facilities that terminate operations and discontinue paying registration fees, and are later sold with the intent of restart, in whole or in part, shall be subject to the New Source Review requirements of ((SWAPCA)) SWCAA 400-110.

(vii) Sources that continue to operate in violation of established regulatory orders and regulations, the ((Authority)) Agency may issue an Order of Discontinuance that is effective immediately.

(h) **Corrective Action Order.** The ((Authority)) Agency may issue a Corrective Action Order to any source within its jurisdiction, including an unregistered source, to provide measures to correct or rectify a situation that has immediate or eminent threat to person(s) or the public or that may be in violation or have the potential of being in violation of federal, state and local regulations or may pose a threat to the public health, welfare or enjoyment of personal or public property. The Corrective Action Order may specify specific actions that must be implemented to demonstrate compliance with applicable regulations and identify dates by which these actions must be completed. All actions and dates identified in the Corrective Action Order shall be fully enforceable. Corrective Action Orders shall be issued to correct immediate problems. Corrective Action Orders shall not be subject to the public notice and comment period set forth in ((SWAPCA)) SWCAA 400-171.

(i) **Administrative Order.** An Administrative Order may be issued to a source by the ((Authority)) Agency to provide for implementation of items not addressed above, that are identified by the Control Officer. An Administrative Order may contain emission limits, operating and maintenance limitations and actions, schedules, resolutions by the Board of Directors, provide for establishing attainment or nonattainment boundaries, establish working relationships with other regulatory agencies, establish authority for enforcement of identified actions, and other activities identified by the ((Authority)) Agency. All Administrative Orders shall be subject to the public notice and comment procedures set forth in ((SWAPCA)) SWCAA 400-171 (2), (3), and (4).

(j) **Resolutions.** A Resolution may be issued by the ((Authority)) Agency as a means to document or record a Board of Directors decision, authorize or approve budget transactions, establish policies, or other actions as determined by the ((Authority)) Agency. Resolutions shall not be subject to the public notice and comment procedures set forth in ((SWAPCA)) SWCAA 400-171.

(2) The ((Authority)) Agency may take any of the following regulatory actions to enforce its regulations to meet the provisions of RCW 43.21B.300 which is incorporated herein by reference.

(a) **Enforcement Actions by the ((Authority)) Agency—Notice of Violation.** At least thirty days prior to the commencement of any formal enforcement action under RCW 70.94.430 and 70.94.431, the ((Authority)) Agency shall cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this regulation, or the rule, regulation, regulatory order or permit requirement alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the ((Authority)) Agency may require that the alleged violator or violators appear before it for the purpose of providing the ((Authority)) Agency information pertaining to the violation or the charges complained of. Every Notice of Violation shall offer to the alleged violator an opportunity to meet with the ((Authority)) Agency prior to the commencement of enforcement action. Enforcement action may be commenced by the ((Authority)) Agency by issuance of a regulatory order as provided in ((SWAPCA)) SWCAA 400-230(1).

(b) **Civil Penalties.**

(i) In addition to or as an alternate to any other penalty provided by law, any person (e.g. owner, owner's agent, contractor, operator) who violates any of the provisions of Chapter 70.94 or 70.120 RCW, or any of the rules in force under such chapters may incur a civil penalty in an amount as set forth in RCW 70.94.431. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation. Any person who fails to take action as specified by an order issued pursuant to this regulation shall be liable for a civil penalty as set forth by RCW 70.94.431 for each day of continued noncompliance.

(ii) Penalties incurred but not paid shall accrue interest, beginning on the ninety-first day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the thirty-first day following final resolution of the appeal. The maximum penalty amounts established in RCW 70.94.431 may be increased annually to account for inflation as determined by the State Office of the Economic and Revenue Forecast Council.

(iii) Each act of commission or omission ((which)) that procures, aids, or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. The penalties provided in this section shall be imposed pursuant to RCW 43.21B.300. Section 113(e)(2) of the 1990 Clean Air Act Amendments provides that the number of "days of violation" is to be counted beginning on the first proven day of violation and continuing every day until the violator demonstrates that it achieved continuous compliance, unless the violator can prove by preponderance of the evidence that there were intervening days on which no

violation occurred. This definition applies to all civil and administrative penalties.

(iv) All penalties recovered under this section by the ((Authority)) Agency, shall be paid into the treasury of the ((Authority)) Agency and credited to its funds.

(v) To secure the penalty incurred under this section, the ((Authority)) Agency shall have a lien on any equipment used or operated in violation of its regulations which shall be enforced as provided in RCW 60.36.050. The ((Authority)) Agency shall also be authorized to utilize a collection agency for nonpayment of penalties and fees.

(vi) In addition to other penalties provided by this regulation, persons knowingly under-reporting emissions or other information used to set fees, or persons required to pay emission or permit fees who are more than ninety days late with such payments may be subject to a penalty equal to three times the amount of the original fee owed.

(3) **Assurance of Discontinuance.** The Control Officer may accept an assurance of discontinuance as provided in RCW 70.94.435 of any act or practice deemed in violation of this regulation as written and certified to by the source. Any such assurance shall specify a time limit during which discontinuance or corrective action is to be accomplished. Failure to perform the terms of any such assurance shall constitute prima facie proof of a violation of its regulations or any order issued thereunder which make the alleged act or practice unlawful for the purpose of securing an injunction or other relief from the Superior Court.

(4) **Restraining Orders & Injunctions.** Whenever any person has engaged in, or is about to engage in, any acts or practices which constitute or will constitute a violation of any provision of its regulations, the Control Officer, after notice to such person and an opportunity to comply, may petition the superior court of the county wherein the violation is alleged to be occurring or to have occurred for a restraining order or a temporary or permanent injunction or another appropriate order.

(5) **Emergency Episodes.** The ((Authority)) Agency may issue such orders as authorized by ((SWAPCA)) SWCAA 435 via Chapter 70.94 RCW, whenever an air pollution episode forecast is declared.

(6) **Compliance Orders.** The ((Authority)) Agency may issue a compliance order in conjunction with a Notice of Violation or when the Control Officer has reason to believe a regulation is being violated, or may be violated. The order shall require the recipient of the Notice of Violation either to take necessary corrective action or to submit a plan for corrective action and a date when such action will be initiated and completed.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-240 Criminal Penalties

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.430 RCW. Original Board adoption 12/17/68 (Regulation 1 Sec 2.09); Amended by Board 10/29/69 (Regulation 2 Sec 2.03); Amended by Board and renumbered to 400-135 12/18/79; Amended by Board renumber to 400-210 4/17/84;

Amended by Board 1/21/92, 92-04-030 filed 1/28/92; 93-21-005 filed 10/7/93, effective 11/8/93]

Persons in violation of the ((Authority)) Agency's regulations or Title 173 WAC may be subject to the provisions of RCW 70.94.430.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-250 Appeals

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.221 RCW. Original Board adoption 12/18/79 as 400-140; Amended by Board renumbered to 400-220 4/17/84; renumbered to 400-250 93-21-005, filed 10/7/93, effective 11/8/93; 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

(1) Any decision or regulatory order issued by the ((Authority)) Agency may be appealed to the Board of Directors as provided herein or appealed directly to the Pollution Control Hearings Board as provided by RCW 43.21B and WAC 371-08. In addition, Orders of Approval and permits issued in accordance with the PSD program may be appealed to the EPA Environmental Appeals Board, to the extent authorized in 40 CFR 124. If appealed to the Board of Directors, the procedure shall be as follows:

(a) The decision, Notice of Violation, or Order issued by the Control Officer shall become final unless, not later than 15 calendar days after the date the Order is served upon the owner or applicant, the owner or applicant petitions the Control Officer for reconsideration, with reasons for the reconsideration. If the Control Officer refuses to reconsider, the Control Officer shall so notify the owner or applicant in writing, giving reasons for the decision. Such ruling on the petition shall become final unless not later than 15 calendar days after such notice of refusal is served, the owner or applicant appeals to the Board setting forth the reasons for the appeal.

(b) The Control Officer may reverse or modify the Order and issue such an Order in replacement thereof as deemed proper. Such Order also may be appealed to the Board of Directors as in (a) above.

(c) Any failure of the Control Officer to act upon a petition for reconsideration 15 calendar days after the petition is delivered to the ((Authority)) Agency, shall be considered as a refusal to reconsider.

(d) In lieu of a petition for reconsideration, the owner or applicant may appeal directly to the Board of Directors within the time specified in (a) above.

(2) The Board shall promptly hear and consider all appeals after providing reasonable notice to the appellant. The Board shall, within 30 calendar days of the hearing sustain, reverse or modify the Order of the Control Officer as it deems proper. Such ruling of the Board shall be communicated to the appellant in writing and the appellant if aggrieved, may appeal de novo to the Pollution Control Hearings Board as provided in RCW 43.21B.230 and WAC 371-08.

(3) It is the intent of the Board in establishing this regulation concerning appeals to provide for a method of resolving issues at the ((Authority)) Agency level. Consequently,

Decisions and Orders of the Control Officer on compliance, new source review, or any other matter regulated herein except violations shall not be considered as commencing any appeal period for appeals to the Pollution Control Hearings Board. Such appeal period shall commence only when the final Order is issued by the Board of Directors and served upon the person aggrieved as provided in RCW 43.21B.120.

(4) Nothing contained herein shall be construed as denying the exclusive jurisdiction of the Pollution Control Hearings Board on violations as provided by RCW 43.21B.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-21-005, filed 10/7/93, effective 11/8/93)

((SWAPCA)) SWCAA 400-260 Conflict of Interest

[Statutory Authority: Chapter 70.94.100 RCW, and 70.94.141 RCW. Original Board adoption 93-21-005 filed 10/7/93, effective 11/8/93]

All board members and officials acting or voting on decisions affecting air pollution sources, must comply with the Federal Clean Air Act, as it pertains to conflict of interest, and 40 CFR 103(d) which is incorporated by reference.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 95-17-084, filed 8/21/95, effective 9/21/95)

((SWAPCA)) SWCAA 400-270 Confidentiality of Records and Information

[Statutory Authority: Chapter 70.94.141 RCW, and 70.94.205 RCW. Original Board adoption 10/29/69 (Regulation 2 Sec 2.05); Amended by Board 12/18/79 recodified and removed; new section 95-17-084 filed 8/21/95, effective 9/21/95]

(1) The owner or operator (or person submitting the information) is responsible for clearly identifying the information that is considered proprietary and confidential prior to submittal to the ((Authority)) Agency. Information submitted to the ((Authority)) Agency that has not been identified as confidential at the time of submittal may not be classified as confidential at a later date.

(2) Confidential information submitted to the ((Authority)) Agency by an owner or operator shall be stamped or clearly marked in red ink at the time of submittal. Such information considered to be confidential or proprietary by the owner or operator will be handled as such, and will be maintained by the ((Authority)) Agency, to the extent that release of such information may provide unfair economic advantage or compromise processes, products, or formulations to competitors as provided under RCW 70.94.205. Requests for such information under the Freedom of Information Act shall be released only after:

(a) Legal opinion by the ((Authority)) Agency's legal counsel, and

(b) Notice to the source of the intent to either release or deny the release of information.

(3) Records or other information, other than ambient air quality data or emission data, furnished to or obtained by the

((Authority)) Agency, related to processes or production unique to the owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the ((Authority)) Agency as provided in RCW 70.94.205, Title 18 USC 1905, Section 114 of the 1990 Federal Clean Air Act Amendments, and 40 CFR 2 "Public Information".

(4) Emissions data furnished to or obtained by the ((Authority)) Agency shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at the office of the ((Authority)) Agency.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

((SWAPCA)) SWCAA 400-280 Powers of ((Authority)) Agency

[Statutory Authority: Chapter 70.94.141 RCW. 95-17-084 filed 8/21/95, effective 9/21/95; 99-07-029 filed 3/10/99, effective 4/11/99]

In addition to any other powers vested in the ((Authority)) Agency, consistent with RCW 70.94.141, the ((Authority)) Agency shall have the power to:

(1) Adopt, amend, and repeal its own rules and regulations, implementing RCW 70.94 and consistent with it, after consideration at a public hearing held in accordance with RCW 42.30. Rules and regulations shall also be adopted in accordance with the notice and adoption procedures set forth in RCW 34.05.320, those provisions of RCW 34.05.325 that are not in conflict with RCW 42.30, and with the procedures of RCW 34.05.340, 34.05.355 through 34.05.380, and with RCW 34.08, except that rules shall not be published in the Washington Administrative Code. Judicial review of rules adopted by the ((Authority)) Agency shall be in accordance with Part V of RCW 34.05.

(2) Hold hearings relating to any aspect of or matter in the administration of RCW 70.94 not prohibited by the provisions of Chapter 62, Laws of 1970 ex. sess. and in connection therewith issue subpoenas to compel the attendance of witnesses and the production of evidence, administer oaths and take the testimony of any person under oath.

(3) Issue such orders as may be necessary to effectuate RCW 70.94 and enforce the same by all appropriate administrative and judicial proceedings subject to the rights of appeal as provided in Chapter 62, Laws of 1970 ex. sess.

(4) Require access to records, books, files and other information specific to the control, recovery or release of air contaminants into the atmosphere.

(5) Secure necessary scientific, technical, administrative and operational services, including laboratory facilities, by contract, or otherwise.

(6) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution within the jurisdiction of the ((Authority)) Agency.

(7) Encourage voluntary cooperation by persons or affected groups to achieve the purposes of RCW 70.94.

(8) Encourage and conduct studies, investigations and research relating to air pollution and its causes, effects, prevention, abatement and control.

(9) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(10) Advise, consult, cooperate and contract with agencies and departments and the educational institutions of the state, other political subdivisions, industries, other states, interstate or interlocal agencies, and the United States government, and with interested persons or groups.

(11) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system, concerning the efficacy of such device or system, or the air pollution problems which may be related to the source, device or system. Nothing in any such consultation shall be construed to relieve any person from compliance with RCW 70.94, ordinances, resolutions, rules and regulations in force pursuant thereto, or any other provision of law.

(12) Accept, receive, disburse and administer grants or other funds or gifts from any source, including public and private agencies and the United States government for the purpose of carrying out any of the functions of RCW 70.94.

except:

(13) ~~((SWAPCA))~~ SWCAA may not hold adjudicative proceedings pursuant to the Administrative Procedures Act (RCW 34.05). Such hearings shall be held by the Pollution Control Hearings Board as provided at RCW 43.21B.240.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION

~~((SWAPCA))~~ SWCAA 400-290 Severability

[Statutory Authority: Chapter 70.94.141 RCW, and RCW 43.21B.001 notes. Original Board adoption 12/17/68 (Regulation 1 Sec 2.08); Amended by Board 10/29/69 (Regulation 2 Sec 2.02); Amended by Board 12/18/79 renumbered to 400-175; Amended by Board 4/17/84 removed section;]

The provisions of this regulation are severable. If any provision, meaning phrase, clause, subsection or section, or its application to any person or circumstance is held to be invalid by any court of competent jurisdiction, the application of such provision to other circumstances and the remainder of the regulation to other persons or circumstances will not be affected.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 99-07-029, filed 3/10/99, effective 4/11/99)

APPENDIX A

[Statutory Authority: Chapter 70.94.141 RCW. Original Board adoption - 99-07-029 filed 3/10/99, effective 4/11/99]

~~((SWAPCA))~~ SWCAA METHOD 9

VISUAL OPACITY DETERMINATION METHOD

1. Principle

The opacity of emissions from stationary sources is determined visually by a qualified observer.

2. Procedure

The observer must be certified in accordance with the provisions of Section 3 of 40 CFR Part 60, Appendix A, Method 9, as in effect on July 1, ~~((1998))~~ 2000.

2.1 Position

The observer shall stand at a distance sufficient to provide a clear view of the emissions with the sun oriented in the 140° sector to his/her back. Consistent with maintaining the above requirement, the observer shall, as much as possible, make his/her observations from a position such that his/her line of vision is approximately perpendicular to the plume direction, and when observing opacity of emissions from rectangular outlets (e.g., roof monitors, open baghouses, non-circular stacks), approximately perpendicular to the longer axis of the outlet. The observer's line of sight should not include more than one plume at a time when multiple stacks are involved, and in any case, the observer should make his/her observations with his/her line of sight perpendicular to the longer axis of such a set of multiple stacks (e.g., stub stacks on baghouses).

2.2 Field Records

The observer shall record the name of the plant, emission location, type of facility, observer's name and affiliation, a sketch of the observer's position relative to the source, and the date on a field data sheet. The time, estimated distance to the emission location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), and plume background are recorded on a field data sheet at the time opacity readings are initiated and completed.

2.3 Observations

Opacity observations shall be made at the point of greatest opacity in that portion of the plume where condensed water vapor is not present. The observer shall not look continuously at the plume, but instead shall observe the plume momentarily at 15-second intervals.

2.3.1 Attached Steam Plumes

When condensed water vapor is present within the plume as it emerges from the emission outlet, opacity observations shall be made beyond the point in the plume at which condensed water vapor is no longer visible. The observer shall record the approximate distance from the emission outlet to the point in the plume at which the observations are made.

PROPOSED

2.3.2 Detached Steam Plumes

When water vapor in the plume condenses and becomes visible at a distinct distance from the emission outlet, the opacity of emissions should be evaluated at the emission outlet prior to the condensation of water vapor and the formation of the steam plume.

2.4 Recording Observations

Opacity observations shall be recorded to the nearest 5 percent at 15-second intervals on a field data sheet. A minimum of 24 observations shall be recorded. Each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

2.5 Data Reduction

The number of observation at each opacity level shall be determined and recorded on the field data sheet. Opacity shall be determined by the highest 13 observations in any consecutive 60-minute period. The opacity standard or emissions limit is exceeded if there are more than 12 observations during any consecutive 60-minute period for which an opacity greater than the standard or emission limit is recorded. The opacity standard is a 1 hour standard (rolling 60 minutes). Only one violation of the standard per hour may be recorded meaning that a violation for any given consecutive 60-minute period may be recorded in substantially fewer than 60 minutes. No one-hour time sets shall overlap for purpose of determining a violation or violations. Data used to establish a violation in one consecutive 60-minute period can not be used to establish a violation in a second consecutive 60-minute period.

3. References

Federal Register, Vol. 36, No. 247, page 24895, December 23, 1971.

"Criteria for Smoke and Opacity Training School 1970 - 1971" Oregon-Washington Air quality Committee."

"Guidelines for Evaluation of Visible Emissions" EPA 340/1-75-007."

Notes: (1) The difference between the ((SWAPCA)) SWCAA Method 9 and WDOE Method 9 or WDOE Method 9A is the ((SWAPCA)) SWCAA method does not recommend that the observer make note of the ambient relative humidity, ambient temperature, the point in the plume that the observations were made, the estimated depth of the plume at the point of observation, and the color and condition of the plume. In addition, the SWAPCA method does not recommend that pictures be taken.

(2) The difference between the ((SWAPCA)) SWCAA Method 9 and EPA Method 9 is in the data reduction section. The ((SWAPCA)) SWCAA method establishes a three-minute period in any one-hour period where opacity can not exceed an opacity limit. For the ((SWAPCA)) SWCAA method, 13 readings in a 1-hour period or less, above the established opacity limit, no matter how much, constitutes a violation. The EPA method is an arithmetic average of any 24 consecutive readings at 15-second intervals. These values are averaged and this average value cannot exceed the established opacity limit.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 00-24-092
PROPOSED RULES
SOUTHWEST
CLEAN AIR AGENCY

[Filed December 5, 2000, 11:01 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-030.

Title of Rule: SWAPCA 476 Standards for Asbestos Control, Demolition and Renovation.

Purpose: This is an existing rule that establishes emission standards and controls for the safe handling and removal of asbestos material. This rule is substantially similar to the existing federal rules.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: RCW 70.94.141.

Summary: The changes proposed in this rule are administrative in nature. The rule is being revised to reflect a name change for the agency. No technical changes are proposed.

Reasons Supporting Proposal: The name of the agency was changed July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA).

Name of Agency Personnel Responsible for Drafting and Implementation: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058; and Enforcement: Robert D. Elliott, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058.

Name of Proponent: Southwest Clean Air Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an existing rule. Only administrative type changes are being proposed. There will be no effect on the public or regulated businesses as a result of these changes.

Proposal Changes the Following Existing Rules: Titles and rule numbers that include the agency name are being changed to reflect the name of the agency.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes proposed by SWCAA are consistent with federal and state rules already in effect. This agency is not subject to the small business economic impact provisions of chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking section 201, chapter 403, Laws of 1995.

Hearing Location: Office of SWCAA, 1308 N.E. 134th Street, Vancouver, WA 98685, on February 1, 2001, at 3:00 p.m.

PROPOSED

Assistance for Persons with Disabilities: Contact Mary Allen by January 26, 2001, TDD (360) 574-3058.

Submit Written Comments to: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA 98685, fax (360) 574-3058, by January 19, 2001.

Date of Intended Adoption: February 1, 2001.

December 4, 2000

Robert D. Elliott
Executive Director

((SWAPCA)) **SWCAA 476**

**STANDARDS FOR ASBESTOS
CONTROL, DEMOLITION, AND RENOVATION**

- 476-010 Purpose**
476-020 Applicability
476-030 Definitions
476-040 Asbestos Survey Requirements
476-050 Notification Requirements and Fees
476-060 Procedures for Asbestos Emission Control
476-070 Disposal of Asbestos-Containing Waste Material
476-080 Demolition By Intentional Burning
476-090 Severability

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) **SWCAA 476-010 Purpose**

[Statutory Authority: Chapter 70.94.141 RCW. WSR 93-16-008 filed 7/22/93, effective 8/22/93; 96-20-073 filed 9/30/96, effective 11/1/96]

The purpose of this regulation is to control asbestos emissions from the removal, encapsulation, salvage, disposal, or disturbance of asbestos-containing materials in order to protect public health.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) **SWCAA 476-020 Applicability**

[Statutory Authority: Chapter 70.94.141 RCW. WSR 93-16-008 filed 7/22/93, effective 8/22/93; 96-20-073 filed 9/30/96, effective 11/1/96]

This regulation shall apply to all demolition and renovation activities, removal of asbestos containing material, storage, transport, and disposal of asbestos containing materials and other specific activities as referenced in 40 CFR 61.140 et seq. (Subpart M).

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) **SWCAA 476-030 Definitions**

[Statutory Authority: Chapter 70.94.141 RCW. WSR 93-16-008 filed 7/22/93, effective 8/22/93; 96-20-073 filed 9/30/96, effective 11/1/96]

(1) "**Adequately wet**" means sufficiently mixed, saturated, penetrated, or coated with a fine mist of water or aqueous solution to prevent emissions.

(2) "**AHERA Building Inspector**" means a person who has successfully completed the training requirements for a building inspector established by the EPA Asbestos Model Accreditation Plan; Interim Final Rule (40 CFR 763, Appendix C to Subpart E, I.B.3) and whose certification is current. (Asbestos Hazard Emergency Response Act - AHERA)

(3) "**AHERA Project Designer**" means a person who has successfully completed the training requirements for an abatement project designer established by EPA regulations (40 CFR 763.90(g)) and whose certification is current.

(4) "**Asbestos**" means the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysotile (serpentine), crocidolite (riebeckite), or anthophyllite.

(5) "**Asbestos-Containing Material**" means any material containing at least one percent (1%) asbestos as determined by polarized light microscopy using the interim Method of the Determination of Asbestos in Bulk Samples contained in Appendix A of Subpart F in 40 CFR Part 763. This term does not include nonfriable asbestos-containing roofing materials, regardless of asbestos content, when the following conditions are met:

(a) The asbestos-containing roofing material is in good condition and is not peeling, cracking, or crumbling; and

(b) The binder is petroleum based, the asbestos fibers are suspended in that base, and individual fibers are still encapsulated; and

(c) The binder still exhibits enough plasticity to prevent the release of asbestos fibers in the process of removing it; and

(d) The building, vessel, or structure containing the asbestos-containing roofing material, will not be demolished by burning or mechanical renovation/demolition methods that may release asbestos fibers.

(6) "**Asbestos-Containing Waste Material**" means any waste that contains, or is contaminated with, asbestos-containing material. This term includes asbestos waste from control equipment, materials used to enclose the work area during an asbestos project, asbestos-containing material(s) collected for disposal, or asbestos-containing waste, debris, containers, bags, protective clothing, or HEPA filters. This term does not include samples of asbestos containing material taken for testing or enforcement actions.

(7) "**Asbestos Project**" means the construction, demolition, maintenance, repair, remodeling, or renovation of any public or private building(s), vessel, structure(s), or component(s) involving the demolition, removal, encapsulation, salvage, disposal, or disturbance of any asbestos-containing material. This term includes the removal and disposal of asbestos-containing waste material from manufacturing operations that combine asbestos-containing material with any other material(s) to produce a product and the removal and disposal of stored asbestos-containing material. It does not include the application of duct tape, rewettable glass cloth, canvas, cement, paint, or other nonasbestos materials to seal or fill exposed areas where asbestos fibers may be released.

Nor does this include routine maintenance and other non-abatement projects that may minimally disturb ACM.

(8) "**Asbestos Survey**" means an inspection using the procedures contained in 40 CFR 763.86, or an alternate method that has received prior approval from the ((**Authority**)) **Agency**, to determine whether materials or structures to be worked on, removed, remodeled, renovated or demolished, (including material on the outside of structures) contain asbestos.

(9) "**Authority**" or "**Agency**" means the Southwest **Clean Air** ((~~Pollution Control Authority~~)) **Agency** ((~~(SWAPCA)~~)) **SWCAA**.

(10) "**Certified Asbestos Worker/Supervisor**" means a person who is certified by the Washington State Department of Labor and Industries under WAC 296-65-010, 012, and 030 to undertake an asbestos project or, for federal employees working in a federal facility, trained in an equally effective program approved by the United States Environmental Protection Agency.

(11) "**Collected for Disposal**" means sealed in a leak-tight container while adequately wet.

(12) "**Competent Person**" means a person who is capable of identifying asbestos hazards and selecting the appropriate asbestos control strategy, has the authority to take prompt corrective measures to eliminate them, and has been trained and is currently certified in accordance with the standards established by the Washington State Department of Labor & Industries, the federal Occupational Safety & Health Administration, or the United States Environmental Protection Agency (whichever agency has jurisdiction).

(13) "**Component**" means any equipment, pipe, structural member, or other item covered with, coated with, or containing asbestos-containing material.

(14) "**Controlled Area**" means an area to which only certified asbestos workers, or other persons authorized by the Washington Industrial Safety and Health Act (WISHA), have access. For owner-occupied, single-family residence dwellings, the controlled area is the interior of the dwelling.

(15) "**Demolition**" means the wrecking, dismantling, removal of any load-supporting structural member on, or burning of, any building, vessel, structure, or portion thereof. For owner-occupied, single-family residence dwellings, a demolition means the wrecking, dismantling, or removal of any load bearing structural member by the use of heavy equipment (such as a backhoe) or the burning of the building thereby rendering as permanently uninhabitable, that portion of the building being demolished.

(16) "**Emergency Asbestos Project**" or "**Emergency Renovation Project**" means an unplanned asbestos project necessitated by a sudden and unexpected event that will imminently endanger human health and safety either through exposure to asbestos fibers or of vital utilities. Such events may include earthquakes, fire damage, non-routine failure or malfunction of equipment, or identification of additional asbestos-containing material discovered during an asbestos project.

(17) "**Encapsulant**" means a compound that creates a membrane over a surface (bridging encapsulant) or pene-

trates the material and binds its components together (penetrating encapsulant).

(18) "**Encapsulation**" means the application of an encapsulant on surfaces that are covered, coated or manufactured from asbestos containing material to control the release of asbestos fibers into the air. For purposes of this regulation, encapsulation includes the construction of enclosures.

(19) "**Enclosure**" means an airtight protective overlay, such as a ceiling, floor, or wall or a plastic wrapper or barrier, covering surfaces that are coated with, covered with, or containing asbestos-containing material to control the release of asbestos fibers into the air.

(20) "**Friable Asbestos-Containing Material**" means asbestos-containing material that, when dry, can be crumbled, disintegrated, or reduced to powder by hand pressure or by the forces expected to act upon the material in the course of demolition, renovation, or disposal. Such materials include, but are not limited to, thermal system insulation, surfacing material, and cement asbestos products.

(21) "**HEPA Filter**" means a high efficiency particulate air filter found in respirators and vacuum systems capable of filtering 0.3 micrometer mean aerodynamic diameter particles with 99.7% efficiency or greater.

(22) "**Leak Tight Container**" means a dust tight container, at least 6 mil thick that encloses the asbestos-containing waste material and prevents solids or liquids from escaping or spilling out. Such containers may include sealed plastic bags, metal or fiber drums, and polyethylene plastic.

(23) "**Local Exhaust Ventilation and Collection System**" means a system as described in Appendix J of EPA 560/565-024, *Guidance for Controlling Asbestos-Containing Materials in Buildings*.

(24) "**Nonfriable Asbestos-Containing Material**" means asbestos-containing material that, when dry, cannot be crumbled, disintegrated, or reduced to powder by hand pressure or by the forces expected to act on the material in the course of demolition, renovation, or disposal.

(25) "**Owner**" or "**Operator**" means any person who owns, leases, operates, controls, or is responsible for activities at a project site, or a project operation, or both.

(26) "**Owner-Occupied, Single-Family Residence**" means any non-multiple unit building containing space for uses such as living, sleeping, preparation of food, and eating that is currently used or was once used, occupied, or designed to be occupied by one family who owns the property as their domicile. This term includes houses with a "mother-in-law apartment" or "guest room". This term does not include rental property or multiple-family units, nor does this term include any mixed-use building, structure, or installation that contains a residential unit.

(27) "**Person**" means any individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

(28) "**Presumed Asbestos Containing Material**" means thermal system insulation and surfacing material found in buildings constructed no later than 1980 (29 CFR 1926.1101).

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(29) "**Project**" means an asbestos project, maintenance activity, renovation, or demolition activity.

(30) "**Renovation**" means the modification of any existing building, vessel, structure, component, or portion thereof, involving the removal, encapsulation, alteration, disposal, or disturbance of any asbestos-containing material, or a project that is releasing, or likely to release asbestos fibers into the air. A renovation project is only covered under this regulation if the renovation involves asbestos-containing material or the potential to disturb asbestos-containing material. If no asbestos-containing material is present on the project, there are no notification requirements or special handling procedures.

(31) "**Suspect Asbestos-Containing Material**" means material that has historically contained asbestos including, but not limited to, surfacing material, thermal system insulation, roofing material, fire barriers, gaskets, flooring material, and siding.

(32) "**Visible Emissions**" means any emissions that are visually detectable without the aid of instruments. This term does not include condensed uncombined water vapor.

(33) "**Waste Generator**" means any owner or operator of a source whose act or process produces asbestos-containing waste material.

(34) "**Waste Shipment Record**" means the shipping document required to be originated and signed by the owner or operator, used to track and substantiate the disposition of asbestos-containing waste material.

(35) "**Working Day**" means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) SWCAA 476-040 Asbestos Survey Requirements

[Statutory Authority: Chapter 70.94.141 RCW. WSR 96-20-073 filed 9/30/96, effective 11/1/96]

(1) Renovation

(a) Prior to performing any renovation activity the property owner or the owner's agent shall determine whether there are suspect asbestos-containing materials in the work area. The property owner or the owner's agent shall obtain an asbestos survey of any suspect asbestos-containing materials. The asbestos survey shall be performed by an AHERA (Asbestos Hazard Emergency Response Act) building inspector. An asbestos survey at a single family resident is not required to be performed by an AHERA building inspector when the renovation project is performed by the owner/occupant.

(b) A summary of the results of the asbestos survey shall be documented and shall either be posted by the property owner or owner's agent at the work site or communicated in writing to all persons who may come into contact with the material.

(c) Any material presumed to be asbestos-containing material is not required to be evaluated by an AHERA building inspector. Any material presumed to be asbestos-containing material shall be handled as though it was asbestos-containing material.

(d) Only an AHERA building inspector may determine that a suspect material does not contain asbestos except for renovations of an owner-occupied, single-family residence performed by the owner/occupant, however, must handle all presumed asbestos-containing material as provided in **((SWAPCA)) SWCAA 476-050**.

(2) Demolition

(a) Prior to performing any demolition project the property owner or the owner's agent shall obtain an asbestos survey of the facility or part of the facility where the demolition will occur for the presence of asbestos. The asbestos survey shall be performed by an AHERA (Asbestos Hazard Emergency Response Act) building inspector.

(b) A summary of the results of the asbestos survey shall be documented and shall either be posted by the property owner or owner's agent at the work site or communicated in writing to all persons who may come into contact with the material.

(c) Any material presumed to be asbestos-containing material is not required to be evaluated by an AHERA building inspector. Any material presumed to be asbestos-containing material shall be handled as though it was asbestos-containing material.

(d) Only an AHERA building inspector may determine that a suspect material does not contain asbestos-containing materials.

(e) Regardless of the amount of asbestos-containing material present (including none), a Notification of a Demolition activity must be submitted to the **((Authority)) Agency** on **((Authority)) Agency** approved forms prior to commencing a demolition project in accordance with **((SWAPCA)) SWCAA 476-050(2)**. In no event shall a project or activity proceed on a date other than the date indicated on the notification.

(f) If the facility is to be demolished by intentional burning, all the asbestos-containing material shall be removed as an asbestos project in accordance with **((SWAPCA)) SWCAA 476-080**.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) SWCAA 476-050 Notification Requirements and Fees

[Statutory Authority: Chapter 70.94.141 RCW. WSR 93-16-008 filed 7/22/93, effective 8/22/93; 96-20-073 filed 9/30/96, effective 11/1/96]

(1) **Applicability.** No person shall cause or allow work on an asbestos project, maintenance, renovation, or demolition activity involving asbestos containing material unless the owner or operator has submitted a complete notification to

the ((Authority)) Agency on ((Authority)) Agency approved forms, in accordance with the advance notification period requirements and fees as provided in ((SWAPCA)) SWCAA 476-050(2).

(a) An Asbestos Notification is not required for any asbestos project involving less than 10 linear feet or 48 square feet (per structure, per year) of any asbestos-containing material unless the facility is to be demolished by intentional burning. If the facility is to be demolished by intentional burning, all asbestos-containing material shall be removed as an asbestos project. An Asbestos Notification is not required for removal of nonfriable roofing material. The owner/operator shall maintain documentation to substantiate qualification for the exemption;

(b) Regardless of the amount of asbestos-containing material present (including none), a Notification of Demolition activity must be submitted to the ((Authority)) Agency on ((Authority)) Agency approved forms prior to commencing a demolition accordance with ((SWAPCA)) SWCAA 476-050(2). In no event shall a project or activity proceed on a date other than the date indicated on the notification;

(c) The approval date to perform a project will be the date that all required submittals and fees are received at ((SWAPCA)) SWCAA;

(d) The duration of the asbestos project, maintenance activity, renovation, or demolition activity or project shall not exceed one (1) year beyond the original project starting date. The project starting and completion date for an asbestos project shall be commensurate with the amount of asbestos-containing material involved. In no event shall a project or activity start or end on a date other than the date contained on the notification;

(e) The written notification shall expire on the project completion date as specified by the owner or operator;

(f) A copy of the written notification, all amendments and the asbestos survey shall be available for inspection at the project site at all times until completion of the project;

(g) For an asbestos project, maintenance, renovation or demolition activity that will begin on a date later than the date contained in the original notification, the owner/operator or the owner's agent shall notify ((SWAPCA)) SWCAA by telephone (360-574-3058) as soon as possible before the original

start date and provide written notification (facsimile acceptable) to ((SWAPCA)) SWCAA of the new start date no later than the original start date. In no event shall a project or activity begin on a date other than the date indicated in the revised notification;

(h) For an asbestos project, maintenance, renovation or demolition activity that will begin on a date earlier than the one contained in the original notification, the owner/operator or owner's agent shall provide written notification (facsimile acceptable) to ((SWAPCA)) SWCAA of the new start date at least 10 working days before commencement of the project or activity. In no event shall a project or activity begin on a date other than the date indicated in the revised notification; and

(i) All asbestos projects, maintenance, renovation or demolition activities shall be completed on the date identified on the notification. When a project or activity will be completed prior to the date specified on the notification, the owner or operator shall notify ((SWAPCA)) SWCAA by telephone as soon as possible but in no event later than the actual completion date. The owner or operator shall provide ((SWAPCA)) SWCAA with written notification (facsimile acceptable) of actual completion within 5 calendar days if the completion date is before the date on the notification. If the actual completion date will be after the date indicated on the notification, the owner or operator shall submit an amendment to the written notification with the new completion date (facsimile acceptable) to ((SWAPCA)) SWCAA prior to the completion date on the original or amended previous notification.

(2) **Advance Notification Period and Fee.** Any notification required by ((SWAPCA)) SWCAA 476-050(1) shall be considered incomplete until all the information required by ((SWAPCA)) SWCAA 476-050(1) is received by the ((Authority)) Agency and accompanied by the appropriate fee. A facsimile of the completed notification form shall be acceptable documentation for the start of the notification period, but the appropriate fee shall be received before the project can proceed. The advance notification period and appropriate fee shall be determined as follows:

Project Type	Notification Period	Notification Fee	Forms Required
Owner-Occupied, Single Family Asbestos -Occupant Performed	Prior Notification	\$ 25	Asbestos Notification
<10 linear ft <48 square ft Asbestos	None	None	None
10-259 linear ft 48-159 square ft Asbestos	10 Working Days	\$ 100	Asbestos Notification
260-999 linear ft 160-4999 square ft	10 Working Days	\$ 250	Asbestos Notification
<input type="checkbox"/> 1,000 linear ft <input type="checkbox"/> 5,000 square ft	10 Working Days	\$ 500	Asbestos Notification

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Amendments to All Projects	Prior Notification	\$ 25 3rd amendment & after	Amended Copy of Asbestos Notification
Annual Asbestos Notification	10 Working Days	\$ 500	Annual Asbestos Notification
Renovation With Asbestos	10 Working Days	Normal Asbestos Fee	Asbestos Notification
Renovation Without Asbestos	None	None	None
Demolition With Asbestos	10 Working Days	\$ 50 Plus Normal Asbestos Fee	Asbestos Notification & Demolition Notification
Demolition Without Asbestos	10 Working Days	\$ 50	Demolition Notification
Temporary Asbestos Storage Facility	Prior Notification	\$ 50	Temporary Storage Facility Application
Emergencies	Prior Notification	Double the Normal Notifica- tion Fee	Emergency Waiver Request Letter

(3) **Annual notification.** In lieu of the notification requirements of ((SWAPCA)) SWCAA 476-050(1) and 476-050(2), the owner or operator of a facility may submit to the ((Authority)) Agency an annual written notification to conduct asbestos projects (not including demolition or renovation) on one or more buildings, vessels, or structures at the facility during each calendar year for the purpose of scheduled maintenance or emergency repairs for removal of small quantities of asbestos-containing material as identified below. The requirements of ((SWAPCA)) SWCAA 476-050(1) shall not apply to asbestos projects undertaken during the calendar year at the applicable facility if all of the following conditions are met:

(a) Annual written notifications shall be submitted to the ((Authority)) Agency for approval before commencing work on any asbestos projects specified in an annual application.

(b) The total amount of asbestos-containing material for all asbestos projects from each structure, vessel, or building in a calendar year under this section shall be limited to less than 260 linear feet on pipes and 160 square feet on other components.

(c) Any asbestos project involving at least 260 linear feet on pipes or 160 square feet or more on other components for each building, vessel, or structure at the facility shall be subject to the notification requirements of ((SWAPCA)) SWCAA 476-050(1) and 476-050(2) in addition to the annual notification requirements.

(d) A copy of the annual notice shall be available for inspection at the property owner's or operator's office until the end of the calendar year.

(e) Asbestos-containing waste material generated from asbestos projects filed under an annual notification may be stored for disposal at the facility if all of the following conditions are met:

(i) All asbestos-containing waste material shall be treated in accordance with ((SWAPCA)) SWCAA 476-070(1); and

(ii) Accumulated asbestos-containing waste materials collected during each calendar quarter shall be kept in a con-

trolled storage area posted with one (1) or more asbestos warning signs and accessible only to authorized persons; and

(iii) For storage of asbestos-containing waste material longer than 10 days, the owner/operator or owner's agent shall apply to ((SWAPCA)) SWCAA for a Temporary Asbestos Storage Facility Authorization unless the asbestos-containing waste material is handled as dangerous waste in accordance with WAC 173-303. Asbestos-containing waste material shall only be disposed of at sites operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction.

(f) Annual written notifications shall be submitted by the facility owner or operator on forms provided by the ((Authority)) Agency. Notifications shall be submitted to the ((Authority)) Agency at least 10 days in advance of the start date and shall be accompanied by an annual fee as identified in ((SWAPCA)) SWCAA 476-050(2).

(g) The facility owner or operator shall submit quarterly written reports to the ((Authority)) Agency within fifteen (15) days after the end of each calendar quarter. Each quarterly report shall be submitted on forms provided by the ((Authority)) Agency or an alternate format approved by the ((Authority)) Agency.

(4) **Amendments.** An amended notification shall be submitted to the ((Authority)) Agency prior to deviating from any of the information contained in a notification. Amended notifications addressed by this section shall be filed by the original applicant, received by the ((Authority)) Agency no later than the last filed completion date, and are limited to the following revisions:

(a) A change in the job size category because of identification of additional asbestos-containing material. In this case, the fee shall be increased accordingly and the total fee shall be equal to, but not exceed, the fee amount provided for the new job size category as specified in ((SWAPCA)) SWCAA 476-050(2);

(b) The project starting or completion date, provided the total duration of the work does not exceed one (1) calendar year beyond the original starting date. The commencement

date of the original advance notification period shall apply with no additional waiting period required for amended notifications. If an amended notification results in a job size category that requires a waiting period as specified in ((SWAPCA)) SWCAA 476-050(2) and the original notification did not require a waiting period, the advance notification period shall commence on the date the original application was submitted;

(c) Name, mailing address, and telephone number of the owner or operator of the asbestos project site or operation;

(d) Waste disposal site, provided the revised waste disposal site is operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction;

(e) Method of removal or compliance procedures, provided the revised work plan meets the asbestos emission control and disposal requirements of ((SWAPCA)) SWCAA 476-060 and 450-070;

(f) Description, size (total square feet or number of floors), and approximate age of the building, vessel, or structure at the original address or location; and

(g) Any other information requested by the ((Authority)) Agency.

(5) Emergencies.

(a) The ((Authority)) Agency may waive the required ten (10) working day advance notification period if the property owner or occupant demonstrates in writing to the ((Authority)) Agency that an asbestos project or maintenance, renovation or demolition activity must be conducted immediately because of any of the following:

(i) There was a sudden, unexpected event that resulted in a public health or safety hazard; or

(ii) The project must proceed immediately to protect equipment, ensure continuous vital utilities, or minimize property damage; or

(iii) The project must proceed to avoid imposing an unreasonable burden.

(b) Each emergency waiver request shall include a fee as identified in ((SWAPCA)) SWCAA 476-050(2).

(c) If the emergency asbestos project occurs during non business hours, notification to ((SWAPCA)) SWCAA must occur no later than the next business day.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) SWCAA 476-060 Procedures for Asbestos Emission Control

[Statutory Authority: Chapter 70.94.141 RCW. WSR 93-16-008 filed 7/22/93, effective 8/22/93; 96-20-073 filed 9/30/96, effective 11/1/96]

(1) **Project requirements.** No person shall cause or allow work on an asbestos project unless the following procedures are employed; except as provided in ((SWAPCA)) SWCAA 476-060(2):

When available, existing win-

(a) Any work on an asbestos project shall be performed by certified asbestos workers under the direct, on-site supervision of a certified asbestos supervisor. This requirement shall not apply to certain limited asbestos projects conducted in accordance with ((SWAPCA)) SWCAA 400-060(2) for owner-occupied, single-family dwellings performed by the owner/occupant.

(b) The asbestos project shall be conducted in a controlled area, clearly marked by barriers and asbestos warning signs. Access to the controlled area shall be restricted to authorized personnel only.

(c) All asbestos containing material shall be kept adequately wet while being removed from any structure, building, vessel, or component.

(d) No visible emissions shall result from an asbestos project.

(e) All asbestos-containing material that has been removed or may have fallen off components during the course of an asbestos project shall be:

(i) Kept adequately wet until collected for disposal;

(ii) Collected for disposal at the end of each working day;

(iii) Contained in a controlled area at all times until transported to a waste disposal site; and

(iv) Carefully lowered to the ground or a lower floor, not dropped, thrown, slid, or otherwise handled in such a manner that may risk further damage to them; or

(v) Transported to the ground via dust tight chutes or containers if they have been removed or stripped more than 50 feet above ground level and were not removed as a unit or in sections.

(f) Mechanical assemblies or components covered with, coated with, or containing asbestos-containing material, removed as a unit or in sections, shall be contained in a leak-tight wrapping after wetting and shall be labeled in accordance with ((SWAPCA)) SWCAA 476-070 (1)(a)(iii).

(i) For large components such as boilers, steam generators, and large tanks, the asbestos-containing material is not required to be removed or stripped if the component can be removed, stored, transported, and deposited at a waste disposal site or reused without disturbing or damaging the asbestos.

(ii) Metal components such as valves, fire doors, and reactor vessels that have internal asbestos-containing material may avoid wetting and leak tight wrapping if:

(A) All access to the asbestos-containing material is welded shut; or

(B) The component has mechanical seals in place that separate the asbestos-containing material from the environment and these seals cannot be removed by hand; and

(C) The components are labeled in accordance with ((SWAPCA)) SWCAA 476-070 (1)(a)(iii).

(f) Local exhaust ventilation and collection systems used on an asbestos project shall:

(i) Be maintained to ensure the integrity of the system; and

(ii) When feasible, have one or more transparent plastic or glass viewing ports installed on the walls of the enclosure in such a manner that will allow for viewing of all components may be utilized for viewing ports.

(g) Local exhaust ventilation and collection systems, control devices, and vacuum systems, used on an asbestos project shall be equipped with a HEPA exhaust filter, maintained in good working order, and shall allow no visible emissions.

(2) **Exemptions for Owner-Occupied, Single-Family Dwellings.** The requirements of ((SWAPCA)) SWCAA 476-060(1)(a) shall not apply to asbestos projects conducted in a owner-occupied, single-family dwelling by the resident owner of the dwelling.

Alternate Means of Compliance.

(a) Friable Asbestos-Containing Material Alternative Removal Methods

An alternate asbestos removal method may be employed for friable asbestos-containing material if an AHERA Project Designer (who is also qualified as a Certified Hazardous Materials Manager, Certified Industrial Hygienist, Registered Architect, or Professional Engineer) has evaluated the work area, the type of asbestos-containing material, the projected work practices, and the engineering controls, and demonstrates to the ((Authority)) Agency that the planned control method will be effective as the work practices contained in ((SWAPCA)) SWCAA 476-060(1) in controlling asbestos emissions. The property owner or the owner's agent shall document through air monitoring at the exhaust from the controlled area that the asbestos fiber concentrations outside the controlled area do not exceed 0.01 fibers/cc, 8 hour average.

The ((Authority)) Agency may require additional conditions be included in the alternate removal method that are reasonably necessary to assure the planned control method is as effective as wetting, and may revoke the alternate removal method for cause.

(b) Nonfriable Asbestos-Containing Material Alternative Removal Methods

An alternate asbestos removal method may be employed for nonfriable asbestos-containing material if a Competent Person or AHERA Project Designer has evaluated the work area, the type of asbestos-containing material, the projected work practices, and the engineering controls, and demonstrates to the ((Authority)) Agency that the planned control method will be equally as effective as the work practices in ((SWAPCA)) SWCAA 476-060(1) in controlling asbestos emissions.

The ((Authority)) Agency may require additional conditions be included in the alternate removal method that are reasonably necessary to assure the planned control method is as effective as wetting, and may revoke the alternative removal method for cause.

(c) Leaving Nonfriable Asbestos-Containing Material in Place During Demolition

Nonfriable asbestos-containing material may be left in place during demolition, if an AHERA Project Designer (who is also qualified as a Certified Hazardous Materials Manager, Certified Industrial Hygienist, Registered Architect, or Professional Engineer) has evaluated the work area, the type of asbestos-containing materials involved, the projected work practices, and the engineering controls, and demonstrates to the ((Authority)) Agency that the asbestos-containing material will remain nonfriable during all demolition

activities and subsequent disposal of the debris. No asbestos-containing material shall remain in place if the demolition involves burning or other activities that would result in the potential release of asbestos-containing material to the ambient air.

The ((Authority)) Agency may require additional conditions be included in the alternate removal method that are reasonably necessary to assure the asbestos-containing material remains nonfriable, and may revoke the Alternate Approval Notification for cause.

Exceptions for Hazardous Conditions. Asbestos-containing material need not be removed prior to a demolition if the property owner demonstrates to the ((Authority)) Agency that it is not accessible because of hazardous conditions such as: structures or buildings that are structurally unsound and may immediately collapse, or other conditions that are dangerous to life and health. The property owner must submit the written determination of the hazard by an authorized government official or a licensed structural engineer, and must submit the procedures that will be followed for controlling asbestos emissions during the demolition or renovation and disposal of the asbestos-containing material.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) SWCAA 476-070 Disposal of Asbestos-Containing Waste Material

[Statutory Authority: Chapter 70.94.141 RCW. WSR 93-16-008 filed 7/22/93, effective 8/22/93; 96-20-073 filed 9/30/96, effective 11/1/96]

(1) **Disposal Requirements.** No person shall cause or allow work on an asbestos project unless the following procedures are employed during the collection, processing, packaging, transporting, or deposition of any asbestos-containing waste material:

(a) Treat all asbestos-containing waste material as follows:

(i) Adequately wet all asbestos-containing waste material and mix asbestos waste from control devices, vacuum systems, or local exhaust ventilation and collection systems with water to form a slurry;

(ii) After wetting, seal all asbestos-containing waste material in leak tight containers or wrapping to ensure that they remain adequately wet when deposited at a waste disposal site;

(iii) Permanently (indelible markers or labels made with indelible ink) label wrapped materials and each container with an asbestos warning sign as specified by the Washington State Department of Labor and Industries or the Occupational Safety and Health Administration. Permanently mark the label with the date the material was collected for disposal, the name of the waste generator, the name and affiliation of the certified asbestos supervisor, and the location at which the waste was generated;

(iv) Ensure that the exterior of each container is free of all asbestos residue; and

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(v) Exhibit no visible emissions during any of the operations required by this section.

(b) All asbestos-containing waste material shall be deposited within ten (10) calendar days after collection at a waste disposal site operated in accordance with the provisions of 40 CFR 61.154 or 61.155 and approved by the health department with jurisdiction. Asbestos-containing waste material may remain onsite longer than 10 if the facility has a current Temporary Asbestos Storage Facility Authorization and the asbestos-containing waste material is stored within that temporary storage facility as provided in ((SWAPCA)) SWCAA 476-070(2).

(c) All asbestos-containing waste material, handled as dangerous waste in accordance with WAC 173-303, shall be excluded from the requirements of ((SWAPCA)) SWCAA 476-070 (1)(a)(iii) and 476-070 (1)(b).

(2) **Alternative Storage Method - Temporary Asbestos Storage Facility.** The owner or operator of a licensed asbestos abatement company or disposal facility may apply to the ((Authority)) Agency to establish a temporary facility for the purpose of collecting and temporarily storing asbestos-containing waste material.

(a) No person shall cause or allow the operation of a temporary asbestos storage facility without the prior written approval of the ((Authority)) Agency.

(b) The owner or operator must submit a complete application for establishment of a temporary asbestos storage facility on forms provided by the ((Authority)) Agency. When approved, an Asbestos Storage Facility Authorization will be returned to the owner or operator by ((SWAPCA)) SWCAA to be posted at the entrance to the facility or on file at the facility office.

(c) An asbestos storage facility shall meet the following general conditions:

(i) Asbestos-containing waste material must be stored in a container with a single piece liner at least 6 mil in thickness; and

(ii) Said container must be in a secured building or in a secured exterior enclosure; and

(iii) The enclosure must be locked except during transfer of asbestos-containing waste material; and

(iv) Return of the waste shipment record to the waste generator shall not exceed the 45-day requirement of 40 CFR Part 61.150 except as otherwise approved by the ((Authority)) Agency.

(3) **Alternative Disposal Method - Asbestos-Cement Water Pipe.** Asbestos-cement water pipe used on public right-of-ways or public easements shall be excluded from the disposal requirements of ((SWAPCA)) SWCAA 476-070 (1)(b) if the following conditions are met:

(a) Any asbestos-cement water pipe greater than one (1) linear foot in size may be buried on public right-of-ways or public easements if covered with at least three (3) feet or more of non-asbestos fill material; and

(b) All asbestos-containing waste material, including asbestos-cement water pipe fragments that are one (1) linear foot or less, protective clothing, HEPA filters, or other asbestos contaminated material, debris, or containers, shall be sub-

ject to the requirements of ((SWAPCA)) SWCAA 476-010 through 476-070.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) **SWCAA 476-080 Demolition by Intentional Burning**

[Statutory Authority: Chapter 70.94.141 RCW. WSR 96-20-073 filed 9/30/96, effective 11/1/96]

Prior to performing any fire training exercise involving intentional burning as a method of demolition, the following steps shall be completed:

(1) The owner or owner's agent shall obtain an asbestos survey of any suspect asbestos-containing materials (including non-friable roofing materials). The asbestos survey shall be performed by an AHERA building inspector as provided in ((SWAPCA)) SWCAA 476-040.

(2) If asbestos-containing material is present, regardless of amount, the asbestos-containing material shall be removed as an asbestos project in accordance with ((SWAPCA)) SWCAA 476-050.

(3) If there is no asbestos-containing material in the work area, this determination shall either be posted at the work area or communicated in writing to all persons involved in the demolition project by the owner or owner's agent.

(4) A summary of the results of the asbestos survey shall be submitted to ((SWAPCA)) SWCAA by the owner or owner's agent along with the Demolition Notification as provided in ((SWAPCA)) SWCAA 476-050.

(5) The fire district or other organization involved in the fire training exercise as a method of demolition shall notify ((SWAPCA)) SWCAA of the date, time, and location of the proposed exercise and the fire district contact person and phone number for that exercise at least five calendar days in advance of the exercise.

(6) The owner or owner's agent shall provide notice of the fire to the owners of property adjoining the property on which the fire will occur at least five calendar days in advance of the exercise.

(7) No fire training exercise that involves intentional burning as a method of demolition shall be allowed without prior written approval from ((SWAPCA)) SWCAA.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-20-073, filed 9/30/96, effective 11/1/96)

((SWAPCA)) **SWCAA 476-090 Severability**

[Statutory Authority: Chapter 70.94.141 RCW. WSR 96-20-073 filed 9/30/96, effective 11/1/96]

The provisions of this regulation are severable and if any provision is held invalid, the application of such provision to the other circumstances and the remainder of this regulation shall not be affected.

PROPOSED

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 00-24-093
PROPOSED RULES
SOUTHWEST
CLEAN AIR AGENCY

[Filed December 5, 2000, 11:02 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-031.

Title of Rule: SWCAA 490 Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC).

Purpose: This rule provides emission control requirements and emission standards for several source categories that emit volatile organic compounds.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: RCW 70.94.141.

Summary: The changes proposed in this rule are administrative in nature. The rule is being revised to reflect a name change for the agency. No technical changes are proposed.

Reasons Supporting Proposal: The name of the agency was changed July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA).

Name of Agency Personnel Responsible for Drafting and Implementation: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058; and Enforcement: Robert D. Elliott, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058.

Name of Proponent: Southwest Clean Air Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an existing rule. Only administrative type changes are being proposed. There will be no effect on the public or regulated businesses as a result of these changes.

Proposal Changes the Following Existing Rules: Titles and rule numbers that include the agency name are being changed to reflect the name of the agency.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes proposed by SWCAA are consistent with federal and state rules already in effect. This agency is not subject to the small business economic impact provisions of chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking section 201, chapter 403, Laws of 1995.

Hearing Location: Office of SWCAA, 1308 N.E. 134th Street, Vancouver, WA 98685, on February 1, 2001, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by January 26, 2001, TDD (360) 574-3058.

Submit Written Comments to: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA 98685, fax (360) 574-3058, by January 19, 2001.

Date of Intended Adoption: February 1, 2001.

December 4, 2000

Robert D. Elliott

Executive Director

((~~SWAPCA~~)) **SWCAA 490**

**EMISSION STANDARDS AND CONTROLS FOR
 SOURCES
 EMITTING VOLATILE ORGANIC COMPOUNDS**

- 490-010 Policy and Purpose
- 490-020 Definitions
- 490-025 General Applicability
- 490-030 Registration and Reporting
- 490-040 Requirements
- 490-080 Exceptions and Alternative Methods
- 490-090 New Source Review
- 490-200 Petroleum Refinery Equipment Leaks
- 490-201 Petroleum Liquid Storage in External Floating Roof Tanks
- 490-202 Leaks from Gasoline Transport Tanks and Vapor Collection Systems
- 490-203 Perchloroethylene Dry Cleaning Systems
- 490-204 Graphic Arts Systems
- 490-205 Surface Coating of Miscellaneous Metal Parts and Products
- 490-207 Surface Coating of Flatwood Paneling
- 490-208 Aerospace Assembly and Component Coating Operations

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((~~SWAPCA~~)) **SWCAA 490-010 Policy and Purpose**

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

(1) It is the policy of the Southwest Clean Air ((~~Pollution Control Authority~~)) Agency ((~~SWAPCA~~)) SWCAA under the authority vested in it by Chapter 43.21A, 70.94.141, and 70.94.152((~~and 70.94.331~~)) RCW to provide for the systematic control of air pollution from air contaminant sources within Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties.

(2) The purpose of this regulation is to establish technically feasible and reasonably attainable emission standards for sources emitting volatile organic compounds (VOCs).

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 490-020 Definitions

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

The definitions of terms contained in ((SWAPCA)) SWCAA 400 are by this reference incorporated into this regulation. Unless a different meaning is clearly required by context, the following words and phrases, as used in this regulation, shall have the following meanings:

- (1) "Bottom loading" means the filling of a tank through a line entering the bottom of the tank.
- (2) "Bulk gasoline plant" means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks.
- (3) "Class II hardboard paneling finish" means finishes ((which)) that meet the specifications of Voluntary Product Standard PS-59-73 as approved by the American National Standards Institute.
- (4) "Closed refinery system" means a system that will process or dispose of those VOCs collected from another system. The mass quantity of collected VOCs emitted to the ambient air from the closed refinery system shall not exceed that required for a disposal system.
- (5) "Condensate" means hydrocarbon liquid separated from a gas stream ((which)) that condenses due to changes in the temperature or pressure and remains liquid at standard conditions.
- (6) "Condenser" means a device for cooling a gas stream to a temperature where specific VOCs become liquid and are removed.
- (7) "Control system" means one or more control devices, including condensers, that are designed and operated to reduce the quantity of VOCs emitted to the atmosphere.
- (8) "Crude oil" means a naturally occurring mixture ((which)) that consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons which is a liquid at standard conditions.
- (9) "Cutback asphalt" means an asphalt that has been blended with petroleum distillates to reduce the viscosity for ease of handling and lower application temperature. An inverted emulsified asphalt shall be considered a cutback asphalt when the continuous phase of the emulsion is a cutback asphalt.
- (10) "Disposal system" means a process or device that reduces the mass quantity of the VOC that would have been emitted to the ambient air by at least ninety percent prior to their actual emission.
- (11) "Dry cleaning facility" means a facility engaged in the cleaning of fabrics in an essentially nonaqueous solvent by means of one or more washes in solvent, extraction of excess solvent by spinning, and drying by tumbling in an airstream. The facility includes, but is not limited to, any washer, dryer, filter and purification system(s), waste disposal system(s), holding tank(s), pump(s) and attendant piping and valve(s).

(12) "External floating roof" means a storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

(13) "Flexographic printing" means the application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.

(14) "Gasoline" means a petroleum distillate which is a liquid at standard conditions and has a true vapor pressure greater than 200 mm of Hg (4 psia) at 20°C, and is used as a fuel for internal combustion engines.

(15) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks.

(16) "Gasoline loading terminal" means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks.

(17) "Hardboard" means a panel manufactured primarily from interfelted lignocellulosic fibers which are consolidated under heat and pressure in a hot press.

(18) "Hardwood plywood" means plywood whose surface layer is a veneer of hardwood.

(19) "Lease custody transfer" means the transfer of produced crude oil or condensate, after processing or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any other forms of transportation.

(20) "Liquid-mounted seal" means a primary seal mounted in continuous contact with the liquid between the tank wall and the floating roof.

(21) "Liquid service" means equipment that processes, transfers or contains a VOC or VOCs in the liquid phase.

(22) "Low organic solvent coating" refers to coatings ((which)) that contain less organic solvent than the conventional coatings used by the industry. Low organic solvent coatings include water-borne, higher solids, electrodeposition and powder coatings.

(23) "Natural finish hardwood plywood panels" means panels whose original grain pattern is enhanced by essentially transparent finishes frequently supplemented by fillers and toners.

(24) "Packaging rotogravure printing" means rotogravure printing upon paper, paper board, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into packaging products and labels for articles to be sold.

(25) "Petroleum liquids" means crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery.

(26) "Petroleum refinery" means a facility engaged in producing gasoline, aromatics, kerosene, distillate fuel oils, residual fuel oils, lubricants, asphalt, or other products by distilling crude oils or redistilling, cracking, extracting or reforming unfinished petroleum derivatives. Not included are facilities re-refining used motor oils or waste chemicals,

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processing finished petroleum products, separating blended products, or air blowing asphalt.

(27) "Prime coat" means the first of two or more films of coating applied in an operation.

(28) "Printed interior panels" means panels whose grain or natural surface is obscured by fillers and basecoats upon which a simulated grain or decorative pattern is printed.

(29) "Proper attachment fittings" means hardware for the attachment of gasoline transfer or vapor collection lines that meet or exceed industrial standards or specifications and the standards of other agencies or institutions responsible for safety and health.

(30) "Publication rotogravure printing" means rotogravure printing upon paper (~~(which)~~) that is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, and other types of printed materials.

(31) "Refinery unit" means a set of components that are a part of a basic process operation, such as distillation, hydrotreating, cracking or reforming of hydrocarbons.

(32) "Roll printing" means the application of words, designs, and pictures to a substrate usually by means of a series of hard rubber or steel rolls each with only partial coverage.

(33) "Rotogravure printing" means the application of words, designs, and pictures to a substrate by means of a roll printing technique (~~(which)~~) that involves intaglio or recessed image areas in the form of cells.

(34) "Single coat" means only one film of coating is applied to the metal substrate.

(35) "Submerged fill line" means a pipe, tube, fitting or other hardware for loading liquids into a tank with either a discharge opening flush with the tank bottom; or with a discharge opening below the lowest normal operating drawoff level or that level determined by a liquid depth two and one half times the fill line diameter when measured in the main portion of the tank, but not in sumps or similar protrusions.

(36) "Submerged loading" means the filling of a tank with a submerged fill line descending nearly to the bottom.

(37) "Suitable closure or cover" means a door, hatch, cover, lid, pipe cap, pipe blind, valve or similar device that prevents the accidental spilling or emitting of VOC. Pressure relief valves, aspirator vents or other devices specifically required for safety and fire protection are not included.

(38) "Thin particleboard" means a manufactured board one-quarter inch or less in thickness made of individual wood particles (~~(which)~~) that have been coated with a binder and formed into flat sheets by pressure.

(39) "Tileboard" means paneling that has a colored waterproof surface coating.

(40) "Topcoat" means the final film or series of films of coating applied in a two-coat (or more) operation.

(41) "Transport tank" means a container used for shipping gasoline on land.

(42) "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined with methods described in American Petroleum Institute Bulletin 2517, 1980.

(43) "Unit turnaround" means the procedure of shutting down, repairing, inspecting, and restarting a unit.

(44) "Valves not externally regulated" means valves that have no external controls, such as in-line check valves.

(45) "Vapor collection system" means a closed system to conduct vapors displaced from a tank being filled into the tank being emptied, a vapor holding tank, or a vapor control system.

(46) "Vapor control system" means a system designed and operated to reduce or limit the emission of VOCs, or to recover the VOCs to prevent their emission into the ambient air.

(47) "Vapor-mounted seal" means a primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

(48) "Volatile organic compound (VOC)" means any organic compound (~~(which)~~) that participates in atmospheric photochemical reactions; that is, any organic compound other than those (~~(which)~~) that the administrator designates as having negligible photochemical reactivity. VOC may be measured by a reference method, an equivalent method, an alternative method or by procedures specified under 40 CFR Part 60. A reference method, an equivalent method, or an alternative method, however, may also measure nonreactive organic compounds. In such cases, an owner or operator may exclude the nonreactive organic compounds when determining compliance with a standard.

(49) "Waxy, heavy pour crude oil" means a crude oil with a pour point of 50°F or higher as determined by the American Society for Testing and Materials Standard D97-66, "Test for Pour Point of Petroleum Oils."

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 490-025 General Applicability

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

In addition to the general applicability of ((SWAPCA)) SWCAA 400 to all emission sources, specific emission standards listed in this regulation will take precedence over the general emission standards of ((SWAPCA)) SWCAA 400.

(1) This regulation shall apply to the specified emission sources of VOCs located in or operating within designated ozone nonattainment areas and areas covered by a maintenance plan within the jurisdiction of ((SWAPCA)) SWCAA.

(2) This regulation does not apply to those sources under the jurisdiction of the Energy Facility Site Evaluation Council (EFSEC).

(3) A source of VOC emissions not belonging to any of the categories listed in ((SWAPCA)) SWCAA 490-030 nor specifically identified in any section, but which is located on the same or adjacent property and owned or operated by the same person as a regulated emission source, shall not be required to comply with this regulation.

(4) Sources of VOC emissions may be exempted, by the director, from any or all requirements to control or reduce the emissions of VOCs when:

(a) The source is a development operation and the equipment is used exclusively for research, laboratory analysis or determination of product quality and commercial acceptance, provided emissions of VOCs from such operations do not exceed 300 kg (660 lbs) per month; or

(b) The source has emissions of VOCs which do not exceed 18 kg (40 lbs) per month and registration is not required under ((SWAPCA)) SWCAA 490-030; or

(c) The source is a spray booth ((which)) that is used solely for maintenance and utility activities and whose emissions do not exceed 18 kg (40 lbs) per month.

(5) Sources of VOCs may be granted exemptions from emissions standards for a period not to exceed thirty days if the source is a newly permitted source ((which)) that is to replace a similar permitted source and the new source is intended to utilize the existing emission control system. This provision is intended to apply to a break-in period prior to the shutdown and removal of the existing source.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) **SWCAA 490-030 Registration and Reporting**

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

(1) The owner or operator of a stationary emission source of VOCs in the following source categories and located in a designated ozone nonattainment area or area covered by a maintenance plan shall register the source with ((SWAPCA)) SWCAA unless registration is required by the Energy Facility Site Evaluation Council (EFSEC) as provided under RCW 80.50.

- (a) Petroleum refineries.
- (b) Petroleum liquid storage tanks.
- (c) Gasoline loading terminals.
- (d) Bulk gasoline plants.
- (e) Gasoline dispensing facilities.
- (f) Surface coaters.
- (g) Open top vapor degreasers.
- (h) Conveyorized degreasers.
- (i) Gasoline transport tanks.
- (j) Vapor collection systems.
- (k) Perchloroethylene dry cleaning systems.
- (l) Graphic arts systems.
- (m) Surface coaters of miscellaneous metal parts and products.
- (n) Synthesized pharmaceutical manufacturing facilities.
- (o) Flatwood panel manufacturers and surface finishing facilities.

(2) A new emission source of VOCs that must comply with any requirements in ((SWAPCA)) SWCAA 490-040, 490-200, 490-201, 490-202, 490-203, 490-204, 490-205,

490-206 and 490-207, shall comply with the requirements of ((SWAPCA)) SWCAA 400-100 and shall register with ((SWAPCA)) SWCAA prior to operation of the new source, and shall submit sufficient information to demonstrate that the new source is capable of complying with the requirements in this regulation. An opportunity shall be provided for an inspection of the new source by ((SWAPCA)) SWCAA inspectors prior to its operation.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) **SWCAA 490-040 Requirements**

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

To demonstrate compliance with this regulation, refer to ((SWAPCA)) SWCAA 400-105.

(1) **Petroleum refineries.**

This regulation shall apply to all petroleum refineries with a crude oil or feed stock capacity greater than one million four hundred thirty thousand liters (1,430,000 l or 9,000 bb) per day.

(a) Vacuum producing system.

(i) Noncondensable VOC from vacuum producing systems shall be piped to an appropriate firebox, incinerator or to a closed refinery system.

(ii) Hot wells associated with contact condensers shall be tightly covered and the collected VOC introduced into a closed refinery system.

(b) Wastewater separator.

(i) Wastewater separator forebays shall incorporate a floating pontoon or fixed solid cover with all openings sealed, totally enclosing the compartmented liquid contents, or a floating pontoon or a double deck-type cover equipped with closure seals between the cover edge and compartment wall.

(ii) Accesses for gauging and sampling shall be designed to minimize VOC emissions during actual use. All access points shall be closed with suitable covers when not in use.

(c) Process unit turnaround.

(i) The VOC contained in a process unit to be depressurized for turnaround shall be introduced to a closed refinery system, combusted by a flare, or vented to a disposal system.

(ii) The pressure in a process unit following depressurization for turnaround shall be less than five psig before venting to the ambient air.

(iii) Venting or depressurization to the ambient air of a process unit for turnaround at a pressure greater than five psig shall be allowed if the owner demonstrates the actual emission of VOC to the ambient air is less than permitted by ((SWAPCA)) SWCAA 490-040 (1)(c)(ii).

(d) Maintenance and operation of emission control equipment. Equipment for the reduction, collection or disposal of VOC shall be maintained and operated in a manner consistent with the level of maintenance and housekeeping of the overall plant.

(2) **Petroleum liquid storage tanks.**

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(a) All fixed-roof tanks (except as noted in subparagraph (d) of this subsection) storing volatile organic petroleum liquids with a true vapor pressure as stored greater than 78 mm of Hg (1.5 psi) at actual monthly average storage temperatures and having a capacity greater than one hundred fifty thousand liters (40,000 gallons) shall comply with one of the following:

(i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60, subpart K); or

(ii) Be retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the federal standards referred to in ((SWAPCA)) SWCAA 490-040 (2)(a)(i) or its equivalent; or

(iii) Be fitted with a floating roof or internal floating cover meeting the manufacturer's specifications in effect when installed.

(b) All seals used in ((SWAPCA)) SWCAA 490-040 (2)(a)(ii) and (iii) are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears or other openings.

(c) All openings not related to safety are to be sealed with suitable closures.

(d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in ((SWAPCA)) SWCAA 490-040 (4)(b) shall be exempt from the requirements of ((SWAPCA)) SWCAA 490-040(2).

(3) Gasoline loading terminals.

(a) This regulation shall apply to all gasoline loading terminals with an average annual daily gasoline throughput greater than seventy-five thousand liters (75,000 l or 20,000 gallons).

(b) Loading facilities. Facilities for the purpose of loading gasoline into any transport tank shall be equipped with a vapor recovery system (VRS) as described in ((SWAPCA)) SWCAA 490-040 (3)(c) and comply with the following conditions:

(i) The loading facility shall employ submerged or bottom loading for all transport tanks.

(ii) The VRS shall be connected to the transport tank being loaded and shall operate during the entire loading of every transport tank loaded at the facility.

(iii) The loading of all transport tanks shall be performed such that ninety percent by weight of the gasoline vapors displaced during filling are prevented from being released to the ambient air. Emissions from pressure relief valves shall not be included in the controlled emissions when the back pressure in the VRS collection lines is lower than the relief pressure setting of the transport tank's relief valves.

(iv) All loading lines and vapor lines shall be equipped to close automatically upon disconnect. The point of closure shall be on the tank side of any hose or intermediate connecting line.

(c) Vapor recovery system (VRS). The VRS shall be designed and built according to accepted industrial practices and meet the following conditions:

(i) The VRS shall prevent at least ninety percent by weight of the gasoline vapors displaced during loading of each transport tank from entering the ambient air and in no case shall the gasoline vapors emitted to the ambient air exceed eighty milligrams per liter of gasoline loaded.

(ii) The VRS shall be equipped with a signal device to alert personnel when the system is not operating or unintentionally shuts down.

(iii) The back pressure in the VRS collection lines shall not exceed the transport tank's pressure relief settings.

(d) Alternative loading facility. The loading of transport tanks by other means and using other vapor control systems shall require the facility owner to demonstrate that the emission of gasoline vapors to the ambient air is less than eighty milligrams per liter of gasoline loaded.

(4) Bulk gasoline plants.

(a) This regulation shall apply to all bulk gasoline plants with an annual average daily gasoline throughput greater than fifteen thousand liters (15,000 l or 4,000 gallons).

(b) Storage tanks. All storage tanks with a capacity greater than two thousand one hundred liters (2100 l or 550 gallons) and used for the storage of gasoline shall comply with the following conditions:

(i) Each storage tank shall be equipped with a submerged fill line.

(ii) Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.

(iii) The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect.

(iv) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(c) Transport tanks. All transport tanks, except those meeting the conditions in ((SWAPCA)) SWCAA 490-040 (4)(d), transferring gasoline with storage tanks in a bulk gasoline plant shall comply with the following conditions:

(i) The transport tank shall be equipped with the proper attachment fittings to make vapor tight connections for vapor balancing with storage tanks.

(ii) The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically upon planned or unintentional disconnect.

(iii) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(d) Transport tanks used for gasoline and meeting all of the following conditions shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines:

(i) The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from the vapor balance requirements of ((SWAPCA)) SWCAA 490-040(5); and

(ii) The transport tank has a total capacity less than fifteen thousand liters (15,000 l or 4,000 gallons) and is of a

compartmented design and construction requiring the installation of four or more separate vapor balance fittings.

(e) Gasoline transfer operations. No owner or operator of a bulk gasoline plant or transport tank shall allow the transfer of gasoline between a transport tank and a storage tank except under the following conditions:

(i) All tanks shall be submerged filled or bottom loaded.

(ii) The loading of all tanks, except those exempted under ((SWAPCA)) SWCAA 490-040 (4)(d) shall be performed such that ninety percent by weight of the gasoline vapors displaced during filling are prevented from being released into the ambient air. Emissions from pressure relief valves shall not be included in the controlled emissions.

(f) Equipment or system failures. Failures or leaks in the vapor balance system shall be limited by the following conditions:

(i) During the months of April, May, June, July, August, September and October, failures of the vapor balance system to comply with this regulation shall require that gasoline transfer operations stop for the failed part of the system. Other transfer points that can operate in compliance may be used.

(ii) Loading or unloading of the transport tank connected to the failed part of the vapor balance system may be completed.

(iii) Breakdowns and upset conditions during all months of the year shall also comply with the provisions of ((SWAPCA)) SWCAA 400-105(5).

(g) The owner or operator of a bulk gasoline plant or transport tank shall take all reasonable necessary measures to prevent the spilling, discarding in sewers, storing in open containers or handling of gasoline in a manner on the plant site that will result in evaporation to the ambient air.

(5) Gasoline dispensing facilities (Stage I).

(a) This regulation shall apply to all gasoline dispensing facilities with a total annual gasoline throughput greater than 200,000 gallons (16,670 gallons per month) and total gasoline storage capacity greater than 10,000 gallons.

(b) All gasoline storage tanks of the facilities defined in ((SWAPCA)) SWCAA 490-040 (5)(a) shall be equipped with submerged or bottom fill lines and fittings for vapor balancing gasoline vapors with the delivery transport tank.

(c) Gasoline storage tanks with offset fill lines shall be exempt from the requirement of ((SWAPCA)) SWCAA 490-040 (5)(b) if installed prior to January 1, 1979.

(d) The vapor balance system (for the purpose of measuring compliance with the emission control efficiency) shall consist of the transport tank, gasoline vapor transfer lines, storage tank and all tank vents. The vapor balance system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air. A vapor balance system that is designed, built and operated according to accepted industrial practices will satisfy this requirement.

(e) The owner or operator of a gasoline dispensing facility shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.

(6) Surface coaters.

The operation of a coater and dryer, that may serve one or more process lines, shall comply with the following emission limits if the potential uncontrolled emissions of VOC from the coater, flashoff areas, and dryer would be greater than 18 kg (40 pounds) in any given twenty-four hour period. The emission limits and uncontrolled emission quantity shall include the additional quantity of emissions from the dryer during the twelve-hour period after application of the coating.

Process	VOC Limitation (Excluding Water)	
	Grams/Liter of Coating	lb/Gallon of Coating
Can Coating		
Sheet basecoat and overvarnish; two-piece can exterior	340	2.8
Two and three piece can interior body spray, two piece can exterior end	510	4.2
Side-seam spray	660	5.5
End sealing compound	440	3.7
Coil coating	310	2.6
Fabric coating	350	2.9
Vinyl coating	450	3.8
Paper coating	350	2.9
Auto and light duty truck coating		
Prime	230	1.9
Topcoat	340	2.8
Repair	580	4.8
Metal furniture coating	360	3.0
Magnet wire coating	200	1.7
Large appliance coating	340	2.8

(7) Open top vapor degreasers.

(a) All open top vapor degreasers shall:

(i) Have a cover that may be readily opened and closed. When a degreaser is equipped with a lip exhaust, the cover shall be located below the lip exhaust. When a degreaser has a freeboard ratio equal to or greater than 0.75 and the opening is greater than one square meter (10 square feet) the cover shall be power operated.

(ii) Have one of the following:

- (A) A freeboard ratio equal to or greater than 0.75; or
- (B) A freeboard chiller; or
- (C) A closed design such that the cover opens only when the part enters or exits the degreaser.

(iii) Be equipped with at least the following three safety switches:

(A) Condenser-flow switch and thermostat (shuts off sump heat if coolant is either not circulating or too warm); and

(B) Spray safety switch (shuts off spray pump if the vapor level drops excessively); and

(C) Vapor level control thermostat (shuts off sump heat when vapor level rises too high).

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(iv) Post a permanent and conspicuous pictograph or instructions clearly explaining the following work practices:

(A) Do not degrease porous or absorbent materials such as cloth, leather, wood or rope.

(B) The cover of the degreaser should be closed at all times except when processing workloads.

(C) When the cover is open the lip of the degreaser should not be exposed to steady drafts greater than 15.3 meters per minute (50 feet per minute).

(D) Rack parts so as to facilitate solvent drainage from the parts.

(E) Workloads should not occupy more than one-half of the vapor-air interface area.

(F) When using a powered hoist, the vertical speed of parts in and out of the vapor zone should be less than 3.35 meters per minute (11 feet per minute).

(G) Degrease the workload in the vapor zone until condensation ceases.

(H) Spraying operations should be done within the vapor layer.

(I) Hold parts in the degreaser until visually dry.

(J) When equipped with a lip exhaust, the fan should be turned off when the cover is closed.

(K) The condenser water shall be turned on before the sump heater when starting up a cold vapor degreaser. The sump heater shall be turned off and the solvent vapor layer allowed to collapse before closing the condenser water when shutting down a hot vapor degreaser.

(L) Water shall not be visible in the solvent stream from the water separator.

(b) A routine inspection and maintenance program shall be implemented for the purpose of preventing and correcting solvent losses. For example, leaks from drain taps, cracked gaskets, and malfunctioning equipment must be repaired immediately.

(c) Sump drainage and transfer of hot or warm solvent shall be carried out using threaded or other leakproof couplings.

(d) Still and sump bottoms shall be kept in closed containers.

(e) Waste solvent shall be stored in covered containers and returned to the supplier or to a firm which processes solvents for disposal.

(8) Conveyorized degreasers.

(a) The owner or operator of conveyorized cold cleaners and conveyorized vapor degreasers shall comply with the following operating requirements:

(i) Exhaust ventilation shall not exceed twenty cubic meters per minute per square meter (65 cfm per ft.²) of degreaser opening, unless necessary to meet OSHA requirements.

(ii) Post in the immediate work area a permanent and conspicuous pictograph or instructions clearly explaining the following work practices:

(A) Rack parts for best drainage.

(B) Maintain vertical speed of conveyed parts to less than 3.35 meters per minute (11 feet per minute).

(C) The condenser water shall be turned on before the sump heater when starting up a cold vapor degreaser. The

sump heater shall be turned off and the solvent vapor layer allowed to collapse before closing the condenser water when shutting down a hot vapor degreaser.

(D) Water shall not be visible in the solvent stream from the water separator.

(iii) Vapor degreasers shall be equipped with at least the following three safety switches:

(A) Condenser flow switch and thermostat (shuts off sump heat if coolant is either not circulating or too warm); and

(B) Spray safety switch (shuts off spray pump if the vapor level drops excessively); and

(C) Vapor level control thermostat (shuts off sump heat when vapor level rises too high).

(b) A routine inspection and maintenance program shall be implemented for the purpose of preventing and correcting solvent losses. For example, leaks from drain taps, cracked gaskets, and malfunctioning equipment must be repaired immediately.

(c) Sump drainage and transfer of hot or warm solvent shall be carried out using threaded or other leakproof couplings.

(d) Still and sump bottoms shall be kept in closed containers.

(e) Waste solvent shall be stored in covered containers and returned to the supplier or to a firm ((which)) that processes solvents for disposal.

(f) All conveyorized cold cleaners and conveyorized vapor degreasers with air/vapor interfaces of 2.0 m² or greater shall have a carbon adsorption system, exhausting less than 25 ppm of solvent averaged over a complete adsorption cycle (based on exhaust ventilation of 15 m³ per min per m² of air/vapor area, when downtime covers are open), or a system with control effectiveness equal to or better than a carbon adsorption system.

(9) Cutback asphalt paving.

(a) All paving applications of cutback asphalts are prohibited during the months of April, May, June, July, August, September and October, except as provided for in ((SWAPCA)) SWCAA 490-040 (9)(b).

(b) The following paving uses and applications of cutback asphalts are permitted during all months of the year.

(i) As a penetrating prime coat on aggregate bases prior to paving.

(ii) The manufacture of patching mixes used exclusively for pavement maintenance and needed to be stockpiled for times longer than one month.

(iii) All paving uses when the temperature during application is below 10°C (50°F). Any person using cutback asphalt for paving shall demonstrate that the ambient air temperature at 8 a.m. (PST) is below 50°F. The paving application of cutback asphalt when the ambient air temperature is 50°F or higher is in violation of this regulation.

(10) Cold cleaners.

(a) The owners or operators of all cold cleaners shall comply with the following equipment specifications:

(i) Be equipped with a cover that is readily opened and closed.

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(ii) Be equipped with a drain rack that returns the drained solvent to the solvent bath.

(iii) Have a freeboard ratio of at least 0.5.

(iv) Have a visible fill line.

(b) An owner or operator of a cold cleaner shall be responsible for following the required operating parameters and work practices. The owner shall post and maintain in the work area of each cold cleaner a pictograph or instructions clearly explaining the following work practices:

(i) The solvent level shall not be above the fill line.

(ii) The spraying of parts to be cleaned shall be performed only within the confines of the cold cleaner.

(iii) The cover of the cold cleaner shall be closed when not in use or when parts are being soaked or cleaned by solvent agitation.

(iv) Solvent-cleaned parts shall be rotated to drain cavities or blind holes and then set to drain until dripping has stopped.

(v) Waste solvent shall be stored in covered containers and returned to the supplier or to a firm (~~which~~) that processes solvents for disposal.

(c) The owner or operator shall maintain cold cleaners in good working condition and free of solvent leaks.

(d) If the solvent has a vapor pressure greater than 2.0 kPa (0.3 psi) measured at 38°C (100°F), or if the solvent is agitated or heated, then the cover must be designed so that it can be easily operated with one hand.

(e) If the solvent has a vapor pressure greater than 4.3 kPa (0.6 psi) measured at 38°C (100°F), then the drainage facility must be internal, so that parts are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

(f) If the solvent has a vapor pressure greater than 4.3 kPa (0.6 psi) measured at 38°C (100°F), or if the solvent is heated above 50°C (120°F), one of the following solvent vapor control systems must be used:

(i) The freeboard ratio must be equal to or greater than 0.70; or

(ii) Water must be kept over the solvent. The solvent must be more dense and insoluble in water.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 490-080 Exceptions and Alternative Methods

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

(1) Other emission reduction methods may be used if the source operator demonstrates to ((SWAPCA)) SWCAA that they are at least as effective as the required methods; and

(2) The operation of a natural gas-fired incinerator and associated capture system installed for the purpose of complying with this regulation shall be required only during the months of April, May, June, July, August, September and October, unless the operation of such devices is required for purposes of occupational health or safety, or for the control of toxic substances, malodors, or other regulated pollutants.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 490-090 New Source Review

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

The provisions of ((SWAPCA)) SWCAA 400-110 shall apply to all new sources and emissions units to which this regulation is applicable.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) SWCAA 490-200 Petroleum Refinery Equipment Leaks

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to all petroleum refineries as qualified in ((SWAPCA)) SWCAA 490-025.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a petroleum refinery shall:

(i) Develop and conduct a monitoring program consistent with the provisions in ((SWAPCA)) SWCAA 490-200(3), 490-200(4), 490-200(5), and 400-105;

(ii) Record all leaking components (~~which~~) that have a VOC concentration greater than 10,000 ppm when tested according to the provisions in ((SWAPCA)) SWCAA 490-200(3) and place an identification tag on each component consistent with the provisions of ((SWAPCA)) SWCAA 490-200 (4)(c);

(iii) Correct and retest the leaking component, as defined in ((SWAPCA)) SWCAA 490-200 (2)(a)(ii), as soon as practicable, but not later than fifteen days after the leak is recorded. If a leak continues after all reasonable corrective actions have been taken, then the component shall be repaired or replaced on the next scheduled turnaround.

(iv) Identify all leaking components, as defined in ((SWAPCA)) SWCAA 490-200 (2)(a)(ii), that cannot be corrected until the refinery unit is shut down for turnaround.

(b) The owner or operator of a petroleum refinery shall not install or operate a valve at the end of a pipe or line containing VOC unless the pipe or line is sealed with a second suitable closure. Exceptions to this requirement are the ends of a pipe or line connected to pressure relief valves, aspirator

vents or other devices specifically required to be open for safety protection. The sealing device may be removed only when a sample is being taken or during maintenance operations.

(3) Testing procedures. To demonstrate compliance with this regulation, refer to ((SWAPCA)) SWCAA 400-105(5).

(4) Monitoring.

(a) The owner or operator of a petroleum refinery shall conduct a monitoring program consistent with the following provisions:

(i) Monitor yearly by the methods referenced in ((SWAPCA)) SWCAA 490-200(3) all pump seals, pipeline valves in liquid service and process drains;

(ii) Monitor quarterly by the methods referenced in ((SWAPCA)) SWCAA 490-200(3) all compressor seals, pipeline valves in gaseous service and pressure relief valves in gaseous service;

(iii) Monitor weekly by visual methods all pump seals;

(iv) Monitor immediately any pump seal from which liquids are observed leaking;

(v) Monitor any relief valve within twenty-four hours after it has vented to the atmosphere; and

(vi) After a leaking component is repaired, monitor for leaks prior to return to service.

(b) Pressure relief devices that are connected to an operating flare header, vapor recovery device, inaccessible valves, storage tank valves, and valves that are not externally regulated are exempt from the monitoring requirements in ((SWAPCA)) SWCAA 490-200 (4)(a).

(c) The owner or operator of a petroleum refinery, upon the detection of a leaking component, as defined in ((SWAPCA)) SWCAA 490-200 (2)(a)(ii), shall affix a weatherproof and readily visible tag, bearing an identification number and the date the leak is located, to the leaking component. This tag shall remain in place until the leak is corrected.

(5) Recordkeeping.

(a) The owner or operator of a petroleum refinery shall maintain a leaking component's monitoring log as specified in ((SWAPCA)) SWCAA 490-200 (2)(a)(ii) that shall contain, at a minimum, the following data:

(i) The name of the process unit where the component is located.

(ii) The type of component (e.g., valve, seal).

(iii) The tag number of the component.

(iv) The date on which a leaking component is discovered.

(v) The date on which a leaking component is repaired.

(vi) The date and instrument reading of the recheck procedure after a leaking component is repaired.

(vii) A record of the calibration of the monitoring instrument.

(viii) Those leaks that cannot be repaired until turnaround.

(ix) The total number of components checked and the total number of components found leaking.

(b) Copies of the monitoring log shall be retained by the owner or operator for a minimum of two years after the date on which the record was made or the report prepared.

(c) Copies of the monitoring log shall immediately be made available to ((SWAPCA)) SWCAA, upon verbal or written request, at any reasonable time.

(6) Reporting. The owner or operator of a petroleum refinery shall notify ((SWAPCA)) SWCAA in writing within forty-five days following each quarterly or annual inspection for component leaks when:

(a) The number of discovered leaks has increased by more than ten percent above the number recorded during the last inspection of the same components;

(b) The number of leaking components has increased for two consecutive quarterly or annual inspections;

(c) The number of leaks not corrected within fifteen days exceeds five percent of the leaks detected;

(d) The next scheduled process unit turnaround needed to repair an uncorrectable leak is more than twelve months away.

(7) Petition for alternative monitoring.

(a) After two complete liquid service inspections and five complete gaseous service inspections, the owner or operator of a petroleum refinery may petition the director for alternative monitoring procedures or a reduction in monitoring frequency.

(b) A petition for alternative monitoring procedures shall contain:

(i) The name and address of the company and the name and telephone number of the responsible person over whose signature the petition is submitted;

(ii) A detailed description of the problems encountered under ((SWAPCA)) SWCAA 490-200(4); and

(iii) A detailed description of the alternative monitoring procedures and how this alternative procedure will solve or reduce the problems encountered under ((SWAPCA)) SWCAA 490-200(4).

(c) A petition for a reduction in monitoring frequency shall contain:

(i) The information requested in ((SWAPCA)) SWCAA 490-200 (7)(b)(i);

(ii) A detailed description of the proposed component-monitoring schedule;

(iii) A demonstration by the owner or operator that the facility is currently operating with a low level of component leaks and is committed to a maintenance program that will assure a frequency and severity of component leaks as good as that attainable under ((SWAPCA)) SWCAA 490-200(2).

(d) An approved petition for a reduction in monitoring frequency shall begin with the next quarterly inspection and shall be valid for a period of twelve quarters (three years). At the time of the last inspection in the twelve quarters, a new submittal of the information required in ((SWAPCA)) SWCAA 490-200 (7)(c) shall be made if the reduced frequency of monitoring is to continue.

(e) ((SWAPCA)) SWCAA may approve a part or all of a petition for alternative monitoring requested under ((SWAPCA)) SWCAA 490-200 (7)(b) or (c). Approval or disapproval will be in writing and within forty-five calendar days of receipt of the petition by ((SWAPCA)) SWCAA. A failure to approve or disapprove a new petition or petition for renewal within the stated time limit shall be taken as an approval.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 490-201 Petroleum Liquid Storage in External Floating Roof Tanks

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

(1) Specific applicability.

(a) This section shall apply to all petroleum liquid storage vessels equipped with external floating roofs, having capacities greater than 150,000 liters (40,000 gallons), and as qualified in ((SWAPCA)) SWCAA 490-025.

(b) This section does not apply to petroleum liquid storage vessels that:

- (i) Are used to store waxy, heavy pour crude oil; or
- (ii) Have capacities less than 1,600,000 liters (420,000 gallons) and are used to store produced crude oil and condensate prior to lease custody transfer; or
- (iii) Contain a petroleum liquid with a true vapor pressure of less than 10.5 kPa (1.5 psia); or
- (iv) Contain a petroleum liquid with a true vapor pressure less than 27.6 kPa (4.0 psia); are of welded construction; and presently possess a metallic-type shoe seal, a liquid-mounted foam seal, a liquid-mounted liquid filled type seal, or other closure device of demonstrated equivalence approved by ((SWAPCA)) SWCAA; or
- (v) Are of welded construction, equipped with a metallic-type shoe primary seal and have secondary seal from the top of the shoe seal to the tank wall (shoe-mounted secondary seal).

(2) Provisions for specific processes.

(a) No owner(s) or operator(s) of a petroleum liquid storage vessel shall store a petroleum liquid in that vessel unless:

- (i) The vessel has been fitted with:
 - (A) A continuous secondary seal extending from the floating roof to the tank wall (rim-mounted secondary seal); or
 - (B) A closure or other device which controls VOC emissions with an effectiveness equal to or greater than a seal required under ((SWAPCA)) SWCAA 490-201 (2)(a)(i)(A) and approved by ((SWAPCA)) SWCAA.

(ii) All seal closure devices meet the following requirements:

- (A) There are no visible holes, tears, or other openings in the seal or seal fabric;
- (B) The seal is intact and uniformly in place around the circumference of the floating roof between the floating roof and the tank wall; and
- (C) For vapor mounted primary seals, the accumulated area of gaps exceeding 0.32 cm (1/8 inch) in width between the secondary seal and the tank wall shall not exceed 21.2 cm² per meter of tank diameter (1.0 in² per foot of tank diameter), as determined by the method in ((SWAPCA)) SWCAA 490-201(3).

(iii) All openings in the external floating roof, except for automatic bleeder vents, rim space vents, and leg sleeves, are:

- (A) Equipped with covers, seals, or lids in the closed position except when the openings are in actual use; and
- (B) Equipped with projections into the tank ((which)) that remain below the liquid surface at all times.

(iv) Automatic bleeder vents are closed at all times except when the roof is floated off or landed on the roof leg supports;

(v) Rim vents are set to open when the roof is being floated off the leg supports or at the manufacturer's recommended setting; and

(vi) Emergency roof drains are provided with slotted membrane fabric covers or equivalent covers ((which)) that cover at least ninety percent of the area of the opening.

(b) The owner(s) or operator(s) of a petroleum liquid storage vessel with an external floating roof subject to this regulation shall:

(i) Perform routine inspections annually in order to insure compliance with ((SWAPCA)) SWCAA 490-201 (2)(a) and the inspection shall include a visual inspection of the secondary seal gap;

(ii) Measure the secondary seal gap annually in accordance with ((SWAPCA)) SWCAA 490-201(3) when the floating roof is equipped with a vapor-mounted primary seal; and

(iii) Maintain records of the types of volatile petroleum liquids stored, the maximum true vapor pressure of the liquid as stored, and the results of the inspections performed in ((SWAPCA)) SWCAA 490-201 (2)(b)(i) and (ii).

(c) The owner(s) or operator(s) of a petroleum liquid storage vessel with an external floating roof exempted from this regulation by ((SWAPCA)) SWCAA 490-201 (1)(b)(iii), but containing a petroleum liquid with a true vapor pressure greater than 7.0 kPa (1.0 psi), shall maintain records of the average monthly storage temperature, the type of liquid, and the maximum true vapor pressure for all petroleum liquids with a true vapor pressure greater than 7.0 kPa.

(d) Copies of all records under ((SWAPCA)) SWCAA 490-201 (2)(b) and (c) shall be retained by the owner(s) or operator(s) for a minimum of two years after the date on which the record was made.

(e) Copies of all records required under ((SWAPCA)) SWCAA 490-201 shall immediately be made available to the director, upon verbal or written request, at any reasonable time.

(3) Testing and monitoring.

(a) The owner or operator of a storage vessel covered under ((SWAPCA)) SWCAA 490-201 shall demonstrate compliance by the methods of this subsection or an alternative method approved by ((SWAPCA)) SWCAA.

(b) A person proposing to measure the seal fit of a storage vessel in order to comply with this section shall notify ((SWAPCA)) SWCAA of the intent to measure not less than five working days before the measurement so the director or a representative may observe the measurement if desired.

(c) Compliance with ((SWAPCA)) SWCAA 490-201 (2)(a)(ii)(C) shall be determined by physically measuring the length and width of all gaps around the circumference of the secondary seal in each place where a 0.32 cm (1/8 in.) diam-

eter probe passes freely (without forcing or binding against the seal) between the seal and the tank wall and summing the area of the individual gaps.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-101, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 490-202 Leaks from Gasoline Transport Tanks and Vapor Collection Systems

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93; 96-21-101 filed 10/21/96, effective 11/21/96]

(1) Specific applicability.

This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, bulk gasoline plants and gasoline dispensing facilities as qualified in ((SWAPCA)) SWCAA 490-025 and 490-040.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a gasoline loading or unloading facility shall only allow the transfer of gasoline between the facility and a transport tank when a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle.

(b) The owner(s) or operator(s) of a transport tank shall not make any connection to the tank for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank:

(i) Is tested annually according to the schedule in ((SWAPCA)) SWCAA 490-202 (3)(b) and the test procedure referenced in ((SWAPCA)) SWCAA 490-202 (3)(c);

(ii) Sustains a pressure change of no more than 0.75 kilopascals (3 inches of water) in five minutes when pressurized to a gauge pressure of 4.5 kilopascals (460 mm H₂O or 18 inches of water) or evacuated to a gauge pressure of 1.5 kilopascals (150 mm H₂O or 6 inches of water) during the testing required in ((SWAPCA)) SWCAA 490-202 (2)(b)(i). Effective December 15, 1997, certification and allowable pressures shall be as provided below in accordance with 40 CFR 63.420 et seq. (Subpart R);

Tank or Compartment Capacity liters (gallons)	Certification Pressure mm H ₂ O (in. H ₂ O)	Pressure Change Any Time mm H ₂ O (in. H ₂ O)
9464 or more (2500 or more)	25 (1.0)	64 (2.5)
9463 to 5676 (2499 to 1500)	38 (1.5)	76 (3.0)
5679 to 3785 (1499 to 1000)	51 (2.0)	89 (3.5)
3782 or less (999 or less)	64 (2.5)	102 (4.0)

(iii) Is repaired by the owner(s) or operator(s) and retested within fifteen days of testing if it does not meet the criteria of ((SWAPCA)) SWCAA 490-202 (2)(b)(ii);

(iv) All transport tanks transferring gasoline at bulk plants and stationary tanks (including dispensing facilities) shall use gasoline vapor recovery equipment as provided in ((SWAPCA)) SWCAA 491-040(3).

(c) The owner(s) or operator(s) of a transport tank shall:
(i) Have a current leak test certification for the transport tank on file with each gasoline loading or unloading facility where gasoline is transferred; or

(ii) Display a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:

(A) Shows the date that the gasoline tank truck last passed the test required in ((SWAPCA)) SWCAA 490-202 (2)(b)(i) and (ii);

(B) Shows the identification number of the gasoline tank truck tank;

(C) Shows the certification number of the tanker; and

(D) Shows the expiration date.

(d) The owner(s) or operator(s) of a vapor collection system shall:

(i) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks equipped for emission control such that:

(A) A gauge reading of tank pressure will not exceed 4.5 kilopascals (18 inches of water) or vacuum 1.5 kilopascals (6 inches of water);

(B) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of 2.5 cm (1 inch) from potential leak sources when measured by the method in ((SWAPCA)) SWCAA 490-202(3); and

(C) There are no visible liquid leaks.

(ii) Repair and retest a vapor collection system that exceeds the limits of ((SWAPCA)) SWCAA 490-202 (2)(d)(i) within fifteen days.

(e) ((SWAPCA)) SWCAA may, at any time, monitor a gasoline transport tank and vapor collection system during loading or unloading operations by the procedure in ((SWAPCA)) SWCAA 490-202 (3)(d) to confirm continuing compliance with ((SWAPCA)) SWCAA 490-202 (2)(b) or (d).

(f) ((SWAPCA)) SWCAA may, at any time, require that a cargo tank be tested for leak detection, pressure decay, or vapor tightness using the procedures identified in 40 CFR 63.425 (f), (g), and (h). The allowable pressure change for testing under 40 CFR 425 (g) and (h) shall be as provided in column three of the table in 2(b) of this section.

(3) Testing and monitoring.

(a) The owner(s) or operator(s) of a gasoline transport tank or vapor collection system shall, at his own expense, demonstrate compliance with ((SWAPCA)) SWCAA 490-202 (2)(a) and (b), respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests. Persons or companies performing the testing shall be approved by ((SWAPCA)) SWCAA. Persons or companies performing testing shall submit a copy of their test procedures and test equipment calibration procedures to ((SWAPCA)) SWCAA for review and approval for initial qualification. ((SWAPCA)) SWCAA may request calibration and test procedures as necessary to assure continued proper test protocol.

(b) Certification testing shall be performed annually and the certification sticker shall be replaced annually. Certification testing shall be performed no later than the expiration

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date on the sticker and no sooner than 30 days prior to the expiration date. Renewals shall be made for a period of one year from the previous expiration date. Expiration dates shall initially be established by ((SWAPCA)) SWCAA based on a successful certification test. The expiration date may be requested to be adjusted by an owner or operator but, if adjusted, shall not exceed one year from the date of the last valid certification test.

(c) Compliance shall be demonstrated for each required test by the following methods:

TEST TYPE	METHOD
Annual certification (40 CFR 63.425(e))	EPA Method 27
Leak detection test (40 CFR 63.425(f))	EPA Method 21
Nitrogen pressure decay field test (40 CFR 63.425(g))	See 40 CFR 63.425(g)
Continuous performance pressure decay (40 CFR 63.425(h))	EPA Method 27

(d) Monitoring to confirm the continuing existence of leak tight conditions shall be consistent with the procedures in ((SWAPCA)) SWCAA 490-202 (3)(c).

(4) Recordkeeping.

(a) The owner(s) or operator(s) of a gasoline transport tank or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.

(b) The records of certification tests required by ((SWAPCA)) SWCAA 490-202 (4)(a) shall, as a minimum, contain:

- (i) The transport tank identification number and tank capacity;
- (ii) The initial test pressure and the time of the reading;
- (iii) The final test pressure and the time of the reading;
- (iv) The initial test vacuum and the time of the reading;
- (v) The final test vacuum and the time of the reading;
- (vi) At the top of each report page, the company name, date and location of the tests on that page; and
- (vii) Name, signature, and title of the person conducting the test.

(c) The owner(s) or operator(s) of a gasoline transport tank shall annually certify that the transport tank passed the required tests.

(d) Each owner or operator of a gasoline transport tank shall pay a fee and register annually for each gasoline transport tank as provided in ((SWAPCA)) SWCAA 400-100(3). The registration fee is due at the time of initial certification and subsequently at the time of annual certification renewal.

(e) Copies of all records required under ((SWAPCA)) SWCAA 490-202 shall immediately be made available to ((SWAPCA)) SWCAA, upon written request, at any reasonable time.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) SWCAA 490-203 Perchloroethylene Dry Cleaning Systems

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to all dry cleaning systems using perchloroethylene cleaning solvent and as qualified in ((SWAPCA)) SWCAA 490-203 (1)(a) and (b) and 490-025.

(a) The following dry cleaning systems are exempt from the requirements of ((SWAPCA)) SWCAA 490-203 (2)(a)(i) and (ii):

- (i) Coin-operated systems;
- (ii) Systems located in a facility with inadequate space to accommodate an adsorber;
- (iii) Systems with insufficient steam capacity to desorb adsorbers.

(b) An exemption for the conditions stated in ((SWAPCA)) SWCAA 490-203 (2)(a)(i) and (ii) may be granted by ((SWAPCA)) SWCAA when sufficient evidence is submitted by the owner(s) or operator(s) of the dry cleaning system to justify the exemption.

(c) A material balance will be used to determine VOC losses.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a perchloroethylene dry cleaning facility subject to this regulation shall:

- (i) Vent the entire dryer exhaust through a properly functioning carbon adsorption system or equally effective control device;
- (ii) Emit no more than 100 ppmv when demonstrated in accordance with ((SWAPCA)) SWCAA 490-203 (3)(c)(i), of VOCs from the dryer control device before dilution;
- (iii) Immediately repair all components found to be leaking liquid VOCs;
- (iv) Cook or treat all diatomaceous earth filters so that the residue contains 25 kg or less of VOCs per 100 kg of wet waste material;
- (v) Reduce the VOCs from all solvent stills to 60 kg or less per 100 kg of wet waste material;
- (vi) Drain all filtration cartridges, in the filter housing or other enclosed container, for at least twenty-four hours before discarding the cartridges; and
- (vii) When possible, dry all drained cartridges without emitting VOCs to the atmosphere.

(3) Testing and monitoring.

(a) Compliance with ((SWAPCA)) SWCAA 490-203 (2)(a)(i), (vi), and (vii) shall be determined by means of visual inspection.

(b) Compliance with ((SWAPCA)) SWCAA 490-203 (2)(a)(iii) shall be determined by means of visual inspection of the following components:

- (i) Hose connections, unions, couplings and valves;
- (ii) Machine door gaskets and seatings;
- (iii) Filter head gasket and seating;
- (iv) Pumps;
- (v) Base tanks and storage containers;
- (vi) Water separators;

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- (vii) Filter sludge recovery;
- (viii) Distillation unit;
- (ix) Diverter valves;
- (x) Saturated lint from lint basket; and
- (xi) Cartridge filters.

(c) Compliance with ((SWAPCA)) SWCAA 490-203 (2)(a)(ii) shall be demonstrated by:

(i) A test consistent with the procedures on file with and approved by ((SWAPCA)) SWCAA; or

(ii) The proper installation, operation, and maintenance of equipment that has been demonstrated by the owner(s) or operator(s) to adequately meet the emission limits in ((SWAPCA)) SWCAA ~~WAC 173-490-203~~ (2)(a)(ii).

(d) Compliance with ((SWAPCA)) SWCAA ~~WAC 173-490-203~~ (2)(a)(iv) and (v) shall be demonstrated by tests consistent with the procedures on file with and approved by ((SWAPCA)) SWCAA.

Reviser's note: The brackets and enclosed material in the text of 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.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Southwest Clean Air Agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) SWCAA 490-204 Graphic Arts Systems

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability.

(a) This section shall apply to all packaging rotogravure, publication rotogravure, specialty printing operations, and flexographic printing facilities that use more than 90 megagrams (100 tons) per year of VOCs as a component of ink, for the thinning of ink, cleaning of presses, press components and equipment; and are covered by ((SWAPCA)) SWCAA 490-025.

(b) Machines that have both coating units (apply a uniform layer of material across the entire width of a web) and printing units (forming words, designs, and pictures) shall be included under ((SWAPCA)) SWCAA 490-204 rather than ((SWAPCA)) SWCAA 490-040(6), Surface Coaters.

(2) Provisions for specific processes.

(a) No owner(s) or operator(s) of a packaging rotogravure, publication rotogravure or flexographic printing subject to this regulation and employing solvent containing ink may operate, cause, allow or permit the operation of the facility unless:

(i) The volatile fraction of ink, as it is applied to the substrate, contains twenty-five percent by volume or less of organic solvent and seventy-five percent by volume or more of water;

(ii) The ink as it is applied to the substrate, less water, contains sixty percent by volume or more nonvolatile material; or

(iii) The owner(s) or operator(s) installs and operates a system that captures at least ninety percent by weight and;

(A) A carbon adsorption system ((which)) that reduces the volatile organic emissions from the capture system by at least ninety percent by weight;

(B) An incineration system ((which)) that oxidizes at least ninety percent of the nonmethane VOCs (VOC measured as total combustible carbon) to carbon dioxide and water; or

(C) An alternative VOC emission reduction system demonstrated to have at least a ninety percent reduction efficiency, measured across the control system, and has been approved by ((SWAPCA)) SWCAA.

(b) A collection system shall be used with the emission controls of ((SWAPCA)) SWCAA 490-204 (2)(a)(iii). The design and operation of the collection system shall be consistent with good engineering practice, and shall provide an overall reduction in the emission of VOCs of at least:

(i) Seventy-five percent where a publication rotogravure process is used; or

(ii) Sixty-five percent where a packaging rotogravure process is used; or

(iii) Sixty percent where a flexographic process is used.

(3) Testing and monitoring.

(a) To demonstrate compliance with this regulation, refer to ((SWAPCA)) SWCAA 400-105.

(b) When add-on control equipment is used, continuous monitors of the following parameters shall be installed, periodically calibrated, and operated at all times that the associated control equipment is operating:

(i) Exhaust gas temperature of all incinerators;

(ii) Temperature rise across a catalytic incinerator bed;

(iii) Breakthrough of VOC on a carbon adsorption unit; and

(iv) Any other continuous monitoring or recording device required by ((SWAPCA)) SWCAA.

(c) The owner or operator of a facility shall be responsible for all expenses of monitoring required by ((SWAPCA)) SWCAA 490-204 (3)(b).

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) SWCAA 490-205 Surface Coating of Miscellaneous Metal Parts and Products

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to surface coating of miscellaneous metal parts and products in the following industries, if the potential uncontrolled emissions of VOC is greater than 10 tons per year and as qualified in ((SWAPCA)) SWCAA 490-205 (1)(b), (c), and (d), and 490-025.

(a) Miscellaneous metal parts and products shall include:

(i) Large farm machinery (harvesting, fertilizing and planting machines, tractors, combines, etc.);

(ii) Small farm machinery (lawn and garden tractors, lawn mowers, rototillers, etc.);

(iii) Small appliances (fans, mixers, blenders, crock pots, dehumidifiers, vacuum cleaners, etc.);

(iv) Commercial machinery (office equipment, computers and auxiliary equipment, typewriters, calculators, vending machines, etc.);

(v) Industrial machinery (pumps, compressors, conveyor components, fans, blowers, transformers, etc.);

(vi) Fabricated metal products (metal covered doors, frames, etc.); and

(vii) Any other industrial category (~~which~~) that coats metal parts or products under the Standard Industrial Classification Code of Major Group 33 (primary metal industries), Major Group 34 (fabricated metal products), Major Group 35 (nonelectric machinery), Major Group 36 (electrical machinery), Major Group 37 (transportation equipment), Major Group 38 (miscellaneous instruments), Major Group 39 (miscellaneous manufacturing industries), Major Group 40 (railroad transportation), and Major Group 41 (transit passenger transportation).

(b) This section is not applicable to the surface coating of the following metal parts and products:

- (i) Automobiles and light-duty trucks;
- (ii) Metal cans;
- (iii) Flat metal sheets and strips in the form of rolls or coils;
- (iv) Magnet wire for use in electrical machinery;
- (v) Metal furniture;
- (vi) Large appliances;
- (vii) Airplanes;
- (viii) Automobile refinishing;
- (ix) Customized top coating of automobiles and trucks, if production is less than thirty-five vehicles per day; and
- (x) Exterior of marine vessels.

(c) This regulation applies to the application area, flashoff area, air and forced air drier, and oven used in the surface coating of the metal parts and products in ((SWAPCA)) SWCAA 490-205 (1)(a). This regulation also applies to prime coat, top coat, and single coat operations.

(d) The application of coatings whose formulations are controlled by federal specifications and the use of which is required by federal agencies shall be exempt from the emission limits in ((SWAPCA)) SWCAA 490-205 (2)(a).

(e) A case-by-case determination of the emission controls best representing RACT may be substituted for the requirements of ((SWAPCA)) SWCAA 490-205(2). Such a determination shall be approved by ((SWAPCA)) SWCAA.

(2) Provisions for specific processes.

(a) The owner or operator of a coating application system shall not emit a quantity of VOCs greater than those listed by specific coating, excluding water and as delivered to the application system:

(i) Clear coatings	0.52 kg/liter	(4.3 lb/gallon)
(ii) Extreme performance coatings	0.42 kg/liter	(3.5 lb/gallon)
(iii) Air dried coatings	0.42 kg/liter	(3.5 lb/gallon)
(iv) All others	0.36 kg/liter	(3.0 lb/gallon)
(v) Powder coatings	0.05 kg/liter	(0.4 lb/gallon)

(b) When more than one emission limitation listed in ((SWAPCA)) SWCAA 490-205 (2)(a) applies to a specific coating, the least stringent will apply.

(c) All VOC emissions from solvent washings shall be considered in the emission limitations in ((SWAPCA)) SWCAA 490-205 (2)(a), unless the solvent is directed into containers that prevent evaporation into the atmosphere.

(d) The emission limits set forth in ((SWAPCA)) SWCAA 490-205 (2)(a) shall be achieved by:

- (i) The application of low solvent coating technology; or
- (ii) An incineration system that oxidizes at least ninety percent of the VOCs (VOC measured as total combustible carbon) to carbon dioxide and water; or
- (iii) An equivalent means of VOC reduction certified by the owner(s) or operator(s) and approved by ((SWAPCA)) SWCAA.

(e) A collection system shall be used together with the incinerator of ((SWAPCA)) SWCAA 490-205 (2)(d)(ii). The design and operation of the collection system shall be consistent with good engineering practice and provide for an overall VOC emission reduction necessary to comply with the emission limits of ((SWAPCA)) SWCAA 490-205 (2)(a). The required VOC emission reduction shall be calculated on a unit volume of uncured solids basis.

(3) Testing and monitoring.

(a) ((SWAPCA)) SWCAA may require the owner(s) or operator(s) of a source to demonstrate at his/her own expense, compliance by the methods of ((SWAPCA)) SWCAA 490-205 (3)(c).

(b) The owner(s) or operator(s) of a source shall notify ((SWAPCA)) SWCAA at least ten days before a proposed emission certification test so the director or a representative may observe the test.

(c) To demonstrate compliance with this regulation, refer to ((SWAPCA)) SWCAA 400-105.

(d) ((SWAPCA)) SWCAA may require monitoring of the following parameters:

- (i) Exhaust gas temperature of all incinerators;
- (ii) Temperature rise across a catalytic incinerator bed; and
- (iii) Breakthrough of VOC on a carbon adsorption unit.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) SWCAA 490-207 Surface Coating of Flatwood Paneling

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability.

(a) This section shall apply to all flatwood panel manufacturers and surface finishing facilities as qualified in ((SWAPCA)) SWCAA 490-207 (1)(b) and (c) and 490-025.

(b) These regulations shall apply to all operations and equipment that is used to apply, convey and dry (including flashoff areas) a surface pattern or coating on the following products:

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(i) Printed interior panels made of hardwood plywood and thin particleboard;

(ii) Natural finish hardwood plywood panels; or

(iii) Hardboard paneling with Class II finishes.

(c) These regulations do not apply to the manufacture of exterior siding, tileboard, or particleboard used as a furniture component.

(2) Provisions for specific processes.

(a) The owner(s) or operator(s) of a facility shall not emit VOCs from a coating application system in excess of:

(i) 2.9 kg per 100 square meters of coated finished product (6.0 lb/1,000 square feet) from printed interior panels, regardless of the number of coats applied;

(ii) 5.9 kg per 100 square meters of coated finished product (12.0 lb/1,000 square feet) from natural finish hardwood plywood panels, regardless of the number of coats applied; and

(iii) 4.9 kg per 100 square meters of coated finished product (10.0 lb/1,000 square feet) from Class II finishes on hardboard panels, regardless of the number of coats applied.

(b) The emission limits in ((SWAPCA)) SWCAA 490-207 (2)(a) shall be achieved by:

(i) The application of low solvent content coating technology; or

(ii) An incineration system ((which)) that oxidizes at least ninety percent of the nonmethane VOCs entering the incinerator (VOC measured as total combustible carbon) to carbon dioxide and water; or

(iii) An equivalent means of VOC removal. The equivalent means must be certified by the owner(s) or operator(s) and approved by ((SWAPCA)) SWCAA.

(c) A capture system shall be used in conjunction with the emission control systems in ((SWAPCA)) SWCAA 490-207 (2)(b)(ii) and (iii). The design and operation of the capture system must be consistent with good engineering practice and shall be required to provide for an overall emission reduction sufficient to meet the emission limitation in ((SWAPCA)) SWCAA 490-207 (2)(a).

(3) Testing and monitoring.

(a) ((SWAPCA)) SWCAA may require the owner or operator of a facility to demonstrate at his/her own expense compliance by the methods of ((SWAPCA)) SWCAA 490-207 (3)(c).

(b) The owner(s) or operator(s) of a facility shall notify ((SWAPCA)) SWCAA at least ten days before a proposed emission certification test so the director or a representative may observe the test.

(c) To demonstrate compliance with this regulation, refer to ((SWAPCA)) SWCAA 400-105.

(d) ((SWAPCA)) SWCAA may require monitoring of the following parameters:

(i) Exhaust gas temperature of all incinerators;

(ii) Temperature rise across a catalytic incinerator bed; and

(iii) Breakthrough of VOC on a carbon adsorption unit.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 93-16-011, filed 7/22/93, effective 8/22/93)

((SWAPCA)) SWCAA 490-208 **Aerospace Assembly and Component Coating Operations**

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption 93-16-011 filed 7/22/93, effective 8/22/93]

(1) Specific applicability. This section shall apply to all aerospace component coating facilities that emit an annual average of eighteen kilograms (forty pounds) or more of VOCs per operating day and as qualified in ((SWAPCA)) SWCAA 490-025.

(2) It shall be unlawful for any person to cause or allow:

(a) The application of any primer or topcoat to aerospace components ((which)) that contains in excess of:

(i) 650 grams of VOC per liter of primer, less water, as applied.

(ii) 600 grams of VOC per liter of topcoat, less water, as applied.

(b) The application of any temporary protective coating to aerospace components that contains more than 250 grams of VOC per liter of material, less water, as applied.

(c) The use of VOCs of composite vapor pressure of 10.4 kPa (1.5 psia) or greater at a temperature of 21.1°C (70°F) for surface preparation or cleanup, excluding paint removal.

(d) The use of VOCs for the cleanup of spray equipment used in aerospace component coating operations unless 85 percent of the VOCs by weight, are collected and disposed so that they are not emitted to the atmosphere.

(e) The use of a stripper ((which)) that contains more than 400 grams of VOC per liter or has a composite vapor pressure of VOCs more than 1.3 kPa (0.19 psia) at 21.1°C (70°F).

(3) The emission limits of paragraph (2) shall be achieved by:

(a) The application of reasonably available low solvent coating technology;

(b) A vapor collection and disposal system; or

(c) An equivalent method of VOC reduction certified by the owner(s) or operator(s) and approved by ((SWAPCA)) SWCAA.

(4) The provisions of ((SWAPCA)) SWCAA 490-208 (2)(a) and (2)(b) shall not apply to the following materials:

(a) Coatings for masking in chemical etching operations,

(b) Adhesive bonding primer,

(c) Flight test coatings,

(d) Space vehicle coatings, or

(e) Fuel tank coatings.

(5) Upon the submission of an alternative coating evaluation, ((SWAPCA)) SWCAA may determine that a reasonably available low solvent coating does exist for a given application and may exempt the coating from requirements of ((SWAPCA)) SWCAA 490-208. All alternative coating evaluations shall contain, as a minimum:

(a) Types of products to be coated,

(b) Types of coatings evaluated,

(c) Results of performance tests,

(d) Status of research into development of low VOC coatings for the application,

- (e) Feasibility of installing control equipment,
 (f) Mitigating measures that could be implemented to reduce VOC emissions.

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 00-24-094
PROPOSED RULES
SOUTHWEST
CLEAN AIR AGENCY

[Filed December 5, 2000, 11:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-032.

Title of Rule: SWCAA 491 Emission Standards and Controls for Sources Emitting Gasoline Vapors.

Purpose: This is an existing rule that establishes gasoline vapor requirements for various types of facilities that handle or distribute gasoline.

Statutory Authority for Adoption: RCW 70.94.141.

Statute Being Implemented: RCW 70.94.141.

Summary: The changes proposed in this rule are administrative in nature. The rule is being revised to reflect a name change for the agency. No technical changes are proposed.

Reasons Supporting Proposal: The name of the agency was changed July 6, 2000, from the Southwest Air Pollution Control Authority (SWAPCA) to the Southwest Clean Air Agency (SWCAA).

Name of Agency Personnel Responsible for Drafting and Implementation: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058; and Enforcement: Robert D. Elliott, 1308 N.E. 134th Street, Vancouver, WA, (360) 574-3058.

Name of Proponent: Southwest Clean Air Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This is an existing rule. Only administrative type changes are being proposed. There will be no effect on the public or regulated businesses as a result of these changes.

Proposal Changes the Following Existing Rules: Titles and rule numbers that include the agency name are being changed to reflect the name of the agency.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Changes proposed by SWCAA are consistent with federal and state rules already in effect. This agency is not subject to the small business economic impact provisions of chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. SWCAA is not voluntarily invoking section 201, chapter 403, Laws of 1995.

Hearing Location: Office of SWCAA, 1308 N.E. 134th Street, Vancouver, WA 98685, on February 1, 2001, at 3:00 p.m.

Assistance for Persons with Disabilities: Contact Mary Allen by January 26, 2001, TDD (360) 574-3058.

Submit Written Comments to: Paul Mairose, 1308 N.E. 134th Street, Vancouver, WA 98685, fax (360) 574-3058, by January 19, 2001.

Date of Intended Adoption: February 1, 2001.

December 4, 2000

Robert D. Elliott
 Executive Director

((SWAPCA)) SWCAA 491

EMISSION STANDARDS AND CONTROLS FOR SOURCES EMITTING GASOLINE VAPORS

- 491-010 Policy and Purpose
- 491-015 Applicability
- 491-020 Definitions
- 491-030 Registration
- 491-040 Gasoline Vapor Control Requirements
- 491-050 Failures, Certification, Testing and Recordkeeping
- 491-060 Severability

AMENDATORY SECTION (Amending WSR 96-21-102, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 491-010 Policy and Purpose

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.165 RCW. Original adoption WSR 93-16-011 filed 7/22/93, effective 8/22/93; WSR 96-21-102 filed 10/21/96, effective 11/21/96]

(1) It is the policy of the Southwest Clean Air (~~Pollution Control Authority~~) Agency ((SWAPCA)) SWCAA under the authority provided in Chapter 70.94.141, and 70.94.152 and 70.94.((331))165 RCW to provide for the systematic control of air pollution from air contaminant sources within the jurisdiction of ((SWAPCA)) SWCAA.

(2) It is the purpose of this regulation to establish standards for the control of air contaminants emitted from gasoline marketing and dispensing sources within the jurisdiction of ((SWAPCA)) SWCAA including Clark, Cowlitz, Lewis, Skamania, and Wahkiakum Counties.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-11-149, filed 5/24/2000, effective 6/24/2000)

((SWAPCA)) SWCAA 491-015 Applicability

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.165 RCW. Original adoption WSR 93-16-011 filed 7/22/93, effective 8/22/93; WSR 96-21-102 filed 10/21/96, effective 11/21/96, WSR 00-11-149 filed 5/24/2000, effective 6/24/2000]

This regulation applies to gasoline marketing operations within ((SWAPCA)) SWCAA jurisdiction, including the storage, transport, and transfer of gasoline, transfer from storage tanks into transport tanks, marine vessel loading and

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unloading, and transfer from storage tanks into motor vehicles. This regulation applies to facilities with above ground and underground storage tanks.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-11-149, filed 5/24/2000, effective 6/24/2000)

((SWAPCA)) SWCAA 491-020 Definitions

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.165 RCW. Original adoption WSR 93-16-011 filed 7/22/93, effective 8/22/93; WSR 96-21-102 filed 10/21/96, effective 11/21/96, WSR 00-11-149 filed 5/24/2000, effective 6/24/2000]

The definitions of terms contained in ((SWAPCA)) SWCAA 400 are by this reference incorporated into this regulation. Unless a different meaning is clearly required by context, the following words and phrases, as used in this regulation, shall have the following meanings:

(1) "Bottom loading" means the filling of a tank through a line entering the bottom of the tank.

(2) "Bulk gasoline plant" means a gasoline storage and transfer facility that receives more than ninety percent of its annual gasoline throughput by transport tank, and reloads gasoline into transport tanks.

(3) "Bunkering" means, for purpose of this rule, refueling a vessel with a fuel product where the intended use of that gasoline or fuel product is for combustion in the onboard engine of the marine vessel.

(4) "Canister capture rate" means canister effectiveness times the percent of light duty vehicles that have onboard vapor recovery systems.

(5) "Canister effectiveness" means the percent of refueling vapors recovered by a representative onboard vapor recovery system.

(6) "Centroid" means the geometric center of a gas pump or a bank of gas pumps or, if a station has more than one bank of pumps, the geometric center of each bank of pumps.

(7) "Certified vapor recovery system" means a vapor recovery system ((which)) that has been certified by the California Air Resources Board (CARB). Only Stage II vapor recovery systems with a single coaxial hose can be certified. ((SWAPCA)) SWCAA may certify vapor recovery systems in addition to those certified by the California Air Resources Board as of the effective date of the regulation.

(8) "Gas freed" means a marine vessel's cargo tank has been certified by a Marine Chemist as "Safe for Workers" according to the requirements outlined in the National Fire Protection Association Rule 306.

(9) "Gasoline" means a petroleum distillate ((which)) that is a liquid at standard conditions and has a true vapor pressure greater than four pounds per square inch absolute (4.0 psia) at twenty degrees C (20°C), and is used as a fuel for internal combustion engines. Also any liquid sold as a vehicle fuel with a true vapor pressure greater than four pounds per square inch absolute at twenty degrees C (20°C) shall be considered "gasoline" for purpose of this regulation.

(10) "Gasoline dispensing facility" means any site dispensing gasoline into motor vehicle fuel tanks from stationary storage tanks (above ground or underground).

(11) "Gasoline loading terminal" means a gasoline transfer facility that receives more than ten percent of its annual gasoline throughput solely or in combination by pipeline, ship or barge, and loads gasoline into transport tanks.

(12) "Leak free" means a liquid leak of less than four drops per minute.

(13) "Lightering" means the transfer of fuel product into a cargo tank from one marine tank vessel to another.

(14) "Loading event" means the loading or lightering of gasoline into a marine tank vessel's cargo tank, or the loading of any product into a marine tank vessel's cargo tank where the prior cargo was gasoline. The event begins with the connection of a marine tank vessel to a storage or cargo tank by means of piping or hoses for the transfer of a fuel product from the storage or cargo tank(s) into the receiving marine tank vessel. The event ends with disconnection of the pipes and/or hoses upon completion of the loading process.

(15) "Marine tank vessel" means any marine vessel constructed or converted to carry liquid bulk cargo that transports gasoline.

(16) "Marine terminal" means any facility or structure used to load or unload any fuel product cargo into or from marine tank vessels.

(17) "Marine vessel" means any tugboat, tanker, freighter, passenger ship, barge or other boat, ship or watercraft.

(18) "Modified" means any physical change in equipment, or change in the method of operation, of a gasoline dispensing facility, terminal, or loading or unloading facility, that increases the amount of any air contaminant emitted by such source or that results in the emission of any air contaminant not previously emitted. The term modified shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code, and with rules implementing that section. Section 7411 exempts changes in gasoline throughput not resulting directly from a physical change.

(19) "NAAQS" means National Ambient Air Quality Standard.

(20) "Ozone contributing county" means a county in which the emissions have contributed to the formation of ozone in any county or area where violation of federal ozone standards have been measured, and includes: Cowlitz, Island, Kitsap, Lewis, Skagit, Thurston, Wahkiakum, and Whatcom counties.

(21) "Permanent residence" means a single-family or multi-family dwelling or any other facility designed for use as permanent housing.

(22) "((SWAPCA)) SWCAA" means the Southwest Clean Air ((Pollution Control Authority)) Agency.

(23) "Stage I" means gasoline vapor recovery during all gasoline marketing transfer operations except motor vehicle refueling.

(24) "Stage II" means gasoline vapor recovery during motor vehicle refueling operations from stationary tanks.

(25) "Submerged fill line" means any discharge pipe or nozzle which meets either of the following conditions:

- Where the tank is filled from the top, the end of (upper cut of the bevel on) the discharge pipe or nozzle must be totally submerged when the liquid level is six inches from the bottom of the tank, or;

- Where the tank is filled from the side, the discharge pipe or nozzle must be totally submerged when the liquid level is eighteen inches from the bottom of the tank.

(26) "Submerged loading" means the filling of a tank with a submerged fill line.

(27) "Suitable cover" means a door, hatch, cover, lid, pipe cap, pipe blind, valve, or similar device that prevents the accidental spilling or emitting of gasoline. Pressure relief valves, aspirator vents, or other devices specifically required for safety and fire protection are not included.

(28) "Throughput" means the amount of material passing through a facility.

(29) "Top off" means to attempt to dispense gasoline to a motor vehicle fuel tank after a vapor recovery dispensing nozzle has shut off automatically.

(30) "Transport tank" means a container used for shipping gasoline over roadways.

(31) "True vapor pressure" means the equilibrium partial pressure of a petroleum liquid as determined by methods described in American Petroleum Institute (API) Bulletin 2517, 1980.

(32) "Upgraded" means the modification of a gasoline storage tank, including tank installation or replacement, or piping to add cathodic protection, tank lining or spill and overflow protection that involved removal of ground or ground cover above a portion of the product piping.

(33) "Vapor balance system" means a system consisting of the transport tank, gasoline vapor transfer lines, storage tank, and all tank vents designed to route displaced gasoline vapors from a tank being filled with liquid gasoline.

(34) "Vapor collection system" means a closed system to conduct vapors displaced from a tank being filled into the tank being emptied, a vapor holding tank, or a vapor control system.

(35) "Vapor control system" means a system designed and operated to reduce or limit the emission of gasoline vapors emission into the ambient air.

(36) "Vapor-mounted seal" means a primary seal mounted continuously around the circumference of the tank so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

(37) "Vapor tight" means a leak of less than one hundred percent of the lower explosive limit on a combustible gas detector measured at a distance of one inch from the source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.

(38) "WDOE" or "Ecology" means the Washington Department of Ecology.

(39) "Western Washington counties" means the following counties: Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-11-149, filed 5/24/2000, effective 6/24/2000)

((SWAPCA)) SWCAA 491-030 Registration

[Statutory Authority: Chapter 70.94.141 RCW, 70.94.151 RCW and 70.94.165 RCW. Original adoption WSR 93-16-011 filed 7/22/93, effective 8/22/93; WSR 96-21-102 filed 10/21/96, effective 11/21/96, WSR 00-11-149 filed 5/24/2000, effective 6/24/2000]

(1) The owner or operator of a gasoline loading terminal, bulk gasoline plant, or gasoline dispensing facility subject to the provisions of ((SWAPCA)) **SWCAA** 491-040 (2) through (5) shall register the facility annually with ((SWAPCA)) **SWCAA**. Facilities subject to registration under this section shall be assessed fees consistent with and as required in ((SWAPCA)) **SWCAA** 400-100.

(2) Administration of the registration program shall be consistent with the Registration Program requirements of ((SWAPCA)) **SWCAA** 400-100.

(3) ((SWAPCA)) **SWCAA** will provide a written verification of registration to owners or operators of facilities subject to the provisions of ((SWAPCA)) **SWCAA** 491-040 (2) through (6). Such verification shall be available for inspection by ((SWAPCA)) **SWCAA** personnel during normal business hours.

(4) The owner or operator of a gasoline loading terminal or a gasoline dispensing facility (non-major source) shall maintain total annual gasoline throughput records for the most recent three calendar years. Such records shall be available for inspection by ((SWAPCA)) **SWCAA** personnel during normal business hours.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-11-149, filed 5/24/2000, effective 6/24/2000)

((SWAPCA)) SWCAA 491-040 Gasoline Vapor Control Requirements

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.165 RCW. Original adoption WSR 93-16-011 filed 7/22/93, effective 8/22/93; WSR 96-21-102 filed 10/21/96, effective 11/21/96, WSR 00-11-149 filed 5/24/2000, effective 6/24/2000]

(1) Fixed-roof gasoline storage tanks.

(a) All fixed-roof gasoline storage tanks having a nominal storage capacity greater than forty thousand (40,000) gallons shall comply with one of the following:

(i) Meet the equipment specifications and maintenance requirements of the federal standards of performance for new stationary sources - Storage Vessels for Petroleum Liquids (40 CFR 60, subparts K, Ka and Kb).

(ii) Be retrofitted with a floating roof or internal floating cover using a metallic seal or a nonmetallic resilient seal at least meeting the equipment specifications of the federal standards referred to in (a)(i) of this subsection or its equivalent.

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(iii) Be fitted with a floating roof or internal floating cover meeting the manufacturer's equipment specifications in effect when it was installed.

(b) All seals used in (a)(ii) and (iii) of this subsection are to be maintained in good operating condition and the seal fabric shall contain no visible holes, tears, or other openings consistent with 40 CFR 60 subparts Ka and Kb.

(c) All openings not related to safety are to be sealed with suitable closures.

(d) Tanks used for the storage of gasoline in bulk gasoline plants and equipped with vapor balance systems as required in subsection (3)(b) of this section shall be exempt from the requirements of subsection (1) of this section.

(e) All fixed roof gasoline storage tanks subject to this section shall comply no later than December 31, 1993 or at the time that the throughput is exceeded.

(2) Gasoline loading terminals.

(a) This section shall apply to all gasoline loading terminals with an average annual gasoline throughput greater than 7.2 million gallons on a calendar basis and shall comply no later than December 31, 1993 or when the throughput is exceeded.

(b) Facilities loading gasoline into any transport tank shall be equipped with a vapor control system (VCS) as described in (c) of this subsection and comply with the following conditions:

(i) The loading facility shall employ submerged or bottom loading for all transport tanks.

(ii) The VCS shall be connected during the entire loading of all transport tanks.

(iii) The loading of all transport tanks shall be performed such that the transfer is at all times vapor tight. Emissions from pressure relief valves shall not be included in the controlled emissions when the back pressure in the VRS collection lines is lower than the relief pressure setting of the transport tank's relief valves.

(iv) All loading lines and vapor lines shall be equipped to close automatically when disconnected. The point of closure shall be on the tank side of any hose or intermediate connecting line.

(c) The VCS shall be designed and built according to accepted industrial practices and meet the following conditions:

(i) The VCS shall not allow organic vapors emitted to the ambient air to exceed thirty-five milligrams per liter (35 mg/l) (three hundred twenty-two milligrams per gallon or 322 mg/gal) of gasoline loaded.

(ii) The VCS shall be equipped with a device to monitor the system while the VCS is in operation.

(iii) The back pressure in the VCS collection lines shall not exceed the transport tank's pressure relief settings.

(3) Bulk gasoline plants and transport tanks.

(a) This section shall apply to all bulk gasoline plants with an average annual gasoline throughput greater than 7.2 million gallons on a calendar basis and shall comply no later than December 31, 1993, or when the throughput is exceeded, and gasoline transport tanks.

(b) Deliveries to bulk gasoline plant storage tanks.

(i) The owner or operator of a bulk gasoline plant shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated properly. The vapor balance system shall prevent at least ninety percent of the displaced gasoline vapors from entering the ambient air. A vapor balance system that is designed, built, and operated according to accepted industrial practices will satisfy this requirement.

(ii) Storage tank requirements. All storage tanks with a nominal capacity greater than five hundred fifty (550) gallons and used for the storage of gasoline shall comply with the following conditions:

(A) Each storage tank shall be equipped with a submerged fill line.

(B) Each storage tank shall be equipped for vapor balancing of gasoline vapors with transport tanks during gasoline transfer operations.

(C) The vapor line fittings on the storage tank side of break points with the transport tank vapor connection pipe or hose shall be equipped to close automatically when disconnected.

(D) The pressure relief valves on storage tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety but in no case greater than ninety percent of the tank's safe working pressure.

(iii) Transport tank requirements. All transport tanks transferring gasoline to storage tanks in a bulk gasoline plant shall comply with the following conditions:

(A) The transport tank shall be equipped with the proper attachment fittings to make vapor tight connections for vapor balancing with storage tanks.

(B) The vapor line fittings on the transport tank side of break points with the storage tank connection pipe or hose shall be equipped to close automatically when disconnected.

(C) The pressure relief valves on transport tanks shall be set at the highest possible pressure consistent with local and state codes for fire and safety.

(c) Gasoline transfer operations.

(i) No owner or operator of a bulk gasoline plant or transport tank shall allow the transfer of gasoline between a stationary storage tank and a transport tank except when the following conditions exist:

(A) The transport tanks are being submerged filled or bottom loaded.

(B) The loading of all transport tanks, except those exempted under (c)(ii) of this subsection are being performed using a vapor balance system.

(C) The transport tanks are equipped to balance vapors and maintained in a leak tight condition in accordance with subsection (6) of this section.

(D) The vapor return lines are connected between the transport tank and the stationary storage tank and the vapor balance system is operated properly.

(ii) Transport tanks used for gasoline that meet all of the following conditions shall be exempt from the requirement to be equipped with any attachment fitting for vapor balance lines if:

(A) The transport tank is used exclusively for the delivery of gasoline into storage tanks of a facility exempt from

the vapor balance requirements of subsection (4) of this section; and

(B) The transport tank has a total nominal capacity less than four thousand gallons and is constructed so that it would require the installation of four or more separate vapor balance fittings.

(4) Gasoline dispensing facilities (Stage I).

(a) This section shall apply to the delivery of gasoline to gasoline dispensing facilities with an annual gasoline throughput greater than three hundred sixty thousand gallons in Cowlitz, Lewis, Skamania and Wahkiakum Counties. For Clark County, this section applies to gasoline dispensing facilities with greater than 200,000 gallons annual throughput on a calendar year basis. All facilities subject to this section shall comply when the throughput is exceeded.

(b) All gasoline storage tanks of the facilities defined in (a) of this subsection shall be equipped with submerged or bottom fill lines and fittings to vapor balance gasoline vapors with the delivery transport tank.

(c) Gasoline storage tanks with offset fill lines shall be exempt from the requirement of (b) of this subsection if installed prior to January 1, 1979.

(d) The owner or operator of a gasoline dispensing facility shall not permit the loading of gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily. In addition, no owner or operator of a transport tank shall load gasoline into a storage tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.

(e) All gasoline dispensing facilities subject to this section shall be equipped with CARB or ((SWAPCA)) SWCAA certified Stage I vapor recovery fittings or equipment.

(f) Only two point Stage I fittings shall be used with vacuum assist type Stage II systems. Coaxial Stage I fittings may continue to be used for balance type Stage II systems and systems without Stage II gasoline vapor recovery controls.

(g) All Stage I gasoline vapor recovery equipment shall be maintained in proper working order at all times. All Stage I gasoline vapor recovery equipment shall be maintained in accordance with the CARB Executive Order(s) certifying the equipment or system. Whenever a Stage I gasoline vapor recovery system or component is determined to be defective or not operating properly, the owner or operator shall immediately take the system out of service until repairs are made. Systems shall not be returned to service until the defective system is operating properly.

(h) Any alteration of the equipment, parts, design, or operation of the Stage I gasoline vapor recovery system as certified by CARB is prohibited, and shall not be performed without submittal of a Notice of Construction application and prior approval from ((SWAPCA)) SWCAA.

(i) All new gasoline dispensing facilities shall have a tank tightness test performed at the time of installation to ensure proper connection and absence of leaks refer to WDOE publication 91-43 "Tank Owner/Operator's Guide to Tightness Testing". Results of the testing shall be submitted to ((SWAPCA)) SWCAA within 14 calendar days of testing.

(j) Pressure/vacuum valves shall be installed as required by the CARB Executive Order that certified the particular Stage I or Stage II vapor recovery system or equipment. Relief set points shall be as provided in the applicable CARB Executive Order and local fire ordinances.

(5) Gasoline dispensing facilities (Stage II).

(a) This section shall apply to the refueling of motor vehicles for the general public from stationary tanks at all gasoline-dispensing facilities as follows:

(1) For Clark County, all facilities dispensing 600,000 gallons in a calendar year or greater;

(2) For Cowlitz County, all facilities dispensing 1.2 million gallons in a calendar year or greater;

(3) For Lewis, Skamania and Wahkiakum Counties, Stage II vapor control equipment is not required unless the facility exceeds the throughput and distance requirements below:

Gallons Throughput (millions)	Distance to Property Line (meters)
1.5	20
2.0	25
2.5	28
3.0	32
3.5	35
4.0	38
5.0	43
6.0	49
8.0	58
10.0	66
12.0	75
16.0	90
20.0	103
25.0	118

(i) When the throughput is not shown in the chart, interpolate to get the distance for that throughput.

(ii) The allowable distance shall be measured from the centroid of the pumps to the nearest point on the property line of the nearest lot on which a permanent residence is located. However, if the permanent residence is located at least twice the allowable distance from the centroid of the pumps, the requirements of (3) of this subsection shall not apply.

(b) Stage II vapor control equipment may be removed from any gasoline dispensing facility located in Lewis, Wahkiakum or Skamania County as in (a) above, or from any facility in Cowlitz County dispensing less than 1.2 million gallons annually, by submittal of a complete Notice of Construction and receipt of an Order of Approval, provided that the requirements of subsection (a) above are met.

(c)(i) Beginning on July 1, 2001, and each year thereafter, the Department of Ecology will publish the canister capture rate for use with this rule.

(ii) When the canister capture rate reaches 15% and there are no major exceptions, waivers, or other adjustments to the EPA onboard canister regulations or program implementation, the Department of Ecology will revise the state rules and incorporate the effect of canisters.

(d) The owner or operator of a new or modified gasoline dispensing facility shall file a Notice of Construction as provided in ((SWAPCA)) SWCAA 400-110, and obtain an

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Order of Approval prior to commencing construction or modification.

(e) The owner or operator of any gasoline dispensing facility may elect to submit a site-specific analysis of the requirement for a Stage II vapor recovery system under (a) of this subsection and request the Department of Ecology to evaluate it subject to the fees described in (f) of this subsection. The Department of Ecology will review and evaluate a second tier analysis described under WAC 173-460-090 within 45 days of determining that the analysis submitted is complete and no additional information is needed. The requirements for gasoline vapor control shall be determined as a result of that process.

(f) The fee for new source review of a gasoline dispensing facility under this section shall be the same as the fee under ((SWAPCA)) SWCAA 400-110 except, if a site-specific review is elected under (e) of this subsection, the fee shall be as provided under WAC 173-400-116 (3)(c) for a tier two analysis.

(g) All gasoline dispensing facilities subject to this section shall be equipped with a CARB or ((SWAPCA)) SWCAA certified Stage II vapor recovery system.

(h) The owner or operator of a gasoline dispensing facility subject to this section shall not transfer or allow the transfer of gasoline from stationary tanks into motor vehicle fuel tanks unless a certified Stage II vapor recovery system is used.

(i) All Stage II vapor recovery equipment shall be installed in accordance with the system's certification requirements and shall be maintained to be leak free, vapor tight, and in good working order.

(j) Whenever a Stage II vapor recovery system component is determined to be defective, the owner or operator shall take the system out of service until it has been repaired, replaced, or adjusted, as necessary.

(k) The owner or operator of each gasoline dispensing facility utilizing a Stage II system shall conspicuously post operating instructions for the system in the gasoline dispensing area. The instructions shall clearly describe how to fuel vehicles correctly using the vapor recovery nozzles and include a warning against topping off. Additionally, the instructions shall include a prominent display of ((SWAPCA)) SWCAA's or Department of Ecology's toll free telephone number (800-633-0709 or 800-272-3780) for complaints regarding the operation and condition of the vapor recovery system.

(l) Every retailer and wholesale purchaser-consumer (gasoline dispensing facility) handling over 10,000 gallons per month shall equip each pump from which gasoline or methanol is introduced into motor vehicles with a nozzle that dispenses fuel at a flowrate not to exceed 10 gallons per minute as provided in 40 CFR 80.22 Subpart B.

(m) All new or upgraded facilities with Stage II gasoline vapor recovery controls shall conduct a performance test upon installation prior to placing in service. For balance type systems, the owner/operator shall conduct and pass a back pressure/blockage test. For vacuum assist systems, the owner/operator shall conduct and pass performance testing every 12 months. Results of all testing shall be submitted to

((SWAPCA)) SWCAA within 14 calendar days of test completion.

(n) Pressure/vacuum valves shall be installed as required by the CARB Executive Order that certified the particular Stage I or Stage II vapor recovery system or equipment. Relief set points shall be as provided in the applicable CARB Executive Order and local fire ordinances.

(6) Loading or Unloading Gasoline into Marine Tank Vessels

(a) Applicability. This rule applies to loading events at any location within the Vancouver ozone air quality maintenance area when gasoline is placed into a marine tank vessel cargo tank; or when any liquid is placed into a marine tank vessel cargo tank that had previously held gasoline. The owner or operator of each marine terminal and marine tank vessel is responsible for and must comply with this rule. All facilities shall be in compliance no later than June 1, 2001.

(b) Exemptions. The following activities are exempt from the marine vapor control emission limits of this rule:

(i) Marine vessel bunkering (refueling);

(ii) Lightering when neither vessel is berthed at a marine terminal dock,

(iii) Loading when both of the following conditions are met:

The vessel has been gas freed (regardless of the prior cargo), and

When loading any products other than gasoline.

(c) Vapor Collection System. The owner or operator of a marine terminal subject to this rule must equip each loading berth with a vapor collection system that is designed to collect all displaced VOC vapors during the loading of marine tank vessels. The owner or operator of a marine tank vessel subject to this rule must equip each marine tank vessel with a vapor collection system that is designed to collect all displaced VOC vapors during the loading of marine tank vessels. The collection system must be designed such that all displaced VOC vapors collected during any loading event are vented only to the control device.

(d) Marine Vapor Control Emission Limits. Vapors that are displaced and collected during marine tank vessel loading events must meet one of the following:

(i) Vapors must be reduced from the uncontrolled condition by at least 95 percent by weight, as determined by EPA Method 25 or other methods approved in writing by ((SWAPCA)) SWCAA, or

(ii) Vapor emissions shall not exceed 5.7 grams per cubic meter (2 pounds per 1000 barrels) of liquid loaded.

(e) Operating Practice and Maintenance.

(i) All hatches, pressure relief valves, connections, gauging ports and vents associated with the loading of fuel product into marine tank vessels must be maintained to be leak free and vapor tight.

(ii) The owner or operator of any marine tank vessel must certify to ((SWAPCA)) SWCAA that the vessel is leak free, vapor tight, and in good working order based on an annual inspection using EPA Method 21 or other methods approved in writing by ((SWAPCA)) SWCAA.

(iii) Gaseous leaks must be detected using EPA Method 21 or other methods approved in writing by ((SWAPCA)) SWCAA.

(iv) Loading must cease anytime gas or liquid leaks are detected. Loading may continue only after leaks are repaired or if documentation is provided to ((SWAPCA)) SWCAA that the repair of leaking components is technically infeasible without dry-docking the vessel or cannot otherwise be undertaken safely. Subsequent loading events involving the leaking components are prohibited until the leak is repaired. Any liquid or gaseous leak detected by ((SWAPCA)) SWCAA staff is a violation of this rule.

(f) Monitoring and Record-Keeping.

Marine terminal operators must maintain operating records for at least five years of each loading event at their terminal. Marine tank vessel owners and operators are responsible for maintaining operating records for at least five years for all loading events involving each of their vessels. Records must be made available to ((SWAPCA)) SWCAA upon request. These records must include but are not limited to:

- (i) The location of each loading event.
- (ii) The date of arrival and departure of the vessel.
- (iii) The name, registry and legal owner of each marine tank vessel participating in the loading event.
- (iv) The type and amount of fuel product loaded into the marine tank vessel.
- (v) The prior cargo carried by the marine tank vessel. If the marine tank vessel has been gas freed, then the prior cargo can be recorded as gas freed.
- (vi) The description of any gaseous or liquid leak, date and time of leak detection, leak repair action taken and screening level after completion of the leak repair.
- (g) Lightering exempted from controls by subsection 6 (b) of this rule must be curtailed from 2:00 AM until 2:00 PM when ((SWAPCA)) SWCAA declares a Clean Air Action (CAA) day. If ((SWAPCA)) SWCAA declares a second CAA day before 2:00 PM of the first curtailment period, then such uncontrolled lightering must be curtailed for an additional 24 hours until 2:00 PM on the second day. If a third CAA day in a row is declared, then uncontrolled lightering is permissible for a 12 hour period starting at 2 PM on the second CAA day and ending at 2 AM on the third CAA day. Uncontrolled lightering must be curtailed from 2 AM until 2 PM on the third CAA day. If ((SWAPCA)) SWCAA continues to declare CAA days consecutively after the third day, the curtailment and loading pattern used for the third CAA day will apply.
- (h) Safety/Emergency Operations. Nothing in this rule is intended to:
 - (i) Require any act or omission that would be in violation of any regulation or other requirement of the United States Coast Guard; or
 - (ii) Prevent any act that is necessary to secure the safety of a vessel or the safety of passengers or crew.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Southwest Clean Air Agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-11-149, filed 5/24/2000, effective 6/24/2000)

((SWAPCA)) SWCAA 491-050 Failures, Certification, Testing and Recordkeeping

[Statutory Authority: Chapter 70.94.141 RCW and 70.94.165 RCW. Original adoption WSR 93-16-011 filed 7/22/93, effective 8/22/93; WSR 96-21-102 filed 10/21/96, effective 11/21/96, WSR 00-11-149 filed 5/24/2000, effective 6/24/2000]

This section shall apply to all gasoline transport tanks equipped for gasoline vapor collection and all vapor collection systems at gasoline loading terminals, and bulk gasoline plants as described in subsections (2) and (3) of ((SWAPCA)) SWCAA 491-040.

(1) Failures.

During the months of May, June, July, August, and September any failure of a vapor collection system at a bulk gasoline plant or gasoline loading terminal to comply with this section requires the immediate discontinuation of gasoline transfer operations for the failed part of the system. Other transfer points that can continue to operate in compliance may be used. The loading or unloading of the transport tank connected to the failed part of the vapor collection system may be completed during the other months of the year. Upon completion of loading or unloading of a transport tank connected at the time of the failure, gasoline transfer operations shall be discontinued for the failed part of the system.

(2) Certification.

(a) The owner or operator of a gasoline loading terminal or bulk gasoline plant shall only allow the transfer of gasoline between the facility and a transport tank or a marine vessel if a current leak test certification for the transport tank is on file with the facility or a valid inspection sticker is displayed on the vehicle or marine vessel. Certification is required annually as provided in ((SWAPCA)) SWCAA 490-202 and ((SWAPCA)) SWCAA 491-040 (6)(e).

(b) The owner or operator of a transport tank shall not make any connection to the tank or marine vessel for the purpose of loading or unloading gasoline, except in the case of an emergency, unless the gasoline transport tank or marine vessel has successfully completed the annual certification testing requirements in (3) of this subsection, and such certification is confirmed either by:

- (i) Having on file with each gasoline loading or unloading facility at which gasoline is transferred a current leak test certification for the transport tank; or
- (ii) For transport tanks (tanker trucks), displaying a sticker near the Department of Transportation certification plate required by 49 CFR 178.340-10b which:
 - (A) Shows the date that the gasoline tank truck last passed the test required in (3) of this subsection;
 - (B) Shows the identification number of the gasoline tank truck; and
 - (C) Expires not more than one year from the date of the leak tight test.
- (iii) For marine vessels, displaying a sticker/certification with the other Coast Guard required certifications (e.g. in the

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vessel ecology box, ship's bridge or tankerman's shack) which:

(A) Shows the date that the marine vessel last passed the test required in (3) of this subsection;

(B) Shows the identification number of the marine vessel; and

(C) Expires not more than one year from the date of the leak tight test.

(c) The owner or operator of a vapor collection system shall:

(i) Operate the vapor collection system and the gasoline loading equipment during all loadings and unloadings of transport tanks and marine vessels equipped for emission control such that:

(A) The tank pressure will not exceed a pressure of eighteen inches of water or a vacuum of six inches of water;

(B) The concentration of gasoline vapors is below the lower explosive limit (LEL, measured as propane) at all points a distance of one inch from potential leak sources; and

(C) There are no visible liquid leaks except for a liquid leak of less than four drops per minute at the product loading connection during delivery.

(D) Upon disconnecting transfer fittings, liquid leaks do not exceed ten milliliters (0.34 fluid ounces) per disconnect averaged over three disconnects.

(ii) Repair and retest a vapor collection system that exceeds the limits of (2)(c)(i) of this subsection within fifteen days.

(d) ((SWAPCA)) SWCAA may, at any time, monitor a gasoline transport tank, marine vessel and vapor collection system during loading or unloading operations by the procedure in (3) of this subsection to confirm continuing compliance with this section.

(3) Testing and monitoring.

(a) The owner or operator of a gasoline transport tank, marine vessel or vapor collection system shall, at his own expense, demonstrate compliance with (1) and (2) of this subsection, respectively. All tests shall be made by, or under the direction of, a person qualified to perform the tests and approved by WDOE or ((SWAPCA)) SWCAA.

(b) Testing to determine compliance with this section shall use procedures approved by ((SWAPCA)) SWCAA. See testing requirements in ((SWAPCA)) SWCAA 490 for transport tanks and section 491-040 (6)(e) for marine vessels.

(c) Monitoring to confirm continuing leak tight conditions shall use procedures approved by ((SWAPCA)) SWCAA.

(4) Recordkeeping.

(a) The owner or operator of a gasoline transport tank, marine vessel or vapor collection system shall maintain records of all certification tests and repairs for at least two years after the test or repair is completed.

(b) The records of certification tests required by this section shall, as a minimum, contain:

(i) The transport tank or marine vessel identification number;

(ii) The transport tank or marine vessel capacity;

(iii) The transport tank initial test pressure and the time of the reading;

(iv) The transport tank final test pressure and the time of the reading;

(v) The transport tank initial test vacuum and the time of the reading;

(vi) The transport tank final test vacuum and the time of the reading;

(vii) At the top of each report page the company name, date, and location of the tests on that page; and

(viii) Name and title of the person conducting the test.

(c) The owner or operator of a gasoline transport tank shall annually certify that the transport tank or marine vessel passed the required tests.

(d) Copies of all records required under this section shall immediately be made available to ((SWAPCA)) SWCAA, upon written request, at any reasonable time.

(5) Preventing evaporation. All persons shall take reasonable measures to prevent the spilling, discarding in sewers, storing in open containers, or handling of gasoline in a manner that will result in evaporation to the ambient air.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 96-21-102, filed 10/21/96, effective 11/21/96)

((SWAPCA)) SWCAA 491-060 Severability

[Statutory Authority: Chapter 70.94.141 RCW. Original adoption WSR 96-21-102 filed 10/21/96, effective 11/21/96]

The provisions of this regulation are severable and if any provision is held invalid, the application of such provision to the other circumstances and the remainder of this regulation shall not be affected.

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 01-01-023

WITHDRAWAL OF PROPOSED RULES

COUNTY ROAD

ADMINISTRATION BOARD

[Filed December 7, 2000, 12:37 p.m.]

Please withdraw WAC 136-161-020 and 136-161-070, WSR 00-22-097 filed on November 1, 2000. We have refiled these sections with additional changes on December 5, 2000, as WSR 00-24-096.

Please contact Karen Pendleton at (360) 753-5989 if you have questions.

Jay Weber
Executive Director

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WSR 01-01-024
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed December 7, 2000, 2:28 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-18-039.

Title of Rule: Elimination of Program 94 - Instructional support

Purpose: To remove references to Program 94 from three sections of the Office of the Superintendent of Public Instruction's (OSPI) existing rules.

Other Identifying Information: Three WAC sections to be revised are WAC 392-121-210, 392-140-903, and 392-140-956.

Statutory Authority for Adoption: RCW 28A.150.290, 28A.505.140.

Summary: Program 94 has been eliminated from the school district account code structure effective 2000-01. Rule amendments are required to remove references to program 94 from OSPI's existing rules.

Name of Agency Personnel Responsible for Drafting: Linda Harrison, Office of Superintendent of Public Instruction, (360) 753-2289; Implementation: Allen H. Jones, Office of Superintendent of Public Instruction, (360) 753-6708; and Enforcement: Michael L. Bigelow, Office of Superintendent of Public Instruction, (360) 753-1718.

Name of Proponent: Office of Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Before the 2000-01 school year, most instruction expenditures (principal's office, guidance and counseling, learning resources, etc.) were recorded in Program 94 Instruction Support. OSPI, in conjunction with the State Auditor's Office (SAO), eliminated Program 94 from the school district account code structure beginning with the 2000-01 school year. Instructional support costs formerly charged to Program 94 will now be charged in other instructional programs, primarily Program 01, Basic Education. Expenditures for instruction support activities will continue to be identifiable using the activity account code structure used by school districts.

Rule amendments proposed are needed to remove references to Program 94 from three sections of OSPI's rules. The three rule sections affected are WAC 392-121-210 Definition—Basic education certificated instructional employee, 392-140-903 K-4 Staff enhancement—Definitions, and 392-140-956 Learning improvement days—Other definitions.

These changes have no state or local fiscal impact if all Program 94 staff are coded to basic education programs (01, 31, 45, and 97). Coding Program 94 to other instructional programs may have minor fiscal impacts on a school district's state-funded basic education K-4 ratio, average funded mix factor or learning improvement days.

Proposal Changes the Following Existing Rules: Eliminates references to Program 94 - Instruction Support.

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

RCW 34.05.328 does not apply to this rule adoption. This rule only applies to governmental entities and is excepted under RCW 34.05.328 (5)(b)(ii).

Hearing Location: Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on January 23, 2001, at 9 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by January 9, 2001, TDD (360) 664-3631.

Submit Written Comments to: Legal Services, OSPI, P.O. Box 47200, 600 South Washington Street, Olympia, WA 98504-7200, fax (360) 753-4201, by January 22, 2001.

Date of Intended Adoption: January 24, 2001.

December 7, 2000
 Dr. Terry Bergeson
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 99-01, filed 3/25/99, effective 4/25/99)

WAC 392-121-210 Definition—Basic education certificated instructional employee. As used in this chapter, "basic education certificated instructional employee" means a district certificated instructional employee or a contractor certificated instructional employee assigned in whole or in part to the following programs as defined in the accounting manual for public school districts in the state of Washington:

- (1) Basic education, program 01;
- (2) Vocational, basic, state, program 31;
- (3) Skills center, basic, state, program 45; and
- (4) (~~Instruction support, program 94; and~~
- (5)) District-wide support, program 97.

AMENDATORY SECTION (Amending WSR 00-02-063, filed 1/3/00, effective 2/3/00)

WAC 392-140-903 K-4 Staff enhancement—Definitions. As used in WAC 392-140-900 through 392-140-913:

(1) "Report S-275" means the school district personnel report as defined in WAC 392-121-225.

(2) "Form SPI 1158" means the form provided by the superintendent of public instruction on which school districts report supplemental K-12 full-time equivalent (FTE) staff and/or supplemental K-4 FTE staff for the school year.

(3) "Report 1159" means the report produced by the superintendent of public instruction displaying the calculations of K-4 certificated instructional staffing and K-4 apportionment ratios and other information as necessary.

(4) "Form SPI 1160" means the form provided by the superintendent of public instruction on which school districts may select the period of enrollment the superintendent of public instruction shall use to calculate staffing ratios.

(5) "Form SPI 1230" means the form provided by the superintendent of public instruction on which school districts have the option of reporting 1989-90 FTE K-3 basic education classified instructional assistants pursuant to WAC 392-140-716 and 392-140-745.

(6) "Form SPI 1230K-4" means the form provided by the superintendent of public instruction on which school districts have the option of reporting 1989-90 FTE K-4 basic education classified instructional assistants after September 1, 1999.

(7) "FTE K-4 basic education enrollment" means the school district's K-4 full-time equivalent enrollment reported for basic education funding pursuant to WAC 392-121-122 for the month of October or such other period selected by the district on optional Form SPI 1160.

(8) "FTE basic education certificated instructional employee" means the FTE calculated pursuant to WAC 392-121-215 for a basic education certificated instructional employee assigned in whole or in part to the following programs as defined in the *Accounting Manual for Public School Districts in the State of Washington*:

- (a) Basic education, program 01;
- (b) Vocational, basic, state, program 31;
- (c) Skills center, basic, state, program 45; and
- (d) ~~((Instruction support, program 94; and~~
- ~~(e))~~ District-wide support, program 97.

(9) "FTE K-4 basic education certificated instructional employee" means for a FTE basic education certificated instructional employee the following:

(a) If the basic education certificated instructional employee serves only K-4 students, one hundred percent of the FTE assigned to basic education; or

(b) If the basic education certificated instructional employee serves K-4 students and students of one or more other grades, multiply the FTE assigned to basic education by:

- (i) The proportion of time spent serving K-4 students to all time serving students;
- (ii) The proportion of K-4 students served to all students served; or
- (iii) Any combination of (i) or (ii) of this subsection as appropriate.

(10) "FTE K-4 basic education certificated instructional staff" means the sum of FTE K-4 basic education certificated instructional employees for a school district.

(11) "Basic education classified instructional assistant" means a person who is assigned in whole or in part to:

- (a) Program 01 - basic education; 31 - vocational, basic, state; or 45 - skills center, basic, state; and
- (b) Activity 27 - teaching; and
- (c) Duty 910 - aide.

(12) "Basic education classified instructional assistant FTE" means the number determined for a basic education classified instructional assistant as follows:

(a) Determine the hours per year that the employee is assigned as a basic education classified instructional assistant; and

(b) Divide by 2080.

(13) "District FTE K-4 basic education classified instructional assistants" means the sum of a school district's FTE K-4 basic education classified instructional assistants.

(a) If the basic education classified instructional assistant serves only K-4 students, one hundred percent of the FTE determined pursuant to WAC 392-140-903(12).

(b) If the basic education classified instructional assistant serves K-4 students and students of one or more other grades, multiply the FTE determined pursuant to WAC 392-140-903(12) by:

(i) The proportion of time spent serving K-4 students to all time serving students;

(ii) The proportion of K-4 students served to all students served; or

(iii) Any combination of (b)(i) or (ii) of this subsection as appropriate.

(14) "Actual average salary for basic education classified instructional assistants" means the dollar amount determined for a school district for a school year as follows:

(a) For each basic education certificated instructional assistant reported on Report S-275 determine the assignment salary reported;

(b) Sum the dollar amounts determined pursuant to (a) of this subsection; and

(c) Divide the result of (b) of this subsection by the sum of the school district's FTE basic education classified instructional assistants as reported on Report S-275.

AMENDATORY SECTION (Amending Order 98-07, filed 9/28/99, effective 9/29/99)

WAC 392-140-956 Learning improvement days— Other definitions. As used in WAC 392-140-950 through 392-140-967:

(1) "Certificated instructional staff" means district certificated instructional employees and contractor certificated instructional employees as defined in WAC 392-121-205 and 392-121-206.

(2) "Base contract" means a contract protected by the continuing contract law, RCW 28A.405.300. The base contract does not include hours or compensation provided under a supplemental contract as defined in RCW 28A.400.200.

(3) "Number of days in the base contract" means the number of full work days in the school year for a full-time certificated instructional employee holding the position for the full school year. Days include paid leave. The number of hours in a full work day is determined by each school district. Days scheduled before September 1 can be counted in the school year if included and compensated in the base contract for the school year beginning September 1.

(4) "Selected state-funded programs" means the following programs as defined in the *Accounting Manual for Public School Districts in the State of Washington*:

- 01 Basic Education
- 21 Special Education-Supplemental-State
- 31 Vocational-Basic-State
- 45 Skills Center-Basic-State
- 55 Learning Assistance Program-State
- 65 Transitional Bilingual-State
- 74 Highly Capable
- ~~((94 Instruction Support))~~
- 97 District-wide Support

(5) "State institutional education programs" means the following programs:

- 26 Special Education-Institutions-State

56 State Institutions, Centers, and Homes-Delinquent

Date of Intended Adoption: February 9, 2001.

December 7, 2000

Evan Jacoby

Rules Coordinator

WSR 01-01-025
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed December 7, 2000, 4:17 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-17-116.

Title of Rule: Personal use rules.

Purpose: Amend shellfish gear rules.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Allows use of three units of crab gear.

Reasons Supporting Proposal: The department is considering complete gear closures during crab molting periods. Additional gear during open periods may offset loss of fishing opportunity during closures.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, 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: Current rules allow two units of crab gear and two units of shrimp gear. This will increase the crab gear allowance to three units of gear, which may allow a greater number of crab to be harvested by recreational crabbers. This would reestablish the proportionate allocation that will be lost if the department institutes complete closures to all harvest during molting periods. Additional housekeeping change to correct name of Hood Canal shrimp district.

Proposal Changes the Following Existing Rules: Changes number of units of crab gear allowed per recreational fisher.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not involve small businesses, it involves recreational crab fishing.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Western Southcenter, 15901 West Valley Road, Tukwila, WA, on February 9-10, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by February 2, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501, fax (360) 902-2944, by February 8, 2001.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-56-315 Crabs, shrimp, crawfish—Unlawful acts. (1) It is unlawful to take and possess crabs, shrimp, and crawfish taken for personal use except by hand or with hand dip nets, ring nets, shellfish pots, and any hand-operated instrument that will not penetrate the shell.

(2) It is unlawful to use more than two units of gear at any one time except:

(a) In Puget Sound waters other than Hood Canal Shrimp District ((5)) it is unlawful to use at any one time more than ((two)) three units of gear for the purpose of taking crabs and two additional units of gear for the purpose of taking shrimp.

(b) In Hood Canal Shrimp District ((5-(Hood Canal))) it is unlawful to use more than one shrimp pot and a total of two star traps or ring nets during the Hood Canal shrimp season. It is unlawful for the operator of any boat from which shrimp pots are set or pulled to have on board or to fish more than four shrimp pots.

(3) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear.

(4) It is unlawful to salvage or attempt to salvage shellfish pot gear from Hood Canal that has been lost without first obtaining a permit authorizing such activity issued by the director, and it is unlawful to fail to comply with all provisions of such permit.

(5) It is unlawful to fish for or possess crab taken for personal use from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes.

(6) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the Burlington Northern Railroad crossing the northern end of Swinomish Slough except from one hour before official sunrise to one hour after official sunset.

(7) It is unlawful to dig for or possess ghost or mud shrimp taken for personal use by any method except hand operated suction devices or dug by hand.

(8) One unit of gear is equivalent to one ring net or one shellfish pot.

(9) Each unit of gear must be attached to its own buoy line and have a separate buoy for each unit of gear.

(10) No fisher may set or pull shellfish pots, ring nets or star traps from a vessel in all state waters from one hour after official sunset to one hour before official sunrise.

PROPOSED

WSR 01-01-077
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)

[Filed December 13, 2000, 4:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-14-043.

Title of Rule: WAC 388-438-0110 Alien emergency medical (AEM) program.

Purpose: The proposed amendment is necessary to include the client population eligible for nursing facility or COPEs services.

Statutory Authority for Adoption: RCW 74.08.090 and C.F.R. 436.128, 436.406(c) and 440.255.

Statute Being Implemented: RCW 74.08.090 and C.F.R. 436.128, 436.406(c) and 440.255.

Summary: A person determined by the department to require nursing facility or COPEs level of care meets the emergency medical condition criteria of the alien emergency medical program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, Medical Assistance Administration, Mailstop 45534, Olympia, Washington 98504-5534, (360) 725-1330.

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: See Purpose above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule has no impact on small businesses. It affects eligibility for medical assistance programs.

RCW 34.05.328 does not apply to this rule adoption. RCW 34.05.328 (5)(b)(vii) exempts DSHS rules that apply to eligibility.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on January 23, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kelly Cooper by January 16, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail coopekd@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Kelly Cooper, Rules Coordinator, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 902-8292, by January 23, 2001.

Date of Intended Adoption: No sooner than January 24, 2001.

December 11, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 99-23-082, filed 11/16/99, effective 12/17/99)

WAC 388-438-0110 The alien emergency medical (AEM) program. (1) The alien emergency medical (AEM) program is a federally-funded program. It is for aliens who are ineligible for other Medicaid programs, due to citizenship or alien status requirements described in WAC 388-424-0005 and 388-424-0010.

(2) Except for the Social Security Number, citizenship, or alien status requirements, ~~((the))~~ an alien must meet categorical Medicaid eligibility requirements as described in:

- (a) WAC 388-505-0110, for an SSI-related person;
- (b) WAC 388-505-0220, for family medical programs;
- (c) WAC 388-505-0210, for a child under the age of nineteen; or
- (d) WAC 388-523-0100, for medical extensions.

(3) When an alien has monthly income which exceeds the CN medical standards, the department will consider AEM medically needy coverage for children or for adults who are age sixty-five or over or who meet SSI disability criteria. See WAC 388-519-0100.

(4) To qualify for the AEM program, the alien must have:

(a) An emergency medical condition as described in WAC 388-500-0005, or

(b) Been approved by the department as requiring nursing facility or COPEs level of care.

(5) The alien's date of arrival in the United States is not used when determining eligibility for the AEM program.

WSR 01-01-092

PROPOSED RULES

SPOKANE COUNTY AIR

POLLUTION CONTROL AUTHORITY

[Filed December 15, 2000, 11:24 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule: SCAPCA Regulation I, Article VI, Section 6.01.D.5.

Purpose: To postpone the expiration of the open burning program for certain areas in Spokane County beyond the current deadline of December 31, 2000.

Statutory Authority for Adoption: RCW 70.94.141, 70.94.380(2), chapter 173-425 WAC.

Statute Being Implemented: RCW 70.94.755, 70.94.775 - 70.94.780, chapter 173-425 WAC.

Summary: The regulation amendment postpones the burn ban from December 31, 2000, to April 30, 2001.

Reasons Supporting Proposal: A postponement of the burn ban allows SCAPCA additional time to consider more comprehensive amendments to its outdoor burning regulation and then to inform the public about the amendments.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Matt Holmquist, 1101 West College, #403, Spokane, WA 99201, (509) 477-4727.

PROPOSED

Name of Proponent: Spokane County Air Pollution Control Authority, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Spokane County Air Pollution Control Authority (SCAPCA) is in the process of amending Article VI, Section 6.01 in response to the amendments made to chapter 173-425 WAC. On November 2, 2000, SCAPCA's board of directors instructed staff to draft a regulation, that among other things, allows for one more seven day spring yard and garden debris burn season in 2001. In the interest of having a rule adopted that postpones the ban on outdoor burning from December 31, 2000, to April 30, 2001, SCAPCA Regulation I, Article VI, Section 6.01.D.5 is being amended and filed in an expeditious manner. More comprehensive revisions to Article VI, Section 6.01, will occur in the future.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The regulation postpones the ban on outdoor or open burning from December 31, 2000, to April 30, 2001, for certain urban growth areas in Spokane County. The regulation provides SCAPCA an opportunity to conduct a seven day spring yard and garden debris burn season in 2001 within urban growth areas for incorporated cities having a population of less than five thousand people that are neither within nor contiguous with any nonattainment area and/or former nonattainment area.

Proposal Changes the Following Existing Rules: Under current rules, open burning is banned in all urban growth areas of Spokane County as of December 31, 2000. The regulation postpones the ban on outdoor burning from December 31, 2000, to April 30, 2001.

No small business economic impact statement has been prepared under chapter 19.85 RCW. SCAPCA is not required under chapter 19.85 RCW to file small business economic impact statements.

RCW 34.05.328 does not apply to this rule adoption. This is a local agency rule and RCW 34.05.328 has not been made voluntarily applicable to this rule.

Hearing Location: Spokane County Public Works Building, 1206 West Broadway, Hearing Room Lower Level, Spokane, WA 99201, on February 1, 2001, at 9:00 a.m.

Submit Written Comments to: Matt Holmquist, Spokane County Air Pollution Control Authority, 1101 West College, Suite #403, Spokane, WA 99201, fax (509) 477-6828, by January 23, 2001.

Date of Intended Adoption: February 1, 2001.

December 11, 2000

Matt Holmquist

Compliance Administrator

ARTICLE VI EMISSIONS PROHIBITED

AMENDATORY SECTION

SECTION 6.01 OPEN BURNING

D. Prohibitions. Except as provided in Section 6.01.E., no person shall practice or permit the practice of open burning in any of the following circumstances and locations:

1. Within the No-Burn Area, as defined by resolution of the Board of Directors of the Authority.

2. Within any part of a nonattainment area that is not within an open burning phase-out area.

3. After November 1, 1994, in any area where no permit program is being administered by a permitting authority.

4. Within any open burning phase-out area after the final phase-out date as approved by the Department of Ecology.

5. After December 31, 2000, within any urban growth area having a population of 5,000 or more people, or within any incorporated city or town (with) having a population of 10,000 or more people, or within any urban growth area contiguous with a nonattainment area. After April 30, 2001, within any urban growth area.

6. Outside the period designated by the Authority or permitting authority for burning yard and garden debris.

7. When the materials to be burned include any prohibited materials.

8. During an episode or impaired air quality as declared by the Department of Ecology or the Authority for a defined geographical area.

9. When the fire is larger than a small fire, unless a valid written permit has been issued by a permitting authority.

10. In or within 500 feet of forest slash, unless a written permit has been issued by the permitting authority.

11. When burning is for commercial purposes, other than silvicultural burning, agricultural burning, or burning of land clearing debris.

12. Where the Authority, Department of Ecology, or permitting authority has determined that reasonable alternatives are available.

13. When burning causes a nuisance, or the Authority or permitting authority determines that the creation of a nuisance is the likely result of burning.

WSR 01-01-093

PROPOSED RULES

SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY

[Filed December 15, 2000, 11:26 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule: Regulation I, Article VI; Section 6.10 - Grass Field Burning; Section 6.11 - Agricultural Burning.

Purpose: To define the circumstances under which agricultural burning may or may not occur. To define responsi-

PROPOSED

bilities of farmers, relative to agricultural burning. To define responsibilities of permitting authorities.

Statutory Authority for Adoption: RCW 70.94.141(1).

Statute Being Implemented: Chapter 70.94 RCW.

Summary: Section 6.10 is proposed to be deleted in its entirety, because there is no longer a need for a separate grass field burning regulation. Section 6.11 applies to all agricultural burning in Spokane County. It defines various terms, it stipulates when agricultural burning is prohibited, it outlines procedural requirements for obtaining agricultural burning permits, it outlines the responsibilities of farmers who seek approval to burn, and it outlines the responsibilities of permitting authorities who administer burn permit programs.

Reasons Supporting Proposal: State laws and regulations, governing agricultural burning, have changed since 1994, when SCAPCA's agricultural burning regulations were last amended. The proposal is necessary in order to reflect the changes made in the state laws and regulations.

Name of Agency Personnel Responsible for Drafting: Eric Skelton, 1101 West College, #403, Spokane, WA 99201, (509) 477-4727; Implementation and Enforcement: Matt Holmquist, 1101 West College, #403, Spokane, WA 99201, (509) 477-4727.

Name of Proponent: Spokane County Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule addresses requirements for agricultural burning in Spokane County. The purpose of the rule is to define circumstances under which agricultural burning may or may not occur in Spokane County. The rule also defines responsibilities of farmers, relative to agricultural burning and responsibilities of permitting authorities. The rule also defines impaired air quality conditions, under which agricultural burning is not allowed. Impaired air quality conditions may be in effect if ambient air quality levels for carbon monoxide, coarse particles (PM10), or fine particles (PM2.5) exceed specified levels.

For the most part, the effect of the proposed amendments to the rule is to make it more consistent with state laws and regulations, which have been amended several times since the last amendments to SCAPCA's agricultural burning rules. State laws and regulations do not currently contain a definition for impaired air quality, due to fine particle pollution. Therefore, SCAPCA's agricultural burning rule, if adopted, may be more restrictive than state laws and regulations, regarding when burning may not occur, under impaired air quality conditions.

Proposal Changes the Following Existing Rules: The proposal repeals SCAPCA's Grass Field Burning rule (Section 6.10) and addresses all agricultural burning under Section 6.11, grass field burning included. Section 6.11 is amended, primarily to make it more consistent with state laws and regulations. A new, more restrictive definition of impaired air quality is also added, as described above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This is a local agency rule and RCW 34.05.328 has not been made voluntarily applicable to this rule.

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Spokane County Public Works Building, 1026 West Broadway, Hearing Room Lower Level, Spokane, WA 99201, on February 1, 2001, at 8:30 a.m.

Assistance for Persons with Disabilities: Contact Barbara Nelson by January 29, 2001, (509) 477-4727.

Submit Written Comments to: Spokane County Air Pollution Control Authority, 1101 West College, Suite #403, Spokane, WA 99201, fax (509) 477-6828, by January 26, 2001.

Date of Intended Adoption: February 1, 2001.

December 12, 2000

Eric P. Skelton

Director

CR-102 VERSION, 5/22/00

SPOKANE COUNTY AIR POLLUTION CONTROL AUTHORITY, REGULATION I

REPEALER (Repealing SCAPCA Res. 90-05, 5/3/90, and Order 93-11-036, filed 5/11/93)

SECTION 6.10 GRASS FIELD BURNING

AMENDATORY SECTION (Amending Order 94-23-036, filed 11/9/94)

SECTION 6.11 AGRICULTURAL BURNING

A. Purpose. (~~This Section establishes fees and controls for agricultural burning in Spokane County, consistent with best management practices.~~) The primary purpose of this Section is to establish specific requirements for agricultural burning in Spokane County, consistent with Chapter 173-430 WAC.

B. Applicability. This Section applies to agricultural burning in all areas of Spokane County unless specifically exempted. This Section does not apply to Silvicultural Burning (see Chapter 332-24 WAC) or to Outdoor Burning (see Chapter 173-425 WAC).

NEW SECTION

SECTION 6.11 AGRICULTURAL BURNING

C. Statement of Authority. The Spokane County Air Pollution Control Authority is empowered, pursuant to Chapter 70.94 RCW, to administer the agricultural burning program in Spokane County. Included is the authority to:

1. Issue and deny burning permits;
2. Establish conditions on burning permits to insure that the public interest in air, water, and land pollution, and safety to life and property is fully considered;
3. Determine if a request to burn is consistent with best management practices, pursuant to WAC 173-430-050; or qualifies for a waiver, pursuant to WAC 173-430-045;
4. Delegate local administration of permit and enforcement programs to certain political subdivisions;

5. Declare burn days and no-burn days, based on meteorological, geographical, population, air quality, and other pertinent criteria; and

6. Restrict the hours of burning, as necessary to protect air quality.

Reviser's note: The unnecessary underscoring 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 94-23-036, filed 11/9/94)

SECTION 6.11 AGRICULTURAL BURNING

D((€)). Definitions. Unless a different meaning is clearly required by context, words and phrases used in this Section shall have the following meaning:

1. Agricultural Burning means burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, necessary to destroy weeds or crop residue along farm fence rows, irrigation ditches, or farm drainage ditches, or where identified as a best management practice by the agricultural burning practices and research task force, established in RCW 70.94.650, or other authoritative source on agricultural practices.

2. Authority means the Spokane County Air Pollution Control Authority.

3. Episode means a period when a forecast, alert, warning, or emergency air pollution stage is declared, as ~~((stated))~~ provided in Chapter 173-435 WAC.

4. Extreme Conditions means conditions, usually associated with a natural disaster, that prevent the delivery and placement of mechanical residue management equipment on the field, and applies only to the growing of field and turf grasses for seed, for which a waiver is requested.

5((4)). Impaired Air Quality, for purposes of agricultural burning, means a condition declared by the Authority when meteorological conditions are conducive to an accumulation of air contaminants, concurrent with at least one of the following criteria:

a. Particulates ~~((which))~~ that are ten microns or smaller in diameter (PM10) are measured at any location inside Spokane County at or above an ambient level of ~~((seventy-five))~~ sixty micrograms per cubic meter of air, measured on a 24-hour average, by a method which has been determined, by Ecology or the Authority, to have a reliable correlation to the federal reference method, CFR Title 40 Part 50 Appendix J, or equivalent:

b. Carbon monoxide is measured at any location inside Spokane County at or above an ambient level of eight parts of contaminant per million parts of air by volume (ppm), measured on an eight-hour average by a method which has been determined, by Ecology or the Authority, to have a reliable correlation to the federal reference method, CFR Title 40 Part 50 Appendix C, or equivalent.

c. Particulates that are two and one-half microns or smaller in diameter (PM2.5) are measured at any location inside Spokane County at or above an ambient level of 15 micrograms per cubic meter of air, measured on a 24-hour average, by a method which has been determined, by Ecology or the Authority, to have a reliable correlation to the federal reference method, CFR Title 40 Part 50 Appendix L, or equivalent.

ogy or the Authority, to have a reliable correlation to the federal reference method, CFR Title 40 Part 50 Appendix L, or equivalent.

d((e)). Air contaminant levels reach or exceed other limits, established by Ecology pursuant to RCW 70.94.331 ((Chapter 173-425-030(5)(b) WAC, by resolution of the Board of Directors of the Authority)).

6((5)). Nuisance means an emission of smoke or other emissions from agricultural burning that unreasonably interferes with the use and enjoyment of property or public areas.

7((6)). Permitting Authority means the Spokane County Air Pollution Control Authority (Authority), or one or more of the following entities, whenever the Authority has delegated administration of the permitting program, pursuant to RCW 70.94.654, to one or more of the referenced entities, provided such delegation of authority has not been withdrawn: Spokane County, the Spokane County Conservation District, or any fire protection agency within Spokane County ((, whenever the referenced agency is delegated the authority, pursuant to RCW 70.94.654, to issue permits)).

8. Pest means weeds, disease, or insects, infesting agricultural lands, crops, or residue.

9((7)). Prohibited Materials means garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, construction debris, demolition debris, metal or any substance (other than natural vegetation) ~~((which when burned))~~ that releases toxic emissions, dense smoke or obnoxious odors, when burned.

10((8)). Responsible Person means any person who has applied for and received a permit for agricultural burning, or any person allowing, igniting or attending to agricultural burning, or any person who owns or controls property on which agricultural burning occurs.

NEW SECTION

SECTION 6.11 AGRICULTURAL BURNING

E. Requirements. No person shall practice or permit the practice of Agricultural Burning, other than incidental agricultural burning pursuant to RCW 70.94.745(7), unless the applicant demonstrates to the satisfaction of the Authority or permitting authority that burning, as requested:

1. Is reasonably necessary to successfully carry out the enterprise in which the applicant is engaged; or

2. Constitutes a best management practice and no practical alternative is reasonably available.

Reviser's note: The unnecessary underscoring 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 94-23-036, filed 11/9/94)

SECTION 6.11 AGRICULTURAL BURNING

F((D)). Prohibitions. ~~((Except as provided in Section 6.11.E, n))~~ No person shall practice or permit the practice of agricultural burning in any of the following circumstances ~~((and locations))~~:

~~((1. Within the No-Burn Area, as defined by resolution of the Board of Directors of the Authority:))~~

1. Where there is a practice, program, technique, or device, that Ecology has certified as a practical alternative to burning.

2. When the materials to be burned include any prohibited materials.

3. During an episode, as declared by Ecology, or during ((impaired air quality)) Impaired Air Quality, as declared by ((the Department of)) Ecology or the Authority for a defined geographical area.

4. ~~((When))~~ Where burning causes a nuisance or when the Authority or permitting authority determines that the creation of a nuisance ((is the)) would likely result ((of)) from burning.

5. ~~((Unless))~~ Without a written permit, ((has been)) issued by the permitting authority, except for incidental agricultural burning, as provided in RCW 70.94.745(7).

~~((6. If the applicant is unable to show to the satisfaction of the Authority or permitting authority that burning, as requested-~~

~~a. is reasonably necessary to successfully carry out the enterprise in which the applicant is engaged; or~~

~~b. constitutes a best management practice; or~~

~~c. is necessary to control disease or insect infestation, and other measures are not available.))~~

~~6((7)). ((If the burning))~~ When the materials to be burned include((s)) any material other than natural vegetation generated on the property, which is the burning site, or was transported to the burning site by wind or water.

7. In the case of growing of field or turf grasses for seed, unless the request to burn qualifies for a waiver for slope or extreme conditions pursuant to WAC 173-430-045(4).

8. When a no-burn day is declared by the Authority or the permitting authority.

REPEALER

SECTION 6.11 AGRICULTURAL BURNING

~~((E. Nothing in Section 6.11 shall apply to the following types of fires:~~

~~1. Silvicultural burning.~~

~~2. Grass Field Burning pursuant to Section 6.10.))~~

AMENDATORY SECTION (Amending Order 94-23-036, filed 11/9/94)

SECTION 6.11 AGRICULTURAL BURNING

~~G((F)).~~ General Conditions. Considering population density and local conditions affecting air quality, the Authority or permitting authority shall establish conditions for all permits to minimize air pollution as much as practical. Such conditions may be general (applying to all permits) or specific (applying to individual permits). Conditions may ~~((include but are not limited to restricting the))~~ address permissible hours of burning, ((restricting burning to a defined season, restricting the size of fires)) maximum daily burn acreage or volume of material to be burned, ((imposing)) requirements for good combustion practice, ((and restrict-

ing)) burning ((to)) under specified weather conditions, pre and post-burn reporting, and other criteria, determined by the permitting authority, as necessary to minimize air pollution. Any person who practices or permits the practice of agricultural burning shall, in addition to any specific permit conditions imposed, comply with the general agricultural burning permit conditions and criteria in WAC 173-430-070 and all of the following conditions:

1. Whenever an episode or ~~((impaired air quality))~~ Impaired Air Quality is declared, or other meteorological condition occurs that the permitting authority determines is likely to contribute to a nuisance, all fires shall be extinguished by withholding new fuel or ceasing further ignition, as appropriate ((and)) to allow((ing)) the fire to burn down in the most expeditious manner. In no case shall a fire be allowed to burn longer than 3 hours after declaration of an episode or Impaired Air Quality, or determination of the specific meteorological condition.

2. Until extinguished, the ((The)) fire shall be attended by a person who is responsible for the same, ((and)) capable of extinguishing the fire, and has the permit or a copy of the permit in his or her immediate possession. ((The fire must be extinguished before leaving it.))

3. Burning shall occur only during daylight hours ~~((only)),~~ or a more restrictive period as determined by the Authority or the permitting authority.

4. Permission from ~~((a))~~ the landowner, or the landowner's designated representative, must be obtained before starting the fire.

5. The fire district of jurisdiction shall be notified by the responsible person, prior to igniting a fire.

6. If it becomes apparent at any time to the Authority or permitting authority that limitations need to be imposed to reduce smoke, ~~((and))~~ prevent air pollution and/or protect property and the health, safety and comfort of persons from the effects of burning, the Authority or permitting authority shall notify the permittee or responsible person and any limitation so imposed shall become a condition under which the permit is issued.

7. Follow the smoke management guidelines of the permitting authority.

~~H((G)).~~ Administrative requirements.

1. ~~((Until January 1, 1995, all applicants for agricultural burning permits shall pay a one-time interim fee of \$20 at the time the application is submitted. Payment shall be made by check, payable to the Washington Department of Ecology.))~~ All applicants for agricultural burning permits must submit their requests to burn, on forms or in a format provided by the permitting authority.

2. The permitting authority may require additional information from the applicant, as necessary to determine if agricultural burning is reasonably necessary to carry out the enterprise, to determine how best to minimize air pollution, and as necessary to compile information for the annual program summary (Section 6.11.J.10).

3. The permitting authority may deny an application or revoke a previously issued permit if it is determined by the permitting authority that the application contained inaccurate information, or failed to contain pertinent information, which information is deemed by the permitting authority to be sig-

nificant enough to have a bearing on the permitting authority's decision to grant a permit.

4((2)). ((After January 1, 1995, a)) All applicants for agricultural burning permits shall pay a fee at the time of application, ((not to exceed the level determined by the agricultural burning practices and research task force, pursuant to Chapter 70.94.650 RCW)) according to ((The)) a schedule of fees, ((shall be)) established by resolution of the permitting authority. When the permitting authority is the Spokane County Air Pollution Control Authority, the fee shall be according to the schedule in Regulation I, Article X.

4. ((The permitting authority shall act upon a complete permit application within 7 days from the date such complete application is filed.))

5. No permit for agricultural burning shall be granted on the basis of a previous permit history.

6. The permitting authority may waive or reduce the sixty and thirty-day advance requirements for submitting and completing a waiver request, made pursuant to WAC 173-430-045(5), if the permitting authority determines that an alternate advance period will suffice for evaluating the request.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the SCAPCA and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

SECTION 6.11 AGRICULTURAL BURNING

I. Responsibilities of Farmers. In order to make the required showing, referenced in Section 6.11.E., a farmer, as defined in WAC 173-430-030(7), is responsible for providing the following to the permitting authority, if applicable:

1. Advance notice of the potential need to burn, including documentation of pest problems, which if possible, shall be given prior to crop maturity.

2. For pest management burning requests, a plan establishing how a recurring pest problem will be addressed through non-burning management practices by the following year, if possible, or by no later than three years.

3. An evaluation of alternatives to burning, including those successfully and customarily used by other farmers in similar circumstances, with particular attention to alternatives customarily used in Spokane County, which evaluation shall include an explanation as to why the alternatives are unreasonable and burning is necessary.

4. A showing as to how burning will meet the applicable crop-specific or general Best Management Practices, established pursuant to RCW 70.94.650(4).

5. For residue management burn requests, a showing that the residue level meets the permitting authority's criteria for consideration of a residue management burn.

6. For residue management burn requests, a showing that non-burning alternatives would limit attaining the desired level of water infiltration/retention, soil erodibility, seed/soil contact, seeding establishment or other desirable agronomic qualities.

7. Field access to representatives of the permitting authority.

J. Responsibilities of Permitting Authorities. Permitting authorities are responsible for performing the following activities:

1. Evaluation of individual permit applications to determine whether the applicant has made the required showing, referenced in Section 6.11.E.

2. Consultation with a trained agronomist on individual permit applications, as necessary, to evaluate the need to burn and non-burning alternatives.

3. Field inspection, as necessary to verify the following:
a. Accuracy of information in permit and waiver applications,

b. Compliance with permit conditions and applicable laws and regulations, and

c. Acreage and materials burned.

4. Taking final action on permit applications within 7 days of the date the application is deemed complete.

5. Incorporation of appropriate permit conditions, both general and specific, as referenced in Section 6.11.G, in order to achieve the following:

a. Minimizing air pollution and emissions of air pollutants, and

b. Insuring that the public interest in air, water, and land pollution, and safety to life and property has been fully considered, in accordance with RCW 70.94.650(1)(c).

6. Enforcement and compliance efforts, with the goal of assuring compliance with all applicable laws, regulations, and permit conditions, and ensuring that timely and appropriate enforcement actions are commenced, when violations are discovered.

7. Complaint logging and appropriate level of response.

8. Collection of fees.

9. Declaration of burn days and no-burn days, taking into consideration, at a minimum, the following criteria:

a. Local air quality and meteorological conditions;

b. Time of year when agricultural burning is expected to occur;

c. Acreage/volume of material expected to be burned per day and by geographical location;

d. Proximity of burn locations to roads, homes, population centers, and public areas;

e. Public interest and safety; and

f. Risk of escape of fire onto adjacent lands, during periods of high fire danger.

10. Development of smoke management guidelines, that include procedures to minimize the occurrence of nuisance, and to facilitate making burn/no burn decisions.

11. Dissemination of burn decisions, as necessary to inform responsible persons and the public.

12. Compilation of an annual program summary, which at a minimum, includes the following:

a. Permits and acres approved for burning;

b. Permit/waiver requests and acres denied;

c. Number and dates of complaints received; and

d. Number of documented violations.

Reviser's note: The unnecessary underscoring 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 94-23-036, filed 11/9/94)

SECTION 6.11 AGRICULTURAL BURNING

~~K((H)). Compliance ((with other laws and regulations)).~~
The responsible person is expected to comply with all applicable laws and regulations. Compliance with Section 6.11 does not ~~((necessarily mean))~~ insure that agricultural burning complies with other applicable laws and regulations implemented by any other ((authorities)) authority or entity.

WSR 01-01-098

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed December 15, 2000, 2:05 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-19-024.

Title of Rule: WAC 392-140-600 through 392-140-685, state special education safety net funding.

Purpose: To reflect policy changes made by the State Safety Net Oversight Committee.

Statutory Authority for Adoption: RCW 28A.150.290.

Statute Being Implemented: Section 507(7), chapter 309, Laws of 1999.

Summary: Proposed changes will remove one application type and replace with a new application type. Numerous other changes will provide better information to applicants about types of applications, order of application, criteria of application, and worksheets used in application process.

Reasons Supporting Proposal: Changes are needed to clarify order of application process.

Name of Agency Personnel Responsible for Drafting: Sara Cundy, Office of Superintendent of Public Instruction, (360) 753-2298; Implementation: Allen H. Jones, Office of Superintendent of Public Instruction, (360) 753-6708; and Enforcement: Michael L. Bigelow, Office of Superintendent of Public Instruction, (360) 753-1718.

Name of Proponent: Office of Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Changes to implement the 1999-2001 state Operating Appropriations Act:

- Requirement that superintendent expend all available federal discretionary funds necessary to meet the extraordinary needs of individuals special education students.

Changes to rules:

- Addition of other factors application type and elimination of demographics application type.
- Requirement that applicant apply for award types successively as follows: Maintenance, percentage, high-cost individual, other factors. Additional requirement

that applicant apply in each successive type after eligibility is exhausted in prior type.

- Requirement that safety net applicant use the state adopted excess cost method of accounting consistently on Worksheet "A."

Proposal Changes the Following Existing Rules: As described above.

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

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Bryan Conference Room, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on January 23, 2001, at 9 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery by January 9, 2001.

Submit Written Comments to: Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, 600 South Washington Street, Olympia, WA 98504-7200, fax (360) 753-4201, by January 22, 2001.

Date of Intended Adoption: January 24, 2001.

December 15, 2000

Dr. Terry Bergeson

Superintendent of

Public Instruction

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-600 Special education safety net—Applicable provisions. The provisions of WAC 392-140-600 through 392-140-685 apply to the determination of safety net allocations of state special education moneys and Individuals with Disabilities Education Act (IDEA) federal discretionary moneys for the 2000-01 school year and thereafter.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-605 Special education safety net—((Safety net)) Application((—Basis)) types, certification, worksheets. Application for safety net funding shall be made on Form SPI 1381 - Maintenance or Form SPI 1381 - Certification published by the superintendent of public instruction as follows:

(1) School districts may make application for safety net funding on ~~((the basis of))~~ one or more of the ~~((following:))~~ four application types described below. Applications will be considered and awards made in the order shown until the district's eligibility is exhausted.

(a) Maintenance of effort (state revenue only) hereafter referred to as MOESR. State safety net funding may be requested when a district shows a MOESR loss calculated by the superintendent of public instruction pursuant to WAC 392-140-620.

(b) ~~((Special characteristics and costs:))~~ Students above the funded percentage hereafter referred to as percentage. State safety net funding may be requested ~~((by a school dis-~~

trict with special education costs of providing services that are reasonable, but differ significantly from the assumptions contained in the state special education funding formula provided that the applicant school district meets the standards of WAC 392-140-613 and can demonstrate, pursuant to WAC 392-140-625 either of the following:

(i) ~~The~~ if district's actual resident special education enrollment exceeds the district's funded resident special education enrollment, the district ~~((has adopted))~~ is implementing a plan of action to contain or eliminate any unnecessary, duplicative, or ineffective enrollment practices, and all available funding, including state, federal, and local if provided in the past, is insufficient to meet the expenditure level necessary for special education ~~((or~~

(ii) ~~The district's resident special education enrollment percentage is equal to the funded special education enrollment percentage and the district has incurred an adverse change in the demographics of its resident special education enrollment, and all available funding, including state, federal, and local if provided in the past, is insufficient to meet the expenditure level necessary for special education))~~.

(c) High-cost individual student. A school district may submit applications for federal safety net funding for high-cost individual students meeting the standards in WAC 392-140-616.

(d) Factors other than students above the funded level or high-cost individual students hereafter referred to as other factors. State safety net funding may be requested by a school district with unfunded special education costs due to factors beyond the district's control and not attributable to district philosophy or service delivery style. The applicant district must meet standards of WAC 392-140-613 and 392-140-625.

(2) The school district making application for safety net funding shall certify that:

(a) The application complies with the respective safety net application standards of WAC 392-140-610, 392-140-613, or 392-140-616;

(b) The application provides true and complete information to the best of the school district's knowledge; and

(c) The district understands that safety net funding is not an entitlement, is subject to adjustment and recovery, may not be available in future years, state safety net funding must be expended in program 21 which impacts the amount that must be maintained for the federal maintenance of effort test, and federal safety net funding must be expended in program 24, and federal Medicaid has been billed for all services to eligible students.

(3) Worksheets included with the application shall demonstrate the need for safety net funding. School districts are encouraged and may be required to submit additional information designed to assist the state oversight committee in analyzing the application.

(a) MOESR applications pursuant to subsection (1)(a) of this section do not require any worksheets. Applications for MOESR shall include certification of standards and criteria described in WAC 392-140-610.

(b) ~~((Special characteristics and costs))~~ Percentage applications pursuant to subsection (1)(b) ~~((+))~~ of this section require completion of ~~((the narrative and))~~ worksheet ~~((s))~~

"A" described in WAC 392-140-625, certification of standards and criteria pursuant to WAC 392-140-613 and percentage application narrative.

(c) High-cost individual student applications shall include ~~((completed budget forms SPI F-1000B and SPI E-795B, and))~~ worksheets "A" and "C" and summary published in the safety net application, and certification of standards and criteria pursuant to WAC 392-140-616.

(d) Other factors applications pursuant to subsection (1)(d) of this section require completion of application narrative, worksheet "A" described in WAC 392-140-625, and certification of standards and criteria described in WAC 392-140-613.

AMENDATORY SECTION (Amending Order 96-15, filed 9/18/96, effective 10/19/96)

WAC 392-140-609 Special education safety net—Standards and criteria—Appropriate and properly and efficiently prepared and formulated IEPs. Individualized education programs (IEPs) which are appropriate, properly and efficiently prepared and formulated are those IEPs that meet all of the following criteria:

(1) The IEPs comply with federal and state procedural requirements.

(2) The delivery of specially designed instruction complies with state standards (regularly scheduled teaching or training activities provided or designed by special education qualified staff).

(3) Areas for the provision of special education services conform with areas of need identified in the students evaluation made pursuant to WAC ~~((392-172-152))~~ 392-172-111.

(4) The state oversight committee determines:

(a) There are no unresolved state audit examination findings related to special education which are material in nature;

(b) There are no unresolved state child count verification findings which are material in nature; and

(c) All corrections to state enrollment reporting, required for resolution of (a) and (b) of this subsection, are completed.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-613 Special education safety net—Standards and criteria—~~((Special characteristics and costs))~~ Percentage and other factors applications. For a school district requesting state safety net funding due to ~~((special enrollment characteristics of the district and costs of providing services which differ significantly from the assumptions contained in the state special education funding formula))~~ students above the funded percentage or other factors, the district shall demonstrate at a minimum that:

(1) IEPs are appropriate and are properly and efficiently prepared and formulated.

(2) The district is making reasonable effort to provide appropriate services for students in need of special education utilizing state funding generated by the basic education apportionment and special education funding formulas.

(3) The district's special education services are operated in a reasonably efficient manner and the district has adopted a plan of action to contain or eliminate any unnecessary, duplicative, or inefficient practices.

(4) Indirect costs included for purposes of determining safety net allocations do not exceed the allowable percent for the federal special education program plus one percent.

(5) Any available federal funding is insufficient to address the additional needs.

(6) The costs of any supplemental contracts are not included for purposes of determining safety net allocations. Supplemental contracts are those contracts made pursuant to RCW 28A.400.200(4) excluding extended school year contracts (ESY) required by an IEP.

(7) The costs of any summer school instruction are not included for purposes of making safety net determinations excluding extended school year contracts (ESY) required by an IEP.

AMENDATORY SECTION (Amending Order 98-05, filed 3/18/98, effective 4/18/98)

WAC 392-140-616 Special education safety net—Standards—High-cost individual student applications. For districts requesting safety net funding to meet the extraordinary needs of an eligible high-cost individual special education student, the district shall demonstrate at a minimum that:

(1) The IEP for the eligible special education student is appropriate, and properly and efficiently prepared and formulated.

(2) All of the following criteria apply to the high-cost individual student:

(a) Costs eligible for safety net consideration must be direct expenditures for services required in the IEP.

(b) In order to deliver appropriate special education to the student, the district must be providing services which incur additional costs which exceed available district annual average per-pupil revenues, including state, federal and local revenues, by seven thousand dollars. This threshold amount shall be adjusted ~~((downward by the portion of the year for which the individual student was actually enrolled))~~ pro rata for students not counted or expected to be counted for special education services on all eight enrollment count dates (October through May). For example, for a student served and reported for only ~~((one-half the year))~~ six of the eight count dates, the threshold amount shall be reduced ~~((by one-half))~~ to three-quarters of the full amount. The state safety net oversight committee may set a lower threshold for small school districts.

(c) The total cost of educational services must exceed any carryover of federal flow-through special education funding as of August 31 of the prior school year.

(d) The cost of providing special education services, as directed in the IEP, for this student would be detrimental to the school district's ability to provide necessary services to the other students being provided special education in the district.

(3) The state safety net oversight committee shall adapt the high cost individual student application as appropriate for

applications prepared by the Washington state school for the blind and the Washington state school for the deaf.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-625 Special education safety net—Demonstration of ~~((special characteristics and costs))~~ percentage and other factors. Applications ~~((pursuant to WAC 392-140-605 (1)(b) must demonstrate special characteristics and costs as provided in this section:))~~ for percentage or other factors shall demonstrate need for safety net funding as follows:

(1) Applications from districts with actual enrollment greater than funded enrollment pursuant to WAC 392-140-605 (1)(b)~~((+))~~ must demonstrate, through the application narrative, that the district ~~((has adopted))~~ is implementing a plan of action to contain or eliminate any unnecessary, duplicative, or ineffective enrollment practices. The district shall demonstrate a financial need on worksheet "A" of the application. Applicants shall cooperate with the special education program audit team and shall provide the team with any information required by the team to review and verify certifications made on the safety net application.

~~((2) Applications from districts with actual enrollment equal to funded enrollment pursuant to WAC 392-140-605 (1)(b)(ii) must demonstrate, through the application narrative and on application worksheet "A" and "B," an adverse change in resident special education enrollment characteristics and program costs. For initial awards, the district must demonstrate adverse change since the prior school year. For continuing awards, the district must demonstrate continued adverse change.))~~

(a) The application narrative completed by the school district shall provide any information and explanations related to ~~((special enrollment characteristics))~~ students above the funded percentage as required in the published instructions.

(b) Application worksheet "A" shall demonstrate a financial need by displaying the school district's special education expenditures, revenues, and special education enrollments for the prior and current school years. ~~((Application worksheet "B" shall display changes in staff services and staff-to-ratios between the prior and current school years.))~~

(c) Cost differences between the current and prior school years shall be explained in the application narrative. The application narrative shall detail cost differences in services to students which occurred between the current school year and the prior school year. Such details shall include costs and savings associated with each change in services.

(d) A fiscal need shall be demonstrated through the application narrative, on application worksheet~~((s))~~ "A" ~~((and "B,")~~) and other information available to the state oversight committee.

(2) Applications for other factors pursuant to WAC 392-140-605 (1)(d) must demonstrate, through application narrative and on application worksheet "A," financial need caused by factors other than the presence of students above the funded percentage or high-cost individual student(s).

(a) The narrative shall identify causal factors beyond the district's control and not attributable to the district philosophy or service delivery style, and:

(i) Outline each causal factor asserted in the application;
(ii) Provide a clear explanation of the impact of each factor to the district in terms of number and/or severity of students;

(iii) Quantify the safety net funding need due to the factor. Show the assumptions and calculations used to arrive at the dollar amount of unfunded costs attributable to each factor.

(b) Provide a copy or explanation of any action plan the district has adopted to contain or eliminate any unnecessary, duplicative, or inefficient practices pursuant to WAC 392-140-613.

(c) If the district received an award in a prior year, describe the program, prior year costs, and compare and contrast to the current year program and costs.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-626 Special education safety net—Worksheet A—Demonstration of need. Applications for ~~((special characteristics and costs and))~~ percentage, high cost individual students, and other factors shall demonstrate financial need as follows:

(1) Application worksheet "A" shall demonstrate a fiscal need in excess of ~~((the sum of)):~~

(a) ~~((All current school year safety net awards to the district))~~ The district's maximum eligibility for MOESR ((or special characteristics and costs));

(b) Any previous safety net awards for the current school year; and

(c) All other available revenue for special education, including all carryover of federal special education revenue.

(2) Awards ~~((for special characteristics and costs pursuant to WAC 392-140-605 (1)(b)(ii) and high cost individual awards))~~ shall not exceed the amount of need demonstrated on the worksheet "A."

(3) Worksheets submitted with safety net applications are to reflect ~~((an))~~ the state adopted excess cost ((basis)) method of accounting, consistently applied for both years presented. ~~((The district may be required to describe the district's excess cost methodology.))~~

(4) The safety net oversight committee may revise the district's worksheet "A" submitted for errors or omissions.

(5) The school district shall provide additional information as requested by the state oversight committee.

(6) After the close of the school year, the safety net oversight committee may review the worksheet "A" used to determine need for a district's award against the actual final school year enrollments, revenues, and expenditures reported by the district. Based upon the results of this review:

(a) The safety net allocation for the school year may be adjusted or recovered; or

(b) If the committee finds that a portion of the safety net allocation was not needed to balance revenues and expenditures, the committee may consider that portion of the allocation available to meet the needs of the ensuing school year.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-660 Special education safety net—Approved application—Special education safety net allocations. The total amount allocated to school districts may not exceed the authorized appropriation.

(1) The special education safety net allocation shall be the smaller of:

(a) The amount requested by the school district; or

(b) The amount authorized by the state oversight committee.

(2) If the district requests and the oversight committee approves the "full" allocation permitted by a state formula, then the allocation shall be adjusted periodically during the year and again in January after the close of the school year to reflect the amount determined under the formula.

(3) Special education safety net allocations of state moneys for ~~((special characteristics))~~ percentage and other factors applicants under WAC 392-140-605 (1)(b) and (d) shall be prorated if total year-to-date state allocations for all safety net applications under WAC 392-140-605 (1)(a) ~~((and)), (b), and (d)~~ exceed the authorized appropriation for that school year.

(4) Special education safety net allocations for high-cost individual students under WAC 392-140-605 (1)(c) shall ~~((first))~~ use appropriated federal moneys. ~~((If federal moneys are insufficient, state moneys may be used if provided for this purpose in the state Operating Appropriations Act, otherwise high cost individual student allocations shall be prorated as needed to stay within the authorized federal appropriation.))~~ If safety net awards to meet the extraordinary needs of one or more individual special education students exceed the general fund—federal appropriation, the superintendent shall expend all available federal discretionary funds necessary to meet this need. General fund—state funds shall not be expended for this purpose.

AMENDATORY SECTION (Amending WSR 00-03-015, filed 1/7/00, effective 2/7/00)

WAC 392-140-675 Special education safety net—Adjustments to special education safety net allocations. Safety net allocations may be adjusted as follows:

(1) For those districts not maximizing Medicaid billing for special education students under ~~((chapter 318, Laws of 1999))~~ RCW 74.09.5255, special education safety net allocations shall be reduced by the estimated potential additional incentive payments for the school year if the district maximized Medicaid incentive payments. Potential additional incentive payments shall be estimated by the superintendent of public instruction based on the district's percent of Medicaid eligible students billed and a state-wide average incentive payment per student determined by the superintendent in October of the school year. The average incentive payment per student shall be determined using the prior school year's state-wide Medicaid billing data assuming fifty percent incentive payments for all school districts. The superintendent of public instruction shall update Medicaid billing adjustments to safety net allocations periodically during the

PROPOSED

school year and again in January following the close of the school year.

(2) Special education safety net allocations for a school district may be adjusted to reflect changes in factors for which additional or revised information becomes available after the awarding of the initial safety net allocation. This means:

(a) MOESR awards for the "full" amount shall be increased, reduced, or nullified when a recalculation pursuant to WAC 392-140-620 results in a change in the amount previously calculated pursuant to WAC 392-140-620.

(b) ~~((Special characteristics and costs))~~ Percentage awards for the full amount under WAC 392-140-605 (1)(b)(~~(+)~~) shall be increased, reduced, or nullified when the district's enrollment or state funding factors change.

(c) ~~((Special characteristics and costs))~~ Percentage and other factors awards may be reduced or nullified when the school district's actual revenues and expenditures for the school year differ significantly from the estimates on which the initial safety net award was based.

(d) A school district's safety net award may be adjusted by the safety net oversight committee based on the results of the review conducted by the special education program audit team pursuant to WAC 392-140-630.

(3) Allocations of state moneys ~~((for special characteristics applicants))~~ under WAC 392-140-605 (1)(b) and (d) shall be prorated if total state allocations for all safety net applications under WAC 392-140-605 (1)(a) ~~(and)~~, (b), and (d) exceed the authorized appropriation for that school year. Allocations shall be restored to full funding if additional appropriation authority becomes available.

WSR 01-01-131

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(By the Code Reviser's Office)

[Filed December 19, 2000, 4:04 p.m.]

WAC 388-31-010, 388-31-015, 388-31-020, 388-31-025, 388-31-030, 388-31-035, 388-273-0010, 388-273-0020, 388-273-0025, 388-273-0030 and 388-273-0035, proposed by the Department of Social and Health Services in WSR 00-12-083 appearing in issue 00-12 of the State Register, which was distributed on June 21, 2000, 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 01-01-133

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed December 20, 2000, 8:58 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-21-092.

Title of Rule: WAC 308-13-150 Landscape architect fees.

Purpose: This rule is needed to increase the charge that candidates pay for the landscape architect registration examination and the department collects on the vendor's behalf.

Statutory Authority for Adoption: RCW 18.96.080 Fees and 43.24.086 Fee policy for professions, occupations and businesses; requires fees to be at a sufficient level to defray the costs of administering the program.

Statute Being Implemented: RCW 43.24.086 Fee policy for professions, occupations and businesses; requires fees to be at a sufficient level to defray the costs of administering the program.

Summary: This is a national driven fee increase and not the request of the department.

Reasons Supporting Proposal: The cost of the examinations are charged directly to the candidates for registration.

Name of Agency Personnel Responsible for Drafting: Joan Y. Robinson, 405 Black Lake Boulevard, Olympia, (360) 664-1387; Implementation and Enforcement: Margaret Epting, 405 Black Lake Boulevard, Olympia, (360) 664-1386.

Name of Proponent: Landscape Architect Registration Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The examination vendor has increased the examination charges. This rule is needed to increase the examination charges that candidates pay for the examination, to a sufficient level to meet the cost of purchasing the examinations for the candidates.

Proposal Changes the Following Existing Rules: It increases the charges that are collected from candidates for the examinations ordered from the test vendor. The charges recovered by the department shall be refunded to the vendor for the cost of the examinations.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This increase in charges is to individual applicants, not business enterprises. The vendor will provide the tests only at these prices. The costs are not negotiable.

Without these increases in examination charges the refund account would be a deficit with the first examination session.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This section of regulations is not a "significant legislative rule" as defined by RCW 34.05.328 (5)©(iii) [(5)(c)(iii)] and is exempt under the provisions of RCW 34.05.38 [34.05.328] (5)(b)(vi).

PROPOSED

Hearing Location: Department of Licensing, 405 Black Lake Boulevard, Conference Room 1, Olympia, WA 98502, on January 25, 2001, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Joan Y. Robinson by January 23, 2001, TDD (360) 586-2788, or (360) 664-1387.

Submit Written Comments to: Margaret Epting, Landscape Architect Registration Board, P.O. Box 9045, Olympia, WA 98507-9045, fax (360) 664-2551, by January 23, 2001.

Date of Intended Adoption: January 25, 2001.
 December 20, 2000
 Alan E. Rathbun
 Assistant Director

AMENDATORY SECTION (Amending WSR 99-23-025, filed 11/9/99, effective 11/9/99)

WAC 308-13-150 Landscape architect fees and charges. The following fees will be collected from the candidates for examination(~~(, effective July 1, 2000)~~):

Title of Fee	Fee
Application fee	\$150.00
Reexamination administration fee	50.00
Exam proctor	100.00
Renewal (2 years)	300.00
Late renewal penalty	100.00
Duplicate license	25.00
Initial registration (2 years)	300.00
Reciprocity application fee	200.00
Certification	45.00
Replacement certificate	20.00

Those (~~(fees)~~) charges collected from candidates shall be paid to CLARB for the costs of the examinations(~~(, effective November 8, 1999)~~).

Examination and Sections	Charges
Entire examination	\$570.00
Examination sections:	
Section A: Legal and administrative aspects of practice	((40.00)) <u>45.00</u>
Section B: Analytical aspects of practice	((80.00)) <u>85.00</u>
Section C: Planning and site design	((160.00)) <u>175.00</u>
Section D: Structural considerations and materials and methods of construction	((130.00)) <u>140.00</u>

Section E:

Grading, drainage and stormwater management ~~((160.00))~~
175.00

WSR 01-01-143
PROPOSED RULES
GAMBLING COMMISSION
 [Filed December 20, 2000, 11:17 a.m.]

Supplemental Notice to WSR 00-20-081.

Preproposal statement of inquiry was filed as WSR 00-13-029 with a published date of July 5, 2000.

Title of Rule: New rules relating to new marketing schemes for pull-tabs. WAC 230-30-033 Event pull-tab series—Definitions—Restrictions, 230-20-036 Strip pull-tab series—Definitions—Restrictions, 230-30-034 Pull-tab series with seal card games—Definitions—Restrictions, and 230-02-260 Pull-tab defined.

Purpose: On October 3, 2000, a proposed rule making (CR-102) was filed under WSR 00-20-081 with a published date of October 18, 2000. That rules package was the result of a Bingo Net Return Task force investigating way to promote business at bingo halls. This supplemental filing is to provide notification of the following changes made after the original filing: Event pull-tab series will be operated only at bingo halls. Therefore, only charitable or nonprofit organizations will operate these games, not commercial organizations. The name of the "hold" pull-tab series was changed to "event" pull-tab; previously, two types of games involving a secondary element of chance were set forth in the event pull-tab series. One of these games "seal card games" was removed from the event pull-tab rule and placed in its own separate rule, and additional requirements and restrictions were added. The definition of pull-tabs was added for house-keeping purposes. Finally, due to lack of interest by the industry, it is recommended that the rule relating to strip pull-tab series not be adopted.

Statutory Authority for Adoption: RCW 9.46.070.

Summary: See Purpose above.

Reasons Supporting Proposal: The industry has requested new marketing schemes for their pull-tab games.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Lacey, (360) 438-7654 ext. 374; Implementation: Ben Bishop, Lacey, (360) 438-7640; and Enforcement: Sherri Winslow, Lacey, (360) 438-7654 ext. 301.

Name of Proponent: Staff, 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 and Reasons Supporting Proposal above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore a small business economic impact statement is not required.

PROPOSED

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: Cavanaugh's at Capitol Lake, 2300 Evergreen Park Drive S.E., Olympia, WA 98502, phone (360) 943-4000, on February 9, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Shirley Corbett by February 1, 2001, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Susan Arland, Mailstop 42400, Olympia, WA 98504-2400, fax (360) 438-8652, by February 9, 2001.

Date of Intended Adoption: February 1, 2001.

December 20, 2000

Susan Arland

Rules Coordinator

NEW SECTION

WAC 230-30-033 Event pull-tab series—Definitions—Restrictions Charitable or nonprofit bingo operators may use pull-tab series that are specifically designed to include event activities. Such games shall be operated under the following definitions and restrictions.

Definitions.

(1) The following definitions apply to this section:

(a) Event pull-tab series are defined as a pull-tab series that includes a predetermined number of pull-tabs which allow a player the opportunity to advance to another round (the event round) involving a secondary element of chance.

(b) The event round is defined as the secondary element of chance associated with a bingo session, where the prize is determined based on the outcome of a bingo game during the session.

(c) Event winners shall be determined based on a pull-tab that ties the specific winning number to the bingo game. This winning number must fall within numbers 1 through 75.

Manufacturing restrictions.

(2) The following manufacturing restrictions apply to this section:

(a) An event pull-tab series shall be manufactured meeting all standards of construction included in WAC 230-30-103;

(b) An event pull-tab series may include instant winning tickets in addition to event prizes;

(a) The flare shall clearly set out the following:

(i) All prizes available, in accordance with WAC 230-30-106;

(ii) The number of chances available to advance to the event round, and how the event winner is to be determined; and

(iii) The number of winning tabs at the instant winner level, and the number of winning tabs at the event round level.

(e) If perforated windows are used as a part of determining the winners in the event round the numbers or symbols must be covered by an approved means which prevents detection of the winning number or symbol prior to opening.

Operational restrictions.

(a) The event pull-tab series must be played in a charitable or nonprofit bingo hall, and must be played and completed within one bingo session;

(b) Prior to putting an event series into play, the operator must fully disclose, in plain view, when the event round (which involves the second element of chance) will take place;

(c) Event pull-tabs must be available for purchase until immediately prior to the event round, unless the game has been completely sold out;

(d) A licensed manager must be present at all times the event round takes place, including sales of tickets and selection of winners;

(e) The following are prohibited for use with event pull-tab series:

(i) Substitute flares; and

(ii) Bonus pull-tab series and carry-over jackpots.

NEW SECTION

WAC 230-30-034 Pull-tab series with seal card games—Definitions—Restrictions Operators may use pull-tab series that are specifically designed to include seal cards. Such games shall be operated under the following definitions and restrictions:

Definitions.

(1) The following definitions apply to this section:

(a) Pull-tab series with seal cards are defined as a pull-tab series that include a predetermined number of pull-tabs which allow a player the opportunity to advance to another round involving a secondary element of chance; and

(b) Seal cards are defined as cards located on the flare which conceal the number or symbol assigned to the prize to be awarded as part of the secondary element of chance.

Manufacturing restrictions.

(2) The following manufacturing restrictions apply to this section:

(a) A pull-tab series with seal cards shall be manufactured meeting all standards of construction included in WAC 230-30-103;

(b) The flare may include up to two seals. The second seal may be offered as an additional prize, but may not be offered as an alternative to the original seal prize;

(c) The pull-tab series shall include forms to be attached to the pull-tabs that lists each seal card level participant with adequate information for contacting winners of the seal card game;

(d) The flare shall clearly set out the following:

(i) All prizes available, in accordance with WAC 230-30-106;

(ii) The number of chances available to advance to the seal card round, and how the seal card winner is to be determined; and

(iii) The number of winning tabs at the instant winner level, and the number of winning tabs at the seal card level.

(e) If perforated windows are used as a part of determining the winners in the seal card round, the numbers or sym-

bols must be covered by an approved means which prevents detection of the winning number or symbol prior to opening.

Operating restrictions.

(3) The following operational restrictions apply to this section:

(a) Pull-tabs with seal cards must be played in the following manner:

(i) The seal card prize shall be awarded for all pull-tab series with seal cards that are placed out for play. The pull tab series must be played out before it is pulled from play unless the operator elects to award the seal card prize without all tickets being purchased. The operator shall contact the seal card winner within two business days. The seal card winner shall be given two weeks after being contacted to redeem their prize. If the seal card winner does not redeem their prize within two weeks an alternate winner may be selected. The method of selecting an alternate winner must be established and fully disclosed prior to placing a game out for play; and

(ii) When a player receives a ticket that allows them to enter the seal card round, they must enter their name or allow the operator to enter their name on the flare based on the line indicated by the number or symbol on the pull-tab. The player must then turn in their ticket to the operator. The information to locate the winner shall be recorded at the time their name is entered on the flare. This information shall be maintained with the records of the game and be kept during the maintenance period of the game. All seal card games must be maintained on premises and be available for public inspection for a period of two weeks after they are pulled from play. If a seal card winner is not located within that time frame, the maintenance time shall be extended until a winner is designated for the game.

(b) Substitute flares, bonus pull-tab series and carry-over jackpots are prohibited from use with pull-tab series that include seal cards.

AMENDATORY SECTION (Amending Order 5, filed 12/19/73)

WAC 230-02-260 Pull-tab defined. A "pull-tab" is a card, or a single folded or banded ticket (~~card/ticket~~) (~~or is a card~~), the face of which is initially covered or otherwise hidden from view to conceal a number, symbol or set of symbols (~~(, a few of which numbers or symbols out of every set of pull-tabs have been designated in advance and at random as prize winners, when)~~). Each pull-tab series has winning numbers or symbols designated randomly, in advance, on some card/tickets. Upon opening a card/ticket to reveal the numbers or symbols, players will know immediately if the card/ticket is a winner or not. Provided, That event pull-tab series operators may determine winners at the conclusion of each event series (see WAC 230-30-033(3)). A person must pay some consideration to an operator for the opportunity to obtain each ((such folded or banded ticket or card;)) ticket/card, view the numbers or symbols ((thereon)) and possibly win a prize ((obtain a prize winning pull-tab, a person pays some consideration to an operator)).

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 above varies from its predecessor in certain respects not indicated by the use of these markings.

NEW SECTION

WAC 230-20-036 Strip pull-tab series—Definitions—Restrictions. Strip pull-tab series are defined as two, three, four or five individual pull-tab series brought together to form a single "strip" series.

Separate series combined on one pull-tab.

(1) Each perforated window on a strip pull-tab shall be considered a separate series. Each window will be opened separately and contain symbols for players to match to separate series listed on the flare. The flare will separate each series by a number and distinct game name.

Flares.

(2) One flare will replace individual flares, either by the manufacturer or under the requirements of WAC 230-30-106. The following items are required to be listed on the single flare:

- (a) All prizes over twenty dollars;
- (b) Minimum control information shall include, but is not limited to:
 - (i) Serial numbers of each series;
 - (ii) Winner verification codes of all winners over twenty dollars;
 - (iii) Size of game; and
 - (iv) Color of strip pull-tabs.
- (3) Each series will be assigned a separate Washington identification stamp.

Requirements.

- (4) Each strip pull-tab series shall be played in accordance with WAC 230-30-050. The following additional requirements shall apply to strip series:
 - (a) Maximum ticket count is ten thousand;
 - (b) Each series included in the strip series must contain the same number of tickets;
 - (c) Maximum price per strip pull-tab is five dollars;
 - (d) Each pull-tab shall cost the same;
 - (e) The total payout of a strip series shall be at least sixty percent; and
 - (f) The total payout of each series included in a strip series shall be at least sixty percent.

PROPOSED



WSR 00-23-107

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed November 21, 2000, 3:50 p.m., effective January 1, 2001]

Date of Adoption: November 21, 2000.

Purpose: Chapter 388-805 WAC, Certification requirements for chemical dependency service providers, establishes the level of quality and patient care standards for chemical dependency service providers seeking certification by DSHS/DASA.

Citation of Existing Rules Affected by this Order: Repealing chapter 440-22 WAC and WAC 440-44-020.

Statutory Authority for Adoption: RCW 70.96A.090.

Other Authority: Chapter 70.96A RCW.

Adopted under notice filed as WSR 00-13-073 on June 19, 2000.

Changes Other than Editing from Proposed to Adopted Version: The department modified the definition of treatment alternatives to street crimes (TASC) services and the definition for chemical dependency counseling.

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 77, Amended 0, Repealed 84.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 77, Amended 0, Repealed 84.

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 77, Amended 0, Repealed 84.

Effective Date of Rule: January 1, 2001.

November 21, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

Chapter 388-805 WAC

CERTIFICATION REQUIREMENTS FOR CHEMICAL DEPENDENCY SERVICE PROVIDERS

SECTION I—PURPOSE AND DEFINITIONS

NEW SECTION

WAC 388-805-001 What is the purpose of this chapter? These rules describe the standards and processes necessary to be a certified chemical dependency treatment program. The rules have been adopted under the authority and purposes of the following chapters of law.

(1) Chapter 10.05 RCW, Deferred prosecution—Courts of limited jurisdiction;

(2) Chapter 46.61 RCW, Rules of the road;

(3) Chapter 49.60 RCW, Discrimination—Human rights commission;

(4) Chapter 70.96A RCW, Treatment for alcoholism, intoxication and drug addiction; and

(5) Chapter 74.50 RCW, Alcoholism and Drug Addiction Treatment and Support Act (ADATSA).

NEW SECTION

WAC 388-805-005 What definitions are important throughout this chapter? "Added service" means the adding of certification for chemical dependency levels of care to an existing certified agency at an approved location.

"Addiction counseling competencies" means the knowledge, skills, and attitudes of chemical dependency counselor professional practice as described in Technical Assistance Publication No. 21, Center for Substance Abuse Treatment, Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services 1998.

"Administrator" means the person designated responsible for the operation of the certified treatment service.

"Adult" means a person eighteen years of age or older.

"Alcoholic" means a person who has the disease of alcoholism.

"Alcoholism" means a primary, chronic disease with genetic, psychosocial, and environmental factors influencing its development and manifestations. The disease is often progressive and fatal. It is characterized by impaired control over drinking, preoccupation with the drug alcohol, use of alcohol despite adverse consequences, and distortions in thinking, most notably denial. Each of these symptoms may be continuous or periodic.

"Approved supervisor" means a person who meets the education and experience requirements described in WAC 246-811-030 and 246-811-045 through 246-811-049 and who is available to the person being supervised.

"Authenticated" means written, permanent verification of an entry in a patient treatment record by an individual, by means of an original signature including first initial, last name, and professional designation or job title, or initials of the name if the file includes an authentication record, and the date of the entry. If patient records are maintained electronically, unique electronic passwords, biophysical or passcard equipment are acceptable methods of authentication.

"Authentication record" means a document that is part of a patient's treatment record, with legible identification of all persons initialing entries in the treatment record, and includes:

(1) Full printed name;

(2) Signature including the first initial and last name; and

(3) Initials and abbreviations indicating professional designation or job title.

"Bloodborne pathogens" means pathogenic microorganisms that are present in human blood and can cause disease in humans. The pathogens include, but are not limited

to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

"Branch site" means a physically separate certified site where qualified staff provides a certified treatment service, governed by a parent organization. The branch site is an extension of a certified provider's services to one or more sites.

"Certified treatment service" means a discrete program of chemical dependency treatment offered by a service provider who has a certificate of approval from the department of social and health services, as evidence the provider meets the standards of chapter 388-805 WAC.

"Change in ownership" means one of the following conditions:

(1) When the ownership of a certified chemical dependency treatment provider changes from one distinct legal entity (owner) to a distinct other;

(2) When the type of business changes from one type to another; or

(3) When the current ownership takes on a new owner of five percent or more of the organizational assets.

"Chemical dependency" means a person's alcoholism or drug addiction or both.

"Chemical dependency counseling" means face-to-face individual or group contact using therapeutic techniques that are:

(1) Led by a chemical dependency professional (CDP), or CDP trainee under supervision of a CDP;

(2) Directed toward patients and others who are harmfully affected by the use of mood-altering chemicals or are chemically dependent; and

(3) Directed toward a goal of abstinence for chemically dependent persons.

"Chemical dependency professional" means a person certified as a chemical dependency professional by the Washington state department of health under chapter 18.205 RCW.

"Child" means a person less than eighteen years of age, also known as adolescent, juvenile, or minor.

"County coordinator" means the person designated by the chief executive officer of a county to carry out administrative and oversight responsibilities of the county chemical dependency program.

"Criminal background check" means a search by the Washington state patrol for any record of convictions or civil adjudication related to crimes against children or other persons, including developmentally disabled and vulnerable adults, per RCW 43.43.830 through 43.43.842 relating to the Washington state patrol.

"Danger to self or others," for purposes of WAC 388-805-520, means a youth who resides in a chemical dependency treatment agency and creates a risk of serious harm to the health, safety, or welfare to self or others. Behaviors considered a danger to self or others include:

(1) Suicide threat or attempt;

(2) Assault or threat of assault; or

(3) Attempt to run from treatment, potentially resulting in a dangerous or life-threatening situation.

"Department" means the Washington state department of social and health services.

"Detoxification" or **"detox"** means care and treatment of a person while the person recovers from the transitory effects of acute or chronic intoxication or withdrawal from alcohol or other drugs.

"Disability, a person with" means a person whom:

(1) Has a physical or mental impairment that substantially limits one or more major life activities of the person;

(2) Has a record of such an impairment; or

(3) Is regarded as having such an impairment.

"Discrete treatment service" means a chemical dependency treatment service that:

(1) Provides distinct chemical dependency supervision and treatment separate from any other services provided within the facility;

(2) Provides a separate treatment area for ensuring confidentiality of chemical dependency treatment services; and

(3) Has separate accounting records and documents identifying the provider's funding sources and expenditures of all funds received for the provision of chemical dependency treatment services.

"Domestic violence" means:

(1) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members;

(2) Sexual assault of one family or household member by another;

(3) Stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member; or

(4) As defined in RCW 10.99.020, RCW 26.50.010, or other Washington state statutes.

"Drug addiction" means a primary, chronic disease with genetic, psychosocial, and environmental factors influencing its development and manifestations. The disease is often progressive and fatal. Drug addiction is characterized by impaired control over use of drugs, preoccupation with drugs, use of a drug despite adverse consequences, and distortions in thinking, most notably denial. Each of these symptoms may be continuous or periodic.

"Essential requirement" means a critical element of chemical dependency treatment services that must be present in order to provide effective treatment.

"First steps" means a program available across the state for low-income pregnant women and their infants. First steps provides maternity care for pregnant and postpartum women and health care for infants and young children.

"Governing body" means the legal entity responsible for the operation of the chemical dependency treatment service.

"HIV/AIDS brief risk intervention (BRI)" means an individual face-to-face interview with a client or patient, to help that person assess personal risk for HIV/AIDS infection and discuss methods to reduce infection transmission.

"HIV/AIDS education" means education, in addition to the brief risk intervention, designed to provide a person with information regarding HIV/AIDS risk factors, HIV anti-

body testing, HIV infection prevention techniques, the impact of alcohol and other drug use on risks and the disease process, and trends in the spread of the disease.

"Medical practitioner" means a physician, advanced registered nurse practitioner (ARNP), or certified physician's assistant. ARNPs and midwives with prescriptive authority may perform practitioner functions related only to indicated specialty services.

"Misuse" means use of alcohol or other drugs by a person in:

- (1) Violation of any law; or
- (2) Breach of agency policies relating to the drug-free work place.

"Off-site treatment" means provision of chemical dependency treatment by a certified provider at a location where treatment is not the primary purpose of the site; such as in schools, hospitals, or correctional facilities.

"Opiate substitution treatment agency" means an organization that administers or dispenses an approved drug as specified in 212 CFR Part 291 for treatment or detoxification of opiate substitution. The agency is:

- (1) Approved by the Federal Food and Drug Administration;
- (2) Registered with the Federal Drug Enforcement Administration;
- (3) Registered with the State Board of Pharmacy;
- (4) Licensed by the county in which it operates; and
- (5) Certified as an opiate substitution treatment agency by the department.

"Outcomes evaluation" means a system for determining the effectiveness and efficiency of results achieved by patients during or following service delivery, and patient satisfaction with those results for the purpose of program improvement.

"Patient" is a person receiving chemical dependency treatment services from a certified program.

"Patient contact" means time spent with a client or patient to do assessments, individual or group counseling, or education.

"Patient placement criteria (PPC)" means admission, continued service, and discharge criteria found in the Patient Placement Criteria for the Treatment of Substance-Related Disorders as published and revised by the American Society of Addiction Medicine (ASAM).

"Probation assessment officer (PAO)" means a person employed at a certified district or municipal court probation assessment service that meets the PAO requirements of WAC 388-805-220.

"Probation assessment service" means a certified assessment service offered by a misdemeanor probation department or unit within a county or municipality.

"Progress notes" are a permanent record of ongoing assessments of a patient's participation in and response to treatment, and progress in recovery.

"Qualified personnel" means trained, qualified staff, consultants, trainees, and volunteers who meet appropriate legal, licensing, certification, and registration requirements.

"Registered counselor" means a person registered, or certified by the state department of health as required by chapter 18.19 RCW.

"Relocation" means change in location from one office space to a new office space, or moving from one office building to another.

"Remodeling" means expansion of existing office space to additional office space at the same address, or remodeling of interior walls and space within existing office space.

"Restraint," for purposes of WAC 388-805-520, means the use of methods, by a trained staff person, to prevent or limit free body movement in case of out-of-control behavior.

"Restraint" includes:

- (1) Containment or seclusion in an unlocked quiet room;
- (2) Physical restraint, meaning a person physically holds or restricts another person in a safe manner for a short time in an immediate crisis; or
- (3) Use of a safe and humane apparatus, which the person cannot release by oneself.

"Service provider" or **"provider"** means a legally operated entity certified by the department to provide chemical dependency services. The components of a service provider are:

- (1) Legal entity/owner;
- (2) Facility; and
- (3) Staff and services.

"Sexual abuse" means sexual assault, incest, or sexual exploitation.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made either explicitly or implicitly a term or condition of employment or treatment; or
- (2) Such conduct interferes with work performance or creates an intimidating, hostile, or offensive work or treatment environment.

"Substance abuse" means a recurring pattern of alcohol or other drug use that substantially impairs a person's functioning in one or more important life areas, such as familial, vocational, psychological, physical, or social.

"Summary suspension" means an immediate suspension of certification, per RCW 34.05.422(4), by the department pending administrative proceedings for suspension, revocation, or other actions deemed necessary by the department.

"Supervision" means:

- (1) Regular monitoring of the administrative, clinical, or clerical work performance of a staff member, trainee, student, volunteer, or employee on contract by a person with the authority to give directions and require change; and
- (2) **"Direct supervision"** means the supervisor is on the premises and available for immediate consultation.

"Suspend" means termination of the department's certification of a provider's treatment services for a specified period or until specific conditions have been met and the department notifies the provider of reinstatement.

"Treatment services" means the broad range of emergency, detoxification, residential, and outpatient services and care. Treatment services include diagnostic evaluation, chemical dependency education, individual and group counseling, medical, psychiatric, psychological, and social services, vocational rehabilitation and career counseling that may be extended to alcoholics and other drug addicts and their families, persons incapacitated by alcohol or other drugs, and intoxicated persons.

"Urinalysis" means analysis of a patient's urine sample for the presence of alcohol or controlled substances by a licensed laboratory or a provider who is exempted from licensure by the department of health:

(1) **"Negative urine"** is a urine sample in which the lab does not detect specific levels of alcohol or other specified drugs; and

(2) **"Positive urine"** is a urine sample in which the lab confirms specific levels of alcohol or other specified drugs.

"Vulnerable adult" means a person who lacks the functional, mental, or physical ability to care for oneself.

"Young adult" means an adult who is eighteen, nineteen, or twenty years old.

"Youth" means a person seventeen years of age or younger.

SECTION II—APPLICATION FOR CERTIFICATION

NEW SECTION

WAC 388-805-010 What chemical dependency services are certified by the department? (1) The department certifies the following types of chemical dependency services:

(a) **Detoxification services**, which assist patients in withdrawing from alcohol and other drugs including:

(i) **Acute detox**, which provides medical care and physician supervision for withdrawal from alcohol or other drugs; and

(ii) **Sub-acute detox**, which is nonmedical detoxification or patient self-administration of withdrawal medications ordered by a physician, provided in a home-like environment.

(b) **Residential treatment services**, which provide chemical dependency treatment for patients and include room and board in a twenty-four-hour-a-day supervised facility, including:

(i) **Intensive inpatient**, a concentrated program of individual and group counseling, education, and activities for detoxified alcoholics and addicts, and their families;

(ii) **Recovery house**, a program of care and treatment with social, vocational, and recreational activities to aid in patient adjustment to abstinence and to aid in job training, employment, or other types of community activities; and

(iii) **Long-term treatment**, a program of treatment with personal care services for chronically impaired alcoholics and addicts with impaired self-maintenance capabilities. These patients need personal guidance to maintain abstinence and good health.

(c) **Outpatient treatment services**, which provide chemical dependency treatment to patients less than twenty-four hours a day, including:

(i) **Intensive outpatient**, a concentrated program of individual and group counseling, education, and activities for detoxified alcoholics and addicts and their families;

(ii) **Outpatient**, individual and group treatment services of varying duration and intensity according to a prescribed plan; and

(iii) **Opiate substitution outpatient treatment**, which meets both outpatient and opiate substitution treatment service requirements.

(d) **Assessment services**, which include:

(i) **ADATSA assessments**, alcohol and other drug assessments of clients seeking financial assistance from the department due to the incapacity of chemical dependency. Services include assessment, referral, case monitoring, and assistance with employment; and

(ii) **DUI assessments**, diagnostic services requested by the courts to determine a client's involvement with alcohol and other drugs and to recommend a course of action.

(e) **Information and assistance services**, which include:

(i) **Alcohol and drug information school**, an education program about the use and abuse of alcohol and other drugs, for persons referred by the courts and others, who do not present a significant chemical dependency problem, to help those persons make informed decisions about the use of alcohol and other drugs;

(ii) **Information and crisis services**, response to persons having chemical dependency needs, by phone or in person;

(iii) **Emergency service patrol**, assistance provided to intoxicated persons in the streets and other public places;

(iv) **Treatment alternatives to street crime (TASC)**, is a referral and case management service. TASC providers furnish a link between the criminal justice system and the treatment system. TASC identifies, assesses, and refers appropriate alcohol and other drug dependent offenders to community-based substance abuse treatment and monitors the outcome for the criminal justice system.

(2) The department may certify a provider for more than one of the services listed under subsection (1) of this section when the provider complies with the specific requirements of the selected services.

NEW SECTION

WAC 388-805-015 How do I apply for certification as a chemical dependency service provider? (1) A potential new chemical dependency service provider, otherwise referred to as applicant, seeking certification for one or more services, as described under WAC 388-805-010, must:

(a) Request from the department an application packet of information on how to become a certified chemical dependency service provider; and

(b) Obtain a license as a residential treatment facility from the department of health, if planning to offer residential services.

(2) The applicant must submit a completed application to the department that includes:

(a) If the applicant is a sole provider: the name and address of the applicant, and a statement of sole proprietorship;

(b) If the applicant is a partnership: the name and address of every partner, and a copy of the written partnership agreement;

(c) If the applicant is a limited liability company: the name and addresses of its officers, and any owner of five percent or more of the organizational assets, and a copy of the certificate of formation issued by the state of Washington, secretary of state;

(d) If the applicant is a corporation: the names and addresses of its officers, board of directors and trustees, and any owner of five percent or more of the organizational assets, and a copy of the corporate articles of incorporation and bylaws;

(e) A copy of the Master Business License authorizing the organization to do business in Washington state;

(f) The Social Security Number or Federal Employer Identification Number for the governing organization or person;

(g) The name of the individual administrator under whose management or supervision the services will be provided;

(h) A copy of the report of findings from a criminal background check of any owner of five percent or more of the organizational assets and the administrator;

(i) Additional disclosure statements or background inquiries if the department has reason to believe that offenses, specified under RCW 43.43.830, have occurred since completion of the original application;

(j) The physical location of the facility where services will be provided including, in the case of a location known only by postal route and box numbers, and the street address;

(k) A plan of the premises assuring the chemical dependency treatment service is discrete from other programs, indicating capacities of the location for the proposed uses;

(l) Floor plan showing use of each room and location of:

(i) Windows and doors;

(ii) Restrooms;

(iii) Floor to ceiling walls;

(iv) Areas serving as confidential counseling rooms;

(v) Other therapy and recreation areas and rooms;

(vi) Confidential patient records storage; and

(vii) Sleeping rooms, if a residential facility.

(m) A completed facility accessibility self-evaluation form;

(n) Policy and procedure manuals specific to the agency at the proposed site, and meet the manual requirements described later in this regulation, including the:

(i) Administrative manual;

(ii) Personnel manual; and

(iii) Clinical manual.

(o) Sample patient records for each treatment service applied for; and

(p) Evidence of sufficient qualified staff to deliver services.

(3) The agency owner or legal representative must:

(a) Sign the completed application form and submit the original to the department;

(b) Send a copy of the completed application form to the county coordinator in the county where services will be provided;

(c) Submit the application fee with the application materials; and

(d) Report any changes occurring during the certification process.

NEW SECTION

WAC 388-805-020 How do I apply for certification of a branch agency or added service? (1) A certified chemical dependency service provider applying for a branch site or an additional certified service must request an abbreviated application packet from the department.

(2) The applicant must submit an abbreviated application, including:

(a) The name of the individual administrator providing management or supervision of the services;

(b) A written declaration that a current copy of the agency policy and procedure manual will be maintained at the branch site and that the manual has been revised to accommodate the differences in business and clinical practices at that site;

(c) An organization chart, showing the relationship of the branch to the main organization, job titles, and lines of authority;

(d) Evidence of sufficient qualified staff to deliver services at the branch site; and

(e) Evidence of meeting the requirements of:

(i) WAC 388-805-015 (1)(b);

(ii) WAC 388-805-015 (2)(h) through (2)(l) and (m); and

(iii) WAC 388-805-015(3).

NEW SECTION

WAC 388-805-030 How do I apply for opiate substitution treatment service certification? In addition to WAC 388-805-015 or 388-805-020 requirements, a potential opiate substitution treatment service provider must submit to the department:

(1) Evidence of licensure from the county served, or evidence the county has authorized a specific certified agency to provide opiate substitution treatment, per RCW 70.96A.400 through 70.96A.420.

(2) A copy of the registration certificate from the Washington state board of pharmacy.

(3) A copy of the application to the Federal Drug Enforcement Administration.

(4) A copy of the application to the Federal Food and Drug Administration.

(5) Policies and procedures identified under WAC 388-805-700 through 388-805-750.

(6) Certification for opiate substitution treatment is contingent on the concurrent approval by the applicable county, state, and federal regulatory authorities.

NEW SECTION

WAC 388-805-060 How does the department conduct an examination of nonresidential facilities? The department must conduct an on-site examination of each new nonresidential applicant's facility or branch facility. The department must determine if the applicant's facility is:

- (1) Substantially as described.
- (2) Suitable for the purposes intended.
- (3) Not a personal residence.
- (4) Approved as meeting all building and safety requirements.

NEW SECTION

WAC 388-805-065 How does the department determine disqualification or denial of an application? The department must consider the ability of each person named in the application to operate in accord with this chapter before the department grants or renews certification of a chemical dependency service.

(1) The department must deny an applicant's certification when any of the following conditions occurred and was not satisfactorily resolved, or when any owner or administrator:

- (a) Had a license or certification for a chemical dependency treatment service or health care agency denied, revoked, or suspended;
- (b) Was convicted of child abuse or adjudicated as a perpetrator of substantiated child abuse;
- (c) Obtained or attempted to obtain a health provider license, certification, or registration by fraudulent means or misrepresentation;
- (d) Committed, permitted, aided, or abetted the commission of an illegal act or unprofessional conduct as defined under chapter 18.130.180 RCW;
- (e) Demonstrated cruelty, abuse, negligence, misconduct, or indifference to the welfare of a patient or displayed acts of discrimination;
- (f) Misappropriated patient property or resources;
- (g) Failed to meet financial obligations or contracted service commitments that affect patient care;
- (h) Has a history of noncompliance with state or federal regulations in an agency with which the applicant has been affiliated;
- (i) Knowingly, or with reason to know, made a false statement of fact or failed to submit necessary information in:
 - (i) The application or materials attached; and
 - (ii) Any matter under department investigation.
- (j) Refused to allow the department access to records, files, books, or portions of the premises relating to operation of the chemical dependency service;
- (k) Willfully interfered with the preservation of material information or attempted to impede the work of an authorized department representative;
- (l) Is in violation of any provision of chapter 70.96A RCW; or

(m) Does not meet criminal background check requirements.

(2) The department may deny certification when an applicant:

- (a) Fails to provide satisfactory application materials; or
- (b) Advertises itself as certified when certification has not been granted, or has been revoked or canceled.

(3) The applicant may appeal department decisions in accord with chapter 34.05 RCW, the Washington Administrative Procedure Act and chapter 388-02 WAC.

NEW SECTION

WAC 388-805-070 What happens after I make application for certification? (1) The department may grant an applicant initial certification after a review of application materials and an on-site visit confirms the applicant has the capacity to operate in compliance with this chapter.

(2) A provider's failure to meet and maintain conditions of the initial certification may result in suspension of certification.

(3) An initial certificate of approval may be issued for up to one year.

(4) The provider must post the certificate in a conspicuous place on the premises.

NEW SECTION

WAC 388-805-075 How do I apply for an exemption?

(1) The department may grant an exemption from compliance with specific requirements in this WAC chapter when a provider submits an exemption request in writing. The provider must assure the exemption request does not:

(a) Jeopardize the safety, health, or treatment of patients; and

(b) Impede fair competition of another service provider.

(2) Providers must submit a signed letter requesting the exemption to the Supervisor, Certification Section, Division of Alcohol and Substance Abuse, P.O. Box 45331, Olympia, WA 98504-5331.

(3) The department must approve or deny all exemption requests in writing.

(4) The department and the provider must maintain a copy of the decision.

SECTION III—CERTIFICATION FEES

NEW SECTION

WAC 388-805-080 What are the fee requirements for certification? (1) The department must set fees to be charged for certification.

(2) Providers must pay certification fees:

(a) At the time of application. One-half of the application fee may be refunded if an application is withdrawn before certification or denial; and

(b) Within thirty days of receiving an invoice.

(3) Payment must be made by check, draft, or money order made payable to the department of social and health services.

PERMANENT

(4) Fees will not be refunded when certification is denied, revoked, or suspended.

NEW SECTION

WAC 388-805-085 What are the fees for agency certification? (1) Application fees:

- (a) New agency \$500
- (b) Branch agency \$500
- (c) Application for adding one or more services \$200
- (d) Change in ownership \$500

(2) Initial and annual certification fees:

- (a) For detoxification and residential services: \$26 per licensed bed
- (b) For nonresidential services:
 - (i) Large size agencies: \$1,125 per year 3,000 or more clients served per year
 - (ii) Medium size agencies: \$750 per year 1,000-2,999 clients served per year
 - (iii) Small size agencies: \$375 per year 0-999 clients served per year
- (c) For agencies certified through deeming per WAC 388-805-0115 \$200 per year

(3) Each year providers must complete a declaration form provided by the department indicating the number of patients served annually, the provider's national accreditation status, and other information necessary for establishing fees and updating certification information.

NEW SECTION

WAC 388-805-090 May certification fees be waived?

(1) Certification fees may be waived when the fees would not be in the interest of public health and safety, or when the fees would be to the financial disadvantage of the state.

(2) Providers may submit a letter requesting a waiver of fees to the Supervisor, Certification Section, Division of Alcohol and Substance Abuse, P.O. Box 45331, Olympia, Washington, 98504-5331.

(3) Fee waivers may be granted to qualified providers who receive funding from tribal, federal, state or county government resources as follows:

- (a) For residential providers: The twenty-six dollar per bed annual fee will be assessed only for those beds not funded by a governmental source;
- (b) For nonresidential providers: The amount of the fee waiver must be determined by the percent of the provider's revenues that come from governmental sources, according to the following schedule:

Percent Government Revenues	90-100%	75-89%	50-74%	0-49%
Small agency	No fee	\$90	\$185	\$375
Medium agency	No fee	\$185	\$375	\$750
Large agency	No fee	\$285	\$565	\$1,125

(4) Requests for fee waiver must be mailed to the department and include the following:

- (a) The reason for the request;
- (b) For residential providers:
 - (i) Documentation of the number of beds currently licensed by the department of health;
 - (ii) Documentation showing the number of beds funded by a government entity including, tribal, federal, state or county government sources.
- (c) For nonresidential providers:
 - (i) Documentation of the number of clients served during the previous twelve-month period;
 - (ii) Documentation showing the amount of government revenues received during the previous twelve-month period;
 - (iii) Documentation showing the amount of private revenues received during the previous twelve-month period.

NEW SECTION

WAC 388-805-095 How long are certificates effective? Certificates are effective for one year from the date of issuance unless:

- (1) The department has taken action for noncompliance under WAC 388-805-065, 388-805-125, or 388-805-130; or
- (2) The provider does not pay required fees.

SECTION IV—MAINTAINING CERTIFICATION

NEW SECTION

WAC 388-805-100 What do I need to do to maintain agency certification? (1) A service provider's continued certification and renewal is contingent upon:

- (a) Completion of an annual declaration of certification; and
- (b) Payment of certification fees, if applicable.
- (2) Providing the essential requirements for chemical dependency treatment, including the following elements:
 - (a) Treatment process:
 - (i) Assessments, as described in WAC 388-805-310;
 - (ii) Treatment planning, as described in WAC 388-805-315 (2)(a) and 388-805-325(11);
 - (iii) Documenting patient progress, as described in WAC 388-805-315 (1)(c) and 388-805-325(13);
 - (iv) Treatment plan reviews and updates, as described in WAC 388-805-315 (2)(b), 388-805-325 (11)(g) and 388-805-325 (13)(c);
 - (v) Patient compliance reports, as described in WAC 388-805-315 (4)(b), 388-805-325(17), and 388-805-330;
 - (vi) Continuing care, and discharge planning, as described in WAC 388-805-315 (2)(e)(f) and (7), and 388-805-325 (18) and (19).

PERMANENT

(b) Staffing: Provide sufficient qualified personnel for the care of patients as described in WAC 388-805-140(4) and 388-805-145(4);

(c) Facility:

(i) Provide sufficient facilities, equipment, and supplies for the care and safety of patients as described in WAC 388-805-140 (4) and (5);

(ii) If a residential provider, be licensed by the department of health as described by WAC 388-805-015 (1)(b).

(3) Findings during periodic on-site surveys and complaint investigations to determine the provider's compliance with this chapter. During on-site surveys and complaint investigations, provider representatives must cooperate with department representatives to:

(a) Examine any part of the facility at reasonable times and as needed;

(b) Review and evaluate records, including patient clinical records, personnel files, policies, procedures, fiscal records, data, and other documents as the department requires to determine compliance; and

(c) Conduct individual interviews with patients and staff members.

(4) The provider must post the notice of a scheduled department on-site survey in a conspicuous place accessible to patients and staff.

(5) The provider must correct compliance deficiencies found at such surveys immediately or as agreed by a plan of correction approved by the department.

NEW SECTION

WAC 388-805-105 What do I need to do for a change in ownership? (1) When a certified chemical dependency service provider plans a change in ownership, the current service provider must submit a change in ownership application form sixty or more days before the proposed date of ownership change.

(2) The current provider must include the following information with the application:

(a) Name and address of each new prospective owner of five percent or more of the organizational assets as required by WAC 388-805-015 (2)(a) through (d);

(b) Current and proposed name (if applicable) of the affected;

(c) Date of the proposed transaction;

(d) A copy of the transfer agreement between the outgoing and incoming owner(s);

(e) If a corporation, the names and addresses of the proposed responsible officers or partners;

(f) A statement regarding the disposition and management of patient records, as described under 42 CFR, Part 2 and WAC 388-805-320; and

(g) A copy of the report of findings from a criminal background check of any new owner of five percent or more of the organizational assets and new administrator when applicable.

(3) The department must determine which, if any, WAC 388-805-015 or 388-805-020 requirements apply to the potential new service provider, depending on the extent of ownership and operational changes.

(4) The department may grant certification to the new owner when the new owner:

(a) Successfully completes the application process; and

(b) Ensures continuation of compliance with rules of this chapter and implementation of plans of correction for deficiencies relating to this chapter, when applicable.

NEW SECTION

WAC 388-805-110 What do I do to relocate or remodel a facility? When a certified chemical dependency service provider plans to relocate or change the physical structure of a facility in a manner that affects patient care, the provider must:

(1) Submit a completed agency relocation approval request form, or a request for approval in writing if remodeling, sixty or more days before the proposed date of relocation or change.

(2) Submit a sample floor plan that includes information identified under WAC 388-805-015 (2)(f) through (k).

(3) Submit a completed facility accessibility self-evaluation form.

(4) Provide for department examination of nonresidential premises before approval, as described under WAC 388-805-060.

(5) Contact the department of health for approval before relocation or remodel if a residential treatment facility.

NEW SECTION

WAC 388-805-115 How does the department deem national accreditation? (1) The department must deem accreditation by a national chemical dependency accreditation body, recognized by the department, if the treatment provider was initially certified by the department and when:

(a) A major portion of the national accreditation body requirements meet or exceed chapter 388-805 WAC requirements;

(b) The national accreditation time intervals meet or exceed state expectations;

(c) The provider notifies the department of scheduled on-site surveys;

(d) The provider promptly sends a copy of survey findings, corrective action plans, and follow-up responses to the department; and

(e) WAC 388-805-001 through 388-805-135 continue to apply at all times.

(2) The department may apply an abbreviated department survey, which includes requirements specific to Washington state at its regular certification intervals.

(3) The department must act upon:

(a) Complaints received; and

(b) Deficiencies cited by the national accreditation body for which there is no evidence of correction.

NEW SECTION

WAC 388-805-120 How does the department assess penalties? (1) When the department determines that a service

provider fails to comply with provider entry requirements or ongoing requirements of this chapter, the department may:

(a) Assess fees to cover costs of added certification activities;

(b) Cease referrals of new patients who are recipients of state or federal funds; and

(c) Notify the county alcohol and drug coordinator and local media of ceased referrals, involuntary cancellations, suspensions, revocations, or nonrenewal of certification.

(2) When the department determines a service provider knowingly failed to report to the court a patient's noncompliance with treatment ordered by the court under chapter 46.61 RCW, the department must assess the provider a fine of two hundred fifty dollars for each incident of nonreporting.

NEW SECTION

WAC 388-805-125 How does the department cancel certification? The department may cancel a provider's certification if the provider:

(1) Ceases to provide services for which the provider is certified.

(2) Voluntarily cancels certification.

(3) Fails to submit required certification fees.

(4) Changes ownership without prior notification and approval.

(5) Relocates without prior notification and approval.

NEW SECTION

WAC 388-805-130 How does the department suspend or revoke certification? (1) The department must suspend or revoke a provider's certification when a disqualifying situation described under WAC 388-805-065 applies to a current service provider.

(2) The department must revoke a provider's certification when the provider knowingly failed to report to the court, within a continuous twelve-month period, three incidents of patient noncompliance with treatment ordered by the court under chapter 46.61 RCW.

(3) The department may suspend or revoke a provider's certification when any of the following provider deficiencies or circumstances occur:

(a) A provider fails to provide the essential requirements of chemical dependency treatment as described in WAC 388-805-100(2), and one or more of the following conditions occur:

(i) Violation of a rule threatens or results in harm to a patient;

(ii) A reasonably prudent provider should have been aware of a condition resulting in significant violation of a law or rule;

(iii) A provider failed to investigate or take corrective or preventive action to deal with a suspected or identified patient care problem;

(iv) Noncompliance occurs repeatedly in the same or similar areas;

(v) There is an inability to attain compliance with laws or rules within a reasonable period of time.

(b) The provider fails to submit an acceptable and timely plan of correction for cited deficiencies; or

(c) The provider fails to correct cited deficiencies.

(4) The department may suspend certification upon receipt of a providers written request. Providers requesting voluntary suspension must submit a written request for reinstatement of certification within one year from the effective date of the suspension. The department will review the request for reinstatement, determine if the provider is able to operate in compliance with certification requirements, and notify the provider of the results of the review for reinstatement.

NEW SECTION

WAC 388-805-135 What is the prehearing, hearing and appeals process? (1) In case of involuntary certification cancellation, suspension, or revocation of the certification, or a penalty for noncompliance, the department must:

(a) Notify the service provider and the county coordinator of any action to be taken; and

(b) Inform the provider of pre-hearing and dispute conferences, hearing, and appeal rights under chapter 388-02 WAC.

(2) The department may order a summary suspension of the provider's certification pending completion of the appeal process when the preservation of public health, safety, or welfare requires emergency action.

SECTION V—ORGANIZATIONAL STANDARDS

NEW SECTION

WAC 388-805-140 What are the requirements for a provider's governing body? The provider's governing body, legally responsible for the conduct and quality of services provided, must:

(1) Appoint an administrator responsible for the day-to-day operation of the program.

(2) Maintain a current job description for the administrator including the administrator's authority and duties.

(3) Establish the philosophy and overall objectives for the treatment services.

(4) Notify the department within thirty days, of changes of the agency administrator.

(5) Provide personnel, facilities, equipment, and supplies necessary for the safety and care of patients.

(6) If a nonresidential provider, ensure:

(a) Safety of patients and staff; and

(b) Maintenance and operation of the facility.

(7) Review and approve written administrative, personnel, and clinical policies and procedures required under WAC 388-805-150, 388-805-200, and 388-805-300.

(8) Ensure the administration and operation of the agency is in compliance with:

(a) Chapter 388-805 WAC requirements;

(b) Applicable federal, state, and local laws and rules; and

(c) Federal, state, and local licenses, permits, and approvals.

NEW SECTION

WAC 388-805-145 What are the key responsibilities required of an agency administrator? (1) The administrator is responsible for the day-to-day operation of the certified treatment service, including:

- (a) All administrative matters;
- (b) Patient care services; and
- (c) Meeting all applicable rules and ethical standards.

(2) When the administrator is not on duty or on call, a staff person must be delegated the authority and responsibility to act in the administrator's behalf.

(3) The administrator must ensure administrative, personnel, and clinical policy and procedure manuals:

- (a) Are developed and adhered to; and
- (b) Are reviewed and revised as necessary, and at least annually.

(4) The administrator must employ sufficient qualified personnel to provide adequate chemical dependency treatment, facility security, patient safety and other special needs of patients.

(5) The administrator must ensure all persons providing counseling services are registered, certified or licensed by the department of health.

(6) The administrator must ensure full-time chemical dependency professionals (CDPs) or CDP trainees do not exceed one hundred twenty hours of patient contact per month.

(7) The administrator must assign the responsibilities for a clinical supervisor to a least one person within the organization.

NEW SECTION

WAC 388-805-150 What must be included in an agency administrative manual? Each service provider must have and adhere to an administrative manual that contains at a minimum:

- (1) The organization's:
 - (a) Articles and certificate of incorporation if the owner is a corporation;
 - (b) Partnership agreement if the owner is a partnership;

or

- (c) Statement of sole proprietorship.
- (2) The agency's bylaws if the owner is a corporation.
- (3) Copies of a current master license and state business licenses or a current declaration statement that they are updated as required.

(4) The provider's philosophy on and objectives of chemical dependency treatment with a goal of total abstinence, consistent with RCW 70.96A.011.

(5) Policies and procedures describing how services will be made sensitive to the needs of each patient, including assurance that:

- (a) Certified interpreters or other acceptable alternatives are available for persons with limited English-speaking proficiency and persons having a sensory impairment; and

(b) Assistance will be provided to persons with disabilities in case of an emergency.

(6) A policy addressing special needs and protection for youth and young adults, and for determining whether a youth or young adult can fully participate in treatment, before admission of:

- (a) A youth to a treatment service caring for adults; or
- (b) A young adult to a treatment service caring for youth.
- (7) An organization chart specifying:
 - (a) The governing body;
 - (b) Each staff position by job title, including volunteers, students, and persons on contract; and
 - (c) The number of full- or part-time persons for each position.

(8) A delegation of authority policy.

(9) A copy of current fee schedules.

(10) Policies and procedures implementing state and federal regulations on patient confidentiality, including provision of a summary of 42 CFR Part 2.22 (a)(1) and (2) to each patient.

(11) Policies and procedures for reporting suspected child abuse and neglect.

(12) Policies and procedures for reporting the death of a patient to the department when:

- (a) The patient is in residence; or
- (b) An outpatient dies on the premises.

(13) Patient grievance policy and procedures.

(14) Policies and procedures on reporting of incidents and actions taken.

(15) Smoking policies consistent with the Washington Clean Indoor Air Act, chapter 70.160 RCW.

(16) For a residential provider, a facility security policy and procedures, including:

- (a) Preventing entry of unauthorized visitors; and
- (b) Use of passes for leaves of patients.

(17) For a nonresidential provider, an evacuation plan for use in the event of a disaster, addressing:

- (a) Communication methods for patients, staff, and visitors including persons with a visual or hearing impairment or limitation;
- (b) Evacuation of mobility-impaired persons;
- (c) Evacuation of children if child care is offered;
- (d) Different types of disasters;
- (e) Placement of posters showing routes of exit; and
- (f) The need to mention evacuation routes at public meetings.

NEW SECTION

WAC 388-805-155 What are the requirements for provider facilities? (1) The administrator must ensure the treatment service site:

- (a) Is accessible to a person with a disability;
- (b) Has a reception area separate from living and therapy areas;
- (c) Has adequate private space for personal consultation with a patient, staff charting, and therapeutic and social activities, as appropriate;
- (d) Has secure storage of active and closed confidential patient records; and

- (e) Has one private room available if youth are admitted to a detox or residential facility.
- (2) The administrator of a nonresidential facility must ensure:
 - (a) Evidence of a current fire inspection approval;
 - (b) Facilities and furnishings are kept clean, in good repair;
 - (c) Adequate lighting, heating, and ventilation; and
 - (d) Separate and secure storage of toxic substances, which are used only by staff or supervised persons.

SECTION VI—HUMAN RESOURCE MANAGEMENT

NEW SECTION

WAC 388-805-200 What must be included in an agency personnel manual? The administrator must have and adhere to a personnel manual, which contains policies and procedures describing how the agency:

- (1) Meets the personnel requirements of WAC 388-805-210 through 388-805-260.
- (2) Conducts criminal background checks on its employees in order to comply with the rules specified in RCW 43.43.830 through 43.43.842.
- (3) Provides for a drug free work place which includes:
 - (a) A philosophy of nontolerance of illegal drug-related activity;
 - (b) Agency standards of prohibited conduct; and
 - (c) Actions to be taken in the event a staff member misuses alcohol or other drugs.
- (4) If a nonresidential provider, provides for prevention and control of communicable disease, including specific training and procedures on:
 - (a) Bloodborne pathogens, including HIV/AIDS and Hepatitis B;
 - (b) Tuberculosis; and
 - (c) Other communicable diseases.
- (5) Provides staff orientation prior to assigning unsupervised duties, including orientation to:
 - (a) The administrative, personnel and clinical manuals;
 - (b) Staff ethical standards and conduct, including reporting of unprofessional conduct to appropriate authorities;
 - (c) Staff and patient grievance procedures; and
 - (d) The facility evacuation plan.

NEW SECTION

WAC 388-805-205 What are agency personnel file requirements? (1) The administrator must ensure that there is a current personnel file for each employee, trainee, student, and volunteer, and for each contract staff person who provides or supervises patient care.

- (2) The administrator must designate a person to be responsible for management of personnel files.
- (3) Each person's file must contain:
 - (a) A copy of the results of a tuberculin skin test or evidence the person has completed a course of treatment approved by a physician or local health officer if the results are positive;

(b) Documentation of training on bloodborne pathogens, including HIV/AIDS and hepatitis B for all employees, volunteers, students, and treatment consultants on contract;

- (i) At the time of staff's initial assignment to tasks where occupational exposure may take place;
- (ii) Annually thereafter for bloodborne pathogens;
- (c) A signed and dated commitment to maintain patient confidentiality in accordance with state and federal confidentiality requirements; and
- (d) A record of an orientation to the agency as described in WAC 388-805-200(5).

(4) For residential facilities, documentation of current cardiopulmonary resuscitation (CPR) and first aid training for at least one person on each shift.

(5) Documentation of health department training and approval for any staff administering or reading a TB test.

(6) Employees who are patients or have been patients of the agency must have personnel records:

- (a) Separate from clinical records; and
- (b) Have no indication of current or previous patient status.

(7) In addition, each patient care staff member's personnel file must contain:

(a) Verification of qualifications for their assigned position including:

(i) For a chemical dependency professional (CDP): A copy of the person's valid CDP certification issued by the department of health (DOH);

(ii) For approved supervisors: Documentation to substantiate the person meets the qualifications of an approved supervisor as defined in WAC 246-811-010.

(iii) For other persons providing counseling, a copy of a valid registration, certification, or license issued by the DOH.

(iv) For probation assessment officers (PAO): Documentation that the person has met the education and experience requirements described in WAC 388-805-220;

(v) For probation assessment officer trainees:

(A) Documentation that the person meets the qualification requirements described in WAC 388-805-225; and

(B) Documentation of the PAO trainee's supervised experience as described in WAC 388-805-230 including an individual education and experience plan and documentation of progress toward completing the plan.

(vi) For information school instructors:

(A) A copy of a certificate of completion of an alcohol and other drug information school instructor's training course approved by the department; and

(B) Documentation of continuing education as specified in WAC 388-805-250.

(b) A copy of a current job description, signed and dated by the employee and supervisor which includes:

- (i) Job title;
- (ii) Minimum qualifications for the position;
- (iii) Summary of duties and responsibilities;
- (iv) For contract staff, formal agreements or personnel contracts, which describe the nature and extent of patient care services, may be substituted for job descriptions.

(c) A written performance evaluation for each year of employment:

- (i) Conducted by the immediate supervisor of each staff member; and
- (ii) Signed and dated by the employee and supervisor.

NEW SECTION

WAC 388-805-210 What are the requirements for approved supervisors of chemical dependency professional trainees? (1) When an administrator decides to provide training opportunities for persons seeking to become chemical dependency professionals (CDP) trainees, the administrator must assign an approved supervisor, as defined in WAC 388-805-005, to each CDP trainee.

(2) Approved supervisors must provide the CDP trainees assigned to them with documentation substantiating their qualifications as an approved supervisor before the initiation of training.

(3) Approved supervisors must decrease the hours of patient contact allowed under WAC 388-805-145(6) by twenty percent for each full-time CDP trainee supervised.

(4) Approved supervisors are responsible for all patients assigned to the CDP trainees under their supervision.

(5) An approved supervisor must provide supervision to a CDP trainee as required by WAC 246-811-048.

(6) CDPs must review and co-authenticate all clinical documentation of CDP trainees.

(7) Approved supervisors must supervise, assess and document the progress the CDP trainees under their supervision are making toward meeting the requirements described in WAC 246-811-030 and 246-811-047. This documentation must be provided to trainees upon request.

NEW SECTION

WAC 388-805-220 What are the requirements to be a probation assessment officer? A probation assessment officer (PAO), must:

(1) Be employed as a probation officer at a misdemeanor probation department or unit within a county or municipality;

(2) Be certified as a chemical dependency professional, or

(3) Have obtained a bachelor's or graduate degree in a social or health sciences field and have completed twelve quarter or eight semester credits from an accredited college or university in courses that include the following topics:

(a) Understanding addiction and the disease of chemical dependency;

(b) Pharmacological actions of alcohol and other drugs;

(c) Substance abuse and addiction treatment methods;

(d) Understanding addiction placement, continuing care, and discharge criteria, including ASAM PPC criteria;

(e) Cultural diversity including people with disabilities and it's implication for treatment;

(f) Chemical dependency clinical evaluation (screening and referral to include co-morbidity);

(g) HIV/AIDS brief risk intervention for the chemically dependent;

(h) Chemical dependency confidentiality;

(i) Chemical dependency rules and regulations.

(4) In addition, a PAO must complete:

(a) Two thousand hours of supervised experience as a PAO trainee in a state-certified DUI assessment service program if a PAO possesses a baccalaureate degree;

(b) One thousand five hundred hours of experience as a PAO trainee in a state-certified DUI assessment service program if a PAO possesses a masters or higher degree.

(5) PAOs, must complete fifteen clock hours of continuing education each year in chemical dependency subject areas which will enhance competency as a PAO beginning on January 1 of the year following the year of initial qualification.

(6) A PAO is grandparented if they were qualified as a PAO by June 30, 2000, under WAC 440-22-240(2).

NEW SECTION

WAC 388-805-225 What are the requirements to be a probation assessment officer trainee? A probation assessment officer (PAO) trainee must:

(1) Be employed as a probation officer at a misdemeanor probation department or unit within a county or municipality; and

(2) Be directly supervised and tutored by a PAO.

NEW SECTION

WAC 388-805-230 What are the requirements for supervising probation assessment officer trainees? (1) Probation assessment officers (PAO) are responsible for all offenders assigned to PAO trainees under their supervision.

(2) PAO trainee supervisors must:

(a) Review and co-authenticate all trainee assessments entered in each offender's assessment record;

(b) Assist the trainee to develop and maintain an individualized education and experience plan (IEEP) designed to assist the trainee in obtaining the education and experience necessary to become a PAO;

(c) Provide the trainee orientation to the various laws and regulations that apply to the delivery of chemical dependency assessment and treatment services;

(d) Instruct the trainee in assessment methods and the transdisciplinary foundations described in the addiction counseling competencies;

(e) Observe the trainee conducting assessments; and

(f) Document quarterly evaluations of the progress of each trainee.

NEW SECTION

WAC 388-805-240 What are the requirements for student practice in treatment agencies? (1) The treatment provider must have a written agreement with each educational institution using the treatment agency as a setting for student practice.

(2) The written agreement must describe the nature and scope of student activity at the treatment setting and the plan for supervision of student activities.

(3) Each student and academic supervisor must sign a confidentiality statement, which the provider must retain.

NEW SECTION

WAC 388-805-250 What are the requirements to be an information school instructor? (1) An information school instructor must:

(a) Have a certificate of completion of an alcohol and other drug information school instructor's training course approved by the department; and

(b) Not have a history of alcohol or other drug misuse for two years before being qualified by the department.

(2) To remain qualified, the information school instructor must:

(a) Not display misuse of alcohol or other drugs while serving as an information school instructor; and

(b) Maintain information school instructor status by completing fifteen clock hours of continuing education:

(i) During each two-year period beginning January of the year following initial qualification; and

(ii) In subject areas that increase knowledge and skills in training, teaching techniques, curriculum planning and development, presentation of educational material, laws and rules, and developments in the chemical dependency field.

NEW SECTION

WAC 388-805-260 What are the requirements for using volunteers in a treatment agency? (1) Each volunteer assisting a provider must be oriented as required under WAC 388-805-200(5).

(2) A volunteer must meet the qualifications of the position to which the person is assigned.

(3) A volunteer may provide counseling services when the person meets the requirements for a chemical dependency professional trainee or is a chemical dependency professional.

SECTION VII—PROFESSIONAL PRACTICES

NEW SECTION

WAC 388-805-300 What must be included in the agency clinical manual? Each chemical dependency service provider must have and adhere to a clinical manual containing patient care policies and procedures, including:

(1) How the provider meets WAC 388-805-305 through 388-805-350 requirements.

(2) How the provider will meet applicable certified service requirements of WAC 388-805-400 through 388-805-840, including a description of each service offered, detailing:

(a) The number of hours of treatment and education for each certified service; and

(b) Allowance of up to twenty percent of education time to consist of film or video presentations.

(3) Identification of resources and referral options so staff can make referrals required by law and as indicated by patient needs.

(4) Assurance that there is an identified clinical supervisor who:

(a) Is a chemical dependency professional (CDP);

(b) Reviews a sample of patient records of each CDP quarterly; and

(c) Ensures implementation of assessment, treatment, continuing care, transfer and discharge plans in accord with WAC 388-805-315.

(5) Patient admission and discharge criteria using PPC:

(a) The administrator must not admit or retain a person unless the person's treatment needs can be met;

(b) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must assess and refer each patient to the appropriate treatment service; and

(c) A person needing detoxification must immediately be referred to a detoxification provider, unless the person needs acute care in a hospital.

(6) Tuberculosis screening for prevention and control of TB in all detox, residential, and outpatient programs, including:

(a) Obtaining a history of preventive or curative therapy;

(b) Screening and related procedures for coordinating with the local health department; and

(c) Implementing TB control as provided by the department of health TB control program.

(7) HIV/AIDS information, brief risk intervention, and referral.

(8) Limitation of group counseling sessions to twelve or fewer patients.

(9) Counseling sessions with nine to twelve youths to include a second adult staff member.

(10) Provision of education to each patient on:

(a) Alcohol, other drugs, and chemical dependency;

(b) Relapse prevention; and

(c) HIV/AIDS, hepatitis, and TB.

(11) Provision of education or information to each patient on:

(a) The impact of chemical use during pregnancy, risks to the fetus, and the importance of informing medical practitioners of chemical use during pregnancy;

(b) Emotional, physical, and sexual abuse; and

(c) Nicotine addiction.

(12) An outline of each lecture and education session included in the service, sufficient in detail for another trained staff person to deliver the session in the absence of the regular instructor.

(13) Assigning of work to a patient by a CDP when the assignment:

(a) Is part of the treatment program; and

(b) Has therapeutic value.

(14) Use of self-help groups.

(15) Patient rules and responsibilities, including disciplinary sanctions for noncomplying patients.

(16) If youth are admitted, a policy and procedure for assessing the need for referral to child welfare services.

(17) Implementation of the deferred prosecution program.

(18) Policy and procedures for reporting status of persons convicted under chapter 46.61 RCW to the department of licensing.

(19) Nonresidential providers must have policies and procedures on:

- (a) Medical emergencies;
- (b) Suicidal and mentally ill patients;
- (c) Medical oversight, including provision of a physical examination by a medical practitioner, on a person who:
 - (i) Is at risk of withdrawal from barbiturates or benzodiazepines; or
 - (ii) Used intravenous drugs in the thirty days before admission;
 - (d) Laboratory tests;
 - (e) Services and resources for pregnant women:
 - (i) A pregnant woman who is not seen by a private physician must be referred to a physician or the local first steps maternity care program for determination of prenatal care needs; and
 - (ii) Services include discussion of pregnancy specific issues and resources.
 - (f) If using medication services:
 - (i) A medical practitioner must evaluate each patient who is taking disulfiram at least once every ninety days;
 - (ii) Patient medications are stored, disbursed, and recorded in accord with chapter 246-326 WAC; and
 - (iii) Only a licensed nurse or medical practitioner may administer medication.

NEW SECTION

WAC 388-805-305 What are patients' rights requirements in certified agencies? (1) Each service provider must ensure each patient:

- (a) Is admitted to treatment without regard to race, color, creed, national origin, religion, sex, sexual orientation, age, or disability, except for bona fide program criteria;
- (b) Is reasonably accommodated in case of sensory or physical disability, limited ability to communicate, limited English proficiency, and cultural differences;
- (c) Is treated in a manner sensitive to individual needs and which promotes dignity and self-respect;
- (d) Is protected from invasion of privacy except that staff may conduct reasonable searches to detect and prevent possession or use of contraband on the premises;
- (e) Has all clinical and personal information treated in accord with state and federal confidentiality regulations;
- (f) Has the opportunity to review their own treatment records in the presence of the administrator or designee;
- (g) Has the opportunity to have clinical contact with a same gender counselor, if requested and determined appropriate by the supervisor, either at the agency or by referral;
- (h) Is fully informed regarding fees charged, including fees for copying records to verify treatment and methods of payment available;
- (i) Is provided reasonable opportunity to practice the religion of their choice as long as the practice does not infringe on the rights and treatment of others or the treatment service. The patient has the right to refuse participation in any religious practice;
- (j) Is allowed necessary communication:
 - (i) Between a minor and a custodial parent or legal guardian;

- (ii) With an attorney; and
- (iii) In an emergency.
- (k) Is protected from abuse by staff at all times, or from other patients who are on agency premises, including:
 - (i) Sexual abuse or harassment;
 - (ii) Sexual or financial exploitation;
 - (iii) Racism or racial harassment; and
 - (iv) Physical abuse or punishment.
- (l) Is fully informed and receives a copy of counselor disclosure requirements established under RCW 18.170.060;
- (m) Receives a copy of patient grievance procedures upon request; and
- (n) In the event of an agency closure or treatment service cancellation, each patient must be:
 - (i) Given thirty days notice;
 - (ii) Assisted with relocation;
 - (iii) Given refunds to which the person is entitled; and
 - (iv) Advised how to access records to which the person is entitled.
- (2) A service provider must obtain patient consent for each release of information to any other person or entity. This consent for release of information must include:
 - (a) Name of the consenting patient;
 - (b) Name or designation of the provider authorized to make the disclosure;
 - (c) Name of the person or organization to whom the information is to be released;
 - (d) Nature of the information to be released, as limited as possible;
 - (e) Purpose of the disclosure, as specific as possible;
 - (f) Specification of the date or event on which the consent expires;
 - (g) Statement that the consent can be revoked at any time, except to the extent that action has been taken in reliance on it;
 - (h) Signature of the patient or parent, guardian, or authorized representative, when required, and the date; and
 - (i) A statement prohibiting further disclosure unless expressly permitted by the written consent of the person to whom it pertains.
- (3) A service provider must notify patients that outside persons or organizations which provide services to the agency are required by written agreement to protect patient confidentially.
- (4) A service provider must notify an ADATSA recipient of the recipient's additional rights as required by WAC 388-800-0090.
- (5) The administrator must ensure a copy of patients' rights is given to each patient receiving services, both at admission and in case of disciplinary discharge.
- (6) The administrator must post a copy of patients' rights in a conspicuous place in the facility accessible to patients and staff.

NEW SECTION

WAC 388-805-310 What are the requirements for chemical dependency assessments? A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must conduct and document an assessment of

each client's involvement with alcohol and other drugs. The CDP's assessment must include:

(1) A face-to-face diagnostic interview with each client to obtain, review, evaluate, and document the following:

(a) A history of the client's involvement with alcohol and other drugs, including:

- (i) The type of substances used;
- (ii) The route of administration; and
- (iii) Amount, frequency, and duration of use.

(b) History of alcohol or other drug treatment or education;

(c) The client's self-assessment of use of alcohol and other drugs;

- (d) A relapse history; and
- (e) A legal history.

(2) If the client is in need of treatment, a multidimensional assessment of the person's:

- (a) Acute intoxication and/or withdrawal risk;
- (b) Biomedical conditions and complications;
- (c) Emotional/behavioral conditions and complications;
- (d) Treatment acceptance/resistance;
- (e) Relapse/continued use potential; and
- (f) Recovery environment.

(3) If an assessment is conducted on a youth, and the client is in need of treatment, the CDP, or CDP trainee under supervision of a CDP, must also obtain the following information:

(a) Parental and sibling use of drugs;

(b) History of school assessments for learning disabilities or other problems, which may affect ability to understand written materials;

(c) Past and present parent/guardian custodial status, including running away and out-of-home placements;

(d) History of emotional or psychological problems;

(e) History of child or adolescent developmental problems; and

(f) Ability of parents/guardians to participate in treatment.

(4) Documentation of the information collected, including:

(a) A written summary interpreting the data gathered in subsections (1), (2), and (3) of this section including patient strengths and needs for each dimension;

(b) A diagnostic assessment statement including applicable criteria and severity of involvement with alcohol and other drugs;

(c) A statement regarding provision of an HIV/AIDS brief risk intervention, and referrals made; and

(d) Evidence the client:

(i) Was notified of the assessment results; and

(ii) Documentation of treatment options provided, and the client's choice; or

(iii) If the client was not notified of the results and advised of referral options, the reason must be documented.

(5) Documentation of the treatment recommended, using PPC.

(6) Completion and submission of all reports required by the courts, department of licensing, and department of social and health services in a timely manner.

(7) Referral of an adult or minor who requires assessment for involuntary chemical dependency treatment to the county-designated chemical dependency specialist.

NEW SECTION

WAC 388-805-315 What are the requirements for treatment, continuing care, transfer, and discharge plans? (1) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must be responsible for the overall treatment plan for each patient, including:

(a) Patient involvement in treatment planning;

(b) Documentation of progress toward patient attainment of goals; and

(c) Completeness of patient records.

(2) A CDP or a CDP trainee under supervision of a CDP must:

(a) Develop the individualized treatment plan based on PPC;

(b) Conduct individual and group counseling;

(c) Evaluate the patient and conduct ongoing assessments in accord with PPC. In cases where it is not possible to place or provide the patient with the clinically indicated treatment, the reason must be documented as well as whether other treatment will be provided;

(d) Update the treatment plan, and determine continued service needs using PPC;

(e) Develop the continuing care plan using PPC; and

(f) Complete the discharge summary using PPC.

(3) A CDP, or CDP trainee under supervision of a CDP, must also include in the treatment plan for youth problems identified in specific youth assessment, including any referrals to school and community support services.

(4) A CDP, or CDP trainee under supervision of a CDP, must follow up when a patient misses an appointment to:

(a) Try to motivate the patient to stay in treatment; and

(b) Report a noncompliant patient to the committing authority as appropriate.

(5) A CDP, or CDP trainee under supervision of a CDP, must involve each patient's family or other support persons, when the patient gives written consent:

(a) In the treatment program; and

(b) In self-help groups.

(6) When transferring a patient from one certified treatment service to another within the same agency, at the same location, a CDP, or a CDP trainee under supervision of a CDP, must:

(a) Update the patient assessment and treatment plan using PPC; and

(b) Provide a summary report of the patient's treatment and progress, in the patient's record. In detox, this may be done by a nurse or physician.

(7) A CDP, or CDP trainee under supervision of a CDP, must meet with each patient at the time of discharge from any treatment agency, unless in detox or when a patient leaves treatment without notice, to:

(a) Finalize a continuing care plan using PPC to assist in determining appropriate recommendation for care;

(b) Assist the patient in making contact with necessary agencies or services; and

(c) Provide the patient a copy of the plan.

(8) When transferring a patient to another treatment provider, the current provider must forward copies of the following information to the receiving provider when a release of confidential information is signed by the patient:

(a) Patient demographic information;

(b) Diagnostic assessment statement and other assessment information, including:

(i) Documentation of the HIV/AIDS intervention;

(ii) TB test result;

(iii) A record of the patient's detox and treatment history;

(iv) The reason for the transfer, based on using PPC; and

(v) Court mandated or agency recommended follow-up treatment.

(c) Discharge summary; and

(d) The plan for continuing care or treatment.

(9) A CDP, or CDP trainee under supervision of a CDP, must complete a discharge summary, within seven days of each patient's discharge from the agency, which includes:

(a) The date of discharge or transfer;

(b) A summary of the patient's progress toward each treatment goal, except in detox; and

(c) In detox, a summary of the patient's physical condition.

NEW SECTION

WAC 388-805-320 What are the requirements for a patient record system? Each service provider must have a comprehensive patient record system maintained in accord with recognized principles of health record management. The provider must ensure:

(1) A designated individual is responsible for the record system;

(2) A secure storage system which:

(a) Promotes confidentiality of and limits access to both active and inactive records; and

(b) Protects active and inactive files from damage during storage.

(3) Patient record policies and procedures on:

(a) Who has access to records;

(b) Content of active and inactive patient records;

(c) A systematic method of identifying and filing individual patient records so each can be readily retrieved;

(d) Assurance that each patient record is complete and authenticated by the person providing the observation, evaluation, or service;

(e) Retention of patient records for a minimum of five years after the discharge or transfer of the patient; and

(f) Destruction of patient records.

(4) In addition to subsection (1) through (3) of this section, providers maintaining electronic patient records must:

(a) Make records available in paper form upon request:

(i) For review by the department;

(ii) By patients requesting record review as authorized by WAC 388-805-305 (1)(f).

(b) Provide secure, limited access through means that prevent modification or deletion after initial preparation;

(c) Provide for back up of records in the event of equipment, media or human error;

(d) Provide for protection from unauthorized access, including network and Internet access.

(5) In case of an agency closure, the provider closing its treatment agency must arrange for the continued management of all patient records. The closing provider must notify the department in writing of the mailing and street address where records will be stored and specify the person managing the records. The closing provider may:

(a) Continue to manage the records and give assurance they will respond to authorized requests for copies of patient records within a reasonable period of time;

(b) Transfer records of patients who have given written consent to another certified provider;

(c) Enter into a qualified service organization agreement with a certified provider to store and manage records, when the outgoing provider will no longer be a chemical dependency treatment provider; or

(d) In the event none of the arrangements listed in (a) through (c) of this subsection can be made, the closing provider must arrange for transfer of patient records to the department.

NEW SECTION

WAC 388-805-325 What are the requirements for patient record content? The service provider must ensure patient record content includes:

(1) Demographic information;

(2) A chemical dependency assessment and history of involvement with alcohol and other drugs;

(3) Documentation the patient was informed of the diagnostic assessment and options for referral or the reason not informed;

(4) A report of a physical examination by a medical practitioner in accord with a nonresidential provider's policy on medical oversight, when a patient is at risk of withdrawal from barbiturates or benzodiazepines, or used intravenous drugs within thirty days of admission;

(5) Documentation the patient was informed of federal confidentiality requirements and received a copy of the patient notice required under 42 CFR, Part 2;

(6) Treatment service rules, translated when needed, signed and dated by the patient before beginning treatment;

(7) Voluntary consent to treatment signed and dated by the patient, parent or legal guardian, except as authorized by law for protective custody and involuntary treatment;

(8) Evidence of counselor disclosure information, acknowledged by the provider and patient by signature and date;

(9) Evidence of a tuberculosis test and results;

(10) Evidence of the HIV/AIDS brief risk intervention;

(11) Initial and updated individual treatment plans, including results of the initial assessment and periodic reviews, addressing:

(a) Patient biopsychosocial problems;

(b) Short- and long-term treatment goals;

(c) Estimated dates for completion of each treatment goal;

- (d) Approaches to resolve the problems;
- (e) Identification of persons responsible for implementing the approaches;
- (f) Medical orders, if appropriate.
- (12) Documentation of referrals made for specialized care or services;
- (13) At least weekly individualized documentation of ongoing services in residential services, and as required in intensive outpatient and outpatient services, including:
 - (a) Date, duration, and content of counseling and other treatment sessions;
 - (b) Ongoing assessments of each patient's participation in and response to treatment and other activities;
 - (c) Progress notes as events occur, each shift in detox, and treatment plan reviews as specified under each treatment service of chapter 388-805 WAC; and
 - (d) Documentation of missed appointments.
- (14) Medication records, if applicable;
- (15) Laboratory reports, if applicable;
- (16) Properly completed authorizations for release of information;
- (17) Copies of all correspondence related to the patient, including reports of noncompliance;
- (18) A copy of the continuing care plan signed and dated by the CDP and the patient; and
- (19) The discharge summary.

NEW SECTION

WAC 388-805-330 What are the requirements for reporting patient noncompliance? The following standards define patient noncompliance behaviors and set minimum time lines for reporting these behaviors to the appropriate court. Chemical dependency service providers failing to report patient noncompliance with court ordered or deferred prosecution treatment requirements may be considered in violation of chapter 46.61 or 10.05 RCW reporting requirements and be subject to penalties specified in WAC 388-805-120, 388-805-125, and 388-805-130.

(1) For emergent noncompliance: The following noncompliance is considered emergent noncompliance and must be reported to the appropriate court within three working days from obtaining the information:

- (a) Patient failure to maintain abstinence from alcohol and other nonprescribed drugs as verified by patient self-report, identified third party report confirmed by the agency, or blood alcohol content or other laboratory test;
- (b) Patient reports a subsequent alcohol/drug related arrest;
- (c) Patient leaves program against program advice or is discharged for rule violation.

(2) For nonemergent noncompliance: The following noncompliance is considered nonemergent noncompliance and must be reported to the appropriate court as required by subsection (3) and (4) of this section:

- (a) Patient has unexcused absences or failure to report. Agencies must report all patient unexcused absences, including failure to attend self-help groups. Report failure of patient to provide agency with documentation of attendance at self-help groups if under a deferred prosecution order or

required by the treatment plan. In providing this report, include the agency's recommendation for action.

(b) Patient failure to make acceptable progress in any part of the treatment plan. Report details of the patient's non-compliance behavior along with a recommendation for action.

(3) If a court accepts monthly progress reports, nonemergent noncompliance may be reported in monthly progress reports, which must be mailed to the court within ten working days from the end of each reporting period.

(4) If a court does not wish to receive monthly reports and only requests notification of noncompliance or other significant changes in patient status, the reports should be transmitted as soon as possible, but in no event longer than ten working days from the date of the noncompliance.

SECTION VIII—OUTCOMES EVALUATION

NEW SECTION

WAC 388-805-350 What are the requirements for outcomes evaluation? Each service provider must develop and implement policies and procedures for outcomes evaluation, to monitor and evaluate outcomes for the purpose of program improvement. Outcomes evaluation includes:

- (1) A program description of:
 - (a) Measurable program objectives in the areas of effectiveness, efficiency, and patient satisfaction;
 - (b) Baseline measurement of program objectives; and measurement of outcomes at least two of the following times:
 - (i) during treatment, or
 - (ii) at discharge, or
 - (iii) after treatment.
- (2) Use of the results.
- (3) Measurement of a representative sample of patients served by the treatment provider.

SECTION IX—PROGRAM SERVICE STANDARDS

NEW SECTION

WAC 388-805-400 What are the requirements for detoxification providers? Detoxification services include acute and subacute services. To be certified to offer detoxification services, a provider must:

- (1) Meet WAC 388-805-001 through 388-805-350 requirements; and
- (2) Meet relevant requirements of chapter 246-326 WAC.

NEW SECTION

WAC 388-805-410 What are the requirements for detox staffing and services? (1) The service provider must ensure staffing as follows:

- (a) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must assess, counsel, and attempt to motivate each patient for referral;

(b) Other staff as necessary to provide services needed by each patient;

(c) All personnel providing patient care, except licensed staff and CDPs, must complete a minimum of forty hours of documented training before assignment of patient care duties. The personnel training must include:

- (i) Chemical dependency;
- (ii) HIV/AIDS and hepatitis B education;
- (iii) TB prevention and control; and
- (iv) Detox screening, admission, and signs of trauma.

(d) All personnel providing patient care must have current training in:

- (i) Cardio-pulmonary resuscitation (CPR); and
- (ii) First aid.

(2) The service provider must ensure detoxification services include:

(a) Screening of each person before admission by a person knowledgeable about alcoholism and other addictions and skilled in observation and eliciting information;

(b) A chemical dependency assessment, which must be attempted within forty-eight hours of a patient's admission;

(c) Counseling of each patient by a CDP, or CDP trainee under supervision of a CDP, at least once:

- (i) Regarding the patient's chemical dependency; and
- (ii) Attempting to motivate each person to accept referral into a continuum of care for chemical dependency treatment.

(d) Sleeping arrangements that permit observation of patients;

(e) Separate sleeping rooms for youth and adults; and

(f) Referral of each patient to other appropriate treatment services.

NEW SECTION

WAC 388-805-500 What are the requirements for residential providers? To be certified to offer intensive inpatient, recovery, or long-term residential services, a provider must meet the requirements of:

(1) WAC 388-805-001 through 388-805-350;

(2) WAC 388-805-510 through 388-805-550 as applicable; and

(3) Chapter 246-326 WAC as required for department of health licensing.

NEW SECTION

WAC 388-805-510 What are the requirements for residential providers admitting youth? A residential service provider admitting youth must ensure:

(1) A youth will be admitted only with the written permission of a parent or legal guardian. In cases where the youth meets the requirements of child in need of services (CHINS) the youth may sign themselves into treatment.

(2) The youth must agree to, and both the youth and parent or legal guardian must sign the following when possible:

- (a) Statement of patient rights and responsibilities;
- (b) Treatment or behavioral contracts; and
- (c) Any consent or release form.

(3) Youth chemical dependency treatment must include:

- (a) Group meetings to promote personal growth; and

(b) Recreational, leisure, and other therapy and related activities.

(4) A certified teacher or tutor must provide each youth one or more hours per day, five days each week, of supervised academic tutoring or instruction when the youth is unable to attend school for an estimated period of four weeks or more. The provider must:

(a) Document the patient's most recent academic placement and achievement level; and

(b) Obtain schoolwork, where applicable, from the patient's home school or provide schoolwork and assignments consistent with the person's academic level and functioning.

(5) Adult staff must lead or supervise seven or more hours of structured recreation each week.

(6) Staff must conduct room checks frequently and regularly when patients are in their rooms.

(7) A person fifteen years of age or younger must not room with a person eighteen years of age or older.

(8) Sufficient numbers of adult staff, whose primary task is supervision of patients, must be trained and available at all times to ensure appropriate supervision, patient safety, and compliance with WAC 388-805-520.

(9) In co-ed treatment services, there must be at least one adult staff person of each gender present or on call at all times.

(10) There must be at least one chemical dependency professional (CDP) for every ten youth patients.

(11) Staff must document attempts to notify the parent or legal guardian within two hours of any change in the status of a youth.

(12) For routine discharge, each youth must be discharged to the care of the youth's legal custodian.

(13) For emergency discharge and when the custodian is not available, the provider must contact the appropriate authority.

NEW SECTION

WAC 388-805-520 What are the requirements for behavior management? (1) Upon application for a youth's admission, a service provider must:

(a) Advise the youth's parent and other referring persons of the programmatic and physical plant capabilities and constraints in regard to providing treatment with or without a youth's consent;

(b) Obtain the parent's or other referring person's agreement to participate in the treatment process as appropriate and possible; and

(c) Obtain the parent's or other referring person's agreement to return and take custody of the youth as necessary and appropriate on discharge or transfer.

(2) The administrator must ensure policies and procedures are written and implemented which detail least to increasingly restrictive practices used by the provider to stabilize and protect youth who are a danger to self or others, including:

(a) Obtaining signed behavioral contracts from the youth, at admission and updated as necessary;

- (b) Acknowledging positive behavior and fostering dignity and self respect;
- (c) Supporting self-control and the rights of others;
- (d) Increased individual counseling;
- (e) Increased staff monitoring;
- (f) Verbal de-escalation;
- (g) Use of unlocked room for containment or seclusion;
- (h) Use of restraints; and
- (i) Emergency procedures, including notification of the parent, guardian or other referring person, and, when appropriate, law enforcement.

(3) The provider must ensure staff is trained in safe and therapeutic techniques for dealing with a youth's behavioral and emotional crises, including:

- (a) Verbal de-escalation;
 - (b) Crisis intervention;
 - (c) Anger management;
 - (d) Suicide assessment and intervention;
 - (e) Conflict management and problem solving skills;
 - (f) Management of assaultive behavior;
 - (g) Proper use of restraint; and
 - (h) Emergency procedures.
- (4) To prevent a youth's unauthorized exit from the residential treatment site, the provider may have:
- (a) An unlocked room for containment or seclusion;
 - (b) A secure perimeter, such as a nonscalable fence with locked gates; and
 - (c) Locked windows and exterior doors.
- (5) Providers using holding mechanisms in subsection (4) of this section must meet current Uniform Building Code requirements, which include fire safety and special egress control devices, such as alarms and automatic releases.

(6) When less restrictive measures are not sufficient to de-escalate a behavioral crisis, clinical staff may contain or seclude a youth in a quiet unlocked room which has a window for observation and:

- (a) The clinical supervisor must be notified immediately of the staff person's use of a quiet room for a youth, and must determine its appropriateness;
- (b) A chemical dependency professional (CDP) must consult with the youth immediately and at least every ten minutes, for counseling, assistance, and to maintain direct communication; and
- (c) The clinical supervisor or designated alternate must evaluate the youth and determine the need for mental health consultation.

(7) Youth who demonstrate continuing refusal to participate in treatment or continuing to exhibit behaviors that present health and safety risks to self, other patients, or staff may be discharged or transferred to more appropriate care after:

- (a) Interventions appropriate to the situation from those listed in subsection (2) of this section have been attempted without success;
- (b) The person has been informed of the consequences and return options;
- (c) The parents, guardian, or other referring person has been notified of the emergency and need to transfer or discharge the person; and

(d) Arrangements are made for the physical transfer of the person into the custody of the youth's parent, guardian, or other appropriate person or program.

(8) Involved staff must document the circumstances surrounding each incident requiring intervention in the youth's record and include:

- (a) The precipitating circumstances;
- (b) Measures taken to resolve the incident;
- (c) Final resolution; and
- (d) Record of notification of appropriate others.

NEW SECTION

WAC 388-805-530 What are the requirements for intensive inpatient services? (1) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must:

- (a) Complete the initial treatment plan within five days of admission;
- (b) Conduct at least one face-to-face individual chemical dependency counseling session with each patient each week;
- (c) Provide a minimum of ten hours of chemical dependency counseling with each patient each week;
- (d) Document a treatment plan review, at least weekly, which updates patient status, progress toward goals, and PPC level of service; and
- (e) Refer each patient for ongoing treatment or support, as necessary, upon completion of treatment.

(2) The provider must ensure a minimum of twenty hours of treatment services for each patient each week; up to ten hours may be education.

NEW SECTION

WAC 388-805-540 What are the requirements for recovery house services? (1) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must provide a minimum of five hours of treatment, for each patient each week, consisting of:

- (a) Education regarding drug-free and sober living; and
- (b) Individual or group counseling.

(2) A CDP, or CDP trainee under supervision of a CDP, must update patient records at least monthly; and

(3) Staff must assist patients with general reentry living skills and, for youth, continuation of educational or vocational training.

NEW SECTION

WAC 388-805-550 What are the requirements for long-term treatment services? Each chemical dependency service provider must ensure each patient receives:

- (1) Education regarding alcohol, other drugs, and other addictions, at least two hours each week.
- (2) Individual or group counseling by a chemical dependency professional (CDP), or CDP trainee under supervision of a CDP, a minimum of two hours each week.
- (3) Education on social and coping skills.
- (4) Social and recreational activities.

- (5) Assistance in seeking employment, when appropriate.
- (6) Patient record review and update at least monthly.
- (7) Assistance with re-entry living skills.
- (8) A living arrangement plan.

NEW SECTION

WAC 388-805-600 What are the requirements for outpatient providers? To be certified to provide intensive or other outpatient services, a chemical dependency service provider must meet the requirements of:

- (1) WAC 388-805-001 through 388-805-350;
- (2) WAC 388-805-610 through 388-805-630, as applicable; and
- (3) WAC 388-805-700 through 388-805-750, if offering opiate substitution treatment services.

NEW SECTION

WAC 388-805-610 What are the requirements for intensive outpatient treatment services? (1) Patients admitted to intensive outpatient treatment under a deferred prosecution order pursuant to chapter 10.05 RCW, must complete intensive treatment as described in subsection (2) of this section. Any exceptions to this requirement must be approved, in writing, by the court having jurisdiction in the case.

(2) Each chemical dependency service provider must ensure intensive outpatient services are designed to deliver:

- (a) A minimum of seventy-two hours of treatment services within a maximum of twelve weeks,
- (b) The first four weeks of treatment must consist of:
 - (i) At least three sessions each week;
 - (ii) Each group session must last at least one hour; and
 - (iii) Each session must be on separate days of the week.
- (c) Individual chemical dependency counseling sessions with each patient every twenty hours of treatment, or more if clinically indicated;
- (d) Education totaling not more than fifty percent of the treatment services regarding alcohol, other drugs, relapse prevention, HIV/AIDS, hepatitis B and TB prevention, and other air/blood-borne pathogens;
- (e) Self-help group attendance in addition to the seventy-two hours;
- (f) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must conduct and document a review of each patient's treatment plan every twenty hours of treatment, to assess adequacy and attainment of goals, using PPC;
- (g) Upon completion of intensive outpatient treatment, a CDP, or a CDP trainee under the supervision of a CDP, must refer each patient for ongoing treatment or support, as necessary, using PPC.

(3) Patients not under deferred prosecution orders, including youth patients, may be admitted to levels of care as determined appropriate using PPC.

NEW SECTION

WAC 388-805-620 What are the requirements for outpatient services? A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must:

- (1) Complete admission assessments within ten calendar days of admission, or by the second visit, unless participation in this outpatient treatment service is part of the same provider's continuum of care.
- (2) Conduct group or individual chemical dependency counseling sessions for each patient, each month, according to an individual treatment plan.
- (3) Assess and document the adequacy of each patient's treatment and attainment of goals:
 - (a) Once a month for the first three months; and
 - (b) Quarterly thereafter or sooner if required by other laws.

NEW SECTION

WAC 388-805-630 What are the requirements for outpatient services in a school setting? Any certified chemical dependency service provider may offer school-based services by:

- (1) Meeting WAC 388-805-640 requirements; and
- (2) Ensuring counseling is provided by a chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP.

NEW SECTION

WAC 388-805-640 What are the requirements for providing off-site chemical dependency treatment services? (1) If a certified service provider wishes to offer treatment services, for which the provider is certified, at a site where clients are located primarily for purposes other than chemical dependency treatment, the administrator must:

- (a) Ensure off-site treatment services will be provided:
 - (i) In a private, confidential setting that is discrete from other services provided within the off-site location; and
 - (ii) By a chemical dependency professional (CDP) or CDP trainee under supervision of a CDP;
- (b) Revise agency policy and procedures manuals to include:
 - (i) A description of how confidentiality will be maintained at each off-site location, including how confidential information and patient records will be transported between the certified facility and the off-site location;
 - (ii) A description of how services will be offered in a manner that promotes patient and staff member safety; and
 - (iii) Relevant administrative, personnel, and clinical practices.

(c) Maintain a current list of all locations where off-site services are provided including the name, address (except patient in-home services), primary purpose of the off-site location, level of services provided, and date off-site services began at the off-site location.

NEW SECTION

WAC 388-805-700 What are the requirements for opiate substitution treatment providers? An opiate substitution treatment provider must meet requirements of:

- (1) WAC 388-805-001 through 388-805-350;
- (2) WAC 388-805-610 and 388-805-620; and
- (3) WAC 388-805-700 through 388-805-750.

NEW SECTION

WAC 388-805-710 What are the requirements for opiate substitution medical management? (1) A program physician must provide oversight for determination of opiate physical addiction for each patient before admission unless the patient is exempted by the Federal Food and Drug Administration, and:

- (a) Be available for consultation when an opiate physical addiction determination is conducted by anyone other than the program physician; and
 - (b) Conduct the opiate physical addiction determination for all youth patients.
- (2) A physical examination must be conducted on each patient:
- (a) By a program physician or other medical practitioner; and
 - (b) Within twenty-one days of admission.
- (3) Following the patient's initial dose of opiate substitution treatment, the physician must establish adequacy of dose, considering:
- (a) Signs and symptoms of withdrawal;
 - (b) Patient comfort; and
 - (c) Side effects from over-medication.
- (4) At the appropriate time, a program physician must approve an individual detoxification schedule for each patient being detoxified.

NEW SECTION

WAC 388-805-720 What are the requirements for urinalysis in opiate substitution treatment? (1) The provider must obtain a urine sample from each patient for urinalysis:

- (a) At least once each month; and
 - (b) Randomly, without notice to the patient.
- (2) Staff must observe the collection of each urine sample and use proper chain of custody techniques when handling each sample;
- (3) When a patient refuses to provide a urine sample or initial the log of sample numbers, staff must consider the urine positive; and
- (4) Staff must document a positive urine and discuss the findings with the patient in a counseling session within seven days of receiving the results of the test.

NEW SECTION

WAC 388-805-730 What are the requirements for opiate substitution treatment dispensaries? (1) Each opiate substitution treatment provider must comply with applica-

ble portions of 21 CFR, Part 1301 requirements, as now or later amended.

(2) The administrator must ensure written policies and procedures to verify the identity of patients.

(3) Dispensary staff must maintain a file with a photograph of each patient. Dispensary staff must ensure pictures are updated when:

- (a) The patient's physical appearance changes significantly; or
- (b) Every two years, whichever comes first.

(4) In addition to notifying the Food and Drug Administration, the administrator must immediately notify the department and the state board of pharmacy of any theft or significant loss of a controlled substance.

NEW SECTION

WAC 388-805-740 What are the requirements for opiate substitution treatment counseling? (1) A chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, must provide individual or group counseling sessions once each:

(a) Week, for the first ninety days, for a new patient or a patient readmitted more than ninety days since the person's most recent discharge from opiate substitution treatment;

(b) Week, for the first month, for a patient readmitted within ninety days of the most recent discharge from opiate substitution treatment; and

(c) Month, for a patient transferring from another opiate substitution treatment agency where the patient stayed for ninety or more days.

(2) A CDP, or a CDP trainee under supervision of a CDP, must conduct and document a continuing care review with each patient to review progress, discuss facts, and determine the need for continuing opiate substitution treatment:

- (a) Between six and seven months after admission; and
- (b) Once every six months thereafter.

(3) A CDP, or a CDP trainee under supervision of a CDP, must provide counseling in a location that is physically separate from other activities.

(4) The administrator must ensure at least one full-time CDP, or a CDP trainee under supervision of a CDP, for each fifty patients:

(a) A CDP with one or more CDP trainees may be assigned as primary counselor for up to seventy-five patients, including those assigned to the CDP trainee; and

(b) A CDP trainee may be assigned up to thirty-five patients.

(5) A pregnant woman and any other patient who requests, must receive at least one-half hour of counseling and education each month on:

- (a) Matters relating to pregnancy and street drugs;
- (b) Pregnancy spacing and planning; and
- (c) The effects of opiate substitution treatment on the woman and fetus, when opiate substitution treatment occurs during pregnancy.

(6) Staff must provide at least one-half hour of counseling on family planning with each patient through either individual or group counseling.

(7) The administrator must ensure there is one staff member who has training in family planning, prenatal health care, and parenting skills.

NEW SECTION

WAC 388-805-750 What are the requirements for opiate substitution treatment take-home medications? (1) An opiate substitution treatment provider may authorize take-home medications for a patient when:

(a) The medication is for a Sunday or legal holiday, as identified under RCW 1.16.050; or

(b) Travel to the facility presents a safety risk for patients or staff due to inclement weather.

(2) A service provider may permit take-home medications on other days for a stabilized patient who:

(a) Has received opiate substitution treatment medication for a minimum of ninety days; and

(b) Had negative urines for the last sixty days.

(3) The provider must meet 21 CFR, Part 291 requirements.

(4) The provider may arrange for opiate substitution treatment medication to be administered by licensed staff or self-administered by a pregnant woman receiving treatment at a certified residential treatment agency when:

(a) The woman had been receiving treatment medication for ninety or more days; and

(b) The woman's use of treatment medication can be supervised.

NEW SECTION

WAC 388-805-800 What are the requirements for free-standing ADATSA assessment providers and services? (1) A certified ADATSA assessment provider must conduct an ADATSA assessment for each eligible patient and be governed by the requirements under:

(a) WAC 388-805-001 through 388-805-310;

(b) WAC 388-805-020 and 388-805-325 (1), (2), (3), (5), (10), (16), (17), 388-805-330; and 388-805-350; and

(c) Chapter 388-800 WAC.

NEW SECTION

WAC 388-805-810 What are the requirements for DUI assessment providers? (1) If located in a district or municipal probation department, each DUI service provider must meet the requirements of:

(a) WAC 388-805-001 through 388-805-135,

(b) WAC 388-805-145 (4), (5), and (6);

(c) WAC 388-805-150, the administrative manual, subsections (4), (7) through (11), (13), and (14);

(d) WAC 388-805-155, facilities, subsections (1)(b), (c), (d), and (2)(b);

(e) WAC 388-805-200 (1), (4), and (5);

(f) WAC 388-805-205 (1), (2), (3)(a) through (e), (4), (6), (7), and (8);

(g) WAC 388-805-220, 388-805-225, and 388-805-230;

(h) WAC 388-805-260, volunteers;

(i) WAC 388-805-300, clinical manual, subsections (1), (2), (3), (7), (14), (18), and (19)(e);

(j) WAC 388-805-305, patients' rights;

(k) WAC 388-805-310, assessments;

(l) WAC 388-805-320, patient record system, subsections (3)(a) through (f), and (4);

(m) WAC 388-805-325, record content, subsections (1), (2), (3), (5), (8), (10), (12), (16), and (17); and

(n) WAC 388-805-350, outcomes evaluation;

(o) WAC 388-805-815, DUI assessment services.

(2) If located in another certified chemical dependency treatment facility, the DUI service provider must meet the requirements of:

(a) WAC 388-805-001 through 388-805-260; 388-805-305 and 388-805-310;

(b) WAC 388-805-300, 388-805-320, 388-805-325 as noted in subsection (1) of this section, 388-805-350; and

(c) WAC 388-805-815.

NEW SECTION

WAC 388-805-815 What are the requirements for DUI assessment services? (1) The administrator must limit clients to persons who have been arrested for a violation of driving while under the influence of intoxicating liquor or other drugs or in physical control of a vehicle as defined under chapter 46.61 RCW;

(2) A chemical dependency professional (CDP), or a CDP trainee under the supervision of a CDP, or a probation assessment officer must conduct each client assessment and ensure the assessment includes, in addition to the requirements under WAC 388-805-310:

(a) Evaluation of the client's blood alcohol level and other drug levels at the time of arrest, if available; and

(b) Assessment of the client's self-reported driving record and the abstract of the client's legal driving record.

NEW SECTION

WAC 388-805-820 What are the requirements for alcohol and other drug information school? (1) Alcohol and other drug information school providers must be governed under:

(a) WAC 388-805-001 through 388-805-135; and

(b) This section.

(2) The provider must:

(a) Inform each student of fees at the time of enrollment; and

(b) Ensure adequate and comfortable seating in well-lit and ventilated rooms.

(3) A certified information school instructor must teach the course and:

(a) Advise each student there is no assumption the student is an alcoholic or drug addict, and this is not a therapy session;

(b) Discuss the class rules;

(c) Review the course objectives;

(d) Follow curriculum contained in "Alcohol and Other Drugs Information School Training Curriculum," published in 1991, or later amended;

(e) Ensure not less than eight and not more than fifteen hours of class room instruction;

(f) Administer the post-test from the above reference to each enrolled student after the course is completed;

(g) Ensure individual client records include:

(i) Intake form;

(ii) Hours and date or dates in attendance;

(iii) Source of referral;

(iv) Copies of all reports, letters, certificates, and other correspondence;

(v) A record of any referrals made; and

(vi) A copy of the scored post-test.

(h) Complete and submit reports required by the courts and the department of licensing, in a timely manner.

NEW SECTION

WAC 388-805-830 What are the requirements for information and crisis services? (1) Information and crisis service providers must be governed under:

(a) WAC 388-805-001 through 388-805-135; and

(b) This section.

(2) The information and crisis service administrator must:

(a) Ensure a chemical dependency professional (CDP), or a CDP trainee under supervision of a CDP, is available or on staff;

(b) Maintain a current directory of certified chemical dependency service providers in the state;

(c) Maintain a current list of local resources for legal, employment, education, interpreter, and social and health services;

(d) Have services available twenty-four hours a day, seven days a week;

(e) Ensure all staff completes forty hours of training that covers the following areas before assigning unsupervised duties:

(i) Chemical dependency crisis intervention techniques;

(ii) Alcoholism and drug abuse; and

(iii) Prevention and control of TB and bloodborne pathogens.

(f) Have policies and procedures for provision of emergency services, by phone or in person, to a person incapacitated by alcohol or other drugs, or to the person's family, such as:

(i) General assessments;

(ii) Interviews for diagnostic or therapeutic purposes;

(iii) Crisis counseling; and

(iv) Referral.

(g) Maintain records of each patient contact, including:

(i) The presenting problem;

(ii) The outcome;

(iii) A record of any referral made;

(iv) The signature of the person handling the case; and

(v) The name, age, sex, and race of the patient.

NEW SECTION

WAC 388-805-840 What are the requirements for emergency service patrol? (1) The emergency service patrol provider must ensure staff providing the service:

(a) Have proof of a valid Washington state driver's license;

(b) Possess annually updated verification of first aid and cardiopulmonary resuscitation training;

(c) Have completed forty hours of training in chemical dependency crisis intervention techniques, and alcoholism and drug abuse, to improve skills in handling crisis situations; and

(d) Have training on communicable diseases, including:

(i) TB prevention and control; and

(ii) Bloodborne pathogens such as HIV/AIDS and hepatitis.

(2) Emergency service patrol staff must:

(a) Respond to calls from police, merchants, and other persons for assistance with an intoxicated person in a public place;

(b) Patrol assigned areas and give assistance to a person intoxicated in a public place; and

(c) Conduct a preliminary assessment of a person's condition relating to the state of inebriation and presence of a physical condition needing medical attention:

(i) When a person is intoxicated, but subdued and willing, transport the person home, to a certified treatment provider, or a health care facility;

(ii) When a person is incapacitated, unconscious, or has threatened or inflicted harm on another person, staff must make reasonable efforts to:

(A) Take the person into protective custody; and

(B) Transport the person to an appropriate treatment or health care facility.

(3) Emergency service patrol staff must maintain a log including:

(a) The time and origin of each call received for assistance;

(b) The time of arrival at the scene;

(c) The location of the person at the time of the assist;

(d) The name and sex of the person transported;

(e) The destination of the transport and time of arrival; and

(f) In case of nonpickup of a person, a notation must be made about why the pickup did not occur.

NEW SECTION

WAC 388-805-850 What are the requirements for treatment alternatives to street crime (TASC) providers and services? (1) A certified TASC provider must provide referral and case management services to each eligible patient and meet the requirements of:

(a) WAC 388-805-001 through 388-805-210;

(b) WAC 388-805-240, students;

(c) WAC 388-805-260, volunteers;

(d) WAC 388-805-300, clinical manual, subsections (1) through (7), (13) through (18), and (19)(a), (b), (d), (e), and (f);

(e) WAC 388-805-305, patients' rights, subsections (1) through (3), and (5) through (6);

(f) WAC 388-805-310, assessments, subsections (1) through (7);

(g) WAC 388-805-315, treatment, continuing care, transfer, and discharge plans, subsections (1), (2)(a), (c), (d), (e), and (f), (5), and (7) through (9);

(i) A CDP, or a CDP trainee under supervision of a CDP, must substitute referral and case management plans for treatment plan requirements in WAC 388-805-315 (1) and (2)(a) (d);

(ii) A CDP, or a CDP trainee under supervision of a CDP, must coordinate the referral of patients with the appropriate treatment provider for each identified problem, ensure they receive adequate treatment, and add new problems to the case management plan as they are identified;

(iii) A CDP, or a CDP trainee under supervision of a CDP, must coordinate the continuing care plan of the patient with appropriate treatment providers; and,

(iv) When transferring a patient to another treatment provider, a TASC provider will substitute a summary of the patient's progress toward each referral and case management goal.

(h) WAC 388-805-320, patient record system;

(i) WAC 388-805-325, patient record content, subsections (1) through (3), (5) through (10), and (12) through (19);

(j) WAC 388-805-330, reporting patient noncompliance; and

(k) WAC 388-805-350, outcomes evaluation.

(2) A CDP, or a CDP trainee under supervision of a CDP, must assess and document the adequacy of each client's referral and case management plan and attainment of goals once each month.

NEW SECTION

WAC 388-805-900 What are the requirements for outpatient child care when a parent is in treatment? A certified outpatient chemical dependency service provider may offer child care services when the provider:

(1) Notifies the department of the provider's intent to offer child care services.

(2) Submits a plan indicating numbers of children to be served and physical space available for the child care service which meets WAC 388-805-155 requirements.

(3) Demonstrates capability of meeting WAC 388-805-905 through 388-805-935 requirements.

(4) Has an approval letter from the department to provide child care services.

NEW SECTION

WAC 388-805-905 What are the requirements for outpatient child care admission and health history? (1) A chemical dependency service provider must have and implement written policies and procedures to ensure:

(a) A parent serves as the responsible caregiver; and

(b) Each child admitted is free of serious medical conditions and not in need of nursing care.

(2) The provider must have a file for each child which includes a health history of each child, obtained on admission, including:

(a) Name and phone number of the child's physician;

(b) Date of last physical examination;

(c) Statement of allergies and reactions, if any;

(d) Notation of special health problems;

(e) Immunization status; and

(f) Notation of medications currently being taken.

NEW SECTION

WAC 388-805-910 What are the requirements for outpatient child care policies? The administrator must ensure implementation of childcare policies which include:

(1) Encouragement of each parent to obtain health care for each child when necessary.

(2) What to do in case of a medical emergency.

(3) Protection from child abuse, neglect, and exploitation.

(4) Reporting of child abuse and neglect.

NEW SECTION

WAC 388-805-915 What are the requirements for an outpatient child care activity program? The person designated responsible for the child care program must:

(1) Address the developmental, cultural, and individual needs of each child served.

(2) Offer a variety of activity choices.

(3) Offer each child daily opportunities for small and large muscle activities.

(4) Implement a planned program of activities, as evidenced by a current, written activity schedule.

(5) Provide a variety of easily accessible, culturally and developmentally appropriate learning and play materials.

(6) Promote a nurturing, respectful, supportive, and responsive environment.

NEW SECTION

WAC 388-805-920 What are the requirements for outpatient child care behavior management and discipline? (1) The provider and the person responsible for child care must ensure behavior management and disciplinary practices promote:

(a) Each child's developmentally appropriate social behavior, self-control, and respect for the rights of others; and

(b) Fair, reasonable, and consistent practices related to a child's behavior.

(2) The following practices are prohibited by any person:

(a) Corporal punishment, including biting, jerking, shaking, spanking, slapping, hitting, striking, or kicking a child, or other means of inflicting physical pain or causing bodily harm;

(b) Use of a physical restraint method injurious to a child;

- (c) Use of a mechanical restraint, locked time-out room or closet;
- (d) Withholding of food; and
- (e) Use of derogatory terms.

NEW SECTION

WAC 388-805-925 What are the requirements for outpatient child care diaper changing? The administrator must ensure diaper changing policies and procedures are approved by the person developing health care policies and include:

- (1) A designated place for diaper changing that is:
 - (a) Separate from food preparation areas;
 - (b) Adjacent to a handwashing sink;
 - (c) Sanitized between use for different children;
 - (d) Impervious to moisture; and
 - (e) Safe, with safety rails or straps.
- (2) Appropriateness of changing diapers in the child's bed.
- (3) Posting of diaper changing procedures accessible to staff and parents.
- (4) Removal of soiled disposable diapers from the premises daily.
- (5) Removal of soiled reusable diapers according to a commercial diaper service schedule.
- (6) Handwashing procedures.

NEW SECTION

WAC 388-805-930 What are the requirements for outpatient child care food service? The service provider must have policies that address:

- (1) Feeding schedules for infants and children.
- (2) Safe and sanitary formula preparation and storage.
- (3) Storage and handling of bottles and nipples in a sanitary manner, separate from diaper-changing areas.
- (4) Identification of prepared bottles with each child's name and date of preparation.
- (5) Promotion of a safe and nurturing method for child feeding including:
 - (a) Holding infants in a semi-sitting position unless against medical advice or the child is able to sit in a high chair;
 - (b) Interacting with the infant; and
 - (c) Not propping bottles.

NEW SECTION

WAC 388-805-935 What are the staffing requirements for outpatient child care services? (1) The service provider must designate a person responsible for the child care program who:

- (a) Meets relevant personnel requirements under WAC 388-805-200 and 388-805-205;
 - (b) Is eighteen years of age or older; and
 - (c) Is capable of implementing WAC 388-805-905 through 388-805-930.
- (2) The service provider must maintain staffing ratios as follows:

- (a) One adult for up to and including four infants through eleven months of age;
 - (b) One adult for up to and including five children twelve through twenty-nine months of age;
 - (c) One adult for every ten children thirty months through five years of age; and
 - (d) One adult for every fifteen children five years of age or older.
- (3) When there are children of mixed ages, the service provider must maintain the ratio prescribed for the youngest child in the mixed group.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 440-22-001	Purpose.
WAC 440-22-005	Definitions.
WAC 440-22-010	Certified treatment services.
WAC 440-22-015	Application for certification.
WAC 440-22-020	Application for certification of a branch agency or added service.
WAC 440-22-025	Request for approval of off-site treatment.
WAC 440-22-030	Application for opiate dependency treatment service.
WAC 440-22-035	Application for free-standing ADATSA assessment service.
WAC 440-22-040	Application for DUI assessment service.
WAC 440-22-045	Application for information school service.
WAC 440-22-050	Application for information and crisis service.
WAC 440-22-055	Application for emergency service patrol.
WAC 440-22-060	Examination of nonresidential facilities.
WAC 440-22-065	Disqualification, denial.
WAC 440-22-070	Provisional certification.
WAC 440-22-075	Exemptions.
WAC 440-22-080	Certification fee and expiration date.
WAC 440-22-085	Change in ownership.
WAC 440-22-090	Relocation and remodeling.
WAC 440-22-100	Certification maintenance.

PERMANENT

WAC 440-22-105	Deeming of national accreditation.		(YCDC) suspension or revocation of letter of enrollment or certificate of qualification.
WAC 440-22-110	Penalties.		
WAC 440-22-115	Certification cancellation.	WAC 440-22-260	Students.
WAC 440-22-120	Suspension, revocation.	WAC 440-22-270	Information school instructors.
WAC 440-22-125	Hearings, appeals.	WAC 440-22-280	Volunteers.
WAC 440-22-150	Governing body.	WAC 440-22-300	Clinical manual.
WAC 440-22-155	Administrator responsibilities.	WAC 440-22-310	Patients' rights.
WAC 440-22-160	Administrative manual.	WAC 440-22-320	Chemical dependency assessments.
WAC 440-22-165	Facilities.	WAC 440-22-325	Treatment, continuing care, transfer and discharge plans.
WAC 440-22-175	Personnel manual.		
WAC 440-22-180	Personnel files.	WAC 440-22-330	Patient record system.
WAC 440-22-200	Chemical dependency counselor intern (CI) eligibility.	WAC 440-22-335	Patient record content.
WAC 440-22-210	Supervision of chemical dependency counselor (CDC) interns.	WAC 440-22-350	Detoxification providers.
WAC 440-22-220	Chemical dependency counselor intern (CI) completion.	WAC 440-22-355	Detox staffing and services.
WAC 440-22-225	Probation assessment officer interns.	WAC 440-22-400	Residential providers.
WAC 440-22-230	Youth chemical dependency counselor (YCDC) interns.	WAC 440-22-405	Residential providers admitting youth.
WAC 440-22-240	Chemical dependency counselor (CDC), probation assessment officer, and youth chemical dependency counselor (YCDC) qualification.	WAC 440-22-406	Behavior management.
WAC 440-22-250	Grandparenting.	WAC 440-22-410	Intensive inpatient services.
WAC 440-22-253	Application process for chemical dependency counselor intern (CI) enrollment, chemical dependency counselor (CDC), and youth chemical dependency counselor (YCDC) certificate of qualification and requalification.	WAC 440-22-420	Recovery house services.
		WAC 440-22-430	Long-term treatment services.
		WAC 440-22-450	Outpatient providers.
		WAC 440-22-455	Intensive outpatient services.
		WAC 440-22-460	Outpatient services.
		WAC 440-22-465	Outpatient services in a school setting.
		WAC 440-22-500	Opiate dependency treatment providers.
		WAC 440-22-505	Opiate dependency medical management.
		WAC 440-22-510	Urinalysis in opiate dependency treatment.
		WAC 440-22-515	Opiate dependency treatment dispensary.
		WAC 440-22-520	Opiate dependency treatment counseling.
		WAC 440-22-525	Opiate dependency treatment take-home medications.
		WAC 440-22-530	Opiate dependency treatment provider meetings.

- WAC 440-22-550 Free-standing ADATSA assessment providers and services.
- WAC 440-22-560 DUI assessment providers.
- WAC 440-22-565 DUI assessment services.
- WAC 440-22-600 Alcohol and other drug information school.
- WAC 440-22-610 Information and crisis services.
- WAC 440-22-620 Emergency service patrol.
- WAC 440-22-900 Outpatient child care when a parent is in treatment.
- WAC 440-22-905 Outpatient child care admission and health history.
- WAC 440-22-910 Outpatient child care policies.
- WAC 440-22-915 Outpatient child care activity program.
- WAC 440-22-920 Outpatient child care behavior management and discipline.
- WAC 440-22-925 Outpatient child care diaper changing.
- WAC 440-22-930 Outpatient child care food service.
- WAC 440-22-935 Staffing for outpatient child care services.

Citation of Existing Rules Affected by this Order: Amending WAC 275-16-015, 275-16-035, 275-16-045, 275-16-055, 275-16-065, and 275-16-085.

Statutory Authority for Adoption: RCW 43.20B.335, 43.20B.325, 72.01.090.

Adopted under notice filed as WSR 00-17-157 on August 22, 2000.

Changes Other than Editing from Proposed to Adopted Version: Changed WAC 275-16-015(1) to read "Adjusted charges" are those amounts charged to a patient who is or has been confined..."

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.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

PERMANENT

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 440-44-020 Alcohol and drug agency certification fees.

WSR 01-01-007

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed December 6, 2000, 3:18 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Chapter 275-16 WAC, Liability for costs of care and hospitalization of the mentally ill, compliance with the executive order on regulatory improvement and to update references to law and other regulations, add one definition and modify two others, delete part of one section and increase the monthly exempt income of a patient. The rewritten rules will be renumbered into chapter 388-855 WAC.

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

WAC 275-16-015 Definitions. ~~((+))~~ "**Adjusted charges**" are those amounts charged to a patient who is or has been confined to a state hospital for the mentally ill, either by voluntary or involuntary admission, and their estates and responsible relatives, which are less than the actual cost of hospitalization as reflected in the schedule of charges herein and which has been established by the issuance of a notice of finding of responsibility.

~~((2))~~ "**Adjusted gross income**" is that gross income of the estate of the patient and responsible relatives less any deductions, contributions or payments mandated by law including, but not necessarily limited to, income tax and social security.

~~((3))~~ "**Dependent**" means any spouse, minor son or daughter, or permanently disabled son or daughter, of the patient living in the patient's household. If the patient is a minor, then the same definitions shall apply in determining the dependency of members of the parent's household. If a minor son or daughter is not living in the patient's household, that son or daughter shall not be considered a dependent unless the patient is in fact contributing more than fifty percent of that child's support in accordance with a court order or court-recognized agreement.

~~((4))~~ "Department" means the department of social and health services.

~~((5))~~ "Determination officer" is that duly appointed and qualified claims investigator who is delegated authority by the secretary to conduct or cause to have conducted an investigation of the financial condition of the estate of the patient and responsible relatives; to evaluate the results of such investigations; to make determinations of the ability to pay hospitalization charges from such investigations and evaluations; and to issue notices of findings of responsibility to the responsible parties.

~~((6))~~ "Estate of patient and responsible relative" means the total assets available to the patient and his responsible relatives to reimburse the department for hospitalization charges incurred by the patient in a state hospital for the mentally ill in accordance with these regulations.

~~((7))~~ "Gross income" means the total assets available to the estate of the patient and responsible relatives expressed in terms of their cash equivalent on a monthly basis. ~~((t))~~ The total assets available to the estate of the patient and responsible relatives are converted to a monthly cash equivalent figure by dividing those assets by twelve months. Gross income includes all of the following calculated prior to any mandatory deductions: gross wages for service; net earnings from self-employment; and all other assets (of the estate prior to any mandatory deductions) divided by twelve months.

~~((8))~~ "Responsible relative" includes the spouse of a patient, or the parent of a patient who is under eighteen years of age.

"Secretary" means the secretary of the department of social and health services.

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.

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

WAC 275-16-035 Available assets of estate of patients and responsible relatives. (1) The department will include, but not necessarily be limited to, in their determination of the assets of the estates of present and former patients of state hospitals for the mentally ill and their responsible relatives, cash, stocks, bonds, savings, security interests, insurance benefits, guardianship funds, trust funds, governmental benefits, pension benefits and personal property.

(2) Real property shall also be an available asset to the estate: Provided, That the patient's home shall not be considered an available asset if that property is owned by the estate and serves as the principal dwelling and actual residence of the patient, the patient's spouse, and/or minor children and disabled sons or daughters: Provided further, That if the home is not being used for residential purposes by the patient, the patient's spouse, and/or minor children and disabled sons or daughters, and in the opinion of two physicians, there is no reasonable expectancy that the patient will be able to return to the home during the remainder of his life, the home shall be considered an asset available to the estate((-

~~(3)~~ In determining if a particular asset is available to the estate of a patient who is eligible or potentially eligible for Medicaid, the determination officer will apply the standards of WAC 388-92-045)).

AMENDATORY SECTION (Amending Order 1270, filed 2/17/78)

WAC 275-16-045 Exempt income. Patients whose total resources are insufficient to pay for the actual cost of care shall be entitled to a monthly exemption from income in the amount of ~~((25))~~ forty-one dollars and sixty-two cents or such amount as specified in WAC ~~((388-29-125))~~ 388-478-0040.

AMENDATORY SECTION (Amending Order 3083, filed 10/9/90, effective 11/9/90)

WAC 275-16-055 Notice and finding of responsibility (NFR)—Appeal procedure. (1) The determination officer's assessment of the ability and liability of a person or of the person's estate to pay hospitalization charges shall be issued in the form of a notice and finding of responsibility (NFR) as prescribed by RCW 43.20B.340.

(2) When the NFR is for full hospitalization charges as specified under WAC ~~((275-16-030))~~ 388-855-0030, the department shall:

(a) Inform the financially responsible person of the current charges; and

(b) Periodically recompute the financially responsible person's charges.

(3) When the NFR is for adjusted charges, the department shall:

(a) Express the charges in a daily or monthly rate; and

(b) Set aside charges for ancillary services.

(4) The right to an adjudicative proceeding to contest the NFR is contained in RCW 43.20B.340.

(a) A financially responsible person wishing to contest the NFR shall, within twenty-eight days of receipt of the NFR:

(i) File a written application for an adjudicative proceeding showing proof of receipt with the Secretary, DSHS, Attn: Determination Officer, P.O. Box 9768, Olympia, WA 98504; and

(ii) Include in or with the application:

(A) A specific statement of the issues and law involved;

(B) The grounds for contesting the department decision;

and

(C) A copy of the contested NFR.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20B.340, this chapter, and chapter ~~((388-08))~~ 388-02 WAC. If any provision in this chapter conflicts with chapter ~~((388-08))~~ 388-02 WAC, the provision in this chapter governs.

AMENDATORY SECTION (Amending Order 1627, filed 3/25/81)

WAC 275-16-065 Determination of liability. (1) In determining the ability of the estate of the patient and respon-

sible relative to pay hospitalization charges, first priority shall be given to any third party benefits which might be available. The availability of third party benefits, such as medical insurance, health insurance, Medicare, Medicaid, CHAMPUS, CHAMPVA, shall be considered as an available asset of the estate and shall justify a finding for actual costs of hospitalization during such period as the coverage is in effect.

(2) In the absence of third party benefits, charges shall be based upon the available assets of the estate giving consideration to any unusual and exceptional circumstances and other pertinent factors. No financial determination of the ability of the estate to pay hospitalization charges shall conflict with the eligibility requirements for Medicaid for those patients who are eligible or potentially eligible for such benefits.

(3) The ability of the estate to pay adjusted charges will be determined by applying the following formula:

$$X = (Z-E)F$$

Where $Z = (A-Y-N-R)+D$

Z = available income per family member

X = adjusted charges (daily)

A = gross income

Y = mandatory deductions

N = allowance for unusual and exceptional circumstances

R = allowance for other pertinent factors

D = number of dependents

E = exempt income

F = a factor which converts the monthly figures to a daily rate (.0328767).

All calculations are expressed in monthly terms except the final adjusted charge which is converted to a daily rate. All final figures are rounded out to the nearest cent.

(4) The adjusted gross income (A-Y) is determined by first developing the gross income of the estate of the patient and the responsible relative. Gross income (A) includes not only gross wages for services rendered, and/or net earnings from self-employment, but all other available assets (~~converted to some reasonable~~) which have been divided by twelve months to convert them to a monthly cash equivalent figure. All mandatory deductions (Y), such as income tax and social security, are deducted from the gross income to arrive at the adjusted gross income.

(5) Approved allowances for unusual and exceptional circumstances (N) and for other pertinent factors (R) are then subtracted from the adjusted gross income.

(6) The available income (A-Y-N-R) is then divided by the number of dependents in the household of the patient (D) to determine the available income per family member.

(7) Exempt income (E) as defined in WAC (~~275-16-045~~) 388-855-0045 is then subtracted from the available income per family member to arrive at the monthly adjusted charges.

(8) The monthly adjusted charges are multiplied by the factor of .0328767 which converts the monthly figure to a daily rate.

AMENDATORY SECTION (Amending WSR 96-18-090, filed 9/4/96, effective 10/5/96)

WAC 275-16-085 Other pertinent factors. The determination officer may consider the following other pertinent factors in determining the ability of the estate of the patient and responsible relatives to pay.

(1) The determination officer may consider those factors related to the well-being, education and training, child support obligations set by court order or by administrative finding under chapter 74.20A RCW, and/or rehabilitation of the patient and the patient's immediate family, to whom the patient owes a duty of support. The patient and/or responsible relatives shall show the existence and the necessity for the pertinent factors as defined. Upon such a showing, the determination officer may consider such resources necessary to reasonably provide for such pertinent factors as assets not available to the estate of the patient and responsible relatives.

(2) Consistent with RCW 43.20B.335, the determination officer shall consider a judgment owed by the patient to any victim of an act that would have resulted in criminal conviction of the patient but for a finding of the patient's criminal insanity. A victim shall include an estate's personal representative who has obtained judgment for wrongful death against the criminally insane patient((-

~~(3) The department shall ensure that any allowance for other pertinent factors does not conflict with Medicaid eligibility requirements for those patients who are eligible or potentially eligible for such benefits)).~~

NEW SECTION

The following sections of the Washington Administrative Code, as amended, are recodified as follows:

Old WAC Number	New WAC Number
275-16-015	388-855-0015
275-16-035	388-855-0035
275-16-045	388-855-0045
275-16-055	388-855-0055
275-16-065	388-855-0065
275-16-085	388-855-0085

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-16-010	388-855-0010
275-16-030	388-855-0030
275-16-075	388-855-0075
275-16-095	388-855-0095
275-16-105	388-855-0105

PERMANENT

WSR 01-01-008
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Health and Rehabilitative Services Administration)
 [Filed December 6, 2000, 3:20 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Chapter 275-59 WAC, Criminally insane person committed to the care of the Department of Social and Health Services—Evaluation, placement, care, and discharge, compliance with EO 97-02, to make changes consistent with recent amendments to chapter 10.77 RCW, and to renumber for inclusion into chapter 388-875 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 275-59-020, 275-59-030, and 275-59-060.

Statutory Authority for Adoption: Chapter 10.77 RCW.

Adopted under notice filed as WSR 00-17-156 on August 22, 2000.

Changes Other than Editing from Proposed to Adopted Version: Changed WAC 275-59-020, "'Evaluation' means when a court requests the department to determine..." to "'Evaluation' means when a court requests the department to provide an opinion..."

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 1, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 3, 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 3, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 1373, filed 3/1/79)

WAC 275-59-020 Definitions. ~~((1)) "Secretary" means the secretary of the department of social and health services or his designee.~~

~~((2)) "Department" means the state department of social and health services.~~

~~((3)) "Division" means the mental health division, department of social and health services.~~

~~((4)) "Evaluation" means the initial procedure when a court requests the department to provide an opinion if a person charged with a crime is competent to stand trial or, if indicated and appropriate, if the person was suffering under a~~

~~mental disease or defect excluding responsibility at the time of the commission of the crime.~~

~~"Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to himself or his family.~~

~~"Professional person" means:~~

~~(1) A psychiatrist. This is defined as a person having a license as a physician and surgeon in this state, who has in addition, completed three years of graduate training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association and who is certified or is eligible to be certified by the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry.~~

~~(2) A psychologist. This is defined as a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW.~~

~~(3) A social worker. This is defined as a person with a master's or further advanced degree from an accredited school of social work or a degree deemed equivalent under rules adopted by the secretary.~~

~~"Secretary" means the secretary of the department of social and health services or his designee.~~

~~"Superintendent" means the person responsible for the functioning of a treatment facility.~~

~~"Treatment facility" means any facility operated or approved by the department of social and health services for the treatment of the criminally insane. Such definition shall not include any state correctional institution or facility.~~

~~((5)) "Superintendent" means the person responsible for the functioning of a treatment facility.~~

~~(6) "Evaluation" means the initial procedure when a court requests the department to determine if a person charged with a crime is competent to stand trial or, if indicated and appropriate, if the person was suffering under a mental disease or defect excluding responsibility at the time of the commission of the crime.~~

~~(7) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to himself or his family.~~

~~(8) "Mental health professional" means:~~

~~(a) A psychiatrist. This is defined as a person having a license as a physician and surgeon in this state, who has in addition, completed three years of graduate training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association.~~

~~(b) A psychologist. This is defined as a person with a doctoral degree in clinical psychology from an accredited college or university, or who has been licensed as a psychologist pursuant to chapter 18.83 RCW.~~

~~(c) A social worker. This is defined as a person with a master's or further advanced degree from an accredited school of social work, and who has had a minimum of two years of experience in the direct treatment of mentally ill or emotionally disturbed persons under the supervision of a mental health professional.~~

(d) A psychiatric nurse. This is defined as a registered nurse who has a master's or further advanced degree in psychiatric nursing from an accredited college or university, and who has had a minimum of two years of experience in the direct treatment of mentally ill or emotionally disturbed persons under the supervision of a mental health professional.)

AMENDATORY SECTION (Amending Order 1373, filed 3/1/79)

WAC 275-59-030 Mental health division. The secretary designates to the division the responsibility for:

(1) Evaluation and treatment of any person committed to the secretary for evaluation or treatment, under chapter 10.77 RCW;

(2) Assisting the court in obtaining nondepartmental ~~((mental health professionals))~~ experts or professional persons to participate in the evaluation or a hearing on behalf of the defendant and supervising the procedure whereby such professionals will be compensated, according to fee schedule if the person being evaluated or treated is an indigent;

(3) Assuring that any nondepartmental ~~((mental health))~~ expert or professional person requesting compensation has maintained adequate evaluation and treatment records which justify compensation;

(4) Assisting the court by designation of experts or professional~~((s))~~ persons to examine the defendant and report to the court when the defendant is not committed to the secretary;

(5) Determination of what treatment ~~((center))~~ facility shall have custody of persons committed to the secretary under chapter 10.77 RCW.

(6) If the court is advised by any party that the defendant may be developmentally disabled, at least one of the experts or professional persons appointed shall be a developmental disabilities professional.

AMENDATORY SECTION (Amending Order 1373, filed 3/1/79)

WAC 275-59-060 Individualized treatment. (1) Whenever a person is committed to the secretary as criminally insane, the treatment facility to which the person is assigned shall, within fifteen days of admission to the ~~((center, and through the use of appropriate mental health professionals))~~ facility, evaluate and diagnose the committed person for the purpose of devising an individualized treatment program.

(2) Every person, committed to the secretary as criminally insane, shall have an individualized treatment plan formulated by the treatment ~~((center))~~ facility. This plan shall be developed by appropriate ~~((mental health professionals))~~ treatment team members and implemented as soon as possible but no later than fifteen days after the person's admission to the treatment ~~((center))~~ facility as criminally insane. Each individualized treatment plan shall include, but not be limited to:

(a) A statement of the nature of the specific problems and specific needs of the patient;

(b) A statement of the physical setting necessary to achieve the purposes of commitment;

(c) A description of intermediate and long-range treatment goals, with a projected timetable for their attainment;

(d) A statement and rationale for the plan of treatment for achieving these intermediate and long-range goals;

(e) A specification of staff responsibility and a description of proposed staff involvement with a patient in order to attain these treatment goals;

(f) Criteria for recommendation to the court for release.

(3) This individualized treatment plan shall be reviewed by the treatment ~~((center))~~ facility periodically, at least every six months, and a copy of the plan shall be sent to the committing court.

NEW SECTION

WAC 388-875-0110 Access to records by criminal justice agencies. Upon written request, criminal justice agencies shall have access to the following documents developed pursuant to the procedures set forth in chapter 10.77 RCW, the most recent forensic:

(1) Psychiatric assessment;

(2) Release summary; and

(3) Pre-trial report of the examination, either inpatient or outpatient.

Other relevant information may be provided by agreement between the requesting criminal justice agency and the treatment facility, subject to federal and state confidentiality provisions.

NEW SECTION

The following sections of the Washington Administrative Code, as amended, are recodified as follows:

Old WAC Number	New WAC Number
275-59-020	388-875-0020
275-59-030	388-875-0030
275-59-060	388-875-0060

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC Number	New WAC Number
275-59-010	388-875-0010
275-59-041	388-875-0040
275-59-050	388-875-0050
275-59-071	388-875-0070
275-59-072	388-875-0080
275-59-080	388-875-0090
275-59-090	388-875-0100

PERMANENT

WSR 01-01-009
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed December 6, 2000, 3:22 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Incorporates language from repealed WAC 388-86-120 Medical care services, into a new section, WAC 388-556-0500 Medical care services under state-administered cash programs, which clarifies and updates program requirements and complies with the Governor's Executive Order 97-02. The new section defines "medical care services (MCS)" as medical care services provided to clients under the state-administered cash programs, and lists services covered under MCS by cross-referencing WAC 388-529-0200 Medical services available to eligible clients.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-86-120.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.035.

Adopted under notice filed as WSR 00-17-053 on August 9, 2000.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-556-0500:

(1) The ~~medical assistance administration (MAA)~~ department of social and health services (DSHS) covers...

(2) ~~MAA~~ DSHS does not cover...

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 1, 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 1, Amended 0, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-556-0500 Medical care services under state-administered cash programs. Medical care services (MCS) are state-administered medical care services provided to a client receiving cash benefits under the general assistance-unemployable (GA-U) program or the Alcohol and Drug Addiction Treatment and Support Act (ADATSA) program. For a client eligible for MCS:

(1) The department of social and health services (DSHS) covers only the medically necessary services within the notated applicable program limitations listed in the MCS column under WAC 388-529-0200.

(2) DSHS does not cover medical services received outside the state of Washington unless the medical services are provided in a border area listed under WAC 388-501-0175.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-120 Medical care services.

WSR 01-01-010
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed December 6, 2000, 3:24 p.m.]

Date of Adoption: December 6, 2000.

Purpose: The department has consolidated and clarified rules regarding vision care services in a new chapter. The proposed rules reflect long-standing department policy, are more readable, and comply with the Governor's Executive Order 97-02 on regulatory reform.

New: Vision care, WAC 388-544-0050, 388-544-0100, 388-544-0150, 388-544-0200, 388-544-0250, 388-544-0300, 388-544-0350, 388-544-0400, 388-544-0450, 388-544-0500, 388-544-0550, and 388-544-0600.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-86-030 and 388-87-062.

Statutory Authority for Adoption: RCW 74.08.090.

Other Authority: RCW 74.09.510 and 74.09.520.

Adopted under notice filed as WSR 00-17-097 on August 15, 2000.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-544-0100 Client eligibility for vision care services.

(1) The medical assistance administration (MAA) covers vision care services for clients eligible for the following "scope-of-care" designations (see WAC 388-529-0200 0100):

(a) Categorically needy (e.g., CNP, CHIP, Children's Health);

(b) Medically needy (MNP); and

(c) Medical care services (MCS or GAU/ADATSA).

~~(+)~~(2) MAA does not cover vision care services for clients with the following program designations:

(a) Medically indigent (MIP) unless the qualifying emergency medical condition is related to the eye(s);

(b) Family planning only;...

WAC 388-544-0150 Requirements for vision care providers.

(1) The following providers...

(a) Ophthalmologists/MD or DO;

(b) Optometrists; and

(c) Opticians;

WAC 388-544-0200 Vision care services MAA covers without MAA's prior authorization.

(3) MAA covers medically necessary eyeglasses (frames and/or lenses as needed) according to the following:

(a) When the client's condition in both eyes is stable as defined in WAC 388-544-0050 "Stable Visual Condition," and when the...

(b) MAA covers one pair of back-up eyeglasses when contact lenses are medically necessary and they are the client's primary visual correction...

(4) MAA covers medically necessary gas permeable or daily-wear-soft contact lenses...

(5) MAA covers medically necessary therapeutic contact bandage lenses...

(7) MAA covers medically necessary ocular orthotics/prosthetics...

(8) MAA covers the following surgeries when medically necessary and when performed by a physician (M.D.) or Osteopathic physician (D.O.) licensed per RCW 18.57 or RCW 18.71 who is qualified to perform such surgeries:...

(a) Strabismus surgery for clients eighteen seventeen years of age and younger; and...

(9) MAA considers all requests for vision care services not listed as covered in this section or where requested services exceed stated limitations. MAA considers such requests under WAC 388-501-0165.

WAC 388-544-0250 Vision care services MAA does not cover without MAA's prior authorization.

(1) MAA evaluates a request for any service that is listed as noncovered in this chapter under the provisions of WAC 388-501-0165.

(2) MAA evaluates a request for a service that is in a covered category, but has been determined to be experimental or investigational under WAC 388-531-0550, under the provisions of WAC 388-501-0165 which relate to medical necessity.

(3) MAA evaluates a request for a covered service that is subject to limitation(s) or other restriction(s), and approves such a service beyond those specific limitations or restrictions when the service is medically necessary, under the standards for covered services in WAC 388-501-0165.

(4) The vision care services that MAA does not cover without MAA's prior authorization include, but are not limited to:...

(i) Lens replacements for a refractive change which is unstable when the client does not have a "stable visual condition" as defined in WAC 388-544-0050 (see WAC 388-544-0350 (1));...

(p) Strabismus surgery for a client nineteen eighteen years of age or older unless the client meets MAA's established prior authorization criteria for correctable double vision;

~~(2) MAA considers all requests for vision care service under WAC 388-501-0165.~~

WAC 388-544-0300 Eyeglass frames and service.

(6) If the client has a medically diagnosed allergy to plastic the materials in the available eyeglass frames, MAA

covers the cost of coating of the contract eyeglass frames to make them the frames nonallergenic.

WAC 388-544-0350 Eyeglass lenses and service.

(1) The medical assistance administration (MAA) covers medically necessary eyeglass lenses to correct a client's vision if both of the following apply:

(a) The condition requiring correction is a "stable visual condition" as defined in WAC 388-544-0050; and

(b) The prescription is less than two years old.

~~(+)(2)~~ MAA covers the following types of medically necessary eyeglass lenses:...

~~(+)(3)~~ For clients who own their own serviceable eyeglass frames and request lenses only, MAA covers these requests if the lenses are medically necessary and the size and style of the requested lens(es) meet MAA's contract requirements.

~~(+)(4)~~ MAA covers medically necessary lens replacements without regard to time limits when (a), (b) and (c) of this subsection apply:...

(b) Both the eye condition and the treatment have stabilized as defined in WAC 388-544-0050 "stable visual condition";

WAC 388-544-0400 Contact lenses and services.

(7) MAA covers contact lenses when:

(a) The client has high anisometropia (the eyes have refractive errors that differ, left to right, by plus or minus 3 diopters or greater); and

(b) Eyeglasses cannot reasonably correct the refractive errors.

WAC 388-544-0550 Cataract surgery.

(1) MAA covers cataract surgery when: (a) It is included in the scope of care for the client's medical program; (b) It is medically necessary; and (c) The provider clearly documents the need in the client's record. (2) MAA considers the surgery medically necessary when the client has:

~~(+)(a)~~ Correctable visual acuity in the affected eye at 20/50 or worse, as measured on the Snellen test chart; or

~~(2)(b)~~ One or more of the following conditions:

~~(+)(i)~~ Dislocated or subluxated lens;

~~(b)(ii)~~ Intraocular foreign body;

~~(e)(iii)~~ Ocular trauma;

~~(d)(iv)~~ Phacogenic glaucoma;

~~(e)(v)~~ Phacogenic uveitis; or

~~(+)(vi)~~ Phacoanaphylactic endophthalmitis.

(3) MAA covers cataract surgery as a nonemergent procedure under any of its medical coverage programs, unless the client is diagnosed as being statutorily blind as defined in WAC 388-544-0350 (10)(b). If the client is blind, the need for cataract surgery is emergent and the cataract surgery is covered by MAA, even if the client is eligible only for medically indigent coverage (MIP).

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 12, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 12, Amended 0, Repealed 2.

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 2.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

VISION CARE

NEW SECTION

WAC 388-544-0050 Definitions for vision care services. The following definitions and abbreviations and those found in WAC 388-500-0005 apply to this chapter. Defined words and phrases are bolded the first time they are used in the text. Unless otherwise defined in this chapter, medical terms are used as commonly defined within the scope of professional medical practice in the state of Washington.

"Stable visual condition" means that a client's eye condition has no acute disease or injury; or the client has reached a point after any acute disease or injury where the variation in need for refractive correction has diminished or steadied. The client's vision condition has stabilized to the extent that eyeglasses or contact lenses are appropriate and that any prescription for refractive correction is likely to be sufficient for one year or more.

"Visual field exams or testing" means a process to determine defects in the field of vision and tests the function of the retina, optic nerve and optic pathways. The process may include simple confrontation to increasingly complex studies with sophisticated equipment.

NEW SECTION

WAC 388-544-0100 Client eligibility for vision care services. (1) The **medical assistance administration (MAA)** covers vision care services for clients eligible for the following "scope-of-care" designations (see WAC 388-529-0100):

(a) **Categorically needy** (e.g., CNP, CHIP, children's health);

(b) **Medically needy (MNP)**; and

(c) **Medical care services (MCS or GAU/ADATSA).**

(2) MAA does not cover vision care services for clients with the following program designations:

(a) **Medically indigent (MIP)** unless the qualifying emergency medical condition is related to the eye(s);

(b) Family planning only;

(c) Any program designated "emergency medical only"; or

(d) Any other program that does not meet the conditions of subsection (1) of this section.

NEW SECTION

WAC 388-544-0150 Requirements for vision care providers. (1) The following providers are eligible to enroll/contract with MAA to provide and bill for vision care services furnished to eligible clients:

(a) Ophthalmologists/MD or DO.

(b) Optometrists; and

(c) Opticians.

(2) Enrolled/contracted eye care providers must:

(a) Meet the requirements in chapter 388-502 WAC;

(b) Provide only those services that are within the scope of the provider's license; and

(c) Obtain all hardware and contact lenses from MAA's contract suppliers.

NEW SECTION

WAC 388-544-0200 Vision care services MAA covers without MAA's prior authorization. (1) MAA covers **medically necessary** eye examinations, refractions, eyeglasses (frames and/or lenses), and fitting fees as follows:

(a) For clients who are asymptomatic and are twenty-one years of age or older, once every twenty-four months;

(b) For clients who are asymptomatic and are twenty years of age or younger, once every twelve months;

(c) For adults or children who are identified on the medical assistance identification card (MAID) as being developmentally disabled, once every twelve months;

(d) For clients on medication that affects vision, as often as is medically necessary as documented by the provider;

(e) For clients for whom the provider is diagnosing or treating a medical condition that has symptoms of vision problems or disease, as often as medically necessary. The provider must document the diagnosis and/or treatment in the client's record to justify the frequency of examinations and other services.

(2) MAA covers medically necessary **visual field exams** for the diagnosis and treatment of abnormal signs, symptoms or injuries. MAA does not reimburse visual field exams that are done by simple confrontation. Documentation in the record must show all of the following:

(a) The extent of the testing;

(b) Why the testing was reasonable and necessary for the client; and

(c) The medical basis for the frequency of testing.

(3) MAA covers medically necessary eyeglasses (frames and/or lenses as needed) according to the following:

(a) When the client's condition in both eyes is **stable** as defined in WAC 388-544-0050, Stable visual condition, and when the minimum correction need is documented and meets one of the following:

(i) Sphere power equal to or greater than plus or minus 0.50 diopters;

(ii) Astigmatism power equal to or greater than plus or minus 0.50 diopters; or

(iii) A combination of spherical power and astigmatic power that is equal to or greater than a spherical equivalent of plus or minus 0.75 diopters (the spherical equivalent means

one half cylinder added algebraically to the sphere correction).

(b) MAA covers one pair of back-up eyeglasses when contact lenses are medically necessary and they are the client's primary visual correction aid as described in WAC 388-544-0400. MAA limits back-up eye glasses as follows (also see WAC 388-544-0250 (1)(e)):

(i) For clients twenty years of age or younger, once every two years;

(ii) For clients twenty-one years of age and older, once every six years; or

(iii) When MAA agrees in advance to the medical necessity and the service is provided consistent with the limitations included in MAA's authorization.

(4) MAA covers medically necessary gas permeable or daily-wear-soft contact lenses per WAC 388-544-0400.

(5) MAA covers medically necessary therapeutic contact bandage lenses per WAC 388-544-0450.

(6) MAA covers all hyperopic prescriptions for clients who are twenty years of age or younger and who have a diagnosis of "accommodative esotropia" or any strabismus correction. These clients are not subject to the requirements in subsection (3)(a) of this section (stable eye condition and minimum correction need).

(7) MAA covers medically necessary ocular orthotics/prosthetics per WAC 388-544-0500.

(8) MAA covers the following surgeries:

(a) Strabismus surgery for clients seventeen years of age and younger; and

(b) Cataract surgery per WAC 388-544-0550.

(9) MAA considers all requests for vision care services not listed as covered in this section or where requested services exceed stated limitations. MAA considers such requests under WAC 388-501-0165.

NEW SECTION

WAC 388-544-0250 Vision care services MAA does not cover without MAA's prior authorization. (1) MAA evaluates a request for any service that is listed as noncovered in this chapter under the provisions of WAC 388-501-0165.

(2) MAA evaluates a request for a service that is in a covered category, but has been determined to be experimental or investigational under WAC 388-531-0550, under the provisions of WAC 388-501-0165 which relate to medical necessity.

(3) MAA evaluates a request for a covered service that is subject to limitation(s) or other restriction(s), and approves such a service beyond those specific limitations or restrictions when the service is medically necessary, under the standards for covered services in WAC 388-501-0165.

(4) The vision care services that MAA does not cover without MAA's prior authorization include, but are not limited to:

(a) Any of the following types of contact lenses:

(i) Disposable lenses;

(ii) Extended wear soft lenses; or

(iii) Extended wear soft toric lenses.

(b) Any eye service or hardware that MAA considers not to be medically necessary;

(c) Any eyeglasses (frames and/or lenses) or contact lenses upgraded at private expense to avoid MAA's contract limitations (e.g., frames that are not available through MAA's contract or noncontract frames or lenses for which the client or other person pays the difference between MAA's payment and the total cost) (see WAC 388-544-0300(7) and 388-544-0350(3));

(d) Bifocal additions to eyeglasses with bifocal correction of less than 1.0 diopter;

(e) Both eyeglasses and contact lenses in a two-year period for any client (see WAC 388-544-0200 (3)(b) for backup eyeglass exceptions);

(f) Eyeglasses or contact lenses when the prescribed need does not meet the minimum corrections described in this chapter;

(g) Eyeglasses or contact lenses when the prescription is over two years old;

(h) Group vision screening for eyeglasses;

(i) Lens replacements for a refractive change when the client does not have a stable visual condition as defined in WAC 388-544-0050 (see WAC 388-544-0350(1));

(j) Other vision services or hardware for persons enrolled in MAA's managed care program (Healthy Options) when the requirements of that program have not been met;

(k) Orthoptics and visual training therapy;

(l) Plano lenses (no refractive correction) for both eyes, except as provided in WAC 388-544-0350 (12)(a);

(m) Progressive additions lenses, including blended bifocals;

(n) Refractive surgery of any type (e.g., Radial Keratotomy or laser resurfacing);

(o) Separate charges for eye exams conducted in combination with emergency or operating room procedures;

(p) Strabismus surgery for a client eighteen years of age or older, unless the client meets MAA's established prior authorization criteria for correctable double vision;

(q) Sunglasses or colored/tinted lenses requested for cosmetic or other nonmedical reasons;

(r) Two pairs of eyeglasses (e.g., instead of one pair of multifocals); and

(s) Other services or hardware that do not meet the requirements in this chapter.

NEW SECTION

WAC 388-544-0300 Eyeglass frames and service. (1) The medical assistance administration (MAA) covers pre-approved eyeglass frames through MAA's contracted supplier.

(2) MAA covers eyeglass frames, with specific time limits, for eligible clients who:

(a) Are twenty-one years of age and older, once every twenty-four months;

(b) Are twenty years of age and younger, once every twelve months;

(c) Are identified on the MAID card as being developmentally disabled (adults or children), once every twelve months;

(d) Have been unable to adjust to contact lenses after thirty days. The provider must document the client's inability

to adjust and the client must return the contact lenses to the provider.

(3) MAA covers preapproved special frames called "durable and flexible frames" through MAA's contracted supplier when a client:

(a) Is diagnosed with a seizure disorder that results in frequent falls; or

(b) Has a medical condition that has resulted in two or more broken eyeglass frames in a twelve-month period (e.g., Tourette's syndrome).

(4) MAA covers replacement eyeglass frames that have been lost, broken, or stolen:

(a) For adults, only with MAA's prior authorization (see WAC 388-501-0165); and

(b) Without MAA's prior authorization for clients who are either:

(i) Twenty years of age or younger; or

(ii) Identified on the MAID care as being developmentally disabled, regardless of the client's age.

(5) MAA covers incidental repairs to a client's eyeglass frames when both of the following apply:

(a) The repair or adjustment is not typically provided to the public at no cost; and

(b) The cost of the repair does not exceed MAA's cost for replacement frames. MAA's reimbursement for repairs does not exceed its payment level for replacement frames.

(6) If the client has a medically diagnosed allergy to the materials in the available eyeglass frames, MAA covers the cost of coating the contract eyeglass frames to make the frames nonallergenic.

(7) MAA does not allow clients to upgrade eyeglass frames and pay only the upgrade costs in order to avoid MAA's contract limitations (see WAC 388-544-0250 (1)(c) and 388-544-0350(3)).

NEW SECTION

WAC 388-544-0350 Eyeglass lenses and service. (1)

The medical assistance administration (MAA) covers medically necessary eyeglass lenses to correct a client's vision if both of the following apply:

(a) The condition requiring correction is a stable visual condition as defined in WAC 388-544-0050; and

(b) The prescription is less than two years old.

(2) MAA covers the following types of medically necessary eyeglass lenses:

(a) Single vision lenses;

(b) Round or flat top D-style bifocals;

(c) Trifocals that are twenty-five or twenty-eight millimeters;

(d) Slab-off and prism lenses (including Fresnel lenses); and

(e) Glass lenses fifty-four millimeters and smaller.

(3) For clients who own their own serviceable eyeglass frames and request lenses only, MAA covers these requests if the lenses are medically necessary and the size and style of the required lens(es) meet MAA's contract requirements.

(4) MAA covers medically necessary lens replacements without regard to time limits when (a), (b), and (c) of this subsection apply:

(a) One of the following caused the vision change:

(i) Eye surgery;

(ii) The effect(s) of prescribed medication; or

(iii) One or more diseases;

(b) Both the eye condition and the treatment have stabilized as defined in WAC 388-544-0050, Stable visual condition; and

(c) The lens correction has at least one diopter difference between the old and new prescriptions.

(5) MAA covers lens replacement for lost or broken lenses according to the same standards as frames in WAC 388-544-0300 (2) and (4).

(6) MAA allows bifocal lenses to be replaced with single vision lenses or trifocal lenses to be replaced with bifocals or single vision lenses when all of the following apply:

(a) A client has attempted to adjust to the bifocals or trifocals for at least sixty days;

(b) The client is unable to make the adjustment; and

(c) The bifocal or trifocal lenses being replaced are returned to the provider.

(7) MAA covers plastic executive bifocals or trifocals only for clients who are diagnosed with:

(a) Accommodative esotropia; or

(b) Strabismus.

(8) MAA covers high index lenses when the client requires a refractive correction of plus or minus eight diopters or greater.

(9) MAA covers the tinting of plastic lenses when:

(a) The client's medical need is diagnosed and documented as a chronic eye condition causing photophobia; and

(b) The tinting is done by MAA's contracted lens supplier.

(10) MAA covers glass photochromatic lenses when the client's medical need is diagnosed and documented as related to either (a) or (b) of this subsection:

(a) Ocular albinism; or

(b) Blindness, defined as:

(i) Visual acuity for distance vision of twenty/two hundred or worse in the better eye with best correction; or

(ii) A limitation of the client's visual field (widest diameter) subtending an angle of less than twenty degrees from central.

(11) MAA covers treating plastic lenses for scratch resistance only when the client is either:

(a) Twenty years or age or younger; or

(b) Identified on the MAID card as being developmentally disabled.

(12) MAA covers polycarbonate lenses when a client is any of the following:

(a) Blind in one eye as defined in subsection (10) of this section and the client needs protection for the other eye, regardless of whether a vision correction is required;

(b) Twenty years of age or younger and diagnosed with strabismus or amblyopia; or

(c) Identified on the MAID card as being developmentally disabled.

NEW SECTION

WAC 388-544-0400 Contact lenses and services. (1) The medical assistance administration (MAA) covers gas permeable or daily wear soft contact lenses as the client's primary refractive correction method if a client has a vision correction of plus or minus 6.0 diopters or greater.

(2) MAA does not cover contact lenses if the client's ocular condition makes it medically inadvisable (contraindicated) for the client to use contact lenses.

(3) MAA covers contact lens replacements:

(a) Once every twelve months for normal replacement; or

(b) When the contact lenses are lost or damaged, with the following limitations:

(i) The prescription must not be over seventeen months old; and

(ii) The date of dispensing for the lost or damaged lenses must not be within the past eleven months.

(4) MAA does not cover contact lenses for a patient who has received MAA-covered eyeglasses within the past two years unless the provider:

(a) Documents the medical necessity to MAA's satisfaction; and

(b) Receives prior authorization from MAA.

(5) MAA covers soft toric contact lenses (daily wear) for clients with astigmatism requiring a correction equal to or greater than one diopter (plus or minus).

(6) MAA covers lenticular, aspheric and myodisc contact lenses when the client has one or more of the following:

(a) Multiple cataract surgeries on the same eye;

(b) Aphakia;

(c) Keratoconus with refractive error of plus or minus ten diopters; or

(d) Corneal softening (e.g., bullous keratopathy).

(7) MAA covers contact lenses when:

(a) The client has high anisometropia (the eyes have refractive errors that differ, left to right, by plus or minus three diopters or greater); and

(b) Eyeglasses cannot reasonably correct the refractive errors.

NEW SECTION

WAC 388-544-0450 Therapeutic contact bandage lenses. The medical assistance administration (MAA) covers therapeutic contact bandage lenses only when needed immediately after:

(1) Eye injury; or

(2) Eye surgery.

NEW SECTION

WAC 388-544-0500 Ocular prosthetics. The medical assistance administration (MAA) covers ocular prosthetics which are medically necessary and provided by any of the following:

(1) An ophthalmologist;

(2) An ocularist; or

(3) An optometrist who specializes in orthotics.

NEW SECTION

WAC 388-544-0550 Cataract surgery. (1) MAA covers cataract surgery when:

(a) It is included in the scope of care for the client's medical program;

(b) It is medically necessary; and

(c) The provider clearly documents the need in the client's record.

(2) MAA considers the surgery medically necessary when the client has:

(a) Correctable visual acuity in the affected eye at 20/50 or worse, as measured on the Snellen test chart; or

(b) One or more of the following conditions:

(i) Dislocated or subluxated lens;

(ii) Intraocular foreign body;

(iii) Ocular trauma;

(iv) Phacogenic glaucoma;

(v) Phacogenic uveitis; or

(vi) Phacoanaphylactic endophthalmitis.

(3) MAA covers cataract surgery as a nonemergent procedure under any of its medical coverage programs, unless the client is diagnosed as being statutorily blind as defined in WAC 388-544-0350 (10)(b). If the client is blind, the need for cataract surgery is emergent and the cataract surgery is covered by MAA, even if the client is eligible only for medically indigent coverage (MIP).

NEW SECTION

WAC 388-544-0600 Payment methodology. (1) The medical assistance administration (MAA) covers one hundred percent of the MAA contract price for eyeglass frames, lenses, and contact lenses when these items are obtained through MAA's approved contract(s).

(2) See WAC 388-531-1850 for professional fee payment methodology.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-87-062

Payment—Eyeglasses and examinations.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-030

Vision care.

WSR 01-01-011
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed December 6, 2000, 3:26 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Avoids duplicative rules by repealing WAC 388-86-115 Medical care provided out-of-state and incorporating language into WAC 388-501-0180. It clarifies department policy on coverage of medical services provided out-of-state to eligible medical assistance clients, and states that MAA requires out-of-state providers meet the same requirements as in-state providers in order to be reimbursed for medical services provided to eligible clients. It also updates program requirements and complies with the Governor's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-86-115; and amending WAC 388-501-0180.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.035.

Adopted under notice filed as WSR 00-17-055 on August 9, 2000.

Changes Other than Editing from Proposed to Adopted Version: WAC 388-501-0180:

(1) ~~For medical services coverage and reimbursement purposes, the medical assistance administration (MAA) The department of social and health services (DSHS) considers cities bordering Washington state and listed in WAC 388-501-0175 the same as in-state cities for:~~

(a) Medical care coverage under all medical programs administered by the medical assistance administration (MAA); and

(b) Reimbursement purposes.

~~(2) MAA covers emergent medical services provided out-of-state to an eligible client if the medical services are within the scope of the client's medical care program as specified under chapter 388-529 WAC. The department does not cover out-of-state medical care for clients under the following state-administered (Washington state medical care only) medical programs: (a) General assistance-unemployable (GA-U); (b) Alcoholism and Drug Addiction Treatment and Support Act (ADATSA); or (c) Medically indigent program (MIP). (This is now numbered as (2), and was previously numbered as (4).)~~

(3) Subject to the exceptions and limitations in this section, the department MAA covers out-of-state medical care provided to eligible clients when the services are: nonemergent medical services provided out-of-state to an eligible client only if the medical services: (a) Are not readily available within the state of Washington; (b) (a) Are Within the scope of the client's medical care program as specified under chapter 388-529 WAC; and

(b) Medically necessary as defined in WAC 388-500-0005.

~~(c) Have prior authorization through MAA's process described in WAC 388-501-0165. ((3)(c) is now part of (4).)~~

~~(4) MAA does not cover out-of-state medical services for clients under state administered (Washington state medical care only) medical programs. See WAC 388-556-0500. If the client travels out-of-state expressly to obtain medical care, the medical services must have prior authorization through the department's determination process described in WAC 388-501-0165. (This is numbered as (4), and was previously part of (3)(c).)~~

~~(5) (new)~~

See WAC 388-501-0165 for the department's determination process for requests for:

(a) Any service that is listed in any Washington Administrative Code section as noncovered;

(b) A service that is in a covered category, but has been determined to be experimental or investigational under WAC 388-531-0550; and

(c) A covered service that is subject to the department's limitations or other restrictions and the request for the service exceeds those limitations or restrictions.

~~(5) (6) MAA The department determines out-of-state coverage for transportation... (This is numbered as (6), and was previously numbered as (5).)~~

~~(6) (7) MAA The department reimburses an out-of-state provider for medical care provided to an eligible client if the provider: (a) Meets the licensing requirements of the state in which care is provided; (b) Contracts with MAA the department to be an enrolled provider; and... (This is numbered as (7), and was previously numbered as (6).)~~

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 1.

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 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Marie Myerchin-Redifer, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending Order 3732, filed 5/3/94, effective 6/3/94)

WAC 388-501-0180 Out-of-state medical care. (1) ((A Washington state Medicaid client temporarily out of the state may be provided medical care within the scope of the Medicaid program.

(a) Residency requirements in WAC 388-505-0510 must be met.

~~(b) Medical assistance may be provided only in areas of Canada that border on the United States when no other resource is available.~~

~~(2) Persons eligible for the medically needy program may be provided medical care within the scope of that program.~~

~~(3) When an eligible person goes to another state, excluding bordering cities, expressly to obtain medical care that is available within the state of Washington, medical assistance will only be provided on an emergency basis.~~

~~(4) Medicaid will be provided to persons who enter the state and are determined to be financially eligible, provided the residency requirements in WAC 388-505-0510 are met.~~

~~(5) The department shall not provide medical care services out of state except in designated bordering cities under WAC 388-501-0175)) The department of social and health services (DSHS) considers cities bordering Washington state and listed in WAC 388-501-0175 the same as in-state cities for:~~

(a) Medical care coverage under all medical programs administered by the medical assistance administration (MAA); and

(b) Reimbursement purposes.

(2) The department does not cover out-of-state medical care for clients under the following state-administered (Washington state medical care only) medical programs:

(a) General assistance-unemployable (GA-U);

(b) Alcohol and Drug Addiction Treatment and Support Act (ADATSA); or

(c) Medically indigent program (MIP).

(3) Subject to the exceptions and limitations in this section, the department covers out-of-state medical care provided to eligible clients when the services are:

(a) Within the scope of the client's medical care program as specified under chapter 388-529 WAC; and

(b) Medically necessary as defined in WAC 388-500-0005.

(4) If the client travels out-of-state expressly to obtain medical care, the medical services must have prior authorization through the department's determination process described in WAC 388-501-0165.

(5) See WAC 388-501-0165 for the department's determination process for requests for:

(a) Any service that is listed in any Washington Administrative Code section as noncovered;

(b) A service that is in a covered category, but has been determined to be experimental or investigational under WAC 388-531-0550; and

(c) A covered service that is subject to the department's limitations or other restrictions and the request for the service exceeds those limitations or restrictions.

(6) The department determines out-of-state coverage for transportation services, including ambulance services, according to chapter 388-546 WAC.

(7) The department reimburses an out-of-state provider for medical care provided to an eligible client if the provider:

(a) Meets the licensing requirements of the state in which care is provided;

(b) Contracts with the department to be an enrolled provider; and

(c) Meets the same criteria for payment as in-state providers.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-86-115 Medical care provided out-of-state.

**WSR 01-01-012
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed December 6, 2000, 3:27 p.m.]**

Date of Adoption: December 6, 2000.

Purpose: The department is establishing a new chapter for rules pertaining to physician-related services, and in order to avoid duplication, is repealing existing rules on the same subject. The new rules meet the clear-writing mandates in the Governor's Executive Order 97-02, and ensure that current policy and practice are reflected in rule, new chapter 388-531 WAC.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-86-011, 388-86-055, 388-86-095, 388-86-110, 388-86-0961, 388-87-075, and 388-87-095.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Adopted under notice filed as WSR 00-12-080 on June 6, 2000.

Changes Other than Editing from Proposed to Adopted Version: (Deleted words shown as ~~strikeout~~ and added words shown as underline.)

WAC 388-531-0050:

"**Allowed charges**" means the maximum amount reimbursed for any procedure that is allowed by MAA.

"**Covered service**" means a service that is within the scope of the eligible client's medical care program, ~~and listed in specific fee-for-service billing instructions~~ subject to the limitations in this chapter and other published WAC.

"**Experimental**" means... (2) Has been approved by the FDA or other requisite government body, if such approval is required.

"**Fee-for-service**" means the general payment method MAA uses to reimburse providers for covered medical services provided to medical assistance clients for whom when those services are not covered under MAA's healthy options program or children's health insurance (CHIP) programs.

"**Investigational**" means a term to describe a procedure, or course of treatment, which lacks sufficient scientific evidence of benefit for a particular condition. A service is not "investigational" if the service:...

(2) Is supported by a preponderance an overall balance of objective scientific evidence, in which the potential risks and potential benefits are examined...

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WAC 388-531-0100:

(2) MAA evaluates a request for any service that is listed as noncovered in WAC 388-531-0150 under the provisions of WAC 388-501-0165 ~~which relate to noncovered services.~~

(5) MAA covers the following physician-related services, subject to the conditions in subsection (1), ~~and (2) (3), and (4)~~ of this section:...

(5)(i) ~~Ophthalmology care~~ Vision-related services per chapter 388-544 WAC;

WAC 388-531-0150:

(1)(i): ~~Orthoptic eye training therapy;~~ Vision-related services listed as non-covered in chapter 388-544 WAC;

WAC 388-531-0250 (1)(k):

(iv) ~~Optometry, for vision-related optometric services;~~
or

(v) ~~Podiatry, for podiatric services.~~

WAC 388-531-0450 (2)(a): The client is critically ill and the physician is engaged in work directly related to the individual clients care, whether that time is spent at the immediate ~~beside~~ bedside, or elsewhere on the floor;

WAC 388-531-0550:

(2) ~~In making~~ The determination of whether a service is experimental and/or investigational and therefore, not a covered service, MAA considers the following: is subject to a case-by-case review under the provisions of WAC 388-501-0165 which relate to medical necessity. MAA also considers the following:

(2)(b) Whether evidence indicates the service or treatment is more likely than not to be as beneficial as existing conventional treatment alternatives for the treatment of the condition in question;

(2)(e) ~~Any relevant, specific aspects of the condition; (the subsections following this, ((d), (e), (f), (g), (h), and (i)) are renumbered, respectively, as (c), (d), (e), (f), (g), and (h).)~~

(2)(d) ~~(c)~~ Whether the service or treatment is generally used or generally accepted for treatment of for the condition in the state of Washington United States.

(3) MAA applies consistently across clients with the same medical condition and health status, the criteria to determine whether a service is experimental. A service that is not experimental for one client with a particular medical condition is not determined to be experimental for another enrollee with the same medical condition and ~~similar~~ health status. A service that is experimental for one client with a particular medical condition is not necessarily experimental for another, and subsequent individual determinations must consider any new or additional evidence not considered in prior determinations.

(4) MAA does not determine a service or treatment to be experimental or investigational solely because it is under clinical investigation, when there is sufficient evidence in peer-reviewed medical literature to draw conclusions, and the evidence indicates the service or treatment will probably be of greater overall benefit to the client in question ~~and to others similarly situated~~, than another generally available service.

WAC 388-531-0750:

Inpatient hospital ~~inpatient~~ physician-related services.

WAC 388-531-0800:

(1) MAA reimburses a providers for laboratory services only when ~~they are:~~

(a) ~~The provider is~~ Are certified according to Title XVII of the Social Security Act (Medicare), if required; and

(a) ~~The provider has~~ Have a clinical laboratory improvement amendment (CLIA) certificate and identification number.

(11) An independent laboratory must bill MAA directly. MAA does not reimburse a medical practitioner for services referred to or performed by an independent laboratory.

WAC 388-531-0950:

(1)(a) Two calls per month for routine medical conditions for a client residing in a nursing facility;

(1)(b) One call per noninstitutionalized client, per day, per for an individual physician....

(5)(b) The injectable drug used is from office stock and purchased by the provider from...

(9)(a) MAA does not pay separately ~~reimburse~~ for the administration of intra-arterial and intravenous therapeutic or diagnostic injections provided in conjunction with intravenous infusion therapy services. MAA does pay ~~reimburse~~ separately for the administration of these injections when they are provided on the same day as an E&M service. MAA does not pay separately an administration fee for injectables when both E&M and infusion therapy services are provided on the same day. MAA reimburses separately for the drug(s).

(9)(b) MAA does not reimburse ~~pay~~ separately for subcutaneous or intramuscular administration of antibiotic injections provided on the same day as an E&M service. If the injection is the only service provided, MAA ~~covers the injection service~~ pays an administration fee. ...

(9)(d) The provider must submit a manufacturer's invoice ~~and~~ to document the name, strength, and dosage on the claim form when billing MAA for the following drugs:

(i) ~~Classified drugs that cost where the billed charge is over one thousand, one hundred dollars; and~~

(i) ~~Unclassified drugs that cost where the billed charge is over one hundred dollars; and~~ This does not apply to unclassified antineoplastic drugs.

(i) ~~Unclassified antineoplastic drugs that cost over five hundred dollars.~~

(10)(b) When a single client is expected to use all the doses in a multiple dose vial, the provider must may bill MAA the total number of doses in a multiple dose vial the vial at the time the first dose from the vial is used. (e) When remaining doses of a the multiple dose vial are injected at subsequent times, MAA reimburses the injection service (administration fee) only.

(c) When a multiple dose vial is used for more than one client, the provider must bill the total number of doses provided to each client out of the multiple dose vial.

(d) MAA covers ~~both the injection and the~~ antigen, the antigen preparation, and an administration fee.

(11) MAA reimburses for chemotherapy drugs;

(11)(a) ~~MAA reimburses for chemotherapy drugs Administered in the physician's office only when:...~~

(11)(b) ~~MAA establishes a~~ At established maximum allowable fees based on ~~its~~ the Medicare pricing of the estimated acquisition cost (EAC) or maximum allowable cost (MAC), when generics are available;

(11)(c) For unclassified antineoplastic drugs, the provider must submit the following information on the claim form:

(i) The name of the drug used;

(i) The dosage and strength used; and

(i) The national drug code (NCD).

(12) Notwithstanding the provisions of this section, MAA reserves the option of determining drug pricing for any particular drug based on the best evidence available to MAA, or other good and sufficient reasons (e.g., fairness/equity, budget), regarding the actual cost, after discounts and promotions, paid to typical providers nationally or in Washington state.

(13) MAA may request an invoice as necessary.

WAC 388-531-1000:

Ophthalmological Ophthalmic and vision-related physician-related services.

~~(1) MAA covers ophthalmological services furnished by a provider as listed in WAC 388-531-0250, and subject to the limitations in this section and other published WAC.~~

~~(1) MAA requires expedited prior authorization for strabismus surgery for elinet eighteen years of age and older.~~

~~(1) MAA does not cover any of the following:~~

~~(a) Orthoptics and visual training therapy;~~

~~(b) Two pairs of eyeglasses;~~

~~(c) E&M services billed in combination with eye exam procedure codes;~~

~~(d) Radial Keratotomy or other surgery for refractive purposes;~~

~~(e) Refractive prescriptions over two years old; or~~

~~(f) Group screening for eyeglasses (except for EPSDT).~~

Refer to chapter 388-544 WAC for ophthalmic and vision-related services.

WAC 388-531-1050:

Osteopathic manipulative therapy treatment.

WAC 388-531-1100:

(1) MAA covers medical services provided to Medicaid eligible clients who are temporarily located outside the state, subject to the provisions of this chapter and WAC 388-501-0180.

WAC 388-531-1400:

(5) MAA reimburses only one psychiatric diagnostic interview examination in a calendar year unless a significant change in the client's circumstances renders ~~such a~~ an additional evaluation medically necessary.

WAC 388-531-1550:

(11) MAA reimburses hysterectomy without prior authorization in either of the following circumstances: (a) the client has been diagnosed with cancer(s) of the female reproductive organs; and/or (b) the client is forty-six years of age or older.

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 38, Amended 0, Repealed 7.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 38, Amended 0, Repealed 7.

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 38, Amended 0, Repealed 7.

Effective Date of Rule: Thirty-one days after filing.

December 6, 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 01-03 issue of the Register.

WSR 01-01-013

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed December 6, 2000, 3:34 p.m.]

Date of Adoption: December 6, 2000.

Purpose: To amend the existing rule regarding onion white rot quarantine to update its structure and terminology to meet international standards for quarantines, to incorporate clear and readable format, and to reflect current industry and program conditions.

Citation of Existing Rules Affected by this Order: Amending WAC 16-470-300, 16-470-310, 16-470-320, and 16-470-330.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Adopted under notice filed as WSR 00-20-108 on October 4, 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 1, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 4, 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 4, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.
December 6, 2000
Jim Jesernig
Director

AMENDATORY SECTION (Amending Order 1881, filed 3/12/86)

WAC 16-470-300 Quarantine—Onion white rot disease. ~~((+))~~ Onion white rot is a potentially devastating disease of onions and closely related species, which causes greatly decreased yields and reduced storage quality. It is spread primarily by movement of contaminated water, soil, equipment, tools, machinery, and infested plants and plant parts. Onion white rot disease is caused by *Sclerotium cepivorum*, a fungus. Once a field is infested, the disease remains indefinitely in the soil. The director finds that onion white rot disease is detrimental to the onion industry of Washington state and establishes a quarantine ~~((is established))~~ to prevent ~~((the spread))~~ introduction and ~~((introduction))~~ spread of ~~((onion white rot))~~ the disease ~~((caused by *Sclerotium cepivorum*, a fungus,))~~ within noninfested areas of Washington state.

~~((2))~~ The following definition shall apply to WAC 16-470-300 through 16-470-340: "Onion" means any *Allium* spp. including but not limited to onion, garlic, leek, chive, or shallots.

NEW SECTION

WAC 16-470-305 Onion white rot disease—Definitions. The following definitions apply to WAC 16-470-300 through 16-470-340:

- (1) "Onion" means any plant of the *Allium* genus, including, but not limited to, onion, garlic, leek, chive and shallots.
- (2) "Pest-free area for onion white rot" means Adams, Franklin and Grant counties.

AMENDATORY SECTION (Amending Order 1873, filed 9/25/85)

WAC 16-470-310 Onion white rot disease—Area under order. The area under exterior quarantine for onion white rot disease ~~((includes Adams, Franklin, and Grant counties))~~ is all states of the United States. The area under interior quarantine for onion white rot disease is all counties of Washington state.

AMENDATORY SECTION (Amending Order 1873, filed 9/25/85)

WAC 16-470-320 Onion white rot disease—Restrictions—Control—Prevention—Sanitation. The following restrictions are declared to be the proper methods for the control and prevention of the introduction of onion white rot disease, which shall be used in the ~~((quarantine))~~ pest-free area ~~((described in WAC 16-470-310))~~ for onion white rot:

(1) No person shall import onion bulbs, sets or seedlings into the ~~((quarantine))~~ pest-free area for onion white rot for the purpose of planting or propagation ~~((bulbs, sets, or seedlings of onion, garlic, leek, chive, shallots, or other *Allium* spp.))~~, except those produced in and shipped from any area of this state or other states where onion white rot is not known to occur~~((, and))~~. Each shipment ~~((shall))~~ must be certified to be free from white rot disease by the ~~((origin))~~ pest protection organization of the state ~~((department of agriculture))~~ where the onion planting stock was produced.

(2) Except as provided in this chapter, no person shall in any manner import or move soil, machinery, tools, or equipment into the ~~((quarantine))~~ pest-free area ~~((, which))~~ for onion white rot. If the soil, machinery, tools, or equipment have been previously used in any manner ~~((on))~~ in fields outside the ~~((quarantine))~~ pest-free area ~~((where the host plants named in subsection (1) of this section have been cultivated))~~ for onion white rot. Machinery, tools or equipment may be imported or moved into the ~~((quarantine))~~ pest-free area for onion white rot with prior approval from the department~~((: Provided, That))~~. The soil, machinery, tools or equipment ~~((are))~~ must be cleaned and ~~((sterilized))~~ sanitized to the satisfaction of the department prior to movement into the ~~((quarantine))~~ pest-free area for onion white rot. The cleaning shall include the thorough removal of all ~~((dirt))~~ soil and debris by the use of steam under pressure. ~~((Sterilization shall))~~ Sanitation must be accomplished by the use of steam or other methods approved by the department. For the purposes of this section, "machinery, tools or equipment" includes but is not limited to vehicles, farm trucks, harvesters, and tillage equipment.

(3) The department may stop the movement ~~((of any machinery, tools, or equipment))~~ into or within the ~~((quarantine))~~ pest-free area ~~((, which have))~~ for onion white rot of any machinery, tools or equipment that has not been cleaned and ~~((sterilized))~~ sanitized as provided in this section.

(4) No person shall knowingly import into the ~~((quarantine))~~ pest-free area for onion white rot livestock which have been pastured on irrigated fields known to be infested with white rot or which have been fed white rot infested plant parts~~((; nor shall))~~. Onion white rot infested plant parts may not be imported into the quarantine area for livestock feed~~((; nor shall))~~. Onion white rot infested plant parts found in the ~~((quarantined))~~ pest-free area for onion white rot may not be fed to livestock. No restrictions are imposed by this ~~((quarantine))~~ section on livestock moving to feed lots, sale yards, or exhibition sites (such as fairgrounds, shows, etc.) in the ~~((quarantined))~~ pest-free area for onion white rot.

AMENDATORY SECTION (Amending Order 1873, filed 9/25/85)

WAC 16-470-330 Onion white rot disease—Enforcement. (1) The department may inspect any onions or onion planting areas within the ~~((quarantine))~~ pest-free area for onion white rot during any time of the year to determine whether the disease organism is present. If the department finds ~~((that any onions, whether they are being transported, or any fields are infested with))~~ the disease organism in onions

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at any stage of production or transportation or in land, the department may seize any infested onions which are separated from the land on which they were grown, or by written order direct the control and eradication of an infestation. ~~((The written order shall be mailed or hand delivered to the onion grower or field owner.))~~

(2) Movement of infested onions within the ~~((quarantine))~~ pest-free area for onion white rot or removal of infested onions from the ~~((quarantine))~~ pest-free area ~~((shall))~~ for onion white rot must be carried out only with the department's prior approval and under its supervision.

(3) Control and eradication methods that may be used ~~((shall be only))~~ are limited to those approved by the department ~~((and Washington State University and))~~. They may include:

- (a) The destruction of any infested onions;
- (b) A directive that a specific part or all of any infested area be taken out of onion production;
- (c) A directive that any infested area be fenced, properly diked to prevent off-flow of irrigation or rainwater, and planted to an approved crop which will prevent soil erosion and will not require annual tillage;
- (d) ~~((Prohibit))~~ Prohibiting the pasturing of animals on any infested area;
- (e) A directive that equipment, tools and machinery used on an infested area be cleaned and ~~((sterilized))~~ sanitized as described in WAC 16-470-320 prior to removal from the area.

WSR 01-01-014

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed December 6, 2000, 3:37 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Amend the existing rule to add fifteen invasive, nonnative wetland or aquatic plant species to the list of species that are prohibited from distribution, transportation, sale, purchase, or offer for sale in this state. Also, the existing rule needs clarification of provisions and updating of text and taxonomy.

Citation of Existing Rules Affected by this Order: Amending WAC 16-752-500, 16-752-505, 16-752-515, and 16-752-520.

Statutory Authority for Adoption: Chapters 17.24, 17.10, and 15.13 RCW.

Adopted under notice filed as WSR 00-21-116 on October 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 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 4, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Jim Jesernig

Director

AMENDATORY SECTION (Amending WSR 92-07-024, filed 3/10/92, effective 4/10/92)

WAC 16-752-500 Establishing wetland and aquatic weed quarantine. Washington waters and wetlands are threatened by nonnative, aggressive ~~((perennial))~~ weeds that destroy the commercial, aesthetic, fish and/or wildlife habitat, and recreational value of these areas. ~~((Parrot's Feather (or parrotfeather or waterfeather)))~~ African elodea, Brazilian elodea (or egeria), Eurasian watermilfoil, ~~((and))~~ fanwort, slender-leaved naiad, hydrilla ~~((;))~~ and water chestnut (a different species from the food "water chestnut" commonly sold in grocery stores) are submersed, rooted species that can invade shallow to deep water. Parrotfeather, water primrose, and yellow floating heart are rooted plants that invade shallow water and aquatic margins. European frogbit and swollen bladderwort are freely floating species. These species, when established, form dense mats that will clog irrigation systems and waterways, displace native species, alter fish and wildlife habitat, and seriously impact recreational use of the waterways.

Garden loosestrife, hairy willow herb, grass-leaved arrowhead, mud mat, marsh dew flower and flowering rush are rooted plants which invade wetlands, shallow water and aquatic margins. When established, their dense stands displace native vegetation and harm wildlife habitat.

Salt meadow cordgrass, common cordgrass, and smooth cordgrass are noxious weeds that have invaded ~~((a small part of the))~~ salt water estuarine areas on the Washington coast displacing native species, threatening bird and mammal habitats and the shellfish industry. Dense-flowered cordgrass, a closely related species, has potential to duplicate this invasion.

The director of agriculture, pursuant to the powers provided in chapters 17.10, 15.13 and 17.24 RCW, finds that the regulation and exclusion of these plants and plant parts are necessary to preserve Washington waters and wetlands, both fresh water and estuarine, from new or additional infestation. These requirements and restrictions, contained in WAC 16-752-500 through 16-752-525, are in addition to the requirements contained in WAC 232-12-271, "Criteria for planting aquatic plants and releasing wildlife," administered by the Washington state department of fish and wildlife.

PERMANENT

AMENDATORY SECTION (Amending WSR 92-07-024, filed 3/10/92, effective 4/10/92)

WAC 16-752-505 Wetland and aquatic weed quarantine—Regulated articles. All plants and plant parts of the following are regulated articles under this chapter: (~~Eurasian watermilfoil (*Myriophyllum spicatum*); hydrilla (*Hydrilla verticillata*); salt meadow cordgrass (*Spartina patens*); common cordgrass (*Spartina anglica*); smooth cordgrass (*Spartina alterniflora*); Parrot's Feather, parrotfeather or waterfeather (*Myriophyllum aquaticum* also known as *M. brasiliense* or *M. proserpinacoides*); and Brazilian elodea or egeria (*Egeria densa* or *Elodea densa*);~~)

<u>Scientific Name</u>	<u>Common Name</u>
<u><i>Butomus umbellatus</i></u>	<u>flowering rush</u>
<u><i>Cabomba caroliniana</i></u>	<u>fanwort</u>
<u><i>Egeria densa</i></u>	<u>Brazilian elodea</u>
<u><i>Epilobium hirsutum</i></u>	<u>hairy willow herb</u>
<u><i>Glossostigma diandrum</i></u>	<u>mud mat</u>
<u><i>Hydrilla verticillata</i></u>	<u>hydrilla</u>
<u><i>Hydrocharis morsus-ranae</i></u>	<u>European frog-bit</u>
<u><i>Lagarosiphon major</i></u>	<u>African elodea</u>
<u><i>Ludwigia hexapetala</i></u>	<u>water primrose</u>
<u><i>Lysimachia vulgaris</i></u>	<u>garden loosestrife</u>
<u><i>Murdannia keisak</i></u>	<u>marsh dew flower, Asian spiderwort</u>
<u><i>Myriophyllum aquaticum</i></u>	<u>parrotfeather</u>
<u><i>Myriophyllum spicatum</i></u>	<u>Eurasian watermilfoil</u>
<u><i>Najas minor</i></u>	<u>slender-leaved naiad, brittle naiad</u>
<u><i>Nymphoides peltata</i></u>	<u>yellow floating heart</u>
<u><i>Sagittaria graminea</i></u>	<u>grass-leaved arrowhead</u>
<u><i>Spartina alterniflora</i></u>	<u>smooth cordgrass</u>
<u><i>Spartina anglica</i></u>	<u>common cordgrass</u>
<u><i>Spartina densiflora</i></u>	<u>dense-flowered cordgrass</u>
<u><i>Spartina patens</i></u>	<u>salt meadow cordgrass</u>
<u><i>Trapa natans</i></u>	<u>water chestnut, bull nut</u>
<u><i>Utricularia inflata</i></u>	<u>swollen bladderwort</u>

AMENDATORY SECTION (Amending WSR 92-07-024, filed 3/10/92, effective 4/10/92)

WAC 16-752-515 Wetland and aquatic weed quarantine—Exemptions. The prohibition on transporting plants or plant parts in WAC 16-752-510 shall not apply to plants or plant parts collected for herbariums, research in control methods, creation of pressed specimens for educational or identification purposes and other scientific activities(~~(= Provided)),~~ **except** that all activities requiring live plants, except pressed specimens, are conducted under permit from the director and are conducted in such a way that no infestation is created. No permit is required to transport plants or plant parts, as a part

of a noxious weed control activity, to a sanitary landfill, to be burned, or otherwise for disposition(~~(= Provided, That)),~~ if such activities are conducted under the supervision of an official weed control agency or other public agency with management responsibilities for the control efforts and are conducted in such a manner that seed dispersal or dispersal of propagative materials to uninfested areas (~~(are))~~ **is** prevented. **No permit is required for live plants for educational or training purposes** (~~(shall not require a permit provided that)),~~ if the specimens are disposed of in such a manner as to prevent infestation.

AMENDATORY SECTION (Amending WSR 92-07-024, filed 3/10/92, effective 4/10/92)

WAC 16-752-520 Wetland and aquatic weed quarantine—Disposition of regulated articles. Any plants or plant parts transported, bought, sold, offered for sale, or planted in violation of this order shall be subject to destruction or shipment (~~(back))~~ out-of-state if the (~~(director))~~ **department** determines that such shipment may be done without danger of infestation. Any action (~~(shall))~~ **will** be at the expense of the owner or the owner's agent and without compensation.

WSR 01-01-015
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Filed December 6, 2000, 3:44 p.m.]

Date of Adoption: December 6, 2000.

Purpose: This rule provides general regulations for the seed program at the Department of Agriculture. As required by the governor's executive order on regulatory improvement and agency policy, the proposed rule is updated and rewritten in a clear and usable format. Existing chapters of rules will be repealed and the significant language in those chapters is revised into three new proposed chapters of rules for the seed program (chapters 16-301, 16-302, and 16-303 WAC). (CHAPTER 16-303 WAC WAS NOT FILED WITH WSR 00-24-077 FILED ON DECEMBER 4, 2000.)

Citation of Existing Rules Affected by this Order: Repealing chapters 16-300, 16-304, 16-313, 16-316, 16-317, 16-318, 16-493, 16-494, and 16-495 WAC.

Statutory Authority for Adoption: RCW 15.49.005, 15.49.081, 15.49.310, 15.49.370(3).

Other Authority: Chapter 17.24 RCW.

Adopted under notice filed as WSR 00-20-075 and 00-20-076 on October 3, 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.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 3, Amended 0, Repealed 9.

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 3, Amended 0, Repealed 9.

Effective Date of Rule: Thirty-one days after filing.

December 6, 2000

Jim Jesernig

Director

Chapter 16-303 WAC

SEED ASSESSMENT, FEES FOR SEED SERVICES AND SEED CERTIFICATION

NEW SECTION

WAC 16-303-005 Purpose—Seed program fees for services and labeling of seed. The department certifies, inspects, samples, tests and analyzes agricultural, vegetable or flower seed sold or offered for sale in Washington state. As provided for in this chapter under the authority of chapter 15.49 RCW, the department hereby establishes labeling requirements, germination standards, and fees for funding of the Washington state seed program.

NEW SECTION

WAC 16-303-010 Definitions. Definitions for terms used in this chapter may be found in chapters 15.49 RCW and 16-301 WAC unless otherwise provided for in this chapter.

NEW SECTION

WAC 16-303-020 Schedule of charges—Billing policies and procedures. (1) Accounts.

(a) All billable services provided for under chapter 15.49 RCW are due and payable upon billing by the department. For the convenience of established accounts and in accord with good business practices, the department provides a monthly billing service. Accounts not paid in full within thirty days of billing are considered delinquent.

(b) On all debts due and payable after July 28, 1991, all delinquent accounts are assessed a late charge equal to one percent per month, or portion of a month, on the unpaid balance.

(c) Except for established accounts where there is a reasonable expectation of additional charges during a calendar month, the minimum billable amount through the monthly billing system is twenty dollars. All billable services of less than twenty dollars are due and payable on the date that service is rendered.

(d) No person with an account ninety days or more in arrears may receive service except on the basis of payment in full at the time service is rendered. Accounts in arrears may be subject to legal action for collection and are not restored to

monthly billing status until all past due amounts are paid-in-full.

(e) Accounts that become ninety or more days in arrears twice within a five-year period may be subject to a permanent requirement for payment in full at the time service is provided.

(2) Unless otherwise provided for in rule, requests for refund fees or assessments must be submitted to the department by June 30 of the year following payment of the fee or assessment.

(3) Fees for services not listed in rule are set on the basis of the actual cost to the department of agriculture, or the most appropriate fee established by rule.

ANNUAL SEED ASSESSMENT

NEW SECTION

WAC 16-303-105 Annual seed inspection charge. (1) Each person required to obtain a seed labeling permit, pursuant to RCW 15.49.400, of the Washington State Seed Act, must also, pursuant to RCW 15.49.310 and 15.49.370, pay a general seed inspection charge annually to the department in the amount of ten cents per one hundred dollars gross annual dollar sales in excess of ten thousand dollars of agricultural and/or vegetable seed distributed in this state during the preceding fiscal year, except that no assessment shall be collected on:

(a) Seed for which the assessment has been previously collected, except when such seed is relabeled;

(b) Agricultural or vegetable seed distributed out-of-state;

(c) Seed distributed in containers of four ounces or less;

(d) Stock seed; and

(e) Seed distributed by governmental agencies, such as, but not limited to, the United States Department of Agriculture national foundation seed project. Agricultural and/or vegetable seeds distributed under bailment contract are valued at the producer-conditioner agreement rate in lieu of sale.

(2) The seed assessment fees for the fiscal period beginning July 1 through June 30 are payable on February 1 of the following calendar year.

(3) The seed assessment may accompany the annual application for the seed labeling permit. A penalty of ten percent of the assessment fee or a minimum of ten dollars, whichever is greater, is added to all assessments not paid by February 1.

(4) The annual seed-labeling permit may not be issued until all seed assessments and penalties are satisfied.

NEW SECTION

WAC 16-303-115 Seed labeling registrant records. Each seed labeling registrant must maintain reasonable and necessary records accurately reflecting the gross annual dollar value of agricultural and/or vegetable seed distributed in this state.

SEED TESTING AND ANALYSIS FEES

NEW SECTION

WAC 16-303-200 Seed program testing fees. Seed testing fees are as follows:

(1) FIELD CROPS:

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	TZ
alfalfa	4 oz	14.00	12.00	22.00
alkaligrass	4 oz	18.00	11.00	22.00
barley	1.25 lb	14.00	12.00	22.00
beets, sugar	1.25 lb	19.00	21.00	22.00
bentgrass	2 oz	32.00	17.00	22.00
bermudagrass	4 oz	18.00	11.00	22.00
black medic	4 oz	14.00	12.00	22.00
bluegrass	4 oz	22.00	15.00	22.00
brassica sp.	6 oz	34.00	17.00	22.00
brome-mountain	6 oz	23.00	12.00	22.00
brome-smooth, meadow	6 oz	23.00	12.00	22.00
buckwheat	1.25 lb	14.00	12.00	22.00
canarygrass	8 oz	18.00	11.00	22.00
clover	4 oz	14.00	12.00	22.00
fescue	4 oz	22.00	12.00	22.00
flax-lewis	4 oz	14.00	12.00	22.00
foxtail	4 oz	14.00	11.00	22.00
garbanzo bean	1.25 lb	13.00	12.00	N/A
indian ricegrass	6 oz	18.00	11.00	22.00
junegrass	6 oz	18.00	11.00	22.00
lentil	1.25 lb	14.00	12.00	N/A
little bluestem	4 oz	21.00/hr	11.00	22.00
lupine	1.25 lb	14.00	12.00	N/A
milkvetch	1.25 lb	14.00	12.00	22.00
millet	1.25 lb	14.00	12.00	N/A
needle & thread	6 oz	18.00	11.00	22.00
needlegrass, green	6 oz	18.00	11.00	22.00
oatgrass	6 oz	18.00	11.00	N/A
oats	1.25 lb	14.00	12.00	22.00
orchardgrass	4 oz	25.00	13.00	22.00
peas	1.25 lb	13.00	12.00	N/A
prairie sandreed	6 oz	18.00	11.00	22.00
primrose	4 oz	14.00	12.00	N/A
redtop	2 oz	32.00	17.00	22.00
rice	1.25 lb	14.00	12.00	N/A
rye	1.25 lb	14.00	12.00	22.00
ryegrass, peren- nial	4 oz	22.00	11.00	22.00
ryegrass, annual	4 oz	22.00	11.00	22.00
safflower	1.25 lb	14.00	12.00	N/A
sainfoin	1.25 lb	14.00	12.00	N/A
sand dropseed	4 oz	18.00	11.00	22.00
sand lovegrass	4 oz	18.00	11.00	22.00
sideoats grama	4 oz	21.00/hr	11.00	22.00
small burnett	8 oz	14.00	12.00	N/A

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	TZ
sorghum	1.25 lb	14.00	12.00	N/A
sudangrass	8 oz	14.00	12.00	22.00
sunflower	1.25 lb	14.00	12.00	N/A
swiss chard	1.25 lb	34.00	18.00	N/A
switchgrass	4 oz	18.00	11.00	22.00
timothy	4 oz	18.00	11.00	22.00
trefoil	4 oz	14.00	12.00	N/A
triticale	1.25 lb	14.00	12.00	22.00
vetch	1.25 lb	18.00	12.00	22.00
wheat	1.25 lb	14.00	12.00	22.00
wheatgrass, beardless slender				
thickspike	6 oz	38.00	15.00	22.00
wheatgrass, bluebunch	6 oz	38.00	15.00	22.00
wheatgrass, crested	4 oz	26.00	15.00	22.00
wheatgrass, tall intermediate				
pubescent	6 oz	38.00	15.00	22.00
wheatgrass, western	6 oz	38.00	15.00	22.00
wildrye	6 oz	18.00	11.00	22.00
zoysia	4 oz	18.00	11.00	22.00

(2) VEGETABLES:

	MINIMUM SAMPLE SIZE	PURITY	GERMINATION	TZ
asparagus	1.25 lb	14.00	12.00	N/A
beans	1.25 lb	13.00	12.00	N/A
beets	1.25 lb	19.00	18.00	N/A
cantaloupe	1.25 lb	14.00	12.00	N/A
carrot	4 oz	14.00	12.00	38.00
celery	4 oz	14.00	12.00	N/A
chard	4 oz	14.00	21.00	21.00
corn	1.25 lb	14.00	12.00	N/A
cucumber	1.25 lb	14.00	12.00	N/A
dill	4 oz	14.00	12.00	N/A
eggplant	4 oz	14.00	12.00	N/A
endive	4 oz	14.00	12.00	N/A
leek	8 oz	14.00	12.00	N/A
lettuce	4 oz	14.00	12.00	N/A
okra	4 oz	14.00	12.00	N/A
onion	8 oz	14.00	12.00	N/A
parsley	4 oz	14.00	12.00	N/A
parsnip	4 oz	14.00	12.00	N/A
pepper	8 oz	14.00	12.00	N/A
pumpkin	1.25 lb	14.00	12.00	N/A
radish	1.00 lb	14.00	12.00	N/A
spinach, New Zealand	8 oz	14.00	21.00	N/A

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MINIMUM				
	SAMPLE SIZE	PURITY	GERMINATION	TZ
spinach	8 oz	14.00	21.00	N/A
squash	1.25 lb	14.00	12.00	N/A
tomato	4 oz	14.00	12.00	N/A
turnip	6 oz	14.00	12.00	22.00
watermelon	1.25 lb	14.00	12.00	N/A

NEW SECTION

WAC 16-303-210 Fees for special seed tests. Fees for special seed tests are as follows: (Standard noxious exam size unless otherwise specified.)

Test	Fee	Other Considerations
(1) All states noxious weed examination	\$10.00	
(2) Analysis of partially cleaned, uncleaned or field run seed with excessive inert, or crop or weed seeds	\$21.00 hourly rate	
(3) Brassica seed chemical identification	\$10.00	
(4) Cold (vigor) test for wheat	\$50.00	
(5) Crop and weed exam (Required for all foundation and registered class grass seeds)	Purity fee minus \$5.00	Hourly rate will be assessed when applicable; hourly rate applies when a larger amount is requested
(6) Fescue seed fluorescence test	\$15.00	Test required on certified samples
(7) Fluorescence test (400 seed test)	\$13.00	
(8) Miscellaneous services	\$21.00 hourly rate	
(9) Pest and disease	\$17.00	
(10) Poa annua check		
Bentgrass (5 grams)	\$17.00	
Bluegrass (5 grams)	\$17.00	
Other grasses (10 grams)	\$17.00	
(11) Rules test—Canadian	PURITY	GERMINATION
Alfalfa, clover	\$21.00	\$12.00
Kentucky bluegrass	\$32.00	\$15.00
Peas, lentils	\$21.00	\$12.00
Bentgrass	\$47.00	\$17.00
(12) Rules test—I.S.T.A.	PURITY	GERMINATION
Alfalfa, clover	\$21.00	\$15.00
Kentucky bluegrass	\$32.00	\$15.00
Peas, lentils	\$21.00	\$15.00
(13) Samples requiring special preparation for germination, for example pelleted seeds	\$21.00	Additional Charge
(14) Seed Count	\$17.00	
(15) Sod analysis check (25 gram exam to evaluate if a lot appears to be sod quality)	\$19.00	Phone report only

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Test	Fee	Other Considerations
(16) Sod seed analysis (A special test of turf grasses for those who need a detailed examination of seed before purchase and/or use)	Bluegrass \$60.00 Fescue \$42.00 Ryegrass \$34.00	Bluegrass test includes purity, 25 gram crop and weed exam, and 10 gram Poa annua check. Ryegrass and Fescue test include purity and 50 gram crop and weed exam.
(17) Sodium Hydroxide test for presence of red and/or white wheat	\$10.00	
(18) Soil exam or similar (A visual examination of a representative sample)	\$17.00	Reported on seed analysis certificate
(19) Undesirable grass species examination (UGS test)	\$12.00	
(20) Variety separation of Kentucky bluegrass	\$19.00	
If separated at time of purity analysis	\$9.00	

NEW SECTION

WAC 16-303-220 Inventory testing for seed germination. Inventory testing for seed germination is as follows:

(1) Inventory testing is a service to provide opportunity to have carry-over seed stocks, except mixtures, tested at the lowest possible charge. This is not an official germination test. Regular service samples have priority and the Seed Branch Laboratory will run samples, as germination space is available.

(2) Samples must be plainly labeled "inventory samples" according to the sender's designation. The laboratory assumes no responsibility for correct identification.

(3) Reports on inventory testing are mailed after all tests are completed. Samples and test reports do not become a part of the seed program's permanent record.

(4) The fee for inventory testing is one-half the regular germination fee.

NEW SECTION

WAC 16-303-230 Official seed sampling or similar service. (1) The fee for official seed sampling or similar service is as follows:

Crop	Fee	Minimum charge
Peas, beans, small grains or seeds of similar size	\$ 0.05 Per cwt.	\$21.00
For all other kinds	\$ 0.15 Per cwt.	\$21.00

(2) If a special trip is required to provide a service, the person requesting the service may be charged at the rate of \$17.00 per hour travel time plus a mileage fee set by the Washington State Office of Financial Management in addition to the specific fee for service. All standby time is charged at the rate of \$21.00 per man-hour.

NEW SECTION

WAC 16-303-240 Fees for blending seed. Fees for blending seed are five cents per one hundred pounds based on the pounds of seed bagged plus cost of a purity and germination test which is required on the official sample of each blend. All fees are payable by persons or firm requesting permission for said blend.

NEW SECTION

WAC 16-303-250 Miscellaneous charges for seed services. (1) Fees for miscellaneous department seed services are as follows:

Service	Fee
Rush samples (including phone or FAX report if requested at time sample is submitted)	\$12.00
Phone reports on test result, per call	\$ 3.50 per call
Preliminary report on germination	\$ 8.00
Phone report only	\$ 1.50
Additional mailing of report	\$ 2.50 each destination
Recopies of reports	\$ 2.50 (minimum fee)
Revised reports	\$ 5.00 (minimum fee - or hourly fee when applicable)
Fee for special handling service, for example Federal Express, Air Parcel or air freight	\$ 3.50
Fee for facsimile transmission of documents	\$ 3.50 per document

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Service	Fee
Travel time - additional or special requested trips	\$17.00
Mileage - additional or special requested trips	As established by the Washington State Office of Financial Management

(2) Test plot examinations or consultant work in seed plots, seed fields, seed conditioning plants, etc., shall be at the rate of \$21.00 per hour plus mileage and travel time.

FEES FOR SEED CERTIFICATION OR OTHER SERVICES

NEW SECTION

WAC 16-303-300 Phyto-sanitary certification of seed—Fees. (1) Fees for phyto-sanitary certification of seed are as follows:

Service	Fee	Other Considerations
Phyto-sanitary certificate	\$21.00 each	
Field inspection—All seed except wheat seed (for each required inspection)	\$5.00 per acre	\$20.00 minimum fee payable with application
Field inspection—Wheat seed only (for each required inspection)	\$2.00 per acre or fraction thereof	Payable with application
Area inspection	\$.05 per cwt.	\$ 20.00 minimum fee per certificate \$150.00 maximum fee per certificate Billed at time certificate is issued
Late fee—		
Application	\$30.00 each	
Sampling (When Required)—		
Beans, peas, lentils, and cereal grains	\$.05 per cwt.	
Other crops	\$.15 per cwt.	
Serology test	Fee as established by the testing laboratory.	
Laboratory analysis of plant material to verify disease	An additional fee of actual cost shall be charged when necessary to examine plant material and/or seed	

NEW SECTION

WAC 16-303-310 Organization for economic cooperation and development scheme for varietal certification (O.E.C.D.) fees. In addition to fees required by applicable Washington certification rules, the following fees shall apply to all seed tagged O.E.C.D and is payable by the person requesting O.E.C.D. certificate. The certifying agency may require fees paid in advance:

Service	Fee	Other Considerations
O.E.C.D. certificate	\$10.00 each	
O.E.C.D. grow out test	\$46.00 each entry	No charge for control entry

NEW SECTION

WAC 16-303-315 Service fee for sod quality seed tags and tagging. Service fee for sod quality seed tags and tagging shall be \$0.10 per cwt. The official sampling fee is charged when resampling is required.

NEW SECTION

WAC 16-303-317 Annual and rough bluegrass quarantine fees. Fees for sampling and analysis for the presence of annual or rough bluegrass are those fees established in this chapter and:

(1) Annual Bluegrass - inspection fee for nursery plantings for the presence of annual bluegrass is \$50.00 per acre or portion thereof. The tagging fee is \$0.50 cwt. with a minimum fee of \$10.00.

(2) Rough Bluegrass - inspection fee for nursery plantings is \$50.00 per acre or portion thereof.

NEW SECTION

WAC 16-303-320 Certification fees for seed certified by the department except grasses. Fees for seed certification services for seed certified by the department other than grasses are as follows. Fees apply to both new and renewal applications:

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Seed	Application Fee 1/	Seedling producing or field inspection Fee 2/	Late Application Penalty Fee	Reinspection Fee (other than isolation)	Production Fee (includes sampling and tagging)	Seed shipped Out-of-State (uncleaned)
Alfalfa, Red clover, White clover and Trefoil	\$15.00 per variety per grower	\$1.75/acre	\$30.00	\$40.00 ea. field	\$0.50/cwt. 5/	\$0.19/cwt.
Bean	\$15.00 per variety per grower	\$1.75/acre 3/ (one inspection) \$3.50/acre 4/ (two inspections)	\$30.00	\$40.00 ea. field	\$0.50/cwt.	\$0.19/cwt.
Corn	\$15.00 for each separate combination/or isolation	\$25.00 first acre \$10.00 ea. additional acre except hybrid corn \$3.50 ea. additional acre	—	—	—	—
Sudangrass	\$15.00 per field	\$1.75/acre	\$30.00 per field	—	\$0.40/cwt.	—
Rapeseed	\$15.00 per variety per grower	\$1.75/acre (one inspection)	\$15.00 per grower	\$20.00 ea. field	\$0.50/cwt.	—

- 1/ Refer to WAC 16-302-050 for seed certification application due dates.
- 2/ Refundable if acreage is withdrawn before inspection. Except for bean seed, required of seedling fields to be harvested for certification the year of planting. Notification of seeding field to be harvested for certification and required fees are due July 31.
- 3/ One inspection is required for Great Northern Red Mexican, pinto, pink, and small white bean.
- 4/ Includes windrow inspection which is required for certification of snap beans, kidney beans, and eligibility for shipment into Idaho.
- 5/ Sampling and production fees are billed at completion of tests. If none of the seed is tagged, ten cents of the fifty cents per cwt. production fee is refundable.

NEW SECTION

WAC 16-303-330 Certification fees for grass seed.

Certification fees for grass seed except Sudangrass are as follows:

(1) Application fees:

(a) Seedling application fee:

Per variety, per field \$15.00

(b) Late seedling penalty fee: (Per kind) \$30.00

(c) Seedling producing application fee:

Per field, per grower \$15.00

Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees shall be due July 31:

(2) Renewal applications:

(a) Renewal application fee:

Per variety, per grower \$15.00

(b) Late renewal penalty fee: (Per variety) \$30.00

This additional fee shall be charged for renewal applications received after May 1.

(c) Inspection fee per field. \$30.00

(3) Annual grasses inspection fee per acre \$ 1.75

Applications are due within sixty days after planting.

(4) Reinspection: Other than isolation—each field \$40.00

(5) Inspection and final certification fees: Inspection and final certification fees are based on pounds sampled and billed upon completion of required tests (Option A). Those dealers requesting sampling and tagging privileges and/or participation in Option B must sign a memorandum of agreement that shall expire on June 30 of each year. The memorandum may be terminated by the director if the conditioner violates certification standards or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees are:

(i) Final certification fee \$ 0.80 per one hundred pounds. (If no seed is tagged, twenty cents of the final certification fee is refundable upon request.)

(ii) Seed shipped out-of-state for conditioning per one hundred pounds (unclean weight). \$ 0.30

(iii) Service fee for out-of-state origin (per cwt.) \$ 0.30

(iv) Blend fee is as established by blend rule, and in addition to above fees. However, blend fee is not applicable to salvage blends.

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(v) Payment of fees is the responsibility of the person signing the application. However, conditioner may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fee is:

(i) Final certification fee \$ 1.10 per one hundred pounds. (Minimum fee per tagging) \$10.00

(ii) Service fee for out-of-state origin \$ 0.65 per one hundred pounds.

(iii) Blend fee (in addition to fee established by blend rule) is payable upon completion of blend on total weight of blend, and is as follows:

(A) Washington origin certified seed used in blend \$ 1.00 per one hundred pounds.

(B) Out-of-state origin certified seed used in blend \$ 0.60 per one hundred pounds except that those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(C) A refund or credit is issued for the percent of the blend lot not tagged. (For example, if forty percent of the blend is not tagged, forty percent of the fees charged under Option B above are refundable.)

(6) Payment of fees is the responsibility of the conditioner. A conditioner choosing this program must handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or nonrenewal of Option B memorandum of agreement, conditioner is responsible for Option A fees on all certified seed not tagged at termination date.

(7) Fees for services such as O.E.C.D. and sod quality, etc., are in addition to the fees listed in these standards.

(8) Fees for reissue of tags are ten cents per tag with a minimum fee of ten dollars.

(9) The seed processor is responsible for seed certification fees including sampling, testing, production and final certification fees, and may request the responsibility for additional fees.

(a) Application fee per variety per grower \$18.87

(b) Field inspection fee per acre except millet and hybrid sorghum \$ 2.63

(c) Millet - first acre \$28.06
..... - each additional acre \$ 5.61

(d) Hybrid sorghum - first acre \$28.06
..... - each additional acre \$11.22

(e) Special field inspection fee per acre \$ 2.24

(f) Late application fee \$17.68

(g) Reinspection fee \$35.39
minimum for each field which did not pass field inspection plus \$ 0.40 for each acre over twenty-five. The reinspection fee for isolation requirements only for a field of any size is \$35.39.

(h) Final certification fee \$0.225
per cwt. of clean seed sampled, which is charged to conditioning plant, or production fee \$0.105

per cwt. of production from fields inspected which is utilized for seed, which is charged to the grower or the final seller prior to brokerage, retail sale, sale to plant not approved for conditioning certified seed, or transshipment out-of-state.

(i) Sampling fee \$0.105
per cwt. of clean seed sampled, with minimum charge of ten dollars per sample, which is charged to conditioning plant in lieu of mechanical sampling.

(2) A field may be withdrawn upon notification by the applicant to the certifying agency's office before field inspection. In such case, the field inspection fee is refunded upon request until June 30 of the year following harvest.

(3) Harvest before field inspection causes forfeitures of both the application and field inspection fees, and completion of certification.

NEW SECTION

WAC 16-303-340 Seed certification fees for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains. (1) Seed certification fees for buckwheat, chickpea, field pea, lentil, millet, soybean, sorghum and small grains are as follows:

WSR 01-01-016
PERMANENT RULES
GAMBLING COMMISSION
[Order 396—Filed December 6, 2000, 3:47 p.m.]

Date of Adoption: December 6, 2000.

Purpose: To correct typographical errors and clarify language without changing its effect.

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Citation of Existing Rules Affected by this Order: Amending WAC 230-02-130, 230-04-040, 230-04-022, 230-04-135, 230-04-170, 230-04-220, 230-08-027, 230-08-200, 230-12-300, 230-20-065, 230-20-192, 230-20-240, 230-20-400, 230-30-025, 230-30-103, and 230-50-800.

Statutory Authority for Adoption: RCW 9.46.070 and 34.05.230.

Adopted under notice filed as WSR 00-20-083 on October 3, 2000, with a publication of October 18, 2000.

Changes Other than Editing from Proposed to Adopted Version: WAC 230-04-202 was filed with the CR-102XA; however, it will not be adopted with this rules package. It will be going forward at a later date with a different rules package.

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 16, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 16, 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 16, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.
 December 6, 2000
 Susan Arland
 Rules Coordinator

AMENDATORY SECTION (Amending Order 161, filed 9/15/86, effective 1/1/87)

WAC 230-02-130 Net gambling income defined. "Net gambling income" means net gambling receipts, less all other expenses related to the operation of a licensed activity ~~((~~actually~~ and))~~ paid out during the same period of time: Provided, That expenses must be reported on the ~~((~~accrual~~ ~~accrual~~))~~ accrual basis if the records are normally maintained on that basis.

AMENDATORY SECTION (Amending WSR 96-07-075, filed 3/19/96, effective 7/1/96)

WAC 230-04-040 Certification procedure—Charitable and nonprofit organizations—Additional information required. Any organization not currently licensed to conduct gambling activities and requesting to be certified to conduct gambling activities in Group III, IV, or V, or planning to pay premises rent exceeding two thousand dollars per month, including all terms, shall submit a pro forma plan of operations, including a market study. The plan shall be detailed enough to allow commission staff the ability to assess the profitability of the planned gambling activity and potential

for compliance with WAC ~~((230-20-064))~~ 230-20-059 and 230-30-052~~((2))~~. The plan shall include at least the following information, if applicable:

- (1) Research procedures and planning assumptions used;
- (2) Planned number of customers or attendance;
- (3) Days and hours of operations;
- (4) If planned activities include bingo, the following must be provided:
 - (a) Anticipated market area and map of competing organizations that operate similar gambling activities, along with their days of operation;
 - (b) Number of bingo sessions;
 - (c) Bingo card prices and estimated sales per player;
 - (d) Bingo prize payouts and game schedules;
 - (5) Estimated gross gambling receipts from each activity;
 - (6) Estimated expenses and net income;
 - (7) Details of income generating activities planned in conjunction with the gambling activity, such as snack bar operations or other retail sales and the anticipated net income from such activities; and
 - (8) Other information requested by commission staff.

AMENDATORY SECTION (Amending Order 383, filed 4/14/00, effective 5/15/00)

WAC 230-04-022 Certification procedure—Information required from all applicants. In addition to other information required by the commission, each applicant shall provide the following information on or attached to the application:

Articles of incorporation and bylaws.

(1) Copy of corporate applicants' articles of incorporation and bylaws; or, if not a corporation, a copy of any bylaws and other documents which set out the organizational structure and purposes of the organization;

IRS tax exemption letter.

(2) A copy of a nonprofit or charitable applicant's Internal Revenue Service tax exemption letter if one has been obtained;

Lease or rental agreements.

(3) Details and copies of all lease or rental arrangements, whether oral or written, between the applicant and the owner of premises upon which the gambling activity will be conducted, if such premises are leased or rented;

Franchise agreements.

(4) Details and copies of any and all franchise agreements or other agreements, whether written or oral, if any, between the applicant and distributors or manufacturers of equipment or between the applicant and any other person where those agreements relate to gambling activities or gambling equipment;

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Management agreements.

(5) Details and copies of all proposed management agreements or contracts between the applicant and any gambling service supplier involved in providing services defined in WAC 230-02-205. All such agreements or contracts shall be reviewed by commission staff prior to the effective dates of the agreements to assure compliance with this title. No financing or management services shall be provided prior to commission approval of the contracts;

Paid employees or agents.

(6) The name, address, date of birth, and Social Security number of each paid employee or agent who will work in the activity for which the license is sought and a schedule of the proposed number of employees, job descriptions, and a proposed pay schedule;

Substantial interest holders.

(7) ~~((For each person listed below, a completed copy of the commission's form entitled "Personal information form":~~

~~(a) Each person who has a substantial interest in the applicant;~~

~~(b) Each person who is the chief executive officer, the chairman of a board, and the financial records officer of a corporation and/or bona fide nonprofit charitable organization;~~

~~(c) Each person who will serve in a supervisory capacity over those persons in the direct management or direct operation of the activity for which the license is sought))~~ Sufficient personal information to ensure each substantial interest holder as defined by WAC 230-02-300 is qualified to hold a license or participate in a licensed or authorized gambling activity;

Report changes to application.

(8) If any information required on the application, changes or becomes inaccurate in any way, the commission shall be notified prior to issuance of a license. Failure to notify the commission of any changes affecting an application may constitute grounds for suspension or revocation of all licenses.

Exceptions for cities and towns.

(9) ~~((Sections))~~ Subsections (1), (2), and (7) of this section shall not apply to applications by or on behalf of an incorporated city or town in the state of Washington.

AMENDATORY SECTION (Amending Order 244, filed 9/15/93, effective 10/16/93)

WAC 230-04-135 Commercial amusement games—License required. Prior to operating, renting, leasing, or otherwise sharing in the proceeds of amusement games operated at any location, commercial amusement game operators shall first obtain a license from the commission. The following requirements apply to commercial amusement game operators:

(1) Class A commercial amusement game licensees may allow a Class B and above licensee to operate amusement games at their business premises.

(2) Class B and above commercial amusement game licensees may locate and operate amusement game at any location authorized by WAC 230-04-138 or rent, lease, or sell amusement devices or amusement game equipment on a time basis to any licensed amusement game operator.

(3) In addition to the requirements for certification as set out in WAC 230-04-020 and all other sections of this title, applicants must provide the following additional information for each operating locations:

(a) All locations:

(i) A list of all locations and time and dates at which the activity will be operated;

(ii) When operated at a location not owned, rented, or leased by the applicant, written permission from the person, organization, county, city or town, or an authorized agent thereof, to locate and operate amusement games at that location;

~~(iii) ((A personal information form))~~ Sufficient information to determine the identity and personal qualifications for all "adult supervisors," as required by WAC 230-20-680(2);

(iv) A copy of any rental/lease agreement which allows operation of commercial amusement games at any location not owned or otherwise controlled by a licensee. The document must disclose full details of the rental/lease agreement, including any revenue sharing provisions, all costs to be shared, and any restrictions regarding the number of amusement games to be operated; and

(v) Copies of any contract related to rental, lease, or purchase agreement of amusement game equipment.

(b) Permanent locations. In addition to the information required by (a) of this subsection, all applicants requesting to operate amusement games at locations authorized by WAC 230-04-138 (1)(f), (g), (h), (i), (j), (k), or (l) must provide details necessary to determine qualification of the location for operation of the activity and include the following minimum details:

(i) Amusement parks, as authorized by WAC 230-04-138 (1)(f): The number of mechanical or aquatic rides, theatrical productions, motion pictures, and slide show presentations available for the public;

(ii) Regional shopping center, as authorized by WAC 230-04-138 (1)(g): The size of the shopping center, in gross square feet not including parking areas;

(iii) Taverns and restaurant with cocktail lounges, as authorized by WAC 230-04-138 (1)(h): Washington state liquor control board license number and expiration date, and a statement of whether minors are prohibited from all portions of the premises;

(iv) Movie theaters, bowling alleys, miniature golf course facilities, skating facilities, and amusement centers, as authorized by WAC 230-04-138 (1)(i): A complete description of the business activities conducted; and if an amusement center, the number of amusement devices and income derived from such devices and all other business activities conducted by the licensee during the last twelve months;

(v) Family entertainment restaurants, as authorized by WAC 230-04-138 (1)(j): The number of amusement devices,

theatrical productions, mechanical rides, motion pictures, and slide show presentation available for customers on a daily basis; and the amount of gross income generated from the entire business and that portion of gross income generated from food service for on-premises consumption; and

(vi) Grocery stores as authorized by WAC 230-04-138 (1)(k): The type of retail products sold and size of the store premises, in gross square feet not including parking areas.

(c) Limited duration locations. In addition to the information required by (a) of this subsection, all applicants requesting to operate commercial amusement games must receive written permission from the sponsor of any activity authorized by WAC 230-04-138 (1)(a), (d), or (e) and submit an itinerary that includes planned operating dates for all locations at which the applicant plans operations during the year. This itinerary must be updated any time the dates of operation change.

AMENDATORY SECTION (Amending Order 85, filed 5/25/78)

WAC 230-04-170 Applicants—Qualifications. (~~Where a married person is an applicant for, or holder of a license, the spouse of such applicant, if the parties are maintaining a marital community, shall be required to have the same qualifications as the applicant.~~)

~~This rule shall not apply with respect to licenses required for employees of an operator licensed to conduct activities authorized by RCW 9.46.030.) When a married person maintains a marital community and applies for, or holds, a license to operate gambling activities, their spouse must also meet the qualifications to hold a gambling license. This includes, but is not limited to, owners of commercial gambling establishments and officers of charitable/nonprofit organizations. However, the spouse of an employee that works for a gambling operation is not required to meet the licensing qualifications.~~

AMENDATORY SECTION (Amending Order 304, filed 11/21/96, effective 1/1/97)

WAC 230-04-220 Prorating and refunding of fees. (1) Unless otherwise provided by law, there will be no prorating or refunding of any license fee subsequent to issuance of a license or permit for the following actions:

- (a) Discontinuation of business;
- (b) Voluntary surrender of a license or permit; and
- (c) When a license or permit has been suspended, revoked, or otherwise canceled.

(2) Upon denial, voluntary withdrawal or administrative closure of an application for license, adoption or change of trade name, or change of location, the commission shall retain that portion of the fee tendered therewith as is necessary to offset its costs of processing and investigating the application: Provided, That the commission shall retain the entire fee when an individual license applicant performs any or all portions of the duties for which a permanent license is sought.

AMENDATORY SECTION (Amending Order 383, filed 4/14/00, effective 5/15/00)

WAC 230-08-027 House-banked card games—General accounting records to be maintained. Every licensee authorized to offer house-banked card games shall keep and maintain a complete set of records, which have been approved by commission staff. Such records shall include all details of activities related to the conduct of the licensed activity. The following requirements shall apply:

Revenue and expenses.

(1) Each licensee shall maintain legible, accurate and complete records of all transactions relating to the revenues and costs of the gaming operation. These records shall be maintained in a format to ensure consistency, comparability, and effective disclosure of financial information.

General accounting records.

(2) General accounting records shall be maintained on a double entry system of accounting with transactions recorded on an accrual basis, to include detailed, supporting, subsidiary records, sufficient to meet the requirements below.

Recordkeeping.

(3) The detailed, supporting and subsidiary records shall include, but not necessarily be limited to:

(a) Records of all patrons' checks initially accepted, deposited, and returned as "uncollected," and ultimately written off as "uncollectible";

(b) Statistical game records to reflect drop and win amounts for each table, for each game, and for at least each period for which the drop boxes are removed, which shall be at the minimum, the end of each gaming day;

(c) Records of investments in property, including, but not limited to, equipment used directly in connection with the gaming operation;

(d) Records of amounts payable by the gaming operation;

(e) Records which identify the purchase, receipt, and destruction of all cards and gaming chips used in wagering; and

(f) Records of services provided for the operation of gaming activity.

Copies.

(4) Whenever duplicate or triplicate copies are required of a form, record or document:

(a) The original, duplicate, and triplicate copies shall be color-coded;

(b) If under these standards, forms, records, and documents are required to be inserted in a locked dispenser, the last copy shall remain in a continuous unbroken form in the dispenser; and

(c) If under these standards, forms or serial numbers of forms are required to be accounted for or copies of forms are required to be compared for agreement and exceptions noted, such exceptions shall be reported immediately to the commission for investigation.

Storing documents.

(5) All forms, records, documents and stored data required to be prepared, maintained and controlled shall:

(a) Have the title of the form, record, document, or stored data such as "fill slip," "request for fill," "credit slip," "request for credit," "reconciliation," etc., imprinted or pre-printed thereon or therein; and

(b) Be located at the licensed premises for three years: Provided, That the director or the director's designee may waive parts of this section if requested by the licensee.

Employee records.

(6) Licensees shall maintain a records system that ensures all applicable employees have met licensing requirements. The system shall include employee names, license numbers and expiration dates. In addition, photocopies of all current employees' licenses must be maintained on the premises. If an employee license has not yet been issued, the licensee shall maintain a copy of the temporary employment authorization, documentation that the required payment has been made, and whether the employee has adhered to the ~~((twenty-day))~~ ten-day waiting period, if applicable. The licensee shall ensure the commission is notified if an employee license has not been received within sixty days of employment.

AMENDATORY SECTION (Amending Order 53, filed 5/25/76)

WAC 230-08-200 All records subject to commission audit. ~~((Any and all records of any person operating any activity authorized by RCW 9.46.030, or any licensed distributor or manufacturer of gambling devices, paraphernalia or equipment, or any commission permittee, its employees, any of its members that directly participate in the management, operation or promotion of an authorized activity, including but not limited to, those which are required to be kept or which relate in any manner to the conduct of any activity licensed by the commission, or of a rule of the commission, shall be subject to an audit by the commission and any of its authorized representatives, without notice. Provided, That unless otherwise provided elsewhere in these rules, such an audit must be begun between the hours of 8:00 a.m. and 5:00 p.m. on a weekday other than a holiday, or during the hours in which the activity is being actually operated, and performed upon the premises of the licensee where the records are located.~~

~~In the event of an audit by the commission, or any of its authorized representatives, the operator, distributor, manufacturer or permittee, shall immediately provide all such records, provide a place where such audit may be performed and render such reasonable assistance to the commission and its representatives in inspecting such records as may be requested.))~~ (1) Any person involved in a gambling activity is subject to a commission audit. This includes any:

(a) Person, entity or organization licensed by the gambling commission;

(b) Person operating an unlicensed gambling activity authorized by RCW 9.46.0321;

(c) Commission permittee; and

(d) Employee or member that directly participates in the management, operation or promotion of an authorized gambling activity.

(2) Any and all gambling records are subject to an audit by the commission and any of its authorized representatives without notice. This includes, but is not limited to, records which are required to be kept or relate in any manner to the conduct of a gambling activity.

(3) Unless otherwise provided for elsewhere in these rules, a commission audit must begin at the premises of the licensee where the records are located. The audit must begin:

(a) Between the hours of 8:00 a.m. and 5:00 p.m. on a weekday, other than a holiday; or

(b) During the hours in which the gambling activity is actually being operated.

(4) In the event of an audit by the commission or any of its authorized representatives, the person or business under audit shall immediately provide:

(a) All requested records;

(b) A safe place with adequate space where such audit may be performed; and

(c) Reasonable assistance to the commission and its representatives in inspecting such records as may be requested.

AMENDATORY SECTION (Amending WSR 97-24-031, filed 11/25/97, effective 1/1/98)

WAC 230-12-300 Resident agent to be appointed by ~~((foreign manufacturers, distributors, gambling services suppliers, and commercial amusement game operators))~~ out-of-state licensees. (1) All ~~((manufacturers, distributors, gambling services suppliers, or class B or above commercial amusement game operators engaged in the following activities within this state, or for use in this state;))~~ licensees that do not own or otherwise maintain a business office or licensed premises within ~~((this))~~ Washington state shall appoint a resident agent for the purpose of receipt and acceptance of service of process and other communications on their behalf from the commission(~~(:~~

~~(a) Manufacturing, selling or distributing gambling supplies or equipment; and~~

~~(b) Selling or providing gambling related services; and~~

~~(c) Renting or leasing of commercial amusement games and equipment)).~~

(2) The resident agent shall be a natural person who is a resident and living in the state of Washington and who is eighteen years of age or older.

(3) The name and business address where service of process and delivery of mail can be made, and home address of such designated resident agent shall be filed with the commission ~~((and with any other state agency required by law)).~~

AMENDATORY SECTION (Amending Order 113, filed 10/15/81)

WAC 230-20-065 Licensed bingo manager required on premises. ~~((No bona fide charitable or nonprofit organization, except when operating at an authorized agricultural fair,~~

~~or other special event as authorized by the commission, or under RCW 9.46.030(3), as now enacted or hereafter amended, or under a Class A or Class B or Class C license, shall operate a bingo game unless it is under the supervision of a licensed bingo manager who is on the premises at which the bingo game is licensed for operation during all hours of its operation.)~~ All licensed bingo games must be operated under the supervision of a licensed bingo manager. The bingo manager must be on the premises at which the bingo game is licensed for operation, during all hours bingo games are conducted; however, a bingo manager is not required for bingo games operated:

- (1) At an authorized agricultural fair;
- (2) At a special event authorized by the commission;
- (3) Under RCW 9.46.0321; or
- (4) Under a Class A, B, or C bingo license.

AMENDATORY SECTION (Amending Order 378, filed 12/1/99, effective 1/1/00)

WAC 230-20-192 Standards for disposable bingo cards—Requirements and definitions. Disposable bingo cards sold for use in the state of Washington shall be manufactured and controlled using processes and procedures that ensure integrity of the activity and facilitates regulation by the commission.

Requirements for manufacturers of disposable bingo cards.

(1) Manufacturers shall establish quality control procedures necessary to ensure manufacturing processes, including collating of cards into packs or packets, meet the requirements of this section. Quality control procedures shall be documented and provided to commission staff upon request.

Definitions.

(2) For purposes of this title, the following definitions apply:

(a) "Card" or "face" means a unique group and configuration of numbers or symbols imprinted on paper, cardboard, or other materials, and designed to be used to conduct bingo games;

(b) "Card number" means the number assigned by the manufacturer to identify a single card or face. A "card number" may also be referred to as a "face" or "perm" number;

(c) "Collate" means the process of cutting and/or assembling master sheets or precut sheets of cards from one or more sets of cards into packets or books for marketing purposes. "Collate" may also be referred to as "finish" or "finishing";

(d) "Collation" means a group of packets or books of cards assembled from more than one set of cards;

(e) "Consecutively numbered" means a numbering system normally beginning with the number one, increased by one for each individual unit added to the group, and ending with a number identical to the total number of units assigned to that group;

(f) "Cut" means the layout or orientation of cards or sheets of cards subdivided from a master sheet of cards or faces. A "cut" will be either square, horizontal, or vertical;

(g) "Disposable bingo card" means a nonreusable paper bingo card manufactured by a licensed manufacturer;

(h) "Duplicate cards" means two or more cards that are imprinted with the same numbers or symbols, regardless of the configuration or location of such numbers or symbols on the card;

(i) "On" means the number of cards or faces imprinted on a sheet or "cut." The term is normally preceded by the number of cards;

(j) "Pack" or "packet" means a group of cards or sheets of cards collated into a book when each page or sheet in the book is intended for use to play a separate bingo game, including "on-the-way" games, within a session;

(k) "Product line" means a specific type of card, identifiable by features or characteristics that are unique when compared to other types of cards marketed by the manufacturer. A "product line" includes all series and all cards within each series as identified by the manufacturer;

(l) "Serial number" means a number assigned to a set of cards by a manufacturer for identification and tracking purposes when the same number is not used to identify another set of cards from the same product line, color, border pattern, and series in less than 999,999 occurrences or twelve months, whichever occurs first: Provided, That if the product line is used as a determining factor for assignment of a serial number, the difference between various product lines must be readily identifiable by observation;

(m) "Series" of cards means a specific group of cards or faces that have been assigned consecutive card or face numbers by a manufacturer. Series are typically identified by the first and last card number in the group of cards, such as "1 to 9000 series";

(n) "Set" of cards means a specific group of cards from the same product line, which are the same color, border pattern, and imprinted with the same serial number. A "set" of cards may include more than one series of cards or faces;

(o) "Sheet number" means the number assigned by the manufacturer to identify an arrangement of more than one card that results from dividing master sheets of cards to facilitate marketing;

(p) "Skip" means the standard spread or difference between card or sheet numbers at different page levels in packs or packets;

(q) "Subset" means a portion of a set of cards or collation of packets that has been divided by a licensed distributor to facilitate marketing; and

(r) "Up" means the number of pages or sheets collated into each packet or book of cards. The term is normally preceded by the number of pages or sheets.

Duplicate disposable bingo cards.

(3) Each card or face in a particular type or product line must be imprinted with a unique set of numbers or symbols and configuration of numbers or symbols. Duplicate cards within a specific product line are prohibited. Manufacturers of disposable bingo cards are responsible for ensuring that

there are no duplicate cards in a set or collation of cards sold to distributors or operators: Provided, That duplicate cards can be collated into packets if they are located at different page levels in the packets and intended only for use during separate games, including "on-the-way" games, within a session. If a manufacturer discovers a duplicate card error or is notified of such by the commission staff or a licensee, it shall immediately comply with the following steps:

(a) Stop marketing the product line containing duplicate cards in Washington;

(b) Recall all sets of cards and/or collations of packets or books containing duplicate cards at the same page level;

(c) Take steps to correct manufacturing or collating processes necessary to ensure duplicate cards are not sold to operators, and inform the commission in writing regarding steps taken;

(d) Reimburse all operators who submit a claim for prizes paid as a result of selling sets or collations containing duplicate cards when such claim has been validated by commission staff; and

(e) Reimburse the commission for all cost incurred investigating duplicate card complaints that result in findings that the error was caused by manufacturers.

Collating disposable bingo cards.

(4) Packets of cards must be collated so that each page of the packet:

(a) Is from a different set of cards;

(b) Has skips that are consistent throughout the entire collation and contains cards that are different when compared to other cards or faces in the pack or packet; and

(c) Has a different color or border pattern.

Audit system to identify each set of disposable bingo cards.

(5) Each set must include an audit system that allows identification of that specific set and each specific card within that set, allows tracking of the transfer of cards from the point of manufacture to operators, and facilitates sale by the operator to the player: Provided, That audit systems that accomplish regulatory requirements using alternative controls may be approved by the commission staff. The audit system shall meet the following requirements:

(a) Each set of cards manufactured as a specific product line, using the same color and border pattern, will be assigned a unique serial number by the manufacturer. The serial number must be imprinted on each card or face;

(b) Each card or face must be identified by a card number imprinted on the face of the card: Provided, That cards used in "player selection" games, authorized by WAC 230-20-241 and "keno bingo" games, authorized by WAC 230-20-247, are exempted from this requirement; and

(c) Each sheet of cards within a set must be consecutively numbered: Provided, That sheets of cards do not have to be numbered if alternative audit controls are available and disclosed to the operator.

Sale of disposable bingo cards.

(6) Each set of cards or collation of packets of cards shall be sold intact as a single unit: Provided, That for ease of marketing to Class E and below operators and to operators of authorized unlicensed activities, distributors may divide sets or collations as authorized below:

(a) Cartons or packages assembled by manufacturers can not be opened prior to sale to an operator, except that distributors may open cartons or packages as authorized below:

(i) At an operator's request to change the "on," "up," and "cut." When such modification is made, the distributor shall be responsible for resealing the carton and noting all changes on the packing label;

(ii) To provide cards to Class A or B bingo games and for unlicensed activities authorized by RCW 9.46.0321 or ~~(9.46.0355)~~ 9.46.0356;

(iii) To provide cards to individuals for recreational activities; and

(iv) To provide cards to businesses for use in promotional contests of chance as authorized by RCW ~~(9.46.0355)~~ 9.46.0356.

(b) Subsets must contain at least one carton or package: Provided, That cartons or packages may be broken and cards sold in smaller quantities under conditions described in subsection (6)(a)(i) and (ii) of this section; and

(c) Subsets of cards used for "hidden face" bingo games must contain at least one thousand cards or sheets of cards.

"Hidden face" disposable bingo cards.

(7) In addition to the requirements of subsections (1) through (6) of this section, cards sold to operators for use in the operation of "hidden face" bingo games, authorized by WAC 230-20-243, must meet the following requirements:

(a) Each card or sheet of cards must be printed, folded, and sealed in a manner that prohibits determination of numbers or symbols, configurations of such on the card, or the card number prior to opening by the player;

(b) Each card or sheet of cards must have a separate numbering system that is randomly distributed when compared to the card number imprinted in the "free" space. Manufacturers must utilize procedures that mix cards or sheets of cards in a manner that ensures no consistent relationship exists between the "card numbers" and separate numbering system within a set or subset and that there are no patterns or consistent relationships of the location of a specific card number between subsets from different sets;

(c) The serial number and the additional card or sheet number, required by (b) of this subsection, must be imprinted on the outside of the cards or sheets of cards and visible for recording without opening the card or sheet of cards; and

(d) Each set of cards must contain at least six thousand unique faces or patterns of numbers or symbols.

"Player selection" disposable bingo cards.

(8) In addition to the requirements of subsections (1) through (6) of this section, cards sold to operators for use in "player selection" bingo games, authorized by WAC 230-20-241, must be printed on two-part, self-duplicating paper that provides an original and duplicate copy.

Packing slip requirements.

(9) A packing record must be completed for each set of cards or collation of packets and either enclosed inside or in an envelope attached to the carton or package. If the marketing unit contains more than one carton or package, the packing record must be located on carton or package number one. The packing record must include at least the following:

- (a) Name of manufacturer;
- (b) Description of product, including the "series," "on," "cut," and "up";
- (c) Records entry labels that match the identification and inspection services stamp attached to the packing label on the outside of the carton or package;
- (d) Serial number or, if packets, serial number of the top page;
- (e) Color and border pattern or, if packets, colors and border patterns of all sets and the sequence they are collated in the packet; and
- (f) A record of any missing cards, sheets of cards, or packets.

Labeling requirements.

(10) Each separate packing or marketing unit containing a set of cards or collation of packets of cards must be identified in a manner that allows determination of the contents without opening the package. If the marketing unit contains more than one case or carton, each unit shall be labeled and numbered. Minimum information to be disclosed on each carton or package:

- (a) The identification and inspection services stamp number;
- (b) Serial number or, if packets, serial number of the top page;
- (c) Color and border pattern or, if packets, color and border pattern of the top page; and
- (d) Number of the carton and the total number of cartons included in the marketing unit.

Quality control.

(11) Sets of cards, collations of packets, or any other marketing units established by a manufacturer shall be complete and contain the correct number of cards or packets and the specific cards or packets noted on the packing slip: Provided, That up to one percent of the cards in the set may be missing if all missing cards, sheets, or packets are documented on the packing record enclosed in carton or package number one of the marketing unit.

Winning card verification system.

(12) To provide the commission and operators the ability to verify the authenticity of winning cards, each manufacturer shall prepare and make available a master verification system for each type or product line of cards it manufactures. This master verification system shall provide a facsimile of each card within a set of cards by the card number. The master verification system shall display the exact numbers or symbols and the location or configuration of numbers or symbols on the card.

AMENDATORY SECTION (Amending WSR 97-19-079, filed 9/16/97, effective 1/1/98)

WAC 230-20-240 Bingo equipment to be used. ((The conduct of)) Bingo games must ((include)) be conducted using the following ((required)) items:

Mixing devices for bingo balls.

(1) A mechanical device that uses air flow for mixing and randomly withdrawing balls to determine the letters and numbers or symbols to be called must be utilized by all Class D and above operators. This device shall be constructed in the following manner:

- (a) It will allow participants full view of the mixing action of the balls; and
- (b) The operation cannot be interrupted to change the random placement of the balls at the exit receptacle of the device, except when the device is shut off as allowed by WAC 230-20-246(4).

Bingo balls.

(2) A set of seventy-five balls bearing the numbers one through seventy-five and the letters B, I, N, G, or O. Provided, That the letters B, I, N, G, O need not appear if the balls are used for speed or hidden face bingo games. The following additional requirements regarding bingo balls must be met:

- (a) The entire set of balls shall be available for inspection by the players before a bingo session begins to determine that all are present and in operating condition;
- (b) Each numbered ball shall be the same weight as each of the other balls and free from any defects; and
- (c) Each set of balls in play must be distinguishable from all other sets of balls in play(4).

Flashboards.

(3) Flashboards shall be utilized to display numbers called at all Class D and above bingo games. They must be visible to all players and clearly indicate all numbers that have been called: Provided, That malfunctions occurring during a bingo occasion need not be repaired during that occasion, but must be repaired before use on any other occasion(4).

Bingo cards.

(4) Bingo cards must be preprinted, manufactured cards that meet the following standards:

- (a) Have twenty-five spaces, one of which may be a free space, arranged in five even columns headed with the letters B, I, N, G, and O, and except for the free space, imprinted with numbers and symbols: Provided, That bingo cards used for conducting player selection games are exempt from the requirements of this subsection if the requirements of WAC 230-20-241 are followed: Provided further, That bingo cards used for conducting keno bingo games are exempt from the requirements of this subsection if the requirements of WAC 230-20-247 are followed;
- (b) Be manufactured by a licensed manufacturer: Provided, That electronically generated bingo cards authorized

by WAC 230-20-106 may be produced by the operator using a printer interfaced with an electronic data base system: Provided further, That cards used in player selection games and keno bingo games may be manufactured by unlicensed manufacturers if:

- (i) The primary activity of such manufacturer is producing nongambling products;
- (ii) Cards must meet the requirements of WAC 230-20-192 and 230-20-241 or 230-20-247. The licensee that initially purchases such cards from the unlicensed manufacturer shall assume responsibility for compliance with all commission requirements;
- (iii) In addition to the requirements set out in WAC 230-08-024 and 230-08-040, the invoice transferring these cards must include the beginning card number. If an operator purchases such cards directly from an unlicensed manufacturer, the operator shall assume responsibility for compliance with this requirement.
- (c) All disposable bingo cards must meet the requirements of WAC 230-20-192;
- (d) No licensed operator shall have disposable bingo cards with the same serial number, color/border pattern, and card number on the premises. This includes player selection and keno bingo cards; and
- (e) Electronically generated cards and supporting equipment must meet the requirements of WAC 230-20-106(4).

Bingo cards for Class F and above licensees.

(5) ~~(Effective January 1, 1997,)~~ All Class F and above bingo licensees shall conduct bingo games using disposable bingo cards or electronically generated cards. All income must be receipted for by using the audit system required by WAC 230-20-192 in conjunction with appropriate receipting system required by WAC 230-20-106, 230-20-107, or 230-20-108(4).

Duplicate bingo cards.

(6) Duplicate cards, as defined in WAC 230-20-192, are prohibited in the operation of bingo games conducted by Class D or above licensees. Operators are advised that conducting games using cards manufactured by different manufacturers may result in duplicate cards being placed in play and that the majority of cards in the "1 to 9000 series" are duplicate, regardless of the manufacturer. Duplicate card violations that result from use of cards from different manufacturers shall be the responsibility of the operator: Provided, That this section shall not apply to braille cards, authorized by WAC 230-20-246(4), if the operator takes steps to prevent duplicate cards and informs players regarding limitations to prizes when winners have duplicate cards because braille cards are being played(4).

Pay-out and documentation of duplicate bingo cards.

- (7) If duplicate cards are inadvertently sold at bingo games conducted by Class D or above licensees, the following procedures and restrictions apply:
 - (a) If all winners with duplicate cards are paid the entire prize amount that would be due if there were no duplicate

cards, the licensee shall not be deemed to be in violation of this section;

(b) The amount of the prize for games with winners having duplicate cards shall be computed and paid using the following guidelines:

- (i) Games that provide a bonus for a single winner - If all winners have duplicate cards then all winners shall be paid the bonus;
- (ii) Games that result in multiple winners, some of which are players with duplicate cards - The split of the prize pool will be computed by counting all duplicate card winners as one. After the prize pool split is computed using this method, all winners will be paid according to the computed prize split;
- (iii) If the prize pool contains noncash or merchandise prizes, the amount added to the prize pool for computing the split shall be the licensee's cost or retail value, whichever is posted in the game schedule: Provided, That ~~((manufactures {manufacturers}))~~ manufacturers shall not be responsible for increases to the prize pool required by this subsection; and
- (iv) If the prize is greater than one thousand dollars, the operator shall not be required to increase the total prize pool by more than fifty percent or five thousand dollars, whichever is less: Provided, That this limitation shall only be authorized once within a twelve-month period. If this limitation has been used within the last twelve months, the full prize amount shall be paid to all holders of duplicate cards;

(c) Increases to prize pools as a result of duplicate card errors, for which the manufacturer is responsible, may be deducted from prize payouts for computing compliance with WAC ~~((230-20-064))~~ 230-20-062;

(d) Details of circumstances that resulted in duplicate cards being sold shall be documented and maintained as a part of the daily bingo record for the session;

(e) The commission shall be notified within forty-eight hours after discovery of a duplicate card error if:

- (i) Caused by manufacturer printing, packaging, or collation errors; or
- (ii) Any player winning with a duplicate card was not paid the entire prize amount;
- (f) Licensees shall pursue reimbursement of all prizes paid due to errors from the manufacturer responsible for such errors.

AMENDATORY SECTION (Amending Order 250, filed 3/16/94, effective 4/16/94)

WAC 230-20-400 Certain lower volume licensees exempted from certain rules. Persons holding the licenses issued under the classes and circumstances set forth in WAC 230-04-065 or persons operating without a license under RCW 9.46.0315 and 9.46.0321 need not comply with the following rules of the commission, except as noted:

- (1) WAC 230-04-280 requiring notification to local law enforcement of their activity, but nonlicensees must comply with RCW 9.46.0315 and 9.46.0321.
- (2) WAC 230-08-080 requiring certain daily records: Provided, That all such persons in the alternative, must comply with WAC 230-08-015 (1), (2), and (3).

(3) WAC 230-08-010 concerning operator records: Provided, That all such persons must, in the alternative, comply with WAC 230-08-015 (1), (2), and (3).

(4) WAC 230-08-120 requiring quarterly reports: Provided, That holders of such classes of licenses must in the alternative, comply with WAC 230-08-015(4).

(5) With respect to volunteer operators only, i.e., those not compensated for their work by the licensee, WAC 230-20-220 prohibiting certain persons from playing in bingo games.

~~(6) ((WAC 230-20-120 concerning free food and beverages at bingo games.~~

~~(7)))~~ WAC 230-20-190 concerning bingo card prices.

~~((8)))~~ (7) WAC 230-20-230 concerning free games for winners.

AMENDATORY SECTION (Amending WSR 97-11-019, filed 5/13/97, effective 6/13/97)

WAC 230-30-025 Progressive jackpot pull-tab series—Definitions—Restrictions—Operating procedures. For purposes of this title, the following definitions, restrictions, operating procedures, and recordkeeping requirements apply to progressive jackpot pull-tab series ~~((f-1))~~:

Definitions.

(1) The following definitions apply to this section:

(a) ~~((f-1))~~"Progressive jackpot~~((f-1))~~" means a prize awarded to the player who presents a pull-tab designated as the winning progressive jackpot pull-tab. The progressive jackpot is comprised of the starting jackpot prize and the accrued jackpot prize for that specific series, plus any accrued jackpot prize carried over from previous series;

(b) ~~((f-1))~~"Jackpot accrual rate" means the rate at which a progressive jackpot increases for each pull-tab sold. The rate may be expressed as a percentage of gross gambling receipts or as a dollar value based on the price of a single pull-tab;

(c) "Starting jackpot prize" means the base or minimum amount of a progressive jackpot for each series prior to any additions that are based on the jackpot accrual rate;

(d) "Accrued jackpot prize" means the dollar value of all additions to a progressive jackpot that relate to the number of pull-tabs sold prior to the progressive jackpot being won or the series being removed from play;

(e) "Instant winners" means all prizes that are available from a progressive jackpot pull-tab series, excluding the progressive jackpot;

(f) "Bank system" means a group of pull-tab dispensing devices that are connected by an electronic computer network. This computer network determines the total gross gambling receipts received by all the devices in the network and calculates the level of a progressive jackpot associated with a pull-tab series being played in the networked devices.

~~((What are the operating conditions governing dispensing devices used for progressive jackpot pull-tabs?))~~ **Dispensing devices.**

(2) Progressive jackpot pull-tab dispensing devices may be operated under the following conditions:

(a) All machines in a bank system must be located in the same physical proximity on the license premises, so that players can observe all remaining pull-tabs in a series;

(b) Each bank system must be linked to a computer system which records all sales and the accumulation of the progressive jackpot;

(c) A licensee may have more than one bank system operating at one time, but at no time shall a bank system exceed ten machines;

~~((d))~~ ~~From the effective date of this rule, the number of progressive pull-tab dispensing devices per location shall be limited to ten machines for commercial stimulant licensees and twenty machines for charitable or nonprofit licensees. The director may approve an increase in the number of machines upon receipt of a written request by the licensee if the director determines that the licensee is in compliance with all regulations and approval would not be detrimental to the interests of the commission and/or the public.;~~

What are the additional requirements for operating progressive jackpot pull-tab series?)

Operating requirements.

(3) Progressive jackpot pull-tab series shall be conducted in the same manner as other pull-tab series. In addition, the following requirements apply:

(a) An owner or licensed commercial or charitable or non-profit gambling manager shall be on the premises at all times during the operation of progressive jackpot pull-tab series;

(b) Pull-tabs shall be stored in secured locations with access limited to owners and licensed individuals only;

(c) The licensee shall have sufficient funds available to pay all prizes upon redemption of winning tabs. Failure to have sufficient funds available shall be *prima facie* evidence of defrauding the public in violation of RCW 9.46.190;

(d) The current progressive jackpot total must be clearly displayed near the bank of machines at all times during the sale of progressive pull-tabs;

(e) One flare shall be prominently displayed near the bank of machines;

(f) The following are prohibited for use with progressive jackpot pull-tab series:

- (i) Substitute flares;
- (ii) Merchandise prizes;
- (iii) Last sale prizes;

(g) The operator must disclose the operating procedures regarding playing out a series or carrying over accrued prizes, as set forth in (4)(e) below; and

(h) After the retention period, unsold tabs shall be destroyed in such a manner that unopened winning tabs may not be found and used later.

~~((What are the))~~ **Operating conditions governing prizes~~((?)~~**,

(4) The following conditions apply to prizes for progressive jackpot pull-tab series:

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(a) The instant winners shall be equal to or greater than forty percent of total gross gambling receipts available from the series;

(b) The starting jackpot must be at least equal to the value of the highest level instant winner;

(c) The minimum jackpot accrual rate shall be set at a level that will generate an accrued jackpot prize which, when added to the starting jackpot prize and instant winners, will equal or exceed sixty percent of the total gross gambling receipts available from the series;

~~((d))~~ (d) The manufacturer shall determine the starting jackpot ~~((needed to meet the sixty percent payout requirement;))~~ prize and corresponding jackpot accrual rate needed to meet the sixty percent payout requirement in (4)(a) and (b) above. This information shall be packaged with each series;

(e) For each progressive individual pull-tab series, the maximum contribution to a progressive jackpot shall be five thousand dollars. This contribution amount shall specifically exclude any portion carried over from a previous series;

(f) Operators shall not remove a progressive jackpot pull-tab series from play prior to the progressive jackpot being won: Provided, That operators may elect to remove a series from play only under the following conditions:

(i) The series is removed only prior to the beginning or at the end of any business day;

(ii) The accrued jackpot prize from the series and any previously carried over accrued jackpot prize shall be carried over to a new series within twenty-four hours;

(iii) The accrued jackpot prize shall be added to the starting jackpot amount from the new series when it is placed out for play; and

(iv) The starting jackpot of the subsequent series must be equal to or greater than the starting jackpot amount of the previous series.

~~((How must winning tabs be redeemed?))~~ **Redeeming winning tabs.**

(5) Winning tabs shall be redeemed in the same manner as required by WAC 230-30-070. The following requirements also apply:

(a) For jackpot prizes six hundred dollars and over, the winner's full name, address, and social security number shall be recorded on a separate form for purposes of compliance with federal tax provisions;

(b) At least the starting jackpot portion of the progressive jackpot shall be paid by check. The licensee shall record the check number in addition to the information required in WAC 230-30-070(5). These checks may not be cashed on the licensed premises; and

(c) All jackpot winning tabs must be defaced immediately upon receipt instead of within twenty-four hours.

~~((What records must I keep, and for how long must they be retained?))~~ **Recordkeeping.**

(6) The following recordkeeping requirements apply to progressive jackpot pull-tab series:

(a) All recordkeeping requirements outlined in WAC 230-08-010 must be followed. Licensees shall record pro-

gressive jackpot series on a separate monthly record, in a format prescribed by the commission. The following additional information must be recorded for each series:

(i) The starting jackpot amount;

(ii) The jackpot accrual rate;

(iii) The number of pull-tabs sold out of each dispensing device;

(iv) If the progressive jackpot was awarded, the progressive jackpot amount;

(v) If the series was removed from play prior to the jackpot being won, the ending progressive jackpot amount;

(vi) All regular prizes awarded, excluding the progressive jackpot; and

(vii) Prizes paid by check;

(b) In addition to the retention requirements in WAC 230-30-072, progressive jackpot winning tabs and winner information, along with the flares, must be retained for one year from the date in which the series was removed from play.

~~((What aspects of a progressive pull-tab system require agency approval and what standards are applicable to this approval process?))~~ **Approval process for progressive pull-tab systems.**

(7) The director shall approve all progressive jackpot pull-tab series, progressive jackpot dispensing devices, and computer software used to link dispensing devices, accrue jackpot prizes, and store data used in preparing records. Procedures for approval are as follows:

(a) Any costs related to this approval shall be billed to the persons requesting approval;

(b) The following progressive jackpot pull-tab series requirements shall be approved prior to sale in Washington:

(i) The process used to manufacture the progressive jackpot series; and

(ii) The secondary win code system; and

(c) Computer software requiring the approval of the director shall be subject to the following standards;

(i) For each game, no person other than the maker of the software shall be able to alter data once it is input into the system; and

(ii) A record of transactions for a game must be retained in memory until the transactions have been totaled, printed, and cleared by the operator regardless of whether the unit's primary power source is interrupted.

AMENDATORY SECTION (Amending WSR 97-14-012, filed 6/20/97, effective 7/21/97)

WAC 230-30-103 Standards for construction of pull-tabs. ~~((+))~~

Determination of winners prohibited.

~~((a))~~ (1) Pull-tabs shall be constructed and glued, sealed, or banded so that it is impossible to determine the covered or concealed numbers, symbol, set of symbols, or game protection on the pull-tab until it has been dispensed to and opened by the player, by any method or device, including

but not limited to, markings, variance in size, variance in paper fiber, color or printing variations or light(;;); and

((b)) (2) All pull-tabs will be constructed to insure that, when offered for sale to the public, the pull-tab is virtually opaque and free of security defects wherein winning pull-tabs cannot be determined prior to being opened through the use of high intensity lights, peeking, or any other method.

Construction of pull-tabs.

((2)) (3) All pull-tabs, except banded and latex covered pull-tabs, will be constructed using a two or three ply paper stock construction. Winning and losing sheets for each game must be manufactured using the same paper stock and must be manufactured at the same time for all progressive pull-tab series, as authorized in WAC 230-30-025.

((3)) (4) The manufacturer shall conspicuously print on the pull-tab the series number and the name of the manufacturer or label or trademark identifying the manufacturer so both are readily visible prior to opening the pull-tab. The label or trademark must be filed with the commission prior to the printing of the pull-tab.

((4)) (5) The cover sheet will contain perforated and/or clean-cut openings centered over the symbols or numbers on the back of the face sheet in such a manner as to allow easy opening by the consumer after purchase of the pull-tabs, while at the same time, not permitting pull-tabs to be opened prematurely in normal handling. Perforation should exist on both horizontal lines of the opening with either perforated or clean-cut on the vertical or elliptical line where the tab must be grasped for opening after bending the edge of ticket down. The tab may contain information to show the consumer how to open the pull-tab or remove the latex to determine the symbols or numbers.

((5)) (6) No series numbers used on a series shall be repeated on that same manufacturer's form number within a three-year period.

Winner protection and verification codes.

((6)) (7) Each manufacturer shall establish methods of winner protection for each punch board and pull-tab series. Such protection shall afford operators, the commission, and other law enforcement personnel the ability to distinguish winning pull-tabs (~~after they have been purchased and opened,~~) after they have been purchased and opened, from those that are nonwinning, altered (~~for~~), forged, or from another series. Such protection shall be completely hidden from view and undetectable by any means prior to a pull-tab being opened.

(a) Each manufacturer shall establish its own primary game protection for each pull-tab series. This game protection shall be a method of identifying winning pull-tabs, after they have been purchased and opened, so as to distinguish them from non-winning pull-tabs. The manufacturer may use special numbers, colors, designs, ink(~~for~~), or any combination thereof to establish the primary game protection. Manufacturers shall provide a written explanation of each protection scheme to the commission. Such notification shall be detailed and include pictures, diagrams, and/or samples necessary to thoroughly explain the scheme. The commission

shall be notified in writing of any changes to protection schemes.

(b) All pull-tabs manufactured for use in the state of Washington after January 1, 1992, shall utilize a secondary verification code to prevent counterfeiting on tabs that award prizes greater than twenty dollars. Such codes shall be approved by the director prior to use within the state. Punch boards are exempt from the secondary verification code requirements.

(c) Spindle-type pull-tab series when played in the manner set out in WAC (~~{230-30-070} {230-30-078}(8))~~ 230-30-070(10) are exempt from this requirement.

AMENDATORY SECTION (Amending Order 294, filed 6/18/96, effective 7/19/96)

WAC 230-50-800 Petitions for rule making, amendments, or repeal. Any person may petition the commission requesting the adoption, amendment, or repeal of any rule.

The petition should contain sufficient information so that the agency and public can understand the proposal.

Information required on a petition.

Every petition for adoption, repeal, or amendment of a rule must include the following information:

- (1) The name of the agency responsible for administering the rule; and
- (2) The rationale for adoption of a new rule or amendment or repeal of an existing rule.
- (3) In addition to any other concerns, you, the petitioner, are encouraged to address whether:
 - (a) The rule is authorized;
 - (b) The rule is needed;
 - (c) The rule conflicts with or duplicates other federal, state, or local laws;
 - (d) Alternatives to the rule exist that will serve the same purpose at less cost;
 - (e) The rule applies differently to public and private entities;
 - (f) The rule serves the purposes for which it was adopted;
 - (g) The rule imposes unreasonable costs;
 - (h) The rule is clearly and simply stated; and
 - (i) The rule differs, without adequate justification, from a federal law which applies to the same activity or subject matter.

Additional information required.

- (4) **When you are:**
 - (a) **Proposing a new rule**, the petition should include the text of the proposed rule or a description of its provisions;
 - (b) **Requesting amendment of an existing rule**, the petition should include the name, title, number of the rule, and the text or description of the amendment; or
 - (c) **Requesting repeal of an existing rule**, the petition should include the name, title, number of the rule, and a description of the effects of repealing the rule.

Locating a petition form.

(5) You, the petitioner, can obtain a standard petition from the office of financial management or any state agency involved in rule making. Agencies must accept petitions submitted using the standard form or in any other format that provides the information described in subsections (1) through (4) of this section.

Submitting a petition.**(6) ((How do I submit a petition?)**

~~(a))~~ Petitions for adoption, amendment, or repeal of a rule must be faxed ~~((to (360) 438-8652,))~~ or mailed to the ~~((following address:))~~ administrative office of the commission in Lacey.

~~((Washington State Gambling Commission
ATTN: Rules Coordinator
PO Box 42400
Olympia, WA 98504-2400~~

~~(b))~~ (7) Submission of a petition is defined as receipt of the petition by the gambling commission.

Agency response to a petition.**((7) What happens after a petition is submitted?**

~~(a))~~ (8) Within a reasonable time, the administering agency will send you, the petitioner, acknowledgment of receipt of the petition, including the name and telephone number of a contact person.

~~((b))~~ (9) No later than sixty days after receipt of a petition, the agency must either:

~~((i))~~ (a) Initiate rule-making proceedings in accordance with chapter 34.05 RCW; or

~~((ii))~~ (b) Deny the petition in writing, stating its reasons for the denial and specifically addressing the concerns stated in the petition. Where appropriate, the agency must indicate alternative means by which the agency will address the concerns raised in the petition.

Appealing the denial of a petition.

~~((8) How can I appeal gambling commission denial of my petition?~~

~~(a))~~ (10) If the gambling commission denies your petition, within thirty days of the denial, you, the petitioner, may:

(a) Appeal the denial to the governor.

~~((b))~~ The governor will process the appeal according to RCW 34.05.330~~((2))~~ (3); or

(b) Petition for a review by the joint administrative rules review committee according to RCW 34.05.330(2), only if your petition alleges that the rule you wish to amend is not within the intent of the legislature or not adopted in accordance with all applicable provisions of the law.

WSR 01-01-028
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed December 7, 2000, 4:21 p.m.]

Date of Adoption: December 7, 2000.

Purpose: To update and clarify MAA's prescription drug program policy to reflect current department practice. The amended sections reflect clearly written and updated policy that is consistent with federal regulations and agency goals.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-530-1000, 388-530-1050, 388-530-1100, 388-530-1150, 388-530-1200, 388-530-1250, 388-530-1850, 388-530-1900, 388-530-1950, and 388-530-2050.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050.

Adopted under notice filed as WSR 00-17-080 on August 14, 2000.

Changes Other than Editing from Proposed to Adopted Version: (Text additions are indicated by underlining and deletions are indicated by ~~strikeouts~~.)

WAC 388-530-1050:

~~DESI~~ or "Less than effective drug" or "DESI" means a drug for which: . . . *(changed order of terms being defined and moved to correct alphabetical order)*

"Drug file" means a list of drugs provided to the medical assistance administration's (MAA's) drug data base and maintained by a drug file contractor.

"Drug pricing file contractor," also referred to as "drug pricing file contractor," means the entity which . . .

~~"Drug formulary" means a list of MAA covered outpatient drugs not requiring prior authorization.~~

"Prior authorization program" means a medical assistance administration (MAA) program, subject to the requirements of 42 U.S.C. 1396r-8(d)(5), that may require, as condition of payment, that a drug on MAA's drug file be prior authorized.

"Risk/benefit ratio" means the result of assessing the risk of therapy side effects compared to the benefits positive therapeutic outcome of therapy.

"Therapeutic alternative" means a drug product that contains a different therapeutic agent than the drug in question, but is the same pharmacological or therapeutic class and can be expected to have a similar therapeutic effect when administered to patients in a therapeutically equivalent dosage.

"Therapeutically equivalent" means chemically dissimilar prescription drugs with the same efficacy and safety when administered to an individual, as determined by: (1) Information from the FDA; (2) Published and peer-reviewed scientific data; (3) Randomized controlled clinical trials; and (4) Other scientific evidence.

WAC 388-550-1100:

(1) . . . Covered drugs and supplies include:

(b) Over-the-counter (OTC) drugs when the drug is:

(i) Is a less costly therapeutic alternative; and

(ii) Formulary Does not require prior authorization.

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(c) ~~Nonformulary drugs~~ Drugs requiring prior authorization when: ...

(ii) They meet MAA's published expedited prior authorization criteria and follow the process described defined in WAC 388-530-1250(4) 1050.

(2) MAA determines if certain drugs are medically necessary and covered with or without...

WAC 388-530-1150:

(1)(c) The medical assistance administration (MAA) does not cover: ... (c) OTC drugs/supplies, unless approved for formulary use, described under WAC 388-530-1100 (1)(b), or for family planning as described under chapter 388-532 WAC.

(1)(e) A drug prescribed for an indication that is not medically accepted evidence based as determined by:

(1)(h)(ii) Prescribed for non-FDA approved indications or dosing unless prior authorized; or

WAC 388-530-1200:

Drug formulary- Prior authorization program.

(1) The medical assistance administration (MAA) pharmacy research specialist, medical consultants, and ~~an advisory board evaluate drugs for formulary inclusion, MAA's drug utilization review team evaluate drugs to determine prior authorization status on the drug file,~~ and may consult with the Drug Utilization and Education (DUE) Council, and/or participating MAA providers.

(2) ~~To request consideration to include a drug product in MAA's drug formulary, a drug manufacturer must send the~~ To facilitate the evaluation process for a drug product, a drug manufacturer may send the pharmacy research specialist a written request and the following supporting documentation:

(3) ~~The criteria used to determine whether to include or exclude a drug from MAA's formulary include, but are not limited to, an evaluation of whether:~~ Evaluation of a drug includes, but is not limited to, the following criteria:

(a) There is a federal drug rebate contract agreement signed by the manufacturer;

(b) ~~There are like drugs already on the formulary~~ The drug is a less-than-effective drug;

(c) The drug has a favorable risk/benefit ratio;

(d) ~~The drug is a less-than-effective drug~~ The drug file status of:

(i) Like drugs; and

(ii) Less costly therapeutic alternative drugs;

(a) The drug falls into one of the categories authorized by federal law to be excluded from coverage; and

(f) ~~There are less costly therapeutic alternative drugs already on the formulary; and~~ The drug has a potential for abuse.

(g) ~~The drug has a potential for abuse.~~

(4) ~~MAA does not require prior approval for drug preparations listed in the MAA drug formulary. MAA updates and reviews the formulary list~~ drug file list as necessary, and publishes the list periodically publishes a list of drugs not requiring prior authorization.

(5) Manufacturers may seek review of ~~formulary decisions~~ the drug file status by writing to the MAA medical director.

WAC 388-530-1250:

Prior authorization process.

(1)(a) MAA requires pharmacies to obtain prior authorization for: (a) ~~Nonformulary drugs;~~ Drugs with a prior authorization indicator on the drug file;

(6) ~~MAA provides a response to a request~~ MAA provides a response to a request ~~pays for drugs requiring prior authorization by telephone or other telecommunication device within twenty-four hours if the request is received during normal state business hours. If a provider needs prior authorization to dispense a drug during a weekend or Washington state holiday, the provider may dispense the drug that are dispensed without prior authorization only when:~~

(a) Given in an emergency;

(b) MAA receives justification within seventy-two hours of the fill date, excluding weekends and Washington state holidays; and

(c) MAA agrees with the justification and approves the request.

WAC 388-530-1850:

Drug Utilization and Education (DUE) Council.

MAA establishes a Drug Utilization and Education (DUE) Council (DUEC) and determines membership rotations.

(1) The DUEC DUE Council must:

(2) The DUEC DUE Council meets periodically to:

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 10, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 10, 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 10, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 7, 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 01-02 issue of the Register.

WSR 01-01-029
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)

[Filed December 7, 2000, 4:23 p.m.]

Date of Adoption: December 7, 2000.

Purpose: To update and clarify MAA's prescription drug program reimbursement methodology to reflect current department practice. New sections codify current policy for the drug rebate program, for payment methodology for federal upper limit (FUL), for drugs purchased under the Public Health Service (PHS) Act, and for compliance packaging. The amended sections reflect clearly written and updated policy that is consistent with federal regulations and agency goals.

Citation of Existing Rules Affected by this Order: Amending WAC 388-530-1300, 388-530-1350, 388-530-1400, 388-530-1450, 388-530-1500, 388-530-1550, 388-530-1600, 388-530-1650, and 388-530-1700.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050.

Adopted under notice filed as WSR 00-17-056 on August 9, 2000.

Changes Other than Editing from Proposed to Adopted Version: (Text additions are indicated by underlining and deletions are indicated by ~~strikeouts~~.)

WAC 388-530-1125:

~~(1)~~ (1) ...MAA may make exceptions based on medical necessity and on a case-by-case basis...

~~(2) MAA may negotiate separate, additional discounts with manufacturers to facilitate formulary management.~~

WAC 388-530-1350:

(6) MAA pays EAC for a drug with an established MAC when the EAC for the particular drug is lower than the MAC price. *(This was proposed as part of (5); now numbered as (6). Proposed (6) renumbered as (7)).*

WAC 388-530-1425:

(1) Drugs purchased under section 340B of the Public Health Service (PHS) Act ~~and can be dispensed~~ only by PHS-qualified health facilities to medical assistance clients. These medications must be billed using the actual acquisition cost (AAC) of the drug plus the appropriate dispensing fee.

WAC 388-530-1500:

(2)(a) MAA allows only the lowest cost for each ~~formu-~~ lary ingredient whether EAC, MAC, or amount billed.

(d)(i) Each formulary covered or prior authorized-drug ingredient billed separately; and...

WAC 388-530-1700:

~~(1)~~ (1) The medical assistance administration (MAA) reimburses for covered drugs, ~~and supplies, and devices provided dispensed~~ or administered by nonpharmacy providers under specified conditions. ~~MAA does not reimburse providers for the cost of vaccines obtained from the state department of health; MAA does pay a fee for administering the vaccine.~~ *(First sentence of proposed (1) now used as an introduction; last sentence of this proposed section renumbered as new (3))*

~~(2)~~ (1) MAA reimburses actual acquisition cost (AAC) to a physician or ARNP for a covered drug (oral, topical or injectable) prepared or packaged for individual use and provided or administered to a client during an office visit. When the cost of the drug provided or administered to the ~~patient~~ client exceeds the established fee, the physician or ARNP may submit to MAA a photocopy of the invoice for the actual drug cost. The invoice must show the name of the drug, the manufacturer, drug strength, quantity, and cost.

(3) MAA does not reimburse providers for the cost of vaccines obtained through the state department of health; MAA does pay a fee for administering the vaccine.

~~(3)~~ (4) MAA reimburses family planning clinics; ~~their AAC for birth control pills and contraceptive supplies distributed to clients. MAA may request an invoice for the actual cost of the drug. If an invoice is requested, the invoice must show the name of the drug, manufacturer, drug strength, and cost.~~

(a) For oral contraceptives, the lesser of the family planning clinic's certified full fee or MAA's maximum allowable fee per cycle of birth control pills. The certified full fee is the clinic's acquisition cost for each cycle of birth control pills, as reported annually by the clinic to DOH;

(b) For contraceptive supplies and devices, the clinic's actual acquisition cost or MAA's maximum allowable fee, whichever is specified by MAA; and

(c) For other drugs, supplies, and devices, according to MAA's established fee schedules.

(5) MAA may request family planning clinics and other nonpharmacy providers to submit an invoice for the actual cost of the drug, supply, or device billed. If an invoice is requested, the invoice must show the name of the drug, supply, or device, the drug or product manufacturer, drug strength, and quantity or product description and quantity and cost.

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 4, Amended 9, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 4, Amended 9, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 4, Amended 9, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 7, 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 01-02 issue of the Register.

WSR 01-01-035
PERMANENT RULES
HORSE RACING COMMISSION

[Filed December 8, 2000, 3:06 p.m.]

Date of Adoption: October 18, 2000.

Purpose: Amend rule to encompass everyone on horse back to wear safety equipment, with the exception of nonracing events.

Citation of Existing Rules Affected by this Order: Amending WAC 260-12-180 Safety equipment required.

Statutory Authority for Adoption: RCW 67.16.040.

Adopted under notice filed as WSR 00-13-004 on June 8, 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 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.

December 7, 2000

Bruce Batson

Executive Secretary

by Patty Sorby

AMENDATORY SECTION (Amending Rules of racing, 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. This rule does not apply to non-racing related events conducted for entertainment purposes. Safety equipment for such entertainment events shall be at the discretion of the racing association.

WSR 01-01-042
PERMANENT RULES
DEPARTMENT OF ECOLOGY

[Order 00-10—Filed December 8, 2000, 4:29 p.m.]

Date of Adoption: December 8, 2000.

Purpose: To provide consistency and predictability to the management of the centennial clean water fund.

Citation of Existing Rules Affected by this Order: Amending chapter 173-95A WAC.

Statutory Authority for Adoption: Chapter 70.146 RCW.

Adopted under notice filed as WSR 00-19-094 on September 20, 2000.

Changes Other than Editing from Proposed to Adopted Version: Several small changes were made for clarity, and are described in full in the concise explanatory statement (responsiveness summary). None are substantive or change the meaning of the rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 6, Amended 5, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 6, Amended 5, 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.

December 8, 2000

Tom Fitzsimmons

Director

AMENDATORY SECTION (Amending Order 97-31, filed 12/3/97, effective 1/3/98)

WAC 173-95A-010 ((Purpose and scope.)) What is the purpose of this chapter? ((This chapter is intended to address critical or emergent public health needs or environmental problems in jurisdictions that are not in compliance with the Growth Management Act. It implements an exception to the prohibition of counties, cities, and towns that are not in compliance with the Growth Management Act (chapter 36.70A RCW) from receiving grant or loan funds for water pollution control facilities. The exception is provided in limited circumstances, where necessary to address a public health need or substantial environmental degradation.)) The purpose of this chapter is to set forth limitations on the allocation and uses of moneys administered by the department of ecology from a special fund within the state treasury known as the water quality account, as authorized by chapter 70.146 RCW. This fund provides financial assistance, in the form of loans and grants to meet high priority water quality management needs, to public bodies throughout the state of Washington. Funded projects must address water quality problems related to public health and environmental degradation. In order to encourage the timely use of funds provided by the

state legislature, priority will be given to projects shown to be ready to proceed.

AMENDATORY SECTION (Amending Order 97-31, filed 12/3/97, effective 1/3/98)

WAC 173-95A-020 ((Definitions.)) What are the definitions of key terms? (1) ("Compliance with the Growth Management Act" means that:

(a) A county, city, or town that is required or chooses to plan under RCW 36.70A.040 has adopted a comprehensive plan and development regulations in conformance with the requirements of chapter 36.70A RCW, after it is required that the comprehensive plan and development regulations be adopted; and

(b) The county, city, or town has not been found out of compliance by a growth management hearings board; or

(c) A growth management hearings board has found a county, city, or town in compliance with the requirements of chapter 36.70A RCW, after previously finding the county, city, or town was not in compliance.

(2) "Department" means the department of ecology.

(3) "Public health need" means that a situation exists where:

(a) There is a documented potential for:

(i) Contaminating a source of drinking water; or

(ii) Failure of existing wastewater system or systems resulting in contamination being present on the surface of the ground in such quantities and locations as to create a potential for public contact; or

(iii) Contamination of a commercial or recreational shellfish bed as to create a critical public health risk associated with consumption of the shellfish; or

(iv) Contamination of surface water so as to create a critical public health risk associated with recreational use; and

(b) The problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and

(c) The problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(4) "Substantial environmental degradation" means that:

(a) There is a situation causing real, documented, critical environmental contamination that:

(i) Contributes to violations of the state's water quality standards; or

(ii) Interferes with beneficial uses of the waters of the state; and

(b) The problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and

(c) The problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(5) "Water pollution control facility" or "facilities" means any facilities or systems for the control, collection, storage, treatment, disposal, or recycling of wastewater, including but not limited to sanitary sewage, storm water,

residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include such facilities, equipment, and collection systems as are necessary to protect federally designated sole source aquifers.) "Activities" - see "water pollution control activity."

(2) "Applicant" means a public body that has applied for funding.

(3) "Best management practices" means physical, structural, and/or managerial practices, approved by the department, that, when used singularly or in combination, prevent or reduce pollutant discharges.

(4) "Cash match" means funds to match the state share of a grant that are under the sole control of a public body.

(5) "Centennial" means the centennial clean water fund.

(6) "Ceiling amounts" means the largest amount of financial assistance the department can provide to an individual project. Ceiling amounts vary based on factors including the type of project and whether a loan or a grant is awarded.

(7) "Commercial, industrial, and institutional flows" means the portion of the total flows to a facilities project that originate from commercial establishments, industrial facilities, or institutional sources such as schools, hospitals, and prisons.

(8) "Cost-effective alternative" means the alternative with the lowest present worth or equivalent annual value that achieves the requirements of the facility and that recognizes environmental and other nonmonetary considerations.

(9) "Department" means the department of ecology.

(10) "Easement," for the purposes of this rule, means a written agreement between a public body and an individual landowner, that allows the public body to have access to the property at any time to inspect, maintain, or repair activities or facilities installed with a loan or a grant, or to hold occasional public tours of the site for educational purposes.

(11) "Eligible cost" means the portion of the cost of the facilities or activities project that can be financed under the provisions of this chapter.

(12) "Enforcement order" means an administrative order that is a document issued by the department under the authority of RCW 90.48.120 and that directs a public body to complete a specified course of action within an explicit period of time to achieve compliance with the provisions of chapter 90.48 RCW.

(13) "Engineering report" means a report that evaluates engineering and other alternatives that meet the requirements set forth in chapter 173-240 WAC. Submission of plans and reports for construction of wastewater facilities.

(14) "Environmental emergency" means a problem that a public body and the department agree poses a serious, immediate threat to the environment or to the health or safety of a community, and requires immediate corrective action.

(15) "Estimated construction cost" means the estimated sum of moneys, excluding sales tax, to be paid to construction contractors and suppliers for all labor, materials, equip-

ment, and other related work necessary to construct the proposed project.

(16) "Existing needs" means water pollution control facilities capability for the existing population in order to meet the requirements of the water quality based effluent limitations in the recipient's National Pollution Discharge Elimination System or state waste discharge permit.

(17) "Existing residential need" means water pollution control facilities capability for the existing residential population in order to meet the water quality based effluent limitations in the recipient's National Pollution Discharge Elimination System or state waste discharge permit.

(18) "Excess capacity" means water pollution control facilities capability beyond what is needed for the existing residential population to meet the water quality based effluent limitations in the recipient's National Pollution Discharge Elimination System or state waste discharge permit.

(19) "Extended grant payments" means cash disbursements for eligible project costs made under a multiyear centennial grant agreement according to conditions established in RCW 70.146.075 and funded through legislative appropriations. Extended grant payments do not follow the normal process of reimbursement for actual costs incurred.

(20) "Facilities plan" means an engineering report that includes all the elements required by the National Environmental Policy Act, other federal statutes, and planning requirements under chapter 173-240 WAC, Submission of plans and reports for construction of wastewater facilities.

(21) "Facilities" - see "water pollution control facilities."

(22) "Force account" means loan or grant project work performed using labor, materials, or equipment of a public body.

(23) "Funding cycle" means the annual cycle of activities related to allocating funds for a single fiscal year.

(24) "Funding cut-off line" means the position on a final offer list ranked by priority below which financial assistance will not be offered from that fund, proviso, or funding category.

(25) "Funding list" - see "offer list."

(26) "Grant agreement" means a contractual arrangement between a public body and the department that includes an approved scope of work, total project cost, set grant percentage, eligible costs, budget, and a schedule for project completion (in addition to other requirements).

(27) "Immediate corrective action" means that the director of the department or the director's designee has determined that the project must proceed to correct the problem in a timely manner before funds are available during the next regular funding cycle. This usually would involve a "public health emergency" or an "environmental emergency."

(28) "Indirect cost" means costs that benefit more than one activity of the recipient and that may not be directly assigned to a particular project objective.

(29) "Infiltration and inflow" means water, other than wastewater, that enters a sewer system.

(30) "Infiltration and inflow correction" means the cost-effective alternative or alternatives identified in an approved facilities plan or engineering report for eliminating or reducing the infiltration and inflow from an existing sewer system.

(31) "In-kind contributions" means the value of noncash contributions provided by a public body or any other approved parties.

(32) "Interlocal costs" means the cost of goods or services provided to a project under the terms of an interlocal agreement by a public body eligible to apply for centennial funds. These costs may be considered as part of a cash match if they are eligible for funding under the grant agreement.

(33) "Loan agreement" means a contractual arrangement between a public body and the department that involves a disbursement of funds that must be repaid. The agreement includes an approved scope of work, total project cost, loan terms (including interest rates) and a repayment schedule.

(34) "Loan default" means failure to make a loan repayment within sixty days after the payment was due.

(35) "Local prioritization process" means a process to prioritize projects locally as specifically described in WAC 173-95A-050.

(36) "Match" means the portion of the eligible project costs not covered by a grant, including actual cash outlays, and noncash (in-kind) contributions.

(37) "Maximum eligible costs" means the ceiling on the portion of the costs of a project that are eligible.

(38) "Nonpoint source water pollution" means pollution that enters any waters from widespread water- or land-based activities. Nonpoint source water pollution includes, but is not limited to, atmospheric deposition; surface water runoff from agricultural lands, urban areas, and forest lands; subsurface or underground sources; and discharges from boats or other marine vessels.

(39) "Offer list" means a list of projects prioritized for receiving financial assistance from the centennial program.

(40) "Previously funded objective" means a project or project element intended to address the same need as a project or project element that has been previously funded by a loan or grant from a funding program administered by the department.

(41) "Project" means water pollution control facilities or activities for which a loan or grant is awarded by the department.

(42) "Public body" means the state of Washington or any agency, county, city or town, conservation district, other political subdivision, municipal corporation, quasi-municipal corporation, and those Indian tribes now or hereafter recognized by the federal government.

(43) "Public health emergency" means a situation in which illness or exposure known to cause illness is occurring or is imminent (as determined by the Washington state department of health).

(44) "Recipient" means a public body that applied for funding, has been offered funding, and has signed a funding agreement with the department.

(45) "Scope of work" means a detailed description of a project, including measurable objectives useful for determining successful completion. The scope of work is negotiated between the department and the loan or grant recipient.

(46) "Severe public health hazard" means a situation in which the potential for illness exists, but illness is not occurring or imminent (as determined by the Washington state department of health).

(47) "Sewer" means a pipe and related pump stations located on public property, or on public rights of way and easements, that conveys wastewater from individual buildings or groups of buildings to a treatment plant.

(48) "Side sewer" means a sanitary sewer service extension from the point five feet outside the building foundation to the publicly owned collection sewer.

(49) "Small flows" means flows from commercial, industrial, or institutional sources that enter a sanitary sewer system.

(50) "Step process" means a systematic process that facilities projects must follow to be eligible for loans or grants.

(51) "Total eligible project cost" means the sum of all costs associated with a water quality project that have been determined to be eligible for loan or grant funding.

(52) "Total project cost" means the sum of all eligible and ineligible costs associated with a water quality project.

(53) "Water pollution control activities" or "activities" means actions taken by a public body for the following purposes:

(a) To prevent or mitigate pollution of underground water;

(b) To control nonpoint sources of water pollution;

(c) To restore the water quality of freshwater lakes; and

(d) To maintain or improve water quality through the use of water pollution control facilities or other means.

(54) "Water pollution control facilities" or "facilities" means any facilities or systems for the control, collection, storage, treatment, disposal, or recycling of wastewater, including, but not limited to, sanitary sewage, storm water, residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include such facilities, equipment, and collection systems as are necessary to protect federally designated sole source aquifers.

(55) "Water pollution" means contamination or other alteration of the physical, chemical, or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters; or any discharge of a liquid, gas, solid, radioactive substance, or other substance into any waters of the state that creates a nuisance or renders such waters harmful, detrimental, or injurious to the public, to beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

(56) "Water resource inventory area" or "WRIA" means one of sixty-two watersheds in the state of Washington, each composed of the drainage areas of a stream or streams, as established in chapter 173-500 WAC as it existed on January 1, 1997.

AMENDATORY SECTION (Amending Order 97-31, filed 12/3/97, effective 1/3/98)

WAC 173-95A-030 (~~Determining a public health need.~~) **How and under what conditions, can money from**

the centennial fund be used? ((For the purposes of this chapter, a determination of a public health need related to a grant or loan must be requested by the public official who signed the grant or loan application. The request needs to be in the form of a letter, with supporting documentation, to the secretary of the Washington state department of health. The secretary or his or her designee reviews the documentation and determines whether a public health need exists. A determination of a public health need must be documented in a letter signed by the secretary or his or her designee and addressed to the same public official.)) (1) **Uses of the money.** The centennial fund may be used for the following purposes:

(a) To make loans and grants to applicants in order to finance the planning, design, or construction of water pollution control facilities; and

(b) To make loans and grants to applicants for the implementation of nonpoint source pollution control management programs subject to the requirements of chapter 70.146 RCW. Nonpoint source pollution control management programs include planning and implementing elements of the nonpoint source pollution assessment and management program.

(2) **Eligibility to apply for funding.** Eligible applicants and funding recipients under the centennial fund are public bodies, including the state of Washington or any agency, county, city or town, conservation district, other political subdivision, municipal corporation, quasi-municipal corporation, and those Indian tribes now or hereafter recognized by the federal government.

(3) **Program integration.** While maintaining the integrity of individual funding programs, the department will combine the management of the centennial program with certain compatible funding programs, including, but not limited to, the Washington state water pollution control revolving fund, and the Clean Water Act, Section 319 nonpoint source fund. The combined management will include combined funding cycles, combined program guidelines, and combined funding offer lists. Applicants will not be asked to apply for funds from a specific funding source, only whether they are applying for loan or grant funding for their projects. After developing a prioritized list of projects proposed for funding (based on review of applications), the department will decide which funding source best meets the needs of each individual project.

(4) Unless demand for funding for activities projects is limited, a maximum of two-thirds of the available funds for competitive projects for any fiscal year will be made available for projects related to water pollution control facilities.

(5) Normally, the department will fund loan projects or the loan portion of loan and grant projects from the Washington state water pollution control revolving fund whenever the project is eligible for state water pollution control revolving loan fund funding and the funding is available.

(6) **Funding for activities projects:**

(a) **Activities grants made under the centennial program must be matched with any combination of cash or in-kind that totals twenty-five percent of the total eligible project cost.**

(b) Grants for activities projects made under the centennial program are subject to ceiling amounts of:

(i) Five hundred thousand dollars if the match for the grant is entirely in the form of cash; or

(ii) Two hundred fifty thousand dollars if any part of the match is in the form of in-kind goods and services.

(c) Loans for activities projects made under the centennial program are subject to ceiling amounts of five hundred thousand dollars and no match is required.

(7) Funding for facilities projects:

(a) Applicants seeking funding for facilities projects may only apply for loans, but may specify on their application that they would like their project to be analyzed for financial hardship consideration. Some grant funding may be available each funding cycle for a limited number of facilities projects that qualify for financial hardship consideration.

(b) Ceiling amounts for loans under the centennial program: Loans for facilities projects are limited to half the total eligible cost of the project, or five million dollars, whichever is less: Provided, That this amount does not exceed one-third of the available funds for competitive projects for a single funding cycle.

(c) No match is required for loans made under the centennial program.

(d) Ceiling amounts for grants for facilities construction projects made to offset hardship under the centennial program: When a hardship analysis by the department shows that an applicant requesting funding for a facilities construction or "step three" project is eligible for grants, facilities construction grants made under the centennial program are subject to ceiling amounts of half the total eligible cost of the project plus an unemployment differential, as described in subsection (8)(c)(ii) of this section, or five million dollars, whichever is less: Provided, That this amount does not exceed one-third of the available funds for competitive projects for that fiscal year. These ceiling amounts are the maximum that can be provided in the form of grant funds for the life of the project as specified in a facilities plan approved by the department, except as provided for in (h) of this subsection.

(e) Ceiling amounts for grants for facilities projects consisting of combined design and construction: When a hardship analysis by the department shows that a recipient initiating a facilities design and construction or "step four" project, as provided for in WAC 173-95A-080 (2)(d), is eligible for grants, facilities construction grants made under the centennial program are subject to ceiling amounts of half the total eligible cost for the construction portion of the project. The total project cost under step four may not exceed one million dollars. If the total project cost for a step four project exceeds one million dollars, no portion of the project may be funded with centennial loan or grant funds.

(f) Facilities grants to meet hardship made under the centennial program must be matched with sufficient cash to meet the total eligible project cost when combined with the grant amount. The applicant is encouraged to negotiate a funding package that provides funding for the total eligible project cost in the form of loans and grants from the department. Towards this goal, the applicant must accept a loan from the department for all or part of the remainder of the total eligible

project cost. At a minimum, this loan must be for the remaining portion of the eligible cost of the project, or for an amount equal to the grant portion, whichever is less.

(g) A facilities construction project that is eligible for grant funding due to hardship consideration and is prioritized exactly at the funding cutoff point for facilities projects on the final offer list may receive only partial grant funding in a single funding cycle due to lack of available funds. In this case, if funds are available for the project and if the project can be shown to have proceeded during the intervening year according to the provisions of WAC 173-95A-100, the project will be offered the remaining amount as eligible under (b) of this subsection in the next funding cycle, subject to sufficient legislative appropriation.

(h) In exceptional cases where extreme levels of financial hardship exist, and the total eligible grant amount of a project has been determined by the department to be greater than five million dollars, applicants may be awarded financial assistance in the form of equal annual extended payment grants over a period of at least ten and no more than twenty years. Extended grant payments must be approved by the legislature and funding must be appropriated in the Washington state biennial capital budget for each biennium in which extended grant payments are made.

(8) Financial hardship assistance for facilities construction:

(a) Financial hardship assistance may be available to loan recipients for the existing residential need portion of a water pollution control facilities construction project if the project will cause a residential sewer user charge in excess of one and one-half percent of the median household income.

(i) Median household income for this purpose is based on the most recent available census data, updated yearly based on inflation rates as measured by the Federal Bureau of Labor Statistics and published as the Consumer Price Index.

(ii) If median household income data are not available for a community or if the community disputes the data used by the department, the department will allow a local government to conduct a scientific survey to determine the median household income.

(iii) In situations where a project is proposed for an area with demographics which may not be representative of the entire census designated place, the department may require the applicant to conduct a scientific survey to determine the median household income.

(iv) In rare cases where financial hardship cannot be established using residential user fees as a percent of median household income, financial hardship determinations will be made on a case-by-case basis.

(b) The need for hardship assistance is calculated on water pollution control facilities construction costs associated with existing residential need at the time an application for funding is received by the department. The analysis does not include costs for growth. For example, if an applicant applies for ten million dollars to finance facilities construction costs, where six million dollars is for existing residential need and the remaining four million dollars is for growth, the hardship analysis would be based on the six million dollars for existing residential need.

(c) If the department determines that financial hardship exists, it may make changes to the offer of financial assistance in an attempt to lower the residential user charges below the financial hardship level for the existing residential need. These changes may include:

(i) Structuring of the loan agreements to lengthen the repayment term to a maximum of twenty years; or

(ii) Lowering the interest rate; or

(iii) A combination of a lower interest rate and an extended term; and

(iv) If this is not sufficient, offering partial grant funding, not to exceed the ceiling amounts set in subsection (7) of this section and not to exceed fifty percent of the eligible costs plus an unemployment differential. The unemployment differential is determined by comparing the unemployment rate of the county in which the proposed project is located with the state-wide unemployment rate. In cases where the three-year average for the county is at least one full percentage point above the three-year average state-wide unemployment rate, the total three-year average unemployment rate for the county, rounded to the nearest whole percentage point, will be used as the unemployment differential. The three-year average will be for the period ending on December 31 of the most recent year for which a complete report is available from the department of employment security at the time the hardship analysis is conducted.

(d) If an applicant is requesting financial hardship assistance, it should submit a completed financial hardship analysis form with its application for financial assistance.

(9) Policies for establishing the terms of financial assistance. Interest rates for recipients will be based on the average market interest rate. The average market interest rate will be based on the daily market rate published in the Bond Buyer's Index for tax exempt municipal bonds for the period from sixty to thirty days before the annual centennial funding application cycle begins, using the daily market interest rate for that period. Loan terms and interest rates are as follows:

Repayment period interest rate.

Up to five years: Thirty percent of the average market rate.

More than five but no more than twenty years: Sixty percent of the average market rate.

The director of the department or the director's designee may approve lower interest rates for annual funding application cycle for the centennial fund and the Washington state pollution control revolving fund: Provided, That this may only be done if a financial analysis of the Washington state pollution control revolving fund demonstrates that lower interest rates for that year are not detrimental to the perpetuity of that fund.

AMENDATORY SECTION (Amending Order 97-31, filed 12/3/97, effective 1/3/98)

WAC 173-95A-040 ((Determining a substantial environmental degradation.)) **Where can I obtain details about the application and review process for centennial funds?** ((For the purposes of this chapter, a determination of a substantial environmental degradation related to a grant or

loan must be requested by the public official who signed the grant or loan application. The request needs to be in the form of a letter, with supporting documentation, to the director of the department. The director or his or her designee reviews the documentation and determines whether a substantial environmental degradation exists. A determination of a substantial environmental degradation must be documented in a letter signed by the director or his or her designee and addressed to the same public official.)) (1) Applicants must apply for financial assistance in order to be considered for funding and for their projects to be included on the funding offer list. Projects must be on the funding offer list in order to receive centennial financial assistance.

(a) A schedule of the annual funding cycle will be published no later than the last business day of November each year.

(b) The period during which applications are accepted each year will last a minimum of sixty days, and application forms and guidelines for that year will be made available at the beginning of that period.

(c) In the first thirty days of the period during which applications are accepted each year, the department will conduct at least one application workshop in each of the department's four regions.

(2) The application for funding will consist of two parts. Part one of the application will request information for identification, description, and other information about the project for tracking purposes, and part two of the application will request information about the water quality problem or problems being addressed by the project and the proposed solutions to the problems. In the application, applicants will be asked to fully describe the environmental and financial need for the project. Applications for centennial financial assistance for facilities projects must address problems such as public health emergencies, severe public health hazards, the need to provide secondary or advanced treatment, the need to improve and protect water quality, reduction of combined sewer overflows, and other environmental needs. Applications for centennial financial assistance for nonpoint projects must address the remedies and prevention of water quality degradation associated with nonpoint source water pollution and must not be inconsistent with needs identified in the department's nonpoint source pollution assessment and management program.

(3) The application form, part two, will include five main question areas, each with subsidiary questions designed to elicit the information needed to evaluate the project. The maximum points awarded for these question areas equal ninety percent of the total possible score with a maximum of ten percent coming from local prioritization. The local prioritization process is described in detail in WAC 173-95A-050. The five main question areas and their associated maximum point percentages are:

(a) "What is the overall water quality problem and how will the problem be solved or addressed by the project?" This question is intended for general background purposes and to give evaluators an overview of the proposed project; no points are assigned.

(b) "What are the specific public health and water quality impairments caused by the problem and what are the pollu-

tion prevention aspects?" This question area is worth a maximum of thirty-four percent of the total score.

(c) "How will your proposed project address the water quality problem, and what are your measures of success?" This question area is worth a maximum of thirty-four percent of the total score.

(d) "What are some of the local initiatives you have taken that will help make your project a success?" This question area is worth a maximum of twelve percent of the total score.

(e) "Are there any state of Washington or federal mandates that this proposed project addresses?" This question area is worth a maximum of ten percent of the total score.

(4) The department will evaluate the proposed projects based on the information contained in the applications.

(a) Projects will be ranked according to potential water quality benefit and protection of public health.

(b) Projects which have the highest environmental and public health need will be given priority for financial assistance under the centennial program.

(c) Because funds must be used in a timely manner, readiness to proceed is also used in establishing the priority of projects.

(d) Other factors, including funding provisions in chapter 70.146 RCW, provisos identified in the department's biennial capital budget, relationship to the department's published plans, and relationship to published plans created by other federal and state agencies will be included in the priority evaluation.

(e) The department will request other agencies, including, but not limited to, the Washington state conservation commission, the Puget Sound action team, and the Washington state department of health, to provide evaluation assistance as needed.

(f) The department will coordinate maximum funding amounts and other issues with other state and federal funding agencies when possible.

(5) The total score that each proposed project receives based on the application form, part two, will be added to the local prioritization score (see WAC 173-95A-050 for more information on the local prioritization process) to develop the final score for the proposed project.

(6) The department will prepare a draft funding offer list each year after evaluating all applications. The draft funding offer list will list projects in rank order starting with the project receiving the most points in its final score. This will also generally be the order that projects may be offered financial assistance. After issuing the draft funding offer list, the department will allow a minimum of thirty days for public review and comment on the draft funding offer list. No later than fifteen days before the end of the public review and comment period the department will conduct at least one workshop to explain the draft funding offer list, answer questions about the draft funding offer list and the evaluation process, and provide details on the public comment process.

(7) The final funding offer list will be issued no later than sixty days after the end of the public review and comment period. The final funding offer list will reflect any changes made as a result of public comments or other information received during the public review and comment period, and

will include a responsiveness summary. The final funding offer list will generally list projects in the order that projects may be offered financial assistance.

(8) Emergency loan funding:

(a) Emergency loan funding may be available on a case-by-case basis to respond to a public health emergency (as designated by the Washington state department of health) or an environmental emergency (as designated by the department) where:

(i) The public body requesting emergency funding immediately communicates directly with the appropriate regional office of the department; and

(ii) There is a demonstrated need for immediate corrective action; and

(iii) The emergency is not based on a preexisting condition.

(b) If the department agrees that an emergency request should be funded, department staff will attempt to identify funding for the project.

(c) No grant funds are available for emergency projects.

(d) If the emergency project is funded, the applicant must follow all other funding guidelines.

(e) Projects funded as emergencies should start immediately and be completed quickly.

AMENDATORY SECTION (Amending Order 97-31, filed 12/3/97, effective 1/3/98)

WAC 173-95A-050 (~~Awarding grant and loan funds.~~) **How can a local area have a role in determining funding priorities?** ((A county, city or town that has been offered a grant or loan for a water pollution control facility project may not receive grant or loan funds while the county, city, or town is not in compliance with the Growth Management Act unless:

(1) A letter of determination showing that a public health need exists has been provided by the Washington state department of health; or a letter of determination showing that a substantial environmental degradation exists has been provided by the department; and

(2) The county, city or town has provided documentation to the department that actions or measures are being implemented to address the public health need or substantial environmental degradation; and

(3) The department has determined that the project is designed to address only the public health need or substantial environmental degradation described in the documentation, and does not address unrelated needs including but not limited to provisions for additional growth.) (1) Applicants may receive rating points based upon locally derived priorities. A maximum number of local prioritization points equal to ten percent of the total evaluation points available to a project may be added to the project evaluation points assigned by the department. These points are awarded to recognize the fact that local agencies and other groups may have water quality priorities that differ from the state-wide water quality priorities. The department does not require that any particular criteria be used in determining local priorities, but recommends that the local group be familiar with the water quality criteria

the department uses as well as any legislative mandates for funding consideration. Local prioritization is elective and applicants do not have to engage in or complete this process to be eligible for funding consideration. However, projects will not be awarded local prioritization points if the process described here is not followed.

(2) The area used for the local prioritization process must be one entire water resource inventory area.

(3) Each local prioritization process must address all applications for water quality funding made to the department for projects located in that water resource inventory area during the annual funding cycle for that fiscal year.

(4) Priorities must be sent to the department in a written document showing a numeric priority ranking for all eligible projects in a water resource inventory area. It must be signed by the representative of the lead agency of a local planning group (if a local planning group is used) or, if an ad hoc group is used, by the representatives of each of the required organizations. Signatures indicate that the represented group does not object to the specific priority ranking.

(5) In each water resource inventory area one group must complete the local prioritization effort. The department will not accept local priorities from more than one source in each water resource inventory area. The group must be one of the two types of groups described here:

(a) A local watershed planning group organized under RCW 90.82.060 (Watershed Planning Act). This group may be used only if it includes at least three of the required groups described in this section, and if this group is used, they must inform each of the other required groups of their priorities; or

(b) An ad hoc group consisting of a representative of all the required groups.

(6) The required groups are:

(a) The incorporated city, town, or municipal corporation with the largest population within the water resource inventory area; and

(b) All counties with jurisdictional responsibility for at least twenty-five percent of the area within the water resource inventory area; and

(c) The Washington state conservation district with the largest service area within the water resource inventory area; and

(d) The special purpose district providing wastewater services with the largest population within the water resource inventory area (districts that might meet this description include, but are not limited to, sewer districts, water and sewer districts, and public utility districts); and

(e) All federally recognized tribes having reservations or fishing rights within the water resource inventory area.

(7) In cases where a required signatory to the ad hoc group process refuses to become involved with the process, does not respond to the request to become involved, or agrees to become involved but does not do so, the ad hoc group may provide the department with proof that the group was asked to participate. This proof must be submitted with the signed list of priorities by the deadline for submitting that list. Where this proof is provided, the lack of the signature will not stop the department from awarding local priority points. Proof should consist of copies of registered mail asking the required group to become involved.

(8) The list of local priorities, with signatures, is due to the department no later than forty-five days after the end of the application period each fiscal year.

NEW SECTION

WAC 173-95A-060 What are the limitations on the use of funds? (1) The centennial fund may be used to provide financial assistance to applicants for the construction of water pollution control facilities and for water pollution control activities.

(2) Loan and grant offers identified on the final offer list will be effective for up to one year from the date of the final offer list. All loan and grant offers that do not result in a signed agreement within the effective offer period are automatically terminated.

(3) Limitations on commercial, industrial, and institutional flows:

(a) Flows from individual commercial, industrial, or institutional sources, are considered small when they are less than five percent of the total existing needs, as identified by the department's engineers. Collectively, flows from all individual commercial, industrial, or institutional sources are considered small when they are less than thirty percent of the total existing needs, as identified by the department's engineers. The portion of a project designed to serve the needs of commercial, industrial, and institutional customers may be funded using loans only, regardless of the level of financial capability in the jurisdiction applying for funding, where the department has determined that the flows from commercial, industrial, and institutional customers are "small."

(b) That portion of a project designed to serve the needs of local public primary and secondary schools may be grant eligible in cases where the residential portion of a project has been determined to be eligible for partial grant funding due to the level of financial capability in the public body applying for funding, under the provisions of WAC 173-95A-030(8).

(4) Projects proposed by Washington state agencies will not be funded; except that activities projects undertaken by state institutions of higher education are eligible to apply for funding when the activities are not part of the school's statutory responsibilities.

(5) Ineligible projects or project elements. Certain projects or project elements, including, but not limited to, the following, are not eligible for centennial assistance:

(a) Projects related to acts of nature that alter the natural environment, thereby causing water quality problems;

(b) Cost-plus-a-percentage-of-cost contracts (also known as multiplier contracts), time and materials contracts, and percent-of-construction contracts in facilities projects;

(c) Fines and penalties due to violations of or failure to comply with federal, state, or local laws;

(d) Projects or project elements intended solely for flood control;

(e) Interest on bonds, interim financing, and associated costs to finance projects;

(f) Landscaping for aesthetic reasons;

(g) Legal expenses other than those associated with development of local ordinances for water quality protection

and improvement, or with use of a bond counsel in developing a loan agreement;

- (h) Lobbying or expenses associated with lobbying;
 - (i) Reclamation of abandoned mines;
 - (j) Monitoring equipment used by an industry for sampling and analysis of industrial discharges from municipal water pollution control facilities;
 - (k) Office equipment;
 - (l) Operating expenses of local government, such as the salaries and expenses of a mayor, city council member, city attorney, etc.;
 - (m) Routine or ongoing operation and maintenance costs;
 - (n) Overtime differential paid to employees of local government to complete administrative or force account work;
 - (o) Permit fees;
 - (p) Personal injury compensation or damages arising out of the project, whether determined by adjudication, arbitration, negotiation, or other means;
 - (q) Preparation of loan or grant applications;
 - (r) Costs associated with commercial, institutional or industrial pretreatment
 - (s) Professional dues;
 - (t) Projects or project elements solely addressing water quantity or other water resource issues;
 - (u) Refinance of existing debt;
 - (v) Replacement parts, other than those for an initial set of spare parts for equipment that is critical for a facility to operate in compliance with discharge permit requirements;
 - (w) Rework costs associated with any project;
 - (x) Projects or project elements solely addressing solid or hazardous waste;
 - (y) Training staff to develop skills not identified in the loan or grant agreement;
 - (z) Vehicle purchase except for vehicles intended for the transportation of liquid or dewatered sludge or septage;
 - (aa) Water pollution control activities or facilities or portions of those facilities that are primarily intended to control, transport, treat, dispose, or otherwise manage commercial, institutional or industrial wastewater or other water pollution control needs from those sites.
- (6) Loan-eligible projects or project elements. Certain projects or project elements, including, but not limited to, the following, are ineligible for centennial grant assistance, but may be eligible for centennial loan assistance:
- (a) Implementation of best management practices on private property, with certain narrow exceptions listed in subsection (8) of this section;
 - (b) Comprehensive sewer planning, including wastewater elements of capital facilities planning under the Growth Management Act;
 - (c) Comprehensive storm water planning;
 - (d) Construction of water pollution control facilities with reserve capacities to meet up to one hundred ten percent of existing residential needs;
 - (e) Land acquisition as an integral part of the treatment process (e.g., land application) or for prevention of water pollution;

(f) Land acquisition for siting of water pollution control facilities, sewer rights of way, and easements, and associated costs;

- (g) Land acquisition for wetland habitat preservation;
 - (h) Local loan fund establishment for water pollution control;
 - (i) New sewer systems to eliminate failing or failed on-site septic systems;
 - (j) Design (plans and specifications) for water pollution control facilities (including storm water facilities);
 - (k) Facilities plans for water pollution control facilities (including storm water facilities);
 - (l) Previously funded objectives;
 - (m) Residential and small commercial on-site septic system rehabilitation and replacement;
 - (n) Sewer laterals or individual pump stations or other appurtenances on private residential property;
 - (o) Value engineering for water pollution control facilities (including storm water facilities).
- (7) Projects or project elements eligible only for loans except in hardship situations. Certain projects or project elements, including, but not limited to, the following, may be eligible or partly eligible for centennial grant assistance when hardship has been determined by the department, and eligible for a centennial loan when hardship has not been demonstrated:
- (a) Construction of combined sewer overflow abatement;
 - (b) Construction of facilities for the control, storage, treatment, disposal, or recycling of domestic wastewater to meet existing need;
 - (c) Sewers and side sewer laterals on public property for infiltration and inflow correction projects;
 - (d) Costs associated with transferring ownership of a small wastewater system to a public body;
 - (e) Storm water quality control, treatment, installation, or rehabilitation necessary to protect surface and ground water;
 - (f) An initial set of spare parts for equipment that is critical for a facility to operate in compliance with discharge permit requirements;
 - (g) Sewer to replace existing water pollution control facilities.
- (8) Loan or grant eligible projects or project elements. Certain projects or project elements, including, but not limited to, the following, may be eligible or partly eligible for centennial loan or grant assistance:
- (a) Aquatic plant control when it has been established that water quality degradation is due to the presence of aquatic plants, and sources of pollution have been addressed sufficiently to assure that pollution being remediated does not recur;
 - (b) Implementation of best management practices on private property, where the practice consists of demonstration of new, innovative or alternative technology not yet demonstrated in the Washington state department of ecology region in which they are proposed, and where a public easement is given by the landowner;
 - (c) Implementation of best management practices in the riparian zone on private property consisting of revegetation

or fence construction and where a public easement is given by the landowner;

(d) Implementation of best management practices on public property;

(e) Computer equipment specific to funded project and identified in a funding agreement;

(f) Annual meeting or conference registration fees where attendee is making a formal presentation related to the project;

(g) Watershed plan development and implementation;

(h) Diagnostic studies to assess current water quality;

(i) Water quality education and stewardship programs;

(j) Environmental checklists, assessments, and impact statements necessary to satisfy requirements for the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA);

(k) Equipment and/or tools for activities projects as identified in a funding agreement;

(l) Farm planning;

(m) Ground water protection activities and programs;

(n) Riparian and wetlands habitat restoration and enhancement, including revegetation;

(o) Indirect costs at a rate of up to twenty-five percent, or as defined in the most current edition of *Administrative Requirements for Ecology Grants and Loans*;

(p) Lake implementation projects and water quality planning activities on lakes with public access;

(q) Landscaping for erosion control directly related to a project, or site-specific landscaping in order to mitigate site conditions and comply with requirements in the State Environmental Policy Act or the National Environmental Policy Act;

(r) Monitoring effectiveness;

(s) Monitoring equipment used in a funded project for water quality assessment;

(t) Volunteer monitoring programs;

(u) Monitoring water quality;

(v) Costs associated with the establishment of an area-wide program for ongoing maintenance of on-site wastewater systems;

(w) On-site wastewater system surveys;

(x) Development and dissemination of model ordinances to prevent or reduce pollution from nonpoint sources;

(y) Public participation and public awareness directly related to the project;

(z) Light refreshments for advisory group meetings when specified in loan or grant agreement;

(aa) Sales tax;

(bb) Sediment reduction practices and projects;

(cc) Stream restoration projects or other bioengineering for water quality purposes;

(dd) Total maximum daily load study development and implementation;

(ee) Training recipient staff to develop skills specific and necessary to the funded project and where the training is identified in the loan or grant agreement;

(ff) User charge system development; wastewater or storm water utility rate studies;

(gg) Comprehensive basin, watershed, and area-wide water quality planning;

(hh) Implementation of eligible projects identified in watershed plans;

(ii) Wellhead protection.

NEW SECTION

WAC 173-95A-070 How does the Growth Management Act impact the use of funds? (1) A local government not in compliance with the Growth Management Act may not receive loans or grants from the department, except that, in limited circumstances, a local government that is not in compliance with the Growth Management Act may receive loans or grants from the department where necessary to address a public health need or substantial environmental degradation.

(2) For the purposes of this chapter, "compliance with the Growth Management Act" means that:

(a) A county, city, or town that is required to or chooses to plan under RCW 36.70A.040 has adopted a comprehensive plan and development regulations in conformance with the requirements of chapter 36.70A RCW, after it is required that the comprehensive plan and development regulations be adopted; and

(b) The county, city, or town has not been found out of compliance by a growth management hearings board; or

(c) A growth management hearings board has found a county, city, or town in compliance with the requirements of chapter 36.70A RCW, after previously finding the county, city, or town was not in compliance.

(3) For the purposes of this chapter, a public health need related to a loan or grant must be documented by a letter signed by the secretary of the Washington state department of health or his or her designee and addressed to the public official who signed the loan or grant application. "Public health need" means a situation where:

(a) There is a documented potential for:

(i) Contaminating a source of drinking water; or

(ii) Failure of existing wastewater system or systems resulting in contamination being present on the surface of the ground in such quantities and locations as to create a potential for public contact; or

(iii) Contamination of a commercial or recreational shellfish bed as to create a critical public health risk associated with consumption of the shellfish; or

(iv) Contamination of surface water so as to create a critical public health risk associated with recreational use; and

(b) The problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and

(c) The problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(4) For the purposes of this chapter, a substantial environmental degradation related to a loan or grant must be documented by a letter signed by the director of the department or his or her designee and addressed to the public official who signed the loan or grant application. "Substantial environmental degradation" means that:

(a) There is a situation causing real, documented, critical environmental contamination that:

(i) Contributes to violations of the state's water quality standards; or

(ii) Interferes with beneficial uses of the waters of the state; and

(b) The problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and

(c) The problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(5) A county, city, or town that has been offered a loan or grant for a water pollution control facilities project may not receive loan or grant funds while the county, city, or town is not in compliance with the Growth Management Act unless:

(a) Documentation showing that a public health need has been provided by the Washington state department of health; or documentation showing that a substantial environmental degradation exists has been provided by the department; and

(b) The county, city, or town has provided documentation to the department that actions or measures are being implemented to address the public health need or substantial environmental degradation; and

(c) The department has determined that the project is designed to address only the public health need or substantial environmental degradation described in the documentation, and does not address unrelated needs including, but not limited to, provisions for additional growth.

NEW SECTION

WAC 173-95A-080 What is the "step process" for planning facilities and activities projects? (1) The step process: The "step process" is a systematic method for proceeding with projects. The step process begins with site-specific planning, and continues through design to construction or implementation. It is required for facilities construction projects and, in a modified form, is required for some kinds of activities projects and recommended for all kinds of activities projects.

(2) The step process for facilities: To be eligible for a centennial loan or grant, facilities projects must follow the step process.

(a) Before a public body with a facilities project is eligible to apply for funds, all previous steps must be approved by the department in order to help ensure that funds are spent in a timely matter on projects proceeding towards a successful outcome. Funding for site-specific facilities planning (step one) or design (step two) does not guarantee the awarding of future loans or grants for construction (step three). The department will not sign a loan or grant agreement until all previous steps have been completed and approved by the department.

(b) Planning (step one): Step one involves the preparation of a site-specific facilities plan that identifies and prioritizes the cost-effective alternatives for addressing a water pollution control problem with or without state and federal funding. There is no prerequisite for planning. If there is an

existing engineering report, prepared with or without department funding, it must be upgraded for centennial loan or grant eligibility if it does not meet the definition of a facilities plan.

(c) Design (step two): Step two includes the preparation of plans and specifications for use in construction. These must be based on the preferred cost-effective alternative identified in the facilities plan. Facilities plans must be approved by the department before an application for design can be considered for funding, regardless of whether or not the facilities planning documents were funded by a department grant or loan.

(i) Due to specific loan and grant review criteria, facilities plans approved by the department for purposes other than securing a loan or grant will not be accepted for design purposes.

(ii) Facilities plans approved by the department more than two years prior to the close of the loan and grant application period must contain evidence of recent review by the department to ensure the document reflects current conditions.

(d) Construction (step three): Step three includes the actual building of facilities based on the approved design. Design must be approved by the department before an application for construction can be considered for funding.

(e) Design and construction (step four): In some cases, design and construction may be combined into one loan award, which is called step four. Different ceiling amounts apply to step four projects, as provided for in WAC 173-95A-030. Applications for step four loans will be accepted and considered for funding if it can be demonstrated that step two (design) can be completed and approved by the department within one year of the date the final offer list is made public.

(3) Prerequisite documents for facilities projects: Draft documents must be sent to the department's engineers at least sixty days prior to end of application cycle for approval by end of application cycle.

(4) Step deviations. A deviation from the step process may be allowed only in a situation where the Washington state department of health has declared a public health emergency and the proposed project would remedy this situation.

(a) In this situation, the department will accept applications for funding consideration that do not follow the step process. However, no loan or grant agreement will be signed until all previous steps have been completed and approved by the department. This deviation from the step process will only allow an application to be considered for funding - it does not guarantee that funding will be offered. It does not allow a loan to be awarded until all step requirements have been satisfied.

(b) If a deviation is approved, the applicant may deviate by only one step. For instance, the department could accept an application for design if planning was not completed and approved, or an application for construction if design was not completed and approved. However, the department may not accept an application for construction if planning was not completed and approved, which would be a two step deviation.

(5) The step process for activities.

(a) Two kinds of activities projects must follow the step process:

- (i) Best management practices; and
- (ii) Lake projects.

(b) In other cases, the step process for activities is not required, however the department encourages all applicants to plan activities.

(c) The steps involved in the step process for activities are:

(i) Planning (step one) involves the identification of problems and evaluation of cost-effective alternatives, based on environmental and economic considerations, for correcting and preventing water quality problems. Specific activities may include planning for watershed management, ground water management areas, lake restoration, and water quality assessment and other related activities. If the planning document is one that must be approved by a government agency or public body other than the applicant, it must be signed before the applicant is eligible to apply for step two funding.

(ii) Implementation (step two) includes the actual implementation of the project based on the planning document. Where the project includes any type of construction, a design element may be included in step two.

NEW SECTION

WAC 173-95A-090 What other laws, regulations or requirements must recipients comply with? (1) Recipients shall fully comply with all federal, state, and local laws and regulations related to procurement, discrimination, labor, job safety, and drug-free environments. The recipient shall also comply with the state and federal minority-and-women-owned businesses regulations. Applications must not be inconsistent with pertinent adopted water quality plans.

(2) If a loan or grant is provided for water pollution control facilities, recipients shall submit a declaration of construction of water pollution control facilities to the department within thirty days of project, phase, or segment completion.

(3) Recipients must maintain accounting records in accordance with "generally accepted government accounting standards." These standards are defined as, but not limited to, those contained in the United States General Accounting Office publication *"Standards for Audit of Governmental Organizations, Programs, Activities, and Functions."*

(4) Accounting irregularities may result in an immediate stoppage of payment until irregularities are resolved. The director of the department may require immediate repayment of misused loan or grant funds.

NEW SECTION

WAC 173-95A-100 How are grants and loans managed? (1) Timely use of funds: Projects funded with loans or grants from the centennial fund must be spent in a timely fashion so that funds are put to work for the water quality of the state as soon as possible. To accomplish this, certain time restrictions are placed on the use of funds as follows:

(a) Work on a project must be started within sixteen months of the publication date of the final offer list on which the project was proposed.

(i) Any expenditure of funds which is eligible for reimbursement under the terms of the loan or grant agreement constitutes starting the project.

(ii) No more than one time extension of no more than twelve months may be made when there are valid reasons for the extension and when the extension is included in the signed funding agreement with the department.

(iii) Valid reasons for a time extension allowing a start date more than sixteen months after the publication date of the final offer list are limited to:

(A) Schedules included in water quality permits, consent decrees, or enforcement orders; or

(B) The recipient and the department agree that there is a need to do work during an environmental window in a specific season of the year.

(iv) If the funding recipient has one of these valid reasons to wait longer than sixteen months to start the project, the reasons why it will take longer and the schedule the recipient will follow must both be stated clearly in a signed loan or grant agreement.

(b) Work on a project must be completed within five years of the publication date of the final offer list on which the project was proposed or within a shorter time period if the shorter period is identified in the funding agreement for the project. When all work identified in the funding agreement scope of work is finished, the project is deemed to be completed. After the five-year time limit is reached, no further expenditures may be reimbursed unless an extension is made.

(i) No more than one time extension of no more than twelve months may be made when there are valid reasons for the extension; and

(A) The extension is requested no less than three months before the funding agreement is due to expire; and

(B) The department's water quality program manager agrees that the extension is for a valid reason.

(ii) Valid reasons for a time extension are limited to:

(A) Schedules included in water quality permits, consent decrees, or enforcement orders; or

(B) The recipient and the department agree that there is a need to do work during an environmental window in a specific season of the year.

(iii) If the funding recipient has one of these valid reasons to be allowed a time extension, the reasons why it will take longer and the schedule the recipient will follow must both be stated clearly in a signed amendment to the existing loan or grant agreement.

(c) In-kind goods and services may be used as match for activities grants subject to ceiling amount restrictions covered in WAC 173-95A-030 and subject to the most recent edition of *Administrative Requirements for Ecology Grants and Loans*.

(d) In-kind goods and services may be used as match for facilities grants only in the case of projects undertaken under the small town environmental program, or "STEP."

(2) Prior authorization to incur costs. In cases where a project has been identified on a final offer list, the applicant

may make a written request to the water quality program manager, asking to begin incurring costs related to a loan or grant for which there is not yet a signed loan or grant agreement. If the department concurs with this request, the water quality program manager will send the applicant a letter authorizing the costs. The applicant incurs the costs at their own risk. When an agreement is signed, previously incurred costs that are not eligible under the terms of the agreement are the sole responsibility of the applicant.

(3) Appeals of loan and grant agreement decisions: The only decisions which may be appealed are written decisions by the department made during the effective loan or grant agreement period. Appeals must be filed in writing to the department within forty-five days from the date of the disputed decision. Following the final decision of a dispute, the department and the recipient shall proceed with the project in accordance with the decision rendered. Administrative or legal costs and other expenses incurred as part of an appeal will not be eligible for reimbursement.

(4) The department, or at the department's discretion another authorized auditor, may audit the loan or grant agreement and records.

(5) The administration of all loans and grants will be subject to all terms and conditions in a funding agreement signed by the department and by the recipient.

(6) Ongoing management of most aspects of loan and grant projects is subject to the most recent edition of *Administrative Requirements for Ecology Grants and Loans*, copies of which will be provided to all recipients.

NEW SECTION

WAC 173-95A-110 General provisions. (1) Other state and federal grant funding: Other grant funds provided by the state legislature, federal government, or from other sources will be managed in a manner consistent with the centennial rule.

(2) For all projects, the recipient must acknowledge department financial assistance in all reports, technical documents, publications, brochures, and other materials produced using funding from the loan or grant. All site-specific projects must have a sign of sufficient size to be seen from nearby roadways, acknowledging department financial assistance, and left in place throughout the life of the project. Department logos must be on all signs and documents. Logos will be provided as needed.

WSR 01-01-043

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 00-11—Filed December 8, 2000, 4:33 p.m.]

Date of Adoption: December 8, 2000.

Purpose: To provide consistency and predictability to the management of the Washington state water pollution control revolving fund.

Citation of Existing Rules Affected by this Order: Amending chapter 173-98 WAC.

Statutory Authority for Adoption: Chapter 90.50A RCW.

Adopted under notice filed as WSR 00-19-095 on September 20, 2000.

Changes Other than Editing from Proposed to Adopted Version: Several small changes were made for clarity, and are described in full in the concise explanatory statement (responsiveness summary). None are substantive or change the meaning of the rule.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 8, 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 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 8, 2000

Tom Fitzsimmons

Director

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-020 What are the definitions of key terms? Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Act" means the Federal Water Pollution Control Act (33 U.S.C. 4661 et seq.).

(2) "Applicant" means a public body (~~requesting financial assistance for water pollution control facilities projects authorized in section 212 of the act. "Applicant" can also mean an entity other than a public body which requests financial assistance authorized by sections 319 and 320 of the act. An entity must be financially stable and clearly have the capacity to repay their loans~~) that has applied for funding.

(3) ("Approvable" means:

- ~~All major department comments on the draft document (i.e., facilities plan or plans and specifications) have been addressed.~~
- ~~Preliminary State Environmental Policy Act (SEPA) review checklists have been prepared for the project or the project is in compliance with SEPA.~~
- ~~The SERP State Environmental Review Process (SERP) review checklists have been prepared for the project or the project is in compliance with SERP. Only the final written department approval remains.~~

~~(4))~~ "Best management practices" means physical, structural, and/or managerial practices approved by the department or by another agency with regulatory oversight that, when used singularly or in combination, prevent or reduce pollutant discharges.

~~(4)~~ "Concentrated animal feeding operation" means an animal livestock feeding operation that discharges animal waste to the waters of Washington state more frequently than the twenty-five year, twenty-four hour storm event; or if the operation is under a department administrative order, notice of violation, a National Pollution Discharge Elimination System permit; or the operation will be required to have a National Pollution Discharge Elimination System permit coverage in the near future; or the department or the U. S. Environmental Protection Agency determines the operation is considered to be polluting the waters of Washington state.

~~(5)~~ "Commercial, industrial, and institutional flows" means the portion of the total flows to a facilities project that originate from commercial establishments, industrial facilities, or institutional sources such as schools, hospitals, and prisons.

~~(6)~~ "Construction" means the erection, installation, expansion, or improvement of water pollution control facilities or activities.

~~((5))~~ ~~(7)~~ "Cost-effective alternative" means that alternative with the lowest present worth or equivalent annual value that achieves the requirements of the project while recognizing the environmental and other nonmonetary considerations.

~~((6)~~ ~~"Coverage requirement" means annual net revenue which, after the payment of senior lien obligations and together with utility local improvement district assessments (if applicable), is at least equal to one hundred twenty percent of annual debt service on the loan and any other obligations on a parity therewith.~~

~~(7))~~ ~~(8)~~ "Defeasance" means the setting aside in escrow or other special fund or account of sufficient investments and money dedicated to pay all principal of and interest on all or a portion of an obligation as it comes due.

~~((8))~~ ~~(9)~~ "Department" means the Washington state department of ecology.

~~((9))~~ ~~(10)~~ "Design" means the plans and specifications for water pollution control facilities or activities.

~~((10))~~ ~~(11)~~ "Director" means the director of the Washington state department of ecology or his or her authorized designee.

~~((11))~~ ~~(12)~~ "Easement," for the purposes of this rule, means a written agreement between a public body and an individual landowner, that allows the public body to have access to the property at any time to inspect, maintain, or repair activities or facilities installed with a loan or a grant, or to hold occasional public tours of the site for educational purposes.

~~(13)~~ "The effective date of the loan agreement" means the date the loan agreement is signed by the department's water quality program manager.

~~((12))~~ ~~(14)~~ "Enforcement order" means an administrative order that is a document issued by the department under the authority of RCW 90.48.120 and that directs a public body to complete a specified course of action within an

explicit period of time to achieve compliance with the provisions of chapter 90.48 RCW.

~~(15)~~ "Engineering report" means a report that evaluates engineering and other alternatives that meet the requirements set forth in Chapter 173-240 WAC, Submission of plans and reports for construction of wastewater facilities.

~~(16)~~ "EPA" means the United States Environmental Protection Agency.

~~((13))~~ ~~(17)~~ "Excess capacity" means water pollution control facilities capability beyond what is needed for the existing residential population to meet the water quality based effluent limitations in the recipient's National Pollution Discharge Elimination System or state waste discharge permit.

~~(18)~~ "Existing residential need" means work required on the water quality based effluent limitations in the recipient's water pollution control facilities for the existing residential population in order to meet the recipient's National Pollution Discharge Elimination System or state waste discharge permit.

~~((14))~~ ~~(19)~~ "Facilities plan" means plans and studies necessary for treatment works to comply with enforceable requirements of the act and with state statutes. Facilities plans must include a systematic evaluation of alternatives that are feasible in light of the unique demographic, environmental or ecological, topographic, hydrologic and institutional characteristics of the area. Facilities plans must also demonstrate that the selected alternative is cost-effective.

~~((15))~~ ~~(20)~~ "Federal capitalization grant" means a federal grant awarded by EPA to the state as seed money to help establish the state water pollution control revolving fund.

~~((16))~~ ~~(21)~~ "Financial assistance" means each of the four types of assistance specified in WAC 173-98-030 (1)(b) through (f) and other assistance authorized by Title VI of the act and chapter 90.50A RCW.

~~((17)~~ ~~"SRF loan agreement" means a legal contract between a recipient and the state, enforceable under state law, and specifying the terms and schedules under which assistance is provided.~~

~~(18))~~ ~~(22)~~ "Funding cycle" means the annual cycle of activities related to allocating funds for a single fiscal year.

~~(23)~~ "Fund" means the state water pollution control revolving fund.

~~((19))~~ ~~(24)~~ "General obligation debt" means an obligation of the recipient secured by annual ad valorem taxes levied by the recipient and by the full faith, credit, and resources of the recipient.

~~((20))~~ ~~(25)~~ "Initiation of operation" means the actual date the water pollution control facilities initiates operation and the entity begins using the facilities for its intended purpose. This date may occur prior to final inspection and will be determined by the department after consultation with the recipient. This date may be the same or earlier than the date of project completion.

~~((21))~~ ~~(26)~~ "Infiltration and inflow" means water, other than wastewater, that enters a sewer system.

~~(27)~~ "Infiltration and inflow correction" means the cost-effective alternative or alternatives identified in an approved facility plan for eliminating or reducing the infiltration and inflow from an existing sewer system.

(28) "Intended use plan (IUP)" means a plan identifying the intended uses by the department of the amount of funds available for financial assistance from the state water pollution control revolving fund (SRF) for that fiscal year as described in section 606(c) of the act. The projects on the ((HUP)) intended use plan will be ranked by environmental and financial need.

((22)) (29) "Loan agreement" means a legal contract between a recipient and the state, enforceable under state law, and specifying the terms and schedules under which assistance is provided.

(30) "Loan default" means failure to make a loan repayment within sixty days after the payment was due.

(31) "Local prioritization process" means a process to prioritize projects locally.

(32) "Nonpoint source water pollution" means pollution that enters any waters of the state from any dispersed water-based or land-use activities, including, but not limited to:

(a) Atmospheric deposition, surface water runoff from agricultural lands, urban areas, forest lands, subsurface or underground sources; and

(b) Discharges from boats or other marine vessels.

((23)) (33) "Plans and specifications" means the construction contract documents and supporting engineering documents prepared in sufficient detail to allow contractors to bid on and construct water pollution control facilities. "Plans and specifications" and "design" may be used interchangeably.

((24)) (34) "Project" means the scope of work for which financial assistance is issued.

((25)) (35) "Project completion" means the date the project is determined by the department as being complete.

((26)) (36) "Public body" means the state of Washington or any agency, county, city or town, other political subdivision, municipal corporation or quasi-municipal corporation, and those Indian tribes recognized as such by the federal government at the time the SRF loan agreement is signed.

((27)) (37) "Public health emergency" means a situation declared by the Washington state department of health in which illness or exposure known to cause illness is occurring or is imminent.

((28)) (38) "Recipient" means an applicant for financial assistance which has signed an SRF loan agreement.

((29)) (39) "Reserve account" means, for a loan that constitutes revenue-secured debt, the account of that name created in the loan fund to secure the payment of the principal ((of)) and interest on the loan.

((30)) (40) "Revenue-secured debt" means an obligation of the recipient secured by a pledge of the revenue of a utility and one not of a general obligation of the recipient.

((31)) (41) "Scope of work" means a detailed description of a project, including measurable objectives useful for determining successful completion. The scope of work is negotiated between the department and the loan or grant recipient.

(42) "Senior lien obligations" means all revenue bonds and other obligations of the recipient outstanding on the date of execution of this agreement (or subsequently issued on a parity therewith, including refunding obligations) or issued after the date of execution of this agreement having a claim or

lien on the gross revenue of the utility prior and superior to the claim or lien of the loan, subject only to maintenance and operation expense.

((32)) (43) "Severe public health hazard" means a situation declared by the state department of health and the department in which the potential for illness exists, even if the illness is not currently occurring or imminent. For the purposes of this chapter there must be contamination of drinking water or contamination must be present on the surface of the ground in such quantities and locations to create a potential for public contact. The problem must generally involve a serviceable area including, but not limited to, a subdivision, town, city, or county. Also, the problem must be one which cannot be corrected through more efficient operation and maintenance of the wastewater disposal system(s).

((33)) (44) "Sewer" means a pipe and related pump stations located on public property, or on public rights of way and easements, that conveys wastewater from individual buildings or groups of buildings to a treatment plant.

(45) "Side sewer" means a sanitary sewer service extension from the point five feet outside the building foundation to the publicly owned collection sewer.

(46) "Small flows" means flows from commercial, industrial, or institutional sources that enter a sanitary sewer system.

(47) "State water pollution control revolving fund (SRF)" means the water pollution control revolving fund established by RCW 90.50A.020.

((34)) (48) "Step process" means a systematic process that facility projects must follow to be eligible for loans or grants.

(49) "Total eligible project cost" means the sum of all costs associated with a water quality project that have been determined to be eligible for loan or grant funding.

(50) "Total project cost" means the sum of all eligible and ineligible costs associated with a water quality project.

(51) "Water pollution" means such contamination, or other alteration of the physical, chemical, or biological properties of any waters of the state, including, but not limited to, change in:

- (a) Temperature;
- (b) Taste;
- (c) Color;
- (d) Turbidity; or
- (e) Odor.

It also means a discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state that will or is likely to create a nuisance or render those waters harmful, detrimental, or injurious to the public health, safety, or welfare, or injurious to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

((35)) (52) "Water pollution control activities" means actions taken by a public body to achieve the following purposes:

- (a) To control nonpoint sources of water pollution;
- (b) To develop and implement a comprehensive conservation and management plan for estuaries; and

(c) To maintain, improve, or protect water quality through the use of water pollution control facilities, management programs, or other means.

~~((36))~~ (53) "Water pollution control facilities" means any facilities or systems for the control, collection, storage, treatment, disposal, or recycling of wastewater. Wastewater includes, but is not limited to, sanitary sewage, storm water, combined sewer overflows, residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property integral to the treatment process, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include facilities, equipment, and collection systems which are necessary to protect federally designated sole source aquifers.

(54) "Water resource inventory areas," sometimes referred to as "WRIAs," means one of sixty-two watersheds in the state of Washington, each composed of the drainage areas of a stream or streams, as established in chapter 173-500 WAC as it existed on January 1, 1997. All parts of the state of Washington are located in a single water resource inventory area.

AMENDATORY SECTION (Amending Order 00-02, filed 4/7/00, effective 5/8/00)

WAC 173-98-030 How, and under what conditions, can money from the state water pollution control revolving fund be used? (1) Uses of the money. The state water pollution control revolving fund (SRF) may be used for the following purposes:

(a) To accept and retain funds from capitalization grants provided by the federal government, state matching funds appropriated in accordance with chapter 90.50A RCW, payments of principal and interest, and any other funds earned or deposited;

(b) To make loans to applicants in order to finance the planning, design, and/or the construction of water pollution control facilities, make loans to applicants for the implementation of nonpoint source pollution control management programs (which includes planning and implementing elements of the nonpoint source pollution assessment and management program), and make loans to applicants for the development and implementation of a comprehensive estuary conservation and management plan, subject to the requirements of the act;

(c) To provide loans for up to twenty years reserve capacity for water pollution control facilities;

(d) To buy or refinance the debt obligations incurred by applicants after March 7, 1985, for the construction of water pollution control facilities. (March 7, 1985, was the date that the amendments adding Title VI to the act were first considered by Congress. Any refinancing agreements must be for construction initiated after that date according to federal and state law);

(e) To guarantee or purchase insurance for local obligations where such an action would improve credit market access or reduce interest rates;

(f) As a source of revenue or security for the payment of principal and interest on revenue or general obligation bonds issued by the state, if the proceeds of those bonds will be deposited in the fund; and

(g) To finance the reasonable costs incurred by the department in the administration of the account as authorized by the act and chapter 90.50A RCW.

(2) Policies for establishing the terms of financial assistance. Recipients' interest rates will be based on the average market interest rate. The average market interest rate will be based on the daily market rate published in the *Bond Buyer's Index* for tax exempt municipal bonds for the period from sixty to thirty days before the SRF annual funding application cycle begins, using the daily market interest rate for that period.

Loan terms and interest rates are as follows:

Repayment Period	Interest Rate
Up to five years:	Thirty percent of the average market rate.
More than 5 but no more than 20 years:	Sixty percent of the average market rate.

The director of the department of ecology or ~~(her/his)~~ the director's designee may approve lower interest rates for the annual funding application cycle if a financial analysis of the fund demonstrates that lower interest rates for that year are not detrimental to the perpetuity of the fund.

(3) Financial hardship assistance for facilities construction.

(a) Financial hardship assistance may be available to loan recipients for the existing residential need portion of a water pollution control facilities construction project if the project will cause a residential sewer user charge in excess of ~~((4-5))~~ one and one-half percent of the median household income.

(i) Median household income for this purpose is based on the most recent available census data~~((Median household income data is))~~, updated yearly based on inflation rates as measured by the Federal Bureau of Labor Statistics and published as the Consumer Price Index.

(ii) If median household income data ~~((is))~~ are not available for a community or if the community disputes the data used by the department, the department will allow a local government to conduct a scientific survey to determine the median household income.

(iii) In situations where a project is proposed for an area with demographics which may not be representative of the entire census designated place, the department may require a scientific survey to determine the median household income.

(iv) In rare cases where financial hardship cannot be established using residential user fees as a percent of median household income financial hardship determinations will be made on a case-by-case basis.

(b) The need for hardship assistance is calculated on water pollution control facilities construction costs associ-

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ated with existing residential need at the time an application for funding is received by the department. The analysis does not include costs for growth. For example, if an applicant applies for ten million dollars to finance facilities construction costs, where six million dollars is for existing residential need and the remaining four million dollars is for growth, the hardship analysis would be based on the six million dollars for existing residential need.

(c) If the department determines that financial hardship exists, it may ~~((structure loan agreements with terms to help keep))~~ make changes to the offer of financial assistance in an attempt to lower the residential user charges below the financial hardship level for the existing residential need ~~((, if possible. Hardship terms may include lengthening the repayment period to a maximum of twenty years, lowering the interest rate, or a combination of a lower interest rate and an extended term.~~

~~(d) For some facilities projects, financial hardship cannot be established using residential user fees as a percent of median household income. In these situations, financial hardship determinations will be made on a case-by-case basis.~~

~~(e))~~ These changes may include:

(i) Changing the structure of the loan agreements with terms to lengthen the repayment period to a maximum of twenty years, lowering the interest rate, or a combination of a lower interest rate and an extended term; and, if this is not sufficient.

(ii) Offering partial centennial grant funding as allowable under the provisions of chapter 173-95A WAC.

(d) If an applicant is requesting financial hardship assistance, it should submit a completed financial hardship analysis form with its application for financial assistance.

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-040 Where can I obtain more detail about the application, review, and issuance processes for funds from the state water pollution control revolving fund? ((The department publishes guidelines which describe in greater detail the financial assistance application, review and issuance processes, the terms of assistance, and other elements of this program)). (1) Applicants must apply for financial assistance in order to be considered for funding and for their projects to be included on the intended use plan. Projects must be on a current or past intended use plan in order to receive SRF loans.

(a) A schedule of the annual funding cycle will be published no later than the last business day of November each year, for the funding corresponding to the next state fiscal year.

(b) The period during which applications are accepted each year will last a minimum of sixty days, and application forms and guidelines for that year will be made available at the beginning of that period.

(c) In the first thirty days of the period during which applications are accepted each year, the department will conduct at least one application workshop in each of the department's four regions.

(d) When there is limited demand for funds from the current funding cycle, projects from any past intended use plan, starting with the most recent, may be funded in priority order, where:

(i) Cost overruns to a funded project are shown to be justifiable; or

(ii) Final cost reconciliation shows that higher costs are reasonable; or

(iii) The applicant received partial funding for the project and the change is shown on a current intended use plan.

(2) The application for funding will consist of two parts. Part one of the application will request information for identification, description, and other information about the project for tracking purposes, and part two of the application will request information about the water quality problem or problems being addressed by the project and the proposed solutions to the problems. In the application, applicants will be asked to fully describe the environmental and financial need for the project. Applications for SRF financial assistance for facilities projects must address problems such as public health emergencies, severe public health hazards, the need to provide secondary or advanced treatment, the need to improve and protect water quality, reduction of combined sewer overflows, and other environmental needs. Applications for SRF financial assistance for nonpoint projects must implement the remedies and prevention of water quality degradation associated with nonpoint source water pollution and must not be inconsistent with needs identified in the department's approved nonpoint source pollution management plan.

(3) The application form, part two, will include five main question areas, each with subsidiary questions designed to elicit the information needed to evaluate the project. The maximum points awarded for these question areas equal ninety percent of the total possible score with a maximum of ten percent coming from the local prioritization. The five main question areas and their associated maximum point percentages are:

(a) "What is the overall water quality problem and how will the problem be solved or addressed by the project?" This question is intended for general background purposes and to give evaluators an overview of the proposed project; no points are assigned.

(b) "What are the specific public health and water quality impairments caused by the problem and what are the pollution prevention aspects?" This question area is worth a maximum of thirty-four percent of the total score.

(c) "How will your proposed project address the water quality problem, and what are your measures of success?" This question area is worth a maximum of thirty-four percent of the total score.

(d) "What are some of the local initiatives you have taken that will help make your project a success?" This question area is worth a maximum of twelve percent of the total score.

(e) "Are there any state of Washington or federal mandates that this proposed project addresses?" This question area is worth a maximum of ten percent of the total score.

(f) "Local prioritization process." This question area is worth a maximum of ten percent of the total score. The local

prioritization process is described in detail in WAC 173-95A-050.

(4) The department will evaluate the proposed projects based on the information contained in the applications.

(a) Projects will be ranked according to potential water quality benefit and protection of public health.

(b) Projects which have the highest environmental and public health need will be given priority for financial assistance under the SRF program.

(c) Because funds must be used in a timely manner, readiness to proceed is also used in establishing the priority of projects.

(d) Other factors, including funding provisions in chapter 90.50A RCW and provisos identified in the department's biennial capital budget, relationship to the department's published plans such as the *Water Quality Management Plan to Control Nonpoint Sources of Pollution* and total maximum daily load studies, and relationship to published plans created by other federal and state agencies will be included in the priority evaluation.

(e) The department will request other agencies to provide evaluation assistance as needed, including but not limited to, the Washington state conservation commission, the Puget Sound action team, and the Washington state department of health.

(f) The department will coordinate maximum funding amounts and other issues with other state and federal funding agencies when possible.

(5) The total score that each proposed project receives based on the application form, part two, will be added to the local prioritization score (see WAC 173-95A-050 for more information on the local priority-setting process) to develop the final score for the proposed project.

(6) The department will prepare a draft intended use plan each year after evaluating all applications. The draft intended use plan will list projects in rank order starting with the project receiving the most points in its final score. This will also generally be the order that projects may be offered financial assistance. After issuing the draft intended use plan the department will allow a minimum of thirty days for public review and comment on the draft intended use plan. No later than fifteen days before the end of the public review and comment period the department will conduct at least one workshop to explain the draft intended use plan, answer questions about the draft intended use plan and the evaluation process, and provide details on the public comment process.

(7) The final intended use plan will be issued no later than sixty days after the end of the public review and comment period. The final intended use plan will reflect any changes made as a result of public comments or other information received during the public review and comment period, and will include a responsiveness summary. The final intended use plan will generally list projects in the order that projects may be offered financial assistance.

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-050 What are the limitations on the use of funds and how are the funds categorized? (1) The fund may be used to provide financial assistance to applicants for the construction of water pollution control facilities which are identified in the intended use plan and activities eligible for assistance under sections 319 and 320 of the act.

(2) Unless the demand for funding is limited SRF loan agreements are subject to the following funding category limitations:

(a) Water pollution control facilities category: Not more than eighty percent of the fund will be available for the construction of facilities as established under section 212 of the act and subject to the requirements of that act. Those projects will be under the water pollution control facilities category.

(b) Nonpoint source and comprehensive estuary conservation and management category: Not more than ~~(ten)~~ twenty percent of the fund will be available for the implementation of ~~((a))~~ programs or projects established under the department's approved nonpoint source pollution management plan established under section 319 of the act, and intended for the management of nonpoint sources of pollution, and subject to the requirements of that act, or for programs or projects established under a comprehensive conservation and management plan under section 320 of the act relating to the National Estuary Program, and subject to the requirements of that act. Those projects will be under the nonpoint source and comprehensive estuary conservation and management category.

~~(c) ((Not more than ten percent of the fund will be available for the development and implementation of a comprehensive conservation and management plan under section 320 of the act relating to the National Estuary Program, and subject to the requirements of that act. Those projects will be under the comprehensive estuary conservation and management category (estuary category)).~~

~~((d))~~ Not more than fifty percent of the fund in each category will be available to any one applicant.

(3) In accordance with federal law, loan offers identified on the final ~~((HUP))~~ intended use plan will be effective for up to one year from the date of the offer ~~((or until the issuance of the next year's final HUP))~~. All SRF loan offers that do not result in a signed SRF loan agreement within the effective offer period are automatically terminated. Funds reserved for SRF loan agreements that are not signed within the effective period may be carried over and made available for the next year's funding cycle.

(4) The fund may not be used for activities primarily directed toward water resources or water pollution control activities or facilities or portions of those facilities that are primarily intended to control, transport, treat, dispose, or otherwise manage commercial, institutional, or industrial wastewater or other water pollution control needs from those sites. Costs associated with commercial, institutional, or industrial pretreatment are not eligible for funding. However, commercial, institutional, or industrial wastewater flows attributable to a public body's water pollution control facilities which are determined by the department to be "small" may be allowed.

~~((Small flows are commercial, institutional, or industrial flows that comprise less than five percent individually or thirty percent collectively of the total flow)). Flows from individual commercial, industrial, or institutional sources are considered small when they are less than five percent of the total existing needs, as identified by the department's engineers. Collectively, flows from all individual commercial, industrial, or institutional sources are considered small when they are less than thirty percent of the total existing needs, as identified by the department's engineers.~~

(5) The fund may not be used to make direct loans to applicants to support the nonfederal share of eligible portions of projects receiving assistance under Title II of the act. The fund may be used to finance portions of such projects which were determined to be ineligible for federal assistance but which are eligible under the SRF program.

(6) Noneligible project costs include, but are not limited to, the following:

(a) Acts of nature: Projects related to acts of nature that alter the natural environment, thereby causing water quality problems;

(b) Aquatic plant control for aesthetic reasons, navigational improvements, or other purposes unrelated to water quality;

(c) Concentrated animal feeding operations except those located in the federally designated Puget Sound and lower Columbia River estuaries;

(d) Engineering reports;

~~((d))~~ (e) Facilities that propose to meet or maintain primary treatment of domestic sewage;

~~((e))~~ (f) Flood control: Projects primarily designed to provide flood control;

~~((f))~~ (g) Water pollution control activities or facilities or portions of those facilities that are primarily intended to control, transport, treat, dispose, or otherwise manage commercial, institutional or industrial wastewater or other water pollution control needs from those sites;

(h) Lake implementation projects where there is no public access;

~~((g))~~ (i) Permit fees;

(j) Costs associated with commercial, institutional or industrial pretreatment;

(k) Professional dues;

(l) Reclamation of abandoned mines ((or if used in the mining process));

~~((h))~~ State and federal agency water pollution control programs that are part of the agency's mission, goals, or statutory responsibilities;

~~((i))~~ (m) Projects proposed by Washington state agencies or federal agencies will not be funded; except that activities projects undertaken by state institutions of higher education are eligible to apply for funding when the activities are not part of the school's statutory responsibilities.

(n) Scientific research unrelated to a specific project;

~~((j))~~ (o) Sewers: Side sewer laterals or individual pump stations on private residential property, or other appurtenances where the facilities are not owned and maintained by a public body;

~~((k))~~ (p) Solid and hazardous waste facilities;

~~((h))~~ (q) Storm water activities and facilities associated exclusively with flood control;

(r) Projects or project elements solely addressing water quantity or other water resource issues.

(7) Noneligible project component costs include, but are not limited to, the following:

(a) Bond costs for debt issuance;

(b) Employee training not related to or identified in an SRF loan agreement;

(c) Equipment required for site and building maintenance;

(d) Facilities components:

(i) Abandonment of existing structures;

(ii) Bonus or acceleration payments to contractors to meet contractual completion dates for construction;

(iii) Capacity in excess of twenty years;

(iv) Construction claims and associated costs determined to be nonmeritorious;

(v) Construction claims, meritorious, in excess of the maximum allowable loan amount;

(vi) Corrective action plans for the one-year performance certification program;

(vii) Cost-plus-a-percentage-of-cost contracts (also known as multiplier contracts);

(viii) Demolition of structures that are not interfering with proposed construction~~((;~~

~~((;)))~~, replacement parts, other than those for an initial set of spare parts for equipment that is critical for facilities to operate in compliance with discharge permit requirements;

(e) Fines and penalties due to violations of or failures to comply with federal, state, or local laws;

(f) Interest on bonds, interim financing, and associated costs to finance projects;

(g) Lake implementation projects where there is no public access;

(h) Land acquisition for siting of wastewater treatment plants, sewer rights of way, and easements, and associated costs;

(i) Landscaping for aesthetic reasons;

(j) Legal expenses other than those associated with development of local ordinances for water quality protection and improvement or associated with the use of a bond counsel in developing a loan agreement;

(k) Lobbying or expenses associated with lobbying;

(l) Monitoring equipment used by an industry for sampling and analyzing industrial discharges to municipal water pollution control facilities;

(m) Office equipment;

(n) Operating expenses of local government, such as the salaries and expenses of a mayor, city council member, and/or city attorney;

(o) Overtime differential paid to employees of local government to complete administrative or force account work;

(p) Personal injury compensation or damages arising out of the project, whether determined by adjudication, arbitration, negotiation, or other means;

(q) Preparation of ~~((SRF))~~ loan or grant applications;

(r) Previously funded objectives financed with an SRF loan;

(s) Rework costs;

- (t) Routine or ongoing operation and maintenance costs;
- (u) Seminar and conference fees not identified in an SRF loan agreement;
- (v) Vehicle purchase or lease except those vehicles that are integral to a treatment process e.g., sludge truck.

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-060 What is the step process for planning facilities and activities projects? (1) The step process: The "step process" is a systematic method or proceeding with projects. The step process begins with site-specific planning, and continues through design to construction or implementation. It is required for facilities construction projects and, in a modified form, is required for some kinds of activities projects.

(2) The step process for facilities. To be eligible for an SRF loan, facilities projects must proceed according to ~~((a systematic method known as))~~ the "step process."

~~((a))~~ (a) Before a public body with a facilities project is eligible to apply for funds, all previous steps must be approved ~~((or approvable))~~ by the department in order to help ensure that funds are well spent on projects proceeding towards a successful ~~((and viable))~~ outcome. Funding for site-specific facilities planning (step ~~((1))~~ one) or design (step ~~((2))~~ two) does not guarantee the awarding of future loans for construction (step ~~((3))~~ three). The loan agreement will not be signed until all previous steps have been completed and approved by the department.

~~((a))~~ (b) Planning (step ~~((1))~~ one). Step ~~((1))~~ one involves the preparation of a site-specific facilities plan that identifies and prioritizes the cost-effective alternatives for addressing a water pollution control problem with or without state and federal funding. There is no prerequisite for planning. If there is an existing engineering report, prepared with or without department funding, it must be upgraded for SRF eligibility if it does not meet the definition of a facilities plan.

~~((b))~~ (c) Design (step ~~((2))~~ two). Step ~~((2))~~ two includes the preparation of plans and specifications for use in construction. These must be based on the preferred cost-effective alternative identified in the facilities plan.

(i) Facilities plans must be approved ~~((or deemed approvable))~~ by the department before an application for design can be considered for funding. Site-specific facilities planning documents not funded by a department grant or loan must also be approved ~~((or approvable))~~ by the department before an application for design can be considered.

~~((ii))~~ (ii) ~~((Applications for Step 2 loans will be accepted and considered for funding if it can be documented by the applicant that Step 1 planning is approved within ninety days after the close of the application period.~~

~~((iii))~~ (iii) Due to specific loan review criteria, a facilities plan approved by the department for purposes other than securing a loan will not be accepted for design purposes.

~~((iv-A))~~ (iii) Facilities plans approved by the department more than two years prior to the close of the SRF application period must contain evidence of recent department review to ensure the document reflects current conditions.

~~((e))~~ (d) Construction (step ~~((3))~~ three). Step ~~((3))~~ three includes the actual building of facilities based on the approved design.

~~((i))~~ Design must be approved ~~((or deemed approvable))~~ by the department before an application for construction can be considered for funding.

~~((ii))~~ ~~((Applications for Step 3 loans will be accepted and considered for funding if it can be documented by the applicant that Step 2 design is approved within ninety days after the close of the application period.~~

~~((d))~~ (e) Design and construction (step ~~((4))~~ four). In some cases, design and construction may be combined into one loan award. Applications for step ~~((4))~~ four loans will be accepted and considered for funding if it can be demonstrated that step ~~((2))~~ two design can be completed and approved by the department within one year of the date the final ~~((HUP))~~ intended use plan is made public. The SRF loan share of the total eligible project under step ~~((4))~~ four cannot exceed fifty percent of the amount available in the appropriate funding category, or one million dollars, whichever is less.

~~((e))~~ (f) Step compliance and step deviations. There is one situation in which a deviation from the step process can be allowed:

(i) If the Washington state department of health has declared a public health emergency and if the proposed project would remedy this situation.

(ii) In this situation, the department will accept applications for funding consideration that do not follow the step process. However, no loan agreement will be signed until all previous steps have been completed and approved by the department. This deviation from the step process will only allow an application to be considered for funding. It does not allow a loan to be awarded until all step requirements have been satisfied.

(iii) If a deviation is approved, the applicant may deviate by only one step. For instance, the department could accept an application for design if planning was not completed and approved, or an application for construction if design was not completed and approved. However, the department may not accept an application for construction if planning was not completed and approved.

~~((2))~~ (3) Prerequisite documents for facilities projects: Draft documents must be sent to the department's engineers at least sixty days prior to end of application cycle for approval by end of application cycle.

(4) The step process for activities. In most cases, the step process for activities is not required. However, those applications proposing to implement a specific project identified in a completed comprehensive plan are given additional consideration in the evaluation process. Agricultural best management practices that involve improvements on private property, or lake projects, must follow the step process..

(a) Planning (step ~~((1))~~ one) involves the identification of problems and evaluation of cost-effective alternatives, based on environmental and economic considerations, for correcting and preventing water quality problems. Specific activities may include planning for watershed management, ground water management areas, lake restoration, and water quality assessment and other related activities.

(b) Implementation (step ((2)) two) includes the actual implementation of the project based on the approved planning document.

NEW SECTION

WAC 173-98-075 How does the Growth Management Act impact the use of funds? (1) A local government not in compliance with the Growth Management Act may not receive loans or grants from the department, except that, in limited circumstances, a local government that is not in compliance with the Growth Management Act may receive loans or grants from the department where necessary to address a public health need or substantial environmental degradation.

(2) For the purposes of this chapter, "compliance with the Growth Management Act" means that:

(a) A county, city, or town that is required to or chooses to plan under RCW 36.70A.040 has adopted a comprehensive plan and development regulations in conformance with the requirements of chapter 36.70A RCW, after it is required that the comprehensive plan and development regulations be adopted; and

(b) The county, city, or town has not been found out of compliance by a growth management hearings board; or

(c) A growth management hearings board has found a county, city, or town in compliance with the requirements of chapter 36.70A RCW, after previously finding the county, city, or town was not in compliance.

(3) For the purposes of this chapter, a public health need related to a loan or grant must be documented by a letter signed by the secretary of the Washington state department of health or his or her designee and addressed to the public official who signed the loan or grant application. "Public health need" means a situation where:

(a) There is a documented potential for:

(i) Contaminating a source of drinking water; or

(ii) Failure of existing wastewater system or systems resulting in contamination being present on the surface of the ground in such quantities and locations as to create a potential for public contact; or

(iii) Contamination of a commercial or recreational shellfish bed as to create a critical public health risk associated with consumption of the shellfish; or

(iv) Contamination of surface water so as to create a critical public health risk associated with recreational use; and

(b) The problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and

(c) The problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(4) For the purposes of this chapter, a substantial environmental degradation related to a loan or grant must be documented by a letter signed by the director of the department or his or her designee and addressed to the public official who signed the loan or grant application.

"Substantial environmental degradation" means that:

(a) There is a situation causing real, documented, critical environmental contamination that:

(i) Contributes to violations of the state's water quality standards; or

(ii) Interferes with beneficial uses of the waters of the state; and

(b) The problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and

(c) The problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(5) A county, city, or town that has been offered a loan or grant for a water pollution control facilities project may not receive loan or grant funds while the county, city, or town is not in compliance with the Growth Management Act unless:

(a) Documentation showing that a public health need has been provided by the Washington state department of health; or documentation showing that a substantial environmental degradation exists has been provided by the department of ecology; and

(b) The county, city, or town has provided documentation to the department that actions or measures are being implemented to address the public health need or substantial environmental degradation; and

(c) The department has determined that the project is designed to address only the public health need or substantial environmental degradation described in the documentation, and does not address unrelated needs including, but not limited to, provisions for additional growth.

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-090 How ((do I make sure my project is included in the intended use plan)) are loans managed?

(1) ((Applicants must apply for SRF financial assistance in order for their projects to be included on the IUP. Projects must be on the IUP in order to receive SRF financial assistance.

(2) Projects in all three categories will be ranked according to environmental and financial need. Projects in each category which have the highest environmental and financial need will be given priority for assistance under the SRF program. Because funds must be used in a timely manner to ensure that all available federal funding is received by the state, readiness to proceed is also used in establishing the priority of projects.

(3) Applications for financial assistance in the water pollution control facilities category (WAC 173-98-050 (2)(a)) must address problems such as public health emergencies, severe public health hazards, the need to provide secondary or advanced treatment, the need to improve and protect water quality, reduction of combined sewer overflows, and other environmental needs.

(4) Applications for financial assistance in the nonpoint source category (WAC 173-98-050 (2)(b)) must address the remedies and prevention of water quality degradation associated with nonpoint source water pollution and must not be inconsistent with needs identified in the department's nonpoint source pollution assessment and management program.

~~(5) Applications for financial assistance in the comprehensive estuary conservation and management category (estuary category) (WAC 173-98-050 (2)(c)) must meet applicable environmental needs outlined above and must meet needs identified in the Puget Sound water quality management plan or the respective plans for other federally designated estuaries in the state of Washington.~~

~~(6) Financial need would normally focus on the need to maintain user charges and fees at affordable levels. Both the priority process and the terms of the SRF loan will be directed toward this objective. Unless the provisions of water pollution control facilities or activities has caused a financial hardship, refinancing of completed projects or segments would generally be low priority.~~

~~(7) Applicants must fully describe the environmental and the financial need for the project.~~

~~(8) The department will prepare the draft IUP prior to the award of each federal capitalization grant from EPA or in the absence of a federal capitalization grant before principal and interest repayments to the SRF are offered. The IUP will generally list projects in the order that projects may be offered financial assistance.) Timely use of funds: Projects funded with loans must be spent in a timely fashion so that funds are put to work for the water quality of the state as soon as possible. To accomplish this, certain time restrictions are placed on the use of funds as follows:~~

~~(a) Work on a project must be started within sixteen months of the publication date of the final intended use plan on which the project was proposed.~~

~~(i) Any expenditure of funds which is eligible for reimbursement under the terms of the loan agreement constitutes starting the project.~~

~~(ii) No more than one time extension of no more than twelve months may be made when there are valid reasons for the extension and when the extension is included in the signed funding agreement with the department.~~

~~(iii) Valid reasons for a time extension allowing a start date more than sixteen months after the publication date of the final intended use plan are limited to:~~

~~(A) Schedules included in water quality permits, consent decrees, or enforcement orders; or~~

~~(B) The recipient and the department agree that there is a need to do work during an environmental window in a specific season of the year.~~

~~(iv) If the funding recipient has one of these valid reasons to wait longer than sixteen months to start the project, the reasons why it will take longer and the schedule the recipient will follow must both be stated clearly in a signed loan agreement.~~

~~(b) Work on a project must be completed within five years of the publication date of the final intended use plan on which the project was proposed or within a shorter time period if the shorter period is identified in the funding agreement for the project. When all work identified in the funding agreement scope of work is finished, the project is deemed to be completed. After the five-year time limit is reached, no further expenditures may be reimbursed unless an extension is made.~~

(i) No more than one time extension of no more than twelve months may be made when there are valid reasons for the extension; and

(A) The extension is requested no less than three months before the funding agreement is due to expire; and

(B) The department's water quality program manager agrees that the extension is for a valid reason.

(ii) Valid reasons for a time extension are limited to:

(A) Schedules included in water quality permits, consent decrees, or enforcement orders; or

(B) The recipient and the department agree that there is a need to do work during an environmental window in a specific season of the year.

(iii) If the funding recipient has one of these valid reasons to be allowed a time extension, the reasons why it will take longer and the schedule the recipient will follow must both be stated clearly in a signed amendment to the existing loan agreement.

(2) Prior authorization to incur costs. In cases where a project has been identified on a final intended use plan, the applicant may make a written request to the water quality program manager, asking to begin incurring costs related to a loan for which there is not yet a signed loan agreement. If the department concurs with this request, the water quality program manager will send the applicant a letter authorizing the costs. The applicant incurs the costs at their own risk. When an agreement is signed, previously incurred costs that are not eligible under the terms of the agreement are the sole responsibility of the applicant.

(3) The administration of all loans will be subject to all terms and conditions in a funding agreement signed by the department and by the recipient.

(4) Ongoing management of most aspects of loan projects is subject to the most recent edition of *Administrative Requirements for Ecology Grants and Loans*, copies of which will be provided to all recipients.

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-110 What are the repayment options and schedules? (1) General provisions.

When the scope of work identified in the SRF loan agreement has been fully completed and/or the initiation of operation date has been determined:

(a) The department and recipient will execute a final SRF loan agreement amendment which details the final loan amount. This amount will include the principal from disbursements made to recipients and accrued interest. Interest will accrue on each disbursement as it is paid to the recipient.

(b) The department will prepare according to the SRF loan agreement, a repayment schedule which fully amortize the final loan amount within twenty years of project completion. The first repayment of principal and interest will be due no later than one year after the initiation of operation date or at project completion date, whichever occurs first. Equal payments will be due every six months after this first payment. Loan balances may be repaid or additional principal payments may be made at any time without penalty.

(c) If any amount of the final loan amount or any other amounts owed to the department remains unpaid after it becomes due and payable, the department may assess a late charge. The late charge shall be additional interest at the rate of one percent per month, or fraction thereof, starting on the date the debt becomes past due and until it is paid in full.

(d) If the due date for any semiannual payment falls on a Saturday, Sunday, or designated holiday for Washington state agencies, the payment shall be due on the next business day for Washington state agencies.

(2) Phased or segmented project. Where a project has been phased or segmented, the general provisions for repayment shall apply to the completion of individual phases or segments.

(3) More than five years to complete project. When a project approved by the department takes longer than five years to complete, loan repayment must begin within five years of the first disbursement for the project, unless the director determines that the fund is fiscally sound without this repayment schedule. Repayments for these loans must follow the general provisions as outlined in subsection (1)(b) of this section.

(4) Security for loan repayment. Loans shall be secured by a general obligation pledge or a revenue pledge of the recipient. The obligation of the recipient to make loan repayments from the sources identified in its SRF loan agreement shall be absolute and unconditional, and shall not be subject to diminution by setoff, counterclaim, or abatement of any kind.

(a) General obligation. When repayment of a loan is secured by a general obligation pledge, the recipient shall pledge for so long as the loan is outstanding, to include in its budget and levy taxes annually within the constitutional and statutory tax limitations provided by law without a vote of its electors, on all of the taxable property within its boundaries in an amount sufficient, together with other money legally available and to be used for loan repayment, to pay when due the principal of and interest on the loan, and the full faith, credit, and resources of the recipient shall be pledged irrevocably for the annual levy and collection of those taxes and the prompt payment of the principal of and interest on the loan.

(b) Revenue obligation. Repayment of a loan may be secured by an irrevocable pledge of the net revenues of the recipient's utility and, in appropriate cases, utility local improvement district assessments. In such cases:

(i) Lien position. Repayment of a loan shall constitute a lien and charge (A) upon the net revenues of the recipient's utility prior and superior to any other charges whatsoever, except that the lien and charge shall be junior and subordinate to the lien and charge of any senior lien obligations and, (B) if applicable, upon utility local improvement district assessments prior and superior to any other charges whatsoever.

(ii) ~~Coverage requirement. For so long as the loan is outstanding, the recipient shall establish, maintain, and collect such rates and charges for utility service which will produce net revenue which, together with utility local improvement district assessments in the utility local improvement district deposited in the loan fund, shall be at least equal to the coverage requirement. "Coverage requirement" means annual net revenue which, after the payment of senior lien~~

~~obligations and together with utility local improvement district assessments (if applicable), is at least equal to one hundred twenty percent of annual debt service on the loan and any other obligations on a parity therewith.~~

~~(iii))~~ Reserve requirement. For loans that are revenue-secured debt with terms greater than five years, the recipient must accumulate a reserve for the loan equivalent to at least the average annual debt service on the loan during the first five years of the repayment period of the loan. This amount shall be deposited in a reserve account in the loan fund in approximately equal annual payments commencing within one year after the initiation of operation or the project completion date, whichever comes first. "Reserve account" means, for a loan that constitutes revenue-secured debt, an account of that name created in the loan fund to secure the payment of the principal of and interest on the loan. The amount on deposit in the reserve account may be applied by the recipient (A) to make, in part or in full, the final repayment to the department of the loan amount or, (B) if not so applied, for any other lawful purpose of the recipient once the loan amount, plus interest and any other amounts owing to the department hereunder, have been paid in full.

(5) Repayment from other than pledged sources. A recipient may repay any portion of its loan from any legally available funds other than those pledged in its SRF loan agreement to ~~((repayment))~~ repay the loan.

(6) No defeasance or advance refunding. So long as the department holds a loan, the recipient shall not be entitled to, and shall not effect, its economic defeasance or advance refunding.

AMENDATORY SECTION (Amending Order 98-10, filed 11/24/98, effective 12/25/98)

WAC 173-98-120 General provisions. (1) Sale of facilities to private enterprises. Recipients may sell facilities for which the SRF loan was provided to private enterprises; however, the SRF loan agreement must be terminated in accordance with the terms of the agreement and the assistance repaid to the SRF immediately upon sale.

(2) Refinancing. The refinancing of existing debt obligations shall be limited to water pollution control facilities where project construction began after March 7, 1985. Applicants requesting refinancing must meet all the requirements contained in the act. They must be on the ~~((HUP))~~ intended use plan before assistance will be offered and must be eligible to receive such assistance. There are two kinds of refinance with different regulations:

(a) Interim refinance: Interim refinance refers to a project which is still in progress and for which the applicant went forward on their own accord and using funding from a source other than the department. For projects in this category, applicants for funding should apply in the same manner as any other project, making certain to clearly state that the project is underway and that they have secured all prerequisite documents.

(b) Standard refinance: Standard refinance refers to a project which has been completed using funding from a source other than the department.

(i) Standard refinance projects will only be funded if there is limited demand for funds for new projects.

(ii) The department will not refinance debt from funding programs administered by the department.

(iii) All project prerequisites must have been met at the time the project was undertaken.

(iv) All standard refinance projects applying for funding in a fiscal year will be ranked by financial capability using the same criteria used for evaluating hardship, and giving the highest ranking to the applicants with the greatest financial need.

(v) For standard refinance projects, applicants for funding may use a shorter, simpler application form. This form will ask basic questions about the project and about the applicant's financial capability to pay for the project with and without the refinance.

(vi) Successful applicants for standard refinance projects must make their first repayment six months after they sign a funding agreement.

(3) Self certification. The department may authorize a recipient to certify compliance with selected program requirements. The recipient must request such certification authority and document that it has the capability and resources, that it is in the best interest of the state, and that the request is consistent with state and federal laws and regulations. Concurrences required in the environmental review process cannot be delegated to recipients.

(4) For all projects, the recipient must acknowledge state and federal financial assistance in all reports, technical documents, publications, brochures, and other materials produced using funding from the loan or grant. All site-specific projects must have a sign of sufficient size to be seen from nearby roadways, acknowledging state and federal financial assistance, and left in place throughout the life of the project. Department and environmental protection agency logos must be on all signs and documents and will be provided as needed.

WSR 01-01-044
PERMANENT RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed December 8, 2000, 4:43 p.m.]

Date of Adoption: November 10, 2000.

Purpose: To amend the WAC to reflect changes made to the statute in 1997 and add additional clarifying language regarding redisclosure of mortgage broker fees, deposits of checks into trust accounts and continuing education provided by Washington Association of Mortgage Brokers.

Citation of Existing Rules Affected by this Order: Amending WAC 208-660-010, 208-660-020, 208-660-025, 208-660-030, 208-660-040, 208-660-042, 208-660-045, 208-660-070, 208-660-080, 208-660-08015, 208-660-08025, 208-660-08030, 208-660-08040, 208-660-130, 208-660-140, 208-660-145, and 208-660-160.

Statutory Authority for Adoption: RCW 43.320.010, 19.146.223.

Adopted under notice filed as WSR 00-17-172 on August 23, 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 1; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 3, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 5, 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 4, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

November 16, 2000

John L. Bley

Director

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-010 Definitions. As used in this chapter, the following definitions apply, unless the context otherwise requires:

(1) "Advertising material" means any form of sales or promotional materials to be used in connection with the mortgage broker business.

(2) "Affiliate" means any person who controls, is controlled by, or is under common control with, another person.

(3) "Application deposit" means a deposit in immediately available funds consisting of three hundred fifty dollars for each license applied for and one hundred seventy-five dollars for each branch office certificate applied for. For example, an applicant requesting a license and two branch office certificates must submit an application deposit of seven hundred dollars (calculated by adding three hundred fifty dollars to the product of two times one hundred seventy-five dollars).

(4) "Approved examination" means a written examination approved by the director.

(5) "Approved licensing or continuing education course" means a licensing or continuing education course approved by the director.

(6) "Borrower" means any person who consults with or retains a mortgage broker or loan originator in an effort to obtain or seek advice or information on obtaining or applying to obtain a residential mortgage loan for himself, herself, or persons including himself or herself, regardless of whether the person actually obtains such a loan.

(7) "Branch office" means a fixed physical location such as an office, separate from the principal place of business of the licensee, where the licensee holds itself out as a mortgage broker.

(8) "Branch office certificate" means a branch office license issued by the director to engage in the mortgage broker business as the branch office indicated in the certificate, pursuant to RCW 19.146.265.

(9) "Certificate of passing an approved examination" means a certificate signed by the examination administrator verifying that the individual performed with a satisfactory score or higher on an approved licensing examination.

(10) "Certificate of satisfactory completion of an approved continuing education course" means a certificate signed by the course provider verifying that the individual has attended an approved continuing education course.

(11) "Certificate of satisfactory completion of an approved licensing course" means a certificate signed by the course provider verifying that the individual has attended at least forty hours of class of an approved licensing course.

(12) "Consumer Protection Act" means chapter 19.86 RCW.

(13) A person "controls" an entity if the person, directly or indirectly through one or more intermediaries, alone or in concert with others, owns, controls, or holds the power to vote twenty-five percent or more of the outstanding stock or voting power of the controlled entity.

(14) A person is "convicted" of a crime, irrespective of the pronouncement or suspension of sentence, if the person:

- Is convicted of the crime in any jurisdiction;
- Is convicted of a crime which, if committed within this state would constitute such a crime under the laws of this state;
- Has plead guilty or no contest or nolo contendere or stipulated to facts that are sufficient to justify a finding of guilt to such a charge before a court or federal magistrate; or
- Has been found guilty of such a crime by the decision or judgment of a court or federal magistrate or by the verdict of a jury.

(15) "Department" means the department of financial institutions.

(16) "Designated broker" means a natural person designated by the applicant for a license or licensee who meets the experience, education, and examination requirements set forth in RCW 19.146.210(e).

(17) "Director" means the director of financial institutions.

(18) "Employee" means any natural person who:

- Has an employment relationship, acknowledged by both the employee and the mortgage broker; and
- Is treated as an employee by the mortgage broker for purposes of compliance with federal income tax laws.

(19) "Financial institution" means a federally insured bank, savings bank, savings and loan association, or credit union, whether state or federally chartered, authorized to conduct business in this state.

(20) "Financial misconduct" means without limitation:

- Any conduct prohibited by the Mortgage Broker Practices Act;
- Any similar conduct prohibited by statutes governing mortgage brokers in other states; and
- Any similar conduct prohibited by statutes governing other segments of the financial services industry, including but not limited to the Consumer Protection Act, statutes gov-

erning the conduct of securities broker dealers, financial advisers, escrow officers, title insurance companies, limited practice officers, trust companies, and other licensed or chartered financial service providers.

(21) A person "holds oneself out" by advertising or otherwise informing the public that the person engages in any of the activities indicated, including without limit through the use of business cards, stationery, brochures, rate lists or other promotional items.

(22) "Independent contractor" or "person who independently contracts" means any person that:

- Expressly or impliedly contracts to perform mortgage broker activities for a licensee;
- With respect to its manner or means of performing the activities, is not subject to the licensee's right of control; and
- Is not treated as an employee by the licensee for purposes of compliance with federal income tax laws.

(23) "Investigation" means an examination undertaken for the purpose of detection of violations of this chapter or securing information lawfully required under this chapter.

(24) "License" means a license issued by the director to engage in the mortgage broker business.

~~((24))~~ (25) "Licensee" or "licensed mortgage broker" means:

- A mortgage broker licensed by the director; and
- Any person required to be licensed pursuant to RCW 19.146.200 and 19.146.020.

~~((25))~~ (26) "Loan originator" means a natural person:

- Who is a mortgage broker employee who performs any mortgage broker activities; or
- Who is retained as an independent contractor by a mortgage broker, or represents a mortgage broker, in the performance of any mortgage broker activities.

~~((26))~~ (27) "Lock-in agreement" means an agreement with a borrower made by a mortgage broker or loan originator, in which the mortgage broker or loan originator agrees that, for a period of time, a specific interest rate or other financing terms will be the rate or terms upon which it will make a loan available to the borrower.

~~((27))~~ (28) "Material litigation" means any conviction in the prior seven years for a felony, or for a gross misdemeanor involving dishonesty or financial misconduct, and any litigation pending at any time during the prior seven years that would be relevant to the director's ruling on an application for a license, including but not limited to, the following types of litigation:

- Criminal actions involving felony charges.
- Criminal or civil actions involving dishonesty or financial misconduct.

~~((28))~~ (29) "Mortgage broker" means any person that for compensation or gain, or in the expectation of compensation or gain:

- Makes a residential mortgage loan or assists a person in obtaining a residential mortgage loan; or
- Holds himself or herself out as being able to do so.

~~((29))~~ (30) "Mortgage Broker Practices Act" means chapter 19.146 RCW and chapter ~~((50-60))~~ 208-660 WAC.

~~((30))~~ (31) "Out-of-state applicant or licensee" means an applicant for a license or licensee that does not maintain a physical office within this state.

~~((31))~~ (32) "Person" means a natural person, corporation, company, partnership, limited liability company, or association.

~~((32))~~ (33) "Prepaid escrowed costs of ownership," as used in RCW 19.146.030(5), means any amounts prepaid by the borrower for the payment of taxes, property insurance, interim interest, and similar items in regard to the security property.

~~((33))~~ (34) "Principal" means any person who controls, directly or indirectly through one or more intermediaries, alone or in concert with others, a ten percent or greater interest in a partnership, company, association or corporation, and the owner of a sole proprietorship.

~~((34))~~ (35) "RCW" means the *Revised Code of Washington*.

~~((35))~~ (36) "Real Estate Settlement Procedures Act" means the Real Estate Settlement Procedures Act, 12 U.S.C. Sections 2601 et seq., and Regulation X, 24 C.F.R. Sections 3500 et seq.

~~((36))~~ (37) "Registered agent" means a person or persons located within this state that is appointed to accept service of process for an out-of-state licensee.

~~((37))~~ (38) "Residential mortgage loan" means any loan primarily for personal, family, or household use secured by a mortgage or deed of trust on residential real estate upon which is constructed or intended to be constructed a single family dwelling or multiple family dwelling of four or less units.

~~((38))~~ (39) "Subsidiary" means a corporation, company, partnership, or association that is controlled by another.

~~((39))~~ (40) "Third-party provider" means any third party, other than a mortgage broker or lender, that provides goods or services to the mortgage broker in connection with the preparation of a borrower's loan and includes, but is not limited to, credit reporting agencies, title insurance companies, appraisers, structural and pest inspectors, or escrow companies. However, "third-party provider" does include a third-party lender, to the extent it provides lock-in arrangements to the mortgage broker in connection with the preparation of a borrower's loan.

~~((40))~~ (41) "Transfer" means a sale, transfer, assignment, or other disposition, whether by operation of law in a merger or otherwise.

~~((41))~~ (42) "Truth in Lending Act" means the Truth in Lending Act, 15 U.S.C. Sections 1601 et seq., and Regulation Z, 12 C.F.R. Sections 226 et seq.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-020 Statutory exemptions. (1) The following persons are exempt from all provisions of the Mortgage Broker Practices Act:

(a) Any person doing business under the laws of ~~((this))~~ the state of Washington or the United States relating to commercial banks, bank holding companies, savings banks, trust companies, savings and loan associations, credit unions, consumer loan companies, insurance companies, or real estate investment trusts as defined in 26 U.S.C. Sec. 856 and the affiliates, subsidiaries, and service corporations thereof;

(b) An attorney licensed to practice law in this state who is not principally engaged in the business of negotiating residential mortgage loans when such attorney renders services in the course of his or her practice as an attorney;

(c) Any person doing any act under order of any court except for a person subject to an injunction to comply with any provision of this chapter or any order of the director issued under this chapter;

(d) Any person making or acquiring a residential mortgage loan solely with his or her own funds for his or her own investment without intending to resell the residential mortgage loans. For purposes of this section, intent to resell residential mortgage loans is determined by the person's ability and willingness to hold the residential mortgage loans, indicated by, but not limited to, such measures as whether the person has sold loans in the past, whether the loans conform to established secondary market standards for the sale of loans, and whether the person's financial condition would reasonably allow them to hold the residential mortgage loans.

(e) A real estate broker or salesperson licensed by the state who obtains financing for a real estate transaction involving a bona fide sale of real estate in the performance of his or her duties as a real estate broker and who receives only the customary real estate broker's or salesperson's commission in connection with the transaction;

~~((e))~~ (f) Any mortgage broker approved and subject to auditing by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

(g) The United States of America, the state of Washington, any other state, and any Washington city, county, or other political subdivision, and any agency, division, or corporate instrumentality of any of the entities in this subsection (1)~~((e))~~ (g); and

~~((f))~~ (h) A real estate broker who:

(i) In connection with a ~~((CLO))~~ CLI system, provides only information regarding rates, terms, and lenders;

(ii) Receives a fee for providing such information;

(iii) Conforms to these rules with respect to the providing of such information; and

(iv) Discloses on a form approved by the director that to obtain a loan the borrower must deal directly with a mortgage broker or lender.

However, a real estate broker is not exempt from the Mortgage Broker Practices Act if he or she does any of the following:

(A) Holds himself or herself out as able to obtain a loan from a lender;

(B) Accepts a loan application, or submits a loan application to a lender;

(C) Accepts any deposits for payment to a third-party provider, or accepts any loan fees from a borrower, whether such fees are paid before, upon, or after the closing of the loan;

(D) Negotiates rates or terms with a lender on behalf of a borrower; or

(E) Provides the disclosures required by RCW 19.146.030(1).

(2)(a) The persons described in (b) and (c) of this subsection are exempt from the Mortgage Broker Practices Act except that they:

(i) Must comply with RCW 19.146.0201 through 19.146.090, Part D of chapter ~~((50-60)) 208-660~~ WAC, and WAC ~~((50-60-125, 50-60-130, 50-60-140, 50-60-165, 50-60-190, and 50-60-200)) 208-660-125, 208-660-130, 208-660-140, 208-660-165, 208-660-190, and 208-660-200;~~

(ii) Are subject to the director's authority to take enforcement action for any violation of applicable provisions of the Mortgage Broker Practices Act, pursuant to RCW 19.146.220, 19.146.221, and 19.146.227; and

(iii) Are subject to the director's authority to obtain and review books and records that are relevant to any investigation of such a violation pursuant to the first paragraph of RCW 19.146.235, and WAC ~~((50-60-060)) 208-660-060(4).~~

(b) Any person making or acquiring a residential mortgage loan solely with his or her own funds for his or her own investment without intending to resell the mortgage loan.

(c) Any mortgage broker approved and subject to auditing by the Federal National Mortgage Association, the Government National Mortgage Association, or the Federal Home Loan Mortgage Corporation.

AMENDATORY SECTION (Amending WSR 97-01-003, filed 12/5/96, effective 1/5/97)

WAC 208-660-025 Computer loan (~~(origination)) information services and systems.~~ (1) Definitions. "Computer loan (~~(origination-((CLO))) information (CLI) services~~" means the provision of information to consumers by a mortgage broker, lender, real estate agent or other person regarding interest rates and other loan terms available from different lenders.

"~~((CLO)) CLI system~~" means computer hardware or software which facilitates the provision of ~~((CLO)) CLI services~~ to consumers.

"~~((CLO)) CLI service provider~~" means a party who provides ~~((CLO)) CLI services~~ to consumers. The term does not include any person or entity exempted from chapter 19.146 RCW by RCW 19.146.020 (1)(a) through (g).

"~~((CLO)) CLI system provider~~" means a party who provides a ~~((CLO)) CLI system~~.

(2) ~~((CLO)) CLI service providers may be subject to licensing.~~ Unless otherwise exempt under RCW 19.146.020, any person providing ~~((CLO)) CLI services~~ is subject to licensing as a mortgage broker under chapter 19.146 RCW, if the person or broker:

(a) Holds himself or herself out as able to obtain a residential mortgage loan for a consumer from a lender;

(b) Accepts a loan application from a consumer, assists a consumer in completion of a loan application, or submits a loan application on behalf of a consumer to a mortgage broker or lender;

(c) Accepts deposits from a consumer for payment of third-party services or any fees in connection with a loan, whether the fees are paid before, upon, or after the closing of the loan;

(d) Negotiates the interest rates or terms of a loan with the mortgage broker or lender on behalf of a consumer; or

(e) Provides to the consumer a good faith estimate or other disclosure required of mortgage brokers or other lenders by state or federal law.

(3) **Providers of ~~((CLO)) CLI services must make disclosures.~~** If the consumer of the ~~((CLO)) CLI service~~ pays for the ~~((CLO)) CLI service~~ either directly or indirectly, the ~~((CLO)) CLI service provider~~ shall give a disclosure statement to the consumer. The disclosure statement shall state:

(a) The amount of the ~~((CLO)) CLI fee~~ which the ~~((CLO)) CLI service provider~~ charges the consumer for the ~~((CLO)) CLI service;~~

(b) That the use of the ~~((CLO)) CLI system~~ is not required to obtain a residential mortgage loan; and

(c) That the full range of loans available may not be listed on the ~~((CLO)) CLI system~~, and different terms and conditions, including lower rates, may be available from others not listed on the system.

(4) **Disclosure statement must be provided to consumer and retained by the ~~((CLO)) CLI service provider.~~** Each ~~((CLO)) CLI service provider~~ must give the consumer a copy of the disclosure form when the first ~~((CLO)) CLI service~~ is provided to the consumer. The consumer shall sign and date the disclosure statement as evidence that the consumer received the form. ~~((CLO)) CLI service providers~~ must retain copies of written disclosure statements signed by consumers at an in-state office for two years.

(5) **Mortgage brokers may provide ~~((CLO)) CLI systems—Conditions.~~** A licensed mortgage broker may provide ~~((CLO)) CLI systems.~~ Prior to providing any ~~((CLO)) CLI system~~, a mortgage broker subject to licensing must notify the director in writing of its intent to provide the service. The notification shall include:

(a) Copies of any and all agreements between the licensee and the ~~((CLO)) CLI service provider~~, including any and all business names and addresses where ~~((CLO)) CLI services~~ will be provided;

(b) Copies of any and all ~~((CLO)) CLI disclosure statements~~ which the ~~((CLO)) CLI service provider~~ shall give to consumers in connection with the provision of the ~~((CLO)) CLI services.~~

(6) ~~((CLO)) CLI system providers and ((CLO)) CLI service providers responsible for violations.~~ The department may hold both ~~((CLO)) CLI service providers~~ and ~~((CLO)) CLI system providers~~ responsible for any and all violations of chapter 19.146 RCW or chapter 208-660 WAC, and subject either or both the licensee or the service provider to any and all applicable fines and penalties.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-030 Application procedure for mortgage broker license. (1) Each person required to have a license must apply to the director by filing the following:

(a) An application in the form prescribed by the director, including without limit the information required by RCW 19.146.205 (1)(a) through (d).

(b) A surety bond and related power of attorney, or approved alternative to the bond, in accordance with RCW

19.146.205(3) and WAC ~~((50-60-080 and 50-60-08010))~~
~~208-660-080 and 208-660-08010.~~

(c) The application deposit.

(d) In regard to each principal~~(;)~~ and designated broker~~((, and any branch office manager))~~ of the applicant:

(i) Biographical information including complete and accurate employment history and a description of any material litigation involving the person;

(ii) An independent credit report obtained from a recognized credit reporting agency;

(iii) A signed authorization for a background investigation on a form provided by the department;

(iv) Completed fingerprint cards accepted by the Washington state patrol ~~((this requirement does not apply to branch office managers))~~;

(v) A signed authorization for verification of the existence of a trust account on a form provided by the department;

(vi) A certificate of passing an approved examination (this requirement does not apply to ~~((branch office managers))~~ principals); and

(vii) A certificate of satisfactory completion of an approved licensing course, or satisfactory proof of at least two years of experience in accordance with WAC ~~((50-60-040))~~ 208-660-040 (this requirement does not apply to principals).

(e) A signed certificate of compliance and authorization to examine trust accounts on a form provided by the department;

(f) Information to support any required branch office certificate, as required by WAC ~~((50-60-070))~~ 208-660-070.

(g) Information in regard to each independent contractor retained by the applicant, in accordance with RCW 19.146.200(1).

(h) A copy of any written agreement with a lender or licensee, in accordance with RCW 19.146.040(2).

(i) A copy of any form to be approved by the director in accordance with WAC ~~((50-60-130))~~ 208-660-130(2).

(j) If the applicant's principal office is located out-of-state, information in regard to the applicant's registered agent, in accordance with RCW 19.146.220(3).

(2) Notwithstanding any other provision of these rules, the director may deny an application as incomplete if the applicant fails within ten business days to meet a second request from the director for information, except that the director may grant an extension to the applicant when good cause is shown. An example of good cause may include, but is not limited to, death or incapacitating illness of the preparer, or other catastrophic occurrence. Failure to file requested information under such circumstances will not affect new applications filed after the denial. An applicant may reapply upon submission of a new application and an additional application deposit.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-040 Experience requirements. (1) A designated broker ~~((or branch office manager))~~ may use the following experience to satisfy the experience requirements of RCW 19.146.210 (1)(e) and 19.146.265:

(a) As a mortgage broker, or as a designated broker, or branch office manager, of a mortgage broker business;

(b) As a mortgage banker, or responsible individual or branch manager, of a mortgage banking business;

(c) As a loan officer, with responsibility primarily for loans secured by a lien on real estate;

(d) As a branch manager of a lender, with responsibility primarily for loans secured by a lien on real estate.

(e) As a mortgage broker with a mortgage broker (or similar) license from another state where the licensing standards are substantially similar to those in this state, as determined by the director.

(2) Satisfactory proof of two years of experience may include valid copies of W-2 or 1099 tax forms verifying employment for the two-year period, valid copies of form 1120 corporate tax returns for the two-year period signed by the broker or manager as owner of the business for the two-year period, or signed letters from a lender on the lender's letterhead verifying that the broker or manager has originated mortgage loans for the two-year period.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-042 Continuing education requirement. (1) The principal or designated broker ~~((and each branch office manager))~~ of a licensee must satisfactorily complete an approved continuing education course annually. Each licensee must file annually a certificate of satisfactory completion of an approved continuing education course by the licensee's principal or designated broker ~~((and each branch office manager,))~~ no later than the last business day of the month in which the anniversary date of the issuance of the licensee's license occurs.

(2) This section applies to each licensee beginning on the first anniversary date of the issuance of the licensee's license which occurs after December 31, 1995. (For example, if a licensee's license was issued on January 10, 1994, then the licensee must submit its first certificate of satisfactory completion of an approved continuing education course no later than the last business day of January 1996.)

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-045 Approval of courses and examinations. (1) In order to receive approval of a licensing or continuing education course, the course provider must file an application with the director, which includes the following items:

(a) A description of the course provider's experience in teaching this type of course;

(b) A complete listing of all instructors for the course, including their qualifications and experience teaching courses similar to this course;

(c) A valid certification as a vocational instructor issued by the state of Washington or valid certification as a non-profit corporation under United States Tax Code that represents the interests of mortgage brokers and lenders;

(d) In connection with approval of a licensing course, all course materials and lesson plans on a session-by-session basis, which must cover at least the following subjects to be taught:

- (i) The Mortgage Broker Practices Act;
 - (ii) The Consumer Protection Act;
 - (iii) The Escrow Agent Registration Act, chapter 18.44 RCW;
 - (iv) The federal Real Estate Settlement Procedures Act, Truth in Lending Act, Equal Credit Opportunity Act, Fair Credit Reporting Act, Fair Housing Act, Home Mortgage Disclosure Act, and Community Reinvestment Act, and the regulations promulgated pursuant to these acts.
 - (v) Trust account and recordkeeping requirements provided in the Mortgage Broker Practices Act;
 - (vi) Mortgage, deed of trust, and real estate contract statutes set forth in Title 61 RCW;
 - (vii) Washington principal and agent law;
 - (viii) Real estate and appraisal law, including without limitation, the provisions of chapters 18.85 and 18.140 RCW;
 - (ix) Arithmetical computations common to mortgage lending including without limitation, the computation of annual percentage rate, finance charge, amount financed, payment and amortization;
 - (x) Ethics in the mortgage industry; and
- (e) In connection with a continuing education course, all course materials and lesson plans on a session-by-session basis, which cover all relevant changes to the laws and matters described in (d) of this subsection.
- (2) In order to receive approval of an examination, the examination administrator must file an application with the director, including the following items:
- (a) A description of the examination administrator's experience in administering this type of examination; and
 - (b) A copy of any examinations to be used in determining satisfactory comprehension of the contents of the course and the grading scale to be used. Any new or revised examinations or grading scales to be used must be submitted to the director for approval prior to their use.
- (3) The director shall review the applications filed with the department and determine whether to approve or deny the proposed course or examination. If the director approves the course or examination, the director shall issue a certificate of approval that will be effective for two years from the date of its issuance.
- (4) The director shall publish annually a list of approved courses and approved examinations.
- (5) A course provider or examination administrator that desires to renew the certificate of approval must apply to the director and file the items required in subsection (1) of this section no later than forty-five days before the certificate expires.
- (6) The director may audit an approved course or examination at any time. If the course provider or examination administrator has not complied with the requirements of this section, the director may suspend or terminate approval and require the surrender of the certificate of approval.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-070 Branch office application procedure. Each applicant for a license or licensee required to obtain a branch office certificate shall apply to the director by filing the following:

- (1) An application in the form prescribed by the director.
 - (2) The application deposit.
 - ~~((3) In regard to each branch office manager:~~
 - ~~(a) Biographical information including complete and accurate employment history and a description of any material litigation involving the manager;~~
 - ~~(b) A signed authorization for background investigation on a form provided by the director; and~~
 - ~~(c) A certificate of satisfactory completion of an approved licensing course, or satisfactory proof of at least two years' experience in accordance with WAC 50-60-040.~~
- ~~A different natural person must serve as manager for each branch office.))~~ A branch office application may be submitted simultaneously with a license application, however no branch office certificate will be issued prior to the issuance of the license.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-080 Surety bond and approved alternatives—General requirements. (1) Each applicant for a license and licensee must file and maintain on file with the director:

- (a) A surety bond in the required amount and related power of attorney issued by a bonding company or insurance company authorized to do business in this state; or
- (b) An approved alternative to a surety bond in the required amount in accordance with WAC ~~((50-60-08010))~~ 208-660-08010.

The required amount of the surety bond or approved alternative ranges from twenty thousand dollars to sixty thousand dollars and is based on the applicant's or licensee's monthly average number of loan originators calculated in accordance with subsection (2) of this section. The surety bond or approved alternative is subject to claims in accordance with RCW 19.146.205 and 19.146.240. Borrowers shall be given priority over the state and other persons who file claims against the bond or approved alternative. The state and other persons shall not receive distributions from the remainder of the bond or approved alternative pursuant to valid claims prior to one hundred eighty days following the date a claim is made against the bond.

(2) The monthly average number of loan originators is calculated as follows:

- (a) If the applicant or licensee has not been in the mortgage broker business at any time during the preceding twelve months, the monthly average number of loan originators is determined by adding up the projected number of loan originators to be employed or engaged each month for the first twelve months during which the applicant or licensee will do business, and dividing this total by twelve. The projected

number of loan originators must reflect at least the actual number of originators at the inception of business.

(b) If the applicant or licensee has not been in the mortgage broker business at least some portion of each of the preceding twelve months, the monthly average number of loan originators is calculated by adding up the number of loan originators employed or engaged each month (or part thereof) for the number of months the applicant or licensee has been in business during the twelve-month period, and the projected number of loan originators to be employed or engaged each month for any additional months necessary to comprise a total of twelve months (or part thereof), and dividing this total by twelve.

(c) Otherwise, the monthly average number of loan originators as calculated by adding up the number of loan originators employed or engaged each month (or part thereof) for the previous twelve months, and dividing this total by twelve.

(3) Based upon the monthly average number of loan originators, the required surety bond amount is indicated by the following table:

Monthly Average Number of Loan Originators	Minimum Required Bond Amount
up to 3.0	\$20,000
more than 3.0, up to 6.0	\$30,000
more than 6.0, up to 9.0	\$40,000
more than 9.0, up to 15.0	\$50,000
more than 15.0	\$60,000

When calculating the required bond amount, an applicant or licensee shall use the worksheet form approved by the director.

(4) At least forty-five days prior to each anniversary of the issuance of the surety bond or approved alternative, each licensee shall calculate its required bond amount in accordance with subsections (2) and (3) of this section. If the required surety bond amount has changed, then the licensee shall within thirty days of the date of the calculation, file a new surety bond or approved alternative in the required amount or file documentation showing a change in the amount of the existing bond or alternative to the required amount.

(5) Each licensee shall use the bond form, assignment of certificate of deposit form, or irrevocable letter of credit form approved by the director.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-08015 Designation of trust account(s). Each account holding borrower funds to pay third-party providers must be designated as a trust account in the name of the mortgage broker as it appears on its license, or if exempt from licensing, in the name of the exempt broker. All checks must be prenumbered by the supplier (printer), unless the licensee uses an automated check writing system, in which case all checks must be numbered in sequence, and bear upon the front of the check the identifying words, "trust account." Any

interest earned on a borrower's subaccount shall be refunded or credited to the borrower either at closing or upon withdrawal or denial of the borrower's loan application.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-08025 Trust account deposit requirements. (1) All funds received from borrowers or on behalf of borrowers for the payment of third-party providers, whether specifically identified as such or not, and regardless of when they are received, must be deposited in the trust account(s) prior to the end of the ~~((next))~~ third business day following receipt. In order to satisfy this requirement in regard to the deposit of a check or money order, the mortgage broker must within one business day after receipt of the check or money order:

(a) Endorse the check or money order "for deposit only" with the broker's trust account number and mail the check postage prepaid to its financial institution; or

(b) Endorse the check or money order "for deposit only" with the mortgage broker's trust account deposit number and by the end of the next business day mail the check or money order postage prepaid to the main office of the broker. The main office shall, in turn, deposit the check or money order in its financial institution prior to the end of the ~~((next))~~ third business day after receipt of the check or money order in the main office; or

(c) Deposit the check or money order into its trust account by depositing it directly at the branch where its trust account is held or at an ATM of its financial institution.

(2) All deposits to the trust account(s) must be documented by a bank deposit slip which has been validated by bank imprint, or by an attached deposit receipt which bears the signature of an authorized representative of the mortgage broker indicating that the funds were actually deposited into the proper account(s).

(3) Receipt of funds by wire transfer or any means other than cash, check, or money order, must be posted in the same manner as other receipts. Any such transfer of funds must include a traceable identifying name or number supplied by the financial institution or transferring entity. The mortgage broker must also retain a receipt for the deposit of the funds which must contain the traceable identifying name or number supplied by the financial institution or transferring entity.

(4) Deposits to the trust account(s) must be limited to funds delivered to the mortgage broker for payment to third-party providers, except a mortgage broker may deposit its own funds into the trust account(s) to prevent a disbursement in excess of an individual borrower's subaccount, provided that the exact sum of deficiency is deposited and detailed records of the deposit and its purpose are maintained in the trust ledger and the trust account(s) check register. Any deposits of the mortgage broker's own funds into the trust account(s) must be held in trust in the same manner as funds paid by borrowers for the payment of third-party providers and treated accordingly in compliance with the Mortgage Broker Practices Act.

If a mortgage broker has deposited its own funds into its trust account, the mortgage broker may receive reimburse-

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ment for such deposit at closing into its general business bank account provided:

(a) All third-party provider's charges associated with the mortgage broker's deposit have been paid;

(b) The HUD 1 Settlement Statement provided to the borrower clearly reflects the line item, "deposit paid by broker," and the amount deposited;

(c) The HUD 1 Settlement Statement provided to the borrower clearly reflects the line item, "reimbursement to broker for funds advances," and the amount reimbursed; and

(d) Any funds disbursed by escrow at closing to the mortgage broker for payment of unpaid third-party providers' expenses charged or to be charged to the mortgage broker are deposited into the borrower's subaccount of the mortgage broker's trust account.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-08030 Trust account disbursement requirements. (1) Each mortgage broker is responsible for the disbursement of all trust account funds, whether disbursed by personal signature, signature plate, or signature of another person authorized to act on the mortgage broker's behalf.

(2) All disbursements of trust funds must be made by check, drawn on the trust account, and identified on the check as pertaining to a specific third-party provider transaction or borrower refund, except as specified in this section. The number of each check, amount, date, and payee must be shown in the trust account(s) check ledger as written on the check.

(3) Disbursements may be made from the trust account(s) for the payment of bona fide third-party providers' services rendered in the course of the borrower's loan origination, if the borrower has consented in writing to the payment. Such consent may be given at any time during the application process and in any written form, provided that it contains sufficient detail to verify the borrower's consent to the use of trust funds. No disbursement on behalf of the borrower may be made from the trust account until the borrower's or broker's deposit of sufficient funds into the trust account(s) is available for withdrawal.

(4) If a borrower has more than one loan application pending with a mortgage broker, the mortgage broker shall maintain a separate subaccount ledger for each loan application. The borrower must consent to any transfer of trust account funds between the individual subaccounts associated with these pending loan applications. The consent must be maintained in the borrower's loan file and referenced in the borrower's subaccount ledger sheets.

(5) Among other prohibited disbursements, no disbursement may be made from a borrower's subaccount:

(a) In excess of the amount held in the borrower's subaccount (commonly referred to as a disbursement in excess);

(b) In payment of a fee owed to any employee of the mortgage broker or in payment of any business expense of the mortgage broker;

(c) For payment of any service charges related to the management or administration of the trust account(s);

(d) For payment of any fees owed to the mortgage broker by the borrower, or to transfer funds from the subaccount to any other account; and

(e) For the payment of fees owed to the broker under RCW 19.146.070 (2)(a).

(6) A mortgage broker may, in the case of a closed and funded transaction, transfer excess funds remaining in the individual borrower's subaccount into the mortgage broker's general business bank account in full or partial payment of fees owed to the mortgage broker upon determination that all third-party providers' expenses have been accurately reported in the loan closing documents and have been paid in full, and that the borrower has received credit in the loan closing documents for all funds deposited in the trust account.

Each mortgage broker shall maintain a detailed audit trail for any disbursements from the borrower's subaccount(s) into the mortgage broker's general business bank account, including documentation in the form of a final HUD-1 Settlement Statement form showing that credit has been received by the borrower in the closing and funding of the transaction. The disbursements must be made by a check drawn on the trust account and deposited directly into the mortgage broker's general business bank account.

(7) Borrower funds held by the mortgage broker must be remitted to the borrower within five business days of the determination that all payments to third-party providers owed by the borrower have been satisfied.

(8) Any trust funds held by the mortgage broker for a borrower who cannot be located must be remitted in compliance with the Uniform Unclaimed Property Act of 1983, chapter 63.29 RCW.

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WAC 208-660-08032 Approved methods of disbursement to and from trust accounts. A mortgage broker who receives a check from closing which includes both the mortgage broker's fee and a payment or payments for third party service providers is required to disburse to and from trust accounts in accordance with WAC 208-660-08010 through 208-660-08030. The approved methods for accomplishing this, and avoiding violation of RCW 19.46.050, are:

(1) The mortgage broker at the time of deposit is to split the check at the teller window and route any moneys due to third party service providers to an approved trust account, and moneys due the mortgage broker to its general account; or

(2) The mortgage broker deposits the entire check into the trust account. After paying any and all moneys due to third party service providers and seeing to it that the borrower has received credit for all funds deposited in the trust account, the mortgage broker may transfer excess funds remaining in the individual borrower's subaccount into the mortgage broker's general business bank account. This amount must be equal to the fee disclosed on the final HUD-1 Settlement Statement, less any amounts already received by the mortgage broker, and must be duly recorded in the trust subaccount ledger. The mortgage broker may at no time before the loan is closed transfer moneys from a trust account to their general business bank account.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-08040 Automated check writing systems. If a mortgage broker uses a program which has the ability to write checks:

- (1) The check number must be pre-printed by the supplier (printer) on the check and on the voucher copy if pre-printed checks are used, or assigned sequentially if preprinted checks are not used;
- (2) The program may assign suffixes or subaccount codes before or after the check number for identification purposes;
- (3) The check number must appear in the magnetic coding which also identifies the account number for readability by financial institution computers; and
- (4) All checks written must be included within the computer accounting system.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-130 Disclosure required to borrower.

(1) Any form of disclosure required by RCW 19.146.030 (2)(d), (e), and (f) must be acceptable to the director. A model form for this purpose promulgated by the director is considered acceptable.

(2) Any lock-in agreement form or disclosure form described in RCW 19.146.030 (2)(c) must be approved by the director prior to its use by a mortgage broker or its loan originators. This subsection does not apply to use of a model form promulgated by the director.

(3) A mortgage broker shall not charge any fee that inures to the benefit of the mortgage broker if it exceeds the fee disclosed on the initial written disclosure, unless:

- (a) The need to charge the fee was not reasonably foreseeable at the time the written disclosure was provided; and
- (b) The mortgage broker has provided to the borrower, no less than three business days prior to the signing of the loan closing documents, a clear written explanation of the fee and the reason for charging a fee exceeding that which was previously disclosed.

However, no other disclosures shall be required by this subsection if the borrower's closing costs, excluding prepaid escrowed costs of ownership, does not exceed the total closing costs in the most recent good faith estimate provided to the borrower.

In addition, no other disclosures shall be required by this subsection if any fee or set of fees that inure to the benefit of the mortgage broker, and that are calculated as a percentage of the loan amount, increase as a result of an increase in the loan amount, provided that:

- (i) The increase in loan amount is requested by the borrower;
- (ii) The fee or set of fees that are calculated as a percentage of the loan amount have been disclosed on the initial written disclosure as both a percentage of the loan amount and as a dollar amount based upon the assumed loan amount used in the initial written disclosure; and, the total aggregate increase in the fee or set of fees that inure to the benefit of the

mortgage broker as a result of the increase in loan amount is less than seven hundred fifty dollars.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-140 General recordkeeping requirements. (1) Each mortgage broker shall retain its books and records for a minimum of ~~((four years))~~ twenty-five months after the effective period to which the books and records relate.

However, books and records relating to a specific loan application must be maintained for a minimum of ~~((four years))~~ twenty-five months after a loan application is received. These books and records must be retained in all cases where a loan application has been received, any deposits or fees associated with a mortgage application have been accepted, or any written agreement has been executed.

(2) All books and records must be kept in a location in this state that is readily accessible to the department. However, a mortgage broker may store its books and records outside the state with the prior approval of the director, and after executing a written agreement with the director:

- (a) To provide access to its books and records to investigate complaints against the mortgage broker; and
- (b) To pay the department's travel, lodging and per diem expenses incurred in travel to examine books and records stored out-of-state.

(3) Books and records include without limitation: The original contracts for the broker's compensation, an accounting of all funds received in connection with loans, a copy of the settlement statements as provided to borrowers, a record of any fees refunded to applicants for loans that did not close, copies of the good faith estimates and all other written disclosures, and all other correspondence, papers or records relating to loan applications.

AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-145 Forwarding appraisal, title report and credit report. Except as otherwise required by the United States Code or the Code of Federal Regulations, now or as amended, if a borrower is unable to obtain a loan for any reason and the borrower has paid the mortgage broker for an appraisal, title report, or credit report, the borrower may request in writing that the mortgage broker mail (or otherwise furnish) a copy of the appraisal, title report or credit report to the borrower and mail (or otherwise furnish) the originals to any other mortgage broker or lender of the borrower's choice. The copies and originals must be furnished by the mortgage broker within five days after the mortgage broker has received the borrower's written request regardless of whether the borrower has obtained a loan. By furnishing the originals to another mortgage broker or lender, the mortgage broker conveys the right to use the documents to the other broker or lender. The mortgage broker must, upon request by the other broker or lender, provide written evidence of the conveyance.

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AMENDATORY SECTION (Amending WSR 96-04-028, filed 2/1/96, effective 4/1/96)

WAC 208-660-160 License application denial or condition; license suspension or revocation. ((+)) The director may deny or condition approval of a license application, or suspend or revoke a license if the applicant or licensee, or any principal or designated broker of the applicant or licensee:

((+)) (1) Has failed to pay a fee due to the state in accordance with the Mortgage Broker Practices Act;

((+)) (2) Has not filed the required surety bond or approved alternative or otherwise complied with RCW 19.146.205;

((+)) (3) Has had any license, or any authorization to do business under any similar statute of this or any other state, suspended, revoked, or restricted within the prior five years;

((+)) (4) Has within the prior seven years been convicted of a felony, or a gross misdemeanor involving dishonesty or financial misconduct;

((+)) (5) Has failed to demonstrate financial responsibility, character, and general fitness such as to command the confidence of the community and to warrant a belief that the business will be operated honestly, fairly, and efficiently within the purposes of the Mortgage Broker Practices Act. The director may find that the person has failed to make the demonstration if, among other things:

((+)) (a) The person is or has been subject to an injunction issued pursuant to the Mortgage Broker Practices Act or the Consumer Protection Act; or

((+)) (b) An independent credit report issued by a recognized credit reporting agency indicates that the person has a substantial history of unpaid debts;

((+)) (6) Has omitted, misrepresented, or concealed material facts in obtaining a license or in obtaining reinstatement thereof;

((+)) (7) Has violated the provisions of the Mortgage Broker Practices Act, or the Consumer Protection Act;

((+)) (8) Has had its surety bond, approved alternative, or equivalent form of business insurance, canceled or revoked for cause;

((+)) (9) Has allowed the licensed mortgage broker business to deteriorate into a condition which would result in denial of a new application for a license;

((+)) (10) Has aided or abetted an unlicensed person to practice in violation of the Mortgage Broker Practices Act;

((+)) (11) Has demonstrated incompetence or negligence that results in injury to a person or that creates an unreasonable risk that a person may be harmed;

((+)) (12) Is insolvent in the sense that the value of the applicant's or licensee's liabilities exceed its assets or in the sense that the applicant or licensee cannot meet its obligations as they mature;

((+)) (13) Has failed to comply with an order, directive, or requirement of the director, or his or her designee, or with an assurance of discontinuance entered into with the director, or his or her designee;

((+)) (14) Has performed an act of misrepresentation or fraud in any aspect of the conduct of the mortgage broker business or profession;

((+)) (15) Has failed to cooperate with the director, or his or her designee, including without limitation by:

((+)) (a) Not furnishing any necessary papers or documents requested by the director for purposes of conducting an investigation for disciplinary actions or denial, suspension, or revocation of a license; or

((+)) (b) Not furnishing any necessary papers or documents requested by the director for purposes of conducting an investigation into a complaint against the licensee filed with the department, or providing a full and complete written explanation of the circumstances of the complaint upon request by the director;

((+)) (16) Has interfered with an investigation or disciplinary proceeding by willful misrepresentation of facts before the director or the director's designee, or by the use of threats or harassment against a client, witness, employee of the licensee, or representative of the director for the purpose of preventing them from discovering evidence for, or providing evidence in, any disciplinary proceeding or other legal action;

((+)) (17) Has failed to provide a required certificate of passing an approved examination;

((+)) (18) Has failed to provide a required certificate of satisfactory completion of an approved licensing course or, in the alternative, satisfactory proof of two years' experience in accordance with WAC ((50-60-040)) 208-660-040; or

((+)) (19) Has failed to provide a required certificate of satisfactory completion of an approved continuing education course.

~~((2) The director may deny or condition approval of a branch office application, or suspend or revoke a branch office certificate, if the branch office manager has failed to provide any required items described in subsection (1)(r) and (s) of this section.)~~

WSR 01-01-050
PERMANENT RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed December 11, 2000, 1:22 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Makes technical changes, reorders sections, and makes changes to the length of the contract period.

Citation of Existing Rules Affected by this Order: Repealing WAC 250-44-210; and amending WAC 250-44-020, 250-44-040, 250-44-050, 250-44-060, 250-44-070, 250-44-080, 250-44-090, 250-44-110, 250-44-130, 250-44-140, 250-44-150, 250-44-160, and 250-44-190.

Statutory Authority for Adoption: Chapter 28B.04 RCW.

Adopted under notice filed as WSR 00-19-105 on September 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 13, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 13, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 13, 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.

December 8, 2000

Brenda Landers
Program Manager

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-020 Program administration. Responsibility for all aspects of administration of the displaced homemaker program, subject to these regulations, shall be vested in the executive director of the board. ~~((The executive director shall provide progress reports to the board and to the governor and the appropriate committees of the legislature.))~~

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-040 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Act" means the Displaced Homemaker Act, chapter 28B.04 RCW, as amended.

(2) "Advisory committee" means the advisory committee established pursuant to WAC 250-44-030.

(3) "Appropriate job opportunities" means opportunities to be gainfully employed, as defined in subsection (9) of this section, in jobs which build upon all relevant skills and potential skills of the individual displaced homemaker, including opportunities in jobs which in the past may not generally have been considered traditional for women.

(4) "Center" means a multipurpose service center as defined in subsection (10) of this section.

(5) "Board" means the higher education coordinating board.

(6) "Displaced homemaker" means an individual who:

(a) Has worked in the home for ten or more years providing unsalaried household services for family members on a full-time basis; and

(b) Is not gainfully employed;

(c) Needs assistance in securing employment; and

(d) Meets one of the following criteria;

(i) Has been dependent on the income of another family member but is no longer supported by that income; or

(ii) Has been dependent on federal assistance but is no longer eligible for that assistance; or

(iii) Is supported as the parent of minor children by public assistance or spousal support, but whose youngest child is within two years of reaching majority.

(7) "Executive director" means the executive director of the board.

(8) "Executive officer" of the sponsoring organization means the chief executive or senior officer of the organization.

(9) "Gainfully employed" means employed for salary or wages on a continuing basis and earning at least an amount equal to the standard of need established under RCW 74.04.770.

(10) "Multipurpose service center" means a center contracted for under the act, which either provides directly, or provides information about and referral to, each type of program of service as defined in subsection (14) of this section.

(11) "Objective" means a purpose of a program of service which can be quantified and for which objective measurements of performance can be established.

(12) "Displaced homemaker program" means the program of contracts for multipurpose service centers and programs of service for displaced homemakers authorized by the act.

(13) "Program" means a program of service as defined in subsection (14) of this section.

(14) "Program of service" means one of the specific services listed in subdivisions (a) through (g) of this subsection, and meeting the criteria set forth in the subdivision.

(a) Job counseling services, which shall:

(i) Be specifically designed for displaced homemakers;

(ii) Counsel displaced homemakers with respect to appropriate job opportunities (as defined in subsection (3) of this section); and

(iii) Take into account and build upon the skills and experience of a homemaker and emphasize job readiness as well as skill development.

(b) Job training and job placement services, which shall:

(i) Emphasize short-term training programs and programs which expand upon homemaking skills and volunteer experience and which prepare the displaced homemaker to be gainfully employed as defined in subsection (9) of this section;

(ii) Develop, through cooperation with state and local government agencies and private employers, model training and placement programs for jobs in the public and private sectors;

(iii) Assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities, including vocational education and apprenticeship training programs; and

(iv) Assist in identifying community needs and creating new jobs in the public and private sectors.

(c) Health counseling services, including referral to existing health programs, which shall:

(i) Include general principles of preventative health care;

(ii) Include health care consumer education, particularly in the selection of physicians and health care services, including, but not limited to, health maintenance organizations and health insurance;

(iii) Include family health care and nutrition;

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(iv) Include alcohol and drug abuse; and
 (v) Include other related health care matters as appropriate.

(d) Financial management services, which shall:

(i) Provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans and other related financial matters; and

(ii) Include referral, wherever feasible and appropriate, to public legal assistance programs staffed by attorneys.

(e) Educational services, which shall:

(i) Include outreach and information about courses offering credit through secondary or postsecondary education programs, and other re-entry programs, including bilingual programming where appropriate; and

(ii) Include information about such other programs (~~as the board may determine~~) determined by the board to be of interest and benefit to displaced homemakers, and for which appropriate informational materials have been provided by the board.

(f) Legal counseling and referral services, which shall:

(i) Be limited to matters directly related to problems of displaced homemakers;

(ii) Be supplemental to financial management services as defined in subdivision (d) of this subsection; and

(iii) Emphasize referral, wherever feasible and appropriate, to public legal assistance programs staffed by attorneys.

(g) General outreach and information services with respect to federal and state employment, education, health, public assistance, and unemployment assistance programs which the board may determine to be of interest and benefit to displaced homemakers, and for which the board distributes appropriate informational materials.

(15) "Reaching majority" means reaching age eighteen.

(16) "Sponsoring organization" means a public institution, agency or governmental entity, or a chartered private nonprofit institution or organization which has legal authority to submit an application, enter into a contract, and provide the programs of service covered by the application, and which agrees to provide supervision and financial management to ensure compliance with the terms and conditions of the contract.

(17) "Training for service providers" means activities which provide training for persons serving the needs of displaced homemakers.

(18) "State-wide outreach and information services" means activities designed to make general outreach and information services for displaced homemakers available throughout Washington including but not limited to areas (~~not~~) directly served by multipurpose service centers or other programs of service under the displaced homemaker program.

(19) "Subsistence" means support provided to, or paid to recipients for support services including all living expenses, child care, and transportation.

(20) "Performance indicators" means expected levels of services and outcomes as established by the executive director and made available in the application guidelines.

(21) "Initial contract" means a contract awarded based on a competitive process and the evaluation of an initial application.

(22) "Renewal contract" means a contract awarded to a current sponsoring organization for the ensuing biennium, based on the evaluation of a renewal application.

AMENDATORY SECTION (Amending Order 95-02, filed 3/16/95, effective 4/16/95)

WAC 250-44-050 Utilization of available contract funds. (1) (~~Each biennium~~) The executive director shall issue contract application guidelines which shall establish criteria for specific utilization of available contract funds. The guidelines shall set forth:

(a) The maximum contract amount (~~for a multipurpose service center to be provided depending on available funds under the act during the upcoming biennium~~) available for funding of a multipurpose service center.

(b) The maximum contract amount (~~for a contract for a program or programs of service depending on available funds under the act during the upcoming biennium~~) available for funding of a program or programs of service.

(c) A reservation of funds for contracts to provide state-wide outreach and information services and/or training for service providers.

(2) At least two multipurpose service centers, each located in a highly populated area, (~~will~~) shall be supported under the displaced homemaker program, provided adequate funds have been appropriated.

(3) Remaining funds (~~will~~) shall be used for contracts selected to provide geographic dispersion of displaced homemaker multipurpose service centers and programs of service.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-060 Eligibility to apply for contracts. Either an initial or renewal application for a contract to provide either a multipurpose service center or one or more programs of service for displaced homemakers or training for service providers may be submitted by a sponsoring organization, as defined in WAC 250-44-040(16).

(1) The board (~~will~~) shall require appropriate documentation of the nonprofit status of an applicant (~~which~~) that is nonpublic.

(2) (~~Letters of intent, accompanied by the required documentation of nonprofit status will be required prior to submission of an application, and will be screened by the staff of the board. Sponsoring organizations verified to be eligible will then be invited to submit applications.~~)

(3) (~~Consortiums of appropriate~~) Organizations (~~are encouraged, but~~) that apply as a consortium shall submit a single application (~~by a single~~). The application shall be submitted by the sponsoring organization(~~, which~~) that will serve as fiscal agent for the consortium(~~, is to be submitted for each proposed consortial center, program of service, or multiple programs of service to be operated by a consortium~~).

AMENDATORY SECTION (Amending Order 2/84, Resolution No. 84-76, filed 7/3/84)

WAC 250-44-070 Standards to be met by applicants.

In addition to eligibility as a public or nonprofit organization, each sponsoring organization ~~((with)) shall~~ be required to provide evidence of adequate staff or governing board provisions to provide administrative and financial management oversight services to ensure contract compliance ~~((with contract provisions and conditions))~~.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-080 Eligible expenditures and matching requirements. (1) Eligible expenditures ~~((Expenditures eligible to be included in budgets under applications to provide multipurpose centers, programs of service or training for service providers,))~~ include all operating expenses ~~((needed))~~ necessary to carry out the training, counseling, and referral services covered in the proposal, and to provide outreach activities related to the services, subject to the following limitations:

(a) No funds under the contract budgets ~~((may)) shall~~ be utilized to provide subsistence or stipends for recipients of the services provided.

(b) No funds under the contract budgets ~~((may)) shall~~ be utilized to pay for student tuition and fees for enrollment in education programs or courses except under specific prior approval by the executive director.

(c) ~~((Any)) All~~ out-of-state travel or any subcontracts with other agencies or organizations, to be paid for with funds under contract budgets, must be specifically approved in advance by the executive director or the director's designee; and

(d) Formula allocations of overhead or other expenses of the sponsoring organization not directly related to the provision of the services covered by the contract ~~((may)) shall~~ not be included in the contract budget, but charges for direct services in support of the contract such as financial accounting services, printing services, transportation, etc., may be included.

(2) Although the contract budget ~~((may)) shall~~ not support subsistence, stipends, or tuition and fee payments (unless approved in advance) for recipients of services under the contract, sponsoring organizations are encouraged wherever possible and appropriate to obtain and provide funds for such purposes from other sources ~~((JTPA, for example) in cases of financial need))~~.

(3) Matching requirements. At least thirty percent of the funding for each center or program supported by a contract under the act must be provided by the sponsoring ~~((agency))~~ organization, based on the original contract amount.

(a) Validation of the provision of required matching support ~~((with)) shall~~ be provided ~~((by detail in the budget proposed))~~ as required in each application.

(b) Matching may be provided either in the form of supplemental funds, from any source other than the contract under the act, to pay for services separately accounted for in carrying out the activities covered by the contract, or in the

form of contributed services or contributions in-kind also specifically and separately accounted for.

(c) Contributions in-kind may include materials, supplies, chargeable services such as printing services or transportation, salaries and fringe benefit costs for paid employees of the sponsoring organization to the extent such employees work directly in the provision of services under the contract or providing direct support such as secretarial or accounting support, and the equivalent value of contributed volunteer services on the same basis: Provided, That the dollar value of contributed volunteer services shall be calculated by determining the hourly rate for comparable paid positions for which the volunteer is fully qualified, and multiplying the hourly rate times the number of hours of service contributed.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-090 Required assurances. No contract ~~((with)) shall~~ be awarded unless the sponsoring organization includes in its application the following assurances:

(1) No person in this state, on the grounds of sex, age, race, color, religion, national origin, or the presence of any sensory, mental, or physical handicap, shall be excluded from participating in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under the act;

(2) The sponsoring organization ~~((with)) shall~~ actively seek to employ for all staff positions supported by funds provided under the act, and for all staff positions supported by matching funds under any contract, including supervisory, technical and administrative positions, persons who qualify as displaced homemakers;

(3) Services provided to displaced homemakers under the contract ~~((with)) shall~~ be provided without payment of any fees for the services: Provided, That the executive director may approve exceptions to this requirement upon determining that such exceptions would be in the best interest of displaced homemaker program objectives;

(4) First priority for all services provided under the contract ~~((with)) shall~~ be given to persons who qualify in all regards as displaced homemakers. Other persons in need of the services due to similar circumstances may be assisted if provision of such assistance ~~((with)) shall~~ not in any way interfere with the provision of services to displaced homemakers as defined in the act. The sponsoring organization ~~((with)) shall~~ include in its reports separate and distinct accountability for services to displaced homemakers and to other persons in need of the services;

(5) The sponsoring organization agrees to comply in full with the accounting and reporting requirements set forth in WAC 250-44-100 and such other accounting and reporting requirements as may ~~((reasonably))~~ be established by the executive director.

(6) The sponsoring organization agrees to participate in evaluation procedures ~~((to be established pursuant to WAC 250-44-210)),~~ including the use of ~~((a)) all~~ specified uniform ~~((intake))~~ client classification forms for persons to whom services are provided, and specified uniform evaluation questionnaires;

(7) The sponsoring organization will actively seek to coordinate activities under the contract with related activities and services provided by other organizations;

(8) The sponsoring organization understands and agrees that payments from the board under the contract will be provided monthly or quarterly upon submission and approval of payment requests in a form and containing information specified by the executive director of the board, and that approval of payments shall be conditioned upon the executive director's determination that the sponsoring organization is in compliance with the terms of the contract and this chapter;

(9) The executive officer of the sponsoring organization has reviewed the application, including all assurances contained therein, and is authorized to submit the application and execute a contract in accordance with the application if it is approved by the board; and

(10) The executive director and staff of the board will be provided access to financial and other records pursuant to the contract.

AMENDATORY SECTION (Amending Order 95-02, filed 3/16/95, effective 4/16/95)

WAC 250-44-110 Length of contract periods. (1) Contract periods for each contract~~((s))~~ awarded under the act shall be in accordance with each application proposal, subject to contract application guidelines issued by the executive director, but shall not begin before the starting date or extend beyond the end date of the upcoming biennium.

(2) An initial contract shall be awarded on a biennial basis.

(3) A contract funded for the 1999-2001 biennium may be renewed for the 2001-2003 biennium provided the sponsoring organization was in full compliance with all of the terms of the 1999-2001 contract, as evidenced by the on-site compliance reviews.

(4) An initial contract funded for the 2001-2003 biennium, and any contract funded thereafter may be renewed for one ensuing biennium provided the sponsoring organization was in full compliance with the contract and performance indicators established by the executive director.

AMENDATORY SECTION (Amending Order 95-02, filed 3/16/95, effective 4/16/95)

WAC 250-44-130 Calendar and closing dates for ~~((letters of intent,))~~ applications and awards. (1) ~~((Organizations wishing to apply for contracts to operate multipurpose service centers, shall submit to the executive director a letter of intent, accompanied by appropriate documentation of public or nonprofit status, as specified in the contract application guidelines.~~

~~(2) The executive director or the director's designee will screen the letters of intent for multipurpose service centers, prepare a list of all eligible organizations which filed letters of intent and distribute the list to all applicants within seven days from the filing date for letters of intent as specified in the contract application guidelines.~~

~~(3) Applications for contracts for multipurpose service centers may be submitted by organizations on the list pursu-~~

~~ant to subsection (2) of this section. Applications must be submitted by the date as specified in the contract application guidelines.~~

~~(4) Organizations wishing to apply for contracts to operate programs of service shall submit to the executive director a letter of intent, accompanied by appropriate documentation of public or nonprofit status by the date specified in the guidelines.~~

~~(5) The executive director or the director's designee will screen the letters of intent for programs of service, prepare a list of all eligible organizations which filed letters of intent, and distribute the list to all organizations on the list, within seven days from the filing date for letters of intent as specified in the contract application guidelines.~~

~~(6)) Applications for both initial and renewal contracts ~~((for programs of service may))~~ to provide services to displaced homemakers shall be submitted by eligible organizations ~~((on the list))~~ pursuant to ~~((subsection (5) of this section))~~ WAC 250-44-040(16) by the date specified in the contract application guidelines.~~

~~((7))~~ (2) The executive director of the board ~~((will))~~ shall approve awards of contracts, provided qualifying applications were received by the closing dates specified in ~~((this section and in))~~ the application guidelines.

~~((8))~~ (3) In the event that available funds for contracts under the act are not fully utilized after approval of contracts, the executive director ~~((may))~~ shall either establish a new calendar for further consideration of applications and award of contracts, or award supplemental funds to existing centers and programs by amendment of contracts in effect, or award supplemental funds for targeted displaced homemaker program initiatives.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-140 ~~((Form and))~~ Content of application. ~~((1) General instructions. All forms and narrative material should be typed, narrative material double spaced. Legibility, clarity, and completeness are essential. All sections of the application must be completed. Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete and effective application should be avoided. Elaborate art work, expensive paper and bindings are not necessary and will not count in favor of the application.~~

~~(2) Number of copies. The contract application guidelines shall specify the number of copies of each application to be submitted to the executive director. Copies may be reproduced, but at least two copies submitted shall have the original signature of the executive officer of the sponsoring organization.~~

~~(3) Contents of each application. Each))~~ Both initial and renewal applications ~~((is to))~~ shall be submitted using the format and forms prescribed in the contract application guidelines.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-150 Criteria for selection of contracts to be awarded. (1) Initial contracts. For each closing date established as specified in WAC 250-44-130, applications will be ranked competitively according to their performance with respect to:

- (a) Size of the potential population to be served;
 - (b) Demonstrated need for the proposed services;
 - (c) Experience and capabilities of the sponsoring organization;
 - (d) Provisions for coordination of services with other organizations providing related services in the geographic area(;
 - ~~(e) Involvement of displaced homemakers in the planning and development of the proposal;~~
 - ~~(f) The quality of the proposed center or program)).~~
- (2) The executive director shall develop a system for evaluating initial applications with respect to the above-stated criteria, and make available in the application guidelines a description of the system (~~(available to sponsoring organizations which submit letters of intent to file applications)~~)).

(3) Final selection of initial applications to be approved will be based upon both relative ranking on factors listed in subsection (1) of this section and appropriate geographic distribution.

(4) Renewal contracts. The sponsoring organization may be eligible to renew its contract for one ensuing biennium provided the sponsoring organization was in full compliance with the 1999-2001 contract. Thereafter, the sponsoring organization may be eligible to renew its contract for one subsequent biennium provided the sponsoring organization was in full compliance with the contract and performance indicators established by the executive director.

(5) The executive director shall develop a system for evaluating renewal applications and make available in the application guidelines a description of the system.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-160 Procedure for selection of contracts to be awarded. (1) Initial contracts. The following steps will be employed in screening and selection of applications to be approved for initial contracts:

- ~~((1))~~ (a) Applications will be screened for eligibility and completeness;
- ~~((2))~~ (b) A panel of application readers will be established, to consist of board staff members designated by the executive director, members of the advisory committee who are not members of the legislature or employees of sponsoring organizations, and such other persons as may be deemed appropriate by the executive director;
- ~~((3))~~ (c) Within each category of application as described in WAC 250-44-150(1), the panel of readers will evaluate and rank qualifying applications according to the system published in accordance with WAC 250-44-150(2);

~~((4))~~ (d) The ~~(executive director)~~ advisory committee will consider evaluations prepared by the readers, and will develop a list of recommended approved applications to be awarded contracts;

~~((5))~~ (e) The list of recommended approved applications will be submitted to the executive director of the board for approval. Upon approval the executive director will award the contracts.

(2) Renewal contracts. The following steps will be employed in screening and selection of applications to be approved for renewal contracts:

- (a) Applications will be screened for eligibility and completeness;
- (b) In cooperation with the advisory committee, or a subset thereof, the board will evaluate qualifying applications in accordance with WAC 250-44-140 and develop a list of recommended approved renewal applications according to the system published in WAC 250-44-150(5);
- (c) The list of recommended approved renewal applications shall be submitted to the executive director of the board for approval. Upon approval the executive director will award the renewal contracts.

AMENDATORY SECTION (Amending Order 4-87, Resolution No. 87-57, filed 7/31/87)

WAC 250-44-190 Withholding of contract payments. If the executive director determines that a sponsoring organization is not in compliance with contract provisions of this chapter, the executive director shall suspend payments under the contract and shall file a report with the board and with the sponsoring organization of the reason for suspension of payments. The sponsoring organization may correct the state of noncompliance or may appeal the executive director's determination to the board at its next regular meeting. If the executive director finds that any claimed expenditures under the contract are not eligible under this chapter, the executive director shall deduct such amounts from the next ~~((monthly advance))~~ request for payment. The sponsoring organization may, through the executive director, request a hearing on the executive director's decision before the board at its next regular meeting.

NEW SECTION

The following sections of the Washington Administrative Code are recodified as follows:

Old WAC number	New WAC number
250-44-070	250-44-090
250-44-080	250-44-160
250-44-090	250-44-100
250-44-100	250-44-190
250-44-110	250-44-140
250-44-120	250-44-170
250-44-130	250-44-070
250-44-140	250-44-080
250-44-150	250-44-110

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250-44-160	250-44-120
250-44-170	250-44-130
250-44-180	250-44-150
250-44-190	250-44-180

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 250-44-210 Evaluation reports.

WSR 01-01-058**PERMANENT RULES****DEPARTMENT OF AGRICULTURE**

[Filed December 12, 2000, 11:45 a.m.]

Date of Adoption: December 11, 2000.

Purpose: To revise chapter 16-228 WAC, rules related to the pesticide penalty matrix. The rule addresses issues and concerns raised since the implementation of the original rule in 1992. More specifically, the rules ensure a fair and uniform method when assessing civil penalties and licensing actions for violations of the laws and rules related to pesticides. The changes also simplify and provide additional clarity to the rules. Changes will also provide an increased level of deterrence.

Citation of Existing Rules Affected by this Order: Chapter 16-228 WAC, repealing WAC 16-228-1140; and amending WAC 16-228-1110, 16-228-1120, 16-228-1130, and 16-228-1150.

Statutory Authority for Adoption: Chapters 17.21 and 15.58 RCW.

Adopted under notice filed as WSR 00-21-097 on October 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 2, Amended 4, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 4, 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 2, Amended 4, Repealed 1.

Effective Date of Rule: Thirty-one days after filing.

December 11, 2000

Jim Jesernig
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.

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 16-228-1115 Application of RCW 43.05.100 and RCW 43.05.110—Issuance of a civil penalty without first issuing a 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. RCW 43.05.110 provides that the department of agriculture may issue a civil penalty provided for by law without first issuing a notice of correction if: (1) The person has previously been subject to an enforcement action for the same or similar type of violation of the same statute or rule or has been given previous notice of the same or similar type of violation of the same statute or rule; or (2) compliance is not achieved by the date established by the department in a previously issued notice of correction, if the department has responded to any request for review of such date by reaffirming the original date or establishing a new date; (3) the violation has a probability of placing a person in danger of death or bodily harm, has a probability of causing more than minor environmental harm, or has a probability of causing physical damage to the property of another in an amount exceeding one thousand dollars; or (4) the violation was committed by a business that employed fifty or more employees on at least one day in each of the preceding twelve months.

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~~(s)~~ and the adverse effect~~(s)~~ or potential adverse effects 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 licensing 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 as listed within the level of violation or may, in its discretion, increase the penalty to a level greater than the maximum penalty, 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. 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.

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 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

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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

LEVEL OF VIOLATION	ADVERSE EFFECTS NOT PROBABLE			ADVERSE EFFECTS PROBABLE		
	MINIMUM	MEDIAN	MAXIMUM	MINIMUM	MEDIAN	MAXIMUM
FIRST	\$200 and or 2 days license suspension	\$300 and or 3 days license suspension	\$500 and or 6 days license suspension	\$350 and or 5 days license suspension	\$450 and or 7 days license suspension	\$550 and or 9 days license suspension
SECOND	\$350 and or 3 days license suspension	\$500 and or 6 days license suspension	\$1000 and or 9 days license suspension	\$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 or 4 days license suspension	\$1000 and or 9 days license suspension	\$2000 and or 12 days license suspension	\$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
FORTH OR MORE	\$900 and or 5 days license suspension denial or revocation	\$2000 and or 12 days license suspension denial or revocation	\$3000 and or 15 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

PERMANENT

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 00-22-073, filed 10/30/00, effective 11/30/00)

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

- (1) Choosing not to pursue a ~~((ease administratively))~~ civil penalty, license suspension or license revocation.
- (2) Issuing a ~~((warning letter or))~~ notice of correction in lieu of pursuing ~~((administrative action))~~ a civil penalty, license suspension or license revocation.
- (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).

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.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-228-1140

Penalty assignment schedule—Table B.

WSR 01-01-059
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed December 12, 2000, 1:11 p.m.]

Date of Adoption: December 12, 2000.

Purpose: To promulgate and amend department rules in order to implement the law codified in chapters 41.34 and 41.35 RCW creating TRS Plan 3 and SERS, respectively. TRS Plan 3 became effective July 1, 1996. SERS became effective September 1, 2000.

Citation of Existing Rules Affected by this Order:

School Employees' Retirement System

CHAPTER 415-108 WAC		
AMENDED	415-108-0109	Clarifies the system acronym definitions; amended to include SERS.
AMENDED	415-108-726	Describes when and how a member can participate in PERS if concurrently employed in SERS.
AMENDED	415-108-728	Clarifies when and how a member is reported if employed in PERS and TRS. Amended to delete reference to "concurrent" in table headings. This change will avoid confusion with the PERS/SERS concurrent rule in WAC 415-113-200.
CHAPTER 415-112 WAC		
AMENDED	415-112-0167	Defines the SERS acronym.
AMENDED	415-112-130	Describes when and how a member may reestablish membership in TRS. Amended to include Plan 3.
AMENDED	415-112-135	Describes the TRS rights of an educational staff associate converted from PERS to SERS.
AMENDED	415-112-155	Clarifies when and how a member is reported if employed in PERS and TRS. Amended to delete reference to "concurrent" in table headings. This change will avoid confusion with the PERS/SERS concurrent rule in WAC 415-113-200.
AMENDED	415-112-727	Clarifies a member's retirement benefit options. Amended to include Plan 3.
CHAPTER 415-113 WAC		
AMENDED	415-113-030	Expanded the sections that the chapter covers to include the new section added for SERS concurrent employment.
AMENDED	415-113-0302	Provides a reference for the definition of SERS average final compensation.
AMENDED	415-113-0303	Clarifies the definition of dual member system. Amended to include SERS.
AMENDED	415-113-0310	Clarifies the system acronym definitions. Amended to include SERS.
AMENDED	415-113-041	Clarifies the definition of dual member. Amended to include SERS.

AMENDED	415-113-042	Clarifies when a member can terminate dual member status. Amended to include SERS.
AMENDED	415-113-065	Allows a member to substitute base salary between systems. Amended to include SERS.
AMENDED	415-113-070	Clarifies the process of delaying a dual member benefit. Amended to include SERS.
CHAPTER 415-115 WAC		
AMENDED	415-115-020	Updates the cross references for the definition of standard administrative fee.
AMENDED	415-115-090	Clarifies the systems that the maximum additional administrative fee applies to. Amended to include SERS.
CHAPTER 415-200 WAC		
AMENDED	415-200-030	Clarifies the role of the Plan 3 external administrator.
AMENDED	415-200-040	Clarifies who must pay the expenses caused by the self-directed investment program.
CHAPTER 415-110 WAC (NEW)		
This new chapter copies the rules from chapter 415-108 WAC the rules that apply specifically to the SERS membership. The intent is to copy each in part or in whole as applicable.		
NEW SECTION	415-110-010	Clarifies the location of applicable definitions.
NEW SECTION	415-110-0102	Defines the term "normally" as used in the definition of eligible position.
NEW SECTION	415-110-0103	Defines "project position."
NEW SECTION	415-110-0104	Defines the term "report."
NEW SECTION	415-110-0108	Defines the term "year."
NEW SECTION	415-110-0109	Defines the retirement system acronyms.
NEW SECTION	415-110-0110	Defines the term "reportable compensation."
NEW SECTION	415-110-0111	Defines the term "annual leave."
NEW SECTION	415-110-020	Provides the WAC reference for public record information.
NEW SECTION	415-110-030	Describes the relationship and governance rules pursuant to SERS and the statewide cities retirement system.
NEW SECTION	415-110-040	Describes the disability appeals process. Cross references appeals rules.
NEW SECTION	415-110-315	Clarifies the rules for the designation of beneficiaries upon death of a member.
NEW SECTION	415-110-320	Describes the rules determining a Plan 3 member's defined benefit eligibility.
NEW SECTION	415-110-324	Clarifies the requirements for spousal consent on member benefit selection.
NEW SECTION	415-110-326	Describes the retirement benefit options.
NEW SECTION	415-110-340	Provides the actuarial tables, schedules, and factors for calculating optional retirement allowances.

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NEW SECTION	415-110-400	Describes the rules for a beneficiary receiving a retirement allowance to authorize deductions for insurance premiums.
NEW SECTION	415-110-441	Describes the purpose and scope of compensation earnable rules.
NEW SECTION	415-110-443	Provides a quick reference guide in table format to reportable compensation rules.
NEW SECTION	415-110-445	Clarifies what compensation can be reported.
NEW SECTION	415-110-451	Describes salary or wages that are reportable.
NEW SECTION	415-110-453	Clarifies reportable compensation rules for performance bonuses.
NEW SECTION	415-110-455	Clarifies reportable compensation rules for compensation under a cafeteria plan.
NEW SECTION	415-110-456	Clarifies reportable compensation rules for leave payments earned over time.
NEW SECTION	415-110-457	Clarifies reportable compensation rules for retroactive salary increases.
NEW SECTION	415-110-458	Clarifies reportable compensation rules for severance pay earned over time.
NEW SECTION	415-110-459	Clarifies reportable compensation rules for payroll deductions.
NEW SECTION	415-110-463	Clarifies reportable compensation rules for payments not for services rendered.
NEW SECTION	415-110-464	Clarifies reportable compensation rules for legislative leave.
NEW SECTION	415-110-465	Clarifies reportable compensation rules for paid leave not earned over time.
NEW SECTION	415-110-466	Clarifies reportable compensation rules for union leave.
NEW SECTION	415-110-467	Clarifies reportable compensation rules for reinstatement or payment in lieu of reinstatement.
NEW SECTION	415-110-468	Clarifies reportable compensation rules for compensation authorized by statute for periods of absence due to sickness or injury.
NEW SECTION	415-110-469	Clarifies reportable compensation rules for standby pay.
NEW SECTION	415-110-470	Clarifies reportable compensation rules for nonmoney maintenance payments.
NEW SECTION	415-110-475	Clarifies reportable compensation rules for fringe benefits.
NEW SECTION	415-110-477	Clarifies reportable compensation rules for disability insurance payments.
NEW SECTION	415-110-479	Clarifies reportable compensation rules for workers' compensation payments.
NEW SECTION	415-110-480	Clarifies reportable compensation rules for vehicle use value.
NEW SECTION	415-110-482	Clarifies reportable compensation rules for illegal payments.

NEW SECTION	415-110-483	Clarifies reportable compensation rules for optional payments.
NEW SECTION	415-110-484	Clarifies reportable compensation rules for reimbursements for expenses.
NEW SECTION	415-110-485	Clarifies reportable compensation rules for vehicle allowances.
NEW SECTION	415-110-487	Clarifies reportable compensation rules for retirement bonus or incentive payments.
NEW SECTION	415-110-488	Clarifies reportable compensation rules for severance pay not earned over time.
NEW SECTION	415-110-491	Clarifies reportable compensation rules for salary imputed to periods of unpaid leave.
NEW SECTION	415-110-550	Clarifies the membership eligibility and membership application for elected officials.
NEW SECTION	415-110-560	Clarifies the membership eligibility and membership application for appointed officials.
NEW SECTION	415-110-570	Clarifies the service credit rules for elected and appointed officials.
NEW SECTION	415-110-679	Describes the purpose and scope of membership eligibility rules.
NEW SECTION	415-110-680	Clarifies the rules for determining if a person is eligible for membership.
NEW SECTION	415-110-690	Describes the process for determining eligibility.
NEW SECTION	415-110-700	Clarifies the eligibility rules for members employed in multiple ineligible positions with one employer.
NEW SECTION	415-110-710	Clarifies the rules and effects of a member returning to work after retirement.
NEW SECTION	415-110-720	Clarifies when a person can be excluded from membership when in an eligible position.
NEW SECTION	415-110-725	Clarifies the rules for a retiree from another retirement system participating in SERS.
NEW SECTION	415-110-728	Clarifies the rules for reporting a member working in TRS and SERS position during the same year.
NEW SECTION	415-110-820	Clarifies when and how an interim and final retirement benefit will be computed on an account.
NEW SECTION	415-110-830	Describes the rules for actuarial recomputation of retirement allowance upon retirement following reemployment.
NEW SECTION	415-110-910	Clarifies the rules regarding the conversion of membership from PERS to SERS.
CHAPTER 415-111 WAC (NEW CHAPTER)		
NEW SECTION	415-111-100	Clarifies who the chapter applies to.
NEW SECTION	415-111-110	Clarifies member and employer responsibilities under the defined contribution plan.

NEW SECTION	415-111-111	Clarifies the employer and member responsibility for monitoring deferral limits.
NEW SECTION	415-111-210	Describes when and how a member elects an investment program.
NEW SECTION	415-111-220	Describes when and how a member elects a contribution rate.
NEW SECTION	415-111-230	Describes how a member establishes an allocation under the self-directed program.
NEW SECTION	415-111-310	Clarifies when and how a member may withdraw from their defined contribution account.
CHAPTER 415-112 WAC		
NEW SECTION	415-112-156	Clarifies when and how a member is reported if employed in TRS and SERS.
CHAPTER 415-113 WAC		
NEW SECTION	415-113-200	Provides the definition and rules for participation as a "concurrent" member.
CHAPTER 415-112 WAC		
REPEAL	415-112-950	Same rules being added under new chapter 415-111 WAC. Therefore, these rules are duplicative and should be repealed.
CHAPTER 415-210 WAC		
REPEAL	415-210-020	Plan 3 contribution rate rules and references are added in new chapter 415-111 WAC. Therefore this rule is duplicative and should be repealed.

Statutory Authority for Adoption: Chapters 41.32, 41.34, 41.35, 41.50 RCW.

Adopted under notice filed as WSR 00-22-076 on October 31, 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 69, Amended 20, 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 69, Amended 20, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, 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.

December 12, 2000

John Charles
Director

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-0109 System acronyms—Definition.
The acronyms used in this chapter are defined as follows:

- (1) "PERS" means the public employees' retirement system.
- (2) "TRS" means the teachers' retirement system.
- (3) "SERS" means the school employees' retirement system.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-108-726 If I accrue service credit in PERS and another retirement plan at the same time, may I participate in PERS? (1)(a) Yes. You may earn service credit in PERS and any of the following systems at the same time if:

- (i) You work for a PERS employer and an employer covered by a retirement system of the city of Seattle, Spokane or Tacoma (First Class City Retirement System); and
- (ii) You cannot report service for the First Class City Retirement System in PERS;
- (b) The combined service credit under PERS and the retirement system listed in (a) of this subsection may not exceed one month of service for a calendar month of employment.

(c) To qualify for PERS service credit, it is up to the employee to initiate the process by applying under subsection (2) of this section.

Example: A member works part time for the City of Seattle and part time for the University of Washington (UW). She may receive partial service credit in PERS for the UW service since she cannot report the time she works for Seattle under PERS.

Note: The combined service credit under PERS and the City of Seattle Retirement System may not exceed one month of service for a calendar month of employment. To receive PERS service credit she must apply to the department.

(2) How do I apply?

(a) To apply for membership and service credit under subsection (1) of this section you must send the department an application. The application is a statement that you want membership and/or service credit in PERS. Include:

- (i) Your name;
- (ii) Your SSN;
- (iii) All period(s) of service that you want to receive service credit for;
- (iv) All PERS and non-PERS employer(s) that you worked for during the periods of service referenced in (a)(iii) of this subsection.

(b) After the department receives your application, it will contact your employer(s) to verify how much service credit you have earned. When the department receives the necessary information, it will determine how much service credit you will receive. At that time the department will send you a

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bill for member contributions and interest that must be paid in order to establish the service credit.

(3) When should I submit my payment?

You should pay contributions and interest required under subsection (2)(b) of this section within twenty-four consecutive months from the last day of the calendar year for which you claim service credit. After that date, you must pay the actuarial cost of purchasing the service credit under RCW 41.40.104 and 41.50.165.

(4) What if I worked before this WAC became effective?

If you worked for a PERS employer and for one of the retirement systems listed in subsection (1) of this section, before this WAC became effective, you have until December 31, 2000, to apply in order to purchase service credit by paying member contributions plus interest. After December 31, 2000, you must pay the actuarial cost of purchasing the service credit under RCW 41.40.104 and 41.50.165.

(5) You may participate in PERS if you are concurrently employed, as described in WAC 415-113-200, in a SERS position.

(6) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Membership" - RCW 41.40.023.
- (b) "Retirement plan" - WAC 415-108-0105.
- (c) "Service" - RCW 41.40.010.
- (d) "Normally" - WAC 415-108-0102.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-728 If I work in both a PERS position and TRS position during the same school year, which system will I be in? (1) If you work in both a PERS and TRS position during the same year, your membership status and the nature of your positions will determine the system your employer will report you in. You will be reported in either PERS or TRS according to the following table:

Former TRS Plan ((4)) 1 Members 1/

Type of ((Concurrent)) Employment 2/	Type of Employer(s)	System You Will Be Reported In
A substitute or less than full-time teaching position and a PERS-eligible position	Same employer	PERS - for both positions.
	Separate TRS employers	PERS - for PERS position only. Your substitute part-time position is not reported unless you qualify for and elect to establish TRS membership under RCW 41.32.240. If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in PERS will be transferred to TRS.
	A TRS employer and non-TRS employer	PERS - for PERS position only. Your substitute part-time position is not reported unless you qualify for and elect to establish TRS membership under RCW 41.32.240. If you elect to establish TRS membership, you must elect either to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.
A full-time teaching position and an eligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions.
	A TRS employer and non-TRS employer	You must elect to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.

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TRS Plan ((F)) 1 Members

Type of ((Concurrent)) Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
A full-time or less than full-time TRS position and an eligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions.
	A TRS employer and non-TRS employer	You must elect either to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for PERS position.
A full-time or less than full-time TRS position and an ineligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions.
	A TRS employer and non-TRS employer	TRS - for the TRS position only; your ineligible PERS position is not reportable.

TRS Plan ((H)) 2 Members

Type of ((Concurrent)) Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
An eligible TRS position and an ineligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for TRS position only; your ineligible PERS position is not reported.
	A TRS employer and non-TRS employer	TRS - for TRS position only; your ineligible PERS position is not reported.
An eligible TRS position and an eligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions. ^{3/}
	A TRS employer and non-TRS employer	You must elect either to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.

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PERS Members

Type of ((Concurrent)) Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
An eligible PERS position and an ineligible TRS or substitute position	Same employer	PERS - for both positions.
	Separate TRS employers	PERS - for the PERS position only, unless you qualify for and elect to establish membership in TRS at the end of the school year under WAC 415-112-125(1). If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in PERS will be transferred to TRS.
	A TRS employer and non-TRS employer	PERS - for the PERS position only. You will not be reported for the TRS position unless you elect to either: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.

Neither TRS Nor PERS Member

Type of ((Concurrent)) Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
An ineligible TRS and an ineligible PERS position	Same employer	TRS - for both positions if the positions combined, qualify as an eligible position.
	Separate employers, TRS or non-TRS	Neither position reported.
A substitute teaching position and an ineligible PERS position	Same employer	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.
	Separate employers, TRS or non-TRS	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.

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^{1/} "Former TRS ((H)) 1 member", as used here, means you terminate your membership by withdrawing your contributions.

^{2/} ((~~Concurrently~~)) Means during the same school year.

^{3/} EXAMPLE: A TRS ((H)) 2 member teaches in an eligible position and during the summer, she works for a state agency in an eligible position under PERS. Because the member has established membership in TRS ((H)) 2 through employment as a teacher, her state agency employer must report her service and compensation from the PERS position to the Department in TRS ((H)) 2.

EXAMPLE: A TRS ((H)) 2 member is employed concurrently by School District A in an eligible TRS position and by School District B in an eligible PERS position. Because he is a TRS ((H)) 2 member, School District B employer must report his service and compensation from the PERS position to the Department in TRS ((H)) 2. If the member terminates his employment in the TRS position with School District A, School District B will report him in PERS for the PERS position.

(2) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.40.010.
- (b) "Employer" - RCW 41.40.010 (PERS); RCW 41.32.010 (TRS).
- (c) "Ineligible position" - RCW 41.40.010.

- (d) "Member" - RCW 41.40.010.
- (e) "Membership" - RCW 41.40.023.
- (f) "Report" - WAC 415-108-0104
- (g) "Service" - RCW 41.40.010.

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tently apply this twelve-month period to evaluate the eligibility of this position.

SCHOOL EMPLOYEE'S RETIREMENT SYSTEM

DEFINITIONS

NEW SECTION

WAC 415-110-010 Definitions. All definitions in RCW 41.35.010 apply to terms used in this chapter. Other terms relevant to the administration of chapter 41.35 RCW are defined in this chapter.

NEW SECTION

WAC 415-110-0102 Normally—Definition. "Normally," as used in the definition of eligible position under RCW 41.35.010, means a position is eligible if it is expected to require at least five months of seventy or more hours of compensated service each month during each of two consecutive years. Once a position is determined to be eligible, it will continue to be eligible if it requires at least five months of seventy or more hours of compensated service during at least one year in any two-year period.

NEW SECTION

WAC 415-110-0103 Project position—Definition. "Project position" means a position established by an employer that has a specific goal and end date.

NEW SECTION

WAC 415-110-0104 Report—Definition. "Report" means an employer's reporting of an employee's hours of service, compensation and contributions to the department on the monthly transmittal report.

NEW SECTION

WAC 415-110-0108 Year—Definition. "Year" means any twelve consecutive month period established and applied consistently by an employer to evaluate the eligibility of a specific position. The term generally will be limited to a school year.

Example: An employer has used the twelve consecutive month period from September 1 to August 31 to evaluate the eligibility of positions. When the employer hires a new employee to fill an existing position, the employer must continue to use the September 1 through August 31 period to define a year for the position.

Example: If the same employer in the above example hires a person to work in a project position beginning in November, the employer will use the twelve-month period beginning in November to evaluate the eligibility of the new position. The employer must consis-

NEW SECTION

WAC 415-110-0109 System acronyms—Definition. The acronyms used in this chapter are defined as follows:

- (1) "PERS" means the public employees' retirement system.
- (2) "TRS" means the teachers' retirement system.
- (3) "SERS" means the school employees' retirement system.

NEW SECTION

WAC 415-110-0110 Reportable compensation—Definition. "Reportable compensation" means compensation earnable as that term is defined in RCW 41.35.010.

NEW SECTION

WAC 415-110-0111 Annual leave—Definition. "Annual leave" means leave provided by an employer for the purpose of taking regularly scheduled work time off with pay. Annual leave does not include leave for illness, personal business if in addition to and different than vacation leave, or other paid time off from work: Provided, however, That if an employer authorizes only one type of leave to provide paid leave for vacation and illness as well as any other excused absence from work, such leave will be considered annual leave for purposes of RCW 41.50.150.

ADMINISTRATION

NEW SECTION

WAC 415-110-020 Public records. See chapter 415-06 WAC.

NEW SECTION

WAC 415-110-030 Statewide cities retirement system. Pursuant to RCW 41.35.130, the statutes and rules applying to the school employees' retirement system and the department of retirement systems (as provided in chapters 41.35 and 41.50 RCW and Title 415 WAC) govern the administration and operation of the former statewide cities retirement system.

NEW SECTION

WAC 415-110-040 Appeals—Disability cases: Appeals will be governed by the provisions of chapter 415-08 WAC as now existing or hereafter amended.

Any person aggrieved by any final decision must, before he/she appeals to a superior court, file a notice of appeal with the director personally or by mail, within sixty days from the date such decision was communicated to such person. The notice of appeal must contain the information required by WAC 415-08-020 as now existing or hereafter amended.

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BENEFIT OPTIONS**NEW SECTION**

WAC 415-110-315 Designation of beneficiaries—Death benefit if a member dies before retirement. This section applies to Plan 2 members' defined benefit or Plan 3 members' defined contribution distribution.

(1) As a member, you have the right to designate a beneficiary or beneficiaries to receive a benefit in the event of your death while you are an active member. You may change your beneficiary designation at any time by filing a change of beneficiary form with the department.

(2) You may name:

(a) An organization or person, including your unborn or later adopted children. Unborn or later adopted children will not be included unless you specifically designate them as beneficiaries on the form. You must state the date of birth for any living person you name as a beneficiary;

(b) Your estate;

(c) A trust in existence at the time of death. Before making distribution to any trust the department must receive:

(i) A copy of the trust document;

(ii) The name, address, telephone number of the current trustee; and

(iii) The tax identification number;

(d) A trust to be established under your last will.

(3) You may name contingent beneficiaries in addition to primary beneficiaries.

Examples:**EXAMPLE ONE.****Facts**

John, a member, completes a beneficiary designation form.

In the place on the form reserved for persons, he names his daughter Ann. He checks the box to indicate that Ann is a primary beneficiary.

In the place on the form reserved for trust/organizational beneficiaries, he lists the "Barbara Trust." His daughter Barbara is the trust beneficiary. He checks the box to indicate that the trust is a primary beneficiary.

Result

Subject to applicable statute, at John's death, the department will consider both the Barbara Trust and daughter Ann as primary beneficiaries. The department will require the name of the trustee, the tax identification number, a copy of the trust and other information specified in this rule before distribution to the trust.

EXAMPLE TWO.**Facts**

John, a member, completes a beneficiary designation form.

In the place on the form reserved for persons, he names his daughter Ann. He checks the box to indicate that Ann is a primary beneficiary.

In the place on the form reserved for trust/organizational beneficiaries, he lists his daughter Barbara personally (no trust name is provided). He checks the box labeled "primary beneficiary." John misunderstands the form and rather than provide the names of the trustee or trust administrator, John writes the word "both" in the blank provided.

Result

At John's death, the department learns that John has created no trusts. Subject to existing statute, if the department receives no notice of competing claims to John's death benefit, the department will distribute the death benefit to Ann. If the department receives notice of competing claims, a court resolution may be required.

NEW SECTION

WAC 415-110-320 Determining SERS Plan 3 defined benefit retirement eligibility. This WAC provides eligibility terms for retirement from the defined benefit component of SERS Plan 3.

(1) Definition. Qualified service credit—For purposes of this section, the following types of service credit may be used to qualify for retirement:

(a) SERS Plan 3 service credit;

(b) Service credit earned in a dual member system, but only in combination with SERS Plan 3 service credit (chapter 41.54 RCW); or

(c) Up to forty-five days of sick leave (RCW 41.35.010).

(2) Members must be age 65 to retire with an unreduced defined benefit. SERS Plan 3 members can retire with an unreduced defined benefit at age 65 if they have accumulated the following amounts of qualified service credit:

(a) Ten service credit years;

(b) Five service credit years, including twelve service credit months after attaining age 54; or

(c) Five service credit years by September 1, 2000, under Plan 2.

(3) Members may retire with a reduced benefit after attaining age 55. A SERS Plan 3 member who has attained age 55 may retire with an actuarially reduced defined benefit (RCW 41.35.680) if they have accumulated at least ten years of qualified service credit.

(4) Members may use only qualified service credit to receive a retirement benefit from the SERS Plan 3 defined benefit component.

(5) To be eligible to receive a retirement benefit, SERS Plan 3 members must:

(a) Submit a completed, signed, and notarized SERS Plan 3 retirement application; and

(b) Terminate employment with all retirement system employers from which they are claiming service credit. Termination from non-SERS system employers is required in cases where a member is using dual member rules to qualify for retirement (chapter 41.54 RCW).

NEW SECTION

WAC 415-110-324 Married member's benefit selection—Spousal consent required. (1) The member, if mar-

ried, must provide the spouse's written consent to the option selected under WAC 415-110-326. If a married member does not provide spousal consent, the department will pay the retired member a joint and one-half survivor benefit allowance and record the member's spouse as the survivor in compliance with chapter 41.35 RCW and RCW 41.35.220(2).

(2) Spousal consent is not needed to enforce a marital dissolution order requiring the department to pay an exspouse under RCW 41.50.790.

(3) "Spousal consent" means that the married member's spouse consents to the retirement option selected by the member. The spouse's notarized signature on a completed retirement application constitutes spousal consent.

NEW SECTION

WAC 415-110-326 Retirement benefit options. RCW 41.35.220 enables the department to provide retiring members with four retirement benefit options. The retiring member must choose an option(s) when applying for service or disability retirement:

(1) Option one (standard allowance). The department will pay a monthly retirement allowance based solely on the single life of the member, as provided by RCW 41.35.220, 41.35.440, or 41.35.690. When the retiree dies all benefits cease. Any remaining balance of the retiree's accumulated contributions will be paid to:

- (a) The retiree's designated beneficiary; or if none, to
- (b) The retiree's surviving spouse; or if none, to
- (c) The retiree's legal representative.

The member must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) Benefit options with a survivor feature. A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to offset the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

Once retired with a survivor option, the retiree may only change the survivor option upon returning to eligible employment for two consecutive years.

(a) Option two (joint and whole allowance). When the retiree dies, the department pays the survivor an allowance equal to the gross monthly allowance received by the retiree.

(b) Option three (joint and one-half allowance). When the retiree dies, the department pays the survivor an allowance equal to one-half of the retiree's gross monthly retirement allowance.

(c) Option four (joint and two-thirds allowance).

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor an allowance equal to two-thirds (66.667%) of the retiree's gross monthly retirement allowance.

(3) If a member retires on or after June 6, 1996, the department is required to pay an exspouse survivor benefits pursuant to a marital dissolution order that complies with RCW 41.50.790.

(4) **Benefit increases when survivor predeceases retiree (pop-up provision).**

(a) This section applies to members retiring on or after January 1, 1996, who select option two, three, or four.

(b) If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen option one; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) Pop-up recalculation examples.

Plan two:

Agnes retires from SERS Plan 2 in 2006 (Year 0). Agnes would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result, her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in 2011 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to \$2,191.05, the amount she would have received had she chosen option one (standard allowance) plus her accumulated COLAs:

Year	Option One (Standard Allow.)	Survivor Option (2, 3, 4) plus COLAs	COLA incr. (3% max)	\$ Increase
0 (2006)	2,000.00	1,750.00	(ineligible)	0.00
1 (2007)		1,750.00	.02	35.00
2 (2008)		1,785.00	.03	53.55
3 (2009)		1,838.55	.025	45.96
4 (2010)		1,884.51	.03	56.54
5 (2011)	2,000.00	1,941.05	-	-
			Total COLAs	191.05
Original Option One Benefit Amount \$2000		+ Total COLAs + \$191.05		= New Benefit Amount = \$2,191.05*

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* In the future (i.e. Year 4), COLAs will be based on the increased benefit amount.

(d) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

(5) Any retiree who retired before January 1, 1996, and who elected to receive a reduced retirement allowance under subsection (2) of this section is entitled to receive a retirement allowance adjustment if the retiree meets the following conditions:

(a) The retiree's designated beneficiary predeceases or has predeceased the retiree; and

(b) The retiree provides to the department proper proof of the designated beneficiary's death. The retiree is not required to apply for the increased benefit provided by this subsection.

The adjusted retirement allowance will be effective on July 1, 1998, or the first of the month following the date of death of the designated beneficiary, whichever comes last. The adjustment is computed as described in RCW 41.35.220 (3)(c) for Plan 2 retirees.

(6) **Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

NEW SECTION

WAC 415-110-340 Actuarial tables, schedules, and factors. This chapter contains the tables, schedules, and factors adopted by the director of the department of retirement systems for calculating optional retirement allowances of members of the Washington state school employees' retirement system. These tables, schedules, and factors were adopted by the director upon the recommendation of the state actuary based on the actuary's investigation into the mortality, service, compensation, and other experience of the members and beneficiaries of school employees' retirement system. The tables, schedules, and factors contained in this chapter shall govern the retirement allowances only of members retiring during the period from September 1, 2000, until such time as these tables, schedules, and factors are amended by the director following the next actuarial investigation conducted by the state actuary. Any new tables, schedules, and factors adopted by the director in the future shall govern retirement allowances calculated at the time of retirement only of members retiring after the adoption of such new tables, schedules, and factors.

SCHOOL EMPLOYEES RETIREMENT SYSTEM
 Plant 2 Option 1
 Monthly Benefit per \$1.00
 of Accumulation

20	.0039357
21	.0039525
22	.0039702

23	.0039887
24	.0040081
25	.0040286
26	.0040500
27	.0040726
28	.0040963
29	.0041213
30	.0041476
31	.0041753
32	.0042044
33	.0042351
34	.0042675
35	.0043015
36	.0043375
37	.0043756
38	.0044157
39	.0044581
40	.0045029
41	.0045502
42	.0046001
43	.0046528
44	.0047084
45	.0047670
46	.0048287
47	.0048939
48	.0049626
49	.0050352
50	.0051120
51	.0051933
52	.0052795
53	.0053712
54	.0054687
55	.0055727
56	.0056837
57	.0058025
58	.0059296
59	.0060657
60	.0062116
61	.0063676
62	.0065347
63	.0067134
64	.0069044
65	.0071085
66	.0073263
67	.0075587
68	.0078066
69	.0080711
70	.0083537
71	.0086558
72	.0089785
73	.0093230
74	.0096898
75	.0100792
76	.0104910
77	.0109250
78	.0113811
79	.0118589

PERMANENT

PERMANENT

				Member Older			
				Age	OPTION II	OPTION IV	OPTION III
				Difference	(100%)	(66 2/3%)	(50%)
80	.0123587						
81	.0128793						
82	.0134243						
83	.0139934						
84	.0145880			0	0.779	0.841	0.876
85	.0152103			1	0.763	0.829	0.866
86	.0158600			2	0.748	0.817	0.856
87	.0165374			3	0.735	0.807	0.848
88	.0172413			4	0.725	0.798	0.841
89	.0179682			5	0.716	0.791	0.835
90	.0187162			6	0.708	0.785	0.830
91	.0194835			7	0.698	0.777	0.823
92	.0202654			8	0.687	0.767	0.815
93	.0210569			9	0.674	0.757	0.806
94	.0218459			10	0.662	0.747	0.797
95	.0226265			11	0.653	0.739	0.791
96	.0234038			12	0.646	0.733	0.786
97	.0241752			13	0.640	0.728	0.781
98	.0249356			14	0.634	0.722	0.776
99	.0256785			15	0.628	0.717	0.772
				16	0.622	0.712	0.767
				17	0.616	0.707	0.763
				18	0.611	0.702	0.759
				19	0.606	0.698	0.755
				20	0.602	0.694	0.751
				21	0.596	0.689	0.747
				22	0.591	0.684	0.743
				23	0.587	0.681	0.740
				24	0.582	0.676	0.736
				25	0.577	0.672	0.732
				26	0.573	0.668	0.729
				27	0.569	0.665	0.726
				28	0.565	0.661	0.722
				29	0.562	0.658	0.720
				30	0.558	0.655	0.717
				31	0.555	0.652	0.714
				32	0.552	0.649	0.712
				33	0.549	0.647	0.709
				34	0.546	0.644	0.707
				35	0.543	0.641	0.705
				36	0.540	0.638	0.702
				37	0.538	0.637	0.700
				38	0.535	0.634	0.698
				39	0.533	0.632	0.696
				40	0.531	0.630	0.695

SERS 2 Survivor Option Factors						
Member Younger						
Age	OPTION II	OPTION IV	OPTION III			
Difference	(100%)	(66 2/3%)	(50%)			
-20	0.928	0.951	0.962			
-19	0.925	0.949	0.961			
-18	0.922	0.946	0.959			
-17	0.919	0.945	0.958			
-16	0.916	0.942	0.956			
-15	0.912	0.940	0.954			
-14	0.908	0.937	0.952			
-13	0.904	0.933	0.949			
-12	0.898	0.930	0.946			
-11	0.892	0.925	0.943			
-10	0.885	0.920	0.939			
-9	0.879	0.916	0.935			
-8	0.873	0.911	0.932			
-7	0.865	0.906	0.927			
-6	0.857	0.900	0.923			
-5	0.849	0.894	0.918			
-4	0.839	0.887	0.912			
-3	0.828	0.878	0.906			
-2	0.813	0.867	0.897			
-1	0.797	0.855	0.887			

Age difference = member's age minus beneficiary's age

SCHOOL EMPLOYEES RETIREMENT SYSTEM
PLAN 2

Early Retirement Factors
by Year and Month

Early Retirement Factors by Year and Month			Early Retirement Factors by Year and Month	
0	0	1.0000	5	.6162
	1	.9910	6	.6109
	2	.9821	7	.6055
	3	.9731	8	.6002
	4	.9641	9	.5948
	5	.9551	10	.5895
	6	.9462	11	.5841
	7	.9372	5	0
	8	.9282	1	.5788
	9	.9193	2	.5740
	10	.9103	3	.5693
	11	.9013	4	.5646
1	0	.8923	5	.5598
	1	.8845	6	.5551
	2	.8767	7	.5504
	3	.8688	8	.5456
	4	.8610	9	.5409
	5	.8531	10	.5362
	6	.8453	11	.5314
	7	.8374	6	0
	8	.8296	1	.5220
	9	.8217	2	.5178
	10	.8139	3	.5136
	11	.8061	4	.5094
2	0	.7982	5	.5052
	1	.7913	6	.5010
	2	.7844	7	.4968
	3	.7776	8	.4926
	4	.7707	9	.4884
	5	.7638	10	.4842
	6	.7569	11	.4800
	7	.7500	7	0
	8	.7431	1	.4758
	9	.7363	2	.4716
	10	.7294	3	.4678
	11	.7225	4	.4641
3	0	.7156	5	.4603
	1	.7096	6	.4566
	2	.7035	7	.4529
	3	.6975	8	.4491
	4	.6914	9	.4454
	5	.6853	10	.4416
	6	.6793	11	.4379
	7	.6732	8	0
	8	.6672	1	.4342
	9	.6611	2	.4304
	10	.6551	3	.4267
	11	.6490	4	.4234
4	0	.6429	5	.4200
	1	.6376	6	.4167
	2	.6322	7	.4134
	3	.6269	8	.4100
	4	.6215	9	.4067
		10	.4033	
		11	.4000	
			.3967	
			.3933	
			.3900	

PERMANENT

Early Retirement Factors
by Year and Month

Early Retirement Factors
by Year and Month

9	0	.3867	14	7	.2506
	1	.3837		8	.2487
	2	.3807		9	.2467
	3	.3777		10	.2448
	4	.3747		11	.2429
	5	.3718		0	.2409
	6	.3688		1	.2392
	7	.3658		2	.2374
	8	.3628		3	.2357
	9	.3598		4	.2339
	10	.3569		5	.2322
10	11	.3539	6	.2304	
	0	.3509	7	.2287	
	1	.3482	8	.2269	
	2	.3456	9	.2252	
	3	.3429	10	.2234	
	4	.3402	11	.2216	
	5	.3375	0	.2199	
	6	.3349	1	.2183	
	7	.3322	2	.2167	
	8	.3295	3	.2151	
	9	.3269	4	.2136	
11	10	.3242	5	.2120	
	11	.3215	6	.2104	
	0	.3188	7	.2088	
	1	.3165	8	.2072	
	2	.3141	9	.2057	
	3	.3117	10	.2041	
	4	.3093	11	.2025	
	5	.3069	0	.2009	
	6	.3045	1	.1995	
	7	.3021	2	.1980	
	8	.2997	3	.1966	
12	9	.2973	4	.1952	
	10	.2949	5	.1937	
	11	.2925	6	.1923	
	0	.2901	7	.1909	
	1	.2879	8	.1894	
	2	.2858	9	.1880	
	3	.2836	10	.1866	
	4	.2815	11	.1851	
	5	.2793	0	.1837	
	6	.2771	1	.1824	
	7	.2750	2	.1811	
13	8	.2728	3	.1798	
	9	.2707	4	.1785	
	10	.2685	5	.1772	
	11	.2664	6	.1759	
	0	.2642	7	.1746	
	1	.2623	8	.1733	
	2	.2603	9	.1720	
	3	.2584	10	.1707	
	4	.2564	11	.1694	
	5	.2545	0	.1681	
	6	.2526	1	.1670	

PERMANENT

Early Retirement Factors by Year and Month		Early Retirement Factors by Year and Month	
	2 .1658		9 .1116
	3 .1646		10 .1108
	4 .1634		11 .1100
	5 .1623	23	0 .1092
	6 .1611		1 .1085
	7 .1599		2 .1077
	8 .1587		3 .1070
	9 .1575		4 .1063
	10 .1564		5 .1055
	11 .1552		6 .1048
19	0 .1540		7 .1041
	1 .1529		8 .1033
	2 .1519		9 .1026
	3 .1508		10 .1018
	4 .1497		11 .1011
	5 .1487	24	0 .1004
	6 .1476		1 .0997
	7 .1465		2 .0990
	8 .1455		3 .0984
	9 .1444		4 .0977
	10 .1433		5 .0970
	11 .1422		6 .0963
20	0 .1412		7 .0957
	1 .1402		8 .0950
	2 .1392		9 .0943
	3 .1383		10 .0937
	4 .1373		11 .0930
	5 .1363	25	0 .0923
	6 .1353		1 .0917
	7 .1344		2 .0911
	8 .1334		3 .0905
	9 .1324		4 .0898
	10 .1315		5 .0892
	11 .1305		6 .0886
21	0 .1295		7 .0880
	1 .1286		8 .0874
	2 .1277		9 .0868
	3 .1269		10 .0862
	4 .1260		11 .0856
	5 .1251	26	0 .0849
	6 .1242		1 .0844
	7 .1233		2 .0838
	8 .1224		3 .0833
	9 .1215		4 .0827
	10 .1207		5 .0821
	11 .1198		6 .0816
22	0 .1189		7 .0810
	1 .1181		8 .0804
	2 .1173		9 .0799
	3 .1165		10 .0793
	4 .1157		11 .0788
	5 .1149	27	0 .0782
	6 .1140		1 .0777
	7 .1132		2 .0772
	8 .1124		3 .0767

PERMANENT

Early Retirement Factors
by Year and Month

	4	.0761
	5	.0756
	6	.0751
	7	.0746
	8	.0741
	9	.0736
	10	.0731
	11	.0725
28	0	.0720
	1	.0716
	2	.0711
	3	.0706
	4	.0701
	5	.0697
	6	.0692
	7	.0687
	8	.0683
	9	.0678
	10	.0673
	11	.0668
29	0	.0664
	1	.0659
	2	.0655
	3	.0651
	4	.0646
	5	.0642
	6	.0638
	7	.0634
	8	.0629
	9	.0625
	10	.0621
	11	.0616
30	0	.0612
	1	.0608
	2	.0604
	3	.0600
	4	.0596
	5	.0592
	6	.0588
	7	.0584
	8	.0580
	9	.0576
	10	.0572
	11	.0568
31	0	.0564
	1	.0561
	2	.0557
	3	.0553
	4	.0550
	5	.0546
	6	.0543
	7	.0539
	8	.0535
	9	.0532
	10	.0528

Early Retirement Factors
by Year and Month

	11	.0524
32	0	.0521
	1	.0517
	2	.0514
	3	.0511
	4	.0507
	5	.0504
	6	.0501
	7	.0497
	8	.0494
	9	.0491
	10	.0487
	11	.0484
33	0	.0481
	1	.0478
	2	.0475
	3	.0471
	4	.0468
	5	.0465
	6	.0462
	7	.0459
	8	.0456
	9	.0453
	10	.0450
	11	.0447
34	0	.0444
	1	.0441
	2	.0438
	3	.0435
	4	.0433
	5	.0430
	6	.0427
	7	.0424

PERMANENT

NEW SECTION

WAC 415-110-400 Retirement allowance deduction for payment of insurance premiums. (1) Definitions. Unless a different meaning is plainly required by the context:

(a) "Group life insurance policy or plan" means a contract of group life insurance issued by an insurance carrier authorized to do business in the state of Washington which meets one of the group requirements set forth in chapter 48.24 RCW;

(b) "Group disability insurance policy or plan" means a group disability insurance contract issued by an insurance carrier authorized to do business in the state of Washington which meets the requirements of chapter 48.21 RCW, and the term shall also include a group health care service contract as issued pursuant to, and regulated by, the provisions of chapter 48.40 RCW.

(2) **Scope.** Any beneficiary of a retirement allowance payable for service or disability under the provisions of chapter 41.35 RCW may authorize the director to deduct from his or her retirement allowance, on a monthly basis only, the premiums on any group life or disability insurance policy or plan

currently covering the beneficiary, issued to the employer by which the retiree was employed prior to retirement. The department and the director are not and will not be liable for any failure to make such deduction payments on time or in the proper amount.

(3) **Procedure.** Any beneficiary, who desires to authorize a retirement allowance deduction as provided by this section, shall notify the department of his or her intention in writing at least thirty days prior to the date that the first deduction is to be made and shall file with the department a formal authorization on such form as may be provided by the department.

(4) **Revocability.** You must submit to the department an express written statement of revocation to revoke an authorization for a retirement allowance deduction for payment of insurance premiums under this section. Such a revocation shall be applicable to the first retirement allowance deduction which would otherwise be made at the end of the calendar month following the month in which the statement of revocation is filed.

REPORTABLE COMPENSATION

NEW SECTION

WAC 415-110-441 Purpose and scope of compensation earnable rules. WAC 415-110-443 through 415-110-488 codify the department's existing interpretation of statutes and existing administrative practice regarding classification of payments as compensation earnable in SERS Plan 2 and SERS Plan 3. The department has applied and will apply these rules to determine the proper characterization of payments occurring prior to the effective dates of these sections.

NEW SECTION

WAC 415-110-443 Reportable compensation table. The following table is provided as a quick reference guide to help you characterize payments under SERS Plan 2 and SERS Plan 3. Be sure to turn to the referenced rule to ensure that you have correctly identified the payment in question. The department determines compensation earnable based upon the nature of the payment, not the name applied.

Type of Payment	SERS Plan 2 and Plan 3 Reportable Compensation
Annual Leave Cash Outs	No - WAC 415-110-456
Assault Pay	No - WAC 415-110-468
Base Rate	Yes - WAC 415-110-451
Car Allowances	No - WAC 415-110-485
Cafeteria Plans	Yes - WAC 415-110-455
Deferred Wages	Yes - WAC 415-110-459
Disability Payments	No - WAC 415-110-477
Disability Retirees	No - RCW 41.35.440/RCW 41.35.690 (until requirements are met)

Disability: Salary lost while on disability leave	Yes - WAC 415-110-468 RCW 41.35.070
Employer Provided Vehicle	No - WAC 415-110-480
Employer Contributions	No - WAC 415-110-459
Fringe Benefits	No - WAC 415-110-475
Illegal Payments	No - WAC 415-110-482
Legislative Leave	Yes - WAC 415-110-464
Longevity/Education Attainment Pay	Yes - WAC 415-110-451
Nonmoney Maintenance	No - WAC 415-110-470
Optional Payments	No - WAC 415-110-483
Payments in Lieu of Excluded Items	No - WAC 415-110-463
Performance Bonuses	Yes - WAC 415-110-453
Retroactive Salary Increase	Yes - WAC 415-110-457
Reimbursements	No - WAC 415-110-484
Reinstatement Payments	Yes - WAC 415-110-467
Retirement or Termination Bonuses	No - WAC 415-110-487
Severance Pay - Earned Over Time	No - WAC 415-110-458
Severance Pay - Not Earned Over Time	No - WAC 415-110-488
Shared Leave - School/ESD Employees	Yes - WAC 415-110-468
Sick Leave Cash Outs - School/ESD Employees	No - WAC 415-110-456
Standby Pay	Yes - WAC 415-110-469
Time Off With Pay	Yes - WAC 415-110-456 WAC 415-110-465
Union Leave	Yes - WAC 415-110-466''
Worker's Compensation	No - WAC 415-110-479

'' Only specific types of union leave are reportable. See WAC 415-110-466.

NEW SECTION

WAC 415-110-445 What compensation can be reported? In order for payments to be subject to retirement system contributions and included in the calculation of a member's retirement benefit, those payments must meet the definition of compensation earnable in RCW 41.35.010.

(1) **Payments for personal services rendered.** To determine whether a payment meets this definition and can be reported, ask the following questions:

(a) Was the payment earned as a salary or wage for personal services rendered during a fiscal year? If the answer is no, the payment is not reportable. If the answer is yes, ask question (b).

(b) Was the payment paid by an employer to an employee? If the answer is no, the payment is not reportable. If the answer is yes, report the payment.

PERMANENT

(2) **Payments included that are not for personal services rendered.** The legislature has included certain specific payments within the definition of compensation earnable even though those payments are not for personal services rendered by the employee to the employer. (See WAC 415-110-464 through 415-110-469.)

(3) **Reportable compensation is earned when the service is rendered, rather than when payment is made.**

Example: If a member works during September but does not receive payment for the work until October, the reportable compensation was earned during September and must be reported to the department as September earnings.

(4) **Salary characterizations are based upon the nature of the payment.** A payment is reportable compensation if it meets the criteria of subsection (1) or (2) of this section. The name given to the payment or the document authorizing it is not controlling in determining whether the payment is reportable compensation. The department determines whether a payment is reportable compensation by considering:

(a) What the payment is for; and

(b) Whether the reason for the payment brings it within the statutory definition of compensation earnable.

Example: A payment conditioned upon retirement is not reportable compensation. Attaching the label "longevity" to the payment does not change the fact that the payment is conditioned on retirement. Such a payment is not for services rendered and will not be counted as reportable compensation despite being identified by the employer as a longevity payment.

(5) **Differences in reportable compensation between plans.** WAC 415-110-445 through 415-110-488 define reportable compensation for each of the two SERS plans. The characterization of payments as reportable compensation or not reportable compensation in WAC 415-110-455 through 415-110-488 is the same for both SERS Plan 2 and SERS Plan 3.

NEW SECTION

WAC 415-110-451 Salary or wages. Most employees receive a base rate of salary or wages expressed as an hourly or monthly rate of pay. This payment is for services rendered and qualifies as reportable compensation. Two possible components of an employee's base rate are salary considerations based on longevity or educational attainment.

(1) A member who receives a salary increase based upon longevity or educational attainment receives a higher salary without working more hours. The higher salary indicates a higher level of performance due to greater experience or more education. The payment is therefore a payment for personal service and is reportable compensation.

(2) Simply attaching the label "longevity" to a payment does not guarantee that it will be reportable compensation. If

a payment described as a longevity payment is actually based upon some other criteria, such as retirement or notification of intent to retire, the payment may not be reportable.

NEW SECTION

WAC 415-110-453 Performance bonuses. Bonuses that are based upon meeting certain performance goals are earned for services rendered and are reportable compensation. If a bonus was earned over a specified period of time, it should be prorated for reporting purposes.

Example: An employer pays each employee in the work group an additional \$100 if the work group had no work related accidents in the preceding year. Remaining accident free is a performance goal. Therefore, the payment is for services rendered and qualifies as reportable compensation. The bonus should be prorated over each of the preceding twelve months during which it was earned.

NEW SECTION

WAC 415-110-455 Cafeteria plans. Compensation received in any form under the provisions of a "cafeteria plan," "flexible benefits plan," or similar arrangement pursuant to section 125 of the United States Internal Revenue Code is reportable compensation if the employee has an absolute right to receive cash or deferred cash payments in lieu of the fringe benefits offered. In such an instance, the fringe benefits are being provided in lieu of cash and are considered reportable compensation, just as the cash would be. If there is no cash option, the value of the fringe benefit is not a salary or wage and is not reportable compensation, see WAC 415-110-475.

NEW SECTION

WAC 415-110-456 Leave payments earned over time. (1) **Sick and annual leave usage.** Sick leave and annual leave is accumulated over time and paid to a person during a period of excused absence. Leave accrues at a prescribed rate, usually a certain number of hours per month. The employee earns a leave day by rendering service during the month the leave accrued. When the employee uses his or her accrued leave by taking a scheduled work day off with pay, the payment is deferred compensation for services previously rendered. The payment is a salary or wage earned for services rendered and is reportable.

(2) **Annual leave cash outs.** Annual leave cash outs are not reportable compensation for SERS Plan 2 and SERS Plan 3 members. Although annual leave cash outs, like payments for leave usage, are deferred compensation earned for services previously rendered, they are excluded from the definition of compensation earnable by statute, see RCW 41.35.010 (6)(a).

(3) **Sick leave cash outs.** Sick leave cash outs are excluded from the definition of compensation earnable for SERS Plan 2 and SERS Plan 3 members by statute.

Sick leave cash outs are excluded from reportable compensation for:

- (i) School district employees by RCW 28A.400.210; and
- (ii) Educational service district employees by RCW 28A.310.490. See RCW 41.35.010 (6)(a).

NEW SECTION

WAC 415-110-457 Retroactive salary increases. A retroactive salary payment to an employee who worked during the covered period is a payment of additional salary for services already rendered.

Note: A retroactive salary increase is not the same as a retroactive payment upon reinstatement or in lieu of reinstatement of a terminated or suspended employee. For treatment of back payments for periods where services were not rendered, see WAC 415-110-467.

(1) To qualify as reportable compensation under this section, the payment must be a bona fide retroactive salary increase. To ensure that is the case, the retroactive payment must be made pursuant to:

(a) An order or conciliation agreement of a court or administrative agency charged with enforcing federal, state, or local statutes, ordinances, or regulations protecting employment rights;

(b) A bona fide settlement of such a claim before a court or administrative agency;

(c) A collective bargaining agreement; or

(d) Action by the personnel resources board which expressly states the payments are retroactive.

(2) The payments will be deemed earned in the period in which the work was done.

NEW SECTION

WAC 415-110-458 Severance pay earned over time. All forms of severance pay are excluded from earnable compensation and are not reportable for Plan 2 or Plan 3 by RCW 41.35.010 (6)(a).

NEW SECTION

WAC 415-110-459 Payroll deductions. Salary or wages for services rendered that are withheld from a member's pay still qualify as reportable compensation.

(1) **Retirement contributions.** Payments deducted from employee compensation for employee retirement contributions are reportable. Employer contributions are a fringe benefit and are not reportable, see WAC 415-110-475.

(2) **Tax withholding.** Payments withheld to satisfy federal tax obligations qualify as reportable compensation.

(3) **Voluntary deductions.** Payments deducted voluntarily, such as I.R.C. section 457 plan contributions or other authorized deductions, are reportable.

NEW SECTION

WAC 415-110-463 Payments not for services rendered. In general, payments cannot be reported to the retirement system unless they are for services rendered. However, the legislature has identified some types of compensation which are reportable even though they are not for services rendered.

(1) WAC 415-110-464 through 415-110-469 discuss all payments that are not for services rendered that nonetheless qualify as reportable compensation.

(2) WAC 415-110-475 through 415-110-488 discuss some payments that are not a salary or wage for services rendered and so do not qualify as reportable compensation. A payment not for services rendered other than those identified in WAC 415-110-464 through 415-110-469 is not reportable compensation even if it is not listed in WAC 415-110-475 through 415-110-488.

(3) A payment made in lieu of a payment that is not for services rendered (such as a payment made in lieu of a car allowance) will be treated in the same way that the original payment was treated. Such a payment is not for services rendered and is not reportable.

NEW SECTION

WAC 415-110-464 Legislative leave. If a SERS member takes a leave without pay from an eligible position to serve in the legislature, the member may elect to participate in SERS as a legislator.

(1) The employee may choose between:

(a) The reportable compensation he or she would have earned had the member not served in the legislature; or

(b) The actual reportable compensation for nonlegislative public employment and the legislative service combined.

(2) If the member selects option (a) of this subsection, he or she is responsible for paying the additional employer and employee contributions to the extent the reportable compensation reported is higher than it would have been under (b) of this subsection.

NEW SECTION

WAC 415-110-465 Paid leave not earned over time. If paid leave is not based upon earned leave accumulated over time, the payment is not a deferred payment for services previously rendered. Further, the member on leave is not currently rendering services in exchange for the payment. However, RCW 41.35.470 and 41.35.650 identify payments received from the employer while on paid leave as reportable for SERS. Contributions are due on these payments to the extent they meet the following conditions:

(1) The payment is equal to the salary for the position that the person is on leave from;

(2) The payment is actually from the employer. Payments from an employer that are conditioned upon reimbursement from a third party are payments from the third party. Because the payments are not from the employer, they are not reportable compensation. The only exception is union leave paid by the employer subject to reimbursement from

the union under the conditions specified in RCW 41.35.470 (Plan 2) and RCW 41.35.650 (Plan 3) and WAC 415-110-466.

NEW SECTION

WAC 415-110-466 Union leave. If a member takes an authorized leave of absence to serve as an elected official of a labor organization and the employer pays the member on leave subject to reimbursement from the union, the person's pay qualifies as reportable compensation provided that all the conditions of RCW 41.35.470 (Plan 2) and RCW 41.35.650 (Plan 3) as appropriate, are met.

NEW SECTION

WAC 415-110-467 Reinstatement or payment in lieu of reinstatement. If an employer makes payments to an employee for periods where the employee was not employed and those payments are made upon reinstatement of the employee or in lieu of reinstatement, the payments are not earned for services rendered. However, RCW 41.35.010(6) specifically designates such payments as reportable compensation. The payments are only reportable to the extent that they are equivalent to the salary the employee would have earned had he or she been working.

NEW SECTION

WAC 415-110-468 Compensation authorized by statute for periods of absence due to sickness or injury. Compensation that a member receives for periods of absence due to sickness or injury are not payments for services rendered unless the payments are authorized pursuant to sick leave earned by the member for services rendered, see WAC 415-110-456. Certain specific types of payments for periods of absence due to sickness or injury have been included within the statutory definition of compensation earnable and therefore qualify as reportable compensation.

(1) **Assault pay** qualifies as reportable compensation only to the extent authorized by RCW 27.04.100, 72.01.045, and 72.09.240.

(2) **Imputed compensation for periods of duty disability** that a member would have received but for a disability occurring in the line of duty qualify as reportable compensation only to the extent authorized by RCW 41.35.070.

(3) **Shared leave.**

(a) Compensation that an employee, as defined in RCW 41.04.655, receives due to participation in a leave sharing program to the extent authorized by RCW 41.04.650 through 41.04.670 qualifies as reportable compensation.

(b) Shared leave payments received by members who are not state employees, do not qualify as reportable compensation. Such payments are not for services rendered, nor are they specifically included within the statutory definition of compensation earnable.

NEW SECTION

WAC 415-110-469 Standby pay. Some employers pay employees for being on "standby." A member is on standby when not being paid for time actually worked and the employer requires the member to be prepared to report immediately for work if the need arises, although the need may not arise. Because the member is not actually working, the member is not rendering service. However, RCW 41.35.010(6) specifically identifies standby pay that meets the above requirements as reportable compensation. Although included in the definition of compensation earnable, time spent on standby is excluded from the definition of "service," see RCW 41.35.010(7).

NEW SECTION

WAC 415-110-470 Nonmoney maintenance. Are payments from my employer in any form other than money considered compensation earnable? If you are a SERS Plan 2 or Plan 3 member, you are not entitled to count the value of any nonmoney maintenance compensation you receive from your employer as compensation earnable.

NEW SECTION

WAC 415-110-475 Fringe benefits. Payments made by an employer to a third party to provide benefits for an employee are not part of the employee's salary or wage. Those payments are not reportable compensation. Examples of these types of payments are insurance premiums (other than those made under bona fide cafeteria plans, see WAC 415-110-455) and matching and nonmatching employer contributions to a benefit plan.

Note: Mandatory salary deferrals are salary, not benefits. Such payments are reportable, see WAC 415-110-459.

Example: An employer makes matching payments to employees who participate in a deferred compensation plan. This is not a mandatory salary deferral for purposes of SERS reportable compensation. Since the employer matching payment (employer match) is made contingent upon employee plan participation, it is not payment for services rendered. Therefore, it is a fringe benefit that is not reportable compensation under SERS.

NEW SECTION

WAC 415-110-477 Disability insurance. Disability insurance payments are paid to persons for periods when they are unable to work. Because no services are rendered in exchange for these payments, they are not reportable compensation. This is true whether the payments come directly from the employer or from an insurance company.

NEW SECTION

WAC 415-110-479 Workers' compensation. Workers' compensation is paid to persons for periods when they are unable to work. Workers' compensation payments, like disability insurance, are not payments for services rendered and are not reportable compensation.

Example: Some employees on unpaid disability leave submit their workers' compensation payments to their employer who then issues the employee a check for the same amount through the payroll system. This exchange of payments does not change the character of the workers' compensation payment. Whether the payments come from the department of labor and industries, a self-insured employer, or have the appearance of coming from the employer, workers' compensation payments are not payments for services rendered and do not qualify as reportable compensation.

Note: A member may elect to make contributions and receive service credit for periods of disability covered by industrial insurance, see RCW 41.35.070.

NEW SECTION

WAC 415-110-480 Vehicles—Does the value of my use of an employer vehicle qualify as compensation earnable? You are not entitled to count any of the value of an employer-provided vehicle as compensation earnable.

NEW SECTION

WAC 415-110-482 Illegal payments. Payments made by an employer in excess of the employer's legal authority are not reportable.

Example: School districts are prohibited from increasing an employee's salary to include a payment in lieu of a fringe benefit per RCW 28A.400.220. If a district increased a person's salary instead of providing a fringe benefit, the payment would be illegal and should not be reported.

NEW SECTION

WAC 415-110-483 Optional payments. If an employee can receive an additional payment only on the condition of taking an action other than providing service to the employer, the payment is not for services rendered and is not reportable compensation.

Example: An employer offers to make a contribution to a deferred compensation plan on behalf of an employee only if the employee agrees to defer a portion of his or her salary. Because the employee does not have a right to receive the contribution based solely on

the rendering of service, the employer payment is not reportable compensation.

NEW SECTION

WAC 415-110-484 Reimbursements for expenses. Reimbursements are not earned for services rendered and thus are not reportable compensation. Typical reimbursement payments include mileage reimbursements for use of a private car on employer business, see WAC 415-110-485, or meal and lodging reimbursements for business trips.

NEW SECTION

WAC 415-110-485 Vehicle allowances—Are vehicle allowances earnable compensation? (1) **If your employer provides you any payment or allowance in lieu of a reimbursement for expenses you incur or expect to incur in performing services for your employer, the payment or allowance is not compensation earnable.** Your vehicle allowance does not qualify as compensation earnable if you receive the allowance in lieu of reimbursement for expenses that you incur or expect to incur in using your own vehicle for business purposes.

(2) **The department presumes that any vehicle allowance provided to you by your employer is a payment in lieu of reimbursement for expenses and is not compensation earnable.** If the contract authorizing your vehicle allowance states that it is provided solely in lieu of reimbursement for expenses that you incur or expect to incur in using your own vehicle for business purposes, the department's presumption is not rebuttable.

(3) **Your vehicle allowance may qualify as compensation earnable to the extent that it exceeds your actual expenses.** If your employer documents that your vehicle allowance exceeds the actual expenses you incur in driving your own vehicle for business purposes, the excess amount is compensation earnable. Your employer must maintain monthly contemporaneous records documenting the following:

- (a) The dates, if any, on which you used a privately owned vehicle in performing services for your employer;
- (b) The miles you drove the vehicle on each of these trips; and
- (c) Your itinerary for each of these trips.

(4) **How to determine what amount of your vehicle allowance, if any, is reportable as compensation earnable.** If your employer documents that your vehicle allowance exceeds the actual expenses you incur in using your own vehicle for business purposes, your employer must report to the department as compensation earnable:

Your Vehicle Allowance LESS (Miles X IRS Rate)

(a) "Miles" above means the number of miles you drove a privately owned vehicle for business purposes during the month.

(b) "IRS rate" above means the Internal Revenue Service mileage rate for use by taxpayers computing the value of the use of a vehicle.

(5) **Your vehicle allowance qualifies as compensation earnable if you also receive a separate reimbursement for each occasion you use your own vehicle for business purposes.** If, in addition to your vehicle allowance, you receive a separate reimbursement for vehicle expenses for each occasion that you use a privately owned vehicle for business purposes, your vehicle allowance is compensation earnable.

(6) **Any part of your vehicle allowance that qualifies as earnable compensation is excess compensation.** If any part of your vehicle allowance is included in the calculation of your retirement allowance, your employer will be billed for excess compensation under RCW 41.50.150. Your employer's bill will equal the total estimated cost of the portion of your retirement allowance payment attributable to your vehicle allowance.

NEW SECTION

WAC 415-110-487 Retirement bonus or incentive. A payment made to an employee as a bonus or incentive when retiring or terminating is not a payment for services rendered. Rather, the payment is made in exchange for an employee's promise or notification of intent to retire or terminate. A retirement or termination bonus or incentive is not reportable compensation.

Example: A collective bargaining agreement authorizes a school district to pay employees a higher salary during the last two years of employment if the employee gives written notice of his or her intent to retire or terminate. Because the payment is in exchange for the agreement to retire or terminate and not for services, the payment is not reportable compensation.

NEW SECTION

WAC 415-110-488 Severance pay not earned over time—Contract buy outs. Severance pay that is not earned over time is not earned for services rendered and is not reportable. An example of severance pay not earned over time is a payment negotiated as part of termination agreement.

Example: At the time of an employee's termination the employer agrees to pay a lump sum payment equal to two months' salary. The employer identifies this payment as "severance pay." Because the payment was not earned for services rendered, it is not reportable compensation and will not be included in the retirement calculation.

For treatment of severance pay earned over time, see WAC 415-110-458.

NEW SECTION

WAC 415-110-491 Salary imputed to periods of unpaid leave. In some circumstances specified in statute, a

member may elect to establish service credit for periods of unpaid leave. The salary imputed to a member for purposes of calculating contributions owing for such periods of leave is not reportable compensation. Depending on the type of leave, the imputed compensation may or may not be included as average final compensation in calculating a member's retirement allowance.

(1) Authorized unpaid leave. RCW 41.35.470 (Plan 2) and RCW 41.35.650 (Plan 3) provides members with an option to establish service credit for periods of unpaid leave. RCW 41.35.070 provides members with an option to establish service credit for periods of disability covered by industrial insurance. Salary imputed to members in order to calculate contributions for such periods is not reportable compensation and can not be included as average final compensation in calculating a member's retirement allowance.

(2) Military leave. Salary imputed to a member for purposes of calculating contributions owing for periods of interrupted military service is not reportable compensation. Federal law requires that if a member elects to purchase credit for such periods of military service, and that period falls in the member's average final compensation period, the member is entitled to have the imputed salary he or she would have earned during the period of absence used in the calculation of his or her average final compensation.

MEMBERSHIP

NEW SECTION

WAC 415-110-550 Elected officials—Eligibility for retirement service membership. (1) For purposes of this section and WAC 415-110-570, and pursuant to RCW 41.35.030 and 41.35.010, "elected" officials means:

(a) Individuals who are elected or appointed to any vacant elective office at a school district or educational service district; or

(b) Active SERS members who become elected or appointed to any state elective position.

(2) An active member of SERS who is elected to a state elective position may elect to continue membership in SERS or apply for membership in PERS pursuant to RCW 41.40.023(3).

(3) An active member of SERS who is elected or appointed to a nonstate elective position for an employer other than a school district or educational service district, does not have the option to continue membership in SERS pursuant to such elected service. However, the member may apply for membership in PERS pursuant to RCW 41.40.023(3).

(4) Pursuant to RCW 41.35.030 (2)(a), elected officials are exempted from retirement system membership but may apply for membership during the official's current term of elected office. To apply for membership, the official shall submit a written application directly to the department. If the department approves the application, the elected official is entitled to establish membership and service credit retroactive to the first day of the official's current term of elected service. To establish such membership, the official shall pay the

required employee contributions for the official's current term of elected service with interest as determined by the department.

(5) Upon establishing membership for the official's current term of elected office, the official is entitled to establish membership and service credit retroactive to the first day of any previous elected term or terms of office. The official will be required to establish membership for all consecutive terms of office. To exercise this option, the official shall apply to the department pursuant to subsection (4) of this section. If the department approves the application, the official shall:

(a) Pay the required employee contributions for such previous term or terms of elected service with interest as determined by the department; and

(b) Pay the required employer contributions for such previous term or terms of elected service with interest as determined by the department. The employer may, at its discretion, pay the required employer contributions plus interest in lieu of the employee making payment of this amount.

(6) If an official is employed in an eligible position at the time of election to office and will hold multiple positions concurrently the official may:

(a) Apply to the department to participate in membership pursuant to the official's elected position as provided in subsection (4) of this section; or

(b) Choose not to participate pursuant to the official's elected position while continuing membership through the non-elected position.

(7) Except as provided under RCW 41.35.030, once an elected official has exercised the option of becoming a member of the retirement system the official shall be a member until the official separates from all eligible public employment. An official does not separate from public employment when that official's term of office ends and the official commences another term of office in the same or a different position for the same employer without a break in service. An official does not separate from service if the official resigns from the official's elected position and is later reappointed to the same position during the same term.

(8) The department will apply this section to service by elected officials which occurred prior to the effective date of this section.

NEW SECTION

WAC 415-110-560 Appointed officials—Eligibility and application for retirement service membership.

(1) For purposes of this section and WAC 415-110-570, and pursuant to RCW 41.35.030 and 41.35.010, "appointed" officials means only those individuals who are active SERS members or were previously active SERS members and are appointed directly by the governor to any position, including but not limited to, agency directorships and memberships on a state committee, board or commission.

(2) An individual must be a gubernatorial appointee or be appointed to serve in a position that meets the requirements of RCW 41.35.010 in order to be eligible for membership and service credit.

(3) Pursuant to RCW 41.35.030, appointed officials are exempted from retirement system membership but may apply

for membership during the official's current appointed term of office. To apply for membership, the official shall submit a written application directly to the department. If the department approves the application, the official is entitled to establish membership and service credit retroactive to the first day of the official's current term of appointed service. To establish such membership, the official shall pay the required employee contributions for the official's current term of appointed service with interest as determined by the department.

(4) Upon establishing membership for the official's current term of appointed service, the official is entitled to establish membership retroactive to the first day of any previous elected term or terms of office. To exercise this option, the official shall apply to the department pursuant to subsection (3) of this section. If the department approves the application, the official shall:

(a) Pay the required employee contributions for such previous term or terms of elected service with interest as determined by the department; and

(b) Pay the required employer contributions for such previous term or terms of elected service with interest as determined by the department. The employer may, at its discretion, pay the required employer contributions plus interest in lieu of the employee making payment of this amount.

(c) "Current term of appointed service" includes an appointed official's entire current term of service. If the official has not been appointed to a position with a set term of office, "current term of appointed service" includes all uninterrupted service in the official's current appointed position.

(5) If an appointed official is employed in an eligible position at the time of appointment to office and will hold the two positions concurrently, the official may:

(a) Apply to the department to participate in membership pursuant to the appointed position as provided in subsection (3) of this section; or

(b) Choose not to participate pursuant to the official's appointed position while continuing membership through the nonappointive position.

(6) Once an appointed official has exercised the option of becoming a member of the retirement system either at the start of the official's initial term or at a successive term, the official shall be a member until the official separates from all eligible public employment. An appointed official does not separate from public employment when that official's term of office ends and the official commences another term of office in the same or a different position for the same employer without a break in service. An appointed official does not separate from service if the official resigns from the appointed position and is later reappointed to the position during the same term.

(7) The department will apply this section to service by appointed officials which occurred prior to the effective date of this section.

NEW SECTION

WAC 415-110-570 Elected and appointed officials—Requirements for service credit. (1) SERS members who were elected to office by statewide election and elect mem-

bership in SERS pursuant to WAC 415-110-550, may receive one month of service credit for each month during which they earn compensation pursuant to their elected positions.

(2) Except for officials covered under subsection (1) of this section, members who were elected to office or appointed by the governor to positions and elect membership in SERS pursuant to WAC 415-110-550 or 415-110-560, may receive service credit only for months during which they are compensated:

(a) In excess of ninety times the state hourly minimum wage in effect at the time they render the service; and

(b) For ninety or more total hours of work.

(3) On or after September 1, 1991, except for officials covered under subsection (1) of this section, members who were elected to office or appointed by the governor to positions and elect membership in SERS pursuant to WAC 415-110-550 or 415-110-560, may earn:

(a) One month of service credit for each month during which they are compensated:

(i) For ninety or more total hours of work; and

(ii) In excess of ninety times the state hourly minimum wage in effect at the time they render the service; or

(b) One-half month of service credit for each month during which they are compensated:

(i) For less than ninety hours but equal to or more than seventy total hours of work; and

(ii) In excess of ninety times the state hourly minimum wage in effect at the time they render the service; or

(c) One-quarter month of service credit for each month during which they are compensated:

(i) For less than seventy total hours of work; and

(ii) In excess of ninety times the state hourly minimum wage in effect at the time they render the service.

NEW SECTION

WAC 415-110-679 Purpose and scope of eligibility rules. WAC 415-110-680 through 415-110-728 codify the department's existing interpretation of statutes and existing administrative practice regarding eligibility for membership in Plan 2 and Plan 3. The department has applied and will apply these rules to determine eligibility for service occurring prior to effective dates of these sections.

NEW SECTION

WAC 415-110-680 Am I eligible for membership? (1) You are eligible for membership if you are employed in an eligible position. Your position is eligible under RCW 41.35.010 if the position, as defined by your employer, normally requires at least five months of seventy or more hours of compensated service per month during each year.

(2) **If you leave an eligible position to serve in a project position, you may retain eligibility.** If you are a member and you leave employment in an eligible position to serve in a project position, the project position is eligible if:

(a) The position, as defined by the employer, normally requires at least five months of seventy or more hours of compensated service each month; or

(b) The position requires at least seventy hours per month and you take the position with the understanding that you are expected to return to your permanent eligible position at the completion of the project.

(3) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.35.010.

(b) "Employer" - RCW 41.35.010.

(c) "Member" - RCW 41.35.010.

(d) "Membership" - RCW 41.35.030.

(e) "Normally" - WAC 415-110-0102.

(f) "Project position" - WAC 415-110-0103.

(g) "Year" - WAC 415-110-0108.

NEW SECTION

WAC 415-110-690 How is my eligibility evaluated?

(1) **Your eligibility is based on your position. In evaluating whether your position is eligible, your employer will determine only whether the position meets the criteria of an eligible position under RCW 41.35.010.** Your employer will not consider your membership status or individual circumstances unless you:

(a) Leave employment in an eligible position to serve in a project position (see WAC 415-110-680); or

(b) Work in both a SERS and TRS position during the same school year (see WAC 415-110-728).

(2) **Your employer will evaluate your position's eligibility for a particular year at the beginning of the year.**

(3) **Your employer or the department may reclassify your position's eligibility based upon your actual work history.** If your employer declares your position to be ineligible at the beginning of a year and by the end of the year, you have actually worked five or more months of seventy or more hours, your employer will, at that time, review your position's eligibility. If at the end of the first year:

(a) Your employer believes your position meets the requirements for an eligible position and declares the position as eligible, you will enter membership and your employer will report you to the department effective from the date your employer declares the position as eligible; or

(b) Your employer believes that the position will not meet the criteria for an eligible position during the next year, your employer may continue to define your position as ineligible. However, if during the next year the position actually requires you to again work seventy or more hours each month for at least five months, the department will declare your position as eligible. You will enter membership in the retirement system.

(i) Except as provided in (b)(ii) of this subsection, your employer will report you to the department effective from the first month of the first year in which your position required you to work for seventy or more hours.

(ii) If:

(A) Your employer has monitored the work history of your position for eligibility;

(B) Has notified you in writing when you entered the position that the position was not considered eligible; and
You will enter membership prospectively.

(4) **The department will not reclassify your position's eligibility until history of the position shows that it meets the criteria for an eligible position.** If your employer has declared your position ineligible, the department will not reclassify your position as eligible until history of the position shows a period of two consecutive years of at least five months of seventy or more hours of compensated employment each month.

(5) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.35.010.
- (b) "Employer" - RCW 41.35.010.
- (c) "Ineligible position" - RCW 41.35.010.
- (d) "Membership" - RCW 41.35.030.
- (e) "Project position" - WAC 415-110-0103.
- (f) "Report" - WAC 415-110-0104.
- (g) "Year" - WAC 415-110-0108.

NEW SECTION

WAC 415-110-700 Can I qualify for membership if I work in more than one ineligible position with the same employer? (1) All of your monthly work for an employer counts as one position. If you are employed with the same employer in two ineligible positions during a year which, when combined, equate to an eligible position and your employer expects you to continue in this employment for a second consecutive year, your employer will report the total hours you work in both positions to the department as an eligible position.

Example: A person normally works for one employer as a cook for forty hours each month and as a bus driver for forty hours each month. The person is eligible for membership because he works a total of eighty hours each month for at least five months each year and this is the normal pattern of his employment.

Example: A person normally works for one employer for forty hours each month as a cook. For one year only, she takes on extra duties by also working forty hours per month as a bus driver. Although she worked eighty hours each month for five or more months during one year, she is not eligible for membership because these hours are not the normal pattern of her employment.

Example: A person works for one employer for forty hours each month as a cook and also works for another employer for forty hours each month as a bus driver. The person is not eligible for membership because he cannot combine the hours of employment with these separate employers to establish membership.

(2) **You may be reported in TRS if you work in two positions and one position is covered under TRS.** See WAC 415-110-728.

(3) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.35.010.
- (b) "Employer" - RCW 41.35.010.
- (c) "Ineligible position" - RCW 41.35.010.
- (d) "Membership" - RCW 41.35.030.
- (e) "Normally" - WAC 415-110-0102.
- (f) "Report" - WAC 415-110-0104.
- (g) "Year" - WAC 415-110-0108.

NEW SECTION

WAC 415-110-710 If I work for an employer after I retire, will my retirement benefit be affected? (1) If you reenter membership after retiring, the department will suspend payment of your benefit.

(2) **You may work for an employer in some circumstances without reentering membership.** You may enter employment with an employer after retirement without having to reenter membership if:

- (a) You are employed in an ineligible position; or
- (b) You are employed in an eligible position on a temporary basis for five months or less in a calendar year.

(i) If you enter compensated employment in an eligible position during a month, that month is counted as a month of employment in the calendar year regardless of the number of hours you worked in the month.

(ii) If you are employed in an eligible position for any five months during a calendar year, the department will count your employment as five months of employment, regardless of whether or not the months are consecutive or your employment is with one or more employers.

(3) **You are required to reenter membership if you become reemployed in an eligible position on a temporary basis for more than five months in a calendar year.** If you become reemployed in an eligible position on a temporary basis for more than five months in a calendar year, you will reenter membership in the retirement system beginning with the sixth month of your employment. Effective at the beginning of the sixth month of your employment:

- (a) Your employer will report you to the department; and
- (b) The department will suspend your retirement allowance.

(4) **You are required to reenter membership if you become permanently reemployed in an eligible position.** If you become reemployed in an eligible position on a permanent basis, you will immediately become a member. Effective from the date of your reemployment in a permanent eligible position:

- (a) Your employer will report you to the department; and
- (b) The department will suspend your retirement allowance.

(5) **Meaning of employment on a temporary or permanent basis.**

(a) "Employed on a temporary basis" under subsection (2) of this section means your employer expects your employment to last for five months or less and not be on a recurring basis.

(b) "Employed on a permanent basis" under subsection (3) of this section means either:

- (i) Your employer expects you to continue in your position for more than five months in any calendar year; or
- (ii) Your employer expects you to continue in the same position for more than one year on a recurring basis and your employment is for five months or less during each year.

(6) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.35.010.
- (b) "Employer" - RCW 41.35.010.
- (c) "Ineligible position" - RCW 41.35.010.
- (d) "Membership" - RCW 41.35.030.
- (e) "Report" - WAC 415-110-0104.

NEW SECTION

WAC 415-110-720 Participation—Can I be excluded from participating in membership even if I am employed in an eligible position? (1) You may be exempt from participating in membership even if you meet eligibility criteria. Even if you are employed in an eligible position you are exempt from participating in SERS if your individual circumstances qualify you for one of the exceptions to membership under RCW 41.35.030.

(2) **If you work for a SERS employer after you retire, you are subject to postretirement employment restrictions, even if you are excluded from participating in membership.** If you become employed in an eligible position after you retire, you are subject to the postretirement employment restrictions under RCW 41.35.230 even if you are excluded from membership.

(3) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.35.010.
- (b) "Employer" - RCW 41.35.010.
- (c) "Ineligible position" - RCW 41.35.010.
- (d) "Membership" - RCW 41.35.030.

NEW SECTION

WAC 415-110-725 If I have retired from another retirement plan or am eligible to retire, am I excluded from participating in SERS? (1) If you have retired or are eligible to retire from another retirement system authorized by the laws of this state, you cannot participate in SERS membership unless you accrued less than fifteen years of service credit in the other retirement plan.

(2) If you are receiving a disability allowance from any retirement system administered by the department, you cannot participate in SERS.

(3) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Membership" - RCW 41.35.030.
- (b) "Retirement plan" - WAC 415-110-0105.
- (c) "Service" - RCW 41.35.010.

NEW SECTION

WAC 415-110-728 If I work in both a SERS position and TRS position during the same school year, which system will I be in? (1) If you work in both a SERS and TRS position during the same year, your membership status and the nature of your positions will determine the system your employer will report you in. You will be reported in either SERS or TRS according to the following table:

Former TRS Plan 1 Members 1/

Type of Employment 2/	Type of Employer(s)	System You Will Be Reported In
A substitute or less than full-time teaching position and a SERS-eligible position	Same SERS employer	SERS - for both positions.
	Separate SERS employers	SERS - for SERS position only. Your substitute part-time position is not reported unless you qualify for and elect to establish TRS membership under RCW 41.32.240. If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in SERS will be transferred to TRS.
A full-time teaching position and an eligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions.

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TRS Plan 1 Members

Type of Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
A full-time or less than full-time TRS position and an eligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions.
A full-time or less than full-time TRS position and an ineligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions.

TRS Plan 2 or 3 Members

Type of Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
An eligible TRS position and an ineligible PERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for TRS position only; your ineligible SERS position is not reported.
An eligible TRS position and an eligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions. ^{3/}

SERS Members

Type of Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
An eligible SERS position and an ineligible TRS or substitute position	Same employer	SERS - for both positions.
	Separate SERS employers	SERS - for the SERS position only, unless you qualify for and elect to establish membership in TRS at the end of the school year under WAC 415-112-125(1). If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in SERS will be transferred to TRS.

Neither TRS Nor SERS Member

Type of Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
An ineligible TRS and an ineligible SERS position	Same employer	TRS - for both positions if the positions combined, qualify as an eligible position.
	Separate SERS employers	Neither position reported.
A substitute teaching position and an ineligible SERS position	Same employer	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.
	Separate SERS employers	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.

^{1/} "Former TRS 1 member," as used here, means you terminate your membership by withdrawing your contributions.

^{2/} Means during the same school year.

^{3/} EXAMPLE: A TRS 2 member is employed concurrently by School District A in an eligible TRS position and by School District B in an eligible SERS position. Because he is a TRS 2 member, School District B employer must report his service and compensation from the SERS position to the department in TRS 2. If the member terminates his employment in the TRS position with School District A, School District B will report him in SERS for the SERS position.

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(2) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(b) "Employer" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(c) "Ineligible position" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(d) "Member" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(e) "Membership" - RCW 41.35.030 (SERS).

(f) "Report" - WAC 415-110-0104.

(g) "Service" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

SERVICE RETIREMENT

NEW SECTION

WAC 415-110-820 Interim retirement allowance—Final computation of retirement allowance—Adjustment of retirement allowance for errors. (1) At the time of a member's application for retirement, the department does not have all information necessary to make a final computation of the member's retirement allowance. Based upon estimates of the retiree's compensation and earned service credit through the date of retirement, the department shall compute an interim retirement allowance made payable to the member in the interim between the member's date of retirement and the department's final computation of the member's retirement allowance. The interim retirement allowance is an initial, estimated computation of the retiree's retirement allowance subject to adjustment by the department based upon subsequent review of information provided by the member's employer.

(2) In computing the interim retirement allowance, the department shall, subject to later correction, consider only the amount of the member's salary actually reported by the employer up to the date of the interim computation, but shall impute the member's earned service credit for the same period.

(3) Following the department's computation of the interim benefit and receipt earnings history, the department shall complete a final computation of the member's retirement allowance. The department's final computation may either increase or decrease the amount of the interim retirement allowance computed pursuant to subsection (1) of this section.

(4) Pursuant to RCW 41.50.130, following the department's final computation of the member's retirement allowance as provided in subsection (3) of this section, the department may subsequently adjust a member's retirement allowance to correct any error in retirement system records. For purposes of this subsection, errors in retirement system records include, but are not limited to, the following:

(a) Applying an incorrect retirement allowance formula in computing the retirement allowance;

(b) Including service that is not creditable to the member;

(c) Including payments that do not constitute earnable compensation to a member in the member's retirement allowance computation, or excluding earnable compensation not reported by an employer;

(d) Benefit overpayments and underpayments;

(e) Including an individual in the membership of the retirement system who is not entitled to such membership.

NEW SECTION

WAC 415-110-830 Actuarial recomputation of retirement allowance upon retirement following reemployment. (1) The purpose of this rule is to establish a method to actuarially recompute the retirement allowance of a Plan 2 member or the defined benefit retirement allowance of a Plan 3 member who retires, reenters employment causing his or her retirement allowance to be suspended, and then retires again. The actuarially recomputed retirement allowance shall:

(a) Include service credit the member earned following reestablishment of membership if any; and

(b) Account for the actuarial reduction applied to the member's initial retirement if the member initially retired prior to age sixty-five.

(2) If a Plan 2 or Plan 3 retiree reenters membership, upon the individual's next retirement, the department shall reinstate and actuarially recompute the individual's retirement allowance pursuant to RCW 41.35.230 (Plan 2) or RCW 41.35.640 (Plan 3) as follows:

(a) If the member first retired before age sixty-five, the department shall:

(i) Calculate the retirement allowance pursuant to RCW 41.35.400 (Plan 2) or RCW 41.35.620 (Plan 3) using the retiree's total years of career service, including service earned prior to initial retirement and service earned after reentering membership;

(ii) Actuarially reduce the member's retirement allowance based on the present value of the retirement allowance payments the individual received during the initial retirement; and

(iii) Calculate any survivor option selected by the retiree based upon the monthly retirement allowance calculated pursuant to (a)(i) and (ii) of this subsection.

(b) If the member initially retired at or after age sixty-five, the department shall recompute the member's retirement allowance pursuant to RCW 41.35.400 (Plan 2) or RCW 41.35.620 (Plan 3) and include any additional service credit earned and any applicable increase in the member's average final compensation resulting from the member's reentry into membership. Under no circumstances shall a retiree receive a retirement allowance creditable to a month during which that individual earned service credit.

(3) If a retiree's retirement allowance is suspended under RCW 41.35.450 or 41.35.640 due to reemployment but the retiree does not reenter membership, upon the retiree's separation from such employment, the retiree shall receive an actuarially recomputed retirement allowance equal to the sum of:

(a) The amount of the monthly suspended retirement allowance; plus

(b) An actuarially computed increase based upon the retirement allowance payments the member did not receive due to reemployment. The retiree may elect to receive the actuarially computed increase in either:

(i) An amount amortized over the expected term of the recomputed retirement allowance; or

(ii) A lump sum payment equal to the suspended retirement allowance plus interest.

MEMBERSHIP CONVERSION

NEW SECTION

WAC 415-110-910 Conversion of service. (1) **You will be converted from PERS to SERS if:**

(a) You were employed with a school district or educational service district in an eligible position as of September 1, 2000;

(b) You participated and then separated in PERS prior to September 1, 2000, and became reemployed in an eligible position at a school district or educational service district after September 1, 2000;

(c) You retired out of PERS Plan 2 and:

(i) Returned to PERS covered employment and became an active PERS membership; and

(ii) Were a member as of September 1, 2000, at a school district or educational service district; or

(d) You retired out of PERS Plan 2 and:

(i) Returned to PERS covered employment and became an active PERS membership;

(ii) Separated from your PERS position; and

(iii) Become employed in an eligible SERS position prior to applying for retirement in PERS.

(2) **What happens to my existing PERS service and account history when I am converted from PERS to SERS membership?** All of your PERS service and account history with any PERS employer will be moved to SERS.

(3) **How many times will my PERS service be moved to SERS?** Your PERS service shall be moved to SERS only once pursuant to subsection (1) of this section. After you have been converted from PERS to SERS, subsequent reenrollment(s) into SERS shall not cause any additional conversions of any PERS service. Any future eligible employment in PERS shall be reported into PERS and any future eligible employment in SERS shall be reported into SERS.

Example:

Employed in PERS prior to conversion. Joe has 15 years of service in PERS. He has been employed by a school district for the last 5 years. Joe previously was employed by a county for 10 years.

Conversion from PERS to SERS. Since Joe is employed with the school district on September 1, 2000, his PERS service is moved to SERS service. Both his 5 years of service with the school district and his 10 years of service with the county are moved to SERS. Joe's PERS account now

has zero service credit and contributions; Joe's SERS account now has 15 years of service credit and contributions.

Return to PERS service. After another year of service with the school district, Joe separates employment with 16 years of credit in SERS and returns to employment with the county. Joe's 16 years of service remains in SERS and he begins to accrue service in PERS, starting from zero, for his new employment with the county.

Return to SERS employment. Joe works for the county for 5 years. He now has 5 years of service credit in PERS and he still has 16 years of service credit in SERS. Joe separates employment from the county and goes back to work in a SERS covered position with an educational service district. Joe's PERS employer will stop reporting him and the educational service district will begin reporting Joe into SERS. He will begin accumulating service in SERS starting at 16 years. The 5 years of service that Joe rendered at the county stays in PERS.

(4) **If I am a PERS Plan 2 retiree and become employed in an eligible SERS position, will my service be converted from PERS to SERS?** Except as allowed in subsection (1)(c) and (d) of this section, a PERS Plan 2 retiree will not have any of their service, account or retirement history converted to SERS.

Chapter 415-111 WAC

PLAN 3 - DEFINED CONTRIBUTION PLANS

ADMINISTRATION

NEW SECTION

WAC 415-111-100 Application of chapter. This chapter applies only to members of Plan 3 retirement systems created under chapters 41.32 (TRS) and 41.35 (SERS) RCW.

NEW SECTION

WAC 415-111-110 Member and employer responsibility. (1) **What am I responsible for as a Plan 3 member?** As a Plan 3 member your responsibilities include, but are not limited to:

(a) Adhering to published time frames;

(b) Making investment decisions for your defined contribution account;

(c) Reviewing account information provided on statements, such as quarterly statements, and notifying the correct organization of any errors;

(d) Filling out the correct form for a requested action;

(e) Correctly completing the appropriate form for a requested action and submitting the form to the correct organization as directed on each form; and

(f) Monitoring to ensure contributions do not exceed Internal Revenue Code limits (see WAC 415-111-111).

(2) **What can happen if I do not fulfill my responsibilities?** If you do not fulfill your responsibilities, the consequences may include, but are not limited to:

(a) You may not qualify for certain benefits, such as the transfer payment;

(b) You may have a delay in the correction of errors on your account;

(c) You may have a delay in the processing of your request for a defined contribution withdrawal; or

(d) You may have a delay in the investment of your account as directed.

(3) **What responsibilities do employers have?** Employers' responsibilities include, but are not limited to:

(a) Adhering to Plan 3 administrative requirements, including the respective roles of employers and employees, communicated to employers by the department in written materials and formal training.

(b) Maintaining a supply of Plan 3 forms;

(c) Submitting contributions to the department as soon as possible and at least in accordance with chapter 41.50 RCW;

(d) Reporting an employee's Plan 3 transfer election as soon as possible after receipt of the appropriate form from the employee;

(e) Submitting to DRS the form on which the member made their Plan 3 transfer election as soon as possible after receipt of the appropriate form;

(f) Reporting an employee's contribution rate election as soon as possible after receipt of the appropriate form from the employee;

(g) Reporting an employee's investment program election as soon as possible after receipt of the appropriate form from the employee; and

(h) Monitoring to ensure that a member's contributions do not exceed Internal Revenue Code limits (see WAC 415-111-111).

(4) **What can happen if my employer does not fulfill their responsibilities?** If your employer does not fulfill their responsibilities, the consequences may include, but are not limited to:

(a) Your employer may have to make your member account whole;

(b) Your employer may be subject to penalties assessed by the department; or

(c) Your employer may be subject to penalties assessed by the Internal Revenue Service.

If the department determines that an employer has erred in its administrative role, such that an employee incurs an investment loss, the department will determine the amount of loss and bill the employer.

NEW SECTION

WAC 415-111-111 Monitoring deferral limits. (1) **Can contributions in Plan 3 affect my deferral limits in other tax-deferred plans?** Yes. Contributions to Plan 3 reduce your taxable income; this may affect your deferral limits if you participate in another tax deferred program that

has a maximum contribution based on a percentage of your taxable income. You should consult with the Internal Revenue Service, a tax advisor, or a financial advisor regarding all questions of federal or state tax implications arising from participation in Plan 3.

(2) **Who is responsible for ensuring that I do not exceed my tax deferral limits?** Both your employer and you are responsible for ensuring that you do not exceed your tax deferral limits:

(a) Employers are responsible for monitoring to ensure that the contributions you make to your employer-sponsored tax deferred plan(s) do not exceed the limits under the Internal Revenue Code.

(b) You are responsible for monitoring to ensure that the total contributions you make to all of your tax deferred plan(s) do not exceed the limits under the Internal Revenue Code if you participate in a tax deferred program(s) outside of your employer sponsored plan(s).

INVESTMENT OPTIONS

NEW SECTION

WAC 415-111-210 Investment program election. You must choose between two investment programs: The total allocation portfolio, managed by the Washington state investment board, and a self-directed investment program. You may contribute to only one of these programs at a time. However, you may maintain accounts in both investment programs and transfer money between investment programs.

Pursuant to WAC 415-111-110, you bear the responsibility for completing the correct form for making an investment program election and submitting it to your employer as directed on the form.

(1) **Where do I get the form to make my election?** Your employer must provide the appropriate form to elect an investment program if you are enrolling into Plan 3, transferring from Plan 2 to Plan 3, or changing your investment program.

(2) **When do I have to choose an investment program?** If you are a new member or are reenrolling, you must select one of the investment programs (the total allocation portfolio or the self-directed investment program) within ninety calendar days from your date of hire in an eligible position. However, if you are transferring from Plan 2 to Plan 3, you must select an investment program when you transfer. The ninety-day period does not apply to a member transferring from Plan 2 to Plan 3.

If it is determined you should be reported into Plan 3 membership retroactively, the ninety-day period starts from the date it is discovered, as determined by the department, that you should have been reported.

(3) **What happens if I do not make an investment program election?** You will be assigned to the default investment program described in subsection (4) of this section, if:

(a) You are a new employee or changing your employer and do not make an investment program election within the ninety-day election period described in subsection (2) of this section; or

(b) You are transferring from Plan 2 to Plan 3 and do not make an investment program election at the time of transfer.

(4) **What is the default investment program?** The default investment program is the total allocation portfolio of the Washington state investment board.

(5) **Can I change my investment program?** Once you have made an initial investment election or been directed into the default program, you may change your investment program at any time by submitting the appropriate form to your employer.

NEW SECTION

WAC 415-111-220 Defined contribution rate election. A Plan 3 member shall contribute from his or her compensation according to one of the rate structures described in RCW 41.34.040.

Pursuant to WAC 415-111-110, you bear the responsibility for completing the correct form for making a contribution rate election and submitting it in a timely manner to your employer as directed on the form.

(1) **Where do I get the form to make my election?** Your employer must provide the appropriate form to elect a contribution rate if you are enrolling into Plan 3 or transferring from Plan 2 to Plan 3.

(2) **When do I have to elect a contribution rate?** You must irrevocably elect a contribution rate within ninety calendar days from your date of hire in an eligible position. However, if you are transferring from Plan 2 to Plan 3, you must elect a contribution rate when you transfer. The ninety-day period does not apply to a member transferring from Plan 2 to Plan 3.

(a) Once a member elects a contribution rate, contributions will begin the first day of the pay cycle in which the member makes the election.

(b) If it is determined that a member should be reported into Plan 3 membership retroactively, the ninety-day period starts from the date it is discovered, as determined by the department, that the member should have been reported.

(c) A Plan 3 member working in eligible positions for more than one employer may select a different contribution rate with each employer.

(3) **What happens if I do not make a contribution rate election?** Pursuant to RCW 41.34.040, you will be irrevocably assigned to Option A if:

(a) You are a new employee or changing your employer and do not make a contribution rate election within the ninety-day election period described in subsection (2) of this section; or

(b) You are transferring from Plan 2 to Plan 3 and do not make a contribution rate election at the time of transfer. Contributions required under subsection (a) or (b) shall begin effective the first day of the pay cycle in which you are assigned to Option A.

(4) **Can I change my contribution rate?** Once you elect a contribution rate or are defaulted into Option A, you cannot change your contribution rate unless you change employers. Each time you change employers, you will be allowed the ninety-day period described in subsection (2) of

this section to elect a new contribution rate. For the purposes of this section, employer is defined as each school district and each educational service district.

NEW SECTION

WAC 415-111-230 Self-directed investment program allocation. This section applies only to members who elect the self-directed investment program pursuant to WAC 415-111-210.

(1) **What is an allocation?** An allocation is a set of instructions defining which self-directed investment program funds you wish your money to be invested in. The amount you allocate to each fund must be designated as a whole percentage. The sum of the percentages that you allocate must equal one-hundred percent.

Example: Martha has elected the self-directed program as her investment manager and is contributing \$150 per month. Martha decides to invest into three different funds with the following amounts: \$30 invested in fund #1, \$45 invested in fund #2 and \$75 invested in fund #3. To accomplish this she must establish the following allocation:

Allocation to fund #1	20%
Allocation to fund #2	30%
Allocation to fund #3	50%
Total Allocation	100%

(2) **How do I establish an allocation?** You must establish your allocation by contacting the department's designated recordkeeper. Once established, you may change your allocation at any time by contacting the department's designated recordkeeper.

(3) **What happens if I do not designate an allocation?** If you do not provide an allocation prior to any of your investment money being received by the department's designated recordkeeper, or if you provide an allocation where the sum of the allocated portions does not equal one-hundred percent, your investment money will be directed into the default fund such that:

(a) If your total allocations do not equal one-hundred percent, (i) the department will determine the percentage that is unallocated, and (ii) direct the unallocated percentage into the default fund.

Example: Ralph designates the following allocation: 33% fund #1, 33% fund #2, and 33% fund #3. Since the total allocation equals 99%, the unallocated 1% will be directed into the default fund.

(b) If the total allocations exceed one-hundred percent, the entire allocation will be directed into the default fund.

Example: Chris designates the following allocations: 38% into fund #1, 40% into fund #2, and 10% into fund #3 and 15% into fund #4. Since the total allocation equals 103%, all of Chris' investment money will be directed into the default fund.

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(c) If no allocation is provided, the entire allocation will be directed into the default fund: Provided, That if the member previously participated in the self-directed investment program, the member's most recent allocation will be used. If that allocation includes a fund or funds that are no longer available, the portion of your investment money allocated to the unavailable fund(s) will be directed into the default fund.

Example: Lew is a new member and elects the self-directed investment program, but does not establish an allocation. All of Lew's investment money will be directed into the default fund.

Example: Linda becomes reemployed in an eligible position and elects to participate in the self-directed investment program again, but does not provide an allocation. Linda previously participated in the self-directed investment program and had the following allocation:

- 10% in Fund #1
- 10% in Fund #2
- 30% in Fund #3
- 25% in Fund #4
- 25% in Fund #5

Since she did not establish a new allocation, her previous allocation will be used. However, fund #2 is no longer available so that part of her allocation will be directed into the default fund. A new allocation will be established for Linda as follows:

- 10% in Fund #1
- 10% in Default Fund
- 30% in Fund #3
- 25% in Fund #4
- 25% in Fund #5

(4) **What is the default fund?** The default fund for the self-directed investment program is the Money Market Fund.

(5) **Can I change my allocation?** Once you have established an allocation or been directed into the default fund, you may change your allocation at any time by contacting the department's designated recordkeeper.

NEW SECTION

WAC 415-111-310 Defined contribution withdrawal.

(1) **How do I withdraw from my defined contribution account?** Except as otherwise allowed by RCW 41.34.070, you must meet the following criteria to withdraw from your defined contribution account:

- (a) You must separate from all eligible employment;
- (b) Notice of separation must be received by the department from your employer(s) through the retirement transmittal system; and
- (c) You must submit the appropriate form for requesting a defined contribution withdrawal. Pursuant to WAC 415-

111-110, you bear the responsibility for completing and submitting the form to the department's designated recordkeeper as directed on the form.

(2) **Can I still receive my defined contribution withdrawal if I return to work before receiving my withdrawal?** If you have made a request for payment and meet all of the criteria in subsection (1) of this section, you may return to work in an eligible position and still take payment of the requested defined contribution withdrawal.

Chapter 415-112 WAC

TEACHERS' RETIREMENT (~~BOARD OF TRUSTEES~~) SYSTEM

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-112-0167 System acronyms—Definition. The acronyms used in this chapter mean:

- (1) "PERS" means the Public Employees' Retirement System.
- (2) "TRS" means the Teachers' Retirement System.
- (3) "SERS" means the School Employees' Retirement System.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-112-130 If I separate from, and then reenter employment, can I continue to participate in TRS? (1) **If you are a TRS Plan ((F)) 1 member, you will participate in TRS Plan ((F)) 1 if you become reemployed with a TRS employer.** If you are a Plan ((F)) 1 member and have separated from service without withdrawing contributions, you will participate in the system again if you become reemployed with a TRS employer, even if you are not working as a teacher.

(2) **If you terminate TRS Plan ((F)) 1 membership, you will not reenter TRS Plan ((F)) 1 unless you requalify for membership or repay withdrawn contributions as a dual member.** If you were a Plan ((F)) 1 member and have terminated your membership, you can reestablish your membership and be eligible to participate in the system again only if you:

- (a) Become reemployed as a teacher in a position or positions meeting the membership eligibility criteria under RCW 41.32.240 and WAC 415-112-125(1); or
- (b) Repaid withdrawn contributions as a dual member under portability. See RCW 41.54.020(2).

(3) **If you have service credit in TRS Plan ((H)) 2, you will only reestablish membership if you work as a teacher in an eligible position.** If you were a Plan ((H)) 2 member who separated from service, you will reestablish membership and be eligible to participate in the system again only if you:

- (a) Become reemployed as a teacher; and

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(b) Render service in a position or positions meeting the membership eligibility criteria under WAC 415-112-125(1) or 415-112-140(1).

(4) If you have service credit in TRS Plan 3, you will only reestablish membership if you work as a teacher in an eligible position. If you were a Plan 3 member who separated from service, you will reestablish membership and be eligible to participate in the system again only if you:

(a) Become reemployed as a teacher; and

(b) Render service in a position or positions meeting the membership eligibility criteria under WAC 415-112-125(1) or 415-112-140(1).

(5) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) "Dual member" - RCW 41.54.010 and WAC 415-113-041.

(b) "Eligible position" - RCW 41.32.010.

(c) "Employer" - RCW 41.32.010.

(d) "Member" - RCW 41.32.010.

(e) "Service" - RCW 41.32.010.

(f) "Service in an administrative or supervisory capacity" - WAC 415-112-0162.

(g) "Service in an instructional capacity" - WAC 415-112-0163.

(h) "Teacher" - RCW 41.32.010.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-112-135 Can I be a member if I work as an educational staff associate? (1) **You are eligible for membership if you are certificated and employed as an educational staff associate.** You are a teacher for purposes of TRS membership if you:

(a) Possess a valid educational staff associate certificate issued by the office of the superintendent of public instruction under WAC 180-75-055(3); and

(b) Serve in an educational staff associate position.

(2) Positions which qualify as an educational staff associate. "Educational staff associate," includes but is not limited to a person employed by a public school in any of the following positions: Communications disorder specialist, occupational therapist, physical therapist, reading resource technician, school counselor, school nurse, school psychologist, school social worker and school librarian.

(3) If you were enrolled in PERS before June 7, 1984, based on your employment as an educational staff associate, you may remain in PERS. If you were enrolled in the PERS prior to June 7, 1984, based on employment as an educational staff associate, you will remain in PERS unless you choose either to:

(a) Transfer your membership to TRS within the time limits established in RCW 41.32.032; or

(b) Terminate your membership in PERS by withdrawing your accumulated contributions.

(4) If you were enrolled in PERS prior to June 7, 1984, based on employment as an educational staff associate and converted to SERS you may maintain your SERS

membership. If you were enrolled in the PERS prior to June 7, 1984, based on employment as an educational staff associate, and were converted to SERS membership under RCW 41.40.750, you will remain in SERS unless you choose either to:

(a) Transfer your membership to TRS within the time limits established in RCW 41.32.032; or

(b) Terminate your membership in SERS Plan 2 by withdrawing your accumulated contributions.

(5) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) "Member" - RCW 41.32.010.

(b) "Employer" - RCW 41.32.010.

(c) "Public school" - RCW 41.32.010 and WAC 415-112-0158.

(d) "Service" - RCW 41.32.010.

(e) "Teacher" - RCW 41.32.010.

AMENDATORY SECTION (Amending WSR 00-10-015, filed 4/21/00, effective 5/22/00)

WAC 415-112-155 If I work in both a TRS position and PERS position during the same school year, which system will I be in? (1) If you work in both a TRS and PERS position during the same school year, your membership status and the nature of your positions will determine the system your employer will report you in. You will be reported in either TRS or PERS according to the following tables:

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Former TRS Plan ((F) 1) Members ^{2/}

Type of ((Concurrent)) Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
A substitute or less than full-time teaching position and a PERS-eligible position	Same employer	PERS - for both positions.
	Separate TRS employers	PERS - for PERS position only. Your substitute part-time position is not reported unless you qualify for and elect to establish TRS membership under RCW 41.32.240. If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in PERS will be transferred to TRS.
	A TRS employer and non-TRS employer	PERS - for PERS position only. Your substitute part-time position is not reported unless you qualify for and elect to establish TRS membership under RCW 41.32.240. If you elect to establish TRS membership, you must elect either to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.
A full-time teaching position and an eligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions.
	A TRS employer and non-TRS employer	You must elect to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.

TRS Plan ((F) 1) Members

Type of ((Concurrent)) Employment ^{2/}	Type of Employer(s)	System You Will Be Reported In
A full-time or less than full-time TRS position and an eligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions.
	A TRS employer and non-TRS employer	You must elect either to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.
A full-time or less than full-time TRS position and an ineligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions.
	A TRS employer and non-TRS employer	TRS - for the TRS position only; your ineligible PERS position is not reportable.

PERMANENT

TRS Plan ((H)) 2 Members

Type of ((Concurrent)) Employment 2/	Type of Employer(s)	System You Will Be Reported In
An eligible TRS position and an ineligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for TRS position only; your ineligible PERS position is not reported.
	A TRS employer and non-TRS employer	TRS - for TRS position only; your ineligible PERS position is not reported.
An eligible TRS position and an eligible PERS position	Same employer	TRS - for both positions.
	Separate TRS employers	TRS - for both positions. 3/
	A TRS employer and non-TRS employer	You must elect either to: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.

PERS Members

Type of ((Concurrent)) Employment 2/	Type of Employer(s)	System You Will Be Reported In
An eligible PERS position and an ineligible TRS or substitute position	Same employer	PERS - for both positions.
	Separate TRS employers	PERS - for the PERS position only, unless you qualify for and elect to establish membership in TRS at the end of the school year under WAC 415-112-125 (1). If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in PERS will be transferred to TRS.
	A TRS employer and non-TRS employer	PERS - for the PERS position only. You will not be reported for the TRS position unless you elect to either: 1. Have your TRS service reported in PERS and receive service credit in PERS for both positions; or 2. Have your TRS service reported in TRS and not receive service credit for the PERS position.

Neither TRS Nor PERS Member

Type of ((Concurrent)) Employment 2/	Type of Employer(s)	System You Will Be Reported In
An ineligible TRS and an ineligible PERS position	Same employer	TRS - for both positions if the positions combined, qualify as an eligible position. 7
	Separate employers, TRS or non-TRS	Neither position reported.

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Neither TRS Nor PERS Member

Type of Employment ^{2L} ((Concurrent))	Type of Employer(s)	System You Will Be Reported In
A substitute teaching position and an ineligible PERS position	Same employer	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.
	Separate employers, TRS or non-TRS	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.

^{1L} "Former TRS 1 member", as used here, means you terminate your membership by withdrawing your contributions.

^{2L} Means during the same school year.

^{3L} EXAMPLE: A TRS 2 member teaches in an eligible position and during the summer, she works for a state agency in an eligible position under PERS. Because the member has established membership in TRS 2 through employment as a teacher, her state agency employer must report her service and compensation from the PERS position to the Department in TRS 2.

EXAMPLE: A TRS 2 member is employed concurrently by School District A in an eligible TRS position and by School District B in an eligible PERS position. Because he is a TRS 2 member, School District B employer must report his service and compensation from the PERS position to the Department in TRS 2. If the member terminates his employment in the TRS position with School District A, School District B will report him in PERS for the PERS position.

(2) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Eligible position" - RCW 41.32.010 (TRS); RCW 41.40.010 (PERS).
- (b) "Employer" - RCW 41.40.010 (PERS); RCW 41.32.010 (TRS).
- (c) "Full time" - RCW 41.32.240.
- (d) "Ineligible position" - WAC 415-112-0154 (TRS); RCW 41.40.010 (PERS).
- (e) "Member" - RCW 41.40.010.
- (f) "Membership" - RCW 41.40.023.
- (g) "Report" - WAC 415-108-0104.
- (h) "Service" - RCW 41.40.010.

NEW SECTION

WAC 415-112-156 If I work in both a TRS position and SERS position during the same school year, which system will I be in? (1) If you work in both a TRS and SERS position during the same year, your membership status and the nature of your positions will determine the system your employer will report you in. You will be reported in either TRS and SERS according to the following table:

Former TRS Plan 1 Members ^{4L}

Type of Employment ^{2L}	Type of Employer(s)	System You Will Be Reported In
A substitute or less than full-time teaching position and a SERS-eligible position	Same SERS employer	SERS - for both positions.
	Separate SERS employers	SERS - for SERS position only. Your substitute part-time position is not reported unless you qualify for and elect to establish TRS membership under RCW 41.32.240. If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in SERS will be transferred to TRS.
A full-time teaching position and an eligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions.

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TRS Plan 1 Members

Type of Employment ^{1/}	Type of Employer(s)	System You Will Be Reported In
A full-time or less than full-time TRS position and an eligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions.
A full-time or less than full-time TRS position and an ineligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions.

TRS Plan 2 or 3 Members

Type of Employment ^{1/}	Type of Employer(s)	System You Will Be Reported In
An eligible TRS position and an ineligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for TRS position only; your ineligible SERS position is not reported.
An eligible TRS position and an eligible SERS position	Same employer	TRS - for both positions.
	Separate SERS employers	TRS - for both positions. ^{3/}

SERS Members

Type of Employment ^{1/}	Type of Employer(s)	System You Will Be Reported In
An eligible SERS position and an ineligible TRS or substitute position	Same employer	SERS - for both positions.
	Separate SERS employers	SERS - for the SERS position only, unless you qualify for and elect to establish membership in TRS at the end of the school year under WAC 415-112-125 (1). If you elect to establish TRS membership, your employers will report you in TRS for both positions. Any previously reported service credit and compensation in SERS will be transferred to TRS.

Neither TRS Nor SERS Member

Type of Employment ^{1/}	Type of Employer(s)	System You Will Be Reported In
An ineligible TRS and an ineligible SERS position	Same employer	TRS - for both positions if the positions combined, qualify as an eligible position.
	Separate SERS employers	Neither position reported.
A substitute teaching position and an ineligible SERS position	Same employer	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.
	Separate SERS employers	Neither position reported. However, if you qualify, you may elect to establish membership in TRS at the end of the school year for your substitute teaching position under RCW 41.32.013 and WAC 415-112-140.

^{1/} "Former TRS 1 member," as used here, means you terminate your membership by withdrawing your contributions.

^{2/} Means during the same school year.

^{3/} EXAMPLE: A TRS 2 member is employed concurrently by School District A in an eligible TRS position and by School

District B in an eligible SERS position. Because he is a TRS 2 member, School District B employer must report his service and compensation from the SERS position to the department in TRS 2. If the member terminates his employment in

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the TRS position with School District A, School District B will report him in SERS for the SERS position.

(2) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.35.010(SERS); RCW 41.32.010 (TRS).

(b) "Employer" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(c) "Ineligible position" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(d) "Member" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

(e) "Membership" - RCW 41.35.030 (SERS).

(f) "Report" - WAC 415-110-0104.

(g) "Service" - RCW 41.35.010 (SERS); RCW 41.32.010 (TRS).

AMENDATORY SECTION (Amending WSR 99-14-008, filed 6/24/99, effective 7/25/99)

WAC 415-112-727 Retirement benefit options. RCW 41.32.530 (Plan 1) (~~and~~), RCW 41.32.785 (Plan 2) and RCW 41.32.851 (Plan 3) enable the department to provide retiring members with four retirement benefit options. In addition, retiring Plan 1 members may select the COLA (cost-of-living adjustment) option. The retiring member must choose an option(s) when applying for service or disability retirement.

(1) **Benefit options without survivor feature.**

(a) Maximum benefit allowance. Plan 1 retirees may elect to receive the maximum benefit possible which is based on a single life annuity. The maximum benefit allowance does not include a survivor allowance or beneficiary payment. When the retiree dies, all benefits cease. Any remaining balance in employee contributions is retained by the retirement system.

(b) Option One (standard allowance). The department pays a monthly retirement allowance based on a reduced single life annuity of the member, as provided in RCW 41.32.480 (Plan 1 - Service), RCW 41.32.550 (Plan 1 - Disability), RCW 41.32.765 (Plan 2 - Service), (~~or~~) RCW 41.32.790 (Plan 2 - Disability)(~~or~~), RCW 41.32.875 (Plan 3 - Service), or RCW 41.32.880 (Plan 3 - Disability). Except for Plan 3, when the retiree dies, all benefits cease. Any remaining balance of the member's accumulated contributions will be paid to:

(i) The retiree's designated beneficiary; or if none, to

(ii) The retiree's surviving spouse; or if none, to

(iii) The retiree's legal representative.

A member selecting Option One must designate a beneficiary at the time of retirement by filing a completed and notarized form provided by the department.

(2) **Benefit options with a survivor feature.** A retiring member is allowed to select from several retirement options which create an actuarially equivalent benefit that includes a survivor feature. The survivor feature entitles the survivor to receive a monthly allowance after the retiree dies. If the member chooses one of the survivor options, the monthly benefit the member will receive is actuarially reduced to off-

set the cost of the survivor feature. After the retiree dies, the department pays the survivor an allowance for the duration of his or her life. If the retiree and the survivor both die before the retiree's accumulated contributions are exhausted, the remaining balance is retained in the retirement fund.

(a) Option Two (joint and whole allowance). When the retiree dies, the department pays the survivor a retirement allowance equal to the gross monthly allowance received by the retiree.

(b) Option Three (joint and one-half allowance). When the retiree dies, the department pays the survivor an allowance equal to one-half of the retiree's gross monthly retirement allowance.

(c) Option Four (joint and two-thirds allowance).

(i) This subsection applies to members retiring on or after January 1, 1996.

(ii) When the retiree dies, the department pays the survivor an allowance equal to two-thirds (66.667%) of the retiree's gross monthly retirement benefit allowance.

(3) If a member retires on or after June 6, 1996, the department is required to pay an ex-spouse survivor benefits pursuant to a marital dissolution order that complies with RCW 41.50.790.

(4) **Supplemental COLA option for Plan 1 members.** Retiring Plan 1 members may select an annual cost-of-living adjustment (COLA) option in addition to their choice of retirement benefit options listed above in subsections (1) and (2) of this section. Retiring members who choose this supplemental option will have their monthly retirement allowance actuarially reduced to offset the cost of annual adjustment.

(5) **Benefit increases when survivor predeceases retiree (pop-up provision).**

(a) This section applies to members retiring on or after January 1, 1996, who select Option Two, Three, or Four.

(b) Plan 1 members. If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen the maximum benefit, minus;

(ii) Any reduction in the maximum allowance resulting from a withdrawal of contributions, plus;

(iii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(c) Plan 2 and Plan 3 members. If the survivor dies before the retiree, the retiree's monthly retirement allowance increases, effective the first day of the following month, to:

(i) The amount that would have been received had the retiree chosen the standard allowance; plus

(ii) Any cost-of-living adjustments the retiree received prior to the survivor's death based on the original option selection.

(d) Pop-up recalculation example.

Plan One:

Lucinda retires from TRS Plan 1 in 1996 (Year 0) with \$55,000 in accumulated contributions. As a TRS 1 member she is allowed to withdraw some or all of her contributions when she retires. She decides to withdraw \$5,000 so she and Garth, her husband, can take a cruise. This will actuarially reduce Lucinda's maximum benefit from \$2,000 per month to \$1,963.86. Lucinda would also like Garth to receive a monthly allowance after she dies. Therefore, Lucinda chooses one of the benefit options with a survivor feature. As a result, her monthly allowance is further actuarially reduced from \$1,963.86 to \$1,846.03. Unfortunately, Garth dies in January 2001 (Year 5). Under the "pop-up" provision, Lucinda's monthly benefit will increase to \$1,963.86, the amount she would have received had she chosen the maximum benefit (after reduction for her withdrawals). If Lucinda selected the COLA option or if she has otherwise become eligible for a COLA, the accumulated COLAs (based on the prior benefit allowance) will be added to the \$1,963.86*.

Plan Two:

Agnes retires from TRS Plan 2 in 1996 (Year 0). She would like Beatrice, her daughter, to receive a monthly allowance after Agnes dies. Therefore, Agnes selects a retirement benefit option with a survivor feature. As a result her monthly allowance is reduced from \$2,000 (standard allowance) to \$1,750. Unfortunately, Beatrice dies in January 2001 (Year 5). Under the "pop-up" provision, Agnes' monthly benefit will increase to the amount she would have received had she chosen Option One (standard allowance) plus her accumulated COLA's:

Year	Option One (Standard Allowance)	Survivor Option (2,3,4) plus COLAs	COLA incr. (3% max)	\$ Increase
0 (1996)	2,000.00	1,750.00	(inelig.)	0.00
1 (1997)		1,750.00	.02	35.00
2 (1998)		1,785.00	.03	53.55
3 (1999)		1,838.55	.025	45.96
4 (2000)		1,884.51	.03	56.54
5 (2001)	2,000.00	1,941.05	—	—
			Total COLA's	191.05
Original Option One Benefit Amount		+ Total COLA's	= New Benefit Amount	
\$2000		+ \$191.05	= \$2,191.05*	

*In the future (i.e., 2001 or Year 5), COLAs will be based on the increased benefit amount.

(e) If the survivor dies and the retiree's benefit increases under this section, and thereafter the retiree also dies before all contributions are exhausted, the remaining balance is retained by the retirement fund.

(6) Any retiree who retired before January 1, 1996, and who elected to receive a reduced retirement allowance under subsection (2) of this section is entitled to receive a retirement allowance adjustment if the retiree meets the following conditions:

(a) The retiree's designated beneficiary predeceases or has predeceased the retiree; and

(b) The retiree provides the department proper proof of the designated beneficiary's death. The retiree is not required to apply for the increased benefit provided in this subsection.

The adjusted retirement allowance will be effective on July 1, 1998, or the first day of the month following the date of death of the designated beneficiary, whichever comes last. The adjustment is computed as described in RCW 41.32.530 (3)(c) for Plan 1 retirees or RCW 41.32.785 (3)(c) for Plan 2 retirees.

(7) **Survivor.** For the purposes of this provision, "survivor" means a person nominated by the member to receive a monthly benefit allowance after the member dies. A member nominates the survivor at the time of retirement by filing a completed and notarized form provided by the department.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 415-112-950 Mandatory selection of investment program.

AMENDATORY SECTION (Amending WSR 95-03-001, filed 1/4/95, effective 2/4/95)

WAC 415-113-030 Definitions for purposes of WAC 415-113-035 through ((415-113-100)) 415-113-200. All definitions in RCW 41.54.010 apply to terms used in this chapter. Other terms relevant to the administration of chapter 41.54 RCW are defined in this chapter at WAC 415-113-0301 through 415-113-0310.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-0302 Average compensation—Definition. "Average compensation" means the compensation used by a particular retirement system to calculate a dual member's service retirement allowance. The actual meaning of the term

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varies depending upon the retirement system. With respect to each dual member system, "average compensation" means:

(1) **First class city retirement systems:** Final compensation as defined in RCW 41.28.010;

(2) **Statewide cities retirement systems:** Final compensation as defined in 41.44.030(14);

(3) **TRS:**

(a) Plan 1: Average earnable compensation as defined in RCW 41.32.497 and 41.32.498;

(b) Plans 2 and 3: Average final compensation as defined in RCW 41.32.010(30);

(4) **PERS:** Average final compensation as defined in RCW 41.40.010(17);

(5) **LEOFF Plan 2:** Final average salary as defined in RCW 41.26.030 (12)(b); ~~((and))~~

(6) **WSPRS:** Average final salary as defined in RCW 43.43.120; and

(7) **SERS:** Average final compensation as defined in RCW 41.35.010(14).

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-0303 Dual member system—Definition. "Dual member system" means the state and city retirement systems admitted to participate under chapter 41.54 RCW. These systems are:

(1) PERS Plans 1 and 2;

(2) TRS Plans 1, 2 and 3;

(3) LEOFF Plan 2;

(4) WSPRS;

(5) Statewide city employees' retirement system; ~~((and))~~

(6) The first class city retirement systems; and

(7) SERS Plans 2 and 3.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-0310 System acronyms—Definition. The acronyms used in this chapter mean:

(1) "LEOFF Plan 2" means Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2.

(2) "PERS Plan 1" means Public Employees' Retirement System Plan 1.

(3) "PERS Plan 2" means Public Employees' Retirement System Plan 2.

(4) "TRS Plan 1" means Teachers' Retirement System Plan 1.

(5) "TRS Plan 2" means Teachers' Retirement System Plan 2.

(6) "TRS Plan 3" means Teachers' Retirement System Plan 3.

(7) "WSPRS" means Washington State Patrol Retirement System.

(8) "SERS Plan 2" means School Employees' Retirement System Plan 2.

(9) "SERS Plan 3" means School Employees' Retirement System Plan 3.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-041 Am I a dual member? You must meet all of the following criteria to be a dual member:

(1) **You must be a member of a dual member system.** You must be a current member participant in at least one dual member system to be a dual member. You may have established dual member status if you are or were a member participant of a dual member system on or after:

(a) July 1, 1988, for current or former members of PERS, SERS, TRS, SCERS or WSPRS;

(b) July 25, 1993, for current or former members of LEOFF Plan ((H)) 2; or

(c) January 1, 1994, for current or former members of a first class city retirement system;

(2) **You must be a former or current member of another dual member system.**

(3) **You must not have been retired for service from a retirement system.** You are not a dual member if you have ever been retired for service from any retirement system administered by the department of retirement systems or a first class city retirement system.

(4) **You must not be in receipt of a disability benefit from a dual member system.** If you are receiving a disability retirement allowance or disability leave benefits from a dual member system or LEOFF Plan 1, you cannot be a dual member.

(a) If you have received a lump sum disability benefit from PERS Plan 2, SERS Plan 2 or 3, TRS Plan 2 or 3 or LEOFF Plan 2 you are in receipt of a disability benefit unless the department has found that you are no longer disabled.

(b) You are not receiving a disability retirement allowance or disability leave benefits if you:

(i) Previously received disability benefits and the department has subsequently found that you are no longer disabled, and has terminated your disability benefit; or

(ii) Retired for disability from service from WSPRS...

Example 1: A former PERS Plan 1 member who has never been retired and becomes a member participant in TRS Plan 2 through employment with a TRS employer becomes a dual member.

(5) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

(a) "Dual member" - RCW 41.54.010(4).

(b) "Dual member system" - WAC 415-113-0303.

(c) "Member participant" - WAC 415-113-0305.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-042 Can I terminate my status as a dual member? Termination of dual member status—Reestablishing dual member status. (1) **If you are not a member, you are not a dual member.** If you are no longer a member participant in any dual member system, you are no

longer a dual member. If you later become a member of a dual member system, you again become a dual member.

Example 2: Upon separation from TRS Plan 2 eligible employment, the person in Example 1 in WAC 415-113-041 is no longer a member of TRS Plan 2 nor a dual member.

(2) **If you retire, you are no longer a dual member.** Upon retirement from any or all dual member systems, a person is no longer a dual member except for the purpose of receiving a deferred retirement allowance under RCW 41.54.030(3) and WAC 415-113-070.

(3) **If you are not a dual member, you may still be eligible for a multiple system benefit.** If you are no longer a dual member you may still be able to receive a multiple system benefit if otherwise eligible. The accrual date of your retirement allowance will vary depending upon the provisions of the particular system. You can find the accrual dates of different dual member systems in the following provisions:

- (a) **PERS 1:** RCW 41.40.193;
- (b) **PERS 2:** RCW 41.40.680;
- (c) **TRS 1:** WAC 415-112-520;
- (d) **TRS 2:** RCW 41.32.795;
- (e) **TRS 3:** RCW 41.32.855;
- (f) **LEOFF 2:** RCW 41.26.490;
- (g) **SERS 2:** RCW 41.35.450;
- (h) **SERS 3:** RCW 41.35.640.

(4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Dual member" - RCW 41.54.010(4), WAC 415-113-041.
- (b) "Dual member system" - WAC 415-113-0303.
- (c) "Member participant" - WAC 415-113-0305.
- (d) "Multiple system benefit" - WAC 415-113-0306.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-065 Can I substitute salary from one system to another? (1) You can substitute base salary between systems.

(a) If you elect to retire with a multiple system benefit, you may substitute your base salary under one dual member system for your includable compensation in a second dual member system for purposes of computing a retirement allowance from the second system. Using the substituted salary, the department will compute your average compensation under each system's own requirements.

Example 6: At retirement, a person is a member participant in PERS Plan 2 and has prior creditable service in TRS Plan 1. Assume the multiple system retiree earned her highest compensation during her PERS Plan 2 service. The retiree's PERS Plan 2 retirement allowance will be based on her PERS Plan 2 average compensation. For purposes of computing her TRS average compensation

and retirement allowance, she may substitute her PERS Plan 2 base salary earned over two consecutive fiscal years for her earnable compensation in TRS.

Example 7: At retirement, a person is a member participant in TRS Plan 1 and has prior creditable service in PERS Plan 1. Assume the multiple system retiree earned his highest compensation during his membership in TRS Plan 1. The retiree may substitute his base salary earned while a member in TRS Plan 1 for his PERS Plan 1 compensation earnable. However, because he may substitute only his base salary from TRS Plan 1 for his compensation earnable in PERS, his PERS average compensation will not include any cashout payments from his TRS employer.

(b) If you do not have sufficient service credit months in one dual member system to complete an average compensation period under that system, the department will substitute the appropriate number of months of base salary from another system to complete the average compensation period.

Example 8: A person who has creditable service in TRS Plan 1 and PERS Plan 2 retires at age sixty-five having accrued twenty-four months of service in PERS Plan 2. Under PERS Plan 2, a member's average compensation period is the member's highest consecutive sixty-month period of compensation. To compute the multiple system retiree's PERS Plan 2 retirement allowance, the department will substitute her highest consecutive thirty-six service credit months of TRS base salary to complete the PERS sixty-month average compensation period.

(2) **Adjusted full-time salary is not base salary.** A multiple system retiree's adjusted full-time salary under RCW 41.32.345 shall not constitute base salary for purposes of computing the retiree's multiple system benefit.

(3) **Includable compensation defined.** For purposes of this chapter, "includable compensation" means:

- (a) Earnable compensation under TRS Plan 1, 2 or 3 as defined in RCW 41.32.010(10);
- (b) Compensation earnable under PERS Plan 1 or 2 as defined in RCW 41.40.010(8);
- (c) Basic salary under LEOFF Plan 2 as defined in RCW 41.26.030 (13)(b); ~~(and)~~
- (d) Monthly salary under WSPRS as used in RCW 43.43.120(15); and
- (e) Compensation earnable under SERS Plan 2 or 3 as defined in RCW 41.35.010(6).

(4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Average compensation" - WAC 415-113-0302.
- (b) "Base salary" - RCW 41.54.010(1).
- (c) "Dual member system" - WAC 415-113-0303.

- (d) "Member participant" - WAC 415-113-0305.
- (e) "Multiple system benefit" - WAC 415-113-0306.
- (f) "Multiple system retiree" - WAC 415-113-0308.

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-070 Can I defer my retirement allowance from a system if I retire with a multiple system benefit? (1) You may defer receipt of your retirement allowance. If, by combining creditable service, you qualify to retire in one system but not in a second system, you must either:

(a) Receive an actuarially reduced retirement allowance from the second system; or

(b) Defer retirement in the second system until a later date of your choice. If you choose to begin receiving a retirement allowance from your second system before you are fully eligible, the benefit will be actuarially reduced.

(i) If you elect to defer retirement in the second system, you retain dual member status for the sole purpose of receiving a deferred multiple system benefit;

(ii) If you retire from all systems but elect to defer retirement in one dual member system under RCW 41.54.030(3), you may not subsequently withdraw accumulated contributions from that system.

(c) An actuarial reduction under (a) or (b) of this subsection, if applicable, will account for the difference between your age at the time you begin receiving the retirement allowance and the earliest age where you would be fully eligible based upon your combined service. "Fully eligible" means a person who has enough combined service to qualify for a retirement allowance from a dual member system without receiving a reduction for:

(i) Early retirement from a Plan 2 or Plan 3 system under RCW 41.40.630(2), 41.35.420(2), 41.35.680(2), 41.32.765(2), 41.32.875(2), 41.26.430(2); or

(ii) Early retirement from a Plan 3 system under RCW 41.32.875(2); or

(iii) Retirement as a nonmember participant from WSPRS under RCW 43.43.280(2).

(2) If you defer your retirement allowance and later reenter membership, you are no longer a dual member. If, after deferring retirement, you enter membership in a dual member system, your dual member status terminates. Once your dual member status terminates:

(a) You may only retire under the deferred system if eligible based solely upon that system's retirement eligibility criteria; and

(b) Your retirement allowance under the deferred system will be based solely upon service actually established in that system.

Example 9: A sixty-two year old dual member of PERS Plan 1 and TRS Plan 2 retires. He elects to receive PERS Plan 1 benefits but defer receipt of a TRS Plan 2 retirement allowance. If he becomes reemployed in a TRS Plan 2 eligible position, he will reenter TRS Plan 2 membership if otherwise eligi-

ble and terminate his dual member status, but he will continue to receive his PERS Plan 1 retirement allowance until he works more than the work-limit in a calendar year under WAC 415-108-710. The member's eligibility to retire from TRS Plan 2 will be based solely on his accrued service credit in TRS Plan 2 and his TRS Plan 2 retirement allowance will be based solely on his compensation while he was a member participant in TRS Plan 2.

Example 10:

Assume the retiree in Example 9 above became reemployed in a PERS position rather than a TRS Plan 2 position. He could work in this position up to the work-limit in a calendar year under WAC 415-108-710 without having his PERS retirement allowance suspended. If the retiree works over the work-limit:

- The department would suspend his retirement allowance until the next calendar year. He would remain a dual member. He would be able to retire in TRS 2 if otherwise eligible;

- The retiree could elect to reenter PERS Plan 1 membership at any time, if otherwise eligible, and terminate his dual member status. His election for membership is not retroactive. The effect on the person's right to a TRS Plan 2 benefit is the same as in Example 9. See WAC 415-108-710.

(3) If you defer your retirement allowance and die before you begin receiving the allowance, your survivor may receive a continuing benefit. If you defer receipt of your retirement allowance from a system and die before you elect to begin receiving the allowance:

(a) Your surviving spouse, if any, must elect to receive either:

(i) A joint and one hundred percent survivor option from the deferred system. If your surviving spouse selects this option, your base salary under one system may be substituted for your includable compensation in the deferred system to compute the survivor retirement allowance from the deferred system; or

(ii) A refund of your accumulated contributions from the deferred system.

(b) If you do not have a surviving spouse, the department will pay your accumulated contributions from the deferred system to:

- (i) Your designated beneficiary or beneficiaries; or
- (ii) Your estate, if there are no living beneficiaries.

(4) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) "Dual member system" - RCW 41.32.010(4), WAC 415-113-041.

(b) "Member participant" - WAC 415-113-0305.

(c) "Includable compensation" - WAC 415-113-065(3)

(d) "Multiple system participant" - WAC 415-113-0307.

(e) "Nonmember participant" - WAC 415-113-0309.

(f) "System" - RCW 41.54.010(6).

NEW SECTION

WAC 415-113-200 SERS and PERS concurrent employment. For the purposes of this section and pursuant to RCW 41.35.005, 41.35.010, 41.40.010, and 41.54.100, "concurrent employment" refers to an individual who is employed simultaneously in an eligible SERS Plan 2 or Plan 3 position and an eligible PERS Plan 2 position.

If a member has been concurrently employed at any time, this section governs the calculation of service credit, average final compensation, and retirement benefits attributable to all periods of PERS employment, SERS employment, and concurrent employment.

(1) Can I participate in SERS and PERS at the same time? Yes, you may participate in SERS and PERS at the same time when employed concurrently in a PERS eligible position and a SERS eligible position. Your SERS employer will report your SERS eligible service in SERS. Your PERS employer will report your PERS eligible service in PERS.

(2) Will the factors used to calculate my defined benefit be different because of concurrent employment in SERS and PERS? No, the department will calculate your service credit and average final compensation as if all of your employment was reported in one system. These two factors are used to calculate your defined benefit.

(3) Will the amount of my benefit be different because of concurrent employment?

(a) If you are concurrently employed in SERS Plan 2 and PERS Plan 2, the amount of your benefit from SERS and PERS combined will be the same as if all of your service had been reported and you received a benefit in one system, because:

(i) SERS Plan 2 and PERS Plan 2 both use identical two-percent benefit formulas; and

(ii) Your total service credit and average final compensation will not be different than if all of your service had been reported in one system pursuant to subsection (2) of this section.

(b) If you are concurrently employed in SERS Plan 3 and PERS Plan 2, the amount of your benefit may be greater or less than if all of your service had been reported in one system:

(i) SERS Plan 3 uses a one-percent defined benefit formula and has a defined contribution component. You are responsible for the investment of your defined contribution component, which is subject to investment gains or losses; therefore, the dollar value of your total benefit may be greater or less than what you would have received if all of your service had been reported in one defined benefit system.

(ii) The allocation of your service credit while concurrently employed, as described in subsection (4) of this section, may also affect the dollar value of your benefit.

(4) How is my service credit granted while concurrently employed? As a concurrently employed member, you are entitled to exactly the same amount of service credit for your SERS and PERS service combined that you would have received had all of your service been reported in one system.

To calculate your service credit the department will:

(a) Combine your SERS and PERS service to determine the amount of service credit you would have earned had all of your service been reported in one system.

(b) Calculate and grant service credit in SERS based only on your reported SERS service.

(c) Calculate and grant service credit in PERS by subtracting the amount of service credit granted for SERS in (b) of this subsection from the amount of service credit calculated in (a) of this subsection that you would have earned had all of your service been reported in one system (see example 1):

(i) For any month that you receive one month of service credit in SERS for a calendar month of employment, you will not receive any PERS service credit in that month.

(ii) The combined service credit in SERS and PERS may not exceed one month of service for a calendar month of employment.

(d) Adjust the SERS service credit at the conclusion of each school year in accordance with the provisions of RCW 41.35.180. This adjustment may cause changes in the combined SERS/PERS service credit and/or changes in the PERS service credit. (See example 2).

Example 1: Monthly computation of concurrent employment service credit.

Part-time SERS and part-time PERS.

(a) During a month, a member works 80 hours at a school district and 100 hours at a county. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted .5 service credit in SERS based on the 80 hours of service reported in SERS and will receive .5 service credit in PERS based on subtracting the .50 service credit in SERS from the maximum of 1.00 service credit.

(b) During a month, a member works 65 hours at a school district and 30 hours at a county. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted .25 service credit in SERS based on the 65 hours of service reported in SERS and will receive .75 service credit in PERS based on subtracting the .25 service credit in SERS from the maximum of 1.00 service credit.

Full-time SERS and part-time PERS.

During a month, a member works 172 hours for an educational service district and works 30 hours for a state agency. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted one month of service credit in SERS based on the 172 hours of service reported in SERS and will

receive 0.0 service credit in PERS (even though they worked 30 hours) based on subtracting the 1.00 service credit in SERS from the maximum of 1.00 service credit.

Part-time SERS and full-time PERS.

During a month, a member works 40 hours for a school district and 180 hours for a city. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted .25 service credit in SERS based on the 40 hours of service reported in SERS and will receive .75 service credit in PERS based on subtracting the .25 service credit in SERS from the maximum of 1.00 service credit.

Example 2:

Application of the educational service credit rules and the effects on concurrent employment service credit computation.

During September, October, and November a member works 60 hours, 30 hours, and 70 hours in SERS and works 90 hours, 30 hours, and 60 hours in PERS, respectively. Based on these hours, the member would have been granted .25, .25, and .50 service credits in SERS and .75, 0.0, and .50 in PERS. The member's service credit calculated on a monthly basis through November is shown in Table 1 below.

At the end of the school year, the educational service credit rules (RCW 41.35.-180) are applied. The application of these rules may cause one or more months of SERS service credit to change. A change in the SERS service credit for any given month may cause the combined SERS/PERS service credit to change. See Table 2, second line. The PERS service credit would then need to be recalculated for any month that the SERS service credit changed.

The members service for the entire school year is shown in Table 2 below. Applying the educational service credit rules, the member is now entitled to six service credit months in SERS for the school year (.50 in each month of September through August) based on working a total of 750 hours for the year. Thus, the service credit in September would be changed to .50 service credit in SERS and .50 credit in PERS. The service credit in October would be changed to .50 service credit in SERS and would remain at 0.0 service credit in PERS. November's service credit calculation is not affected by the application of the educational service credit rules.

Table 1: Month by Month Determination

	HOURS			SERVICE CREDIT		
	Combined PERS/SERS	SERS	PERS	Combined PERS/SERS	SERS	PERS
Sept	150	60	90	1	0.25	0.75
Oct	60	30	30	.25	.25	0.00
Nov	130	70	60	1	0.50	0.50

Table 2: After RCW 41.35.180 Adjustment

	HOURS			SERVICE CREDIT		
	Combined PERS/SERS	SERS	PERS	Combined PERS/SERS	SERS	PERS
Sept	150	60	90	1	0.5	0.5
Oct	60	30	30	0.5	0.5	0
Nov	130	70	60	1	0.5	0.5
Dec	120	60	60	1	0.5	0.5
Jan	140	70	70	1	0.5	0.5
Feb	160	90	70	1	0.5	0.5
Mar	130	60	70	1	0.5	0.5
Apr	140	70	70	1	0.5	0.5
May	130	70	60	1	0.5	0.5

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Jun	130	70	60	1	0.5	0.5
Jul	80	40	40	0.5	0.5	0
Aug	120	60	60	1	0.5	0.5
		<u>750</u>		<u>11</u>	<u>6</u>	<u>5</u>

(5) **How is my average final compensation calculated if I have been concurrently employed?** Your average final compensation will be calculated by combining all compensation earnable and service credit from all periods of SERS employment, PERS employment, and concurrent employment and then determining your highest consecutive sixty service credit months prior to your retirement, termination, or death. If an authorized leave occurs during the highest consecutive sixty service credit months, amounts earned during the period of leave will not be used in the calculation of average final compensation, except under RCW 41.40.710(2), 41.35.470(2) or 41.35.650(2).

(6) **How is my defined benefit in each system calculated?** A retirement allowance will be calculated using the appropriate formula for each system and plan as described in chapters 41.40 and 41.35 RCW, except that:

(a) The PERS service credit granted under subsection (4) of this section will be used in the PERS calculation and the SERS service credit granted under subsection (4) of this section will be used in the SERS calculation; and

(b) The average final compensation calculated under subsection (5) of this section will be used as the average final compensation for both PERS and SERS.

AMENDATORY SECTION (Amending WSR 91-13-030, filed 6/12/91, effective 7/13/91)

WAC 415-115-020 Definitions. As used in this chapter, unless a different meaning is plainly required by the context:

(1) "Department" refers to the department of retirement systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended.

(2) "Employers" refers to all employers within the retirement systems administered by the department, as defined in RCW 41.50.030.

(3) "Reports" refers to the department of retirement systems transmittal report sent each month by employers to the department.

(4) "Close of business" refers to 5:00 p.m. of a business day.

(5) "Standard administrative fee" for employers in the public employees', school employees', teachers', and law enforcement officers' and fire fighters' retirement systems refers to the administrative fee provided for under RCW 41.50.110(~~(, 41.40.080, 41.32.401, and 41.26.070)~~); for employers in the judges, judicial, and Washington state patrol retirement systems refers to the biennial appropriation that the department receives for administering each system.

(6) "Additional administrative fee" refers to the fee provided for under RCW 41.50.110(3) which is related to increased costs incurred by the department in processing deficient reports.

AMENDATORY SECTION (Amending WSR 91-13-030, filed 6/12/91, effective 7/13/91)

WAC 415-115-090 Maximum additional administrative fee allowable for the public employees', teachers', and law enforcement officers' and fire fighters' retirement systems. The maximum additional administrative fee that may be charged to employers in the public employees' retirement system, the school employees' retirement system, the teachers' retirement system, and the law enforcement officers' and fire fighters' retirement system for any six-month period shall not exceed fifty percent of the standard administrative fee due for that six-month period. In instances where the standard administrative fee rate changes during the six-month period, the new standard administrative fee rate will be applied beginning with the month in which the new rate becomes effective. The maximum additional administrative fee that may be assessed is determined as follows:

(1) If the additional administrative fee as determined in accordance with WAC 415-115-080 is less than fifty percent of the standard administrative fee, the additional administrative fee is the maximum fee allowable.

(2) If the additional administrative fee as determined in accordance with WAC 415-115-080 is greater than or equal to fifty percent of the standard administrative fee, fifty percent of the standard administrative fee is the maximum fee allowable. (~~The standard administrative fee will be calculated in accordance with Chapter 415-116 WAC.~~)

AMENDATORY SECTION (Amending WSR 97-16-039, filed 7/30/97, effective 7/30/97)

WAC 415-200-030 (~~Teachers' retirement system~~) Plan ((H)) 3 external administrators. The employee retirement benefits board may obtain external investment management services to assist with the provision of self-direct investment options. External administrator and investment management services will be obtained through competitive procurement processes to ensure teachers' retirement system plan ~~((H)) 3~~ and school employees' retirement system plan 3 members receive quality services and competitive pricing. The department of retirement systems may select external administrators to assist with the administration of the defined contribution portion of the teachers' retirement system plan III established under chapter 41.34 RCW and the school employees' retirement system plan 3 established under chapter 41.35 RCW.

AMENDATORY SECTION (Amending WSR 97-16-039, filed 7/30/97, effective 7/30/97)

WAC 415-200-040 Self-directed investment—Expenses paid by members. RCW 41.34.060 allows members of the teachers' retirement system plan ~~((H)) 3~~ and

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school employees' retirement system plan 3 to elect to self-direct their investments (~~(using options approved by the employee retirement benefits board)~~). Members electing to self-direct their investments must pay the expenses caused by the self-directed investment program.

(1) **Assessment of member expenses for self-directed investment.** Each month, the third-party administrator will allocate self-directed investment expenses to each participating member. The expenses allocated to members shall include:

- (a) External third party administrator costs;
- (b) External investment manager and consultant costs; and
- (c) State investment board investment management operating expenses, in the case of investment options provided through the state investment board.

Each category of expense shall be expressed in terms of basis points. A basis point is equal to one-hundredth of one percent. The administrator will determine the participating member's monthly fee by multiplying the average monthly value of each participating member's self-directed account assets by the basis points for each expense category.

(2) **Adoption of expense charge.** The expense charges used to calculate self-directed investment fees for participating members shall be established in a memorandum of understanding, interagency agreement, and/or contract. Each expense charge shall be reviewed and approved at a regularly scheduled meeting of the employee retirement benefits board, with opportunity for public testimony. No expense charge may be included in a memorandum of understanding, interagency agreement, and/or contract until such charge has been approved by the employee retirement benefits board. No expense charge which has been approved may be changed unless such change has been approved by the board.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 415-210-020 Contribution rate options for TRS Plan III members.

WSR 01-01-070
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed December 12, 2000, 3:44 p.m., effective February 1, 2001]

Date of Adoption: December 12, 2000.

Purpose: The revision was done to expand eligibility for ongoing additional requirements to include those individuals who are receiving state family assistance (SFA) and tribal TANF.

Citation of Existing Rules Affected by this Order: Amending WAC 388-473-0010.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.090.

Adopted under notice filed as WSR 00-22-062 on October 27, 2000.

Changes Other than Editing from Proposed to Adopted Version: Added descriptions of "aged," "blind," and "disabled."

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: February 1, 2001.

December 12, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-15-053, filed 7/17/00, effective 9/1/00)

WAC 388-473-0010 General provisions for ongoing additional requirements. For the purposes of this chapter, "we" and "us" refers to the department of social and health services. "You" refers to the applicant or recipient. An "ongoing additional requirement" is a continuing need that you have for which you require additional financial benefits in order to continue living independently.

(1) We may authorize ongoing additional requirement benefits if you are:

(a) Eligible for temporary assistance for needy families (TANF), Tribal TANF, state family assistance (SFA), refugee or general assistance cash, or SSI payments; and

(b) Aged(;;): You are age sixty-five or older;

(c) Blind(;;): You have central visual acuity of 20/200 or less in the better eye with the use of a correcting lens or limited fields of vision so the widest diameter of the visual field subtends an angle of no greater than twenty degrees; or

(d) Disabled: You are unable to engage in any substantial gainful activity due to a medically determinable physical or mental impairment that:

(i) Can be expected to result in death; or

(ii) Has lasted or can be expected to last for a continuous period of not less than twelve months.

(2) You may apply for ongoing additional requirement benefits by asking for it from staff that maintain your cash or medical assistance.

(3) We authorize ongoing additional requirement benefits only when we determine the item is essential to you. In

deciding if you are eligible for ongoing additional requirement benefits, we consider and verify:

- (a) The circumstances that created the need; and
 - (b) Your health, safety and ability to continue to live independently.
- (4) When we determine ongoing additional requirement benefits are needed, we:
- (a) Increase your cash assistance benefit to provide the additional benefits by monthly payment;
 - (b) Periodically review whether you continue to need the additional benefits. We conduct this review at least:
 - (i) Twice a year for TANF and refugee cash assistance recipients;
 - (ii) Yearly for general assistance or SSI recipients when we decide the need is not likely to change; or
 - (iii) More frequently if we expect your circumstances to change.
 - (5) Monthly payment standards for ongoing additional requirements are described under WAC 388-478-0050.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 01-01-078
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed December 13, 2000, 4:10 p.m.]

Date of Adoption: December 13, 2000.

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.

Adopted under notice filed as WSR 00-13-008 on June 9, 2000.

Changes Other than Editing from Proposed to Adopted Version: **WAC 388-543-1000:**

"Expedited prior authorization" means the process for obtaining authorization ~~that must be used~~ for selected durable medical equipment....

"Limitation extension" means an authorization process to exceed coverage limitations (quantity, frequency, or duration) set in WAC, billing instructions, or numbered memoranda. Limitation extensions require prior authorization.

"Medical supplies" means supplies that are:

- (1) Primarily and customarily used to service a medical purpose; and
- (2) Generally not useful to a person in the absence of illness or injury.

"Personal or comfort item" means an item or service, which primarily serves the comfort or convenience of the client. ~~These items or services do not contribute meaningfully to the treatment of an illness or injury or the functioning of a malformed body member.~~

"Prior authorization" means a process by which clients or providers must request and receive MAA approval for certain medical equipment and related supplies, prosthetics, orthotics, medical supplies and related services, based on medical necessity, before the services are provided to clients, as a precondition for provider reimbursement. Expedited prior authorization and limitation extension are ~~forms~~ types of prior authorization.

"Three- or four-wheeled scooter" (5) ~~Pneumatic rear tires.~~ Tires designed for indoor/outdoor use.

"Wheelchair - manual" means a federally-approved, nonmotorized wheelchair that ~~can be~~ is capable of being independently propelled ~~by a client using his or her upper extremities~~ and fits one of the following categories:....

WAC 388-543-1100:

(1) ~~MAA covers only those DME and related supplies, prosthetics, orthotics, medical supplies and related services, repairs and labor charges, listed in MAA's published issuances (This proposed (1) renumbered as (6) as shown below.)~~

(2) ~~((2))~~ The Medical Assistance Administration (MAA) covers DME and related supplies, prosthetics, orthotics, medical supplies, related services, repairs and labor charges when all of the following apply. They must be:

(f) ~~Justified as Medically necessary as determined by MAA defined in WAC 388-500-0005.~~ The provider or client must submit sufficient objective evidence to establish medical necessity. Information used to establish medical necessity includes, but is not limited to, the following:.... *(Proposed WAC 388-543-1100(2) renumbered as (1).)*

(2) MAA evaluates a request for any equipment or devices that are listed as noncovered in WAC 388-543-1300 under the provisions of WAC 388-501-0165.

(3) MAA evaluates a request for a service that is in a covered category but has been determined to be experimental or investigational under WAC 388-531-0050, under the provisions of WAC 388-501-0165 which relate to medical necessity.

(4) MAA evaluates requests for covered services that are subject to limitations or other restrictions and approves such services beyond those limitations or restrictions when medically necessary, under the standards for covered services in WAC 388-501-0165.

(5) ~~(3)~~ MAA does not reimburse for DME and related supplies, prosthetics, orthotics, medical supplies, related services, and related repairs and labor charges under fee-for-service (FFS) when the client is any of the following:.... *(Proposed WAC 388-531-1100(3) renumbered as (5).)*

(6) ~~(4)~~ MAA covers only those DME medical equipment and related supplies, prosthetics, medical supplies and related services, repairs and labor charges, listed in MAA's published issuances, including Washington Administrative Code (WAC), billing instructions, and numbered memoranda. *(Proposed WAC 388-531-1100(1) renumbered as (6).)*

~~(7) (4) MAA considers new technologies available through manufacturers to be nonecovered unless MAA establishes coverage by assigning the technology a new procedure code or a reimbursement rate, or by assigning an existing procedure code. A manufacturer An interested party may request MAA to include new equipment/supplies in the billing instructions by sending a written request plus [plus] all of the following:~~

~~(d) Any additional information the manufacturer requestor feels is important. (Proposed WAC 388-531-1100(4) renumbered as (7).)~~

~~(8) (5) MAA bases the decision to purchase or rent DME for a client, or to pay for repairs to client-owned equipment on the least costly and/or equally effective alternative medical necessity. (Proposed WAC 388-531-1100(5) renumbered as (8).)~~

~~(9) (6) MAA covers replacement batteries for purchased medically necessary DME equipment covered within this chapter. (Proposed WAC 388-531-1100(6) renumbered as (9).)~~

~~(10) (7) MAA covers the following categories of medical equipment and supplies only when they are... (Proposed WAC 388-531-1100(7) renumbered as (10).)~~

~~(11) (8) MAA evaluates a BR item, procedure, or service for its medical appropriateness and reimbursement value on a case-by-case basis. (Proposed WAC 388-531-1100(8) renumbered as (11).)~~

~~(12) (9) For a client in a nursing facility, MAA covers only the following when medically necessary. All other DME and supplies identified in MAA billing instructions are the responsibility of the nursing facility, in accordance with chapters 388-96 and 388-97 WAC. See also WAC 388-543-2900 (3) and (4). MAA covers:~~

~~(a) The purchase and repair of an augmentative communication device (ACD), a wheelchair for the exclusive full-time use of a permanently disabled nursing facility resident when the wheelchair is not included in the nursing facility's per diem rate, or specialty bed; and~~

~~(b) The rental of a specialty bed. (Proposed WAC 388-531-1100(9) renumbered as (12).)~~

~~(13) Vendors must provide instructions for use of equipment; therefore instructional materials such as pamphlets and video tapes are not covered.~~

~~(14) Bilirubin lights are limited to rentals for at-home newborns with jaundice.~~

WAC 388-543-1200:

~~(1)(c) ...billed to the department. Out-of-state prosthetic and orthotics providers must meet their state regulatory requirements.~~

~~(2)(d) ...relative value scale (RBRVS); and~~

~~(e) Out-of-state orthotics and prosthetics providers who meet their state regulations.~~

WAC 388-543-1300 Nonecovered Equipment, related supplies and services or other nonmedical equipment supplies, and devices that are not covered.

MAA pays only for medical equipment DME and related supplies, and services that are medically necessary, listed as covered, and meet MAA's the definition of DME and medical supplies as defined in WAC 388-542-1000 and prescribed per WAC 388-543-1100 and 1200. MAA pays only for prosthetics and orthotics that are listed as such by HCFA, meet the definitions of prosthetic and orthotic as defined in WAC 388-542-1000, and prescribed per WAC 388-542-1100 and 1200. -DME means equipment that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury, and is appropriate for use in the client's place of residence. MAA considers all requests for covered DME, related supplies and services, medical supplies, prosthetics, orthotics, and related services, and noncovered equipment and-related supplies, prosthetics, orthotics, medical supplies and related services, will be reviewed based on under the provisions of WAC 388-501-0165(8) which relate to medical necessity. When MAA considers that a request does not meet the requirements for medical necessity, the definition(s) of covered item(s), or is not covered, the client may appeal that decision under the provisions of WAC 388-501-0165. Case-by-case exceptions will only be considered based on WAC 388-501-0160. MAA specifically excludes services and equipment in this chapter from fee-for-service (FFS) scope of coverage when the services and equipment do not meet the definition for a covered item, or the services are not typically medically necessary. This exclusion...

~~(3) More costly services or equipment when MAA determines that less costly, equally effective services or equipment are available;~~

~~(4) (3) A client's utility bills, even if operation or maintenance of medical equipment purchased or rented by MAA for the client contributes to an increased utility bill (refer to the Aging and Adult Services Administration's (AASA) COPES program for potential coverage);~~

~~(5) Bilirubin lights, except as rentals, for at-home newborns with jaundice; (subsequent listing renumbered appropriately).~~

~~(8) Procedures, prosthetics, or supplies related to gender dysphoria surgery; (subsequent listing renumbered appropriately).~~

~~(10) (7) Outpatient office visit supplies and equipment used during a physician office visit, such as tongue depressors and surgical gloves;~~

~~(11) (8) Temporary prostheses or Prosthetic devices dispensed solely for cosmetic reasons (refer to WAC 388-531-0150 (1)(d));~~

~~(12) (9) Home improvements and structural modifications, including but not limited to the following:~~

~~(f) Structural modifications of any kind to a client's house, including but not limited to, the following:~~

~~(i) (f) Electrical wiring...~~

~~(ii) (g) Elevator systems and elevators, ceiling lifts and ceiling tracks, stair lifts; and~~

~~(iii) (h) Wheelchair Lifts or ramps...~~

~~(iv) (i) Installation of...~~

~~(13)~~ **(10)** Nonmedical equipment, supplies, and related services, including but not limited to, the following:

(a) Backpacks, pouches, bags, baskets, or other carrying containers ~~for use with aids to mobility~~:

~~(b) Bed wetting (Enuresis) prevention training equipment;~~ ~~(c) Beds other than hospital. Bedboards/conversion kits...~~ *(subsequent listing renumbered appropriately).*

~~(e)~~ **(f)** Electronic communication equipment, installation services, or service rates, including but not limited to, the following:...

(ii) Interactive communications computer programs used between patients and healthcare providers (e.g., hospitals, physicians), for self care home monitoring, or emergency response systems and services (refer to AASA COPEs or outpatient hospital programs for emergency response systems and services);

~~(m)~~ **(k)** ...other than specified in WAC 388-543-2300 2200;

~~(l) Instructional materials, such as pamphlets and video-tapes; (subsequent listing renumbered appropriately).~~

~~(n)~~ **(l)** Racing strollers/wheelchairs and purely recreational equipment;

~~(p)~~ **(n)** Sitz bath; Bidet or...

~~(q)~~ **(o)** Timers or electronic devices to turn things on or off; which are not an integral part of the equipment;

~~(14)~~ **(11)** Personal and comfort items that do not meet the DME definition, including but not limited to the following:... *(subsequent listing renumbered appropriately).*

(a) Bathroom items, such as antiperspirant, astringent, bath gel, conditioner, deodorant, moisturizer, mouthwash, powder, ~~sanitary napkins (e.g., Kotex)~~, shampoo, shaving cream, shower cap, shower curtains, soap (including antibacterial soap), toothpaste, towels, and weight scales.

(e) Clothing protectors and other protective cloth furniture coverings ~~as protection against incontinence~~;

(f) Cosmetics, including corrective formulations, hair depilatories, and products for skin bleaching, commercial sun screens, and tanning;

(i) Emesis basins, enema bags, ~~peri-wash~~, and diaper wipes;

(l) Hot water bottles and cold/hot packs or pads not otherwise covered by specialized therapy programs;

~~(15)~~ **(12)(g)** Tie-down restraints, except where medically necessary for client owned vehicles.

WAC 388-543-1400:

(2) MAA sets maximum allowable fees for DME medical equipment...

(4) MAA updates the maximum allowable fees for DME medical equipment...

(9) MAA does not cover medical equipment and/or services provided to a client who is enrolled in a MAA-contracted managed care plan, but did not use one of the plan's participating providers.

WAC 388-543-1600:

(1) MAA bases its determination about which DME and related supplies, prosthetics, orthotics, medical supplies and related services require prior authorization (PA) or expedited

prior authorization (EPA) on utilization criteria. (See WAC 388-543-1000 for PA and WAC 388-543-1800 for EPA). MAA considers all of the following when establishing utilization criteria:

(a) High cost;

(b) Potential for utilization abuse;

(c) Narrow therapeutic indication; and

(d) Safety.

(2) MAA requires providers to obtain prior authorization for certain items and services... (Items proposed as (1) through (16) renumbered as (2)(a) through (q).)

(p) ...procedure code; and

(q) Limitation extensions.

WAC 388-543-1700:

~~(6)~~ If a client becomes ineligible before the end of the month, MAA stops paying for any rented equipment effective the date the client becomes ineligible. (subsequent listing renumbered appropriately).

WAC 388-543-1800:

~~(8)~~ MAA denies a request for an item when a less costly, equally effective alternative is available that will meet the client's medical needs. MAA informs the provider and/or the client of a less costly alternative from MAA's manufacturer's literature on file when an MAA denial of a request is based on a less costly, equally effective alternative being available.

WAC 388-543-2000:

~~(1)~~ MAA purchases a wheelchair for a client when MAA determines that a wheelchair is medically necessary for more than six months. MAA bases its decisions regarding requests for wheelchairs on medical necessity and on a case-by-case basis.

~~(3)~~ MAA considers rental or purchase of a manual wheelchair if the for a home client who is nonambulatory or...

~~(b)(ii)~~ Requires custom modifications that cannot be provided on a standard weight wheelchair, and.

~~(4)~~ MAA considers a power-drive wheelchair only if when the client's medical needs cannot be met by a less costly means of mobility.

~~(a)~~ The client has severe abnormal upper extremity weakness and the extent of the impairment is documented. (subsequent listing renumbered appropriately).

~~(d)~~ All other circumstances will be considered based on medical necessity and on a case-by-case basis.

~~(6)~~ In order to consider purchasing a wheelchair, MAA requires the provider to submit the following information from the prescribing physician, physical therapist, or occupational therapist.

~~(10)(c)(iii)~~ All other circumstances will be considered on a case-by-case basis, based on medical necessity.

WAC 388-543-2200:

~~(1)~~ MAA considers all requests on a case-by-case basis for augmentative communication devices (ACDs) for the purpose of appropriately relaying medical information.

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(2)(d) Documented trials of each ACD that the client has tried. This includes less costly types/models, and the effectiveness of each device in promoting the client's ability to communicate with health care providers, and caregivers, and others.

(3)(c)(ii) ...personal care needs; and

~~(iv) Improve excessive communication skills, vocabulary, and understanding; and~~

~~(v) Attain specific speech therapy goals and objectives in the speech treatment or training plan.~~

(4) MAA covers ACDs only once every two years for a client who meets the criteria in subsection (3) of this section. MAA does not approve a new or updated component, modification, or replacement model for a client whose ACD is less than two years old. MAA may make exceptions to the criteria in this subsection (3) of this section based strictly on a finding of unforeseeable and significant changes to the client's medical condition.

WAC 388-543-2300:

(3) All other circumstances will be considered on a case-by-case basis, based on medical necessity.

WAC 388-543-2400:

(1) Beds covered by MAA are limited to hospital beds for rental or purchase. MAA bases the decision to rent or purchase a manual, semi-electric, or full electric hospital bed on the length of time the client needs the bed, as follows:...

WAC 388-543-2400:

(1)(a) MAA initially authorizes a maximum of two months rental for a short-term need. Upon request, MAA may allow limitation extensions as medically necessary.

WAC 388-543-2400:

(4) All other circumstances will be considered on a case-by-case basis, based on medical necessity.

WAC 388-543-2600:

(1) MAA reimburses for prosthetics and orthotics to licensed prosthetic and orthotic providers only. This does not apply to: ~~selected prosthetics and orthotics that do not require special skills to provide.~~

(a) Selected prosthetics and orthotics that do not require special skills to provide; and

(b) Out-of-state providers who meet the licensure requirements of that state.

WAC 388-543-2700 Prosthetics and orthotics – reimbursement methodology.

(4) MAA evaluates and updates the maximum allowable fees for prosthetics and orthotics at least once per year, independent of legislatively authorized vendor rate increases. Rates remain effective until the next rate change.

~~(5) MAA implements fee schedule changes for prosthetics and orthotics July 1 of each year. Rates remain effective until the next rate change.~~ Reimbursement for prosthetics and orthotics is limited to HCPC/National Codes with the same level of coverage as Medicare.

(6) Reimbursement for gender dysphoria surgery includes payment for all related prosthetics and supplies.

WAC 388-543-2800:

(2) MAA bases its determination about which DME and related supplies, prosthetics, orthotics, medical supplies and related services require prior authorization (PA) or expedited prior authorization (EPA) on utilization criteria (see WAC 388-543-1000 for PA and WAC 388-543-1800 for EPA). MAA considers all of the following when establishing utilization criteria:

(a) High cost;

(b) The potential for utilization abuse;

(c) A narrow therapeutic indication; and

(d) Safety.

(3) MAA requires a provider to obtain a limitation extension in order to exceed the stated limits for nondurable medical equipment and medical supplies. See WAC 388-501-0165.

~~(2)~~ (4) MAA categorizes medical supplies and non-DME (MSE) as follows (see MAA's billing instructions for specific limitations):...

(k) Urological supplies (e.g., diapers, urinary retention catheters, pant liners and doublers); and

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 21, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 21, 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 21, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 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 01-02 issue of the Register.

WSR 01-01-083

PERMANENT RULES

DEPARTMENT OF LICENSING

(Cosmetology)

[Filed December 14, 2000, 9:07 a.m.]

Date of Adoption: December 14, 2000.

Purpose: Repeal WAC 308-20-001 Authority and purpose, 308-20-005 Applicable statutes, 308-20-630 Worker right to know, 308-20-640 Educational, medical, first-aid,

and accident prevention programs, 308-20-670 Pets on the premises, 308-20-680 Compliance with state federal and local building codes, 308-20-690 Inspection of premises, and 308-20-700 Penalty for failure to obtain operator or location licenses or comply with statutes for regulatory authorities.

Citation of Existing Rules Affected by this Order: Repealing WAC 308-20-001, 308-20-005, 308-20-630, 308-20-640, 308-20-670, 308-20-680, 308-20-690, and 308-20-700.

Statutory Authority for Adoption: RCW 18.16.030(2).

Adopted under notice filed as WSR 00-22-101 on November 1, 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 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.

December 14, 2000

Alan E. Rathbun
Assistant Director

WSR 01-01-097
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed December 15, 2000, 1:39 p.m., effective January 18, 2001]

Date of Adoption: December 15, 2000.

Purpose: Electrical rules. The purpose of this rule is to:

- Establish a new regulatory framework for telecommunications as a result of legislation that passed the legislature this session and was signed into law (2SSB 5802);
- Adopt either by reference or without material change national consensus codes;
- Permanently adopt the HVAC/refrigeration emergency amendments of March 1, 2000, and June 21, 2000;
- Apply clear rule-writing principles to the rules;
- Make clarifying and housekeeping changes;
- Address current policies relating to low voltage exemptions, automatic door openers, traffic signal and roadway illumination systems, and additional scope of work interpretations of electrical specialties - incorporate and/or eliminate these policies as directed by the Governor's Executive Order 97-02 on regulatory improvement; and

- Make several other amendments, including changes to the carnival rules.

This rule making will repeal chapters 296-46 and 296-401A WAC and replace them with new chapters 296-46A and 296-401B WAC, respectively.

Citation of Existing Rules Affected by this Order: Repealing chapters 296-46 and 296-401A WAC.

Statutory Authority for Adoption: RCW 19.28.031, 19.28.551, 19.28.010, 19.28.101, 19.28.171, 19.28.191, 19.28.251, 19.28.470, 19.28.490, 67.42.050, and 2SSB 5802 (chapter 238, Laws of 2000).

Other Authority: Chapter 19.28 RCW.

Adopted under notice filed as WSR 00-21-099 on October 18, 2000.

Changes Other than Editing from Proposed to Adopted Version: **WAC 296-46A-090 Foreword**, corrected the reference titles in the proposed rules for ANSI/TIA/EIA 570 to Residential Telecommunications Wiring Standard based on public comment. Also, replaced "latest edition," as it is used to reference the codes adopted under this section, with the specific year and amendments of the codes that are being adopted.

WAC 296-46A-092 Definitions, the following changes to the definition of "low voltage" were made to address public comment:

(12) "Low voltage" means:

(a) NEC, Class 1 power limited circuits at 30 volts maximum.

(b) NEC, Class 2 circuits ~~at 30 volts maximum powered by a Class 2 power supply as defined in Article 625-41(a) NEC.~~

(c) NEC, Class 3 circuits ~~at 100 volts maximum powered by a Class 3 power supply as defined in Article 625-41(a) NEC.~~

WAC 296-46A-100 Traffic management systems, the following change was made to address public comment:

"The department ~~may~~ will recognize the state department of transportation as the inspection authority for telecommunication systems installation within the rights of way of state highways provided the department of transportation maintains and enforces an equal, higher or better standard of construction and of materials, devices, appliances and equipment than is required for telecommunications systems installations by chapter 19.28 RCW and these rules."

WAC 296-46A-220 Branch circuit and feeder calculations, corrected a reference from "220(3) NEC" to "220-3 NEC."

WAC 296-46A-300 Wiring methods, created a new section to clarify that the requirements for cables and raceways for telecommunications, NEC Class 2 and Class 3 conductors must be installed in compliance with Chapter 3 NEC unless other methods are specifically allowed elsewhere in the NEC, chapter 19.28 RCW, or chapter 296-46A WAC.

WAC 296-46A-30011 Support of raceways and cables:

(1) Made clarification changes, renumbered the section to WAC 296-46A-30011, and changed the title based on public comment.

(2) A reference to Class 2 and Class 3 cables was added to WAC 296-46A-30001 (4)(b) based on public comment.

(3) Removed the requirement that raceways for NEC Class 2 and Class 3 conductors must be installed in compliance with Chapter 3 NEC as these requirements were moved to the new WAC 296-46A-300.

WAC 296-46A-550 Mobile/manufactured homes, clarified that electrical wiring in structures that are attached to the mobile/manufactured home and the source of power is from the mobile/manufactured home is inspected by the factory assembled structures section of the department to be consistent with current practice.

WAC 296-46A-600 Electrical signs, added a comma to subsection (1) of this section for ease of understanding and use. **WAC 296-46A-930 Electrical/telecommunications contractor license and administrator certificate designation:**

(1) Added the language "This specialty may perform the work defined in (ii) of this subsection" to subsection (2)(b)(i) of this section to clarify the work that may be done by this specialty.

(2) Added the language "This specialty may perform the work defined in (ii) of this subsection" to subsection (2)(e)(i) of this section to clarify the work that may be done by this specialty.

(3) Added the language "This specialty may perform the work defined in (ii) and (iii) of this subsection" to subsection (2)(f)(i) of this section to clarify the work that may be done by this specialty.

(4) Added the following language to subsection (2)(e)(i) of this section: "for purposes of accumulating training experience toward qualification for the residential electrician (02) specialty examination" in order to clarify the confusion identified with this section and based on public comment.

WAC 296-46A-934 Electrical contractor exemptions, clarified that low voltage thermocouple derived circuits and low voltage circuits must be powered from a listed Class 2 power supply in order to be exempt from the licensing requirements in chapter 19.28 RCW.

WAC 296-46A-950 Administrator certificate, added "Nonresidential maintenance (07)" to Table 950-1 to clarify that this specialty is also included in the temporary specialty administrator application/enforcement procedures. Also, changed the application and compliance dates for the HVAC/R specialty to allow more time for administrators to apply and pass the examination.

WAC 296-401B-340 Trainees working without supervision, made changes to subsections (3) and (5) to reconcile the changes made to WAC 296-46A-950.

WAC 296-401B-455 Opportunity for gaining credit for previous work experience in certain specialties, made changes to subsection (3) to reconcile the changes made to WAC 296-46A-950.

WAC 296-401B-920 Special enforcement procedures, made changes to Figure 1 (flow chart) to reconcile the changes made to WAC 296-46A-950.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 15, Amended 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 102, Amended 0, Repealed 86.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 102, Amended 0, Repealed 86.

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 102, Amended 0, Repealed 86.

Effective Date of Rule: January 18, 2001.

December 15, 2000

Gary Moore
Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 296-46-090	Foreword.
WAC 296-46-100	Approval for conductors and equipment.
WAC 296-46-110	Marking of disconnecting means.
WAC 296-46-130	Classification or definition of occupancies.
WAC 296-46-140	Plan review for educational, institutional or health care facilities and other buildings.
WAC 296-46-155	Wiring methods for designated building occupancies.
WAC 296-46-180	Meter installation.
WAC 296-46-21008	Branch circuits.
WAC 296-46-21052	Receptacles.
WAC 296-46-220	Branch circuit and feeder calculations.
WAC 296-46-225	Outside branch circuits and feeders.
WAC 296-46-23001	Service requirements.
WAC 296-46-23028	Service or other masts.
WAC 296-46-23040	Service conductors.
WAC 296-46-23062	Service equipment.
WAC 296-46-30001	Support of raceways and cables in suspended ceilings.
WAC 296-46-316	Duct bank conductor ampacities.

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WAC 296-401A-420	Qualifying for reciprocal electrician certificate.
WAC 296-401A-430	Ineligibility for reciprocal electrician certificate.
WAC 296-401A-500	Renewal of training certificates.
WAC 296-401A-510	Computation of training hours.
WAC 296-401A-520	Training certificate levels.
WAC 296-401A-524	Credit for electrical work experience exempt from certification requirements.
WAC 296-401A-530	Trainees working without supervision.
WAC 296-401A-540	Who will not be issued training certificates?
WAC 296-401A-545	Audit of trainee hours.
WAC 296-401A-550	Penalties for false statements or material misrepresentations.
WAC 296-401A-600	Training course approval.
WAC 296-401A-610	Offering continuing education courses.
WAC 296-401A-620	Application for continuing education course approval.
WAC 296-401A-630	Documentation of training course completion.
WAC 296-401A-700	Fees for certificates of competency, examination and reciprocity.
WAC 296-401A-800	Enforcement.
WAC 296-401A-810	Failure to comply with electrician certification law.
WAC 296-401A-900	Appeal rights.
WAC 296-401A-910	Types of appeal hearings.
WAC 296-401A-920	Requesting an informal hearing.
WAC 296-401A-930	Requesting a formal hearing.
WAC 296-401A-935	Hearing deposits.

Chapter 296-46A WAC

SAFETY STANDARDS—INSTALLING ELECTRIC WIRES AND EQUIPMENT—ADMINISTRATIVE RULES

NEW SECTION

WAC 296-46A-090 Foreword. (1) The 1999 edition of the National Electrical Code (NFPA 70 - 1999) including Appendixes A, B, and C, the 1996 edition of Centrifugal Fire Pumps (NFPA 20 - 1996), the 1996 edition of Emergency and Standby Power Systems (NFPA 110 - 1996), Commercial Building Telecommunications Cabling Standard (ANSI/TIA/EIA 568-A-1995 including amendments 1 through 5), Commercial Building Standard for Telecommunications Pathway and Spaces (ANSI/TIA/EIA 569-A-1998 including amendments 1 through 4), Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI/TIA/EIA 607-1994), Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-A-1999), and the National Electrical Safety Code (NESC C2-1997 excluding Appendixes A and B) are hereby adopted by reference as part of this chapter. Other codes, manuals, and reference works referred to in this chapter are available for inspection and review in the Olympia office of the electrical section of the department during business hours. The requirements of this chapter will be observed where there is any conflict between this chapter and the National Electrical Code (NFPA 70), Centrifugal Fire Pumps (NFPA 20), the Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-A, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570, or the National Electrical Safety Code. The National Electrical Code will be followed where there is any conflict between Centrifugal Fire Pumps (NFPA 20), Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-A, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570, or the National Electrical Safety Code and the National Electrical Code (NFPA 70).

(2) Electrical inspectors will give information as to the meaning or application of the standards in subsection (1) of this section and this chapter, but will not lay out work or act as consultants for contractors, owners, or users.

(3) The department may enforce city electrical ordinances where those governmental agencies do not make electrical inspections under an established program.

NEW SECTION

WAC 296-46A-092 General definitions. (1) All definitions listed in the National Electrical Code and chapter 19.28 RCW are recognized in this chapter unless specific definitions are given in this chapter.

(2) "Electrical equipment" includes electrical conductors, conduit, raceway, apparatus, materials, components, and other electrical equipment.

(3) "Fished Wiring" is when cable or conduit is installed within the finished surfaces of an existing building or building structure (e.g., wall, floor or ceiling cavity).

(4) HVAC/refrigeration specific definitions:

(a) **"HVAC/refrigeration"** means heating, ventilation, air conditioning, and refrigeration.

(b) **"HVAC/refrigeration component"** means electrical power and limited energy components within the "HVAC/refrigeration system," including, but not limited to: Pumps, compressors, motors, heating coils, controls, switches, thermostats, humidistats, low voltage damper controls, outdoor sensing controls, outside air dampers, stand-alone duct smoke detectors, air monitoring devices, zone control valves and equipment for monitoring of HVAC/refrigeration control panels and low voltage connections. This definition excludes equipment and components of "non-HVAC/refrigeration control systems."

(c) **"HVAC/refrigeration control panel"** means an enclosed, manufactured assembly of electrical components designed specifically for the control of a HVAC/refrigeration system. Line voltage equipment that has low voltage, NEC class 2 control or monitoring components incidental to the designed purpose of the equipment is not an HVAC/refrigeration control panel (e.g., combination starters).

(d) **"HVAC/refrigeration control system"** means a network system regulating and/or monitoring a HVAC/refrigeration system. Equipment of a HVAC/refrigeration control system includes, but is not limited to: Control panels, data centers, relays, contactors, sensors, and cables related to the monitoring and control of a HVAC/refrigeration system(s).

(e) **"HVAC/refrigeration equipment"** means the central unit primary to the function of the "HVAC/refrigeration system." HVAC/refrigeration includes, but is not limited to: Heat pumps, swamp coolers, furnaces, compressor packages, and boilers.

(f) **"HVAC/refrigeration system"** means a system of HVAC/refrigeration equipment and HVAC/refrigeration components integrated to generate, deliver, or control heated, cooled, filtered, refrigerated, or conditioned air. This definition excludes equipment and components integral with non-HVAC/refrigeration control systems and line voltage branch circuits, feeders, services, panelboards, and disconnect switches supplying the HVAC/refrigeration system.

(5) **"Field evaluated"** means equipment has been evaluated and identified by a laboratory approved by the state of Washington for the appropriate equipment standard per chapter 296-402A WAC.

(6) **"Final judgment"** means any money that is owed to the department under this chapter or any money that is owed the department as a result of an individual's or a contractor's unsuccessful appeal of an infraction. Final judgment also includes any penalties owed the department as a result of an infraction not appealed or any outstanding fees due under this chapter.

(7) An **"installation"** includes the act of installing, connecting, repairing, modifying, or otherwise performing work on an electrical system, component, equipment, or wire except as allowed by WAC 296-46A-940.

(8) An **"identification plate"** is a phenolic or metallic plate or other similar material engraved in block letters at

least 1/4" (6mm) high unless specifically required to be larger by this chapter, suitable for the environment and application. The letters and the background must be in contrasting colors. Screws, rivets, or methods specifically described in chapter 296-46A WAC must be used to affix an identification plate to the equipment or enclosure.

(9) **"License"** means a license required under chapter 19.28 RCW.

(10) **"Like-in-kind"** means having similar characteristics such as voltage requirement, current draw, and function within the system.

(11) **"Listed"** means equipment has been listed and identified by a laboratory approved by the state of Washington for the appropriate equipment standard per chapter 296-402A WAC.

(12) **"Low voltage"** means:

(a) NEC, Class 1 power limited circuits at 30 volts maximum.

(b) NEC, Class 2 circuits powered by a Class 2 power supply as defined in Article 625-41(a) NEC.

(c) NEC, Class 3 circuits powered by a Class 3 power supply as defined in Article 625-41(a) NEC.

(d) Telecommunications circuits as defined in chapter 19.28 RCW.

(13) **"NEC"** means National Electrical Code.

(14) **"Point of contact,"** for utility work, means the point at which a customer's electrical system connects to the serving utility system.

(15) A **"stand-alone amplified sound or public address system"** is a system that has distinct wiring and equipment for audio signal generation, recording, processing, amplification, and reproduction. This definition does not apply to telecommunications installations.

(16) **"Under the control of a utility"** for the purposes of RCW 19.28.091 is when electrical equipment is owned by the utility or when electrical equipment is not owned by a utility and:

(a) Is located in a vault, room, closet, or similar enclosure that is secured by a lock or seal so that access is restricted to the utility's personnel; or

(b) The utility is obligated by contract to maintain the equipment and the contract provides that access to the equipment is restricted to the utility's personnel or other qualified personnel.

(17) **"Utility"** means an electrical utility.

(18) **"Utility system"** means electrical equipment owned by or under the control of a serving utility that is used for the transmission or distribution of electricity from the source of supply to the point of contact.

(19) **"Utilization voltage"** means the voltage level employed by the utility's customer for connection to lighting fixtures, motors, heaters, or other electrically operated equipment other than power transformers.

NEW SECTION

WAC 296-46A-095 Inspection. (1) Electrical wiring or equipment subject to this chapter must be sufficiently accessible, at the time of inspection, to permit the inspector to visu-

ally inspect the installation to verify conformance with the NEC, chapter 19.28 RCW and any other electrical requirements of chapter 296-46A WAC.

(2) Cables or raceways fished according to the NEC do not require visual inspection.

(3) Wires pulled into conduit systems are not considered concealed; except, all required equipment grounding conductors installed in concealed raceway, cable, or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

NEW SECTION

WAC 296-46A-100 Approval for conductors and equipment. (1) In order to meet the minimum electrical safety standards for installations, all materials, devices, appliances, and equipment, not exempted in chapter 19.28 RCW, must conform to applicable standards recognized by the department, be listed, or field evaluated.

(2) Department electrical inspectors may inspect and approve industrial control panels and utilization equipment for compliance with codes, rules, and standards recognized by the department, on a case-by-case basis consistent with chapter 296-46A WAC.

(3) The department will recognize the state department of transportation as the inspection authority for telecommunication systems installation within the rights of way of state highways provided the department of transportation maintains and enforces an equal, higher or better standard of construction and of materials, devices, appliances and equipment than is required for telecommunications systems installations by chapter 19.28 RCW and these rules.

NEW SECTION

WAC 296-46A-102 Industrial control panel inspection. (1) Specific definitions:

(a) "**Food processing plants**" do not include:

- (i) Restaurants.
- (ii) Farming, ranching, or dairy farming operations.

(b) In chapter 19.28 RCW "**industrial control panel**" means a factory or user wired assembly of industrial control equipment such as motor controllers, switches, relays, power supplies, computers, cathode ray tubes, transducers, and auxiliary devices. The panel may include disconnect means and motor branch circuit protective devices. Industrial control panels include only those used in food processing, industrial, and manufacturing plants.

(c) "**Industrial plants**" do not include:

- (i) Municipal or other government facilities.
- (ii) Educational facilities or portions thereof.
- (iii) Institutional facilities or portions thereof.
- (iv) Other installations not used for direct production purposes.

(d) "**Manufacturing plants**" do not include:

- (i) Municipal or other government facilities.
- (ii) Educational facilities or portions thereof.
- (iii) Institutional facilities or portions thereof.

(iv) Other installations not used for direct production purposes.

(v) Home workshops.

(e) "**Normal department inspection**" is a part of the department electrical inspection process included with the general wiring inspection of a building, structure, or other electrical installation.

(f) "**Special department inspection**" is an electrical inspection, made by the department, when an industrial control or utilization equipment is not constructed entirely of listed components.

(g) "**Utilization equipment**" is the machine(s) and its integral components controlled by the "industrial control panel(s)" defined in this section.

(2) Industrial control panels will be determined to meet the minimum electrical safety standards for installations by:

(a) Listing, or field evaluation;

(b) Normal department inspection for compliance with codes and rules adopted under this chapter;

(c) Special department inspection requested by the industrial/control panel owner or agent.

(3) Utilization equipment will be determined to meet the minimum electrical safety standards for equipment by:

(a) Listing, or field evaluation;

(b) Normal department inspection by department electrical inspectors for compliance with codes and rules adopted under this chapter.

(4) Fees for special department inspections required under this chapter; including: Portal to portal inspection time, the time to prepare reports, and state rate per diem travel costs (if applicable); will be calculated under WAC 296-46A-910.

(5) Fees for the normal department inspections required under this chapter are included in the electrical work permit fee calculated for the installation and are not a separate inspection fee.

(6) Requests for special department inspections under this chapter must be on department furnished forms identifying the request as an "industrial control panel" inspection.

(7) Requirements and procedures for a special department inspection:

(a) The department may require that electrical power to the industrial control panel be deenergized and locked out or disconnected while performing the inspection.

(b) The department may authorize use of the industrial control panel before its inspection.

(c) All components of the industrial control panel must be marked in compliance with Article 110-21 NEC. The special inspection requestor must supply a statement from the manufacturer stating the industrial control panel and its components are safe for the intended use and conform to the requirements of the NEC, chapter 296-46A WAC, and other standards currently adopted by the department. This statement must be furnished to the department before a special inspection is performed and will become a part of the permanent special inspection file kept by the department. The department will not approve any component that is not listed, recognized, field evaluated, or manufactured to nationally

recognized testing laboratory standards unless the component is protected in a manner approved by the department.

(d) Deficiencies:

(i) Will be referenced by the department citing the appropriate code or rule by publication and section.

(ii) Will be required to be corrected prior to approval by the department.

(iii) Will be required to be corrected and the department notified of such corrections, within fifteen days of the date the deficiency was formally identified by the department.

(iv) A longer time to correct a deficiency(ies) may be requested. The department will determine an appropriate time frame consistent with the reason for the request.

(v) The department may authorize the industrial control panel to be or remain energized and in service while the deficiencies are being corrected.

(vi) A copy of all deficiencies will be given to the requestor when identified by the department.

(e) A copy of the special department inspection report and approval will be given to the owner or operator of the facility and to the special inspection requestor upon final approval and will include:

(i) Pertinent test evaluation data and identification of tests or inspections including anomalies.

(ii) Name of inspection requestor.

(iii) Designation of standards used to certify or test the product including edition and latest revision (e.g., UL 508, 16th Edition, Feb. 1993, Revision Oct. 9, 1997).

(iv) Description and identification of the nonlisted component(s) requiring evaluation or replacement.

(v) Description of the overall product evaluated to include full nameplate data and equipment type.

(vi) Signature of person(s) having responsibility for the report.

(vii) Any condition of acceptability or restrictions on use/relocation.

(viii) Serial number(s) of the special department inspection label(s) applied will be included with the equipment identification.

(ix) The department file identification number.

NEW SECTION

WAC 296-46A-104 Traffic management systems. (1)

A traffic management system includes:

(a) Traffic illumination systems.

(b) Traffic signal systems.

(c) Traffic monitoring systems.

(d) The electrical service cabinet and all related components and equipment installed on the load side of the service cabinet supplying electrical power to the traffic management system.

The department will perform the electrical inspection and acceptance of traffic management systems within its jurisdiction.

(2) The department recognizes that traffic signal conductors, pole and bracket cables, signal displays, and traffic signal controllers/cabinets and associated components used in traffic management systems are acceptable for the purpose of meeting the requirements of chapter 19.28 RCW provided

they conform with the following applicable standards or are listed on the Washington state department of transportation (WSDOT) qualified products list.

(a) WSDOT/APWA Standard Specifications and Plans.

(b) WSDOT Design Manual.

(c) International Municipal Signal Association (IMSA).

(d) National Electrical Manufacturers Association (NEMA).

(e) Federal Standards 170/Controller Cabinets.

(f) Manual for Uniform Road, Bridge, and Municipal Construction.

(g) Institute of Transportation Engineers (ITE).

(h) Manual of Uniform Traffic Control Devices (MUTCD).

(3) Associated induction detection loop or similar circuits will be accepted by the department without inspection.

(4) For the licensing requirements of chapter 19.28 RCW, jurisdictions will be considered owners of traffic management systems when doing electrical work for other jurisdiction(s) under a valid interlocal agreement, as permitted by chapter 39.34 RCW. Interlocal agreements for traffic management systems must be filed with the department prior to work being performed for this provision to apply.

(5) Jurisdictions, with an established electrical inspection authority, and WSDOT may perform electrical inspection on their rights-of-way for each other by interlocal agreement. They may not perform electrical inspection on other rights-of-way except as allowed in chapter 19.28 or 39.34 RCW.

(6) Underground installations.

(a) In other than open trenching, raceways will be considered "fished" according to the NEC and do not require visual inspection.

(b) Inspections in open trenching will be conducted by the department within its jurisdiction. The electrical work permit purchaser must coordinate the electrical inspection. A written request (e.g., letter, e-mail, fax, etc.) for inspection, made to the department office having the responsibility to perform the inspection, must be made a minimum of two working days prior to the inspection need (e.g., two working days - 10:00 a.m. Tuesday request for a 10:00 a.m. Thursday inspection, excluding holidays and weekends).

If, after proper written request, the department fails to make an electrical inspection at the time requested, underground conduit may be covered after inspection by the local government jurisdiction's project inspector/designee. Written documentation of a local government jurisdiction inspection must be provided to the department when requested. Written documentation will include:

(i) Date of inspection.

(ii) Location.

(iii) Installing firm.

(iv) Owner.

(v) Type of conduit.

(vi) Size of conduit.

(vii) Depth of conduit.

(viii) Project inspector/designee name.

(7) Identification of traffic management system components. Local government jurisdictions or WSDOT may act as

the certifying authority for the safety evaluation of components.

(a) An electrical service cabinet must contain only listed components. The electrical service cabinet enclosure is not required to be listed but will conform to subsection (2) of this section.

(b) The local government jurisdiction must identify, as acceptable, the controller cabinet with an identification plate. The identification plate must be located inside the cabinet and may be attached with adhesive.

(8) Conductors of different circuits in same cable, enclosure, or raceway.

All traffic management system circuits will be permitted to occupy the same cable, enclosure, or raceway without regard to voltage characteristics, provided all conductors are insulated for the maximum voltage of any conductor in the cable, enclosure, or raceway.

NEW SECTION

WAC 296-46A-110 Identification methods. (1) Each cable operating at over 600v and installed on customer owned systems must be legibly marked in a permanent manner at each termination point and at each point the cable is accessible. The required marking must use phase designation, operating voltage, and circuit number if applicable.

(2) Where electrical equipment is installed to obtain a series combination rating, the identification as required by Article 110-22 NEC, must be in the form of an identification plate that is substantially yellow in color. The words "CAUTION - SERIES RATED SYSTEM" must be on the label in letters at least 1/2" (13mm) high.

NEW SECTION

WAC 296-46A-130 Classification or definition of occupancies. Occupancies are classified and defined by the agency that registers or licenses or defines their operation or occupancy, as follows:

(1) Educational facility refers to a building or portion of a building used primarily for educational purposes by six or more persons at one time for twelve hours per week or four hours in any one day. Educational occupancy includes: Schools (preschool through grade 12), colleges, academies, universities, and trade schools.

(2) Institutional facility refers to a building or portion of a building used primarily for detention and correctional occupancies where some degree of restraint or security is required. Such occupancies include, but are not restricted to: Penal institutions, reformatories, jails, detention centers, correctional centers, and residential-restrained care.

(3) Health or personal care facility. Health or personal care facility refers to buildings or parts of buildings that contain, but are not limited to, facilities that are required to be licensed by the department of social and health services (e.g., hospitals, nursing homes, private alcoholism hospitals, private psychiatric hospitals, boarding homes, alcoholism treatment facilities, maternity homes, birth centers or childbirth centers, residential treatment facilities for psychiatrically impaired children and youths, and renal hemodialysis clinics)

and medical, dental or chiropractic offices or clinics, outpatient or ambulatory surgical clinics, and such other health care occupancies where patients who may be unable to provide for their own needs and safety without the assistance of another person are treated.

(a) "Hospital" means any institution, place, building, or agency providing accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis.

(b) "Nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities require skilled nursing care and related medical services but are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

(c) "Boarding home" means any home or other institution, however named, which is advertised, announced, or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It must not include any home, institution, or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution, or section thereof.

(d) "Private alcoholism hospital" means an institution, facility, building, or equivalent designed, organized, maintained, and operated to provide diagnosis, treatment, and care of individuals demonstrating signs or symptoms of alcoholism, including the complications of associated substance use and other medical diseases that can be appropriately treated and cared for in the facility and providing accommodations, medical services, and other necessary services over a continuous period of twenty-four hours or more for two or more individuals unrelated to the operator, provided that this chapter will not apply to any facility, agency, or other entity which is owned and operated by a public or governmental body.

(e) "Alcoholism treatment facility" means a private place or establishment, other than a licensed hospital, operated primarily for the treatment of alcoholism.

(f) "Private psychiatric hospital" means a privately owned and operated establishment or institution which: Provides accommodations and services over a continuous period of twenty-four hours or more: And is expressly and exclusively for observing, diagnosing, or caring for two or more individuals with signs or symptoms of mental illness, who are not related to the licensee.

(g) "Maternity home" means any home, place, hospital, or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: Provided, however, That this definition will not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

(h) "Birth center" or "childbirth center" means a type of maternity home which is a house, building, or equivalent

organized to provide facilities and staff to support a birth service, provided that the birth service is limited to low-risk maternal clients during the intrapartum period.

(i) "Ambulatory surgical facility" means a facility, not a part of a hospital, providing surgical treatment to patients not requiring inpatient care in a hospital. This term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice, if the privilege of using such facility is not extended to physicians or dentists outside the individual or group practice. (NEC; Ambulatory Health Care Center.)

(j) "Hospice care center" means any building, facility, place, or equivalent, organized, maintained, and operated specifically to provide beds, accommodations, facilities, and services over a continuous period of twenty-four hours or more for palliative care of two or more individuals, not related to the operator, who are diagnosed as being in the latter stages of an advanced disease which is expected to lead to death.

(k) "Renal hemodialysis clinic" is a facility in a building or part of a building which is approved to furnish the full spectrum of diagnostic, therapeutic, and rehabilitative services required for the care of renal dialysis patients (including inpatient dialysis furnished directly or under arrangement). (NEC; Ambulatory Health Care Center.)

(l) "Medical, dental, and chiropractic clinic" means any clinic or physicians' office where patients are not regularly kept as bed patients for twenty-four hours or more. Electrical plan review not required.

(m) "Residential treatment facility for psychiatrically impaired children and youth" means a residence, place, or facility designed and organized to provide twenty-four hour residential care and long-term individualized, active treatment for clients who have been diagnosed or evaluated as psychiatrically impaired.

(n) "Adult residential rehabilitation center" means a residence, place, or facility designed and organized primarily to provide twenty-four hour residential care, crisis and short-term care and/or long-term individualized active treatment and rehabilitation for clients diagnosed or evaluated as psychiatrically impaired or chronically mentally ill as defined herein or in chapter 71.24 RCW.

(o) "Group care facility" means a facility other than a foster-family home maintained and operated for the care of a group of children on a twenty-four-hour basis.

(4) Licensed day care centers.

(a) "Child day care center" means a facility providing regularly scheduled care for a group of children one month of age through twelve years of age for periods less than twenty-four hours; except, a program meeting the definition of a family child care home will not be licensed as a day care center without meeting the requirements of WAC 388-150-020 (5)(a).

(b) "School-age child care center" means a program operating in a facility other than a private residence accountable for school-age children when school is not in session. It must meet department licensing requirements, provide adult supervised care, and a variety of developmentally appropriate activities.

(c) "Family child day care home" means the same as "family child care home" and "a child day care facility" licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home. Electrical plan review not required.

NEW SECTION

WAC 296-46A-140 Plan review for educational, institutional or health care facilities and other buildings.

(1) Plan review is a part of the electrical inspection process; its primary purpose is to determine that loads are calculated per the proper NEC or WAC article or section and that conductors and equipment are adequately sized and rated to the calculated load.

(2) All electrical plans for new or altered electrical installations in educational, institutional, and health or personal care occupancies classified or defined in this chapter must be reviewed and approved before the electrical installation or alteration is begun.

(3) All electrical plans for educational, hospital and nursing home occupancies must be prepared by, or under the direction of, a consulting electrical engineer registered under chapter 18.43 RCW, and chapters 246A-320, 180-29, and 388-97 WAC and stamped with the engineer's mark and signature.

(4) Plans for these electrical installations within cities that perform electrical inspections within their jurisdiction, and provide an electrical plan review program that equals or exceeds the department's program in plans examiner minimum qualifications per chapter 19.28 RCW, must be submitted to that city for review rather than to the department, unless the agency licensing or regulating the installation specifically requires review by the department.

(5) Refer plans for department review to the Electrical Inspection Section, Department of Labor and Industries, P.O. Box 44460, Olympia, Washington 98504-4460.

(6) Approved plans must be available on the job site for use during the electrical installation or alteration and for use by the electrical inspector.

(7) Plans to be reviewed by the department must be legible, identify the name and classification of the facility, clearly indicate the scope and nature of the installation and the person or firm responsible for the electrical plans. The plans must clearly show the electrical installation or alteration in floor plan view, include switchboard and/or panelboard schedules and when a service or feeder is to be installed or altered, must include a riser diagram, load calculation, fault current calculation and interrupting rating of equipment. Where existing electrical systems are to supply additional loads, the plans must include documentation that proves adequate capacity and ratings. The plans must be submitted with a plan review submittal form available from the department. All required fees will be paid after the review is completed. Approved plans will be returned when all fees are paid.

(8) Plan review for new or altered electrical installations of other types of construction may be voluntarily requested by the owner or electrical contractor.

(9) For existing structures where additions or alterations to feeders and services are proposed, Article 220-35(1) NEC may be used. If Article 220-35(1) NEC is used, the following is required:

- (a) The date of the measurements.
- (b) A statement attesting to the validity of the demand data, signed by a professional electrical engineer or the electrical administrator of the electrical contractor performing the work.

(c) A diagram of the electrical system identifying the point(s) of measurement.

(d) Building demand measured continuously on the highest-loaded phase of the feeder or service over a thirty-day period, with demand peak clearly identified. (Demand peak is defined as the maximum average demand over a fifteen-minute interval.)

(10) Due to their minimal load requirements, plan review of the following limited energy systems will not be required: Fire alarm, nurse call, intrusion or security alarm, intercom, public address, music, energy management, programmed clock, or telecommunications.

(11) When the service or feeder load calculation is affected five percent or less by the addition or alteration of five or less branch circuits, plan review for the branch circuits may be requested from the department's local inspection office. Permission for such small project plan review may be granted at the discretion of the electrical inspection field supervisor, the plans examiner supervisor, or the chief electrical inspector.

NEW SECTION

WAC 296-46A-155 Wiring methods for designated building occupancies. Wiring methods, equipment and devices for health or personal care, educational and institutional facilities as defined or classified in this chapter and for places of assembly for one hundred or more persons must comply with Tables 1 and 2 and the notes thereto. For determining the occupant load of places of assembly, the methods of the currently adopted edition of the Uniform Building Code must be used.

Table 1
Health or Personal Care Facilities
Electrical System - Wiring Methods

Health or Personal Care Facility Type	Power and Lighting	Emergency Power and Lighting	Limited Energy Systems	Patient Care Areas	Plan Review
Hospital	1	1	1	1	YES
Nursing home unit or long-term care unit	1	1	1	1	YES
Boarding home or assisted living facility	1	1	1		YES

Health or Personal Care Facility Type	Power and Lighting	Emergency Power and Lighting	Limited Energy Systems	Patient Care Areas	Plan Review
Private alcoholism hospital	1	1	1	1	YES
Alcoholism treatment facility	1	1	1		YES
Private psychiatric hospital	1	1	1	1	YES
Maternity home	1	1	1	1	YES
Birth center or childbirth center	1	1	1	1	NO
Ambulatory surgery facility	1	1	1	1	YES
Hospice care center	1		1		NO
Renal hemodialysis clinic	1	1	1	1	YES
Medical, dental, and chiropractic clinic	1	1	1	1	NO
Residential treatment facility for psychiatrically impaired children and youth	1	1	1	1	YES
Adultresidential rehabilitation center	1	1	1		YES
Group care facility	1	1	1		NO

Table 2
Educational and Institutional Facilities,
Places of Assembly or Other Facilities
Electrical System - Wiring Methods

Educational, Institutional or Other Facility Type	Power and Lighting	Emergency Power and Lighting	Limited Energy Systems	Plan Review Required
Educational	2	2	1	YES
Institutional	2	2	1	YES
Places of assembly for 100 or more persons	1	1	1	NO
Child day care center	1	1	1	NO
School-age child care center	1	1	1	NO
Family child day care home, family child care home, or child day care facility	1	1	1	NO

Notes to Tables 1 and 2

1. Wiring methods in accordance with the NEC.
2. Metallic or nonmetallic raceways, MI, MC, or AC cable.

PERMANENT

NEW SECTION**WAC 296-46A-21052 Tamper resistant receptacles.**

Listed tamper resistant receptacles or listed tamper resistant cover plates are required in licensed day care facilities, pediatric, or psychiatric patient care areas for 15 or 20 ampere, 125 volt receptacles.

NEW SECTION

WAC 296-46A-215 Feeders—Ground fault protection testing. Equipment ground fault protection systems required by the NEC must be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. This test or a subsequent test must include all system feeders. The test must be performed by a firm that has qualified personnel and proper equipment to perform the tests required. A copy of the manufacturer's performance testing instructions and a written performance acceptance test record signed by the person performing the test must be provided for the inspector's records at the time of inspection. The performance acceptance test record must include test details including, but not limited to: All trip settings and measurements taken during the test.

NEW SECTION

WAC 296-46A-220 Branch circuit and feeder calculations. (1) Circuits must be taken to all unfinished spaces adaptable to future dwelling unit living areas which are not readily accessible to the service or branch circuit panelboard. The circuits must terminate in a suitable box(es). The box must contain an identification of the intended purpose of the circuit(s). The branch circuit panelboard must have adequate space and capacity for the intended load(s).

(2) Occupancy lighting loads. In determining feeder and service entrance conductor sizes and equipment ratings, the currently adopted Washington state energy code unit lighting power allowance table and footnotes may be used in lieu of 220-3 NEC.

NEW SECTION

WAC 296-46A-22530 More than one building or other structure. The building disconnecting means required by Article 225-32 NEC (except for Exceptions 1, 2, 3, or 4), must be provided to disconnect all ungrounded conductors that supply or pass through a building or structure per the requirements of NEC 225-32 (except for Exceptions 1, 2, 3, or 4) in accordance with subsection (1) or (2) of this section.

(1) Outside feeder: Where the feeder disconnecting means is installed outside a building or structure it must be on the building or structure or within sight and within fifteen feet of the building or structure supplied. The building disconnecting means may supply only one building/structure unless the secondary building(s)/structure(s) has a separate building disconnecting means meeting the requirements of the NEC and this subsection. The disconnecting means must have an identification plate with 1/2" high letters identifying:

- (a) The building/structure served;
 - (b) Its function as the building/structure main disconnect(s).
- (2) Inside: The feeder disconnecting means may be installed anywhere inside a building or structure when there is a feeder disconnecting means, located elsewhere on the premises, with overcurrent protection sized for the feeder conductors.

NEW SECTION

WAC 296-46A-23001 Service requirements. (1) The serving utility must be consulted by the owner, the owner's agent, or the contractor making the installation regarding the service entrance location and meter equipment requirements before installing the service and equipment. Provisions for a meter and related equipment, an attachment of a service drop, or an underground service lateral must be made at a location acceptable to the serving utility. The point of contact for a service drop must permit the clearances required by the NEC.

(2) A fire wall must have a minimum two-hour rating as defined by the Uniform Building Code to be considered a building separation in accordance with Article 100 NEC. Buildings of more than one-hour fire-rated construction must have a fire wall separation in compliance with the Uniform Building Code.

(3) The height of the center of the service meter must be as required by the serving utility. Secondary instrument transformer metering conductor(s) are not permitted in the service raceway.

NEW SECTION

WAC 296-46A-23028 Service or other masts. Conduit extended through the roof to provide means of attaching:

(1) All overhead drops for service, feeder, or branch circuits exceeding #1 aluminum or #3 copper must be rigid steel galvanized conduit no smaller than 2-inch.

(2) All overhead drops for service, feeder or branch circuits not exceeding #1 aluminum or #3 copper must be rigid steel galvanized conduit no smaller than 1 1/4-inch.

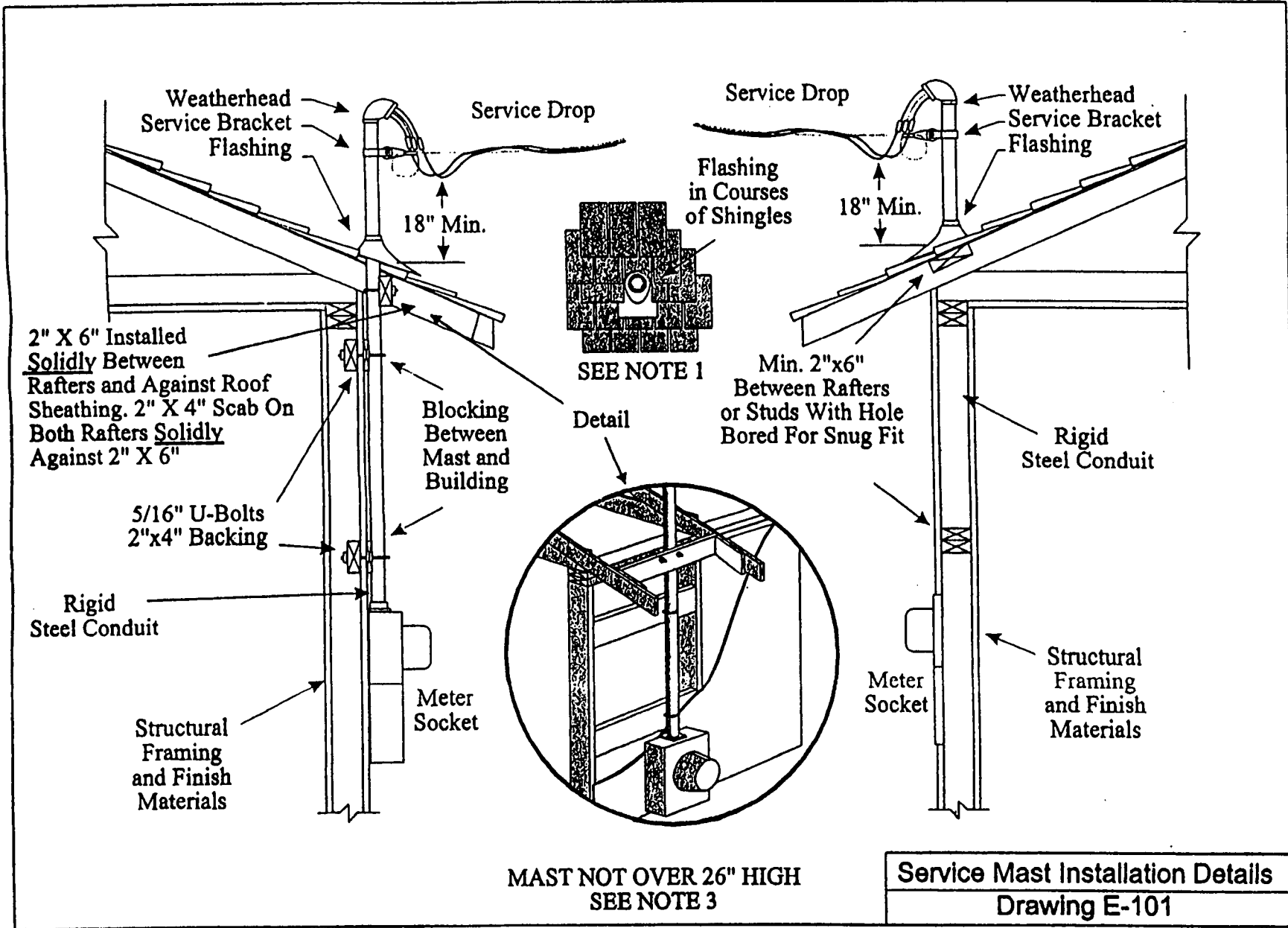
The installation must comply with drawings E-101 and/or E-102, or must provide equivalent strength by other approved means. Masts for altered or relocated installations will be permitted to comply with drawing E-103.

Notes to drawings E-101, E-102, and E-103.

1. An approved roof flashing must be installed on each mast where it passes through a roof. Plastic, nonhardening mastic must be placed between lead-type flashings and the conduit. Neoprene type flashings will also be permitted to be used.
2. Masts must be braced, secured, and supported in such a manner that no pressure from the attached conductors will be exerted on a roof flashing, meter base, or other enclosures.
3. Utilization of couplings for a mast are permitted only below the point the mast is braced, secured, or supported.
4. Except as otherwise required by the serving utility, service mast support guys must be installed if the service drop attaches to the mast more than 24 inches above the roof line or if the service drop is greater than 100 feet in length from the pole or support. Masts for support of other than service drops must comply with this requirement as well.
5. Intermediate support masts must be installed in an approved manner with methods identical or equal to those required for service masts.

6. For altered services, where it is impractical to install U bolt supports due to interior walls remaining closed, it will be permissible to use other alternate mast support methods such as heavy gauge, galva-

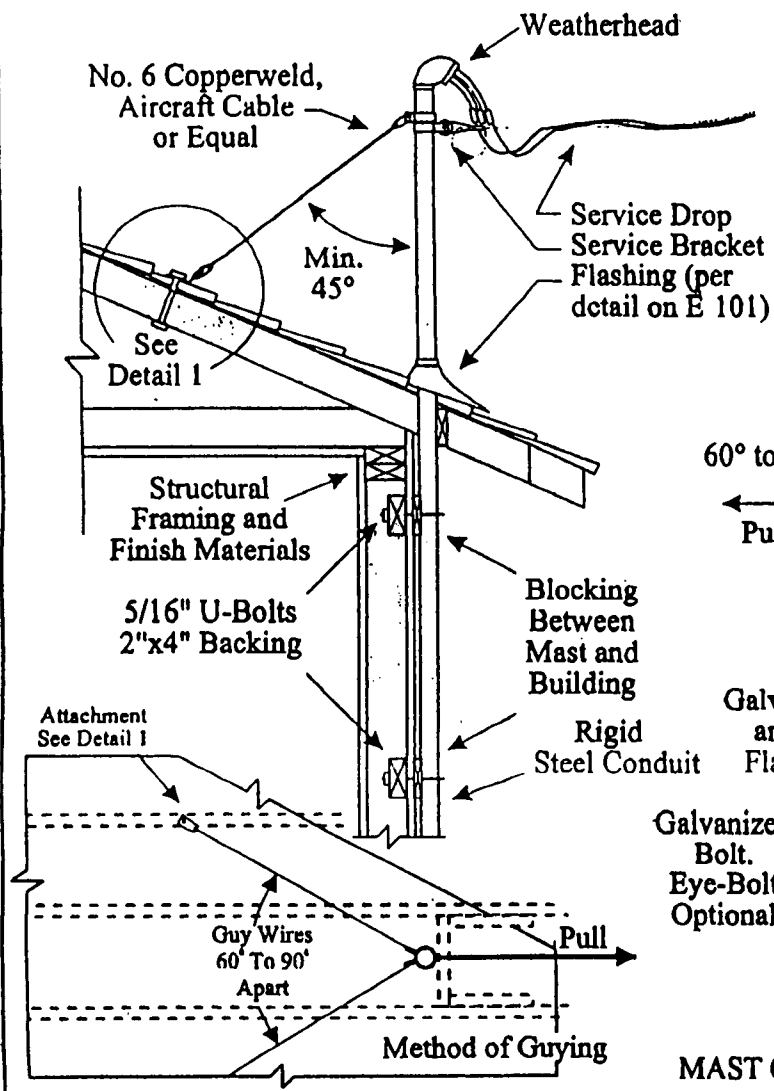
nized, electrical channel material that is secured to two or more wooden studs with 5/16-inch diameter or larger galvanized lag bolts.



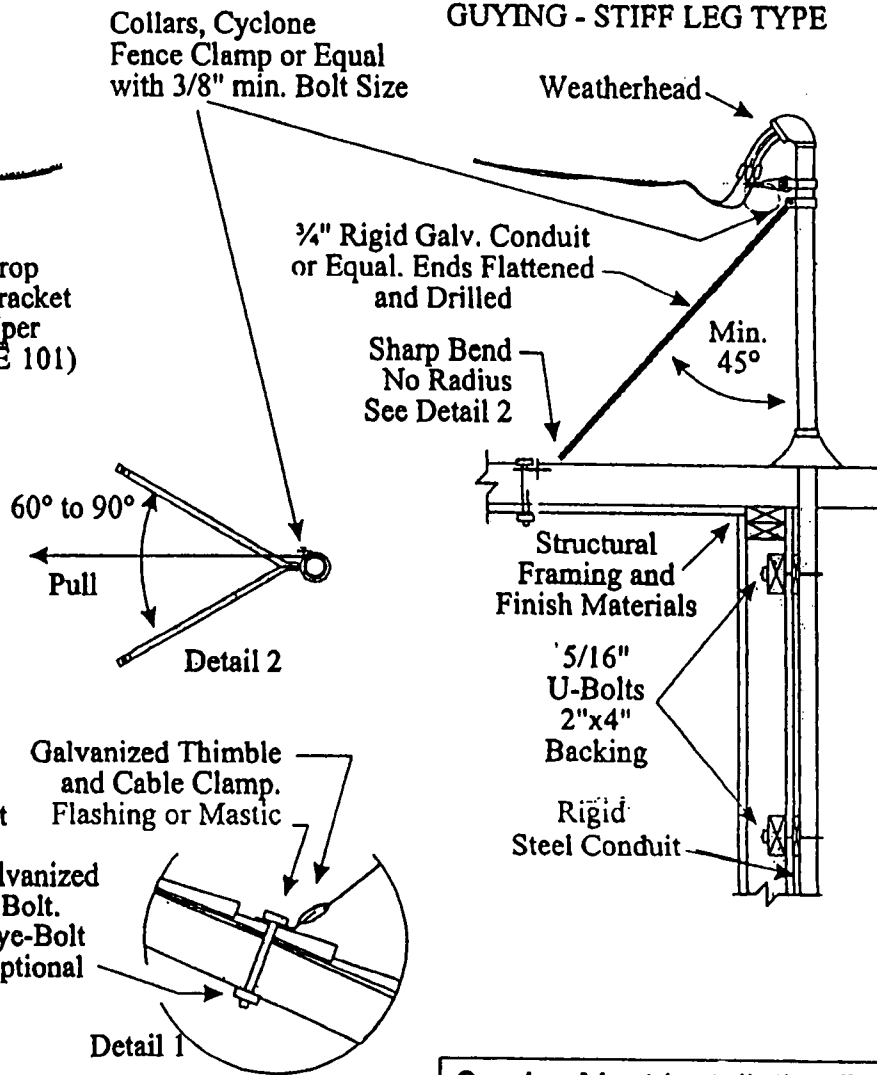
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[168]

GUYING - CABLE TYPE



GUYING - STIFF LEG TYPE



MAST OVER 26" HIGH

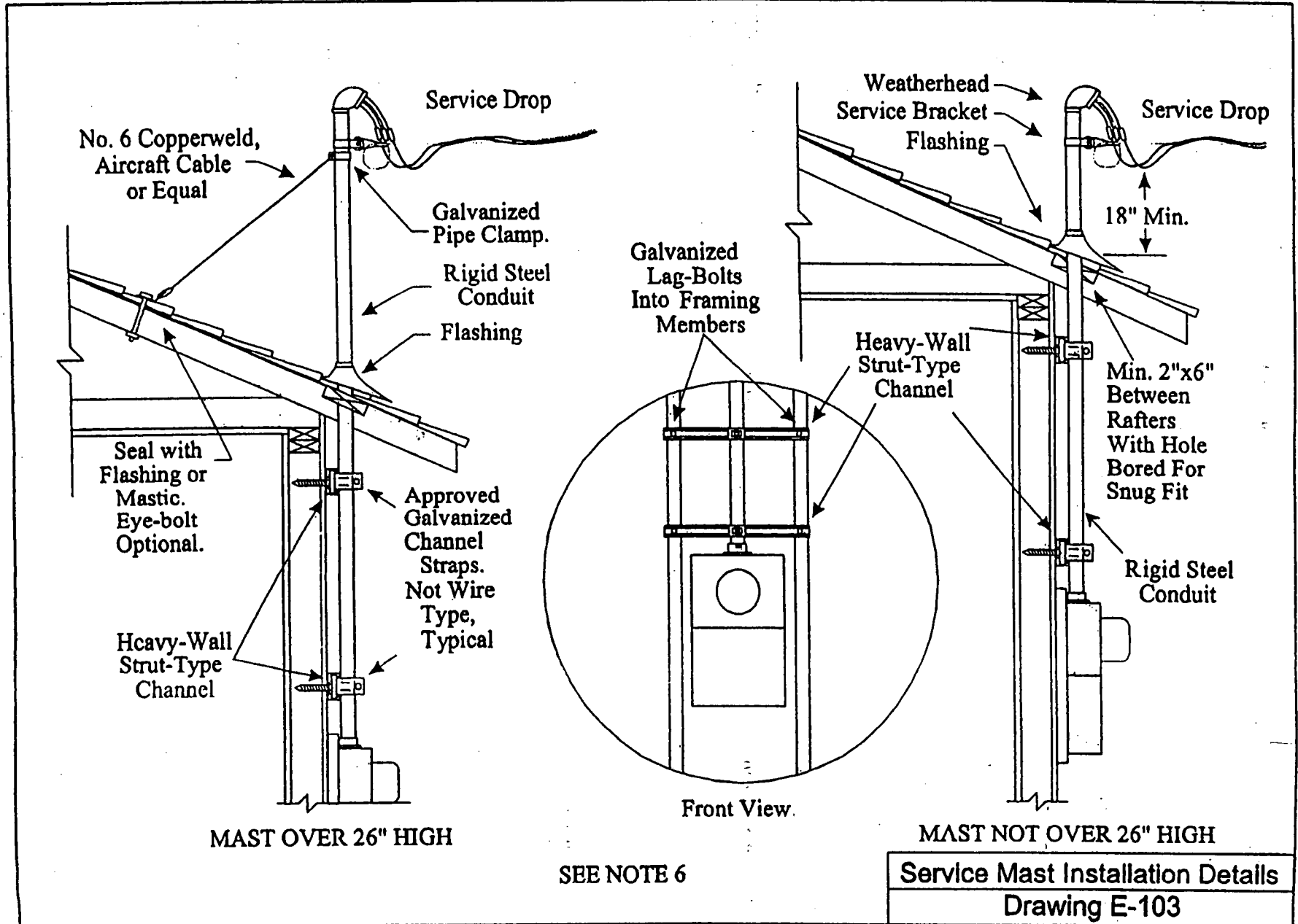
**Service Mast Installation Details
Drawing E-102**

[169]

Permanent

PERMANENT

[170]



NEW SECTION

WAC 296-46A-23040 Service conductors. (1) Service entrance conductors must extend at least eighteen inches from the service head to permit connection to the service drop.

(2) Installation of service conductors.

(a) The installation of service conductors not exceeding 600 volts, nominal, within a building or structure is limited to the following methods: Galvanized or aluminum rigid metal conduit; galvanized intermediate metal conduit; wireways; busways; auxiliary gutters; rigid nonmetallic conduit; cablebus; or mineral-insulated, metal-sheathed cable (type MI).

(b) The installation of service conductors exceeding 600 volts, nominal, within a building or structure must be limited to the following methods: Galvanized rigid metal conduit; galvanized intermediate metal conduit; metal-clad cable that is exposed for its entire length; cablebus; or busways.

(c) In addition to methods allowed in the NEC, the grounded service conductor is permitted to be identified with a yellow jacket or with one or more yellow stripes.

(3) Service conductors under the control of the utility, where installed within a building or structure, must be installed in rigid steel galvanized conduit or Schedule 80 nonmetallic conduit.

(4) Multiple-occupancy buildings. A second or additional service drop or lateral to a building having more than one occupancy will be permitted to be installed at a location separate from other service drops or laterals to the building provided that all the following conditions are complied with:

(a) Each service drop or lateral is sized in accordance with the NEC for the calculated load to be served by the conductors;

(b) Each service drop or lateral terminates in listed metering/service equipment that is located in or on a unit served by the service equipment. Each occupant must have access to the occupant's service disconnecting means;

(c) The service drops or laterals originate at the same transformer or power supply;

(d) The service equipment is separated at least fifteen feet from other service equipment in or on the building; and

(e) A permanent label is placed at each service equipment location that identifies all other service equipment locations in or on the building and the area or units served by each.

EXCEPTION: Service drops and laterals for two-family dwellings may terminate in meter enclosures located less than fifteen feet apart.

(5) The service disconnecting means must be installed at a readily accessible location in accordance with (a) or (b) of this subsection.

(a) Outside: Service disconnecting means will be permitted on the building or structure or within sight and within fifteen feet of the building or structure served. The building disconnecting means may supply only one building/structure. The service disconnecting means must have an identification plate with 1/2" high letters identifying:

(i) The building/structure served;

(ii) Its function as the building/structure main service disconnect(s).

(b) Inside: When the service disconnecting means is installed inside the building or structure, it must be located so that the service raceway extends no more than fifteen feet inside the building/structure.

(6) If the service conductors have a lesser ampacity than the overcurrent protection or the equipment rating that they terminate in or on, an identification plate with the ampacity of the conductors must be installed on the equipment.

NEW SECTION

WAC 296-46A-23062 Service equipment. (1) Service equipment, subpanels, and similar electrical equipment must be installed so that they are readily accessible and may not be installed in bathrooms, clothes closets, or shower rooms. All indoor service equipment and subpanel equipment must have adequate working space and be adequately illuminated.

(2) Temporary construction service equipment may only be used for construction purposes and must be disconnected when the permanent service is connected unless an extension for a definite period of time is granted by the department.

(3) Equipment ground fault protection systems required by the NEC must be tested prior to being placed into service to verify proper installation and operation of the system as determined by the manufacturer's published instructions. This test or a subsequent test must include all service voltage feeders. The test must be performed by a firm that has qualified personnel and proper equipment to perform the tests required. A copy of the manufacturer's performance testing instructions and a written performance acceptance test record signed by the person performing the test must be provided for the inspector's records at the time of inspection. The performance acceptance test record must include test details including, but not limited to: All trip settings and measurements taken during the test.

NEW SECTION

WAC 296-46A-250 Grounding and bonding. (1) Metallic stubs or valves used in nonmetallic plumbing systems are not required to be grounded or bonded to the electrical system unless required by an electrical equipment manufacturer's instructions.

(2) Hot and cold water plumbing lines are not required to be bonded together if, at the time of inspection, the inspector can determine the lines are mechanically and electrically joined by one or more metallic mixing valves.

(3) A temporary construction service is permitted to have only one made electrode.

(4) If a ground resistance test is not performed to ensure a resistance to ground of 25 ohms or less, two or more electrodes as specified in Article 250-52 NEC must be installed a minimum of six feet apart.

NEW SECTION

WAC 296-46A-300 Wiring methods. Cables and raceways for telecommunications, NEC Class 2 and Class 3 conductors must be installed in compliance with Chapter 3 NEC

PERMANENT

unless other methods are specifically allowed elsewhere in the NEC, chapter 19.28 RCW, or this chapter.

NEW SECTION

WAC 296-46A-30011 Support of raceways, cables, or boxes in suspended ceilings. (1) NEC Class 2, and Class 3 cables must be secured in compliance with Article 336-18 NEC and must be secured to boxes in compliance with Article 370-17 NEC.

(2) Telecommunications cables must be secured in a manner that will not cause damage to the cables and at intervals not exceeding five feet. Cables are considered adequately supported when run through holes in building structural elements or other supporting elements. Telecommunications cables may be fished into inaccessible hollow spaces of finished buildings. Clamps or fittings are not required where telecommunications cables enter boxes.

(3) Optical fiber cables must be secured in a manner that will not cause damage to the cables and at intervals not exceeding five feet. Cables are considered adequately supported when run through holes in building structural elements or other supporting elements. Optical fiber cables may be fished into inaccessible hollow spaces of finished buildings. Supports must allow a bending radius that will not cause damage to the cables.

(4) The wires required in Article 300-11(a) NEC may support raceways, cables, or boxes under the following conditions:

(a) Raceways and/or cables are not larger than 3/4-inch trade size.

(b) No more than two raceways or cables are supported by a support wire. The two-cable limitation does not apply to telecommunications cables, Class 2 cables, or Class 3 cables on support wires installed exclusively for telecommunications cables, Class 2 cables, or Class 3 cables and secured with fittings adequate to carry the cable weight.

(c) Raceways and cables are secured to the support wires by fittings designed and manufactured for the purpose.

(d) The support wires are minimum Number 12 gauge and are securely fastened to the structural ceiling and to the ceiling grid system.

(e) The raceways or cables serve equipment that is located within the ceiling cavity or is mounted on or supported by the ceiling grid system. Telecommunications cables, Class 2 cables, or Class 3 cables supported as required by this section, may pass through ceiling cavities without serving equipment mounted on or supported by the ceiling grid system.

(f) Where not restricted by the building code official or Article 300 NEC.

NEW SECTION

WAC 296-46A-324 Knob-and-tube wiring. Article 324 NEC does not prohibit the installation of loose or rolled thermal insulating material in spaces containing existing knob-and-tube wiring provided that all the following conditions are met:

(1) The wiring must be surveyed by an appropriately licensed electrical contractor who must certify that the wiring is in good condition with no evidence of improper overcurrent protection, conductor insulation failure or deterioration, and with no improper connections or splices. All repairs, alterations, or extensions to the electrical system must be inspected by an electrical inspector as defined in chapter 19.28 RCW.

(2) The insulation must meet Class I specifications as identified in the Uniform Building Code, with a flame spread factor of twenty-five or less as tested using ASTM E84-81a. Foam insulation may not be used with knob-and-tube wiring.

(3) All knob-and-tube circuits must have overcurrent protection in compliance with the 60 degree C column of Table 310-16 of the NEC. Overcurrent protection must be either circuit breakers or Type S fuses.

NEW SECTION

WAC 296-46A-348 Electrical metallic tubing. (1) In addition to complying with the provisions of Article 348 NEC, electrical metallic tubing may not be installed in direct contact with the earth or in concrete on or below grade. See also Article 300-6 NEC.

(2) Electrical metallic tubing must not be installed as the wiring method for service entrance conductors inside a building. Existing electrical metallic tubing, installed prior to October 1984, which is properly grounded and used for service entrance conductors may be permitted to remain if the conduit is installed in a nonaccessible location and of the proper size for the installed conductors.

NEW SECTION

WAC 296-46A-365 Concerts, motion picture productions, stage shows, and similar shows. (1) Service equipment, separately derived systems, feeders and circuits for concerts, motion picture productions, stage shows, and similar shows, must comply with the NEC and this chapter.

(2) The ampacity of cords and cables must be determined from the appropriate Article 400 NEC cord and cable ampacity tables including all notes.

NEW SECTION

WAC 296-46A-370 Boxes and fittings. Single conductors, cables, taps, or splices installed in an open bottom junction box or handhole must be suitable for direct burial. However, an open bottom box manufactured specifically for electrical use will be permitted to be used as an electrical junction box to enclose single conductors, cables, taps, or splices rated for wet locations, only under the following conditions:

(1) In vehicular traffic areas the box must be rated for not less than H-20 loading and be provided with a bolted, hinged, or slide-on lid embossed with the identification "ELECTRIC" or "ELECTRICAL."

(2) In incidental vehicular traffic areas (e.g., parks, sports fields, sidewalks, grass lawns, etc.) the box must be rated for not less than H-10 loading and be provided with a

bolted, hinged, or slide-on lid embossed with the identification "ELECTRIC" or "ELECTRICAL."

(3) In nonvehicular traffic areas (e.g., flower beds, patio decks, etc.) the box must be designed for the purpose and be provided with a lid embossed with the identification "ELECTRIC" or "ELECTRICAL."

(4) All conductors must be installed in approved electrical raceways that enter vertically from the open bottom of the enclosure. These raceways must be fitted with a bushing, terminal fitting, or seal incorporating the physical protection characteristics of a bushing, and project not less than two inches (5 cm) above the bottom surface material. The bottom surface material must be pea gravel or sand a minimum of two inches (5 cm) thick or more if required by the box manufacturer.

NEW SECTION

WAC 296-46A-41004 Lighting fixtures. All lighting fixtures within an enclosed shower area or within five feet of the waterline of a bathtub must be totally enclosed.

NEW SECTION

WAC 296-46A-41030 Flexible cord connection pendant boxes and electric discharge fixtures. (1) The flexible cord connection must comply with Article 410-30 NEC.

(2) Connection to a suspended pendant box must utilize an integral threaded hub.

(3) The length of the cord for a suspended pendant drop from a permanently installed junction box to a suitable tension take-up device must not exceed six feet.

(4) Flexible cord used to connect electric discharge fixtures must comply with Article 410-30 NEC.

(5) The flexible cord must be supported at each end with an approved cord grip or strain relief connector fitting/device that will eliminate all stress on the conductor connections.

(6) The flexible cord must be a minimum number 14 AWG.

(7) The flexible cord ampacity must be determined in Table 400-5(A) column A NEC.

(8) The flexible cord must be hard or extra hard usage.

(9) A vertical flexible cord supplying electric discharge fixtures must be secured to the fixture support as per Article 336-18 NEC.

NEW SECTION

WAC 296-46A-422 Water heater circuit. Water heaters which have a rated circuit load in excess of 3,500 watts at 240 volts must be provided with branch circuit conductors not smaller than No. 10 AWG copper or equal.

NEW SECTION

WAC 296-46A-450 Transformers. (1) Transformers not under the control of a utility, with a primary voltage greater than 600 volts must be provided with a disconnecting means meeting the requirements of Article 230-205 NEC.

(2) Flammable-liquid or oil filled transformers installed outdoors must meet the following requirements:

(a) A transformer installed adjacent to a combustible building/structure with any combustible surface may be located only in the shaded "Approved Transformer Area" shown in Figure 450-1;

(b) A transformer installed adjacent to a building/structure with no combustible surface(s) may be located only in the shaded "Approved Transformer Area" shown in Figure 450-2;

(c) In an urban residential area that has an improved alleyway, and in which a transformer is to be installed next to a noninhabited structure, the transformer may be no closer than two feet to the building/structure and must be outside a line extended vertically from the ends of the eaves or roof lines;

(d) A building/structure may have no doors, windows, stairways, or other openings closer than eight feet to the transformer;

(e) The finished grade at the location of the transformer must be such that any oil leaking from the transformer will flow away from the building/structure and will not pool; and

(f) If transformers are installed in areas subject to traffic other than pedestrian traffic, they must be provided with adequate guarding.

(3) Enclosures for total underground flammable-liquid or oil filled transformers must not be located within eight feet of a doorway, operable window, stairways or fire escape. Adequate space must be maintained above the enclosure so that a boom may be used to lift the transformer from the enclosure.

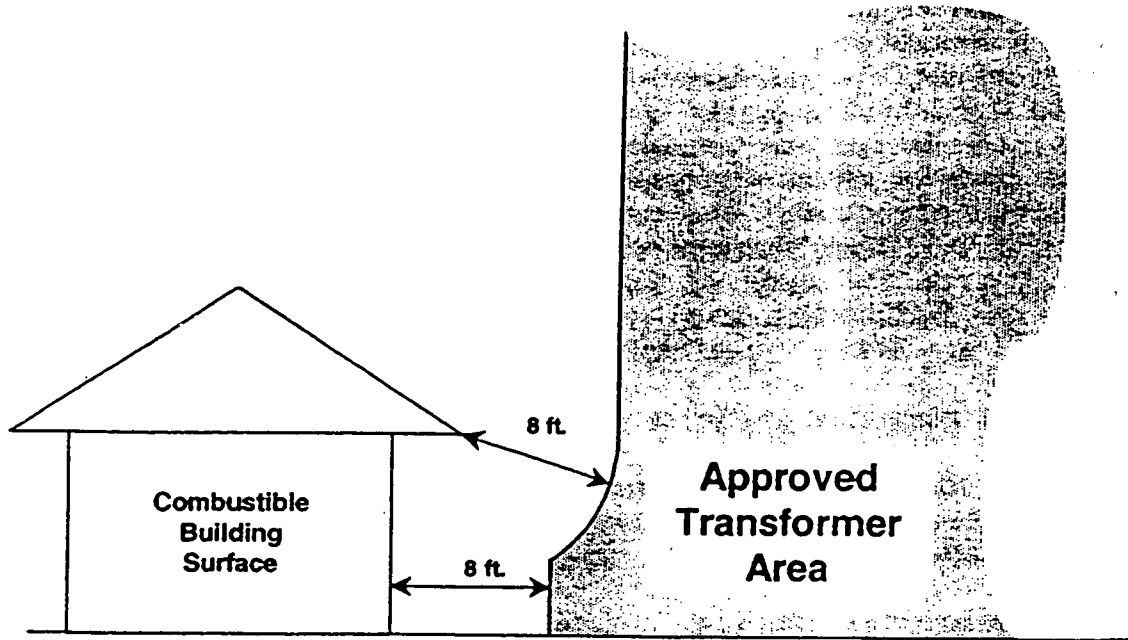


Figure 450-1

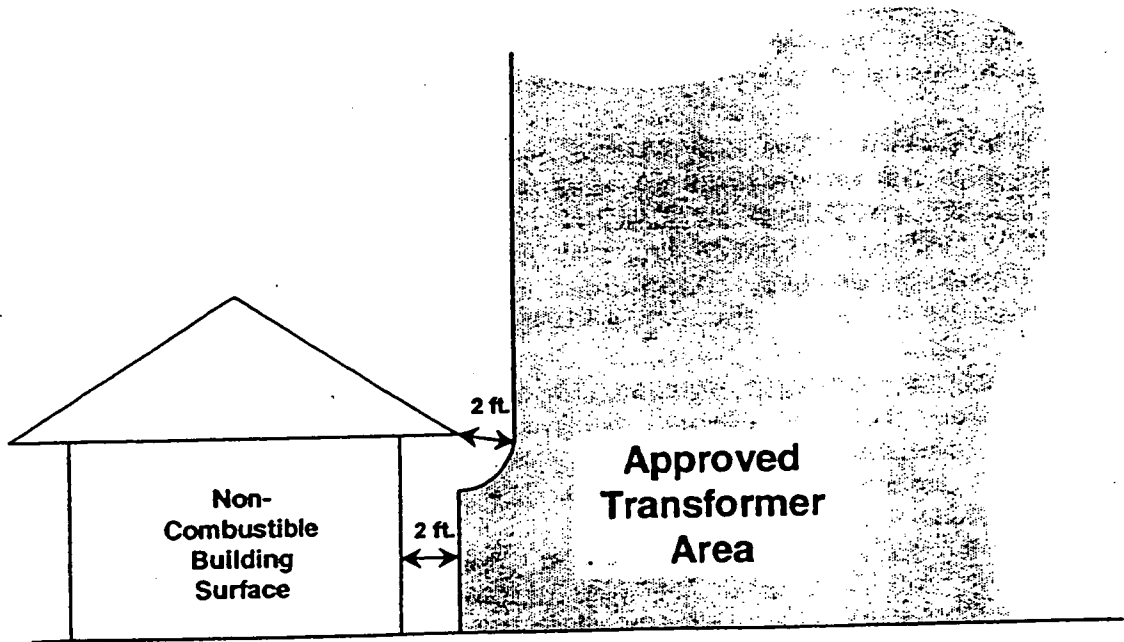


Figure 450-2

NEW SECTION

WAC 296-46A-500 Sewage disposal systems. (1) Pumping chambers for sewage, effluent, or grinder pumps in on-site and septic tank effluent pump (S.T.E.P.) disposal systems will be considered unclassified when not more than five residential units are connected to the system, residential units are connected to a utility sewage system, or when nonresidential systems have residential loading characteristics and all of the following general installations requirements are complied with.

(a) The pumping chamber must be adequately vented. Venting may be accomplished through the building or structure plumbing vents where the system venting has been approved by the local jurisdiction authority or by a direct two-inch minimum vent to the atmosphere.

(b) Equipment that in normal operation may cause an arc or spark must not be installed in any pumping chamber.

(c) Float switches installed in a pumping chamber must be hermetically sealed to prevent the entrance of gases or vapors.

PERMANENT

(d) Junction boxes, conduits and fittings installed in the septic atmosphere must be of a noncorrosive type, installed to prevent the entrance of gases or vapors.

(e) Where a conduit system is installed between the pumping chamber and the control panel, motor disconnect, or power source, an approved sealing method must be installed to prevent the migration of gases or vapors from the pumping chamber, and must remain accessible.

(f) Wire splices in junction boxes installed in pumping chambers, must be suitable for wet locations.

(2) Nonresidential loading characteristics must be certified by a Washington state registered professional engineer, engaged in the business of wastewater management systems design. Documentation that is signed and stamped by the engineer must be provided to the electrical inspector prior to the inspection.

(3) Any residential or nonresidential system that has building or structure floor drains being discharged into the system is classified as Class I Division I. Drains from any commercially made tub, shower, basin, sink, or toilet are not considered floor drains.

(4) Pumping chamber access covers are permitted to be covered by gravel, light aggregate, or noncohesive granulated soil, and must be accessible for excavation. Access covers that are buried, must have their exact location identified at the electrical panel or other prominent location approved by the authority having jurisdiction.

(5) Indoor grinder pumps installed in chambers with less than fifty gallons capacity are not required to meet the requirements of this section, except for the venting requirements in subsection (1)(a) of this section. Indoor grinder pumps installed in chambers with less than fifty gallons capacity are not classified systems as described in Article 500 NEC.

(6) Secondary treatment effluent pumping chambers such as sand filters are unclassified, and require no special wiring methods.

(7) Inspection approval is required prior to covering or concealing any portion of the septic electrical system, including the pump. New septic and effluent tanks containing electrical wires and equipment must be inspected and approved by the department prior to being loaded with sewage.

NEW SECTION

WAC 296-46A-514 Dispensing and service stations.

(1) An emergency disconnecting means or operator must be provided to disconnect the pump or dispensing equipment serving gasoline, volatile flammable liquids, or liquefied flammable gases. The emergency disconnecting means or operator must disconnect all conductors of the circuit supplying all station dispensers and/or pumps (including the grounded conductor) simultaneously from the source(s) of supply.

(2) For installations with only one dispensing device, the emergency disconnecting means/operator may be used to satisfy subsection (1) of this section.

(3) For multicircuit installations an electrically held normally open contactor operated by a push-button is permitted

to be used as the disconnecting means to satisfy subsection (1) of this section.

(4) The disconnecting means satisfying subsection (1) of this section must be labeled with an identification plate, with letters at least one inch high, as the emergency disconnecting means. The disconnecting means or operator must be:

(a) Substantially red in color; and

(b) Readily accessible and must be located outdoors and within sight of the pump or dispensing equipment it controls.

NEW SECTION

WAC 296-46A-517 Health care facilities. In health care facilities, the following methods must be used to determine adequate capacity and ratings of equipment providing electrical power for the essential electrical systems defined in Article 517 NEC:

(1) Systems in new facilities:

(a) Emergency system: The emergency branch must consist of two branches known as:

(i) Life safety system: The feeder conductors and equipment used to supply electrical power to the life safety branch must be determined by summation of the connected loads as determined by Article 220 NEC and may not be subjected to any reduction due to the diversity of the loads. Feeder and equipment will be subject to a 125% multiplier for continuous loads in accordance with Article 220 NEC.

(ii) Critical branch system: The feeder conductors and equipment must be calculated in accordance with Article 220 NEC, including a level of diversity as determined by Article 220 NEC.

(b) Equipment branch: The feeder conductors and equipment used to supply electrical power to the equipment branch of the essential electrical system must be calculated in accordance with Article 220 NEC, including a level of diversity as determined by Article 220 NEC.

(c) Generator sizing: The rating of the generator(s) supplying electrical power to the essential system of a health care facility must be the summation of the loads determined in (a) and (b) of this subsection with no additional demand factors applied. Momentary X-ray loads may be ignored if the generator is rated at least 300% of the largest momentary X-ray load connected.

(2) Existing essential systems in facilities to which additional load is to be added:

(a) Existing loads: The existing loads of the separate branches of the essential electrical system may be determined by WAC 296-46A-140.

(b) Added loads: Added loads to the separate branches of the essential electrical system must be determined by subsection (1) of this section.

(c) Generators: Generators supplying electrical power to the essential electrical system must be determined by the summation of the loads determined by (a) and (b) of this subsection with no additional demand factors applied.

NEW SECTION

WAC 296-46A-550 Mobile/manufactured homes. (1) An electrical service installed on the mobile/manufactured home:

(a) Must be installed only by the manufacturer, at the manufacturing plant. The manufacturer must complete the service except for service connections, meter, and grounding electrode conductor.

(b) The completion of the service, at the site, must be made by the owner or electrical contractor.

(2) All alterations to the mobile/manufactured home electrical system must be permitted and inspected by the factory assembled structures section of the department. Electrical wiring in structures that are attached to the mobile/manufactured home and the source of power is from the mobile/manufactured home is inspected by the factory assembled structures section of the department.

NEW SECTION

WAC 296-46A-553 Boat moorages, floating buildings, and similar installations. (1) Docks, wharves, boat moorages, floating buildings, and similar facilities in addition to complying with the appropriate sections of Article 553 or 555 NEC must have a readily accessible service rated disconnect located on the shoreline within sight of the dock, wharf, boat moorage, floating building, or similar facility.

(2) Extra-hard usage portable power cable may only be used when extending a feeder between the structures indicated above where flexibility is required and must be connected to an approved wiring method within the first fifteen feet of the point where flexibility is required.

(3) Where shore power is provided, each floating building or boat moorage berth must have a disconnecting means located within sight of each floating building or berth. The disconnecting means must be installed adjacent to but not in or on the floating building.

(4) Conductors operating in excess of 600 volts, nominal, may not be installed on floating portions of marinas, docks, or wharves. Refer to the Fire Protection Standard for Marinas and Boatyards, NFPA 303 for additional information.

NEW SECTION

WAC 296-46A-600 Electrical signs. (1) **General**—All electrical signs within the scope of U.L. Standard 48, the electrical sign standard, must be listed. All electrical signs outside the scope of U.L. Standard 48 will be inspected for compliance with the NEC.

(2) Portable outdoor signs.

(a) A weatherproof receptacle outlet that is weatherproof with the supply cord connected must be installed within six feet of each electrical sign.

(b) Extension cords are not permitted to supply portable outdoor signs.

(c) All portable outdoor electrical signs must be listed or field evaluated by an electrical testing laboratory accredited by the department.

(3) Outdoor awnings.

(a) Lighting fixtures in outdoor awnings must be suitable for wet locations and be connected by a wiring method suitable for wet locations. Fluorescent lighting fixtures must be located at least six inches from the awning fabric. Incandescent lamps or fixtures must be located at least eighteen inches from the awning fabric. A disconnecting means must be installed per Article 600 NEC.

(b) Listed awning signs must be installed in compliance with the manufacturer's instructions and the NEC.

NEW SECTION

WAC 296-46A-680 Electrical equipment associated with spas, hot tubs, swimming pools or hydromassage bathtubs. (1) Package spa or hot tubs. Electrical heating, pumping, filtering, and/or control equipment installed within five feet of a spa or hot tub must be listed or field evaluated as a package with the spa or hot tub.

(2) A factory assembled skid pack of electrical heating, pumping, filtering, and/or control equipment (skid pack) must be installed more than five feet from a spa or hot tub and shall be listed as a package unit.

(3) Field installed, listed electrical equipment for a hot tub, spa, or swim spa must be located at least five feet from the hot tub, spa or swim spa, provided that:

(a) The heater is listed as a "spa heater or swimming pool heater";

(b) The pump is listed as a "spa pump" or "swimming pool/spa pump" (the pump may be combined with a filter assembly); and

(c) Other listed equipment such as panelboards, conduit, and wire are suitable for the environment and comply with the applicable codes.

(4) Field installed, listed electrical equipment for a swimming pool must be located at least five feet from the swimming pool provided that:

(a) The heater is listed as a "swimming pool heater or a spa heater";

(b) The pump is listed as a "swimming pool pump" or "spa pump" or "swimming pool/spa pump"; and

(c) Other equipment such as panelboards, conduit, and wire are suitable for the environment and comply with the applicable codes.

(d) The five-foot separation may be reduced by the installation of a permanent barrier, such as a solid wall, fixed glass windows or doors, etc. The five-foot separation will be determined by the shortest path or route that a cord can travel from the spa, hot tub, swim spa, or swimming pool to an object.

(5) The field assembly or installation of "recognized components" will not be permitted.

(6) Hydromassage bathtubs must be listed as a unit and bear a listing mark which reads "hydromassage bathtub."

(7) Manufacturers instructions must be followed as part of the listing requirements.

(8) Electrical components which have failed and require replacement must be replaced with identical products unless the replacement part is no longer available; in which case, a

like-in-kind product may be substituted provided the mechanical and grounding integrity of the equipment is maintained.

(9) Cut-away type display models may not be sold for other than display purposes and are not expected to bear a listing mark.

NEW SECTION

WAC 296-46A-700 Emergency systems. (1) Exit and emergency lights must be installed in accordance with the Article 700 NEC and the currently adopted edition of the Uniform Building Code in all health or personal care facilities defined in this chapter, educational facilities, institutional facilities, hotels, motels, and places of assembly for one hundred or more persons.

(2) Device and junction boxes for fire alarm systems other than the surface raceway type, must be substantially red in color, both inside and outside. Power-limited fire protective signaling circuit conductors must be durably and plainly marked in or on junction boxes or other enclosures to indicate that it is a power-limited fire protective signaling circuit.

(3) All boxes and enclosures, including transfer switches, generators, and power panels for emergency systems and circuits must be permanently identified with an identification plate that is substantially red in color.

NEW SECTION

WAC 296-46A-702 Optional standby systems. Optional standby systems derived from portable generators must meet all of the requirements of Article 702 NEC.

NEW SECTION

WAC 296-46A-900 Electrical work permits and fees. (1) When an electrical work permit is required by chapter 19.28 RCW or this chapter, inspections may not be made, equipment must not be energized, or services connected unless:

- (a) A valid electrical work permit is completely and legibly filled out and readily available;
- (b) The classification or type of facility to be inspected and the exact scope and location of the electrical work to be performed are clearly shown on the electrical work permit;
- (c) The address where the inspection is to be made is clearly identifiable from the street, road or highway that serves the premises; and
- (d) Driving directions and/or a legible map must be provided for the inspectors' use.

(2) Final inspection approval will not be made until all inspection fees are paid in full.

(3) An electrical work permit is valid for only one specific site address.

(4) A valid electrical work permit must be posted on the job site at a readily accessible and conspicuous location prior to beginning electrical work and at all times until the electrical inspection process is completed.

(5) Except for emergency repairs to existing electrical systems, electrical work permits must be obtained and posted

at the job site prior to beginning the installation or alteration. An electrical work permit for emergency repairs to existing electrical systems must be obtained and posted at the job site no later than the next business day after the work is begun.

(6) Electrical work permits will expire one year after the date of purchase unless electrical work is actively and consistently in progress and inspections requested. Refunds are not available for expired electrical work permits or for electrical work permits where the electrical installation has begun, or an electrical inspection or electrical inspection request has been made.

(7) Fees must be paid in accordance with the inspection fee schedule, WAC 296-46A-910.

(8) Each person, firm, partnership, corporation, or other entity must furnish a valid electrical work permit for the installation, alteration, or other electrical work performed or to be performed by that entity. Each electrical work permit application must be signed by the electrical contractor's administrator (or designee) or the person, or authorized representative of the firm, partnership, corporation, or other entity that is performing the electrical installation or alteration. Permits purchased electronically do not require a handwritten signature. An entity designated to sign electrical permits must provide written authorization of the purchaser's designation when requested by the department.

(9) When allowed by the chief electrical inspector, annual permits for the inspection of telecommunications installations may be purchased by a building owner or licensed electrical/telecommunications contractor. Telecommunications work may be done under this annual permit by the building owner, the owner's regular employees, or a licensed electrical/telecommunications contractor. The permit holder is responsible for correcting all installation deficiencies. The permit holder must make available to the electrical inspector records of all the telecommunications work performed and the valid electrical or telecommunications contractor license numbers for all contractors working under the permit.

(10) Permits to be obtained by customers. Whenever a serving electrical utility performs work for a customer under one of the exemptions in WAC 296-46A-935 and the work is subject to inspection, the customer is responsible for obtaining all required permits.

(11) As required by chapter 19.28 RCW or this chapter, an electrical work permit is required for the installation, alteration, or maintenance of electrical systems except for: Plug-in appliances, travel trailers, or like-in-kind replacement of a: Circuit breaker, fuse, lamp, snap switch, receptacle outlet, heating element, lighting fixture ballast with an exact same ballast, contactor, relay, timer, starter, similar control component, or motor.

(12) An electrical work permit is required for all installations of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets. All backbone installations regardless of size and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations require permits and inspections. For the purposes of determining the inspection

threshold for telecommunications projects greater than ten outlets, the following will apply:

(a) An outlet is the combination of jacks and mounting hardware for those jacks, along with the associated cable and telecommunications closet terminations, that serves one workstation. In counting outlets to determine the inspection threshold, one outlet must not be associated with more than six standard four-pair cables or more than one twenty-five-pair cable. Therefore, installations of greater than sixty four-pair cables or ten twenty-five-pair cables require permits and inspections. (It is not the intent of the statute to allow large masses of cables to be run to workstations or spaces serving telecommunications equipment without inspection. Proper cable support and proper loading of building structural elements are safety concerns. When considering total associated cables, the telecommunications availability at one workstation may count as more than one outlet.)

(b) The installation of greater than ten outlets and the associated cables along any horizontal pathway from a telecommunications closet to work areas during any continuous ninety-day period requires a permit and inspection.

(c) All telecommunications installations within the residential dwelling units of single-family, duplex, and multifamily dwellings do not require permits or inspections. In residential multifamily dwellings, permits and inspections are required for all backbone installations, all fire barrier penetrations, and installations of greater than ten outlets in common areas.

(d) No permits or inspections are required for installation or replacement of cord and plug connected telecommunications equipment or for patch cord and jumper cross-connected equipment.

(e) Definitions of telecommunications technical terms will come from chapter 19.28 RCW or the currently adopted rules, EIA/TIA standards, and NEC.

(13) Requests for inspections must be made no later than three business days after completion of the electrical/telecommunications installation or one business day after any part of the installation has been energized, whichever occurs first. Inspections for annual electrical maintenance permits and annual telecommunications permits may be done on a regular schedule arranged by the permit holder with the department.

NEW SECTION

WAC 296-46A-910 Inspection fees. To calculate inspection fees, the amperage is based on the conductor ampacity or the overcurrent device rating. The total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) PROGRESS INSPECTIONS below.

(1) RESIDENTIAL.

(a) Single and two-family residential (new construction).

Notes: • Square footage is the area included within the surrounding exterior walls of a building exclusive of any interior courts. (This includes any floor area in an attached garage, basement, or unfinished living space.)

• "Inspected with the service" means that a separate service inspection fee is included on the same electrical work permit and "inspected at the same time" means all wiring is to be ready for inspection during the initial inspection trip.

• An "outbuilding" is a structure that serves a direct accessory function to the residence, such as a pump house or storage building. Outbuilding does not include buildings used for commercial type occupancies or additional dwelling occupancies.

(i)	First 1300 sq. ft.		\$ 67.00
	Each additional 500 sq. ft. or portion of		\$ 21.50
(ii)	Each outbuilding or detached garage inspected at the same time as a dwelling unit on the property		\$ 28.00
(iii)	Each outbuilding or detached garage inspected separately		\$ 44.25
(iv)	Each swimming pool - inspected with the service		\$ 44.25
(v)	Each swimming pool - inspected separately		\$ 67.00
(vi)	Each hot tub, spa, or sauna - inspected with the service		\$ 28.00
(vii)	Each hot tub, spa, or sauna - inspected separately		\$ 44.25
(viii)	Each septic pumping system - inspected with the service		\$ 28.00
(ix)	Each septic pumping system - inspected separately		\$ 44.25
(b)	Multifamily residential and miscellaneous residential structures, services and feeders (new construction).		
(i)	Each service and/or feeder		
	Ampacity	Service/Feeder	Additional Feeder
	0 to 200	\$ 72.25	\$ 21.50
	201 to 400	\$ 89.75	\$ 44.25
	401 to 600	\$ 123.25	\$ 61.50
	601 to 800	\$ 158.00	\$ 84.25
	801 and over	\$ 225.25	\$ 169.00
(c)	Single-family or multi-family altered services including circuits.		
(i)	Each altered service and/or altered feeder		
	Ampacity	Service or Feeder	
	0 to 200	\$ 61.50	
	201 to 600	\$ 89.75	
	601 and over	\$ 135.25	
(ii)	Maintenance or repair of meter or mast (no alterations to service or feeder)		\$ 33.50
(d)	Single or multi-family residential circuits only (no service inspection).		
Note:	Altered or added circuit fees are calculated per panelboard. Total cost of the alterations in an individual panel should not exceed the cost of a complete altered service or feeder of the same rating, as shown in subsection (1) RESIDENTIAL (c) (table) above.		
(i)	1 to 4 circuits (see note)		\$ 44.25
• Except:	Water heater load control devices installed in residences as part of an energy conservation program		\$ 27.00
Note:	The \$27.00 permit fee for water heater load control devices will expire on December 31, 2001.		
(ii)	Each additional circuit (see note)		\$ 5.00
(e)	Mobile homes, modular homes, mobile home parks, and RV parks.		
(i)	Mobile home or modular home service or feeder only		\$ 44.25
(ii)	Mobile home service and feeder		\$ 72.25
(f)	Mobile home park sites and RV park sites.		

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- Note: For master service installations, see subsection (2).
- (i) First site service or site feeder \$ 44.25
 - (ii) Each additional site service; or additional site feeder inspected at the same time as the first service or feeder \$ 28.00

(2) COMMERCIAL/INDUSTRIAL.

- (a) New service or feeder and additional new feeders inspected at the same time (includes circuits).

Note: For large COMMERCIAL/INDUSTRIAL projects that include multiple feeders, "inspected at the same time" can be interpreted to include additional inspection trips for a single project. The additional inspections must be for electrical work specified on the permit at the time of purchase. The permit fee for such projects must be calculated from (2) (a) (i) (table) above. However, the total fee must not be less than the number of progress inspection (one-half hour) units times the progress inspection fee rate from subsection (8) PROGRESS INSPECTIONS below.

Ampacity	Service/Feeder	Additional Feeder
0 to 100	\$ 72.25	\$ 44.25
101 to 200	\$ 89.75	\$ 56.25
201 to 400	\$ 169.00	\$ 67.00
401 to 600	\$ 197.00	\$ 78.75
601 to 800	\$ 254.50	\$ 107.25
801 to 1000	\$ 310.75	\$ 129.75
1000 and over	\$ 339.00	\$ 181.00

- (b) Altered services or feeders (no circuits).

(i) Service/feeders

Ampacity	Service or Feeder
0 to 200	\$ 72.25
201 to 600	\$ 169.00
601 to 1000	\$ 254.50
1000 and over	\$ 282.75

- (ii) Maintenance or repair of meter or mast (no alteration to the service or feeder) \$ 61.50

(c) Circuits only.

Note: Altered/added circuit fees are calculated per panelboard. Total cost of the alterations in a panel (or panels) should not exceed the cost of a new feeder (or feeders) of the same rating, as shown in subsection (2) COMMERCIAL/INDUSTRIAL (a)(i)(table) above.

- (i) First five circuits per branch circuit panel \$ 56.25
- (ii) Each additional circuit per branch circuit panel \$ 5.00
- (d) Over 600 volts surcharge per permit. \$ 56.25

(3) TEMPORARY SERVICE(S).

Notes: • Temporary electrical power and lighting installations must be used during the period of construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities.

• Temporary electrical power and lighting installations are allowed during emergencies and for tests, experiments, and developmental work. Temporary electrical power and lighting installations are allowed for a period not to exceed 90 days for Christmas decorative lighting and similar purposes. Temporary wiring shall be removed immediately upon completion of construction or purpose for which the wiring was installed.

• Temporary stage or concert inspections requested outside of normal business hours will be subject to the portal-to-portal hourly fees in subsection (11) OTHER INSPECTIONS. The fee for such after hours inspections shall be the greater of the fee from (3) TEMPORARY SERVICES (a) or the portal-to-portal fee.

(a) Temporary services, temporary stage or concert productions.

Ampacity	Service/Feeder	Additional Feeder
0 to 60	\$ 38.75	\$ 20.00
0 to 100	\$ 44.25	\$ 21.50
101 to 200	\$ 56.25	\$ 28.00
201 to 400	\$ 67.00	\$ 33.50
401 to 600	\$ 89.75	\$ 44.25
601 and over	\$ 101.75	\$ 50.75

(4) IRRIGATION MACHINES, PUMPS AND EQUIPMENT.

(a) Irrigation machines.

- (i) Each tower when inspected at the same time as a service and feeder from (2) COMMERCIAL/INDUSTRIAL \$ 5.00
- (ii) Towers - when not inspected at the same time as a service and feeders - one to six towers \$ 67.00
- (iii) Each additional tower \$ 5.00

(5) MISCELLANEOUS - commercial/industrial and residential.

(a) Low-voltage thermostats.

- (i) First thermostat \$ 33.50
- (ii) Each additional thermostat inspected at the same time as the first \$ 10.50

(b) Low-voltage systems and telecommunications systems. Includes all telecommunications installations, fire alarm and burglar alarm nurse call, intercom, security systems, energy management control systems, HVAC/refrigeration control systems (other than thermostats above), industrial and automation control systems, lighting control systems, stand-alone sound systems, public address, and similar low-energy circuits and equipment.

- (i) First 2500 sq. ft. or less \$ 38.75
- (ii) Each additional 2500 sq. ft. or portion of \$ 10.50
- (c) Signs and outline lighting.
 - (i) First sign (no service included) \$ 33.50
 - (ii) Each additional sign inspected at the same time on the same building or structure \$ 16.00

(d) Berth at a marina or dock.

Note: Five berths or more shall be permitted to have the inspection fees based on appropriate service and feeder fees from section (2) COMMERCIAL/INDUSTRIAL (a)(i) above.

- (i) Berth at a marina or dock \$ 44.25
- (ii) Each additional berth inspected at the same time \$ 28.00
- (e) Yard pole, pedestal, or other meter loops only.

- (i) Yard pole, pedestal, or other meter loops only \$ 44.25
- (ii) Meters installed remote from service equipment: Inspected at same time as service, temporary service or other installations \$ 10.50

- (f) Emergency inspections requested outside normal work hours. Regular fee plus surcharge of: \$ 84.25

(g) Generators.

- (i) Portable generators: Permanently installed transfer equipment for portable generators \$ 61.50

(ii) Permanently installed generators: Refer to appropriate residential or commercial new service or feeder section

- (h) Annual permit fee for plant location employing regular electrical maintenance staff - each inspection two-hour maximum.

Inspections	Fee
1 to 3 plant electricians	\$ 1,618.00
4 to 6 plant electricians	\$ 3,237.50
7 to 12 plant electricians	\$ 4,856.00
13 to 25 plant electricians	\$ 6,475.50

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more than 25 plant electricians	52	\$ 8,095.00
(i) Telecommunications annual permit fee.		
(i) For commercial/industrial location employing full-time telecommunications maintenance staff or having a yearly maintenance contract with a licensed electrical/telecommunications contractor.		
Annual inspection time required may be estimated by the purchaser at the rate for "Other inspections" in this section, charged portal-to-portal per hour - two-hour minimum.		\$ 134.00
Each additional hour, or portion thereof, of portal-to-portal inspection time		\$ 67.00
(6) CARNIVAL INSPECTIONS.		
(a) First carnival field inspection each year.		
(i) Each ride and generator truck		\$ 16.00
(ii) Each remote distribution equipment, concession or gaming show		\$ 5.00
(iii) If the calculated fee for first field inspection of (a) and (b) above is less, the minimum inspection fee shall be:		\$ 84.25
(b) Subsequent carnival inspections.		
(i) First 10 rides, concessions, generators, remote distribution equipment or gaming show		\$ 84.25
(ii) Each additional ride, concession, generator, remote distribution equipment or gaming show		\$ 5.00
(c) Concession(s) or ride(s) not part of a carnival.		
(i) First field inspection each year of a single concession or ride, not part of a carnival		\$ 67.00
(ii) Subsequent inspection of a single concession or ride, not part of a carnival		\$ 44.25
(7) TRIP FEES.		
(a) Requests by property owners to inspect existing installations.		\$ 67.00
(b) Submitter notifies the department that work is ready for inspection when it is not ready.		\$ 33.50
(c) Additional inspection required because submitter has provided the wrong address.		\$ 33.50
(d) More than one additional inspection required to inspect corrections; or for repeated neglect, carelessness, or improperly installed electrical work.		\$ 33.50
(e) Each trip necessary to remove a noncompliance notice.		\$ 33.50
(f) Corrections have not been made in the prescribed time, unless an exception has been requested and granted.		\$ 33.50
(g) Installations that are covered or concealed before inspection.		\$ 33.50
(8) PROGRESS INSPECTIONS.		
Note: The fees calculated in subsections (1) through (6) must apply to all electrical work. This section must be applied to a permit where the permit holder has requested additional inspections beyond the number supported by the permit fee calculated at the rate in (1) through (6).		
(a) On partial or progress inspections, each one-half hour.		\$ 33.50
(9) PLAN REVIEW FEE.		
(a) Fee is thirty-five percent of the electrical work permit fee as determined by WAC 296-46A-910, plus a plan review submission fee of:		\$ 56.25
(b) Supplemental submissions of plans per hour or fraction of an hour.		\$ 67.00
(c) Plan review shipping and handling fee.		\$ 16.00
(10) OUT-OF-STATE INSPECTIONS.		

(a) Permit fees will be charged according to the fees listed in this section.	
(b) Travel expenses:	
(i) All travel expenses and per diem for out-of-state inspections are billed following completion of each inspection(s). These expenses can include, but are not limited to: Inspector's travel time, travel cost and per diem at the state rate. Travel time is hourly based on the rate in subsection (11) of this section	
(11) OTHER INSPECTIONS.	
(a) Inspections not covered by above inspection fees must be charged portal-to-portal per hour:	\$ 67.00
(12) REFUND PROCESSING FEE.	
(a) All requests for permit fee refunds will be assessed a processing fee.	\$ 10.50
(13) VARIANCE REQUEST PROCESSING FEE.	
(a) Variance request processing fee. This fee is nonrefundable once the transaction has been made.	\$ 67.00

NEW SECTION

WAC 296-46A-915 Electrical/telecommunications contractor license, administrator certificate and examination, and copy fees.

(1) GENERAL OR SPECIALTY CONTRACTOR LICENSE (per twenty-four month period)	\$ 216.25
(a) Reinstatement of a general or specialty contractor's license after a suspension	\$ 43.50
(2) ADMINISTRATOR CERTIFICATE	
Note: Failure to appear for an examination results in forfeiture of the examination fee.	
(a) Administrator certificate examination application (nonrefundable)	\$ 27.00
(b) Administrator first-time examination fee	\$ 64.75
(c) Administrator retest examination fee	\$ 75.75
(d) Administrator original certificate (request for certificate submitted with application)	\$ 64.50
(e) Administrator certificate renewal (per twenty-four month period)	\$ 81.00
(f) Late renewal of administrator certificate (per twenty-four month period)	\$ 162.25
(g) Transfer of administrator designation	\$ 32.25
(h) Certified copy of each document (maximum per file):	
First document:	\$ 20.75
Each additional document:	\$ 2.00
(i) Reinstatement of an administrator's certificate after a suspension	\$ 43.50
(3) REFUND PROCESSING FEE	\$ 10.50

NEW SECTION

WAC 296-46A-920 Civil penalty.

Notes: (A) Each day that a violation occurs will be a separate offense.
 (B) Once a violation of chapter 19.28 RCW, or chapter 296-46A or 296-401B WAC becomes a final judgment, any additional violation within three years becomes a "second" or "additional" offense subject to an increased penalty as set forth in the following tables.

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(C) In case of continued, repeated or gross violation of the provisions of chapter 19.28 RCW, or chapter 296-46A or 296-401B WAC or if property damage or bodily injury occurs as a result of the failure of a person, firm, partnership, corporation, or other entity to comply with chapter 19.28 RCW, the department may double the penalty amounts shown in subsections (1) through (13) of this section.

(D) A person, firm, partnership, corporation or other entity who violates a provision of chapter 19.28 RCW, chapter 296-46A or 296-401B WAC is liable for a civil penalty based upon the following schedule.

(1) Offering to perform, submitting a bid for, advertising, installing or maintaining cables, conductors or equipment:

(a) That convey or utilize electrical current without having a valid electrical contractor license.

(b) Used for information generation, processing, or transporting of signals optically or electronically in telecommunications systems without having a valid telecommunications contractor license.

First offense: \$ 500
 Second offense: \$ 1,000
 Third offense: \$ 3,000
 Each offense thereafter: \$ 5,000

(2) Employing an individual for the purposes of chapter 19.28 RCW who does not possess a valid certificate of competency or training certificate to do electrical work.

First offense: \$ 100
 Second offense: \$ 350
 Each offense thereafter: \$ 500

(3) Performing electrical work without having a valid certificate of competency or electrical training certificate.

First offense: \$ 100
 Second offense: \$ 250
 Each offense thereafter: \$ 500

(4) Employing electricians and electrical trainees for the purposes of chapter 19.28 RCW in an improper ratio.

First offense: \$ 250
 Second offense: \$ 350
 Each offense thereafter: \$ 500

(5) Failing to provide proper supervision to an electrical trainee as required by chapter 19.28 RCW.

First offense: \$ 250
 Second offense: \$ 350
 Each offense thereafter: \$ 500

(6) Working as an electrical trainee without proper supervision as required by chapter 19.28 RCW.

First offense: \$ 50
 Second offense: \$ 100
 Each offense thereafter: \$ 250

(7) Offering, bidding, advertising, or performing electrical or telecommunications installations, alterations or maintenance outside the scope of the firm's specialty electrical or telecommunications contractors license.

First offense: \$ 250
 Second offense: \$ 500
 Each offense thereafter: \$ 1,000

(8) Selling or exchanging electrical equipment associated with spas, hot tubs, swimming pools or hydromassage bathtubs which is not listed by an approved electrical testing laboratory.

First offense: \$ 500
 Second offense: \$ 1,000
 Each offense thereafter: \$ 2,000

Definition: The sale or exchange of electrical equipment associated with hot tubs, spas, swimming pools or hydromassage bathtubs means: "Sell, offer for sale, advertise, display for sale, dispose of by way of gift, loan, rental, lease, premium, barter or exchange."

(9) Covering or concealing installations prior to inspection.

First offense: \$ 500
 Second offense: \$ 1,000
 Each offense thereafter: \$ 2,000

(10) Failing to make corrections within fifteen days of notification by the department. Exception: Where an extension has been requested and granted, this penalty applies to corrections not completed within the extended time period.

First offense: \$ 250
 Second offense: \$ 500
 Each offense thereafter: \$ 1,000

PERMANENT

(11) Failing to obtain or post an electrical/telecommunications work permit prior to beginning the electrical/telecommunication installation or alteration. Exception: In cases of emergency repairs to existing electrical/telecommunications systems, this penalty will not be charged if the permit is obtained and posted no later than the business day following completion of the emergency repair.

First offense:	\$	250
Homeowner - First offense:	\$	50
Second offense:	\$	500
Each offense thereafter:	\$	1,000

(12) Violating chapter 19.28 RCW duties of the electrical/telecommunications administrator.

First offense:	\$	100
Second offense:	\$	500
Each offense thereafter:	\$	1,000

(13) Violating any of the provisions of chapter 19.28 RCW or chapter 296-46A or 296-401B WAC which are not identified in subsections (1) through (12) of this section.

First offense:	\$	250
Second offense:	\$	500
Each offense thereafter:	\$	1,000

NEW SECTION

WAC 296-46A-930 Electrical/telecommunications contractor license and administrator certificate designation. (1) **General electrical (01):** A general electrical license and/or administrator's certificate encompasses all phases and all types of electrical and telecommunications 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 is limited to nonmetallic sheathed cable, except for services and/or feeders, exposed installations where physical protection is required, and for wiring buried below grade.

This specialty also includes the wiring for ancillary structures such as, but not limited to: Swimming pools, septic pumping systems, domestic water systems, limited energy systems (e.g., doorbells, intercoms, fire alarm, burglar alarm, energy control, HVAC/refrigeration, etc.), apartment complex offices/garages, site lighting when supplied from the residence or ancillary structure, and other structures directly associated with the functionality of the residential units.

This specialty does not include wiring occupancies defined in WAC 296-46A-130, commercial occupancies such as: Motels, hotels, offices, assisted living facilities, or stores.

This specialty cannot perform the work of other specialties in other than the residential occupancies defined in this subsection.

(b) Pumps, irrigation, and wells.

(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. This specialty may perform the work defined in (ii) of this subsection.

(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. This specialty may service, maintain, or repair exterior lighting fixtures that are mounted on a pole or other structure with like-in-kind components.

(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) Limited energy.

(i) **Limited energy system (06):** Limited to the installation of signaling and power limited circuits and related equipment. This specialty is restricted to low-voltage circuits. This specialty includes the installation of fire protection signaling systems, intrusion alarms, energy management and control systems, industrial and automation control systems, lighting control systems, commercial and residential amplified sound, public address systems, and such similar low-energy circuits and equipment. Limited energy electrical contractors may perform all telecommunications work under their specialty (06) electrical license and administrator's certificate. This specialty may perform the work defined in (ii) of this subsection.

(ii) **HVAC/refrigeration limited energy system (06A):** Limited to the 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

PERMANENT

components include, but are not limited to, the following: Thermostats, humidistats, low-voltage damper controls, outdoor sensing controls, outside air dampers, air monitoring devices, stand-alone duct smoke detectors exclusively controlled by or directly related to the HVAC/refrigeration system, zone control valves, and the mounting of HVAC/refrigeration control panels and low-voltage connections. Installation of integrated building control 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 similar voltage and current ratings. Reconnection of replaced line voltage HVAC/refrigeration components and equipment, including line supply whips not over 6 feet in length, is permitted provided there are no modifications to the characteristics of the branch circuit/feeder. 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.

(f) Maintenance.

(i) Nonresidential maintenance (07): Limited to maintenance, repair and replacement of like-in-kind existing electrical equipment and conductors on industrial or commercial premises. This specialty does not include maintenance activities in residential dwellings defined in (a) of this subsection for the purposes of accumulating training experience toward qualification for the residential electrician (02) specialty examination. This specialty may perform the work defined in (ii) and (iii) of this subsection.

(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.

(iii) Residential maintenance (07B): This specialty is limited to residential dwellings as defined in WAC 296-46A-930 (2)(a), multistory dwelling structures with no commercial facilities, and the interior of dwelling units in multistory structures with commercial facilities. This specialty may maintain, repair, or replace (like-in-kind) existing lighting fixtures, hot water heaters, ranges, electric heaters, similar domestic appliances, and all permit exempted work as defined in WAC 296-46A-900(11).

This specialty is limited to equipment and circuits of 240 volts, 60 amperes, single phase maximum.

This specialty may disconnect and reconnect low voltage control and line voltage supply whips not over 6 feet in length provided there are no modifications to the characteristics of the branch circuit.

For the purpose of this specialty, "electrical equipment" does not include electrical conductors.

(g) Telecommunications (09): Limited to the installation, maintenance, and testing of telecommunications systems, equipment, and associated hardware, pathway systems, and cable management systems. The scope of work includes:

(i) Installation of open wiring systems of telecommunications cables.

(ii) Surface nonmetallic raceways designated and used exclusively for telecommunications.

(iii) Optical fiber innerduct raceway.

(iv) Underground raceways designated and used exclusively for telecommunications and installed for additions or extensions to existing telecommunications systems not to exceed fifty feet inside the building.

(v) Incidental short sections of circular or surface metal raceway, not to exceed ten feet, for access or protection of telecommunications cabling and installation of cable trays and ladder racks in telecommunications service entrance rooms, spaces, or closets.

(vi) Audio or paging systems where the amplification is integrated into the telephone system equipment.

(vii) Audio or paging systems where the amplification is provided by equipment listed as an accessory to the telephone system equipment and requires the telephone system for the audio or paging system to function.

(viii) Closed circuit video monitoring systems if there is no integration of line or low-voltage controls for cameras and equipment. Remote controlled cameras and equipment are considered (intrusion) security systems and must be installed by licensed electrical contractors and certified electricians.

Telecommunications systems do not include horizontal cabling used for fire protection signaling systems, intrusion alarms, access control systems, patient monitoring systems, energy management control systems, industrial and automation control systems, HVAC/refrigeration control systems, lighting control systems, and stand-alone amplified sound or public address systems. Telecommunications systems may interface with other building signal systems including security, alarms, and energy management at cross-connection junctions within telecommunications closets or at extended points of demarcation. Telecommunications systems do not include the installation or termination of premises line voltage service, feeder, or branch circuit conductors or equipment. Horizontal cabling for a telecommunications outlet, necessary to interface with any of these systems outside of a telecommunications closet, is the work of the telecommunications contractor.

(h) Door, gate, and similar systems (10): Limited to the installation of:

(i) This specialty may install, service, maintain, repair, or replace door/gate/similar systems electrical operator systems including:

(A) Low-voltage, NEC Class 2, door/gate/similar systems electrical operator systems where the door/gate/similar

systems electrical operator system is not connected to other systems.

(B) Branch circuits originating in a listed door/gate/similar systems electric operator control panel that supplies only door/gate/similar systems system components providing: The branch circuit does not exceed 20 amperes or 600 volts and the component is within sight of the listed door/gate/similar systems electric operator control panel.

(ii) Door/gate/similar systems electrical operator systems include electric gates, doors, windows, awnings, movable partitions, curtains and similar systems. These systems include, but are not limited to: Electric gate/door/similar systems operators, control push buttons, key switches, key pads, pull cords, air and electric treadle, air and electric sensing edges, coil cords, take-up reels, clocks, photo electric cells, loop detectors, motion detectors, remote radio and receivers, antenna, timers, lock-out switches, stand-alone release device with smoke detection, strobe light, annunciator, control panels, wiring and termination of conductors.

(iii) Reconnection of line voltage power to a listed door/gate/similar systems electric operator control panel is permitted provided:

(A) There are no modifications to the characteristics of the branch circuit/feeder;

(B) The circuit/feeder does not exceed 20 amperes or 600 volts; and

(C) The conductor or conduit extending from the branch circuit/feeder disconnecting means or junction box does not exceed six feet in length.

(iv) Wiring in classified locations as described in Chapter 5 NEC is excluded from this specialty. This specialty may not install, repair, or replace branch circuit (line voltage) conductors, services, feeders, panelboards, or disconnect switches supplying the door/gate/similar systems electric operator control panel.

(3) Combination specialty contractor license. The department may issue a combination specialty contractor license to a firm that qualifies for more than one specialty contractor license. The assigned administrator must be certified in all specialties applicable to the combination specialty contractor license. The license will plainly indicate the specialty licenses included in the combination license. An administrator assigned to a telecommunications contractor must be certified as a telecommunications administrator.

(4) Combination specialty 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 will plainly indicate the specialty administrators' certificate(s) the holder has qualified for.

(5) A specialty electrical contractor, other than the (06) limited energy specialty electrical contractor, may only perform telecommunications work within the equipment or occupancy limitations of their specialty electrical contractor license and administrator certification. Any other telecommunications work requires a telecommunications contractor license and telecommunications administrator certification.

NEW SECTION

WAC 296-46A-931 Electrical/telecommunications contractor license. (1) The department will issue an electrical/telecommunications contractor license that will expire twenty-four months following the date of issue to a person, firm, partnership, corporation or other entity that complies with chapter 19.28 RCW. An electrical/telecommunications contractor license will not be issued to or renewed for a person, firm, or partnership unless the Social Security number, date of birth, and legal address of the individual legal owner(s) are submitted with the application. The department may issue an electrical/telecommunications contractor license for a period greater or less than twenty-four months for the purpose of equalizing the number of electrical contractor licenses that expire each month. The department will prorate the electrical/telecommunications contractor license fee according to the number of months in the license period.

(2) The department may deny application or renewal of an electrical/telecommunications contractor's license if an owner, partner, or corporate officer owes outstanding final judgments to the department.

NEW SECTION

WAC 296-46A-932 Electrical/telecommunications contractor cash or securities deposit. Cash or securities deposit release. A cash or security deposit which has been filed with the department in lieu of a surety bond, will not be released until one year after the date the electrical/telecommunications contractor notifies the department in writing, that the person, firm, partnership, corporation, or other entity who (which) has been issued the electrical/telecommunications contractor's license, has ceased to do business in the state of Washington.

NEW SECTION

WAC 296-46A-933 Telecommunications contractor insurance. (1) To obtain a telecommunications contractor's license the applicant must provide to the department an original certificate of insurance naming the department of labor and industries, electrical section as certificate holder. Insurance coverage must be no less than twenty thousand dollars for injury or damages to property, fifty thousand dollars for injury or damage including death to any one person, and one hundred thousand dollars for injury or damage including death to more than one person. The certificate of insurance must be issued as continuous until canceled. The insurance will be considered a continuing obligation unless canceled by the insurance company. The insurance company must notify the department in writing ten days prior to the effective date of said cancellation or failure to renew.

(2) The telecommunications contractor may furnish to the department an assigned account to meet the insurance requirements in lieu of a certificate of insurance. An account assigned to the department for insurance requirements will be held in place for three years after the contractor's license is expired, revoked, or the owner notifies the department in writing that the company is no longer doing business in the

state of Washington as a telecommunications contractor. The account will be released by the department providing there is no pending legal action against the contractor.

NEW SECTION

WAC 296-46A-934 Electrical contractor exemptions.

(1) Low voltage thermocouple derived circuits and low voltage circuits, powered from a listed Class 2 power supply(ies), for low voltage built-in residential vacuum systems, low voltage circuits for underground landscape sprinkler systems, low voltage circuits for underground landscape lighting, or low voltage circuits for residential garage doors are not included in the requirements for licensing in chapter 19.28 RCW, provided:

(a) Installation and termination of line voltage equipment and conductors supplying these systems is performed by appropriately licensed and certified electrical contractors and electricians.

(b) Conductors of these systems do not pass through fire-rated walls, fire-rated ceilings or fire-rated floors in other than residential units.

Electrical failure of these systems does not inherently or functionally compromise safety to life or property.

(2) Firms who clean and/or replace lamps in lighting fixtures are not included in the requirements for licensing in chapter 19.28 RCW.

(3) Firms who install listed factory assembled cord and plug connected equipment are not included in the requirements for licensing in chapter 19.28 RCW.

NEW SECTION

WAC 296-46A-935 Electrical utility exemptions. (1)

Utility system exemption. Neither a serving electrical utility nor a contractor employed by the serving electrical utility is required to have a license for work on the "utility system" or on service connections or on meters and other apparatus or appliances used to measure the consumption of electricity.

(2) Street lighting exemption. A serving electrical utility is not required to have a license to work on electrical equipment used in the lighting of streets, alleys, ways, or public areas or squares.

(3) Customer-owned equipment exemption. A serving electrical utility is not required to have a license to work on electrical equipment owned by a commercial, industrial, or public institution customer if:

(a) The utility has not solicited such work; and

(b) Such equipment:

(i) Is located outside a building or structure; and

(ii) The work performed is on the primary side of the customer's transformer(s) which supplies power at the customer's utilization voltage.

(4) Independent power production equipment exemption. A serving electrical utility is not required to have a license to work on electrical equipment owned by a customer that is an independent power producer if:

(a) The customer has entered into an agreement to sell electricity to a utility or to a third party; and

(b) The electrical equipment is used to transmit electricity from the terminals of an electrical generating unit located on premises used by the customer to the point of interconnection with the utility system.

(5) Exempted equipment and installations. No person, firm, partnership, corporation, or other entity is required to have a license for work on electrical equipment and installations thereof that are exempted by RCW 19.28.091 or 19.28.151.

(6) Exemption from inspection.

(a) The work of a serving electrical utility and its contractors on the utility system is not subject to inspection. The utility is responsible for inspection and approval for the installation.

(b) Work exempted by Article 90-2 (B)(5) NEC, 1981 edition, is not subject to inspection.

NEW SECTION

WAC 296-46A-940 Manufacturers of electrical/telecommunications products exemptions. (1)

Manufacturers of electrical/telecommunications systems products will be allowed to utilize their factory-trained personnel to perform initial calibration, testing, adjustment, modification incidental to the startup and checkout of the equipment, or replacement of components within the confines of the specific product, without permit or required licensing, provided:

(a) The product has not been previously energized or is within the manufacturer's warranty.

(b) Modifications, as designated above, must not include changes to the original intended configuration nor changes or contact with external field-connected components.

(c) The manufacturer will be responsible for obtaining any required reapproval/recertification from the original listing or field evaluation laboratory.

(d) The manufacturer must notify the department if reapproval/recertification is required.

(2) No license under the provision of this chapter will be required from any manufacturer or any person, firm, partnership, or other entity employed by or authorized by a manufacturer of power generation equipment assemblies for the following work on premanufactured electric power generation equipment assemblies and control gear:

(a) Testing, repair, modification, maintenance, and installation of components internal to the transfer switch, or replacement of components within the confines of the specific product incidental to the startup and checkout of the equipment: Provided, the product has not been previously energized and/or is within the manufacturer's warranty. Modifications of the transfer switch must not include changes to the original intended configuration nor changes or contact with externally field-connected components. The manufacturer will be responsible for obtaining any required reapproval or recertification from the original listing agent;

(b) Testing, repair, modification, maintenance, or installation of components internal to the control gear;

(c) Testing, repair, modification, maintenance, or installation of components internal to the premanufactured power generation unit.

Premanufactured electric power generation equipment assemblies are made up of reciprocating internal combustion engines and the associated control gear equipment. Control gear equipment includes control logic, metering, and annunciation for the operation and the quality of power being generated by the reciprocating internal combustion engine and does not have the function of distribution of power.

(d) For the purposes of this subsection, the following work on premanufactured electric power generation equipment assemblies is not exempt from the requirements of chapter 19.28 RCW.

(i) Installation or connection of conduit or wiring between the power generation unit, transfer switch, control gear;

(ii) Installation of the transfer switch;

(iii) Connections between the power generation unit, transfer switch, control gear, and utility's transmission or distribution systems;

(iv) Connections between the power generation unit, transfer switch, control gear, and any building or structure;

(v) Test connections with any part of:

(A) The utility's transmission or distribution system;

(B) The building or structure.

(3) Nothing in this section will alter or amend any other exemptions from or requirement for licensure under this chapter.

receives a regular salary or wage similar to other employees; has supervisory responsibility for work performed by the electrical/telecommunications contractor and carries out the duties shown in chapter 19.28 RCW.

(4) A firm may designate certain temporary specialty administrator(s) or telecommunications initial specialty administrator(s) to satisfy the requirements of chapter 19.28 RCW under the guidelines described in Table 950-1 Temporary Specialty Administrator Application/Enforcement Procedure.

(5) The department may deny an application for an administrator's certificate for up to two years if the applicant's previous administrator's certificate has been revoked or suspended for serious noncompliance, as defined in WAC 296-46A-960.

NEW SECTION

WAC 296-46A-950 Administrator certificate. (1) The department must issue an administrator certificate to a person who qualifies for a certificate in accordance with chapter 19.28 RCW and makes proper application that includes the person's Social Security number, date of birth, and mailing address. The first certificate issued will expire on the person's birthdate at least one year and not more than three years from the date of issue. If a person was born in an even numbered year, the certificate will expire on the holder's even numbered birthdate. If the person was born in an odd numbered year, the certificate will expire on the holder's odd numbered birthdate. The department will prorate the administrator's certificate fee according to the number of months or major portions of months in a certificate period. All subsequent certificates will be issued for a twenty-four month period.

(2) The department may deny application or renewal of an administrator's certificate if the individual owes outstanding final judgments to the department.

(3) Effective July 1, 1987, an administrator designated on the electrical/telecommunications contractor's license must be a member of the firm who fulfills the duties of a full-time supervisory employee, or be a full-time supervisory employee. In determining whether the person is a member of the firm, the department will require that the person is named as the sole proprietor, a partner or an officer in a corporation as shown on the electrical contractor's license application on file with the department and the secretary of state. In determining whether a person is a full-time supervisory employee, the department will consider whether the person is on the electrical/telecommunications contractor's full-time payroll;

Table 950-1—Temporary Specialty Administrator Application/Enforcement Procedure
SPECIALTIES OPEN FOR CREDIT FOR PREVIOUS WORK EXPERIENCE

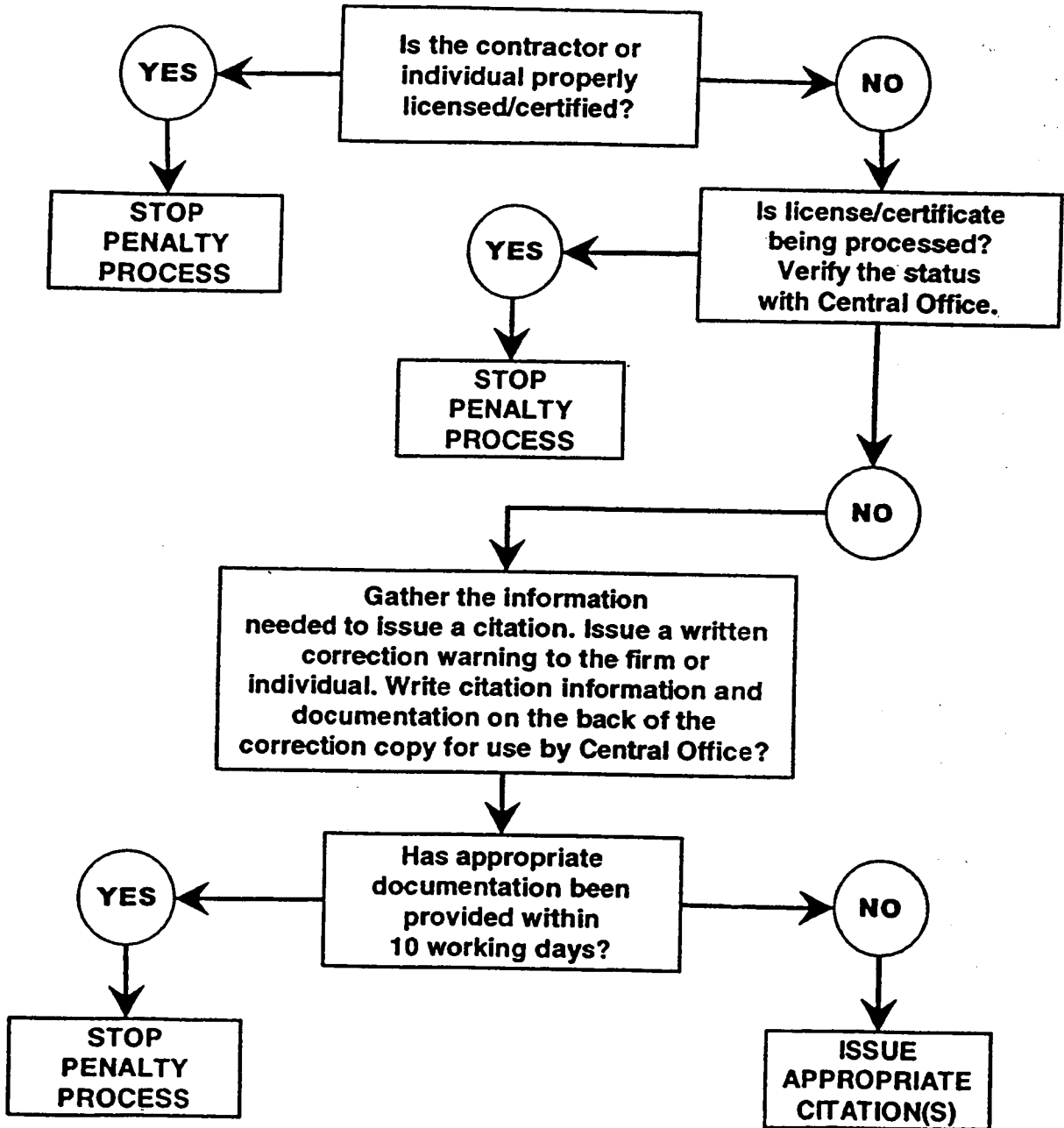
ACTION DEADLINES AND DETAILS	HVAC/Refrigeration (06A)	<ul style="list-style-type: none"> • Domestic well (03A), • Limited energy (06)- (residential sound only), • Nonresidential maintenance (07), • Nonresidential lighting maintenance (07A), • Residential maintenance (New-07B), • Door, window, gate and similar systems (New-10) 	Telecommunications (09) <ul style="list-style-type: none"> • In business on June 8, 2000 ^{STATUS A} • In business after June 8, 2000 ^{STATUS B}
Last date to submit application for temporary administrator ¹	December 31, 2001 ⁵	December 31, 2001 ⁵	June 30, 2001 ⁵
Required business status in the contracting specialty ²	18.27 RCW Contractor Registration or Appropriate Business License	18.27 RCW Contractor Registration or Appropriate Business License	STATUS A — 18.27 RCW Contractor Registration STATUS B — Appropriate Business License
Minimum previous experience for firm making temporary designation	N/A	N/A	STATUS A — 2 Years ⁶ STATUS B — N/A
Begin interim enforcement ⁴	July 1, 2000	July 1, 2001	Effective Date of Chapter 296-46A WAC
Begin full enforcement	January 1 2002	January 1, 2002	July 1, 2001
Must pass specialty administrator examination no later than:	12 Months After Submitting Temporary Specialty Administrator Application ³	12 Months After Submitting Temporary Specialty Administrator Application ³	STATUS A — N/A ¹ STATUS B — 12 Months After Submitting Temporary Specialty Administrator Application ³

Notes:

1. The initial telecommunications designated administrator(s) allowed in RCW 19.28.420(6) is not required to pass an examination.
2. If previous experience is required, it must be full-time in the appropriate specialty.
3. No extension of the temporary specialty administrator's status will be permitted unless the examination is successfully completed and a permanent specialty administrator's certificate is obtained within three months of the examination date. A temporary specialty administrator certificate cannot be renewed or extended.
4. See Figure 1. If a citation is issued for failure to comply with the requirements of chapter 19.28 RCW or WAC 296-46A, the individual/firm will lose the ability to assign a temporary administrator prior to examination.
5. To qualify for a temporary specialty administrator certificate or telecommunications initial designated specialty administrator certificate, the following must be submitted to the department: complete contractor's application package, complete administrator's application and examination package, complete Transfer of Administrator form, and all appropriate fees.
6. No requirement for the owner of a telecommunications firm described in RCW 19.28.420(6)(a).

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Figure 1
ELECTRICAL SPECIALTY
Interim Licensing/Certification Requirements



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NEW SECTION

WAC 296-46A-960 Revocation or suspension of an electrical/telecommunications contractor's license or administrator's certificate. The department has the ability, in the case of one or more acts of serious noncompliance with the provisions of this chapter, to revoke or suspend for such a period as it determines, any electrical/telecommunications contractor's license or electrical/telecommunications administrator's certificate issued under chapter 19.28 RCW.

Serious noncompliance: Serious noncompliance with the provisions of chapter 19.28 RCW, includes, but is not limited to, the following:

(1) Failure to correct a serious violation. A serious violation is a violation of chapter 19.28 RCW, chapter 296-46A or 296-401B WAC that creates a hazard of fire or a danger to life safety. A serious violation is also a violation that presents imminent danger to the public. Imminent danger to the public is present when installations of wire and equipment that convey electric current have been installed in such a condition that a fire-hazard or a life-safety hazard is present. Imminent danger to the public is also present when unqualified, uncertified, or fraudulently certified electricians or administrators; or unlicensed or fraudulently licensed contractors are continuously or repeatedly performing or supervising the performance of electrical work covered under chapter 19.28 RCW. For the purposes of this section, a certified electrician is considered qualified, provided the electrician is working within his or her certification; or

(2) Submitting a fraudulent document to the department; or

(3) Continuous noncompliance with the provisions of chapter 19.28 RCW, chapter 296-46A or 296-401B WAC. For the purposes of this section, continuous noncompliance will be defined as three or more citations demonstrating a reckless disregard of the electrical law, rules, or regulations within a period of one year; or where it can be otherwise demonstrated that the contractor or administrator has continuously failed to comply with the applicable electrical standards; or

(4) Failure to make any books or records, or certified copies thereof, available to the department for an audit to verify the hours of experience submitted by an electrical trainee; or

(5) A person who knowingly makes a false statement or material misrepresentation on an application, statement of hours, or signed statement required by the department may be referred to the county prosecutor for criminal prosecution under chapter 9A.72 RCW. The department may also file a civil action under chapter 19.28 RCW.

Chapter 296-401B WAC**CERTIFICATION OF COMPETENCY FOR JOURNEYMAN ELECTRICIANS****JOURNEYMAN AND SPECIALTY ELECTRICIANS CERTIFICATES**NEW SECTION

WAC 296-401B-092 General definitions. "Final judgment" means any money that is owed to the department under this chapter or any money that is owed the department as a result of an individual's or contractor's unsuccessful appeal of an infraction. Final judgment also includes any penalties owed the department as a result of an infraction not appealed or any outstanding fees due under this chapter.

NEW SECTION

WAC 296-401B-100 Certificate of competency required. To work in the electrical construction trade, an individual must:

- (1) Possess a current journeyman electrician certificate of competency issued by the department;
- (2) Possess a current specialty electrician certificate of competency issued by the department;
- (3) Possess a valid electrician temporary permit; or
- (4) Possess a current electrical training certificate, learning the trade under the supervision of a certified journeyman electrician or certified specialty electrician working in their specialty in the proper ratio.

NEW SECTION

WAC 296-401B-110 Original journeyman and specialty electrician certificates of competency. (1) The department of labor and industries will issue an original electrician certificate of competency to journeyman or specialty electricians that:

- (a) Meet the eligibility requirements listed in RCW 19.28.191, (Certificate of competency—Eligibility for examination—Rules); and
 - (b) Successfully pass a certification examination required by RCW 19.28.201, (Examination—Contents—Times—Fees—Certification of results); and
 - (c) Pay the original certificate fee listed in WAC 296-401B-700; and
 - (d) Submit a complete application including: Date of birth, mailing address, Social Security number.
- (2) An individual's initial electrician certificate of competency will expire on their birth date at least two years, and not more than three years, from the date of original issue.
- (3) The scope of work for general journeyman electricians and all electrical specialty electricians is described in WAC 296-46A-930.
- (4) The department issues certificates of competency in the following areas of electrical work:
- (a) General journeyman electrician certificate (01).

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- (b) Specialty electricians:
- (i) Residential certificate (02).
 - (ii) Pump and irrigation certificate (03).
 - (iii) Domestic well specialty electrical technician certificate (03A).
 - (iv) Signs and outline lighting certificate (04).
 - (v) Domestic appliance certificate (05).
 - (vi) Limited energy system certificate (06).
 - (vii) HVAC/refrigeration limited energy technician (06A). HVAC/refrigeration thermostat installation (see WAC 296-401B-340(2)):

(A) HVAC/refrigeration first- and second-year trainees may work unsupervised when installing HVAC thermostat cable when the system consists of a single thermostat in one- and two-family dwelling units and where line voltage power is not connected to the system.

(B) HVAC/refrigeration second-year trainees may work unsupervised when installing thermostats or making thermostat cable connections in one- and two-family dwelling units.

- (viii) Nonresidential maintenance certificate (07).
- (ix) Nonresidential lighting maintenance and lighting retrofit technician (07A).
- (x) Residential maintenance certificate (07B).
- (xi) Door, window, gate, and similar systems certificate (10).

NEW SECTION

WAC 296-401B-120 Linemen exemptions. (1) Electrical linemen employed by a serving electrical utility or employed by a licensed electrical contractor while performing work found in WAC 296-46A-935, do not need certificates of competency.

(2) An individual is eligible for the above lineman's exemption if the individual carries evidence on their person that they:

(a) Have graduated from a department of labor and industries approved lineman's apprenticeship course; or

(b) Are currently registered in a department of labor and industries approved lineman's apprenticeship course and are working under the direct supervision of a journeyman electrician or a graduate of a lineman's apprenticeship course approved by the department. The training received in the lineman's apprenticeship program must include training in applicable articles of the currently adopted National Electrical Code (see WAC 296-46A-090).

RENEWAL OF JOURNEYMAN AND SPECIALTY ELECTRICIANS CERTIFICATES

NEW SECTION

WAC 296-401B-130 Renewal of journeyman and specialty electrician certificates of competency. (1) An individual must apply for renewal of their journeyman or specialty electrician certificate of competency before the expiration date of the certificate. Renewed certificates are valid for three years.

(2) Beginning April 30, 1997, an individual must:

(a) Pay the renewal fee listed in WAC 296-401B-700; and

(b) Provide accurate evidence on the renewal form that the individual has completed at least eight hours of approved continuing education required for each year of the prior certification period (see WAC 296-401B-630 and 296-401B-640 for other continuing education documentation requirements). Any portion of a year is equal to one year for continuing education requirements.

(3) An individual will not be given credit for the same approved continuing education course taken more than once in the three years prior to the renewal date.

(4) If an individual is applying to renew a certificate that covered a period of two years or more, the individual must complete an approved continuing education class, of at least eight hours duration, on the latest National Electrical Code changes.

(5) An individual must pay all outstanding final judgments owed to the department before renewal of a certificate of competency.

(6) A certificate of competency that has been suspended by the department may be:

(a) Renewed by the holder obtaining and submitting the required hours of continuing education and will remain in suspended status for the duration of the suspension; or

(b) Renewed by the holder without the required hours of continuing education and will remain in suspended status for the duration of the suspension. Following the suspension, the certificate will be placed in inactive status as described in WAC 296-401B-180 until the required continuing education requirements are met and documented to the department of labor and industries.

NEW SECTION

WAC 296-401B-140 Late renewal of journeyman and specialty electrician certificates of competency. (1) An individual may renew their certificate of competency within ninety days after the expiration date without reexamination if the individual:

(a) Pays the late renewal fee listed in WAC 296-401B-700; and

(b) Provides evidence to the department that the individual completed at least eight hours of continuing education each year during the prior certification period.

(2) All applications for renewal received more than ninety days after the expiration date of the certificate require that you pass the appropriate competency examination before being recertified.

CONTINUING EDUCATION REQUIREMENTS

NEW SECTION

WAC 296-401B-180 Inactive status. (1) If an individual has not completed the required hours of continuing education (see WAC 296-401B-130), a certificate cannot be renewed. If the individual has not completed the required continuing education, applies for renewal before the certificate expires, and pays the appropriate renewal fee listed in

WAC 296-401B-700, the certificate will be placed in an inactive status. When the certificate of competency is placed in an inactive status, the individual cannot work as a journeyman or specialty electrician in the electrical construction trade until evidence is provided that the individual has completed the required hours of continuing education.

(2) An individual may obtain an electrical training certificate and work under the supervision of a certified journeyman or certified specialty electrician working in their specialty until the individual attains and documents the required hours of continuing education.

ELECTRICIAN TEMPORARY PERMITS

NEW SECTION

WAC 296-401B-200 Qualifying for an electrician temporary permit to work in Washington when certified in another state. (1) If an individual coming into the state of Washington to work in the electrical construction trade is certified in another jurisdiction, the department can issue the individual one initial electrician temporary permit in lieu of a certificate of competency. The initial electrician temporary permit allows the individual to work as an electrician between the date of filing a completed application for the next certification examination and notification of the results of the examination. This initial permit will be issued for no longer than one one hundred twenty-day period. (During this period, the department expects the individual to take and pass the next available certification examination.)

(a) To qualify for an initial electrician temporary permit an individual must:

(i) Meet the eligibility requirements of RCW 19.28.191 (Certificate of competency—Eligibility for examination—Rules); and

(ii) Be currently certified by a governing authority from another state, city, town or other certifying authority; and

(iii) File a complete application to take the next certification examination.

(b) An individual will not be issued an initial electrician temporary permit if they:

(i) Have previously been issued an initial electrician temporary permit; or

(ii) Have an expired or inactive Washington state journeyman electrician certificate or specialty certificate in the category requested on the exam.

(c) An initial electrician temporary permit will become invalid:

(i) On the expiration date listed on the electrician temporary permit or the date the individual is notified they have failed the examination, whichever is earlier;

(ii) If the individual does not take the next competency examination; or

(iii) Fails to file all necessary or corrected paperwork required to verify eligibility by the department's published application cut-off date and therefore cannot take the next examination.

(d) If the individual fails the certification examination and provides verification of enrollment in an approved jour-

neyman refresher course or approved appropriate specialty electrician refresher course, as prescribed in RCW 19.28.231, application may be made for a second electrician temporary permit.

(i) The second electrician temporary permit will be issued for one ninety-day period after the date of the failed examination and will become invalid:

(A) If the individual does not take the next competency examination after completion of the journeyman refresher course;

(B) If the individual fails to file all the necessary or corrected paperwork to verify eligibility by the department's published application cut-off date and therefore cannot take the next examination; or

(C) On the expiration date listed on the second electrician temporary permit or the date the individual is notified of having failed the examination, whichever is earlier.

(ii) If the second electrician temporary permit becomes invalid, it will not be extended or renewed. To continue to work in the electrical trade, the individual must apply for and receive a training certificate and work under the direct supervision of either a certified journeyman or a specialty electrician working in the appropriate specialty in the proper ratio.

(iii) A second electrician temporary permit may not be extended or renewed.

(e) Except as described in (d) of this subsection, if an electrician temporary permit becomes invalid it will not be extended or renewed. To continue to work in the electrical trade, an individual must:

(i) Apply for and receive a training certificate; and

(ii) Work under the direct supervision of either a certified journeyman or a specialty electrician working in their specialty; and

(iii) Work in the proper ratio.

RECIPROCAL AGREEMENTS

NEW SECTION

WAC 296-401B-250 Reciprocal agreements between Washington and other states. The department of labor and industries negotiates agreements with states that have equivalent requirements for certification and licensing of journeymen or specialty electricians. These agreements allow electricians from those states to become certified in the state of Washington without examination and allow Washington certified electricians to become certified in the other states without taking competency examinations. To find out if a state has a reciprocal agreement with the department, contact the electrical section at a department of labor and industries office.

NEW SECTION

WAC 296-401B-260 Qualifying for a reciprocal electrician certificate. An individual coming into the state of Washington from another state will be issued a reciprocal electrician certificate of competency if the following conditions are met:

(1) The department has a valid reciprocal agreement with the other state in the journeyman or specialty category requested;

(2) The individual makes a complete application for the reciprocity certificate on the form provided by the department;

(3) The individual provides evidence that they meet the eligibility requirements listed in RCW 19.28.191, (Certificate of competency—Eligibility for examination—Rules) by presenting a valid journeyman or specialty electrician certificate or certified letter from the issuing state;

(4) The individual obtained this certificate of competency as a journeyman or specialty electrician in the other state by examination;

(5) The individual was not a resident of the state of Washington at the time the examination in the other state was taken; and

(6) The individual pays the reciprocity fee listed in WAC 296-401B-700.

NEW SECTION

WAC 296-401B-270 Ineligibility for reciprocal electrician certificate. An individual is not eligible for a reciprocal electrician certificate if the individual has:

(1) Failed to renew a certificate of competency as required in RCW 19.28.211, (Certificate of competency—Issuance—Renewal—Continuing education—Fees—Effect); or

(2) A Washington certificate of competency in suspended, revoked, or inactive status under this chapter.

TRAINING CERTIFICATES

NEW SECTION

WAC 296-401B-300 Training certificate required. A training certificate is required to work in the electrical construction trade if an individual does not:

(1) Possess a current journeyman electrician certificate of competency issued by the department; or

(2) Possess a current specialty electrician certificate of competency issued by the department; or

(3) Possess a valid electrician temporary permit.

NEW SECTION

WAC 296-401B-310 Ineligibility for electrical training certificates. Trainees who have had their training certificates revoked or suspended (for the duration of the revocation or suspension) and trainees owing a final judgment to the department may not be issued another training certificate.

NEW SECTION

WAC 296-401B-320 Training certificate levels.

Training Certificate	Total Hours Worked
1st year	0 through 1,999

Training Certificate

- 2nd year
- 3rd year
- 4th year

Total Hours Worked

- 2,000 through 3,999
- 4,000 through 5,999
- 6,000 or more

An individual may apply for the next year's certificate whenever sufficient hours have been worked. Two thousand (2,000) hours is equal to one year of employment.

Note: The department may verify the hours submitted with any training certificate application.

NEW SECTION

WAC 296-401B-330 Renewal of training certificates.

(1) When renewing an electrical training certificate, the individual must give the department a completed, signed, and notarized affidavit of experience accurately attesting to:

(a) The electrical installation work performed for each employer the individual worked for in the electrical trade during the previous year;

(b) The correct electrical category the individual worked in; and

(c) The actual number of hours worked in each category under the proper supervision of a Washington certified, journeyman electrician or appropriate specialty electrician.

(2) If an individual is enrolled in an approved apprenticeship program under chapter 49.04 RCW when the individual renews an electrical training certificate, the individual and their apprenticeship training director must give the department a completed, signed, and notarized affidavit of experience accurately attesting to:

(a) The electrical installation work the individual performed in the electrical trade during the previous year;

(b) The correct electrical category the individual worked in; and

(c) The actual number of hours worked in each category under the proper supervision of a Washington certified journeyman electrician or appropriate specialty electrician for each employer. For apprentices enrolled in a registered apprenticeship program, the applicant and the training director are the only authorized signatures the department will accept on affidavits of experience.

(3) The individual should ask each employer or apprenticeship training director for an accurately completed, signed, and notarized affidavit of experience for the previous year. The employers or apprenticeship training directors must provide the previous year's affidavit of experience to the individual within twenty days of the request.

(4) The individual and their employer or apprenticeship training director must sign and notarize the affidavit of experience attesting to the accuracy of all information contained in the document.

NEW SECTION

WAC 296-401B-335 Credit for electrical work experience exempt from certification requirements. (1) To receive credit for electrical work experience which is exempted in RCW 19.28.261, an individual must provide the

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department with verification from the employer or owner according to WAC 296-401B-330.

(2) Beginning January 1, 1998, all exempt individuals learning the electrical trade must obtain an electrical certificate from the department and renew it annually in order to receive credit for hours worked in the trade according to WAC 296-401B-330.

(3) The department may require verification of supervision in the proper ratio from the certified supervising electrician.

(4) Telecommunication work experience:

(a) Credit may be authorized only by exempt employers (per RCW 19.28.261), general electrical (O1) contractors, and limited energy system (O6) electrical contractors for limited energy experience for telecommunications work done:

(i) Under the supervision of a certified journeyman or limited energy electrician; and

(ii) In compliance with RCW 19.28.191.

(b) Individuals who want to obtain credit for hours of experience towards electrician certification for work experience doing telecommunications installations must:

(i) Obtain an electrical training certificate;

(ii) Renew the training certificate annually in order to receive credit for hours worked in the trade according to WAC 296-401B-330.

(c) Telecommunications contractors may not verify telecommunications work experience towards electrician certification.

NEW SECTION

WAC 296-401B-340 Trainees working without supervision. (1) After review by the department, a trainee may be issued a six-month, nonrenewable unsupervised electrical training certificate that will allow the individual to work without supervision if the trainee:

(a) Has submitted a complete application for an unsupervised electrical training certificate;

(b) Has worked over 7,000 hours properly supervised;

(c) Has successfully completed or is currently enrolled in an approved apprenticeship program or an electrical construction trade program in a school approved by the board of community and technical colleges;

(d) Has paid all appropriate training certificate fees listed in WAC 296-401B-700; and

(e) Is currently working for and continues to work for a licensed electrical contractor that employs at least one certified journeyman or specialty electrician in the appropriate specialty.

(2) HVAC/refrigeration limited energy technician trainees may work unsupervised when doing HVAC/refrigeration thermostat installation as follows:

(a) HVAC/refrigeration first- and second-year trainees may work unsupervised when installing HVAC thermostat cable when the system consists of a single thermostat in one- and two-family dwelling units where line voltage power is not connected to the system.

(b) HVAC/refrigeration second year trainees may work unsupervised when installing thermostats or making thermostat cable connections in one- and two-family dwelling units.

(3) Individuals credited with a minimum of two years previous work experience training credit per WAC 296-401B-455(2) will qualify for a third-year training certificate in the specialty listed in WAC 296-401B-455 (1)(c) and will be considered temporarily, until June 30, 2002, to be a specialty electrician/technician for the purpose of working within the scope of the appropriate specialty without supervision and for the purpose of supervising first and second year trainees in proper ratio.

(4) Individuals credited with a minimum of two years previous work experience training credit per WAC 296-401B-455(2) will qualify for a third-year training certificate in the appropriate specialty, listed in WAC 296-401B-455 (1)(a), (b), (d), (e), (f), or (g) and will be considered temporarily, until June 30, 2002, to be a specialty electrician/technician for the purpose of working within the scope of the appropriate specialty without supervision and for the purpose of supervising first and second year trainees in proper ratio.

(5) A third-year training certificate issued per subsection (3) or (4) of this section will be revoked if the individual does not successfully complete the appropriate specialty examination before June 30, 2002, for the appropriate specialty, listed in WAC 296-401B-455 (1)(a), (b), (c), (d), (e), (f), or (g). The individual may then apply for a second-year trainee certificate and must:

(a) Work under the direct supervision of a certified specialty electrician or journeyman electrician;

(b) Not supervise trainees; and

(c) Be supervised in the correct ratio.

NEW SECTION

WAC 296-401B-350 Audit of trainee hours. (1) The department, based upon RCW 19.28.171 (Electrical trainee hours—Audit—Rules—Confidentiality), may audit the employment records of the electrical contractor or employer who verified the electrical trainee hours. The time period covered by an audit may be less than one year but will not exceed five years from the date each affidavit verifying trainee hours is submitted.

(2) Every employer or contractor must keep a record of trainee employment so the department may obtain the information it needs to verify electrical trainee work experience. Upon the request of the department's auditors or agents, these records must be made available to the department for inspection within seven business days.

(3) An employer or contractor must maintain time cards or similar records to verify:

(a) The number of hours the trainee worked as a supervised trainee; and

(b) The type of electrical work the trainee performed.

(4) Any information obtained from the trainee's contractor or employer during the audit under the provisions of RCW 19.28.171 is confidential and is not open to public inspection under chapter 42.17 RCW.

(5) The department's audit may include, but will not be limited to, the following:

(a) An audit to determine whether the trainee was employed by the contractor or employer during the period for

which the hours were submitted, the actual number of hours the trainee worked, and the category of electrical work performed; and

(b) An audit covering a specific time period and examining a contractor's or employer's books and records which may include their reporting of the trainee's payroll hours required for industrial insurance, employment security or prevailing wage purposes.

JOURNEYMAN ELECTRICIAN EXAMS

NEW SECTION

WAC 296-401B-410 Qualifying for the journeyman electrician competency examination. (1) An individual may take the journeyman electrician's competency examination if the individual held a current electrical training certificate and has worked for an employer who employs at least one certified journeyman or specialty electrician on staff while the individual:

(a) Has been employed, in the electrical construction trade, under the direct supervision of a journeyman electrician in the proper ratio for four years (8,000 hours) of which two years must be in industrial and/or commercial electrical installation (excluding work described for specialty electricians or technicians) and not more than a total of two years in all specialties; or

(b) Has completed a four-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council while working under the direct supervision of a journeyman electrician in the proper ratio; or

(c) Has completed a two-year electrical construction program as described in RCW 19.28.191, (Certificate of competency—Eligibility for examination—Rules), and two years of work experience in industrial or commercial electrical installations (excluding work described for specialty electricians or electrical technicians) under the direct supervision of a journeyman electrician in the proper ratio.

(2) The applicant and their employer or apprenticeship training director must attest to the accuracy of all information contained on the affidavits of experience used to verify eligibility for the journeyman examination. All the requirements of WAC 296-401B-330 must be met when submitting affidavits of experience.

NEW SECTION

WAC 296-401B-420 Qualifying for the journeyman electrician competency examination when work was performed in another state when certified. An individual may take the journeyman electrician's competency examination when the appropriate authority having state certifies to the department that:

(1) The work was legally performed under their licensing and certification requirements;

(2) The work consisted of at least four years (8,000 hours) of electrical installation training of which two years must be in industrial or commercial electrical installations

(excluding work described for specialty electricians or electrical technicians);

(3) The work consisted of not more than a total of two years in all specialties; and

(4) The other state's certificate was obtained by examination.

NEW SECTION

WAC 296-401B-430 Qualifying for the journeyman electrician competency examination when work was performed in another jurisdiction when not certified. (1) An individual may take the journeyman electrician's competency examination when an appropriately licensed electrical contractor files a notarized affidavit of experience with the department accompanied by payroll documentation and certifying:

(a) The individual's training consisted of at least four years (8,000 hours) of electrical installation training of which two years must be in industrial or commercial electrical installations (excluding work described for specialty electricians or technicians); and

(b) The work consisted of not more than a total of two years in all specialties.

(2) The individual and their employer must attest to the accuracy of all information contained on the affidavits of experience used to verify eligibility for the journeyman examination.

NEW SECTION

WAC 296-401B-440 Experience in another country.

(1) If an individual has a journeyman electrician certificate from a country outside of the United States that requires at least four years of electrical construction training, the individual will be eligible for two years credit toward a journeyman certificate. No more than two years of the required training may be for work described for specialty electricians or technicians. Credit is not allowed towards a specialty electrician certificate.

(2) The individual must also obtain an electrical training certificate and take two additional years training in the United States under the direct supervision of a journeyman electrician in the proper ratio in industrial or commercial electrical installations (excluding work described for specialty electricians or electrical technicians) to qualify for the journeyman's competency examination.

NEW SECTION

WAC 296-401B-445 Military experience. An individual who has worked a minimum of four or more years in the electrical construction trade performing work described in WAC 296-401B-410 while serving in the Armed Forces of the United States may be eligible to take the examination for the certificate of competency as a journeyman electrician. Nuclear, marine, radar, weapons, electronics, or aeronautical experience is not acceptable.

SPECIALTY ELECTRICIAN EXAMS**NEW SECTION**

WAC 296-401B-450 Qualifying for the specialty electrician competency examination. (1) An individual may take the specialty electrician's competency examination if the individual held a current electrical training certificate and has worked for an employer who employs at least one certified journeyman or specialty electrician on staff while the individual:

(a) Has been employed, in the electrical construction trade, under the direct supervision of a journeyman electrician for two years (4,000 hours) in the appropriate specialty; or

(b) Has completed an appropriate two-year apprenticeship program in the electrical construction trade that is registered with the state apprenticeship council while working under the direct supervision of a journeyman electrician or an appropriate specialty electrician in the proper ratio; or

(2) The applicant and their employer or apprenticeship training director must attest to the accuracy of all information contained on affidavits of experience used to verify eligibility for the journeyman examination. All the requirements of WAC 296-401B-330 must be met when submitting affidavits of experience.

NEW SECTION

WAC 296-401B-455 Opportunity for gaining credit for previous work experience in certain specialties. (1) The following specialties have an opportunity under the following provisions, to apply previous experience towards electrical training credit:

(a) Domestic well specialty electrical technician (03A).

(b) Limited energy (06) - Stand alone amplified sound (RESIDENTIAL ONLY).

(c) HVAC/refrigeration limited energy technician (06A).

(d) Nonresidential maintenance (07).

(e) Nonresidential lighting maintenance and lighting retrofit (07A).

(f) Residential maintenance (07B).

(g) Door, window, gate, and similar systems (10).

(2) To qualify previous work experience training credit toward eligibility for any of the specialty certificate examination(s) in subsection (1) of this section, an individual must:

(a) Make application on or before December 31, 2001, for an electrical training certificate and pay the proper fees to the department; and

(b) Provide proof on or before December 31, 2001, to the department with a notarized verification letter from the individual's employer(s) documenting: That the individual performed electrical installation in the appropriate specialty and was employed full time in the business of electrical installation by a firm in the appropriate specialty; and

(3) Previous work experience training credit will be allowed only for work experience gained:

Prior to June 30, 2001, in specialties listed in subsection (1)(a), (b), (c), (d), (e), (f), or (g) of this section; or

(4) Work experience gained on or after June 30, 2001, in specialties listed in subsection (1)(a), (b), (d), (e), (f), or (g) of this section or on or after September 30, 2000, in the specialty listed in subsection (1)(c) of this section, will be credited only if the applicant possessed a valid training certificate during the time worked and met all requirements of chapter 19.28 RCW and this chapter.

(5) Coincidental previous work experience credit gained using subsection (2), (3), or (4) of this section will not be allowed for the same time periods for multiple specialties.

(6) Individuals credited with less than two years previous work experience training credit may use approved previous work experience credit when applying for the appropriate electrical training certificate.

(7) Previous work experience obtained through subsection (2), (3), or (4) of this section will not be applicable towards journeyman certification until the trainee successfully completes the specialty certification examination that the previous work experience allowed.

NEW SECTION

WAC 296-401B-460 Qualifying for the specialty electrician competency examination when work was performed in another state when certified. An individual may take the specialty electrician's competency examination when the appropriate authority having state certifies to the department that:

(1) The work was legally performed under their licensing and certification requirements;

(2) The work consisted of at least two years (4,000 hours) of electrical installation in the appropriate specialty; and

(3) The other state's certificate was obtained by examination.

NEW SECTION

WAC 296-401B-470 Qualifying for the specialty electrician competency examination when work was performed in another jurisdiction when not certified. (1) An individual may take the specialty electrician's competency examination when an appropriately licensed electrical contractor files a notarized affidavit of experience with the department accompanied by payroll documentation and certifying:

(a) The individual's training consisted of at least two years (4,000 hours) of electrical installation; and

(b) The work was performed in the appropriate specialty.

(2) The individual and their employer must attest to the accuracy of all information contained on the affidavits of experience used to verify eligibility for the specialty examination.

NEW SECTION

WAC 296-401B-475 Experience in another country. Experience gained in another country is not allowed towards a specialty electrician certificate.

NEW SECTION

WAC 296-401B-476 Military experience. (1) If an individual has two or more years training or experience in a specialized electrical field in the Armed Forces of the United States that is similar to a specialty electrician category listed in WAC 296-401B-110(4), one year credit may be allowed toward an appropriate specialty certificate. Nuclear, marine, radar, weapons, electronics, or aeronautical experience is not acceptable.

(2) The individual must also work one additional non-military year in the appropriate specialty under the direct supervision of a journeyman or specialty electrician to qualify for the specialty electrician's competency examination.

ELECTRICIAN COMPETENCY EXAMSNEW SECTION

WAC 296-401B-500 Failing a competency examination. (1) Anyone failing a competency examination may retake the examination by making arrangements with the testing agency and paying the retesting fee listed in WAC 296-401B-700.

(2) Anyone failing a competency examination may continue to work in the electrical trade if they have a valid electrical training certificate and work under the direct supervision of a certified journeyman or specialty electrician in the proper ratio.

JOURNEYMAN AND SPECIALTY ELECTRICIAN EXAM CONTENTSNEW SECTION

WAC 296-401B-510 Subjects included in the journeyman electrician competency examinations. The following subjects are among those that may be included in the examination for a certificate of competency. The list is not exclusive. The examination may also contain subjects not on the list.

For journeyman electricians:

AC - Generator; three-phase; meters; characteristics of; power in AC circuits (power factor); mathematics of AC circuits.

Air conditioning - Basic.

Blueprints - Surveys and plot plans; floor plans; service and feeders; electrical symbols; elevation views; plan views.

Building wire - Sizes.

Cable trays.

Calculations.

Capacitive reactance.

Capacitor - Types; in series and parallel.

Circuits - Series; parallel; combination; basic; branch; outside branch circuits; calculations.

Conductor - Voltage drop (line loss); grounded.

Conduit - Wiring methods.

DC - Generator; motors; construction of motors; meters.

Definitions.

Electrical units.

Electron theory.
Fastening devices.
Fire alarms - Introduction to; initiating circuits.
Fuses.
Generation - Principles of.
Grounding.
Incandescent lights.
Inductance - Introduction to; reactance.
Insulation - Of wire.
Mathematics - Square root; vectors; figuring percentages.
Motors - Motors vs. generators/CEMF; single phase; capacitor; repulsion; shaded pole; basic principles of AC motors.
Ohm's Law.
Power.
Power factor - AC circuits; correction of; problems.
Rectifiers.
Resistance - Of wire.
Rigging.
Safety - Electrical shock.
Services.
Three-wire system.
Tools.
Transformers - Principles of; types; single phase; three-phase connections.
Voltage polarity across a load.
Wiring methods - Conduit; general.
Wiring systems - Less than 600 volts; 480/277 volts; three-phase delta or wye; distribution systems over 600 volts.
Note: Journeyman electrician examinations may also include the subjects listed below for specialty electrician examinations.

NEW SECTION

WAC 296-401B-520 Subjects included in the specialty electrician competency examinations. The following subjects are among those that may be included in the examination for a certificate of competency. Examination subjects are restricted to those subjects related to the scope of work of the specialty described in WAC 296-46A-930. The list is not exclusive. The examination may also contain subjects not on the list.

For specialty electricians:

AC - Meters.

Appliance circuits or controls.

Blueprints - Floor plans; service and feeders.

Cables - Wiring methods.

Calculations.

Circuits - Series; parallel; combination; basic; outside branch.

Conductor - Voltage drop (line loss); grounded; aluminum or copper.

Conduit - Wiring methods.

Electrical signs, circuits, controls, or services.

Electrical units.

First aid.

Fuses.

General lighting.

Grounding of conductors.

Insulation of wire.
 Ladder safety.
 Limited energy circuits or systems.
 Maintenance of electrical systems.
 Mathematics - Figuring percentage.
 Motor circuits, controls, feeders, or services.
 Ohm's Law.
 Overcurrent protection.
 Resistance of wire.
 Services.
 Sizes of building wire.
 Three-wire system.
 Tools.
 Transformer - Ratios; single-phase.

CONTINUING EDUCATION COURSES

NEW SECTION

WAC 296-401B-600 Continuing education course approval. (1) Each continuing education course for renewal of an electrician's certificate of competency must be approved by a three-member subcommittee of the electrical board. The chief electrical inspector will be an ex officio member of this subcommittee.

(2) To be considered for approval, continuing education courses must consist of not less than four hours of instruction, and be open to monitoring by a representative of the department and/or the electrical board at no charge. If the department determines that the continuing education course does not meet or exceed the minimum requirements for approval, the approval for the course may be revoked or the number of credited hours reduced.

(3) Approved courses must be based on:

- (a) The currently adopted edition of the National Electrical Code; and/or
- (b) Currently adopted administrative rules (chapters 296-46A and 296-401B WAC); or
- (c) Materials and methods as they pertain to electrical construction, building management systems, electrical maintenance and workplace health and safety.

(4) The entity seeking approval of a continuing education course will be notified of the subcommittee's decision within five days of the completed review of the application.

NEW SECTION

WAC 296-401B-610 Offering continuing education courses. (1) If the continuing education course is approved, the course may be offered for up to three years without additional approval. If a new edition of the National Electrical Code is adopted within the three-year period, a new application must be submitted for continued approval of any code-related course.

(2) If the application is not approved, the notice will include an explanation of the reasons for rejection. If the applicant disagrees with the subcommittee's decision, a reconsideration hearing by the electrical board may be requested. The request must be received by the board

forty-five days before a regularly scheduled board meeting (see RCW 19.28.311). All additional information to be considered must be submitted not less than thirty days before the board hearing.

(3) Continuing education course hours presented and/or completed before approval by the subcommittee cannot be used to meet the electrician certificate renewal requirements.

NEW SECTION

WAC 296-401B-620 Application for continuing education course approval. (1) All applications for approval must be on forms provided by the department, and will be reviewed without testimony. The board will only consider information you submit with the application for approval of the continuing education training.

(2) The department of labor and industries will provide continuing education approval forms to sponsors upon request. The original completed application for training approval, plus three copies, must be received by the department at least forty-five days before the proposed first course is offered.

(3) Information on the application must include:

- (a) Course title, number of classroom instruction hours, and whether the training is open to the public.
- (b) Sponsor's name, address, contact's name and phone number.
- (c) Course outline (general description of the training, including specific National Electrical Code articles referenced).
- (d) Lists of resources (texts, references, visual aids).
- (e) Names and qualifications of instructors.
- (f) Any additional documentation you want considered.
- (g) A typed copy of the course completion roster that will be used to document:
 - (i) Each participant's name, an electrician certificate number or Social Security number;
 - (ii) The course number, location, and date(s) of training; and
 - (iii) The instructor's name and signature or signature of the course sponsors' authorized representative.
- (h) A sample copy of the completion certificate issued to the course participants.

NEW SECTION

WAC 296-401B-630 Electrician documentation of Washington approved training course completion. (1) The department will not be responsible for researching continuing education history for electricians.

(2) If the department determines that course sponsors have issued inaccurate or false course rosters or certified electricians have filed inaccurate or false continuing education units on the electrician renewal form, the department will initiate penalty action under this chapter.

(3) Sponsors must forward an accurate and typed course completion roster for each course given within thirty days of course completion.

(4) The course completion roster must show each participant's name, and electrician certificate number or Social

Security number; the course number, location, date of completion, and the instructor's name and signature or signature of the course sponsors' authorized representative.

(5) If the course sponsor fails to submit a typed completion roster within thirty days of the course date, the department may revoke or suspend the course approval.

(6) Course sponsors must award a certificate to each participant completing the course from which the participant will be able to obtain:

- (a) Name of course sponsor.
- (b) Name of course.
- (c) Date of course.
- (d) Course approval number.
- (e) The number of continuing education units.

(7) The department will only use a copy of the sponsor's completion roster as final evidence that the participant completed the training course (see WAC 296-401B-130 for renewal requirements).

(8) The department will keep submitted rosters of the continuing education courses on file for audit purposes. The department is not responsible for the original of any completion certificate issued.

NEW SECTION

WAC 296-401B-640 Electrician documentation of out-of-state approved training course completion. To apply continuing education units earned from out-of-state course sponsors who do not have state of Washington approved courses, the following must be met:

- (1) The department must determine that the course is equivalent to the continuing education requirements; or
- (2) The department must have entered into a reciprocal agreement with the issuing jurisdiction;
- (3) The participants must forward an accurate and completed award or certificate from the course sponsor identifying the course location, and date of completion, participant's name, and Washington electrician certificate number or Social Security number. The department will only accept a copy of the sponsor's certificate or form as evidence that the participant completed the training course.

FEES

NEW SECTION

WAC 296-401B-700 Fees for certificates of competency, examination and reciprocity. When an individual applies to take a competency examination or to obtain a certificate of competency, the individual must pay the appropriate fee(s) listed below.

	Type of Certificate	Fee
(1)	Journeyman or specialty electrician certificate renewal (per 36-month period)	\$64.50
(2)	Late renewal of journeyman or specialty electrician certificate (per 36-month period)	\$130.00

	Type of Certificate	Fee
(3)	Journeyman or specialty electrician examination application (nonrefundable)	\$27.00
(4)	Journeyman or specialty electrician original certificate	\$42.50
(5)	Training certificate (expires one year after purchase)	\$20.75
(6)	Training certificate renewal or update of hours	\$20.75
(7)	Unsupervised electrical training certificate	\$20.75
(8)	Journeyman or specialty electrician test or retest	\$48.75
(9)	Reciprocal journeyman or specialty certificate	\$69.50
(10)	Reinstatement of journeyman or specialty certificate	\$20.75
(11)	Continuing education course submittal and approval, per course	\$41.50
(12)	Continuing education course renewal, per course	\$20.75
(13)	Refund processing fee. All requests for refunds will be assessed a processing fee	\$10.50

Note: Failure to appear for an examination results in forfeiture of the examination fee.

FALSE STATEMENTS OR MATERIAL MISREPRESENTATION

NEW SECTION

WAC 296-401B-800 Penalties for false statements or material misrepresentations. (1) A person who knowingly makes a false statement or material misrepresentation on an application, statement of hours, or signed statement required by the department may be referred to the county prosecutor for criminal prosecution under RCW 9A.72.020, 9A.72.030, and 9A.72.040. The department may also file a civil action under RCW 19.28.271 and may revoke or suspend a certificate of competency under RCW 19.28.271.

(2) The department may file a civil action under RCW 19.28.271 and may revoke or suspend a certificate of competency under RCW 19.28.341 or 19.28.241 for inaccurate reporting of continuing education units on the journeyman or specialty electrician renewal form.

(3) The department may file a civil action under RCW 19.28.271 and may subtract up to 2,000 hours of employment from a trainee's total hours, if the department determines the trainee has made a false statement or material misrepresentation in an affidavit of experience.

PERMANENT

REVOCATION, SUSPENSION, AND CONFISCATION OF CERTIFICATES, TEMPORARY PERMITS, AND TRAINING CERTIFICATES

NEW SECTION

WAC 296-401B-850 Revocation or suspension of a certificate of competency or training certificate. (1) The department may revoke or suspend a certificate of competency or training certificate if:

- (a) The certificate was obtained through error or fraud;
- (b) The certificate holder is judged to be incompetent to work in the electrical construction trade as a journeyman electrician, specialty electrician, electrical technician, or electrical trainee;
- (c) The certificate holder has violated any of the provisions of chapter 19.28 RCW or any rule adopted under chapter 19.28 RCW; or
- (d) The certificate holder falsely or inaccurately reported continuing education units on an application for renewal.

(2) Before a certificate of competency or training certificate is revoked or suspended, the certificate holder will be given written notice of the department's intention to do so. Notification will be sent by registered mail to the certificate holder's last known address.

The notification will list the allegations against the certificate holder and give the certificate holder the opportunity to request a hearing before the electrical board. The board will conduct the hearing in accordance with chapter 34.05 RCW, the Administrative Procedure Act. At the hearing the certificate holder may produce witnesses and give testimony. The hearing judge will render a decision based upon the testimony and evidence presented in the hearing and will notify the certificate holder immediately upon reaching its decision.

NEW SECTION

WAC 296-401B-860 Revocation of an electrician temporary permit. The department may revoke any electrician temporary permit if:

- (1) The electrician temporary permit was obtained through error or fraud;
- (2) The electrician temporary permit holder is judged to be incompetent to work in the electrical construction trade as a journeyman electrician, specialty electrician, or electrical technician; or
- (3) The electrician temporary permit holder has violated any of the provisions of chapter 19.28 RCW or any rule adopted under chapter 19.28 RCW.

NEW SECTION

WAC 296-401B-870 Confiscation of a certificate of competency, an electrician temporary permit, or training certificate. The department may confiscate a certificate or permit that is counterfeit, revoked, expired, suspended, or altered. The individual may be referred to the county prosecutor for criminal prosecution under chapter 9A.72 RCW.

The department may also file a civil action under RCW 19.28.271.

ENFORCEMENT

NEW SECTION

WAC 296-401B-900 Enforcement. (1) The department of labor and industries ensures that employers and employees comply with the requirements of chapter 19.28 RCW, Electricians and electrical installations, and chapter 296-401B WAC, Certification of competency for journeyman electricians, by inspecting electrical job sites. To do this, inspections are made by the department's compliance officers or electrical inspectors.

(2) Compliance officers or electrical inspectors determine whether:

- (a) Each person doing electrical work on the job site has a proper journeyman, specialty, or training certificate or permit;
- (b) The ratio of certified journeyman/specialty electricians to the certified trainees on the job site is correct; and
- (c) Each certified trainee is directly supervised by an individual with a journeyman or appropriate specialty certificate of competency or permit for the type of electrical work being performed.

NEW SECTION

WAC 296-401B-910 Failure to comply with electrician certification law. (1) If the compliance officer or electrical inspector determines that an individual, employer, or employee has violated chapter 19.28 RCW, Electricians and electrical installations, or chapter 296-401B WAC, Certification of competency for journeyman electricians, the department will issue a citation that describes the reason for the violation. A cease and desist order may be issued by the compliance officer or electrical inspector if the individual, employer, or employee continues to violate the law.

(2) Individuals, employers, and employees may appeal the citation or cease and desist order by requesting a hearing pursuant to RCW 19.28.131, 19.28.271, 19.28.341, 19.28.381, and/or 19.28.490.

(3) A request for hearing does not stay the effect of the citation or cease and desist order.

(4) If the individual, employer, or employee disobeys the cease and desist order, the department will apply to superior court for a court order enforcing the cease and desist order. If the individual, employer, or employee disobeys the court order, the department may request the attorney general to apply to the superior court for an order holding the individual, employer, or employee in contempt of court.

NEW SECTION

WAC 296-401B-920 Special enforcement procedures. Noncompliance enforcement procedures for the following specialties are outlined in Figure 1 (below). If a citation is issued for failure to comply with the certification requirements and enforcement procedures, the individual will

lose the ability to apply any previous specialty work experience training credit (see WAC 296-401B-455(2)) toward examination qualification.

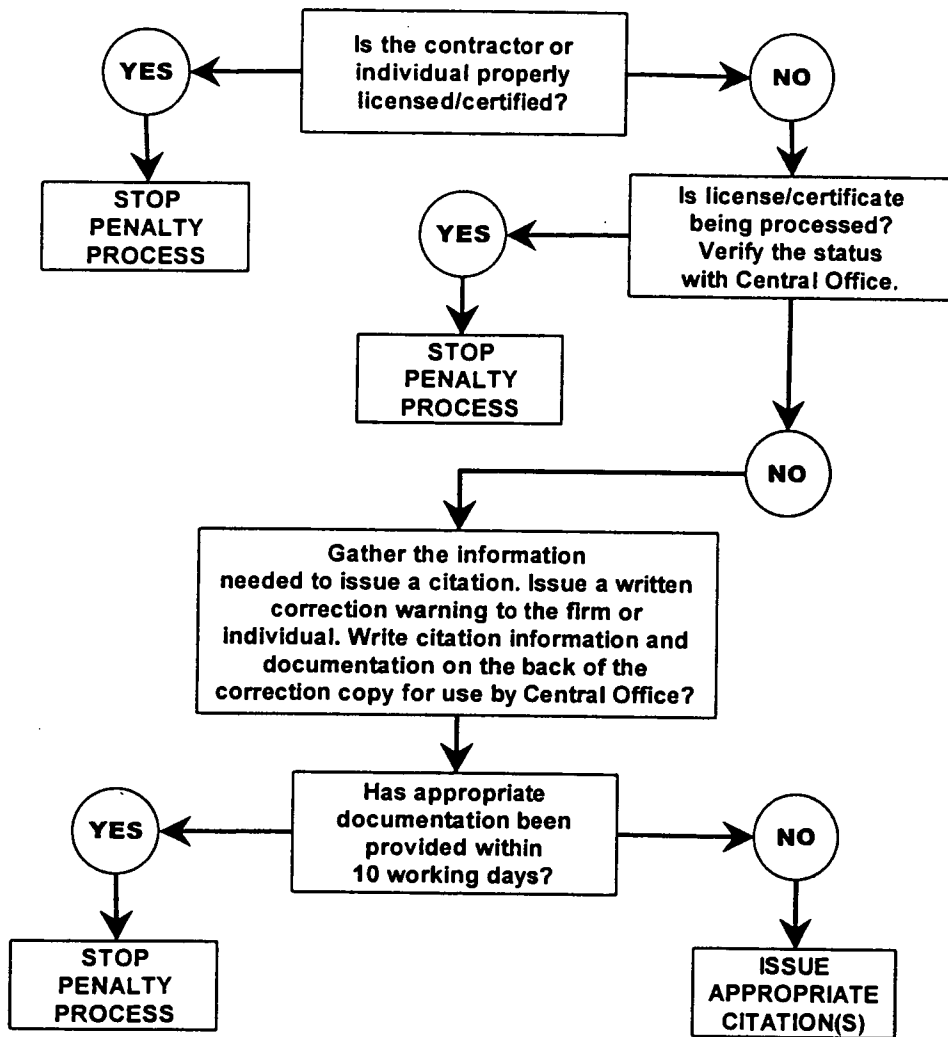
- (1) Domestic well specialty electrical technician (03A).
- (2) Limited energy (06) - Stand alone amplified sound (RESIDENTIAL ONLY).

- (3) HVAC/refrigeration limited energy technician (06A).
- (4) Nonresidential maintenance (07).
- (5) Nonresidential lighting maintenance and lighting retrofit (07A).
- (6) Residential maintenance (07B).

Figure 1

ELECTRICAL SPECIALTY

Interim Licensing/Certification Requirements



<p>HVAC/refrigeration (06A)</p>	<p>Begin interim enforcement: July 1, 2000 Begin full enforcement: January 1, 2002</p>
<p>Domestic well (03A), Limited energy (06) (residential stand-alone sound only), Nonresidential maintenance (07), Nonresidential lighting maintenance and lighting retrofit (07A), Residential maintenance (New 07B), Door, window, gate and similar systems (New 10)</p>	<p>Begin interim enforcement: July 1, 2001 Begin full enforcement: January 1, 2002</p>

PERMANENT

APPEAL RIGHTS AND HEARINGS

NEW SECTION

WAC 296-401B-950 Appeal rights. If a firm or individual disagrees with a decision of the department, an appeal hearing to the board may be requested within twenty days of receipt of the department decision.

NEW SECTION

WAC 296-401B-960 Types of appeals. There are formal and informal appeals. See chapter 296-13 WAC, Electrical board, for descriptions of informal and formal appeals. "Contested cases" as defined by chapter 296-13 WAC require a formal appeal. A formal appeal will be held in conformance with the requirements of the Administrative Procedure Act, chapter 34.05 RCW and will be assigned by the board to an administrative law judge.

NEW SECTION

WAC 296-401B-970 Appeal procedures. (1) An appeal must be made in writing to the department chief electrical inspector, as secretary to the board, within twenty calendar days of service of notice of the disputed decision. The written appeal must state the decision of the department that is being appealed and the relief that is desired.

(2) A written request for an appeal must be made per the requirements of RCW 19.28.111, Disputes; RCW 19.28.121, Board—Request for ruling; RCW 19.28.131, Appeal; RCW 19.28.241, Revocation of certificate of competency; RCW 19.28.271, Appeal; RCW 19.28.341, Revocation or suspension of license; or RCW 19.28.381, Denial of renewal of certificate or license for outstanding penalties.

NEW SECTION

WAC 296-401B-980 Department conferences. Within twenty calendar days of receipt of notice of intent, the affected firm or individual may request a conference before the department. Should the firm or individual disagree with the decision of the department, an appeal may be made to the electrical board under the procedures in WAC 296-401B-970.

NEW SECTION

WAC 296-401B-990 General. See chapter 296-13 WAC for additional information on appeals before the electrical board.

NEW SECTION

WAC 296-403-160 Amusement rides or structures, carnivals, circuses, and similar traveling shows. (1) Electrical installations. Service equipment, separately derived systems, feeders and circuits for each amusement ride, structure or concession and the interconnection of each ride, struc-

ture or concession, shall comply with Article 525 of the National Electrical Code and this chapter.

(2) Flexible multiconductor cords shall be connected to equipment by approved connectors designed for the purpose or by listed cord caps. Individual conductors of multiconductor cords in sizes #2 AWG and larger shall be permitted to be connected by listed and labeled connection systems in accordance with Article 520-53(K) of the National Electrical Code. Where conductors are connected individually by such connection systems, the outer jacket of multiconductor cord shall be secured to the electrical equipment independent from the receptacles and plugs by approved cable grips that are installed in a manner to prevent pressure from being applied to the receptacles and plugs.

(3) Individual, single conductor, insulated, portable power cable, in addition to complying with Section 525-13 of the National Electrical Code, shall comply with the following:

(a) All conductors of the feeder or circuit including the equipment grounding conductor originate in the same electrical equipment and terminate in the same equipment.

(b) All conductors of the feeder or circuit including the ungrounded, grounded, and equipment grounding conductors are run together, except for portions installed within approved cable protection systems.

(c) The cables are secured to the electrical equipment independent from the cable receptacles and plugs by approved cable grips that prevent pressure from being applied to the connectors.

(d) The cables are connected to electrical equipment by approved listed and labeled connection systems in compliance with Section 520-53(K) of the National Electrical Code.

(4) Disconnecting means. A separate, enclosed, externally operable fused switch or circuit breaker shall be installed on each amusement ride, structure or concession to disconnect all electrical equipment. The disconnecting means shall be readily accessible and identified as the disconnecting means. Where more than one power supply is employed, the disconnecting means shall be grouped.

(5) Rotating equipment. Components of amusement rides or structures that rotate more than three hundred sixty degrees and which have electrically operated equipment, shall be supplied by approved collector rings that shall be totally enclosed or located so they are accessible to authorized personnel only. The collector rings shall be factory produced with an equipment grounding segment having a voltage and current rating that equals or exceeds the rating of the current carrying segments. Collector rings shall have an ampacity not less than one hundred twenty-five percent of the full-load current of the largest device served plus the full-load current of all other devices served. Collector rings for control and signal purposes shall have an ampacity not less than one hundred twenty-five percent of the full-load current of the largest device served plus the full-load current of all other devices served.

(6) Equipment grounding. All noncurrent carrying metal parts of amusement rides and structures shall be grounded by an equipment grounding conductor routed with the feeder or circuit conductors in accordance with the National Electrical

Code and these rules. The metallic structure shall not be used as a current carrying conductor.

EXCEPTION: The metallic structure shall be permitted to be used as the return path for low voltage systems that do not exceed thirty volts, provided that the ungrounded conductors are protected by an overcurrent device in accordance with the National Electrical Code and the system is factory built for such use.

(7) Existing amusement rides, concessions or games electrical systems shall comply with the National Electrical Code and shall be maintained in full compliance. Where new amusement rides, concessions or games are purchased, manufactured or constructed, or where existing rides, concessions or games have major modification, the electrical system shall comply with this chapter and the edition of the National Electrical Code in effect at that time. All rides, concessions, and games shall be identified in or on the disconnecting means as well as by make, model and serial number in records furnished to the department with the edition of the National Electrical Code the electrical system is intended to comply with.

WSR 01-01-100

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed December 15, 2000, 2:54 p.m.]

Date of Adoption: December 15, 2000.

Purpose: The purpose of the amendments to chapter 16-164 WAC is to clarify and strengthen the rules for the handling of organic food products, improve the integrity of organic food products, and provide harmonization with national and international organic food standards.

Citation of Existing Rules Affected by this Order: Chapter 16-164 WAC, repealing WAC 16-164-030; and amending WAC 16-164-010 through 16-164-100.

Statutory Authority for Adoption: Chapter 15.86 RCW.

Adopted under notice filed as WSR 00-22-100 on November 1, 2000.

Changes Other than Editing from Proposed to Adopted Version: **WAC 16-164-020 Definitions.**

We made editorial changes to the definition of new applicant and renewal applicant to improve the clarity of the rule.

WAC 16-164-035 Application for certification.

We edited the language of the adopted rule to specify that only retailers that do not process are exempted from certification. This editorial change is consistent with the statutory language in RCW 15.86.090.

WAC 16-164-037 Confidentiality.

We corrected the statutory reference to the Public Disclosure Act.

WAC 16-164-040 Organic handler standards.

We deleted the proposed requirement to require separate storage for thiabendazole treated food.

We deleted the proposed requirement to require separate regular storage for diphenylamine treated food.

We added a provision to allow used containers to be lined with food grade plastic liners to protect the integrity of the organic food products.

WAC 16-164-050 Post harvest materials and practices.

We deleted the proposed requirement to require separate storage for thiabendazole treated food.

The adopted rule clarifies that quaternary ammonium compounds are prohibited as sanitizers prior to handling organic food products but they are not prohibited from use on these packing lines at other times.

WAC 16-164-055 Labels, labeling and market information.

We eliminated the requirement that organic food products had to be individually labeled.

WAC 16-164-085 Certification.

We deleted a redundant sentence that stated that new applicants needed to be inspected prior to receiving their certification.

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 4, Amended 9, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 4, 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.

December 14, 2000

Jim Jesernig

Director

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-010 Purpose. This chapter is promulgated pursuant to RCW 15.86.060 wherein the director is authorized to adopt rules for the proper administration of the Organic Food Products Act and pursuant to RCW 15.86.070 wherein the director is authorized to establish a certification program for processors and vendors of organic food products. This chapter provides standards for the certification of handlers of organic food products, including (~~packers and vendors~~) produce distributors, grocery distributors, fruit packers, marketing companies, brokers, warehouses, and retailers.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-020 Definitions. As used in this chapter:

(1) "Approved" means any material or practice which meets the required criteria or standards for use in the handling of organic agricultural products.

(2) "Commingling" means the physical contact between unpackaged organic food products and nonorganic food products during production, processing, transportation, storage or handling.

(3) "Container" means a box, bin, carton, package or other wrapping that encloses or holds organic food products.

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

~~((3))~~ (5) "Director" means the director of the department of agriculture or his or her duly authorized representative.

~~((4))~~ (6) "EPA's list 4" means the United States Environmental Protection Agency's list 4 of other (inert) pesticide ingredients that are generally regarded as safe or 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/opprd001/inerts/lists.html.

(7) "Facility" includes, but is not limited to, any premises, plant, establishment, facilities and the appurtenances thereto, in whole or in part, where organic food products are prepared, handled, packaged, or repackaged in any manner for eventual sale or distribution for eventual sale to the ultimate consumer.

~~((5))~~ (8) "Handle" means to sell, arrange the sale of, represent, process, distribute or package organic food products.

(9) "Handler" means any person who sells, arranges the sale of, represents, processes, distributes, or packs organic food products.

~~((6))~~ (10) "Label" means all written, printed, or graphic material on the immediate container of an organic food product or accompanying or representing the product.

(11) "Material" means any substance or mixture of substances that is used in the handling of organic agricultural products.

~~((7))~~ (12) "New applicant" means any person that applies for organic certification for the first time, or any person that applies whose organic certification has expired for at least one year.

(13) "Organic food product" means any food product, including fruit, vegetable, meat, dairy, beverage and grocery, that is marketed using the term organic or any derivative of the term organic in its labeling or advertising. This includes using the term organic on the principal display panel, the ingredients list or other locations on the label.

~~((8))~~ "Packer" means any person who receives any organic food product, either through gaining possession or through providing a service, from a producer or other party and packages or repackages that food product.

~~((9))~~ (14) "Packing" means to wrap, box, or put together raw or processed organic food in a container, box, or package in preparation for sale.

~~((10))~~ (15) "Person" means any natural person, firm, partnership, exchange, association, trustee, receiver, corporation, and any other member, officer, or employee thereof or assignee for the benefit of creditors.

~~((11))~~ (16) "Processed organic food" means food that in whole or in part is organically grown and which in its processing has not been treated with synthetically or artificially derived preservatives, colorings, flavorings, or any other artificial or synthetic additive, except as otherwise approved for use under chapter 16-158 WAC.

~~((12))~~ (17) "Prohibited" means any material or practice which ~~((is disallowed in))~~ does not meet the required criteria or standards for use in the handling of organic agricultural products.

~~((13))~~ (18) "Recognized organic certification agency" means any third-party organization that is accepted by the director as being one which verifies compliance with standards consistent with chapter 15.86 RCW or rules adopted thereunder.

~~((14))~~ (19) "Renewal applicant" means any person that has received organic certification in the previous year.

(20) "Retail facility" means any facility, in whole or in part, that sells organic food products directly to consumers.

(21) "Sale" means selling, offering for sale, holding for sale, preparing for sale, trading, bartering, offering a gift as an inducement for sale of, and advertising for sale in any media.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-035 Application for certification~~((— Expiration date))~~. ~~((Organic food handlers, except for final retailers, must apply to the department for organic food certification on an annual basis. The application deadline is March 1. The application, accompanied by the appropriate fee shall be submitted to the department on forms furnished by the department. Organic food handler certificates shall expire on March 31st of the year following their issuance.~~

~~Applications made after the set deadline may be processed as the department can schedule the initial inspections; provided that the handler pay a late fee of fifty dollars.~~

~~Except for final retailers of organic food products, it shall be unlawful for any handler to represent, label, or sell organic food products without having obtained an annual organic food handler certificate.)~~ (1) All facilities that handle organic food products must be certified by the department or through a recognized organic certification agency, except for retail facilities that do not process organic food products.

(2) Retail facilities of organic food products may be certified under this chapter.

(3) Certified organic producers who handle only their own product are not required to obtain additional certification under this chapter.

(4) Processors of organic food must obtain certification under chapter 16-158 WAC, Standards for the certification of processors of organic food.

(5) Applications to the department for organic food certification must be made on an annual basis at least thirty days prior to the handling of organic food products. The application, accompanied by the appropriate fee, must be submitted to the department on forms furnished by the department.

(6) The application must include an organic handling plan that includes, as applicable:

- (a) A description of the handling operation;
- (b) A schematic flow chart of the organic handling process;
- (c) A list of the postharvest materials used in the handling of organic food products;
- (d) A description of the recordkeeping system used at the facility to trace organic food products;
- (e) A copy of organic food product labels used at the facility;
- (f) A description of the pest management program used at the facility including a list of all pesticides used in the facility.

NEW SECTION

WAC 16-164-037 Confidentiality. Except for applications and laboratory analyses submitted for certification under this chapter, the department keeps confidential any business-related information obtained under this chapter. All business-related information submitted to the department under this chapter is exempt from public inspection and copying consistent with RCW 15.86.110 and 42.17.310.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-040 ((Standards for handlers.))
Organic handler standards. (1) Identification: All organic food products must be clearly identified at all times with appropriate labeling on all boxes, bins, bags, or other containers that contain organic food products.

(2) Storage:

(a) All organic food products ((in a facility)) must be stored so that there is no cross contamination from or confusion with nonorganic food products.

~~(Insect and rodent control programs must be in place for organic product storage areas. Any materials used in organic product storage areas must be approved for use in organic food production under chapter 16-154 WAC or this chapter.~~

~~In areas where entire facilities are periodically fumigated, the handler must demonstrate that any fumigants used will not contaminate organic products.~~

~~Compounds for cleaning storage areas must be used in a manner that does not contaminate organic food products.~~

~~Organic and nonorganic food products may be stored in the same storage room as long as there is adequate separation of products and product identification assures no mixing of products.~~

~~Storage techniques may be used to alter the nitrogen, oxygen, and carbon dioxide levels in the storage room atmosphere. Organic food products shall not be stored in controlled atmosphere storage with diphenylamine treated food products.~~

(3) Handling of organic food products:

All packaging and products must be free of fungicides, preservatives, fumigants, and any other materials which are prohibited for use on organic food products under chapter 16-154 WAC or this chapter.

All water used in handling must be potable and comply with all local, state, and federal guidelines for potable water.

~~Cleaning and sanitizing must be done with appropriate cleansers and sanitizers that will ensure clean and sanitary facilities and do not leave any residues of cleansers or sanitizers on the organic food products.))~~ (b) Organic and nonorganic food products may be stored in the same storage room as long as there is adequate separation of products and product identification assures no commingling of products. Organic food products shall not be stored in controlled atmosphere storage with diphenylamine treated food products.

(c) Storage techniques may be used to alter the nitrogen, oxygen, and carbon dioxide levels in the storage room atmosphere.

(3) Wet nonorganic food products must not be stacked on top of any organic food products at any time.

(4) Water: All water used in handling must be potable and comply with all state, local, and federal guidelines for potable water except as provided under WAC 16-164-050.

(5) Containers: All containers must be free of fungicides, preservatives, fumigants, and any other materials that are prohibited for use on organic food products under chapter 16-154 WAC or this chapter. The containers must be either:

(a) New;

(b) Designated for organic products only;

(c) If they have previously contained nonorganic food products, they must be completely emptied and cleaned; or

(d) Lined with a food grade plastic liner.

(6) Pest control.

(a) Insect and rodent control programs must be in place in areas where organic food products are stored or displayed. Any materials used must be approved for use in organic food production under chapter 16-154 WAC or this chapter.

(b) Prohibited pest control materials must not be applied in areas where organic food products are present.

(c) Organic food products must be removed from areas where prohibited pest control materials are applied.

(d) Records must be maintained for all pesticides applied within the facility, including the pesticide used, where used, quantity applied, and the date of application.

(7) Preparation of organic food products for retail sale.

(a) Organic food products must be prepared in water not previously used for nonorganic food products and with equipment that has been thoroughly cleaned.

(b) If preparation surface area is used for processing both nonorganic and organic food products, the organic food products must be prepared first with clean equipment.

(8) Display of organic food products in retail facilities.

(a) Organic and nonorganic food products must not be placed side by side without a sufficient barrier to prevent commingling.

(b) If an organic food product is going to be placed in a container that previously contained nonorganic food products, the container must be completely emptied, cleaned, and labeled appropriately.

(c) If a nonorganic food product is going to be placed in a container that previously contained organic food products, the organic label must be removed.

AMENDATORY SECTION (Amending WSR 92-17-018, filed 8/7/92, effective 9/7/92)

WAC 16-164-050 Postharvest materials and practices. (1) Approved materials and practices. The following list of materials and practices are approved for postharvest use for organic food. Some materials have certain restrictions regarding their use. These restrictions are noted in the list. All materials must be used with awareness and care for the environment and in compliance with state and federal laws.

(a) Acetic acid.

(b) Ascorbic acid.

(c) Beneficial insects.

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

(e) Carbon dioxide gas.

~~((e))~~ Chlorine dioxide.

~~((d))~~ (f) Chlorine compounds include calcium hypochlorite, sodium hypochlorite and chlorine dioxide. Chlorine compounds are allowed to sanitize food contact surfaces. Dump tank water, flume water and water used to wash organic food products may contain chlorine compounds up to 50 ppm free chlorine. Must be followed by a potable water rinse.

(g) Citric acid, naturally derived.

~~((e))~~ (h) Cleansers. Must be biodegradable and on EPA's list 4. Must be followed by a potable water rinse.

(i) Controlled atmosphere storage: Storage with diphenylamine treated food products is prohibited.

~~((f))~~ (j) Ethylene gas: Ethylene gas may be used on bananas only.

~~((g))~~ (k) Fruit waxes: Natural waxes are permitted as long as they do not contain synthetic additives.

~~((h))~~ (l) Hydrogen peroxide.

~~((i))~~ (m) Lignosulfonates for floating tree fruits.

~~((j))~~ (n) Microorganisms and microbial products. Genetically engineered organisms and their products are prohibited.

(o) Ozone.

(p) Periacetic acid (peracetic or peroxyacetic acid).

(q) Soap, biodegradable. Must be followed by a potable water rinse.

~~((k))~~ Soda ash for floating tree fruits.

~~((l))~~ (r) Sodium silicate for floating tree fruits.

(2) Prohibited materials and practices. The postharvest materials and practices that are prohibited for use in the handling of organic ((packing)) food products includes but is not limited to the following:

(a) Antibiotics.

(b) Artificial preservatives.

(c) Fumigants.

(d) Fungicides.

(e) Ionizing radiation (irradiation).

(f) ~~((Other pesticides not specifically approved for use in subsection (1) of this section.))~~ Quaternary ammonium compounds are prohibited as sanitizers on food bearing surfaces prior to handling organic food products.

NEW SECTION

WAC 16-164-055 Labels, labeling and market information. (1) The term "organic" may be used only on labels and in labeling on products that have been produced and handled in accordance with this chapter and rules adopted under chapter 15.86 RCW.

(2) All food products displayed under an organic banner or label must be organic food products.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-060 Recordkeeping requirements. ~~((All organic food must be completely followed by an audit control system.~~

~~(1) Handlers must keep records of products bought and sold that will enable the department to trace food products from receiving through sale. Such records must include but are not limited to, invoices, bills of lading, and grower affidavits of incoming raw product; repack data and production run reports; and invoices and bills of lading of products shipped out.~~

~~(2) All handlers of organic food products shall have available to the department the following documents and information:~~

~~(a) For organic food products obtained directly from producers a copy of their organic food producer certificate. All organic food producer certificates shall be from recognized organic certification agencies.~~

~~(b) For organic food products obtained from another handler, a copy of that handler's organic food handler certificate, or, for handlers which are not certified, a copy of the certificate for each organic food product obtained from that handler. All organic food certificates shall be from recognized organic certification agencies.~~

~~(c) For processed organic food products a copy of the organic food processor certificate or, if the processor is not certified, a copy of a certification verification form must be on file. Certification verification forms shall include the percentage of organic ingredients contained in each product, a list of all organic ingredients, and the certification organization(s) of those ingredients. All organic food certificates shall be from recognized organic certification agencies.~~

~~(d) Recordkeeping that allows for the tracking of product from receiving through sale. Records must be kept for a minimum of two years except for final retailers which must keep records for a minimum of six months.~~

~~(e) All paperwork and labels associated with organic food products must clearly indicate that the product is an organic product.~~

~~(3) Except for applications for organic handler certification or lab analysis pertaining to that certification, the department shall keep confidential any business related information obtained under this chapter concerning an entity certified under this chapter or an applicant for such certification and such information shall be exempt from public inspection and copying consistent with RCW 15.86.110 and 42.17.310~~ ~~((d))~~ (1) Handlers must maintain records that track organic food products from receiving through distribution,

shipping or sale. Such records may include the following: Invoices, bills of lading, date and quantity of product handled, repack data, and production run reports. Handlers must maintain these records for a minimum of five years.

(2) All handlers must have available at all times copies of organic food certificates for all organic food products. Organic food certificates must be current and correspond to the organic food products handled by the facility. All organic food certificates must be issued by the department or a recognized organic certification agency.

(3) All records associated with organic food products must clearly indicate that the product is an organic food product.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-080 Sampling. A representative sample of the product (~~(packed, sold or distributed by the handler)~~) handled may be tested for pesticide residues (~~(of prohibited materials)~~) or other contaminants whenever the director deems it necessary for certification or maintenance of certification.

It shall be the handler's responsibility to arrange for and bear the costs for any testing which is deemed necessary by the director.

NEW SECTION

WAC 16-164-085 Certification. (1) The conditions of organic food handler certification are the following:

(a) Inspection of the handler by the department of agriculture showed no use of prohibited materials or practices as defined in chapter 15.86 RCW or rules adopted thereunder; and

(b) Recordkeeping practices meet the requirements specified in WAC 16-164-060 or rules adopted under chapter 15.86 RCW; and

(c) Analysis of samples taken by the department of agriculture showed no prohibited substance usage or contamination.

(2) The director must review the application, inspection report and results of any samples collected to determine that the handler has complied with the conditions for organic food handler certification. An organic food handler certificate will be issued when the director determines that the handler has complied with the conditions for organic food handler certification.

(3) In no event shall organic food products be handled by a facility prior to the issuing of an organic food handler certificate by the department of agriculture for that year. New applicants must be inspected by the department before an organic food handler certificate is issued.

(4) All organic food handler certificates expire on March 31st of the year following their issuance.

(5) Handlers certified under this chapter may use the logo adopted in WAC 16-164-110 to identify organic food products handled by the facility.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-090 Decertification. Whenever the director finds that a handler who has been certified under this program has:

(1) Violated the standards for certification which are set forth in RCW 15.86.030 or any rules adopted under chapter 15.86 RCW;

(2) Filed an application for certification which is false or misleading in any particular;

(3) Violated any of the provisions of this chapter; ~~((or))~~

(4) Failed to provide records as required by WAC 16-164-050 or rules adopted under chapter 15.86 RCW; or

(5) Failed to allow inspection to take place;

The director may issue an order denying, suspending, or revoking that handler's certification under this program (~~((or he may))~~). The director may also issue an order directing the handler to take other appropriate action to correct the violation. If appropriate action is taken, the handler may be returned to its previous status under the program.

Any handler who has received notice that its certification may be denied, suspended, or revoked under this section may apply for a hearing under the Washington Administrative Procedure Act, chapter 34.05 RCW.

AMENDATORY SECTION (Amending Order 5070, filed 6/20/95, effective 7/21/95)

WAC 16-164-100 Fee schedule. (1)(a) Renewal applicants. Application fees must be based on the previous calendar year's gross sales of organic and transition to organic food. In the event that the current calendar year's gross sales exceed the previous year's gross sales, the department may bill the handler for the additional fee. In the event that the current calendar year's gross sales are less than the previous year's gross sales, the producer may request a refund for the reduced fee. In addition, renewal applications postmarked after March 1 must pay a late fee of fifty dollars.

(b) New applicants. Application fees must be based on an estimate of the current year's gross sales of organic and transition to organic food. In the event that the current calendar year's gross sales exceed the estimate, the department may bill the handler for the additional fee. In the event that the current calendar year's gross sales are less than the estimate, the handler may request a refund for the reduced fee. In addition, new applicants must pay a seventy-five dollar new applicant fee.

(c) The cost per ~~((application shall))~~ facility must be based on the following fee schedule. ~~((Gross value shall be based on the previous calendar year's sales of organic food products. First year applicants shall base gross value on an estimate of the value of organic food products which will be handled at the facility. In the event that first year sales of organic food products exceed the estimate, WSDA may bill the handler for the additional application fee.))~~ The appropriate fee ~~((shall))~~ must accompany the application.

FEE SCHEDULE

Gross value of products sales under	FEE
\$25,000	\$75
((25,000)) - 50,000	150
<u>25.001</u>	
((50,000)) - 75,000	225
<u>50.001</u>	
((75,000)) - 100,000	300
<u>75.001</u>	
((100,000)) - 200,000	400
<u>100.001</u>	
((200,000)) - 300,000	500
<u>200.001</u>	
((300,000)) - 400,000	600
<u>300.001</u>	
((400,000)) - 500,000	700
<u>400.001</u>	
((500,000)) - 750,000	900
<u>500.001</u>	
((750,000)) - 1,000,000	1,000
<u>750.001</u>	
((1,000,000)) - 1,250,000	1,250
<u>1,000.001</u>	
((1,250,000)) - 1,500,000	1,500
<u>1,250.001</u>	
((1,500,000)) - 2,000,000	2,000
<u>1,500.001</u>	
((2,000,000)) - 2,500,000	2,500
<u>2,000.001</u>	
((2,500,000)) - 3,000,000	3,000
<u>2,500.001</u>	
((3,000,000)) - 4,000,000	3,500
<u>3,000.001</u>	
((4,000,000)) - 5,000,000	4,000
<u>4,000.001</u>	
((5,000,000)) - 6,000,000	5,000
<u>5,000.001</u>	
((6,000,000)) - 7,000,000	6,000
<u>6,000.001</u>	
((7,000,000)) - 8,000,000	7,000
<u>7,000.001</u>	
((8,000,000)) - 9,000,000	8,000
<u>8,000.001</u>	
((9,000,000)) - 10,000,000	9,000
<u>9,000.001</u>	
over ((10,000,000))	10,000
<u>10,000.001</u>	

(2) Additional inspections (in addition to two inspections provided for), if necessary or requested, ~~((shall be))~~ will be charged to the applicant at the rate of thirty dollars per hour plus mileage set at the rate established by the state office of

financial management. Out-of-state inspections, if necessary or requested, ~~((shall be))~~ will be charged to the applicant at the rate of thirty dollars per hour plus transportation costs.

(3) Samples and analysis for prohibited materials, if required for certification or maintenance of certification by the director, or requested by the ~~((handler, shall))~~ applicant, will be charged to the ((handler)) applicant at a rate established by the laboratory services division of the department of agriculture. If an additional visit must be arranged to obtain a sample, it ~~((shall be))~~ will be charged at the rate of thirty dollars per hour plus mileage set at the rate established by the state office of financial management.

NEW SECTION

WAC 16-164-110 Organic food handler certification logo.



PERMANENT

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-164-030 Organic certification of handlers, including packers and vendors.

WSR 01-01-101
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed December 15, 2000, 4:05 p.m.]

Date of Adoption: December 15, 2000.

Purpose: The rule will create a discount prescription drug program which will allow individuals fifty-five years or

older, without prescription drug coverage to access discounted prescription drugs.

Statutory Authority for Adoption: RCW 43.70.040 (1) and (5), 43.70.020(5).

Other Authority: RCW 43.70.130, 43.70.060.

Adopted under notice filed as WSR 00-22-121 on November 1, 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 3, 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 3, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 15, 2000

M. C. Selecky
Secretary

Chapter 246-30 WAC

THE AWARDS PROGRAM

NEW SECTION

WAC 246-30-010 What is the AWARDS program?

(1) **Purpose.** The AWARDS program is a statewide public health initiative. The AWARDS program makes prescription drugs more affordable for Washington residents who are age fifty-five or older and have no prescription drug coverage. The program is a state-sponsored purchasing alliance for AWARDS members to buy prescription drugs at a reduced cost.

(2) **Goals.** The program's goals are:

(a) To promote public health by making prescription drugs more affordable for AWARDS members; and

(b) To assess the program's effectiveness in making prescription drugs more affordable for AWARDS members.

(3) **Definitions.**

(a) "AWARDS (A Washington Alliance to Reduce Prescription Drug Spending)" is a purchasing alliance sponsored by the state of Washington. AWARDS members are charged a discounted rate for prescription drugs.

(b) An "individual membership" is available for a Washington resident fifty-five years of age or older who has no prescription drug coverage and pays an annual individual membership fee to participate in the AWARDS program.

(c) A "family membership" is available for two or more Washington residents fifty-five years of age or older who have no prescription drug coverage, who are living in the

same household, and who, on behalf of the family, pay an annual family membership fee to participate in the AWARDS program.

(d) "Pharmacy benefits manager" means the entity responsible for pharmacy benefits management services, member enrollment, the AWARDS pharmacy network, provision of assessment data, and administrative duties through a contract with the state of Washington.

(e) "Participating pharmacy" means a pharmacy that agrees to serve AWARDS members as part of a pharmacy network on terms set by the pharmacy benefits manager.

(f) "AWARDS discount price" means the reduced cost for prescription drugs set by contract between the state and the pharmacy benefits manager. Participating pharmacies accept the AWARDS discount price as full payment when AWARDS members buy prescription drugs.

NEW SECTION

WAC 246-30-020 How does the AWARDS program work? The AWARDS program will only operate if the state can enter into a contract with a pharmacy benefits manager providing that:

(1) The AWARDS program operates at no cost to the state. AWARDS members pay the AWARDS discount price when buying prescription drugs from a participating pharmacy and show a valid membership card. AWARDS members can also buy prescriptions by mail through the pharmacy benefits manager.

(2) AWARDS is administered in cooperation with the Washington state health care authority through a contract with a pharmacy benefits manager.

(3) Any Washington resident who is fifty-five years of age or older and has no prescription drug coverage is eligible to apply for an individual or family membership in the AWARDS program.

(4) Applicants for AWARDS membership must send an AWARDS membership application to the pharmacy benefits manager. Applicants must certify that they are fifty-five years of age or older and have no prescription drug coverage. Applicants must also pay for an individual or family membership. The pharmacy benefits manager will send a membership card to approved applicants. When presenting a membership card at any participating pharmacy, AWARDS members will be charged the AWARDS discount price for prescription drugs. AWARDS members can also order prescription drugs by mail through the pharmacy benefits manager.

(5) An AWARDS membership may be canceled when a member:

(a) Is not eligible;

(b) Fails to pay the membership fee when due;

(c) Violates the terms and conditions of membership;

(d) Misuses or permits unauthorized use of the membership card; or

(e) Engages in misconduct in connection with the AWARDS program.

If a membership is canceled due to (c) through (e) of this subsection, the membership fee may be forfeited and the member may be subject to other penalties under applicable

laws. The AWARDS pharmacy benefits manager is responsible for enrollment decisions, for maintaining records, and for administering all member services. Any disputes arising between an applicant for AWARDS membership or an AWARDS member and the pharmacy benefits manager is a private contractual dispute. Disputes are resolved according to the terms and conditions of AWARDS enrollment. The state of Washington, its agencies and employees, are not parties to any such dispute.

NEW SECTION

WAC 246-30-030 Are there any limits on the AWARDS program? (1) The AWARDS program is not insurance coverage. The pharmacy benefits manager is solely responsible to AWARDS members for the services it provides. By establishing the AWARDS program, the state of Washington does not assume financial responsibility for the services provided to AWARDS members by the pharmacy benefits manager. AWARDS membership is subject to the additional terms and conditions contained in the AWARDS application and any subsequent changes in those terms and conditions or in benefits announced by the pharmacy benefits manager.

(2) On thirty days' notice, program enrollment may be limited or suspended, or the AWARDS program may be canceled in its entirety, for any reason at the discretion of the department of health.

WSR 01-01-124

PERMANENT RULES

MARINE EMPLOYEE'S COMMISSION

[Filed December 19, 2000, 11:11 a.m.]

Date of Adoption: December 19, 2000.

Purpose: To make housekeeping changes and to include previously nonreferenced portions of chapter 34.05 RCW and chapter 10-08 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 316-02-150, 316-02-810, 316-02-820, 316-65-515, and 316-85-020.

Statutory Authority for Adoption: RCW 34.05.230.

Adopted under notice filed as WSR 00-21-045 on October 13, 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 5, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 5, 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 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 19, 2000

Kathy J. Marshall

Administrator

AMENDATORY SECTION (Amending WSR 90-01-115, filed 12/20/89, effective 1/20/90)

WAC 316-02-150 Service of process—Filing with commission. (1) Papers intended to be filed with the commission shall be deemed filed upon actual receipt by the commission during its regular office hours at its Olympia office(~~:(Provided, however, That such service shall be deemed to be incomplete if the party making the filing should subsequently fail, when requested to do so by the commission, to provide proof of service upon other parties required to be served).~~)).

~~((Filing a copy of the paper(s), together with one of the following shall constitute proof of service:~~

~~(1) An acknowledgement of service; or~~

~~(2) A certificate that the person signing the certificate did on the date of the certificate serve the paper(s) upon all parties of record in the proceeding by:~~

~~(a) Mailing a copy thereof, by restricted certified mail, return receipt requested, to each party to the proceeding or to his or her attorney or authorized agent; or~~

~~(b) Delivery of a copy thereof in person.)) (2) The following conditions apply for filing papers by fax:~~

~~(a) As used in this chapter, "fax" means electronic telefacsimile transmission.~~

~~(b) Papers may be filed by fax with the commission office. Filing by fax is perfected when a complete legible copy of the papers is reproduced on the commission office's fax machine during normal working hours, excluding weekends and holidays. If a transmission of papers commences after these office hours, the papers shall be deemed filed on the next succeeding business day.~~

~~(c) Any papers filed by fax with the commission office should be accompanied by a cover page or other form identifying the party making the transmission, listing the address, telephone, and fax number of the party, identifying the adjudicative proceeding to which the papers relate, and indicating the date of and the total number of pages included in the transmission.~~

~~(d) Papers filed by fax should not exceed fifteen pages in length, exclusive of any cover page.~~

~~(e) The party attempting to file the papers by fax bears the risk that the papers will not be timely received or legibly printed, regardless of the cause. If the fax is not received in legible form, it will be considered as if it had never been sent.~~

~~(f) The original of any papers filed by fax must be mailed to the commission office within twenty-four hours of the time that the fax was sent.~~

~~(3) Service of such shall be deemed to be incomplete if the party making the filing should subsequently fail, when requested to do so by the commission, to provide proof of service upon other parties required to be served.~~

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(4) Filing a copy of the paper(s), together with one of the following shall constitute proof of service upon other parties:

(a) An acknowledgment of service; or

(b) A certificate that the person signing the certificate did serve the paper(s) upon all parties of record in the proceeding by:

(i) Mailing a copy thereof, by restricted certified mail, return receipt requested, to each party to the proceeding or to his or her attorney or authorized agent; or

(ii) Delivery of a copy thereof in person.

AMENDATORY SECTION (Amending WSR 90-01-115, filed 12/20/89, effective 1/20/90)

WAC 316-02-810 Commission records—Confidentiality. The commission, in order to protect the privacy of individual employees and in order to respect the confidential nature of the mediation process and other labor-management relations processes, shall not permit the disclosure to any person of (1) any evidence filed as a showing of interest in support of a representation petition or motion for intervention, or (2) any notes and memoranda made by any member of the commission or its staff as a recording of communication made or received while acting in the capacity of a mediator between the parties to a labor dispute, or (3) any other documents or materials related to mediation other than scheduling information.

AMENDATORY SECTION (Amending WSR 92-22-044, filed 10/27/92, effective 11/27/92)

WAC 316-02-820 Commission offices. The commission maintains its office at Evergreen Plaza Building, 711 Capitol Way South, PO Box 40902, Olympia, Washington 98504-0902. The telephone number is (360) 586-6354, the fax number is (360) 586-0820, the e-mail address is mec@olywa.net, and the internet address is <http://www.marineempcom.org>.

AMENDATORY SECTION (Amending WSR 90-01-119, filed 12/20/89, effective 1/20/90)

WAC 316-65-515 Conduct of grievance arbitration proceedings. (1) Prehearing conferences and hearings may be conducted by the commission or by a member of the commission assigned as arbitrator. At any time, an arbitrator may be substituted for the arbitrator previously presiding.

(2) The arbitrator shall conduct the arbitration proceedings in the manner provided in the collective bargaining agreement under which the dispute arises. All such arbitrators shall maintain compliance with the current "Code of Professional Responsibility for Arbitrators of Labor-Management Disputes" adopted by the National Academy of Arbitrators, the American Arbitration Association, and the Federal Mediation and Conciliation Service (~~(in effect on December 1, 1977)~~): Provided, however, That arbitration matters processed under this chapter shall be filed in the public files of the commission and shall not be accorded the privacy required by such code: And provided further, That if any

statute or commission rule conflicts with aforesaid "code," the statute or rule shall prevail.

(3) The arbitrator shall have the authority:

(a) To administer oaths and affirmations;

(b) To issue subpoenas;

(c) To rule on objections to evidence and offers of proof, receive relevant evidence and exclude irrelevant, immaterial or unduly repetitious evidence;

(d) To question witnesses;

(e) To regulate the time, place and course of the hearing;

(f) To dispose of procedural requests or other similar matters;

(g) To hold conferences for the settlement, simplification or adjustment of issues in accordance with WAC 316-02-210 and 316-02-220;

(h) To make and issue an arbitration award on the matters in dispute, subject to the right of any party to petition for review of such award by the commission in accordance with WAC 316-65-550; and

(j) To take any other action authorized by these rules.

(4) Any party who proceeds with arbitration after knowledge that any provision or requirement of these rules has not been complied with and who fails to state its objection thereto in writing, shall be deemed to have waived its right to object.

AMENDATORY SECTION (Amending WSR 90-06-046, filed 3/2/90, effective 4/2/90)

WAC 316-85-020 Fact-finding surveys—Content—Coverage. In conducting its prebargaining survey, and publishing the findings, the commission shall make comparisons of wages, hours, employee benefits, and conditions of employment of Washington state ferry employees with those of public and private sector employees doing directly comparable but not necessarily identical work. In making its comparisons between and among employers, the commission shall recognize the principle that the greater the degree of comparability between work requirements and conditions of employment, the greater will be the validity of comparisons of wages and employee benefits. The commission shall give consideration to factors peculiar to the area and the classifications involved.

In determining the scope of the survey and in selecting the ferry systems or other employers to be included in the survey, the commission shall consider the size, tonnage, and horsepower of the vessels operated by the Washington state ferry system and by the employers to be included in the survey. The commission shall not include those classifications of employees exempted pursuant to RCW 41.06.079.

Except as provided in the following subsection of this section, salary and employee benefit information collected from private employers that identifies a specific employer with the salary and employee benefit rates which that employer pays to its employees is not subject to public disclosure under chapter 42.17 RCW.

A person or entity, having reason to believe that the salary survey results are inaccurate, may submit a petition to the state auditor requesting an audit of the data upon which the salary survey results are based. The state auditor shall review and analyze all data collected for the salary survey, including

proprietary information, but is prohibited from disclosing the salary survey data to any other person or entity, except by court order.

WSR 01-01-126
PERMANENT RULES
HEALTH CARE AUTHORITY

[Order 00-02—Filed December 19, 2000, 11:25 a.m.]

Date of Adoption: December 19, 2000.

Purpose: Amend WAC 182-12-119, defining eligible dependents to include same-sex domestic partners, and to simplify extended dependent eligibility; and amend WAC 182-12-132 to modify administration of the retiree program all in accordance with the May 23, 2000, vote of the Public Employees Benefits Board.

Citation of Existing Rules Affected by this Order: Amending WAC 182-12-119 and 182-12-132.

Statutory Authority for Adoption: RCW 41.05.160.

Adopted under notice filed as WSR 00-21-074 on October 17, 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 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 19, 2000

Melodie Bankers

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-04, filed 9/8/99, effective 10/9/99)

WAC 182-12-119 Eligible dependents. "Eligible dependents." The following are eligible as dependents under the PEBB eligibility rules:

(1) Lawful spouse or "qualified domestic partner" (same sex domestic partner qualified through the declaration certificate issued by the health care authority).

(2) Dependent children through age nineteen. The term "children" includes the subscriber's natural children, stepchildren, legally adopted children, children for whom the subscriber has assumed a legal obligation for total or partial support of a child in anticipation of adoption of the child, children of the subscriber's qualified domestic partner, or children specified in a court order or divorce decree. Married

children who qualify as dependents of the subscriber under the Internal Revenue Code, and extended dependents approved by the HCA are included. To qualify for HCA approval, the subscriber must demonstrate legal custody for the child with a court order, and:

(a) Be living with the subscriber in a parent-child relationship;

(b) Be dependent upon the subscriber for financial support; and

(c) (~~Not be eligible for coverage under Medicare, Medicaid, or similar government entitlement programs; and~~

~~(d))~~ Not be a foster child for whom support payments are made to the subscriber through the state department of social and health services (DSHS) foster care program.

(3) Dependent children age twenty through age twenty-three who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters or two semesters and for the quarter following graduation provided the employee/retiree is covered at the same time; the dependent limiting age has not been exceeded; and the dependent meets all other eligibility requirements.

(4) Dependent children of any age who are incapable of self-support due to developmental or physical disability, provided such condition occurs prior to age twenty or during the time the dependent was covered under a PEBB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age twenty or loss of eligibility for student coverage, and as periodically requested thereafter.

(5) Dependent parents. Dependent parents covered under a PEBB medical plan before July 1, 1990, may continue enrollment on a self-pay basis as long as:

(a) The parent maintains continuous coverage in a PEBB-sponsored medical plan;

(b) The parent continues to qualify under the Internal Revenue Code as a dependent of an eligible subscriber;

(c) The subscriber who claimed the parent as a dependent continues enrollment in a PEBB program; and

(d) The parent is not covered by any other group medical insurance. Dependent parents may be enrolled in a different PEBB plan than that selected by the eligible subscriber; however, dependent parents may not add additional family members to their coverage.

(6) Surviving dependents.

(a) The following surviving dependents may continue their medical and dental coverages on a self-pay basis:

(i) If a dependent loses eligibility under a PEBB plan due to the death of the employee, the dependent(s) may continue coverage under a retiree plan provided the dependent(s) will immediately begin receiving a monthly benefit from any state of Washington-sponsored retirement system (the Federal Civil Service Retirement System shall be considered a Washington sponsored retirement system for Washington State University cooperative extension service employees who held a federal civil service appointment and who were covered under the PEBB program at the time of death).

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(ii) If a surviving dependent of a PEBB employee is not eligible for a monthly retirement income benefit, or lump-sum payment because the monthly pension payment would be less than \$50, the dependent may be eligible for continued coverage under COBRA.

(iii) Dependents of retirees (~~covered under a PEBB plan~~) enrolled in the retiree's PEBB plan or waiving coverage under a PEBB plan while eligible for an employer sponsored medical plan at the time of the retiree's death are eligible to continue PEBB retiree coverage.

(iv) Surviving spouses and/or eligible dependent children of a deceased school district or educational service district employee who were not enrolled in a PEBB plan at the time of death may continue coverage provided the employee died on or after October 1, 1993 and the dependent(s) immediately began receiving a retirement benefit allowance under chapter 41.32 or 41.40 RCW.

(b) Application for surviving dependent(s) coverage must be made in writing on the enrollment form approved by the health care authority within sixty days from the date of death of the employee or retiree. Coverage is retroactive to the date the employee or retiree coverage terminated subject to the payment of the premium. In order to avoid duplication of group medical coverage, surviving dependents may defer or waive their enrollment in the PEBB coverage each full calendar month in which they maintain coverage under an employer sponsored medical plan. Notice of intent to waive PEBB coverage must be sent in writing to the Washington state health care authority. When an employer sponsored medical plan ends, surviving dependent(s) must submit an application to enroll in a PEBB plan within sixty days of the last day of coverage under the employer sponsored medical plan. Satisfactory evidence of continuous enrollment in an employer sponsored medical plan will be required by the Washington state health care authority prior to enrollment in a PEBB plan. The employee's or retiree's spouse or qualified domestic partner may continue coverage indefinitely; other dependents may continue coverage until they lose eligibility under PEBB rules.

AMENDATORY SECTION (Amending WSR 97-21-127, filed 10/21/97, effective 11/21/97)

WAC 182-12-132 (~~Retirees returning to state employment~~) Waiving or deferring coverage. (~~If a retiree returns to work and is again eligible for employer contributions towards their PEBB or Washington state school district sponsored benefits the retiree may cancel their retirement deduction for health coverage as soon as eligibility is established and the retiree is enrolled as an active employee. The retiree must maintain~~) Retirees may waive PEBB medical and dental coverage for themselves and all dependents if they are covered under another comprehensive employer sponsored medical plan. (Other coverage may be attained through the retiree's reemployment or the spouse's employment.) In order to continue retiree term life coverage (during active employment in order to retain it at retirement), coverage must be selected upon retirement and premiums must continue to be paid during reemployment status. When the retiree again ceases active employment, the retiree (must

~~reenroll~~) may enroll in (a) PEBB (retiree plan) medical and dental coverage with evidence of continuous coverage within (60) sixty days of the loss of coverage. Coverage will become effective the first of the month following the date other coverage ended.

WSR 01-01-134
PERMANENT RULES
HEALTH CARE AUTHORITY
(Basic Health Plan)

[Order 00-04—Filed December 20, 2000, 9:26 a.m.]

Date of Adoption: December 20, 2000.

Purpose: Updates basic health definitions and eligibility requirements for subsidized enrollees to reflect recent legislative changes.

Citation of Existing Rules Affected by this Order: Amending WAC 182-25-010 and 182-25-030.

Statutory Authority for Adoption: RCW 70.47.050.

Other Authority: RCW 70.47.020 as revised by E2SSB 6067.

Adopted under notice filed as WSR 00-22-099 on November 1, 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 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.

December 20, 2000

Melodie Bankers

Rules Coordinator

AMENDATORY SECTION (Amending Order 99-06, filed 11/18/99, effective 12/19/99)

WAC 182-25-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the administrator of the Washington state health care authority (HCA) or designee.

(2) "Appeal procedure" means a formal written procedure for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction.

(3) "Basic health plan" (or BHP) means the system of enrollment and payment (~~on a prepaid capitated basis~~) for

basic health care services administered by the administrator through managed health care systems.

(4) "BHP plus" means the program of expanded benefits available to children through coordination between the department of social and health services (DSHS) and basic health plan. Eligibility for BHP Plus is determined by the department of social and health services, based on Medicaid eligibility criteria. To be eligible for the program children must be under age nineteen, with a family income at or below two hundred percent of federal poverty level, as defined by the United States Department of Health and Human Services. They must be Washington state residents, not eligible for Medicare, and may be required to meet additional DSHS eligibility requirements.

(5) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a health care provider or to the MHCS.

(6) "Covered services" means those services and benefits in the BHP schedule of benefits (as outlined in the member handbook issued to the enrollee, or to a subscriber on behalf of the enrollee), which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments.

(7) "Disenrollment" means the termination of covered services in BHP for a subscriber and dependents, if any.

(8) "Effective date of enrollment" means the first date, as established by BHP, on which an enrollee is entitled to receive covered services from the enrollee's respective managed health care system.

(9) "Dependent" means:

(a) The subscriber's lawful spouse, not legally separated, who resides with the subscriber; or

(b) The unmarried child of the subscriber or the subscriber's dependent spouse, whether by birth, adoption, legal guardianship, or placement pending adoption, who is:

(i) Younger than age nineteen, and who has not been relinquished for adoption by the subscriber or the subscriber's dependent spouse; or

(ii) Younger than age twenty-three, and a registered student at an accredited secondary school, college, university, technical college, or school of nursing, attending full time, other than during holidays, summer and scheduled breaks; or

(c) A person of any age who is under legal guardianship of the subscriber or the subscriber's dependent spouse, and who is incapable of self-support due to disability.

(10) "Eligible full-time employee" means an employee who meets all eligibility requirements in WAC 182-25-030 and who is regularly scheduled to work thirty or more hours per week for an employer. The term includes a self-employed individual (including a sole proprietor or a partner of a partnership, and may include an independent contractor) if the individual:

(a) Is regularly scheduled to work thirty hours or more per week; and

(b) Derives at least seventy-five percent of his or her income from a trade or business that is licensed to do business in Washington.

Persons covered under a health benefit plan pursuant to the Consolidated Omnibus Budget Reconciliation Act of

1986 shall not be considered eligible employees for purposes of minimum participation requirements.

(11) "Eligible part-time employee" means an employee who meets all the criteria in subsection (10) of this section, but who is regularly scheduled to work fewer than thirty hours per week for an employer.

(12) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

(13) "Employer" means an enterprise licensed to do business in Washington state, as defined by RCW 50.04.080, with employees in addition to the employer, whose wages or salaries are paid by the employer.

(14) "Enrollee" means a person who meets all eligibility requirements, who is enrolled in BHP, and for whom applicable premium payments have been made.

(15) "Family" means an individual or an individual and spouse, if not legally separated, and dependents. For purposes of eligibility determination and enrollment in the plan, an individual cannot be a member of more than one family.

(16) "Financial sponsor" means a person, organization or other entity, approved by the administrator, that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any dependents.

(17) "Gross family income" means total cash receipts, as defined in (a) of this subsection, before taxes, from all sources, for subscriber and dependents whether or not they are enrolled in BHP, with the exceptions noted in (b) of this subsection.

(a) Income includes:

(i) Money wages, tips and salaries before any deductions;

(ii) Net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses);

(iii) Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);

(iv) Regular payments from Social Security, railroad retirement, unemployment compensation, strike benefits from union funds, workers' compensation, veterans' payments, public assistance, alimony, child support, military family allotments, private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments;

(v) Work study or training stipends;

(vi) Dividends and interest accessible to the enrollee without a penalty;

(vii) Net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

(b) Income does not include the following types of money received:

(i) Capital gains;

(ii) Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

(iii) Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury (except workers' compensation);

(iv) Noncash benefits, such as the employer-paid or union-paid portion of health insurance or other employee

fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, and such noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, and housing assistance;

- (v) Income earned by dependent children;
- (vi) Income of a family member who resides in another household when such income is not available to the subscriber or dependents seeking enrollment in BHP;
- (vii) College or university scholarships, grants, fellowships and assistantships;
- (viii) Payments from the department of social and health services adoption support program authorized under RCW 26.33.320 and 74.13.100 through 74.13.145;
- (ix) Documented child care expenses for the care of a dependent child of a subscriber may be deducted (at a rate set by the administrator and consistent with Internal Revenue Service requirements) when calculating gross family income. To qualify for this deduction, the subscriber must be employed during the time the child care expenses were paid, and payment may not be paid to a parent or step parent of the child or to a dependent child of the subscriber or his/her spouse.

(18) "Home care agency" means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence, and is licensed by the department of social and health services (DSHS) as a home care agency. In order to qualify, the agency must be under contract with one of the following DSHS programs: Chore, Medicaid Personal Care, Community Options Program Entry System (COPES) or Respite Care (up to level three).

(19) "Institution" means a federal, state, county, city or other government correctional or detention facility or government-funded facility where health care historically has been provided and funded through the budget of the operating agency, and includes, but is not limited to: Washington state department of corrections institutions; federal, county and municipal government jail and detention institutions; Washington state department of veterans affairs soldiers' and veterans' homes; department of social and health services state hospitals and facilities and juvenile rehabilitation institutions and group homes. An institution does not include: Educational institutions; government-funded acute health care or mental health facilities except as provided above; chemical dependency facilities; and nursing homes.

(20) "Institutionalized" means to be confined, voluntarily or involuntarily, by court order or health status, in an institution, as defined in subsection (19) of this section. This does not include persons on work release or who are residents of higher education institutions, acute health care facilities, alcohol and chemical dependency facilities, or nursing homes.

(21) "Insurance broker" or "agent" means a person who is currently licensed as a disability insurance broker or agent, according to the laws administered by the office of the insurance commissioner under chapter 48.17 RCW.

(22) "Managed health care system" (or "MHCS") means;

(a) Any health care organization (including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof) which has entered into a contract with the HCA to provide basic health care services; or

(b) A self-funded or self-insured method of providing insurance coverage to subsidized enrollees provided under RCW 41.05.140 and subject to the limitations under RCW 70.47.100(7).

(23) "Maternity benefits through medical assistance," also known as S-Medical, means the coordinated program between BHP and DSHS for eligible pregnant women. This program includes all Medicaid benefits, including maternity coverage. Eligible members must be at or below one hundred eighty-five percent of the federal poverty level. Eligibility for this program is determined by DSHS, based on Medicaid eligibility criteria.

(24) "Medicaid" means the Title XIX Medicaid program administered by the department of social and health services, and includes the medical care programs provided to the "categorically needy" and the "medically needy" as defined in chapter 388-503 WAC.

(25) "Medicare" means programs established by Title XVIII of Public Law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(26) "Nonsubsidized enrollee" or "full premium enrollee" means an individual who enrolls in BHP, as the subscriber or dependent, and who pays or on whose behalf is paid the full costs for participation in BHP, without subsidy from the HCA.

(27) "Open enrollment" means a time period designated by the administrator during which enrollees may enroll additional dependents or apply to transfer their enrollment from one managed health care system to another.

(28) "Participating employee" means an employee of a participating employer or home care agency who has met all the eligibility requirements and has been enrolled for coverage under BHP.

(29) "Participating employer" means an employer who has been approved for enrollment in BHP as an employer group.

(30) "Preexisting condition" means any illness, injury or condition for which, in the three months immediately preceding an enrollee's effective date of enrollment in BHP:

(a) Treatment, consultation or a diagnostic test was recommended for or received by the enrollee; or

(b) The enrollee was prescribed or recommended medication; or

(c) Symptoms existed which would ordinarily cause a reasonably prudent individual to seek medical diagnosis, care or treatment.

(31) "Premium" means a periodic payment, based upon gross family income and determined under RCW 70.47.060(2), which an individual, their employer or a financial sponsor makes to BHP for subsidized or nonsubsidized enrollment in BHP.

(32) "Program" means subsidized BHP, nonsubsidized BHP, BHP Plus, or maternity benefits through medical assistance.

(33) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the state of Washington.

(34) "Rate" means the ((per-capita)) amount, including administrative charges and any applicable premium and prepayment tax imposed under RCW 48.14.020, negotiated by the administrator with and paid to a managed health care system, to provide BHP health care benefits to enrollees.

(35) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, as described in the member handbook.

(36) "Service area" means the geographic area served by a managed health care system as defined in its contract with HCA.

(37) "Subscriber" is a person who applies to BHP on his/her own behalf and/or on behalf of his/her dependents, if any, who meets all applicable eligibility requirements, is enrolled in BHP, and for whom the monthly premium has been paid. Notices to a subscriber and, if applicable, a financial sponsor or employer shall be considered notice to the subscriber and his/her enrolled dependents.

(38) "Subsidized enrollee" or "reduced premium enrollee" means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income does not exceed twice the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA. To the extent that state funds are specifically appropriated for this purpose, with a corresponding federal match, "subsidized enrollee" also means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income is more than two hundred percent, but less than two hundred fifty-one percent, of the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA.

(39) "Subsidy" means the difference between the amount of periodic payment the HCA makes to a managed health care system on behalf of a subsidized enrollee, and the amount determined to be the subsidized enrollee's responsibility under RCW 70.47.060(2).

AMENDATORY SECTION (Amending Order 99-06, filed 11/18/99, effective 12/19/99)

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, an individual must be a Washington state resident who is not:

(a) Eligible for free Medicare coverage or eligible to buy Medicare coverage; or

(b) Institutionalized at the time of enrollment.

(2) Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee who is no longer a Washington resident, who becomes eligible for free or purchased Medicare, or who is later deter-

mined to have failed to meet BHP's eligibility criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090. An enrollee who was not confined to an institution at the time of enrollment, who is subsequently confined to an institution, will not be disenrolled, provided he or she remains otherwise eligible and continues to make all premium payments when due.

(3) Eligibility for BHP Plus and maternity benefits through medical assistance is determined by DSHS, based on Medicaid eligibility criteria.

(4) For subsidized enrollment in BHP, an individual must meet the eligibility criteria in subsection (1) of this section (~~(, have a gross family income that does not exceed two hundred percent of federal poverty level as adjusted for family size and determined annually by the U.S. Department of Health and Human Services)) and the definition of "subsidized enrollee" in WAC 182-25-010(38), and must pay, or have paid on his or her behalf, the monthly BHP premium.~~

(5) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level, must meet the eligibility criteria in subsection (1) of this section, and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(6)(a) An individual otherwise eligible for enrollment in BHP may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP, or would result in an overexpenditure of BHP funds. An individual otherwise eligible for enrollment in either the subsidized or nonsubsidized program may also be denied enrollment if no MHCS is accepting new enrollment in that program or from the geographic area where the applicant lives.

(b) If the administrator closes or limits subsidized enrollment, to the extent funding is available, BHP will continue to accept and process applications for enrollment from:

(i) Applicants who will pay the full premium, provided at least one MHCS is accepting new nonsubsidized enrollment from the geographic area where the applicant lives;

(ii) Children eligible for BHP Plus;

(iii) Children eligible for subsidized BHP, who were referred to DSHS for BHP Plus coverage, but were found ineligible for BHP Plus for reasons other than noncompliance;

(iv) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;

(v) Eligible individual home care providers;

(vi) Licensed foster care workers;

(vii) Limited enrollment of new employer groups; and

(viii) Subject to availability of funding, additional space for enrollment may be reserved for other applicants as determined by the administrator, in order to ensure continuous coverage and service for current individual and group accounts. (For example: Within established guidelines, processing routine income changes that may affect subsidy eligibility for current enrollees; adding new family members to an existing account; transferring enrollees between group and individual accounts; restoring coverage for enrollees who are otherwise eligible for continued enrollment under WAC 182-

25-090 after a limited suspension of coverage due to late payment or other health care coverage; adding newly hired employees to an existing employer group; or adding new or returning members of federally recognized native American tribes to that tribe's currently approved financial sponsor group.)

(c) If the administrator has closed or limited subsidized enrollment, applicants for subsidized BHP who are not in any of the categories in (b) of this subsection may reserve space on a reservation list to be processed according to the date the reservation or application is received by BHP. When enrollment is reopened by the administrator, applicants whose names appear on the reservation list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the reservation list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

WSR 01-01-137

PERMANENT RULES

WESTERN WASHINGTON UNIVERSITY

[Filed December 20, 2000, 9:31 a.m., effective February 1, 2001]

Date of Adoption: December 15, 2000.

Purpose: Simplify explanation for accessing university registration and admission procedures.

Citation of Existing Rules Affected by this Order: Amending chapter 516-60 WAC, Admission and registration procedures.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Adopted under notice filed as WSR 00-19-046 on September 14, 2000.

Changes Other than Editing from Proposed to Adopted Version: The first two sections of the chapter were not repealed, the remainder of the chapter was repealed.

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 1, Repealed 0.

Effective Date of Rule: February 1, 2001.

December 15, 2000
Gloria A. McDonald
Rules Coordinator

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 516-60-003	Finances.
WAC 516-60-004	Refund of tuition and fees.
WAC 516-60-005	Residency classification.
WAC 516-60-006	Sanctions.
WAC 516-60-007	Health history.
WAC 516-60-015	Registration.
WAC 516-60-016	Deadlines.
WAC 516-60-017	Changes in registration and withdrawal.
WAC 516-60-020	Admission general.
WAC 516-60-030	Admission of nonmatriculated students.

WSR 01-01-138

PERMANENT RULES

WESTERN WASHINGTON UNIVERSITY

[Filed December 20, 2000, 9:35 a.m., effective February 1, 2001]

Date of Adoption: December 15, 2000.

Purpose: Clarify procedures for leasing university property for business purposes.

Citation of Existing Rules Affected by this Order: Amending chapter 516-34 WAC, Leasing of university property for business purposes.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Adopted under notice filed as WSR 00-19-047 on September 14, 2000.

Changes Other than Editing from Proposed to Adopted Version: A sentence was added to WAC 516-24-010 to make it clear that internal procedures exist in those areas which pertain to selling goods at approved locations, apart from the WAC 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 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 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: February 1, 2001.

December 15, 2000
Gloria A. McDonald
Rules Coordinator

AMENDATORY SECTION (Amending Order 12-03-86, filed 12/24/86)

WAC 516-34-010 Request to lease university property. Any individual desiring to provide a particular service or sell particular goods to the Western Washington University community from a leased location on the campus of Western Washington University shall submit to the vice-president for business and financial affairs of the university an initial written proposal for the provision of that service and a request to lease university property. These rules do not cover short-term space rentals, which are covered by internal procedures through the Viking Union under its sale of goods and services policy, and other internal short-term space rental procedures.

AMENDATORY SECTION (Amending Order 12-03-86, filed 12/24/86)

WAC 516-34-020 Consideration of request and initial proposal. (1) The vice-president for business and financial affairs or his/her designee shall ~~((in consultation with the appropriate administrative office(s) and/or councils make a determination of need based on the following))~~ make a recommendation to the president whether the university should accept proposals to lease space for the purpose of selling the particular goods or offering the proposed services. The vice-president shall consult with appropriate members of the university and shall consider the following nonexclusive list of factors:

(a) Whether there is a need for the proposed goods or services on the campus of Western Washington University;

(b) Whether the proposed ~~((service-is))~~ sales or services are compatible with the goals and objectives of the university;

(c) Whether the proposed service or sales can be provided within the context of existing campus resources, vendors, or programs, thus rendering a new lease unnecessary;

(d) Whether the requested lease is acceptable within the framework of the university land use plan;

(e) Whether the requested lease should be ~~((granted))~~ considered;

(f) Which, if any, of the university property should be leased in connection with the proposed service.

(2) Upon completion of the above evaluation and ~~((determination, the office))~~ recommendation of the vice-president for business and financial affairs shall submit a written statement of findings with regard to the above factors to the university president. ~~((A determination shall thereupon be made as to))~~ The president shall determine whether the initial proposal and/or request for lease should be denied or ~~((should be presented))~~ recommended for approval to the board of trustees for consideration.

(a) If the ~~((determination is made))~~ president determines that a particular initial proposal and/or request for lease should ~~((not))~~ be ~~((granted, the office of))~~ denied, the vice-president for business and financial affairs shall give written notice of denial to the individual presenting the proposal and request for lease, and shall include within this notice the reasons for such denial.

(b) If the president determines the proposal and/or community request should be considered for approval by the board of trustees, the proposal and/or lease should be considered by the board of trustees at its next regularly scheduled meeting.

AMENDATORY SECTION (Amending Order 73-13, filed 8/8/73)

WAC 516-34-030 Preliminary evaluation by board of trustees. The board of trustees shall consider and evaluate each initial proposal ~~((for services))~~ and/or request for lease referred to the board by the president. The board of trustees may either deny or give preliminary approval in whole or in part to each such initial proposal ~~((for services))~~ and/or request for lease.

AMENDATORY SECTION (Amending Order 12-03-86, filed 12/24/86)

WAC 516-34-040 Public notice of intention to lease. Whenever the board of trustees gives preliminary approval to an initial proposal for services and request for lease, the ~~((university))~~ vice-president for business and financial affairs shall forthwith give reasonable and timely notice to members of the public and to interested parties indicating that the university will consider leasing a particular area of university property in connection with the provision of a particular service to the university community. Said notice shall specify a time limit for submission of proposals by members of the public relating to said provision of services or sales of goods and/or lease.

AMENDATORY SECTION (Amending Order 12-03-86, filed 12/24/86)

WAC 516-34-050 Submission of final proposals. Within the time limit specified in the public notice given by the university, any individual interested in leasing the particular area of university property specified in the notice for the purpose of providing the particular service or other goods as specified in the notice shall submit a proposal to the university setting forth in detail the means and methods by which that individual would utilize the leased property and provide the desired service or offering of goods for sale to the university community. Proposals must meet all specifications and/or requirements set forth in the notice.

AMENDATORY SECTION (Amending Order 12-03-86, filed 12/24/86)

WAC 516-34-060 Consideration and evaluation of final proposal(s). (1) The ~~((university))~~ vice-president for

business and financial affairs shall carefully examine and evaluate all proposals for lease of university property and provision of services or selling of goods. The factors considered by the university in evaluating such proposals shall include but not be limited to the following:

(a) The capabilities, qualifications, and experience of each person, firm, corporation, or organization who would be involved in the execution of the proposal;

(b) The financial stability of each person, firm, corporation, or organization owning and/or operating the proposed service facility;

(c) The educational, academic and financial value of each proposal to the university;

~~((d) Whether the proposal indicates that there will be full compliance at all times with the applicable requirements of the university's affirmative action program;~~

~~(e) The overall projected ability of each proposal to provide the desired service.))~~

(2) Upon completion of the evaluation, the ~~((university))~~ vice-president for business and financial affairs shall ~~((determine))~~ evaluate which, if any, of the submitted proposals is in the best interests of the university. The ~~((university))~~ vice-president for business and financial affairs shall have authority to reject all proposals as being unsatisfactory. The vice-president for business and financial affairs shall forward his/her recommendation as to the best proposal and the reasons therefor to the president in writing.

(3) The president shall make a final determination of which proposal is in the best interest of the university and shall award the lease to that applicant. The president's decision is final and not subject to further appeal with the university.

AMENDATORY SECTION (Amending Order 12-03-86, filed 12/24/86)

WAC 516-34-070 Notice of rejection. The university shall give ~~((prompt))~~ notice in writing to all individuals submitting final proposals as to final disposition of award and clearly specify the reasons.

NEW SECTION

WAC 516-34-080 Delegation of authority. Any of the university administrators referenced herein may delegate their responsibilities under this regulation to a subordinate.

**WSR 01-01-141
PERMANENT RULES
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD**

[Filed December 20, 2000, 10:14 a.m.]

Date of Adoption: December 19, 2000.

Purpose: Correct an error in the tuition recovery trust fund contribution schedule language so written language and chart agree.

Citation of Existing Rules Affected by this Order: WAC 490-105-080.

Statutory Authority for Adoption: RCW 28C.10.040.

Adopted under notice filed as WSR 00-21-036 on October 12, 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 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

December 19, 2000

Ellen O'Brien Saunders

Executive Director

AMENDATORY SECTION (Amending WSR 98-22-033, filed 10/29/98, effective 11/29/98)

WAC 490-105-080 How are contributions to the tuition recovery trust fund calculated? (See RCW 28C.10.082 and 28C.10.084.)

(1) Establishment of fund liability limits. The amount of liability that can be satisfied by this fund on behalf of each individual school licensed under this chapter is identified in the table in subsection (4) of this section.

(a) If the school is located within the state of Washington, its liability limit will be based on the total annual tuition income received from or on behalf of all students, as reported in the financial statement required by WAC 490-105-040 (2)(a);

(b) If the school is located outside the state of Washington, its liability limit is based on the total annual tuition income received from or on behalf of Washington state residents, as reported in the financial statement required by WAC 490-105-040 (2)(a);

(c) If the school was not in operation prior to the date of initial licensing, its liability limit is based on the total annual tuition estimate supplied under the provisions of WAC 490-105-040 (2)(c);

(d) The minimum liability established in any circumstance is five thousand dollars.

(2) Matrices for calculating initial deposits and any assessments necessary under subsection (7) of this section:

Level of Liability:	Prorated Share:
\$5,000	0.15%
\$7,500	0.23%
\$10,000	0.30%

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Level of Liability:	Prorated Share:
\$15,000	0.46%
\$20,000	0.61%
\$25,000	0.76%
\$35,000	1.07%
\$50,000	1.52%
\$75,000	2.28%
\$100,000	3.05%
\$125,000	3.81%
\$150,000	4.57%
\$175,000	5.33%
\$200,000	6.10%
\$225,000	6.86%
\$250,000	7.62%

Level of Liability:	Prorated Share:
\$275,000	8.38%

(3) Initial deposit. When the school submits its initial license application, it must include for deposit into the tuition recovery trust fund, the amount identified in the third column of the table below.

(4) Contribution schedule. In order to remain licensed under this chapter, the school must remit to the agency semi-annual payments for deposit into the tuition recovery trust fund. The amount of the deposits for the first five years is calculated by applying the percentages displayed under subsection (2) of this section, to an amount totaling one million dollars as required by RCW 28C.10.084. In the second five years, contributions for amounts between zero and ~~((two))~~ one hundred fifty thousand dollars will be reduced by fifty percent.

If the school's total annual tuition income is:	Its liability limit under the Tuition Recovery Trust Fund is:	Based on its liability limit, the school will make an initial deposit to the fund of:	The school will make the following semiannual payments for the first five years it is licensed:	The school will make the following semiannual payments for the second five years it is licensed:
\$0 - \$50,000	\$5,000	\$305	\$122	\$61
\$50,001 - \$75,000	\$7,500	\$457	\$183	\$92
\$75,001 - \$100,000	\$10,000	\$609	\$244	\$122
\$100,001 - \$150,000	\$15,000	\$914	\$366	\$183
\$150,001 - \$200,000	\$20,000	\$1,219	\$487	\$487
\$200,001 - \$250,000	\$25,000	\$1,523	\$609	\$609
\$250,001 - \$350,000	\$35,000	\$2,133	\$853	\$853
\$350,001 - \$500,000	\$50,000	\$3,046	\$1,219	\$1,219
\$500,001 - \$750,000	\$75,000	\$4,570	\$1,828	\$1,828
\$750,001 - \$1,000,000	\$100,000	\$6,093	\$2,437	\$2,437
\$1,000,001 - \$1,250,000	\$125,000	\$7,616	\$3,046	\$3,046
\$1,250,001 - \$1,500,000	\$150,000	\$9,139	\$3,656	\$3,656
\$1,500,001 - \$1,750,000	\$175,000	\$10,663	\$4,265	\$4,265
\$1,750,001 - \$2,000,000	\$200,000	\$12,186	\$4,874	\$4,874
\$2,000,001 - \$2,250,000	\$225,000	\$13,710	\$5,483	\$5,483
\$2,250,001 - \$2,500,000	\$250,000	\$15,233	\$6,092	\$6,092
>\$2,500,000	\$275,000	\$16,757	\$6,702	\$6,702

(5) The agency will send semiannual notices of the due dates and amounts of deposits required under subsection (4) of this section. The fee for late filings under WAC 490-105-070(2) of this chapter applies to late payments of deposits into the fund for a period cumulating to thirty calendar days. Failure to make a deposit within thirty calendar days is a violation of RCW 28C.10.050 (1)(f).

(6) Each semiannual notice will include:

- (a) The school's aggregated prior deposits into the fund;
- (b) The school's balance of remaining payments, based on the most recent deposit received and adjusted to the current contribution level;

(c) The cumulated balance existing in the fund at the most recent half-year accounting; and

(d) A summary showing any disbursements made from the fund to satisfy claims in the period since the last summary was disseminated.

(7) If disbursements made to settle claims reduce the operating balance below one million dollars and recovery of such funds has not been ensured under the provisions of RCW 28C.10.084 (10)(d), the agency will assess each school a pro rata share of the amount required to restore the deficiency. The assessment will be made within thirty calendar days of the date deficiency is created. Each school's share of

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the assessment will be calculated using the percentages established under subsection (2) of this section. If the school's assessment equals or is less than the semiannual amount of deposit established for the school under subsection (4) of this section, the assessment must be paid within thirty calendar days of notice. If the assessment exceeds the amount of the school's semiannual deposit, it may apply to the agency for a schedule of deferred payments. The agency will grant deferrals on application, but in no case will the extension exceed one year beyond the date of the assessment.

(8) Funds disbursed to settle claims against a currently licensed school will be recovered by the agency under a schedule to be negotiated with the affected school on a case-by-case basis. To secure deferral of payment more than thirty calendar days after demand for recovery is made, the burden to prove manifest hardship rests on the school but in no case will the time extended exceed one year beyond the date of the initial demand notice.

(9) Claimant, as referenced under RCW 28C.10.084 (10)(a), is further defined to mean an enrolled student in regular attendance or on an authorized leave of absence at the time of closure.

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WSR 01-01-018
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 00-249—Filed December 6, 2000, 4:55 p.m.]

Date of Adoption: December 6, 2000.

Purpose: Amend hunting rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 232-12-001, 232-12-071, and 232-12-141.

Statutory Authority for Adoption: RCW 77.12.047.

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: Initiative 713 was passed by the voters and takes effect December 7, 2000. Rules concerning current trapping methods and sale of raw furs need to be amended to reflect the Initiative. These emergency rules will implement the Initiative until permanent rules can 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 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 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: December 7, 2000, 12:01 a.m.

December 6, 2000

J. P. Koenings

Director

NEW SECTION

WAC 232-12-00100C Definitions. Notwithstanding the provisions of WAC 232-12-001, effective December 7, 2000, until further notice, the following definitions apply:

(1) "Body-gripping trap" means a trap that grips an animal's body or body part. Body-gripping trap includes, but is not limited to, steel-jawed leghold traps, padded-jaw leghold traps, Conibear traps, neck snares, and nonstrangling foot snares. Cage and box traps, suitcase-type live beaver traps, and common rat and mouse traps are not considered body-gripping traps.

(2) "Raw fur" means a pelt that has not been processed for purposes of retail sale.

NEW SECTION

WAC 232-12-07100A Buying or selling of game unlawful. Notwithstanding the provisions of WAC 232-12-071, effective December 7, 2000, until further notice, it is unlawful to knowingly do any of the following, or knowingly offer to do any of the following: buy, sell, barter or otherwise exchange the raw fur of a mammal, or the mammal itself, if the mammal itself has been trapped in this state with a body gripping trap.

NEW SECTION

WAC 232-12-14100A Trapping rules—Body gripping traps prohibited. Notwithstanding the provisions of WAC 232-12-124, 232-12-141, and 232-28-515, effective December 7, 2000, until further notice:

(1) It is unlawful to trap animals using body gripping traps except as provided for in subsection (2).

(2) Conibear-type traps in water, non-strangling foot snares, and padded leghold traps may be used for the following purposes with a permit issued by the Director:

(a) To protect public health and safety, in consultation with the Department of Social and Health Services or the United States Department of Health.

(b) To abate a threat of or damages caused to private property, domestic animals, livestock or timber, that cannot be reasonably abated by nonlethal control tools, if such tools can be reasonably applied. Any person requesting a damage control permit must apply in writing, stating the threat or damages, the nonlethal control methods attempted or why they cannot be applied, and agree to use the above traps for no more than thirty days under the permit granted.

(c) To protect threatened or endangered species, if such traps are used by Department employees or agents.

(d) To conduct wildlife research, except that Conibear-type traps are prohibited for this purpose.

WSR 01-01-019

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 00-248—Filed December 7, 2000, 10:38 a.m.]

Date of Adoption: December 6, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-52-04600F and 220-52-04600G; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 77.12.047.

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: Test fishing results indicate that crab would not have met hardening criteria for an open-

ing and considerable wastage would occur by having opened the season December 1, 2000. 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 2.

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.

December 6, 2000

J. P. Koenings

Director

NEW SECTION

WAC 220-52-04600G Crab fishery—Seasons and areas. Notwithstanding the provisions of WAC 220-52-046:

(1) It shall be unlawful to fish for, land, or possess Dungeness crab taken from coastal areas of Grays Harbor, Willapa Bay, the Columbia River and the Pacific Ocean north of Cape Lookout, Oregon prior to December 15, 2000 except that it is lawful to set crab gear in these areas beginning 8:00 a.m. December 12, 2000.

(2) Crab fishing vessels which participated in the Dungeness crab fishery between December 1 2000 and December 14, 2000 in the area between Cape Lookout, Oregon and Point Arena, California may not fish for Dungeness crab in the Pacific Ocean north of Cape Falcon, Grays Harbor, Willapa Bay, or the Columbia River until January 14, 2001.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-04600F Crab fishery—Seasons and areas. (00-246)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. January 14, 2001:

WAC 220-52-04600G Crab fishery—Seasons and areas.

**WSR 01-01-026
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-250—Filed December 7, 2000, 4:18 p.m., effective December 9, 2000, 8:00 a.m.]

Date of Adoption: December 7, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-33000I; and amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 77.12.047.

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: State/tribal allocation balances have been reached for Dungeness crab harvest in Marine Areas 8-1 and 8-2 and these areas reopen to recreational harvest through 4:00 p.m. December 31, 2000. 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: December 9, 2000, 8:00 a.m.

December 7, 2000

J. P. Koenings

Director

NEW SECTION

WAC 220-56-33000J Personal use fishery—Allocation closure. Notwithstanding the provisions of WAC 220-56-330:

(1) Effective 8:00 a.m. December 9, 2000 until further notice, it is unlawful to fish for crab for personal use in Puget Sound in those waters of Marine Area 7, the Hood Canal portion of Marine Area 9 south and west of a line drawn from Olele Point to Foulweather Bluff and all waters of Marine Area 12.

(2) Effective 4:00 p.m. December 31, 2000 until further notice, it is unlawful to fish for crab for personal use in Puget Sound in those waters of Marine Areas 8-1 and 8-2.

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REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. December 9, 2000:

WAC 220-56-33000I Personal use fishery—Allocation closure. (00-241)

**WSR 01-01-027
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-251—Filed December 7, 2000, 4:19 p.m., effective January 1, 2001, 12:01 a.m.]

Date of Adoption: December 7, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600H; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 77.12.047.

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 state may not authorize commercial shellfish harvest absent agreed planning or compliance with a process. The provisions of this rule are in conformity with agreed plans with applicable tribes which have been entered as required by the court order. 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: January 1, 2001, 12:01 a.m.

December 7, 2000

J. P. Koenings

Director

NEW SECTION

WAC 220-52-04600H Coastal crab fishery—Special management areas. Not withstanding the provisions of

WAC 220-52-046, effective immediately until further notice, it is unlawful for non-Indian commercial fishers to fish for or take crab for commercial purposes, or place gear, in the following areas during the periods indicated:

1) The following areas are closed from January 1, 2001 through February 28, 2001:

(a) Coastal waters between 47° 40.50 N and 48° 07.50 N, and east of a line described by the following points:

Southern point:	47°40.50'N	124°40.50'W
La Push (west entrance)	47°54.00'N	124°47.00'N
La Push (east entrance)	47°54.50'N	124°45.80'W
Central point	48°00.00'N	124°49.50'W
Northern point	48°07.50'N	124°51.50'N

2) The following area is closed from January 12, 2001 through March 31, 2001:

(a) Coastal waters between 48° 07.50 N and 48° 20.00 N, and east of a line described by the following points:

Southern point:	47°40.50'N	124°51.50'W
Northern point:	48°20.00'N	124°50.00'W
Cape Flattery:	48°22.86'N	124°43.83'W

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. April 1, 2001:

WAC 220-52-04600H Coastal crab fishery—Special management areas.

**WSR 01-01-040
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-253—Filed December 8, 2000, 4:16 p.m.]

Date of Adoption: December 8, 2000.

Purpose: Amend personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900L; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

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: Late coho, excess to hatchery broodstock needs have been planted in the Cases Pond (Pacific County) to provide angling opportunity. 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: Immediately.

December 8, 2000

B. J. Bjork

for Jeff P. Koenings

Director

NEW SECTION

WAC 232-28-61900L Exceptions to statewide rules—Cases Pond (Pacific County) Notwithstanding the provisions of WAC 232-28-619, effective immediately through January 31, 2001, Cases Pond (Pacific County) is open to fishing. Juveniles only, landlocked salmon rules apply immediately through January 31, 2001.

REPEALER

The following section of the Washington Administrative Code is repealed effective February 1, 2001:

WAC 232-28-61900L Exceptions to statewide rules—Cases Pond (Pacific County)

**WSR 01-01-041
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-252—Filed December 8, 2000, 4:17 p.m.]

Date of Adoption: December 7, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-07300Y; and amending WAC 220-52-073.

Statutory Authority for Adoption: RCW 77.12.047.

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 urchins exist in the areas described. Prohibition of all diving within two days of scheduled sea urchin openings discour-

ages the practice of fishing on closed days and hiding the unlawful catch underwater until the legal opening. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

December 7, 2000

B. J. Bjork

for Jeff P. Koenings

Director

NEW SECTION

WAC 220-52-07300Z Sea urchins. Notwithstanding the provisions of WAC 220-52-073, effective immediately until further notice it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Green sea urchins: Sea Urchin Districts 1 and 2 are open only on December 11, 2000. Sea Urchin Districts 3, 4, and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, and 24D, 26B, 26C, 26D, and 28A are open only on Mondays, Tuesdays, and Wednesdays of each week. The minimum size for green sea urchins is 2.25 inches in diameter exclusive of the spines.

(2) Red sea urchins: Sea Urchin Districts 1 and 2 are open only on December 11, 12, 13, 14, 18, 19, 20, and 21, 2000. Sea Urchin Districts 3 and 4 are open only on December 11, 12, 13, 14, 18, 19, 20, and 21. It is unlawful to harvest red sea urchins larger or smaller than the following size (size in diameter exclusive of the spines):

(a) Districts 1 and 2 - 4.0 minimum to 5.5 maximum inches.

(b) Districts 3 and 4 - 3.25 minimum to 5.0 maximum inches.

(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 Saturdays and Sundays of each week.

(4) Sea Urchin Districts:

(a) Sea Urchin District 1 (Northern San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of

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Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island.

(b) Sea Urchin District 2 (Southern San Juans and Port Townsend) is defined as those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island, and Areas 21A, 21B, 22B, 23A, 23B, 25A, and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times.

(i) 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.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island, west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island, south of a line projected from Flat Point on Lopez Island true west to Shaw Island, and north of a line projected from Flat Point on Lopez Island to the northernmost point of Turn Island and thence projected true west to San Juan Island.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-07300Y Sea urchins. (00-230)

**WSR 01-01-075
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-257—Filed December 13, 2000, 1:44 p.m.]

Date of Adoption: December 13, 2000.

Purpose: Amend hunting rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-28100B; and amending WAC 232-28-281.

Statutory Authority for Adoption: RCW 77.12.047.

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 population of elk in these game management units remains above the level that will cause crop depredation, in part because of the Hanford Reach fire, which caused foraging elk to move south. Harvest of antlerless elk in these units will not cause unacceptable loss of reproductive potential, and will afford additional hunting opportunity. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

December 13, 2000

J. P. Koenings

Director

NEW SECTION

WAC 232-28-28100B Elk—GMUs 372 (Kiona) and 382 (East Klickitat) season extensions. Notwithstanding the provisions of WAC 232-28-281, effective immediately through December 31, 2000, the general elk season is extended in GMUs 372 and 382. All hunting restrictions, including but not limited to licensing, tag, bag limit and weapon restrictions, remain in effect through 4:40 p.m., December 31, 2000.

REPEALER

The following section of the Washington Administrative Code is repealed effective 4:41 p.m. December 31, 2000:

WAC 232-28-28100B Elk—GMUs 372 (Kiona) and 382 (East Klickitat) season extensions.

**WSR 01-01-084
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-256—Filed December 14, 2000, 3:00 p.m.]

Date of Adoption: December 14, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600E; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 77.12.047.

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

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notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The provisions of this rule are in conformity with agreed plans with applicable tribes which have been entered as required by the court order. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

December 14, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-04600I Puget Sound crab fishery— Exceptions to permanent seasons and areas. Notwithstanding the provisions of WAC 220-52-046, effective immediately until further notice:

1) The following area is open to commercial crab fishing:

a) That portion of Marine Fish-Shellfish Management and Catch Reporting Area 26A east of a line projected true north from the green number 1 buoy at Scatchet Head and west of a line projected true north from the green number 1 buoy at Possession Point, and north of a line connecting the two buoys described herein.

2) The following areas are closed to commercial crab fishing:

a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, and 22B.

b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and the portion of Marine Fish/Shellfish Catch Area 26A north of line from the south tip of Possession Point on Whidbey Island to the shipwreck at Picnic Point.

c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the outermost tip of the abandoned dock at the Three Crabs Restaurant.

d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25E south of a line from Contractors Point to Tukey Point.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-04600E Commercial crab fishery— Allocation closure. (00-237)

WSR 01-01-099

EMERGENCY RULES

DEPARTMENT OF FISH AND WILDLIFE

[Order 00-255—Filed December 15, 2000, 2:35 p.m., effective December 31, 2000, 11:59 p.m.]

Date of Adoption: December 15, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-49-020.

Statutory Authority for Adoption: RCW 77.12.047.

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: At its December 9, 2000, meeting, the Fish and Wildlife Commission voted to close the purse seine fishery for herring and anchovy in Puget Sound except in seasons set by emergency rules. It is the policy intent of the commission to have the closure effective prior to December 31, 2000. This rule is interim until permanent rules take effect in January 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: December 31, 2000, 11:59 p.m.

December 15, 2000

J. P. Koenings

Director

by Larry Peck

EMERGENCY

NEW SECTION

WAC 220-49-02000L Herring and anchovy—Seasons—Lawful gear. Notwithstanding the provisions of WAC 220-49-020, effective 11:59 p.m. December 31, 2000 until further notice, it is unlawful to take, fish for or possess herring or anchovy for commercial purposes with purse seine gear in all Puget Sound Marine Fish/Shellfish Management and Catch Reporting Areas.

WSR 01-01-112**EMERGENCY RULES****DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-258—Filed December 18, 2000, 2:44 p.m.]

Date of Adoption: December 18, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 77.12.047.

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 provisions of this rule reflect industry agreements on fishing plans and are made in conformity with the intent of permanent rules regarding the use of nondesignated vessels sixty-four hours prior to season openings, and forty-eight hours afterward. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

December 18, 2000

Evan Jacoby

for Jeff P. Koenings

Director

NEW SECTION

WAC 220-52-04600J Barging of crab pots by undesignated vessels extended Notwithstanding the provisions of WAC 220-52-046, effective immediately until further notice:

(1) It is lawful for a vessel not designated on a Dungeness crab-coastal fishery license to be used to deploy shellfish pot gear beginning 12:01 a.m. December 19, 2000 until 4:00 p.m. on December 24, 2000 provided that:

(a) Such a vessel may not carry aboard more than 150 shellfish pots at any one time.

(b) The lawful owner of the shellfish pot gear must be aboard the vessel when the gear is being deployed.

WSR 01-01-114**EMERGENCY RULES****DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed December 18, 2000, 4:30 p.m., effective January 1, 2001]

Date of Adoption: December 18, 2000.

Purpose: To adopt new one-person standard for the medically needy program and new SSI categorically needy standards effective January 1, 2001.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-478-0070 and 388-478-0080.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.500.

Other Authority: Section 1924 (42 U.S.C. 1396R-5).

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: Implementation of federal increase in standards is required to be effective January 1, 2001, in order to continue receiving federal funds.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 2, 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 2, Repealed 0.

Effective Date of Rule: January 1, 2001.

December 18, 2000

Marie Myerchin-Redifer, Manager
Rules and Policies Assistance Unit

EMERGENCY

AMENDATORY SECTION (Amending WSR 00-10-095, filed 5/2/00, effective 5/2/00)

WAC 388-478-0070 Monthly income and countable resource standards for medically needy (MN) and medically indigent (MI) programs. (1) Beginning January 1, ((2000)) 2001, the medically needy income level (MNIL) and MI monthly income standards are as follows:

- (a) One person \$ ((~~539~~)) 556.00
- (b) Two persons \$592
- (c) Three persons \$667
- (d) Four persons \$742
- (e) Five persons \$858
- (f) Six persons \$975
- (g) Seven persons \$1,125
- (h) Eight persons \$1,242
- (i) Nine persons \$1,358
- (j) Ten persons and more \$1,483

(2) The MNIL standard for a person who meets institutional status requirements is in WAC 388-513-1305(3).

(3) Countable resource standards for the MN and MI programs are:

- (a) One person \$2,000
- (b) Two persons \$3,000
- (c) For each additional family member add \$50

AMENDATORY SECTION (Amending WSR 00-10-095, filed 5/2/00, effective 5/2/00)

WAC 388-478-0080 SSI-related categorically needy income level (CNIL) and countable resource standards.

(1) The SSI-related CNIL standard is the same as the SSI monthly payment standard based upon the area of the state where the person lives. Area 1 is defined as the following counties: King, Pierce, Snohomish, Thurston, and Kitsap. Area 2 is all other counties. Beginning January 1, ((2000)) 2001, the CNIL monthly income standards are as follows:

	Area 1	Area 2
(a) Single person	\$((539.00)) <u>555.90</u>	\$((518.55)) <u>535.45</u>
(b) A legally married couple who are both eligible	\$((790.00)) <u>815.90</u>	\$((769.00)) <u>796.00</u>
(c) <u>Supplied shelter</u>	<u>\$357.05</u>	<u>\$357.05</u>

(2) The countable resource standards for the SSI-related CN medical program are:

- (a) One person \$2,000
- (b) A legally married couple \$3,000

**WSR 01-01-146
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 00-261—Filed December 20, 2000, 11:23 a.m.]

Date of Adoption: December 19, 2000.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-07300Z; and amending WAC 220-52-073.

Statutory Authority for Adoption: RCW 77.12.047.

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 rule allows one extra day of green urchin fishing. Harvestable amounts of sea urchins exist in the areas described. Prohibition of all diving within two days of scheduled sea urchin openings discourages the practice of fishing on closed days and hiding the unlawful catch underwater until the legal opening. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

December 19, 2000

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-52-07300A Sea urchins. Notwithstanding the provisions of WAC 220-52-073, effective immediately until further notice it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Green sea urchins: Sea Urchin Districts 1 and 2 are closed. Sea Urchin Districts 3, 4, and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, and 24D, 26B, 26C, 26D, and 28A are open only on December 19, 20, and 21, 2000. The minimum size for green sea urchins is 2.25 inches in diameter exclusive of the spines.

EMERGENCY

(2) Red sea urchins: Sea Urchin Districts 1 and 2 are open only on December 19, 20, and 21, 2000. Sea Urchin Districts 3 and 4 are open only on December 19, 20, and 21. It is unlawful to harvest red sea urchins larger or smaller than the following size (size in diameter exclusive of the spines):

(a) Districts 1 and 2 - 4.0 minimum to 5.5 maximum inches.

(b) Districts 3 and 4 - 3.25 minimum to 5.0 maximum inches.

(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 Saturdays and Sundays of each week.

(4) Sea Urchin Districts:

(a) Sea Urchin District 1 (Northern San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island.

(b) Sea Urchin District 2 (Southern San Juans and Port Townsend) is defined as those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island, and Areas 21A, 21B, 22B, 23A, 23B, 25A, and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times.

(i) 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.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island, west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island, south of a line projected from Flat Point on Lopez Island true west to Shaw Island, and north of a line projected from Flat Point on Lopez Island to the northernmost point of Turn Island and thence projected true west to San Juan Island.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-07300Z Sea urchins. (00-252)



AGENCY RULES COORDINATORS

Designations as of 12/27/00

AGENCY	RULES COORDINATOR	PHONE	ADDRESS
Accountancy, Board of	Carey L Rader	(360) 753-2585	P.O. Box 43110 Olympia, WA 98504-3110
Administrative Hearings, Office of	Art Wang	(360) 664-8717	P.O. Box 42488 Olympia, WA 98504-2488
Agriculture, Department of	Deborah L Anderson	(360) 902-1809	P.O. Box 42560 Olympia, WA 98504-2560
Arts Commission	Karen Kamara-Gose	(360) 753-3860	P.O. Box 42675 Olympia, WA 98504-2675
Asian Pacific American Affairs, Commission on	Patricia M Lee	(206) 464-5820	P.O. Box 40925 Olympia, WA 98504-0925
Attorney General's Office	Jane Halligan	(360) 753-2681	P.O. Box 40115 Olympia, WA 98504-0115
Auditor, Office of State	Chuck Pfeil	(360) 753-5273	P.O. Box 40021 Olympia, WA 98504-0021
Bates Technical College	John G Thorpe	(253) 596-1619	1101 South Yakima Avenue Tacoma, WA 98405
Bellevue Community College	Elise Erickson	(425) 641-2301	3000 Landerholm Circle S.E. Bellevue, WA 98007
Bellingham Technical College	Jody McBee	(360) 738-3105 ext. 334	3028 Lindbergh Avenue Bellingham, WA 98225
Big Bend Community College	Ken Turner	(509) 762-5351	7662 Chanute Street Moses Lake, WA 98837-3299
Blind, Department of Services for the	Rebecca Jensen	(360) 586-7022	P.O. Box 40933 Olympia, WA 98504-0933
Blind, Washington State School for the	Larry W Drotz	(360) 254-9062 ext. 327	611 Grand Boulevard., S26 Vancouver, WA 98661
Building Code Council	Tim Nogler	(360) 753-5927	P.O. Box 48300 Olympia, WA 98504-8300
Cascadia Community College	Dede Gonzales	(425) 352-8810	18345 Campus Way N.E. Bothell, WA 98011
Central Washington University	Jill M Orcutt	(509) 963-2111	400 East 8th Avenue Ellensburg, WA 98926-7502
Centralia College	Stephen L Ward	(360) 736-9391	600 West Locust Street Centralia, WA 98531
Clark College	Janelle K Farley	(360) 992-2101	1800 E. McLoughlin Boulevard Vancouver, WA 98663
Clover Park Technical College	Cherie Steele	(253) 589-5843	4500 Steilacoom Boulevard S.W. Lakewood, WA 98499-4098
Code Reviser's Office	Kerry Radcliff	(360) 786-6697	P.O. Box 40551 Olympia, WA 98504-0551
Columbia Basin College	Louise Meyers	(509) 547-0511 ext. 2202	2600 North 20th Avenue Pasco, WA 99301
Columbia River Gorge Commission	Jan Brending	(509) 493-3323	P.O. Box 730 White Salmon, WA 98672
Community and Technical Colleges, State Board for	Claire Krueger	(360) 753-7413	P.O. Box 42495 Olympia, WA 98504-2495
Community Economic Revitalization Board	Kate Engle	(360) 586-0657	P.O. Box 48300 Olympia, WA 98504-8300

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Community, Trade and Economic Development, Department of	Jean Ameluxen	(360) 753-2227	P.O. Box 48300 Olympia, WA 98504-8300
Conservation Commission	Robert P Bottman	(360) 459-6229	P.O. Box 47721 Olympia, WA 98504-7721
Corrections, Department of	John R Nispel	(360) 586-2160	P.O. Box 41114 Olympia, WA 98504-1114
County Road Administration Board	Karen Pendleton	(360) 753-5989	P.O. Box 40913 Olympia, WA 98504-0913
Criminal Justice Training Commission	Darlene Tangedahl	(360) 459-6342	P.O. Box 40905 Olympia, WA 98504-0905
Deaf, Washington State School for the	Larry W Drotz	(360) 254-9062 ext. 327	611 Grand Boulevard, S26 Vancouver, WA 98661
Deferred Compensation, Committee for	Anne Holdren	(360) 753-1829	P.O. Box 40931 Olympia, WA 98504-0931
Eastern Washington University	Judith Penrod Siminoo	(509) 359-2371	526 5th Street Mailstop 130 Cheney, WA 99004
Ecology, Department of	Jerry Thielen	(360) 407-7551	P.O. Box 47600 Olympia, WA 98504-7600
Edmonds Community College	Barbara Patterson	(425) 640-1535	20000 68th Avenue W. Lynnwood, WA 98036
Education, State Board of	Larry Davis	(360) 753-6715	P.O. Box 47206 Olympia, WA 98504-7206
Employment Security Department	Barney Hilliard	(360) 438-4011	P.O. Box 9046 Olympia, WA 98507-9046
Energy Facility Site Evaluation Council	David W Sjoding	(360) 956-2004	P.O. Box 43172 Olympia, WA 98504-3172
Environmental Hearings Office	Suzanne Skinner	(360) 459-6327	P.O. Box 40903 Olympia, WA 98504-0903
Everett Community College	Juli Boyington	(425) 388-9572	2000 Tower Street Everett, WA 98201-1352
Evergreen State College, The	Lee Hoemann	(360) 866-6000 ext. 6116	TA00 Olympia, WA 98505
Executive Ethics Board	Margaret A Grimaldi	(360) 664-0871	P.O. Box 40100 Olympia, WA 98504-0100
Financial Institutions, Department of	Susan Putzier	(360) 664-3508	P.O. Box 41200 Olympia, WA 98504-1200
Financial Management, Office of	Lynne McQuire	(360) 902-0581	P.O. Box 43113 Olympia, WA 98504-3113
Fish and Wildlife, Department of	Evan Jacoby	(360) 902-2930	P.O. Box 43147 Olympia, WA 98504-3147
Forensic Investigations Council	Nancy Isham	(360) 753-2175	206 10th Avenue S.E. Olympia, WA 98501
Freight Mobility Strategic Investment Board	Kimberly Colburn	(360) 705-7879	P.O. Box 47390 Olympia, WA 98504-7390
Gambling Commission	Susan Arland	(360) 438-7654 ext. 374	P.O. Box 42400 Olympia, WA 98504-2400
General Administration, Department of	Cindy Runger	(360) 902-7208	P.O. Box 41000 Olympia, WA 98504-1000

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Grays Harbor College	Sandy Zelasko	(360) 538-4000	1620 Edward P. Smith Drive Aberdeen, WA 98520-7599
Green River Community College	Clark Townsend	(253) 288-3330	12401 S.E. 320th Street Auburn, WA 98092
Growth Management Hearings Boards	William Nielson	(360) 664-8966	P.O. Box 40953 Olympia, WA 98504-0953
Health Care Authority	Melodie Bankers	(360) 923-2728	P.O. Box 42700 Olympia, WA 98504-2700
Health Care Policy Board	Duane Thurman	(360) 407-0039	P.O. Box 41185 Olympia, WA 98504-1185
Health, Department of	Michele Davis	(360) 236-4044	P.O. Box 47890 Olympia, WA 98504-7890
Higher Education Coordinating Board	Belma Villa	(360) 753-7810	P.O. Box 43430 Olympia, WA 98504-3430
Highline Community College	President's Office	(206) 878-3710	P.O. Box 98000 Des Moines, WA 98198-9800
Hispanic Affairs, Commission on	Jaime E Gallardo	(360) 753-3159	P.O. Box 40924 Olympia, WA 98504-0924
Historical Society, Eastern Washington State	Glenn Mason	(509) 456-3932	2316 West First Avenue Spokane, WA 99204
Horse Racing Commission	Patty Sorby	(360) 459-6462	P.O. Box 40906 Olympia, WA 98504-0906
Human Rights Commission	Martin D Casey	(360) 586-5765	P.O. Box 42490 Olympia, WA 98504-2490
Indeterminate Sentence Review Board	Dennis Marsh	(360) 493-9271	P.O. Box 40907 Olympia, WA 98504-0907
Industrial Insurance Appeals, Board of	David E. Threedy	(360) 753-9646	P.O. Box 42401 Olympia, WA 98504-2401
Information Services, Department of	Carrie Tellefson	(360) 902-3510	P.O. Box 42445 Olympia, WA 98504-2445
Insurance Commissioner, Office of the	Jon Hedegard	(360) 664-4629	P.O. Box 40255 Olympia, WA 98504-0255
Investment Board, State	Scott Huntley	(360) 664-8900	P.O. Box 40916 Olympia, WA 98504-0916
Jail Industries Board	Jill Will	(360) 586-1534	206 10th Avenue S.E. Olympia, WA 98501-1311
Judicial Conduct, Commission on	David Akana	(360) 753-4585	P.O. Box 40928 Olympia, WA 98504-0928
Labor and Industries, Department of	Selwyn S.C. Walters	(360) 902-4206	P.O. Box 44001 Olympia, WA 98504-4001
Lake Washington Technical College	Vice-President	(425) 739-8100	11605 132nd Avenue N.E. Kirkland, WA 98034-8506
Library, Washington State	Patricia Davis	(360) 753-2914	P.O. Box 42460 Olympia, WA 98504-2460
Licensing, Department of	Walt Fahrer	(360) 902-3640	P.O. Box 48016 Olympia, WA 98504-8016
Liquor Control Board	Teresa Berntsen	(360) 664-1648	P.O. Box 43080 Olympia, WA 98504-3080
Lottery Commission	Mary Jane Ferguson	(360) 664-4833	P.O. Box 43025 Olympia, WA 98504-3025

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Lower Columbia College	Linda Peck	(360) 577-2322	P.O. Box 3010 Longview, WA 98632-0310
Marine Employees' Commission	Kathy Marshall	(360) 586-6354	P.O. Box 40902 Olympia, WA 98504-0902
Military Department	Linda Burton-Ramsey	(360) 923-4501	Camp Murray Mailstop TA-20 Tacoma, WA 98430-5000
Minority and Women's Business Enterprises, Office of	Juan Huey-Ray	(360) 704-1188	P.O. Box 41160 Olympia, WA 98504-1160
Natural Resources, Department of	Dave Dietzman	(360) 902-1600	P.O. Box 47015 Olympia, WA 98504-7015
Olympic College	Donna M Allen Ed.D.	(360) 478-4544	1600 Chester Avenue Bremerton, WA 98310-1699
Outdoor Recreation, Inter-agency Committee for	Greg Lovelady	(360) 902-3008	P.O. Box 40917 Olympia, WA 98504-0917
Parks and Recreation Commission	Jim French	(360) 902-8615	P.O. Box 42650 Olympia, WA 98504-2650
Peninsula College	Bonnie Cauffman	(360) 417-6212	1502 East Lauridsen Boulevard Port Angeles, WA 98362
Personnel Appeals Board	Kenneth J Latsch	(360) 664-0373	P.O. Box 40911 Olympia, WA 98504-0911
Personnel, Department of	Donna Parker	(360) 664-6347	P.O. Box 47500 Olympia, WA 98504-7500
Pierce College	Debra Overby	(253) 964-6634	9401 Farwest Drive S.W. Lakewood, WA 98498-1999
Pilotage Commissioners, Board of	Peggy Larson	(206) 515-3904	2911 2nd Avenue Seattle, WA 98121
Pollution Liability Insurance Agency	Terry Taylor	(360) 586-5997	P.O. Box 40930 Olympia, WA 98504-0930
Productivity Board	Linda L Mackintosh	(360) 586-8407	P.O. Box 40244 Olympia, WA 98504-0244
Prosecuting Attorneys, Association of	Thomas A McBride	(360) 753-2175	P.O. Box 40952 Olympia, WA 98504-0952
Public Disclosure Commission	Karen M Copeland	(360) 753-1111	P.O. Box 40908 Olympia, WA 98504-0908
Public Employment Relations Commission	Mark S Downing	(360) 753-2955	P.O. Box 40919 Olympia, WA 98504-0919
Public Instruction, Superintendent of	Ben Gravely	(360) 753-2298	P.O. Box 47200 Olympia, WA 98504-7200
Public Works Board	Pete A Butkus	(360) 586-7186	P.O. Box 48319 Olympia, WA 98504-8319
Puget Sound Water Quality Authority	Duane Fagergren	(360) 407-7303	P.O. Box 40900 Olympia, WA 98504-0900
Renton Technical College	Gary Koppang	(425) 235-2352	3000 N.E. Fourth Street Renton, WA 98056-4195
Retirement Systems, Department of	Merry Kogut	(360) 664-7307	P.O. Box 48380 Olympia, WA 98504-8380
Revenue, Department of	Alan Lynn	(360) 570-6125	P.O. Box 47467 Olympia, WA 98504-7467

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Salaries for Elected Officials, Washington Citizens Commission on	Carol Sayer	(360) 407-0785	P.O. Box 43120 Olympia, WA 98504-3120
Seattle Community Colleges	James E Christiansen	(206) 587-4160	1500 Harvard Seattle, WA 98122
Secretary of State	Stephen Excell	(360) 902-4148	P.O. Box 40220 Olympia, WA 98504-0220
Shoreline Community College	Paulett Fleming	(206) 546-4694	16101 Greenwood Avenue North Seattle, WA 98133
Skagit Valley College	Dianna L Larsen	(360) 416-7600	2405 East College Way Mt. Vernon, WA 98273
Social and Health Services, Department of	Kelly Cooper	(360) 664-6094	P.O. Box 45850 Olympia, WA 98504-5850
South Puget Sound Community College	Patty Pynch	(360) 754-7711 ext. 202	2011 Mottman Road S.W. Olympia, WA 98502
Spokane, Community Colleges of	Geoffrey J Eng	(509) 536-7413	North 2000 Greene Street Mailstop 100 Spokane, WA 99207-5499
Tacoma Community College	Eileen Bushman	(253) 566-5101	6501 South 19th Street Tacoma, WA 98466
Tax Appeals, Board of	Richard A Virant	(360) 753-5446	P.O. Box 40915 Olympia, WA 98504-0915
Traffic Safety Commission	Angie Smith	(360) 753-6197	P.O. Box 40944 Olympia, WA 98504-0944
Transportation Improvement Board	Donna Laing	(360) 753-7198	P.O. Box 40901 Olympia, WA 98504-0901
Transportation, Department of	Bill Camerer	(360) 705-7994	P.O. Box 47410 Olympia, WA 98504-7410
Treasurer, Office of the State	Gretchen Gale	(360) 902-9093	P.O. Box 40200 Olympia, WA 98504-0200
University of Washington	Rebecca Goodwin-Dear-dorff	(206) 543-9199	4014 University Way N.E. Seattle, WA 98105-6203
Utilities and Transportation Commission	Robert Wallis	(360) 664-1142	P.O. Box 47250 Olympia, WA 98504-7250
Veterans Affairs, Department of	Susan Ramsey	(360) 725-2176	P.O. Box 41150 Olympia, WA 98504-1150
Volunteer Firefighters, Board for	Joseph Faubion	(360) 753-7318	P.O. Box 40945 Olympia, WA 98504-0945
Walla Walla Community College	Irma Leonetti	(509) 527-4274	500 Tausick Way Walla Walla, WA 99362-9267
Washington State Patrol	Heather Fleming	(360) 753-0655	P.O. Box 42600 Olympia, WA 98504-2600
Washington State University	Loretta M Lamb	(509) 335-5524	P.O. Box 641045 Pullman, WA 99164-1045
Wenatchee Valley College	Bill Martin	(509) 664-2553	1300 Fifth Street Wenatchee, WA 98801
Western Washington University	Gloria McDonald	(360) 650-3968	President's Office Mailstop 9000 Bellingham, WA 98225
Whatcom Community College	Cliff Baacke	(360) 676-2170	237 West Kellogg Road Bellingham, WA 98226

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Workforce Training and Education Coordinating Board	Lucita Waller	(360) 753-5673	P.O. Box 43105 Olympia, WA 98504-3105
Yakima Valley Community College	Suzanne West	(509) 574-4635	P.O. Box 1647 Yakima, WA 98907-1647

**OFFICE OF THE CODE REVISER
Quarterly Rule-Making Report
Covering Registers 00-19 through 00-24**

Type of Activity	New	Amended	Repealed
ACCOUNTANCY, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	2	2	0
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1141	207	364
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	916	148	284
Number of Rules Withdrawn	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	12	6
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	43	170	81
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	3	3	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	45	218	87
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	44	196	79
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 Permanent Rules Adopted	56	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

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Federal Statute	28	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

CLARK COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	22	16	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	16	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	3	16	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	16	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR

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	1	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

CORRECTIONS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	2	2	0

COUNTY ROAD ADMINISTRATION BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	16	16	0

ECOLOGY, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	135	87	8
Number of Rules Proposed for Permanent Adoption	79	14	31
Number of Rules Withdrawn	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	75	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	3	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	19	79	8
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	103	22	75
Number of Rules Proposed for Permanent Adoption	98	7	73
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	22	8
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	23	75
Number of Sections Adopted using Negotiated Rule Making	1	23	8
Number of Sections Adopted using Other Alternative Rule Making	0	1	67
Number of Sections Adopted using Pilot Rule Making	0	0	0

EMPLOYMENT SECURITY DEPARTMENT

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	38	0	2
Number of Rules Proposed for Permanent Adoption	1	0	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	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	18	0	2
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

EVERETT COMMUNITY COLLEGE

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	9	9	0

FAMILY AND CHILDREN'S OMBUDSMAN, OFFICE OF THE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	7	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	8	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	8	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
FINANCIAL INSTITUTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	2	3
Number of Rules Proposed for Permanent Adoption	46	24	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	3
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	3
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
FISH AND WILDLIFE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	6	2
Number of Rules Adopted as Emergency Rules	208	0	66
Number of Rules Proposed for Permanent Adoption	38	35	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	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	71	7	65
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
GAMBLING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	8	1
Number of Rules Adopted as Emergency Rules	3	3	0
Number of Rules Proposed for Permanent Adoption	38	26	8
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	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	5	0
Number of Sections Adopted on the Agency's own Initiative	1	9	0
Number of Sections Adopted using Negotiated Rule Making	1	9	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 CARE AUTHORITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Proposed for Permanent Adoption	11	11	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

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Type of Activity	New	Amended	Repealed
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

HEALTH, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	164	19	33
Number of Rules Proposed for Permanent Adoption	138	41	11
Number of Sections Adopted at Request of a Nongovernmental Entity	28	0	29
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	52	12	30
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	55	12	30
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	56	19	33
Number of Sections Adopted using Pilot Rule Making	0	0	0

HIGHER EDUCATION COORDINATING BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	16	0	0
Number of Rules Proposed for Permanent Adoption	30	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	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	8	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

HORSE RACING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	4	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	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	4	0
Number of Sections Adopted using Negotiated Rule Making	0	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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Type of Activity	New	Amended	Repealed
INDUSTRIAL INSURANCE APPEALS, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	22	14	6
Number of Rules Proposed for Permanent Adoption	1	0	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	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	1	14	6
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
INSURANCE COMMISSIONER, OFFICE OF THE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	4	1
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	85	13	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	4	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	1	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	4	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	4	1
Number of Sections Adopted using Pilot Rule Making	0	0	0
INTERAGENCY COMMITTEE, OFFICE OF THE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	44	0	0
JUDICIAL CONDUCT, COMMISSION ON			
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	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
LABOR AND INDUSTRIES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	85	75	0
Number of Rules Proposed for Permanent Adoption	1090	224	240
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	5	37	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	23	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	39	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	5	62	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LAKE WASHINGTON TECHNICAL COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	37	34	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	0	4	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	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	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
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	50	25	9
Number of Rules Proposed for Permanent Adoption	32	16	12
Number of Sections Adopted at Request of a Nongovernmental Entity	0	5	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	24	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	5	0	0
Number of Sections Adopted on the Agency's own Initiative	7	6	0
Number of Sections Adopted using Negotiated Rule Making	1	19	9
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LIQUOR CONTROL BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	188	5	85

LOTTERY, WASHINGTON STATE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	7	4	3
Number of Rules Proposed for Permanent Adoption	4	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	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	0	3

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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

MARINE EMPLOYEES' COMMISSION

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	5	5	0

MILITARY DEPARTMENT

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	34	16	0

NATURAL RESOURCES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	0	6
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	6
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	6
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

PARKS AND RECREATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	1	0
Number of Rules Proposed for Permanent Adoption	5	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	2	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	2	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PERSONNEL, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Proposed for Permanent Adoption	16	16	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	0	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Pilot Rule Making	0	0	0

PUBLIC DISCLOSURE COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	16	9	1
Number of Rules Proposed for Permanent Adoption	15	8	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	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	3	9	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	9	1
Number of Sections Adopted using Pilot Rule Making	0	0	0

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	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	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	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	26	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	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PUBLIC WORKS BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	1	1	0

RETIREMENT SYSTEMS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	7	0
Number of Rules Proposed for Permanent Adoption	161	21	2

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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	1	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	1	4	0
Number of Sections Adopted on the Agency's own Initiative	1	7	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

REVENUE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	42	16	24
Number of Rules Proposed for Permanent Adoption	33	14	17
Number of Rules Withdrawn	8	8	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	1	0
Number of Sections Adopted on the Agency's own Initiative	0	13	24
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	1	15	24
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	52	18	12
Number of Rules Adopted as Emergency Rules	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	2	13	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	11	19	12
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	11	7	12
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	453	30	147
Number of Rules Adopted as Emergency Rules	10	10	0
Number of Rules Proposed for Permanent Adoption	560	55	113
Number of Rules Withdrawn	32	29	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	108	23	127
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	2	8	8
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	11	7	3
Number of Sections Adopted on the Agency's own Initiative	98	20	11
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	122	31	138
Number of Sections Adopted using Pilot Rule Making	0	0	0

TRANSPORTATION IMPROVEMENT BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	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	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

TRANSPORTATION, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	3	0
Number of Rules Proposed for Permanent Adoption	4	4	0
Number of Rules Withdrawn	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
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 Permanent Rules Adopted	3	1	0
Number of Rules Proposed for Permanent Adoption	333	0	79
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	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

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Type of Activity	New	Amended	Repealed
WASHINGTON STATE PATROL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	5	3	0
Number of Rules Adopted as Emergency Rules	1	1	0
Number of Rules Proposed for Permanent Adoption	10	10	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	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	0	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
WESTERN WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Proposed for Permanent Adoption	21	7	12
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	0	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
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	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	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	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	2493	631	698
Number of Rules Adopted as Emergency Rules	281	15	68
Number of Rules Proposed for Permanent Adoption	4067	767	974
Number of Rules Withdrawn	47	40	3

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Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	28	20	35
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	221	430	265
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	5	35	8
Number of Sections Adopted in Order to Comply with Federal Statute	29	5	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	37	19	5
Number of Sections Adopted on the Agency's own Initiative	333	522	434
Number of Sections Adopted using Negotiated Rule Making	3	62	17
Number of Sections Adopted using Other Alternative Rule Making	248	378	355
Number of Sections Adopted using Pilot Rule Making	0	0	0

WSR 01-01-001
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed December 6, 2000, 3:12 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: 00-56 MAA Numbered Memorandum.
 Subject: Enhanced reimbursement for major trauma clients.

Effective Date: July 19, 2000.

Document Description: This memo informs DME providers and pharmacists that due to a delay in the timely notification of policy changes in the new Nondurable Medical Equipment and Supplies Billing Instructions, the Medical Assistance Administration is postponing the effective date for the policy changes until August 15, 2000.

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 or go to website at <http://maa.dshs.wa.gov>, TDD 1-800-848-5429, fax (360) 753-7315, e-mail <mailto:MYERSEA@dshs.wa.gov>.

November 30, 2000
 Leslie Saeger, Manager
 Regulatory Improvement Project

WSR 01-01-002
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed December 6, 2000, 3:13 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-62 MAA.
 Subject: How to complete the HCFA-1500 claim form.
 Effective Date: January 1, 2001, dates of service and after.

Document Description: This follow-up memorandum informs MAA's HCFA-1500 billers how to properly com-

plete the HCFA-1500 claim form in an effort to reduce the claims inventory backlog.

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) 586-2337 or download from Internet at <http://wws2.wa.gov/dshs/maa/Download/dmn/memos00.html>, phone 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail <mailto:MYERSEA@dshs.wa.gov>.

November 30, 2000
 Leslie Saeger, Manager
 Regulatory Improvement Project

WSR 01-01-003
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed December 6, 2000, 3:14 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-63 MAA.
 Subject: Hearing aids and services replacement pages.
 Effective Date: November 2000.

Document Description: This memorandum contains replacement pages (5-24, and 30-31) for the Medical Assistance Administration's (MAA) Hearing Aids & Services Billing Instructions, dated September 2000. The changes to these pages are listed in 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) 586-2337 or download from Internet at <http://maa.dshs.wa.gov>, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail <mailto:MYERSEA@dshs.wa.gov>.

November 30, 2000
 Leslie Saeger, Manager
 Regulatory Improvement Project

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WSR 01-01-004
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 6, 2000, 3:15 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-64 MAA.
 Subject: Medical nutrition program updates and clarifications.

Effective Date: November 2000.

Document Description: A memo and billing instruction replacement pages to clarify coverage and billing under the Medical Assistance Administration's medical nutrition program.

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) 586-2337 or download from Internet at <http://maa.dshs.wa.gov>, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail <mailto:MYERSEA@dshs.wa.gov>.

November 30, 2000
 Leslie Saeger, Manager
 Regulatory Improvement Project

WSR 01-01-005
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 6, 2000, 3:15 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-65 MAA.
 Subject: Maximum allowable fee for oral contraceptives.

Effective Date: Retroactive to July 1, 2000.

Document Description: **Retroactive to dates of service on and after July 1, 2000**, the Medical Assistance Administration (MAA) will pay family planning clinics a maximum of \$17.00 per cycle or their certified full fee, whichever is less, for oral contraceptives distributed to MAA clients.

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) 586-2337 or download from Internet at <http://maa.dshs.wa.gov>, phone (360) 725-1345, TDD 1-800-848-5429, fax (360) 753-7315, e-mail <mailto:MYERSEA@dshs.wa.gov>.

November 30, 2000
 Leslie Saeger, Manager
 Regulatory Improvement Project

WSR 01-01-017
NOTICE OF PUBLIC MEETINGS
THE EVERGREEN STATE COLLEGE

[Memorandum—November 29, 2000]

2001 BOARD OF TRUSTEE MEETING SCHEDULE

The board of trustees of The Evergreen State College will hold regular meetings on the following dates in **2001** in **Room 3112 of the Daniel J. Evans Library Building on The Evergreen State College Campus**, except as otherwise noted.

JANUARY 9 and 10, 2001		(Tuesday and Wednesday)
9th	- Educ/Plan Sess	10 a.m. to 5 p.m.
10th	- Reg. BOT meeting	9 a.m. to 3 p.m.
MARCH 13 and 14, 2001		(Tuesday and Wednesday)
13th	- Educ/Plan Sess <i>held on Tacoma TESC campus</i>	10 a.m. to 5 p.m.
14th	- Reg. BOT meeting held on TESC Olympia campus	9 a.m. to 3 p.m.
MAY 4, 2001		(Friday)
4th	- Reg. BOT meeting (budget)	9 a.m. to 5 p.m.
JUNE 14 2001		(Thursday)
14th	- Reg. BOT meeting	9 a.m. to 5 p.m.
JULY 11, 2001		(Wednesday)
11th	- Reg. BOT meeting	9 a.m. to 5 p.m.
SEPTEMBER 18, 2001		(Tuesday)
18th	- Reg. BOT meeting	9 a.m. to 5 p.m.
NOVEMBER 13 and 14, 2001		
13th	- Educ/Plan Sess	10 a.m. to 5 p.m.
11th	- Reg. BOT meeting	9 a.m. to 3 p.m.

WSR 01-01-030
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER

[Memorandum—December 6, 2000]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on Wednesday, December 13, 2000, at 1:30 p.m. in Room 310 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

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WSR 01-01-031
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN PACIFIC AMERICAN AFFAIRS
 [Memorandum—December 5, 2000]

2001 Commission Meeting Schedule

DATE	LOCATION
January 6, 2001	Seattle, Washington
April 28, 2001	Tacoma, Washington
June 9, 2001	Eastern Washington
September 22, 2001	Vancouver, Washington
November 3, 2001	Everett/Bellingham, Washington

Agency Overview: The CAPAA was established by the state legislature in 1974 to improve the well-being of Asian Pacific Americans (APAs) by insuring their access to participation in government, business, education, and other areas. It has a board made up of twelve governor-appointed members who represent the diverse APA communities of Washington state.

WSR 01-01-032
NOTICE OF PUBLIC MEETINGS
WENATCHEE VALLEY COLLEGE
 [Memorandum—December 8, 2000]

WENATCHEE VALLEY COLLEGE
BOARD OF TRUSTEE MEETING DATES
2001-2002

UNLESS OTHERWISE NOTIFIED,
ALL MEETINGS WILL BEGIN AT 3 P.M.

THIS SCHEDULE IS SUBJECT TO CHANGE

- January 10, 2001
- February 14, 2001
- March 14, 2001
- April 11, 2001
- May 9, 2001
- June 13, 2001
- July 11, 2001
- August 8, 2001
- September 12, 2001
- October 10, 2001
- November 14, 2001
- December 12, 2001

WSR 01-01-033
NOTICE OF PUBLIC MEETINGS
GRAYS HARBOR COLLEGE
 [Memorandum—December 7, 2000]

The Grays Harbor College board of trustees will meet in the boardroom in the Joseph A. Malik Administration Building on the following dates at 5:30 p.m.

- January 16, 2001
- February 20, 2001
- March 20, 2001
- April 17, 2001
- May 15, 2001
- June 19, 2001
- July 17, 2001
- September 18, 2001
- October 16, 2001
- November 20, 2001

WSR 01-01-036
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
JUDICIAL CONDUCT
 [Memorandum—December 7, 2000]

The Commission on Judicial Conduct will hold their year 2001 business meetings at 11:00 a.m. on the following dates and locations:

February 2, 2001	The Hawthorn Suites, LTD. 19621 International Boulevard SeaTac, WA 98188
April 6, 2001	The Hawthorn Suites, LTD.
June 1, 2001	The Hawthorn Suites, LTD.
August 3, 2001	The Hawthorn Suites, LTD.
October 5, 2001	The Hawthorn Suites, LTD.
December 7, 2001	The Hawthorn Suites, LTD.

WSR 01-01-037
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 [Filed December 8, 2000, 4:14 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-60 MAA.
 Subject: Updates to physician-related services (RBRVS) billing instructions.

Effective Date: July 1, 2000, dates of service and after.

Document Description: The Medical Assistance Administration (MAA) updated sections to MAA's Physician-Related Services (RBRVS) Billing Instructions, dated July 2000. **These updates are retroactive to dates of service on**

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and after July 1, 2000, unless otherwise noted (see page C8). Sections updated were: Important Contacts, Immunizations-Children and Immunizations-Adults, Site of Service (SOS) Payment Differential, State-Unique/Selected HCPCS Procedure Codes, Supplies Reimbursed Separately When Dispensed From Physician's Office, and Injection Codes.

To receive a copy of interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1344, TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

December 6, 2000
Ann Myers, Manager (Acting)
Regulatory Improvement Project

Document Description: **Effective for claims with dates of service on or after October 1, 2000**, the Medical Assistance Administration (MAA) began using new "other" durable medical equipment maximum allowables. These new maximum allowables are attached to # Memorandum 00-67 MAA.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1344, TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

December 6, 2000
Ann Myers, Manager (Acting)
Regulatory Improvement Project

WSR 01-01-038
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed December 8, 2000, 4:15 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-66 MAA.
Subject: Hospice rate increase.
Effective Date: October 1, 2000.

Document Description: **Effective for claims with dates of service on and after October 1, 2000**, the Medical Assistance Administration began using the hospice services maximum allowable rates listed on the Hospice Billing Instruction replacement pages that accompanied this memorandum.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1344 or download from Internet at <http://maa.dshs.wa.gov>, TDD 1-800-848-5429, fax (360) 586-9727, e-mail mailto:SULLIKM@dshs.wa.gov.

December 7, 2000
Ann Myers, Acting Manager
Regulatory Improvement Project

WSR 01-01-039
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
[Filed December 8, 2000, 4:15 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-67 MAA.
Subject: Revised fee schedule for "other" durable medical equipment.

Effective Date: October 1, 2000, dates of service and after.

WSR 01-01-045
NOTICE OF PUBLIC MEETINGS
BOARD OF
TAX APPEALS
[Memorandum—December 8, 2000]

The Board of Tax Appeals will hold its regular 2001 meetings at 10 a.m. on March 8, June 14, September 13, and December 13, 2001. The meetings will be held at the board's offices, 910 5th Avenue S.E., Olympia, WA 98504-0915.

WSR 01-01-046
NOTICE OF PUBLIC MEETINGS
BELLEVUE COMMUNITY COLLEGE
[Memorandum—December 8, 2000]

Meetings of the board of trustees of Community College District VIII for 2001 will be held on the following dates:

Tuesday	January 30
Wednesday	March 7
Wednesday	May 2
Wednesday	June 13
Wednesday	September 26
Wednesday	November 7
Wednesday	December 12

The meetings will begin with a study session at 12:30 p.m. in the Board Room (B201), Bellevue Community College Campus, Bellevue, Washington, followed by a business session at 1:30 p.m. In the event the board of trustees is unable to meet on the scheduled meeting date, a meeting may be scheduled and held as soon as possible, thereafter, or as otherwise announced. In the event the board of trustees is unable to meet, the chair of the board may order that no scheduled meeting of the board of trustees be held that month.

MISC.

WSR 01-01-047
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES

[Memorandum—December 11, 2000]

BOARD OF TRUSTEES
2001 REGULAR MEETING SCHEDULE
 Approved December 5, 2000

The board of trustees meetings begin with a worksession or reception at 12 noon. Regular meeting agenda sessions will begin at 1:00 p.m. **Exceptions to start times are noted below.** Dates and locations of the meetings are noted below.

DATE	LOCATION
January 16	Holly Park (SSCC) 7058 32nd Avenue South Seattle, WA 98118
February 20	North Seattle Community College 9600 College Way North Seattle, WA 98103
March 13 1:00 p.m.	Seattle Central Community College 1701 Broadway Seattle, WA 98122
April 17	Duwamish Branch (SSCC) 6770 East Marginal Way South Seattle, WA 98108
May 15	Sand Point Education Center (NSCC) 6208 60th Avenue N.E. Seattle, WA 98115
June 19	Seattle Vocational Institute (SCCC) 2120 South Jackson Street Seattle, WA 98144
July 17	South Seattle Community College 6000 16th Avenue S.W. Seattle, WA 98106
August	No Meeting
September 11 1:00 p.m.	SCCD (Siegal Center) 1500 Harvard Avenue Seattle, WA 98122
October 2	North Seattle Community College 9600 College Way North Seattle, WA 98103
November 6	Seattle Maritime Academy (SCCC) 4455 Shilshole Avenue N.W. Seattle, WA 98107

The second Tuesday of each month except for the months of July and August. Meetings will be held at 8:00 a.m. in the Board Room, Room 202, Building I, Renton Technical College, 3000 N.E. Fourth Street, Renton, WA 98056-4195.

- January 9, 2001
- February 13, 2001
- March 13, 2001
- April 10, 2001
- May 8, 2001
- June 12, 2001
- July/August - No regular meetings
- September 11, 2001
- October 9, 2001
- November 13, 2001
- December 11, 2001

If you need further information, please contact (425) 235-2426.

WSR 01-01-049
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
 [Memorandum—December 11, 2000]

NOTICE OF PUBLIC MEETING

- What:** Joint meeting between the Tacoma Community College board of trustees and the Tacoma Area Coalition of Individuals with Disabilities board of directors.
- When:** Wednesday, December 13, 2000, at 3:30 p.m.
- Where:** Tacoma Community College
6501 South 19th Street
Building 7, Baker Room
Tacoma, WA 98466
- Agenda:** Background Information/Legal Status
Issues and Solutions at October 12 Meeting
Report on City Council Meetings
Report from TACID
Availability of State Funds/Legislative Impact
- Contact:** Eileen Bushman
Executive Assistant to the President
Tacoma Community College
(253) 566-5101

WSR 01-01-048
NOTICE OF PUBLIC MEETINGS
RENTON TECHNICAL COLLEGE

[Memorandum—December 7, 2000]

Pursuant to RCW 42.30.075, please be advised that the Renton Technical College board of trustees' regular meetings during 2001 will be held as follows:

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WSR 01-01-051
RULES OF COURT
STATE SUPREME COURT

[December 11, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
 OF PROPOSED NEW ARLJ 11) NO. 25700-A-692

The District and Municipal Court Judges' Association having recommended the adoption of proposed New ARLJ 11, as amended, and the Court having approved the proposed new rule for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed new rule as attached hereto is to be published for comment in the Washington Reports, the Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January 2001.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2001. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of December 2000.

Richard P. Guy

CHIEF JUSTICE

GR 9 COVER SHEET

Proposed Rule 11

Administrative Rules for Courts of Limited Jurisdiction
 (ARLJ)

Misdemeanant Probation Department

(1) **Background.** This proposed rule is initiated by the Office of the Administrator for the Courts pursuant to Legislative mandate. RCW 10.64.120 states that the Office of the Administrator for the Courts (OAC) "shall define a probation department and adopt rules for the qualifications of probation officers based on occupational and educational requirements developed by an oversight committee." The oversight committee consisted of a representative of the District and Municipal Court Judges' Association, the Misdemeanant Corrections Association, the OAC, and the associations of cities and counties. In addition, the proposed rule resolves an issue discussed in the Washington State: Courts of Limited Jurisdiction Assessment Survey Report 1995-1997 (also known as the Wilson Report) regarding what entities are authorized to collect statutory probation services fees. This issue has increased in importance due to the Supreme Court's

ruling in Hertog v. City of Seattle, 138 Washington 2d 265, 979 P.2d 265 (1999).

(2) **Purpose.** The 1996 Washington State Legislature mandated that the OAC adopt rules relating to the operation of local misdemeanor probation departments. Specifically, RCW 10.64.120, Chapter 298, Laws of 1996, requires that:

the Office of the Administrator for the Courts shall define a probation department and adopt rules for the qualifications of probation officers based on occupational and educational requirements developed by an oversight committee... The oversight committee shall consider qualifications that provide the training and education necessary to (a) conduct presentencing and post-sentencing background investigations, including sentencing recommendations to the court regarding jail terms, alternatives to incarceration, and conditions of release; and (b) provide ongoing supervision and assessment of offenders' needs and the risk they pose to the community.

Pursuant to this statute, the OAC established the Misdemeanant Probation Oversight Committee in October 1996. The oversight committee met five times during 1996 and 1997. The statute requires the oversight committee to define a misdemeanor probation department and recommend a detailed list of qualifications for the position of probation officer.

The rule is proposed as an administrative rule for limited jurisdiction courts, because the definition and qualifications relate only to the internal structures and operations of the courts. Judges, court staff, and attorneys have historically relied on the administrative rules to contain a comprehensive list of procedures for a given area. As a result, the proposed rule contains more details than typically found in a general rule or a criminal rule.

The rule defines a misdemeanor probation department based on the type of services offered. Misdemeanant probation departments vary tremendously in the types of services offered and the method of delivering those services. In recognition of this fact, the presiding judge of the local court is granted authority under the rule to determine what services will be offered and how they will be delivered. Nevertheless, a department is still required to structure its services so that it will assist the court in the management of criminal justice with the intent of aiding in the preservation of public order and safety.

The oversight committee acknowledged that staff with higher levels of training and education should perform certain types of services. To ensure that appropriately qualified staff performs probation services, the oversight committee has divided typical probation services into two categories: (1) professional, and (2) clerical. Under the rule, staff may only perform core services that they are qualified to perform. Although, the rule does not require misdemeanor probation departments to employ professional staff (i.e. a probation officer), probation departments organized without a probation officer would be limited under the rule to performing only clerical type services.

The Legislature specifically required the OAC to adopt rules, which set the training and education qualifications for probation officers. Once again, the detail in the rule is some-

what extensive; however, the detail is mandated. In setting the qualifications for probation officers, the Legislature required the oversight committee to consider certain tasks that are likely to be performed by probation officers, such as pre-sentence background investigations and offender risk assessments. Following this mandate, the oversight committee has set forth specific educational and training requirements for probation officers based on this criteria, the qualifications utilized by county and city probation departments, and the Washington State Department of Corrections for its community corrections officers. The qualifications under this rule are waived for individuals previously employed as probation officers for two years prior to the effective date of the rule.

To emphasize the differences between probation officers and other probation staff, the oversight committee has also set forth a list of core services and qualifications for probation clerical staff.

In summary, the rule defines what constitutes a misdemeanor probation department under the statute. In addition, the rule establishes the types of services that may only be performed by professional probation officers, as opposed to clerical staff, and it establishes the education and training requirements for both probation officers and probation clerks.

(3) Washington State Bar Association Action. None.

(4) Supporting Material. Attached is a letter from the oversight committee in support of the proposed rule, a copy of the proposed rule, and a copy of RCW 10.64.120.

(5) Spokesperson. Mary McQueen, Office of the Administrator for the Courts, 1206 S. Quince St., P.O. Box 41170, Olympia Washington 98504-1170, (360) 357-2120; and The Honorable Janis Whitener-Moberg, President of the District and Municipal Court Judges' Association, 35 C St. N.W., P.O. Box 37, Ephrata, Washington 98823-0037, (509) 754-2011, ext. 379.

(6) Hearing. A hearing is not recommended.

Proposed Rule 11

Administrative Rules for Courts of Limited Jurisdiction (ARLJ)

Misdemeanant Probation Department

RULE 11 PROBATION DEPARTMENT

RULE 11.1 DEFINITION

A misdemeanor probation department, if a court elects to establish one, is an entity that provides services designed to assist the court in the management of criminal justice and thereby aid in the preservation of public order and safety. This entity may consist of probation officers and probation clerks. The method of providing these services shall be established by the presiding judge of the local court to meet the specific needs of the court.

RULE 11.2 QUALIFICATIONS AND CORE SERVICES OF PROBATION DEPARTMENT PERSONNEL

(a) Probation Officer Qualifications.

(1) A minimum of a bachelor of arts or bachelor of science degree that provides the necessary education and skills in dealing with complex legal and human issues, as well as competence in making decisions and using discretionary judgment. A course of study in sociology, psychology, or criminal justice is preferred.

(2) Counseling skills necessary to evaluate and act on offender crisis, assess offender needs, motivate offenders, and make recommendations to the court.

(3) Education and training necessary to communicate effectively, both orally and in writing, to interview and counsel offenders with a wide variety of offender problems, including but not limited to alcoholism, domestic violence, mental illness, sexual deviancy; to testify in court, to communicate with referral resources, and to prepare legal documents and reports.

(4) Anyone not meeting the above qualifications and having competently held the position of probation officer for the past two years shall be deemed to have met the qualifications.

(b) Probation Officer – Core Services.

(1) Conduct pre/post-sentence investigations with face to face interviews and extensive research that includes but is not limited to criminal history, contact with victims, personal history, social and economic needs, community resource needs, counseling/treatment needs, work history, family and employer support, and complete written pre/post-sentence reports, which includes sentencing recommendations to the court.

(2) For offenders referred to the misdemeanor probation department, determine their risk to the community using a standardized classification system with a minimum of monthly face to face interviews for offenders classified at the highest level.

(3) Evaluate offenders' social problems, amenability to different types of treatment programs, and determine appropriate referral.

(4) Supervise offenders with face to face interviews depending on risk classification system.

(5) Oversee community agencies providing services required of offenders with input to the judicial officer (e.g. alcohol/drug, domestic violence, sexual deviancy, and mental illness).

(6) Other Duties. The core services listed under both probation officer and probation clerk are not meant to exclude other duties that may be performed by either classification of employee or other court clerical staff, such as record checks, calendaring court proceedings, and accounting of fees.

(c) Probation Clerk Qualifications.

(1) High school or equivalent diploma.

(2) Efficient in all facets of basic clerical skills including but not limited to keyboarding, computer familiarity and competence, filing, and positive public interaction.

(3) Above average ability in dealing with stress and difficult clients.

(4) Ability to complete and perform multi-task assignments.

(d) Probation Clerk – Core Services.

(1) Monitor compliance of treatment obligations with professional treatment providers.

(2) Report offender non-compliance with conditions of sentence to the court.

(3) Coordinate treatment referral information, and monitor community agencies for statutory reporting compliance.

(4) Anyone not meeting the above qualifications and having held the position of probation clerk for the past two years shall be deemed to have met the qualifications.

(5) Other Duties. The core services listed under both probation officer and probation clerk are not meant to exclude other duties that may be performed by either classification of employee or other court clerical staff, such as record checks, calendaring court proceedings, and accounting of fees.

RULE 11.3 STATUTORY PROBATION SERVICE FEES TO BE USED FOR PROBATION SERVICES

All positions, which are funded by statutory probation service fees, shall be limited to working with individuals or cases who are on probation. Any additional funds raised from statutory probation services fees beyond what is necessary to fund the positions in the probation department shall be used to provide additional levels of probation services.

Reviser's note: The typographical 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 01-01-052
RULES OF COURT
STATE SUPREME COURT**

[December 7, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO LIMITED) NO. 25700-A-693
PRACTICE OFFICER RULES FOR)
ADMISSION AND CERTIFICATION,)
AND DISCIPLINE RULES AND REGU-)
LATIONS)

The Limited Practice Board having recommended the adoption of the proposed amendments to Limited Practice Officer Rules for Admission and Certification, and Discipline Rules and Regulations, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed amendments as attached hereto are to be published for comment in the Washington Register and Office of the Administrator for the Court's website in January 2001.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2001. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington

98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of December 2000.

Richard P. Guy

CHIEF JUSTICE

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 01-02 issue of the Register.

**WSR 01-01-053
RULES OF COURT
STATE SUPREME COURT**

[December 7, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO CrR 3.3(J)) NO. 25700-A-694

The Superior Court Judges' Association having recommended the adoption of the proposed amendment to CrR 3.3(j), and the Court having approved the proposed amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed amendment as attached hereto is to be published for comment in the Washington Reports, the Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January 2001.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2001. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of December 2000.

Richard P. Guy

CHIEF JUSTICE

MISC.

GR 9 COVER SHEET

Suggested Amendment

[New Section.]

CrR 3.3 (j)

TIME FOR TRIAL

(A) Name of Proponent: Superior Court Judges' Association.

(B) Spokesperson: Judge Salvatore "Sam" F. Cozza, Chair, SCJA Criminal Law and Rules Committee.

(C) Purpose: The rules governing criminal procedure in the superior courts do not contain a specific provision for a waiver by the defendant of the right to a speedy trial, even though this is a common feature of criminal practice. This suggested new section provides for such a waiver and requires that the waiver be to a date certain or for a specified period of days.

There is some evidence that this provision was inadvertently omitted during a general revision of the rules in 1995. (See 4A Orland and Tegland, Wash. Prac.: CrR 3.3, Author's Comments, pp. 170-172.)

The companion rule for the courts of limited jurisdiction includes such a waiver, although not in identical language. The rule for the courts of limited jurisdiction, CrRLJ 3.3(j), allows both the defendant and his or her attorney, acting with express authority, to waive the defendant's right to a speedy trial.

The suggested rule for the superior court allows only the defendant to waive his or her right to a speedy trial. This makes it less likely that a question will arise later in the proceedings about whether the defendant actually agreed to the waiver of his or her right to a speedy trial.

(D) Hearing: None recommended.

(E) Expedited Consideration: Not requested.

SUGGESTED AMENDMENT

[NEW SECTION]

CrR 3.3 (j)

TIME FOR TRIAL

(a) - (i) [Unchanged.]

(j) Waiver. A defendant may waive his or her time for trial rights. A waiver shall be in writing and shall be signed by the defendant. The waiver shall be to a date certain beyond the current expiration date as calculated pursuant to this rule or for a period of days beyond the current expiration date.

Reviser's note: The brackets and enclosed material in the text of 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.

WSR 01-01-054
RULES OF COURT
STATE SUPREME COURT

[December 7, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CR 28(d),) NO. 25700-A-695
CR 35, CR 49, MAR 1.2, MAR 3.2, MAR)
4.1 AND MAR 7.1)

The Washington State Bar Association having recommended the adoption of the proposed amendments to CR 28(d), CR 35, CR 49, MAR 1.2, MAR 3.2, MAR 4.1 and MAR 7.1, and the Court having approved the proposed amendments for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(f), the proposed amendments as attached hereto are to be published for comment in the Washington Reports, the Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January 2001.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2001. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of December 2000.

Richard P. Guy

CHIEF JUSTICE

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 01-02 issue of the Register.

WSR 01-01-055
RULES OF COURT
STATE SUPREME COURT

[December 7, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF PROPOSED NEW TITLE RLD 14,) NO. 25700-A-696
AND AMENDMENTS TO RLD 2.6, RLD)
2.9 AND RLD 11.1)

The Washington State Bar Association having recommended the adoption of proposed New Title RLD 14, and amendments to RLD 2.6, RLD 2.9 and RLD 11.1, and the Court having approved the proposed new title and amendments for publication;

Now, therefore, it is hereby

ORDERED:

MISC.

(a) That pursuant to the provisions of GR 9(f), the proposed new title and amendments as attached hereto are to be published for comment in the Washington Reports, the Washington Register, Washington State Bar Association and Office of the Administrator for the Court's websites in January 2001.

(b) The purpose statement as required by GR 9(d), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2001. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or Lisa.Bausch@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 7th day of December 2000.

Richard P. Guy

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment RULES FOR LAWYER DISCIPLINE (RLD)

New Title 14 to Implement a Program of Diversion And supporting amendments to RLD 2.6, RLD 2.9 & RLD 11.1

(hearing not recommended)

Submitted by the Board of Governors of the Washington
State Bar Association

A. Name of Proponent: The Washington State Bar Association.

B. Spokespersons:

- Jan Eric Peterson, President, Washington State Bar Association, 1501 Fourth Avenue, Suite 2600, Seattle, WA 98101-1664 (telephone 206-624-6800) (e-mail janeric@pypfz.com).
- Randy Beitel, Senior Disciplinary Counsel, Washington State Bar Association, 2101 Fourth Avenue, 4th Floor, Seattle, WA 98121-2330 (telephone 206-727-8257) (e-mail randyb@wsba.org).

C. Purpose: A new Title 14 is suggested to implement a Program of Diversion whereby instances of less serious misconduct by a lawyer may be diverted from a traditional disciplinary prosecution to appropriate corrective, ameliorative, and rehabilitative alternatives to disciplinary action. These alternatives may include fee arbitration, arbitration, mediation, law office management assistance, lawyer assistance programs, psychological and behavioral counseling, monitoring, restitution, continuing legal education programs, or any other

program or corrective course of action agreed upon by disciplinary counsel and respondent to address respondent's misconduct.

In 1997 at the recommendation of the Joint Task Force on Lawyer Discipline (1994) and the Washington State Bar Association Board of Governors, the rule authorizing the Bar Association to administer the system of lawyer discipline was amended to include authorization for "diverting less serious misconduct to alternatives outside the formal discipline system." GR 12(b)(6). Based on that authorization, the Board of Governors' Discipline Committee examined the diversion provisions in the American Bar Association's Model Rules for Lawyer Disciplinary Enforcement (3rd ed., 1996) as well as the diversion systems currently in place in a number of other jurisdictions including Arizona, Colorado, Illinois, Michigan, New York, Missouri and Florida. Many of these jurisdictions operate diversion programs based on the ABA Model Rules, and after considering the various options, the Board of Governors seeks to implement a program closely modeled after the ABA Model Rules.

Diversion is a strictly voluntary program. Under the suggested rules, a disciplinary grievance may be diverted only when it involves "less serious misconduct" as defined by suggested RLD 14.2, and only after the grievant is given a reasonable opportunity to comment. Under the suggested rules, diversion is accomplished by the respondent lawyer and disciplinary counsel negotiating a written diversion contract setting forth the terms of the diversion. The terms will vary depending on the circumstances of the misconduct. If the diversion terms are breached, the matter is returned to the traditional discipline process. If the terms of the contract are fulfilled, the grievance is dismissed. A disciplinary grievance, not otherwise made public, remains confidential when diverted.

In addition to a new RLD Title 14, amendments are suggested to RLD 2.6 regarding Disciplinary Counsel's role in administering diversion, RLD 2.9 regarding notification to the grievant of a proposal to divert the grievance, and RLD 11.1 regarding the confidentiality of the diversion contract and supporting documents.

D. Hearing: A hearing is not recommended.

E. Expedited Consideration: Circumstances do not require expedited consideration of these proposed rule amendments.

Supporting Information

Attached as supporting information are:

- Section by section rule comments approved by the Washington State Bar Association Board of Governors upon recommendation of the suggested rule amendments to the Supreme Court.
- A Sample Diversion Contract as anticipated under the suggested rule amendment.
- A Sample Diversion Affidavit as anticipated under the suggested rule amendment.
- A Sample Information Sheet to inform grievants about diversion.

- Relevant excerpts from ABA Model Rules for Disciplinary Enforcement (3rd Ed., 1996).

SUGGESTED AMENDMENT

RULES FOR LAWYER DISCIPLINE (RLD)

NEW TITLE 14 TO IMPLEMENT A PROGRAM OF DIVERSION

[NEW TITLE]

TITLE 14 DIVERSION

[NEW SECTION]

RULE 14.1 REFERRAL TO DIVERSION. In a matter involving less serious misconduct as defined in rule 14.2, prior to the filing of a formal complaint, disciplinary counsel may refer a respondent lawyer to diversion. Diversion may include fee arbitration, arbitration, mediation, law office management assistance, lawyer assistance programs, psychological and behavioral counseling, monitoring, restitution, continuing legal education programs, or any other program or corrective course of action agreed upon by disciplinary counsel and respondent to address respondent's misconduct.

[NEW SECTION]

RULE 14.2 LESS SERIOUS MISCONDUCT. Less serious misconduct is conduct that does not warrant a sanction restricting the respondent's license to practice law. Conduct shall not ordinarily be considered less serious misconduct if any of the following considerations apply:

- the misconduct involves the misappropriation of funds;
- the misconduct results in or is likely to result in substantial prejudice to a client or other person, absent adequate provisions for restitution being made;
- the respondent has been publicly disciplined in the last three years;
- the misconduct is of the same nature as misconduct for which the respondent has been publicly disciplined in the last five years;
- the misconduct involves dishonesty, deceit, fraud or misrepresentation by the respondent;
- the misconduct constitutes a "serious crime" as defined in rule 3.1(i);
- the misconduct is part of a pattern of similar misconduct.

[NEW SECTION]

RULE 14.3 NOTICE TO GRIEVANT. Pursuant to rule 2.9(a)(8), the grievant, if any, shall be notified of disciplinary counsel's proposed decision to refer the respondent to diversion, and shall have a reasonable opportunity to submit to disciplinary counsel a written comment thereon. The grievant shall be notified when the grievance is diverted and when the

grievance is dismissed upon completion of diversion. Such decisions to divert or dismiss are not appealable.

[NEW SECTION]

RULE 14.4 FACTORS FOR DIVERSION. The following factors shall be considered by disciplinary counsel in determining whether to refer a respondent to diversion:

- whether the presumptive sanction under the ABA Standards for Imposing Lawyer Sanctions for the violations raised by the grievance or grievances is likely to be no more severe than reprimand, censure or admonition;
- whether participation in diversion is likely to improve the future professional conduct of the respondent and accomplish the goals of lawyer discipline;
- whether aggravating or mitigating factors exist; and
- whether diversion was already tried.

[NEW SECTION]

RULE 14.5 DIVERSION CONTRACT. Disciplinary counsel and the respondent shall negotiate a contract, the terms of which shall be tailored to the individual circumstances. In each case, the contract shall be signed by the respondent and disciplinary counsel. The contract shall set forth the terms and conditions of the plan for the respondent and, if appropriate, shall identify the use of a practice monitor and/or a recovery monitor and the responsibilities of any monitor. The contract shall provide for oversight of fulfillment of the contract terms. Oversight includes reporting of any alleged breach of the contract to disciplinary counsel. The contract shall also provide that the respondent will pay all costs incurred in connection with the contract. The contract may also provide that the respondent will pay the costs associated with the disciplinary grievances to be deferred. The contract shall include a specific acknowledgment that a material violation of a term of the contract renders the respondent's participation in diversion as to the allegations of misconduct in the grievance voidable by disciplinary counsel. The contract may be amended upon agreement of the respondent and disciplinary counsel. If a recovery monitor is assigned, the contract shall include respondent's limited waiver of confidentiality permitting the recovery monitor to make appropriate disclosures in order to fulfill the monitor's duties under the contract.

[NEW SECTION]

RULE 14.6 AFFIDAVIT SUPPORTING DIVERSION. A diversion contract must be supported by the respondent's affidavit or declaration as approved by disciplinary counsel setting forth the respondent's misconduct related to the grievance or grievances to be held in abeyance under this rule, which affidavit or declaration, in the event of termination of the diversion contract due to a material breach of the diversion contract will be admissible into evidence in any ensuing disciplinary proceeding and may be made available to the review committee or the Board considering the grievance. Unless admitted into evidence at a disciplinary hearing, the affidavit or declaration will remain confidential and will not be provided to the grievant or any other individual outside the Office of Disciplinary Counsel.

[NEW SECTION]

RULE 14.7 EFFECT OF NON-PARTICIPATION IN DIVERSION. The respondent has the right to decline disciplinary counsel's offer to participate in diversion. If the respondent chooses not to participate, the matter will proceed as though no referral to diversion had been made.

[NEW SECTION]

RULE 14.8 STATUS OF GRIEVANCE. After a diversion contract is executed by the respondent and disciplinary counsel, the disciplinary grievance shall be held in abeyance pending successful completion of the terms of the contract.

[NEW SECTION]

RULE 14.9 TERMINATION OF DIVERSION.

(a) Fulfillment of the Contract. The contract is terminated when respondent has fulfilled the terms of the contract and submits to disciplinary counsel an affidavit or declaration demonstrating the same. Upon receipt of such affidavit or declaration, disciplinary will acknowledge receipt and either dismiss any grievances held in abeyance pending successful completion of the contract, or give notice to respondent that fulfillment of the contract is disputed. Such a dismissal is not appealable by the grievant. Successful completion of the contract constitutes a bar to any further disciplinary proceedings based upon the same allegations.

(b) Material Breach. A material breach of the contract shall be cause for termination of respondent's diversion. After a material breach, disciplinary counsel will give respondent notice of termination from diversion and disciplinary proceedings may be instituted, resumed or reinstated.

(c) Review by the Chairperson. Disputes regarding fulfillment of the terms of the contract and/or material breach of the contract may be reviewed by the chairperson of the Board upon the request of the respondent or disciplinary counsel. Such request must be filed with the Board within 15 days of notice to respondent of the determination for which review is sought. Determinations by the chairperson under this section shall be final and the matters determined shall not be reviewable in any proceeding.

Supporting Amendments to Rules for Lawyer Discipline 2.6, 2.9 & 11.1

RULE 2.6 DISCIPLINARY COUNSEL

(a) No Change.

(b) No Change.

(c) No Change.

(d) No Change.

(e) Diversion. Disciplinary counsel shall have the authority to determine pursuant to rule 14.1 those grievances appropriate for diversion, after giving notice to any grievants pursuant to rule 2.9(a)(8). Disciplinary counsel shall have the authority to negotiate and execute diversion contracts, to monitor and determine compliance with the terms of diversion contracts and to determine fulfillment of or any material breach of diversion contracts, subject to the review authorized by rule 14.9.

RULE 2.9 GRIEVANT

(a) Rights. Any person filing a grievance with the Association alleging an act of misconduct by a lawyer shall have the right to:

(1) Be advised promptly of the receipt of the grievance, and of the name, address and office phone number of the person assigned to its investigation if such an assignment is made;

(2) Request reconsideration by a review committee of a dismissal of the grievance by disciplinary counsel by serving upon the Association a request for review within 45 days of mailing of the notice of dismissal, or reconsideration, when the chairperson of the Board so directs, by the Board of a dismissal of the grievance by a review committee by serving upon the Association a request for review within 45 days of mailing of the notice of dismissal by a review committee;

(3) Have a reasonable opportunity to speak with the investigator assigned to the grievance, by telephone or in person, concerning the substance of the grievance or its status;

(4) Receive a copy of any response submitted by the lawyer against whom a grievance is filed, except when that response makes reference to confidences or secrets of a client of the lawyer to which the grievant is not privy, or contains information of a personal and private nature regarding the lawyer, or when a review committee determines that the interests of justice would better be served if the response is not released;

(5) Submit additional supplemental written information or documentation at any time;

(6) Attend any hearing conducted into the grievance, subject to the applicable rules of evidence and any protective order issued pursuant to rule 11.1 (g);

(7) Testify as a witness at any hearing conducted into the grievance, subject to the applicable rules of evidence and any protective order issued pursuant to rule 11.1 (g);

(8) Be notified of any proposed decision to refer the respondent to diversion and be given a reasonable opportunity to submit to disciplinary counsel a written comment thereon;

~~(8)~~ **(9) Be advised of the disposition of the grievance.**

(b) No Change.

(c) No Change.

(d) No Change.

RULE 11.1 DISCLOSURE

(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) No Change.

(l) No Change.

(m) No Change.

(n) No Change.

(o) No Change.

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(p) No Change.

(q) No Change.

(r) Diversion Contracts. Diversion contracts and supporting affidavits and declarations under rules 14.5 & 14.6 are confidential, not withstanding the provisions of subsection (c), unless admitted into evidence in a disciplinary proceeding following a termination of the diversion contract based on a material breach of the diversion contract. When a matter that has previously become public under rule 11.1(c) is diverted by execution of a diversion contract, that contract and the supporting documents will remain confidential but the fact that the matter has been diverted from discipline will be public information.

(s) Regulations. Public access to file materials and proceedings as permitted by this rule may be subject to reasonable regulation as to time, place and circumstances. Certified copies of public bar file documents shall be made available at the same rate as certified copies of superior court records. Uncertified copies of public bar file documents shall be made available at a rate to be set by the Executive Director of the Association.

(t) Release to Lawyers' Fund for Client Protection. Nothing in these rules shall prohibit the release of information obtained during the course of an investigation to the Lawyers' Fund for Client Protection concerning applications which are pending before it. The Fund shall treat such information as confidential unless release is authorized by this rule or the Executive Director.

(u) Wrongful Disclosure. Disclosure, except as permitted by these rules, by any person involved with an investigation or proceeding, either as an officer or agent of the Association (including, but not limited to, its staff, members of the Board of Governors, the Disciplinary Board, a review committee, hearing panels, hearing officers, disciplinary counsel, special district counsel, a lawyer appointed pursuant to rule 8.6, or any other individual acting under authority of these rules) of any information concerning a pending or completed investigation or proceeding, except as permitted by these rules, may subject that person to an action for contempt of the Supreme Court. When the person is also a lawyer, such wrongful disclosure may also be grounds for discipline.

Reviser's note: The brackets and enclosed material in the text of 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.

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.

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CrR 6.4(c)) NO. 25700-A-697
AND (e), CrR 6.11(a), CrR 6.12(b) AND)
(d), CrR 6.13(a), CrR 6.14, CrR 6.16(c),)
CrR 7.5 AND CrR 7.6(a))

The Superior Court Judges' Association having recommended the adoption of the proposed amendments to CrR 6.4(c) and (e), CrR 6.11(a), CrR 6.12(b) and (d), CrR 6.13(a), CrR 6.14, CrR 6.16(c), CrR 7.5 and CrR 7.6(a), and the Court having determined that the proposed amendments 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 amendments as attached hereto are adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 7th day of December 2000.

Smith, J. Talmadge, J.
Johnson, J. Alexander, J.
Madsen, J. Faith Ireland, J.
Sanders, J. Bridge, J.

SUGGESTED AMENDMENTS

CrR 6.4 (c) and (e)

CHALLENGES

(a) - (b) [Unchanged.]

(c) Challenges for Cause.

(1) If the judge after examination of any juror is of the opinion that grounds for challenge are present, he or she shall excuse that juror from the trial of the case. If the judge does not excuse the juror, any party may challenge the juror for cause.

(2) RCW 4.44.150 through 4.44.200 shall govern challenges for cause.

(d) [Unchanged.]

(e) Peremptory Challenges.

(1) Peremptory Challenges Defined. A peremptory challenge is an objection to a juror for which there is no reason given, but upon which the court shall exclude him the juror. In prosecutions for capital offenses the defense and the state

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may challenge peremptorily 12 jurors each; in prosecution for offenses punishable by imprisonment in a ~~penitentiary~~ the state Department of Corrections 6 jurors each; in all other prosecutions, 3 jurors each. When several defendants are on trial together, each defendant shall be entitled to one challenge in addition to the number of challenges provided above, with discretion in the trial judge to afford the prosecution such additional challenges as circumstances warrant.

(2) *Peremptory Challenges-How Taken.* After prospective jurors have been passed for cause, peremptory challenges shall be exercised alternately first by the prosecution then by each defendant until the peremptory challenges are exhausted or the jury accepted. Acceptance of the jury as presently constituted shall not waive any remaining peremptory challenges to jurors subsequently called.

SUGGESTED AMENDMENT

CrR 6.11 (a)

JUDGE-DISABILITY

(a) **Disability of Judge During Jury Trial.** If, before the judge submits the case to the jury, he or she is unable to continue with the trial, any other judge assigned to or regularly sitting in the court, upon ~~familiarizing himself~~ becoming familiar with the record of the trial, may proceed with the trial. Upon defendant's objection to the replacement, a mistrial shall be granted. If, after the judge submits the case to the jury, he or she is unable to continue, the case shall proceed before another judge.

(b) [Unchanged.]

SUGGESTED AMENDMENTS

CrR 6.12 (b) and (d)

WITNESSES

(a) [Unchanged.]

(b) **When Excused.** A witness subpoenaed to attend in a criminal case is dismissed and excused from further attendance as soon as he or she has given his or her testimony-in-chief and has been cross-examined thereon, unless either party makes requests in open court that the witness remain in attendance; and witness fees will not be allowed any witness after the day on which his or her testimony is given, except when the witness has in open court been required to remain in further attendance, and when so required the clerk shall note that fact in his or her journal.

(c) [Unchanged.]

(d) **Not Excluded on Grounds of Interest.** No person offered as a witness shall be excluded from giving evidence by reason of his or her interest in the result of the action, as a party thereto or otherwise, but such interest may be shown to affect his or her credibility.

SUGGESTED AMENDMENT

CrR 6.13 (a)

TESTIMONY IN LIEU OF WITNESSES

(a) **Deposition.** Upon a determination that the testimony of a witness is material, and that it appears probable that the witness will not voluntarily appear at the trial, the court may order the taking of his or her deposition. Pending the taking of the deposition the provisions of CrR 3.2 shall apply.

(b) [Unchanged.]

SUGGESTED AMENDMENT

CrR 6.14

IMMUNITY

In any case the court on motion of the prosecuting attorney may order that a witness shall not be excused from giving testimony or producing any papers, documents or things, on the ground that ~~his~~ such testimony may tend to incriminate or subject ~~him~~ the witness to a penalty or forfeiture; but ~~he~~ the witness shall not be prosecuted or subjected to criminal penalty or forfeiture for or on account of any transaction, matter, or fact concerning which ~~he~~ the witness has been ordered to testify pursuant to this rule. ~~He~~ The witness may nevertheless be prosecuted for failing to comply with the order to answer, or for perjury or the giving of false evidence.

SUGGESTED AMENDMENT

CrR 6.16 (c)

VERDICTS AND FINDINGS

(a) and (b) [Unchanged.]

(c) **Forms.**

(1) *Verdict.* The verdict of the jury may be in substantially the following form:

We, the jury, find the defendant guilty [or not guilty] of the crime of _____ as charged in count number _____.

Signature of ~~Foreman~~ Presiding Juror

(2) *Special Findings.* Special findings may be substantially in the following form:

Was the defendant (name) armed with a deadly weapon at the time of the commission of the crime charged in count number _____?

Yes () No ()

SUGGESTED AMENDMENT

CrR 7.5 6

PROBATION

(a) [Unchanged.]

(b) [Unchanged.]

SUGGESTED AMENDMENT

CrR 7.6 5

NEW TRIAL

(a) Grounds for New Trial. The court on motion of a defendant may grant a new trial for any one of the following causes when it affirmatively appears that a substantial right of the defendant was materially affected:

- (1) Receipt by the jury of any evidence, paper, document or book not allowed by the court;
(2) Misconduct of the prosecution or jury;
(3) Newly discovered evidence material for the defendant, which he the defendant could not have discovered with reasonable diligence and produced at the trial;
(4) Accident or surprise;
(5) Irregularity in the proceedings of the court, jury or prosecution, or any order of court, or abuse of discretion, by which the defendant was prevented from having a fair trial;
(6) Error of law occurring at the trial and objected to at the time by the defendant;
(7) That the verdict or decision is contrary to law and the evidence;
(8) That substantial justice has not been done.

When the motion is based on matters outside the record, the facts shall be shown by affidavit.

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 text of 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.

WSR 01-01-057

RULES OF COURT

STATE SUPREME COURT

[December 7, 2000]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENTS TO CrR 4.2(g),) NO. 25700-A-698
CrRLJ 4.2(g) AND JuCR 7.7)

The pattern Forms Committee having recommended the adoption of the proposed amendments to CrR 4.2(g), CrRLJ 4.2(g) and JuCR 7.7, and the Court having determined that the proposed amendments 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 amendments as attached hereto are adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendments will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 7th day of December 2000.

Guy, C.J.

Smith, J.

Talmadge, J.

Johnson, J.

Alexander, J.

Madsen, J.

Faith Ireland, J.

Sanders, J.

Bridge, J.

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 01-02 issue of the Register.

WSR 01-01-060

NOTICE OF PUBLIC MEETINGS

STATE BOARD OF EDUCATION

[Memorandum—December 8, 2000]

The State Board of Education will meet for regular business at the locations listed on the following dates in January and March 2001:

January 10-12, 2001

Board Room

North Thurston School District

305 College Street N.E.

Lacey, WA 98516

(360) 412-4400

March 28-30, 2001

Board Room

North Thurston School District

305 College Street N.E.

Lacey, WA 98516

(360) 412-4400

The remaining dates for meetings during 2001 will be selected at the January meeting. As soon as the dates and locations are known, we will notify you.

MISC.

WSR 01-01-061

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Alfalfa Seed Commission)
[Memorandum—December 7, 2000]**

As required by the Open Public Meetings Act, following is a list of regular meetings of the Washington Alfalfa Seed Commission to be held for the calendar year of 2001:

- March 4, 2001 Noon Commission WestCoast Hotel Kennewick Meeting
- October 10, 2001 Noon Commission WestCoast Hotel Kennewick Meeting
- December 5, 2001 Noon Commission WestCoast Hotel Kennewick Meeting

If you have any questions, please do not hesitate to contact (509) 547-5538.

WSR 01-01-062

**NOTICE OF PUBLIC MEETINGS
COLUMBIA BASIN COLLEGE
[Memorandum—December 7, 2000]**

Columbia Basin College
Board of Trustees

MEETING SCHEDULE 2000-2001

The CBC board of trustees meets the **second Monday** of each month at 5 p.m., with the exception of August when there is no scheduled meeting.

- January 8
- February 12
- March 12
- April 9
- May 14
- June 11
- July 9
- August - pass
- September 10
- October 8
- November 12
- December 10

In accordance with RCW 42.30.075, this schedule of regular meeting dates for Columbia Basin College, District 19, board of trustees is filed with the Office of Code Reviser for publication in the Washington State Register.

WSR 01-01-063

**NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
[Memorandum—December 11, 2000]**

At their December 7, 2000, regular meeting the South Puget Sound Community College board of trustees changed their regular January 11, 2001, meeting to Friday, January 12, 2001, their regular February 8, 2001, to Monday, February 12, 2001, and their regular April 12, 2001, meeting to Tuesday, April 3, 2001.

If you have any questions, please contact 754-7711 ext. 5202.

WSR 01-01-064

**NOTICE OF PUBLIC MEETINGS
HIGHER EDUCATION
COORDINATING BOARD
[Memorandum—December 8, 2000]**

In accordance with RCW 28B.80.420, 42.30.075, and WAC 250-10-070, the Higher Education Coordinating Board established the following board meeting schedule for 2001, at its regular meeting held December 6, 2000. The meetings begin at 9 a.m. unless public notice is given prior to the meeting in question establishing a different starting time.

If anyone wishes to request disability accommodations, notice should be given to the Higher Education Coordinating Board, at least ten days in advance of the meeting in question. Notice may be given by any of the following methods: (360) 753-7800 (voice), (360) 753-7809 (TDD), or (360) 753-7808 (fax).

PROPOSED HECB 2001 MEETING SCHEDULE	
DATE	TENTATIVE LOCATION
January 24 Wednesday	The Evergreen State College Olympia
April 11 Wednesday	John A. Cherberg Building Senate Hearing Room 4 Capitol Campus
May 30 Wednesday	Eastern Washington University Cheney
July 25 Wednesday	University of Washington Tacoma UWT Conference Center
September 12 Wednesday	Washington State University Pullman Compton Union Building (CUB)
October 30 Tuesday	Cascadia Community College Bothell Board Room (#260), Main Cascadia Building
December 12 Wednesday	Gonzaga University Spokane

MISC.

WSR 01-01-066
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 12, 2000, 3:39 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Billing Instructions.

Subject: Planned home birth pilot project.

Effective Date: January 1, 2001, dates of service and after.

Document Description: This manual describes DSHS guidelines for planned home births. Included are the following sections: About the Pilot Project, Client Eligibility, Qualifications Requirements to participate, Provider Responsibility, Prenatal Management/Risk Screening Guidelines, Instructions for Completing Planned Home Birth Outcome Report, Fee Schedule, Billing, How to Complete the HCFA-1500 Claim Form.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

December 11, 2000
 Ann Myers, Manager (Acting)
 Regulatory Improvement Project

WSR 01-01-067
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed December 12, 2000, 3:40 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-70 MAA.

Subject: Replacement pages for dental program billing instructions.

Effective Date: January 1, 2001, dates of service and after.

Document Description: The purpose of this memorandum is to provide replacement pages for the Medical Assistance Administration's (MAA) Dental Program Billing Instructions as stated in Numbered Memorandum 00-61 MAA, issued on October 16, 2000.

To receive a copy of the interpretive or policy statement, contact: Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-

848-5429, fax (360) 586-9727, e-mail mailto:sullikm@dshs.wa.gov.

December 11, 2000
 Ann Myers, Manager (Acting)
 Regulatory Improvement Project

WSR 01-01-074
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE

[Memorandum—December 11, 2000]

Pursuant to RCW 42.30.075, the Bellingham Technical College board of trustees' regular meetings during 2001 will be held on the third Thursday of each month except July. Meetings will be held at 9 a.m. in the College Services Building Board Room, Bellingham Technical College, 3028 Lindbergh Avenue, Bellingham, WA 98225.

WSR 01-01-076
OFFICE OF
INSURANCE COMMISSIONER

[Filed December 13, 2000, 3:34 p.m.]

TECHNICAL ASSISTANCE ADVISORY
 TAA 2000-07

TO: Health Care Service Contractors, Health Maintenance Organizations, and Active A&H and Group Disability Insurers.

SUBJECT: Individual and Small Group Filings.

DATE: December 13, 2000.

This technical assistance advisory (TAA) replaces TAA 96-01, issued on September 20, 1996. It replies to questions that may arise in preparing future form and rate filings.

1. Question: Historically, insurance carriers have been able to charge a different premium for spouses of subscribers than for subscribers. Can carriers do that now?

Answer: For health care service contractors (HCSCs), RCW 48.44.022 (1)(a) and 48.44.023 (3)(a) state that premium rates for individual and small group health benefit plans are based on an adjusted community rate which may be adjusted only for geographic area, family size, age, and wellness activities.

For health maintenance organizations (HMOs), RCW 48.46.064 (1)(a) and 48.46.066 (3)(a) set the same standards.

For disability insurers, the applicable statutes are RCW 48.20.028 (1)(a) and 48.21.045 (3)(a).

These statutes do not allow any variation from community rating for any reason other than those listed. In the group market, the spouse's insurance coverage is via the family contract of the employee/subscriber. Therefore, the subscriber/spouse rates are considered to be a family-size issue. However, the rates for the subscriber/spouse must be based on sound factors and must not be in violation of the community rating (pooling) requirements of the statutes cited above.

2. Question: Are "wellness activities" and "wellness factors" the same thing? If they are, what are they?

Answer: Wellness activities and wellness factors are the same thing. For the purposes of this discussion, they are defined at RCW 48.43.005(25) as "...an explicit program of an activity consistent with department of health guidelines, such as, smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education for the purpose of improving enrollee health status and reducing health service costs." This definition applies to HCSCs, HMOs, and disability insurers equally. The Department of Health has written *Washington State Wellness Guidelines*, which expands upon the statute.

RCW 48.44.022 (1)(e), 48.44.023 (3)(e), 48.46.064 (1)(e), 48.46.066 (3)(e), 48.20.028 (1)(e), and 48.21.045 (3)(e) permit a discount for wellness activities to reflect actuarially justified differences in utilization or cost attributed to such programs. This discount is not to exceed 20%.

The wellness factors in Washington statutes allow carriers to ask questions of individuals and small groups in order to qualify them for discounts. However, these questions must not be framed in such a way as to amount to the application of underwriting penalties. Additionally, while much of the *Washington State Wellness Guidelines* is directed to company-sponsored programs, such as employee assistance programs (EAPs), the guidelines state that they are applicable to individual policyholders as well. For groups, the discount must apply to the entire group and may not be applied on an employee-by-employee basis. As an example, a carrier may use a "Drug Free Workplace" to provide discounting for wellness factors for a small group, but may not give a per-employee nonsmoker discount. An individual policyholder, on the other hand, could receive a discount for being a nonsmoker.

3. Question: What is the policy on frequency of individual and small group rate filings?

Answer: "The rate charged for a health benefit plan offered under this section may not be adjusted more frequently than annually," according to RCW 48.44.022 (1)(f), 48.44.023 (3)(f), 48.46.064 (1)(f), 48.46.066 (3)(f), 48.20.028 (1)(f), and 48.21.045 (3)(f). These statutes allow the commissioner to accept only one rate filing for individual and small group plans annually. *Annually* is defined as a period of twelve months from the effective date of the last rate filing; filed rates for any policy must be guaranteed for at least one full policy year.

The annual filing may include rates for renewal and new business that account for the effect of trend on a shorter-than-annual basis. Rates for these filings may be varied on an annual, semi-annual, quarterly, or monthly basis. If the carrier prefers to vary rates based on effective dates, rather than annually, the carrier should prefile the monthly, quarterly, or semiannual effective date factors in the annual filing for specific group renewal and new business during the designated twelve month period. To illustrate, if a carrier needed to charge an average of \$100 per month for all contracts renewing throughout the year, it would be permissible to file effective

rates of \$99.04 for policies renewing in the first quarter, \$99.68 for policies renewing in the second quarter, \$100.32 for policies renewing in the third quarter, and \$100.97 for policies renewing in the fourth quarter. It would also be permissible to vary rates for policies renewing (or being issued) in a similar manner for the month or half-year during which the issue or renewal takes place.

A carrier may not make monthly or quarterly filings to adjust the annual rate except under extraordinary circumstances in which the commissioner expressly grants this authority.

If the carrier fails to make an annual filing, the renewal rates will be identical to rates last charged to the group being renewed. New business rates would be those last charged to any group plan. To illustrate, suppose a carrier has quarterly premiums of \$100, \$110, \$120, and \$130 and has not submitted a new filing. The new business rate would be \$130, and the renewal rate would be identical to the previous premium charged to a specific group or individual plan.

4. Question: What adjustments for geographic factors are allowed?

Answer: RCW 48.44.022(2), 48.44.023 (3)(i), 48.46.064(2), 48.46.066 (3)(i), 48.20.028(2), and 48.21.045 (3)(i) state that adjusted community rates shall pool the medical experience of all individuals or groups purchasing coverage. The geographic factors must be based on credible data or a large study. A carrier must not base its geographic factors on its own experience by geographic area; that would violate the pooling requirements of community rating.

5. Question: Is it possible to make relativity adjustments between plans?

Answer: A carrier may adjust the benefit relativities based on the deductible leverage or other reasonable causes. A carrier must not adjust the benefit relativity of a health benefit plan based on that individual plan's experience; that would violate the pooling requirements of community rating.

6. Question: What children's rates are allowed?

Answer: RCW 48.44.022 (1)(b), 48.46.064 (1)(b), and 48.20.028 (1)(b) state that individuals under age twenty shall be treated as those age twenty. Therefore, all dependent children under age twenty enrolled in the same individual benefit plan must be charged the same rate. RCW 48.44.023 (3)(b), 48.46.066 (3)(b), and 48.21.045 (3)(b) state that employees under age twenty shall be treated as those age twenty. Although the statutes cited with respect to small group plans address only employee rates for under age twenty and do not specifically address individual/child rates, the Office of Insurance Commissioner takes the position that the small group community rate statutes mirror the individual community rate statutes. Therefore, all dependent children under age twenty enrolled in the same small group benefit plan must be charged the same rate.

7. Question: Must all small group products be offered to all small groups?

Answer: Yes, carriers must not develop small group products that are not offered to all groups under fifty.

Finally, as a reminder: As of January 1, 2000, in accordance with RCW 48.20.028 (1)(d), 48.21.045 (3)(d),

48.44.022 (1)(d), 48.44.023 (3)(d), 48.46.064 (1)(d), and 48.46.066 (3)(d), the highest permitted rates for any group shall be no more than 375% of the lowest rates.

If you have questions, please contact our health actuary, Lichiou Lee, at (360) 586-5313 or LichiouL@oic.wa.gov. Additional information on many topics of interest is available on our Website at <http://www.insurance.wa.gov>.

WSR 01-01-079
NOTICE OF PUBLIC MEETINGS
BOARD OF ACCOUNTANCY
 [Memorandum—December 12, 2000]

2001 BOARD MEETING SCHEDULE

Following is the schedule of regular meetings the board plans to hold during 2001:

Date	Day	Meeting	Location
1/3/01	Wednesday	Special/Rules Hearing	SeaTac
1/26/01	Friday	Regular	Olympia
4/27/01	Friday	Regular	Olympia
7/27/01	Friday	Regular	SeaTac
10/26/01	Friday	Regular	SeaTac
12/14/01	Friday	Annual	Olympia

The exact location of each meeting has not been determined. For persons who wish to attend, please contact Cheryl Sexton at the board office (360) 664-9194 or fax (360) 664-9190 for the meeting location. Meetings usually begin at 9:00 a.m. The Board of Accountancy schedules all public meetings at barrier free sites. Persons who need special assistance, such as enlarged type materials, please contact Cheryl Sexton at the board office (TDD (800) 833-6384, voice (360) 664-9194, or fax (360) 664-9190).

WSR 01-01-080
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
ASIAN PACIFIC AMERICAN AFFAIRS
 [Memorandum—December 14, 2000]

Note: A revision has been made to our 2001 commission meeting schedule. The January meeting should be on the 13th.

2001 Commission Meeting Schedule

DATE	LOCATION
January 13, 2001	Seattle, Washington
April 28, 2001	Tacoma, Washington
June 9, 2001	Eastern Washington
September 22, 2001	Vancouver, Washington
November 3, 2001	Everett/Bellingham, Washington

Agency Overview: The CAPAA was established by the state legislature in 1974 to improve the well-being of Asian

Pacific Americans (APAs) by insuring their access to participation in government, business, education, and other areas. It has a board made up of twelve governor-appointed members who represent the diverse APA communities of Washington state.

WSR 01-01-081
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION
 (Capitol Campus Design Advisory Committee)
 [Memorandum—December 12, 2000]

At the November 14, 2000, Capitol Campus Design Advisory Committee (CCDAC) meeting, the following meeting dates were approved for the year 2001 calendar year:

- February 15, Thursday
- May 17, Thursday
- September 20, Thursday
- November 15, Thursday

The CCDAC meetings are held in the General Administration Building, 210 11th Avenue S.W., Olympia, WA, Conference Room 207, at 10:00 a.m.

If you have any questions, please contact (360) 902-0970 or Kim M. Moore at (360) 902-0955.

WSR 01-01-082
NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE
 [Memorandum—December 11, 2000]

Following is a list of the 2001 board meeting dates for Cascadia Community College.

- Cascadia Community College
- 2001 Board of Trustees - Meeting Dates
- Third Wednesday of Each Month

All meetings will begin at 8:00 a.m. and will take place in the board room (Room 260) at Cascadia Community College, 18345 Campus Way N.E., Bothell, WA 98011.

- 2001 Board Meeting Dates
- Wednesday, January 17, 2001
- Wednesday, February 21, 2001
- Wednesday, March 21, 2001
- Wednesday, April 18, 2001
- Wednesday, May 16, 2001
- Wednesday, June 20, 2001
- Wednesday, July 18, 2001
- Wednesday, August 15, 2001
- Wednesday, September 19, 2001
- Wednesday, October 17, 2001

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Wednesday, November 21, 2001

Wednesday, December 19, 2001

WSR 01-01-087

**NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD**

[Memorandum—December 12, 2000]

WSR 01-01-085

**NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD**

[Memorandum—December 13, 2000\]

NOTICE OF SPECIAL MEETING

The Public Works Board will conduct a special meeting by conference call at 12:00 noon on Monday, December 18, 2000. The conference call will be conducted from the Conference Room of Suite G-2 of the General Administration Building located at 210 Eleventh Avenue S.W., Olympia, WA. Interested persons may participate by appearing at the above location.

The only proposed agenda item will be review and approval of loan portfolio management.

WSR 01-01-086

**NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD**

[Memorandum—December 12, 2000]

Public Works Board Meeting Dates for 2001

Date/Time	Time	Event	Location
January 9, 2001	8:30 a.m.	Special Meeting	SeaTac, Washington
February 6, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
March 6, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
April 3, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
May 1, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
June 5, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
July 10, 2001	8:30 a.m.	Special Meeting	SeaTac, Washington
August 7, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
August 21, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
September 18, 2001	8:30 a.m.	Special Meeting and Annual Project Tour	South Central Washington
October 2, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
November 6, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington
December 4, 2001	8:30 a.m.	Regular Meeting	SeaTac, Washington

The Public Works Board adopted the above dates at the December 12, 2000, regular meeting.

Changes to the schedule, if any, will be published by the Washington State Code Reviser's Office.

Changes to the schedule, if any, will also be posted one week prior to board meetings at the board website: www.crab.wa.gov/pwtf.

Public Works Board Meeting Dates for 2002

Date/Time	Time	Event	Location
January 8, 2002	8:30 a.m.	Special Meeting	SeaTac, Washington
February 5, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
March 5, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
April 2, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
May 7, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
June 4, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
July 9, 2002	8:30 a.m.	Special Meeting	SeaTac, Washington
August 6, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
August 20, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
September 17, 2002	8:30 a.m.	Special Meeting and Annual Project Tour	Not Specified
October 1, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
November 5, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington
December 3, 2002	8:30 a.m.	Regular Meeting	SeaTac, Washington

The Public Works Board adopted the above dates at the December 12, 2000, regular meeting.

Changes to the schedule, if any, will be published by the Washington State Code Reviser's Office.

Changes to the schedule, if any, will also be posted one week prior to board meetings at the board website: www.crab.wa.gov/pwtf.

WSR 01-01-090

DEPARTMENT OF AGRICULTURE

[Filed December 15, 2000, 9:46 a.m.]

**BEFORE THE DIRECTOR OF AGRICULTURE
STATE OF WASHINGTON**

In the matter of the request) Chapter 16-580 WAC
to terminate The Washing-)
ton Farmed Salmon Com-) FINDINGS OF FACT, CONCLUSION
mission) OF LAW, AND FINAL DECISION
)

This matter came before the Director of the Washington State Department of Agriculture (WSDA) pursuant to a request filed by affected farmed salmon producers to terminate the Washington Farmed Salmon Commission effective December 31, 2000 under the authority set forth in RCW 15.65.190

I. FINDINGS OF FACT

Based on the facts, the Director makes the following findings:

1. The Washington Farmed Salmon Commission was established in December 1992 under Chapter 16-580 WAC to:

MISC.

1. Establish plans and conduct programs for advertising, labeling, sales, promotion and consumer education programs, and/or create new or larger markets for farmed salmon products;
 2. Provide for research in the production, processing and/or marketing of farmed salmon products;
 3. Provide for marketing information and services to affected producers; and
 4. Investigate and take necessary action to prevent unfair trade practices that hinder marketing of Washington farmed salmon products.
2. Only two companies currently operate and qualify as "producers" under the Commission's marketing order.
3. Because the activities of the Commission no longer effectuates the policies of Chapter 15.65 RCW the producers of the Washington Farmed Salmon Commission submitted a request to the Director that the Director exercise his powers under RCW 15.65.190 to terminate the Washington Farmed Salmon Commission effective December 31, 2000.

II. CONCLUSIONS OF LAW

1. RCW 15.65.050 provides that "*The director shall administer and enforce this chapter and it shall be his duty to carry out its provisions and put them into force in accordance with its terms, but issuance, amendment, modification, suspension and/or termination of marketing agreements and orders and of any terms or provisions thereof shall be accomplished according to the procedures set forth in this chapter and not otherwise...*"
2. RCW 15.65.190 provides that "*Any marketing agreement or order shall be terminated if the director finds that fifty-one percent by numbers and fifty-one percent by volume of production of the affected producers within the affected area favor or assent to such termination. The director may ascertain without compliance with the provisions of RCW 15.65.050 through 15.65.130 whether such termination is so assented to or favored whenever twenty percent by numbers or twenty percent by volume of production of said producers file written application with him for such termination. No such termination shall become effective until the expiration of the marketing season then current.*"
3. The Director concludes that the Washington Farmed Salmon Commission no longer effectuates the policies of Chapter 15.65 RCW and is no longer needed.

III. FINAL DECISION

In consideration of the findings of fact and conclusion of law, the Director enters the following final decision:

The request to terminate the Washington Farmed Salmon Commission effective December 31, 2000 is hereby granted.

DATED this 13th day of December, 2000.

James M. Jesernig
Director of Agriculture

WSR 01-01-094
NOTICE OF PUBLIC MEETINGS
ECONOMIC DEVELOPMENT
FINANCE AUTHORITY
[Memorandum—December 14, 2000]

The Washington Economic Development Finance Authority (WEDFA) is an independent agency (#106) within the executive branch of the state government. The authority has four regular board meetings each year, one per quarter. The authority's meetings are open to the public, and access for persons with disabilities is provided at all meetings of the authority. We would like to have the board meeting schedule for 2001 published in the next issue of the State Register.

All meetings will be held in the Cascadia World Trade Club on the mezzanine level of the main terminal building, SeaTac International Airport, SeaTac, Washington. All meetings will begin at 10 a.m. The meeting dates are: Wednesday, March 7th, Wednesday, June 6th, Wednesday, September 19th, and Wednesday, December 12th.

Please call (206) 587-5634 if you have any questions.

WSR 01-01-095
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Barley Commission)
[Memorandum—December 11, 2000]

To keep in compliance with the Open Public Meetings Act the Washington Barley Commission is filing the following schedule of the times, dates, and locations of our 2001 scheduled meetings:

Meeting Type	Date	Time
Regular Meeting	March 28, 2001	9:00 a.m.
Annual Meeting	June 28, 2001	9:00 a.m.
Regular Meeting	September 27, 2001	9:00 a.m.
Regular Meeting	December 1, 2001	9:00 a.m.

All of the meetings will be held in the Washington Wheat Commission's Conference Room, West 907 Riverside Avenue, Spokane, WA.

If you have any questions, please call (509) 456-4400.

WSR 01-01-096
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Bulb Commission)
[Memorandum—December 15, 2000]

Bulb Commission 2001 Meetings

The meetings in the year 2001 will be:

- (1) Wednesday May 16, 2001, at WSU Puyallup at noon.
- (2) Tuesday November 27, 2001, at SeaTac Marriott at noon.

MISC.

WSR 01-01-103
RULES COORDINATOR
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed December 18, 2000, 9:56 a.m.]

This will serve as my designation of Merry Kogut as rules coordinator for the Washington State Department of Retirement Systems pursuant to RCW 34.05.312. The office address of the rules coordinator is 6835 Capitol Boulevard, Tumwater, WA 98501. The mailing address of the rules coordinator is P.O. Box 48380, Olympia, WA 98504-8380.

John F. Charles
Director

WSR 01-01-104
NOTICE OF PUBLIC MEETINGS
BENTON CLEAN
AIR AUTHORITY
[Memorandum—December 15, 2000]

We would like to publish our "regular" board meetings schedule for 2001 in the State Register as provided for in RCW 34.08.040. The meetings are held on the third Thursday of each month at 5600 Canal, Kennewick, WA 99336. The meetings begin at 7:00 p.m.

WSR 01-01-105
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD
[Memorandum—December 15, 2000]

The January 31, 2001, WTECB meeting date has changed to February 2, 2001. The meeting will be held at Bates Technical College, Clyde Hupp Board Room, 1101 South Yakima Avenue, Tacoma, WA 98405. If you have any questions, please call (360) 753-5677.

WSR 01-01-106
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD
[Memorandum—December 14, 2000]

Pursuant to WAC 287-01-030, this is to notify you that the Washington State Investment Board's regular board meetings for 2001 will be held on the third Thursday of each month, beginning at 9:30 a.m. at the board's office at 2424 Heritage Court S.W., Olympia, WA 98504-0916.

If you have any questions, please feel free to call Sheila Geisler at (360) 664-8265.

WSR 01-01-107
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
[Memorandum—December 15, 2000]

Schedule of Board of Natural Resources
Regular Meetings for 2001

Date	Time	Location
January 2	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
February 6	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
March 6	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
April 3	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
May 1	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
June 5	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
July 3	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
August	No August meeting	
September 4	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
October 2	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
November 6	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington
December 4	9:00 a.m.	Natural Resources Building, Room 172, Olympia, Washington

NOTE: Meeting locations are subject to change. For confirmation of meeting details, call the secretary to the Board of Natural Resources at (360) 902-1000.

WSR 01-01-108
NOTICE OF PUBLIC MEETINGS
CONSERVATION COMMISSION
[Memorandum—December 12, 2000]

WAC 135-04-020 provides that the Washington State Conservation Commission shall hold regular bimonthly meetings on the third Thursday of the month at various locations in the state of Washington. The schedule for 2001 was adopted by the Conservation Commission at its November 29, 2000, regular meeting held in Spokane, Washington.

The 2001 regular meeting schedule for the Conservation Commission will be:

- Thursday, January 18, 2001
- Thursday, March 15, 2001
- Thursday, May 17, 2001
- Thursday, July 19, 2001
- Thursday, September 20, 2001
- Wednesday, November 28, 2001

MISC.

For further information, contact Vicki Flynn, Conservation Commission, P.O. Box 47721, Olympia, WA 98504-7721, phone (360) 407-6202.

WSR 01-01-115

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed December 18, 2000, 4:32 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: CN 204.

Subject: Changes in working PSO cases.

Effective Date: November 30, 2000.

Document Description: This notice instructs field office staff how to handle payment services only cases. These cases were formerly handled by a unit in the central operations section in the DCS headquarters office.

To receive a copy of the interpretive or policy statement, contact Stephanie Schiller, Division of Child Support, P.O. Box 9162, Olympia, WA 98507-9162, phone (360) 664-5225, TDD (360) 753-9122, fax (360) 586-3274, e-mail sschille@dshs.wa.gov.

December 15, 2000

Stephanie Schiller

WSR 01-01-116

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed December 18, 2000, 4:33 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-69 MAA.

Subject: Change in intake processing limitation.

Effective Date: Effective immediately - issue date of memo December 15, 2000.

Document Description: The purpose of this memorandum is to notify MAA's chemical dependency providers of a change in the limitation for intake processing and provide a replacement page to MAA's Chemical Dependency Billing Instructions reflecting the change.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

December 12, 2000

Ann Myers, Manager (Acting)
Regulatory Improvement Project

WSR 01-01-117

**INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed December 18, 2000, 4:37 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 00-68 MAA.

Subject: Fee increase for oncology drug administration and drugs.

Effective Date: November 1, 2000, dates of service and after.

Document Description: The purpose of this memorandum is to notify MAA's RBRVS users that **effective with dates of service on or after November 1, 2000**, MAA increase the maximum allowable fee for oncology drug administration and oncology drugs.

To receive a copy of the interpretive or policy statement, contact Kevin Sullivan, Regulatory Improvement Coordinator, DSHS, Medical Assistance Administration, Division of Program Support, P.O. Box 45530, Olympia, WA 98504, phone (360) 725-1344 or go to website <http://maa.dshs.wa.gov> (click on Numbered Memorandum link), TDD 1-800-848-5429, fax (360) 586-9727, e-mail <mailto:sullikm@dshs.wa.gov>.

December 12, 2000

Ann Myers, Manager (Acting)
Regulatory Improvement Project

WSR 01-01-118

**RULES COORDINATOR
ASSOCIATION OF
PROSECUTING ATTORNEYS**

[Filed December 19, 2000, 10:12 a.m.]

Please be advised that the rules coordinator for this association is Thomas A. McBride, Executive Secretary, Washington Association of Prosecuting Attorneys, 206 10th Avenue S.E., Olympia, WA 98501 or mailstop P.O. Box 50952, Olympia, WA 98504-0952. Tom will replace Darrell Russell who is no longer with this association.

Nancy Isham

Training Coordinator

WSR 01-01-119

**NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE**

[Memorandum—December 15, 2000]

This is to notify your office that the board of trustees for Washington Community College District Twelve, at their meeting on December 14, 2000, adopted the following regular meeting schedule for the 2001 calendar year.

BOARD OF TRUSTEES

Meeting Schedule
2001

DATE	TIME	LOCATION
Thursday, January 11, 2001	4:30 p.m.	College Boardroom
Thursday, February 8, 2001	4:30 p.m.	Tenino School District
Thursday, March 8, 2001	4:30 p.m.	College Boardroom
Thursday, April 12, 2001	4:30 p.m.	East County Center Morton, Washington
Thursday, May 10, 2001	4:30 p.m.	College Boardroom
Thursday, June 7, 2001	4:30 p.m.	College Boardroom
Thursday, July 12, 2001	4:30 p.m.	College Boardroom
Thursday, August 9, 2001	4:30 p.m.	College Boardroom
Thursday, September 13, 2001	4:30 p.m.	College Boardroom
Thursday, October 4, 2001	4:30 p.m.	College Boardroom
Thursday, November 15, 2001	4:30 p.m.	College Boardroom
Thursday, December 13, 2001	4:30 p.m.	College Boardroom

WSR 01-01-120
NOTICE OF PUBLIC MEETINGS
BIG BEND
COMMUNITY COLLEGE

[Memorandum—December 14, 2000]

In accordance with RCW 42.30.075 please be advised that the board of trustees for Big Bend Community College, District No. 18, meet every sixth Tuesday at 1:30 p.m. in the Student Center Auditorium of Building 1400.

WSR 01-01-121
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE

[Memorandum—December 15, 2000]

In compliance with RCW 42.30.075, following is South Puget Sound Community College District 24 board of trustees regular meeting schedule for 2001:

- Friday, January 12, 2001
- Monday, February 12, 2001
- Thursday, March 8, 2001
- Tuesday, April 3, 2001
- Thursday, May 10, 2001
- Thursday, June 14, 2001
- Thursday, September 13, 2001
- Thursday, October 11, 2001
- Thursday, November 8, 2001
- Thursday, December 13, 2001

WSR 01-01-122
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
[Memorandum—December 19, 2000]

ARCHITECT REGISTRATION BOARD MEETING AGENDA

University of Washington
Gould Hall, Room 100
Seattle, Washington

January 5, 2001

9:30 a.m. - 3:30 p.m.

WSR 01-01-123
NOTICE OF PUBLIC MEETINGS
OLYMPIC COLLEGE

[Memorandum—December 14, 2000]

The following information is for your publication records in the Washington State Register of Olympic College's regular board of trustees meetings for the year 2001.

MEETING DATES
REGULAR BOARD MEETINGS FOR 2001

January 23, 2001	7:00 p.m.	Board Conference Room
February 27, 2001	7:00 p.m.	Board Conference Room
March 27, 2001	7:00 p.m.	Board Conference Room
April 24, 2001	7:00 p.m.	Board Conference Room
May 22, 2001	7:00 p.m.	Board Conference Room
June 26, 2001	7:00 p.m.	Board Conference Room
August 28, 2001	7:00 p.m.	Olympic College Shelton
September 25, 2001	7:00 p.m.	Board Conference Room
October 23, 2001	7:00 p.m.	Board Conference Room
November 27, 2001	7:00 p.m.	Board Conference Room

WSR 01-01-127
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
SERVICES FOR THE BLIND

(Rehabilitation Council)

[Memorandum—December 19, 2000]

2001 Rehabilitation Council Meeting

The date and location for the next Washington State Department of Services or the Blind Rehabilitation Council meeting is as follows:

March 3, 2001
Tacoma Public Library
1102 Tacoma Avenue South
Tacoma, WA 98402
9:30 a.m. - 4 p.m.

MISC.

WSR 01-01-128
RULES COORDINATOR
DEPARTMENT OF
SERVICES FOR THE BLIND
 [Filed December 19, 2000, 2:30 p.m.]

The following person is designated as the rules coordinator for the Department of Services for the Blind: Rebecca Jensen, Department of Services for the Blind, P.O. Box 40933, Olympia, WA 98504-0933, (360) 586-7022, rebjensen@dsb.wa.gov[.gov].

Bill Palmer
 Executive Director

WSR 01-01-129
NOTICE OF PUBLIC MEETINGS
NOXIOUS WEED
CONTROL BOARD
 [Memorandum—December 19, 2000]

The Washington State Noxious Weed Control Board will be holding its next meeting: January 16, 2001, 8:30 a.m. - 3:30 p.m., Ecology Building, Room ROA-36, 300 Desmond Drive, Lacey, WA.

The public is welcome to attend all meetings. Contact Lisa Lantz, Executive Secretary, Washington State Noxious Weed Control Board, (253) 872-2972, if you have any questions.

WSR 01-01-130
NOTICE OF PUBLIC MEETINGS
COMMISSION ON
HISPANIC AFFAIRS
 [Memorandum—December 19, 2000]

MEETING SCHEDULE
 2001

DATE	LOCATION
February 10	Puyallup
April 21	Centralia
June 16	Walla Walla
August 11	Sunnyside
October 13	Omak
December 8	Bellingham

WSR 01-01-135
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
 (Asparagus Commission)
 [Memorandum—December 18, 2000]

As required by RCW 42.30.075, the Washington Asparagus Commission wishes to file for publication in the Washington State Register, the following schedule of meetings:

Tuesday, January 23, 2001 9:00 a.m.	Franklin PUD Auditorium 1411 West Clark Pasco, WA
Tuesday, April 17, 2001 9:00 a.m.	Pasco City Library 1320 West Hopkins Pasco, WA
Tuesday, July 17, 2001 10:00 a.m.	WSU Extension Office Walla Walla, Washington
Tuesday, October 16, 2001 10:00 a.m.	Hickenbottom & Sons 301 Warehouse Avenue Sunnyside, WA

WSR 01-01-136
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
 [Memorandum—December 17, 2000]

Pursuant to RCW 42.30.075, the following is the schedule for District 22 Tacoma Community College board of trustees meeting for the 2001 calendar year.

January 18
February 15
March 15 (early start at 2:30 p.m.)
April 19
May 24 (Rescheduled from May 17 which is date of Trustees' State Conference)
June 21
July 19
August (No meeting scheduled)
September 20
October 18
November 15
December 20

All meetings of the board of trustees will be held at Tacoma Community College, 6501 South 19th Street, Tacoma, WA 98466. The meeting time is 4:00 p.m. unless otherwise noted. Meetings are held in the Learning Resource Center, Building 7, Baker Room.

If you need any other information, you may call (253) 566-5101 or send an e-mail at ebushman@tcc.tacoma.ctc.edu.

MISC.

WSR 01-01-139

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES**
(Apprenticeship and Training Council)
[Memorandum—December 18, 2000]

Public Meeting Schedule - Revised from September 1, 2000
Submittal

As per chapter 42.30 RCW, the Open Public Meetings Act, the time and place of the regular meetings for the Washington State Apprenticeship and Training Council are as follows:

DATE	TIME	LOCATION
January 18-19, 2001	9:00 a.m.	Duwamish Training Center/ South Seattle Community College 6770 East Marginal Way Seattle, WA 98108
April 19-20, 2001	9:00 a.m.	Hallmark Resort and Conference Center 3000 West Marina Drive Moses Lake, WA 98837
July 19-20, 2001	9:00 a.m.	WestCoast Ridpath Hotel 515 West Sprague Avenue Spokane, WA 99201
October 18-19, 2001	9:00 a.m.	Heathman Lodge 7801 N.E. Greenwood Drive Vancouver, WA 98662-7900 [98662-7900]

Please call (360) 902-5322 if you have any questions.

**WSR 01-01-140
OFFICE OF THE GOVERNOR**
[Filed December 20, 2000, 10:12 a.m.]

**NOTICE OF APPEAL
(RCW 34.05.330(3))**

Pursuant to RCW 34.05.330(3), you are hereby notified for publication in the Washington State Register that:

On December 15, 2000 the Governor received an appeal of the denial of a request to amend WAC 173-510 to create a limited exception to WAC 173-510-040(3), which affected consumptive appropriations from the White River, dated December 15, 2000, filed by Puget Sound Energy.

DATED: December 20, 2000

Everett H. Billingslea
General Counsel to the Governor

WSR 01-01-144

**NOTICE OF PUBLIC MEETINGS
FOREST PRACTICES BOARD**
[Memorandum—December 20, 2000]

Notice of 2001 Regular Meetings of the Forest Practices Board

Per WAC 222-08-040, the Forest Practices Board will hold regular meetings on:

February 14, 2001 9 a.m. - 5 p.m.	Natural Resources Building 1111 Washington Street S.E. Olympia
May 9, 2001 9 a.m. - 5 p.m.	Natural Resources Building 1111 Washington Street S.E. Olympia
August 8, 2001 9 a.m. - 5 p.m.	Natural Resources Building 1111 Washington Street S.E. Olympia
November 14, 2001 9 a.m. - 5 p.m.	Natural Resources Building 1111 Washington Street S.E. Olympia

Notice of alternate locations and times will be published in the register.

Dates, locations and times of any special meetings held by the board will also be published in the register. A special meeting has been scheduled for:

January 18, 2001 9 a.m. - 5 p.m.	St. Martins, Sawyer Hall 510 Desmond Drive S.E. Lacey
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Notice is also provided by mailing agendas to all individuals and groups on the board's mail list. Contact the assistant to the board about being added to this list.

For more information, check the board's web site at www.wa.gov/dnr or contact the Forest Practices Board Assistant, Department of Natural Resources, Forest Practices Division, P.O. 47012, Olympia, WA 98504-7012, phone (360) 902-1413, fax (360) 902-1789, e-mail forest.practicesboard@wadnr.gov.

**WSR 01-01-145
AGENDA
DEPARTMENT OF
FISH AND WILDLIFE**
[Filed December 20, 2000, 11:22 a.m.]

Shown below is the Department of Fish and Wildlife's semi-annual rule development agenda for publication in the Washington State Register pursuant to RCW 34.05.314.

**WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE
RULE DEVELOPMENT AGENDA**

January 1, 2001 through June 30, 2001

January 3, 2001

Filing of CR-101 for 2001-2002 hunting seasons.

Filing of CR-102 for duties of shellfish buyers and shellfish districts rules, elimination of Puget Sound bottom fish pot gear, aquaculture rules, disabled fishery permit rules.

February 9-10, 2001

(1) Adoption of 2001 non-North of Falcon sport fishing rules: CR-102 filed 11/1/00, WSR 00-23-103.

(2) Adoption of duties of shellfish buyers and shellfish districts: CR-101 filed 10/2/00, WSR 00-20-061.

(3) Adoption of elimination of Puget Sound bottom fish pot gear: CR-101 filed 10/17/00, WSR 00-21-079.

(4) Adoption of aquaculture rules: CR-101 filed 10/20/00, WSR 00-22-020.

(5) Adoption of disabled fisher permit rules: CR-101 filed 9/22/00, WSR 00-20-010.

(6) Adoption of coastal pilchard rules: CR-102 filed 6/30/00, WSR 00-14-038.

(7) Adoption of Columbia River smelt season rules: CR-102 filed 6/30/00, WSR 00-14-036.

March 21, 2001

Filing of CR-101 for North of Falcon rules.

April 6-7, 2001

(1) Adoption of 2001-2002 big and small game seasons.

(2) Adoption of 2001-2002 permit hunt seasons.

(3) Adoption of cougar removal rules: CR-101 filed 12/7/00, WSR 01-01-021.

(4) Adoption of 2001 Puget Sound salmon license buy-back rules: CR-101 filed 12/7/00, WSR 01-01-022.

May 2, 2001

Filing of CR-101 for migratory waterfowl seasons, trapping seasons, ballast water treatment standards and ballast water exchange verification protocol.

Filing of CR-102 for North of Falcon rules.

June 5, 2001

Adoption of North of Falcon rules.

June 20, 2001

Filing of CR-102 for migratory waterfowl seasons, trapping seasons, ballast water treatment standards and ballast water exchange verification protocol.

Evan Jacoby
Rules Coordinator

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	4-25-622	PREP	00-19-010	16-42-022	REP-C	00-14-076
1-04-010	AMD	00-18-001	4-25-626	AMD-P	00-19-008	16-42-022	REP	00-17-072
1-06-010	AMD-XA	00-13-109	4-25-626	AMD-S	00-23-090	16-42-023	NEW-C	00-14-076
1-06-010	AMD	00-18-001	4-25-630	PREP	00-19-010	16-42-023	NEW	00-17-072
1-06-030	AMD-XA	00-13-109	4-25-631	AMD-P	00-07-008	16-42-025	AMD-P	00-11-146
1-06-030	AMD	00-18-001	4-25-631	AMD	00-11-071	16-42-025	REP-C	00-14-076
1-06-040	AMD-XA	00-13-109	4-25-640	PREP	00-19-010	16-42-025	REP	00-17-072
1-06-040	AMD	00-18-001	4-25-650	PREP	00-19-010	16-42-026	NEW-C	00-14-076
1-06-130	AMD-XA	00-13-109	4-25-660	AMD-P	00-07-009	16-42-026	NEW	00-17-072
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1-06-140	AMD	00-18-001	4-25-661	AMD	00-11-073	16-42-035	AMD	00-17-072
1-06-160	AMD-XA	00-13-109	4-25-720	PREP	00-19-010	16-42-060	REP-P	00-11-146
1-06-160	AMD	00-18-001	4-25-721	PREP	00-19-010	16-42-060	REP-C	00-14-076
1-21-020	AMD-XA	00-13-109	4-25-722	PREP	00-19-010	16-42-060	REP	00-17-072
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1-21-070	AMD-XA	00-13-109	4-25-750	AMD-P	00-07-011	16-70-001	REP	00-06-064
1-21-070	AMD	00-18-001	4-25-750	AMD	00-11-074	16-70-005	AMD-P	00-03-070
1-21-110	AMD-XA	00-13-109	4-25-755	PREP	00-19-010	16-70-005	AMD	00-06-064
1-21-110	AMD	00-18-001	4-25-780	REP-P	00-07-012	16-70-010	AMD-P	00-03-070
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1-21-140	AMD	00-18-001	4-25-781	NEW-P	00-07-013	16-70-030	REP-P	00-03-070
1-21-160	AMD-XA	00-13-109	4-25-781	NEW	00-11-076	16-70-030	REP	00-06-064
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1-21-170	AMD-XA	00-13-109	4-25-782	NEW	00-11-076	16-71-001	REP-P	00-11-145
1-21-170	AMD	00-18-001	4-25-783	NEW-P	00-07-013	16-71-001	REP	00-14-059
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4-25-400	AMD	00-11-067	4-25-830	PREP	00-03-033	16-71-003	REP	00-14-059
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4-25-540	AMD	00-11-070	16-42-017	AMD-P	00-11-146	16-71-040	REP-P	00-11-145
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4-25-610	PREP	00-19-010	16-42-017	AMD	00-17-072	16-71-050	REP-P	00-11-145
4-25-620	PREP	00-19-010	16-42-022	AMD-P	00-11-146	16-71-050	REP	00-14-059

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Table of WAC Sections Affected

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16-74-001	REP	00-06-065	16-143-040	NEW-P	00-08-107	16-164-040	AMD-P	00-22-100
16-74-005	NEW-P	00-03-069	16-143-040	NEW	00-11-123	16-164-040	AMD	01-01-100
16-74-005	NEW	00-06-065	16-143-050	NEW-P	00-08-107	16-164-050	AMD-P	00-22-100
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16-74-010	AMD	00-06-065	16-143-060	NEW-P	00-08-107	16-164-055	NEW-P	00-22-100
16-74-020	AMD-P	00-03-069	16-143-060	NEW	00-11-123	16-164-055	NEW	01-01-100
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16-80-015	AMD-P	00-03-068	16-147-020	AMD	00-05-025	16-164-110	NEW	01-01-100
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16-80-020	AMD-P	00-03-068	16-154	AMD-C	00-20-002	16-200-512	REP	00-16-046
16-80-020	AMD	00-06-066	16-154-030	AMD-S	00-13-012	16-200-600	NEW-P	00-15-065
16-80-025	AMD-P	00-03-068	16-154-030	AMD-C	00-17-115	16-200-600	NEW	00-19-058
16-80-025	AMD	00-06-066	16-154-030	AMD	00-22-027	16-200-695	PREP	00-03-076
16-80-030	AMD-P	00-03-068	16-154-050	AMD-S	00-13-012	16-200-695	AMD-P	00-15-065
16-80-030	AMD	00-06-066	16-154-050	AMD-C	00-17-115	16-200-695	AMD	00-19-058
16-80-035	AMD-P	00-03-068	16-154-050	AMD	00-22-027	16-200-701	NEW-P	00-15-065
16-80-035	AMD	00-06-066	16-154-053	NEW-S	00-13-012	16-200-701	NEW	00-19-058
16-80-040	AMD-P	00-03-068	16-154-053	NEW-C	00-17-115	16-200-703	NEW-P	00-15-065
16-80-040	AMD	00-06-066	16-154-053	NEW	00-22-027	16-200-703	NEW	00-19-058
16-80-045	AMD-P	00-03-068	16-154-060	AMD-S	00-13-012	16-200-705	REP-P	00-15-065
16-80-045	AMD	00-06-066	16-154-060	AMD-C	00-17-115	16-200-705	REP	00-19-058
16-80-047	AMD-P	00-03-068	16-154-060	AMD	00-22-027	16-201-010	AMD-P	00-19-090
16-80-047	AMD	00-06-066	16-154-070	AMD-S	00-13-012	16-201-010	AMD	00-23-075
16-80-050	REP-P	00-03-068	16-154-070	AMD-C	00-17-115	16-201-020	AMD-P	00-19-090
16-80-050	REP	00-06-066	16-154-070	AMD	00-22-027	16-201-020	AMD	00-23-075
16-101	PREP	00-02-077	16-154-080	AMD-S	00-13-012	16-201-025	AMD-P	00-19-090
16-101-700	AMD-P	00-15-001	16-154-080	AMD-C	00-17-115	16-201-025	AMD	00-23-075
16-101-700	AMD	00-21-012	16-154-080	AMD	00-22-027	16-201-028	AMD-P	00-19-090
16-101-716	AMD-P	00-15-001	16-154-090	AMD-S	00-13-012	16-201-028	AMD	00-23-075
16-101-716	AMD	00-21-012	16-154-090	AMD-C	00-17-115	16-201-029	NEW-P	00-19-090
16-101-721	AMD-P	00-15-001	16-154-090	AMD	00-22-027	16-201-029	NEW	00-23-075
16-101-721	AMD	00-21-012	16-154-100	AMD-S	00-13-012	16-201-030	AMD-P	00-19-090
16-101-990	AMD-P	00-15-001	16-154-100	AMD-C	00-17-115	16-201-030	AMD	00-23-075
16-101-990	AMD	00-21-012	16-154-100	AMD	00-22-027	16-201-031	NEW-P	00-19-090
16-101X	PREP	00-07-115	16-154-110	AMD-S	00-13-012	16-201-031	NEW	00-23-075
16-112-001	REP	00-05-024	16-154-110	AMD-C	00-17-115	16-201-040	AMD-P	00-19-090
16-112-010	REP	00-05-024	16-154-110	AMD	00-22-027	16-201-040	AMD	00-23-075
16-112-020	REP	00-05-024	16-154-120	AMD-W	00-13-026	16-201-050	AMD-P	00-19-090
16-112-030	REP	00-05-024	16-154-180	NEW-S	00-13-012	16-201-050	AMD	00-23-075
16-143	NEW-C	00-11-112	16-154-180	NEW-C	00-17-115	16-201-060	AMD-P	00-19-090
16-143	PREP	00-19-086	16-154-180	NEW	00-22-027	16-201-060	AMD	00-23-075
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16-143-005	NEW-E	00-21-033	16-164-010	AMD-P	00-22-100	16-201-070	AMD	00-23-075
16-143-005	NEW-P	00-23-113	16-164-010	AMD	01-01-100	16-201-080	AMD-P	00-19-090
16-143-005	NEW-W	00-24-059	16-164-020	AMD-P	00-22-100	16-201-080	AMD	00-23-075
16-143-005	NEW-P	00-24-117	16-164-020	AMD	01-01-100	16-201-110	AMD-P	00-19-090
16-143-010	NEW-P	00-08-107	16-164-030	REP-P	00-22-100	16-201-110	AMD	00-23-075
16-143-010	NEW	00-11-123	16-164-030	REP	01-01-100	16-201-120	AMD-P	00-19-090
16-143-020	NEW-P	00-08-107	16-164-035	AMD-P	00-22-100	16-201-120	AMD	00-23-075
16-143-020	NEW	00-11-123	16-164-035	AMD	01-01-100	16-201-130	AMD-P	00-19-090
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16-201-190	AMD-P	00-19-090	16-212-195	REP	00-21-043	16-228-1120	AMD	01-01-058
16-201-190	AMD	00-23-075	16-212-215	REP-P	00-17-147	16-228-1125	NEW-P	00-10-098
16-201-200	AMD-P	00-19-090	16-212-215	REP	00-21-043	16-228-1125	NEW-C	00-13-031
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16-201-220	AMD	00-23-075	16-212-225	REP-P	00-17-147	16-228-1125	NEW	01-01-058
16-201-230	AMD-P	00-19-090	16-212-225	REP	00-21-043	16-228-1130	AMD-P	00-10-098
16-201-230	AMD	00-23-075	16-212-230	REP-P	00-17-147	16-228-1130	AMD-C	00-13-031
16-201-240	AMD-P	00-19-090	16-212-230	REP	00-21-043	16-228-1130	AMD-C	00-17-138
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16-201-250	AMD-P	00-19-090	16-212-235	REP	00-21-043	16-228-1130	AMD	01-01-058
16-201-250	AMD	00-23-075	16-213-010	REP-P	00-05-048	16-228-1140	REP-P	00-10-098
16-201-260	AMD-P	00-19-090	16-213-010	REP	00-08-041	16-228-1140	REP-C	00-13-031
16-201-260	AMD	00-23-075	16-213-100	REP-P	00-05-048	16-228-1140	REP-C	00-17-138
16-201-270	AMD-P	00-19-090	16-213-100	REP	00-08-041	16-228-1140	REP-S	00-21-097
16-201-270	AMD	00-23-075	16-213-110	REP-P	00-05-048	16-228-1140	REP	01-01-058
16-201-280	AMD-P	00-19-090	16-213-110	REP	00-08-041	16-228-1150	PREP	00-03-080
16-201-280	AMD	00-23-075	16-213-120	REP-P	00-05-048	16-228-1150	AMD-P	00-10-098
16-202-1000	PREP	00-03-076	16-213-120	REP	00-08-041	16-228-1150	AMD-C	00-13-031
16-202-2000	PREP	00-03-076	16-213-130	REP-P	00-05-048	16-228-1150	AMD-P	00-17-137
16-212	PREP	00-10-104	16-213-130	REP	00-08-041	16-228-1150	AMD-C	00-17-138
16-212-010	REP-P	00-17-147	16-213-200	AMD-P	00-05-048	16-228-1150	AMD-S	00-21-097
16-212-010	REP	00-21-043	16-213-200	AMD	00-08-041	16-228-1150	AMD	00-22-073
16-212-020	REP-P	00-17-147	16-213-220	REP-P	00-05-048	16-228-1150	AMD	01-01-058
16-212-020	REP	00-21-043	16-213-220	REP	00-08-041	16-228-1155	NEW-P	00-10-098
16-212-030	REP-P	00-17-147	16-213-230	REP-P	00-05-048	16-228-1155	NEW-C	00-13-031
16-212-030	REP	00-21-043	16-213-230	REP	00-08-041	16-228-1155	NEW-C	00-17-138
16-212-060	REP-P	00-17-147	16-213-240	REP-P	00-05-048	16-228-1200	PREP	00-03-080
16-212-060	REP	00-21-043	16-213-240	REP	00-08-041	16-228-1200	AMD-P	00-17-137
16-212-070	REP-P	00-17-147	16-213-250	REP-P	00-05-048	16-228-1200	AMD	00-22-073
16-212-070	REP	00-21-043	16-213-250	REP	00-08-041	16-228-1220	PREP	00-03-077
16-212-080	REP-P	00-17-147	16-213-260	AMD-P	00-05-048	16-228-1220	AMD-P	00-18-109
16-212-080	REP	00-21-043	16-213-260	AMD	00-08-041	16-228-1220	AMD	00-22-074
16-212-082	REP-P	00-17-147	16-213-270	AMD-P	00-05-048	16-228-1230	PREP	00-03-080
16-212-082	REP	00-21-043	16-213-270	AMD	00-08-041	16-228-1230	REP-P	00-17-137
16-212-086	REP-P	00-17-147	16-224-010	REP-P	00-17-147	16-228-1230	REP	00-22-073
16-212-086	REP	00-21-043	16-224-010	REP	00-21-043	16-228-1231	NEW-P	00-17-137
16-212-087	REP-P	00-17-147	16-224-020	REP-P	00-17-147	16-228-1231	NEW	00-22-073
16-212-087	REP	00-21-043	16-224-020	REP	00-21-043	16-228-1240	PREP	00-03-077
16-212-110	REP-P	00-17-147	16-224-025	REP-P	00-17-147	16-228-1240	REP-P	00-17-137
16-212-110	REP	00-21-043	16-224-025	REP	00-21-043	16-228-1240	REP	00-22-073
16-212-120	REP-P	00-17-147	16-224-030	REP-P	00-17-147	16-228-1250	PREP	00-03-077
16-212-120	REP	00-21-043	16-224-030	REP	00-21-043	16-228-1270	PREP	00-03-080
16-212-125	REP-P	00-17-147	16-224-040	REP-P	00-17-147	16-228-1270	AMD-P	00-17-137
16-212-125	REP	00-21-043	16-224-040	REP	00-21-043	16-228-1270	AMD	00-22-073
16-212-126	REP-P	00-17-147	16-228-1010	PREP	00-03-080	16-228-1300	PREP	00-03-077
16-212-126	REP	00-21-043	16-228-1010	AMD-P	00-17-137	16-228-1300	AMD-P	00-18-109
16-212-127	REP-P	00-17-147	16-228-1010	AMD	00-22-073	16-228-1300	AMD	00-22-074
16-212-127	REP	00-21-043	16-228-1040	PREP	00-03-080	16-228-1320	PREP	00-03-077
16-212-128	REP-P	00-17-147	16-228-1040	AMD-P	00-17-137	16-228-1320	AMD-P	00-18-109
16-212-128	REP	00-21-043	16-228-1040	AMD	00-22-073	16-228-1320	AMD	00-22-074
16-212-130	REP-P	00-17-147	16-228-1110	AMD-P	00-10-098	16-228-1322	NEW-P	00-18-109
16-212-130	REP	00-21-043	16-228-1110	AMD-C	00-13-031	16-228-1322	NEW	00-22-074
16-212-160	REP-P	00-17-147	16-228-1110	AMD-C	00-17-138	16-228-1380	PREP	00-03-080
16-212-160	REP	00-21-043	16-228-1110	AMD-S	00-21-097	16-228-1380	AMD-P	00-17-137
16-212-170	REP-P	00-17-147	16-228-1110	AMD	01-01-058	16-228-1380	AMD	00-22-073
16-212-170	REP	00-21-043	16-228-1115	NEW-S	00-21-097	16-228-1385	PREP	00-03-080
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16-228-1385	REP	00-22-007	16-229-270	AMD-P	00-19-089	16-230-815	AMD	00-24-002
16-228-1400	PREP	00-03-078	16-229-270	AMD	00-23-074	16-230-820	AMD-XA	00-19-038
16-228-1400	AMD-P	00-18-109	16-229-280	AMD-P	00-19-089	16-230-820	AMD	00-24-002
16-228-1400	AMD	00-22-074	16-229-280	AMD	00-23-074	16-230-825	AMD-XA	00-19-038
16-228-1420	AMD-P	00-18-109	16-229-300	REP-P	00-19-089	16-230-825	AMD	00-24-002
16-228-1420	AMD	00-22-074	16-229-300	REP	00-23-074	16-230-830	AMD-XA	00-19-038
16-228-1500	PREP	00-03-079	16-229-310	AMD-P	00-19-089	16-230-830	AMD	00-24-002
16-228-1500	AMD-P	00-19-088	16-229-310	AMD	00-23-074	16-230-835	AMD-XA	00-19-038
16-228-1500	AMD	00-24-013	16-229-400	AMD-P	00-19-089	16-230-835	AMD	00-24-002
16-228-1520	PREP	00-03-079	16-229-400	AMD	00-23-074	16-230-840	AMD-XA	00-19-038
16-228-1540	PREP	00-03-080	16-229-410	AMD-P	00-19-089	16-230-840	AMD	00-24-002
16-228-1540	AMD-P	00-17-137	16-229-410	AMD	00-23-074	16-230-845	AMD-XA	00-19-038
16-228-1540	AMD	00-22-073	16-229-470	REP-P	00-19-089	16-230-845	AMD	00-24-002
16-228-1545	PREP	00-03-079	16-229-470	REP	00-23-074	16-230-850	AMD-XA	00-19-038
16-228-1545	NEW-P	00-19-088	16-229-480	AMD-P	00-19-089	16-230-850	AMD	00-24-002
16-228-1545	NEW	00-24-013	16-229-480	AMD	00-23-074	16-230-855	AMD-XA	00-19-038
16-228-1546	NEW-P	00-19-088	16-230	PREP	00-04-020	16-230-855	AMD	00-24-002
16-228-1546	NEW	00-24-013	16-230	PREP	00-04-021	16-230-860	AMD-XA	00-19-038
16-228-1546	NEW-P	00-19-088	16-230	PREP	00-04-022	16-230-860	AMD	00-24-002
16-228-1547	NEW	00-24-013	16-230-600	PREP	00-13-030	16-230-860	AMD-XA	00-19-038
16-228-1547	NEW	00-24-013	16-230-600	PREP	00-15-063	16-230-861	AMD-XA	00-19-038
16-228-1580	PREP	00-03-080	16-230-605	PREP	00-13-030	16-230-861	AMD	00-24-002
16-228-1580	REP-P	00-17-137	16-230-605	PREP	00-15-063	16-230-862	AMD-XA	00-19-038
16-228-1580	REP	00-22-073	16-230-605	PREP	00-15-063	16-230-862	AMD	00-24-002
16-228-2000	PREP	00-03-077	16-230-610	PREP	00-13-030	16-230-863	AMD-XA	00-19-038
16-229-010	AMD-P	00-19-089	16-230-610	PREP	00-15-063	16-230-863	AMD	00-24-002
16-229-010	AMD	00-23-074	16-230-615	PREP	00-13-030	16-230-864	AMD-XA	00-19-038
16-229-020	AMD-P	00-19-089	16-230-615	PREP	00-15-063	16-230-864	AMD	00-24-002
16-229-020	AMD	00-23-074	16-230-615	AMD-P	00-18-108	16-230-866	AMD-XA	00-19-038
16-229-025	AMD-P	00-19-089	16-230-615	AMD	00-22-045	16-230-866	AMD	00-24-002
16-229-025	AMD	00-23-074	16-230-620	PREP	00-13-030	16-230-866	AMD-XA	00-19-038
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16-229-040	AMD-P	00-19-089	16-230-625	PREP	00-15-063	16-230-870	REP-XA	00-19-038
16-229-040	AMD	00-23-074	16-230-630	PREP	00-13-030	16-230-870	REP	00-24-002
16-229-050	AMD-P	00-19-089	16-230-630	PREP	00-15-063	16-231-100	AMD-XA	00-19-038
16-229-050	AMD	00-23-074	16-230-635	PREP	00-13-030	16-231-100	AMD	00-24-002
16-229-060	AMD-P	00-19-089	16-230-635	PREP	00-15-063	16-231-105	AMD-XA	00-19-038
16-229-060	AMD	00-23-074	16-230-640	PREP	00-13-030	16-231-105	AMD	00-24-002
16-229-070	AMD-P	00-19-089	16-230-640	PREP	00-15-063	16-231-107	NEW-XA	00-19-038
16-229-070	AMD	00-23-074	16-230-645	PREP	00-13-030	16-231-107	NEW	00-24-002
16-229-080	AMD-P	00-19-089	16-230-645	PREP	00-15-063	16-231-115	AMD-XA	00-19-038
16-229-080	AMD	00-23-074	16-230-650	PREP	00-13-030	16-231-115	AMD	00-24-002
16-229-090	AMD-P	00-19-089	16-230-650	PREP	00-15-063	16-231-125	AMD-XA	00-19-038
16-229-090	AMD	00-23-074	16-230-655	PREP	00-13-030	16-231-125	AMD	00-24-002
16-229-110	AMD-P	00-19-089	16-230-655	PREP	00-15-063	16-231-140	AMD-XA	00-19-038
16-229-110	AMD	00-23-074	16-230-660	PREP	00-13-030	16-231-140	AMD	00-24-002
16-229-120	AMD-P	00-19-089	16-230-660	PREP	00-15-063	16-231-149	NEW-XA	00-19-038
16-229-120	AMD	00-23-074	16-230-665	PREP	00-13-030	16-231-149	NEW	00-24-002
16-229-130	AMD-P	00-19-089	16-230-665	PREP	00-15-063	16-231-153	NEW-XA	00-19-038
16-229-130	AMD	00-23-074	16-230-670	PREP	00-13-030	16-231-153	NEW	00-24-002
16-229-180	AMD-P	00-19-089	16-230-670	PREP	00-15-063	16-231-156	NEW-XA	00-19-038
16-229-180	AMD	00-23-074	16-230-673	PREP	00-13-030	16-231-156	NEW	00-24-002
16-229-200	AMD-P	00-19-089	16-230-673	PREP	00-15-063	16-231-159	NEW-XA	00-19-038
16-229-200	AMD	00-23-074	16-230-675	PREP	00-13-030	16-231-159	NEW	00-24-002
16-229-210	AMD-P	00-19-089	16-230-675	PREP	00-15-063	16-231-162	NEW-XA	00-19-038
16-229-210	AMD	00-23-074	16-230-800	AMD-XA	00-19-038	16-231-162	NEW	00-24-002
16-229-220	AMD-P	00-19-089	16-230-800	AMD	00-24-002	16-231-165	NEW-XA	00-19-038
16-229-220	AMD	00-23-074	16-230-810	AMD-XA	00-19-038	16-231-165	NEW	00-24-002
16-229-240	AMD-P	00-19-089	16-230-810	AMD	00-24-002	16-231-168	NEW-XA	00-19-038
16-229-240	AMD	00-23-074	16-230-813	AMD-XA	00-19-038	16-231-168	NEW	00-24-002
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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-231-174	NEW-XA	00-19-038	16-234-030	REP	00-21-043	16-301-025	NEW-P	00-19-100
16-231-174	NEW	00-24-002	16-237-010	NEW-P	00-17-147	16-301-025	NEW	00-24-077
16-231-177	NEW-XA	00-19-038	16-237-010	NEW	00-21-043	16-301-030	NEW-P	00-19-100
16-231-177	NEW	00-24-002	16-237-015	NEW-P	00-17-147	16-301-030	NEW	00-24-077
16-231-180	NEW-XA	00-19-038	16-237-015	NEW	00-21-043	16-301-035	NEW-P	00-19-100
16-231-180	NEW	00-24-002	16-237-020	NEW-P	00-17-147	16-301-035	NEW	00-24-077
16-231-183	NEW-XA	00-19-038	16-237-020	NEW	00-21-043	16-301-040	NEW-P	00-19-100
16-231-183	NEW	00-24-002	16-237-025	NEW-P	00-17-147	16-301-040	NEW	00-24-077
16-232-001	PREP	00-15-064	16-237-025	NEW	00-21-043	16-301-045	NEW-P	00-19-100
16-232-001	AMD-XA	00-19-038	16-237-030	NEW-P	00-17-147	16-301-045	NEW	00-24-077
16-232-001	AMD	00-24-002	16-237-030	NEW	00-21-043	16-301-050	NEW-P	00-19-100
16-232-005	PREP	00-15-064	16-237-035	NEW-P	00-17-147	16-301-050	NEW	00-24-077
16-232-005	AMD-XA	00-19-038	16-237-035	NEW	00-21-043	16-301-055	NEW-P	00-19-100
16-232-005	AMD	00-24-002	16-237-040	NEW-P	00-17-147	16-301-055	NEW	00-24-077
16-232-007	NEW-XA	00-19-038	16-237-040	NEW	00-21-043	16-301-060	NEW-P	00-19-100
16-232-007	NEW	00-24-002	16-237-140	NEW-P	00-17-147	16-301-060	NEW	00-24-077
16-232-010	PREP	00-15-064	16-237-140	NEW	00-21-043	16-301-065	NEW-P	00-19-100
16-232-010	AMD-XA	00-19-038	16-237-145	NEW-P	00-17-147	16-301-065	NEW	00-24-077
16-232-010	AMD	00-24-002	16-237-145	NEW	00-21-043	16-301-070	NEW-P	00-19-100
16-232-015	PREP	00-15-064	16-237-150	NEW-P	00-17-147	16-301-070	NEW	00-24-077
16-232-020	PREP	00-15-064	16-237-150	NEW	00-21-043	16-301-075	NEW-P	00-19-100
16-232-025	PREP	00-15-064	16-237-155	NEW-P	00-17-147	16-301-075	NEW	00-24-077
16-232-027	PREP	00-15-064	16-237-155	NEW	00-21-043	16-301-080	NEW-P	00-19-100
16-232-030	PREP	00-15-064	16-237-160	NEW-P	00-17-147	16-301-080	NEW	00-24-077
16-232-035	PREP	00-15-064	16-237-160	NEW	00-21-043	16-301-085	NEW-P	00-19-100
16-232-038	PREP	00-15-064	16-237-165	NEW-P	00-17-147	16-301-085	NEW	00-24-077
16-232-038	REP-XA	00-19-038	16-237-165	NEW	00-21-043	16-301-090	NEW-P	00-19-100
16-232-038	REP	00-24-002	16-237-170	NEW-P	00-17-147	16-301-090	NEW	00-24-077
16-232-041	NEW-XA	00-19-038	16-237-170	NEW	00-21-043	16-301-095	NEW-P	00-19-100
16-232-041	NEW	00-24-002	16-237-175	NEW-P	00-17-147	16-301-095	NEW	00-24-077
16-232-044	NEW-XA	00-19-038	16-237-175	NEW	00-21-043	16-301-100	NEW-P	00-19-100
16-232-044	NEW	00-24-002	16-237-180	NEW-P	00-17-147	16-301-100	NEW	00-24-077
16-232-047	NEW-XA	00-19-038	16-237-180	NEW	00-21-043	16-301-105	NEW-P	00-19-100
16-232-047	NEW	00-24-002	16-237-185	NEW-P	00-17-147	16-301-105	NEW	00-24-077
16-232-050	NEW-XA	00-19-038	16-237-185	NEW	00-21-043	16-301-110	NEW-P	00-19-100
16-232-050	NEW	00-24-002	16-237-190	NEW-P	00-17-147	16-301-110	NEW	00-24-077
16-232-053	NEW-XA	00-19-038	16-237-190	NEW	00-21-043	16-301-115	NEW-P	00-19-100
16-232-053	NEW	00-24-002	16-237-195	NEW-P	00-17-147	16-301-115	NEW	00-24-077
16-232-056	NEW-XA	00-19-038	16-237-195	NEW	00-21-043	16-301-120	NEW-P	00-19-100
16-232-056	NEW	00-24-002	16-237-200	NEW-P	00-17-147	16-301-120	NEW	00-24-077
16-232-059	NEW-XA	00-19-038	16-237-200	NEW	00-21-043	16-301-125	NEW-P	00-19-100
16-232-059	NEW	00-24-002	16-237-205	NEW-P	00-17-147	16-301-125	NEW	00-24-077
16-232-062	NEW-XA	00-19-038	16-237-205	NEW	00-21-043	16-301-130	NEW-P	00-19-100
16-232-062	NEW	00-24-002	16-237-210	NEW-P	00-17-147	16-301-130	NEW	00-24-077
16-232-065	NEW-XA	00-19-038	16-237-210	NEW	00-21-043	16-301-135	NEW-P	00-19-100
16-232-065	NEW	00-24-002	16-300-010	REP-P	00-19-100	16-301-135	NEW	00-24-077
16-232-068	NEW-XA	00-19-038	16-300-010	REP	00-24-077	16-301-140	NEW-P	00-19-100
16-232-068	NEW	00-24-002	16-300-020	REP-P	00-19-100	16-301-140	NEW	00-24-077
16-232-071	NEW-XA	00-19-038	16-300-020	REP	00-24-077	16-301-145	NEW-P	00-19-100
16-232-071	NEW	00-24-002	16-300-025	REP-P	00-19-100	16-301-145	NEW	00-24-077
16-232-074	NEW-XA	00-19-038	16-300-025	REP	00-24-077	16-301-150	NEW-P	00-19-100
16-232-074	NEW	00-24-002	16-301	AMD-C	00-20-076	16-301-150	NEW	00-24-077
16-232-077	NEW-XA	00-19-038	16-301-005	NEW-P	00-19-100	16-301-155	NEW-P	00-19-100
16-232-077	NEW	00-24-002	16-301-005	NEW	00-24-077	16-301-155	NEW	00-24-077
16-233	PREP	00-09-029	16-301-010	NEW-P	00-19-100	16-301-160	NEW-P	00-19-100
16-234-001	REP-P	00-17-147	16-301-010	NEW	00-24-077	16-301-160	NEW	00-24-077
16-234-001	REP	00-21-043	16-301-011	NEW-P	00-19-100	16-301-165	NEW-P	00-19-100
16-234-010	REP-P	00-17-147	16-301-011	NEW	00-24-077	16-301-165	NEW	00-24-077
16-234-010	REP	00-21-043	16-301-015	NEW-P	00-19-100	16-301-170	NEW-P	00-19-100
16-234-020	REP-P	00-17-147	16-301-015	NEW	00-24-077	16-301-170	NEW	00-24-077
16-234-020	REP	00-21-043	16-301-020	NEW-P	00-19-100	16-301-175	NEW-P	00-19-100
16-234-030	REP-P	00-17-147	16-301-020	NEW	00-24-077	16-301-175	NEW	00-24-077

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-301-180	NEW-P	00-19-100	16-301-340	NEW-P	00-19-100	16-302-020	NEW	00-24-077
16-301-180	NEW	00-24-077	16-301-340	NEW	00-24-077	16-302-025	NEW-P	00-19-100
16-301-185	NEW-P	00-19-100	16-301-345	NEW-P	00-19-100	16-302-025	NEW	00-24-077
16-301-185	NEW	00-24-077	16-301-345	NEW	00-24-077	16-302-030	NEW-P	00-19-100
16-301-190	NEW-P	00-19-100	16-301-350	NEW-P	00-19-100	16-302-030	NEW	00-24-077
16-301-190	NEW	00-24-077	16-301-350	NEW	00-24-077	16-302-035	NEW-P	00-19-100
16-301-195	NEW-P	00-19-100	16-301-355	NEW-P	00-19-100	16-302-035	NEW	00-24-077
16-301-195	NEW	00-24-077	16-301-355	NEW	00-24-077	16-302-040	NEW-P	00-19-100
16-301-200	NEW-P	00-19-100	16-301-365	NEW-P	00-19-100	16-302-040	NEW	00-24-077
16-301-200	NEW	00-24-077	16-301-365	NEW	00-24-077	16-302-045	NEW-P	00-19-100
16-301-205	NEW-P	00-19-100	16-301-370	NEW-P	00-19-100	16-302-045	NEW	00-24-077
16-301-205	NEW	00-24-077	16-301-370	NEW	00-24-077	16-302-050	NEW-P	00-19-100
16-301-210	NEW-P	00-19-100	16-301-375	NEW-P	00-19-100	16-302-050	NEW	00-24-077
16-301-210	NEW	00-24-077	16-301-375	NEW	00-24-077	16-302-055	NEW-P	00-19-100
16-301-215	NEW-P	00-19-100	16-301-380	NEW-P	00-19-100	16-302-055	NEW	00-24-077
16-301-215	NEW	00-24-077	16-301-380	NEW	00-24-077	16-302-060	NEW-P	00-19-100
16-301-220	NEW-P	00-19-100	16-301-385	NEW-P	00-19-100	16-302-060	NEW	00-24-077
16-301-220	NEW	00-24-077	16-301-385	NEW	00-24-077	16-302-065	NEW-P	00-19-100
16-301-225	NEW-P	00-19-100	16-301-390	NEW-P	00-19-100	16-302-065	NEW	00-24-077
16-301-225	NEW	00-24-077	16-301-390	NEW	00-24-077	16-302-070	NEW-P	00-19-100
16-301-230	NEW-P	00-19-100	16-301-395	NEW-P	00-19-100	16-302-070	NEW	00-24-077
16-301-230	NEW	00-24-077	16-301-395	NEW	00-24-077	16-302-075	NEW-P	00-19-100
16-301-235	NEW-P	00-19-100	16-301-400	NEW-P	00-19-100	16-302-075	NEW	00-24-077
16-301-235	NEW	00-24-077	16-301-400	NEW	00-24-077	16-302-080	NEW-P	00-19-100
16-301-240	NEW-P	00-19-100	16-301-410	NEW-P	00-19-100	16-302-080	NEW	00-24-077
16-301-240	NEW	00-24-077	16-301-410	NEW	00-24-077	16-302-085	NEW-P	00-19-100
16-301-245	NEW-P	00-19-100	16-301-415	NEW-P	00-19-100	16-302-085	NEW	00-24-077
16-301-245	NEW	00-24-077	16-301-415	NEW	00-24-077	16-302-086	NEW-P	00-19-100
16-301-250	NEW-P	00-19-100	16-301-420	NEW-P	00-19-100	16-302-086	NEW	00-24-077
16-301-250	NEW	00-24-077	16-301-420	NEW	00-24-077	16-302-090	NEW-P	00-19-100
16-301-255	NEW-P	00-19-100	16-301-425	NEW-P	00-19-100	16-302-090	NEW	00-24-077
16-301-255	NEW	00-24-077	16-301-425	NEW	00-24-077	16-302-091	NEW-P	00-19-100
16-301-260	NEW-P	00-19-100	16-301-430	NEW-P	00-19-100	16-302-091	NEW	00-24-077
16-301-260	NEW	00-24-077	16-301-430	NEW	00-24-077	16-302-095	NEW-P	00-19-100
16-301-265	NEW-P	00-19-100	16-301-435	NEW-P	00-19-100	16-302-095	NEW	00-24-077
16-301-265	NEW	00-24-077	16-301-435	NEW	00-24-077	16-302-100	NEW-P	00-19-100
16-301-270	NEW-P	00-19-100	16-301-440	NEW-P	00-19-100	16-302-100	NEW	00-24-077
16-301-270	NEW	00-24-077	16-301-440	NEW	00-24-077	16-302-105	NEW-P	00-19-100
16-301-275	NEW-P	00-19-100	16-301-450	NEW-P	00-19-100	16-302-105	NEW	00-24-077
16-301-275	NEW	00-24-077	16-301-450	NEW	00-24-077	16-302-110	NEW-P	00-19-100
16-301-280	NEW-P	00-19-100	16-301-455	NEW-P	00-19-100	16-302-110	NEW	00-24-077
16-301-280	NEW	00-24-077	16-301-455	NEW	00-24-077	16-302-115	NEW-P	00-19-100
16-301-285	NEW-P	00-19-100	16-301-460	NEW-P	00-19-100	16-302-115	NEW	00-24-077
16-301-285	NEW	00-24-077	16-301-460	NEW	00-24-077	16-302-120	NEW-P	00-19-100
16-301-290	NEW-P	00-19-100	16-301-465	NEW-P	00-19-100	16-302-120	NEW	00-24-077
16-301-290	NEW	00-24-077	16-301-465	NEW	00-24-077	16-302-125	NEW-P	00-19-100
16-301-295	NEW-P	00-19-100	16-301-470	NEW-P	00-19-100	16-302-125	NEW	00-24-077
16-301-295	NEW	00-24-077	16-301-470	NEW	00-24-077	16-302-130	NEW-P	00-19-100
16-301-305	NEW-P	00-19-100	16-301-475	NEW-P	00-19-100	16-302-130	NEW	00-24-077
16-301-305	NEW	00-24-077	16-301-475	NEW	00-24-077	16-302-135	NEW-P	00-19-100
16-301-310	NEW-P	00-19-100	16-301-480	NEW-P	00-19-100	16-302-135	NEW	00-24-077
16-301-310	NEW	00-24-077	16-301-480	NEW	00-24-077	16-302-140	NEW-P	00-19-100
16-301-315	NEW-P	00-19-100	16-301-485	NEW-P	00-19-100	16-302-140	NEW	00-24-077
16-301-315	NEW	00-24-077	16-301-485	NEW	00-24-077	16-302-145	NEW-P	00-19-100
16-301-320	NEW-P	00-19-100	16-302	AMD-C	00-20-076	16-302-145	NEW	00-24-077
16-301-320	NEW	00-24-077	16-302-005	NEW-P	00-19-100	16-302-150	NEW-P	00-19-100
16-301-325	NEW-P	00-19-100	16-302-005	NEW	00-24-077	16-302-150	NEW	00-24-077
16-301-325	NEW	00-24-077	16-302-010	NEW-P	00-19-100	16-302-155	NEW-P	00-19-100
16-301-330	NEW-P	00-19-100	16-302-010	NEW	00-24-077	16-302-155	NEW	00-24-077
16-301-330	NEW	00-24-077	16-302-015	NEW-P	00-19-100	16-302-160	NEW-P	00-19-100
16-301-335	NEW-P	00-19-100	16-302-015	NEW	00-24-077	16-302-160	NEW	00-24-077
16-301-335	NEW	00-24-077	16-302-020	NEW-P	00-19-100	16-302-165	NEW-P	00-19-100

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-302-165	NEW	00-24-077	16-302-410	NEW	00-24-077	16-302-665	NEW	00-24-077
16-302-170	NEW-P	00-19-100	16-302-415	NEW-P	00-19-100	16-302-670	NEW-P	00-19-100
16-302-170	NEW	00-24-077	16-302-415	NEW	00-24-077	16-302-670	NEW	00-24-077
16-302-210	NEW-P	00-19-100	16-302-420	NEW-P	00-19-100	16-302-675	NEW-P	00-19-100
16-302-210	NEW	00-24-077	16-302-420	NEW	00-24-077	16-302-675	NEW	00-24-077
16-302-215	NEW-P	00-19-100	16-302-425	NEW-P	00-19-100	16-302-680	NEW-P	00-19-100
16-302-215	NEW	00-24-077	16-302-425	NEW	00-24-077	16-302-680	NEW	00-24-077
16-302-220	NEW-P	00-19-100	16-302-430	NEW-P	00-19-100	16-302-685	NEW-P	00-19-100
16-302-220	NEW	00-24-077	16-302-430	NEW	00-24-077	16-302-685	NEW	00-24-077
16-302-225	NEW-P	00-19-100	16-302-435	NEW-P	00-19-100	16-302-690	NEW-P	00-19-100
16-302-225	NEW	00-24-077	16-302-435	NEW	00-24-077	16-302-690	NEW	00-24-077
16-302-230	NEW-P	00-19-100	16-302-440	NEW-P	00-19-100	16-302-695	NEW-P	00-19-100
16-302-230	NEW	00-24-077	16-302-440	NEW	00-24-077	16-302-695	NEW	00-24-077
16-302-235	NEW-P	00-19-100	16-302-445	NEW-P	00-19-100	16-302-700	NEW-P	00-19-100
16-302-235	NEW	00-24-077	16-302-445	NEW	00-24-077	16-302-700	NEW	00-24-077
16-302-240	NEW-P	00-19-100	16-302-450	NEW-P	00-19-100	16-303	AMD-C	00-20-076
16-302-240	NEW	00-24-077	16-302-450	NEW	00-24-077	16-303-005	NEW-P	00-19-100
16-302-245	NEW-P	00-19-100	16-302-455	NEW-P	00-19-100	16-303-005	NEW	01-01-015
16-302-245	NEW	00-24-077	16-302-455	NEW	00-24-077	16-303-010	NEW-P	00-19-100
16-302-250	NEW-P	00-19-100	16-302-460	NEW-P	00-19-100	16-303-010	NEW	01-01-015
16-302-250	NEW	00-24-077	16-302-460	NEW	00-24-077	16-303-020	NEW-P	00-19-100
16-302-255	NEW-P	00-19-100	16-302-465	NEW-P	00-19-100	16-303-020	NEW	01-01-015
16-302-255	NEW	00-24-077	16-302-465	NEW	00-24-077	16-303-105	NEW-P	00-19-100
16-302-260	NEW-P	00-19-100	16-302-470	NEW-P	00-19-100	16-303-105	NEW	01-01-015
16-302-260	NEW	00-24-077	16-302-470	NEW	00-24-077	16-303-115	NEW-P	00-19-100
16-302-265	NEW-P	00-19-100	16-302-475	NEW-P	00-19-100	16-303-115	NEW	01-01-015
16-302-265	NEW	00-24-077	16-302-475	NEW	00-24-077	16-303-200	NEW-P	00-19-100
16-302-270	NEW-P	00-19-100	16-302-480	NEW-P	00-19-100	16-303-200	NEW	01-01-015
16-302-270	NEW	00-24-077	16-302-480	NEW	00-24-077	16-303-210	NEW-P	00-19-100
16-302-275	NEW-P	00-19-100	16-302-485	NEW-P	00-19-100	16-303-210	NEW	01-01-015
16-302-275	NEW	00-24-077	16-302-485	NEW	00-24-077	16-303-220	NEW-P	00-19-100
16-302-280	NEW-P	00-19-100	16-302-490	NEW-P	00-19-100	16-303-220	NEW	01-01-015
16-302-280	NEW	00-24-077	16-302-490	NEW	00-24-077	16-303-230	NEW-P	00-19-100
16-302-285	NEW-P	00-19-100	16-302-495	NEW-P	00-19-100	16-303-230	NEW	01-01-015
16-302-285	NEW	00-24-077	16-302-495	NEW	00-24-077	16-303-240	NEW-P	00-19-100
16-302-290	NEW-P	00-19-100	16-302-500	NEW-P	00-19-100	16-303-240	NEW	01-01-015
16-302-290	NEW	00-24-077	16-302-500	NEW	00-24-077	16-303-250	NEW-P	00-19-100
16-302-295	NEW-P	00-19-100	16-302-510	NEW-P	00-19-100	16-303-250	NEW	01-01-015
16-302-295	NEW	00-24-077	16-302-510	NEW	00-24-077	16-303-300	NEW-P	00-19-100
16-302-300	NEW-P	00-19-100	16-302-515	NEW-P	00-19-100	16-303-300	NEW	01-01-015
16-302-300	NEW	00-24-077	16-302-515	NEW	00-24-077	16-303-310	NEW-P	00-19-100
16-302-310	NEW-P	00-19-100	16-302-520	NEW-P	00-19-100	16-303-310	NEW	01-01-015
16-302-310	NEW	00-24-077	16-302-520	NEW	00-24-077	16-303-315	NEW-P	00-19-100
16-302-315	NEW-P	00-19-100	16-302-525	NEW-P	00-19-100	16-303-315	NEW	01-01-015
16-302-315	NEW	00-24-077	16-302-525	NEW	00-24-077	16-303-317	NEW-P	00-19-100
16-302-320	NEW-P	00-19-100	16-302-530	NEW-P	00-19-100	16-303-317	NEW	01-01-015
16-302-320	NEW	00-24-077	16-302-530	NEW	00-24-077	16-303-320	NEW-P	00-19-100
16-302-325	NEW-P	00-19-100	16-302-535	NEW-P	00-19-100	16-303-320	NEW	01-01-015
16-302-325	NEW	00-24-077	16-302-535	NEW	00-24-077	16-303-330	NEW-P	00-19-100
16-302-330	NEW-P	00-19-100	16-302-540	NEW-P	00-19-100	16-303-330	NEW	01-01-015
16-302-330	NEW	00-24-077	16-302-540	NEW	00-24-077	16-303-340	NEW-P	00-19-100
16-302-335	NEW-P	00-19-100	16-302-545	NEW-P	00-19-100	16-303-340	NEW	01-01-015
16-302-335	NEW	00-24-077	16-302-545	NEW	00-24-077	16-304-010	REP-P	00-19-100
16-302-385	NEW-P	00-19-100	16-302-550	NEW-P	00-19-100	16-304-010	REP	00-24-077
16-302-385	NEW	00-24-077	16-302-550	NEW	00-24-077	16-304-020	REP-P	00-19-100
16-302-390	NEW-P	00-19-100	16-302-555	NEW-P	00-19-100	16-304-020	REP	00-24-077
16-302-390	NEW	00-24-077	16-302-555	NEW	00-24-077	16-304-039	REP-P	00-19-100
16-302-395	NEW-P	00-19-100	16-302-560	NEW-P	00-19-100	16-304-039	REP	00-24-077
16-302-395	NEW	00-24-077	16-302-560	NEW	00-24-077	16-304-040	REP-P	00-19-100
16-302-400	NEW-P	00-19-100	16-302-660	NEW-P	00-19-100	16-304-040	REP	00-24-077
16-302-400	NEW	00-24-077	16-302-660	NEW	00-24-077	16-304-050	REP-P	00-19-100
16-302-410	NEW-P	00-19-100	16-302-665	NEW-P	00-19-100	16-304-050	REP	00-24-077

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-304-100	REP-P	00-19-100	16-316-155	REP-P	00-19-100	16-316-310	REP-P	00-19-100
16-304-100	REP	00-24-077	16-316-155	REP	00-24-077	16-316-310	REP	00-24-077
16-304-110	REP-P	00-19-100	16-316-160	REP-P	00-19-100	16-316-315	REP-P	00-19-100
16-304-110	REP	00-24-077	16-316-160	REP	00-24-077	16-316-315	REP	00-24-077
16-304-120	REP-P	00-19-100	16-316-165	REP-P	00-19-100	16-316-320	REP-P	00-19-100
16-304-120	REP	00-24-077	16-316-165	REP	00-24-077	16-316-320	REP	00-24-077
16-304-130	REP-P	00-19-100	16-316-170	REP-P	00-19-100	16-316-326	REP-P	00-19-100
16-304-130	REP	00-24-077	16-316-170	REP	00-24-077	16-316-326	REP	00-24-077
16-313-010	REP-P	00-19-100	16-316-175	REP-P	00-19-100	16-316-327	REP-P	00-19-100
16-313-010	REP	00-24-077	16-316-175	REP	00-24-077	16-316-327	REP	00-24-077
16-313-015	REP-P	00-19-100	16-316-180	REP-P	00-19-100	16-316-328	REP-P	00-19-100
16-313-015	REP	00-24-077	16-316-180	REP	00-24-077	16-316-328	REP	00-24-077
16-313-020	REP-P	00-19-100	16-316-183	REP-P	00-19-100	16-316-340	REP-P	00-19-100
16-313-020	REP	00-24-077	16-316-183	REP	00-24-077	16-316-340	REP	00-24-077
16-313-030	REP-P	00-19-100	16-316-185	REP-P	00-19-100	16-316-350	REP-P	00-19-100
16-313-030	REP	00-24-077	16-316-185	REP	00-24-077	16-316-350	REP	00-24-077
16-313-035	REP-P	00-19-100	16-316-190	REP-P	00-19-100	16-316-355	REP-P	00-19-100
16-313-035	REP	00-24-077	16-316-190	REP	00-24-077	16-316-355	REP	00-24-077
16-313-040	REP-P	00-19-100	16-316-195	REP-P	00-19-100	16-316-360	REP-P	00-19-100
16-313-040	REP	00-24-077	16-316-195	REP	00-24-077	16-316-360	REP	00-24-077
16-313-050	REP-P	00-19-100	16-316-196	REP-P	00-19-100	16-316-365	REP-P	00-19-100
16-313-050	REP	00-24-077	16-316-196	REP	00-24-077	16-316-365	REP	00-24-077
16-313-060	REP-P	00-19-100	16-316-197	REP-P	00-19-100	16-316-370	REP-P	00-19-100
16-313-060	REP	00-24-077	16-316-197	REP	00-24-077	16-316-370	REP	00-24-077
16-313-070	REP-P	00-19-100	16-316-205	REP-P	00-19-100	16-316-430	REP-P	00-19-100
16-313-070	REP	00-24-077	16-316-205	REP	00-24-077	16-316-430	REP	00-24-077
16-313-080	REP-P	00-19-100	16-316-210	REP-P	00-19-100	16-316-440	REP-P	00-19-100
16-313-080	REP	00-24-077	16-316-210	REP	00-24-077	16-316-440	REP	00-24-077
16-313-090	REP-P	00-19-100	16-316-212	REP-P	00-19-100	16-316-445	REP-P	00-19-100
16-313-090	REP	00-24-077	16-316-212	REP	00-24-077	16-316-445	REP	00-24-077
16-313-100	REP-P	00-19-100	16-316-214	REP-P	00-19-100	16-316-450	REP-P	00-19-100
16-313-100	REP	00-24-077	16-316-214	REP	00-24-077	16-316-450	REP	00-24-077
16-313-110	REP-P	00-19-100	16-316-215	REP-P	00-19-100	16-316-455	REP-P	00-19-100
16-313-110	REP	00-24-077	16-316-215	REP	00-24-077	16-316-455	REP	00-24-077
16-316-035	REP-P	00-19-100	16-316-220	REP-P	00-19-100	16-316-460	REP-P	00-19-100
16-316-035	REP	00-24-077	16-316-220	REP	00-24-077	16-316-460	REP	00-24-077
16-316-0901	REP-P	00-19-100	16-316-230	REP-P	00-19-100	16-316-470	REP-P	00-19-100
16-316-0901	REP	00-24-077	16-316-230	REP	00-24-077	16-316-470	REP	00-24-077
16-316-100	REP-P	00-19-100	16-316-235	REP-P	00-19-100	16-316-472	REP-P	00-19-100
16-316-100	REP	00-24-077	16-316-235	REP	00-24-077	16-316-472	REP	00-24-077
16-316-105	REP-P	00-19-100	16-316-240	REP-P	00-19-100	16-316-474	REP-P	00-19-100
16-316-105	REP	00-24-077	16-316-240	REP	00-24-077	16-316-474	REP	00-24-077
16-316-110	REP-P	00-19-100	16-316-245	REP-P	00-19-100	16-316-480	REP-P	00-19-100
16-316-110	REP	00-24-077	16-316-245	REP	00-24-077	16-316-480	REP	00-24-077
16-316-115	REP-P	00-19-100	16-316-250	REP-P	00-19-100	16-316-484	REP-P	00-19-100
16-316-115	REP	00-24-077	16-316-250	REP	00-24-077	16-316-484	REP	00-24-077
16-316-120	REP-P	00-19-100	16-316-260	REP-P	00-19-100	16-316-486	REP-P	00-19-100
16-316-120	REP	00-24-077	16-316-260	REP	00-24-077	16-316-486	REP	00-24-077
16-316-125	REP-P	00-19-100	16-316-266	REP-P	00-19-100	16-316-525	REP-P	00-19-100
16-316-125	REP	00-24-077	16-316-266	REP	00-24-077	16-316-525	REP	00-24-077
16-316-130	REP-P	00-19-100	16-316-270	REP-P	00-19-100	16-316-570	REP-P	00-19-100
16-316-130	REP	00-24-077	16-316-270	REP	00-24-077	16-316-570	REP	00-24-077
16-316-135	REP-P	00-19-100	16-316-275	REP-P	00-19-100	16-316-572	REP-P	00-19-100
16-316-135	REP	00-24-077	16-316-275	REP	00-24-077	16-316-572	REP	00-24-077
16-316-140	REP-P	00-19-100	16-316-280	REP-P	00-19-100	16-316-575	REP-P	00-19-100
16-316-140	REP	00-24-077	16-316-280	REP	00-24-077	16-316-575	REP	00-24-077
16-316-145	REP-P	00-20-075	16-316-285	REP-P	00-19-100	16-316-590	REP-P	00-19-100
16-316-145	REP	00-24-077	16-316-285	REP	00-24-077	16-316-590	REP	00-24-077
16-316-150	REP-P	00-19-100	16-316-290	REP-P	00-19-100	16-316-595	REP-P	00-19-100
16-316-150	REP	00-24-077	16-316-290	REP	00-24-077	16-316-595	REP	00-24-077
16-316-151	REP-P	00-19-100	16-316-295	REP-P	00-19-100	16-316-600	REP-P	00-19-100
16-316-151	REP	00-24-077	16-316-295	REP	00-24-077	16-316-600	REP	00-24-077

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-316-610	REP-P	00-19-100	16-316-755	REP-P	00-19-100	16-317-040	REP-P	00-19-100
16-316-610	REP	00-24-077	16-316-755	REP	00-24-077	16-317-040	REP	00-24-077
16-316-615	REP-P	00-19-100	16-316-760	REP-P	00-19-100	16-317-050	REP-P	00-19-100
16-316-615	REP	00-24-077	16-316-760	REP	00-24-077	16-317-050	REP	00-24-077
16-316-620	REP-P	00-19-100	16-316-790	REP-P	00-19-100	16-317-060	REP-P	00-19-100
16-316-620	REP	00-24-077	16-316-790	REP	00-24-077	16-317-060	REP	00-24-077
16-316-622	REP-P	00-19-100	16-316-800	REP-P	00-19-100	16-317-080	REP-P	00-19-100
16-316-622	REP	00-24-077	16-316-800	REP	00-24-077	16-317-080	REP	00-24-077
16-316-625	REP-P	00-19-100	16-316-810	REP-P	00-19-100	16-318-002	REP-P	00-19-100
16-316-625	REP	00-24-077	16-316-810	REP	00-24-077	16-318-002	REP	00-24-077
16-316-630	REP-P	00-19-100	16-316-815	REP-P	00-19-100	16-318-003	REP-P	00-19-100
16-316-630	REP	00-24-077	16-316-815	REP	00-24-077	16-318-003	REP	00-24-077
16-316-635	REP-P	00-19-100	16-316-820	REP-P	00-19-100	16-318-040	REP-P	00-19-100
16-316-635	REP	00-24-077	16-316-820	REP	00-24-077	16-318-040	REP	00-24-077
16-316-637	REP-P	00-19-100	16-316-830	REP-P	00-19-100	16-318-050	REP-P	00-19-100
16-316-637	REP	00-24-077	16-316-830	REP	00-24-077	16-318-050	REP	00-24-077
16-316-650	REP-P	00-19-100	16-316-832	REP-P	00-19-100	16-318-060	REP-P	00-19-100
16-316-650	REP	00-24-077	16-316-832	REP	00-24-077	16-318-060	REP	00-24-077
16-316-660	REP-P	00-19-100	16-316-833	REP-P	00-19-100	16-318-065	REP-P	00-19-100
16-316-660	REP	00-24-077	16-316-833	REP	00-24-077	16-318-065	REP	00-24-077
16-316-665	REP-P	00-19-100	16-316-840	REP-P	00-19-100	16-318-070	REP-P	00-19-100
16-316-665	REP	00-24-077	16-316-840	REP	00-24-077	16-318-070	REP	00-24-077
16-316-670	REP-P	00-19-100	16-316-850	REP-P	00-19-100	16-318-080	REP-P	00-19-100
16-316-670	REP	00-24-077	16-316-850	REP	00-24-077	16-318-080	REP	00-24-077
16-316-675	REP-P	00-19-100	16-316-860	REP-P	00-19-100	16-318-090	REP-P	00-19-100
16-316-675	REP	00-24-077	16-316-860	REP	00-24-077	16-318-090	REP	00-24-077
16-316-680	REP-P	00-19-100	16-316-870	REP-P	00-19-100	16-318-200	REP-P	00-19-100
16-316-680	REP	00-24-077	16-316-870	REP	00-24-077	16-318-200	REP	00-24-077
16-316-701	REP-P	00-19-100	16-316-880	REP-P	00-19-100	16-318-205	REP-P	00-19-100
16-316-701	REP	00-24-077	16-316-880	REP	00-24-077	16-318-205	REP	00-24-077
16-316-715	REP-P	00-19-100	16-316-901	REP-P	00-19-100	16-318-210	REP-P	00-19-100
16-316-715	REP	00-24-077	16-316-901	REP	00-24-077	16-318-210	REP	00-24-077
16-316-717	REP-P	00-19-100	16-316-906	REP-P	00-19-100	16-318-215	REP-P	00-19-100
16-316-717	REP	00-24-077	16-316-906	REP	00-24-077	16-318-215	REP	00-24-077
16-316-719	REP-P	00-19-100	16-316-911	REP-P	00-19-100	16-318-220	REP-P	00-19-100
16-316-719	REP	00-24-077	16-316-911	REP	00-24-077	16-318-220	REP	00-24-077
16-316-721	REP-P	00-19-100	16-316-916	REP-P	00-19-100	16-318-225	REP-P	00-19-100
16-316-721	REP	00-24-077	16-316-916	REP	00-24-077	16-318-225	REP	00-24-077
16-316-722	REP-P	00-19-100	16-316-921	REP-P	00-19-100	16-318-230	REP-P	00-19-100
16-316-722	REP	00-24-077	16-316-921	REP	00-24-077	16-318-230	REP	00-24-077
16-316-723	REP-P	00-19-100	16-316-945	REP-P	00-19-100	16-318-235	REP-P	00-19-100
16-316-723	REP	00-24-077	16-316-945	REP	00-24-077	16-318-235	REP	00-24-077
16-316-724	REP-P	00-19-100	16-316-950	REP-P	00-19-100	16-318-240	REP-P	00-19-100
16-316-724	REP	00-24-077	16-316-950	REP	00-24-077	16-318-240	REP	00-24-077
16-316-727	REP-P	00-19-100	16-316-955	REP-P	00-19-100	16-318-300	REP-P	00-19-100
16-316-727	REP	00-24-077	16-316-955	REP	00-24-077	16-318-300	REP	00-24-077
16-316-729	REP-P	00-19-100	16-316-960	REP-P	00-19-100	16-318-305	REP-P	00-19-100
16-316-729	REP	00-24-077	16-316-960	REP	00-24-077	16-318-305	REP	00-24-077
16-316-730	REP-P	00-19-100	16-316-970	REP-P	00-19-100	16-318-310	REP-P	00-19-100
16-316-730	REP	00-24-077	16-316-970	REP	00-24-077	16-318-310	REP	00-24-077
16-316-731	REP-P	00-19-100	16-316-975	REP-P	00-19-100	16-318-315	REP-P	00-19-100
16-316-731	REP	00-24-077	16-316-975	REP	00-24-077	16-318-315	REP	00-24-077
16-316-735	REP-P	00-19-100	16-316-980	REP-P	00-19-100	16-318-320	REP-P	00-19-100
16-316-735	REP	00-24-077	16-316-980	REP	00-24-077	16-318-320	REP	00-24-077
16-316-738	REP-P	00-19-100	16-316-985	REP-P	00-19-100	16-318-325	REP-P	00-19-100
16-316-738	REP	00-24-077	16-316-985	REP	00-24-077	16-318-325	REP	00-24-077
16-316-740	REP-P	00-19-100	16-316-990	REP-P	00-19-100	16-318-330	REP-P	00-19-100
16-316-740	REP	00-24-077	16-316-990	REP	00-24-077	16-318-330	REP	00-24-077
16-316-745	REP-P	00-19-100	16-316-995	REP-P	00-19-100	16-318-335	REP-P	00-19-100
16-316-745	REP	00-24-077	16-316-995	REP	00-24-077	16-318-335	REP	00-24-077
16-316-750	REP-P	00-19-100	16-316-997	REP-P	00-19-100	16-318-340	REP-P	00-19-100
16-316-750	REP	00-24-077	16-316-997	REP	00-24-077	16-318-340	REP	00-24-077

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-318-345	REP-P	00-19-100	16-324-391	AMD-XA	00-16-111	16-328-085	AMD-XA	00-14-079
16-318-345	REP	00-24-077	16-324-391	AMD	00-20-070	16-328-085	AMD	00-19-034
16-318-350	REP-P	00-19-100	16-324-392	AMD-XA	00-16-111	16-328-088	AMD-XA	00-14-079
16-318-350	REP	00-24-077	16-324-392	AMD	00-20-070	16-328-088	AMD	00-19-034
16-318-355	REP-P	00-19-100	16-324-393	AMD-XA	00-16-111	16-333	AMD-XA	00-14-077
16-318-355	REP	00-24-077	16-324-393	AMD	00-20-070	16-333	AMD	00-19-035
16-318-360	REP-P	00-19-100	16-324-394	REP-XA	00-16-111	16-333-010	AMD-XA	00-14-077
16-318-360	REP	00-24-077	16-324-394	REP	00-20-070	16-333-010	AMD	00-19-035
16-318-365	REP-P	00-19-100	16-324-395	REP-XA	00-16-111	16-333-020	AMD-XA	00-14-077
16-318-365	REP	00-24-077	16-324-395	REP	00-20-070	16-333-020	AMD	00-19-035
16-318-370	REP-P	00-19-100	16-324-396	AMD-XA	00-16-111	16-333-030	REP-XA	00-14-077
16-318-370	REP	00-24-077	16-324-396	AMD	00-20-070	16-333-030	REP	00-19-035
16-318-375	REP-P	00-19-100	16-324-397	REP-XA	00-16-111	16-333-040	AMD-XA	00-14-077
16-318-375	REP	00-24-077	16-324-397	REP	00-20-070	16-333-040	AMD	00-19-035
16-318-380	REP-P	00-19-100	16-324-398	AMD-XA	00-16-111	16-333-045	NEW-XA	00-14-077
16-318-380	REP	00-24-077	16-324-398	AMD	00-20-070	16-333-045	NEW	00-19-035
16-318-385	REP-P	00-19-100	16-324-399	NEW-XA	00-16-111	16-333-050	REP-XA	00-14-077
16-318-385	REP	00-24-077	16-324-399	NEW	00-20-070	16-333-050	REP	00-19-035
16-318-390	REP-P	00-19-100	16-324-401	AMD-XA	00-16-111	16-333-051	NEW-XA	00-14-077
16-318-390	REP	00-24-077	16-324-401	AMD	00-20-070	16-333-051	NEW	00-19-035
16-318-395	REP-P	00-19-100	16-324-402	AMD-XA	00-16-111	16-333-056	NEW-XA	00-14-077
16-318-395	REP	00-24-077	16-324-402	AMD	00-20-070	16-333-056	NEW	00-19-035
16-318-400	REP-P	00-19-100	16-324-409	AMD-XA	00-16-111	16-333-060	REP-XA	00-14-077
16-318-400	REP	00-24-077	16-324-409	AMD	00-20-070	16-333-060	REP	00-19-035
16-318-405	REP-P	00-19-100	16-324-431	AMD-XA	00-16-111	16-333-061	NEW-XA	00-14-077
16-318-405	REP	00-24-077	16-324-431	AMD	00-20-070	16-333-061	NEW	00-19-035
16-318-410	REP-P	00-19-100	16-324-446	AMD-XA	00-16-111	16-333-065	REP-XA	00-14-077
16-318-410	REP	00-24-077	16-324-446	AMD	00-20-070	16-333-065	REP	00-19-035
16-318-415	REP-P	00-19-100	16-324-700	REP-XA	00-16-111	16-333-066	NEW-XA	00-14-077
16-318-415	REP	00-24-077	16-324-700	REP	00-20-070	16-333-066	NEW	00-19-035
16-318-420	REP-P	00-19-100	16-324-710	REP-XA	00-16-111	16-333-070	REP-XA	00-14-077
16-318-420	REP	00-24-077	16-324-710	REP	00-20-070	16-333-070	REP	00-19-035
16-322	AMD-P	00-20-090	16-324-720	AMD-XA	00-16-111	16-333-071	NEW-XA	00-14-077
16-322	AMD	00-23-095	16-324-720	AMD	00-20-070	16-333-071	NEW	00-19-035
16-322-001	REP-P	00-20-090	16-328	AMD-XA	00-14-079	16-333-080	REP-XA	00-14-077
16-322-001	REP	00-23-095	16-328	AMD	00-19-034	16-333-080	REP	00-19-035
16-322-010	AMD-P	00-20-090	16-328-008	AMD-XA	00-14-079	16-333-085	NEW-XA	00-14-077
16-322-010	AMD	00-23-095	16-328-008	AMD	00-19-034	16-333-085	NEW	00-19-035
16-322-012	AMD-P	00-20-090	16-328-009	REP-XA	00-14-079	16-333-090	AMD-XA	00-14-077
16-322-012	AMD	00-23-095	16-328-009	REP	00-19-034	16-333-090	AMD	00-19-035
16-322-015	AMD-P	00-20-090	16-328-010	AMD-XA	00-14-079	16-350	AMD-XA	00-14-078
16-322-015	AMD	00-23-095	16-328-010	AMD	00-19-034	16-350	AMD	00-19-036
16-322-025	AMD-P	00-20-090	16-328-015	AMD-XA	00-14-079	16-350-001	REP-XA	00-14-078
16-322-025	AMD	00-23-095	16-328-015	AMD	00-19-034	16-350-001	REP	00-19-036
16-322-035	AMD-P	00-20-090	16-328-025	AMD-XA	00-14-079	16-350-003	REP-XA	00-14-078
16-322-035	AMD	00-23-095	16-328-025	AMD	00-19-034	16-350-003	REP	00-19-036
16-322-040	AMD-P	00-20-090	16-328-030	REP-XA	00-14-079	16-350-010	AMD-XA	00-14-078
16-322-040	AMD	00-23-095	16-328-030	REP	00-19-034	16-350-010	AMD	00-19-036
16-322-045	AMD-P	00-20-090	16-328-035	REP-XA	00-14-079	16-350-015	AMD-XA	00-14-078
16-322-045	AMD	00-23-095	16-328-035	REP	00-19-034	16-350-015	AMD	00-19-036
16-324-361	AMD-XA	00-16-111	16-328-038	REP-XA	00-14-079	16-350-020	AMD-XA	00-14-078
16-324-361	AMD	00-20-070	16-328-038	REP	00-19-034	16-350-020	AMD	00-19-036
16-324-370	AMD-XA	00-16-111	16-328-045	NEW-XA	00-14-079	16-350-025	AMD-XA	00-14-078
16-324-370	AMD	00-20-070	16-328-045	NEW	00-19-034	16-350-025	AMD	00-19-036
16-324-375	AMD-XA	00-16-111	16-328-060	AMD-XA	00-14-079	16-350-030	AMD-XA	00-14-078
16-324-375	AMD	00-20-070	16-328-060	AMD	00-19-034	16-350-030	AMD	00-19-036
16-324-381	AMD-XA	00-16-111	16-328-065	AMD-XA	00-14-079	16-350-032	AMD-XA	00-14-078
16-324-381	AMD	00-20-070	16-328-065	AMD	00-19-034	16-350-032	AMD	00-19-036
16-324-382	AMD-XA	00-16-111	16-328-080	REP-XA	00-14-079	16-350-035	AMD-XA	00-14-078
16-324-382	AMD	00-20-070	16-328-080	REP	00-19-034	16-350-035	AMD	00-19-036
16-324-385	NEW-XA	00-16-111	16-328-083	AMD-XA	00-14-079	16-350-040	AMD-XA	00-14-078
16-324-385	NEW	00-20-070	16-328-083	AMD	00-19-034	16-350-040	AMD	00-19-036

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16-350-045	AMD-XA	00-14-078	16-478-001	REP	00-23-097	16-487-110	AMD-P	00-20-091
16-350-045	AMD	00-19-036	16-478-00101	REP-P	00-20-068	16-487-110	AMD	00-24-022
16-350-050	AMD-XA	00-14-078	16-478-00101	REP	00-23-097	16-487-120	AMD-P	00-20-091
16-350-050	AMD	00-19-036	16-478-010	AMD-P	00-20-068	16-487-120	AMD	00-24-022
16-350-060	REP-XA	00-14-078	16-478-010	AMD	00-23-097	16-487-140	AMD-P	00-20-091
16-350-060	REP	00-19-036	16-478-030	AMD-P	00-20-068	16-487-140	AMD	00-24-022
16-350-065	REP-XA	00-14-078	16-478-030	AMD	00-23-097	16-487-150	AMD-P	00-20-091
16-350-065	REP	00-19-036	16-478-040	AMD-P	00-20-068	16-487-150	AMD	00-24-022
16-350-070	REP-XA	00-14-078	16-478-040	AMD	00-23-097	16-487-160	AMD-P	00-20-091
16-350-070	REP	00-19-036	16-478-050	AMD-P	00-20-068	16-487-160	AMD	00-24-022
16-350-075	REP-XA	00-14-078	16-478-050	AMD	00-23-097	16-487-200	AMD-P	00-20-091
16-350-075	REP	00-19-036	16-478-060	REP-P	00-20-068	16-487-200	AMD	00-24-022
16-404	PREP	00-03-083	16-478-060	REP	00-23-097	16-487-210	AMD-P	00-20-091
16-409	PREP	00-03-085	16-478-065	NEW-P	00-20-068	16-487-210	AMD	00-24-022
16-414	PREP	00-07-132	16-478-065	NEW	00-23-097	16-487-230	AMD-P	00-20-091
16-439	PREP	00-07-134	16-478-070	REP-P	00-20-068	16-487-230	AMD	00-24-022
16-442	PREP	00-07-133	16-478-070	REP	00-23-097	16-487-240	REP-P	00-20-091
16-445	PREP	00-03-084	16-478-070	REP	00-23-097	16-487-240	REP	00-24-022
16-449	PREP	00-15-010	16-478-080	REP-P	00-20-068	16-487-240	REP	00-24-022
16-459	PREP	00-15-010	16-478-080	REP	00-23-097	16-487-250	AMD-P	00-20-091
16-463	PREP	00-07-135	16-478-090	REP-P	00-20-068	16-487-250	AMD	00-24-022
16-470	PREP	00-16-048	16-478-090	REP	00-23-097	16-487-300	AMD-P	00-20-091
16-470	PREP	00-16-049	16-478-100	REP-P	00-20-068	16-487-300	AMD	00-24-022
16-470	PREP	00-16-050	16-478-100	REP	00-23-097	16-487-310	AMD-P	00-20-091
16-470	PREP	00-17-185	16-483	AMD-C	00-04-066	16-487-310	AMD	00-24-022
16-470	PREP	00-21-021	16-483	PREP	00-18-102	16-487-320	AMD-P	00-20-091
16-470-010	AMD-P	00-20-067	16-483-001	AMD	00-05-105	16-487-320	AMD	00-24-022
16-470-010	AMD	00-23-098	16-483-001	AMD-P	00-20-092	16-487-330	AMD-P	00-20-091
16-470-015	REP-P	00-20-067	16-483-001	AMD	00-23-096	16-487-330	AMD	00-24-022
16-470-015	REP	00-23-098	16-483-005	AMD	00-05-105	16-487-335	AMD-P	00-20-091
16-470-300	AMD-XA	00-20-108	16-483-010	AMD	00-05-105	16-487-335	AMD	00-24-022
16-470-300	AMD	01-01-013	16-483-020	AMD	00-05-105	16-493-001	REP-P	00-19-100
16-470-305	NEW-XA	00-20-108	16-483-030	AMD	00-05-105	16-493-001	REP	00-24-077
16-470-305	NEW	01-01-013	16-483-030	AMD-P	00-20-092	16-493-005	REP-P	00-19-100
16-470-310	AMD-XA	00-20-108	16-483-030	AMD	00-23-096	16-493-005	REP	00-24-077
16-470-310	AMD	01-01-013	16-483-040	AMD	00-05-105	16-493-010	REP-P	00-19-100
16-470-320	AMD-XA	00-20-108	16-483-050	AMD	00-05-105	16-493-010	REP	00-24-077
16-470-320	AMD	01-01-013	16-483-060	REP	00-05-105	16-493-015	REP-P	00-19-100
16-470-330	AMD-XA	00-20-108	16-487	AMD-P	00-20-091	16-493-015	REP	00-24-077
16-470-330	AMD	01-01-013	16-487-005	AMD-P	00-20-091	16-493-015	REP	00-24-077
16-470-700	AMD-P	00-20-067	16-487-005	AMD	00-24-022	16-493-020	REP-P	00-19-100
16-470-700	AMD	00-23-098	16-487-010	AMD-P	00-20-091	16-493-020	REP	00-24-077
16-470-705	AMD-P	00-20-067	16-487-010	AMD	00-24-022	16-493-025	REP-P	00-19-100
16-470-705	AMD	00-23-098	16-487-015	AMD-P	00-20-091	16-493-025	REP	00-24-077
16-470-710	AMD-P	00-20-067	16-487-015	AMD	00-24-022	16-493-030	REP-P	00-19-100
16-470-710	AMD	00-23-098	16-487-017	AMD-P	00-20-091	16-493-030	REP	00-24-077
16-470-715	AMD-P	00-20-067	16-487-017	AMD	00-24-022	16-493-035	REP-P	00-19-100
16-470-715	AMD	00-23-098	16-487-020	AMD-P	00-20-091	16-493-035	REP	00-24-077
16-470-720	AMD-P	00-20-067	16-487-020	AMD	00-24-022	16-493-040	REP-P	00-19-100
16-470-720	AMD	00-23-098	16-487-020	AMD	00-24-022	16-493-040	REP	00-24-077
16-472-010	AMD-XA	00-16-110	16-487-023	AMD-P	00-20-091	16-493-045	REP-P	00-19-100
16-472-010	AMD	00-20-069	16-487-023	AMD	00-24-022	16-493-045	REP	00-24-077
16-472-020	AMD-XA	00-16-110	16-487-025	AMD-P	00-20-091	16-493-050	REP-P	00-19-100
16-472-020	AMD	00-20-069	16-487-025	AMD	00-24-022	16-493-050	REP	00-24-077
16-472-030	AMD-XA	00-16-110	16-487-030	AMD-P	00-20-091	16-494-001	REP-P	00-19-100
16-472-030	AMD	00-20-069	16-487-030	AMD	00-24-022	16-494-001	REP	00-24-077
16-472-040	AMD-XA	00-16-110	16-487-040	AMD-P	00-20-091	16-494-010	REP-P	00-19-100
16-472-040	AMD	00-20-069	16-487-040	AMD	00-24-022	16-494-010	REP	00-24-077
16-472-050	REP-XA	00-16-110	16-487-050	AMD-P	00-20-091	16-494-012	REP-P	00-19-100
16-472-050	REP	00-20-069	16-487-050	AMD	00-24-022	16-494-012	REP	00-24-077
16-478	PREP	00-16-047	16-487-060	AMD-P	00-20-091	16-494-013	REP-P	00-19-100
16-478-001	REP-P	00-20-068	16-487-060	AMD	00-24-022	16-494-013	REP	00-24-077
			16-487-100	AMD-P	00-20-091	16-494-020	REP-P	00-19-100
			16-487-100	AMD	00-24-022	16-494-020	REP	00-24-077

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16-494-030	REP-P	00-19-100	16-514-020	REP-P	00-19-087	16-606-001	REP-XR	00-20-099
16-494-030	REP	00-24-077	16-514-020	REP	00-24-060	16-606-001	REP	00-23-093
16-494-042	REP-P	00-19-100	16-514-030	REP-P	00-19-087	16-606-009	REP-XR	00-20-099
16-494-042	REP	00-24-077	16-514-030	REP	00-24-060	16-606-009	REP	00-23-093
16-494-043	REP-P	00-19-100	16-514-040	REP-P	00-19-087	16-606-010	REP-XR	00-20-099
16-494-043	REP	00-24-077	16-514-040	REP	00-24-060	16-606-010	REP	00-23-093
16-494-044	REP-P	00-19-100	16-514-041	REP-P	00-19-087	16-606-020	REP-XR	00-20-099
16-494-044	REP	00-24-077	16-514-041	REP	00-24-060	16-606-020	REP	00-23-093
16-494-045	REP-P	00-19-100	16-514-050	REP-P	00-19-087	16-621-001	REP-P	00-17-183
16-494-045	REP	00-24-077	16-514-050	REP	00-24-060	16-621-001	REP	00-22-071
16-494-046	REP-P	00-19-100	16-514-060	REP-P	00-19-087	16-621-010	REP-P	00-17-183
16-494-046	REP	00-24-077	16-514-060	REP	00-24-060	16-621-010	REP	00-22-071
16-494-047	REP-P	00-19-100	16-514-070	REP-P	00-19-087	16-621-030	REP-P	00-17-183
16-494-047	REP	00-24-077	16-514-070	REP	00-24-060	16-621-030	REP	00-22-071
16-494-062	REP-P	00-19-100	16-514-080	REP-P	00-19-087	16-621-040	REP-P	00-17-183
16-494-062	REP	00-24-077	16-514-080	REP	00-24-060	16-621-040	REP	00-22-071
16-494-063	REP-P	00-19-100	16-516-010	AMD-XA	00-07-079	16-622	PREP	00-12-007
16-494-063	REP	00-24-077	16-516-010	AMD	00-11-180	16-623-001	NEW-P	00-17-175
16-494-064	REP-P	00-19-100	16-516-020	AMD-XA	00-07-079	16-623-001	NEW	00-22-071
16-494-064	REP	00-24-077	16-516-020	AMD	00-11-180	16-623-010	NEW-P	00-17-175
16-494-100	REP-P	00-19-100	16-536-040	AMD-P	00-05-089	16-623-010	NEW	00-22-071
16-494-100	REP	00-24-077	16-536-040	AMD-W	00-17-121	16-623-020	NEW-P	00-17-175
16-494-110	REP-P	00-19-100	16-550-020	AMD-XA	00-05-090	16-623-020	NEW	00-22-071
16-494-110	REP	00-24-077	16-550-020	AMD	00-10-022	16-623-030	NEW-P	00-17-175
16-494-120	REP-P	00-19-100	16-550-040	AMD-P	00-21-078	16-623-030	NEW	00-22-071
16-494-120	REP	00-24-077	16-555-020	AMD-XA	00-05-091	16-623-040	NEW-P	00-17-175
16-494-130	REP-P	00-19-100	16-555-020	AMD	00-10-024	16-623-040	NEW	00-22-071
16-494-130	REP	00-24-077	16-557	REP-C	00-08-066	16-623-050	NEW-P	00-17-175
16-494-140	REP-P	00-19-100	16-557	REP-C	00-09-026	16-623-050	NEW	00-22-071
16-494-140	REP	00-24-077	16-557-010	REP-C	00-07-136	16-623-060	NEW-P	00-17-175
16-494-150	REP-P	00-19-100	16-557-010	REP-W	00-10-066	16-623-060	NEW	00-22-071
16-494-150	REP	00-24-077	16-557-020	REP-C	00-07-136	16-662-105	AMD-P	00-09-090
16-494-160	REP-P	00-19-100	16-557-020	REP-W	00-10-066	16-662-105	AMD	00-14-005
16-494-160	REP	00-24-077	16-557-025	REP-C	00-07-136	16-663	PREP	00-13-078
16-494-170	REP-P	00-19-100	16-557-025	REP-W	00-10-066	16-663	AMD-P	00-17-184
16-494-170	REP	00-24-077	16-557-030	REP-C	00-07-136	16-663	AMD	00-22-072
16-495-004	REP-P	00-19-100	16-557-030	REP-W	00-10-066	16-663-001	REP-P	00-17-184
16-495-004	REP	00-24-077	16-557-040	REP-C	00-07-136	16-663-001	REP	00-22-072
16-495-010	REP-P	00-19-100	16-557-040	REP-W	00-10-066	16-663-010	REP-P	00-17-184
16-495-010	REP	00-24-077	16-557-041	REP-C	00-07-136	16-663-010	REP	00-22-072
16-495-020	REP-P	00-19-100	16-557-041	REP-W	00-10-066	16-663-020	REP-P	00-17-184
16-495-020	REP	00-24-077	16-557-050	REP-C	00-07-136	16-663-020	REP	00-22-072
16-495-030	REP-P	00-19-100	16-557-050	REP-W	00-10-066	16-663-030	REP-P	00-17-184
16-495-030	REP	00-24-077	16-557-060	REP-C	00-07-136	16-663-030	REP	00-22-072
16-495-040	REP-P	00-19-100	16-557-060	REP-W	00-10-066	16-663-040	REP-P	00-17-184
16-495-040	REP	00-24-077	16-557-070	REP-C	00-07-136	16-663-040	REP	00-22-072
16-495-050	REP-P	00-19-100	16-557-070	REP-W	00-10-066	16-663-050	REP-P	00-17-184
16-495-050	REP	00-24-077	16-557-080	REP-C	00-07-136	16-663-050	REP	00-22-072
16-495-060	REP-P	00-19-100	16-557-080	REP-W	00-10-066	16-663-060	REP-P	00-17-184
16-495-060	REP	00-24-077	16-565-020	AMD-XA	00-05-092	16-663-060	REP	00-22-072
16-495-090	REP-P	00-19-100	16-565-020	AMD	00-10-023	16-663-100	NEW-P	00-17-184
16-495-090	REP	00-24-077	16-570	PREP	00-10-109	16-663-100	NEW	00-22-072
16-495-095	REP-P	00-19-100	16-573	PREP	00-10-108	16-663-110	NEW-P	00-17-184
16-495-095	REP	00-24-077	16-580-010	REP-XR	01-01-091	16-663-110	NEW	00-22-072
16-495-100	REP-P	00-19-100	16-580-020	REP-XR	01-01-091	16-663-120	NEW-P	00-17-184
16-495-100	REP	00-24-077	16-580-030	REP-XR	01-01-091	16-663-120	NEW	00-22-072
16-495-105	REP-P	00-19-100	16-580-040	REP-XR	01-01-091	16-663-130	NEW-P	00-17-184
16-495-105	REP	00-24-077	16-580-041	REP-XR	01-01-091	16-663-130	NEW	00-22-072
16-495-110	REP-P	00-19-100	16-580-050	REP-XR	01-01-091	16-663-140	NEW-P	00-17-184
16-495-110	REP	00-24-077	16-580-060	REP-XR	01-01-091	16-663-140	NEW	00-22-072
16-514-010	REP-P	00-19-087	16-580-070	REP-XR	01-01-091	16-663-150	NEW-P	00-17-184
16-514-010	REP	00-24-060	16-580-080	REP-XR	01-01-091	16-663-150	NEW	00-22-072

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16-663-160	NEW-P	00-17-184	50- 12-050	DECOD-X	00-13-101	50- 12-230	DECOD-X	00-13-101
16-663-160	NEW	00-22-072	50- 12-050	DECOD	00-17-141	50- 12-230	AMD	00-17-141
16-663-170	NEW-P	00-17-184	50- 12-060	AMD-XA	00-13-101	50- 12-230	DECOD	00-17-141
16-663-170	NEW	00-22-072	50- 12-060	DECOD-X	00-13-101	50- 12-240	DECOD-X	00-13-101
16-664	PREP	00-13-080	50- 12-060	AMD	00-17-141	50- 12-240	DECOD	00-17-141
16-674	PREP	00-13-079	50- 12-060	DECOD	00-17-141	50- 12-250	AMD-XA	00-13-101
16-674-092	REP-P	00-18-010	50- 12-070	AMD-XA	00-13-101	50- 12-250	DECOD-X	00-13-101
16-674-092	REP	00-22-072	50- 12-070	DECOD-X	00-13-101	50- 12-250	AMD	00-17-141
16-690	PREP	00-15-010	50- 12-070	AMD	00-17-141	50- 12-250	DECOD	00-17-141
16-692-001	REP-P	00-17-183	50- 12-070	DECOD	00-17-141	50- 12-260	DECOD-X	00-13-101
16-692-001	REP	00-22-071	50- 12-080	DECOD-X	00-13-101	50- 12-260	DECOD	00-17-141
16-692-010	REP-P	00-17-183	50- 12-080	DECOD	00-17-141	50- 12-270	DECOD-X	00-13-101
16-692-010	REP	00-22-071	50- 12-090	DECOD-X	00-13-101	50- 12-270	DECOD	00-17-141
16-694-001	REP-P	00-17-183	50- 12-090	DECOD	00-17-141	50- 12-280	DECOD-X	00-13-101
16-694-001	REP	00-22-071	50- 12-100	DECOD-X	00-13-101	50- 12-280	DECOD	00-17-141
16-694-010	REP-P	00-17-183	50- 12-100	DECOD	00-17-141	50- 12-290	DECOD-X	00-13-101
16-694-010	REP	00-22-071	50- 12-110	DECOD-X	00-13-101	50- 12-290	DECOD	00-17-141
16-694-020	REP-P	00-17-183	50- 12-110	DECOD	00-17-141	50- 12-300	DECOD-X	00-13-101
16-694-020	REP	00-22-071	50- 12-115	DECOD-X	00-13-101	50- 12-300	DECOD	00-17-141
16-694-021	REP-P	00-17-183	50- 12-115	DECOD	00-17-141	50- 12-310	AMD-XA	00-13-101
16-694-021	REP	00-22-071	50- 12-116	DECOD-X	00-13-101	50- 12-310	DECOD-X	00-13-101
16-750	PREP	00-13-002	50- 12-116	DECOD	00-17-141	50- 12-310	AMD	00-17-141
16-750-011	AMD-P	00-20-026	50- 12-117	AMD-XA	00-13-101	50- 12-310	DECOD	00-17-141
16-750-011	AMD	00-24-017	50- 12-117	DECOD-X	00-13-101	50- 12-320	DECOD-X	00-13-101
16-750-015	AMD-P	00-20-026	50- 12-117	AMD	00-17-141	50- 12-320	DECOD	00-17-141
16-750-015	AMD	00-24-017	50- 12-117	DECOD	00-17-141	50- 12-330	DECOD-X	00-13-101
16-752-500	AMD-P	00-21-116	50- 12-120	AMD-XA	00-13-101	50- 12-330	DECOD	00-17-141
16-752-500	AMD	01-01-014	50- 12-120	DECOD-X	00-13-101	50- 12-340	DECOD-X	00-13-101
16-752-505	AMD-P	00-21-116	50- 12-120	AMD	00-17-141	50- 12-340	DECOD	00-17-141
16-752-505	AMD	01-01-014	50- 12-120	DECOD	00-17-141	50- 12-350	AMD-XA	00-13-101
16-752-515	AMD-P	00-21-116	50- 12-130	DECOD-X	00-13-101	50- 12-350	DECOD-X	00-13-101
16-752-515	AMD	01-01-014	50- 12-130	DECOD	00-17-141	50- 12-350	AMD	00-17-141
16-752-520	AMD-P	00-21-116	50- 12-140	AMD-XA	00-13-101	50- 12-350	DECOD	00-17-141
16-752-520	AMD	01-01-014	50- 12-140	DECOD-X	00-13-101	50- 12-360	DECOD-X	00-13-101
16-752-600	AMD-P	00-19-102	50- 12-140	AMD	00-17-141	50- 12-360	DECOD	00-17-141
16-752-600	AMD-C	00-21-053	50- 12-140	DECOD	00-17-141	50- 12-370	AMD-XA	00-13-101
16-752-600	AMD	00-24-021	50- 12-150	AMD-XA	00-13-101	50- 12-370	DECOD-X	00-13-101
16-752-610	AMD-P	00-19-102	50- 12-150	DECOD-X	00-13-101	50- 12-370	AMD	00-17-141
16-752-610	AMD-C	00-21-053	50- 12-150	AMD	00-17-141	50- 12-370	DECOD	00-17-141
16-752-610	AMD	00-24-021	50- 12-150	DECOD	00-17-141	50- 14-010	AMD-XA	00-13-101
16-752-630	AMD-P	00-19-102	50- 12-160	AMD-XA	00-13-101	50- 14-010	DECOD-X	00-13-101
16-752-630	AMD-C	00-21-053	50- 12-160	DECOD-X	00-13-101	50- 14-010	AMD	00-17-141
16-752-630	AMD	00-24-021	50- 12-160	AMD	00-17-141	50- 14-010	DECOD	00-17-141
16-752-650	AMD-P	00-19-102	50- 12-160	DECOD	00-17-141	50- 14-020	AMD-XA	00-13-101
16-752-650	AMD-C	00-21-053	50- 12-170	DECOD-X	00-13-101	50- 14-020	DECOD-X	00-13-101
16-752-650	AMD	00-24-021	50- 12-170	DECOD	00-17-141	50- 14-020	AMD	00-17-141
24- 12-010	AMD-XA	00-17-174	50- 12-180	DECOD-X	00-13-101	50- 14-020	DECOD	00-17-141
24- 12-010	AMD	00-23-064	50- 12-180	DECOD	00-17-141	50- 14-030	AMD-XA	00-13-101
25- 48	PREP	00-11-170	50- 12-190	DECOD-X	00-13-101	50- 14-030	DECOD-X	00-13-101
44- 10-010	AMD	00-08-068	50- 12-190	DECOD	00-17-141	50- 14-030	AMD	00-17-141
44- 10-170	AMD	00-08-068	50- 12-200	AMD-XA	00-13-101	50- 14-030	DECOD	00-17-141
44- 10-200	AMD	00-08-068	50- 12-200	DECOD-X	00-13-101	50- 14-040	AMD-XA	00-13-101
50- 12-020	DECOD-X	00-13-101	50- 12-200	AMD	00-17-141	50- 14-040	DECOD-X	00-13-101
50- 12-020	DECOD	00-17-141	50- 12-200	DECOD	00-17-141	50- 14-040	AMD	00-17-141
50- 12-030	AMD-XA	00-13-101	50- 12-210	AMD-XA	00-13-101	50- 14-040	DECOD	00-17-141
50- 12-030	DECOD-X	00-13-101	50- 12-210	DECOD-X	00-13-101	50- 14-050	AMD-XA	00-13-101
50- 12-030	AMD	00-17-141	50- 12-210	AMD	00-17-141	50- 14-050	DECOD-X	00-13-101
50- 12-030	DECOD	00-17-141	50- 12-210	DECOD	00-17-141	50- 14-050	AMD	00-17-141
50- 12-045	AMD-XA	00-13-101	50- 12-220	DECOD-X	00-13-101	50- 14-050	DECOD	00-17-141
50- 12-045	DECOD-X	00-13-101	50- 12-220	DECOD	00-17-141	50- 14-060	AMD-XA	00-13-101
50- 12-045	AMD	00-17-141	50- 12-230	PREP	00-13-099	50- 14-060	DECOD-X	00-13-101
50- 12-045	DECOD	00-17-141	50- 12-230	AMD-XA	00-13-101	50- 14-060	AMD	00-17-141

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50- 14-060	DECOD	00-17-141	50- 32-020	DECOD	00-18-103	50- 36-100	DECOD	00-17-141
50- 14-070	AMD-XA	00-13-101	50- 32-030	AMD-XA	00-14-053	50- 36-110	DECOD-X	00-13-101
50- 14-070	DECOD-X	00-13-101	50- 32-030	DECOD-X	00-14-053	50- 36-110	DECOD	00-17-141
50- 14-070	AMD	00-17-141	50- 32-030	AMD	00-18-103	50- 36-120	DECOD-X	00-13-101
50- 14-070	DECOD	00-17-141	50- 32-030	DECOD	00-18-103	50- 36-120	DECOD	00-17-141
50- 14-080	AMD-XA	00-13-101	50- 32-040	AMD-XA	00-14-053	50- 44-005	AMD-XA	00-13-101
50- 14-080	DECOD-X	00-13-101	50- 32-040	DECOD-X	00-14-053	50- 44-005	DECOD-X	00-13-101
50- 14-080	AMD	00-17-141	50- 32-040	AMD	00-18-103	50- 44-005	AMD	00-17-141
50- 14-080	DECOD	00-17-141	50- 32-040	DECOD	00-18-103	50- 44-005	DECOD	00-17-141
50- 14-090	AMD-XA	00-13-101	50- 32-050	DECOD-X	00-14-053	50- 44-010	AMD-XA	00-13-101
50- 14-090	DECOD-X	00-13-101	50- 32-050	DECOD	00-18-103	50- 44-010	DECOD-X	00-13-101
50- 14-090	AMD	00-17-141	50- 32-060	DECOD-X	00-14-053	50- 44-010	AMD	00-17-141
50- 14-090	DECOD	00-17-141	50- 32-060	DECOD	00-18-103	50- 44-010	DECOD	00-17-141
50- 14-100	AMD-XA	00-13-101	50- 32-070	DECOD-X	00-14-053	50- 44-020	AMD-XA	00-13-101
50- 14-100	DECOD-X	00-13-101	50- 32-070	DECOD	00-18-103	50- 44-020	DECOD-X	00-13-101
50- 14-100	AMD	00-17-141	50- 32-080	DECOD-X	00-14-053	50- 44-020	AMD	00-17-141
50- 14-100	DECOD	00-17-141	50- 32-080	DECOD	00-18-103	50- 44-020	DECOD	00-17-141
50- 14-110	DECOD-X	00-13-101	50- 32-090	AMD-XA	00-14-053	50- 44-025	DECOD-X	00-13-101
50- 14-110	DECOD	00-17-141	50- 32-090	DECOD-X	00-14-053	50- 44-025	DECOD	00-17-141
50- 14-120	AMD-XA	00-13-101	50- 32-090	AMD	00-18-103	50- 44-030	AMD-XA	00-13-101
50- 14-120	DECOD-X	00-13-101	50- 32-090	DECOD	00-18-103	50- 44-030	DECOD-X	00-13-101
50- 14-120	AMD	00-17-141	50- 32-100	DECOD-X	00-14-053	50- 44-030	AMD	00-17-141
50- 14-120	DECOD	00-17-141	50- 32-100	DECOD	00-18-103	50- 44-030	DECOD	00-17-141
50- 14-130	AMD-XA	00-13-101	50- 32-99001	AMD-XA	00-14-053	50- 44-037	DECOD-X	00-13-101
50- 14-130	DECOD-X	00-13-101	50- 32-99001	DECOD-X	00-14-053	50- 44-037	DECOD	00-17-141
50- 14-130	AMD	00-17-141	50- 32-99001	AMD	00-18-103	50- 44-039	DECOD-X	00-13-101
50- 14-130	DECOD	00-17-141	50- 32-99001	DECOD	00-18-103	50- 44-039	DECOD	00-17-141
50- 14-140	DECOD-X	00-13-101	50- 32-99002	AMD-XA	00-14-053	50- 44-050	AMD-XA	00-13-101
50- 14-140	DECOD	00-17-141	50- 32-99002	DECOD-X	00-14-053	50- 44-050	DECOD-X	00-13-101
50- 28-010	DECOD-X	00-13-101	50- 32-99002	AMD	00-18-103	50- 44-050	AMD	00-17-141
50- 28-010	DECOD	00-17-141	50- 32-99002	DECOD	00-18-103	50- 44-050	DECOD	00-17-141
50- 28-020	AMD-XA	00-13-101	50- 32-99003	AMD-XA	00-14-053	50- 44-060	AMD-XA	00-13-101
50- 28-020	DECOD-X	00-13-101	50- 32-99003	DECOD-X	00-14-053	50- 44-060	DECOD-X	00-13-101
50- 28-020	AMD	00-17-141	50- 32-99003	AMD	00-18-103	50- 44-060	AMD	00-17-141
50- 28-020	DECOD	00-17-141	50- 32-99003	DECOD	00-18-103	50- 44-060	DECOD	00-17-141
50- 28-030	AMD-XA	00-13-101	50- 36-010	DECOD-X	00-13-101	50- 48-010	AMD-XA	00-13-101
50- 28-030	DECOD-X	00-13-101	50- 36-010	DECOD	00-17-141	50- 48-010	DECOD-X	00-13-101
50- 28-030	AMD	00-17-141	50- 36-020	AMD-XA	00-13-101	50- 48-010	AMD	00-17-141
50- 28-030	DECOD	00-17-141	50- 36-020	DECOD-X	00-13-101	50- 48-010	DECOD	00-17-141
50- 28-040	DECOD-X	00-13-101	50- 36-020	AMD	00-17-141	50- 48-020	AMD-XA	00-13-101
50- 28-040	DECOD	00-17-141	50- 36-020	DECOD	00-17-141	50- 48-020	DECOD-X	00-13-101
50- 28-050	AMD-XA	00-13-101	50- 36-030	DECOD-X	00-13-101	50- 48-020	AMD	00-17-141
50- 28-050	DECOD-X	00-13-101	50- 36-030	DECOD	00-17-141	50- 48-020	DECOD	00-17-141
50- 28-050	AMD	00-17-141	50- 36-040	DECOD-X	00-13-101	50- 48-030	AMD-XA	00-13-101
50- 28-050	DECOD	00-17-141	50- 36-040	DECOD	00-17-141	50- 48-030	DECOD-X	00-13-101
50- 28-060	AMD-XA	00-13-101	50- 36-050	AMD-XA	00-13-101	50- 48-030	AMD	00-17-141
50- 28-060	DECOD-X	00-13-101	50- 36-050	DECOD-X	00-13-101	50- 48-030	DECOD	00-17-141
50- 28-060	AMD	00-17-141	50- 36-050	AMD	00-17-141	50- 48-040	DECOD-X	00-13-101
50- 28-060	DECOD	00-17-141	50- 36-050	DECOD	00-17-141	50- 48-040	DECOD	00-17-141
50- 28-070	AMD-XA	00-13-101	50- 36-060	DECOD-X	00-13-101	50- 48-050	DECOD-X	00-13-101
50- 28-070	DECOD-X	00-13-101	50- 36-060	DECOD	00-17-141	50- 48-050	DECOD	00-17-141
50- 28-070	AMD	00-17-141	50- 36-070	DECOD-X	00-13-101	50- 48-060	AMD-XA	00-13-101
50- 28-070	DECOD	00-17-141	50- 36-070	DECOD	00-17-141	50- 48-060	DECOD-X	00-13-101
50- 28-990	AMD-XA	00-13-101	50- 36-080	AMD-XA	00-13-101	50- 48-060	AMD	00-17-141
50- 28-990	DECOD-X	00-13-101	50- 36-080	DECOD-X	00-13-101	50- 48-060	DECOD	00-17-141
50- 28-990	AMD	00-17-141	50- 36-080	AMD	00-17-141	50- 48-070	AMD-XA	00-13-101
50- 28-990	DECOD	00-17-141	50- 36-080	DECOD	00-17-141	50- 48-070	DECOD-X	00-13-101
50- 32-010	DECOD-X	00-14-053	50- 36-090	AMD-XA	00-13-101	50- 48-070	AMD	00-17-141
50- 32-010	DECOD	00-18-103	50- 36-090	DECOD-X	00-13-101	50- 48-070	DECOD	00-17-141
50- 32-020	AMD-XA	00-14-053	50- 36-090	AMD	00-17-141	50- 48-080	DECOD-X	00-13-101
50- 32-020	DECOD-X	00-14-053	50- 36-090	DECOD	00-17-141	50- 48-080	DECOD	00-17-141
50- 32-020	AMD	00-18-103	50- 36-100	DECOD-X	00-13-101	50- 48-090	AMD-XA	00-13-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
50-48-090	DECOD-X	00-13-101	51-11-0626	AMD-P	00-16-131	51-11-1433	AMD-S	00-18-017
50-48-090	AMD	00-17-141	51-11-0626	AMD-S	00-18-017	51-11-1435	AMD-P	00-16-131
50-48-090	DECOD	00-17-141	51-11-0627	AMD-P	00-16-131	51-11-1435	AMD-S	00-18-017
50-48-100	AMD-XA	00-13-101	51-11-0627	AMD-S	00-18-017	51-11-1438	AMD-P	00-16-131
50-48-100	DECOD-X	00-13-101	51-11-0628	AMD-P	00-16-131	51-11-1438	AMD-S	00-18-017
50-48-100	AMD	00-17-141	51-11-0628	AMD-S	00-18-017	51-11-1439	NEW-P	00-16-131
50-48-100	DECOD	00-17-141	51-11-0630	AMD-P	00-16-131	51-11-1439	NEW-S	00-18-017
50-56-010	AMD-XA	00-13-101	51-11-0630	AMD-S	00-18-017	51-11-1443	NEW-P	00-16-131
50-56-010	DECOD-X	00-13-101	51-11-0701	AMD-P	00-16-131	51-11-1443	NEW-S	00-18-017
50-56-010	AMD	00-17-141	51-11-0701	AMD-S	00-18-017	51-11-1454	AMD-P	00-16-131
50-56-010	DECOD	00-17-141	51-11-1001	AMD-P	00-16-131	51-11-1454	AMD-S	00-18-017
50-56-020	AMD-XA	00-13-101	51-11-1001	AMD-S	00-18-017	51-11-1512	AMD-P	00-16-131
50-56-020	DECOD-X	00-13-101	51-11-1002	AMD-P	00-16-131	51-11-1512	AMD-S	00-18-017
50-56-020	AMD	00-17-141	51-11-1002	AMD-S	00-18-017	51-11-1513	AMD-P	00-16-131
50-56-020	DECOD	00-17-141	51-11-1003	AMD-P	00-16-131	51-11-1513	AMD-S	00-18-017
50-56-030	AMD-XA	00-13-101	51-11-1003	AMD-S	00-18-017	51-11-1521	AMD-P	00-16-131
50-56-030	DECOD-X	00-13-101	51-11-1004	AMD-P	00-16-131	51-11-1521	AMD-S	00-18-017
50-56-030	AMD	00-17-141	51-11-1004	AMD-S	00-18-017	51-11-1530	AMD-P	00-16-131
50-56-030	DECOD	00-17-141	51-11-1005	AMD-P	00-16-131	51-11-1530	AMD-S	00-18-017
50-56-040	AMD-XA	00-13-101	51-11-1005	AMD-S	00-18-017	51-11-1531	AMD-P	00-16-131
50-56-040	DECOD-X	00-13-101	51-11-1006	AMD-P	00-16-131	51-11-1531	AMD-S	00-18-017
50-56-040	AMD	00-17-141	51-11-1006	AMD-S	00-18-017	51-11-1532	AMD-P	00-16-131
50-56-040	DECOD	00-17-141	51-11-1007	AMD-P	00-16-131	51-11-1532	AMD-S	00-18-017
50-56-050	AMD-XA	00-13-101	51-11-1007	AMD-S	00-18-017	51-11-1701	REP-P	00-16-131
50-56-050	DECOD-X	00-13-101	51-11-1008	AMD-P	00-16-131	51-11-1701	REP-S	00-18-017
50-56-050	AMD	00-17-141	51-11-1008	AMD-S	00-18-017	51-11-2000	REP-P	00-16-131
50-56-050	DECOD	00-17-141	51-11-1009	AMD-P	00-16-131	51-11-2000	REP-S	00-18-017
50-56-060	AMD-XA	00-13-101	51-11-1009	AMD-S	00-18-017	51-11-2001	REP-P	00-16-131
50-56-060	DECOD-X	00-13-101	51-11-1132	AMD-S	00-18-017	51-11-2001	REP-S	00-18-017
50-56-060	AMD	00-17-141	51-11-1201	REP-P	00-16-131	51-11-2002	REP-P	00-16-131
50-56-060	DECOD	00-17-141	51-11-1201	REP-S	00-18-017	51-11-2002	REP-S	00-18-017
50-56-070	AMD-XA	00-13-101	51-11-1210	REP-P	00-16-131	51-11-2003	REP-P	00-16-131
50-56-070	DECOD-X	00-13-101	51-11-1210	REP-S	00-18-017	51-11-2003	REP-S	00-18-017
50-56-070	AMD	00-17-141	51-11-1312	AMD-P	00-16-131	51-11-2004	REP-P	00-16-131
50-56-070	DECOD	00-17-141	51-11-1312	AMD-S	00-18-017	51-11-2004	REP-S	00-18-017
50-56-080	AMD-XA	00-13-101	51-11-1313	AMD-P	00-16-131	51-11-2005	REP-P	00-16-131
50-56-080	DECOD-X	00-13-101	51-11-1313	AMD-S	00-18-017	51-11-2005	REP-S	00-18-017
50-56-080	AMD	00-17-141	51-11-1322	AMD-P	00-16-131	51-11-2006	REP-P	00-16-131
50-56-080	DECOD	00-17-141	51-11-1322	AMD-S	00-18-017	51-11-2006	REP-S	00-18-017
51-11-0101	AMD-S	00-18-017	51-11-1323	AMD-P	00-16-131	51-11-2007	REP-P	00-16-131
51-11-0201	AMD-P	00-16-131	51-11-1323	AMD-S	00-18-017	51-11-2007	REP-S	00-18-017
51-11-0201	AMD-S	00-18-017	51-11-1331	AMD-P	00-16-131	51-11-2008	REP-P	00-16-131
51-11-0502	AMD-P	00-16-131	51-11-1331	AMD-S	00-18-017	51-11-2008	REP-S	00-18-017
51-11-0502	AMD-S	00-18-017	51-11-1334	AMD-P	00-16-131	51-11-2009	REP-P	00-16-131
51-11-0503	AMD-P	00-16-131	51-11-1334	AMD-S	00-18-017	51-11-2009	REP-S	00-18-017
51-11-0503	AMD-S	00-18-017	51-11-1401	AMD-P	00-16-131	51-11-99902	AMD-P	00-16-131
51-11-0504	AMD-P	00-16-131	51-11-1401	AMD-S	00-18-017	51-11-99902	AMD-S	00-18-017
51-11-0504	AMD-S	00-18-017	51-11-1410	AMD-P	00-16-131	51-11-99903	AMD-P	00-16-131
51-11-0505	AMD-P	00-16-131	51-11-1410	AMD-S	00-18-017	51-11-99903	AMD-S	00-18-017
51-11-0505	AMD-S	00-18-017	51-11-1411	AMD-P	00-16-131	51-11-99904	AMD-P	00-16-131
51-11-0530	AMD-P	00-16-131	51-11-1411	AMD-S	00-18-017	51-11-99904	AMD-S	00-18-017
51-11-0530	AMD-S	00-18-017	51-11-1412	AMD-P	00-16-131	51-13-101	AMD-P	00-16-133
51-11-0601	AMD-P	00-16-131	51-11-1412	AMD-S	00-18-017	51-13-101	AMD-S	00-18-016
51-11-0601	AMD-S	00-18-017	51-11-1414	AMD-P	00-16-131	51-13-301	AMD-P	00-16-133
51-11-0602	AMD-P	00-16-131	51-11-1414	AMD-S	00-18-017	51-13-301	AMD-S	00-18-016
51-11-0602	AMD-S	00-18-017	51-11-1415	AMD-P	00-16-131	51-13-302	AMD-P	00-16-133
51-11-0604	AMD-P	00-16-131	51-11-1415	AMD-S	00-18-017	51-13-302	AMD-S	00-18-016
51-11-0604	AMD-S	00-18-017	51-11-1416	NEW-P	00-16-131	51-13-303	AMD-P	00-16-133
51-11-0605	AMD-P	00-16-131	51-11-1416	NEW-S	00-18-017	51-13-303	AMD-S	00-18-016
51-11-0605	AMD-S	00-18-017	51-11-1423	AMD-P	00-16-131	51-13-304	AMD-P	00-16-133
51-11-0625	AMD-P	00-16-131	51-11-1423	AMD-S	00-18-017	51-13-304	AMD-S	00-18-016
51-11-0625	AMD-S	00-18-017	51-11-1433	AMD-P	00-16-131	51-13-503	AMD-P	00-16-133

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-13-503	AMD-S	00-18-016	51-44-7900	AMD-P	00-16-132	51-46-0810	REP-P	00-16-129
51-40-0200	AMD-P	00-16-128	51-44-8000	AMD-P	00-16-132	51-46-0814	REP-P	00-16-129
51-40-0310	AMD-P	00-16-128	51-44-8102	NEW-P	00-16-132	51-46-0815	REP-P	00-16-129
51-40-0313	AMD-P	00-16-128	51-45-10100	NEW-P	00-16-132	51-46-0900	REP-P	00-16-129
51-40-0403	AMD-P	00-16-128	51-46-001	REP-P	00-16-129	51-46-0903	REP-P	00-16-129
51-40-0804	AMD-P	00-16-128	51-46-002	REP-P	00-16-129	51-46-1000	REP-P	00-16-129
51-40-0902	AMD-P	00-16-128	51-46-003	REP-P	00-16-129	51-46-1003	REP-P	00-16-129
51-40-1003	AMD-P	00-16-128	51-46-007	REP-P	00-16-129	51-46-1012	REP-P	00-16-129
51-40-1004	AMD-P	00-16-128	51-46-008	REP-P	00-16-129	51-46-1300	REP-P	00-16-129
51-40-1103	AMD-P	00-16-128	51-46-0100	REP-P	00-16-129	51-46-1301	REP-P	00-16-129
51-40-1104	AMD-P	00-16-128	51-46-0101	REP-P	00-16-129	51-46-1302	REP-P	00-16-129
51-40-1105	AMD-P	00-16-128	51-46-0102	REP-P	00-16-129	51-46-1303	REP-P	00-16-129
51-40-1106	AMD-P	00-16-128	51-46-0103	REP-P	00-16-129	51-46-1304	REP-P	00-16-129
51-40-1202	NEW-P	00-16-128	51-46-0200	REP-P	00-16-129	51-46-1305	REP-P	00-16-129
51-40-1203	AMD-P	00-16-128	51-46-0205	REP-P	00-16-129	51-46-1400	REP-P	00-16-129
51-40-1505	NEW-P	00-16-128	51-46-0215	REP-P	00-16-129	51-46-1401	REP-P	00-16-129
51-40-1600	NEW-P	00-16-128	51-46-0218	REP-P	00-16-129	51-46-1491	REP-P	00-16-129
51-40-1616	AMD-P	00-16-128	51-46-0300	REP-P	00-16-129	51-46-97120	REP-P	00-16-129
51-40-1700	NEW-P	00-16-128	51-46-0301	REP-P	00-16-129	51-46-97121	REP-P	00-16-129
51-40-1800	NEW-P	00-16-128	51-46-0310	REP-P	00-16-129	51-46-97122	REP-P	00-16-129
51-40-1900	NEW-P	00-16-128	51-46-0311	REP-P	00-16-129	51-46-97123	REP-P	00-16-129
51-40-2000	NEW-P	00-16-128	51-46-0313	REP-P	00-16-129	51-46-97124	REP-P	00-16-129
51-40-2100	NEW-P	00-16-128	51-46-0314	REP-P	00-16-129	51-46-97125	REP-P	00-16-129
51-40-2106	NEW-P	00-16-128	51-46-0316	REP-P	00-16-129	51-46-97126	REP-P	00-16-129
51-40-2200	NEW-P	00-16-128	51-46-0392	REP-P	00-16-129	51-46-97127	REP-P	00-16-129
51-40-2300	NEW-P	00-16-128	51-46-0400	REP-P	00-16-129	51-46-97128	REP-P	00-16-129
51-40-2900	AMD-P	00-16-128	51-46-0402	REP-P	00-16-129	51-46-97129	REP-P	00-16-129
51-40-2929	AMD-P	00-16-128	51-46-0412	REP-P	00-16-129	51-47-001	REP-P	00-16-129
51-40-3102	AMD-P	00-16-128	51-46-0413	REP-P	00-16-129	51-47-002	REP-P	00-16-129
51-40-31200	AMD-P	00-16-128	51-46-0500	REP-P	00-16-129	51-47-003	REP-P	00-16-129
51-42-0405	NEW-P	00-16-130	51-46-0501	REP-P	00-16-129	51-47-007	REP-P	00-16-129
51-42-1101	AMD-P	00-16-130	51-46-0502	REP-P	00-16-129	51-47-008	REP-P	00-16-129
51-42-1103	AMD-P	00-16-130	51-46-0505	REP-P	00-16-129	51-56-001	NEW-P	00-16-129
51-42-1105	AMD-P	00-16-130	51-46-0507	REP-P	00-16-129	51-56-002	NEW-P	00-16-129
51-42-1109	NEW-P	00-16-130	51-46-0509	REP-P	00-16-129	51-56-003	NEW-P	00-16-129
51-42-1110	NEW-P	00-16-130	51-46-0512	REP-P	00-16-129	51-56-007	NEW-P	00-16-129
51-42-1111	NEW-P	00-16-130	51-46-0513	REP-P	00-16-129	51-56-008	NEW-P	00-16-129
51-42-1112	NEW-P	00-16-130	51-46-0514	REP-P	00-16-129	51-56-0100	NEW-P	00-16-129
51-42-1113	NEW-P	00-16-130	51-46-0515	REP-P	00-16-129	51-56-0200	NEW-P	00-16-129
51-42-1114	NEW-P	00-16-130	51-46-0516	REP-P	00-16-129	51-56-0300	NEW-P	00-16-129
51-42-1115	NEW-P	00-16-130	51-46-0517	REP-P	00-16-129	51-56-0400	NEW-P	00-16-129
51-42-1116	NEW-P	00-16-130	51-46-0518	REP-P	00-16-129	51-56-0500	NEW-P	00-16-129
51-42-1117	NEW-P	00-16-130	51-46-0519	REP-P	00-16-129	51-56-0600	NEW-P	00-16-129
51-42-1118	NEW-P	00-16-130	51-46-0520	REP-P	00-16-129	51-56-0700	NEW-P	00-16-129
51-42-1119	NEW-P	00-16-130	51-46-0521	REP-P	00-16-129	51-56-0800	NEW-P	00-16-129
51-42-1120	NEW-P	00-16-130	51-46-0522	REP-P	00-16-129	51-56-0900	NEW-P	00-16-129
51-42-1121	NEW-P	00-16-130	51-46-0523	REP-P	00-16-129	51-56-1300	NEW-P	00-16-129
51-42-1122	NEW-P	00-16-130	51-46-0524	REP-P	00-16-129	51-56-1400	NEW-P	00-16-129
51-42-1123	NEW-P	00-16-130	51-46-0525	REP-P	00-16-129	51-56-1500	NEW-P	00-16-129
51-42-1124	NEW-P	00-16-130	51-46-0600	REP-P	00-16-129	51-56-201300	NEW-P	00-16-129
51-42-1126	NEW-P	00-16-130	51-46-0603	REP-P	00-16-129	51-57-001	NEW-P	00-16-129
51-42-1301	NEW-P	00-16-130	51-46-0604	REP-P	00-16-129	51-57-002	NEW-P	00-16-129
51-44-0103	AMD-P	00-16-132	51-46-0608	REP-P	00-16-129	51-57-003	NEW-P	00-16-129
51-44-0105	NEW-P	00-16-132	51-46-0609	REP-P	00-16-129	51-57-007	NEW-P	00-16-129
51-44-0200	AMD-P	00-16-132	51-46-0610	REP-P	00-16-129	51-57-008	NEW-P	00-16-129
51-44-1007	AMD-P	00-16-132	51-46-0700	REP-P	00-16-129	51-57-790000	NEW-P	00-16-129
51-44-1102	NEW-P	00-16-132	51-46-0701	REP-P	00-16-129	51-57-895000	NEW-P	00-16-129
51-44-1109	AMD-P	00-16-132	51-46-0704	REP-P	00-16-129	82-50-021	AMD-XA	00-05-016
51-44-2500	AMD-P	00-16-132	51-46-0710	REP-P	00-16-129	82-50-021	AMD	00-09-088
51-44-5200	AMD-P	00-16-132	51-46-0713	REP-P	00-16-129	112-10-010	AMD	00-05-036
51-44-6100	AMD-P	00-16-132	51-46-0793	REP-P	00-16-129	112-10-010	AMD-XA	00-18-075
51-44-6300	AMD-P	00-16-132	51-46-0800	REP-P	00-16-129	112-10-010	AMD	00-23-046

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
112- 10-020	AMD	00-05-036	118- 68-060	NEW-P	00-24-067	132E-120-250	NEW-P	00-06-063
112- 10-020	AMD-XA	00-18-075	118- 68-070	NEW-P	00-24-067	132E-120-250	NEW	00-17-015
112- 10-020	AMD	00-23-046	118- 68-080	NEW-P	00-24-067	132E-120-260	NEW-P	00-06-063
112- 10-030	AMD	00-05-036	118- 68-090	NEW-P	00-24-067	132E-120-260	NEW	00-17-015
112- 10-030	AMD-XA	00-18-075	131- 16	PREP	00-08-029	132E-120-270	NEW-P	00-06-063
112- 10-030	AMD	00-23-046	131- 16-021	AMD-E	00-09-050	132E-120-270	NEW	00-17-015
112- 10-040	AMD	00-05-036	131- 16-021	AMD-P	00-10-099	132E-120-280	NEW-P	00-06-063
112- 10-040	AMD-XA	00-18-075	131- 16-021	AMD	00-14-017	132E-120-280	NEW	00-17-015
112- 10-040	AMD	00-23-046	131- 16-031	AMD-E	00-09-050	132E-120-290	NEW-P	00-06-063
112- 10-050	AMD	00-05-036	131- 16-031	AMD-P	00-10-099	132E-120-290	NEW	00-17-015
112- 10-050	AMD-XA	00-18-075	131- 16-031	AMD	00-14-017	132E-120-300	NEW-P	00-06-063
112- 10-050	AMD	00-23-046	131- 16-450	PREP	00-07-128	132E-120-300	NEW	00-17-015
112- 10-060	AMD	00-05-036	131- 16-450	AMD-E	00-14-016	132E-120-310	NEW-P	00-06-063
112- 10-070	NEW	00-05-036	131- 16-450	AMD-P	00-15-037	132E-120-310	NEW	00-17-015
112- 10-070	AMD-XA	00-18-075	131- 16-450	AMD	00-20-039	132E-120-320	NEW-P	00-06-063
112- 10-070	AMD	00-23-046	132A-120-011	PREP	00-24-045	132E-120-320	NEW	00-17-015
112- 10-080	NEW	00-05-036	132A-120-021	PREP	00-24-045	132E-120-330	NEW-P	00-06-063
112- 10-080	AMD-XA	00-18-075	132E-108-040	AMD-XA	00-21-096	132E-120-330	NEW	00-17-015
112- 10-080	AMD	00-23-046	132E-120	PREP	00-02-082	132E-120-340	NEW-P	00-06-063
118- 03-330	REP	00-05-012	132E-120	AMD-P	00-06-063	132E-120-340	NEW	00-17-015
118- 04-060	AMD-XA	00-21-048	132E-120-010	DECOD-P	00-06-063	132E-120-350	NEW-P	00-06-063
118- 04-080	AMD-XA	00-21-048	132E-120-010	DECOD	00-17-015	132E-120-350	NEW	00-17-015
118- 04-100	AMD-XA	00-21-048	132E-120-020	AMD-P	00-06-063	132E-120-360	NEW-P	00-06-063
118- 04-120	AMD-XA	00-21-048	132E-120-020	DECOD-P	00-06-063	132E-120-360	NEW	00-17-015
118- 04-180	AMD-XA	00-21-048	132E-120-020	AMD	00-17-015	132E-120-370	NEW-P	00-06-063
118- 04-200	AMD-XA	00-21-048	132E-120-020	DECOD	00-17-015	132E-120-370	NEW	00-17-015
118- 04-220	AMD-XA	00-21-048	132E-120-030	AMD-P	00-06-063	132E-120-380	NEW-P	00-06-063
118- 04-240	AMD-XA	00-21-048	132E-120-030	DECOD-P	00-06-063	132E-120-380	NEW	00-17-015
118- 04-260	AMD-XA	00-21-048	132E-120-030	AMD	00-17-015	132E-120-390	NEW-P	00-06-063
118- 04-280	AMD-XA	00-21-048	132E-120-030	DECOD	00-17-015	132E-120-390	NEW	00-17-015
118- 04-300	AMD-XA	00-21-048	132E-120-040	AMD-P	00-06-063	132E-120-400	NEW-P	00-06-063
118- 04-320	AMD-XA	00-21-048	132E-120-040	DECOD-P	00-06-063	132E-120-400	NEW	00-17-015
118- 04-340	AMD-XA	00-21-048	132E-120-040	AMD	00-17-015	132E-120-410	NEW-P	00-06-063
118- 04-360	AMD-XA	00-21-048	132E-120-040	DECOD	00-17-015	132E-120-410	NEW	00-17-015
118- 04-380	AMD-XA	00-21-048	132E-120-110	NEW-P	00-06-063	132E-121-010	AMD-P	00-06-063
118- 04-400	AMD-XA	00-21-048	132E-120-110	NEW	00-17-015	132E-121-010	DECOD-P	00-06-063
118- 06-010	REP	00-05-011	132E-120-120	NEW-P	00-06-063	132E-121-010	AMD	00-17-015
118- 06-020	REP	00-05-011	132E-120-120	NEW	00-17-015	132E-121-010	DECOD	00-17-015
118- 06-030	REP	00-05-011	132E-120-130	NEW-P	00-06-063	132E-124-010	AMD-XA	00-21-096
118- 06-040	REP	00-05-011	132E-120-130	NEW	00-17-015	132E-124-020	AMD-P	00-06-063
118- 06-050	REP	00-05-011	132E-120-140	NEW-P	00-06-063	132E-124-020	DECOD-P	00-06-063
118- 06-060	REP	00-05-011	132E-120-140	NEW	00-17-015	132E-124-020	AMD	00-17-015
118- 06-070	REP	00-05-011	132E-120-150	NEW-P	00-06-063	132E-124-020	DECOD	00-17-015
118- 06-080	REP	00-05-011	132E-120-150	NEW	00-17-015	132E-133-020	AMD-XA	00-21-096
118- 07-010	REP	00-05-011	132E-120-160	RECOD-P	00-06-063	132E-137-010	AMD-XA	00-21-096
118- 07-020	REP	00-05-011	132E-120-160	RECOD	00-17-015	132E-137-020	AMD-XA	00-21-096
118- 07-030	REP	00-05-011	132E-120-170	RECOD-P	00-06-063	132E-276-030	AMD-XA	00-21-096
118- 07-040	REP	00-05-011	132E-120-170	RECOD	00-17-015	132E-400-020	AMD-XA	00-21-096
118- 07-050	REP	00-05-011	132E-120-180	RECOD-P	00-06-063	132E-400-030	AMD-XA	00-21-096
118- 07-060	REP	00-05-011	132E-120-180	RECOD	00-17-015	132E-400-040	AMD-XA	00-21-096
118- 08-010	REP	00-05-011	132E-120-190	RECOD-P	00-06-063	132G-120	PREP	00-24-080
118- 08-020	REP	00-05-011	132E-120-190	RECOD	00-17-015	132G-276-010	AMD-P	00-02-074
118- 08-030	REP	00-05-011	132E-120-200	NEW-P	00-06-063	132G-276-010	AMD-S	00-06-074
118- 08-040	REP	00-05-011	132E-120-200	NEW	00-17-015	132G-276-010	AMD	00-10-048
118- 08-050	REP	00-05-011	132E-120-210	NEW-P	00-06-063	132G-276-020	AMD-P	00-02-074
118- 08-060	REP	00-05-011	132E-120-210	NEW	00-17-015	132G-276-020	AMD-S	00-06-074
118- 08-070	REP	00-05-011	132E-120-220	RECOD-P	00-06-063	132G-276-020	AMD	00-10-048
118- 68-010	NEW-P	00-24-067	132E-120-220	RECOD	00-17-015	132G-276-030	REP-P	00-02-074
118- 68-020	NEW-P	00-24-067	132E-120-230	RECOD-P	00-06-063	132G-276-030	REP-S	00-06-074
118- 68-030	NEW-P	00-24-067	132E-120-230	RECOD	00-17-015	132G-276-030	REP	00-10-048
118- 68-040	NEW-P	00-24-067	132E-120-240	NEW-P	00-06-063	132G-276-040	REP-P	00-02-074
118- 68-050	NEW-P	00-24-067	132E-120-240	NEW	00-17-015	132G-276-040	REP-S	00-06-074

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132G-276-040	REP	00-10-048	132L-120-150	NEW	00-07-113	132Q- 04-061	REP	00-14-007
132G-276-050	AMD-P	00-02-074	132L-120-160	NEW	00-07-113	132Q- 04-067	REP-P	00-08-075
132G-276-050	AMD-S	00-06-074	132L-120-170	NEW	00-07-113	132Q- 04-067	REP	00-14-007
132G-276-050	AMD	00-10-048	132L-120-180	NEW	00-07-113	132Q- 04-068	REP-P	00-08-075
132G-276-060	AMD-P	00-02-074	132L-120-190	NEW	00-07-113	132Q- 04-068	REP	00-14-007
132G-276-060	AMD-S	00-06-074	132L-120-200	NEW	00-07-113	132Q- 04-070	REP-P	00-08-075
132G-276-060	AMD	00-10-048	132L-120-210	NEW	00-07-113	132Q- 04-070	REP	00-14-007
132G-276-080	AMD-P	00-02-074	132L-120-220	NEW	00-07-113	132Q- 04-075	REP-P	00-08-075
132G-276-080	AMD-S	00-06-074	132N-156	PREP	00-10-043	132Q- 04-075	REP	00-14-007
132G-276-080	AMD	00-10-048	132N-156-300	AMD-P	00-15-044	132Q- 04-076	AMD-P	00-08-075
132G-276-090	AMD-P	00-02-074	132N-156-300	AMD	00-20-034	132Q- 04-076	AMD	00-14-007
132G-276-090	AMD-S	00-06-074	132N-156-310	AMD-P	00-15-044	132Q- 04-080	REP-P	00-08-075
132G-276-090	AMD	00-10-048	132N-156-310	AMD	00-20-034	132Q- 04-080	REP	00-14-007
132G-276-100	AMD-P	00-02-074	132N-156-320	AMD-P	00-15-044	132Q- 04-081	REP-P	00-08-075
132G-276-100	AMD-S	00-06-074	132N-156-320	AMD	00-20-034	132Q- 04-081	REP	00-14-007
132G-276-100	AMD	00-10-048	132N-156-330	AMD-P	00-15-044	132Q- 04-082	REP-P	00-08-075
132G-276-110	AMD-P	00-02-074	132N-156-330	AMD	00-20-034	132Q- 04-082	REP	00-14-007
132G-276-110	AMD-S	00-06-074	132N-156-440	AMD-P	00-15-044	132Q- 04-083	REP-P	00-08-075
132G-276-110	AMD	00-10-048	132N-156-440	AMD	00-20-034	132Q- 04-083	REP	00-14-007
132G-276-120	AMD-P	00-02-074	132N-156-450	AMD-P	00-15-044	132Q- 04-085	REP-P	00-08-075
132G-276-120	AMD-S	00-06-074	132N-156-450	AMD	00-20-034	132Q- 04-085	REP	00-14-007
132G-276-120	AMD	00-10-048	132N-156-500	AMD-P	00-15-044	132Q- 04-090	REP-P	00-08-075
132G-276-130	AMD-P	00-02-074	132N-156-500	AMD	00-20-034	132Q- 04-090	REP	00-14-007
132G-276-130	AMD-S	00-06-074	132N-156-530	AMD-P	00-15-044	132Q- 04-094	REP-P	00-08-075
132G-276-130	AMD	00-10-048	132N-156-530	AMD	00-20-034	132Q- 04-094	REP	00-14-007
132G-276-900	AMD-P	00-02-074	132N-156-550	AMD-P	00-15-044	132Q- 04-095	REP-P	00-08-075
132G-276-900	AMD-S	00-06-074	132N-156-550	AMD	00-20-034	132Q- 04-095	REP	00-14-007
132G-276-900	AMD	00-10-048	132N-156-570	AMD-P	00-15-044	132Q- 04-096	REP-P	00-08-075
132H-121-010	AMD-E	00-14-002	132N-156-570	AMD	00-20-034	132Q- 04-096	REP	00-14-007
132H-121-010	AMD-P	00-15-027	132N-156-600	AMD-P	00-15-044	132Q- 04-100	AMD-P	00-08-075
132H-121-010	AMD	00-21-013	132N-156-600	AMD	00-20-034	132Q- 04-100	AMD	00-14-007
132H-160-182	AMD	00-11-102	132N-156-620	AMD-P	00-15-044	132Q- 04-110	AMD-P	00-08-075
132L- 20-010	REP	00-07-113	132N-156-620	AMD	00-20-034	132Q- 04-110	AMD	00-14-007
132L- 20-030	REP	00-07-113	132N-156-645	NEW-P	00-15-044	132Q- 04-120	AMD-P	00-08-075
132L- 20-050	REP	00-07-113	132N-156-645	NEW	00-20-034	132Q- 04-120	AMD	00-14-007
132L- 20-070	REP	00-07-113	132N-156-650	AMD-P	00-15-044	132Q- 04-130	AMD-P	00-08-075
132L- 20-080	REP	00-07-113	132N-156-650	AMD	00-20-034	132Q- 04-130	AMD	00-14-007
132L- 20-130	REP	00-07-113	132N-156-730	AMD-P	00-15-044	132Q- 04-140	AMD-P	00-08-075
132L- 20-135	REP	00-07-113	132N-156-730	AMD	00-20-034	132Q- 04-140	AMD	00-14-007
132L- 20-140	REP	00-07-113	132N-156-740	AMD-P	00-15-044	132Q- 04-150	AMD-P	00-08-075
132L- 22-020	REP	00-07-113	132N-156-740	AMD	00-20-034	132Q- 04-150	AMD	00-14-007
132L- 22-060	REP	00-07-113	132N-156-750	AMD-P	00-15-044	132Q- 04-170	AMD-P	00-08-075
132L- 22-070	REP	00-07-113	132N-156-750	AMD	00-20-034	132Q- 04-170	AMD	00-14-007
132L- 22-080	REP	00-07-113	132N-156-800	NEW-P	00-15-044	132Q- 04-180	AMD-P	00-08-075
132L- 24-010	REP	00-07-113	132N-156-800	NEW	00-20-034	132Q- 04-180	AMD	00-14-007
132L- 24-020	REP	00-07-113	132N-156-810	NEW-P	00-15-044	132Q- 04-190	AMD-P	00-08-075
132L- 24-030	REP	00-07-113	132N-156-810	NEW	00-20-034	132Q- 04-190	AMD	00-14-007
132L- 24-090	REP	00-07-113	132Q- 04-010	AMD-P	00-08-075	132Q- 04-200	AMD-P	00-08-075
132L- 25-010	REP	00-07-113	132Q- 04-010	AMD	00-14-007	132Q- 04-200	AMD	00-14-007
132L-120-010	AMD	00-07-113	132Q- 04-020	AMD-P	00-08-075	132Q- 04-210	AMD-P	00-08-075
132L-120-015	NEW	00-07-113	132Q- 04-020	AMD	00-14-007	132Q- 04-210	AMD	00-14-007
132L-120-020	AMD	00-07-113	132Q- 04-031	NEW-P	00-08-075	132Q- 04-240	AMD-P	00-08-075
132L-120-030	NEW	00-07-113	132Q- 04-031	NEW	00-14-007	132Q- 04-240	AMD	00-14-007
132L-120-040	NEW	00-07-113	132Q- 04-035	REP-P	00-08-075	132Q- 04-250	AMD-P	00-08-075
132L-120-070	NEW	00-07-113	132Q- 04-035	REP	00-14-007	132Q- 04-250	AMD	00-14-007
132L-120-080	NEW	00-07-113	132Q- 04-040	REP-P	00-08-075	132Q- 04-260	AMD-P	00-08-075
132L-120-090	NEW	00-07-113	132Q- 04-040	REP	00-14-007	132Q- 04-260	AMD	00-14-007
132L-120-100	NEW	00-07-113	132Q- 04-050	REP-P	00-08-075	132Q- 04-280	AMD-P	00-08-075
132L-120-110	NEW	00-07-113	132Q- 04-050	REP	00-14-007	132Q- 04-280	AMD	00-14-007
132L-120-120	NEW	00-07-113	132Q- 04-060	REP-P	00-08-075	132Q- 05-010	AMD-P	00-08-075
132L-120-130	NEW	00-07-113	132Q- 04-060	REP	00-14-007	132Q- 05-010	AMD	00-14-007
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132Q- 05-033	AMD	00-14-007	132Q- 94-125	AMD	00-14-007	132S- 40-210	NEW-P	00-12-010
132Q- 05-036	AMD-P	00-08-075	132Q- 94-150	AMD-P	00-08-075	132S- 40-210	NEW	00-18-095
132Q- 05-036	AMD	00-14-007	132Q- 94-150	AMD	00-14-007	132W-104-010	PREP	00-24-025
132Q- 05-040	AMD-P	00-08-075	132R	PREP	00-23-069	132W-104-020	PREP	00-24-025
132Q- 05-040	AMD	00-14-007	132S- 40-005	AMD-P	00-12-010	132W-104-030	PREP	00-24-025
132Q- 05-050	AMD-P	00-08-075	132S- 40-005	AMD	00-18-095	132W-104-040	PREP	00-24-025
132Q- 05-050	AMD	00-14-007	132S- 40-010	REP-P	00-12-010	132W-104-050	PREP	00-24-025
132Q- 05-060	AMD-P	00-08-075	132S- 40-010	REP	00-18-095	132W-104-060	PREP	00-24-025
132Q- 05-060	AMD	00-14-007	132S- 40-015	REP-P	00-12-010	132W-104-070	PREP	00-24-025
132Q- 05-070	AMD-P	00-08-075	132S- 40-015	REP	00-18-095	132W-104-080	PREP	00-24-025
132Q- 05-070	AMD	00-14-007	132S- 40-020	REP-P	00-12-010	132W-104-090	PREP	00-24-025
132Q- 05-080	AMD-P	00-08-075	132S- 40-020	REP	00-18-095	132W-104-100	PREP	00-24-025
132Q- 05-080	AMD	00-14-007	132S- 40-025	REP-P	00-12-010	132W-104-110	PREP	00-24-025
132Q- 05-090	AMD-P	00-08-075	132S- 40-025	REP	00-18-095	132W-104-111	PREP	00-24-025
132Q- 05-090	AMD	00-14-007	132S- 40-030	REP-P	00-12-010	132W-104-120	PREP	00-24-025
132Q- 05-100	AMD-P	00-08-075	132S- 40-030	REP	00-18-095	132W-104-130	PREP	00-24-025
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132Q- 20-010	AMD-P	00-08-075	132S- 40-035	REP	00-18-095	132W-108-005	PREP	00-24-026
132Q- 20-010	AMD	00-14-007	132S- 40-040	REP-P	00-12-010	132W-108-010	PREP	00-24-026
132Q- 20-020	AMD-P	00-08-075	132S- 40-040	REP	00-18-095	132W-108-080	PREP	00-24-026
132Q- 20-020	AMD	00-14-007	132S- 40-045	REP-P	00-12-010	132W-108-090	PREP	00-24-026
132Q- 20-040	AMD-P	00-08-075	132S- 40-045	REP	00-18-095	132W-108-100	PREP	00-24-026
132Q- 20-040	AMD	00-14-007	132S- 40-046	REP-P	00-12-010	132W-108-110	PREP	00-24-026
132Q- 20-060	AMD-P	00-08-075	132S- 40-046	REP	00-18-095	132W-108-120	PREP	00-24-026
132Q- 20-060	AMD	00-14-007	132S- 40-055	REP-P	00-12-010	132W-108-130	PREP	00-24-026
132Q- 20-080	AMD-P	00-08-075	132S- 40-055	REP	00-18-095	132W-108-140	PREP	00-24-026
132Q- 20-080	AMD	00-14-007	132S- 40-060	REP-P	00-12-010	132W-108-230	PREP	00-24-026
132Q- 20-090	AMD-P	00-08-075	132S- 40-060	REP	00-18-095	132W-108-240	PREP	00-24-026
132Q- 20-090	AMD	00-14-007	132S- 40-065	REP-P	00-12-010	132W-108-250	PREP	00-24-026
132Q- 20-110	AMD-P	00-08-075	132S- 40-065	REP	00-18-095	132W-108-260	PREP	00-24-026
132Q- 20-110	AMD	00-14-007	132S- 40-070	REP-P	00-12-010	132W-108-270	PREP	00-24-026
132Q- 20-130	AMD-P	00-08-075	132S- 40-070	REP	00-18-095	132W-108-280	PREP	00-24-026
132Q- 20-130	AMD	00-14-007	132S- 40-075	REP-P	00-12-010	132W-108-290	PREP	00-24-026
132Q- 20-150	AMD-P	00-08-075	132S- 40-075	REP	00-18-095	132W-108-300	PREP	00-24-026
132Q- 20-150	AMD	00-14-007	132S- 40-080	REP-P	00-12-010	132W-108-310	PREP	00-24-026
132Q- 20-160	AMD-P	00-08-075	132S- 40-080	REP	00-18-095	132W-108-320	PREP	00-24-026
132Q- 20-160	AMD	00-14-007	132S- 40-140	REP-P	00-12-010	132W-108-330	PREP	00-24-026
132Q- 20-170	AMD-P	00-08-075	132S- 40-140	REP	00-18-095	132W-108-340	PREP	00-24-026
132Q- 20-170	AMD	00-14-007	132S- 40-145	REP-P	00-12-010	132W-108-350	PREP	00-24-026
132Q- 20-180	AMD-P	00-08-075	132S- 40-145	REP	00-18-095	132W-108-360	PREP	00-24-026
132Q- 20-180	AMD	00-14-007	132S- 40-150	REP-P	00-12-010	132W-108-400	PREP	00-24-026
132Q- 20-200	AMD-P	00-08-075	132S- 40-150	REP	00-18-095	132W-108-410	PREP	00-24-026
132Q- 20-200	AMD	00-14-007	132S- 40-155	REP-P	00-12-010	132W-108-420	PREP	00-24-026
132Q- 20-210	AMD-P	00-08-075	132S- 40-155	REP	00-18-095	132W-108-430	PREP	00-24-026
132Q- 20-210	AMD	00-14-007	132S- 40-160	NEW-P	00-12-010	132W-108-440	PREP	00-24-026
132Q- 20-220	AMD-P	00-08-075	132S- 40-160	NEW	00-18-095	132W-108-450	PREP	00-24-026
132Q- 20-220	AMD	00-14-007	132S- 40-165	NEW-P	00-12-010	132W-108-460	PREP	00-24-026
132Q- 20-240	AMD-P	00-08-075	132S- 40-165	NEW	00-18-095	132W-108-470	PREP	00-24-026
132Q- 20-240	AMD	00-14-007	132S- 40-170	NEW-P	00-12-010	132W-108-480	PREP	00-24-026
132Q- 20-250	AMD-P	00-08-075	132S- 40-170	NEW	00-18-095	132W-116-010	PREP	00-24-027
132Q- 20-250	AMD	00-14-007	132S- 40-175	NEW-P	00-12-010	132W-116-020	PREP	00-24-027
132Q- 20-260	AMD-P	00-08-075	132S- 40-175	NEW	00-18-095	132W-116-040	PREP	00-24-027
132Q- 20-260	AMD	00-14-007	132S- 40-180	NEW-P	00-12-010	132W-116-050	PREP	00-24-027
132Q- 20-270	AMD-P	00-08-075	132S- 40-180	NEW	00-18-095	132W-116-065	PREP	00-24-027
132Q- 20-270	AMD	00-14-007	132S- 40-185	NEW-P	00-12-010	132W-120-010	PREP	00-24-028
132Q- 94-010	AMD-P	00-08-075	132S- 40-185	NEW	00-18-095	132W-120-030	PREP	00-24-028
132Q- 94-010	AMD	00-14-007	132S- 40-190	NEW-P	00-12-010	132W-120-040	PREP	00-24-028
132Q- 94-020	AMD-P	00-08-075	132S- 40-190	NEW	00-18-095	132W-120-050	PREP	00-24-028
132Q- 94-020	AMD	00-14-007	132S- 40-195	NEW-P	00-12-010	132W-120-060	PREP	00-24-028
132Q- 94-030	AMD-P	00-08-075	132S- 40-195	NEW	00-18-095	132W-120-070	PREP	00-24-028

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132W-120-130	PREP	00-24-028	132X- 60-035	NEW	00-05-023	132Z-115-160	NEW-P	00-07-121
132W-120-300	PREP	00-24-028	132X- 60-037	NEW	00-05-023	132Z-115-160	NEW	00-20-037
132W-120-310	PREP	00-24-028	132X- 60-040	AMD	00-05-023	132Z-115-170	NEW-P	00-07-121
132W-120-320	PREP	00-24-028	132X- 60-045	NEW	00-05-023	132Z-115-170	NEW	00-20-037
132W-120-330	PREP	00-24-028	132X- 60-046	NEW	00-05-023	132Z-115-180	NEW-P	00-07-121
132W-120-400	PREP	00-24-028	132X- 60-050	AMD	00-05-023	132Z-115-180	NEW	00-20-037
132W-135-010	PREP	00-24-029	132X- 60-060	AMD	00-05-023	132Z-115-190	NEW-P	00-07-121
132W-276-001	PREP	00-24-030	132X- 60-065	NEW	00-05-023	132Z-115-190	NEW	00-20-037
132W-276-005	PREP	00-24-030	132X- 60-075	NEW	00-05-023	132Z-115-200	NEW-P	00-07-121
132W-276-010	PREP	00-24-030	132X- 60-080	AMD	00-05-023	132Z-115-200	NEW	00-20-037
132W-276-060	PREP	00-24-030	132X- 60-090	AMD	00-05-023	132Z-115-210	NEW-P	00-07-121
132W-276-070	PREP	00-24-030	132X- 60-100	AMD	00-05-023	132Z-115-210	NEW	00-20-037
132W-276-080	PREP	00-24-030	132X- 60-110	AMD	00-05-023	132Z-115-220	NEW-P	00-07-121
132W-276-090	PREP	00-24-030	132X- 60-120	AMD	00-05-023	132Z-115-220	NEW	00-20-037
132W-276-100	PREP	00-24-030	132X- 60-130	AMD	00-05-023	132Z-115-230	NEW-P	00-07-121
132W-276-110	PREP	00-24-030	132X- 60-140	AMD	00-05-023	132Z-115-230	NEW	00-20-037
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132X- 10-030	AMD	00-05-023	132X- 60-160	AMD	00-05-023	136- 10-035	NEW	00-18-020
132X- 10-050	AMD	00-05-023	132X- 60-170	AMD	00-05-023	136-130-030	AMD-P	00-24-096
132X- 10-060	AMD	00-05-023	132X- 60-178	NEW	00-05-023	136-130-050	AMD-P	00-24-096
132X- 10-080	AMD	00-05-023	132X- 60-180	AMD	00-05-023	136-130-060	AMD-P	00-24-096
132X- 10-100	AMD	00-05-023	132Z-104-010	REP-XR	00-11-018	136-130-070	AMD-P	00-24-096
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132X- 20-020	REP	00-05-022	132Z-112-020	NEW-P	00-07-121	136-161-020	AMD-P	00-22-097
132X- 20-030	REP	00-05-022	132Z-112-020	NEW	00-20-037	136-161-020	AMD-P	00-24-096
132X- 20-040	REP	00-05-022	132Z-112-030	NEW-P	00-07-121	136-161-020	AMD-W	01-01-023
132X- 20-050	REP	00-05-022	132Z-112-030	NEW	00-20-037	136-161-030	AMD-P	00-24-096
132X- 20-060	REP	00-05-022	132Z-112-040	NEW-P	00-07-121	136-161-040	AMD-P	00-24-096
132X- 20-070	REP	00-05-022	132Z-112-040	NEW	00-20-037	136-161-050	AMD-P	00-24-096
132X- 20-080	REP	00-05-022	132Z-112-050	NEW-P	00-07-121	136-161-070	AMD-P	00-22-097
132X- 20-090	REP	00-05-022	132Z-112-050	NEW	00-20-037	136-161-070	AMD-P	00-24-096
132X- 20-100	REP	00-05-022	132Z-115-010	NEW-P	00-07-121	136-161-070	AMD-W	01-01-023
132X- 20-110	REP	00-05-022	132Z-115-010	NEW	00-20-037	136-163-050	AMD-P	00-24-096
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132X- 20-130	REP	00-05-022	132Z-115-020	NEW	00-20-037	136-167-030	AMD	00-05-043
132X- 30-040	AMD	00-05-023	132Z-115-030	NEW-P	00-07-121	136-170-030	AMD-P	00-22-098
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132X- 50-030	AMD	00-05-023	132Z-115-040	NEW	00-20-037	136-210-050	AMD-P	00-24-096
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132X- 50-050	AMD	00-05-023	132Z-115-050	NEW	00-20-037	137- 04-020	AMD-P	00-24-032
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132X- 50-080	AMD	00-05-023	132Z-115-060	NEW	00-20-037	137- 28-140	AMD-P	00-07-048
132X- 50-110	AMD	00-05-023	132Z-115-070	NEW-P	00-07-121	137- 28-140	AMD	00-10-079
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132X- 50-130	AMD	00-05-023	132Z-115-080	NEW-P	00-07-121	137- 28-160	AMD	00-10-079
132X- 50-140	AMD	00-05-023	132Z-115-080	NEW	00-20-037	137- 28-170	AMD-P	00-07-048
132X- 50-150	AMD	00-05-023	132Z-115-090	NEW-P	00-07-121	137- 28-170	AMD	00-10-079
132X- 50-160	AMD	00-05-023	132Z-115-090	NEW	00-20-037	137- 28-185	NEW-P	00-07-048
132X- 50-170	AMD	00-05-023	132Z-115-100	NEW-P	00-07-121	137- 28-185	NEW	00-10-079
132X- 50-180	AMD	00-05-023	132Z-115-100	NEW	00-20-037	137- 28-220	AMD-P	00-07-048
132X- 50-190	AMD	00-05-023	132Z-115-110	NEW-P	00-07-121	137- 28-220	AMD	00-10-079
132X- 50-210	AMD	00-05-023	132Z-115-110	NEW	00-20-037	137- 28-230	AMD-P	00-07-048
132X- 50-230	AMD	00-05-023	132Z-115-120	NEW-P	00-07-121	137- 28-230	AMD	00-10-079
132X- 50-240	AMD	00-05-023	132Z-115-120	NEW	00-20-037	137- 28-260	AMD-P	00-07-048
132X- 50-260	AMD	00-05-023	132Z-115-130	NEW-P	00-07-121	137- 28-260	AMD	00-10-079
132X- 50-270	AMD	00-05-023	132Z-115-130	NEW	00-20-037	137- 28-270	AMD-P	00-07-048
132X- 50-280	AMD	00-05-023	132Z-115-140	NEW-P	00-07-121	137- 28-270	AMD	00-10-079
132X- 60-010	AMD	00-05-023	132Z-115-140	NEW	00-20-037	137- 28-290	AMD-P	00-07-048
132X- 60-015	NEW	00-05-023	132Z-115-150	NEW-P	00-07-121	137- 28-290	AMD	00-10-079

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
137- 28-300	AMD-P	00-07-048	137-130-140	NEW-E	00-05-045	139- 01-565	REP	00-17-017
137- 28-300	AMD	00-10-079	137-130-150	NEW-E	00-05-045	139- 01-570	REP-P	00-07-097
137- 28-310	AMD-P	00-07-048	139- 01	PREP	00-04-048	139- 01-570	REP	00-17-017
137- 28-310	AMD	00-10-079	139- 01-100	AMD-P	00-07-097	139- 01-575	REP-P	00-07-097
137- 28-320	REP-P	00-07-048	139- 01-100	AMD	00-17-017	139- 01-575	REP	00-17-017
137- 28-320	REP	00-10-079	139- 01-110	REP-P	00-07-097	139- 01-610	REP-P	00-07-097
137- 28-350	AMD-P	00-07-048	139- 01-110	REP	00-17-017	139- 01-610	REP	00-17-017
137- 28-350	AMD	00-10-079	139- 01-320	REP-P	00-07-097	139- 01-615	REP-P	00-07-097
137- 28-380	AMD-P	00-07-048	139- 01-320	REP	00-17-017	139- 01-615	REP	00-17-017
137- 28-380	AMD	00-10-079	139- 01-330	REP-P	00-07-097	139- 01-620	REP-P	00-07-097
137- 28-420	AMD-P	00-07-048	139- 01-330	REP	00-17-017	139- 01-620	REP	00-17-017
137- 28-420	AMD	00-10-079	139- 01-410	REP-P	00-07-097	139- 01-625	REP-P	00-07-097
137- 32-002	AMD	00-09-063	139- 01-410	REP	00-17-017	139- 01-625	REP	00-17-017
137- 32-005	AMD	00-09-063	139- 01-415	REP-P	00-07-097	139- 01-630	REP-P	00-07-097
137- 32-010	AMD	00-09-063	139- 01-415	REP	00-17-017	139- 01-630	REP	00-17-017
137- 32-015	AMD	00-09-063	139- 01-420	REP-P	00-07-097	139- 01-710	REP-P	00-07-097
137- 32-020	AMD	00-09-063	139- 01-420	REP	00-17-017	139- 01-710	REP	00-17-017
137- 32-025	AMD	00-09-063	139- 01-425	REP-P	00-07-097	139- 01-715	REP-P	00-07-097
137- 32-030	AMD	00-09-063	139- 01-425	REP	00-17-017	139- 01-715	REP	00-17-017
137- 32-035	AMD	00-09-063	139- 01-430	REP-P	00-07-097	139- 01-720	REP-P	00-07-097
137- 32-045	AMD	00-09-063	139- 01-430	REP	00-17-017	139- 01-720	REP	00-17-017
137-125-005	NEW-E	00-05-044	139- 01-435	REP-P	00-07-097	139- 01-725	REP-P	00-07-097
137-125-010	NEW-E	00-05-044	139- 01-435	REP	00-17-017	139- 01-725	REP	00-17-017
137-125-015	NEW-E	00-05-044	139- 01-440	REP-P	00-07-097	139- 01-730	REP-P	00-07-097
137-125-040	NEW-E	00-05-044	139- 01-440	REP	00-17-017	139- 01-730	REP	00-17-017
137-125-042	NEW-E	00-05-044	139- 01-445	REP-P	00-07-097	139- 01-735	REP-P	00-07-097
137-125-044	NEW-E	00-05-044	139- 01-445	REP	00-17-017	139- 01-735	REP	00-17-017
137-125-046	NEW-E	00-05-044	139- 01-450	REP-P	00-07-097	139- 01-810	REP-P	00-07-097
137-125-048	NEW-E	00-05-044	139- 01-450	REP	00-17-017	139- 01-810	REP	00-17-017
137-125-052	NEW-E	00-05-044	139- 01-455	REP-P	00-07-097	139- 01-820	REP-P	00-07-097
137-125-054	NEW-E	00-05-044	139- 01-455	REP	00-17-017	139- 01-820	REP	00-17-017
137-125-060	NEW-E	00-05-044	139- 01-460	REP-P	00-07-097	139- 02-010	NEW-P	00-07-097
137-125-070	NEW-E	00-05-044	139- 01-460	REP	00-17-017	139- 02-010	NEW	00-17-017
137-125-072	NEW-E	00-05-044	139- 01-465	REP-P	00-07-097	139- 02-020	NEW-P	00-07-097
137-125-076	NEW-E	00-05-044	139- 01-465	REP	00-17-017	139- 02-020	NEW	00-17-017
137-125-078	NEW-E	00-05-044	139- 01-470	REP-P	00-07-097	139- 02-030	NEW-P	00-07-097
137-125-090	NEW-E	00-05-044	139- 01-470	REP	00-17-017	139- 02-030	NEW	00-17-017
137-125-095	NEW-E	00-05-044	139- 01-475	REP-P	00-07-097	139- 02-040	NEW-P	00-07-097
137-125-100	NEW-E	00-05-044	139- 01-475	REP	00-17-017	139- 02-040	NEW	00-17-017
137-125-105	NEW-E	00-05-044	139- 01-510	REP-P	00-07-097	139- 02-050	NEW-P	00-07-097
137-125-110	NEW-E	00-05-044	139- 01-510	REP	00-17-017	139- 02-050	NEW	00-17-017
137-125-115	NEW-E	00-05-044	139- 01-515	REP-P	00-07-097	139- 02-060	NEW-P	00-07-097
137-125-120	NEW-E	00-05-044	139- 01-515	REP	00-17-017	139- 02-060	NEW	00-17-017
137-125-125	NEW-E	00-05-044	139- 01-520	REP-P	00-07-097	139- 02-070	NEW-P	00-07-097
137-125-130	NEW-E	00-05-044	139- 01-520	REP	00-17-017	139- 02-070	NEW	00-17-017
137-125-135	NEW-E	00-05-044	139- 01-525	REP-P	00-07-097	139- 02-080	NEW-P	00-07-097
137-125-140	NEW-E	00-05-044	139- 01-525	REP	00-17-017	139- 02-080	NEW	00-17-017
137-125-195	NEW-E	00-05-044	139- 01-530	REP-P	00-07-097	139- 02-090	NEW-P	00-07-097
137-130-005	NEW-E	00-05-045	139- 01-530	REP	00-17-017	139- 02-090	NEW	00-17-017
137-130-010	NEW-E	00-05-045	139- 01-535	REP-P	00-07-097	139- 02-100	NEW-P	00-07-097
137-130-020	NEW-E	00-05-045	139- 01-535	REP	00-17-017	139- 02-100	NEW	00-17-017
137-130-030	NEW-E	00-05-045	139- 01-540	REP-P	00-07-097	139- 02-110	NEW-P	00-07-097
137-130-040	NEW-E	00-05-045	139- 01-540	REP	00-17-017	139- 02-110	NEW	00-17-017
137-130-050	NEW-E	00-05-045	139- 01-545	REP-P	00-07-097	139- 03-010	NEW-P	00-07-097
137-130-060	NEW-E	00-05-045	139- 01-545	REP	00-17-017	139- 03-010	NEW	00-17-017
137-130-070	NEW-E	00-05-045	139- 01-550	REP-P	00-07-097	139- 03-020	NEW-P	00-07-097
137-130-080	NEW-E	00-05-045	139- 01-550	REP	00-17-017	139- 03-020	NEW	00-17-017
137-130-090	NEW-E	00-05-045	139- 01-555	REP-P	00-07-097	139- 03-030	NEW-P	00-07-097
137-130-100	NEW-E	00-05-045	139- 01-555	REP	00-17-017	139- 03-030	NEW	00-17-017
137-130-110	NEW-E	00-05-045	139- 01-560	REP-P	00-07-097	139- 03-040	NEW-P	00-07-097
137-130-120	NEW-E	00-05-045	139- 01-560	REP	00-17-017	139- 03-040	NEW	00-17-017
137-130-130	NEW-E	00-05-045	139- 01-565	REP-P	00-07-097	139- 03-050	NEW-P	00-07-097

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
139- 03-050	NEW	00-17-017	139- 10-520	AMD	00-17-017	173- 24-150	AMD-XA	00-14-032
139- 03-060	NEW-P	00-07-097	139- 25	PREP	00-04-048	173- 24-150	AMD	00-20-009
139- 03-060	NEW	00-17-017	139- 25-110	AMD-P	00-07-097	173- 26	AMD	00-24-031
139- 03-070	NEW-P	00-07-097	139- 25-110	AMD	00-17-017	173- 26-010	AMD-P	00-11-175
139- 03-070	NEW	00-17-017	173- 09-010	REP-XR	00-18-083	173- 26-010	AMD	00-24-031
139- 03-080	NEW-P	00-07-097	173- 09-020	REP-XR	00-18-083	173- 26-020	AMD-P	00-11-175
139- 03-080	NEW	00-17-017	173- 09-030	REP-XR	00-18-083	173- 26-020	AMD	00-24-031
139- 05	PREP	00-04-048	173- 09-040	REP-XR	00-18-083	173- 26-105	NEW-P	00-11-175
139- 05-200	AMD-P	00-07-097	173- 15-010	AMD-XA	00-11-066	173- 26-105	NEW	00-24-031
139- 05-200	AMD	00-17-017	173- 15-010	AMD	00-16-080	173- 26-170	NEW-P	00-11-175
139- 05-210	AMD-P	00-07-097	173- 15-020	AMD-XA	00-11-066	173- 26-170	NEW	00-24-031
139- 05-210	AMD	00-17-017	173- 15-020	AMD	00-16-080	173- 26-180	NEW-P	00-11-175
139- 05-220	AMD-P	00-07-097	173- 15-030	AMD-XA	00-11-066	173- 26-180	NEW	00-24-031
139- 05-220	AMD	00-17-017	173- 15-030	AMD	00-16-080	173- 26-190	NEW-P	00-11-175
139- 05-230	AMD-P	00-07-097	173- 16-010	REP-P	00-11-175	173- 26-190	NEW	00-24-031
139- 05-230	AMD	00-17-017	173- 16-010	REP	00-24-031	173- 26-200	NEW-P	00-11-175
139- 05-240	AMD-P	00-07-097	173- 16-020	REP-P	00-11-175	173- 26-200	NEW	00-24-031
139- 05-240	AMD	00-17-017	173- 16-020	REP	00-24-031	173- 26-210	NEW-P	00-11-175
139- 05-242	AMD-P	00-07-097	173- 16-030	REP-P	00-11-175	173- 26-210	NEW	00-24-031
139- 05-242	AMD	00-17-017	173- 16-030	REP	00-24-031	173- 26-220	NEW-P	00-11-175
139- 05-250	AMD-P	00-07-097	173- 16-040	REP-P	00-11-175	173- 26-220	NEW	00-24-031
139- 05-250	AMD	00-17-017	173- 16-040	REP	00-24-031	173- 26-230	NEW-P	00-11-175
139- 05-810	AMD-P	00-07-097	173- 16-050	REP-P	00-11-175	173- 26-230	NEW	00-24-031
139- 05-810	AMD	00-17-017	173- 16-050	REP	00-24-031	173- 26-240	NEW-P	00-11-175
139- 05-912	AMD-P	00-07-097	173- 16-060	REP-P	00-11-175	173- 26-240	NEW	00-24-031
139- 05-912	AMD	00-17-017	173- 16-060	REP	00-24-031	173- 26-250	NEW-P	00-11-175
139- 05-915	AMD-P	00-07-097	173- 16-064	REP-P	00-11-175	173- 26-250	NEW	00-24-031
139- 05-915	AMD	00-17-017	173- 16-064	DECOD	00-24-031	173- 26-270	NEW-P	00-11-175
139- 10	PREP	00-04-048	173- 16-070	REP-P	00-11-175	173- 26-270	NEW	00-24-031
139- 10-210	AMD-P	00-07-097	173- 16-070	REP	00-24-031	173- 26-280	NEW-P	00-11-175
139- 10-210	AMD	00-17-017	173- 16-200	REP-P	00-11-175	173- 26-280	NEW	00-24-031
139- 10-212	AMD-P	00-07-097	173- 16-200	REP	00-24-031	173- 26-290	NEW-P	00-11-175
139- 10-212	AMD	00-17-017	173- 24-010	AMD-XA	00-14-032	173- 26-290	NEW	00-24-031
139- 10-215	AMD-P	00-07-097	173- 24-010	AMD	00-20-009	173- 26-300	NEW-P	00-11-175
139- 10-215	AMD	00-17-017	173- 24-020	AMD-XA	00-14-032	173- 26-300	NEW	00-24-031
139- 10-220	AMD-P	00-07-097	173- 24-020	AMD	00-20-009	173- 26-310	NEW-P	00-11-175
139- 10-220	AMD	00-17-017	173- 24-030	AMD-XA	00-14-032	173- 26-310	NEW	00-24-031
139- 10-221	NEW-P	00-07-097	173- 24-030	AMD	00-20-009	173- 26-320	NEW-P	00-11-175
139- 10-221	NEW	00-17-017	173- 24-030	AMD	00-20-009	173- 26-320	NEW	00-24-031
139- 10-222	AMD-P	00-07-097	173- 24-040	AMD-XA	00-14-032	173- 26-330	NEW-P	00-11-175
139- 10-222	AMD	00-17-017	173- 24-040	AMD	00-20-009	173- 26-330	NEW	00-24-031
139- 10-230	AMD-P	00-07-097	173- 24-050	AMD-XA	00-14-032	173- 26-340	NEW-P	00-11-175
139- 10-230	AMD	00-17-017	173- 24-050	AMD	00-20-009	173- 26-340	NEW	00-24-031
139- 10-235	AMD-P	00-07-097	173- 24-060	AMD-XA	00-14-032	173- 26-350	NEW-P	00-11-175
139- 10-235	AMD	00-17-017	173- 24-060	AMD	00-20-009	173- 26-350	NEW	00-24-031
139- 10-236	NEW-P	00-07-097	173- 24-070	AMD-XA	00-14-032	173- 26-360	NEW-P	00-11-175
139- 10-236	NEW	00-17-017	173- 24-070	AMD	00-20-009	173- 26-360	RECOD	00-24-031
139- 10-237	AMD-P	00-07-097	173- 24-080	AMD-XA	00-14-032	173- 60-070	AMD-XA	00-20-102
139- 10-237	AMD	00-17-017	173- 24-080	AMD	00-20-009	173- 60-070	AMD	00-24-134
139- 10-240	AMD-P	00-07-097	173- 24-090	AMD-XA	00-14-032	173- 95A	PREP	00-11-031
139- 10-240	AMD	00-17-017	173- 24-090	AMD	00-20-009	173- 95A-010	AMD-P	00-19-094
139- 10-310	AMD-P	00-07-097	173- 24-100	AMD-XA	00-14-032	173- 95A-010	AMD	01-01-042
139- 10-310	AMD	00-17-017	173- 24-100	AMD	00-20-009	173- 95A-020	AMD-P	00-19-094
139- 10-320	AMD-P	00-07-097	173- 24-110	AMD-XA	00-14-032	173- 95A-020	AMD	01-01-042
139- 10-320	AMD	00-17-017	173- 24-110	AMD	00-20-009	173- 95A-030	AMD-P	00-19-094
139- 10-410	AMD-P	00-07-097	173- 24-120	AMD-XA	00-14-032	173- 95A-030	AMD	01-01-042
139- 10-410	AMD	00-17-017	173- 24-120	AMD	00-20-009	173- 95A-040	AMD-P	00-19-094
139- 10-420	AMD-P	00-07-097	173- 24-125	AMD-XA	00-14-032	173- 95A-040	AMD	01-01-042
139- 10-420	AMD	00-17-017	173- 24-125	AMD	00-20-009	173- 95A-050	AMD-P	00-19-094
139- 10-510	AMD-P	00-07-097	173- 24-130	AMD-XA	00-14-032	173- 95A-050	AMD	01-01-042
139- 10-510	AMD	00-17-017	173- 24-130	AMD	00-20-009	173- 95A-060	NEW-P	00-19-094
139- 10-520	AMD-P	00-07-097	173- 24-140	AMD-XA	00-14-032	173- 95A-060	NEW	01-01-042
			173- 24-140	AMD	00-20-009			

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173-95A-070	NEW-P	00-19-094	173-145-110	AMD-W	00-16-058	173-245-010	AMD	00-15-019
173-95A-070	NEW	01-01-042	173-145-110	AMD-XA	00-18-107	173-245-015	AMD-XA	00-09-025
173-95A-080	NEW-P	00-19-094	173-145-120	AMD-XA	00-11-065	173-245-015	AMD	00-15-019
173-95A-080	NEW	01-01-042	173-145-120	AMD-W	00-16-058	173-245-020	AMD-XA	00-09-025
173-95A-090	NEW-P	00-19-094	173-145-120	AMD-XA	00-18-107	173-245-020	AMD	00-15-019
173-95A-090	NEW	01-01-042	173-145-130	AMD-XA	00-11-065	173-245-030	AMD-XA	00-09-025
173-95A-100	NEW-P	00-19-094	173-145-130	AMD-W	00-16-058	173-245-030	AMD	00-15-019
173-95A-100	NEW	01-01-042	173-145-130	AMD-XA	00-18-107	173-245-040	AMD-XA	00-09-025
173-95A-110	NEW-P	00-19-094	173-145-155	AMD-XA	00-11-065	173-245-040	AMD	00-15-019
173-95A-110	NEW	01-01-042	173-145-155	AMD-W	00-16-058	173-245-050	AMD-XA	00-09-025
173-98	PREP	00-11-032	173-145-155	AMD-XA	00-18-107	173-245-050	AMD	00-15-019
173-98-020	AMD-P	00-19-095	173-158	PREP	00-21-047	173-245-055	AMD-XA	00-09-025
173-98-020	AMD	01-01-043	173-181	PREP	00-05-096	173-245-055	AMD	00-15-019
173-98-030	AMD-XA	00-04-085	173-202-010	REP-XR	00-06-038	173-245-060	AMD-XA	00-09-025
173-98-030	AMD	00-09-010	173-202-010	REP	00-11-005	173-245-060	AMD	00-15-019
173-98-030	AMD-P	00-19-095	173-202-020	REP-XR	00-06-038	173-245-070	AMD-XA	00-09-025
173-98-030	AMD	01-01-043	173-202-020	REP	00-11-005	173-245-070	AMD	00-15-019
173-98-040	AMD-P	00-19-095	173-224-040	AMD-XA	00-07-112	173-245-075	AMD-XA	00-09-025
173-98-040	AMD	01-01-043	173-224-040	AMD	00-13-010	173-245-075	AMD	00-15-019
173-98-050	AMD-P	00-19-095	173-240-020	AMD-XA	00-10-054	173-245-080	AMD-XA	00-09-025
173-98-050	AMD	01-01-043	173-240-020	AMD	00-15-021	173-245-080	AMD	00-15-019
173-98-060	AMD-P	00-19-095	173-240-030	AMD-XA	00-10-054	173-245-084	AMD-XA	00-09-025
173-98-060	AMD	01-01-043	173-240-030	AMD	00-15-021	173-245-084	AMD	00-15-019
173-98-075	NEW-P	00-19-095	173-240-035	AMD-XA	00-10-054	173-245-090	AMD-XA	00-09-025
173-98-075	NEW	01-01-043	173-240-035	AMD	00-15-021	173-245-090	AMD	00-15-019
173-98-090	AMD-P	00-19-095	173-240-040	AMD-XA	00-10-054	173-300-010	AMD-XA	00-13-021
173-98-090	AMD	01-01-043	173-240-040	AMD	00-15-021	173-300-010	AMD	00-19-017
173-98-110	AMD-P	00-19-095	173-240-050	AMD-XA	00-10-054	173-300-020	AMD-XA	00-13-021
173-98-110	AMD	01-01-043	173-240-050	AMD	00-15-021	173-300-020	AMD	00-19-017
173-98-120	AMD-P	00-19-095	173-240-060	AMD-XA	00-10-054	173-300-030	AMD-XA	00-13-021
173-98-120	AMD	01-01-043	173-240-060	AMD	00-15-021	173-300-030	AMD	00-19-017
173-145-010	AMD-XA	00-11-065	173-240-070	AMD-XA	00-10-054	173-300-050	AMD-XA	00-13-021
173-145-010	AMD-W	00-16-058	173-240-070	AMD	00-15-021	173-300-050	AMD	00-19-017
173-145-010	AMD-XA	00-18-107	173-240-075	AMD-XA	00-10-054	173-300-060	AMD-XA	00-13-021
173-145-020	AMD-XA	00-11-065	173-240-075	AMD	00-15-021	173-300-060	AMD	00-19-017
173-145-020	AMD-W	00-16-058	173-240-080	AMD-XA	00-10-054	173-300-070	AMD-XA	00-13-021
173-145-020	AMD-XA	00-18-107	173-240-080	AMD	00-15-021	173-300-070	AMD	00-19-017
173-145-030	AMD-XA	00-11-065	173-240-090	AMD-XA	00-10-054	173-300-080	AMD-XA	00-13-021
173-145-030	AMD-W	00-16-058	173-240-090	AMD	00-15-021	173-300-080	AMD	00-19-017
173-145-030	AMD-XA	00-18-107	173-240-095	AMD-XA	00-10-054	173-300-090	AMD-XA	00-13-021
173-145-040	AMD-XA	00-11-065	173-240-095	AMD	00-15-021	173-300-090	AMD	00-19-017
173-145-040	AMD-W	00-16-058	173-240-100	AMD-XA	00-10-054	173-300-100	AMD-XA	00-13-021
173-145-040	AMD-XA	00-18-107	173-240-100	AMD	00-15-021	173-300-100	AMD	00-19-017
173-145-050	AMD-XA	00-11-065	173-240-104	AMD-XA	00-10-054	173-300-110	AMD-XA	00-13-021
173-145-050	AMD-W	00-16-058	173-240-104	AMD	00-15-021	173-300-110	AMD	00-19-017
173-145-050	AMD-XA	00-18-107	173-240-110	AMD-XA	00-10-054	173-300-120	AMD-XA	00-13-021
173-145-060	AMD-XA	00-11-065	173-240-110	AMD	00-15-021	173-300-120	AMD	00-19-017
173-145-060	AMD-W	00-16-058	173-240-120	AMD-XA	00-10-054	173-300-130	AMD-XA	00-13-021
173-145-060	AMD-XA	00-18-107	173-240-120	AMD	00-15-021	173-300-130	AMD	00-19-017
173-145-070	AMD-XA	00-11-065	173-240-130	AMD-XA	00-10-054	173-300-140	AMD-XA	00-13-021
173-145-070	AMD-W	00-16-058	173-240-130	AMD	00-15-021	173-300-140	AMD	00-19-017
173-145-070	AMD-XA	00-18-107	173-240-140	AMD-XA	00-10-054	173-300-150	AMD-XA	00-13-021
173-145-080	AMD-XA	00-11-065	173-240-140	AMD	00-15-021	173-300-150	AMD	00-19-017
173-145-080	AMD-W	00-16-058	173-240-150	AMD-XA	00-10-054	173-300-160	AMD-XA	00-13-021
173-145-080	AMD-XA	00-18-107	173-240-150	AMD	00-15-021	173-300-160	AMD	00-19-017
173-145-090	AMD-XA	00-11-065	173-240-160	AMD-XA	00-10-054	173-300-170	AMD-XA	00-13-021
173-145-090	AMD-W	00-16-058	173-240-160	AMD	00-15-021	173-300-170	AMD	00-19-017
173-145-090	AMD-XA	00-18-107	173-240-170	AMD-XA	00-10-054	173-300-180	AMD-XA	00-13-021
173-145-100	AMD-XA	00-11-065	173-240-170	AMD	00-15-021	173-300-180	AMD	00-19-017
173-145-100	AMD-W	00-16-058	173-240-180	AMD-XA	00-10-054	173-303	AMD-C	00-11-039
173-145-100	AMD-XA	00-18-107	173-240-180	AMD	00-15-021	173-303-010	AMD-P	00-02-081
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173-303-016	AMD	00-11-040	173-303-522	AMD	00-11-040	173-305-050	AMD	00-16-103
173-303-040	AMD-P	00-02-081	173-303-573	AMD-P	00-02-081	173-305-110	AMD-XA	00-10-053
173-303-040	AMD	00-11-040	173-303-573	AMD	00-11-040	173-305-110	AMD	00-16-103
173-303-045	AMD-P	00-02-081	173-303-578	NEW-P	00-02-081	173-305-120	AMD-XA	00-10-053
173-303-045	AMD	00-11-040	173-303-578	NEW	00-11-040	173-305-120	AMD	00-16-103
173-303-060	AMD-P	00-02-081	173-303-600	AMD-P	00-02-081	173-305-210	AMD-XA	00-10-053
173-303-060	AMD	00-11-040	173-303-600	AMD	00-11-040	173-305-210	AMD	00-16-103
173-303-070	AMD-P	00-02-081	173-303-610	AMD-P	00-02-081	173-305-220	AMD-XA	00-10-053
173-303-070	AMD	00-11-040	173-303-610	AMD	00-11-040	173-305-220	AMD	00-16-103
173-303-071	AMD-P	00-02-081	173-303-620	AMD-P	00-02-081	173-305-230	AMD-XA	00-10-053
173-303-071	AMD	00-11-040	173-303-620	AMD	00-11-040	173-305-230	AMD	00-16-103
173-303-073	AMD-P	00-02-081	173-303-630	AMD-P	00-02-081	173-305-240	AMD-XA	00-10-053
173-303-073	AMD	00-11-040	173-303-630	AMD	00-11-040	173-305-240	AMD	00-16-103
173-303-077	AMD-P	00-02-081	173-303-640	AMD-P	00-02-081	173-306-010	AMD-XA	00-13-022
173-303-077	AMD	00-11-040	173-303-640	AMD	00-11-040	173-306-010	AMD	00-19-018
173-303-100	AMD-P	00-02-081	173-303-645	AMD-P	00-02-081	173-306-050	AMD-XA	00-13-022
173-303-100	AMD	00-11-040	173-303-645	AMD	00-11-040	173-306-050	AMD	00-19-018
173-303-110	AMD-P	00-02-081	173-303-646	AMD-P	00-02-081	173-306-100	AMD-XA	00-13-022
173-303-110	AMD	00-11-040	173-303-646	AMD	00-11-040	173-306-100	AMD	00-19-018
173-303-120	AMD-P	00-02-081	173-303-650	AMD-P	00-02-081	173-306-150	AMD-XA	00-13-022
173-303-120	AMD	00-11-040	173-303-650	AMD	00-11-040	173-306-150	AMD	00-19-018
173-303-160	AMD-P	00-02-081	173-303-680	AMD-P	00-02-081	173-306-200	AMD-XA	00-13-022
173-303-160	AMD	00-11-040	173-303-680	AMD	00-11-040	173-306-200	AMD	00-19-018
173-303-170	AMD-P	00-02-081	173-303-690	AMD-P	00-02-081	173-306-300	AMD-XA	00-13-022
173-303-170	AMD	00-11-040	173-303-690	AMD	00-11-040	173-306-300	AMD	00-19-018
173-303-180	AMD-P	00-02-081	173-303-691	AMD-P	00-02-081	173-306-310	AMD-XA	00-13-022
173-303-180	AMD	00-11-040	173-303-691	AMD	00-11-040	173-306-310	AMD	00-19-018
173-303-190	AMD-P	00-02-081	173-303-692	NEW-P	00-02-081	173-306-320	AMD-XA	00-13-022
173-303-190	AMD	00-11-040	173-303-692	NEW	00-11-040	173-306-320	AMD	00-19-018
173-303-200	AMD-P	00-02-081	173-303-693	NEW-P	00-02-081	173-306-330	AMD-XA	00-13-022
173-303-200	AMD	00-11-040	173-303-693	NEW	00-11-040	173-306-330	AMD	00-19-018
173-303-201	AMD-P	00-02-081	173-303-800	AMD-P	00-02-081	173-306-340	AMD-XA	00-13-022
173-303-201	AMD	00-11-040	173-303-800	AMD	00-11-040	173-306-340	AMD	00-19-018
173-303-240	AMD-P	00-02-081	173-303-803	NEW-P	00-02-081	173-306-345	AMD-XA	00-13-022
173-303-240	AMD	00-11-040	173-303-803	NEW	00-11-040	173-306-345	AMD	00-19-018
173-303-280	AMD-P	00-02-081	173-303-804	AMD-P	00-02-081	173-306-350	AMD-XA	00-13-022
173-303-280	AMD	00-11-040	173-303-804	AMD	00-11-040	173-306-350	AMD	00-19-018
173-303-281	AMD-P	00-02-081	173-303-805	AMD-P	00-02-081	173-306-400	AMD-XA	00-13-022
173-303-281	AMD	00-11-040	173-303-805	AMD	00-11-040	173-306-400	AMD	00-19-018
173-303-300	AMD-P	00-02-081	173-303-806	AMD-P	00-02-081	173-306-405	AMD-XA	00-13-022
173-303-300	AMD	00-11-040	173-303-806	AMD	00-11-040	173-306-405	AMD	00-19-018
173-303-320	AMD-P	00-02-081	173-303-807	AMD-P	00-02-081	173-306-410	AMD-XA	00-13-022
173-303-320	AMD	00-11-040	173-303-807	AMD	00-11-040	173-306-410	AMD	00-19-018
173-303-360	AMD-P	00-02-081	173-303-810	AMD-P	00-02-081	173-306-440	AMD-XA	00-13-022
173-303-360	AMD	00-11-040	173-303-810	AMD	00-11-040	173-306-440	AMD	00-19-018
173-303-370	AMD-P	00-02-081	173-303-830	AMD-P	00-02-081	173-306-450	AMD-XA	00-13-022
173-303-370	AMD	00-11-040	173-303-830	AMD	00-11-040	173-306-450	AMD	00-19-018
173-303-380	AMD-P	00-02-081	173-303-840	AMD-P	00-02-081	173-306-470	AMD-XA	00-13-022
173-303-380	AMD	00-11-040	173-303-840	AMD	00-11-040	173-306-470	AMD	00-19-018
173-303-390	AMD-P	00-02-081	173-303-9904	AMD-P	00-02-081	173-306-480	AMD-XA	00-13-022
173-303-390	AMD	00-11-040	173-303-9904	AMD	00-11-040	173-306-480	AMD	00-19-018
173-303-400	AMD-P	00-02-081	173-303-9907	AMD-P	00-02-081	173-306-490	AMD-XA	00-13-022
173-303-400	AMD	00-11-040	173-303-9907	AMD	00-11-040	173-306-490	AMD	00-19-018
173-303-505	AMD-P	00-02-081	173-305-010	AMD-XA	00-10-053	173-306-495	AMD-XA	00-13-022
173-303-505	AMD	00-11-040	173-305-010	AMD	00-16-103	173-306-495	AMD	00-19-018
173-303-510	AMD-P	00-02-081	173-305-015	AMD-XA	00-10-053	173-306-500	AMD-XA	00-13-022
173-303-510	AMD	00-11-040	173-305-015	AMD	00-16-103	173-306-500	AMD	00-19-018
173-303-515	AMD-P	00-02-081	173-305-020	AMD-XA	00-10-053	173-306-900	AMD-XA	00-13-022
173-303-515	AMD	00-11-040	173-305-020	AMD	00-16-103	173-306-900	AMD	00-19-018
173-303-520	AMD-P	00-02-081	173-305-040	AMD-XA	00-10-053	173-306-9901	AMD-XA	00-13-022
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173-307-010	AMD	00-15-020	173-312-090	AMD	00-19-016	173-340-340	AMD-P	00-16-135
173-307-015	AMD-XA	00-10-052	173-312-100	AMD-XA	00-13-024	173-340-350	AMD-W	00-09-083
173-307-015	AMD	00-15-020	173-312-100	AMD	00-19-016	173-340-350	AMD-P	00-16-135
173-307-020	AMD-XA	00-10-052	173-321	AMD-C	00-19-062	173-340-355	NEW-P	00-16-135
173-307-020	AMD	00-15-020	173-321-010	AMD-W	00-09-083	173-340-357	NEW-P	00-16-135
173-307-030	AMD-XA	00-10-052	173-321-010	AMD-P	00-16-135	173-340-360	AMD-W	00-09-083
173-307-030	AMD	00-15-020	173-321-020	AMD-W	00-09-083	173-340-360	AMD-P	00-16-135
173-307-040	AMD-XA	00-10-052	173-321-020	AMD-P	00-16-135	173-340-370	NEW-W	00-09-083
173-307-040	AMD	00-15-020	173-321-040	AMD-W	00-09-083	173-340-370	NEW-P	00-16-135
173-307-050	AMD-XA	00-10-052	173-321-040	AMD-P	00-16-135	173-340-380	NEW-W	00-09-083
173-307-050	AMD	00-15-020	173-321-050	AMD-W	00-09-083	173-340-380	NEW-P	00-16-135
173-307-060	AMD-XA	00-10-052	173-321-050	AMD-P	00-16-135	173-340-390	NEW-W	00-09-083
173-307-060	AMD	00-15-020	173-321-060	AMD-W	00-09-083	173-340-390	NEW-P	00-16-135
173-307-070	AMD-XA	00-10-052	173-321-060	AMD-P	00-16-135	173-340-400	AMD-W	00-09-083
173-307-070	AMD	00-15-020	173-321-070	AMD-P	00-16-135	173-340-400	AMD-P	00-16-135
173-307-080	AMD-XA	00-10-052	173-321-080	AMD-W	00-09-083	173-340-410	AMD-W	00-09-083
173-307-080	AMD	00-15-020	173-321-080	AMD-P	00-16-135	173-340-410	AMD-P	00-16-135
173-307-090	AMD-XA	00-10-052	173-322	AMD-W	00-09-083	173-340-420	AMD-W	00-09-083
173-307-090	AMD	00-15-020	173-322	AMD-P	00-16-135	173-340-420	AMD-P	00-16-135
173-307-100	AMD-XA	00-10-052	173-322	AMD-C	00-19-062	173-340-430	AMD-W	00-09-083
173-307-100	AMD	00-15-020	173-322-020	AMD-W	00-09-083	173-340-430	AMD-P	00-16-135
173-307-110	AMD-XA	00-10-052	173-322-020	AMD-P	00-16-135	173-340-440	AMD-W	00-09-083
173-307-110	AMD	00-15-020	173-322-030	AMD-W	00-09-083	173-340-440	AMD-P	00-16-135
173-307-130	AMD-XA	00-10-052	173-322-030	AMD-P	00-16-135	173-340-450	AMD-W	00-09-083
173-307-130	AMD	00-15-020	173-322-040	AMD-W	00-09-083	173-340-450	AMD-P	00-16-135
173-307-140	AMD-XA	00-10-052	173-322-040	AMD-P	00-16-135	173-340-510	AMD-W	00-09-083
173-307-140	AMD	00-15-020	173-322-050	AMD-W	00-09-083	173-340-510	AMD-P	00-16-135
173-310-010	AMD-XA	00-13-023	173-322-050	AMD-P	00-16-135	173-340-515	NEW-W	00-09-083
173-310-010	AMD	00-19-015	173-322-060	AMD-W	00-09-083	173-340-515	NEW-P	00-16-135
173-310-020	AMD-XA	00-13-023	173-322-060	AMD-P	00-16-135	173-340-520	AMD-W	00-09-083
173-310-020	AMD	00-19-015	173-322-070	AMD-W	00-09-083	173-340-520	AMD-P	00-16-135
173-310-030	AMD-XA	00-13-023	173-322-070	AMD-P	00-16-135	173-340-530	AMD-W	00-09-083
173-310-030	AMD	00-19-015	173-322-090	AMD-W	00-09-083	173-340-530	AMD-P	00-16-135
173-310-040	AMD-XA	00-13-023	173-322-090	AMD-P	00-16-135	173-340-545	NEW-W	00-09-083
173-310-040	AMD	00-19-015	173-322-100	AMD-W	00-09-083	173-340-545	NEW-P	00-16-135
173-310-050	AMD-XA	00-13-023	173-322-100	AMD-P	00-16-135	173-340-550	AMD-W	00-09-083
173-310-050	AMD	00-19-015	173-322-110	AMD-W	00-09-083	173-340-550	AMD-P	00-16-135
173-310-060	AMD-XA	00-13-023	173-322-110	AMD-P	00-16-135	173-340-600	AMD-W	00-09-083
173-310-060	AMD	00-19-015	173-322-120	AMD-W	00-09-083	173-340-600	AMD-P	00-16-135
173-310-070	AMD-XA	00-13-023	173-322-120	AMD-P	00-16-135	173-340-610	AMD-W	00-09-083
173-310-070	AMD	00-19-015	173-340	AMD-C	00-19-062	173-340-610	AMD-P	00-16-135
173-310-080	AMD-XA	00-13-023	173-340-100	AMD-W	00-09-083	173-340-700	AMD-W	00-09-083
173-310-080	AMD	00-19-015	173-340-100	AMD-P	00-16-135	173-340-700	AMD-P	00-16-135
173-310-090	AMD-XA	00-13-023	173-340-120	AMD-W	00-09-083	173-340-702	AMD-W	00-09-083
173-310-090	AMD	00-19-015	173-340-120	AMD-P	00-16-135	173-340-702	AMD-P	00-16-135
173-310-100	AMD-XA	00-13-023	173-340-130	AMD-W	00-09-083	173-340-704	AMD-W	00-09-083
173-310-100	AMD	00-19-015	173-340-130	AMD-P	00-16-135	173-340-704	AMD-P	00-16-135
173-312-010	AMD-XA	00-13-024	173-340-140	AMD-W	00-09-083	173-340-705	AMD-W	00-09-083
173-312-010	AMD	00-19-016	173-340-140	AMD-P	00-16-135	173-340-705	AMD-P	00-16-135
173-312-020	AMD-XA	00-13-024	173-340-200	AMD-W	00-09-083	173-340-706	AMD-W	00-09-083
173-312-020	AMD	00-19-016	173-340-200	AMD-P	00-16-135	173-340-706	AMD-P	00-16-135
173-312-030	AMD-XA	00-13-024	173-340-210	AMD-W	00-09-083	173-340-708	AMD-W	00-09-083
173-312-030	AMD	00-19-016	173-340-210	AMD-P	00-16-135	173-340-708	AMD-P	00-16-135
173-312-040	AMD-XA	00-13-024	173-340-300	AMD-W	00-09-083	173-340-709	NEW-W	00-09-083
173-312-040	AMD	00-19-016	173-340-300	AMD-P	00-16-135	173-340-709	NEW-P	00-16-135
173-312-050	AMD-XA	00-13-024	173-340-310	AMD-W	00-09-083	173-340-710	AMD-W	00-09-083
173-312-050	AMD	00-19-016	173-340-310	AMD-P	00-16-135	173-340-710	AMD-P	00-16-135
173-312-060	AMD-XA	00-13-024	173-340-320	AMD-W	00-09-083	173-340-720	AMD-W	00-09-083
173-312-060	AMD	00-19-016	173-340-320	AMD-P	00-16-135	173-340-720	AMD-P	00-16-135
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173-340-740	AMD-P	00-16-135	173-425-080	AMD	00-07-066	180- 51-005	AMD-C	00-19-109
173-340-745	AMD-W	00-09-083	173-425-090	REP	00-07-066	180- 51-005	AMD	00-23-032
173-340-745	AMD-P	00-16-135	173-425-100	REP	00-07-066	180- 51-010	REP-P	00-15-092
173-340-747	NEW-W	00-09-083	173-425-110	REP	00-07-066	180- 51-010	REP-C	00-19-109
173-340-747	NEW-P	00-16-135	173-503-010	NEW-P	00-21-114	180- 51-010	REP	00-23-032
173-340-7490	NEW-W	00-09-083	173-503-020	NEW-P	00-21-114	180- 51-025	AMD-P	00-15-092
173-340-7490	NEW-P	00-16-135	173-503-030	NEW-P	00-21-114	180- 51-025	AMD	00-19-108
173-340-7491	NEW-W	00-09-083	173-503-040	NEW-P	00-21-114	180- 51-030	AMD-P	00-15-092
173-340-7491	NEW-P	00-16-135	173-503-050	NEW-P	00-21-114	180- 51-030	AMD	00-19-108
173-340-7492	NEW-W	00-09-083	173-503-060	NEW-P	00-21-114	180- 51-035	AMD-P	00-15-092
173-340-7492	NEW-P	00-16-135	173-503-070	NEW-P	00-21-114	180- 51-035	AMD	00-19-108
173-340-7493	NEW-W	00-09-083	173-503-080	NEW-P	00-21-114	180- 51-040	AMD-P	00-15-092
173-340-7493	NEW-P	00-16-135	173-503-090	NEW-P	00-21-114	180- 51-040	AMD	00-19-108
173-340-7494	NEW-W	00-09-083	173-503-100	NEW-P	00-21-114	180- 51-045	AMD-P	00-15-092
173-340-7494	NEW-P	00-16-135	180- 25-012	NEW-P	00-19-112	180- 51-045	AMD	00-19-108
173-340-750	AMD-W	00-09-083	180- 26-012	NEW-P	00-19-112	180- 51-050	AMD-P	00-15-092
173-340-750	AMD-P	00-16-135	180- 27-012	NEW-P	00-19-112	180- 51-050	AMD-C	00-19-109
173-340-760	AMD-W	00-09-083	180- 27-032	AMD	00-04-007	180- 51-050	AMD	00-23-032
173-340-760	AMD-P	00-16-135	180- 27-102	AMD-P	00-05-104	180- 51-055	REP-P	00-15-092
173-340-800	AMD-W	00-09-083	180- 27-102	AMD	00-09-045	180- 51-055	REP	00-19-108
173-340-800	AMD-P	00-16-135	180- 29-012	NEW-P	00-19-112	180- 51-060	AMD-P	00-15-092
173-340-810	AMD-W	00-09-083	180- 29-068	NEW	00-04-008	180- 51-060	AMD	00-19-108
173-340-810	AMD-P	00-16-135	180- 29-085	AMD-P	00-10-060	180- 51-060	PREP	00-24-008
173-340-820	AMD-W	00-09-083	180- 29-085	AMD	00-18-060	180- 51-060	PREP	00-24-125
173-340-820	AMD-P	00-16-135	180- 31-012	NEW-P	00-19-112	180- 51-061	NEW-P	00-15-092
173-340-830	AMD-W	00-09-083	180- 32-012	NEW-P	00-19-112	180- 51-061	NEW-C	00-19-109
173-340-830	AMD-P	00-16-135	180- 33-012	NEW-P	00-19-112	180- 51-061	NEW	00-23-032
173-340-840	AMD-W	00-09-083	180- 40-270	AMD	00-07-018	180- 51-063	NEW	00-04-047
173-340-840	AMD-P	00-16-135	180- 40-285	AMD	00-07-018	180- 51-063	PREP	00-07-017
173-340-850	AMD-W	00-09-083	180- 40-305	AMD	00-07-018	180- 51-063	AMD-P	00-10-018
173-340-850	AMD-P	00-16-135	180- 40-315	AMD	00-07-018	180- 51-063	AMD	00-13-039
173-340-900	NEW-P	00-16-135	180- 50	PREP	00-12-017	180- 51-064	NEW	00-04-047
173-340-990	NEW-W	00-09-083	180- 50-100	AMD-P	00-15-093	180- 51-065	REP-P	00-15-092
173-400	PREP	00-23-054	180- 50-100	AMD	00-19-106	180- 51-065	REP	00-19-108
173-400-030	AMD-XA	00-17-136	180- 50-105	REP-P	00-15-093	180- 51-070	REP-P	00-15-092
173-400-030	AMD-W	00-22-102	180- 50-105	REP	00-19-106	180- 51-070	REP	00-19-108
173-400-040	AMD-XA	00-17-136	180- 50-115	AMD-P	00-15-093	180- 51-075	AMD	00-05-010
173-400-040	AMD	00-23-130	180- 50-115	AMD-C	00-19-013	180- 51-075	PREP	00-06-054
173-400-060	AMD-XA	00-17-136	180- 50-117	NEW-P	00-15-093	180- 51-075	AMD-P	00-10-081
173-400-060	AMD	00-23-130	180- 50-117	NEW-C	00-19-013	180- 51-075	AMD-P	00-15-095
173-400-070	AMD-XA	00-17-136	180- 50-120	AMD-P	00-15-093	180- 51-075	AMD	00-19-011
173-400-070	AMD	00-23-130	180- 50-120	AMD	00-19-106	180- 51-080	REP-P	00-15-092
173-400-075	AMD-XA	00-17-136	180- 50-125	REP-P	00-15-093	180- 51-080	REP	00-19-108
173-400-075	AMD	00-23-130	180- 50-125	REP	00-19-106	180- 51-085	AMD-P	00-15-092
173-400-104	AMD-XA	00-17-136	180- 50-130	REP-P	00-15-093	180- 51-085	AMD	00-19-108
173-400-104	AMD	00-23-130	180- 50-130	REP	00-19-106	180- 51-100	AMD-P	00-15-092
173-400-115	AMD-XA	00-17-136	180- 50-135	AMD-P	00-15-093	180- 51-100	AMD	00-19-108
173-400-115	AMD	00-23-130	180- 50-135	AMD-C	00-19-013	180- 51-105	AMD-P	00-15-092
173-401	PREP	00-23-054	180- 50-135	AMD	00-23-031	180- 51-105	AMD	00-19-108
173-406	PREP-W	00-21-046	180- 50-300	AMD-P	00-15-093	180- 51-110	AMD-P	00-15-092
173-422-031	NEW-XA	00-16-079	180- 50-300	AMD	00-19-106	180- 51-110	AMD	00-19-108
173-422-031	NEW	00-22-120	180- 50-310	AMD-P	00-15-093	180- 51-115	AMD-P	00-15-092
173-422-170	AMD-XA	00-16-079	180- 50-310	AMD	00-19-106	180- 51-115	AMD	00-19-108
173-422-170	AMD	00-22-120	180- 50-315	AMD-P	00-15-093	180- 52-041	NEW	00-03-046
173-425	AMD	00-07-066	180- 50-315	AMD	00-19-106	180- 52-041	PREP	00-24-007
173-425-010	AMD	00-07-066	180- 51	PREP	00-11-171	180- 52-041	PREP	00-24-126
173-425-020	AMD	00-07-066	180- 51-001	NEW-P	00-15-092	180- 56-230	PREP	00-07-046
173-425-030	AMD	00-07-066	180- 51-001	NEW	00-19-108	180- 56-230	AMD-P	00-10-020
173-425-040	AMD	00-07-066	180- 51-003	NEW-P	00-15-092	180- 56-230	AMD	00-13-038
173-425-050	AMD	00-07-066	180- 51-003	NEW-C	00-19-109	180- 57	PREP	00-12-016

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180-57-005	AMD-P	00-15-094	180-77A-165	AMD-P	00-15-090	180-78-105	REP	00-23-004
180-57-010	REP-P	00-15-094	180-77A-165	AMD	00-18-064	180-78-130	REP-P	00-19-110
180-57-020	AMD-P	00-15-094	180-77A-170	REP-P	00-15-090	180-78-130	REP	00-23-004
180-57-030	REP-P	00-15-094	180-77A-170	REP	00-18-064	180-78-140	REP-P	00-19-110
180-57-040	REP-P	00-15-094	180-77A-180	AMD-P	00-15-090	180-78-140	REP	00-23-004
180-57-050	AMD-P	00-15-094	180-77A-180	AMD	00-18-064	180-78-141	REP-P	00-19-110
180-57-055	AMD-P	00-15-094	180-77A-195	AMD-P	00-15-090	180-78-141	REP	00-23-004
180-57-070	PREP	00-07-016	180-77A-195	AMD	00-18-064	180-78-145	REP-P	00-19-110
180-57-070	AMD-P	00-10-019	180-78	PREP	00-15-101	180-78-145	REP	00-23-004
180-57-070	AMD	00-19-107	180-78-003	REP-P	00-19-110	180-78-150	REP-P	00-19-110
180-57-070	PREP	00-21-080	180-78-003	REP	00-23-004	180-78-150	REP	00-23-004
180-57-080	REP-P	00-15-094	180-78-005	REP-P	00-19-110	180-78-155	REP-P	00-19-110
180-77	PREP	00-11-082	180-78-005	REP	00-23-004	180-78-155	REP	00-23-004
180-77-004	REP-P	00-15-090	180-78-007	REP-P	00-19-110	180-78-160	REP-P	00-19-110
180-77-004	REP	00-18-064	180-78-007	REP	00-23-004	180-78-160	REP	00-23-004
180-77-014	AMD-P	00-15-090	180-78-008	REP-P	00-19-110	180-78-165	REP-P	00-19-110
180-77-014	AMD	00-18-064	180-78-008	REP	00-23-004	180-78-165	REP	00-23-004
180-77-031	AMD-P	00-15-090	180-78-010	REP-P	00-19-110	180-78-170	REP-P	00-19-110
180-77-031	AMD	00-18-064	180-78-010	REP	00-23-004	180-78-170	REP	00-23-004
180-77-041	AMD-P	00-15-090	180-78-015	REP-P	00-19-110	180-78-175	REP-P	00-19-110
180-77-041	AMD	00-18-064	180-78-015	REP	00-23-004	180-78-175	REP	00-23-004
180-77-075	AMD-P	00-15-090	180-78-025	REP-P	00-19-110	180-78-180	REP-P	00-19-110
180-77-075	AMD	00-18-064	180-78-025	REP	00-23-004	180-78-180	REP	00-23-004
180-77-106	REP-P	00-15-090	180-78-026	REP-P	00-19-110	180-78-185	REP-P	00-19-110
180-77-106	REP	00-18-064	180-78-026	REP	00-23-004	180-78-185	REP	00-23-004
180-77-110	AMD-P	00-15-090	180-78-028	REP-P	00-19-110	180-78-190	REP-P	00-19-110
180-77-110	AMD	00-18-064	180-78-028	REP	00-23-004	180-78-190	REP	00-23-004
180-77A	PREP	00-11-082	180-78-029	REP-P	00-19-110	180-78-201	REP-P	00-19-110
180-77A	AMD-P	00-15-090	180-78-029	REP	00-23-004	180-78-201	REP	00-23-004
180-77A	AMD	00-18-064	180-78-033	REP-P	00-19-110	180-78-205	REP-P	00-19-110
180-77A-004	AMD-P	00-15-090	180-78-033	REP	00-23-004	180-78-205	REP	00-23-004
180-77A-004	AMD	00-18-064	180-78-036	REP-P	00-19-110	180-78-207	REP-P	00-19-110
180-77A-006	AMD-P	00-15-090	180-78-036	REP	00-23-004	180-78-207	REP	00-23-004
180-77A-006	AMD	00-18-064	180-78-037	REP-P	00-19-110	180-78-210	REP-P	00-19-110
180-77A-012	REP-P	00-15-090	180-78-037	REP	00-23-004	180-78-210	REP	00-23-004
180-77A-012	REP	00-18-064	180-78-047	REP-P	00-19-110	180-78-215	REP-P	00-19-110
180-77A-014	REP-P	00-15-090	180-78-047	REP	00-23-004	180-78-215	REP	00-23-004
180-77A-014	REP	00-18-064	180-78-057	REP-P	00-19-110	180-78-217	REP-P	00-19-110
180-77A-016	REP-P	00-15-090	180-78-057	REP	00-23-004	180-78-217	REP	00-23-004
180-77A-016	REP	00-18-064	180-78-060	REP-P	00-19-110	180-78-220	REP-P	00-19-110
180-77A-018	REP-P	00-15-090	180-78-060	REP	00-23-004	180-78-220	REP	00-23-004
180-77A-018	REP	00-18-064	180-78-063	REP-P	00-19-110	180-78-225	REP-P	00-19-110
180-77A-020	REP-P	00-15-090	180-78-063	REP	00-23-004	180-78-225	REP	00-23-004
180-77A-020	REP	00-18-064	180-78-065	REP-P	00-19-110	180-78-230	REP-P	00-19-110
180-77A-025	AMD-P	00-15-090	180-78-065	REP	00-23-004	180-78-230	REP	00-23-004
180-77A-025	AMD	00-18-064	180-78-068	REP-P	00-19-110	180-78-232	REP-P	00-19-110
180-77A-026	REP-P	00-15-090	180-78-068	REP	00-23-004	180-78-232	REP	00-23-004
180-77A-026	REP	00-18-064	180-78-070	REP-P	00-19-110	180-78-235	REP-P	00-19-110
180-77A-028	REP-P	00-15-090	180-78-070	REP	00-23-004	180-78-235	REP	00-23-004
180-77A-028	REP	00-18-064	180-78-073	REP-P	00-19-110	180-78-237	REP-P	00-19-110
180-77A-029	AMD-P	00-15-090	180-78-073	REP	00-23-004	180-78-237	REP	00-23-004
180-77A-029	AMD	00-18-064	180-78-074	REP-P	00-19-110	180-78-240	REP-P	00-19-110
180-77A-030	AMD-P	00-15-090	180-78-074	REP	00-23-004	180-78-240	REP	00-23-004
180-77A-030	AMD	00-18-064	180-78-075	REP-P	00-19-110	180-78-245	REP-P	00-19-110
180-77A-033	AMD-P	00-15-090	180-78-075	REP	00-23-004	180-78-245	REP	00-23-004
180-77A-033	AMD	00-18-064	180-78-080	REP-P	00-19-110	180-78-250	REP-P	00-19-110
180-77A-037	AMD-P	00-15-090	180-78-080	REP	00-23-004	180-78-250	REP	00-23-004
180-77A-037	AMD	00-18-064	180-78-090	REP-P	00-19-110	180-78-255	REP-P	00-19-110
180-77A-040	AMD-P	00-15-090	180-78-090	REP	00-23-004	180-78-255	REP	00-23-004
180-77A-040	AMD	00-18-064	180-78-100	REP-P	00-19-110	180-78-257	REP-P	00-19-110
180-77A-057	AMD-P	00-15-090	180-78-100	REP	00-23-004	180-78-257	REP	00-23-004
180-77A-057	AMD	00-18-064	180-78-105	REP-P	00-19-110	180-78-260	REP-P	00-19-110

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180- 78-260	REP	00-23-004	180- 79A-020	PREP	00-15-099	180- 82-342	AMD	00-09-047
180- 78-265	REP-P	00-19-110	180- 79A-022	PREP	00-15-099	180- 82-342	AMD-P	00-15-091
180- 78-265	REP	00-23-004	180- 79A-030	AMD-P	00-24-128	180- 82-342	AMD	00-18-061
180- 78-266	REP-P	00-19-110	180- 79A-123	AMD-P	00-05-080	180- 82-343	AMD-P	00-05-083
180- 78-266	REP	00-23-004	180- 79A-123	AMD	00-09-048	180- 82-343	AMD	00-09-047
180- 78-270	REP-P	00-19-110	180- 79A-124	AMD-P	00-24-128	180- 85	PREP	00-24-118
180- 78-270	REP	00-23-004	180- 79A-130	AMD	00-03-048	180- 85-030	PREP	00-05-077
180- 78-275	REP-P	00-19-110	180- 79A-130	PREP	00-24-119	180- 85-030	AMD-P	00-10-082
180- 78-275	REP	00-23-004	180- 79A-140	PREP	00-05-076	180- 85-030	AMD	00-13-065
180- 78-280	REP-P	00-19-110	180- 79A-140	AMD-P	00-10-084	182- 12-119	PREP	00-12-045
180- 78-280	REP	00-23-004	180- 79A-140	AMD	00-13-063	182- 12-119	PREP	00-16-069
180- 78-285	REP-P	00-19-110	180- 79A-145	AMD	00-03-048	182- 12-119	AMD-P	00-21-074
180- 78-285	REP	00-23-004	180- 79A-155	PREP	00-24-120	182- 12-119	AMD	01-01-126
180- 78-295	REP-P	00-19-110	180- 79A-206	AMD	00-03-048	182- 12-132	PREP	00-12-045
180- 78-295	REP	00-23-004	180- 79A-206	AMD-P	00-24-128	182- 12-132	PREP	00-16-069
180- 78-310	REP-P	00-19-110	180- 79A-211	PREP	00-15-104	182- 12-132	AMD-P	00-21-074
180- 78-310	REP	00-23-004	180- 79A-211	AMD-P	00-24-129	182- 12-132	AMD	01-01-126
180- 78-325	REP-P	00-19-110	180- 79A-231	PREP	00-05-076	182- 16	PREP	00-10-101
180- 78-325	REP	00-23-004	180- 79A-231	AMD-P	00-10-084	182- 20	PREP	00-21-020
180- 78A	PREP	00-15-103	180- 79A-231	AMD	00-13-063	182- 20-001	AMD-P	00-24-099
180- 78A	PREP	00-24-127	180- 79A-231	AMD	00-03-048	182- 20-010	AMD-P	00-24-099
180- 78A-010	AMD	00-03-049	180- 79A-250	AMD	00-03-048	182- 20-010	AMD-P	00-24-099
180- 78A-015	PREP	00-15-098	180- 79A-257	AMD	00-03-048	182- 20-100	AMD-P	00-24-099
180- 78A-015	REP-P	00-24-123	180- 79A-257	PREP	00-15-096	182- 20-160	AMD-P	00-24-099
180- 78A-100	AMD-P	00-05-082	180- 79A-257	AMD-E	00-15-106	182- 20-200	AMD-P	00-24-099
180- 78A-100	AMD	00-09-049	180- 79A-257	AMD-P	00-19-111	182- 20-400	AMD-P	00-24-099
180- 78A-209	AMD-P	00-05-079	180- 79A-257	AMD	00-23-005	182- 25-010	AMD-XA	00-14-075
180- 78A-209	AMD	00-09-046	180- 79A-260	AMD	00-03-050	182- 25-010	AMD-P	00-22-099
180- 78A-209	PREP	00-21-091	180- 79A-300	AMD-P	00-15-090	182- 25-010	AMD	01-01-134
180- 78A-209	AMD-P	00-24-122	180- 79A-300	AMD	00-18-064	182- 25-020	PREP	00-16-136
180- 78A-264	AMD-P	00-24-128	180- 79A-311	PREP	00-24-121	182- 25-020	AMD-P	00-19-101
180- 78A-500	PREP	00-05-078	180- 82	PREP	00-11-081	182- 25-020	AMD	00-23-037
180- 78A-500	AMD-P	00-10-083	180- 82	PREP	00-11-082	182- 25-030	AMD-XA	00-14-075
180- 78A-500	AMD	00-13-064	180- 82-110	PREP	00-11-083	182- 25-030	AMD-P	00-22-099
180- 78A-505	AMD	00-03-049	180- 82-110	AMD-P	00-15-089	182- 25-030	AMD	01-01-134
180- 78A-510	AMD	00-03-049	180- 82-110	AMD	00-18-063	182- 25-100	PREP	00-10-101
180- 78A-515	AMD	00-03-049	180- 82-135	PREP	00-15-097	182- 25-105	PREP	00-10-101
180- 78A-520	AMD	00-03-049	180- 82-135	NEW-E	00-15-105	182- 25-110	PREP	00-10-101
180- 78A-525	AMD	00-03-049	180- 82-135	NEW-P	00-19-014	192- 12-025	REP	00-05-064
180- 78A-530	AMD	00-03-049	180- 82-135	NEW-P	00-24-124	192- 12-072	REP	00-05-068
180- 78A-535	AMD	00-03-049	180- 82-202	AMD-P	00-15-091	192- 12-405	REP	00-05-069
180- 78A-535	PREP	00-11-080	180- 82-202	AMD	00-18-061	192- 16-011	REP-E	00-13-057
180- 78A-535	AMD-P	00-15-088	180- 82-204	AMD-P	00-05-083	192- 16-011	REP-E	00-21-049
180- 78A-535	PREP	00-15-100	180- 82-204	AMD	00-09-047	192- 16-017	REP-E	00-05-063
180- 78A-535	AMD	00-18-062	180- 82-303	NEW-P	00-15-091	192- 16-017	REP-E	00-13-057
180- 78A-540	AMD	00-03-049	180- 82-303	NEW	00-18-061	192- 16-017	REP-E	00-21-049
180- 78A-545	PREP	00-15-098	180- 82-307	NEW-P	00-15-091	192- 16-021	REP-W	00-08-076
180- 78A-545	REP-P	00-24-123	180- 82-307	NEW	00-18-061	192- 16-061	REP-XR	00-23-103
180- 78A-550	PREP	00-15-098	180- 82-311	NEW-P	00-05-083	192-150-005	NEW-E	00-05-063
180- 78A-550	REP-P	00-24-123	180- 82-311	NEW	00-09-047	192-150-005	NEW-E	00-13-057
180- 78A-555	PREP	00-15-098	180- 82-313	NEW-P	00-05-083	192-150-005	NEW-E	00-21-049
180- 78A-555	REP-P	00-24-123	180- 82-313	NEW	00-09-047	192-150-050	NEW-E	00-13-057
180- 78A-560	PREP	00-15-098	180- 82-322	AMD-P	00-15-090	192-150-050	NEW-E	00-21-049
180- 78A-560	REP-P	00-24-123	180- 82-322	AMD	00-18-064	192-150-065	NEW-E	00-13-057
180- 78A-565	PREP	00-15-098	180- 82-335	NEW-P	00-05-083	192-150-065	NEW-E	00-21-049
180- 78A-565	REP-P	00-24-123	180- 82-335	NEW	00-09-047	192-150-085	NEW-E	00-05-063
180- 79A	PREP	00-11-082	180- 82-338	NEW-P	00-15-091	192-150-085	NEW-E	00-13-057
180- 79A	PREP	00-15-103	180- 82-338	NEW	00-18-061	192-150-085	NEW-E	00-21-049
180- 79A	PREP	00-24-118	180- 82-340	NEW-P	00-05-083	192-170-050	NEW-W	00-08-076
180- 79A-006	AMD	00-03-048	180- 82-340	NEW	00-09-047	192-170-060	NEW-W	00-08-076
180- 79A-007	AMD	00-03-048	180- 82-341	NEW-P	00-05-083	192-230	PREP	01-01-125
180- 79A-015	PREP	00-15-099	180- 82-341	NEW	00-09-047	192-270-005	NEW-E	00-05-063
			180- 82-342	AMD-P	00-05-083	192-270-005	NEW-E	00-13-057

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192-270-005	NEW-E	00-21-049	196-09	PREP	00-15-013	204-96-010	AMD-E	00-10-059
192-270-010	NEW-E	00-05-063	196-12	PREP	00-16-071	204-96-010	PREP	00-11-174
192-270-010	NEW-E	00-13-057	196-16	PREP	00-15-013	204-96-010	AMD-P	00-15-036
192-270-010	NEW-E	00-21-049	196-20	PREP	00-15-013	204-96-010	AMD	00-18-006
192-270-015	NEW-E	00-05-063	196-20-035	NEW-P	00-20-106	204-96-010	AMD-E	00-19-060
192-270-015	NEW-E	00-13-057	196-20-035	NEW	00-23-105	204-96-010	PREP	00-19-061
192-270-015	NEW-E	00-21-049	196-21	PREP	00-15-013	204-96-010	AMD-P	00-24-108
192-270-020	NEW-E	00-05-063	196-21-035	NEW-P	00-20-106	204-97-010	NEW-W	00-12-028
192-270-020	NEW-E	00-13-057	196-21-035	NEW	00-23-105	204-97-020	NEW-W	00-12-028
192-270-020	NEW-E	00-21-049	196-24-041	PREP	00-15-013	204-97-030	NEW-W	00-12-028
192-270-025	NEW-E	00-05-063	196-24-080	PREP	00-15-013	204-97-040	NEW-W	00-12-028
192-270-025	NEW-E	00-13-057	196-24-105	PREP	00-15-013	208-440	PREP	00-04-074
192-270-025	NEW-E	00-21-049	196-26	PREP	00-15-013	208-440	AMD-P	00-13-041
192-270-030	NEW-E	00-05-063	196-27	PREP	00-15-013	208-440-010	PREP	00-04-074
192-270-030	NEW-E	00-13-057	196-31-010	NEW-P	00-04-059	208-440-010	AMD-P	00-13-041
192-270-030	NEW-E	00-21-049	196-31-010	NEW	00-08-042	208-440-010	AMD	00-22-037
192-270-035	NEW-E	00-05-063	196-31-020	NEW-P	00-04-059	208-440-020	PREP	00-04-074
192-270-035	NEW-E	00-13-057	196-31-020	NEW	00-08-042	208-440-020	REP-P	00-13-041
192-270-035	NEW-E	00-21-049	196-31-030	NEW-P	00-04-059	208-440-020	REP	00-22-037
192-270-040	NEW-E	00-05-063	196-31-030	NEW	00-08-042	208-440-040	PREP	00-04-074
192-270-040	NEW-E	00-13-057	196-31-040	NEW-P	00-04-059	208-440-040	REP-P	00-13-041
192-270-040	NEW-E	00-21-049	196-31-040	NEW	00-08-042	208-440-040	REP	00-22-037
192-270-045	NEW-E	00-05-063	196-31-050	NEW-P	00-04-059	208-440-050	PREP	00-04-074
192-270-045	NEW-E	00-13-057	196-31-050	NEW	00-08-042	208-440-050	REP-P	00-13-041
192-270-045	NEW-E	00-21-049	196-31-060	NEW-P	00-04-059	208-440-050	REP	00-22-037
192-270-050	NEW-E	00-05-063	196-31-060	NEW	00-08-042	208-444-050	PREP	00-16-028
192-270-050	NEW-E	00-13-057	196-31-070	NEW-P	00-04-059	208-460-010	PREP	00-16-028
192-270-050	NEW-E	00-21-049	196-31-070	NEW	00-08-042	208-460-020	PREP	00-16-028
192-270-055	NEW-E	00-05-063	196-32-010	NEW-P	00-16-068	208-460-030	PREP	00-16-028
192-270-055	NEW-E	00-13-057	196-32-010	NEW	00-20-017	208-460-040	PREP	00-16-028
192-270-055	NEW-E	00-21-049	196-32-020	NEW-P	00-16-068	208-460-050	PREP	00-16-028
192-270-060	NEW-E	00-05-063	196-32-020	NEW	00-20-017	208-460-060	PREP	00-16-028
192-270-060	NEW-E	00-13-057	196-32-030	NEW-P	00-16-068	208-460-070	PREP	00-16-028
192-270-060	NEW-E	00-21-049	196-32-030	NEW	00-20-017	208-460-080	PREP	00-16-028
192-270-065	NEW-E	00-05-063	196-32-040	NEW-P	00-16-068	208-460-090	PREP	00-16-028
192-270-065	NEW-E	00-13-057	196-32-040	NEW	00-20-017	208-460-100	PREP	00-16-028
192-270-065	NEW-E	00-21-049	196-32-050	NEW-P	00-16-068	208-460-110	PREP	00-16-028
192-270-070	NEW-E	00-05-063	196-32-050	NEW	00-20-017	208-460-120	PREP	00-16-028
192-270-070	NEW-E	00-13-057	197-11	PREP	00-07-051	208-460-130	PREP	00-16-028
192-270-070	NEW-E	00-21-049	204-24-030	PREP	00-08-111	208-460-140	PREP	00-16-028
192-300-050	NEW	00-05-068	204-24-030	AMD-P	00-11-173	208-460-150	PREP	00-16-028
192-300-170	NEW	00-05-064	204-24-030	AMD	00-15-009	208-460-160	PREP	00-16-028
192-300-190	NEW	00-05-067	204-24-050	AMD	00-03-081	208-460-170	PREP	00-16-028
192-320-050	NEW	00-05-068	204-38-030	AMD	00-03-023	208-460-180	PREP	00-16-028
192-320-070	NEW	00-05-069	204-38-030	AMD	00-23-008	208-472-041	PREP	00-23-002
192-330	PREP	01-01-125	204-38-040	AMD	00-03-023	208-512-020	RECOD-X	00-13-101
192-330-100	NEW	00-05-066	204-38-040	AMD	00-23-008	208-512-020	RECOD	00-17-141
192-340-010	NEW	00-05-065	204-38-050	AMD	00-03-023	208-512-030	RECOD-X	00-13-101
194-20-010	AMD	00-08-039	204-38-050	AMD	00-23-008	208-512-030	RECOD	00-17-141
194-20-010	DECOD	00-08-039	204-41-070	PREP	00-15-008	208-512-045	RECOD-X	00-13-101
194-20-020	AMD	00-08-039	204-41-070	NEW-P	00-18-080	208-512-045	RECOD	00-17-141
194-20-020	DECOD	00-08-039	204-41-070	NEW	00-22-028	208-512-050	RECOD-X	00-13-101
194-20-030	AMD	00-08-039	204-91A	PREP	00-16-101	208-512-050	RECOD	00-17-141
194-20-030	DECOD	00-08-039	204-91A-010	AMD-P	00-21-026	208-512-060	RECOD-X	00-13-101
194-20-040	AMD	00-08-039	204-91A-030	AMD-P	00-21-026	208-512-060	RECOD	00-17-141
194-20-040	DECOD	00-08-039	204-91A-060	AMD-P	00-21-026	208-512-070	RECOD-X	00-13-101
194-20-050	AMD	00-08-039	204-91A-090	AMD-P	00-21-026	208-512-070	RECOD	00-17-141
194-20-050	DECOD	00-08-039	204-91A-120	AMD-P	00-21-026	208-512-080	RECOD-X	00-13-101
194-20-060	REP	00-08-039	204-91A-130	AMD-P	00-21-026	208-512-080	RECOD	00-17-141
194-20-070	REP	00-08-039	204-91A-140	AMD-P	00-21-026	208-512-090	RECOD-X	00-13-101
194-20-080	AMD	00-08-039	204-91A-170	AMD-P	00-21-026	208-512-090	RECOD	00-17-141
194-20-080	DECOD	00-08-039	204-91A-180	AMD-P	00-21-026	208-512-100	RECOD-X	00-13-101

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
208-548-070	RECOD	00-17-141	208-594-020	RECOD	00-17-140	208-680B-030	AMD-P	00-19-051
208-548-080	RECOD-X	00-13-101	208-594-030	RECOD-X	00-13-100	208-680B-050	AMD-P	00-19-051
208-548-080	RECOD	00-17-141	208-594-030	RECOD	00-17-140	208-680B-070	AMD-P	00-19-051
208-548-090	RECOD-X	00-13-101	208-594-040	RECOD-X	00-13-100	208-680B-090	AMD-P	00-19-051
208-548-090	RECOD	00-17-141	208-594-040	RECOD	00-17-140	208-680B-100	NEW-P	00-19-051
208-548-100	RECOD-X	00-13-101	208-594-050	RECOD-X	00-13-100	208-680B-110	NEW-P	00-19-051
208-548-100	RECOD	00-17-141	208-594-050	RECOD	00-17-140	208-680B-120	NEW-P	00-19-051
208-556-010	RECOD-X	00-13-101	208-594-060	RECOD-X	00-13-100	208-680C-020	AMD-P	00-19-051
208-556-010	RECOD	00-17-141	208-594-060	RECOD	00-17-140	208-680C-040	AMD-P	00-19-051
208-556-020	RECOD-X	00-13-101	208-594-070	RECOD-X	00-13-100	208-680C-045	AMD-P	00-19-051
208-556-020	RECOD	00-17-141	208-594-070	RECOD	00-17-140	208-680C-050	AMD-P	00-19-051
208-556-030	RECOD-X	00-13-101	208-594-080	RECOD-X	00-13-100	208-680D-010	AMD-P	00-19-051
208-556-030	RECOD	00-17-141	208-594-080	RECOD	00-17-140	208-680D-020	AMD-P	00-19-051
208-556-040	RECOD-X	00-13-101	208-594-090	RECOD-X	00-13-100	208-680D-030	AMD-P	00-19-051
208-556-040	RECOD	00-17-141	208-594-090	RECOD	00-17-140	208-680D-040	AMD-P	00-19-051
208-556-050	RECOD-X	00-13-101	208-598-010	RECOD-X	00-13-100	208-680D-050	AMD-P	00-19-051
208-556-050	RECOD	00-17-141	208-598-010	RECOD	00-17-140	208-680D-060	AMD-P	00-19-051
208-556-060	RECOD-X	00-13-101	208-598-020	RECOD-X	00-13-100	208-680D-080	AMD-P	00-19-051
208-556-060	RECOD	00-17-141	208-598-020	RECOD	00-17-140	208-680D-090	NEW-P	00-19-051
208-556-070	RECOD-X	00-13-101	208-598-030	RECOD-X	00-13-100	208-680D-100	NEW-P	00-19-051
208-556-070	RECOD	00-17-141	208-598-030	RECOD	00-17-140	208-680E-011	AMD-P	00-19-051
208-556-080	RECOD-X	00-13-101	208-660-010	AMD-P	00-17-172	208-680F-010	AMD-P	00-19-051
208-556-080	RECOD	00-17-141	208-660-010	AMD	01-01-044	208-680F-020	AMD-P	00-19-051
208-586-020	RECOD-X	00-13-100	208-660-020	AMD-P	00-17-172	208-680F-040	AMD-P	00-19-051
208-586-020	RECOD	00-17-140	208-660-020	AMD	01-01-044	208-680F-060	AMD-P	00-19-051
208-586-030	RECOD-X	00-13-100	208-660-025	AMD-P	00-17-172	208-680F-070	AMD-P	00-19-051
208-586-030	RECOD	00-17-140	208-660-025	AMD	01-01-044	208-680G-010	NEW-P	00-19-051
208-586-040	RECOD-X	00-13-100	208-660-030	AMD-P	00-17-172	208-680G-020	NEW-P	00-19-051
208-586-040	RECOD	00-17-140	208-660-030	AMD	01-01-044	208-680G-030	NEW-P	00-19-051
208-586-050	RECOD-X	00-13-100	208-660-040	AMD-P	00-17-172	208-680G-040	NEW-P	00-19-051
208-586-050	RECOD	00-17-140	208-660-040	AMD	01-01-044	208-680G-050	NEW-P	00-19-051
208-586-060	RECOD-X	00-13-100	208-660-042	AMD-P	00-17-172	210-01-120	AMD-P	00-03-040
208-586-060	RECOD	00-17-140	208-660-042	AMD	01-01-044	210-01-120	AMD	00-07-003
208-586-070	RECOD-X	00-13-100	208-660-045	AMD-P	00-17-172	210-02-010	NEW-P	00-08-069
208-586-070	RECOD	00-17-140	208-660-045	AMD	01-01-044	210-02-010	NEW	00-11-023
208-586-075	RECOD-X	00-13-100	208-660-070	AMD-P	00-17-172	210-02-020	NEW-P	00-08-069
208-586-075	RECOD	00-17-140	208-660-070	AMD	01-01-044	210-02-020	NEW	00-11-023
208-586-080	RECOD-X	00-13-100	208-660-080	AMD-P	00-17-172	210-02-030	NEW-P	00-08-069
208-586-080	RECOD	00-17-140	208-660-080	AMD	01-01-044	210-02-030	NEW	00-11-023
208-586-085	RECOD-X	00-13-100	208-660-08015	AMD-P	00-17-172	210-02-040	NEW-P	00-08-069
208-586-085	RECOD	00-17-140	208-660-08015	AMD	01-01-044	210-02-040	NEW	00-11-023
208-586-090	RECOD-X	00-13-100	208-660-08025	AMD-P	00-17-172	210-02-050	NEW-P	00-08-069
208-586-090	RECOD	00-17-140	208-660-08025	AMD	01-01-044	210-02-050	NEW	00-11-023
208-586-100	RECOD-X	00-13-100	208-660-08030	AMD-P	00-17-172	210-02-060	NEW-P	00-08-069
208-586-100	RECOD	00-17-140	208-660-08030	AMD	01-01-044	210-02-060	NEW	00-11-023
208-586-110	RECOD-X	00-13-100	208-660-08032	NEW-P	00-17-172	210-02-070	NEW-P	00-08-069
208-586-110	RECOD	00-17-140	208-660-08032	NEW	01-01-044	210-02-070	NEW	00-11-023
208-586-120	RECOD-X	00-13-100	208-660-08040	AMD-P	00-17-172	210-02-080	NEW-P	00-08-069
208-586-120	RECOD	00-17-140	208-660-08040	AMD	01-01-044	210-02-080	NEW	00-11-023
208-586-135	RECOD-X	00-13-100	208-660-130	AMD-P	00-17-172	210-02-090	NEW-P	00-08-069
208-586-135	RECOD	00-17-140	208-660-130	AMD	01-01-044	210-02-090	NEW	00-11-023
208-586-140	RECOD-X	00-13-100	208-660-140	AMD-P	00-17-172	210-02-100	NEW-P	00-08-069
208-586-140	RECOD	00-17-140	208-660-140	AMD	01-01-044	210-02-100	NEW	00-11-023
208-590-010	RECOD-X	00-13-100	208-660-145	AMD-P	00-17-172	210-02-110	NEW-P	00-08-069
208-590-010	RECOD	00-17-140	208-660-145	AMD	01-01-044	210-02-110	NEW	00-11-023
208-590-020	RECOD-X	00-13-100	208-660-160	AMD-P	00-17-172	210-02-120	NEW-P	00-08-069
208-590-020	RECOD	00-17-140	208-660-160	AMD	01-01-044	210-02-120	NEW	00-11-023
208-590-030	RECOD-X	00-13-100	208-680	PREP	00-10-102	210-02-130	NEW-P	00-08-069
208-590-030	RECOD	00-17-140	208-680A-040	AMD-P	00-19-051	210-02-130	NEW	00-11-023
208-594-010	RECOD-X	00-13-100	208-680B-010	AMD-P	00-19-051	210-02-140	NEW-P	00-08-069
208-594-010	RECOD	00-17-140	208-680B-015	NEW-P	00-19-051	210-02-140	NEW	00-11-023
208-594-020	RECOD-X	00-13-100	208-680B-020	AMD-P	00-19-051	210-02-150	NEW-P	00-08-069

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210-02-150	NEW	00-11-023	220-32-05100R	REP-E	00-04-071	220-33-020	AMD	00-17-117
210-02-160	NEW-P	00-08-069	220-32-05100R	REP-E	00-07-099	220-33-03000P	NEW-E	00-11-046
210-02-160	NEW	00-11-023	220-32-05100S	NEW-E	00-14-051	220-33-03000P	REP-E	00-11-046
210-02-170	NEW-P	00-08-069	220-32-05100T	REP-E	00-18-022	220-33-03000P	REP-E	00-14-014
210-02-170	NEW	00-11-023	220-32-05100U	NEW-E	00-19-026	220-33-03000Q	NEW-E	00-14-014
210-02-180	NEW-P	00-08-069	220-32-05100U	REP-E	00-19-026	220-33-03000Q	REP-E	00-14-014
210-02-180	NEW	00-11-023	220-32-05100V	NEW-E	00-19-063	220-33-040	AMD-XA	00-12-052
210-02-190	NEW-P	00-08-069	220-32-05100V	REP-E	00-19-063	220-33-040	AMD-P	00-14-036
210-02-190	NEW	00-11-023	220-32-05500A	NEW-E	00-10-097	220-33-040	AMD-C	00-17-094
210-02-200	NEW-P	00-08-069	220-32-05500A	REP-E	00-10-097	220-33-040	AMD	00-17-117
210-02-200	NEW	00-11-023	220-32-05500A	REP-E	00-11-030	220-33-04000I	REP-E	00-06-017
220-16-257	AMD	00-08-038	220-32-05500B	NEW-E	00-11-030	220-33-04000J	NEW-E	00-06-017
220-16-260	AMD-P	00-22-105	220-32-05500B	REP-E	00-11-030	220-33-04000J	REP-E	00-06-017
220-16-270	AMD-P	00-22-105	220-32-05500B	REP-E	00-12-026	220-33-060	AMD-P	00-14-038
220-16-345	AMD	00-08-038	220-32-05500C	NEW-E	00-12-026	220-33-060	AMD-C	00-17-093
220-16-480	AMD-W	00-11-087	220-32-05500C	REP-E	00-12-026	220-33-06000A	NEW-E	00-11-056
220-16-590	AMD-P	00-06-083	220-32-05500D	NEW-E	00-20-056	220-33-06000B	NEW-E	00-19-044
220-16-590	AMD-W	00-07-019	220-32-05500D	REP-E	00-20-056	220-33-06000B	REP-E	00-19-044
220-16-590	AMD	00-08-038	220-32-05500D	REP-E	00-21-052	220-36-023	AMD-XA	00-17-104
220-16-590	AMD-P	00-14-022	220-32-05500Z	NEW-E	00-09-024	220-36-023	AMD	00-23-065
220-16-590	AMD	00-17-106	220-32-05500Z	REP-E	00-09-024	220-36-02300A	NEW-E	00-17-139
220-16-730	NEW	00-08-038	220-32-05500Z	REP-E	00-10-097	220-36-02300A	REP-E	00-17-139
220-16-740	NEW-P	00-06-083	220-32-057	AMD-XA	00-12-052	220-40-027	AMD-XA	00-17-104
220-16-740	NEW-W	00-07-019	220-32-057	AMD	00-17-117	220-40-027	AMD	00-23-065
220-16-740	NEW	00-08-038	220-32-05700E	NEW-E	00-07-109	220-40-02700U	NEW-E	00-17-139
220-16-740	AMD-P	00-14-022	220-32-05700E	REP-E	00-13-015	220-40-02700U	REP-E	00-17-139
220-16-740	AMD	00-17-106	220-32-05700F	NEW-E	00-13-015	220-40-03100A	NEW-E	00-23-010
220-16-74000A	NEW-E	00-10-069	220-32-05700F	REP-E	00-16-090	220-40-03100A	REP-E	00-23-010
220-16-750	NEW-P	00-06-083	220-32-05700G	NEW-E	00-17-050	220-40-03100A	REP-E	00-23-039
220-16-750	NEW-W	00-07-019	220-32-05700G	REP-E	00-17-050	220-40-03100B	NEW-E	00-23-039
220-16-750	NEW	00-08-038	220-32-05700H	NEW-E	00-20-056	220-40-03100B	REP-E	00-23-039
220-16-750	AMD-P	00-14-022	220-32-05700H	REP-E	00-20-056	220-40-03100B	REP-E	00-24-001
220-16-750	AMD	00-17-106	220-32-35100T	NEW-E	00-18-022	220-40-03100C	NEW-E	00-24-001
220-16-75000A	NEW-E	00-10-069	220-33-010	AMD-XA	00-12-052	220-40-03100C	REP-E	00-24-001
220-20-010	AMD	00-08-038	220-33-010	AMD	00-17-117	220-44-020	AMD-P	00-14-038
220-20-015	AMD-P	00-06-083	220-33-01000B	NEW-E	00-05-047	220-44-020	AMD-C	00-17-093
220-20-015	AMD-W	00-07-019	220-33-01000B	REP-E	00-05-047	220-44-02000A	NEW-E	00-11-056
220-20-015	AMD-P	00-14-022	220-33-01000B	REP-E	00-06-011	220-44-02000B	NEW-E	00-19-044
220-20-015	AMD	00-17-106	220-33-01000C	NEW-E	00-06-011	220-44-02000B	REP-E	00-19-044
220-20-01500A	NEW-E	00-10-069	220-33-01000C	REP-E	00-06-036	220-44-030	AMD-P	00-14-020
220-20-020	AMD-P	00-06-083	220-33-01000D	NEW-E	00-06-036	220-44-030	AMD-C	00-17-091
220-20-020	AMD-W	00-07-019	220-33-01000E	NEW-E	00-14-014	220-44-030	AMD-S	00-23-072
220-20-020	AMD-P	00-14-022	220-33-01000E	REP-E	00-14-014	220-44-050	AMD-XA	00-10-038
220-20-020	AMD	00-17-106	220-33-01000F	NEW-E	00-16-081	220-44-050	AMD	00-16-033
220-20-02000A	NEW-E	00-10-069	220-33-01000F	REP-E	00-16-081	220-44-05000A	NEW-E	00-04-041
220-20-025	AMD-P	00-06-083	220-33-01000G	NEW-E	00-17-130	220-44-05000B	NEW-E	00-22-021
220-20-025	AMD-W	00-07-019	220-33-01000G	REP-E	00-17-130	220-44-05000Z	REP-E	00-04-041
220-20-025	AMD-P	00-14-022	220-33-01000G	REP-E	00-18-004	220-44-080	AMD-XA	00-10-038
220-20-025	AMD	00-17-106	220-33-01000H	NEW-E	00-18-042	220-44-080	AMD	00-16-033
220-20-02500A	NEW-E	00-10-069	220-33-01000H	REP-E	00-18-042	220-47-304	AMD-XA	00-13-095
220-22-40000A	NEW-E	00-19-054	220-33-01000H	REP-E	00-19-056	220-47-304	AMD	00-18-023
220-24-02000L	NEW-E	00-10-067	220-33-01000I	NEW-E	00-19-056	220-47-311	AMD-XA	00-13-095
220-24-02000L	REP-E	00-10-067	220-33-01000I	REP-E	00-20-015	220-47-311	AMD	00-18-023
220-24-02000	NEW-E	00-17-001	220-33-01000J	NEW-E	00-20-015	220-47-401	AMD-XA	00-13-095
220-24-02000	REP-E	00-17-001	220-33-01000J	REP-E	00-20-057	220-47-401	AMD	00-18-023
220-24-02000	REP-E	00-17-119	220-33-01000K	NEW-E	00-20-057	220-47-411	AMD-XA	00-13-095
220-24-02000N	NEW-E	00-17-119	220-33-01000K	REP-E	00-21-016	220-47-411	AMD	00-18-023
220-24-02000N	REP-E	00-18-053	220-33-01000L	NEW-E	00-21-016	220-47-427	AMD-XA	00-13-095
220-24-02000P	NEW-E	00-18-053	220-33-01000	NEW-E	00-22-013	220-47-427	AMD	00-18-023
220-24-02000P	REP-E	00-18-053	220-33-01000	REP-E	00-22-013	220-47-428	AMD-XA	00-13-095
220-32-01500S	REP-E	00-14-051	220-33-01000N	NEW-E	00-22-066	220-47-428	AMD	00-18-023
220-32-05100R	NEW-E	00-04-071	220-33-020	AMD-XA	00-12-052	220-47-701	NEW-E	00-17-092

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
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220-47-702	NEW-E	00-18-077	220-52-04000T	NEW-E	00-12-025	220-52-068	AMD	00-17-145
220-47-702	REP-E	00-19-027	220-52-04000U	REP-E	00-12-025	220-52-068	AMD-S	00-23-072
220-47-703	NEW-E	00-19-027	220-52-04000U	NEW-E	00-19-054	220-52-069	AMD-P	00-11-045
220-47-703	REP-E	00-20-012	220-52-043	AMD-W	00-08-077	220-52-069	AMD	00-17-108
220-47-704	NEW-E	00-20-012	220-52-043	AMD-P	00-14-037	220-52-06900A	NEW-E	00-04-015
220-47-704	REP-E	00-20-055	220-52-043	AMD	00-18-005	220-52-06900A	REP-E	00-11-116
220-47-705	NEW-E	00-20-055	220-52-046	AMD-P	00-22-105	220-52-06900B	NEW-E	00-11-116
220-47-705	REP-E	00-20-055	220-52-04600A	NEW-E	00-11-001	220-52-071	AMD	00-03-042
220-47-706	NEW-E	00-21-071	220-52-04600A	REP-E	00-11-001	220-52-07100N	NEW-E	00-13-054
220-47-706	REP-E	00-21-071	220-52-04600B	NEW-E	00-12-025	220-52-07100N	REP-E	00-16-066
220-47-706	REP-E	00-21-093	220-52-04600C	REP-E	00-12-025	220-52-07100P	NEW-E	00-16-066
220-47-707	NEW-E	00-21-093	220-52-04600C	NEW-E	00-19-054	220-52-07100P	REP-E	00-17-020
220-47-707	REP-E	00-21-093	220-52-04600C	REP-E	00-20-013	220-52-07100Q	NEW-E	00-17-020
220-47-708	NEW-E	00-22-048	220-52-04600D	NEW-E	00-20-013	220-52-073	AMD	00-03-042
220-47-708	REP-E	00-22-048	220-52-04600D	REP-E	00-23-059	220-52-07300A	NEW-E	01-01-146
220-47-709	NEW-E	00-23-016	220-52-04600E	NEW-E	00-23-059	220-52-07300Q	REP-E	00-03-006
220-47-709	REP-E	00-23-016	220-52-04600E	REP-E	01-01-084	220-52-07300R	NEW-E	00-03-006
220-47-710	NEW-E	00-23-040	220-52-04600E	REP-E	01-01-084	220-52-07300R	NEW-E	00-03-006
220-47-710	REP-E	00-23-040	220-52-04600F	NEW-E	00-24-005	220-52-07300R	REP-E	00-03-006
220-47-711	NEW-E	00-23-080	220-52-04600F	REP-E	01-01-019	220-52-07300R	REP-E	00-03-044
220-47-711	REP-E	00-23-080	220-52-04600G	NEW-E	01-01-019	220-52-07300S	NEW-E	00-03-044
220-47-711	REP-E	00-24-003	220-52-04600G	REP-E	01-01-019	220-52-07300S	REP-E	00-03-044
220-47-712	NEW-E	00-24-003	220-52-04600H	NEW-E	01-01-027	220-52-07300S	REP-E	00-04-013
220-48-005	AMD-W	00-11-086	220-52-04600H	REP-E	01-01-027	220-52-07300T	NEW-E	00-04-013
220-48-011	AMD-P	00-14-020	220-52-04600I	NEW-E	01-01-084	220-52-07300T	REP-E	00-05-041
220-48-011	AMD	00-17-145	220-52-04600J	NEW-E	01-01-112	220-52-07300U	NEW-E	00-05-041
220-48-011	AMD-S	00-23-072	220-52-04600U	NEW-E	00-04-084	220-52-07300U	REP-E	00-06-044
220-48-015	AMD-W	00-11-086	220-52-04600U	REP-E	00-06-009	220-52-07300V	NEW-E	00-06-044
220-48-015	AMD-P	00-14-020	220-52-04600V	REP-E	00-04-084	220-52-07300V	REP-E	00-06-044
220-48-015	AMD-C	00-17-091	220-52-04600V	NEW-E	00-06-009	220-52-07300V	NEW-E	00-07-064
220-48-015	AMD-S	00-23-072	220-52-04600X	REP-E	00-08-037	220-52-07300	NEW-E	00-07-114
220-48-01500K	NEW-E	00-08-037	220-52-04600X	REP-E	00-08-037	220-52-07300	REP-E	00-07-114
220-48-01500L	NEW-E	00-14-013	220-52-04600Y	NEW-E	00-08-037	220-52-07300X	NEW-E	00-21-041
220-48-016	AMD-W	00-11-086	220-52-04600Y	REP-E	00-08-037	220-52-07300X	REP-E	00-22-090
220-48-017	AMD-W	00-11-086	220-52-04600Y	REP-E	00-08-044	220-52-07300Y	NEW-E	00-22-090
220-48-019	AMD-W	00-11-086	220-52-04600Z	NEW-E	00-08-044	220-52-07300Y	REP-E	01-01-041
220-48-019	AMD-W	00-11-086	220-52-04700C	REP-E	00-08-044	220-52-07300Z	NEW-E	01-01-041
220-48-019	AMD-P	00-14-020	220-52-050	NEW-E	00-19-054	220-52-07300Z	REP-E	01-01-146
220-48-019	AMD	00-17-145	220-52-050	AMD-P	00-14-020	220-52-075	AMD	00-05-054
220-48-019	AMD-S	00-23-072	220-52-050	AMD	00-17-145	220-52-075	AMD-P	00-22-104
220-48-028	AMD-W	00-11-086	220-52-051	AMD-S	00-23-072	220-52-075	AMD-P	00-22-105
220-48-029	AMD-W	00-11-086	220-52-051	AMD-P	00-22-105	220-52-07500A	NEW-E	00-10-051
220-48-031	AMD-W	00-11-086	220-52-05100A	NEW-E	00-09-055	220-55-005	AMD-P	00-06-084
220-48-032	AMD-W	00-11-086	220-52-05100A	REP-E	00-10-051	220-55-005	AMD	00-11-178
220-48-061	AMD-W	00-11-086	220-52-05100B	NEW-E	00-10-051	220-55-010	AMD-P	00-06-084
220-48-071	AMD-W	00-11-086	220-52-05100B	REP-E	00-12-015	220-55-010	AMD	00-11-178
220-49-020	AMD-P	00-22-078	220-52-05100C	NEW-E	00-12-015	220-55-015	AMD-P	00-06-084
220-49-02000L	NEW-E	01-01-099	220-52-05100C	REP-E	00-15-006	220-55-015	AMD	00-11-178
220-52-020	AMD-P	00-22-077	220-52-05100D	NEW-E	00-15-006	220-55-070	AMD-P	00-06-084
220-52-03000L	NEW-E	00-11-057	220-52-05100D	REP-E	00-15-033	220-55-070	AMD	00-11-178
220-52-03000L	REP-E	00-11-057	220-52-05100E	NEW-E	00-15-033	220-55-105	AMD-P	00-06-084
220-52-03000L	REP-E	00-13-006	220-52-05100E	REP-E	00-16-025	220-55-105	AMD	00-11-178
220-52-03000	NEW-E	00-13-068	220-52-05100F	NEW-E	00-16-025	220-55-110	AMD-P	00-06-084
220-52-03000	REP-E	00-13-068	220-52-05100F	REP-E	00-16-040	220-55-110	AMD	00-11-178
220-52-040	AMD-W	00-08-077	220-52-05100G	NEW-E	00-16-040	220-55-115	AMD-P	00-06-084
220-52-040	AMD-P	00-14-037	220-52-05100G	REP-E	00-17-006	220-55-115	AMD	00-11-178
220-52-040	AMD	00-18-005	220-52-05100H	NEW-E	00-17-006	220-55-132	NEW-P	00-06-084
220-52-040	AMD-P	00-22-105	220-52-05100H	REP-E	00-17-051	220-55-132	NEW	00-11-178
220-52-04000Q	REP-E	00-04-084	220-52-05100I	NEW-E	00-17-051	220-55-170	AMD-P	00-06-042
220-52-04000R	NEW-E	00-04-084	220-52-05100I	REP-E	00-21-010	220-55-170	AMD	00-11-177
220-52-04000R	REP-E	00-11-001	220-52-05100J	NEW-E	00-21-010	220-55-17000B	NEW-E	00-11-058
220-52-04000S	NEW-E	00-11-001	220-52-05100J	REP-E	00-21-042	220-55-180	AMD-P	00-06-043
			220-52-063	AMD-P	00-22-104	220-55-180	AMD	00-11-176

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220-56-08500U	REP-E	00-08-046	220-56-19100Q	REP-E	00-18-054	220-56-30500G	NEW-E	00-13-058
220-56-100	AMD-XA	00-11-179	220-56-195	AMD-XA	00-11-179	220-56-310	AMD	00-08-038
220-56-100	AMD	00-16-091	220-56-195	AMD	00-16-091	220-56-315	AMD	00-08-038
220-56-103	AMD	00-08-038	220-56-19500F	NEW-E	00-10-068	220-56-315	AMD-P	01-01-025
220-56-103	REP-XA	00-11-179	220-56-19500G	NEW-E	00-21-011	220-56-320	AMD-P	00-22-103
220-56-103	REP	00-16-091	220-56-19500G	REP-E	00-21-011	220-56-325	AMD-P	00-22-103
220-56-105	AMD	00-08-038	220-56-199	AMD-XA	00-11-179	220-56-32500D	NEW-E	00-10-011
220-56-115	AMD-XA	00-11-179	220-56-199	AMD	00-16-091	220-56-32500D	REP-E	00-10-011
220-56-115	AMD	00-16-091	220-56-19900A	NEW-E	00-10-068	220-56-32500E	NEW-E	00-11-144
220-56-115	AMD-P	00-22-103	220-56-205	AMD	00-08-038	220-56-32500E	REP-E	00-14-023
220-56-11500D	NEW-E	00-10-068	220-56-205	REP-XA	00-11-179	220-56-32500F	NEW-E	00-12-047
220-56-116	AMD-XA	00-11-179	220-56-205	REP	00-16-091	220-56-32500F	REP-E	00-12-047
220-56-116	AMD	00-16-091	220-56-235	AMD	00-08-038	220-56-32500G	NEW-E	00-12-069
220-56-123	AMD-XA	00-11-179	220-56-235	AMD-XA	00-10-038	220-56-32500G	REP-E	00-12-069
220-56-123	AMD	00-16-091	220-56-235	AMD	00-17-016	220-56-32500H	NEW-E	00-13-053
220-56-123	AMD-P	00-22-103	220-56-235	AMD-P	00-22-103	220-56-32500H	REP-E	00-13-053
220-56-12300A	NEW-E	00-10-068	220-56-23500E	NEW-E	00-08-084	220-56-32500I	NEW-E	00-14-023
220-56-126	AMD-P	00-22-103	220-56-23500E	REP-E	00-10-012	220-56-32500I	REP-E	00-19-055
220-56-128	AMD-XA	00-11-179	220-56-23500F	NEW-E	00-10-012	220-56-32500J	NEW-E	00-19-055
220-56-128	AMD	00-16-091	220-56-23500G	NEW-E	00-16-061	220-56-32500J	REP-E	00-19-055
220-56-12800D	NEW-E	00-08-001	220-56-23500H	NEW-E	00-17-099	220-56-330	AMD	00-08-038
220-56-12800D	REP-E	00-08-001	220-56-23500I	NEW-E	00-18-051	220-56-330	AMD-P	00-22-103
220-56-12800E	NEW-E	00-10-068	220-56-23500I	REP-E	00-18-051	220-56-33000A	NEW-E	00-11-055
220-56-130	AMD	00-08-038	220-56-240	AMD	00-08-038	220-56-33000A	REP-E	00-11-143
220-56-145	AMD	00-08-038	220-56-240	AMD-P	00-22-103	220-56-33000B	NEW-E	00-11-143
220-56-145	AMD-P	00-22-103	220-56-24000C	NEW-E	00-10-050	220-56-33000B	REP-E	00-13-069
220-56-150	AMD-P	00-22-103	220-56-24000C	REP-E	00-10-050	220-56-33000C	NEW-E	00-13-069
220-56-175	AMD-P	00-06-084	220-56-24000D	NEW-E	00-11-059	220-56-33000C	REP-E	00-14-034
220-56-175	AMD	00-08-038	220-56-250	AMD	00-08-038	220-56-33000D	NEW-E	00-14-034
220-56-175	AMD	00-11-178	220-56-250	AMD-XA	00-10-038	220-56-33000D	REP-E	00-15-005
220-56-175	AMD-P	00-22-103	220-56-250	AMD	00-17-016	220-56-33000E	NEW-E	00-15-005
220-56-180	AMD-XA	00-11-179	220-56-25000A	REP-E	00-08-084	220-56-33000E	REP-E	00-15-032
220-56-180	AMD	00-16-091	220-56-25000B	NEW-E	00-08-084	220-56-33000F	NEW-E	00-15-032
220-56-185	AMD	00-08-038	220-56-25500	NEW-E	00-10-070	220-56-33000F	REP-E	00-17-118
220-56-190	AMD-XA	00-11-179	220-56-25500	REP-E	00-11-008	220-56-33000G	NEW-E	00-22-047
220-56-190	DECOD-X	00-11-179	220-56-25500N	NEW-E	00-11-008	220-56-33000G	REP-E	00-23-041
220-56-190	AMD	00-16-091	220-56-25500N	REP-E	00-12-014	220-56-33000H	NEW-E	00-23-041
220-56-190	DECOD	00-16-091	220-56-25500P	NEW-E	00-12-014	220-56-33000H	REP-E	00-23-082
220-56-19000C	NEW-E	00-10-068	220-56-25500P	REP-E	00-12-048	220-56-33000I	NEW-E	00-23-082
220-56-19000C	REP-E	00-17-071	220-56-25500Q	NEW-E	00-12-048	220-56-33000I	REP-E	01-01-026
220-56-19000D	NEW-E	00-14-035	220-56-25500Q	REP-E	00-13-059	220-56-33000J	NEW-E	01-01-026
220-56-19000D	REP-E	00-14-035	220-56-25500R	NEW-E	00-13-059	220-56-33000V	REP-E	00-08-037
220-56-19000D	REP-E	00-17-071	220-56-25500R	REP-E	00-14-004	220-56-33000	NEW-E	00-06-009
220-56-19000E	NEW-E	00-17-071	220-56-25500S	NEW-E	00-14-004	220-56-33000	REP-E	00-08-037
220-56-19000E	REP-E	00-17-120	220-56-25500S	REP-E	00-16-082	220-56-33000X	NEW-E	00-07-098
220-56-19000E	REP-E	00-17-120	220-56-25500T	NEW-E	00-16-082	220-56-33000X	REP-E	00-11-055
220-56-19000F	NEW-E	00-17-120	220-56-27000G	NEW-E	00-06-017	220-56-33000Y	NEW-E	00-08-037
220-56-19000F	REP-E	00-19-025	220-56-27000G	REP-E	00-06-017	220-56-33000Y	REP-E	00-09-053
220-56-191	AMD-XA	00-11-179	220-56-280	AMD	00-08-038	220-56-33000Z	NEW-E	00-09-053
220-56-191	DECOD-P	00-11-179	220-56-282	AMD-P	00-22-103	220-56-33000Z	REP-E	00-11-055
220-56-191	AMD	00-16-091	220-56-285	AMD-P	00-22-103	220-56-335	AMD-W	00-11-087
220-56-191	DECOD	00-16-091	220-56-28500U	NEW-E	00-08-031	220-56-350	AMD	00-08-038
220-56-19100L	NEW-E	00-10-068	220-56-28500U	REP-E	00-08-031	220-56-350	AMD-XA	00-11-179
220-56-19100L	REP-P	00-17-090	220-56-28500V	NEW-E	00-08-046	220-56-350	AMD	00-16-091
220-56-19100	NEW-E	00-17-090	220-56-28500V	REP-E	00-13-058	220-56-350	AMD-P	00-22-103
220-56-19100	REP-E	00-17-129	220-56-28500	NEW-E	00-14-012	220-56-35000F	NEW-E	00-08-045
220-56-19100N	NEW-E	00-17-129	220-56-28500	REP-E	00-23-009	220-56-35000G	NEW-E	00-10-068
220-56-19100N	REP-E	00-17-129	220-56-28500X	NEW-E	00-23-009	220-56-36000A	REP-E	00-06-010
220-56-19100N	REP-E	00-18-013	220-56-290	REP-P	00-22-103	220-56-36000B	NEW-E	00-06-010
220-56-19100P	NEW-E	00-18-013	220-56-295	AMD	00-08-038	220-56-36000B	REP-E	00-06-010
220-56-19100P	REP-E	00-18-013	220-56-295	REP-P	00-22-103	220-56-36000C	NEW-E	00-09-001
220-56-19100P	REP-E	00-18-054	220-56-305	REP-P	00-22-103	220-56-36000C	REP-E	00-09-001
220-56-19100Q	NEW-E	00-18-054						

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220-56-36000D	NEW-E	00-09-054	220-57-175	REP-XA	00-11-179	220-57-310	REP-XA	00-11-179
220-56-36000D	REP-E	00-09-054	220-57-175	REP	00-16-091	220-57-310	REP	00-16-091
220-56-36000E	NEW-E	00-10-049	220-57-17500V	NEW-E	00-11-118	220-57-313	REP-XA	00-11-179
220-56-36000E	REP-E	00-10-049	220-57-17500V	REP-E	00-11-118	220-57-313	REP	00-16-091
220-56-36000F	NEW-E	00-20-059	220-57-180	REP-XA	00-11-179	220-57-315	REP-XA	00-11-179
220-56-36000F	REP-E	00-20-059	220-57-180	REP	00-16-091	220-57-315	REP	00-16-091
220-56-372	AMD	00-08-038	220-57-181	REP-XA	00-11-179	220-57-31500J	NEW-E	00-08-022
220-56-380	AMD	00-08-038	220-57-181	REP	00-16-091	220-57-31500J	REP-E	00-08-022
220-56-380	AMD-XA	00-11-179	220-57-185	REP-XA	00-11-179	220-57-31500K	NEW-E	00-12-041
220-56-380	AMD	00-16-091	220-57-185	REP	00-16-091	220-57-31500K	REP-E	00-12-041
220-56-380	AMD-P	00-22-103	220-57-187	REP-XA	00-11-179	220-57-319	REP-XA	00-11-179
220-56-38000X	NEW-E	00-08-045	220-57-187	REP	00-16-091	220-57-319	REP	00-16-091
220-56-38000Y	NEW-E	00-10-068	220-57-18700D	NEW-E	00-07-002	220-57-31900A	NEW-E	00-12-013
220-57-001	REP-XA	00-11-179	220-57-190	REP-XA	00-11-179	220-57-31900A	REP-E	00-12-013
220-57-001	REP	00-16-091	220-57-190	REP	00-16-091	220-57-31900Z	NEW-E	00-07-002
220-57-11900A	NEW-E	00-15-087	220-57-195	REP-XA	00-11-179	220-57-31900Z	REP-E	00-12-013
220-57-11900A	REP-E	00-15-087	220-57-195	REP	00-16-091	220-57-321	REP-XA	00-11-179
220-57-120	REP-XA	00-11-179	220-57-200	REP-XA	00-11-179	220-57-321	REP	00-16-091
220-57-120	REP	00-16-091	220-57-200	REP	00-16-091	220-57-32100D	NEW-E	00-08-022
220-57-125	REP-XA	00-11-179	220-57-205	REP-XA	00-11-179	220-57-32100D	REP-E	00-08-022
220-57-125	REP	00-16-091	220-57-205	REP	00-16-091	220-57-325	REP-XA	00-11-179
220-57-130	REP-XA	00-11-179	220-57-210	REP-XA	00-11-179	220-57-325	REP	00-16-091
220-57-130	REP	00-16-091	220-57-210	REP	00-16-091	220-57-326	REP-XA	00-11-179
220-57-135	REP-XA	00-11-179	220-57-215	REP-XA	00-11-179	220-57-326	REP	00-16-091
220-57-135	REP	00-16-091	220-57-215	REP	00-16-091	220-57-327	REP-XA	00-11-179
220-57-137	REP-XA	00-11-179	220-57-225	REP-XA	00-11-179	220-57-327	REP	00-16-091
220-57-137	REP	00-16-091	220-57-225	REP	00-16-091	220-57-330	REP-XA	00-11-179
220-57-13701	REP-XA	00-11-179	220-57-230	REP-XA	00-11-179	220-57-330	REP	00-16-091
220-57-13701	REP	00-16-091	220-57-230	REP	00-16-091	220-57-335	REP-XA	00-11-179
220-57-138	REP-XA	00-11-179	220-57-235	REP-XA	00-11-179	220-57-335	REP	00-16-091
220-57-138	REP	00-16-091	220-57-235	REP	00-16-091	220-57-340	REP-XA	00-11-179
220-57-140	REP-XA	00-11-179	220-57-240	REP-XA	00-11-179	220-57-340	REP	00-16-091
220-57-140	REP	00-16-091	220-57-240	REP	00-16-091	220-57-341	REP-XA	00-11-179
220-57-145	REP-XA	00-11-179	220-57-245	REP-XA	00-11-179	220-57-341	REP	00-16-091
220-57-145	REP	00-16-091	220-57-245	REP	00-16-091	220-57-342	REP-XA	00-11-179
220-57-150	REP-XA	00-11-179	220-57-250	REP-XA	00-11-179	220-57-342	REP	00-16-091
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220-57-155	REP-XA	00-11-179	220-57-255	REP-XA	00-11-179	220-57-345	REP	00-16-091
220-57-155	REP	00-16-091	220-57-255	REP	00-16-091	220-57-34500A	NEW-E	00-03-007
220-57-160	AMD	00-08-038	220-57-25500G	NEW-E	00-07-002	220-57-34500A	REP-E	00-03-007
220-57-160	REP-XA	00-11-179	220-57-260	REP-XA	00-11-179	220-57-350	REP-XA	00-11-179
220-57-160	REP	00-16-091	220-57-260	REP	00-16-091	220-57-350	REP	00-16-091
220-57-16000A	NEW-E	00-17-064	220-57-265	REP-XA	00-11-179	220-57-355	REP-XA	00-11-179
220-57-16000A	REP-E	00-17-064	220-57-265	REP	00-16-091	220-57-355	REP	00-16-091
220-57-16000B	NEW-E	00-18-014	220-57-270	REP-XA	00-11-179	220-57-365	REP-XA	00-11-179
220-57-16000B	REP-E	00-18-040	220-57-270	REP	00-16-091	220-57-365	REP	00-16-091
220-57-16000V	NEW-E	00-07-073	220-57-275	REP-XA	00-11-179	220-57-370	REP-XA	00-11-179
220-57-16000V	REP-E	00-14-015	220-57-275	REP	00-16-091	220-57-370	REP	00-16-091
220-57-16000	NEW-E	00-08-006	220-57-280	REP-XA	00-11-179	220-57-375	REP-XA	00-11-179
220-57-16000	REP-E	00-11-007	220-57-280	REP	00-16-091	220-57-375	REP	00-16-091
220-57-16000X	NEW-E	00-11-007	220-57-285	REP-XA	00-11-179	220-57-380	REP-XA	00-11-179
220-57-16000X	REP-E	00-11-007	220-57-285	REP	00-16-091	220-57-380	REP	00-16-091
220-57-16000Y	NEW-E	00-14-015	220-57-290	REP-XA	00-11-179	220-57-385	REP-XA	00-11-179
220-57-16000Y	REP-E	00-14-015	220-57-290	REP	00-16-091	220-57-385	REP	00-16-091
220-57-16000Z	NEW-E	00-16-039	220-57-29000X	NEW-E	00-11-029	220-57-390	REP-XA	00-11-179
220-57-16000Z	REP-E	00-18-014	220-57-29000X	REP-E	00-11-029	220-57-390	REP	00-16-091
220-57-165	REP-XA	00-11-179	220-57-295	REP-XA	00-11-179	220-57-395	REP-XA	00-11-179
220-57-165	REP	00-16-091	220-57-295	REP	00-16-091	220-57-395	REP	00-16-091
220-57-170	REP-XA	00-11-179	220-57-300	REP-XA	00-11-179	220-57-400	REP-XA	00-11-179
220-57-170	REP	00-16-091	220-57-300	REP	00-16-091	220-57-400	REP	00-16-091
220-57-17000U	NEW-E	00-07-002	220-57-305	REP-XA	00-11-179	220-57-405	REP-XA	00-11-179
220-57-17000U	REP-E	00-11-118	220-57-305	REP	00-16-091	220-57-405	REP	00-16-091

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220- 57-410	REP-XA	00-11-179	220- 57-515	REP-XA	00-11-179	220- 57A-110	REP-XA	00-11-179
220- 57-410	REP	00-16-091	220- 57-515	REP	00-16-091	220- 57A-110	REP	00-16-091
220- 57-415	REP-XA	00-11-179	220- 57-51500S	NEW-E	00-08-022	220- 57A-112	REP-XA	00-11-179
220- 57-415	REP	00-16-091	220- 57-51500S	REP-E	00-08-022	220- 57A-112	REP	00-16-091
220- 57-420	REP-XA	00-11-179	220- 57-51500S	REP-E	00-11-117	220- 57A-115	REP-XA	00-11-179
220- 57-420	REP	00-16-091	220- 57-51500T	NEW-E	00-11-117	220- 57A-115	REP	00-16-091
220- 57-425	REP-XA	00-11-179	220- 57-520	REP-XA	00-11-179	220- 57A-120	REP-XA	00-11-179
220- 57-425	REP	00-16-091	220- 57-520	REP	00-16-091	220- 57A-120	REP	00-16-091
220- 57-42500F	NEW-E	00-15-087	220- 57-525	REP-XA	00-11-179	220- 57A-125	REP-XA	00-11-179
220- 57-42500F	REP-E	00-15-087	220- 57-525	REP	00-16-091	220- 57A-125	REP	00-16-091
220- 57-427	REP-XA	00-11-179	220- 57-53000C	NEW-E	00-13-016	220- 57A-130	REP-XA	00-11-179
220- 57-427	REP	00-16-091	220- 57-53000C	REP-E	00-13-016	220- 57A-130	REP	00-16-091
220- 57-430	REP-XA	00-11-179	220- 57A-001	REP-XA	00-11-179	220- 57A-135	REP-XA	00-11-179
220- 57-430	REP	00-16-091	220- 57A-001	REP	00-16-091	220- 57A-135	REP	00-16-091
220- 57-432	REP-XA	00-11-179	220- 57A-005	REP-XA	00-11-179	220- 57A-140	REP-XA	00-11-179
220- 57-432	REP	00-16-091	220- 57A-005	REP	00-16-091	220- 57A-140	REP	00-16-091
220- 57-435	REP-XA	00-11-179	220- 57A-010	REP-XA	00-11-179	220- 57A-145	REP-XA	00-11-179
220- 57-435	REP	00-16-091	220- 57A-010	REP	00-16-091	220- 57A-145	REP	00-16-091
220- 57-440	REP-XA	00-11-179	220- 57A-012	REP-XA	00-11-179	220- 57A-150	REP-XA	00-11-179
220- 57-440	REP	00-16-091	220- 57A-012	REP	00-16-091	220- 57A-150	REP	00-16-091
220- 57-445	REP-XA	00-11-179	220- 57A-015	REP-XA	00-11-179	220- 57A-152	REP-XA	00-11-179
220- 57-445	REP	00-16-091	220- 57A-015	REP	00-16-091	220- 57A-152	REP	00-16-091
220- 57-450	REP-XA	00-11-179	220- 57A-017	REP-XA	00-11-179	220- 57A-155	REP-XA	00-11-179
220- 57-450	REP	00-16-091	220- 57A-017	REP	00-16-091	220- 57A-155	REP	00-16-091
220- 57-455	REP-XA	00-11-179	220- 57A-020	REP-XA	00-11-179	220- 57A-160	REP-XA	00-11-179
220- 57-455	REP	00-16-091	220- 57A-020	REP	00-16-091	220- 57A-160	REP	00-16-091
220- 57-460	REP-XA	00-11-179	220- 57A-025	REP-XA	00-11-179	220- 57A-165	REP-XA	00-11-179
220- 57-460	REP	00-16-091	220- 57A-025	REP	00-16-091	220- 57A-165	REP	00-16-091
220- 57-462	REP-XA	00-11-179	220- 57A-030	REP-XA	00-11-179	220- 57A-170	REP-XA	00-11-179
220- 57-462	REP	00-16-091	220- 57A-030	REP	00-16-091	220- 57A-170	REP	00-16-091
220- 57-465	REP-XA	00-11-179	220- 57A-035	REP-XA	00-11-179	220- 57A-175	REP-XA	00-11-179
220- 57-465	REP	00-16-091	220- 57A-035	REP	00-16-091	220- 57A-175	REP	00-16-091
220- 57-470	REP-XA	00-11-179	220- 57A-037	REP-XA	00-11-179	220- 57A-17500	NEW-E	00-14-050
220- 57-470	REP	00-16-091	220- 57A-037	REP	00-16-091	220- 57A-17500	REP-E	00-14-050
220- 57-473	REP-XA	00-11-179	220- 57A-040	REP-XA	00-11-179	220- 57A-17500	REP-E	00-14-060
220- 57-473	REP	00-16-091	220- 57A-040	REP	00-16-091	220- 57A-17500	NEW-E	00-14-060
220- 57-475	REP-XA	00-11-179	220- 57A-045	REP-XA	00-11-179	220- 57A-17500	REP-E	00-14-060
220- 57-475	REP	00-16-091	220- 57A-045	REP	00-16-091	220- 57A-17500	REP-E	00-15-034
220- 57-480	REP-XA	00-11-179	220- 57A-050	REP-XA	00-11-179	220- 57A-17500	NEW-E	00-15-034
220- 57-480	REP	00-16-091	220- 57A-050	REP	00-16-091	220- 57A-17500	REP-E	00-15-034
220- 57-485	REP-XA	00-11-179	220- 57A-055	REP-XA	00-11-179	220- 57A-180	REP-XA	00-11-179
220- 57-485	REP	00-16-091	220- 57A-055	REP	00-16-091	220- 57A-180	REP	00-16-091
220- 57-490	REP-XA	00-11-179	220- 57A-065	REP-XA	00-11-179	220- 57A-183	REP-XA	00-11-179
220- 57-490	REP	00-16-091	220- 57A-065	REP	00-16-091	220- 57A-183	REP	00-16-091
220- 57-493	REP-XA	00-11-179	220- 57A-070	REP-XA	00-11-179	220- 57A-185	REP-XA	00-11-179
220- 57-493	REP	00-16-091	220- 57A-070	REP	00-16-091	220- 57A-185	REP	00-16-091
220- 57-495	REP-XA	00-11-179	220- 57A-075	REP-XA	00-11-179	220- 57A-190	REP-XA	00-11-179
220- 57-495	REP	00-16-091	220- 57A-075	REP	00-16-091	220- 57A-190	REP	00-16-091
220- 57-497	REP-XA	00-11-179	220- 57A-080	REP-XA	00-11-179	220- 69-236	AMD-P	00-06-084
220- 57-497	REP	00-16-091	220- 57A-080	REP	00-16-091	220- 69-236	AMD	00-11-178
220- 57-500	REP-XA	00-11-179	220- 57A-082	REP-XA	00-11-179	220- 69-24000P	NEW-E	00-10-051
220- 57-500	REP	00-16-091	220- 57A-082	REP	00-16-091	220- 69-24000P	REP-E	00-12-015
220- 57-502	REP-XA	00-11-179	220- 57A-085	REP-XA	00-11-179	220- 69-24000Q	NEW-E	00-12-015
220- 57-502	REP	00-16-091	220- 57A-085	REP	00-16-091	220- 69-24000R	NEW-E	00-13-054
220- 57-505	REP-XA	00-11-179	220- 57A-090	REP-XA	00-11-179	220- 69-24000S	NEW-E	00-19-054
220- 57-505	REP	00-16-091	220- 57A-090	REP	00-16-091	220- 69-24000T	NEW-E	00-21-041
220- 57-50500G	NEW-E	00-08-022	220- 57A-095	REP-XA	00-11-179	220- 77-090	NEW-P	00-14-008
220- 57-50500G	REP-E	00-12-041	220- 57A-095	REP	00-16-091	220- 77-090	NEW	00-17-146
220- 57-50500H	NEW-E	00-12-041	220- 57A-100	REP-XA	00-11-179	220- 88B-030	AMD-P	00-13-082
220- 57-50500H	REP-E	00-12-041	220- 57A-100	REP	00-16-091	220- 88B-030	AMD	00-17-107
220- 57-510	REP-XA	00-11-179	220- 57A-105	REP-XA	00-11-179	220- 88B-040	AMD-P	00-13-082
220- 57-510	REP	00-16-091	220- 57A-105	REP	00-16-091	220- 88B-040	AMD	00-17-107

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220-88B-050	AMD-P	00-13-082	222-16-036	NEW-E	00-06-026	222-22-075	NEW-C	00-08-103
220-88B-050	AMD	00-17-107	222-16-050	AMD-E	00-06-026	222-22-075	NEW-C	00-20-063
220-88B-05000	NEW-E	00-10-071	222-16-050	AMD-C	00-08-103	222-22-076	NEW-E	00-06-026
220-88B-05000	REP-E	00-10-071	222-16-050	AMD-C	00-20-063	222-22-076	NEW-C	00-08-103
220-88C-010	NEW-P	00-14-038	222-16-080	AMD-E	00-06-026	222-22-076	NEW-C	00-20-063
220-88C-010	NEW-C	00-17-093	222-20-010	AMD-E	00-06-026	222-22-080	AMD-E	00-06-026
220-88C-01000	NEW-E	00-11-056	222-20-010	AMD-C	00-08-103	222-22-090	AMD-E	00-06-026
220-88C-01000	NEW-E	00-19-044	222-20-010	AMD-C	00-20-063	222-22-090	AMD-C	00-08-103
220-88C-01000	REP-E	00-19-044	222-20-015	NEW-E	00-06-026	222-22-090	AMD-C	00-20-063
220-88C-020	NEW-P	00-14-038	222-20-015	NEW-C	00-08-103	222-24-010	AMD-E	00-06-026
220-88C-020	NEW-C	00-17-093	222-20-015	NEW-C	00-20-063	222-24-010	AMD-C	00-08-103
220-88C-02000	NEW-E	00-11-056	222-20-020	AMD-E	00-06-026	222-24-010	AMD-C	00-20-063
220-88C-02000	NEW-E	00-19-044	222-20-020	AMD-C	00-08-103	222-24-015	NEW-E	00-06-026
220-88C-02000	REP-E	00-19-044	222-20-020	AMD-C	00-20-063	222-24-020	AMD-E	00-06-026
220-88C-030	NEW-P	00-14-038	222-20-055	NEW-E	00-06-026	222-24-020	AMD-C	00-08-103
220-88C-030	NEW-C	00-17-093	222-20-070	AMD-C	00-08-103	222-24-020	AMD-C	00-20-063
220-88C-03000	NEW-E	00-11-056	222-20-070	AMD-C	00-20-063	222-24-025	REP-E	00-06-026
220-88C-03000	NEW-E	00-19-044	222-20-080	AMD-E	00-06-026	222-24-026	NEW-E	00-06-026
220-88C-03000	REP-E	00-19-044	222-21-005	NEW-P	00-08-104	222-24-030	AMD-E	00-06-026
220-95-013	AMD-P	00-14-021	222-21-005	NEW-E	00-12-093	222-24-030	AMD-C	00-08-103
220-95-013	AMD	00-17-105	222-21-010	NEW-P	00-08-104	222-24-030	AMD-C	00-20-063
220-95-018	AMD-P	00-14-021	222-21-010	NEW-E	00-12-093	222-24-035	AMD-E	00-06-026
220-95-018	AMD	00-17-105	222-21-020	NEW-P	00-08-104	222-24-035	AMD-C	00-08-103
220-95-022	AMD-P	00-14-021	222-21-020	NEW-E	00-12-093	222-24-035	AMD-C	00-20-063
220-95-022	AMD	00-17-105	222-21-030	NEW-P	00-08-104	222-24-040	AMD-E	00-06-026
220-95-02200B	NEW-E	00-22-012	222-21-030	NEW-E	00-12-093	222-24-040	AMD-C	00-08-103
220-95-032	AMD-P	00-14-021	222-21-035	NEW-P	00-08-104	222-24-040	AMD-C	00-20-063
220-95-032	AMD	00-17-105	222-21-035	NEW-E	00-12-093	222-24-050	AMD-E	00-06-026
220-140-020	AMD-P	00-17-171	222-21-040	NEW-P	00-08-104	222-24-050	AMD-C	00-08-103
220-140-020	AMD	00-20-040	222-21-040	NEW-E	00-12-093	222-24-050	AMD-C	00-20-063
222-08-035	AMD-E	00-06-026	222-21-045	NEW-P	00-08-104	222-24-051	NEW-E	00-06-026
222-08-035	AMD-C	00-08-103	222-21-045	NEW-E	00-12-093	222-24-052	NEW-E	00-06-026
222-08-035	AMD-C	00-20-063	222-21-050	NEW-P	00-08-104	222-24-060	AMD-E	00-06-026
222-10-010	AMD-E	00-06-026	222-21-050	NEW-E	00-12-093	222-24-060	AMD-C	00-08-103
222-10-020	NEW-C	00-08-103	222-21-060	NEW-P	00-08-104	222-24-060	AMD-C	00-20-063
222-10-020	NEW-C	00-20-063	222-21-060	NEW-E	00-12-093	222-30-010	AMD-E	00-06-026
222-10-030	NEW-E	00-06-026	222-21-065	NEW-P	00-08-104	222-30-010	AMD-C	00-08-103
222-10-030	NEW-C	00-08-103	222-21-065	NEW-E	00-12-093	222-30-010	AMD-C	00-20-063
222-10-030	NEW-C	00-20-063	222-21-070	NEW-P	00-08-104	222-30-020	AMD-E	00-06-026
222-10-035	NEW-E	00-06-026	222-21-070	NEW-E	00-12-093	222-30-020	AMD-C	00-08-103
222-12-010	AMD-E	00-06-026	222-21-080	NEW-P	00-08-104	222-30-020	AMD-C	00-20-063
222-12-020	AMD-P	00-08-104	222-21-080	NEW-E	00-12-093	222-30-021	NEW-E	00-06-026
222-12-020	AMD-E	00-12-093	222-21-090	NEW-P	00-08-104	222-30-022	NEW-E	00-06-026
222-12-041	NEW-E	00-06-026	222-21-090	NEW-E	00-12-093	222-30-023	NEW-E	00-06-026
222-12-044	NEW-E	00-06-026	222-22-010	AMD-C	00-08-103	222-30-040	AMD-E	00-06-026
222-12-044	NEW-C	00-08-103	222-22-010	AMD-C	00-20-063	222-30-045	NEW-E	00-06-026
222-12-044	NEW-C	00-20-063	222-22-030	AMD-C	00-08-103	222-30-060	AMD-E	00-06-026
222-12-045	AMD-E	00-06-026	222-22-030	AMD-C	00-20-063	222-30-070	AMD-E	00-06-026
222-12-045	AMD-C	00-08-103	222-22-035	NEW-C	00-08-103	222-30-070	AMD-C	00-08-103
222-12-045	AMD-C	00-20-063	222-22-035	NEW-C	00-20-063	222-30-070	AMD-E	00-12-093
222-12-090	AMD-E	00-06-026	222-22-040	AMD-C	00-08-103	222-30-070	AMD-C	00-20-063
222-12-090	AMD-C	00-08-103	222-22-040	AMD-C	00-20-063	222-38-010	AMD-E	00-06-026
222-12-090	AMD-P	00-08-104	222-22-050	AMD-C	00-08-103	222-38-020	AMD-E	00-06-026
222-12-090	AMD-E	00-12-093	222-22-050	AMD-C	00-20-063	222-38-020	AMD-C	00-08-103
222-12-090	AMD-C	00-20-063	222-22-060	AMD-C	00-08-103	222-38-020	AMD-C	00-20-063
222-16-010	AMD-E	00-06-026	222-22-060	AMD-C	00-20-063	222-38-030	AMD-E	00-06-026
222-16-010	AMD-C	00-08-103	222-22-065	NEW-C	00-08-103	222-38-030	AMD-C	00-08-103
222-16-010	AMD-C	00-20-063	222-22-065	NEW-C	00-20-063	222-38-030	AMD-C	00-20-063
222-16-030	AMD-E	00-06-026	222-22-070	AMD-E	00-06-026	222-38-040	AMD-E	00-06-026
222-16-030	AMD-C	00-08-103	222-22-070	AMD-C	00-08-103	222-46-012	NEW-E	00-06-026
222-16-030	AMD-C	00-20-063	222-22-070	AMD-C	00-20-063	222-46-055	NEW-C	00-08-103

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
222- 46-055	NEW-C	00-20-063	230- 04-119	AMD	00-05-102	230- 12-073	NEW-P	00-05-101
222- 46-060	AMD-E	00-06-026	230- 04-120	AMD-P	00-11-114	230- 12-073	NEW	00-09-052
222- 46-060	AMD-C	00-08-103	230- 04-120	AMD	00-15-039	230- 12-074	NEW-P	00-11-113
222- 46-060	AMD-C	00-20-063	230- 04-124	AMD-P	00-11-114	230- 12-074	NEW	00-15-038
222- 46-065	AMD-C	00-08-103	230- 04-124	AMD	00-15-039	230- 12-078	AMD-P	00-04-099
222- 46-065	AMD-C	00-20-063	230- 04-135	AMD-XA	00-20-083	230- 12-078	AMD	00-07-140
222- 46-070	AMD-E	00-06-026	230- 04-135	AMD	01-01-016	230- 12-300	AMD-XA	00-20-083
224- 12	PREP	00-11-181	230- 04-140	AMD-P	00-05-101	230- 12-300	AMD	01-01-016
224- 12-010	AMD-P	00-15-069	230- 04-140	AMD	00-09-052	230- 12-310	AMD-P	00-05-103
224- 12-010	AMD	00-19-007	230- 04-140	AMD-P	00-23-126	230- 12-310	AMD	00-09-051
224- 12-030	AMD-P	00-15-069	230- 04-142	REP-P	00-05-101	230- 12-335	NEW-P	00-11-114
224- 12-030	AMD	00-19-007	230- 04-142	REP-W	00-18-026	230- 12-335	NEW	00-15-039
224- 12-070	AMD-P	00-15-069	230- 04-142	AMD-P	00-23-126	230- 20-010	AMD-P	00-20-082
224- 12-070	AMD	00-19-007	230- 04-170	AMD-XA	00-20-083	230- 20-010	AMD	00-23-076
224- 12-080	AMD-P	00-15-069	230- 04-170	AMD	01-01-016	230- 20-036	NEW-P	00-20-081
224- 12-080	AMD	00-19-007	230- 04-202	AMD-XA	00-20-083	230- 20-036	NEW-S	01-01-143
230- 02-108	AMD-P	00-04-099	230- 04-202	AMD-E	00-23-078	230- 20-058	REP-P	00-20-086
230- 02-108	AMD	00-07-140	230- 04-203	AMD-P	00-05-101	230- 20-059	AMD-P	00-20-086
230- 02-109	NEW-P	00-05-101	230- 04-203	AMD-P	00-11-114	230- 20-060	REP-P	00-20-086
230- 02-109	NEW	00-09-052	230- 04-203	AMD	00-15-039	230- 20-062	AMD-P	00-20-086
230- 02-110	AMD-P	00-05-101	230- 04-203	AMD-W	00-18-026	230- 20-065	AMD-XA	00-20-083
230- 02-110	AMD	00-09-052	230- 04-203	AMD-E	00-23-078	230- 20-065	AMD	01-01-016
230- 02-123	AMD-P	00-04-099	230- 04-204	AMD-P	00-05-101	230- 20-110	REP-P	00-04-099
230- 02-123	AMD	00-07-140	230- 04-204	AMD-W	00-18-026	230- 20-110	REP	00-07-140
230- 02-130	AMD-XA	00-20-083	230- 04-204	AMD-E	00-23-078	230- 20-120	REP-P	00-04-099
230- 02-130	AMD	01-01-016	230- 04-207	NEW-P	00-05-101	230- 20-120	REP	00-07-140
230- 02-161	AMD-P	00-18-089	230- 04-207	NEW	00-09-052	230- 20-192	AMD-XA	00-20-083
230- 02-161	AMD	00-21-067	230- 04-220	AMD-XA	00-20-083	230- 20-192	AMD	01-01-016
230- 02-183	AMD-P	00-04-099	230- 04-220	AMD	01-01-016	230- 20-220	AMD-P	00-04-099
230- 02-183	AMD	00-07-140	230- 04-255	AMD-P	00-05-101	230- 20-220	AMD	00-07-140
230- 02-205	AMD	00-05-102	230- 04-255	AMD	00-09-052	230- 20-240	AMD-XA	00-20-083
230- 02-206	AMD	00-05-102	230- 04-260	AMD-P	00-20-086	230- 20-240	AMD	01-01-016
230- 02-260	AMD-S	01-01-143	230- 04-330	AMD-P	00-18-086	230- 20-243	AMD-P	00-04-099
230- 02-362	REP-P	00-20-086	230- 04-330	AMD	00-23-129	230- 20-243	AMD	00-07-140
230- 02-364	REP-P	00-20-086	230- 04-450	AMD-P	00-05-101	230- 20-244	AMD-P	00-04-099
230- 02-366	REP-P	00-20-086	230- 04-450	AMD	00-09-052	230- 20-244	AMD	00-07-140
230- 02-380	AMD-W	00-02-067	230- 08-027	NEW-P	00-05-101	230- 20-400	AMD-XA	00-20-083
230- 02-400	REP-P	00-05-101	230- 08-027	NEW	00-09-052	230- 20-400	AMD	01-01-016
230- 02-400	REP	00-09-052	230- 08-027	AMD-XA	00-20-083	230- 25-030	AMD-P	00-12-097
230- 02-412	NEW-P	00-11-114	230- 08-027	AMD	01-01-016	230- 25-030	AMD	00-15-048
230- 02-412	NEW	00-15-039	230- 08-040	AMD-P	00-05-101	230- 25-040	AMD-P	00-12-097
230- 02-415	AMD-P	00-05-101	230- 08-040	AMD	00-09-052	230- 25-040	AMD	00-15-048
230- 02-415	AMD	00-09-052	230- 08-080	AMD-P	00-04-099	230- 25-070	AMD-P	00-12-097
230- 02-425	REP-P	00-05-101	230- 08-080	AMD	00-07-140	230- 25-070	AMD	00-15-048
230- 02-425	REP	00-09-052	230- 08-090	AMD-P	00-05-101	230- 25-100	AMD-P	00-12-097
230- 02-504	NEW-P	00-12-097	230- 08-090	AMD	00-09-052	230- 25-100	AMD	00-15-048
230- 02-504	NEW	00-15-048	230- 08-100	REP-P	00-04-099	230- 25-110	AMD-P	00-12-097
230- 02-530	REP-P	00-20-086	230- 08-100	REP	00-07-140	230- 25-110	AMD	00-15-048
230- 02-535	REP-P	00-20-086	230- 08-105	AMD-P	00-04-099	230- 25-120	AMD-P	00-12-097
230- 02-540	REP-P	00-20-086	230- 08-105	AMD	00-07-140	230- 25-120	AMD	00-15-048
230- 04-022	AMD-P	00-05-101	230- 08-160	AMD-P	00-05-101	230- 25-150	AMD-P	00-12-097
230- 04-022	AMD	00-09-052	230- 08-160	AMD	00-09-052	230- 25-150	AMD	00-15-048
230- 04-022	AMD-XA	00-20-083	230- 08-200	AMD-XA	00-20-083	230- 25-200	AMD-P	00-12-097
230- 04-022	AMD	01-01-016	230- 08-200	AMD	01-01-016	230- 25-200	AMD	00-15-048
230- 04-026	NEW-P	00-18-087	230- 08-255	AMD-P	00-20-086	230- 25-220	AMD-P	00-12-097
230- 04-026	NEW	00-21-069	230- 08-255	AMD	00-23-077	230- 25-220	AMD	00-15-048
230- 04-040	AMD-XA	00-20-083	230- 12-050	AMD-P	00-04-099	230- 25-310	AMD-P	00-12-097
230- 04-040	AMD	01-01-016	230- 12-050	AMD-P	00-05-101	230- 25-310	AMD	00-15-048
230- 04-110	AMD-P	00-11-114	230- 12-050	AMD	00-07-140	230- 25-315	AMD-P	00-12-097
230- 04-110	AMD	00-15-039	230- 12-050	AMD	00-09-052	230- 25-315	AMD	00-15-048
230- 04-115	AMD-P	00-11-114	230- 12-072	NEW-P	00-05-101	230- 25-325	NEW-P	00-12-097
230- 04-115	AMD	00-15-039	230- 12-072	NEW	00-09-052	230- 25-325	NEW	00-15-048

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
230-30-025	AMD-XA	00-20-083	230-40-600	NEW	00-09-052	230-46-035	NEW-W	00-07-070
230-30-025	AMD	01-01-016	230-40-610	NEW-P	00-05-101	230-46-070	AMD-P	00-18-088
230-30-033	NEW-P	00-20-081	230-40-610	NEW	00-09-052	230-46-070	AMD	00-21-068
230-30-033	NEW-S	01-01-143	230-40-615	NEW-P	00-05-101	230-50-010	AMD-P	00-05-101
230-30-034	NEW-S	01-01-143	230-40-615	NEW	00-09-052	230-50-010	AMD	00-09-052
230-30-052	AMD-P	00-20-086	230-40-800	NEW-P	00-05-101	230-50-010	AMD-P	00-20-086
230-30-070	AMD-P	00-18-090	230-40-800	NEW	00-09-052	230-50-800	AMD-XA	00-20-083
230-30-070	AMD	00-21-095	230-40-803	NEW-P	00-05-101	230-50-800	AMD	01-01-016
230-30-103	AMD-XA	00-20-083	230-40-803	NEW	00-09-052	232-12-001	AMD-XA	00-11-179
230-30-103	AMD	01-01-016	230-40-805	NEW-P	00-05-101	232-12-001	AMD	00-16-091
230-30-212	REP-P	00-11-114	230-40-805	NEW	00-09-052	232-12-00100C	NEW-E	01-01-018
230-30-212	REP	00-15-039	230-40-810	NEW-P	00-05-101	232-12-011	AMD	00-04-017
230-30-213	REP-P	00-11-114	230-40-810	NEW	00-09-052	232-12-011	AMD-P	00-06-083
230-30-213	REP	00-15-039	230-40-815	NEW-P	00-05-101	232-12-011	AMD-P	00-06-100
230-40-010	AMD-P	00-05-101	230-40-815	NEW	00-09-052	232-12-011	AMD-W	00-07-019
230-40-010	AMD	00-09-052	230-40-820	NEW-P	00-05-101	232-12-011	AMD	00-10-001
230-40-015	REP-P	00-05-101	230-40-820	NEW	00-09-052	232-12-011	AMD-P	00-14-022
230-40-015	REP	00-09-052	230-40-823	NEW-P	00-05-101	232-12-011	AMD	00-17-106
230-40-030	AMD-P	00-05-101	230-40-823	NEW	00-09-052	232-12-01100A	NEW-E	00-10-069
230-40-030	AMD	00-09-052	230-40-825	NEW-P	00-05-101	232-12-014	AMD	00-04-017
230-40-040	NEW-P	00-05-101	230-40-825	NEW	00-09-052	232-12-018	REP	00-08-038
230-40-040	NEW	00-09-052	230-40-830	NEW-P	00-05-101	232-12-047	AMD-P	00-06-088
230-40-050	AMD-P	00-05-101	230-40-830	NEW	00-09-052	232-12-047	AMD	00-11-137
230-40-050	AMD	00-09-052	230-40-833	NEW-P	00-05-101	232-12-051	AMD-P	00-06-089
230-40-055	AMD-P	00-07-139	230-40-833	NEW	00-09-052	232-12-051	AMD	00-11-137
230-40-055	AMD	00-11-054	230-40-835	NEW-P	00-05-101	232-12-054	AMD-P	00-06-090
230-40-060	REP-P	00-05-101	230-40-835	NEW	00-09-052	232-12-054	AMD	00-11-137
230-40-060	REP	00-09-052	230-40-840	NEW-P	00-05-101	232-12-068	AMD-P	00-06-091
230-40-070	AMD-P	00-05-101	230-40-840	NEW	00-09-052	232-12-068	AMD	00-11-137
230-40-070	AMD	00-09-052	230-40-845	NEW-P	00-05-101	232-12-07100A	NEW-E	01-01-018
230-40-120	AMD-P	00-05-101	230-40-845	NEW	00-09-052	232-12-077	AMD-P	00-22-103
230-40-120	AMD	00-09-052	230-40-850	NEW-P	00-05-101	232-12-106	NEW-P	00-14-083
230-40-125	REP-P	00-05-101	230-40-850	NEW	00-09-052	232-12-106	NEW	00-20-032
230-40-125	AMD	00-09-052	230-40-855	NEW-P	00-05-101	232-12-141	AMD-P	00-14-081
230-40-125	AMD	00-09-087	230-40-855	NEW	00-09-052	232-12-141	AMD	00-20-032
230-40-130	AMD-P	00-05-101	230-40-860	NEW-P	00-05-101	232-12-14100A	NEW-E	01-01-018
230-40-130	AMD	00-09-052	230-40-860	NEW	00-09-052	232-12-161	REP-XR	00-08-027
230-40-150	REP-P	00-05-101	230-40-865	NEW-P	00-05-101	232-12-161	REP	00-13-090
230-40-150	REP	00-09-052	230-40-865	NEW	00-09-052	232-12-168	AMD	00-08-038
230-40-160	REP-P	00-05-101	230-40-870	NEW-P	00-05-101	232-12-18700A	NEW-E	00-16-060
230-40-160	REP	00-09-052	230-40-870	NEW	00-09-052	232-12-257	AMD-W	00-02-066
230-40-200	AMD-P	00-05-101	230-40-875	NEW-P	00-05-101	232-12-257	AMD-P	00-06-094
230-40-200	AMD	00-09-052	230-40-875	NEW	00-09-052	232-12-257	AMD	00-11-137
230-40-225	AMD-P	00-05-101	230-40-880	NEW-P	00-05-101	232-12-31500G	NEW-E	00-04-014
230-40-225	AMD	00-09-052	230-40-880	NEW	00-09-052	232-12-619	AMD	00-08-038
230-40-400	AMD-P	00-05-101	230-40-885	NEW-P	00-05-101	232-12-619	AMD-XA	00-11-179
230-40-400	AMD	00-09-052	230-40-885	NEW	00-09-052	232-12-619	AMD	00-16-091
230-40-550	NEW-P	00-05-101	230-40-890	NEW-P	00-05-101	232-12-619	AMD-P	00-22-103
230-40-550	NEW	00-09-052	230-40-890	NEW	00-09-052	232-12-61900L	NEW-E	00-10-068
230-40-552	NEW-P	00-05-101	230-40-895	NEW-P	00-05-101	232-12-61900L	REP-E	00-16-067
230-40-552	NEW	00-09-052	230-40-895	NEW	00-09-052	232-12-61900	NEW-E	00-11-002
230-40-554	NEW-P	00-05-101	230-40-897	NEW-P	00-05-101	232-12-61900	REP-E	00-11-002
230-40-554	NEW	00-09-052	230-40-897	NEW	00-09-052	232-12-61900N	NEW-E	00-16-067
230-40-556	NEW-P	00-05-101	230-40-900	REP-P	00-05-101	232-12-61900N	REP-E	00-17-049
230-40-556	NEW	00-09-052	230-40-900	REP	00-09-052	232-12-61900P	NEW-E	00-17-049
230-40-558	NEW-P	00-05-101	230-46-010	AMD-P	00-18-088	232-12-61900Q	NEW-E	00-18-041
230-40-558	NEW	00-09-052	230-46-010	AMD	00-21-068	232-12-61900Q	REP-E	00-18-041
230-40-560	NEW-P	00-05-101	230-46-020	AMD-W	00-07-070	232-16-700	AMD-P	00-06-093
230-40-560	NEW	00-09-052	230-46-020	REP-P	00-18-088	232-16-700	AMD	00-11-137
230-40-562	NEW-P	00-05-101	230-46-020	REP	00-21-068	232-28-02201	AMD	00-04-017
230-40-562	NEW	00-09-052	230-46-025	AMD-P	00-18-088	232-28-02202	AMD	00-04-017
230-40-600	NEW-P	00-05-101	230-46-025	AMD	00-21-068	232-28-02202	AMD-P	00-06-097

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232- 28-02202	AMD	00-11-137	232- 28-619	AMD-XA	00-11-179	232- 28-61900	REP-E	00-20-011
232- 28-02203	AMD	00-04-017	232- 28-619	AMD	00-16-091	232- 28-61900X	NEW-E	00-20-014
232- 28-02203	AMD-P	00-22-110	232- 28-619	AMD-P	00-22-103	232- 28-61900X	REP-E	00-20-014
232- 28-02204	AMD	00-04-017	232- 28-61900A	NEW-E	00-21-004	232- 28-61900X	REP-E	00-21-040
232- 28-02204	AMD-P	00-22-111	232- 28-61900B	NEW-E	00-21-003	232- 28-61900Y	NEW-E	00-20-087
232- 28-02205	AMD	00-04-017	232- 28-61900B	REP-E	00-21-003	232- 28-61900Y	REP-E	00-20-087
232- 28-02206	AMD	00-04-017	232- 28-61900C	NEW-E	00-21-040	232- 28-61900Z	NEW-E	00-20-058
232- 28-02206	AMD-P	00-22-112	232- 28-61900C	REP-E	00-21-040	232- 28-61900Z	REP-E	00-20-058
232- 28-02220	AMD	00-04-017	232- 28-61900D	NEW-E	00-03-041	232- 28-61900Z	REP-E	00-21-003
232- 28-02240	AMD	00-04-017	232- 28-61900D	REP-E	00-03-041	232- 28-620	RECOD-X	00-11-179
232- 28-24102	REP	00-04-017	232- 28-61900D	REP-E	00-03-055	232- 28-620	RECOD	00-16-091
232- 28-248	AMD-P	00-06-095	232- 28-61900D	NEW-E	00-21-070	232- 28-62000A	NEW-E	00-19-025
232- 28-248	AMD	00-11-137	232- 28-61900E	NEW-E	00-03-055	232- 28-62000A	REP-E	00-19-025
232- 28-24800A	NEW-E	00-21-032	232- 28-61900E	REP-E	00-03-055	232- 28-621	RECOD-X	00-11-179
232- 28-255	REP	00-04-017	232- 28-61900E	REP-E	00-05-085	232- 28-621	RECOD	00-16-091
232- 28-260	AMD-P	00-22-106	232- 28-61900E	NEW-E	00-21-051	232- 28-62100A	NEW-E	00-21-011
232- 28-26000A	NEW-E	00-03-025	232- 28-61900E	REP-E	00-21-051	232- 28-62100A	REP-E	00-21-011
232- 28-261	REP	00-04-017	232- 28-61900F	NEW-E	00-05-085	236- 18-040	AMD	00-06-052
232- 28-262	REP	00-04-017	232- 28-61900F	REP-E	00-05-085	236- 18-070	AMD	00-06-052
232- 28-263	REP	00-04-017	232- 28-61900F	NEW-E	00-22-011	236- 18-080	AMD	00-06-052
232- 28-264	REP-P	00-14-080	232- 28-61900F	REP-E	00-22-011	236- 70-040	AMD	00-08-040
232- 28-264	REP	00-19-045	232- 28-61900G	NEW-E	00-06-008	236- 70-050	AMD	00-08-040
232- 28-266	AMD-P	00-06-096	232- 28-61900G	NEW-E	00-22-044	236- 70-060	AMD	00-08-040
232- 28-266	AMD	00-11-137	232- 28-61900G	REP-E	00-22-044	236- 70-080	AMD	00-08-040
232- 28-269	REP	00-04-017	232- 28-61900H	NEW-E	00-07-001	236-200-010	RECOD	00-08-039
232- 28-270	REP	00-04-017	232- 28-61900H	NEW-E	00-23-083	236-200-020	RECOD	00-08-039
232- 28-271	AMD	00-04-017	232- 28-61900H	REP-E	00-23-083	236-200-030	RECOD	00-08-039
232- 28-271	AMD-P	00-22-109	232- 28-61900I	NEW-E	00-07-073	236-200-040	RECOD	00-08-039
232- 28-272	AMD-P	00-06-099	232- 28-61900I	REP-E	00-07-073	236-200-050	RECOD	00-08-039
232- 28-272	AMD	00-11-137	232- 28-61900I	NEW-E	00-24-043	236-200-060	RECOD	00-08-039
232- 28-272	AMD-P	00-16-154	232- 28-61900I	REP-E	00-24-043	242- 02-052	AMD-P	00-05-021
232- 28-272	AMD	00-21-038	232- 28-61900J	NEW-E	00-08-006	242- 02-052	AMD	00-09-094
232- 28-273	AMD-P	00-06-092	232- 28-61900J	REP-E	00-11-007	242- 02-255	NEW-P	00-05-021
232- 28-273	AMD	00-11-137	232- 28-61900J	NEW-E	00-23-081	242- 02-255	NEW	00-09-094
232- 28-27300A	NEW-E	00-20-001	232- 28-61900J	REP-E	00-23-081	242- 02-522	AMD-P	00-05-021
232- 28-274	REP-P	00-14-080	232- 28-61900K	NEW-E	00-08-001	242- 02-522	AMD	00-09-094
232- 28-275	AMD	00-04-017	232- 28-61900K	REP-E	00-08-001	242- 02-832	AMD-P	00-05-021
232- 28-275	AMD-P	00-22-108	232- 28-61900K	NEW-E	00-24-004	242- 02-832	AMD	00-09-094
232- 28-276	NEW-P	00-06-086	232- 28-61900K	REP-E	00-24-004	242- 02-834	AMD-P	00-05-021
232- 28-276	NEW	00-11-137	232- 28-61900L	NEW-E	00-12-041	242- 02-834	AMD	00-09-094
232- 28-27600A	NEW-E	00-16-009	232- 28-61900L	REP-E	00-12-041	242- 04-030	AMD-P	00-05-021
232- 28-277	NEW	00-04-017	232- 28-61900L	NEW-E	01-01-040	242- 04-030	AMD	00-09-094
232- 28-277	AMD-P	00-22-107	232- 28-61900L	REP-E	01-01-040	242- 04-050	AMD-P	00-05-021
232- 28-278	NEW-P	00-06-087	232- 28-61900	NEW-E	00-13-089	242- 04-050	AMD	00-09-094
232- 28-278	NEW	00-11-137	232- 28-61900	REP-E	00-13-089	246- 14-010	NEW	00-10-114
232- 28-27800A	NEW-E	00-16-062	232- 28-61900N	NEW-E	00-14-050	246- 14-020	NEW	00-10-114
232- 28-279	NEW-P	00-06-085	232- 28-61900N	REP-E	00-14-050	246- 14-030	NEW	00-10-114
232- 28-279	NEW	00-11-137	232- 28-61900N	REP-E	00-15-034	246- 14-040	NEW	00-10-114
232- 28-27900A	NEW-E	00-19-028	232- 28-61900P	NEW-E	00-15-031	246- 14-050	NEW	00-10-114
232- 28-27900A	REP-E	00-19-028	232- 28-61900P	REP-E	00-15-031	246- 14-060	NEW	00-10-114
232- 28-28100B	NEW-E	01-01-075	232- 28-61900Q	NEW-E	00-16-026	246- 14-070	NEW	00-10-114
232- 28-28100B	REP-E	01-01-075	232- 28-61900Q	REP-E	00-16-026	246- 14-080	NEW	00-10-114
232- 28-423	REP-P	00-14-082	232- 28-61900S	NEW-E	00-16-059	246- 14-090	NEW	00-10-114
232- 28-423	REP	00-20-031	232- 28-61900S	REP-E	00-16-059	246- 14-100	NEW	00-10-114
232- 28-424	NEW-P	00-14-082	232- 28-61900T	NEW-E	00-18-050	246- 14-110	NEW	00-10-114
232- 28-424	NEW	00-18-009	232- 28-61900T	REP-E	00-18-050	246- 14-120	NEW	00-10-114
232- 28-42400A	NEW-E	00-18-003	232- 28-61900U	NEW-E	00-18-052	246- 25-990	PREP-W	00-16-104
232- 28-42400B	NEW-E	00-23-017	232- 28-61900U	REP-E	00-18-052	246- 30-010	NEW-P	00-22-121
232- 28-42400B	REP-E	00-23-017	232- 28-61900V	NEW-E	00-19-037	246- 30-010	NEW	01-01-101
232- 28-515	AMD-P	00-14-081	232- 28-61900V	REP-E	00-19-037	246- 30-020	NEW-P	00-22-121
232- 28-515	AMD	00-20-032	232- 28-61900V	REP-E	00-22-011	246- 30-020	NEW	01-01-101
232- 28-619	AMD	00-08-038	232- 28-61900	NEW-E	00-20-011	246- 30-030	NEW-P	00-22-121

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246-30-030	NEW	01-01-101	246-101-101	NEW	00-23-120	246-101-610	NEW	00-23-120
246-100-011	AMD-P	00-12-101	246-101-105	NEW-P	00-12-101	246-101-615	NEW-P	00-12-101
246-100-011	AMD	00-23-120	246-101-105	NEW	00-23-120	246-101-615	NEW	00-23-120
246-100-016	REP-P	00-12-101	246-101-110	NEW-P	00-12-101	246-101-620	NEW-P	00-12-101
246-100-016	REP	00-23-120	246-101-110	NEW	00-23-120	246-101-620	NEW	00-23-120
246-100-021	AMD-P	00-12-101	246-101-115	NEW-P	00-12-101	246-101-625	NEW-P	00-12-101
246-100-021	AMD	00-23-120	246-101-115	NEW	00-23-120	246-101-625	NEW	00-23-120
246-100-026	REP-P	00-12-101	246-101-120	NEW-P	00-12-101	246-101-630	NEW-P	00-12-101
246-100-026	REP	00-23-120	246-101-120	NEW	00-23-120	246-101-630	NEW	00-23-120
246-100-031	REP-P	00-12-101	246-101-201	NEW-P	00-12-101	246-101-635	NEW-P	00-12-101
246-100-031	REP	00-23-120	246-101-201	NEW	00-23-120	246-101-635	NEW	00-23-120
246-100-036	AMD-P	00-12-101	246-101-205	NEW-P	00-12-101	246-101-640	NEW-P	00-12-101
246-100-036	AMD	00-23-120	246-101-205	NEW	00-23-120	246-101-640	NEW	00-23-120
246-100-041	REP-P	00-12-101	246-101-210	NEW-P	00-12-101	246-101-701	NEW-P	00-12-101
246-100-041	REP	00-23-120	246-101-210	NEW	00-23-120	246-101-701	NEW	00-23-120
246-100-042	REP-P	00-12-101	246-101-215	NEW-P	00-12-101	246-101-705	NEW-P	00-12-101
246-100-042	REP	00-23-120	246-101-215	NEW	00-23-120	246-101-705	NEW	00-23-120
246-100-043	REP-P	00-12-101	246-101-220	NEW-P	00-12-101	246-101-710	NEW-P	00-12-101
246-100-043	REP	00-23-120	246-101-220	NEW	00-23-120	246-101-710	NEW	00-23-120
246-100-046	REP-P	00-12-101	246-101-225	NEW-P	00-12-101	246-101-715	NEW-P	00-12-101
246-100-046	REP	00-23-120	246-101-225	NEW	00-23-120	246-101-715	NEW	00-23-120
246-100-071	REP-P	00-12-101	246-101-230	NEW-P	00-12-101	246-101-720	NEW-P	00-12-101
246-100-071	REP	00-23-120	246-101-230	NEW	00-23-120	246-101-720	NEW	00-23-120
246-100-076	REP-P	00-12-101	246-101-301	NEW-P	00-12-101	246-101-725	NEW-P	00-12-101
246-100-076	REP	00-23-120	246-101-301	NEW	00-23-120	246-101-725	NEW	00-23-120
246-100-081	REP-P	00-12-101	246-101-305	NEW-P	00-12-101	246-101-730	NEW-P	00-12-101
246-100-081	REP	00-23-120	246-101-305	NEW	00-23-120	246-101-730	NEW	00-23-120
246-100-086	REP-P	00-12-101	246-101-310	NEW-P	00-12-101	246-102-001	NEW-P	00-24-131
246-100-086	REP	00-23-120	246-101-310	NEW	00-23-120	246-102-010	NEW-P	00-24-131
246-100-091	REP-P	00-12-101	246-101-315	NEW-P	00-12-101	246-102-020	NEW-P	00-24-131
246-100-091	REP	00-23-120	246-101-315	NEW	00-23-120	246-102-030	NEW-P	00-24-131
246-100-171	REP-P	00-12-101	246-101-320	NEW-P	00-12-101	246-102-040	NEW-P	00-24-131
246-100-171	REP	00-23-120	246-101-320	NEW	00-23-120	246-102-050	NEW-P	00-24-131
246-100-176	REP-P	00-12-101	246-101-401	NEW-P	00-12-101	246-102-060	NEW-P	00-24-131
246-100-176	REP	00-23-120	246-101-401	NEW	00-23-120	246-102-070	NEW-P	00-24-131
246-100-181	REP-P	00-12-101	246-101-405	NEW-P	00-12-101	246-130-001	AMD-P	00-14-063
246-100-181	REP	00-23-120	246-101-405	NEW	00-23-120	246-130-001	AMD	00-19-117
246-100-196	REP-P	00-12-101	246-101-410	NEW-P	00-12-101	246-130-010	AMD-P	00-14-063
246-100-196	REP	00-23-120	246-101-410	NEW	00-23-120	246-130-010	AMD	00-19-117
246-100-201	AMD-P	00-12-101	246-101-415	NEW-P	00-12-101	246-130-020	AMD-P	00-14-063
246-100-201	AMD	00-23-120	246-101-415	NEW	00-23-120	246-130-020	AMD	00-19-117
246-100-216	REP-P	00-12-101	246-101-420	NEW-P	00-12-101	246-130-028	NEW-P	00-14-063
246-100-216	REP	00-23-120	246-101-420	NEW	00-23-120	246-130-028	NEW	00-19-117
246-100-217	REP-P	00-12-101	246-101-425	NEW-P	00-12-101	246-130-030	AMD-P	00-14-063
246-100-217	REP	00-23-120	246-101-425	NEW	00-23-120	246-130-030	AMD	00-19-117
246-100-218	REP-P	00-12-101	246-101-501	NEW-P	00-12-101	246-130-040	AMD-P	00-14-063
246-100-218	REP	00-23-120	246-101-501	NEW	00-23-120	246-130-040	AMD	00-19-117
246-100-231	REP-P	00-12-101	246-101-505	NEW-P	00-12-101	246-130-060	AMD-P	00-14-063
246-100-231	REP	00-23-120	246-101-505	NEW	00-23-120	246-130-060	AMD	00-19-117
246-100-236	REP-P	00-12-101	246-101-510	NEW-P	00-12-101	246-130-070	REP-P	00-14-063
246-100-236	REP	00-23-120	246-101-510	NEW	00-23-120	246-130-070	REP	00-19-117
246-100-241	REP-P	00-12-101	246-101-515	NEW-P	00-12-101	246-130-080	NEW-P	00-14-063
246-100-241	REP	00-23-120	246-101-515	NEW	00-23-120	246-130-080	NEW	00-19-117
246-101-001	NEW-P	00-12-101	246-101-520	NEW-P	00-12-101	246-130-090	NEW-P	00-14-063
246-101-001	NEW	00-23-120	246-101-520	NEW	00-23-120	246-130-090	NEW	00-19-117
246-101-005	NEW-P	00-12-101	246-101-525	NEW-P	00-12-101	246-220-007	AMD-P	00-04-088
246-101-005	NEW	00-23-120	246-101-525	NEW	00-23-120	246-220-007	AMD	00-08-013
246-101-010	NEW-P	00-12-101	246-101-601	NEW-P	00-12-101	246-220-010	AMD-P	00-04-088
246-101-010	NEW	00-23-120	246-101-601	NEW	00-23-120	246-220-010	AMD	00-08-013
246-101-015	NEW-P	00-12-101	246-101-605	NEW-P	00-12-101	246-220-060	AMD-S	00-21-118
246-101-015	NEW	00-23-120	246-101-605	NEW	00-23-120	246-221-020	AMD-P	00-04-088
246-101-101	NEW-P	00-12-101	246-101-610	NEW-P	00-12-101	246-221-020	AMD	00-08-013

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-221-270	AMD	00-07-085	246-243-190	AMD-P	00-04-088	246-290-72003	NEW-P	00-11-164
246-232-006	NEW-P	00-19-080	246-243-190	AMD	00-08-013	246-290-72003	NEW	00-15-080
246-232-007	NEW-P	00-19-080	246-243-195	AMD-P	00-04-088	246-290-72004	NEW-P	00-11-164
246-232-008	NEW-P	00-19-080	246-243-195	AMD	00-08-013	246-290-72004	NEW	00-15-080
246-232-009	NEW-P	00-19-080	246-243-200	AMD-P	00-04-088	246-290-72005	NEW-P	00-11-164
246-232-010	AMD-P	00-19-080	246-243-200	AMD	00-08-013	246-290-72005	NEW	00-15-080
246-232-011	NEW-P	00-19-080	246-243-203	NEW-P	00-04-088	246-290-72006	NEW-P	00-11-164
246-232-012	NEW-P	00-19-080	246-243-203	NEW	00-08-013	246-290-72006	NEW	00-15-080
246-232-013	NEW-P	00-19-080	246-243-210	REP-P	00-04-088	246-290-72007	NEW-P	00-11-164
246-232-014	NEW-P	00-19-080	246-243-210	REP	00-08-013	246-290-72007	NEW	00-15-080
246-232-040	AMD-P	00-19-080	246-243-220	AMD-P	00-04-088	246-290-72008	NEW-P	00-11-164
246-232-060	AMD	00-07-085	246-243-220	AMD	00-08-013	246-290-72008	NEW	00-15-080
246-232-120	AMD-P	00-19-080	246-243-230	AMD-P	00-04-088	246-290-72009	NEW-P	00-11-164
246-232-130	AMD-P	00-19-080	246-243-230	AMD	00-08-013	246-290-72009	NEW	00-15-080
246-235-075	AMD	00-07-085	246-243-250	NEW-P	00-04-088	246-290-72010	NEW-P	00-11-164
246-235-080	AMD-P	00-04-088	246-243-250	NEW	00-08-013	246-290-72010	NEW	00-15-080
246-235-080	AMD	00-08-013	246-246	PREP-W	00-16-105	246-290-72011	NEW-P	00-11-164
246-235-084	NEW-P	00-04-088	246-246-001	NEW	00-07-085	246-290-72011	NEW	00-15-080
246-235-084	NEW	00-08-013	246-246-010	NEW	00-07-085	246-290-72012	NEW-P	00-11-164
246-235-086	NEW-P	00-04-088	246-246-020	NEW	00-07-085	246-290-72012	NEW	00-15-080
246-235-086	NEW	00-08-013	246-246-030	NEW	00-07-085	246-292	PREP	00-10-112
246-235-090	AMD-P	00-04-088	246-246-040	NEW	00-07-085	246-292-001	AMD-P	00-21-104
246-235-090	AMD	00-08-013	246-246-050	NEW	00-07-085	246-292-010	AMD-P	00-21-104
246-235-105	AMD-S	00-21-118	246-246-060	NEW	00-07-085	246-292-020	AMD-P	00-21-104
246-243-020	AMD-P	00-04-088	246-252-001	AMD-P	00-04-088	246-292-040	AMD-P	00-21-104
246-243-020	AMD	00-08-013	246-252-001	AMD	00-08-013	246-292-050	AMD-P	00-21-104
246-243-030	AMD-P	00-04-088	246-252-030	AMD-P	00-04-088	246-292-055	AMD-P	00-21-104
246-243-030	AMD	00-08-013	246-252-030	AMD	00-08-013	246-292-060	AMD-P	00-21-104
246-243-042	NEW-P	00-04-088	246-254-150	AMD-P	00-04-088	246-292-070	AMD-P	00-21-104
246-243-042	NEW	00-08-013	246-254-150	AMD	00-08-013	246-292-075	AMD-P	00-21-104
246-243-044	NEW-P	00-04-088	246-260	PREP	00-22-122	246-292-080	AMD-P	00-21-104
246-243-044	NEW	00-08-013	246-282-001	AMD-P	00-22-125	246-292-085	NEW-P	00-21-104
246-243-047	NEW-P	00-04-088	246-282-005	AMD-P	00-22-125	246-292-090	AMD-P	00-21-104
246-243-047	NEW	00-08-013	246-282-010	AMD-P	00-22-125	246-292-100	AMD-P	00-21-104
246-243-050	AMD-P	00-04-088	246-282-012	NEW-P	00-22-125	246-292-110	AMD-P	00-21-104
246-243-050	AMD	00-08-013	246-282-014	NEW-P	00-22-125	246-292-160	AMD-P	00-21-104
246-243-060	AMD-P	00-04-088	246-282-016	NEW-P	00-22-125	246-292-170	REP-P	00-21-104
246-243-060	AMD	00-08-013	246-282-020	AMD-P	00-22-125	246-305-001	NEW-P	00-23-118
246-243-080	AMD-P	00-04-088	246-282-030	REP-P	00-22-125	246-305-010	NEW-P	00-23-118
246-243-080	AMD	00-08-013	246-282-032	NEW-P	00-22-125	246-305-020	NEW-P	00-23-118
246-243-090	AMD-P	00-04-088	246-282-034	NEW-P	00-22-125	246-305-030	NEW-P	00-23-118
246-243-090	AMD	00-08-013	246-282-036	NEW-P	00-22-125	246-305-040	NEW-P	00-23-118
246-243-100	AMD-P	00-04-088	246-282-040	REP-P	00-22-125	246-305-050	NEW-P	00-23-118
246-243-100	AMD	00-08-013	246-282-042	NEW-P	00-22-125	246-305-060	NEW-P	00-23-118
246-243-110	AMD-P	00-04-088	246-282-050	AMD-P	00-22-125	246-305-070	NEW-P	00-23-118
246-243-110	AMD	00-08-013	246-282-060	AMD-P	00-22-125	246-305-080	NEW-P	00-23-118
246-243-120	AMD-P	00-04-088	246-282-070	AMD-P	00-22-125	246-305-090	NEW-P	00-23-118
246-243-120	AMD	00-08-013	246-282-080	AMD-P	00-22-125	246-305-100	NEW-P	00-23-118
246-243-130	AMD-P	00-04-088	246-282-082	NEW-P	00-22-125	246-305-110	NEW-P	00-23-118
246-243-130	AMD	00-08-013	246-282-090	REP-P	00-22-125	246-323	PREP	00-05-097
246-243-140	AMD-P	00-04-088	246-282-092	NEW-P	00-22-125	246-325	PREP	00-05-097
246-243-140	AMD	00-08-013	246-282-100	AMD-P	00-22-125	246-326	PREP	00-05-097
246-243-141	NEW-P	00-04-088	246-282-102	NEW-P	00-22-125	246-338-001	AMD-P	00-03-073
246-243-141	NEW	00-08-013	246-282-104	NEW-P	00-22-125	246-338-001	AMD	00-06-079
246-243-150	AMD-P	00-04-088	246-282-104	NEW-P	00-22-125	246-338-010	AMD-P	00-03-073
246-243-150	AMD	00-08-013	246-282-110	AMD-P	00-22-125	246-338-010	AMD	00-06-079
246-243-160	AMD-P	00-04-088	246-282-120	AMD-P	00-22-125	246-338-020	AMD-P	00-03-073
246-243-160	AMD	00-08-013	246-282-130	AMD-P	00-22-125	246-338-020	AMD	00-06-079
246-243-170	AMD-P	00-04-088	246-282-990	AMD-P	00-22-125	246-338-020	AMD	00-06-079
246-243-170	AMD	00-08-013	246-290-72001	NEW-P	00-11-164	246-338-020	AMD-XA	00-19-084
246-243-180	AMD-P	00-04-088	246-290-72001	NEW	00-15-080	246-338-022	NEW-P	00-03-073
246-243-180	AMD	00-08-013	246-290-72002	NEW-P	00-11-164	246-338-022	NEW	00-06-079
246-243-180	AMD	00-08-013	246-290-72002	NEW	00-15-080	246-338-024	NEW-P	00-03-073

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246-338-024	NEW	00-06-079	246-361-020	NEW	00-06-082	246-562-110	AMD	00-15-082
246-338-026	NEW-P	00-03-073	246-361-025	NEW	00-06-082	246-562-120	AMD-P	00-11-165
246-338-026	NEW	00-06-079	246-361-030	NEW	00-06-082	246-562-120	AMD	00-15-082
246-338-028	NEW-P	00-03-073	246-361-035	NEW	00-06-082	246-562-140	AMD-P	00-11-165
246-338-028	NEW	00-06-079	246-361-045	NEW	00-06-082	246-562-140	AMD	00-15-082
246-338-028	AMD-XA	00-19-084	246-361-055	NEW	00-06-082	246-562-150	AMD-P	00-11-165
246-338-030	REP-P	00-03-073	246-361-065	NEW	00-06-082	246-562-150	AMD	00-15-082
246-338-030	REP	00-06-079	246-361-070	NEW	00-06-082	246-562-160	NEW-P	00-11-165
246-338-040	AMD-P	00-03-073	246-361-075	NEW	00-06-082	246-562-160	NEW	00-15-082
246-338-040	AMD	00-06-079	246-361-080	NEW	00-06-082	246-780-001	AMD-P	00-03-074
246-338-050	AMD-P	00-03-073	246-361-090	NEW	00-06-082	246-780-001	AMD	00-07-129
246-338-050	AMD	00-06-079	246-361-095	NEW	00-06-082	246-780-010	AMD-P	00-03-074
246-338-060	AMD-P	00-03-073	246-361-100	NEW	00-06-082	246-780-010	AMD	00-07-129
246-338-060	AMD	00-06-079	246-361-125	NEW	00-06-082	246-780-020	AMD-P	00-03-074
246-338-060	AMD-XA	00-19-084	246-361-135	NEW	00-06-082	246-780-020	AMD	00-07-129
246-338-070	AMD-P	00-03-073	246-361-145	NEW	00-06-082	246-780-022	NEW-P	00-03-074
246-338-070	AMD	00-06-079	246-361-155	NEW	00-06-082	246-780-022	NEW	00-07-129
246-338-070	AMD-XA	00-19-084	246-361-165	NEW	00-06-082	246-780-025	NEW-P	00-03-074
246-338-080	AMD-P	00-03-073	246-361-175	NEW	00-06-082	246-780-025	NEW	00-07-129
246-338-080	AMD	00-06-079	246-361-990	NEW	00-06-082	246-780-028	NEW-P	00-03-074
246-338-090	AMD-P	00-03-073	246-420-001	REP-P	00-12-101	246-780-028	NEW	00-07-129
246-338-090	AMD	00-06-079	246-420-001	REP	00-23-120	246-780-030	AMD-P	00-03-074
246-338-090	AMD-XA	00-19-084	246-420-010	REP-P	00-12-101	246-780-030	AMD	00-07-129
246-338-100	AMD-P	00-03-073	246-420-010	REP	00-23-120	246-780-040	AMD-P	00-03-074
246-338-100	AMD	00-06-079	246-420-020	REP-P	00-12-101	246-780-040	AMD	00-07-129
246-338-110	AMD-P	00-03-073	246-420-020	REP	00-23-120	246-780-050	REP-P	00-03-074
246-338-110	AMD	00-06-079	246-420-030	REP-P	00-12-101	246-780-050	REP	00-07-129
246-338-990	AMD-XA	00-19-084	246-420-030	REP	00-23-120	246-780-060	AMD-P	00-03-074
246-358-001	AMD	00-06-082	246-420-040	REP-P	00-12-101	246-780-060	AMD	00-07-129
246-358-010	AMD	00-06-082	246-420-040	REP	00-23-120	246-780-070	REP-P	00-03-074
246-358-020	REP	00-06-082	246-420-050	REP-P	00-12-101	246-780-070	REP	00-07-129
246-358-025	AMD	00-06-082	246-420-050	REP	00-23-120	246-790	AMD-P	00-07-084
246-358-027	NEW	00-06-082	246-420-060	REP-P	00-12-101	246-790	AMD	00-13-009
246-358-029	NEW	00-06-082	246-420-060	REP	00-23-120	246-790-010	AMD-P	00-07-084
246-358-030	REP	00-06-082	246-430-001	REP-P	00-24-131	246-790-010	AMD	00-13-009
246-358-040	NEW	00-06-082	246-430-010	REP-P	00-24-131	246-790-050	AMD-P	00-07-084
246-358-045	AMD	00-06-082	246-430-020	REP-P	00-24-131	246-790-050	AMD	00-13-009
246-358-055	AMD	00-06-082	246-430-030	REP-P	00-24-131	246-790-060	AMD-P	00-07-084
246-358-065	AMD	00-06-082	246-430-040	REP-P	00-24-131	246-790-060	AMD	00-13-009
246-358-070	NEW	00-06-082	246-430-050	REP-P	00-24-131	246-790-065	NEW-P	00-07-084
246-358-075	AMD	00-06-082	246-430-060	REP-P	00-24-131	246-790-065	NEW	00-13-009
246-358-090	AMD	00-06-082	246-490-010	NEW-P	00-05-098	246-790-070	AMD-P	00-07-084
246-358-095	AMD	00-06-082	246-490-010	NEW	00-11-169	246-790-070	AMD	00-13-009
246-358-100	AMD	00-06-082	246-490-020	NEW-P	00-05-098	246-790-080	AMD-P	00-07-084
246-358-125	AMD	00-06-082	246-490-020	NEW	00-11-169	246-790-080	AMD	00-13-009
246-358-135	AMD	00-06-082	246-490-030	NEW-P	00-05-098	246-790-085	AMD-P	00-07-084
246-358-140	REP	00-06-082	246-490-030	NEW	00-11-169	246-790-085	AMD	00-13-009
246-358-145	AMD	00-06-082	246-490-055	NEW-P	00-05-098	246-790-090	AMD-P	00-07-084
246-358-155	AMD	00-06-082	246-490-055	NEW	00-11-169	246-790-090	AMD	00-13-009
246-358-165	AMD	00-06-082	246-490-065	NEW-P	00-05-098	246-790-100	AMD-P	00-07-084
246-358-175	AMD	00-06-082	246-490-065	NEW	00-11-169	246-790-100	AMD	00-13-009
246-358-600	REP	00-06-082	246-490-070	NEW-P	00-05-098	246-790-120	AMD-P	00-07-084
246-358-610	REP	00-06-082	246-490-070	NEW	00-11-169	246-790-120	AMD	00-13-009
246-358-620	REP	00-06-082	246-562-010	AMD-P	00-11-165	246-790-130	AMD-P	00-07-084
246-358-630	REP	00-06-082	246-562-010	AMD	00-15-082	246-790-130	AMD	00-13-009
246-358-640	REP	00-06-082	246-562-020	AMD-P	00-11-165	246-808-105	PREP	00-10-110
246-358-650	REP	00-06-082	246-562-020	AMD	00-15-082	246-808-105	AMD-P	00-13-094
246-358-660	REP	00-06-082	246-562-060	AMD-P	00-11-165	246-808-105	AMD	00-17-180
246-358-670	REP	00-06-082	246-562-060	AMD	00-15-082	246-808-115	PREP	00-10-110
246-358-680	REP	00-06-082	246-562-080	AMD-P	00-11-165	246-808-115	AMD-P	00-13-094
246-361-001	NEW	00-06-082	246-562-080	AMD	00-15-082	246-808-115	AMD	00-17-180
246-361-010	NEW	00-06-082	246-562-110	AMD-P	00-11-165	246-808-120	PREP	00-10-110

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246-808-120	REP	00-17-180	246-840-710	AMD-P	00-14-062	246-901-090	AMD	00-15-081
246-808-135	PREP	00-10-110	246-840-710	AMD-C	00-19-083	246-901-100	AMD-P	00-08-101
246-808-135	AMD-P	00-13-094	246-840-715	REP-P	00-14-062	246-901-100	AMD	00-15-081
246-808-135	AMD	00-17-180	246-840-715	REP-C	00-19-083	246-901-110	REP-P	00-08-101
246-808-700	REP-XR	00-04-087	246-840-830	AMD-P	00-11-166	246-901-110	REP	00-15-081
246-810-600	NEW	00-03-075A	246-840-830	AMD	00-17-179	246-901-120	AMD-P	00-08-101
246-810-610	NEW	00-03-075A	246-840-910	PREP	00-11-158	246-901-120	AMD	00-15-081
246-810-620	NEW	00-03-075A	246-840-920	PREP	00-11-158	246-901-130	AMD-P	00-08-101
246-810-630	NEW	00-03-075A	246-840-930	PREP	00-11-158	246-901-130	AMD	00-15-081
246-810-640	NEW	00-03-075A	246-840-940	PREP	00-11-158	246-901-140	NEW-P	00-08-101
246-810-650	NEW	00-03-075A	246-840-950	PREP	00-11-158	246-901-140	NEW	00-15-081
246-810-660	NEW	00-03-075A	246-840-960	PREP	00-11-158	246-919-475	NEW-P	00-16-109
246-811-090	NEW-P	00-08-100	246-840-970	PREP	00-11-158	246-930-010	PREP	00-08-099
246-811-090	NEW	00-12-102	246-840-980	PREP	00-11-158	246-930-030	PREP	00-08-099
246-811-100	NEW-P	00-08-100	246-840-990	PREP-W	00-11-153	246-930-040	PREP	00-08-099
246-811-100	NEW	00-12-102	246-841-400	PREP	00-03-072	246-930-070	AMD-XA	00-19-082
246-811-110	NEW-P	00-08-100	246-841-405	PREP	00-11-158	246-930-200	PREP	00-08-099
246-811-110	NEW	00-12-102	246-841-410	PREP	00-03-072	246-930-410	PREP	00-08-099
246-812-990	AMD	00-07-050	246-841-420	PREP	00-03-072	246-933-250	AMD-XA	00-20-098
246-830-485	NEW	00-07-086	246-841-430	PREP	00-03-072	246-933-260	AMD-XA	00-20-098
246-840	PREP-W	00-18-112	246-841-430	PREP	00-03-072	246-933-270	AMD-XA	00-20-098
246-840-299	NEW-P	00-16-107	246-841-440	PREP	00-03-072	246-939	PREP	00-11-159
246-840-299	NEW	00-21-119	246-841-450	PREP	00-03-072	246-939-010	NEW-P	00-11-167
246-840-300	AMD-P	00-16-107	246-841-460	PREP	00-03-072	246-939-010	NEW	00-23-119
246-840-300	AMD	00-21-119	246-841-470	PREP	00-03-072	246-939-030	NEW-P	00-11-167
246-840-305	AMD-P	00-16-107	246-841-480	PREP	00-03-072	246-939-030	NEW	00-23-119
246-840-305	AMD	00-21-119	246-841-490	PREP	00-03-072	246-939-050	NEW-P	00-11-167
246-840-310	AMD-P	00-16-107	246-841-500	PREP	00-03-072	246-939-050	NEW	00-23-119
246-840-310	AMD	00-21-119	246-841-510	PREP	00-03-072	246-976-001	AMD-P	00-03-075
246-840-315	REP-P	00-16-107	246-843-072	REP-XR	00-15-078	246-976-001	AMD	00-08-102
246-840-315	REP	00-21-119	246-843-074	REP-XR	00-15-078	246-976-010	AMD-P	00-03-075
246-840-320	AMD-P	00-16-107	246-843-150	PREP	00-13-093	246-976-010	AMD	00-08-102
246-840-320	AMD	00-21-119	246-843-180	PREP	00-13-093	246-976-020	REP-P	00-03-075
246-840-330	AMD-P	00-16-107	246-843-330	PREP	00-13-093	246-976-020	REP	00-08-102
246-840-330	AMD	00-21-119	246-869-220	AMD-P	00-16-108	246-976-020	REP	00-08-102
246-840-360	AMD-P	00-16-107	246-883-020	AMD	00-06-078	246-976-021	NEW-P	00-03-075
246-840-360	AMD	00-21-119	246-886-025	NEW-E	00-11-168	246-976-021	NEW	00-08-102
246-840-410	AMD-P	00-16-107	246-887-100	AMD-P	00-17-178	246-976-025	REP-P	00-03-075
246-840-410	AMD	00-21-119	246-887-160	AMD-P	00-06-080	246-976-025	REP	00-08-102
246-840-430	REP-P	00-16-107	246-887-160	AMD	00-10-113	246-976-030	REP-P	00-03-075
246-840-430	REP	00-21-119	246-901	AMD-P	00-08-101	246-976-030	REP	00-08-102
246-840-440	REP-P	00-16-107	246-901	AMD	00-15-081	246-976-031	NEW-P	00-03-075
246-840-440	REP	00-21-119	246-901-010	AMD-P	00-08-101	246-976-031	NEW	00-08-102
246-840-500	PREP	00-11-163	246-901-010	AMD	00-15-081	246-976-035	REP-P	00-03-075
246-840-505	PREP	00-11-163	246-901-020	AMD-P	00-08-101	246-976-035	REP	00-08-102
246-840-510	PREP	00-11-163	246-901-020	AMD	00-15-081	246-976-040	REP-P	00-03-075
246-840-520	PREP	00-11-163	246-901-030	AMD-P	00-08-101	246-976-040	REP	00-08-102
246-840-525	PREP	00-11-163	246-901-030	AMD	00-15-081	246-976-040	REP	00-08-102
246-840-530	PREP	00-11-163	246-901-035	AMD-P	00-08-101	246-976-041	NEW-P	00-03-075
246-840-535	PREP	00-11-163	246-901-035	AMD	00-15-081	246-976-041	NEW	00-08-102
246-840-540	PREP	00-11-163	246-901-040	AMD-P	00-08-101	246-976-045	REP-P	00-03-075
246-840-545	PREP	00-11-163	246-901-040	AMD	00-15-081	246-976-045	REP	00-08-102
246-840-550	PREP	00-11-163	246-901-050	AMD-P	00-08-101	246-976-050	REP-P	00-03-075
246-840-555	PREP	00-11-163	246-901-050	AMD	00-15-081	246-976-050	REP	00-08-102
246-840-560	PREP	00-11-163	246-901-060	AMD-P	00-08-101	246-976-055	REP-P	00-03-075
246-840-565	PREP	00-11-163	246-901-060	AMD	00-15-081	246-976-055	REP	00-08-102
246-840-570	PREP	00-11-163	246-901-065	AMD-P	00-08-101	246-976-060	REP-P	00-03-075
246-840-575	PREP	00-11-163	246-901-065	AMD	00-15-081	246-976-060	REP	00-08-102
246-840-700	AMD-P	00-14-062	246-901-070	AMD-P	00-08-101	246-976-065	REP-P	00-03-075
246-840-700	AMD-C	00-19-083	246-901-070	AMD	00-15-081	246-976-065	REP	00-08-102
246-840-705	AMD-P	00-14-062	246-901-080	AMD-P	00-08-101	246-976-070	REP-P	00-03-075
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246-976-075	REP	00-08-102	246-976-310	AMD	00-08-102	250-44-060	AMD	01-01-050
246-976-076	REP-P	00-03-075	246-976-320	AMD-P	00-03-075	250-44-070	AMD-P	00-19-105
246-976-076	REP	00-08-102	246-976-320	AMD	00-08-102	250-44-070	RECOD-P	00-19-105
246-976-077	REP-P	00-03-075	246-976-320	PREP	00-10-111	250-44-070	AMD	01-01-050
246-976-077	REP	00-08-102	246-976-320	AMD-P	00-17-181	250-44-070	RECOD	01-01-050
246-976-080	REP-P	00-03-075	246-976-320	AMD	00-22-124	250-44-080	AMD-P	00-19-105
246-976-080	REP	00-08-102	246-976-330	AMD-P	00-03-075	250-44-080	RECOD-P	00-19-105
246-976-085	REP-P	00-03-075	246-976-330	AMD	00-08-102	250-44-080	AMD	01-01-050
246-976-085	REP	00-08-102	246-976-340	AMD-P	00-03-075	250-44-080	RECOD	01-01-050
246-976-110	REP-P	00-03-075	246-976-340	AMD	00-08-102	250-44-090	AMD-P	00-19-105
246-976-110	REP	00-08-102	246-976-350	REP-P	00-03-075	250-44-090	RECOD-P	00-19-105
246-976-120	REP-P	00-03-075	246-976-350	REP	00-08-102	250-44-090	AMD	01-01-050
246-976-120	REP	00-08-102	246-976-370	REP-P	00-03-075	250-44-090	RECOD	01-01-050
246-976-140	REP-P	00-03-075	246-976-370	REP	00-08-102	250-44-100	RECOD-P	00-19-105
246-976-140	REP	00-08-102	246-976-390	AMD-P	00-03-075	250-44-100	RECOD	01-01-050
246-976-141	NEW-P	00-03-075	246-976-390	AMD	00-08-102	250-44-110	AMD-P	00-19-105
246-976-141	NEW	00-08-102	246-976-390	PREP	00-10-111	250-44-110	RECOD-P	00-19-105
246-976-150	REP-P	00-03-075	246-976-390	AMD-P	00-17-181	250-44-110	AMD	01-01-050
246-976-150	REP	00-08-102	246-976-390	AMD	00-22-124	250-44-110	RECOD	01-01-050
246-976-151	NEW-P	00-03-075	246-976-400	AMD-P	00-03-075	250-44-120	RECOD-P	00-19-105
246-976-151	NEW	00-08-102	246-976-400	AMD	00-08-102	250-44-120	RECOD	01-01-050
246-976-160	REP-P	00-03-075	246-976-420	AMD-P	00-03-075	250-44-130	AMD-P	00-19-105
246-976-160	REP	00-08-102	246-976-420	AMD	00-08-102	250-44-130	RECOD-P	00-19-105
246-976-161	NEW-P	00-03-075	246-976-430	AMD-P	00-03-075	250-44-130	AMD	01-01-050
246-976-161	NEW	00-08-102	246-976-430	AMD	00-08-102	250-44-130	RECOD	01-01-050
246-976-165	REP-P	00-03-075	246-976-440	REP-P	00-03-075	250-44-140	AMD-P	00-19-105
246-976-165	REP	00-08-102	246-976-440	REP	00-08-102	250-44-140	RECOD-P	00-19-105
246-976-170	REP-P	00-03-075	246-976-450	REP-P	00-03-075	250-44-140	AMD	01-01-050
246-976-170	REP	00-08-102	246-976-450	REP	00-08-102	250-44-140	RECOD	01-01-050
246-976-171	NEW-P	00-03-075	246-976-890	AMD-P	00-03-075	250-44-150	AMD-P	00-19-105
246-976-171	NEW	00-08-102	246-976-890	AMD	00-08-102	250-44-150	RECOD-P	00-19-105
246-976-180	REP-P	00-03-075	246-976-910	AMD-P	00-03-075	250-44-150	AMD	01-01-050
246-976-180	REP	00-08-102	246-976-910	AMD	00-08-102	250-44-150	RECOD	01-01-050
246-976-181	REP-P	00-03-075	246-976-920	AMD-P	00-03-075	250-44-160	AMD-P	00-19-105
246-976-181	REP	00-08-102	246-976-920	AMD	00-08-102	250-44-160	RECOD-P	00-19-105
246-976-182	NEW-P	00-03-075	246-976-930	AMD-P	00-03-075	250-44-160	AMD	01-01-050
246-976-182	NEW	00-08-102	246-976-930	AMD	00-08-102	250-44-160	RECOD	01-01-050
246-976-190	REP-P	00-03-075	246-976-940	AMD-P	00-03-075	250-44-170	RECOD-P	00-19-105
246-976-190	REP	00-08-102	246-976-940	AMD	00-08-102	250-44-170	RECOD	01-01-050
246-976-191	NEW-P	00-03-075	246-976-950	AMD-P	00-03-075	250-44-180	RECOD-P	00-19-105
246-976-191	NEW	00-08-102	246-976-950	AMD	00-08-102	250-44-180	RECOD	01-01-050
246-976-200	REP-P	00-03-075	246-976-960	AMD-P	00-03-075	250-44-190	AMD-P	00-19-105
246-976-200	REP	00-08-102	246-976-960	AMD	00-08-102	250-44-190	RECOD-P	00-19-105
246-976-210	REP-P	00-03-075	246-976-970	AMD-P	00-03-075	250-44-190	AMD	01-01-050
246-976-210	REP	00-08-102	246-976-970	AMD	00-08-102	250-44-190	RECOD	01-01-050
246-976-220	REP-P	00-03-075	246-976-990	AMD-P	00-03-075	250-44-210	REP-P	00-19-105
246-976-220	REP	00-08-102	246-976-990	AMD	00-08-102	250-44-210	REP	01-01-050
246-976-230	REP-P	00-03-075	248-554-001	REP-P	00-17-160	250-63-010	NEW-P	00-19-103
246-976-230	REP	00-08-102	248-554-005	REP-P	00-17-160	250-63-010	NEW-E	00-19-104
246-976-240	REP-P	00-03-075	248-554-010	REP-P	00-17-160	250-63-020	NEW-P	00-19-103
246-976-240	REP	00-08-102	248-554-015	REP-P	00-17-160	250-63-020	NEW-E	00-19-104
246-976-260	AMD-P	00-03-075	248-554-018	REP-P	00-17-160	250-63-030	NEW-P	00-19-103
246-976-260	AMD	00-08-102	248-554-020	REP-P	00-17-160	250-63-030	NEW-E	00-19-104
246-976-270	AMD-P	00-03-075	248-554-030	REP-P	00-17-160	250-63-040	NEW-P	00-19-103
246-976-270	AMD	00-08-102	250-44	PREP	00-15-054	250-63-040	NEW-E	00-19-104
246-976-280	REP-P	00-03-075	250-44-020	AMD-P	00-19-105	250-63-050	NEW-P	00-19-103
246-976-280	REP	00-08-102	250-44-020	AMD	01-01-050	250-63-050	NEW-E	00-19-104
246-976-290	AMD-P	00-03-075	250-44-040	AMD-P	00-19-105	250-63-060	NEW-P	00-19-103
246-976-290	AMD	00-08-102	250-44-040	AMD	01-01-050	250-63-060	NEW-E	00-19-104
246-976-300	AMD-P	00-03-075	250-44-050	AMD-P	00-19-105	250-63-070	NEW-P	00-19-103
246-976-300	AMD	00-08-102	250-44-050	AMD	01-01-050	250-63-070	NEW-E	00-19-104
246-976-310	AMD-P	00-03-075	250-44-060	AMD-P	00-19-105	250-63-080	NEW-P	00-19-103

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
250- 63-080	NEW-E	00-19-104	251- 20-020	AMD-C	00-06-051	263- 12-050	AMD	00-23-021
250- 66-020	AMD	00-08-081	251- 20-020	AMD	00-10-027	263- 12-051	PREP	00-12-056
250- 66-030	AMD	00-08-081	251- 20-030	AMD-P	00-04-053	263- 12-051	REP-P	00-17-144
250- 66-040	AMD	00-08-081	251- 20-030	AMD-W	00-05-060	263- 12-051	REP	00-23-023
250- 66-045	NEW	00-08-081	251- 20-030	AMD-C	00-06-051	263- 12-053	REP-XR	00-21-098
250- 66-050	AMD	00-08-081	251- 20-030	AMD	00-10-027	263- 12-053	REP	00-24-061
250- 80-010	NEW	00-08-082	251- 23-040	AMD-P	00-04-052	263- 12-056	PREP	00-12-056
250- 80-010	NEW-E	00-08-083	251- 23-040	AMD-C	00-06-050	263- 12-056	REP-P	00-17-144
250- 80-020	NEW	00-08-082	251- 23-040	AMD	00-10-026	263- 12-056	REP	00-23-023
250- 80-020	NEW-E	00-08-083	260- 12-180	AMD-P	00-13-004	263- 12-057	PREP	00-12-056
250- 80-030	NEW	00-08-082	260- 12-180	AMD	01-01-035	263- 12-057	REP-P	00-17-144
250- 80-030	NEW-E	00-08-083	260- 24-650	AMD-P	00-13-004	263- 12-057	REP	00-23-023
250- 80-040	NEW	00-08-082	260- 24-650	AMD	00-20-028	263- 12-058	PREP	00-12-056
250- 80-040	NEW-E	00-08-083	260- 28-230	AMD	00-06-072	263- 12-058	REP-P	00-17-144
250- 80-050	NEW	00-08-082	260- 34-030	AMD-P	00-03-088	263- 12-058	REP	00-23-023
250- 80-050	NEW-E	00-08-083	260- 34-030	AMD	00-07-038	263- 12-059	PREP	00-12-056
250- 80-060	NEW	00-08-082	260- 34-080	AMD-P	00-03-088	263- 12-060	PREP	00-12-057
250- 80-060	NEW-E	00-08-083	260- 34-080	AMD	00-07-038	263- 12-060	AMD-P	00-17-143
250- 80-070	NEW	00-08-082	260- 34-090	AMD-P	00-03-088	263- 12-060	AMD	00-23-021
250- 80-070	NEW-E	00-08-083	260- 34-090	AMD	00-07-038	263- 12-090	PREP	00-12-058
250- 80-080	NEW	00-08-082	260- 34-100	AMD-P	00-03-088	263- 12-090	AMD-P	00-17-143
250- 80-080	NEW-E	00-08-083	260- 34-100	AMD	00-07-038	263- 12-090	AMD	00-23-021
250- 80-090	NEW	00-08-082	260- 34-140	AMD-P	00-03-088	263- 12-093	PREP	00-12-059
250- 80-090	NEW-E	00-08-083	260- 34-140	AMD-W	00-07-037	263- 12-093	AMD-P	00-17-143
250- 80-100	NEW	00-08-082	260- 34-150	AMD-P	00-03-088	263- 12-093	AMD	00-23-021
250- 80-100	NEW-E	00-08-083	260- 34-150	AMD-W	00-07-037	263- 12-095	PREP	00-12-060
250- 81-010	NEW-P	00-05-084	260- 40-100	AMD-P	00-03-089	263- 12-095	AMD-P	00-17-143
250- 81-010	NEW	00-08-080	260- 40-100	AMD	00-07-039	263- 12-095	AMD	00-23-021
250- 81-020	NEW-P	00-05-084	260- 44-070	AMD	00-06-071	263- 12-097	PREP	00-12-061
250- 81-020	NEW	00-08-080	260- 48-600	AMD	00-06-070	263- 12-097	NEW-P	00-17-142
250- 81-030	NEW-P	00-05-084	260- 48-620	AMD	00-06-070	263- 12-097	NEW	00-23-022
250- 81-030	NEW	00-08-080	260- 52-010	AMD	00-06-069	263- 12-100	PREP	00-12-062
250- 81-040	NEW-P	00-05-084	260- 52-020	AMD-P	00-13-004	263- 12-100	AMD-P	00-17-143
250- 81-040	NEW	00-08-080	260- 52-020	AMD	00-20-028	263- 12-100	AMD	00-23-021
250- 81-050	NEW-P	00-05-084	260- 52-030	AMD	00-06-069	263- 12-115	PREP	00-12-063
250- 81-050	NEW	00-08-080	260- 52-040	AMD	00-06-069	263- 12-115	AMD-P	00-17-143
250- 81-060	NEW-P	00-05-084	260- 52-060	AMD-P	00-03-091	263- 12-115	AMD	00-23-021
250- 81-060	NEW	00-08-080	260- 52-060	AMD	00-07-041	263- 12-120	PREP	00-12-064
251- 01-175	AMD-P	00-12-072	260- 52-080	AMD-P	00-13-003	263- 12-120	AMD-P	00-17-143
251- 01-175	AMD-C	00-16-003	260- 52-080	AMD	00-20-027	263- 12-120	AMD	00-23-021
251- 01-175	AMD-W	00-18-027	260- 70-700	AMD-P	00-03-092	263- 12-130	PREP	00-12-065
251- 01-175	AMD-P	00-18-028	260- 70-700	AMD	00-07-042	263- 12-130	REP-P	00-17-144
251- 01-345	AMD-P	00-04-053	260- 72-020	AMD-P	00-13-005	263- 12-130	REP	00-23-023
251- 01-345	AMD-W	00-05-060	260- 72-020	AMD	00-20-029	263- 12-135	PREP	00-12-066
251- 01-345	AMD-C	00-06-051	260- 75-020	NEW-P	00-03-090	263- 12-135	AMD-P	00-17-143
251- 01-345	AMD	00-10-027	260- 75-020	NEW	00-07-040	263- 12-135	AMD	00-23-021
251- 08-075	NEW-P	00-12-074	260- 75-030	NEW-P	00-03-090	263- 12-140	PREP	00-12-067
251- 08-075	NEW	00-16-004	260- 75-030	NEW	00-07-040	263- 12-140	AMD-P	00-17-143
251- 08-115	AMD-P	00-04-052	260- 88-010	AMD-P	00-03-093	263- 12-140	AMD	00-23-021
251- 08-115	AMD-C	00-06-050	260- 88-010	AMD	00-07-043	263- 12-145	PREP	00-12-068
251- 08-115	AMD	00-10-026	262- 01-140	NEW	00-06-030	263- 12-145	AMD-P	00-17-143
251- 09-080	AMD-P	00-04-052	263- 12-016	PREP	00-12-053	263- 12-145	AMD	00-23-021
251- 09-080	AMD-C	00-06-050	263- 12-016	AMD-P	00-17-143	275- 16-010	DECOD-P	00-17-157
251- 09-080	AMD	00-10-026	263- 12-016	AMD	00-23-021	275- 16-010	DECOD	01-01-007
251- 17-150	AMD-P	00-12-072	263- 12-020	PREP	00-12-054	275- 16-015	AMD-P	00-17-157
251- 17-150	AMD-C	00-16-003	263- 12-020	AMD-P	00-17-143	275- 16-015	DECOD-P	00-17-157
251- 17-150	AMD-W	00-18-027	263- 12-020	AMD	00-23-021	275- 16-015	AMD	01-01-007
251- 17-150	AMD-P	00-18-028	263- 12-045	PREP	00-12-055	275- 16-015	DECOD	01-01-007
251- 19-085	NEW-P	00-06-048	263- 12-045	AMD-P	00-17-143	275- 16-030	DECOD-P	00-17-157
251- 19-085	NEW	00-11-121	263- 12-045	AMD	00-23-021	275- 16-030	DECOD	01-01-007
251- 20-020	AMD-P	00-04-053	263- 12-050	PREP	00-12-056	275- 16-035	AMD-P	00-17-157
251- 20-020	AMD-W	00-05-060	263- 12-050	AMD-P	00-17-143	275- 16-035	DECOD-P	00-17-157

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
275- 16-035	AMD	01-01-007	275- 35-080	REP	00-16-032	275- 54-070	DECOD	00-23-089
275- 16-035	DECOD	01-01-007	275- 35-100	REP-P	00-12-103	275- 54-080	DECOD	00-23-089
275- 16-045	AMD-P	00-17-157	275- 35-100	REP	00-16-032	275- 54-090	DECOD	00-23-089
275- 16-045	DECOD-P	00-17-157	275- 37-010	REP-P	00-11-139	275- 54-100	DECOD	00-23-089
275- 16-045	AMD	01-01-007	275- 37-010	REP	00-24-014	275- 54-110	DECOD	00-23-089
275- 16-045	DECOD	01-01-007	275- 37-020	REP-P	00-11-139	275- 54-120	DECOD	00-23-089
275- 16-055	AMD-P	00-17-157	275- 37-020	REP	00-24-014	275- 54-130	DECOD	00-23-089
275- 16-055	DECOD-P	00-17-157	275- 37-030	REP-P	00-11-139	275- 54-140	DECOD	00-23-089
275- 16-055	AMD	01-01-007	275- 37-030	REP	00-24-014	275- 54-150	DECOD	00-23-089
275- 16-055	DECOD	01-01-007	275- 46-010	DECOD-P	00-17-187	275- 54-160	DECOD	00-23-089
275- 16-065	AMD-P	00-17-157	275- 46-010	DECOD	00-22-019	275- 54-170	DECOD	00-23-089
275- 16-065	DECOD-P	00-17-157	275- 46-015	DECOD-P	00-17-187	275- 54-180	DECOD	00-23-089
275- 16-065	AMD	01-01-007	275- 46-015	DECOD	00-22-019	275- 54-190	DECOD	00-23-089
275- 16-065	DECOD	01-01-007	275- 46-020	DECOD-P	00-17-187	275- 54-200	DECOD	00-23-089
275- 16-075	DECOD-P	00-17-157	275- 46-020	DECOD	00-22-019	275- 54-210	DECOD	00-23-089
275- 16-075	DECOD	01-01-007	275- 46-030	DECOD-P	00-17-187	275- 54-220	DECOD	00-23-089
275- 16-085	AMD-P	00-17-157	275- 46-030	DECOD	00-22-019	275- 54-230	DECOD	00-23-089
275- 16-085	DECOD-P	00-17-157	275- 46-040	DECOD-P	00-17-187	275- 54-240	DECOD	00-23-089
275- 16-085	AMD	01-01-007	275- 46-040	DECOD	00-22-019	275- 54-250	DECOD	00-23-089
275- 16-085	DECOD	01-01-007	275- 46-050	DECOD-P	00-17-187	275- 54-260	DECOD	00-23-089
275- 16-095	DECOD-P	00-17-157	275- 46-050	DECOD	00-22-019	275- 54-270	DECOD	00-23-089
275- 16-095	DECOD	01-01-007	275- 46-060	AMD-P	00-17-187	275- 54-280	DECOD	00-23-089
275- 16-105	DECOD-P	00-17-157	275- 46-060	DECOD-P	00-17-187	275- 54-290	DECOD	00-23-089
275- 16-105	DECOD	01-01-007	275- 46-060	AMD	00-22-019	275- 54-300	DECOD	00-23-089
275- 20-010	DECOD	00-17-151	275- 46-060	DECOD	00-22-019	275- 54-310	DECOD	00-23-089
275- 20-030	DECOD	00-17-151	275- 46-065	DECOD-P	00-17-187	275- 55	PREP	00-08-048
275- 20-035	DECOD	00-17-151	275- 46-065	DECOD	00-22-019	275- 55-010	DECOD	00-23-089
275- 20-080	DECOD	00-17-151	275- 46-070	AMD-P	00-17-187	275- 55-020	DECOD	00-23-089
275- 30-010	AMD-E	00-10-065	275- 46-070	DECOD-P	00-17-187	275- 55-030	DECOD	00-23-089
275- 30-010	AMD-P	00-13-074	275- 46-070	AMD	00-22-019	275- 55-040	DECOD	00-23-089
275- 30-010	DECOD-P	00-13-074	275- 46-070	DECOD	00-22-019	275- 55-081	DECOD	00-23-089
275- 30-010	AMD	00-17-046	275- 46-080	AMD-P	00-17-187	275- 55-090	DECOD	00-23-089
275- 30-010	DECOD	00-17-046	275- 46-080	DECOD-P	00-17-187	275- 55-110	DECOD	00-23-089
275- 30-030	DECOD-P	00-13-074	275- 46-080	AMD	00-22-019	275- 55-115	DECOD	00-23-089
275- 30-030	DECOD	00-17-046	275- 46-080	DECOD	00-22-019	275- 55-131	DECOD	00-23-089
275- 30-040	DECOD-P	00-13-074	275- 46-090	AMD-P	00-17-187	275- 55-141	DECOD	00-23-089
275- 30-040	DECOD	00-17-046	275- 46-090	DECOD-P	00-17-187	275- 55-151	DECOD	00-23-089
275- 30-060	DECOD-P	00-13-074	275- 46-090	AMD	00-22-019	275- 55-161	DECOD	00-23-089
275- 30-060	DECOD	00-17-046	275- 46-090	DECOD	00-22-019	275- 55-171	DECOD	00-23-089
275- 30-070	DECOD-P	00-13-074	275- 46-100	REP-P	00-17-187	275- 55-181	DECOD	00-23-089
275- 30-070	DECOD	00-17-046	275- 46-100	REP	00-22-019	275- 55-191	DECOD	00-23-089
275- 33-020	DECOD	00-16-078	275- 47-010	DECOD-P	00-17-187	275- 55-201	DECOD	00-23-089
275- 33-030	DECOD	00-16-078	275- 47-010	DECOD	00-22-019	275- 55-211	DECOD	00-23-089
275- 33-040	DECOD	00-16-078	275- 47-020	DECOD-P	00-17-187	275- 55-221	DECOD	00-23-089
275- 33-050	DECOD	00-16-078	275- 47-020	DECOD	00-22-019	275- 55-231	DECOD	00-23-089
275- 33-060	DECOD	00-16-078	275- 47-030	AMD-P	00-17-187	275- 55-241	DECOD	00-23-089
275- 35	PREP	00-03-028	275- 47-030	DECOD-P	00-17-187	275- 55-261	DECOD	00-23-089
275- 35-010	REP-P	00-12-103	275- 47-030	AMD	00-22-019	275- 55-263	DECOD	00-23-089
275- 35-010	REP	00-16-032	275- 47-030	DECOD	00-22-019	275- 55-271	DECOD	00-23-089
275- 35-020	REP-P	00-12-103	275- 47-040	DECOD-P	00-17-187	275- 55-281	DECOD	00-23-089
275- 35-020	REP	00-16-032	275- 47-040	DECOD	00-22-019	275- 55-291	DECOD	00-23-089
275- 35-030	REP-P	00-12-103	275- 47-050	AMD-P	00-17-187	275- 55-293	DECOD	00-23-089
275- 35-030	REP	00-16-032	275- 47-050	DECOD-P	00-17-187	275- 55-295	DECOD	00-23-089
275- 35-040	REP-P	00-12-103	275- 47-050	AMD	00-22-019	275- 55-297	DECOD	00-23-089
275- 35-040	REP	00-16-032	275- 47-050	DECOD	00-22-019	275- 55-301	DECOD	00-23-089
275- 35-050	REP-P	00-12-103	275- 54	PREP	00-08-048	275- 55-341	DECOD	00-23-089
275- 35-050	REP	00-16-032	275- 54-010	DECOD	00-23-089	275- 55-351	DECOD	00-23-089
275- 35-060	REP-P	00-12-103	275- 54-020	DECOD	00-23-089	275- 55-361	DECOD	00-23-089
275- 35-060	REP	00-16-032	275- 54-030	DECOD	00-23-089	275- 55-363	DECOD	00-23-089
275- 35-070	REP-P	00-12-103	275- 54-040	DECOD	00-23-089	275- 55-365	DECOD	00-23-089
275- 35-070	REP	00-16-032	275- 54-050	DECOD	00-23-089	275- 55-367	DECOD	00-23-089
275- 35-080	REP-P	00-12-103	275- 54-060	DECOD	00-23-089	275- 55-371	DECOD	00-23-089

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
275- 57	PREP	00-08-048	275- 59-060	AMD-P	00-17-156	284- 04-900	NEW-P	00-22-118
275- 57-010	DECOD	00-23-089	275- 59-060	DECOD-P	00-17-156	284- 16-020	NEW-P	00-20-104
275- 57-020	DECOD	00-23-089	275- 59-060	AMD	01-01-008	284- 16-020	NEW-C	00-22-046
275- 57-030	DECOD	00-23-089	275- 59-060	DECOD	01-01-008	284- 30-600	AMD-P	00-13-113
275- 57-040	DECOD	00-23-089	275- 59-071	DECOD-P	00-17-156	284- 30-600	AMD	00-19-048
275- 57-050	DECOD	00-23-089	275- 59-071	DECOD	01-01-008	284- 30-610	AMD-P	00-13-113
275- 57-060	DECOD	00-23-089	275- 59-072	DECOD-P	00-17-156	284- 30-610	AMD	00-19-048
275- 57-070	DECOD	00-23-089	275- 59-072	DECOD	01-01-008	284- 43-120	AMD	00-04-034
275- 57-080	DECOD	00-23-089	275- 59-080	DECOD-P	00-17-156	284- 43-125	NEW	00-04-034
275- 57-090	DECOD	00-23-089	275- 59-080	DECOD	01-01-008	284- 43-130	AMD-P	00-16-125
275- 57-100	DECOD	00-23-089	275- 59-090	DECOD-P	00-17-156	284- 43-130	AMD-P	00-22-119
275- 57-110	DECOD	00-23-089	275- 59-090	DECOD	01-01-008	284- 43-200	AMD	00-04-034
275- 57-120	DECOD	00-23-089	275-110	PREP	00-12-034	284- 43-200	AMD-P	00-22-119
275- 57-130	DECOD	00-23-089	275-110-010	REP-P	00-18-048	284- 43-210	AMD	00-04-034
275- 57-140	DECOD	00-23-089	275-110-010	REP	00-23-061	284- 43-220	AMD	00-04-034
275- 57-150	DECOD	00-23-089	275-110-020	REP-P	00-18-048	284- 43-250	AMD	00-04-034
275- 57-160	DECOD	00-23-089	275-110-020	REP	00-23-061	284- 43-251	NEW-P	00-22-119
275- 57-170	DECOD	00-23-089	275-110-030	REP-P	00-18-048	284- 43-400	NEW-P	00-22-119
275- 57-180	DECOD	00-23-089	275-110-030	REP	00-23-061	284- 43-410	NEW-P	00-22-119
275- 57-190	DECOD	00-23-089	275-110-040	REP-P	00-18-048	284- 43-610	AMD-P	00-22-119
275- 57-200	DECOD	00-23-089	275-110-040	REP	00-23-061	284- 43-615	NEW-P	00-22-119
275- 57-210	DECOD	00-23-089	275-110-050	REP-P	00-18-048	284- 43-620	AMD-P	00-22-119
275- 57-220	DECOD	00-23-089	275-110-050	REP	00-23-061	284- 43-630	NEW-P	00-22-119
275- 57-230	DECOD	00-23-089	275-110-060	REP-P	00-18-048	284- 43-710	AMD	00-04-034
275- 57-240	DECOD	00-23-089	275-110-060	REP	00-23-061	284- 43-710	AMD-E	00-08-011
275- 57-250	DECOD	00-23-089	275-110-070	REP-P	00-18-048	284- 43-720	AMD	00-04-034
275- 57-260	DECOD	00-23-089	275-110-070	REP	00-23-061	284- 43-720	AMD-E	00-08-011
275- 57-270	DECOD	00-23-089	275-110-080	REP-P	00-18-048	284- 43-730	AMD-E	00-08-011
275- 57-280	DECOD	00-23-089	275-110-080	REP	00-23-061	284- 43-815	NEW-P	00-16-125
275- 57-290	DECOD	00-23-089	275-110-090	REP-P	00-18-048	284- 43-820	NEW-P	00-22-119
275- 57-300	DECOD	00-23-089	275-110-090	REP	00-23-061	284- 43-821	NEW-P	00-23-127
275- 57-310	DECOD	00-23-089	275-110-100	REP-P	00-18-048	284- 43-822	NEW-P	00-23-127
275- 57-320	DECOD	00-23-089	275-110-100	REP	00-23-061	284- 43-823	NEW-P	00-23-127
275- 57-330	DECOD	00-23-089	275-110-110	REP-P	00-18-048	284- 43-824	NEW-P	00-23-127
275- 57-340	DECOD	00-23-089	275-110-110	REP	00-23-061	284- 43-915	AMD-E	00-08-011
275- 57-350	DECOD	00-23-089	275-110-120	REP-P	00-18-048	284- 43-930	AMD-E	00-08-011
275- 57-360	DECOD	00-23-089	275-110-120	REP	00-23-061	284- 43-945	AMD-E	00-08-011
275- 57-370	DECOD	00-23-089	284- 02-070	AMD-E	00-08-011	284- 66-030	AMD-P	00-23-128
275- 57-380	DECOD	00-23-089	284- 04-120	NEW-P	00-22-118	284- 66-063	AMD-P	00-23-128
275- 57-390	DECOD	00-23-089	284- 04-200	NEW-P	00-22-118	284- 66-066	AMD-P	00-23-128
275- 57-400	DECOD	00-23-089	284- 04-205	NEW-P	00-22-118	284- 66-077	AMD-P	00-23-128
275- 57-410	DECOD	00-23-089	284- 04-210	NEW-P	00-22-118	284- 66-092	AMD-P	00-23-128
275- 57-420	DECOD	00-23-089	284- 04-215	NEW-P	00-22-118	284- 66-110	AMD-P	00-23-128
275- 57-430	DECOD	00-23-089	284- 04-220	NEW-P	00-22-118	284- 66-120	AMD-P	00-23-128
275- 57-440	DECOD	00-23-089	284- 04-225	NEW-P	00-22-118	284- 66-142	AMD-P	00-23-128
275- 57-450	DECOD	00-23-089	284- 04-300	NEW-P	00-22-118	284- 66-170	AMD-P	00-23-128
275- 57-460	DECOD	00-23-089	284- 04-305	NEW-P	00-22-118	284- 74-300	NEW-P	00-04-090
275- 57-470	DECOD	00-23-089	284- 04-310	NEW-P	00-22-118	284- 74-300	NEW	00-07-069
275- 59-010	DECOD-P	00-17-156	284- 04-400	NEW-P	00-22-118	284- 74-310	NEW-P	00-04-090
275- 59-010	DECOD	01-01-008	284- 04-405	NEW-P	00-22-118	284- 74-310	NEW	00-07-069
275- 59-020	AMD-P	00-17-156	284- 04-410	NEW-P	00-22-118	284- 74-320	NEW-P	00-04-090
275- 59-020	DECOD-P	00-17-156	284- 04-500	NEW-P	00-22-118	284- 74-320	NEW	00-07-069
275- 59-020	AMD	01-01-008	284- 04-505	NEW-P	00-22-118	284- 74-330	NEW-P	00-04-090
275- 59-020	DECOD	01-01-008	284- 04-510	NEW-P	00-22-118	284- 74-330	NEW	00-07-069
275- 59-030	AMD-P	00-17-156	284- 04-515	NEW-P	00-22-118	284- 74-340	NEW-P	00-04-090
275- 59-030	DECOD-P	00-17-156	284- 04-520	NEW-P	00-22-118	284- 74-340	NEW	00-07-069
275- 59-030	AMD	01-01-008	284- 04-525	NEW-P	00-22-118	284- 74-350	NEW-P	00-04-090
275- 59-030	DECOD	01-01-008	284- 04-600	NEW-P	00-22-118	284- 74-350	NEW	00-07-069
275- 59-041	DECOD-P	00-17-156	284- 04-605	NEW-P	00-22-118	284- 74-360	NEW-P	00-04-090
275- 59-041	DECOD	01-01-008	284- 04-610	NEW-P	00-22-118	284- 74-360	NEW	00-07-069
275- 59-050	DECOD-P	00-17-156	284- 04-615	NEW-P	00-22-118	284- 74-370	NEW-P	00-04-090
275- 59-050	DECOD	01-01-008	284- 04-620	NEW-P	00-22-118	284- 74-370	NEW	00-07-069

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284- 74-380	NEW-P	00-04-090	296- 17-562	AMD	00-14-052	296- 17-885	AMD	00-23-101
284- 74-380	NEW	00-07-069	296- 17-57001	AMD-P	00-07-138	296- 17-890	AMD-P	00-19-093
284- 90-010	AMD-XA	00-16-126	296- 17-57001	AMD	00-14-052	296- 17-890	AMD	00-23-101
284- 90-010	AMD	00-20-105	296- 17-583	AMD-P	00-07-138	296- 17-895	AMD-P	00-07-138
284- 90-020	AMD-XA	00-16-126	296- 17-583	AMD	00-14-052	296- 17-895	AMD	00-14-052
284- 90-020	AMD	00-20-105	296- 17-58503	AMD-P	00-07-138	296- 17-895	AMD-P	00-19-093
284- 90-030	REP-XA	00-16-126	296- 17-58503	AMD	00-14-052	296- 17-895	AMD	00-23-101
284- 90-030	REP	00-20-105	296- 17-597	AMD-P	00-07-138	296- 17-89502	AMD-P	00-19-093
284- 91-070	NEW-E	00-24-058	296- 17-597	AMD	00-14-052	296- 17-89502	AMD	00-23-101
286- 40-020	AMD	00-05-008	296- 17-615	AMD-P	00-07-138	296- 17-90401	NEW	00-11-060
292-100	PREP	00-23-042	296- 17-615	AMD	00-14-052	296- 17-90402	NEW	00-11-060
292-100	PREP	00-23-043	296- 17-618	AMD-P	00-07-138	296- 17-90403	NEW	00-11-060
292-110	PREP	00-23-042	296- 17-618	AMD	00-14-052	296- 17-90406	NEW	00-11-060
292-130	PREP	00-23-042	296- 17-643	AMD-P	00-07-138	296- 17-90408	NEW	00-11-060
292-130	PREP	00-23-043	296- 17-643	AMD	00-14-052	296- 17-90409	NEW	00-11-060
296- 15-500	NEW-P	00-10-106	296- 17-649	AMD-P	00-07-138	296- 17-90412	NEW	00-11-060
296- 15-500	NEW-C	00-14-074	296- 17-649	AMD	00-14-052	296- 17-90415	NEW	00-11-060
296- 15-500	NEW	00-18-078	296- 17-66003	AMD-P	00-07-138	296- 17-90418	NEW	00-11-060
296- 15-510	NEW-P	00-10-106	296- 17-66003	AMD	00-14-052	296- 17-90421	NEW	00-11-060
296- 15-510	NEW-C	00-14-074	296- 17-675	AMD-P	00-07-138	296- 17-90424	NEW	00-11-060
296- 15-510	NEW	00-18-078	296- 17-675	AMD	00-14-052	296- 17-90427	NEW	00-11-060
296- 17	PREP	00-02-090	296- 17-678	AMD-P	00-07-138	296- 17-90430	NEW	00-11-060
296- 17	PREP	00-11-135	296- 17-678	AMD	00-14-052	296- 17-90433	NEW	00-11-060
296- 17-31011	AMD-P	00-07-138	296- 17-679	AMD-P	00-07-138	296- 17-90434	NEW	00-11-060
296- 17-31011	AMD	00-14-052	296- 17-679	AMD	00-14-052	296- 17-90436	NEW	00-11-060
296- 17-31012	AMD-P	00-07-138	296- 17-686	AMD-P	00-07-138	296- 17-90439	NEW	00-11-060
296- 17-31012	AMD	00-14-052	296- 17-686	AMD	00-14-052	296- 17-90442	NEW	00-11-060
296- 17-31021	AMD-P	00-07-138	296- 17-689	AMD-P	00-07-138	296- 17-90445	NEW	00-11-060
296- 17-31021	AMD	00-14-052	296- 17-689	AMD	00-14-052	296- 17-90448	NEW	00-11-060
296- 17-501	AMD-P	00-07-138	296- 17-690	AMD-P	00-07-138	296- 17-90451	NEW	00-11-060
296- 17-501	AMD	00-14-052	296- 17-690	AMD	00-14-052	296- 17-90463	NEW	00-11-060
296- 17-50601	AMD-P	00-07-138	296- 17-694	AMD-P	00-07-138	296- 17-90466	NEW	00-11-060
296- 17-50601	AMD	00-14-052	296- 17-694	AMD	00-14-052	296- 17-90469	NEW	00-11-060
296- 17-510	AMD-P	00-07-138	296- 17-695	AMD-P	00-07-138	296- 17-90472	NEW	00-11-060
296- 17-510	AMD	00-14-052	296- 17-695	AMD	00-14-052	296- 17-90475	NEW	00-11-060
296- 17-521	AMD-P	00-07-138	296- 17-712	AMD-P	00-07-138	296- 17-90478	NEW	00-11-060
296- 17-521	AMD	00-14-052	296- 17-712	AMD	00-14-052	296- 17-90481	NEW	00-11-060
296- 17-52102	AMD-P	00-07-138	296- 17-713	AMD-P	00-07-138	296- 17-90484	NEW	00-11-060
296- 17-52102	AMD	00-14-052	296- 17-713	AMD	00-14-052	296- 17-90490	NEW	00-11-060
296- 17-52106	AMD-P	00-07-138	296- 17-729	AMD-P	00-07-138	296- 17-90491	NEW	00-11-060
296- 17-52106	AMD	00-14-052	296- 17-729	AMD	00-14-052	296- 17-90492	NEW	00-11-060
296- 17-527	AMD-P	00-07-138	296- 17-740	AMD-P	00-07-138	296- 17-90492	AMD-P	00-19-093
296- 17-527	AMD	00-14-052	296- 17-740	AMD	00-14-052	296- 17-90492	AMD	00-23-101
296- 17-529	AMD-P	00-07-138	296- 17-748	AMD-P	00-07-138	296- 17-90493	NEW	00-11-060
296- 17-529	AMD	00-14-052	296- 17-748	AMD	00-14-052	296- 17-90493	AMD-P	00-19-093
296- 17-537	AMD-P	00-07-138	296- 17-749	AMD-P	00-07-138	296- 17-90493	AMD	00-23-101
296- 17-537	AMD	00-14-052	296- 17-749	AMD	00-14-052	296- 17-90494	NEW	00-11-060
296- 17-53803	AMD-P	00-07-138	296- 17-751	AMD-P	00-07-138	296- 17-90494	AMD-P	00-19-093
296- 17-53803	AMD	00-14-052	296- 17-751	AMD	00-14-052	296- 17-90494	AMD	00-23-101
296- 17-542	AMD-P	00-07-138	296- 17-779	AMD-P	00-07-138	296- 17-90495	NEW	00-11-060
296- 17-542	AMD	00-14-052	296- 17-779	AMD	00-14-052	296- 17-90495	AMD-P	00-19-093
296- 17-544	AMD-P	00-07-138	296- 17-855	AMD-P	00-07-138	296- 17-90495	AMD	00-23-101
296- 17-544	AMD	00-14-052	296- 17-855	AMD	00-14-052	296- 17-90496	NEW	00-11-060
296- 17-54401	AMD-P	00-07-138	296- 17-855	AMD-P	00-19-093	296- 17-90496	AMD-P	00-19-093
296- 17-54401	AMD	00-14-052	296- 17-855	AMD	00-23-101	296- 17-90496	AMD	00-23-101
296- 17-54403	NEW-P	00-07-138	296- 17-875	AMD-P	00-19-093	296- 17-90497	NEW	00-11-060
296- 17-54403	NEW	00-14-052	296- 17-875	AMD	00-23-101	296- 17-90497	AMD-P	00-19-093
296- 17-545	AMD-P	00-07-138	296- 17-880	AMD-P	00-19-093	296- 17-90497	AMD	00-23-101
296- 17-545	AMD	00-14-052	296- 17-880	AMD	00-23-101	296- 17-90501	NEW-E	00-16-038
296- 17-546	AMD-P	00-07-138	296- 17-885	AMD-P	00-07-138	296- 17-91201	REP	00-11-060
296- 17-546	AMD	00-14-052	296- 17-885	AMD	00-14-052	296- 17-91202	REP	00-11-060
296- 17-562	AMD-P	00-07-138	296- 17-885	AMD-P	00-19-093	296- 17-91203	REP	00-11-060

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296-17-91204	REP	00-11-060	296-19A-040	NEW-P	00-10-106	296-19A-360	NEW	00-18-078
296-17-91205	REP	00-11-060	296-19A-040	NEW	00-18-078	296-19A-370	NEW-P	00-10-106
296-17-91206	REP	00-11-060	296-19A-045	NEW	00-18-078	296-19A-370	NEW	00-18-078
296-17-91207	REP	00-11-060	296-19A-050	NEW-P	00-10-106	296-19A-380	NEW-P	00-10-106
296-17-91208	REP	00-11-060	296-19A-050	NEW	00-18-078	296-19A-380	NEW	00-18-078
296-17-91209	REP	00-11-060	296-19A-060	NEW-P	00-10-106	296-19A-390	NEW-P	00-10-106
296-17-91210	REP	00-11-060	296-19A-060	NEW	00-18-078	296-19A-390	NEW	00-18-078
296-17-91211	REP	00-11-060	296-19A-070	NEW-P	00-10-106	296-19A-400	NEW-P	00-10-106
296-17-91212	REP	00-11-060	296-19A-070	NEW	00-18-078	296-19A-400	NEW	00-18-078
296-17-91213	REP	00-11-060	296-19A-080	NEW-P	00-10-106	296-19A-410	NEW-P	00-10-106
296-17-91214	REP	00-11-060	296-19A-080	NEW	00-18-078	296-19A-410	NEW	00-18-078
296-17-91215	REP	00-11-060	296-19A-090	NEW-P	00-10-106	296-19A-420	NEW-P	00-10-106
296-17-91216	REP	00-11-060	296-19A-090	NEW	00-18-078	296-19A-420	NEW	00-18-078
296-17-91219	REP	00-11-060	296-19A-100	NEW-P	00-10-106	296-19A-430	NEW-P	00-10-106
296-17-91220	REP	00-11-060	296-19A-100	NEW	00-18-078	296-19A-430	NEW	00-18-078
296-17-91221	REP	00-11-060	296-19A-110	NEW-P	00-10-106	296-19A-440	NEW-P	00-10-106
296-17-91222	REP	00-11-060	296-19A-110	NEW	00-18-078	296-19A-440	NEW	00-18-078
296-17-91223	REP	00-11-060	296-19A-120	NEW-P	00-10-106	296-19A-450	NEW-P	00-10-106
296-17-91224	REP	00-11-060	296-19A-120	NEW	00-18-078	296-19A-450	NEW	00-18-078
296-17-91225	REP	00-11-060	296-19A-130	NEW-P	00-10-106	296-19A-460	NEW-P	00-10-106
296-17-91250	REP	00-11-060	296-19A-130	NEW	00-18-078	296-19A-460	NEW	00-18-078
296-17-914	REP	00-11-060	296-19A-140	NEW-P	00-10-106	296-19A-470	NEW-P	00-10-106
296-17-91402	REP	00-11-060	296-19A-140	NEW	00-18-078	296-19A-470	NEW	00-18-078
296-17-91403	REP	00-11-060	296-19A-170	NEW-P	00-10-106	296-19A-480	NEW-P	00-10-106
296-17-91404	REP	00-11-060	296-19A-170	NEW	00-18-078	296-19A-480	NEW	00-18-078
296-17-91405	REP	00-11-060	296-19A-180	NEW-P	00-10-106	296-20-022	AMD-P	00-05-111
296-17-91406	REP	00-11-060	296-19A-180	NEW	00-18-078	296-20-022	AMD	00-09-078
296-17-919	REP	00-11-060	296-19A-190	NEW-P	00-10-106	296-20-12401	NEW-P	00-05-111
296-17-920	AMD-P	00-19-093	296-19A-190	NEW	00-18-078	296-20-12401	NEW	00-09-078
296-17-920	AMD	00-23-101	296-19A-200	NEW-P	00-10-106	296-20-135	AMD-P	00-05-112
296-18A	PREP	00-05-002	296-19A-200	NEW	00-18-078	296-20-135	AMD	00-09-077
296-18A-420	REP-P	00-10-106	296-19A-210	NEW-P	00-10-106	296-20-135	PREP	01-01-147
296-18A-420	REP	00-18-078	296-19A-210	NEW	00-18-078	296-21-290	AMD-P	00-05-111
296-18A-440	REP-P	00-10-106	296-19A-220	NEW-P	00-10-106	296-21-290	AMD	00-09-078
296-18A-440	REP	00-18-078	296-19A-220	NEW	00-18-078	296-23-220	AMD-P	00-05-112
296-18A-445	REP-P	00-10-106	296-19A-230	NEW-P	00-10-106	296-23-220	AMD	00-09-077
296-18A-445	REP	00-18-078	296-19A-230	NEW	00-18-078	296-23-220	PREP	01-01-147
296-18A-450	REP-P	00-10-106	296-19A-240	NEW-P	00-10-106	296-23-230	AMD-P	00-05-112
296-18A-450	REP	00-18-078	296-19A-240	NEW	00-18-078	296-23-230	AMD	00-09-077
296-18A-460	REP-P	00-10-106	296-19A-250	NEW-P	00-10-106	296-23-230	PREP	01-01-147
296-18A-460	REP	00-18-078	296-19A-250	NEW	00-18-078	296-23A-0200	AMD	00-06-027
296-18A-470	REP-P	00-10-106	296-19A-260	NEW-P	00-10-106	296-23A-0210	AMD	00-06-027
296-18A-470	REP	00-18-078	296-19A-260	NEW	00-18-078	296-23A-0220	AMD	00-06-027
296-18A-480	REP-P	00-10-106	296-19A-270	NEW-P	00-10-106	296-23A-0230	AMD-P	00-05-111
296-18A-480	REP	00-18-078	296-19A-270	NEW	00-18-078	296-23A-0230	AMD	00-09-078
296-18A-490	REP-P	00-10-106	296-19A-280	NEW-P	00-10-106	296-23A-0240	AMD	00-06-027
296-18A-490	REP	00-18-078	296-19A-280	NEW	00-18-078	296-23A-0500	AMD-XA	00-19-091
296-18A-500	REP-P	00-10-106	296-19A-290	NEW-P	00-10-106	296-23A-0500	AMD	00-24-066
296-18A-500	REP	00-18-078	296-19A-290	NEW	00-18-078	296-23B	PREP	00-14-072
296-18A-510	REP-P	00-10-106	296-19A-300	NEW-P	00-10-106	296-24	PREP	00-05-057
296-18A-510	REP	00-18-078	296-19A-300	NEW	00-18-078	296-24	PREP	00-10-046
296-18A-515	REP-P	00-10-106	296-19A-310	NEW-P	00-10-106	296-24	PREP	00-12-099
296-18A-515	REP	00-18-078	296-19A-310	NEW	00-18-078	296-24	PREP	00-20-073
296-18A-520	REP-P	00-10-106	296-19A-320	NEW-P	00-10-106	296-24-001	REP-P	00-23-099
296-18A-520	REP	00-18-078	296-19A-320	NEW	00-18-078	296-24-005	AMD-P	00-23-099
296-19A	NEW-C	00-14-074	296-19A-330	NEW-P	00-10-106	296-24-006	REP-P	00-23-099
296-19A-010	NEW-P	00-10-106	296-19A-330	NEW	00-18-078	296-24-007	REP-P	00-23-099
296-19A-010	NEW	00-18-078	296-19A-340	NEW-P	00-10-106	296-24-008	REP-P	00-23-099
296-19A-020	NEW-P	00-10-106	296-19A-340	NEW	00-18-078	296-24-010	REP-P	00-23-099
296-19A-020	NEW	00-18-078	296-19A-350	NEW-P	00-10-106	296-24-015	REP-P	00-23-099
296-19A-030	NEW-P	00-10-106	296-19A-350	NEW	00-18-078	296-24-020	REP-P	00-23-099
296-19A-030	NEW	00-18-078	296-19A-360	NEW-P	00-10-106	296-24-025	REP-P	00-23-099

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-24-040	REP-P	00-23-099	296-24-40513	AMD-P	00-23-099	296-24-82509	REP	00-08-078
296-24-045	REP-P	00-23-099	296-24-47505	AMD-P	00-23-099	296-24-82511	REP	00-08-078
296-24-055	REP-P	00-23-099	296-24-550	REP-P	00-23-099	296-24-82513	REP	00-08-078
296-24-061	REP-P	00-23-099	296-24-55003	REP-P	00-23-099	296-24-82515	REP	00-08-078
296-24-06105	REP-P	00-23-099	296-24-55005	REP-P	00-23-099	296-24-82517	REP	00-08-078
296-24-06110	REP-P	00-23-099	296-24-55007	REP-P	00-23-099	296-24-82519	REP	00-08-078
296-24-06115	REP-P	00-23-099	296-24-55009	REP-P	00-23-099	296-24-82521	REP	00-08-078
296-24-06120	REP-P	00-23-099	296-24-565	REP-P	00-23-099	296-24-82523	REP	00-08-078
296-24-06125	REP-P	00-23-099	296-24-56501	REP-P	00-23-099	296-24-82525	REP	00-08-078
296-24-06130	REP-P	00-23-099	296-24-56503	REP-P	00-23-099	296-24-82527	REP	00-08-078
296-24-06135	REP-P	00-23-099	296-24-56505	REP-P	00-23-099	296-24-82529	REP	00-08-078
296-24-06140	REP-P	00-23-099	296-24-56507	REP-P	00-23-099	296-24-82531	REP	00-08-078
296-24-06145	REP-P	00-23-099	296-24-56509	REP-P	00-23-099	296-24-82533	REP	00-08-078
296-24-06150	REP-P	00-23-099	296-24-56511	REP-P	00-23-099	296-24-82535	REP	00-08-078
296-24-06155	REP-P	00-23-099	296-24-56513	REP-P	00-23-099	296-24-82537	REP	00-08-078
296-24-06160	REP-P	00-23-099	296-24-56515	REP-P	00-23-099	296-24-82539	REP	00-08-078
296-24-073	REP-P	00-23-099	296-24-56517	REP-P	00-23-099	296-24-82541	REP	00-08-078
296-24-075	REP-P	00-23-099	296-24-56519	REP-P	00-23-099	296-24-82543	REP	00-08-078
296-24-07501	REP-P	00-23-099	296-24-56521	REP-P	00-23-099	296-24-82545	REP	00-08-078
296-24-078	REP-P	00-23-099	296-24-56523	REP-P	00-23-099	296-24-840	REP	00-08-078
296-24-07801	REP-P	00-23-099	296-24-56529	REP-P	00-23-099	296-24-84001	REP	00-08-078
296-24-084	REP-P	00-23-099	296-24-56531	REP-P	00-23-099	296-24-84003	REP	00-08-078
296-24-086	REP-P	00-23-099	296-24-567	AMD-P	00-23-099	296-24-84005	REP	00-08-078
296-24-088	REP-P	00-23-099	296-24-58513	AMD-P	00-23-099	296-24-84007	REP	00-08-078
296-24-090	REP-P	00-23-099	296-24-58517	AMD-P	00-23-099	296-24-84009	REP	00-08-078
296-24-092	REP-P	00-23-099	296-24-59201	AMD-P	00-23-099	296-24-84011	REP	00-08-078
296-24-094	REP-P	00-23-099	296-24-59205	REP-P	00-23-099	296-24-84013	REP	00-08-078
296-24-096	REP-P	00-23-099	296-24-59207	REP-P	00-23-099	296-24-860	NEW	00-08-078
296-24-098	REP-P	00-23-099	296-24-59209	REP-P	00-23-099	296-24-86005	NEW	00-08-078
296-24-10203	AMD-P	00-23-099	296-24-59211	REP-P	00-23-099	296-24-86010	NEW	00-08-078
296-24-12001	AMD-P	00-23-099	296-24-59212	NEW-P	00-23-099	296-24-86015	NEW	00-08-078
296-24-12003	REP-P	00-23-099	296-24-59213	REP-P	00-23-099	296-24-86020	NEW	00-08-078
296-24-12005	REP-P	00-23-099	296-24-59215	AMD-P	00-23-099	296-24-861	NEW	00-08-078
296-24-12006	NEW-P	00-23-099	296-24-61705	AMD-P	00-23-099	296-24-86105	NEW	00-08-078
296-24-12007	REP-P	00-23-099	296-24-62203	AMD-P	00-23-099	296-24-86110	NEW	00-08-078
296-24-12009	REP-P	00-23-099	296-24-65001	REP-P	00-23-099	296-24-86115	NEW	00-08-078
296-24-12010	NEW-P	00-23-099	296-24-65501	AMD-P	00-23-099	296-24-86120	NEW	00-08-078
296-24-12019	REP-P	00-23-099	296-24-67515	AMD-P	00-23-099	296-24-86125	NEW	00-08-078
296-24-12021	REP-P	00-23-099	296-24-68503	AMD-P	00-23-099	296-24-86130	NEW	00-08-078
296-24-14007	AMD-P	00-23-099	296-24-68505	AMD-P	00-23-099	296-24-862	NEW	00-08-078
296-24-14519	AMD	00-08-078	296-24-69001	AMD-P	00-23-099	296-24-870	REP	00-08-078
296-24-20700	AMD-P	00-23-099	296-24-70003	AMD-P	00-23-099	296-24-87001	REP	00-08-078
296-24-21503	REP-P	00-23-099	296-24-70005	AMD-P	00-23-099	296-24-87009	REP	00-08-078
296-24-21505	REP-P	00-23-099	296-24-73503	REP-P	00-23-099	296-24-87011	REP	00-08-078
296-24-21507	REP-P	00-23-099	296-24-73509	REP-P	00-23-099	296-24-87013	REP	00-08-078
296-24-23001	AMD-P	00-23-099	296-24-73513	REP-P	00-23-099	296-24-87015	REP	00-08-078
296-24-23007	AMD-P	00-23-099	296-24-75001	AMD-P	00-23-099	296-24-87017	REP	00-08-078
296-24-23027	AMD	00-08-078	296-24-75003	REP-P	00-23-099	296-24-87019	REP	00-08-078
296-24-23503	AMD-P	00-23-099	296-24-75005	AMD-P	00-23-099	296-24-87031	REP	00-08-078
296-24-23507	AMD-P	00-23-099	296-24-76505	REP-P	00-23-099	296-24-87033	REP	00-08-078
296-24-23513	AMD-P	00-23-099	296-24-76507	REP-P	00-23-099	296-24-87035	REP	00-08-078
296-24-23533	AMD	00-08-078	296-24-76509	REP-P	00-23-099	296-24-87037	REP	00-08-078
296-24-23533	AMD-P	00-23-099	296-24-76517	REP-P	00-23-099	296-24-875	NEW	00-08-078
296-24-31503	AMD-P	00-23-099	296-24-780	AMD-P	00-23-099	296-24-87505	NEW	00-08-078
296-24-31505	AMD-P	00-23-099	296-24-79501	AMD-P	00-23-099	296-24-87510	NEW	00-08-078
296-24-32003	AMD-P	00-23-099	296-24-79507	REP-P	00-23-099	296-24-87515	NEW	00-08-078
296-24-33011	AMD-P	00-23-099	296-24-81003	AMD-P	00-23-099	296-24-880	NEW	00-08-078
296-24-33015	AMD-P	00-23-099	296-24-825	REP	00-08-078	296-24-88005	NEW	00-08-078
296-24-33017	AMD-P	00-23-099	296-24-82501	REP	00-08-078	296-24-88010	NEW	00-08-078
296-24-37005	AMD-P	00-23-099	296-24-82503	REP	00-08-078	296-24-88015	NEW	00-08-078
296-24-37019	AMD-P	00-23-099	296-24-82505	REP	00-08-078	296-24-88020	NEW	00-08-078
296-24-37023	AMD-P	00-23-099	296-24-82507	REP	00-08-078	296-24-88025	NEW	00-08-078

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-24-88030	NEW	00-08-078	296-30-081	AMD	00-03-056	296-46-090	REP-P	00-21-099
296-24-88035	NEW	00-08-078	296-30-085	NEW	00-03-056	296-46-090	REP	01-01-097
296-24-88040	NEW	00-08-078	296-30-090	NEW	00-03-056	296-46-100	REP-P	00-21-099
296-24-88045	NEW	00-08-078	296-30-095	NEW	00-03-056	296-46-100	REP	01-01-097
296-24-88050	NEW	00-08-078	296-30-100	NEW	00-03-056	296-46-110	REP-P	00-21-099
296-24-88055	NEW	00-08-078	296-30-105	NEW	00-03-056	296-46-110	REP	01-01-097
296-24-885	REP	00-08-078	296-30-120	AMD	00-03-056	296-46-130	REP-P	00-21-099
296-24-88501	REP	00-08-078	296-30-130	AMD-P	00-02-091	296-46-130	REP	01-01-097
296-24-88503	REP	00-08-078	296-30-130	AMD	00-10-003	296-46-140	REP-P	00-21-099
296-24-88505	REP	00-08-078	296-30-170	AMD	00-03-056	296-46-140	REP	01-01-097
296-24-90001	AMD	00-08-078	296-30-180	AMD	00-03-056	296-46-155	REP-P	00-21-099
296-24-90003	AMD	00-08-078	296-31-012	AMD-P	00-02-091	296-46-155	REP	01-01-097
296-24-90005	AMD	00-08-078	296-31-012	AMD	00-10-003	296-46-180	REP-P	00-21-099
296-24-90007	AMD	00-08-078	296-31-020	REP-P	00-02-091	296-46-180	REP	01-01-097
296-24-90009	AMD	00-08-078	296-31-020	REP	00-10-003	296-46-21008	REP-P	00-21-099
296-24-95605	AMD-P	00-23-099	296-31-030	AMD	00-03-056	296-46-21008	REP	01-01-097
296-24-95607	AMD-P	00-23-099	296-31-035	NEW	00-03-056	296-46-21052	REP-P	00-21-099
296-24-980	AMD-P	00-23-099	296-31-045	NEW	00-03-056	296-46-21052	REP	01-01-097
296-27-090	REP-P	00-23-099	296-31-050	REP	00-03-056	296-46-220	REP-P	00-21-099
296-27-150	REP-P	00-05-058	296-31-055	NEW	00-03-056	296-46-220	REP	01-01-097
296-27-150	REP	00-11-098	296-31-056	NEW	00-03-056	296-46-225	REP-P	00-21-099
296-27-15501	REP-P	00-23-099	296-31-057	NEW	00-03-056	296-46-225	REP	01-01-097
296-27-15503	REP-P	00-23-099	296-31-058	NEW	00-03-056	296-46-23001	REP-P	00-21-099
296-27-15505	REP-P	00-23-099	296-31-069	AMD-P	00-19-092	296-46-23001	REP	01-01-097
296-27-160	REP-P	00-05-058	296-31-069	AMD	00-24-065	296-46-23028	REP-P	00-21-099
296-27-160	REP	00-11-098	296-31-06901	NEW-P	00-19-092	296-46-23028	REP	01-01-097
296-27-16001	REP-P	00-05-058	296-31-06901	NEW	00-24-065	296-46-23040	REP-P	00-21-099
296-27-16001	REP	00-11-098	296-31-06903	NEW-P	00-19-092	296-46-23040	REP	01-01-097
296-27-16002	REP-P	00-05-058	296-31-06903	NEW	00-24-065	296-46-23062	REP-P	00-21-099
296-27-16002	REP	00-11-098	296-31-06905	NEW-P	00-19-092	296-46-23062	REP	01-01-097
296-27-16003	REP-P	00-05-058	296-31-06905	NEW	00-24-065	296-46-30001	REP-P	00-21-099
296-27-16003	REP	00-11-098	296-31-06907	NEW-P	00-19-092	296-46-30001	REP	01-01-097
296-27-16004	REP-P	00-05-058	296-31-06907	NEW	00-24-065	296-46-316	REP-P	00-21-099
296-27-16004	REP	00-11-098	296-31-06909	NEW-P	00-19-092	296-46-316	REP	01-01-097
296-27-16007	REP-P	00-05-058	296-31-06909	NEW	00-24-065	296-46-324	REP-P	00-21-099
296-27-16007	REP	00-11-098	296-31-070	AMD	00-03-056	296-46-324	REP	01-01-097
296-27-16011	REP-P	00-05-058	296-31-074	NEW	00-03-056	296-46-336	REP-P	00-21-099
296-27-16011	REP	00-11-098	296-31-090	REP	00-03-056	296-46-336	REP	01-01-097
296-27-16018	REP-P	00-05-058	296-32	PREP	00-20-073	296-46-348	REP-P	00-21-099
296-27-16018	REP	00-11-098	296-32-200	AMD-P	00-23-099	296-46-348	REP	01-01-097
296-27-16020	REP-P	00-05-058	296-32-220	AMD-P	00-23-099	296-46-360	REP-P	00-21-099
296-27-16020	REP	00-11-098	296-32-230	AMD-P	00-23-099	296-46-360	REP	01-01-097
296-27-16022	REP-P	00-05-058	296-32-240	PREP	00-14-073	296-46-365	REP-P	00-21-099
296-27-16022	REP	00-11-098	296-32-250	AMD-P	00-23-099	296-46-365	REP	01-01-097
296-27-16026	REP-P	00-05-058	296-32-260	AMD-P	00-23-099	296-46-370	REP-P	00-21-099
296-27-16026	REP	00-11-098	296-36	PREP	00-20-073	296-46-370	REP	01-01-097
296-27-210	REP-P	00-23-099	296-37	PREP	00-20-073	296-46-422	REP-P	00-21-099
296-27-21001	REP-P	00-23-099	296-37-510	AMD-P	00-23-099	296-46-422	REP	01-01-097
296-27-21005	REP-P	00-23-099	296-37-575	AMD-P	00-23-099	296-46-45001	REP-P	00-21-099
296-27-21010	REP-P	00-23-099	296-45	PREP	00-20-073	296-46-45001	REP	01-01-097
296-27-21015	REP-P	00-23-099	296-45-015	AMD-P	00-23-099	296-46-480	REP-P	00-21-099
296-27-21020	REP-P	00-23-099	296-45-035	AMD-P	00-23-099	296-46-480	REP	01-01-097
296-27-21025	REP-P	00-23-099	296-45-055	AMD-P	00-23-099	296-46-490	REP-P	00-21-099
296-27-21030	REP-P	00-23-099	296-45-075	AMD-P	00-23-099	296-46-490	REP	01-01-097
296-27-21035	REP-P	00-23-099	296-45-125	AMD-P	00-23-099	296-46-495	REP-P	00-21-099
296-27-21040	REP-P	00-23-099	296-45-25505	AMD-P	00-23-099	296-46-495	REP	01-01-097
296-27-21045	REP-P	00-23-099	296-45-275	AMD-P	00-23-099	296-46-50002	REP-P	00-21-099
296-27-21050	REP-P	00-23-099	296-45-285	AMD-P	00-23-099	296-46-50002	REP	01-01-097
296-28	PREP	00-18-034	296-45-45510	AMD-P	00-23-099	296-46-514	REP-P	00-21-099
296-30-010	AMD-P	00-02-091	296-45-48535	AMD-P	00-23-099	296-46-514	REP	01-01-097
296-30-010	AMD	00-10-003	296-45-52530	PREP	00-14-073	296-46-553	REP-P	00-21-099
296-30-080	AMD	00-03-056	296-46	PREP	00-10-116	296-46-553	REP	01-01-097

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-46-600	REP-P	00-21-099	296-46A-23001	NEW-P	00-21-099	296-46A-933	NEW	01-01-097
296-46-600	REP	01-01-097	296-46A-23001	NEW	01-01-097	296-46A-934	NEW-P	00-21-099
296-46-670	REP-P	00-21-099	296-46A-23028	NEW-P	00-21-099	296-46A-934	NEW	01-01-097
296-46-670	REP	01-01-097	296-46A-23028	NEW	01-01-097	296-46A-935	NEW-P	00-21-099
296-46-680	REP-P	00-21-099	296-46A-23040	NEW-P	00-21-099	296-46A-935	NEW	01-01-097
296-46-680	REP	01-01-097	296-46A-23040	NEW	01-01-097	296-46A-940	NEW-P	00-21-099
296-46-700	REP-P	00-21-099	296-46A-23062	NEW-P	00-21-099	296-46A-940	NEW	01-01-097
296-46-700	REP	01-01-097	296-46A-23062	NEW	01-01-097	296-46A-950	NEW-P	00-21-099
296-46-702	REP-P	00-21-099	296-46A-250	NEW-P	00-21-099	296-46A-950	NEW	01-01-097
296-46-702	REP	01-01-097	296-46A-250	NEW	01-01-097	296-46A-960	NEW-P	00-21-099
296-46-710	REP-P	00-21-099	296-46A-300	NEW	01-01-097	296-46A-960	NEW	01-01-097
296-46-710	REP	01-01-097	296-46A-30001	NEW-P	00-21-099	296-52-465	AMD-P	00-23-099
296-46-725	REP-P	00-21-099	296-46A-30011	NEW	01-01-097	296-52-489	AMD-P	00-23-099
296-46-725	REP	01-01-097	296-46A-324	NEW-P	00-21-099	296-52-497	AMD-P	00-23-099
296-46-770	REP-P	00-21-099	296-46A-324	NEW	01-01-097	296-52-501	AMD-P	00-23-099
296-46-770	REP	01-01-097	296-46A-348	NEW-P	00-21-099	296-54	PREP	00-20-073
296-46-910	REP-P	00-21-099	296-46A-348	NEW	01-01-097	296-54-501	AMD-P	00-23-099
296-46-910	REP	01-01-097	296-46A-365	NEW-P	00-21-099	296-54-507	AMD-P	00-23-099
296-46-915	REP-P	00-21-099	296-46A-365	NEW	01-01-097	296-54-51120	AMD-P	00-23-099
296-46-915	REP	01-01-097	296-46A-370	NEW-P	00-21-099	296-54-51160	AMD-P	00-23-099
296-46-920	REP-P	00-21-099	296-46A-370	NEW	01-01-097	296-54-59340	AMD-P	00-23-099
296-46-920	REP	01-01-097	296-46A-41004	NEW-P	00-21-099	296-56	PREP	00-20-073
296-46-930	AMD-E	00-06-076	296-46A-41004	NEW	01-01-097	296-56-60001	AMD-P	00-23-099
296-46-930	AMD-E	00-13-102	296-46A-41030	NEW-P	00-21-099	296-56-60003	AMD-P	00-23-099
296-46-930	REP-P	00-21-099	296-46A-41030	NEW	01-01-097	296-56-60005	AMD-XA	00-16-150
296-46-930	REP	01-01-097	296-46A-422	NEW-P	00-21-099	296-56-60005	AMD	00-21-103
296-46-935	REP-P	00-21-099	296-46A-422	NEW	01-01-097	296-56-60009	AMD-P	00-23-099
296-46-935	REP	01-01-097	296-46A-450	NEW-P	00-21-099	296-56-60057	AMD-XA	00-16-150
296-46-940	REP-P	00-21-099	296-46A-450	NEW	01-01-097	296-56-60057	AMD	00-21-103
296-46-940	REP	01-01-097	296-46A-500	NEW-P	00-21-099	296-56-60073	AMD-XA	00-16-150
296-46-950	REP-P	00-21-099	296-46A-500	NEW	01-01-097	296-56-60073	AMD	00-21-103
296-46-950	REP	01-01-097	296-46A-514	NEW-P	00-21-099	296-56-60077	AMD-XA	00-16-150
296-46-960	REP-P	00-21-099	296-46A-514	NEW	01-01-097	296-56-60077	AMD	00-21-103
296-46-960	REP	01-01-097	296-46A-517	NEW-P	00-21-099	296-56-60083	AMD-XA	00-16-150
296-46A-090	NEW-P	00-21-099	296-46A-517	NEW	01-01-097	296-56-60083	AMD	00-21-103
296-46A-090	NEW	01-01-097	296-46A-550	NEW-P	00-21-099	296-56-60098	AMD-XA	00-16-150
296-46A-092	NEW-P	00-21-099	296-46A-550	NEW	01-01-097	296-56-60098	AMD	00-21-103
296-46A-092	NEW	01-01-097	296-46A-553	NEW-P	00-21-099	296-56-60103	AMD-XA	00-16-150
296-46A-095	NEW-P	00-21-099	296-46A-553	NEW	01-01-097	296-56-60103	AMD	00-21-103
296-46A-095	NEW	01-01-097	296-46A-600	NEW-P	00-21-099	296-56-60107	AMD-XA	00-16-150
296-46A-100	NEW-P	00-21-099	296-46A-600	NEW	01-01-097	296-56-60107	AMD	00-21-103
296-46A-100	NEW	01-01-097	296-46A-680	NEW-P	00-21-099	296-56-60109	AMD-XA	00-16-150
296-46A-102	NEW-P	00-21-099	296-46A-680	NEW	01-01-097	296-56-60109	AMD	00-21-103
296-46A-102	NEW	01-01-097	296-46A-700	NEW-P	00-21-099	296-56-60111	AMD-XA	00-16-150
296-46A-104	NEW-P	00-21-099	296-46A-700	NEW	01-01-097	296-56-60111	AMD	00-21-103
296-46A-104	NEW	01-01-097	296-46A-702	NEW-P	00-21-099	296-56-60115	AMD-XA	00-16-150
296-46A-110	NEW-P	00-21-099	296-46A-702	NEW	01-01-097	296-56-60115	AMD	00-21-103
296-46A-110	NEW	01-01-097	296-46A-900	NEW-P	00-21-099	296-56-60123	AMD-XA	00-16-150
296-46A-130	NEW-P	00-21-099	296-46A-900	NEW	01-01-097	296-56-60123	AMD	00-21-103
296-46A-130	NEW	01-01-097	296-46A-910	NEW-P	00-21-099	296-56-60133	AMD-XA	00-16-150
296-46A-140	NEW-P	00-21-099	296-46A-910	NEW	01-01-097	296-56-60133	AMD	00-21-103
296-46A-140	NEW	01-01-097	296-46A-915	NEW-P	00-21-099	296-56-60209	AMD-XA	00-16-150
296-46A-155	NEW-P	00-21-099	296-46A-915	NEW	01-01-097	296-56-60209	AMD	00-21-103
296-46A-155	NEW	01-01-097	296-46A-920	NEW-P	00-21-099	296-56-60211	AMD-XA	00-16-150
296-46A-21052	NEW-P	00-21-099	296-46A-920	NEW	01-01-097	296-56-60211	AMD	00-21-103
296-46A-21052	NEW	01-01-097	296-46A-930	NEW-P	00-21-099	296-56-60215	AMD-XA	00-16-150
296-46A-215	NEW-P	00-21-099	296-46A-930	NEW	01-01-097	296-56-60215	AMD	00-21-103
296-46A-215	NEW	01-01-097	296-46A-931	NEW-P	00-21-099	296-56-60217	AMD-XA	00-16-150
296-46A-220	NEW-P	00-21-099	296-46A-931	NEW	01-01-097	296-56-60217	AMD	00-21-103
296-46A-220	NEW	01-01-097	296-46A-932	NEW-P	00-21-099	296-56-60219	AMD-XA	00-16-150
296-46A-22530	NEW-P	00-21-099	296-46A-932	NEW	01-01-097	296-56-60219	AMD	00-21-103
296-46A-22530	NEW	01-01-097	296-46A-933	NEW-P	00-21-099	296-56-60223	AMD-XA	00-16-150

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296- 56-60223	AMD	00-21-103	296- 62-05320	NEW-P	00-23-099	296- 62-07601	AMD-P	00-23-099
296- 56-60233	AMD-XA	00-16-150	296- 62-05325	NEW-P	00-23-099	296- 62-07617	AMD-P	00-23-099
296- 56-60233	AMD	00-21-103	296- 62-054	AMD-P	00-23-099	296- 62-07621	AMD-P	00-23-099
296- 56-60235	AMD-XA	00-16-150	296- 62-05402	NEW-P	00-23-099	296- 62-07631	AMD-P	00-23-099
296- 56-60235	AMD	00-21-103	296- 62-05403	REP-P	00-23-099	296- 62-07709	AMD	00-06-075
296- 56-60237	AMD-XA	00-16-150	296- 62-05404	NEW-P	00-23-099	296- 62-07713	AMD	00-06-075
296- 56-60237	AMD	00-21-103	296- 62-05405	REP-P	00-23-099	296- 62-07717	AMD-P	00-23-099
296- 56-60243	AMD-XA	00-16-150	296- 62-05406	NEW-P	00-23-099	296- 62-07721	AMD-P	00-23-099
296- 56-60243	AMD	00-21-103	296- 62-05407	REP-P	00-23-099	296- 62-07722	AMD	00-06-075
296- 59-001	AMD-P	00-23-099	296- 62-05408	NEW-P	00-23-099	296- 62-07727	AMD	00-06-075
296- 59-005	AMD-P	00-23-099	296- 62-05409	REP-P	00-23-099	296- 62-07745	AMD	00-06-075
296- 59-010	AMD-P	00-23-099	296- 62-05410	NEW-P	00-23-099	296- 62-09003	REP-P	00-23-099
296- 59-020	AMD-P	00-23-099	296- 62-05411	REP-P	00-23-099	296- 62-11021	AMD-P	00-23-099
296- 59-025	AMD-P	00-23-099	296- 62-05412	NEW-P	00-23-099	296- 62-12000	REP-P	00-23-099
296- 59-030	AMD-P	00-23-099	296- 62-05413	REP-P	00-23-099	296- 62-12003	REP-P	00-23-099
296- 59-035	AMD-P	00-23-099	296- 62-05415	REP-P	00-23-099	296- 62-12005	REP-P	00-23-099
296- 59-050	AMD-P	00-23-099	296- 62-05417	REP-P	00-23-099	296- 62-12007	REP-P	00-23-099
296- 59-065	AMD-P	00-23-099	296- 62-05419	REP-P	00-23-099	296- 62-12009	REP-P	00-23-099
296- 59-070	AMD-P	00-23-099	296- 62-05421	REP-P	00-23-099	296- 62-20013	AMD-P	00-23-099
296- 59-085	AMD-P	00-23-099	296- 62-05423	REP-P	00-23-099	296- 62-20015	AMD-P	00-23-099
296- 62	PREP	00-10-045	296- 62-05425	REP-P	00-23-099	296- 62-30001	AMD-P	00-23-099
296- 62	PREP	00-10-046	296- 62-05427	REP-P	00-23-099	296- 62-30230	AMD-P	00-23-099
296- 62	PREP	00-13-091	296- 62-05429	REP-P	00-23-099	296- 62-30235	AMD-P	00-23-099
296- 62	PREP	00-13-092	296- 62-07101	AMD-P	00-23-099	296- 62-30425	AMD-P	00-23-099
296- 62	PREP	00-20-073	296- 62-07105	AMD-XA	00-16-151	296- 62-30435	AMD-P	00-23-099
296- 62-010	AMD-P	00-23-099	296- 62-07105	AMD	00-21-100	296- 62-30605	AMD-P	00-23-099
296- 62-050	AMD-P	00-23-099	296- 62-07117	AMD-XA	00-16-151	296- 62-3090	AMD-P	00-23-099
296- 62-051	NEW-C	00-04-075	296- 62-07117	AMD	00-21-100	296- 62-31410	AMD-P	00-23-099
296- 62-051	NEW	00-12-024	296- 62-07131	AMD-XA	00-16-151	296- 62-3195	AMD-P	00-23-099
296- 62-05101	NEW-C	00-04-075	296- 62-07131	AMD	00-21-100	296- 62-40003	AMD-P	00-23-099
296- 62-05101	NEW	00-12-024	296- 62-07150	AMD-XA	00-16-151	296- 62-40015	AMD-P	00-23-099
296- 62-05103	NEW-C	00-04-075	296- 62-07150	AMD	00-21-100	296- 62-41031	AMD-P	00-23-099
296- 62-05103	NEW	00-12-024	296- 62-07155	AMD-XA	00-16-151	296- 62-41086	AMD-P	00-23-099
296- 62-05105	NEW-C	00-04-075	296- 62-07155	AMD	00-21-100	296- 63-009	AMD-P	00-23-099
296- 62-05105	NEW	00-12-024	296- 62-07156	AMD-XA	00-16-151	296- 65-003	AMD	00-06-075
296- 62-05110	NEW-C	00-04-075	296- 62-07156	AMD	00-21-100	296- 67	PREP	00-10-045
296- 62-05110	NEW	00-12-024	296- 62-07162	AMD-XA	00-16-151	296- 67	PREP	00-20-073
296- 62-05120	NEW-C	00-04-075	296- 62-07162	AMD	00-21-100	296- 67-005	AMD-P	00-23-099
296- 62-05120	NEW	00-12-024	296- 62-07190	AMD-XA	00-16-151	296- 67-053	AMD-P	00-23-099
296- 62-05122	NEW-C	00-04-075	296- 62-07190	AMD	00-21-100	296- 67-061	AMD-P	00-23-099
296- 62-05122	NEW	00-12-024	296- 62-07255	AMD-XA	00-16-151	296- 67-291	AMD-P	00-23-099
296- 62-05130	NEW-C	00-04-075	296- 62-07255	AMD	00-21-100	296- 78	PREP	00-20-073
296- 62-05130	NEW	00-12-024	296- 62-07306	AMD-P	00-23-099	296- 78-500	AMD-P	00-23-099
296- 62-05140	NEW-C	00-04-075	296- 62-07308	AMD-P	00-23-099	296- 78-515	AMD-P	00-23-099
296- 62-05140	NEW	00-12-024	296- 62-07336	AMD-P	00-23-099	296- 78-540	AMD-P	00-23-099
296- 62-05150	NEW-C	00-04-075	296- 62-07338	AMD-P	00-23-099	296- 78-545	AMD-P	00-23-099
296- 62-05150	NEW	00-12-024	296- 62-07342	AMD-P	00-23-099	296- 78-56501	AMD-P	00-23-099
296- 62-05160	NEW-C	00-04-075	296- 62-07347	AMD-P	00-23-099	296- 78-670	AMD-P	00-23-099
296- 62-05160	NEW	00-12-024	296- 62-07367	AMD-P	00-23-099	296- 78-71001	AMD-P	00-23-099
296- 62-05170	NEW-C	00-04-075	296- 62-07373	AMD-P	00-23-099	296- 78-71003	AMD-P	00-23-099
296- 62-05170	NEW-W	00-12-029	296- 62-07385	AMD-P	00-23-099	296- 78-71009	AMD-P	00-23-099
296- 62-05172	NEW-C	00-04-075	296- 62-07417	AMD-P	00-23-099	296- 78-71011	AMD-P	00-23-099
296- 62-05172	NEW	00-12-024	296- 62-07419	AMD-P	00-23-099	296- 78-71015	AMD-P	00-23-099
296- 62-05174	NEW-C	00-04-075	296- 62-07425	AMD-P	00-23-099	296- 78-71017	AMD-P	00-23-099
296- 62-05174	NEW	00-12-024	296- 62-07460	AMD-P	00-23-099	296- 78-71019	AMD-P	00-23-099
296- 62-05176	NEW-C	00-04-075	296- 62-07470	AMD-P	00-23-099	296- 78-71023	AMD-P	00-23-099
296- 62-05176	NEW	00-12-024	296- 62-07473	AMD-P	00-23-099	296- 78-730	AMD-P	00-23-099
296- 62-05207	AMD-P	00-23-099	296- 62-07515	AMD	00-06-075	296- 78-735	AMD-P	00-23-099
296- 62-05211	REP-P	00-23-099	296- 62-07519	AMD-P	00-23-099	296- 78-795	AMD-P	00-23-099
296- 62-05305	NEW-P	00-23-099	296- 62-07521	AMD-P	00-23-099	296- 78-84005	AMD-P	00-23-099
296- 62-05310	NEW-P	00-23-099	296- 62-07523	AMD-P	00-23-099	296- 79	PREP	00-10-045
296- 62-05315	NEW-P	00-23-099	296- 62-07540	AMD-P	00-23-099	296- 79	PREP	00-20-073

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296-96-23272	NEW-P	00-14-041	296-96-23448	NEW-P	00-14-041	296-104-700	PREP	00-10-002
296-96-23274	NEW-P	00-14-041	296-96-23450	NEW-P	00-14-041	296-104-700	AMD-P	00-16-149
296-96-23276	NEW-P	00-14-041	296-96-23500	NEW-P	00-14-041	296-104-700	AMD	00-21-024
296-96-23277	NEW-P	00-14-041	296-96-23510	NEW-P	00-14-041	296-104-701	PREP	00-10-002
296-96-23278	NEW-P	00-14-041	296-96-23540	NEW-P	00-14-041	296-104-701	AMD-P	00-16-149
296-96-23279	NEW-P	00-14-041	296-96-23600	NEW-P	00-14-041	296-104-701	AMD	00-21-024
296-96-23280	NEW-P	00-14-041	296-96-23610	NEW-P	00-14-041	296-115-001	AMD-XA	00-12-100
296-96-23282	NEW-P	00-14-041	296-96-23620	NEW-P	00-14-041	296-115-001	AMD	00-23-100
296-96-23283	NEW-P	00-14-041	296-96-23630	NEW-P	00-14-041	296-115-005	AMD-XA	00-12-100
296-96-23284	NEW-P	00-14-041	296-96-23700	NEW-P	00-14-041	296-115-005	AMD	00-23-100
296-96-23285	NEW-P	00-14-041	296-96-23710	NEW-P	00-14-041	296-115-010	AMD-XA	00-12-100
296-96-23287	NEW-P	00-14-041	296-96-23800	NEW-P	00-14-041	296-115-010	AMD	00-23-100
296-96-23288	NEW-P	00-14-041	296-96-23810	NEW-P	00-14-041	296-115-015	AMD-XA	00-12-100
296-96-23289	NEW-P	00-14-041	296-99	PREP	00-20-073	296-115-015	AMD	00-23-100
296-96-23290	NEW-P	00-14-041	296-99-010	AMD-P	00-23-099	296-115-025	AMD-XA	00-12-100
296-96-23291	NEW-P	00-14-041	296-99-040	AMD-P	00-23-099	296-115-025	AMD	00-23-100
296-96-23300	NEW-P	00-14-041	296-100-001	REP-P	00-14-041	296-115-030	AMD-XA	00-12-100
296-96-23302	NEW-P	00-14-041	296-100-010	REP-P	00-14-041	296-115-030	AMD	00-23-100
296-96-23304	NEW-P	00-14-041	296-100-020	REP-P	00-14-041	296-115-035	AMD-XA	00-12-100
296-96-23307	NEW-P	00-14-041	296-100-030	REP-P	00-14-041	296-115-035	AMD	00-23-100
296-96-23309	NEW-P	00-14-041	296-100-040	REP-P	00-14-041	296-115-040	AMD-XA	00-12-100
296-96-23311	NEW-P	00-14-041	296-100-050	REP-P	00-14-041	296-115-040	AMD	00-23-100
296-96-23313	NEW-P	00-14-041	296-100-060	REP-P	00-14-041	296-115-050	AMD-XA	00-12-100
296-96-23316	NEW-P	00-14-041	296-104	PREP	00-10-002	296-115-050	AMD	00-23-100
296-96-23318	NEW-P	00-14-041	296-104-010	PREP	00-10-002	296-115-060	AMD-XA	00-12-100
296-96-23321	NEW-P	00-14-041	296-104-010	AMD-P	00-16-149	296-115-060	AMD	00-23-100
296-96-23322	NEW-P	00-14-041	296-104-010	AMD	00-21-024	296-115-070	AMD-XA	00-12-100
296-96-23323	NEW-P	00-14-041	296-104-102	PREP	00-10-002	296-115-070	AMD	00-23-100
296-96-23324	NEW-P	00-14-041	296-104-180	PREP	00-10-002	296-115-100	AMD-XA	00-12-100
296-96-23325	NEW-P	00-14-041	296-104-200	PREP	00-10-002	296-115-100	AMD	00-23-100
296-96-23326	NEW-P	00-14-041	296-104-200	AMD-P	00-16-149	296-127	PREP	00-07-122
296-96-23328	NEW-P	00-14-041	296-104-200	AMD	00-21-024	296-127	PREP	00-15-074
296-96-23330	NEW-P	00-14-041	296-104-205	PREP	00-10-002	296-127-013	AMD-E	00-07-123
296-96-23332	NEW-P	00-14-041	296-104-205	AMD-P	00-16-149	296-127-013	AMD-P	00-11-136
296-96-23334	NEW-P	00-14-041	296-104-205	AMD	00-21-024	296-127-013	AMD	00-15-077
296-96-23336	NEW-P	00-14-041	296-104-210	PREP	00-10-002	296-127-01301	NEW-E	00-07-123
296-96-23338	NEW-P	00-14-041	296-104-210	AMD-P	00-16-149	296-127-01301	NEW-P	00-11-136
296-96-23340	NEW-P	00-14-041	296-104-210	AMD	00-21-024	296-127-01301	NEW	00-15-077
296-96-23342	NEW-P	00-14-041	296-104-215	PREP	00-10-002	296-127-01303	NEW-E	00-07-123
296-96-23344	NEW-P	00-14-041	296-104-215	AMD-P	00-16-149	296-127-01303	NEW-P	00-11-136
296-96-23400	NEW-P	00-14-041	296-104-215	AMD	00-21-024	296-127-01303	NEW	00-15-077
296-96-23405	NEW-P	00-14-041	296-104-220	PREP	00-10-002	296-127-01305	NEW-E	00-07-123
296-96-23408	NEW-P	00-14-041	296-104-220	AMD-P	00-16-149	296-127-01305	NEW-P	00-11-136
296-96-23410	NEW-P	00-14-041	296-104-220	AMD	00-21-024	296-127-01305	NEW	00-15-077
296-96-23412	NEW-P	00-14-041	296-104-230	PREP	00-10-002	296-127-01306	NEW-E	00-07-123
296-96-23414	NEW-P	00-14-041	296-104-230	AMD-P	00-16-149	296-127-01306	NEW-P	00-11-136
296-96-23416	NEW-P	00-14-041	296-104-230	AMD	00-21-024	296-127-01306	NEW	00-15-077
296-96-23418	NEW-P	00-14-041	296-104-235	PREP	00-10-002	296-127-01308	NEW-E	00-07-123
296-96-23420	NEW-P	00-14-041	296-104-235	AMD-P	00-16-149	296-127-01308	NEW-P	00-11-136
296-96-23422	NEW-P	00-14-041	296-104-235	AMD	00-21-024	296-127-01308	NEW	00-15-077
296-96-23424	NEW-P	00-14-041	296-104-240	PREP	00-10-002	296-127-01309	NEW-E	00-07-123
296-96-23427	NEW-P	00-14-041	296-104-240	AMD-P	00-16-149	296-127-01309	NEW-P	00-11-136
296-96-23429	NEW-P	00-14-041	296-104-240	AMD	00-21-024	296-127-01309	NEW	00-15-077
296-96-23431	NEW-P	00-14-041	296-104-245	PREP	00-10-002	296-127-01310	NEW-E	00-07-123
296-96-23432	NEW-P	00-14-041	296-104-265	PREP	00-10-002	296-127-01310	NEW-P	00-11-136
296-96-23434	NEW-P	00-14-041	296-104-265	AMD-P	00-16-149	296-127-01310	NEW	00-15-077
296-96-23436	NEW-P	00-14-041	296-104-265	AMD	00-21-024	296-127-01312	NEW-E	00-07-123
296-96-23438	NEW-P	00-14-041	296-104-307	AMD-P	00-16-149	296-127-01312	NEW-P	00-11-136
296-96-23440	NEW-P	00-14-041	296-104-307	AMD	00-21-024	296-127-01312	NEW	00-15-077
296-96-23442	NEW-P	00-14-041	296-104-502	PREP	00-10-002	296-127-01313	NEW-P	00-11-136
296-96-23444	NEW-P	00-14-041	296-104-502	AMD-P	00-16-149	296-127-01313	NEW	00-15-077
296-96-23446	NEW-P	00-14-041	296-104-502	AMD	00-21-024	296-127-01315	NEW-E	00-07-123

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296-127-01315	NEW-P	00-11-136	296-127-01349	NEW-E	00-07-123	296-127-01384	NEW	00-15-077
296-127-01315	NEW	00-15-077	296-127-01349	NEW-P	00-11-136	296-127-01386	NEW-E	00-07-123
296-127-01317	NEW-E	00-07-123	296-127-01349	NEW	00-15-077	296-127-01386	NEW-P	00-11-136
296-127-01317	NEW-P	00-11-136	296-127-01351	NEW-E	00-07-123	296-127-01386	NEW	00-15-077
296-127-01317	NEW	00-15-077	296-127-01351	NEW-P	00-11-136	296-127-01387	NEW-E	00-07-123
296-127-01318	NEW-E	00-07-123	296-127-01351	NEW	00-15-077	296-127-01387	NEW-P	00-11-136
296-127-01318	NEW-P	00-11-136	296-127-01352	NEW-E	00-07-123	296-127-01387	NEW	00-15-077
296-127-01318	NEW	00-15-077	296-127-01352	NEW-P	00-11-136	296-127-01389	NEW-E	00-07-123
296-127-01320	NEW-E	00-07-123	296-127-01352	NEW	00-15-077	296-127-01389	NEW-P	00-11-136
296-127-01320	NEW-P	00-11-136	296-127-01354	NEW-E	00-07-123	296-127-01389	NEW	00-15-077
296-127-01320	NEW	00-15-077	296-127-01354	NEW-P	00-11-136	296-127-01391	NEW-E	00-07-123
296-127-01322	NEW-E	00-07-123	296-127-01354	NEW	00-15-077	296-127-01391	NEW-P	00-11-136
296-127-01322	NEW-P	00-11-136	296-127-01356	NEW-E	00-07-123	296-127-01391	NEW	00-15-077
296-127-01322	NEW	00-15-077	296-127-01356	NEW-P	00-11-136	296-127-018	PREP	00-15-075
296-127-01323	NEW-E	00-07-123	296-127-01356	NEW	00-15-077	296-150C	PREP	00-06-077
296-127-01323	NEW-P	00-11-136	296-127-01358	NEW-E	00-07-123	296-150C-0140	AMD-P	00-13-103
296-127-01323	NEW	00-15-077	296-127-01358	NEW-P	00-11-136	296-150C-0140	AMD	00-17-148
296-127-01325	NEW-E	00-07-123	296-127-01358	NEW	00-15-077	296-150C-0200	AMD-P	00-13-103
296-127-01325	NEW-P	00-11-136	296-127-01360	NEW-E	00-07-123	296-150C-0200	AMD	00-17-148
296-127-01325	NEW	00-15-077	296-127-01360	NEW-P	00-11-136	296-150C-0910	AMD-P	00-13-103
296-127-01327	NEW-E	00-07-123	296-127-01360	NEW	00-15-077	296-150C-0910	AMD	00-17-148
296-127-01327	NEW-P	00-11-136	296-127-01362	NEW-E	00-07-123	296-150C-0970	AMD-P	00-13-103
296-127-01327	NEW	00-15-077	296-127-01362	NEW-P	00-11-136	296-150C-0970	AMD	00-17-148
296-127-01328	NEW-E	00-07-123	296-127-01362	NEW	00-15-077	296-150C-1070	AMD-P	00-13-103
296-127-01328	NEW-P	00-11-136	296-127-01364	NEW-E	00-07-123	296-150C-1070	AMD	00-17-148
296-127-01328	NEW	00-15-077	296-127-01364	NEW-P	00-11-136	296-150C-1175	NEW-P	00-13-103
296-127-01329	NEW-E	00-07-123	296-127-01364	NEW	00-15-077	296-150C-1175	NEW	00-17-148
296-127-01329	NEW-P	00-11-136	296-127-01367	NEW-E	00-07-123	296-150C-1346	NEW-P	00-13-103
296-127-01329	NEW	00-15-077	296-127-01367	NEW-P	00-11-136	296-150C-1346	NEW	00-17-148
296-127-01331	NEW-E	00-07-123	296-127-01367	NEW	00-15-077	296-150F	PREP	00-06-077
296-127-01331	NEW-P	00-11-136	296-127-01369	NEW-E	00-07-123	296-150F-0140	AMD-P	00-13-103
296-127-01331	NEW	00-15-077	296-127-01369	NEW-P	00-11-136	296-150F-0140	AMD	00-17-148
296-127-01332	NEW-E	00-07-123	296-127-01369	NEW	00-15-077	296-150F-0500	AMD-P	00-13-103
296-127-01332	NEW-P	00-11-136	296-127-01370	NEW-E	00-07-123	296-150F-0500	AMD	00-17-148
296-127-01332	NEW	00-15-077	296-127-01370	NEW-P	00-11-136	296-150F-0630	NEW-P	00-13-103
296-127-01333	NEW-E	00-07-123	296-127-01370	NEW	00-15-077	296-150F-0630	NEW	00-17-148
296-127-01333	NEW-P	00-11-136	296-127-01372	NEW-E	00-07-123	296-150M	PREP	00-06-077
296-127-01333	NEW	00-15-077	296-127-01372	NEW-P	00-11-136	296-150M-0020	AMD-P	00-13-103
296-127-01335	NEW-E	00-07-123	296-127-01372	NEW	00-15-077	296-150M-0020	AMD	00-17-148
296-127-01335	NEW-P	00-11-136	296-127-01374	NEW-E	00-07-123	296-150M-0140	AMD-P	00-13-103
296-127-01335	NEW	00-15-077	296-127-01374	NEW-P	00-11-136	296-150M-0140	AMD	00-17-148
296-127-01337	NEW-E	00-07-123	296-127-01374	NEW	00-15-077	296-150M-0306	AMD-P	00-13-103
296-127-01337	NEW-P	00-11-136	296-127-01375	NEW-E	00-07-123	296-150M-0306	AMD	00-17-148
296-127-01337	NEW	00-15-077	296-127-01375	NEW-P	00-11-136	296-150M-3000	AMD-P	00-13-103
296-127-01339	NEW-E	00-07-123	296-127-01375	NEW	00-15-077	296-150M-3000	AMD	00-17-148
296-127-01339	NEW-P	00-11-136	296-127-01376	NEW-E	00-07-123	296-150P	PREP	00-06-077
296-127-01339	NEW	00-15-077	296-127-01376	NEW-P	00-11-136	296-150P-0140	AMD-P	00-13-103
296-127-01340	NEW-E	00-07-123	296-127-01376	NEW	00-15-077	296-150P-0140	AMD	00-17-148
296-127-01340	NEW-P	00-11-136	296-127-01377	NEW-E	00-07-123	296-150P-3000	AMD-P	00-13-103
296-127-01340	NEW	00-15-077	296-127-01377	NEW-P	00-11-136	296-150P-3000	AMD	00-17-148
296-127-01342	NEW-E	00-07-123	296-127-01377	NEW	00-15-077	296-150R	PREP	00-06-077
296-127-01342	NEW-P	00-11-136	296-127-01378	NEW-E	00-07-123	296-150R-0140	AMD-P	00-13-103
296-127-01342	NEW	00-15-077	296-127-01378	NEW-P	00-11-136	296-150R-0140	AMD	00-17-148
296-127-01344	NEW-E	00-07-123	296-127-01378	NEW	00-15-077	296-150R-3000	AMD-P	00-13-103
296-127-01344	NEW-P	00-11-136	296-127-01379	NEW-E	00-07-123	296-150R-3000	AMD	00-17-148
296-127-01344	NEW	00-15-077	296-127-01379	NEW-P	00-11-136	296-150V	PREP	00-06-077
296-127-01346	NEW-E	00-07-123	296-127-01379	NEW	00-15-077	296-150V-0140	AMD-P	00-13-103
296-127-01346	NEW-P	00-11-136	296-127-01382	NEW-E	00-07-123	296-150V-0140	AMD	00-17-148
296-127-01346	NEW	00-15-077	296-127-01382	NEW-P	00-11-136	296-150V-0530	AMD-P	00-13-103
296-127-01347	NEW-E	00-07-123	296-127-01382	NEW	00-15-077	296-150V-0530	AMD	00-17-148
296-127-01347	NEW-P	00-11-136	296-127-01384	NEW-E	00-07-123	296-150V-1180	AMD-P	00-13-103
296-127-01347	NEW	00-15-077	296-127-01384	NEW-P	00-11-136	296-150V-1180	AMD	00-17-148

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-150V-1220	AMD-P	00-13-103	296-302-010	AMD-P	00-23-099	296-307-16303	NEW	00-06-081
296-150V-1220	AMD	00-17-148	296-302-02501	AMD-P	00-23-099	296-307-16305	NEW	00-06-081
296-155	PREP	00-04-002	296-302-050	AMD-P	00-23-099	296-307-16310	NEW	00-06-081
296-155	PREP	00-05-057	296-302-060	AMD-P	00-23-099	296-307-16315	NEW	00-06-081
296-155	PREP	00-12-099	296-302-06513	AMD-P	00-23-099	296-307-16320	NEW	00-06-081
296-155	PREP	00-13-091	296-303-01001	AMD-P	00-23-099	296-307-16325	NEW	00-06-081
296-155	PREP	00-20-073	296-304	PREP	00-20-073	296-307-16330	NEW	00-06-081
296-155-005	AMD-P	00-23-099	296-304-010	AMD-P	00-23-099	296-307-16335	NEW	00-06-081
296-155-110	AMD	00-08-078	296-304-06013	AMD-P	00-23-099	296-307-16340	NEW	00-06-081
296-155-110	AMD-P	00-23-099	296-305	PREP	00-10-045	296-307-16345	NEW	00-06-081
296-155-120	AMD-P	00-23-099	296-305-01003	AMD-P	00-23-099	296-307-16350	NEW	00-06-081
296-155-125	AMD-P	00-23-099	296-305-01005	AMD-P	00-23-099	296-307-16355	NEW	00-06-081
296-155-130	AMD-P	00-23-099	296-305-01009	AMD-P	00-23-099	296-307-16360	NEW	00-06-081
296-155-140	AMD-P	00-23-099	296-305-01509	AMD-P	00-23-099	296-307-16365	NEW	00-06-081
296-155-17321	AMD-P	00-23-099	296-305-01515	AMD-P	00-23-099	296-307-16370	NEW	00-06-081
296-155-17323	AMD-P	00-23-099	296-305-01517	AMD-P	00-23-099	296-307-16375	NEW	00-06-081
296-155-174	AMD-P	00-23-099	296-305-04511	AMD-P	00-23-099	296-307-16380	NEW	00-06-081
296-155-17609	AMD-P	00-23-099	296-305-05503	AMD-P	00-23-099	296-307-16385	NEW	00-06-081
296-155-17615	AMD-P	00-23-099	296-305-06005	AMD-P	00-23-099	296-307-16390	NEW	00-06-081
296-155-17625	AMD-P	00-23-099	296-305-06007	AMD-P	00-23-099	296-307-16395	NEW	00-06-081
296-155-180	AMD-P	00-23-099	296-305-06503	AMD-P	00-23-099	296-350	AMD-P	00-05-058
296-155-200	AMD-P	00-23-099	296-305-06511	AMD-P	00-23-099	296-350	AMD	00-11-098
296-155-20301	AMD-P	00-23-099	296-305-06515	AMD-P	00-23-099	296-350-010	AMD-P	00-05-058
296-155-205	PREP	00-14-073	296-307	PREP	00-10-046	296-350-010	AMD	00-11-098
296-155-205	AMD-P	00-21-101	296-307	PREP	00-20-073	296-350-020	REP-P	00-05-058
296-155-24501	AMD-XA	00-08-079	296-307-160	REP	00-06-081	296-350-020	REP	00-11-098
296-155-24501	AMD	00-14-058	296-307-16001	REP	00-06-081	296-350-030	REP-P	00-05-058
296-155-24503	AMD-XA	00-08-079	296-307-16003	REP	00-06-081	296-350-030	REP	00-11-098
296-155-24503	AMD	00-14-058	296-307-16004	REP	00-06-081	296-350-040	REP-P	00-05-058
296-155-24505	AMD-XA	00-08-079	296-307-16005	REP	00-06-081	296-350-040	REP	00-11-098
296-155-24505	AMD	00-14-058	296-307-16007	REP	00-06-081	296-350-050	REP-P	00-05-058
296-155-24510	AMD-XA	00-08-079	296-307-16009	REP	00-06-081	296-350-050	REP	00-11-098
296-155-24510	AMD	00-14-058	296-307-16011	REP	00-06-081	296-350-060	REP-P	00-05-058
296-155-24515	AMD-XA	00-08-079	296-307-16013	REP	00-06-081	296-350-060	REP	00-11-098
296-155-24515	AMD	00-14-058	296-307-16015	REP	00-06-081	296-350-070	REP-P	00-05-058
296-155-24520	AMD-XA	00-08-079	296-307-16017	REP	00-06-081	296-350-070	REP	00-11-098
296-155-24520	AMD	00-14-058	296-307-16019	REP	00-06-081	296-350-080	REP-P	00-05-058
296-155-24521	AMD-XA	00-08-079	296-307-16021	REP	00-06-081	296-350-080	REP	00-11-098
296-155-24521	AMD	00-14-058	296-307-16023	REP	00-06-081	296-350-090	REP-P	00-05-058
296-155-24525	AMD-XA	00-08-079	296-307-161	NEW	00-06-081	296-350-090	REP	00-11-098
296-155-24525	AMD	00-14-058	296-307-16101	NEW	00-06-081	296-350-095	REP-P	00-05-058
296-155-260	AMD-P	00-23-099	296-307-16103	NEW	00-06-081	296-350-095	REP	00-11-098
296-155-305	AMD-E	00-12-018	296-307-16105	NEW	00-06-081	296-350-100	NEW-P	00-05-058
296-155-305	PREP	00-14-073	296-307-16110	NEW	00-06-081	296-350-100	NEW	00-11-098
296-155-305	AMD-P	00-21-101	296-307-16115	NEW	00-06-081	296-350-100	REP-P	00-23-099
296-155-407	AMD-P	00-23-099	296-307-16120	NEW	00-06-081	296-350-10010	NEW-P	00-05-058
296-155-483	AMD-XA	00-08-079	296-307-16125	NEW	00-06-081	296-350-10010	NEW	00-11-098
296-155-483	AMD	00-14-058	296-307-16130	NEW	00-06-081	296-350-10010	REP-P	00-23-099
296-155-505	AMD-XA	00-08-079	296-307-16135	NEW	00-06-081	296-350-10020	NEW-P	00-05-058
296-155-505	AMD	00-14-058	296-307-16140	NEW	00-06-081	296-350-10020	NEW	00-11-098
296-155-526	NEW-P	00-06-056	296-307-16145	NEW	00-06-081	296-350-10020	REP-P	00-23-099
296-155-526	NEW	00-15-028	296-307-16150	NEW	00-06-081	296-350-10030	NEW-P	00-05-058
296-155-625	PREP	00-14-073	296-307-16155	NEW	00-06-081	296-350-10030	NEW	00-11-098
296-155-625	AMD-P	00-21-101	296-307-16160	NEW	00-06-081	296-350-10030	REP-P	00-23-099
296-155-680	AMD-XA	00-08-079	296-307-16165	NEW	00-06-081	296-350-10040	NEW-P	00-05-058
296-155-680	AMD	00-14-058	296-307-16170	NEW	00-06-081	296-350-10040	NEW	00-11-098
296-155-682	AMD-P	00-15-076	296-307-16175	NEW	00-06-081	296-350-10040	REP-P	00-23-099
296-155-682	AMD	00-21-102	296-307-16180	NEW	00-06-081	296-350-10050	NEW-P	00-05-058
296-301-010	AMD-P	00-23-099	296-307-16185	NEW	00-06-081	296-350-10050	NEW	00-11-098
296-301-020	AMD-P	00-23-099	296-307-16190	NEW	00-06-081	296-350-10050	REP-P	00-23-099
296-301-215	AMD-P	00-23-099	296-307-163	NEW	00-06-081	296-350-150	NEW-P	00-05-058
296-301-220	AMD-P	00-23-099	296-307-16301	NEW	00-06-081	296-350-150	NEW	00-11-098

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-350-150	REP-P	00-23-099	296-350-470	REP	00-11-098	296-401A-110	REP	01-01-097
296-350-15010	NEW-P	00-05-058	296-350-500	REP-P	00-23-099	296-401A-120	REP-P	00-21-099
296-350-15010	NEW	00-11-098	296-350-600	NEW-P	00-05-058	296-401A-120	REP	01-01-097
296-350-15010	REP-P	00-23-099	296-350-600	NEW	00-11-098	296-401A-130	REP-P	00-21-099
296-350-15015	NEW-P	00-05-058	296-350-600	REP-P	00-23-099	296-401A-130	REP	01-01-097
296-350-15015	NEW	00-11-098	296-350-60010	NEW-P	00-05-058	296-401A-140	AMD-E	00-06-076
296-350-15015	REP-P	00-23-099	296-350-60010	NEW	00-11-098	296-401A-140	AMD-E	00-13-102
296-350-15020	NEW-P	00-05-058	296-350-60010	REP-P	00-23-099	296-401A-140	REP-P	00-21-099
296-350-15020	NEW	00-11-098	296-350-60015	NEW-P	00-05-058	296-401A-140	REP	01-01-097
296-350-15020	REP-P	00-23-099	296-350-60015	NEW	00-11-098	296-401A-150	REP-P	00-21-099
296-350-15025	NEW-P	00-05-058	296-350-60015	REP-P	00-23-099	296-401A-150	REP	01-01-097
296-350-15025	NEW	00-11-098	296-350-60020	NEW-P	00-05-058	296-401A-160	REP-P	00-21-099
296-350-15025	REP-P	00-23-099	296-350-60020	NEW	00-11-098	296-401A-160	REP	01-01-097
296-350-15030	NEW-P	00-05-058	296-350-60020	REP-P	00-23-099	296-401A-200	REP-P	00-21-099
296-350-15030	NEW	00-11-098	296-350-60025	NEW-P	00-05-058	296-401A-200	REP	01-01-097
296-350-15030	REP-P	00-23-099	296-350-60025	NEW	00-11-098	296-401A-210	REP-P	00-21-099
296-350-15035	NEW-P	00-05-058	296-350-60030	NEW-P	00-05-058	296-401A-210	REP	01-01-097
296-350-15035	NEW	00-11-098	296-350-60030	NEW	00-11-098	296-401A-220	REP-P	00-21-099
296-350-15035	REP-P	00-23-099	296-350-60030	REP-P	00-23-099	296-401A-220	REP	01-01-097
296-350-15040	NEW-P	00-05-058	296-350-60035	NEW-P	00-05-058	296-401A-230	REP-P	00-21-099
296-350-15040	NEW	00-11-098	296-350-60035	NEW	00-11-098	296-401A-230	REP	01-01-097
296-350-15040	REP-P	00-23-099	296-350-60035	REP-P	00-23-099	296-401A-300	REP-P	00-21-099
296-350-15045	NEW-P	00-05-058	296-350-60040	NEW-P	00-05-058	296-401A-300	REP	01-01-097
296-350-15045	NEW	00-11-098	296-350-60040	NEW	00-11-098	296-401A-310	REP-P	00-21-099
296-350-15045	REP-P	00-23-099	296-350-60040	REP-P	00-23-099	296-401A-310	REP	01-01-097
296-350-200	REP-P	00-05-058	296-350-60045	NEW-P	00-05-058	296-401A-320	REP-P	00-21-099
296-350-200	REP	00-11-098	296-350-60045	NEW	00-11-098	296-401A-320	REP	01-01-097
296-350-210	REP-P	00-05-058	296-350-60045	REP-P	00-23-099	296-401A-400	REP-P	00-21-099
296-350-210	REP	00-11-098	296-350-700	NEW-P	00-05-058	296-401A-400	REP	01-01-097
296-350-230	REP-P	00-05-058	296-350-700	NEW	00-11-098	296-401A-410	REP-P	00-21-099
296-350-230	REP	00-11-098	296-350-70010	NEW-P	00-05-058	296-401A-410	REP	01-01-097
296-350-240	REP-P	00-05-058	296-350-70010	NEW	00-11-098	296-401A-420	REP-P	00-21-099
296-350-240	REP	00-11-098	296-350-70015	NEW-P	00-05-058	296-401A-420	REP	01-01-097
296-350-250	REP-P	00-05-058	296-350-70015	NEW	00-11-098	296-401A-430	REP-P	00-21-099
296-350-250	REP	00-11-098	296-350-70020	NEW-P	00-05-058	296-401A-430	REP	01-01-097
296-350-255	REP-P	00-05-058	296-350-70020	NEW	00-11-098	296-401A-500	REP-P	00-21-099
296-350-255	REP	00-11-098	296-350-70025	NEW-P	00-05-058	296-401A-500	REP	01-01-097
296-350-260	REP-P	00-05-058	296-350-70025	NEW	00-11-098	296-401A-510	REP-P	00-21-099
296-350-260	REP	00-11-098	296-350-70030	NEW-P	00-05-058	296-401A-510	REP	01-01-097
296-350-270	REP-P	00-05-058	296-350-70030	NEW	00-11-098	296-401A-520	REP-P	00-21-099
296-350-270	REP	00-11-098	296-350-70035	NEW-P	00-05-058	296-401A-520	REP	01-01-097
296-350-280	REP-P	00-05-058	296-350-70035	NEW	00-11-098	296-401A-524	REP-P	00-21-099
296-350-280	REP	00-11-098	296-350-70040	NEW-P	00-05-058	296-401A-524	REP	01-01-097
296-350-350	REP-P	00-23-099	296-350-70045	NEW	00-11-098	296-401A-530	REP-P	00-21-099
296-350-35010	REP-P	00-23-099	296-350-70045	NEW-P	00-05-058	296-401A-530	REP	01-01-097
296-350-35015	REP-P	00-23-099	296-350-70045	NEW	00-11-098	296-401A-540	REP-P	00-21-099
296-350-35020	REP-P	00-23-099	296-350-70050	NEW-P	00-05-058	296-401A-540	REP	01-01-097
296-350-35025	REP-P	00-23-099	296-350-70050	NEW	00-11-098	296-401A-540	REP-P	00-21-099
296-350-35030	REP-P	00-23-099	296-350-70055	NEW-P	00-05-058	296-401A-545	REP	01-01-097
296-350-35035	REP-P	00-23-099	296-350-70055	NEW	00-11-098	296-401A-545	REP	01-01-097
296-350-35040	REP-P	00-23-099	296-350-70060	NEW-P	00-05-058	296-401A-550	REP-P	00-21-099
296-350-35045	REP-P	00-23-099	296-350-70060	NEW	00-11-098	296-401A-550	REP	01-01-097
296-350-35050	REP-P	00-23-099	296-350-70065	NEW-P	00-05-058	296-401A-600	REP-P	00-21-099
296-350-35055	REP-P	00-23-099	296-350-70065	NEW	00-11-098	296-401A-600	REP	01-01-097
296-350-35060	REP-P	00-23-099	296-350-70070	NEW-P	00-05-058	296-401A-610	REP-P	00-21-099
296-350-400	REP-P	00-05-058	296-350-70070	NEW	00-11-098	296-401A-610	REP	01-01-097
296-350-400	REP	00-11-098	296-401A	PREP	00-10-116	296-401A-620	REP-P	00-21-099
296-350-450	REP-P	00-05-058	296-401A-100	REP-P	00-21-099	296-401A-620	REP	01-01-097
296-350-450	REP	00-11-098	296-401A-100	REP	01-01-097	296-401A-630	REP-P	00-21-099
296-350-460	REP-P	00-05-058	296-401A-105	REP-P	00-21-099	296-401A-630	REP	01-01-097
296-350-460	REP	00-11-098	296-401A-105	REP	01-01-097	296-401A-700	REP-P	00-21-099
296-350-470	REP-P	00-05-058	296-401A-110	REP-P	00-21-099	296-401A-700	REP	01-01-097
						296-401A-800	REP-P	00-21-099

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-800-24010	NEW-P	00-23-099	296-800-32010	NEW-P	00-23-099	304- 12-370	REP	00-11-028
296-800-250	NEW-P	00-23-099	296-800-32015	NEW-P	00-23-099	304- 12-380	REP	00-11-028
296-800-25005	NEW-P	00-23-099	296-800-32020	NEW-P	00-23-099	304- 20	AMD	00-11-028
296-800-25010	NEW-P	00-23-099	296-800-32025	NEW-P	00-23-099	304- 20-005	NEW	00-11-028
296-800-25015	NEW-P	00-23-099	296-800-32030	NEW-P	00-23-099	304- 20-010	AMD	00-11-028
296-800-260	NEW-P	00-23-099	296-800-330	NEW-P	00-23-099	304- 20-020	REP	00-11-028
296-800-26005	NEW-P	00-23-099	296-800-340	NEW-P	00-23-099	304- 20-030	REP	00-11-028
296-800-26010	NEW-P	00-23-099	296-800-35002	NEW-P	00-23-099	304- 20-040	REP	00-11-028
296-800-270	NEW-P	00-23-099	296-800-35004	NEW-P	00-23-099	304- 20-050	AMD	00-11-028
296-800-27005	NEW-P	00-23-099	296-800-35006	NEW-P	00-23-099	304- 20-060	AMD	00-11-028
296-800-27010	NEW-P	00-23-099	296-800-35008	NEW-P	00-23-099	304- 20-065	NEW	00-11-028
296-800-27015	NEW-P	00-23-099	296-800-35010	NEW-P	00-23-099	304- 20-070	AMD	00-11-028
296-800-27020	NEW-P	00-23-099	296-800-35012	NEW-P	00-23-099	304- 20-090	REP	00-11-028
296-800-27025	NEW-P	00-23-099	296-800-35014	NEW-P	00-23-099	304- 20-100	REP	00-11-028
296-800-280	NEW-P	00-23-099	296-800-35016	NEW-P	00-23-099	304- 20-990	REP	00-11-028
296-800-28005	NEW-P	00-23-099	296-800-35018	NEW-P	00-23-099	308- 04-020	AMD-P	00-05-014
296-800-28010	NEW-P	00-23-099	296-800-35020	NEW-P	00-23-099	308- 04-020	AMD	00-08-032
296-800-28015	NEW-P	00-23-099	296-800-35022	NEW-P	00-23-099	308- 08-085	PREP	00-18-071
296-800-28020	NEW-P	00-23-099	296-800-35024	NEW-P	00-23-099	308- 08-085	AMD-P	00-23-071
296-800-28022	NEW-P	00-23-099	296-800-35026	NEW-P	00-23-099	308- 12-321	PREP	00-11-172
296-800-28025	NEW-P	00-23-099	296-800-35028	NEW-P	00-23-099	308- 12-321	AMD-P	00-16-030
296-800-28030	NEW-P	00-23-099	296-800-35030	NEW-P	00-23-099	308- 12-321	AMD	00-20-062
296-800-28035	NEW-P	00-23-099	296-800-35032	NEW-P	00-23-099	308- 12-322	PREP	00-11-172
296-800-28040	NEW-P	00-23-099	296-800-35034	NEW-P	00-23-099	308- 12-322	AMD-P	00-16-030
296-800-28045	NEW-P	00-23-099	296-800-35036	NEW-P	00-23-099	308- 12-322	AMD	00-20-062
296-800-290	NEW-P	00-23-099	296-800-35038	NEW-P	00-23-099	308- 12-323	PREP	00-11-172
296-800-29005	NEW-P	00-23-099	296-800-35040	NEW-P	00-23-099	308- 12-323	AMD-P	00-16-030
296-800-29010	NEW-P	00-23-099	296-800-35042	NEW-P	00-23-099	308- 12-323	AMD	00-20-062
296-800-29015	NEW-P	00-23-099	296-800-35044	NEW-P	00-23-099	308- 12-324	PREP	00-11-172
296-800-29020	NEW-P	00-23-099	296-800-35046	NEW-P	00-23-099	308- 12-324	AMD-P	00-16-030
296-800-29025	NEW-P	00-23-099	296-800-35048	NEW-P	00-23-099	308- 12-324	AMD	00-20-062
296-800-29030	NEW-P	00-23-099	296-800-35050	NEW-P	00-23-099	308- 12-325	PREP	00-11-172
296-800-29035	NEW-P	00-23-099	296-800-35052	NEW-P	00-23-099	308- 12-325	AMD-P	00-16-030
296-800-29040	NEW-P	00-23-099	296-800-35054	NEW-P	00-23-099	308- 12-325	AMD	00-20-062
296-800-29045	NEW-P	00-23-099	296-800-35056	NEW-P	00-23-099	308- 13-150	PREP	00-21-092
296-800-300	NEW-P	00-23-099	296-800-35062	NEW-P	00-23-099	308- 13-150	AMD-P	01-01-133
296-800-30005	NEW-P	00-23-099	296-800-35064	NEW-P	00-23-099	308- 20	PREP	00-18-035
296-800-30010	NEW-P	00-23-099	296-800-35066	NEW-P	00-23-099	308- 20-001	REP-P	00-22-101
296-800-30015	NEW-P	00-23-099	296-800-35068	NEW-P	00-23-099	308- 20-001	REP	01-01-083
296-800-30020	NEW-P	00-23-099	296-800-35070	NEW-P	00-23-099	308- 20-005	REP-P	00-22-101
296-800-30025	NEW-P	00-23-099	296-800-35072	NEW-P	00-23-099	308- 20-005	REP	01-01-083
296-800-310	NEW-P	00-23-099	296-800-35074	NEW-P	00-23-099	308- 20-630	REP-P	00-22-101
296-800-31005	NEW-P	00-23-099	296-800-35076	NEW-P	00-23-099	308- 20-630	REP	01-01-083
296-800-31010	NEW-P	00-23-099	296-800-35078	NEW-P	00-23-099	308- 20-640	REP-P	00-22-101
296-800-31015	NEW-P	00-23-099	296-800-35080	NEW-P	00-23-099	308- 20-640	REP	01-01-083
296-800-31020	NEW-P	00-23-099	296-800-35082	NEW-P	00-23-099	308- 20-670	REP-P	00-22-101
296-800-31025	NEW-P	00-23-099	296-800-35084	NEW-P	00-23-099	308- 20-670	REP	01-01-083
296-800-31030	NEW-P	00-23-099	296-800-360	NEW-P	00-23-099	308- 20-680	REP-P	00-22-101
296-800-31035	NEW-P	00-23-099	296-800-36005	NEW-P	00-23-099	308- 20-680	REP	01-01-083
296-800-31040	NEW-P	00-23-099	296-800-370	NEW-P	00-23-099	308- 20-690	REP-P	00-22-101
296-800-31045	NEW-P	00-23-099	304- 12-030	AMD	00-11-028	308- 20-690	REP	01-01-083
296-800-31050	NEW-P	00-23-099	304- 12-035	REP	00-11-028	308- 20-700	REP-P	00-22-101
296-800-31053	NEW-P	00-23-099	304- 12-040	REP	00-11-028	308- 20-700	REP	01-01-083
296-800-31055	NEW-P	00-23-099	304- 12-047	NEW	00-11-028	308- 29-010	PREP	00-12-002
296-800-31060	NEW-P	00-23-099	304- 12-050	REP	00-11-028	308- 29-020	PREP	00-12-002
296-800-31065	NEW-P	00-23-099	304- 12-070	REP	00-11-028	308- 29-025	PREP	00-12-002
296-800-31067	NEW-P	00-23-099	304- 12-125	AMD	00-11-028	308- 29-030	PREP	00-12-002
296-800-31070	NEW-P	00-23-099	304- 12-140	REP	00-11-028	308- 29-050	PREP	00-12-002
296-800-31075	NEW-P	00-23-099	304- 12-145	REP	00-11-028	308- 29-060	PREP	00-12-002
296-800-31080	NEW-P	00-23-099	304- 12-275	REP	00-11-028	308- 29-070	PREP	00-12-002
296-800-320	NEW-P	00-23-099	304- 12-290	REP	00-11-028	308- 29-080	PREP	00-12-002
296-800-32005	NEW-P	00-23-099	304- 12-360	REP	00-11-028	308- 29-090	PREP	00-12-002

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308-29-100	PREP	00-12-002	308-57-010	REP-W	00-11-041	308-63-100	AMD-P	00-24-006
308-29-110	PREP	00-12-002	308-57-020	PREP	00-06-001	308-63-110	AMD-P	00-09-069
308-29-120	PREP	00-12-002	308-57-020	REP-P	00-09-019	308-63-110	AMD	00-13-019
308-32-100	REP-XR	00-23-006	308-57-020	REP-W	00-11-041	308-63-120	AMD-P	00-09-069
308-32-110	REP-XR	00-23-006	308-57-030	PREP	00-06-001	308-63-120	AMD	00-13-019
308-32-120	REP-XR	00-23-006	308-57-030	REP-P	00-09-019	308-63-130	AMD-P	00-09-069
308-56A	PREP	00-07-092	308-57-030	REP-W	00-11-041	308-63-130	AMD	00-13-019
308-56A-010	AMD-P	00-16-115	308-57-110	PREP	00-06-001	308-63-140	AMD-P	00-09-069
308-56A-010	AMD	00-20-065	308-57-110	REP-P	00-09-019	308-63-140	AMD	00-13-019
308-56A-015	REP-P	00-16-115	308-57-110	REP-W	00-11-041	308-63-150	REP-P	00-09-069
308-56A-015	REP	00-20-065	308-57-120	PREP	00-06-001	308-63-150	REP	00-13-019
308-56A-020	PREP	00-07-092	308-57-120	REP-P	00-09-019	308-63-160	AMD-P	00-09-069
308-56A-020	AMD-P	00-16-115	308-57-120	REP-W	00-11-041	308-63-160	AMD	00-13-019
308-56A-020	AMD	00-20-065	308-57-130	PREP	00-06-001	308-65	PREP	00-06-031
308-56A-021	PREP	00-07-092	308-57-130	REP-P	00-09-019	308-65-020	AMD-P	00-09-071
308-56A-021	AMD-P	00-16-115	308-57-130	REP-W	00-11-041	308-65-020	AMD	00-13-020
308-56A-021	AMD	00-20-065	308-57-135	PREP	00-06-001	308-65-030	AMD-P	00-09-071
308-56A-022	PREP	00-07-092	308-57-135	REP-P	00-09-019	308-65-030	AMD	00-13-020
308-56A-022	REP-P	00-16-115	308-57-135	REP-W	00-11-041	308-65-040	AMD-P	00-09-071
308-56A-022	REP	00-20-065	308-57-140	PREP	00-06-001	308-65-040	AMD	00-13-020
308-56A-022	PREP	00-23-001	308-57-140	REP-P	00-09-019	308-65-050	AMD-P	00-09-071
308-56A-023	PREP	00-07-092	308-57-140	REP-W	00-11-041	308-65-050	AMD	00-13-020
308-56A-023	REP-P	00-16-115	308-57-210	PREP	00-06-001	308-65-060	AMD-P	00-09-071
308-56A-023	REP	00-20-065	308-57-210	REP-P	00-09-019	308-65-060	AMD	00-13-020
308-56A-090	PREP	00-07-092	308-57-210	REP-W	00-11-041	308-65-080	AMD-P	00-09-071
308-56A-090	AMD-P	00-16-115	308-57-230	PREP	00-06-001	308-65-080	AMD	00-13-020
308-56A-090	AMD	00-20-065	308-57-230	REP-P	00-09-019	308-65-090	AMD-P	00-09-071
308-56A-090	PREP	00-24-109	308-57-230	REP-W	00-11-041	308-65-090	AMD	00-13-020
308-56A-095	PREP	00-24-109	308-57-240	PREP	00-06-001	308-65-100	AMD-P	00-09-071
308-56A-310	PREP	00-23-001	308-57-240	REP-P	00-09-019	308-65-100	AMD	00-13-020
308-56A-335	PREP	00-09-018	308-57-240	REP-W	00-11-041	308-65-110	AMD-P	00-09-071
308-56A-335	AMD-P	00-21-094	308-57-500	PREP	00-06-001	308-65-110	AMD	00-13-020
308-56A-355	PREP	00-09-018	308-57-500	REP-P	00-09-019	308-65-130	AMD-P	00-09-071
308-56A-355	REP-P	00-21-094	308-57-500	REP-W	00-11-041	308-65-130	AMD	00-13-020
308-56A-450	AMD	00-04-046	308-58-010	REP	00-06-025	308-65-140	AMD-P	00-09-071
308-56A-455	AMD	00-04-046	308-58-020	REP	00-06-025	308-65-140	AMD	00-13-020
308-56A-460	AMD	00-06-025	308-58-030	REP	00-06-025	308-65-150	AMD-P	00-09-071
308-56A-465	REP	00-04-046	308-58-040	REP	00-06-025	308-65-150	AMD	00-13-020
308-56A-470	REP	00-04-046	308-58-050	REP	00-06-025	308-65-170	AMD-P	00-09-071
308-56A-500	AMD	00-06-004	308-63	PREP	00-06-007	308-65-170	AMD	00-13-020
308-56A-500	AMD-P	00-09-007	308-63	PREP	00-21-090	308-65-180	REP-P	00-09-071
308-56A-500	AMD	00-13-083	308-63-010	AMD-P	00-24-006	308-65-180	REP	00-13-020
308-56A-505	AMD	00-06-004	308-63-020	AMD-P	00-09-069	308-65-190	AMD-P	00-09-071
308-56A-505	PREP	01-01-102	308-63-020	AMD	00-13-019	308-65-190	AMD	00-13-020
308-56A-510	REP	00-06-004	308-63-030	AMD-P	00-09-069	308-72-500	PREP	00-08-063
308-56A-515	REP	00-06-004	308-63-030	AMD	00-13-019	308-72-665	PREP	00-08-063
308-56A-520	REP	00-06-004	308-63-040	AMD-P	00-09-069	308-72-690	PREP	00-08-063
308-56A-610	REP	00-06-020	308-63-040	AMD	00-13-019	308-72-700	PREP	00-08-063
308-56A-620	AMD	00-06-020	308-63-040	AMD-P	00-24-006	308-72-710	PREP	00-08-063
308-56A-620	REP-P	00-09-007	308-63-050	AMD-P	00-09-069	308-72-720	NEW-P	00-05-014
308-56A-620	REP	00-13-083	308-63-050	AMD	00-13-019	308-72-720	NEW	00-08-032
308-56A-640	AMD	00-06-020	308-63-060	AMD-P	00-09-069	308-77	PREP	00-03-037
308-56A-650	REP	00-06-020	308-63-060	AMD	00-13-019	308-77-045	PREP	00-03-037
308-56A-660	REP	00-06-020	308-63-070	AMD-P	00-09-069	308-77-045	REP-P	00-11-037
308-56A-670	REP	00-06-020	308-63-070	AMD	00-13-019	308-77-045	REP	00-16-045
308-56A-680	REP	00-06-020	308-63-070	AMD-P	00-24-006	308-77-155	PREP	00-03-037
308-56A-690	REP	00-06-020	308-63-080	AMD-P	00-09-069	308-77-155	AMD-P	00-11-037
308-57-005	PREP	00-06-001	308-63-080	AMD	00-13-019	308-77-155	AMD	00-16-045
308-57-005	REP-P	00-09-019	308-63-090	AMD-P	00-09-069	308-77-165	PREP	00-03-037
308-57-005	REP-W	00-11-041	308-63-090	AMD	00-13-019	308-77-165	AMD-P	00-11-037
308-57-010	PREP	00-06-001	308-63-100	AMD-P	00-09-069	308-77-165	AMD	00-16-045
308-57-010	REP-P	00-09-019	308-63-100	AMD	00-13-019	308-77-170	PREP	00-03-037

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308-77-170	AMD-P	00-11-037	308-93-070	PREP	00-07-105	308-93-450	AMD-P	00-12-084
308-77-170	AMD	00-16-045	308-93-071	PREP	00-07-105	308-93-450	AMD-W	00-14-019
308-77-180	PREP	00-03-037	308-93-073	PREP	00-07-105	308-93-450	AMD-P	00-18-081
308-77-180	AMD-P	00-11-037	308-93-078	PREP	00-07-105	308-93-450	AMD	00-23-028
308-77-180	AMD	00-16-045	308-93-079	PREP	00-07-107	308-93-460	PREP	00-07-093
308-77-215	PREP	00-08-062	308-93-079	AMD-P	00-23-073	308-93-460	AMD-P	00-12-084
308-77-240	PREP	00-03-037	308-93-086	PREP	00-16-034	308-93-460	AMD-W	00-14-019
308-77-240	AMD-P	00-11-037	308-93-087	PREP	00-16-034	308-93-460	AMD-P	00-18-081
308-77-240	AMD	00-16-045	308-93-090	PREP	00-07-107	308-93-460	AMD	00-23-028
308-77-265	PREP	00-03-037	308-93-090	AMD-P	00-23-073	308-93-470	PREP	00-07-093
308-77-265	AMD-P	00-11-037	308-93-140	PREP	00-16-042	308-93-470	AMD-P	00-12-084
308-77-265	AMD	00-16-045	308-93-140	AMD-P	00-20-006	308-93-470	AMD-W	00-14-019
308-77-270	PREP	00-03-037	308-93-140	AMD	00-23-094	308-93-470	AMD-P	00-18-081
308-77-270	REP-P	00-11-037	308-93-145	AMD-P	00-05-056	308-93-470	AMD	00-23-028
308-77-270	REP	00-16-045	308-93-145	AMD	00-09-065	308-93-490	PREP	00-24-110
308-77-280	PREP	00-03-037	308-93-145	PREP	00-16-042	308-93-500	PREP	00-24-110
308-77-280	AMD-P	00-11-037	308-93-145	AMD-P	00-20-006	308-93-510	PREP	00-24-110
308-77-280	AMD	00-16-045	308-93-145	AMD	00-23-094	308-93-520	PREP	00-24-111
308-77-290	NEW-P	00-05-014	308-93-160	AMD-P	00-23-073	308-93-530	PREP	00-24-111
308-77-290	NEW	00-08-032	308-93-165	REP-P	00-05-049	308-93-540	PREP	00-24-111
308-78-010	PREP	00-08-064	308-93-165	REP	00-09-065	308-93-640	PREP	00-07-105
308-78-010	PREP	00-17-122	308-93-200	PREP	00-07-106	308-93-650	AMD-P	00-05-049
308-78-020	PREP	00-17-122	308-93-200	AMD-P	00-18-082	308-93-650	AMD	00-09-065
308-78-040	PREP	00-17-122	308-93-200	AMD	00-23-029	308-93-650	PREP	00-24-110
308-78-045	PREP	00-17-122	308-93-220	PREP	00-07-106	308-93-660	PREP	00-16-034
308-78-050	PREP	00-17-122	308-93-220	AMD-P	00-18-082	308-94	PREP	00-06-034
308-78-060	PREP	00-17-122	308-93-220	AMD	00-23-029	308-94-010	REP-P	00-05-050
308-78-070	PREP	00-17-122	308-93-230	PREP	00-07-106	308-94-010	REP	00-09-066
308-78-080	PREP	00-17-122	308-93-241	PREP	00-07-104	308-94-030	PREP	00-07-094
308-78-100	NEW-P	00-05-014	308-93-241	AMD-P	00-16-094	308-94-050	PREP	00-07-094
308-78-100	NEW	00-08-032	308-93-241	AMD	00-22-068	308-94-080	PREP	00-07-094
308-80	PREP	00-06-032	308-93-242	PREP	00-07-104	308-94-100	PREP	00-07-094
308-80-015	AMD-P	00-09-070	308-93-242	AMD-P	00-16-094	308-94-160	REP-P	00-05-050
308-80-015	AMD	00-13-018	308-93-242	AMD	00-22-068	308-94-160	REP	00-09-066
308-80-020	AMD-P	00-09-070	308-93-243	PREP	00-07-104	308-94A-005	PREP	00-24-115
308-80-020	AMD	00-13-018	308-93-243	AMD-P	00-16-094	308-94A-015	PREP	00-24-115
308-88-010	REP	00-06-024	308-93-243	AMD	00-22-068	308-94A-021	PREP	00-24-115
308-88-020	AMD	00-06-024	308-93-244	PREP	00-07-104	308-94A-026	PREP	00-24-115
308-88-030	REP	00-06-024	308-93-244	AMD-P	00-16-094	308-94A-180	PREP	00-24-115
308-88-040	REP	00-06-024	308-93-244	AMD	00-22-068	308-94A-260	PREP	00-24-115
308-88-050	REP	00-06-024	308-93-245	PREP	00-07-104	308-94A-295	PREP	00-24-115
308-88-170	REP	00-06-024	308-93-245	REP-P	00-16-094	308-94A-300	PREP	00-24-115
308-90	PREP	00-06-033	308-93-245	REP	00-22-068	308-96A-005	AMD-P	00-03-094
308-91-090	PREP	00-03-038	308-93-250	PREP	00-24-112	308-96A-005	AMD	00-09-008
308-91-090	AMD-P	00-11-037	308-93-270	PREP	00-24-112	308-96A-005	PREP	01-01-072
308-91-090	AMD	00-16-045	308-93-280	PREP	00-24-112	308-96A-015	PREP	01-01-072
308-91-150	AMD-P	00-05-014	308-93-285	PREP	00-07-105	308-96A-021	PREP	01-01-072
308-91-150	AMD	00-08-032	308-93-295	PREP	00-07-106	308-96A-026	PREP	01-01-072
308-93-010	AMD-P	00-07-065	308-93-295	AMD-P	00-18-082	308-96A-065	PREP	00-07-108
308-93-010	PREP	00-07-107	308-93-295	AMD	00-23-029	308-96A-066	PREP	00-07-108
308-93-010	AMD	00-11-131	308-93-350	PREP	00-07-105	308-96A-067	PREP	00-07-108
308-93-010	AMD-P	00-23-073	308-93-360	PREP	00-07-105	308-96A-068	PREP	00-07-108
308-93-030	PREP	00-07-107	308-93-370	PREP	00-24-110	308-96A-070	PREP	00-07-108
308-93-030	AMD-P	00-23-073	308-93-380	PREP	00-24-110	308-96A-071	PREP	00-07-108
308-93-050	PREP	00-07-107	308-93-390	PREP	00-24-110	308-96A-072	PREP	00-07-108
308-93-050	AMD-P	00-23-073	308-93-400	PREP	00-24-110	308-96A-073	PREP	00-07-108
308-93-055	PREP	00-07-107	308-93-440	PREP	00-07-093	308-96A-074	PREP	00-07-108
308-93-055	AMD-P	00-23-073	308-93-440	AMD-P	00-12-084	308-96A-099	PREP	00-06-001
308-93-056	PREP	00-07-107	308-93-440	AMD-W	00-14-019	308-96A-099	AMD-P	00-09-019
308-93-056	AMD-P	00-23-073	308-93-440	AMD-P	00-18-081	308-96A-099	AMD-W	00-11-041
308-93-060	PREP	00-07-105	308-93-440	AMD	00-23-028	308-96A-135	PREP	00-06-001
308-93-069	PREP	00-07-105	308-93-450	PREP	00-07-093	308-96A-135	REP-P	00-09-019

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308-96A-135	REP-W	00-11-041	308-99-010	REP-W	00-09-009	308-104-014	AMD	00-18-070
308-96A-145	PREP	00-06-001	308-99-010	REP-P	00-16-041	308-104-015	REP-P	00-15-086
308-96A-145	AMD-P	00-09-019	308-99-010	REP	00-20-064	308-104-015	REP	00-18-070
308-96A-145	AMD-W	00-11-041	308-99-020	AMD-P	00-07-126	308-104-025	AMD-P	00-15-085
308-96A-175	PREP	00-06-001	308-99-020	AMD-W	00-09-009	308-104-025	AMD	00-18-069
308-96A-175	PREP	00-07-108	308-99-020	AMD-P	00-16-041	308-104-035	AMD-P	00-15-085
308-96A-175	AMD-P	00-09-019	308-99-020	AMD	00-20-064	308-104-035	AMD	00-18-069
308-96A-175	AMD-W	00-11-041	308-99-021	REP-P	00-07-126	308-104-040	AMD-P	00-15-086
308-96A-176	PREP	00-06-001	308-99-021	REP-W	00-09-009	308-104-040	AMD	00-18-070
308-96A-176	PREP	00-07-108	308-99-021	REP-P	00-16-041	308-104-047	AMD-P	00-15-085
308-96A-176	AMD-P	00-09-019	308-99-021	REP	00-20-064	308-104-047	AMD	00-18-069
308-96A-176	AMD-W	00-11-041	308-99-025	REP-P	00-07-126	308-104-056	AMD-P	00-15-085
308-96A-180	PREP	00-06-001	308-99-025	REP-W	00-09-009	308-104-056	AMD	00-18-069
308-96A-180	AMD-P	00-09-019	308-99-025	REP-P	00-16-041	308-104-060	REP-P	00-15-085
308-96A-180	AMD-W	00-11-041	308-99-025	REP	00-20-064	308-104-060	REP	00-18-069
308-96A-180	PREP	01-01-072	308-99-030	REP-P	00-07-126	308-104-070	AMD-P	00-15-085
308-96A-201	PREP	00-24-114	308-99-030	REP-W	00-09-009	308-104-070	AMD	00-18-069
308-96A-202	PREP	00-06-001	308-99-030	REP-P	00-16-041	308-104-080	AMD-P	00-15-085
308-96A-202	AMD-P	00-09-019	308-99-030	REP	00-20-064	308-104-080	AMD	00-18-069
308-96A-202	AMD-W	00-11-041	308-99-040	AMD-P	00-07-126	308-104-090	AMD-P	00-15-085
308-96A-203	PREP	00-06-001	308-99-040	AMD-W	00-09-009	308-104-090	AMD	00-18-069
308-96A-203	AMD-P	00-09-019	308-99-040	AMD-P	00-16-041	308-104-100	AMD-P	00-15-086
308-96A-203	AMD-W	00-11-041	308-99-040	AMD	00-20-064	308-104-100	AMD	00-18-070
308-96A-207	PREP	00-24-114	308-99-050	REP-P	00-07-126	308-104-105	AMD-P	00-15-086
308-96A-208	PREP	00-24-114	308-99-050	REP-W	00-09-009	308-104-105	AMD	00-18-070
308-96A-260	PREP	01-01-072	308-99-050	REP-P	00-16-041	308-104-109	REP-P	00-15-086
308-96A-295	PREP	01-01-071	308-99-050	REP	00-20-064	308-104-109	REP	00-18-070
308-96A-295	PREP	01-01-072	308-99-060	NEW-P	00-07-126	308-104-120	REP-P	00-15-085
308-96A-300	PREP	01-01-072	308-99-060	NEW-W	00-09-009	308-104-120	REP	00-18-069
308-96A-306	PREP	00-08-043	308-99-060	NEW-P	00-16-041	308-104-130	AMD-P	00-15-086
308-96A-306	AMD-P	00-11-120	308-99-060	NEW	00-20-064	308-104-130	AMD	00-18-070
308-96A-306	AMD	00-16-056	308-100-010	AMD-P	00-15-084	308-104-150	AMD-P	00-15-086
308-96A-311	PREP	00-08-043	308-100-010	AMD	00-18-068	308-104-150	AMD	00-18-070
308-96A-312	PREP	00-08-043	308-100-020	AMD-P	00-15-084	308-104-155	AMD-P	00-15-086
308-96A-313	PREP	00-08-043	308-100-020	AMD	00-18-068	308-104-155	AMD	00-18-070
308-96A-314	PREP	00-08-043	308-100-040	AMD-P	00-15-084	308-104-160	AMD-P	00-15-086
308-96A-316	PREP	00-08-043	308-100-040	AMD	00-18-068	308-104-160	AMD	00-18-070
308-96A-345	AMD	00-03-057	308-100-050	AMD-P	00-15-084	308-104-170	AMD-P	00-15-086
308-96A-345	PREP	00-24-113	308-100-050	AMD	00-18-068	308-104-170	AMD	00-18-070
308-96A-350	AMD	00-03-057	308-100-090	AMD-P	00-15-084	308-124-021	AMD-P	00-03-063
308-96A-350	PREP	00-24-113	308-100-090	AMD-W	00-18-066	308-124-021	AMD	00-08-035
308-96A-355	AMD	00-03-057	308-100-100	AMD-P	00-15-084	308-124A-110	PREP	01-01-088
308-96A-355	PREP	00-24-113	308-100-100	AMD	00-18-068	308-124E-013	AMD-P	00-03-063
308-96A-360	REP	00-03-057	308-100-110	AMD-P	00-15-084	308-124E-013	AMD	00-08-035
308-96A-365	AMD	00-03-057	308-100-110	AMD	00-18-068	308-124H-011	AMD-P	00-03-063
308-96A-365	PREP	00-24-113	308-100-130	AMD-P	00-15-084	308-124H-011	AMD	00-08-035
308-96A-370	REP	00-03-057	308-100-130	AMD	00-18-068	308-124H-012	NEW-P	00-03-063
308-96A-375	REP	00-03-057	308-100-140	AMD-P	00-15-084	308-124H-012	NEW	00-08-035
308-96A-380	REP	00-03-057	308-100-140	AMD	00-18-068	308-124H-013	NEW-P	00-03-063
308-96A-400	PREP	00-06-001	308-100-150	AMD-P	00-15-084	308-124H-013	NEW	00-08-035
308-96A-400	REP-P	00-09-019	308-100-150	AMD	00-18-068	308-124H-021	REP-P	00-03-063
308-96A-400	REP-W	00-11-041	308-100-190	AMD-P	00-15-084	308-124H-021	REP	00-08-035
308-96A-410	PREP	00-06-001	308-100-190	AMD	00-18-068	308-124H-025	AMD-P	00-03-063
308-96A-410	REP-P	00-09-019	308-104-004	AMD-P	00-15-085	308-124H-025	AMD	00-08-035
308-96A-410	REP-W	00-11-041	308-104-004	AMD	00-18-069	308-124H-026	NEW-P	00-03-063
308-96A-550	PREP	00-07-108	308-104-006	AMD-P	00-15-085	308-124H-026	NEW	00-08-035
308-96A-560	PREP	00-07-108	308-104-006	AMD	00-18-069	308-124H-027	NEW-P	00-03-063
308-97-011	NEW	00-07-053	308-104-008	AMD-P	00-15-085	308-124H-027	NEW	00-08-035
308-97-230	PREP	00-06-001	308-104-008	AMD	00-18-069	308-124H-028	NEW-P	00-03-063
308-97-230	AMD-P	00-09-019	308-104-012	AMD-P	00-15-085	308-124H-028	NEW	00-08-035
308-97-230	AMD-W	00-11-041	308-104-012	AMD	00-18-069	308-124H-029	NEW-P	00-03-063
308-99-010	REP-P	00-07-126	308-104-014	AMD-P	00-15-086	308-124H-029	NEW	00-08-035

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308-124H-031	NEW-P	00-03-063	308-129-230	REP-P	00-08-005	314-02-065	NEW	00-07-091
308-124H-031	NEW	00-08-035	308-129-230	REP	00-11-047	314-02-070	NEW	00-07-091
308-124H-034	NEW-P	00-03-063	308-300-010	PREP	00-08-067	314-02-075	NEW	00-07-091
308-124H-034	NEW	00-08-035	308-300-020	PREP	00-08-067	314-02-080	NEW	00-07-091
308-124H-039	NEW-P	00-03-063	308-300-030	PREP	00-08-067	314-02-085	NEW	00-07-091
308-124H-039	NEW	00-08-035	308-300-040	PREP	00-08-067	314-02-090	NEW	00-07-091
308-124H-041	AMD-P	00-03-063	308-300-050	PREP	00-08-067	314-02-095	NEW	00-07-091
308-124H-041	AMD	00-08-035	308-300-060	PREP	00-08-067	314-02-100	NEW	00-07-091
308-124H-042	NEW-P	00-03-063	308-300-070	PREP	00-08-067	314-02-105	NEW	00-07-091
308-124H-042	NEW	00-08-035	308-300-075	PREP	00-08-067	314-02-110	NEW	00-07-091
308-124H-051	AMD-P	00-03-063	308-300-080	PREP	00-08-067	314-02-115	NEW	00-07-091
308-124H-051	AMD	00-08-035	308-300-090	PREP	00-08-067	314-02-120	NEW	00-07-091
308-124H-061	AMD-P	00-03-063	308-300-100	PREP	00-08-067	314-02-125	NEW	00-07-091
308-124H-061	AMD	00-08-035	308-300-110	PREP	00-08-067	314-02-130	NEW	00-07-091
308-124H-062	AMD-P	00-03-063	308-300-120	PREP	00-08-067	314-04-005	REP-P	00-22-113
308-124H-062	AMD	00-08-035	308-300-130	PREP	00-08-067	314-04-006	REP-P	00-22-113
308-124H-210	AMD-P	00-03-063	308-300-140	PREP	00-08-067	314-04-007	REP-P	00-22-113
308-124H-210	AMD	00-08-035	308-300-150	PREP	00-08-067	314-08-001	REP-P	00-22-113
308-124H-220	REP-P	00-03-063	308-300-160	PREP	00-08-067	314-08-010	REP-P	00-22-113
308-124H-220	REP	00-08-035	308-300-170	PREP	00-08-067	314-08-020	REP-P	00-22-113
308-124H-221	NEW-P	00-03-063	308-300-180	PREP	00-08-067	314-08-030	REP-P	00-22-113
308-124H-221	NEW	00-08-035	308-300-190	PREP	00-08-067	314-08-040	REP-P	00-22-113
308-124H-230	AMD-P	00-03-063	308-300-200	PREP	00-08-067	314-08-050	REP-P	00-22-113
308-124H-230	AMD	00-08-035	308-320	PREP	00-10-029	314-08-070	REP-P	00-22-113
308-124H-240	REP-P	00-03-063	308-320-010	PREP	00-10-029	314-08-080	REP-P	00-22-113
308-124H-240	REP	00-08-035	308-320-020	PREP	00-10-029	314-08-090	REP-P	00-22-113
308-124H-245	NEW-P	00-03-063	308-320-030	PREP	00-10-029	314-08-100	REP-P	00-22-113
308-124H-245	NEW	00-08-035	308-320-040	PREP	00-10-029	314-08-110	REP-P	00-22-113
308-124H-246	NEW-P	00-03-063	308-320-050	PREP	00-10-029	314-08-120	REP-P	00-22-113
308-124H-246	NEW	00-08-035	308-320-060	PREP	00-10-029	314-08-130	REP-P	00-22-113
308-124H-260	AMD-P	00-03-063	308-320-070	PREP	00-10-029	314-08-140	REP-P	00-22-113
308-124H-260	AMD	00-08-035	308-320-080	PREP	00-10-029	314-08-150	REP-P	00-22-113
308-124H-270	AMD-P	00-03-063	308-320-090	PREP	00-10-029	314-08-160	REP-P	00-22-113
308-124H-270	AMD	00-08-035	308-330-307	AMD-P	00-15-083	314-08-170	REP-P	00-22-113
308-124H-290	AMD-P	00-03-063	308-330-307	AMD	00-18-067	314-08-180	REP-P	00-22-113
308-124H-290	AMD	00-08-035	308-330-316	AMD-P	00-15-083	314-08-190	REP-P	00-22-113
308-124H-300	AMD-P	00-03-063	308-330-316	AMD	00-18-067	314-08-200	REP-P	00-22-113
308-124H-300	AMD	00-08-035	308-330-325	AMD-P	00-15-083	314-08-210	REP-P	00-22-113
308-124H-310	AMD-P	00-03-063	308-330-325	AMD	00-18-067	314-08-220	REP-P	00-22-113
308-124H-310	AMD	00-08-035	308-330-406	AMD-P	00-15-083	314-08-230	REP-P	00-22-113
308-124H-320	AMD-P	00-03-063	308-330-406	AMD	00-18-067	314-08-240	REP-P	00-22-113
308-124H-320	AMD	00-08-035	308-330-415	AMD-P	00-15-083	314-08-250	REP-P	00-22-113
308-124H-510	AMD-P	00-03-063	308-330-415	AMD	00-18-067	314-08-260	REP-P	00-22-113
308-124H-510	AMD	00-08-035	308-330-421	AMD-P	00-15-083	314-08-270	REP-P	00-22-113
308-124H-520	REP-P	00-03-063	308-330-421	AMD	00-18-067	314-08-280	REP-P	00-22-113
308-124H-520	REP	00-08-035	308-330-423	AMD-P	00-15-083	314-08-290	REP-P	00-22-113
308-124H-525	NEW-P	00-03-063	308-330-423	AMD	00-18-067	314-08-300	REP-P	00-22-113
308-124H-525	NEW	00-08-035	308-400	PREP	00-20-033	314-08-310	REP-P	00-22-113
308-124H-530	AMD-P	00-03-063	308-410	PREP	00-20-033	314-08-320	REP-P	00-22-113
308-124H-530	AMD	00-08-035	314-01-005	NEW-P	00-23-111	314-08-330	REP-P	00-22-113
308-124H-551	NEW-P	00-03-063	314-02-005	NEW	00-07-091	314-08-340	REP-P	00-22-113
308-124H-551	NEW	00-08-035	314-02-010	NEW	00-07-091	314-08-350	REP-P	00-22-113
308-124H-580	AMD-P	00-03-063	314-02-015	NEW	00-07-091	314-08-360	REP-P	00-22-113
308-124H-580	AMD	00-08-035	314-02-020	NEW	00-07-091	314-08-370	REP-P	00-22-113
308-124H-800	AMD-P	00-03-063	314-02-025	NEW	00-07-091	314-08-380	REP-P	00-22-113
308-124H-800	AMD	00-08-035	314-02-030	NEW	00-07-091	314-08-390	REP-P	00-22-113
308-125-120	PREP	00-13-072	314-02-035	NEW	00-07-091	314-08-400	REP-P	00-22-113
308-125-200	AMD	00-04-057	314-02-040	NEW	00-07-091	314-08-410	REP-P	00-22-113
308-125-200	AMD-P	00-18-091	314-02-045	NEW	00-07-091	314-08-415	REP-P	00-22-113
308-125-200	AMD	00-23-038	314-02-050	NEW	00-07-091	314-08-420	REP-P	00-22-113
308-129-100	AMD-P	00-08-005	314-02-055	NEW	00-07-091	314-08-430	REP-P	00-22-113
308-129-100	AMD	00-11-047	314-02-060	NEW	00-07-091	314-08-440	REP-P	00-22-113

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314- 08-450	REP-P	00-22-113	314- 13-030	NEW-S	00-22-114	314- 14-130	REP-P	00-17-182
314- 08-460	REP-P	00-22-113	314- 13-030	NEW-P	00-23-110	314- 14-130	REP-S	00-22-114
314- 08-470	REP-P	00-22-113	314- 13-035	NEW-P	00-17-182	314- 14-140	REP-P	00-17-182
314- 08-480	REP-P	00-22-113	314- 13-035	NEW-S	00-22-114	314- 14-140	REP-S	00-22-114
314- 08-490	REP-P	00-22-113	314- 13-040	NEW-P	00-17-182	314- 14-150	REP-P	00-17-182
314- 08-500	REP-P	00-22-113	314- 13-040	NEW-S	00-22-114	314- 14-150	REP-S	00-22-114
314- 08-510	REP-P	00-22-113	314- 13-040	NEW-P	00-23-110	314- 14-160	REP-P	00-17-182
314- 08-520	REP-P	00-22-113	314- 13-045	NEW-P	00-17-182	314- 14-160	REP-S	00-22-114
314- 08-530	REP-P	00-22-113	314- 13-045	NEW-S	00-22-114	314- 14-165	REP-P	00-17-182
314- 08-540	REP-P	00-22-113	314- 13-050	NEW-P	00-17-182	314- 14-165	REP-S	00-22-114
314- 08-550	REP-P	00-22-113	314- 13-050	NEW-S	00-22-114	314- 14-170	REP-P	00-17-182
314- 08-560	REP-P	00-22-113	314- 13-055	NEW-P	00-17-182	314- 14-170	REP-S	00-22-114
314- 08-570	REP-P	00-22-113	314- 13-055	NEW-S	00-22-114	314- 15-010	REP	00-07-117
314- 08-580	REP-P	00-22-113	314- 13-060	NEW-P	00-17-182	314- 15-020	REP	00-07-117
314- 08-590	REP-P	00-22-113	314- 13-060	NEW-S	00-22-114	314- 15-030	REP	00-07-117
314- 09-005	NEW-P	00-21-117	314- 13-065	NEW-P	00-17-182	314- 15-040	REP	00-07-117
314- 09-010	NEW-P	00-21-117	314- 13-065	NEW-S	00-22-114	314- 15-050	REP	00-07-117
314- 09-015	NEW-P	00-21-117	314- 13-070	NEW-P	00-17-182	314- 16-020	AMD-P	00-23-109
314- 10-020	REP-P	00-23-109	314- 13-070	NEW-S	00-22-114	314- 16-025	REP-P	00-23-109
314- 11-005	NEW-P	00-23-109	314- 13-075	NEW-P	00-17-182	314- 16-030	REP-P	00-23-109
314- 11-015	NEW-P	00-23-109	314- 13-075	NEW-S	00-22-114	314- 16-040	AMD-XA	00-07-116
314- 11-020	NEW-P	00-23-109	314- 13-080	NEW-P	00-17-182	314- 16-040	AMD	00-12-051
314- 11-025	NEW-P	00-23-109	314- 13-080	NEW-S	00-22-114	314- 16-040	AMD-P	00-23-109
314- 11-030	NEW-P	00-23-109	314- 13-085	NEW-P	00-17-182	314- 16-050	REP-P	00-23-109
314- 11-035	NEW-P	00-23-109	314- 13-085	NEW-S	00-22-114	314- 16-055	REP	00-07-117
314- 11-040	NEW-P	00-23-109	314- 13-090	NEW-P	00-17-182	314- 16-060	REP-P	00-23-109
314- 11-045	NEW-P	00-23-109	314- 13-090	NEW-S	00-22-114	314- 16-070	REP-P	00-23-109
314- 11-050	NEW-P	00-23-109	314- 13-095	NEW-P	00-17-182	314- 16-075	REP-P	00-23-109
314- 11-055	NEW-P	00-23-109	314- 13-095	NEW-S	00-22-114	314- 16-090	REP-P	00-23-109
314- 11-060	NEW-P	00-23-109	314- 13-100	NEW-P	00-17-182	314- 16-115	REP	00-07-117
314- 11-065	NEW-P	00-23-109	314- 13-100	NEW-S	00-22-114	314- 16-120	REP-P	00-23-109
314- 11-070	NEW-P	00-23-109	314- 13-105	NEW-P	00-17-182	314- 16-122	REP-P	00-23-109
314- 11-080	NEW-P	00-23-109	314- 13-105	NEW-S	00-22-114	314- 16-125	REP-P	00-23-109
314- 11-085	NEW-P	00-23-109	314- 13-110	NEW-P	00-17-182	314- 16-130	REP-P	00-09-095
314- 11-090	NEW-P	00-23-109	314- 13-110	NEW-S	00-22-114	314- 16-130	REP-W	00-12-030
314- 11-095	NEW-P	00-23-109	314- 13-115	NEW-P	00-17-182	314- 16-130	REP	00-17-065
314- 11-100	NEW-P	00-23-109	314- 13-115	NEW-S	00-22-114	314- 16-140	REP	00-07-117
314- 11-105	NEW-P	00-23-109	314- 14	REP-P	00-17-182	314- 16-145	REP-P	00-23-109
314- 11-110	NEW-P	00-23-109	314- 14-010	REP-P	00-17-182	314- 16-150	REP-P	00-23-109
314- 12-020	AMD-P	00-21-117	314- 14-010	REP-S	00-22-114	314- 16-160	AMD-P	00-23-109
314- 12-115	REP-P	00-23-109	314- 14-020	REP-P	00-17-182	314- 16-180	REP	00-07-117
314- 12-120	REP-P	00-23-109	314- 14-020	REP-S	00-22-114	314- 16-190	AMD-XA	00-07-116
314- 12-125	REP-P	00-23-109	314- 14-030	REP-P	00-17-182	314- 16-190	REP-W	00-12-030
314- 12-130	REP-P	00-23-109	314- 14-030	REP-S	00-22-114	314- 16-190	AMD	00-12-051
314- 12-140	AMD-P	00-23-110	314- 14-040	REP-P	00-17-182	314- 16-196	AMD-XA	00-07-116
314- 12-195	REP-P	00-23-109	314- 14-040	REP-S	00-22-114	314- 16-196	REP-W	00-12-030
314- 13-005	NEW-P	00-17-182	314- 14-050	REP-P	00-17-182	314- 16-196	AMD	00-12-051
314- 13-005	NEW-S	00-22-114	314- 14-050	REP-S	00-22-114	314- 16-197	REP	00-07-117
314- 13-005	NEW-P	00-23-110	314- 14-060	REP-P	00-17-182	314- 16-199	REP	00-07-117
314- 13-010	NEW-P	00-17-182	314- 14-060	REP-S	00-22-114	314- 16-200	REP	00-07-117
314- 13-010	NEW-S	00-22-114	314- 14-070	REP-P	00-17-182	314- 16-205	REP	00-07-117
314- 13-010	NEW-P	00-23-110	314- 14-070	REP-S	00-22-114	314- 16-210	REP	00-07-117
314- 13-015	NEW-P	00-17-182	314- 14-080	REP-P	00-17-182	314- 16-240	REP	00-07-117
314- 13-015	NEW-S	00-22-114	314- 14-080	REP-S	00-22-114	314- 16-250	REP	00-12-011
314- 13-015	NEW-P	00-23-110	314- 14-090	REP-P	00-17-182	314- 19-005	NEW-P	00-09-095
314- 13-020	NEW-P	00-17-182	314- 14-090	REP-S	00-22-114	314- 19-005	NEW	00-17-065
314- 13-020	NEW-S	00-22-114	314- 14-100	REP-P	00-17-182	314- 19-010	NEW-P	00-09-095
314- 13-020	NEW-P	00-23-110	314- 14-100	REP-S	00-22-114	314- 19-010	NEW	00-17-065
314- 13-025	NEW-P	00-17-182	314- 14-110	REP-P	00-17-182	314- 19-015	NEW-P	00-09-095
314- 13-025	NEW-S	00-22-114	314- 14-110	REP-S	00-22-114	314- 19-015	NEW	00-17-065
314- 13-025	NEW-P	00-23-110	314- 14-120	REP-P	00-17-182	314- 19-020	NEW-P	00-09-095
314- 13-030	NEW-P	00-17-182	314- 14-120	REP-S	00-22-114	314- 19-020	NEW	00-17-065

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314- 19-025	NEW	00-17-065	314- 64	PREP	00-02-087	315- 11A-206	REP	00-07-131
314- 19-030	NEW-P	00-09-095	314- 70-020	REP-P	00-23-109	315- 11A-207	REP-XR	00-02-055
314- 19-030	NEW	00-17-065	314- 70-040	REP-P	00-23-109	315- 11A-207	REP	00-07-131
314- 19-035	NEW-P	00-09-095	314- 70-050	REP-P	00-23-109	315- 11A-208	REP-XR	00-02-055
314- 19-035	NEW	00-17-065	314- 76-010	PREP	00-02-087	315- 11A-208	REP	00-07-131
314- 19-040	NEW-P	00-09-095	314- 78-010	REP-XR	00-02-086	315- 11A-209	REP-XR	00-02-055
314- 19-040	NEW	00-17-065	314- 78-010	REP	00-12-012	315- 11A-209	REP	00-07-131
314- 20-010	REP-P	00-09-095	315- 04	PREP	00-16-044	315- 11A-210	REP-XR	00-02-055
314- 20-010	REP	00-17-065	315- 04	PREP	00-16-092	315- 11A-210	REP	00-07-131
314- 20-015	AMD-P	00-09-095	315- 04-020	PREP	00-11-016	315- 11A-211	REP-XR	00-02-055
314- 20-015	AMD	00-17-065	315- 04-020	AMD-P	00-18-036	315- 11A-211	REP	00-07-131
314- 20-040	REP-P	00-09-095	315- 04-020	AMD	00-24-100	315- 11A-212	REP-XR	00-02-055
314- 20-040	REP	00-17-065	315- 04-085	NEW-P	00-20-008	315- 11A-212	REP	00-07-131
314- 20-060	REP-P	00-09-095	315- 04-190	AMD-P	00-19-064	315- 11A-213	REP-XR	00-02-055
314- 20-060	REP	00-17-065	315- 04-190	AMD	00-24-102	315- 11A-213	REP	00-07-131
314- 20-150	REP-P	00-09-095	315- 06-120	PREP	00-05-059	315- 11A-214	REP-XR	00-02-055
314- 20-150	REP	00-17-065	315- 06-120	AMD-P	00-07-130	315- 11A-214	REP	00-07-131
314- 20-160	AMD-P	00-09-095	315- 06-120	AMD	00-12-032	315- 11A-215	REP-XR	00-14-057
314- 20-160	AMD	00-17-065	315- 06-120	PREP	00-14-049	315- 11A-215	REP	00-19-066
314- 20-170	AMD-P	00-09-095	315- 06-120	AMD-P	00-18-037	315- 11A-216	REP-XR	00-14-057
314- 20-170	AMD	00-17-065	315- 06-120	AMD	00-24-103	315- 11A-216	REP	00-19-066
314- 20-180	REP-P	00-09-095	315- 11A-165	REP-XR	00-02-055	315- 11A-217	REP-XR	00-14-057
314- 20-180	REP	00-17-065	315- 11A-165	REP	00-07-131	315- 11A-217	REP	00-19-066
314- 24-095	REP-P	00-09-095	315- 11A-187	REP-XR	00-02-055	315- 36-100	PREP	00-17-101
314- 24-095	REP	00-17-065	315- 11A-187	REP	00-07-131	315- 36-100	AMD-P	00-19-065
314- 24-110	REP-P	00-09-095	315- 11A-188	REP-XR	00-02-055	315- 36-100	AMD	00-24-101
314- 24-110	REP	00-17-065	315- 11A-188	REP	00-07-131	316- 02-150	AMD-XA	00-21-045
314- 24-120	AMD-P	00-09-095	315- 11A-189	REP-XR	00-02-055	316- 02-150	AMD	01-01-124
314- 24-120	AMD	00-17-065	315- 11A-189	REP	00-07-131	316- 02-810	AMD-XA	00-21-045
314- 24-160	AMD-P	00-09-095	315- 11A-190	REP-XR	00-02-055	316- 02-810	AMD	01-01-124
314- 24-160	AMD	00-17-065	315- 11A-190	REP	00-07-131	316- 02-820	AMD-XA	00-21-045
314- 24-170	REP-P	00-23-110	315- 11A-191	REP-XR	00-02-055	316- 02-820	AMD	01-01-124
314- 26-010	REP-P	00-09-095	315- 11A-191	REP	00-07-131	316- 65-515	AMD-XA	00-21-045
314- 26-010	REP	00-17-065	315- 11A-192	REP-XR	00-02-055	316- 65-515	AMD	01-01-124
314- 29-005	NEW-P	00-22-113	315- 11A-192	REP	00-07-131	316- 85-020	AMD-XA	00-21-045
314- 29-010	NEW-P	00-22-113	315- 11A-193	REP-XR	00-02-055	316- 85-020	AMD	01-01-124
314- 37	PREP	00-02-087	315- 11A-193	REP	00-07-131	317- 10	PREP	00-05-096
314- 42-010	NEW-P	00-02-089	315- 11A-194	REP-XR	00-02-055	317- 21	PREP	00-18-106
314- 42-010	NEW	00-06-016	315- 11A-194	REP	00-07-131	317- 21-010	REP-P	00-23-104
314- 42-020	NEW-P	00-22-113	315- 11A-195	REP-XR	00-02-055	317- 21-020	REP-P	00-23-104
314- 42-025	NEW-P	00-22-113	315- 11A-195	REP	00-07-131	317- 21-030	REP-P	00-23-104
314- 42-030	NEW-P	00-22-113	315- 11A-196	REP-XR	00-02-055	317- 21-040	REP-P	00-23-104
314- 42-040	NEW-P	00-22-113	315- 11A-196	REP	00-07-131	317- 21-050	REP-P	00-23-104
314- 42-045	NEW-P	00-22-113	315- 11A-197	REP-XR	00-02-055	317- 21-060	REP-P	00-23-104
314- 42-050	NEW-P	00-22-113	315- 11A-197	REP	00-07-131	317- 21-070	REP-P	00-23-104
314- 42-055	NEW-P	00-22-113	315- 11A-198	REP-XR	00-02-055	317- 21-100	REP-P	00-23-104
314- 42-060	NEW-P	00-22-113	315- 11A-198	REP	00-07-131	317- 21-110	REP-P	00-23-104
314- 42-065	NEW-P	00-22-113	315- 11A-199	REP-XR	00-02-055	317- 21-120	REP-P	00-23-104
314- 42-070	NEW-P	00-22-113	315- 11A-199	REP	00-07-131	317- 21-130	REP-XR	00-12-091
314- 42-075	NEW-P	00-22-113	315- 11A-200	REP-XR	00-02-055	317- 21-130	REP	00-16-134
314- 42-080	NEW-P	00-22-113	315- 11A-200	REP	00-07-131	317- 21-140	REP-P	00-23-104
314- 42-085	NEW-P	00-22-113	315- 11A-201	REP-XR	00-02-055	317- 21-200	REP-XR	00-12-091
314- 42-090	NEW-P	00-22-113	315- 11A-201	REP	00-07-131	317- 21-200	REP	00-16-134
314- 42-100	NEW-P	00-22-113	315- 11A-202	REP-XR	00-02-055	317- 21-205	REP-XR	00-12-091
314- 42-105	NEW-P	00-22-113	315- 11A-202	REP	00-07-131	317- 21-205	REP	00-16-134
314- 48-010	PREP	00-02-087	315- 11A-203	REP-XR	00-02-055	317- 21-210	REP-XR	00-12-091
314- 56-010	REP-XR	00-02-086	315- 11A-203	REP	00-07-131	317- 21-210	REP	00-16-134
314- 56-010	REP	00-12-012	315- 11A-204	REP-XR	00-02-055	317- 21-215	REP-XR	00-12-091
314- 56-020	REP-XR	00-02-086	315- 11A-204	REP	00-07-131	317- 21-215	REP	00-16-134
314- 56-020	REP	00-12-012	315- 11A-205	REP-XR	00-02-055	317- 21-220	REP-XR	00-12-091
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317- 21-225	REP	00-16-134	352- 04-050	NEW-P	00-19-099	352- 32-215	AMD-P	00-10-117
317- 21-230	REP-XR	00-12-091	352- 04-050	NEW	00-23-033	352- 32-215	AMD	00-13-070
317- 21-230	REP	00-16-134	352- 11	PREP	00-16-157	352- 32-230	AMD-P	00-10-117
317- 21-235	REP-XR	00-12-091	352- 12	PREP	00-16-157	352- 32-230	AMD	00-13-070
317- 21-235	REP	00-16-134	352- 16	PREP	00-16-157	352- 32-235	AMD-P	00-10-117
317- 21-240	REP-XR	00-12-091	352- 20	PREP	00-16-157	352- 32-235	AMD	00-13-070
317- 21-240	REP	00-16-134	352- 24	PREP	00-16-157	352- 32-250	AMD-P	00-10-117
317- 21-245	REP-XR	00-12-091	352- 28	PREP	00-16-157	352- 32-250	AMD	00-13-070
317- 21-245	REP	00-16-134	352- 32	PREP	00-04-081	352- 32-251	AMD-P	00-10-117
317- 21-250	REP-XR	00-12-091	352- 32	PREP	00-16-157	352- 32-251	AMD	00-13-070
317- 21-250	REP	00-16-134	352- 32-010	AMD-P	00-10-117	352- 32-255	AMD-P	00-10-117
317- 21-255	REP-XR	00-12-091	352- 32-010	AMD	00-13-070	352- 32-255	AMD	00-13-070
317- 21-255	REP	00-16-134	352- 32-011	AMD-P	00-10-117	352- 32-280	AMD-P	00-10-117
317- 21-260	REP-XR	00-12-091	352- 32-011	AMD	00-13-070	352- 32-280	AMD	00-13-070
317- 21-260	REP	00-16-134	352- 32-030	AMD-P	00-10-117	352- 32-285	PREP	00-04-081
317- 21-265	REP-XR	00-12-091	352- 32-030	AMD	00-13-070	352- 32-285	AMD-P	00-10-117
317- 21-265	REP	00-16-134	352- 32-040	AMD-P	00-10-117	352- 32-285	AMD	00-13-070
317- 21-300	REP-P	00-23-104	352- 32-040	AMD	00-13-070	352- 32-290	AMD-P	00-10-117
317- 21-305	REP-P	00-23-104	352- 32-045	AMD-P	00-10-117	352- 32-290	AMD	00-13-070
317- 21-310	REP-P	00-23-104	352- 32-045	AMD	00-13-070	352- 32-330	AMD-P	00-10-117
317- 21-315	REP-P	00-23-104	352- 32-050	AMD-P	00-10-117	352- 32-330	AMD	00-13-070
317- 21-320	REP-P	00-23-104	352- 32-050	AMD	00-13-070	352- 37	PREP	00-16-157
317- 21-325	REP-P	00-23-104	352- 32-053	AMD-P	00-10-117	352- 37	PREP	01-01-073
317- 21-330	REP-P	00-23-104	352- 32-053	AMD	00-13-070	352- 40	PREP	00-16-157
317- 21-335	REP-P	00-23-104	352- 32-056	AMD-P	00-10-117	352- 44	PREP	00-16-157
317- 21-340	REP-P	00-23-104	352- 32-056	AMD	00-13-070	352- 48	PREP	00-16-157
317- 21-345	REP-P	00-23-104	352- 32-060	AMD-P	00-10-117	352- 48	PREP	00-22-116
317- 21-400	REP-P	00-23-104	352- 32-060	AMD	00-13-070	352- 52	PREP	00-16-157
317- 21-410	REP-P	00-23-104	352- 32-070	AMD-P	00-10-117	352- 56	PREP	00-16-157
317- 21-500	REP-P	00-23-104	352- 32-070	AMD	00-13-070	352- 56	PREP	00-22-116
317- 21-510	REP-P	00-23-104	352- 32-075	AMD-P	00-10-117	352- 60	PREP	00-16-157
317- 21-520	REP-P	00-23-104	352- 32-075	AMD	00-13-070	352- 64	PREP	00-12-095
317- 21-530	REP-P	00-23-104	352- 32-080	AMD-P	00-10-117	352- 64	PREP	00-16-157
317- 21-540	REP-XR	00-12-091	352- 32-080	AMD	00-13-070	352- 65	PREP	00-12-095
317- 21-540	REP	00-16-134	352- 32-085	AMD-P	00-10-117	352- 65	PREP	00-16-157
317- 21-550	REP-P	00-23-104	352- 32-085	AMD	00-13-070	352- 66	PREP	00-16-157
317- 21-560	REP-P	00-23-104	352- 32-090	AMD-P	00-10-117	352- 67	PREP	00-16-157
317- 21-900	REP-P	00-23-104	352- 32-090	AMD	00-13-070	352- 68	PREP	00-16-157
317- 21-910	REP-P	00-23-104	352- 32-100	AMD-P	00-10-117	352- 70	PREP	00-12-094
326- 30-041	PREP	00-10-105	352- 32-100	AMD	00-13-070	352- 70	PREP	00-16-157
326- 30-041	AMD-P	00-13-112	352- 32-110	AMD-P	00-10-117	352- 70	AMD-P	00-16-158
326- 30-041	AMD	00-17-059	352- 32-110	AMD	00-13-070	352- 70	AMD-C	00-19-096
332- 30-118	REP-XR	00-15-057	352- 32-120	AMD-P	00-10-117	352- 70-010	AMD-P	00-16-158
332- 30-118	REP	00-19-001	352- 32-120	AMD	00-13-070	352- 70-010	AMD-S	00-22-115
332- 30-134	REP-XR	00-15-058	352- 32-130	AMD-P	00-10-117	352- 70-020	AMD-P	00-16-158
332- 30-134	REP	00-19-002	352- 32-130	AMD	00-13-070	352- 70-020	AMD-S	00-22-115
332- 30-142	REP-XR	00-15-059	352- 32-150	AMD-P	00-10-117	352- 70-030	AMD-P	00-16-158
332- 30-142	REP	00-19-003	352- 32-150	AMD	00-13-070	352- 70-030	AMD-S	00-22-115
332- 30-154	REP-XR	00-15-060	352- 32-15001	AMD-P	00-10-117	352- 70-035	NEW-P	00-16-158
332- 30-154	REP	00-19-004	352- 32-15001	AMD	00-13-070	352- 70-035	NEW-S	00-22-115
332- 30-161	REP-XR	00-15-061	352- 32-155	AMD-P	00-10-117	352- 70-040	AMD-P	00-16-158
332- 30-161	REP	00-19-005	352- 32-155	AMD	00-13-070	352- 70-040	AMD-S	00-22-115
332- 30-169	REP-XR	00-15-062	352- 32-157	AMD-P	00-10-117	352- 70-050	AMD-P	00-16-158
332- 30-169	REP	00-19-006	352- 32-157	AMD	00-13-070	352- 70-050	AMD-S	00-22-115
332-130-050	AMD-P	00-08-034	352- 32-165	AMD-P	00-10-117	352- 70-060	AMD-P	00-16-158
332-130-050	AMD	00-17-063	352- 32-165	AMD	00-13-070	352- 70-060	AMD-S	00-22-115
352- 04	PREP	00-12-096	352- 32-195	AMD-P	00-10-117	352- 74	PREP	00-16-157
352- 04	PREP	00-16-157	352- 32-195	AMD	00-13-070	352- 75	PREP	00-16-157
352- 04-010	AMD-P	00-19-099	352- 32-200	AMD-P	00-10-117	352- 76	PREP	00-12-095
352- 04-010	AMD	00-23-033	352- 32-200	AMD	00-13-070	352- 76	PREP	00-16-157
352- 04-040	NEW-P	00-19-099	352- 32-210	AMD-P	00-10-117	356- 06-045	AMD-P	00-24-136

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
356-10-040	AMD-P	00-24-135	359-40-010	NEW-C	00-06-049	365-197-060	NEW-P	00-03-067
356-14-045	AMD-P	00-04-052	359-40-010	NEW	00-10-028	365-197-060	NEW-W	00-16-097
356-14-045	AMD-C	00-06-050	359-40-020	NEW-P	00-04-054	365-197-070	NEW-P	00-03-067
356-14-045	AMD	00-10-026	359-40-020	NEW-C	00-06-049	365-197-070	NEW-W	00-16-097
356-14-067	AMD-P	00-24-135	359-40-020	NEW	00-10-028	365-197-080	NEW-P	00-03-067
356-14-070	AMD-P	00-12-074	359-40-050	NEW-P	00-04-054	365-197-080	NEW-W	00-16-097
356-14-070	AMD	00-16-004	359-40-050	NEW-C	00-06-049	388-02-0005	NEW-P	00-10-034
356-14-075	AMD-P	00-24-135	359-40-050	NEW	00-10-028	388-02-0005	NEW	00-18-059
356-14-085	AMD-P	00-24-135	359-40-060	NEW-P	00-04-054	388-02-0010	NEW-P	00-10-034
356-14-110	AMD-P	00-24-135	359-40-060	NEW-C	00-06-049	388-02-0010	NEW	00-18-059
356-14-120	AMD-P	00-24-135	359-40-060	NEW	00-10-028	388-02-0015	NEW-P	00-10-034
356-14-140	AMD-P	00-12-073	363-116-080	PREP	00-13-098	388-02-0015	NEW	00-18-059
356-14-140	AMD	00-16-005	363-116-082	PREP	00-13-098	388-02-0020	NEW-P	00-10-034
356-14-140	AMD-P	00-20-072	363-116-185	AMD-P	00-10-074	388-02-0020	NEW	00-18-059
356-14-140	AMD	00-23-060	363-116-185	AMD	00-13-097	388-02-0025	NEW-P	00-10-034
356-15-100	AMD-W	00-10-025	363-116-300	AMD-P	00-08-106	388-02-0025	NEW	00-18-059
356-15-110	AMD-W	00-10-025	363-116-300	AMD	00-11-119	388-02-0030	NEW-P	00-10-034
356-15-140	AMD-P	00-24-135	365-18-010	NEW	00-09-060	388-02-0030	NEW	00-18-059
356-18-140	AMD-P	00-24-135	365-18-020	NEW	00-09-060	388-02-0035	NEW-P	00-10-034
356-18-220	AMD-P	00-24-135	365-18-030	NEW	00-09-060	388-02-0035	NEW	00-18-059
356-22-220	AMD-P	00-12-072	365-18-040	NEW	00-09-060	388-02-0040	NEW-P	00-10-034
356-22-220	AMD-C	00-16-003	365-18-050	NEW	00-09-060	388-02-0040	NEW	00-18-059
356-22-220	AMD-W	00-18-027	365-18-060	NEW	00-09-060	388-02-0045	NEW-P	00-10-034
356-22-220	AMD-P	00-18-028	365-18-070	NEW	00-09-060	388-02-0045	NEW	00-18-059
356-26-040	AMD-P	00-04-052	365-18-080	NEW	00-09-060	388-02-0050	NEW-P	00-10-034
356-26-040	AMD-C	00-06-050	365-18-090	NEW	00-09-060	388-02-0050	NEW	00-18-059
356-26-040	AMD	00-10-026	365-18-100	NEW	00-09-060	388-02-0055	NEW-P	00-10-034
356-30-075	AMD-P	00-04-052	365-18-110	NEW	00-09-060	388-02-0055	NEW	00-18-059
356-30-075	AMD-C	00-06-050	365-18-120	NEW	00-09-060	388-02-0060	NEW-P	00-10-034
356-30-075	AMD	00-10-026	365-120	AMD	00-05-020	388-02-0060	NEW	00-18-059
356-30-320	AMD-P	00-24-136	365-120-010	AMD	00-05-020	388-02-0065	NEW-P	00-10-034
356-30-331	AMD-P	00-06-047	365-120-020	AMD	00-05-020	388-02-0065	NEW	00-18-059
356-30-331	AMD	00-11-122	365-120-030	AMD	00-05-020	388-02-0070	NEW-P	00-10-034
356-30-331	AMD-P	00-24-136	365-120-040	AMD	00-05-020	388-02-0070	NEW	00-18-059
356-49-040	AMD-P	00-24-135	365-120-050	AMD	00-05-020	388-02-0075	NEW-P	00-10-034
356-56-210	AMD-P	00-23-133	365-120-060	AMD	00-05-020	388-02-0075	NEW	00-18-059
356-56-220	AMD-P	00-23-133	365-120-070	NEW	00-05-020	388-02-0080	NEW-P	00-10-034
359-14-010	NEW-P	00-04-054	365-120-080	NEW	00-05-020	388-02-0080	NEW	00-18-059
359-14-010	NEW-C	00-06-049	365-120-090	NEW	00-05-020	388-02-0085	NEW-P	00-10-034
359-14-010	NEW	00-10-028	365-135-020	AMD	00-02-061	388-02-0085	NEW	00-18-059
359-14-020	NEW-P	00-04-054	365-195-900	NEW-P	00-03-066	388-02-0090	NEW-P	00-10-034
359-14-020	NEW-C	00-06-049	365-195-900	NEW	00-16-064	388-02-0090	NEW	00-18-059
359-14-020	NEW	00-10-028	365-195-905	NEW-P	00-03-066	388-02-0095	NEW-P	00-10-034
359-14-030	NEW-P	00-04-054	365-195-905	NEW	00-16-064	388-02-0095	NEW	00-18-059
359-14-030	NEW-C	00-06-049	365-195-910	NEW-P	00-03-066	388-02-0100	NEW-P	00-10-034
359-14-030	NEW	00-10-028	365-195-910	NEW	00-16-064	388-02-0100	NEW	00-18-059
359-14-050	NEW-P	00-04-054	365-195-915	NEW-P	00-03-066	388-02-0105	NEW-P	00-10-034
359-14-050	NEW-C	00-06-049	365-195-915	NEW	00-16-064	388-02-0105	NEW	00-18-059
359-14-050	NEW	00-10-028	365-195-920	NEW-P	00-03-066	388-02-0110	NEW-P	00-10-034
359-14-070	NEW-P	00-04-054	365-195-920	NEW	00-16-064	388-02-0110	NEW	00-18-059
359-14-070	NEW-C	00-06-049	365-195-925	NEW-P	00-03-066	388-02-0115	NEW-P	00-10-034
359-14-070	NEW	00-10-028	365-195-925	NEW	00-16-064	388-02-0115	NEW	00-18-059
359-14-080	NEW-P	00-04-054	365-197-010	NEW-P	00-03-067	388-02-0120	NEW-P	00-10-034
359-14-080	NEW-C	00-06-049	365-197-010	NEW-W	00-16-097	388-02-0120	NEW	00-18-059
359-14-080	NEW	00-10-028	365-197-020	NEW-P	00-03-067	388-02-0125	NEW-P	00-10-034
359-14-100	NEW-P	00-04-054	365-197-020	NEW-W	00-16-097	388-02-0125	NEW	00-18-059
359-14-100	NEW-C	00-06-049	365-197-030	NEW-P	00-03-067	388-02-0130	NEW-P	00-10-034
359-14-100	NEW	00-10-028	365-197-030	NEW-W	00-16-097	388-02-0130	NEW	00-18-059
359-14-130	NEW-P	00-04-054	365-197-040	NEW-P	00-03-067	388-02-0135	NEW-P	00-10-034
359-14-130	NEW-C	00-06-049	365-197-040	NEW-W	00-16-097	388-02-0135	NEW	00-18-059
359-14-130	NEW	00-10-028	365-197-050	NEW-P	00-03-067	388-02-0140	NEW-P	00-10-034
359-40-010	NEW-P	00-04-054	365-197-050	NEW-W	00-16-097	388-02-0140	NEW	00-18-059

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-02-0610	NEW-P	00-10-034	388-08-437	REP-P	00-10-094	388-11-100	REP-S	00-21-113
388-02-0610	NEW	00-18-059	388-08-437	REP	00-18-058	388-11-120	PREP	00-06-039
388-02-0615	NEW-P	00-10-034	388-08-440	REP-P	00-10-094	388-11-120	AMD-P	00-10-096
388-02-0615	NEW	00-18-059	388-08-440	REP	00-18-058	388-11-120	AMD	00-15-016
388-02-0620	NEW-P	00-10-034	388-08-446	REP-P	00-10-094	388-11-120	REP-P	00-16-114
388-02-0620	NEW	00-18-059	388-08-446	REP	00-18-058	388-11-120	AMD	00-20-022
388-02-0625	NEW-P	00-10-034	388-08-449	REP-P	00-10-094	388-11-120	REP-S	00-21-113
388-02-0625	NEW	00-18-059	388-08-449	REP	00-18-058	388-11-135	PREP	00-06-039
388-02-0630	NEW-P	00-10-034	388-08-452	REP-P	00-10-094	388-11-135	REP-P	00-16-114
388-02-0630	NEW	00-18-059	388-08-452	REP	00-18-058	388-11-135	REP-S	00-21-113
388-02-0635	NEW-P	00-10-034	388-08-461	REP-P	00-10-094	388-11-140	PREP	00-06-039
388-02-0635	NEW	00-18-059	388-08-461	REP	00-18-058	388-11-140	REP-P	00-16-114
388-02-0640	NEW-P	00-10-034	388-08-462	REP-P	00-10-094	388-11-140	REP-S	00-21-113
388-02-0640	NEW	00-18-059	388-08-462	REP	00-18-058	388-11-143	REP-P	00-16-114
388-02-0645	NEW-P	00-10-034	388-08-464	REP-P	00-10-094	388-11-143	REP-S	00-21-113
388-02-0645	NEW	00-18-059	388-08-464	REP	00-18-058	388-11-145	PREP	00-06-039
388-02-0650	NEW-P	00-10-034	388-08-466	REP-P	00-10-094	388-11-145	REP-P	00-16-114
388-02-0650	NEW	00-18-059	388-08-466	REP	00-18-058	388-11-145	REP-S	00-21-113
388-03-010	NEW	00-06-014	388-08-470	REP-P	00-10-094	388-11-150	PREP	00-06-039
388-03-020	NEW	00-06-014	388-08-470	REP	00-18-058	388-11-150	AMD-P	00-10-096
388-03-030	NEW	00-06-014	388-08-515	REP-P	00-10-094	388-11-150	AMD	00-15-016
388-03-050	NEW	00-06-014	388-08-515	REP	00-18-058	388-11-150	REP-P	00-16-114
388-03-060	NEW	00-06-014	388-08-525	REP-P	00-10-094	388-11-150	AMD	00-20-022
388-03-110	NEW	00-06-014	388-08-525	REP	00-18-058	388-11-150	REP-S	00-21-113
388-03-112	NEW	00-06-014	388-08-535	REP-P	00-10-094	388-11-155	PREP	00-06-039
388-03-114	NEW	00-06-014	388-08-535	REP	00-18-058	388-11-155	REP-P	00-16-114
388-03-115	NEW	00-06-014	388-08-545	REP-P	00-10-094	388-11-155	REP-S	00-21-113
388-03-116	NEW	00-06-014	388-08-545	REP	00-18-058	388-11-170	PREP	00-06-039
388-03-117	NEW	00-06-014	388-08-555	REP-P	00-10-094	388-11-170	REP-P	00-16-114
388-03-118	NEW	00-06-014	388-08-555	REP	00-18-058	388-11-170	REP-S	00-21-113
388-03-120	NEW	00-06-014	388-08-565	REP-P	00-10-094	388-11-180	PREP	00-06-039
388-03-122	NEW	00-06-014	388-08-565	REP	00-18-058	388-11-180	REP-P	00-16-114
388-03-123	NEW	00-06-014	388-08-575	REP-P	00-10-094	388-11-180	REP-S	00-21-113
388-03-124	NEW	00-06-014	388-08-575	REP	00-18-058	388-11-205	PREP	00-06-039
388-03-125	NEW	00-06-014	388-08-585	REP-P	00-10-094	388-11-205	REP-P	00-16-114
388-03-126	NEW	00-06-014	388-08-585	REP	00-18-058	388-11-205	REP-S	00-21-113
388-03-130	NEW	00-06-014	388-11-011	PREP	00-06-039	388-11-210	PREP	00-06-039
388-03-132	NEW	00-06-014	388-11-011	AMD-P	00-10-096	388-11-210	REP-P	00-16-114
388-03-133	NEW	00-06-014	388-11-011	AMD	00-15-016	388-11-210	REP-S	00-21-113
388-03-135	NEW	00-06-014	388-11-011	REP-P	00-16-114	388-11-215	PREP	00-06-039
388-03-138	NEW	00-06-014	388-11-011	AMD	00-20-022	388-11-215	REP-P	00-16-114
388-03-140	NEW	00-06-014	388-11-011	REP-S	00-21-113	388-11-215	REP-S	00-21-113
388-03-150	NEW	00-06-014	388-11-015	PREP	00-06-039	388-11-220	PREP	00-06-039
388-03-152	NEW	00-06-014	388-11-015	REP-P	00-16-114	388-11-220	REP-P	00-16-114
388-03-154	NEW	00-06-014	388-11-015	REP-S	00-21-113	388-11-220	REP-S	00-21-113
388-03-156	NEW	00-06-014	388-11-045	PREP	00-06-039	388-11-280	PREP	00-06-039
388-03-170	NEW	00-06-014	388-11-045	REP-P	00-16-114	388-11-280	REP-P	00-16-114
388-03-172	NEW	00-06-014	388-11-045	REP-S	00-21-113	388-11-280	REP-S	00-21-113
388-03-174	NEW	00-06-014	388-11-048	PREP	00-06-039	388-11-285	PREP	00-06-039
388-03-176	NEW	00-06-014	388-11-048	REP-P	00-16-114	388-11-285	REP-P	00-10-096
388-08-410	REP-P	00-10-094	388-11-048	REP-S	00-21-113	388-11-285	REP	00-15-016
388-08-410	REP	00-18-058	388-11-065	PREP	00-06-039	388-11-285	REP	00-20-022
388-08-413	REP-P	00-10-094	388-11-065	REP-P	00-16-114	388-11-290	PREP	00-06-039
388-08-413	REP	00-18-058	388-11-065	REP-S	00-21-113	388-11-290	REP-P	00-10-096
388-08-425	REP-P	00-10-094	388-11-067	PREP	00-06-039	388-11-290	REP	00-15-016
388-08-425	REP	00-18-058	388-11-067	REP-P	00-16-114	388-11-290	REP	00-20-022
388-08-428	REP-P	00-10-094	388-11-067	REP-S	00-21-113	388-11-295	PREP	00-06-039
388-08-428	REP	00-18-058	388-11-100	PREP	00-06-039	388-11-295	REP-P	00-10-096
388-08-431	REP-P	00-10-094	388-11-100	AMD-P	00-10-096	388-11-295	REP	00-15-016
388-08-431	REP	00-18-058	388-11-100	AMD	00-15-016	388-11-295	REP	00-20-022
388-08-434	REP-P	00-10-094	388-11-100	REP-P	00-16-114	388-11-300	PREP	00-06-039
388-08-434	REP	00-18-058	388-11-100	AMD	00-20-022	388-11-300	REP-P	00-16-114

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 11-300	REP-S	00-21-113	388- 13-040	REP-S	00-21-113	388- 14-250	PREP	00-06-039
388- 11-305	PREP	00-06-039	388- 13-050	REP-P	00-16-114	388- 14-250	REP-P	00-16-114
388- 11-305	AMD-P	00-10-096	388- 13-050	REP-S	00-21-113	388- 14-250	REP-S	00-21-113
388- 11-305	AMD	00-15-016	388- 13-060	REP-P	00-16-114	388- 14-260	PREP	00-06-039
388- 11-305	REP-P	00-16-114	388- 13-060	REP-S	00-21-113	388- 14-260	REP-P	00-16-114
388- 11-305	AMD	00-20-022	388- 13-070	REP-P	00-16-114	388- 14-260	REP-S	00-21-113
388- 11-305	REP-S	00-21-113	388- 13-070	REP-S	00-21-113	388- 14-270	PREP	00-06-039
388- 11-310	PREP	00-06-039	388- 13-085	REP-P	00-16-114	388- 14-270	REP-P	00-16-114
388- 11-310	AMD-P	00-10-096	388- 13-085	REP-S	00-21-113	388- 14-270	REP-S	00-21-113
388- 11-310	AMD	00-15-016	388- 13-090	REP-P	00-16-114	388- 14-271	PREP	00-06-039
388- 11-310	REP-P	00-16-114	388- 13-090	REP-S	00-21-113	388- 14-271	REP-P	00-16-114
388- 11-310	AMD	00-20-022	388- 13-100	REP-P	00-16-114	388- 14-271	REP-S	00-21-113
388- 11-310	REP-S	00-21-113	388- 13-100	REP-S	00-21-113	388- 14-272	PREP	00-06-039
388- 11-315	PREP	00-06-039	388- 13-110	REP-P	00-16-114	388- 14-272	REP-P	00-16-114
388- 11-315	REP-P	00-06-068	388- 13-110	REP-S	00-21-113	388- 14-272	REP-S	00-21-113
388- 11-315	REP	00-09-076	388- 13-120	REP-P	00-16-114	388- 14-273	PREP	00-06-039
388- 11-320	PREP	00-06-039	388- 13-120	REP-S	00-21-113	388- 14-273	REP-P	00-16-114
388- 11-320	REP-P	00-16-114	388- 14-010	PREP	00-06-039	388- 14-273	REP-S	00-21-113
388- 11-320	REP-S	00-21-113	388- 14-010	REP-P	00-16-114	388- 14-274	PREP	00-06-039
388- 11-325	PREP	00-06-039	388- 14-010	REP-S	00-21-113	388- 14-274	REP-P	00-16-114
388- 11-325	REP-P	00-16-114	388- 14-020	PREP	00-06-039	388- 14-274	REP-S	00-21-113
388- 11-325	REP-S	00-21-113	388- 14-020	REP-P	00-16-114	388- 14-276	PREP	00-06-039
388- 11-330	PREP	00-06-039	388- 14-020	REP-S	00-21-113	388- 14-276	REP-P	00-16-114
388- 11-330	REP-P	00-16-114	388- 14-030	PREP	00-06-039	388- 14-276	REP-S	00-21-113
388- 11-330	REP-S	00-21-113	388- 14-030	REP-P	00-16-114	388- 14-300	PREP	00-06-039
388- 11-335	PREP	00-06-039	388- 14-030	REP-S	00-21-113	388- 14-300	REP-P	00-16-114
388- 11-335	REP-P	00-16-114	388- 14-035	PREP	00-06-039	388- 14-300	REP-S	00-21-113
388- 11-335	REP-S	00-21-113	388- 14-035	REP-P	00-16-114	388- 14-310	PREP	00-06-039
388- 11-340	PREP	00-06-039	388- 14-035	REP-S	00-21-113	388- 14-310	REP-P	00-16-114
388- 11-340	REP-P	00-16-114	388- 14-040	PREP	00-06-039	388- 14-310	REP-S	00-21-113
388- 11-340	REP-S	00-21-113	388- 14-040	REP-P	00-16-114	388- 14-350	PREP	00-06-039
388- 11-400	PREP	00-06-039	388- 14-040	REP-S	00-21-113	388- 14-350	REP-P	00-16-114
388- 11-400	REP-P	00-10-096	388- 14-045	PREP	00-06-039	388- 14-350	REP-S	00-21-113
388- 11-400	REP	00-15-016	388- 14-045	REP-P	00-16-114	388- 14-360	PREP	00-06-039
388- 11-400	REP	00-20-022	388- 14-045	REP-S	00-21-113	388- 14-360	REP-P	00-16-114
388- 11-410	PREP	00-06-039	388- 14-050	PREP	00-06-039	388- 14-360	REP-S	00-21-113
388- 11-410	REP-P	00-10-096	388- 14-050	REP-P	00-16-114	388- 14-365	PREP	00-06-039
388- 11-410	REP	00-15-016	388- 14-050	REP-S	00-21-113	388- 14-365	REP-P	00-16-114
388- 11-415	PREP	00-06-039	388- 14-100	PREP	00-06-039	388- 14-365	REP-S	00-21-113
388- 11-415	REP-P	00-10-096	388- 14-100	REP-P	00-16-114	388- 14-370	PREP	00-06-039
388- 11-415	REP	00-15-016	388- 14-100	REP-S	00-21-113	388- 14-370	REP-P	00-16-114
388- 11-415	REP	00-20-022	388- 14-200	PREP	00-06-039	388- 14-370	REP-S	00-21-113
388- 11-420	PREP	00-06-039	388- 14-200	REP-P	00-16-114	388- 14-376	PREP	00-06-039
388- 11-420	REP-P	00-10-096	388- 14-200	REP-S	00-21-113	388- 14-376	REP-P	00-16-114
388- 11-420	REP	00-15-016	388- 14-201	PREP	00-06-039	388- 14-376	REP-S	00-21-113
388- 11-420	REP	00-20-022	388- 14-201	REP-P	00-16-114	388- 14-385	PREP	00-06-039
388- 11-425	PREP	00-06-039	388- 14-201	REP-S	00-21-113	388- 14-385	REP-P	00-16-114
388- 11-425	REP-P	00-10-096	388- 14-202	PREP	00-06-039	388- 14-385	REP-S	00-21-113
388- 11-425	REP	00-15-016	388- 14-202	REP-P	00-16-114	388- 14-386	PREP	00-06-039
388- 11-425	REP	00-20-022	388- 14-202	REP-S	00-21-113	388- 14-386	REP-P	00-16-114
388- 11-430	PREP	00-06-039	388- 14-203	PREP	00-06-039	388- 14-386	REP-S	00-21-113
388- 11-430	REP-P	00-10-096	388- 14-203	REP-P	00-16-114	388- 14-387	PREP	00-06-039
388- 11-430	REP	00-15-016	388- 14-203	REP-S	00-21-113	388- 14-387	REP-P	00-16-114
388- 11-430	REP	00-20-022	388- 14-205	PREP	00-06-039	388- 14-387	REP-S	00-21-113
388- 13	PREP	00-06-039	388- 14-205	REP-P	00-16-114	388- 14-388	PREP	00-06-039
388- 13-010	REP-P	00-16-114	388- 14-205	REP-S	00-21-113	388- 14-388	REP-P	00-16-114
388- 13-010	REP-S	00-21-113	388- 14-210	PREP	00-06-039	388- 14-388	REP-S	00-21-113
388- 13-020	REP-P	00-16-114	388- 14-210	REP-P	00-16-114	388- 14-390	PREP	00-06-039
388- 13-020	REP-S	00-21-113	388- 14-210	REP-S	00-21-113	388- 14-390	REP-P	00-16-114
388- 13-030	REP-P	00-16-114	388- 14-220	PREP	00-06-039	388- 14-390	REP-S	00-21-113
388- 13-030	REP-S	00-21-113	388- 14-220	REP-P	00-16-114	388- 14-395	PREP	00-06-039
388- 13-040	REP-P	00-16-114	388- 14-220	REP-S	00-21-113	388- 14-395	REP-P	00-16-114

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14-395	REP-S	00-21-113	388- 14-530	REP-P	00-16-114	388- 14A-2038	NEW-S	00-21-113
388- 14-410	PREP	00-06-039	388- 14-530	REP-S	00-21-113	388- 14A-2040	NEW-P	00-16-114
388- 14-410	REP-P	00-16-114	388- 14-540	PREP	00-06-039	388- 14A-2040	NEW-S	00-21-113
388- 14-410	REP-S	00-21-113	388- 14-540	REP-P	00-16-114	388- 14A-2041	NEW-P	00-16-114
388- 14-415	PREP	00-06-039	388- 14-540	REP-S	00-21-113	388- 14A-2041	NEW-S	00-21-113
388- 14-415	REP-P	00-16-114	388- 14-550	PREP	00-06-039	388- 14A-2045	NEW-P	00-16-114
388- 14-415	REP-S	00-21-113	388- 14-550	REP-P	00-16-114	388- 14A-2045	NEW-S	00-21-113
388- 14-420	PREP	00-06-039	388- 14-550	REP-S	00-21-113	388- 14A-2050	NEW-P	00-16-114
388- 14-420	REP-P	00-16-114	388- 14-560	PREP	00-06-039	388- 14A-2050	NEW-S	00-21-113
388- 14-420	REP-S	00-21-113	388- 14-560	REP-P	00-16-114	388- 14A-2060	NEW-P	00-16-114
388- 14-421	PREP	00-06-039	388- 14-560	REP-S	00-21-113	388- 14A-2060	NEW-S	00-21-113
388- 14-421	REP-P	00-16-114	388- 14-570	PREP	00-06-039	388- 14A-2065	NEW-P	00-16-114
388- 14-421	REP-S	00-21-113	388- 14-570	REP-P	00-16-114	388- 14A-2065	NEW-S	00-21-113
388- 14-422	PREP	00-06-039	388- 14-570	REP-S	00-21-113	388- 14A-2070	NEW-P	00-16-114
388- 14-422	REP-P	00-16-114	388- 14A-1000	NEW-P	00-16-114	388- 14A-2070	NEW-S	00-21-113
388- 14-422	REP-S	00-21-113	388- 14A-1000	NEW-S	00-21-113	388- 14A-2075	NEW-P	00-16-114
388- 14-423	PREP	00-06-039	388- 14A-1005	NEW-P	00-16-114	388- 14A-2075	NEW-S	00-21-113
388- 14-423	REP-P	00-16-114	388- 14A-1005	NEW-S	00-21-113	388- 14A-2080	NEW-P	00-16-114
388- 14-423	REP-S	00-21-113	388- 14A-1010	NEW-P	00-16-114	388- 14A-2080	NEW-S	00-21-113
388- 14-424	PREP	00-06-039	388- 14A-1010	NEW-S	00-21-113	388- 14A-2085	NEW-P	00-16-114
388- 14-424	REP-P	00-16-114	388- 14A-1015	NEW-P	00-16-114	388- 14A-2085	NEW-S	00-21-113
388- 14-424	REP-S	00-21-113	388- 14A-1015	NEW-S	00-21-113	388- 14A-2090	NEW-P	00-16-114
388- 14-427	PREP	00-06-039	388- 14A-1020	NEW-P	00-16-114	388- 14A-2090	NEW-S	00-21-113
388- 14-427	REP-P	00-16-114	388- 14A-1020	NEW-S	00-21-113	388- 14A-2095	NEW-P	00-16-114
388- 14-427	REP-S	00-21-113	388- 14A-1025	NEW-P	00-16-114	388- 14A-2095	NEW-S	00-21-113
388- 14-435	PREP	00-06-039	388- 14A-1025	NEW-S	00-21-113	388- 14A-2097	NEW-P	00-16-114
388- 14-435	REP-P	00-16-114	388- 14A-1030	NEW-P	00-16-114	388- 14A-2097	NEW-S	00-21-113
388- 14-435	REP-S	00-21-113	388- 14A-1030	NEW-S	00-21-113	388- 14A-2099	NEW-P	00-16-114
388- 14-440	PREP	00-06-039	388- 14A-1035	NEW-P	00-16-114	388- 14A-2099	NEW-S	00-21-113
388- 14-440	REP-P	00-16-114	388- 14A-1035	NEW-S	00-21-113	388- 14A-2105	NEW-P	00-16-114
388- 14-440	REP-S	00-21-113	388- 14A-1036	NEW-S	00-21-113	388- 14A-2105	NEW-S	00-21-113
388- 14-445	PREP	00-06-039	388- 14A-1040	NEW-P	00-16-114	388- 14A-2110	NEW-P	00-16-114
388- 14-445	REP-P	00-10-096	388- 14A-1040	NEW-S	00-21-113	388- 14A-2110	NEW-S	00-21-113
388- 14-445	REP	00-15-016	388- 14A-1045	NEW-P	00-16-114	388- 14A-2115	NEW-P	00-16-114
388- 14-445	REP	00-20-022	388- 14A-1045	NEW-S	00-21-113	388- 14A-2115	NEW-S	00-21-113
388- 14-450	PREP	00-06-039	388- 14A-1050	NEW-P	00-16-114	388- 14A-2120	NEW-P	00-16-114
388- 14-450	REP-P	00-16-114	388- 14A-1050	NEW-S	00-21-113	388- 14A-2120	NEW-S	00-21-113
388- 14-450	REP-S	00-21-113	388- 14A-1055	NEW-P	00-16-114	388- 14A-2125	NEW-P	00-16-114
388- 14-460	PREP	00-06-039	388- 14A-1055	NEW-S	00-21-113	388- 14A-2125	NEW-S	00-21-113
388- 14-460	REP-P	00-16-114	388- 14A-1060	NEW-P	00-16-114	388- 14A-2150	NEW-P	00-16-114
388- 14-460	REP-S	00-21-113	388- 14A-1060	NEW-S	00-21-113	388- 14A-2150	NEW-S	00-21-113
388- 14-480	PREP	00-06-039	388- 14A-2000	NEW-P	00-16-114	388- 14A-2155	NEW-P	00-16-114
388- 14-480	REP-P	00-16-114	388- 14A-2000	NEW-S	00-21-113	388- 14A-2155	NEW-S	00-21-113
388- 14-480	REP-S	00-21-113	388- 14A-2005	NEW-P	00-16-114	388- 14A-2160	NEW-P	00-16-114
388- 14-490	PREP	00-06-039	388- 14A-2005	NEW-S	00-21-113	388- 14A-2160	NEW-S	00-21-113
388- 14-490	REP-P	00-16-114	388- 14A-2010	NEW-P	00-16-114	388- 14A-3100	NEW-P	00-10-096
388- 14-490	REP-S	00-21-113	388- 14A-2010	NEW-S	00-21-113	388- 14A-3100	NEW	00-15-016
388- 14-495	PREP	00-06-039	388- 14A-2015	NEW-P	00-16-114	388- 14A-3100	NEW	00-20-022
388- 14-495	REP-P	00-16-114	388- 14A-2015	NEW-S	00-21-113	388- 14A-3102	NEW-P	00-10-096
388- 14-495	REP-S	00-21-113	388- 14A-2020	NEW-P	00-16-114	388- 14A-3102	NEW	00-15-016
388- 14-496	REP-P	00-16-114	388- 14A-2020	NEW-S	00-21-113	388- 14A-3102	NEW	00-20-022
388- 14-496	REP-S	00-21-113	388- 14A-2025	NEW-P	00-16-114	388- 14A-3105	NEW-P	00-10-096
388- 14-500	PREP	00-06-039	388- 14A-2025	NEW-S	00-21-113	388- 14A-3105	NEW	00-15-016
388- 14-500	REP-P	00-16-114	388- 14A-2030	NEW-P	00-16-114	388- 14A-3105	NEW	00-20-022
388- 14-500	REP-S	00-21-113	388- 14A-2030	NEW-S	00-21-113	388- 14A-3110	NEW-P	00-10-096
388- 14-510	PREP	00-06-039	388- 14A-2035	NEW-P	00-16-114	388- 14A-3110	NEW	00-15-016
388- 14-510	REP-P	00-16-114	388- 14A-2035	NEW-S	00-21-113	388- 14A-3110	NEW	00-20-022
388- 14-510	REP-S	00-21-113	388- 14A-2036	NEW-P	00-16-114	388- 14A-3115	NEW-P	00-10-096
388- 14-520	PREP	00-06-039	388- 14A-2036	NEW-S	00-21-113	388- 14A-3115	NEW	00-15-016
388- 14-520	REP-P	00-16-114	388- 14A-2037	NEW-P	00-16-114	388- 14A-3115	NEW	00-20-022
388- 14-520	REP-S	00-21-113	388- 14A-2037	NEW-S	00-21-113	388- 14A-3120	NEW-P	00-10-096
388- 14-530	PREP	00-06-039	388- 14A-2038	NEW-P	00-16-114	388- 14A-3120	NEW	00-15-016

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-3120	NEW	00-20-022	388- 14A-3860	NEW-P	00-06-068	388- 14A-4600	NEW-S	00-21-113
388- 14A-3125	NEW-P	00-10-096	388- 14A-3860	NEW	00-09-076	388- 14A-4605	NEW-P	00-16-114
388- 14A-3125	NEW	00-15-016	388- 14A-3865	NEW-P	00-06-068	388- 14A-4605	NEW-S	00-21-113
388- 14A-3125	NEW	00-20-022	388- 14A-3865	NEW	00-09-076	388- 14A-4610	NEW-P	00-16-114
388- 14A-3130	NEW-P	00-10-096	388- 14A-3870	NEW-P	00-06-068	388- 14A-4610	NEW-S	00-21-113
388- 14A-3130	NEW	00-15-016	388- 14A-3870	NEW	00-09-076	388- 14A-4615	NEW-P	00-16-114
388- 14A-3130	NEW	00-20-022	388- 14A-3875	NEW-P	00-06-068	388- 14A-4615	NEW-S	00-21-113
388- 14A-3131	NEW-P	00-10-096	388- 14A-3875	NEW	00-09-076	388- 14A-4620	NEW-P	00-16-114
388- 14A-3131	NEW	00-15-016	388- 14A-3900	NEW-P	00-16-114	388- 14A-4620	NEW-S	00-21-113
388- 14A-3131	NEW	00-20-022	388- 14A-3900	NEW-S	00-21-113	388- 14A-5000	NEW-P	00-16-114
388- 14A-3132	NEW-P	00-10-096	388- 14A-3901	NEW-S	00-21-113	388- 14A-5000	NEW-S	00-21-113
388- 14A-3132	NEW	00-15-016	388- 14A-3902	NEW-S	00-21-113	388- 14A-5001	NEW-S	00-21-113
388- 14A-3132	NEW	00-20-022	388- 14A-3903	NEW-S	00-21-113	388- 14A-5002	NEW-S	00-21-113
388- 14A-3133	NEW-P	00-10-096	388- 14A-3904	NEW-S	00-21-113	388- 14A-5003	NEW-S	00-21-113
388- 14A-3133	NEW	00-15-016	388- 14A-3905	NEW-S	00-21-113	388- 14A-5004	NEW-S	00-21-113
388- 14A-3133	NEW	00-20-022	388- 14A-3906	NEW-S	00-21-113	388- 14A-5005	NEW-S	00-21-113
388- 14A-3135	NEW-P	00-10-096	388- 14A-3907	NEW-S	00-21-113	388- 14A-5006	NEW-S	00-21-113
388- 14A-3135	NEW	00-15-016	388- 14A-3925	NEW-P	00-16-114	388- 14A-5007	NEW-S	00-21-113
388- 14A-3135	NEW	00-20-022	388- 14A-3925	NEW-S	00-21-113	388- 14A-5008	NEW-S	00-21-113
388- 14A-3140	NEW-P	00-10-096	388- 14A-4000	NEW-P	00-16-114	388- 14A-5050	NEW-P	00-16-114
388- 14A-3140	NEW	00-15-016	388- 14A-4000	NEW-S	00-21-113	388- 14A-5050	NEW-S	00-21-113
388- 14A-3140	NEW	00-20-022	388- 14A-4010	NEW-P	00-16-114	388- 14A-5100	NEW-P	00-16-114
388- 14A-3200	NEW-P	00-10-096	388- 14A-4010	NEW-S	00-21-113	388- 14A-5100	NEW-S	00-21-113
388- 14A-3200	NEW	00-15-016	388- 14A-4020	NEW-P	00-16-114	388- 14A-5200	NEW-P	00-16-114
388- 14A-3200	NEW	00-20-022	388- 14A-4020	NEW-S	00-21-113	388- 14A-5200	NEW-S	00-21-113
388- 14A-3205	NEW-P	00-10-096	388- 14A-4030	NEW-P	00-16-114	388- 14A-5300	NEW-P	00-16-114
388- 14A-3205	NEW	00-15-016	388- 14A-4030	NEW-S	00-21-113	388- 14A-5300	NEW-S	00-21-113
388- 14A-3205	NEW	00-20-022	388- 14A-4040	NEW-P	00-16-114	388- 14A-5400	NEW-P	00-16-114
388- 14A-3275	NEW-P	00-16-114	388- 14A-4040	NEW-S	00-21-113	388- 14A-5400	NEW-S	00-21-113
388- 14A-3275	NEW-S	00-21-113	388- 14A-4100	NEW-P	00-16-114	388- 14A-5500	NEW-P	00-16-114
388- 14A-3300	NEW-P	00-16-114	388- 14A-4100	NEW-S	00-21-113	388- 14A-5500	NEW-S	00-21-113
388- 14A-3300	NEW-S	00-21-113	388- 14A-4110	NEW-P	00-16-114	388- 14A-5505	NEW-P	00-16-114
388- 14A-3304	NEW-P	00-16-114	388- 14A-4110	NEW-S	00-21-113	388- 14A-5505	NEW-S	00-21-113
388- 14A-3304	NEW-S	00-21-113	388- 14A-4115	NEW-P	00-16-114	388- 14A-5510	NEW-P	00-16-114
388- 14A-3310	NEW-P	00-16-114	388- 14A-4115	NEW-S	00-21-113	388- 14A-5510	NEW-S	00-21-113
388- 14A-3310	NEW-S	00-21-113	388- 14A-4120	NEW-P	00-16-114	388- 14A-5515	NEW-P	00-16-114
388- 14A-3315	NEW-P	00-16-114	388- 14A-4120	NEW-S	00-21-113	388- 14A-5515	NEW-S	00-21-113
388- 14A-3315	NEW-S	00-21-113	388- 14A-4130	NEW-P	00-16-114	388- 14A-5520	NEW-P	00-16-114
388- 14A-3320	NEW-P	00-16-114	388- 14A-4130	NEW-S	00-21-113	388- 14A-5520	NEW-S	00-21-113
388- 14A-3320	NEW-S	00-21-113	388- 14A-4200	NEW-P	00-16-114	388- 14A-5525	NEW-P	00-16-114
388- 14A-3350	NEW-P	00-16-114	388- 14A-4200	NEW-S	00-21-113	388- 14A-5525	NEW-S	00-21-113
388- 14A-3350	NEW-S	00-21-113	388- 14A-4300	NEW-P	00-16-114	388- 14A-5530	NEW-P	00-16-114
388- 14A-3370	NEW-P	00-16-114	388- 14A-4300	NEW-S	00-21-113	388- 14A-5530	NEW-S	00-21-113
388- 14A-3370	NEW-S	00-21-113	388- 14A-4301	NEW-S	00-21-113	388- 14A-5535	NEW-P	00-16-114
388- 14A-3375	NEW-P	00-16-114	388- 14A-4302	NEW-S	00-21-113	388- 14A-5535	NEW-S	00-21-113
388- 14A-3375	NEW-S	00-21-113	388- 14A-4303	NEW-S	00-21-113	388- 14A-5540	NEW-P	00-16-114
388- 14A-3400	NEW-P	00-16-114	388- 14A-4304	NEW-S	00-21-113	388- 14A-5540	NEW-S	00-21-113
388- 14A-3400	NEW-S	00-21-113	388- 14A-4500	NEW-P	00-16-114	388- 14A-6000	NEW-P	00-16-114
388- 14A-3500	NEW-P	00-16-114	388- 14A-4500	NEW-S	00-21-113	388- 14A-6000	NEW-S	00-21-113
388- 14A-3500	NEW-S	00-21-113	388- 14A-4505	NEW-P	00-16-114	388- 14A-6100	NEW-P	00-16-114
388- 14A-3600	NEW-P	00-16-114	388- 14A-4505	NEW-S	00-21-113	388- 14A-6100	NEW-S	00-21-113
388- 14A-3600	NEW-S	00-21-113	388- 14A-4510	NEW-P	00-16-114	388- 14A-6200	NEW-P	00-16-114
388- 14A-3700	NEW-P	00-16-114	388- 14A-4510	NEW-S	00-21-113	388- 14A-6200	NEW-S	00-21-113
388- 14A-3700	NEW-S	00-21-113	388- 14A-4515	NEW-P	00-16-114	388- 14A-6300	NEW-P	00-16-114
388- 14A-3800	NEW-P	00-16-114	388- 14A-4515	NEW-S	00-21-113	388- 14A-6300	NEW-S	00-21-113
388- 14A-3800	NEW-S	00-21-113	388- 14A-4520	NEW-P	00-16-114	388- 14A-6400	NEW-P	00-16-114
388- 14A-3810	NEW-P	00-16-114	388- 14A-4520	NEW-S	00-21-113	388- 14A-6400	NEW-S	00-21-113
388- 14A-3810	NEW-S	00-21-113	388- 14A-4525	NEW-P	00-16-114	388- 14A-6405	NEW-P	00-16-114
388- 14A-3850	NEW-P	00-06-068	388- 14A-4525	NEW-S	00-21-113	388- 14A-6405	NEW-S	00-21-113
388- 14A-3850	NEW	00-09-076	388- 14A-4530	NEW-P	00-16-114	388- 14A-6410	NEW-P	00-16-114
388- 14A-3855	NEW-P	00-06-068	388- 14A-4530	NEW-S	00-21-113	388- 14A-6410	NEW-S	00-21-113
388- 14A-3855	NEW	00-09-076	388- 14A-4600	NEW-P	00-16-114	388- 14A-6415	NEW-P	00-16-114

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-6415	NEW-S	00-21-113	388- 15-134	REP-P	00-17-188	388- 15-659	PREP	00-08-049
388- 14A-6500	NEW-P	00-16-114	388- 15-135	NEW-P	00-17-188	388- 15-660	PREP	00-08-049
388- 14A-6500	NEW-S	00-21-113	388- 15-141	NEW-P	00-17-188	388- 15-661	PREP	00-08-049
388- 14A-7100	NEW-P	00-16-114	388- 15-145	REP	00-04-056	388- 15-662	PREP	00-08-049
388- 14A-7100	NEW-S	00-21-113	388- 15-150	REP-P	00-17-189	388- 15-690	REP	00-04-056
388- 14A-7200	NEW-P	00-16-114	388- 15-160	REP-P	00-17-189	388- 15-695	REP	00-04-056
388- 14A-7200	NEW-S	00-21-113	388- 15-194	PREP	00-11-092	388- 15-700	REP	00-04-056
388- 14A-8100	NEW-P	00-16-114	388- 15-196	REP	00-03-043	388- 15-705	REP	00-04-056
388- 14A-8100	NEW-S	00-21-113	388- 15-19600	REP	00-03-043	388- 15-710	REP	00-04-056
388- 14A-8105	NEW-P	00-16-114	388- 15-19610	REP	00-03-043	388- 15-715	REP	00-04-056
388- 14A-8105	NEW-S	00-21-113	388- 15-19620	REP	00-03-043	388- 15-810	REP	00-04-056
388- 14A-8110	NEW-P	00-16-114	388- 15-19630	REP	00-03-043	388- 15-830	REP	00-04-056
388- 14A-8110	NEW-S	00-21-113	388- 15-19640	REP	00-03-043	388- 15-880	REP	00-04-056
388- 14A-8120	NEW-P	00-16-114	388- 15-19650	REP	00-03-043	388- 15-890	REP	00-04-056
388- 14A-8120	NEW-S	00-21-113	388- 15-19660	REP	00-03-043	388- 15-895	REP	00-04-056
388- 14A-8200	NEW-P	00-16-114	388- 15-19670	REP	00-03-043	388- 17-010	REP	00-04-056
388- 14A-8200	NEW-S	00-21-113	388- 15-19680	REP	00-03-043	388- 17-020	REP	00-04-056
388- 14A-8300	NEW-P	00-16-114	388- 15-198	REP	00-03-043	388- 17-100	REP	00-04-056
388- 14A-8300	NEW-S	00-21-113	388- 15-200	REP	00-04-056	388- 17-120	REP	00-04-056
388- 14A-8400	NEW-P	00-16-114	388- 15-201	REP	00-04-056	388- 17-160	REP	00-04-056
388- 14A-8400	NEW-S	00-21-113	388- 15-202	PREP	00-11-092	388- 17-180	REP	00-04-056
388- 14A-8500	NEW-P	00-16-114	388- 15-203	PREP	00-11-092	388- 17-500	REP	00-04-056
388- 14A-8500	NEW-S	00-21-113	388- 15-204	PREP	00-11-092	388- 17-510	REP	00-04-056
388- 15	AMD-P	00-17-188	388- 15-205	PREP	00-11-092	388- 18-010	REP-XR	00-11-061
388- 15-001	NEW-P	00-17-188	388- 15-206	REP	00-04-056	388- 18-010	REP	00-17-098
388- 15-005	NEW-P	00-17-188	388- 15-207	REP	00-04-056	388- 18-020	REP-XR	00-11-061
388- 15-009	NEW-P	00-17-188	388- 15-209	REP	00-04-056	388- 18-020	REP	00-17-098
388- 15-013	NEW-P	00-17-188	388- 15-214	REP	00-04-056	388- 18-030	REP-XR	00-11-061
388- 15-017	NEW-P	00-17-188	388- 15-215	REP	00-04-056	388- 18-030	REP	00-17-098
388- 15-021	NEW-P	00-17-188	388- 15-219	REP	00-04-056	388- 18-040	REP-XR	00-11-061
388- 15-025	NEW-P	00-17-188	388- 15-220	REP-P	00-17-189	388- 18-040	REP	00-17-098
388- 15-029	NEW-P	00-17-188	388- 15-222	REP	00-04-056	388- 18-050	REP-XR	00-11-061
388- 15-033	NEW-P	00-17-188	388- 15-360	REP-P	00-16-087	388- 18-050	REP	00-17-098
388- 15-037	NEW-P	00-17-188	388- 15-360	REP-S	00-19-073	388- 18-060	REP-XR	00-11-061
388- 15-041	NEW-P	00-17-188	388- 15-360	REP	00-22-085	388- 18-060	REP	00-17-098
388- 15-045	NEW-P	00-17-188	388- 15-548	REP	00-04-056	388- 18-070	REP-XR	00-11-061
388- 15-049	NEW-P	00-17-188	388- 15-551	REP	00-04-056	388- 18-070	REP	00-17-098
388- 15-053	NEW-P	00-17-188	388- 15-552	REP	00-04-056	388- 18-080	REP-XR	00-11-061
388- 15-057	NEW-P	00-17-188	388- 15-553	REP	00-04-056	388- 18-080	REP	00-17-098
388- 15-061	NEW-P	00-17-188	388- 15-554	REP	00-04-056	388- 18-090	REP-XR	00-11-061
388- 15-065	NEW-P	00-17-188	388- 15-555	REP	00-04-056	388- 18-090	REP	00-17-098
388- 15-069	NEW-P	00-17-188	388- 15-560	REP	00-04-056	388- 18-100	REP-XR	00-11-061
388- 15-073	NEW-P	00-17-188	388- 15-562	REP	00-04-056	388- 18-100	REP	00-17-098
388- 15-077	NEW-P	00-17-188	388- 15-563	REP	00-04-056	388- 18-110	REP-XR	00-11-061
388- 15-081	NEW-P	00-17-188	388- 15-564	REP	00-04-056	388- 18-110	REP	00-17-098
388- 15-085	NEW-P	00-17-188	388- 15-566	REP	00-04-056	388- 18-120	REP-XR	00-11-061
388- 15-089	NEW-P	00-17-188	388- 15-568	REP	00-04-056	388- 18-120	REP	00-17-098
388- 15-093	NEW-P	00-17-188	388- 15-570	REP-P	00-17-189	388- 18-130	REP-XR	00-11-061
388- 15-097	NEW-P	00-17-188	388- 15-600	REP	00-04-056	388- 18-130	REP	00-17-098
388- 15-101	NEW-P	00-17-188	388- 15-610	REP-P	00-10-033	388- 24-2070	REP	00-03-012
388- 15-105	NEW-P	00-17-188	388- 15-610	REP	00-13-077	388- 24-2100	REP	00-03-012
388- 15-109	NEW-P	00-17-188	388- 15-620	REP	00-04-056	388- 24-2150	REP	00-03-012
388- 15-113	NEW-P	00-17-188	388- 15-630	REP	00-04-056	388- 24-2200	REP	00-03-012
388- 15-117	NEW-P	00-17-188	388- 15-650	PREP	00-08-049	388- 24-2250	REP	00-03-012
388- 15-120	REP	00-03-029	388- 15-651	PREP	00-08-049	388- 24-2350	REP	00-03-012
388- 15-121	NEW-P	00-17-188	388- 15-652	PREP	00-08-049	388- 24-2430	REP	00-03-012
388- 15-125	NEW-P	00-17-188	388- 15-653	PREP	00-08-049	388- 25-0005	NEW-P	00-17-189
388- 15-129	NEW-P	00-17-188	388- 15-654	PREP	00-08-049	388- 25-0010	NEW-P	00-17-189
388- 15-130	REP-P	00-17-188	388- 15-655	PREP	00-08-049	388- 25-0015	NEW-P	00-17-189
388- 15-131	REP-P	00-17-188	388- 15-656	PREP	00-08-049	388- 25-0020	NEW-P	00-17-189
388- 15-132	REP-P	00-17-188	388- 15-657	PREP	00-08-049	388- 25-0025	NEW-P	00-17-189
388- 15-133	NEW-P	00-17-188	388- 15-658	PREP	00-08-049	388- 25-0030	NEW-P	00-17-189

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-39A-050	NEW-P	00-17-186	388-60-0165	NEW-P	00-18-018	388-60-0475	NEW-P	00-18-018
388-39A-055	NEW-P	00-17-186	388-60-0165	NEW-C	00-23-066	388-60-0475	NEW-C	00-23-066
388-39A-060	NEW-P	00-17-186	388-60-0175	NEW-P	00-18-018	388-60-0485	NEW-P	00-18-018
388-41-001	REP-S	00-18-031	388-60-0175	NEW-C	00-23-066	388-60-0485	NEW-C	00-23-066
388-41-001	REP	00-23-014	388-60-0185	NEW-P	00-18-018	388-60-0495	NEW-P	00-18-018
388-41-003	REP-S	00-18-031	388-60-0185	NEW-C	00-23-066	388-60-0495	NEW-C	00-23-066
388-41-003	REP	00-23-014	388-60-0195	NEW-P	00-18-018	388-60-0505	NEW-P	00-18-018
388-41-010	REP-S	00-18-031	388-60-0195	NEW-C	00-23-066	388-60-0505	NEW-C	00-23-066
388-41-010	REP	00-23-014	388-60-0205	NEW-P	00-18-018	388-60-0515	NEW-P	00-18-018
388-41-020	REP-P	00-17-161	388-60-0205	NEW-C	00-23-066	388-60-0515	NEW-C	00-23-066
388-41-020	REP	00-23-014	388-60-0215	NEW-P	00-18-018	388-60-0525	NEW-P	00-18-018
388-45-010	REP-P	00-17-003	388-60-0215	NEW-C	00-23-066	388-60-0525	NEW-C	00-23-066
388-45-010	REP	00-22-063	388-60-0225	NEW-P	00-18-018	388-60-0535	NEW-P	00-18-018
388-46-010	PREP	00-13-061	388-60-0225	NEW-C	00-23-066	388-60-0535	NEW-C	00-23-066
388-46-010	REP-P	00-17-045	388-60-0235	NEW-P	00-18-018	388-60-0545	NEW-P	00-18-018
388-46-100	PREP	00-13-061	388-60-0235	NEW-C	00-23-066	388-60-0545	NEW-C	00-23-066
388-46-100	REP-P	00-17-045	388-60-0245	NEW-P	00-18-018	388-60-0555	NEW-P	00-18-018
388-46-110	PREP	00-13-061	388-60-0245	NEW-C	00-23-066	388-60-0555	NEW-C	00-23-066
388-46-110	REP-P	00-17-045	388-60-0255	NEW-P	00-18-018	388-60-0565	NEW-P	00-18-018
388-46-120	PREP	00-13-061	388-60-0255	NEW-C	00-23-066	388-60-0565	NEW-C	00-23-066
388-46-120	REP-P	00-17-045	388-60-0265	NEW-P	00-18-018	388-60-0575	NEW-P	00-18-018
388-55-024	REP-P	00-16-087	388-60-0265	NEW-C	00-23-066	388-60-0575	NEW-C	00-23-066
388-55-024	REP-S	00-19-073	388-60-0275	NEW-P	00-18-018	388-60-0585	NEW-P	00-18-018
388-55-024	REP	00-22-085	388-60-0275	NEW-C	00-23-066	388-60-0585	NEW-C	00-23-066
388-55-027	REP-P	00-16-087	388-60-0285	NEW-P	00-18-018	388-60-0595	NEW-P	00-18-018
388-55-027	REP-S	00-19-073	388-60-0285	NEW-C	00-23-066	388-60-0595	NEW-C	00-23-066
388-55-027	REP	00-22-085	388-60-0295	NEW-P	00-18-018	388-60-0605	NEW-P	00-18-018
388-55-050	REP-P	00-16-087	388-60-0295	NEW-C	00-23-066	388-60-0605	NEW-C	00-23-066
388-55-050	REP-S	00-19-073	388-60-0305	NEW-P	00-18-018	388-60-0615	NEW-P	00-18-018
388-55-050	REP	00-22-085	388-60-0305	NEW-C	00-23-066	388-60-0615	NEW-C	00-23-066
388-60-0015	NEW-P	00-18-018	388-60-0315	NEW-P	00-18-018	388-60-0625	NEW-P	00-18-018
388-60-0015	NEW-C	00-23-066	388-60-0315	NEW-C	00-23-066	388-60-0625	NEW-C	00-23-066
388-60-0025	NEW-P	00-18-018	388-60-0325	NEW-P	00-18-018	388-60-0635	NEW-P	00-18-018
388-60-0025	NEW-C	00-23-066	388-60-0325	NEW-C	00-23-066	388-60-0635	NEW-C	00-23-066
388-60-0035	NEW-P	00-18-018	388-60-0335	NEW-P	00-18-018	388-60-0645	NEW-P	00-18-018
388-60-0035	NEW-C	00-23-066	388-60-0335	NEW-C	00-23-066	388-60-0645	NEW-C	00-23-066
388-60-0045	NEW-P	00-18-018	388-60-0345	NEW-P	00-18-018	388-60-0655	NEW-P	00-18-018
388-60-0045	NEW-C	00-23-066	388-60-0345	NEW-C	00-23-066	388-60-0655	NEW-C	00-23-066
388-60-005	REP-P	00-18-018	388-60-0355	NEW-P	00-18-018	388-60-0665	NEW-P	00-18-018
388-60-005	REP-C	00-23-066	388-60-0355	NEW-C	00-23-066	388-60-0665	NEW-C	00-23-066
388-60-0055	NEW-P	00-18-018	388-60-0365	NEW-P	00-18-018	388-60-0675	NEW-P	00-18-018
388-60-0055	NEW-C	00-23-066	388-60-0365	NEW-C	00-23-066	388-60-0675	NEW-C	00-23-066
388-60-0065	NEW-P	00-18-018	388-60-0375	NEW-P	00-18-018	388-60-0685	NEW-P	00-18-018
388-60-0065	NEW-C	00-23-066	388-60-0375	NEW-C	00-23-066	388-60-0685	NEW-C	00-23-066
388-60-0075	NEW-P	00-18-018	388-60-0385	NEW-P	00-18-018	388-60-0695	NEW-P	00-18-018
388-60-0075	NEW-C	00-23-066	388-60-0385	NEW-C	00-23-066	388-60-0695	NEW-C	00-23-066
388-60-0085	NEW-P	00-18-018	388-60-0395	NEW-P	00-18-018	388-60-0705	NEW-P	00-18-018
388-60-0085	NEW-C	00-23-066	388-60-0395	NEW-C	00-23-066	388-60-0705	NEW-C	00-23-066
388-60-0095	NEW-P	00-18-018	388-60-0405	NEW-P	00-18-018	388-60-0715	NEW-P	00-18-018
388-60-0095	NEW-C	00-23-066	388-60-0405	NEW-C	00-23-066	388-60-0715	NEW-C	00-23-066
388-60-0105	NEW-P	00-18-018	388-60-0415	NEW-P	00-18-018	388-60-0725	NEW-P	00-18-018
388-60-0105	NEW-C	00-23-066	388-60-0415	NEW-C	00-23-066	388-60-0725	NEW-C	00-23-066
388-60-0115	NEW-P	00-18-018	388-60-0425	NEW-P	00-18-018	388-60-0735	NEW-P	00-18-018
388-60-0115	NEW-C	00-23-066	388-60-0425	NEW-C	00-23-066	388-60-0735	NEW-C	00-23-066
388-60-0125	NEW-P	00-18-018	388-60-0435	NEW-P	00-18-018	388-60-0745	NEW-P	00-18-018
388-60-0125	NEW-C	00-23-066	388-60-0435	NEW-C	00-23-066	388-60-0745	NEW-C	00-23-066
388-60-0135	NEW-P	00-18-018	388-60-0445	NEW-P	00-18-018	388-60-0755	NEW-P	00-18-018
388-60-0135	NEW-C	00-23-066	388-60-0445	NEW-C	00-23-066	388-60-0755	NEW-C	00-23-066
388-60-0145	NEW-P	00-18-018	388-60-0455	NEW-P	00-18-018	388-60-120	REP-P	00-18-018
388-60-0145	NEW-C	00-23-066	388-60-0455	NEW-C	00-23-066	388-60-120	REP-C	00-23-066
388-60-0155	NEW-P	00-18-018	388-60-0465	NEW-P	00-18-018	388-60-130	REP-P	00-18-018
388-60-0155	NEW-C	00-23-066	388-60-0465	NEW-C	00-23-066	388-60-130	REP-C	00-23-066

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-60-140	REP-P	00-18-018	388-61A-0185	NEW-P	00-17-160	388-71-0410	NEW	00-04-056
388-60-140	REP-C	00-23-066	388-61A-0190	NEW-P	00-17-160	388-71-0410	PREP	00-11-092
388-60-150	REP-P	00-18-018	388-61A-0195	NEW-P	00-17-160	388-71-0410	PREP	00-17-153
388-60-150	REP-C	00-23-066	388-70-010	REP-P	00-17-189	388-71-0415	NEW	00-04-056
388-60-160	REP-P	00-18-018	388-70-012	REP-P	00-17-189	388-71-0415	PREP	00-17-153
388-60-160	REP-C	00-23-066	388-70-013	REP-P	00-17-189	388-71-0420	NEW	00-04-056
388-60-170	REP-P	00-18-018	388-70-022	REP-P	00-17-189	388-71-0420	PREP	00-17-153
388-60-170	REP-C	00-23-066	388-70-024	REP-P	00-17-189	388-71-0425	NEW	00-04-056
388-60-180	REP-P	00-18-018	388-70-031	REP-P	00-17-189	388-71-0425	PREP	00-17-153
388-60-180	REP-C	00-23-066	388-70-032	REP-P	00-17-189	388-71-0430	NEW	00-04-056
388-60-190	REP-P	00-18-018	388-70-033	REP-P	00-17-189	388-71-0430	AMD-P	00-10-033
388-60-190	REP-C	00-23-066	388-70-034	REP-P	00-17-189	388-71-0430	AMD	00-13-077
388-60-200	REP-P	00-18-018	388-70-035	REP-P	00-17-189	388-71-0430	PREP	00-17-153
388-60-200	REP-C	00-23-066	388-70-036	REP-P	00-17-189	388-71-0435	NEW-P	00-10-033
388-60-210	REP-P	00-18-018	388-70-037	REP-P	00-17-189	388-71-0435	NEW	00-13-077
388-60-210	REP-C	00-23-066	388-70-041	REP-P	00-17-189	388-71-0435	PREP	00-17-153
388-60-220	REP-P	00-18-018	388-70-042	REP-P	00-17-189	388-71-0440	NEW	00-04-056
388-60-220	REP-C	00-23-066	388-70-044	REP-P	00-17-189	388-71-0440	PREP	00-11-092
388-60-230	REP-P	00-18-018	388-70-048	REP-P	00-17-189	388-71-0440	PREP	00-17-153
388-60-230	REP-C	00-23-066	388-70-051	REP-P	00-17-189	388-71-0445	NEW	00-04-056
388-60-240	REP-P	00-18-018	388-70-054	REP-P	00-17-189	388-71-0445	PREP	00-07-100
388-60-240	REP-C	00-23-066	388-70-058	REP-P	00-17-189	388-71-0445	PREP	00-11-092
388-60-250	REP-P	00-18-018	388-70-062	REP-P	00-17-189	388-71-0445	AMD-P	00-12-035
388-60-250	REP-C	00-23-066	388-70-066	REP-P	00-17-189	388-71-0445	PREP	00-17-153
388-60-260	REP-P	00-18-018	388-70-068	REP-P	00-17-189	388-71-0445	AMD	00-18-099
388-60-260	REP-C	00-23-066	388-70-069	REP-P	00-17-189	388-71-0445	AMD-XA	00-21-108
388-61A-0005	NEW-P	00-17-160	388-70-075	REP-P	00-17-189	388-71-0450	NEW	00-04-056
388-61A-0010	NEW-P	00-17-160	388-70-078	REP-P	00-17-189	388-71-0450	PREP	00-17-153
388-61A-0015	NEW-P	00-17-160	388-70-080	REP-P	00-17-189	388-71-0455	NEW	00-04-056
388-61A-0020	NEW-P	00-17-160	388-70-082	REP-P	00-17-189	388-71-0455	PREP	00-17-153
388-61A-0025	NEW-P	00-17-160	388-70-084	REP-P	00-17-189	388-71-0460	NEW	00-04-056
388-61A-0030	NEW-P	00-17-160	388-70-170	REP-P	00-17-189	388-71-0460	PREP	00-17-153
388-61A-0035	NEW-P	00-17-160	388-70-410	REP-P	00-17-189	388-71-0465	NEW	00-04-056
388-61A-0040	NEW-P	00-17-160	388-70-420	REP-P	00-17-189	388-71-0465	PREP	00-17-153
388-61A-0045	NEW-P	00-17-160	388-70-430	REP-P	00-17-189	388-71-0470	NEW	00-04-056
388-61A-0050	NEW-P	00-17-160	388-70-440	REP-P	00-17-189	388-71-0470	PREP	00-07-100
388-61A-0055	NEW-P	00-17-160	388-70-460	REP-P	00-17-189	388-71-0470	AMD-P	00-12-035
388-61A-0060	NEW-P	00-17-160	388-70-470	REP-P	00-17-189	388-71-0470	PREP	00-17-153
388-61A-0065	NEW-P	00-17-160	388-70-480	REP-P	00-17-189	388-71-0470	AMD	00-18-099
388-61A-0070	NEW-P	00-17-160	388-70-510	REP-P	00-17-189	388-71-0475	NEW	00-04-056
388-61A-0075	NEW-P	00-17-160	388-70-520	REP-P	00-17-189	388-71-0475	PREP	00-17-153
388-61A-0080	NEW-P	00-17-160	388-70-530	REP-P	00-17-189	388-71-0480	NEW	00-04-056
388-61A-0085	NEW-P	00-17-160	388-70-540	REP-P	00-17-189	388-71-0480	PREP	00-07-100
388-61A-0090	NEW-P	00-17-160	388-70-550	REP-P	00-17-189	388-71-0480	AMD-P	00-12-035
388-61A-0095	NEW-P	00-17-160	388-70-560	REP-P	00-17-189	388-71-0480	PREP	00-17-153
388-61A-0100	NEW-P	00-17-160	388-70-570	REP-P	00-17-189	388-71-0480	AMD	00-18-099
388-61A-0105	NEW-P	00-17-160	388-70-580	REP-P	00-17-189	388-71-0500	NEW	00-03-043
388-61A-0110	NEW-P	00-17-160	388-70-590	REP-P	00-17-189	388-71-0500	PREP	00-17-154
388-61A-0115	NEW-P	00-17-160	388-70-595	REP-P	00-17-189	388-71-0505	NEW	00-03-043
388-61A-0120	NEW-P	00-17-160	388-70-700	REP-P	00-17-189	388-71-0505	PREP	00-17-154
388-61A-0125	NEW-P	00-17-160	388-71	PREP	00-23-049	388-71-0510	NEW	00-03-043
388-61A-0130	NEW-P	00-17-160	388-71-0100	NEW	00-03-029	388-71-0510	PREP	00-17-154
388-61A-0135	NEW-P	00-17-160	388-71-0105	NEW	00-03-029	388-71-0515	NEW	00-03-043
388-61A-0140	NEW-P	00-17-160	388-71-0110	NEW	00-03-029	388-71-0515	PREP	00-17-154
388-61A-0145	NEW-P	00-17-160	388-71-0115	NEW	00-03-029	388-71-0520	NEW	00-03-043
388-61A-0150	NEW-P	00-17-160	388-71-0120	NEW	00-03-029	388-71-0520	PREP	00-17-154
388-61A-0155	NEW-P	00-17-160	388-71-0150	NEW	00-03-029	388-71-0525	NEW	00-03-043
388-61A-0160	NEW-P	00-17-160	388-71-0155	NEW	00-03-029	388-71-0525	PREP	00-17-154
388-61A-0165	NEW-P	00-17-160	388-71-0400	NEW	00-04-056	388-71-0530	NEW	00-03-043
388-61A-0170	NEW-P	00-17-160	388-71-0400	PREP	00-17-153	388-71-0530	PREP	00-17-154
388-61A-0175	NEW-P	00-17-160	388-71-0405	NEW	00-04-056	388-71-0535	NEW	00-03-043
388-61A-0180	NEW-P	00-17-160	388-71-0405	PREP	00-17-153	388-71-0535	PREP	00-17-154

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 73-904	REP-P	00-17-133	388- 86-110	REP-P	00-12-080	388- 96-780	NEW	00-12-098
388- 74-010	REP-P	00-17-186	388- 86-110	REP	01-01-012	388- 96-781	NEW-P	00-09-080
388- 74-030	REP-P	00-17-186	388- 86-115	PREP	00-03-011	388- 96-781	NEW-E	00-10-035
388- 76	PREP	00-23-049	388- 86-115	REP-P	00-17-055	388- 96-781	NEW	00-12-098
388- 76-61510	PREP	00-07-057	388- 86-115	REP	01-01-011	388- 96-782	NEW-P	00-09-080
388- 76-640	PREP	00-07-057	388- 86-120	PREP	00-03-011	388- 96-782	NEW-E	00-10-035
388- 78A	PREP	00-15-014	388- 86-120	REP-P	00-17-053	388- 96-782	NEW	00-12-098
388- 78A	PREP	00-23-049	388- 86-120	REP	01-01-009	388- 96-901	AMD-P	00-09-080
388- 81	PREP	00-07-055	388- 86-200	AMD-P	00-14-064	388- 96-901	AMD-E	00-10-035
388- 81-175	REP-P	00-17-161	388- 86-200	AMD	00-23-052	388- 96-901	AMD	00-12-098
388- 81-175	REP-P	00-17-162	388- 86-200	DECOD	00-23-052	388- 97-005	AMD	00-06-028
388- 81-175	REP-W	00-19-032	388- 86-300	PREP	00-03-011	388- 97-010	REP	00-06-028
388- 81-175	REP	00-23-014	388- 86-300	REP-P	00-14-045	388- 97-012	NEW	00-06-028
388- 81-200	REP-P	00-17-162	388- 86-300	REP	00-18-032	388- 97-015	REP	00-06-028
388- 81-200	REP	00-22-016	388- 87	PREP	00-03-011	388- 97-017	NEW	00-06-028
388- 86	PREP	00-03-011	388- 87-005	REP-P	00-09-043	388- 97-017	NEW	00-06-028
388- 86-005	DECOD	00-11-183	388- 87-005	REP	00-15-050	388- 97-020	REP	00-06-028
388- 86-011	REP-P	00-12-080	388- 87-007	REP-P	00-09-043	388- 97-022	NEW	00-06-028
388- 86-011	REP	01-01-012	388- 87-007	REP	00-15-050	388- 97-022	PREP	00-11-105
388- 86-012	PREP	00-03-011	388- 87-008	REP-P	00-09-043	388- 97-022	REP-P	00-18-098
388- 86-012	REP-XR	00-08-057	388- 87-008	REP	00-15-050	388- 97-022	REP	00-22-018
388- 86-012	REP	00-11-142	388- 87-010	REP-P	00-09-043	388- 97-025	REP	00-06-028
388- 86-017	PREP	00-05-108	388- 87-010	REP	00-15-050	388- 97-027	NEW	00-06-028
388- 86-017	REP-P	00-17-082	388- 87-010	REP	00-15-050	388- 97-027	PREP	00-11-105
388- 86-017	DECOD	00-23-067	388- 87-011	REP-P	00-09-043	388- 97-027	AMD-P	00-18-098
388- 86-017	REP-W	00-23-067	388- 87-011	REP	00-15-050	388- 97-027	AMD	00-22-018
388- 86-018	DECOD	00-11-183	388- 87-012	REP-P	00-09-043	388- 97-030	REP	00-06-028
388- 86-019	PREP	00-03-011	388- 87-012	REP	00-15-050	388- 97-032	NEW	00-06-028
388- 86-019	REP-P	00-11-138	388- 87-015	REP-P	00-09-042	388- 97-035	REP	00-06-028
388- 86-019	REP	00-16-031	388- 87-015	REP	00-14-067	388- 97-037	NEW	00-06-028
388- 86-024	REP-P	00-09-041	388- 87-019	REP-P	00-11-138	388- 97-040	REP	00-06-028
388- 86-024	REP	00-14-068	388- 87-019	REP	00-16-031	388- 97-042	NEW	00-06-028
388- 86-027	DECOD	00-11-183	388- 87-027	PREP	00-03-011	388- 97-043	NEW	00-06-028
388- 86-030	REP-P	00-17-097	388- 87-027	REP-P	00-17-081	388- 97-045	REP	00-06-028
388- 86-030	REP	01-01-010	388- 87-035	REP-P	00-17-096	388- 97-047	NEW	00-06-028
388- 86-035	PREP	00-07-056	388- 87-036	REP-P	00-17-125	388- 97-047	NEW	00-06-028
388- 86-035	REP-P	00-11-093	388- 87-045	REP-P	00-17-125	388- 97-050	REP	00-06-028
388- 86-035	REP	00-14-066	388- 87-045	REP-XR	00-09-040	388- 97-051	NEW	00-06-028
388- 86-04001	REP-P	00-17-165	388- 87-045	REP	00-13-013	388- 97-052	NEW	00-06-028
388- 86-04001	REP	00-23-068	388- 87-048	DECOD	00-11-183	388- 97-053	NEW	00-06-028
388- 86-055	REP-P	00-12-080	388- 87-060	REP-P	00-17-095	388- 97-055	AMD	00-06-028
388- 86-055	REP	01-01-012	388- 87-062	REP-P	00-17-097	388- 97-055	AMD	00-06-028
388- 86-059	REP-P	00-14-064	388- 87-062	REP	01-01-010	388- 97-065	AMD	00-06-028
388- 86-059	REP	00-23-052	388- 87-067	REP	00-05-039	388- 97-070	REP	00-06-028
388- 86-067	REP	00-05-039	388- 87-075	REP-P	00-12-080	388- 97-07005	NEW	00-06-028
388- 86-071	PREP	00-09-033	388- 87-075	REP	01-01-012	388- 97-07010	NEW	00-06-028
388- 86-071	REP-P	00-17-079	388- 87-077	REP	00-05-039	388- 97-07015	NEW	00-06-028
388- 86-085	REP-P	00-17-096	388- 87-079	REP-P	00-14-064	388- 97-07020	NEW	00-06-028
388- 86-086	REP-P	00-17-125	388- 87-079	REP	00-23-052	388- 97-07025	NEW	00-06-028
388- 86-087	PREP	00-07-056	388- 87-090	REP	00-04-019	388- 97-07030	NEW	00-06-028
388- 86-087	REP-P	00-13-104	388- 87-095	REP-P	00-12-080	388- 97-07035	NEW	00-06-028
388- 86-087	REP	00-17-057	388- 87-095	REP	01-01-012	388- 97-07040	NEW	00-06-028
388- 86-090	REP	00-04-019	388- 87-110	REP-P	00-13-008	388- 97-07045	NEW	00-06-028
388- 86-095	REP-P	00-12-080	388- 87-110	REP	01-01-078	388- 97-07050	NEW	00-06-028
388- 86-095	REP	01-01-012	388- 87-200	PREP	00-07-056	388- 97-07055	NEW	00-06-028
388- 86-09601	REP-P	00-12-080	388- 87-200	REP-P	00-09-043	388- 97-07060	NEW	00-06-028
388- 86-09601	REP	01-01-012	388- 87-200	REP	00-15-050	388- 97-07065	NEW	00-06-028
388- 86-100	REP-P	00-13-008	388- 87-200	REP	00-15-050	388- 97-07070	NEW	00-06-028
388- 86-100	AMD-P	00-17-096	388- 90-010	REP	00-07-045	388- 97-07075	NEW	00-06-028
388- 86-105	REP-XR	00-09-039	388- 96	PREP	00-12-077	388- 97-075	AMD	00-06-028
388- 86-105	REP	00-13-014	388- 96-779	NEW-P	00-09-080	388- 97-076	NEW	00-06-028
388- 86-110	PREP	00-03-011	388- 96-779	NEW-E	00-10-035	388- 97-077	NEW	00-06-028
			388- 96-779	NEW	00-12-098	388- 97-080	REP	00-06-028
			388- 96-780	NEW-P	00-09-080	388- 97-08010	NEW	00-06-028
			388- 96-780	NEW-E	00-10-035	388- 97-08020	NEW	00-06-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-97-08030	NEW	00-06-028	388-97-295	AMD	00-06-028	388-97-365	AMD	00-06-028
388-97-08040	NEW	00-06-028	388-97-29510	NEW	00-06-028	388-97-36510	NEW	00-06-028
388-97-08050	NEW	00-06-028	388-97-29520	NEW	00-06-028	388-97-36520	NEW	00-06-028
388-97-08060	NEW	00-06-028	388-97-29530	NEW	00-06-028	388-97-36530	NEW	00-06-028
388-97-08070	NEW	00-06-028	388-97-29540	NEW	00-06-028	388-97-370	AMD	00-06-028
388-97-085	AMD	00-06-028	388-97-29550	NEW	00-06-028	388-97-37010	NEW	00-06-028
388-97-090	AMD	00-06-028	388-97-29560	NEW	00-06-028	388-97-37020	NEW	00-06-028
388-97-095	REP	00-06-028	388-97-300	REP	00-06-028	388-97-375	AMD	00-06-028
388-97-097	NEW	00-06-028	388-97-305	REP	00-06-028	388-97-380	REP	00-06-028
388-97-100	REP	00-06-028	388-97-310	AMD	00-06-028	388-97-385	AMD	00-06-028
388-97-105	REP	00-06-028	388-97-315	AMD	00-06-028	388-97-390	REP	00-06-028
388-97-110	AMD	00-06-028	388-97-320	REP	00-06-028	388-97-395	REP	00-06-028
388-97-115	AMD	00-06-028	388-97-325	AMD	00-06-028	388-97-400	AMD	00-06-028
388-97-120	AMD	00-06-028	388-97-32510	NEW	00-06-028	388-97-40010	NEW	00-06-028
388-97-12010	NEW	00-06-028	388-97-32520	NEW	00-06-028	388-97-401	NEW	00-06-028
388-97-12020	NEW	00-06-028	388-97-32530	NEW	00-06-028	388-97-402	NEW	00-06-028
388-97-12030	NEW	00-06-028	388-97-32540	NEW	00-06-028	388-97-403	NEW	00-06-028
388-97-12040	NEW	00-06-028	388-97-32550	NEW	00-06-028	388-97-405	AMD	00-06-028
388-97-12050	NEW	00-06-028	388-97-32560	NEW	00-06-028	388-97-410	AMD	00-06-028
388-97-12060	NEW	00-06-028	388-97-32570	NEW	00-06-028	388-97-415	AMD	00-06-028
388-97-12070	NEW	00-06-028	388-97-32580	NEW	00-06-028	388-97-420	AMD	00-06-028
388-97-125	AMD	00-06-028	388-97-330	AMD	00-06-028	388-97-425	AMD	00-06-028
388-97-130	AMD	00-06-028	388-97-33010	NEW	00-06-028	388-97-430	AMD	00-06-028
388-97-135	AMD	00-06-028	388-97-33020	NEW	00-06-028	388-97-43010	NEW	00-06-028
388-97-140	AMD	00-06-028	388-97-33030	NEW	00-06-028	388-97-43020	NEW	00-06-028
388-97-145	REP	00-06-028	388-97-33040	NEW	00-06-028	388-97-43030	NEW	00-06-028
388-97-147	NEW	00-06-028	388-97-33050	NEW	00-06-028	388-97-43040	NEW	00-06-028
388-97-150	REP	00-06-028	388-97-335	AMD	00-06-028	388-97-43050	NEW	00-06-028
388-97-155	AMD	00-06-028	388-97-33510	NEW	00-06-028	388-97-435	REP	00-06-028
388-97-160	AMD	00-06-028	388-97-33520	NEW	00-06-028	388-97-440	REP	00-06-028
388-97-162	NEW	00-06-028	388-97-33530	NEW	00-06-028	388-97-445	REP	00-06-028
388-97-165	AMD	00-06-028	388-97-33540	NEW	00-06-028	388-97-450	REP	00-06-028
388-97-170	AMD	00-06-028	388-97-33550	NEW	00-06-028	388-97-455	AMD	00-06-028
388-97-175	AMD	00-06-028	388-97-33560	NEW	00-06-028	388-97-45510	NEW	00-06-028
388-97-180	AMD	00-06-028	388-97-33570	NEW	00-06-028	388-97-460	AMD	00-06-028
388-97-185	AMD	00-06-028	388-97-33580	NEW	00-06-028	388-97-46010	NEW	00-06-028
388-97-190	AMD	00-06-028	388-97-340	AMD	00-06-028	388-97-465	AMD	00-06-028
388-97-195	AMD	00-06-028	388-97-34010	NEW	00-06-028	388-97-46510	NEW	00-06-028
388-97-200	REP	00-06-028	388-97-34020	NEW	00-06-028	388-97-46520	NEW	00-06-028
388-97-202	NEW	00-06-028	388-97-345	AMD	00-06-028	388-97-46530	NEW	00-06-028
388-97-205	AMD	00-06-028	388-97-347	NEW	00-06-028	388-97-46540	NEW	00-06-028
388-97-210	REP	00-06-028	388-97-350	AMD	00-06-028	388-97-46550	NEW	00-06-028
388-97-212	NEW	00-06-028	388-97-35010	NEW	00-06-028	388-97-46560	NEW	00-06-028
388-97-215	REP	00-06-028	388-97-35020	NEW	00-06-028	388-97-46570	NEW	00-06-028
388-97-220	AMD	00-06-028	388-97-35030	NEW	00-06-028	388-97-46580	NEW	00-06-028
388-97-225	REP	00-06-028	388-97-35040	NEW	00-06-028	388-97-46590	NEW	00-06-028
388-97-230	REP	00-06-028	388-97-35050	NEW	00-06-028	388-97-470	AMD	00-06-028
388-97-235	REP	00-06-028	388-97-35060	NEW	00-06-028	388-97-47010	NEW	00-06-028
388-97-240	REP	00-06-028	388-97-352	NEW	00-06-028	388-97-47020	NEW	00-06-028
388-97-245	REP	00-06-028	388-97-353	NEW	00-06-028	388-97-475	REP	00-06-028
388-97-247	NEW	00-06-028	388-97-355	AMD	00-06-028	388-97-480	AMD	00-06-028
388-97-249	NEW	00-06-028	388-97-357	NEW	00-06-028	388-97-48010	NEW	00-06-028
388-97-250	REP	00-06-028	388-97-35710	NEW	00-06-028	388-97-48020	NEW	00-06-028
388-97-251	NEW	00-06-028	388-97-35720	NEW	00-06-028	388-97-48030	NEW	00-06-028
388-97-253	NEW	00-06-028	388-97-360	AMD	00-06-028	388-97-48040	NEW	00-06-028
388-97-255	REP	00-06-028	388-97-36010	NEW	00-06-028	388-97-550	NEW	00-06-028
388-97-260	AMD	00-06-028	388-97-36020	NEW	00-06-028	388-97-555	NEW	00-06-028
388-97-265	REP	00-06-028	388-97-36030	NEW	00-06-028	388-97-560	NEW	00-06-028
388-97-270	REP	00-06-028	388-97-36040	NEW	00-06-028	388-97-565	NEW	00-06-028
388-97-275	REP	00-06-028	388-97-36050	NEW	00-06-028	388-97-570	NEW	00-06-028
388-97-280	REP	00-06-028	388-97-36060	NEW	00-06-028	388-97-575	NEW	00-06-028
388-97-285	NEW	00-06-028	388-97-36070	NEW	00-06-028	388-97-580	NEW	00-06-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-148-0790	NEW-P	00-17-133	388-148-1100	NEW-P	00-17-133	388-151-460	AMD-P	00-17-124
388-148-0795	NEW-P	00-17-133	388-148-1105	NEW-P	00-17-133	388-151-470	AMD-P	00-17-124
388-148-0800	NEW-P	00-17-133	388-148-1110	NEW-P	00-17-133	388-151-480	AMD-P	00-17-124
388-148-0805	NEW-P	00-17-133	388-148-1115	NEW-P	00-17-133	388-151-490	AMD-P	00-17-124
388-148-0810	NEW-P	00-17-133	388-148-1120	NEW-P	00-17-133	388-151-500	AMD-P	00-17-124
388-148-0815	NEW-P	00-17-133	388-148-1125	NEW-P	00-17-133	388-151-991	RECOD	00-23-088
388-148-0820	NEW-P	00-17-133	388-148-1130	NEW-P	00-17-133	388-151-992	RECOD	00-23-088
388-148-0825	NEW-P	00-17-133	388-148-1135	NEW-P	00-17-133	388-151-993	RECOD	00-23-088
388-148-0830	NEW-P	00-17-133	388-148-1140	NEW-P	00-17-133	388-155-010	AMD	00-06-040
388-148-0835	NEW-P	00-17-133	388-148-1145	NEW-P	00-17-133	388-155-020	AMD	00-06-040
388-148-0840	NEW-P	00-17-133	388-150-070	AMD-P	00-17-127	388-155-040	AMD-XA	00-09-089
388-148-0845	NEW-P	00-17-133	388-150-990	RECOD	00-23-088	388-155-040	AMD-W	00-23-055
388-148-0850	NEW-P	00-17-133	388-150-991	RECOD	00-23-088	388-155-050	AMD-XA	00-09-089
388-148-0855	NEW-P	00-17-133	388-150-992	RECOD	00-23-088	388-155-050	AMD-W	00-23-055
388-148-0860	NEW-P	00-17-133	388-150-993	RECOD	00-23-088	388-155-060	AMD-XA	00-09-089
388-148-0865	NEW-P	00-17-133	388-151-010	AMD-P	00-17-124	388-155-060	AMD-W	00-23-055
388-148-0870	NEW-P	00-17-133	388-151-020	AMD-P	00-17-124	388-155-070	AMD	00-06-040
388-148-0875	NEW-P	00-17-133	388-151-040	AMD-P	00-17-124	388-155-083	NEW-P	00-17-127
388-148-0880	NEW-P	00-17-133	388-151-045	NEW-P	00-17-124	388-155-085	AMD-XA	00-09-089
388-148-0885	NEW-P	00-17-133	388-151-050	REP-P	00-17-124	388-155-085	AMD-W	00-23-055
388-148-0890	NEW-P	00-17-133	388-151-070	AMD-P	00-17-124	388-155-090	AMD-XA	00-09-089
388-148-0895	NEW-P	00-17-133	388-151-075	NEW-P	00-17-124	388-155-090	AMD-W	00-23-055
388-148-0900	NEW-P	00-17-133	388-151-080	AMD-P	00-17-124	388-155-092	AMD-XA	00-09-089
388-148-0905	NEW-P	00-17-133	388-151-085	AMD-P	00-17-124	388-155-092	AMD-W	00-23-055
388-148-0910	NEW-P	00-17-133	388-151-090	AMD-P	00-17-124	388-155-093	AMD-XA	00-09-089
388-148-0915	NEW-P	00-17-133	388-151-092	AMD-P	00-17-124	388-155-093	AMD-W	00-23-055
388-148-0920	NEW-P	00-17-133	388-151-093	AMD-P	00-17-124	388-155-094	AMD-XA	00-09-089
388-148-0925	NEW-P	00-17-133	388-151-094	AMD-P	00-17-124	388-155-094	AMD-W	00-23-055
388-148-0930	NEW-P	00-17-133	388-151-095	AMD-P	00-17-124	388-155-095	AMD-XA	00-09-089
388-148-0935	NEW-P	00-17-133	388-151-096	AMD-P	00-17-124	388-155-095	AMD-W	00-23-055
388-148-0940	NEW-P	00-17-133	388-151-097	AMD-P	00-17-124	388-155-098	AMD	00-06-040
388-148-0945	NEW-P	00-17-133	388-151-098	AMD-P	00-17-124	388-155-100	AMD	00-06-040
388-148-0950	NEW-P	00-17-133	388-151-100	AMD-P	00-17-124	388-155-110	AMD	00-06-040
388-148-0955	NEW-P	00-17-133	388-151-110	AMD-P	00-17-124	388-155-120	AMD	00-06-040
388-148-0960	NEW-P	00-17-133	388-151-120	AMD-P	00-17-124	388-155-130	AMD	00-06-040
388-148-0965	NEW-P	00-17-133	388-151-130	AMD-P	00-17-124	388-155-140	AMD	00-06-040
388-148-0970	NEW-P	00-17-133	388-151-150	AMD-P	00-17-124	388-155-150	AMD	00-06-040
388-148-0975	NEW-P	00-17-133	388-151-160	AMD-P	00-17-124	388-155-160	AMD-XA	00-09-089
388-148-0980	NEW-P	00-17-133	388-151-165	AMD-P	00-17-124	388-155-160	AMD-W	00-23-055
388-148-0985	NEW-P	00-17-133	388-151-170	AMD-P	00-17-124	388-155-165	AMD	00-06-040
388-148-0990	NEW-P	00-17-133	388-151-180	AMD-P	00-17-124	388-155-170	AMD	00-06-040
388-148-0995	NEW-P	00-17-133	388-151-190	AMD-P	00-17-124	388-155-180	AMD	00-06-040
388-148-1000	NEW-P	00-17-133	388-151-200	AMD-P	00-17-124	388-155-180	AMD	00-06-040
388-148-1005	NEW-P	00-17-133	388-151-210	AMD-P	00-17-124	388-155-190	AMD-XA	00-09-089
388-148-1010	NEW-P	00-17-133	388-151-220	AMD-P	00-17-124	388-155-190	AMD-W	00-23-055
388-148-1015	NEW-P	00-17-133	388-151-230	AMD-P	00-17-124	388-155-200	AMD	00-06-040
388-148-1020	NEW-P	00-17-133	388-151-240	AMD-P	00-17-124	388-155-210	REP	00-06-040
388-148-1025	NEW-P	00-17-133	388-151-250	AMD-P	00-17-124	388-155-220	AMD	00-06-040
388-148-1030	NEW-P	00-17-133	388-151-260	AMD-P	00-17-124	388-155-230	AMD	00-06-040
388-148-1035	NEW-P	00-17-133	388-151-280	AMD-P	00-17-124	388-155-240	AMD	00-06-040
388-148-1040	NEW-P	00-17-133	388-151-290	AMD-P	00-17-124	388-155-250	AMD	00-06-040
388-148-1045	NEW-P	00-17-133	388-151-310	AMD-P	00-17-124	388-155-260	REP	00-06-040
388-148-1050	NEW-P	00-17-133	388-151-320	AMD-P	00-17-124	388-155-270	AMD	00-06-040
388-148-1055	NEW-P	00-17-133	388-151-330	AMD-P	00-17-124	388-155-270	AMD-XA	00-09-089
388-148-1060	NEW-P	00-17-133	388-151-340	AMD-P	00-17-124	388-155-270	AMD-W	00-23-055
388-148-1065	NEW-P	00-17-133	388-151-380	AMD-P	00-17-124	388-155-280	AMD	00-06-040
388-148-1070	NEW-P	00-17-133	388-151-390	AMD-P	00-17-124	388-155-280	AMD	00-06-040
388-148-1075	NEW-P	00-17-133	388-151-410	AMD-P	00-17-124	388-155-290	AMD	00-06-040
388-148-1080	NEW-P	00-17-133	388-151-420	AMD-P	00-17-124	388-155-295	AMD	00-06-040
388-148-1085	NEW-P	00-17-133	388-151-430	AMD-P	00-17-124	388-155-310	AMD	00-06-040
388-148-1090	NEW-P	00-17-133	388-151-440	AMD-P	00-17-124	388-155-320	AMD	00-06-040
388-148-1095	NEW-P	00-17-133	388-151-450	AMD-P	00-17-124	388-155-330	AMD-XA	00-09-089
						388-155-330	AMD-W	00-23-055
						388-155-340	AMD	00-06-040

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-155-350	AMD	00-06-040	388-160-0185	NEW-P	00-17-158	388-160-170	REP-P	00-17-158
388-155-360	AMD	00-06-040	388-160-0195	NEW-P	00-17-158	388-160-180	REP-P	00-17-158
388-155-370	AMD-XA	00-09-089	388-160-020	REP-P	00-17-158	388-160-190	REP-P	00-17-158
388-155-370	AMD-W	00-23-055	388-160-0205	NEW-P	00-17-158	388-160-200	REP-P	00-17-158
388-155-380	AMD-XA	00-09-089	388-160-0215	NEW-P	00-17-158	388-160-210	REP-P	00-17-158
388-155-380	AMD-W	00-23-055	388-160-0225	NEW-P	00-17-158	388-160-220	REP-P	00-17-158
388-155-390	AMD	00-06-040	388-160-0235	NEW-P	00-17-158	388-160-230	REP-P	00-17-158
388-155-400	AMD	00-06-040	388-160-0245	NEW-P	00-17-158	388-160-240	REP-P	00-17-158
388-155-410	AMD	00-06-040	388-160-0255	NEW-P	00-17-158	388-160-250	REP-P	00-17-158
388-155-420	AMD-XA	00-09-089	388-160-0265	NEW-P	00-17-158	388-160-260	REP-P	00-17-158
388-155-420	AMD-W	00-23-055	388-160-0275	NEW-P	00-17-158	388-160-270	REP-P	00-17-158
388-155-430	AMD	00-06-040	388-160-0285	NEW-P	00-17-158	388-160-280	REP-P	00-17-158
388-155-440	AMD	00-06-040	388-160-0295	NEW-P	00-17-158	388-160-290	REP-P	00-17-158
388-155-450	AMD	00-06-040	388-160-030	REP-P	00-17-158	388-160-300	REP-P	00-17-158
388-155-460	AMD	00-06-040	388-160-0305	NEW-P	00-17-158	388-160-310	REP-P	00-17-158
388-155-470	AMD	00-06-040	388-160-0315	NEW-P	00-17-158	388-160-320	REP-P	00-17-158
388-155-480	AMD-XA	00-09-089	388-160-0325	NEW-P	00-17-158	388-160-340	REP-P	00-17-158
388-155-480	AMD-W	00-23-055	388-160-0335	NEW-P	00-17-158	388-160-350	REP-P	00-17-158
388-155-490	AMD	00-06-040	388-160-0345	NEW-P	00-17-158	388-160-360	REP-P	00-17-158
388-155-500	AMD	00-06-040	388-160-0355	NEW-P	00-17-158	388-160-370	REP-P	00-17-158
388-155-600	AMD	00-06-040	388-160-0365	NEW-P	00-17-158	388-160-380	REP-P	00-17-158
388-155-605	AMD-XA	00-09-089	388-160-0375	NEW-P	00-17-158	388-160-390	REP-P	00-17-158
388-155-605	AMD-W	00-23-055	388-160-0385	NEW-P	00-17-158	388-160-400	REP-P	00-17-158
388-155-610	AMD-XA	00-09-089	388-160-0395	NEW-P	00-17-158	388-160-410	REP-P	00-17-158
388-155-610	AMD-W	00-23-055	388-160-040	REP-P	00-17-158	388-160-420	REP-P	00-17-158
388-155-620	AMD-XA	00-09-089	388-160-0405	NEW-P	00-17-158	388-160-430	REP-P	00-17-158
388-155-620	AMD-W	00-23-055	388-160-0415	NEW-P	00-17-158	388-160-440	REP-P	00-17-158
388-155-630	AMD-XA	00-09-089	388-160-0425	NEW-P	00-17-158	388-160-460	REP-P	00-17-158
388-155-630	AMD-W	00-23-055	388-160-0435	NEW-P	00-17-158	388-160-470	REP-P	00-17-158
388-155-640	AMD-XA	00-09-089	388-160-0445	NEW-P	00-17-158	388-160-480	REP-P	00-17-158
388-155-640	AMD-W	00-23-055	388-160-0455	NEW-P	00-17-158	388-160-490	REP-P	00-17-158
388-155-650	AMD-XA	00-09-089	388-160-0465	NEW-P	00-17-158	388-160-500	REP-P	00-17-158
388-155-650	AMD-W	00-23-055	388-160-0475	NEW-P	00-17-158	388-160-510	REP-P	00-17-158
388-155-660	AMD-XA	00-09-089	388-160-0485	NEW-P	00-17-158	388-160-520	REP-P	00-17-158
388-155-660	AMD-W	00-23-055	388-160-0495	NEW-P	00-17-158	388-160-530	REP-P	00-17-158
388-155-670	AMD-XA	00-09-089	388-160-050	REP-P	00-17-158	388-160-540	REP-P	00-17-158
388-155-670	AMD-W	00-23-055	388-160-0505	NEW-P	00-17-158	388-160-550	REP-P	00-17-158
388-155-680	AMD-XA	00-09-089	388-160-0515	NEW-P	00-17-158	388-160-560	REP-P	00-17-158
388-155-680	AMD-W	00-23-055	388-160-0525	NEW-P	00-17-158	388-200-1050	REP-P	00-17-004
388-155-991	RECOD	00-23-088	388-160-0535	NEW-P	00-17-158	388-200-1050	REP-W	00-20-018
388-155-992	RECOD	00-23-088	388-160-0545	NEW-P	00-17-158	388-200-1160	REP	00-03-035
388-155-993	RECOD	00-23-088	388-160-0555	NEW-P	00-17-158	388-200-1300	PREP	00-04-036
388-160	AMD-P	00-17-158	388-160-0565	NEW-P	00-17-158	388-200-1300	AMD-P	00-17-004
388-160-0005	NEW-P	00-17-158	388-160-0575	NEW-P	00-17-158	388-200-1300	AMD-W	00-20-018
388-160-0015	NEW-P	00-17-158	388-160-0585	NEW-P	00-17-158	388-200-1350	PREP	00-04-036
388-160-0025	NEW-P	00-17-158	388-160-0595	NEW-P	00-17-158	388-200-1350	AMD-P	00-17-004
388-160-0035	NEW-P	00-17-158	388-160-060	REP-P	00-17-158	388-200-1350	AMD-W	00-20-018
388-160-0045	NEW-P	00-17-158	388-160-0605	NEW-P	00-17-158	388-200-1400	REP-P	00-17-003
388-160-0055	NEW-P	00-17-158	388-160-0615	NEW-P	00-17-158	388-200-1400	REP	00-22-063
388-160-0065	NEW-P	00-17-158	388-160-0625	NEW-P	00-17-158	388-222-001	PREP	00-16-112
388-160-0075	NEW-P	00-17-158	388-160-0635	NEW-P	00-17-158	388-222-001	REP-S	00-23-086
388-160-0085	NEW-P	00-17-158	388-160-0645	NEW-P	00-17-158	388-222-010	PREP	00-16-112
388-160-0095	NEW-P	00-17-158	388-160-070	REP-P	00-17-158	388-222-010	REP-S	00-23-086
388-160-010	REP-P	00-17-158	388-160-080	REP-P	00-17-158	388-222-020	PREP	00-16-112
388-160-0105	NEW-P	00-17-158	388-160-090	REP-P	00-17-158	388-222-020	REP-S	00-23-086
388-160-0115	NEW-P	00-17-158	388-160-100	REP-P	00-17-158	388-235	PREP	00-08-051
388-160-0125	NEW-P	00-17-158	388-160-110	REP-P	00-17-158	388-235-1500	REP-P	00-11-129
388-160-0135	NEW-P	00-17-158	388-160-120	REP-P	00-17-158	388-235-1500	REP	00-16-113
388-160-0145	NEW-P	00-17-158	388-160-130	REP-P	00-17-158	388-235-5000	REP-P	00-11-129
388-160-0155	NEW-P	00-17-158	388-160-140	REP-P	00-17-158	388-235-5000	REP	00-16-113
388-160-0165	NEW-P	00-17-158	388-160-150	REP-P	00-17-158	388-235-5050	REP-P	00-11-129
388-160-0175	NEW-P	00-17-158	388-160-160	REP-P	00-17-158	388-235-5050	REP	00-16-113

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388-235-5060	REP-P	00-11-129	388-235-9300	REP	00-16-113	388-273-0020	NEW-P	00-12-083
388-235-5060	REP	00-16-113	388-240-0010	REP-P	00-11-107	388-273-0020	NEW-W	01-01-131
388-235-5070	REP-P	00-11-129	388-240-0010	REP	00-16-077	388-273-0025	NEW-P	00-12-083
388-235-5070	REP	00-16-113	388-240-0020	REP-P	00-11-107	388-273-0025	NEW-W	01-01-131
388-235-5080	REP-P	00-11-129	388-240-0020	REP	00-16-077	388-273-0030	NEW-P	00-12-083
388-235-5080	REP	00-16-113	388-240-1100	REP-P	00-11-107	388-273-0030	NEW-W	01-01-131
388-235-5090	REP-P	00-11-129	388-240-1100	REP	00-16-077	388-273-0035	NEW-P	00-12-083
388-235-5090	REP	00-16-113	388-240-1200	REP-P	00-11-107	388-273-0035	NEW-W	01-01-131
388-235-5100	REP-P	00-11-129	388-240-1200	REP	00-16-077	388-275-0010	REP-P	00-15-070
388-235-5100	REP	00-16-113	388-240-2100	REP-P	00-11-107	388-275-0010	REP	00-18-038
388-235-5200	REP-P	00-11-129	388-240-2100	REP	00-16-077	388-275-0040	REP-P	00-15-070
388-235-5200	REP	00-16-113	388-240-2300	REP-P	00-11-107	388-275-0040	REP	00-18-038
388-235-5300	REP-P	00-11-129	388-240-2300	REP	00-16-077	388-275-0080	REP-P	00-15-070
388-235-5300	REP	00-16-113	388-240-2400	REP-P	00-11-107	388-275-0080	REP	00-18-038
388-235-5400	REP-P	00-11-129	388-240-2400	REP	00-16-077	388-280	AMD-P	00-16-086
388-235-5400	REP	00-16-113	388-240-2450	REP-P	00-11-107	388-280	AMD	00-19-077
388-235-5500	REP-P	00-11-129	388-240-2450	REP	00-16-077	388-280-0010	NEW-P	00-16-086
388-235-5500	REP	00-16-113	388-240-2500	REP-P	00-11-107	388-280-0010	NEW	00-19-077
388-235-5600	REP-P	00-11-129	388-240-2500	REP	00-16-077	388-280-0020	NEW-P	00-16-086
388-235-5600	REP	00-16-113	388-240-2550	REP-P	00-11-107	388-280-0020	NEW	00-19-077
388-235-5700	REP-P	00-11-129	388-240-2550	REP	00-16-077	388-280-0030	NEW-P	00-16-086
388-235-5700	REP	00-16-113	388-240-2570	REP-P	00-11-107	388-280-0030	NEW	00-19-077
388-235-5800	REP-P	00-11-129	388-240-2570	REP	00-16-077	388-280-0040	NEW-P	00-16-086
388-235-5800	REP	00-16-113	388-240-2600	REP-P	00-11-107	388-280-0040	NEW	00-19-077
388-235-5900	REP-P	00-11-129	388-240-2600	REP	00-16-077	388-280-0050	NEW-P	00-16-086
388-235-5900	REP	00-16-113	388-240-3100	REP-P	00-11-107	388-280-0050	NEW	00-19-077
388-235-6000	REP-P	00-11-129	388-240-3100	REP	00-16-077	388-280-0060	NEW-P	00-16-086
388-235-6000	REP	00-16-113	388-240-4100	REP-P	00-11-107	388-280-0060	NEW	00-19-077
388-235-7000	REP-P	00-11-129	388-240-4100	REP	00-16-077	388-280-1010	REP-P	00-16-086
388-235-7000	REP	00-16-113	388-240-4200	REP-P	00-11-107	388-280-1010	REP	00-19-077
388-235-7100	REP-P	00-11-129	388-240-4200	REP	00-16-077	388-280-1020	REP-P	00-16-086
388-235-7100	REP	00-16-113	388-240-4400	REP-P	00-11-107	388-280-1020	REP	00-19-077
388-235-7200	REP-P	00-11-129	388-240-4400	REP	00-16-077	388-280-1030	REP-P	00-16-086
388-235-7200	REP	00-16-113	388-240-4600	REP-P	00-11-107	388-280-1030	REP	00-19-077
388-235-7300	REP-P	00-11-129	388-240-4600	REP	00-16-077	388-280-1040	REP-P	00-16-086
388-235-7300	REP	00-16-113	388-240-5100	REP-P	00-11-107	388-280-1040	REP	00-19-077
388-235-7400	REP-P	00-11-129	388-240-5100	REP	00-16-077	388-280-1050	REP-P	00-16-086
388-235-7400	REP	00-16-113	388-240-6100	REP-P	00-11-107	388-280-1050	REP	00-19-077
388-235-7500	REP-P	00-11-129	388-240-6100	REP	00-16-077	388-280-1060	REP-P	00-16-086
388-235-7500	REP	00-16-113	388-255	PREP	00-08-054	388-280-1060	REP	00-19-077
388-235-7600	REP-P	00-11-129	388-255-1020	REP-P	00-12-081	388-280-1070	REP-P	00-16-086
388-235-7600	REP	00-16-113	388-255-1020	REP	00-15-053	388-280-1070	REP	00-19-077
388-235-8000	REP-P	00-11-129	388-255-1050	REP-P	00-12-081	388-280-1080	REP-P	00-16-086
388-235-8000	REP	00-16-113	388-255-1050	REP	00-15-053	388-280-1080	REP	00-19-077
388-235-8100	REP-P	00-11-129	388-255-1100	REP-P	00-12-081	388-280-1090	REP-P	00-16-086
388-235-8100	REP	00-16-113	388-255-1100	REP	00-15-053	388-280-1090	REP	00-19-077
388-235-8130	REP-P	00-11-129	388-255-1150	REP-P	00-12-081	388-280-1100	REP-P	00-16-086
388-235-8130	REP	00-16-113	388-255-1150	REP	00-15-053	388-280-1100	REP	00-19-077
388-235-8140	REP-P	00-11-129	388-255-1200	REP-P	00-12-081	388-280-1110	REP-P	00-16-086
388-235-8140	REP	00-16-113	388-255-1200	REP	00-15-053	388-280-1110	REP	00-19-077
388-235-8150	REP-P	00-11-129	388-255-1250	REP-P	00-12-081	388-280-1120	REP-P	00-16-086
388-235-8150	REP	00-16-113	388-255-1250	REP	00-15-053	388-280-1120	REP	00-19-077
388-235-8200	REP-P	00-11-129	388-255-1300	REP-P	00-12-081	388-280-1130	REP-P	00-16-086
388-235-8200	REP	00-16-113	388-255-1300	REP	00-15-053	388-280-1130	REP	00-19-077
388-235-9000	AMD	00-05-007	388-265-1650	PREP	00-07-101	388-280-1140	REP-P	00-16-086
388-235-9000	REP-P	00-11-129	388-265-1650	AMD-P	00-16-088	388-280-1140	REP	00-19-077
388-235-9000	REP	00-16-113	388-265-1650	AMD	00-19-078	388-280-1150	REP-P	00-16-086
388-235-9100	REP-P	00-11-129	388-265-1750	PREP	00-07-101	388-280-1150	REP	00-19-077
388-235-9100	REP	00-16-113	388-265-1750	REP-P	00-16-088	388-280-1160	REP-P	00-16-086
388-235-9200	REP-P	00-11-129	388-265-1750	REP	00-19-078	388-280-1160	REP	00-19-077
388-235-9200	REP	00-16-113	388-273-0010	NEW-P	00-12-083	388-290	PREP	00-24-035
388-235-9300	REP-P	00-11-129	388-273-0010	NEW-W	01-01-131	388-290-015	AMD-P	00-10-089

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388-290-015	AMD-E	00-10-090	388-290-920	AMD-P	00-10-089	388-330-050	REP-P	00-17-159
388-290-015	AMD	00-17-005	388-290-920	AMD-E	00-10-090	388-330-060	REP-P	00-17-159
388-290-280	AMD-P	00-10-089	388-290-920	AMD	00-17-005	388-400	PREP	00-11-182
388-290-280	AMD-E	00-10-090	388-290-925	AMD-E	00-08-061	388-400-0005	AMD	00-05-007
388-290-280	AMD	00-17-005	388-290-925	AMD-P	00-13-105	388-400-0005	AMD-P	00-24-037
388-290-350	AMD-P	00-10-089	388-290-925	AMD	00-16-100	388-400-0010	AMD	00-05-007
388-290-350	AMD-E	00-10-090	388-290-940	AMD-E	00-08-061	388-400-0015	AMD-E	00-13-075
388-290-350	AMD	00-17-005	388-290-940	AMD-P	00-13-105	388-400-0015	REP-P	00-24-037
388-290-450	AMD-P	00-10-089	388-290-940	AMD	00-16-100	388-400-0020	PREP	00-24-019
388-290-450	AMD-E	00-10-090	388-290-945	AMD-E	00-08-061	388-400-0025	PREP	00-08-056
388-290-450	AMD	00-17-005	388-290-945	AMD-P	00-13-105	388-400-0025	AMD-P	00-11-128
388-290-475	AMD-P	00-10-089	388-290-945	AMD	00-16-100	388-400-0025	AMD	00-15-017
388-290-475	AMD-E	00-10-090	388-290-950	AMD-P	00-10-089	388-400-0030	AMD-E	00-19-076
388-290-475	AMD	00-17-005	388-290-950	AMD-E	00-10-090	388-400-0035	REP-E	00-15-071
388-290-550	REP-P	00-10-089	388-290-950	AMD	00-17-005	388-400-0035	AMD-E	00-22-086
388-290-550	REP-E	00-10-090	388-310	PREP	00-16-024	388-404	PREP	00-11-182
388-290-550	REP	00-17-005	388-310-0200	AMD-P	00-03-051	388-404-0005	AMD	00-05-007
388-290-600	AMD-P	00-10-089	388-310-0200	AMD	00-06-062	388-404-0005	AMD-P	00-24-037
388-290-600	AMD-E	00-10-090	388-310-0200	PREP	00-07-102	388-406-0015	AMD	00-06-015
388-290-600	AMD	00-17-005	388-310-0200	AMD-P	00-11-140	388-406-0060	PREP	00-06-060
388-290-650	AMD-P	00-10-089	388-310-0200	AMD	00-16-055	388-406-0060	AMD-P	00-10-093
388-290-650	AMD-E	00-10-090	388-310-0300	AMD-P	00-03-051	388-406-0060	AMD	00-13-076
388-290-650	AMD	00-17-005	388-310-0300	AMD	00-06-062	388-408	PREP	00-11-182
388-290-850	AMD-E	00-08-061	388-310-0400	AMD-P	00-03-051	388-408-0005	AMD-P	00-24-037
388-290-850	AMD-P	00-13-105	388-310-0400	AMD	00-06-062	388-408-0010	AMD-P	00-24-037
388-290-850	AMD	00-16-100	388-310-0400	PREP	00-07-102	388-408-0015	AMD-P	00-24-037
388-290-854	NEW-E	00-08-061	388-310-0500	PREP	00-07-102	388-408-0020	AMD	00-05-007
388-290-854	NEW-P	00-13-105	388-310-0600	PREP	00-07-102	388-408-0020	AMD-P	00-24-037
388-290-854	NEW	00-16-100	388-310-0600	AMD-P	00-11-140	388-408-0025	PREP	00-08-050
388-290-858	NEW-E	00-08-061	388-310-0600	AMD	00-16-055	388-408-0025	AMD-P	00-24-037
388-290-858	NEW-P	00-13-105	388-310-0700	AMD-P	00-03-051	388-408-0030	AMD-P	00-24-037
388-290-858	NEW	00-16-100	388-310-0700	AMD	00-06-062	388-408-0035	PREP	00-08-052
388-290-862	NEW-E	00-08-061	388-310-0800	PREP	00-05-109	388-410-0020	PREP	01-01-069
388-290-862	NEW-P	00-13-105	388-310-0800	AMD-E	00-06-061	388-410-0025	PREP	01-01-069
388-290-862	NEW	00-16-100	388-310-0800	AMD-P	00-08-089	388-410-0030	PREP	01-01-069
388-290-866	NEW-E	00-08-061	388-310-0800	AMD-S	00-10-091	388-412-0025	PREP	00-13-060
388-290-866	NEW-P	00-13-105	388-310-0800	AMD	00-13-106	388-412-0025	PREP	00-21-106
388-290-866	NEW	00-16-100	388-310-0800	PREP	00-20-020	388-412-0040	PREP	00-13-060
388-290-870	NEW-E	00-08-061	388-310-0900	AMD-E	00-20-030	388-412-0040	PREP	00-21-106
388-290-870	NEW-P	00-13-105	388-310-1000	AMD-E	00-20-030	388-412-0045	PREP	00-21-106
388-290-870	NEW	00-16-100	388-310-1050	AMD-E	00-20-030	388-414-0001	AMD-P	00-07-076
388-290-874	NEW-E	00-08-061	388-310-1400	AMD-P	00-03-051	388-414-0001	AMD	00-11-035
388-290-874	NEW-P	00-13-105	388-310-1400	AMD	00-06-062	388-414-0001	AMD-E	00-15-042
388-290-874	NEW	00-16-100	388-310-1450	NEW-P	00-03-051	388-414-0001	PREP	00-24-051
388-290-878	NEW-E	00-08-061	388-310-1450	NEW	00-06-062	388-414-0001	AMD-E	00-24-052
388-290-878	NEW-P	00-13-105	388-310-1800	PREP	00-07-102	388-416-0015	AMD-P	00-04-045
388-290-878	NEW	00-16-100	388-310-1800	AMD-P	00-11-140	388-416-0015	AMD	00-08-002
388-290-882	NEW-E	00-08-061	388-310-1800	AMD	00-16-055	388-418	PREP	00-16-051
388-290-882	NEW-P	00-13-105	388-310-1800	PREP	00-20-020	388-418-0005	AMD-P	00-21-066
388-290-882	NEW	00-16-100	388-310-1850	AMD-E	00-03-013	388-418-0007	NEW-P	00-21-066
388-290-886	NEW-E	00-08-061	388-310-1850	AMD-P	00-04-091	388-418-0012	REP-P	00-03-062
388-290-886	NEW-P	00-13-105	388-310-1850	AMD	00-08-021	388-418-0012	REP	00-07-077
388-290-886	NEW	00-16-100	388-310-1850	REP-E	00-14-046	388-418-0025	AMD-P	00-04-045
388-290-888	NEW-E	00-08-061	388-310-1850	REP-P	00-18-019	388-418-0025	AMD	00-08-002
388-290-888	NEW-P	00-13-105	388-310-1850	REP	00-24-040	388-422	PREP	00-11-182
388-290-888	NEW	00-16-100	388-310-2000	NEW-P	00-20-095	388-424	PREP	00-11-182
388-290-905	AMD-E	00-08-061	388-310-2000	NEW-S	00-23-121	388-424-0015	AMD-P	00-05-110
388-290-905	AMD-P	00-13-105	388-330-010	REP-P	00-17-159	388-424-0015	AMD	00-08-060
388-290-905	AMD	00-16-100	388-330-020	REP-P	00-17-159	388-424-0025	AMD-E	00-08-004
388-290-910	AMD-E	00-08-061	388-330-030	REP-P	00-17-159	388-424-0025	AMD-P	00-09-082
388-290-910	AMD-P	00-13-105	388-330-035	REP-P	00-17-159	388-424-0025	AMD	00-13-036
388-290-910	AMD	00-16-100	388-330-040	REP-P	00-17-159	388-426	PREP	00-09-032

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388-430-0001	REP	00-05-007	388-448-0130	NEW-P	00-11-129	388-470-0075	PREP	00-16-054
388-430-0005	REP	00-05-007	388-448-0130	NEW	00-16-113	388-470-0075	AMD-P	00-20-094
388-430-0010	REP	00-05-007	388-448-0140	NEW-P	00-11-129	388-473-0010	NEW-P	00-12-081
388-430-0015	REP	00-05-007	388-448-0140	NEW	00-16-113	388-473-0010	NEW	00-15-053
388-430-0020	REP	00-05-007	388-448-0150	NEW-P	00-11-129	388-473-0010	PREP	00-17-077
388-430-0025	REP	00-05-007	388-448-0150	NEW	00-16-113	388-473-0010	AMD-P	00-22-062
388-432-0005	PREP	00-16-112	388-448-0160	NEW-P	00-11-129	388-473-0010	AMD	01-01-070
388-432-0005	NEW-P	00-20-048	388-448-0160	NEW	00-16-113	388-473-0020	NEW-P	00-12-081
388-432-0005	NEW-S	00-23-086	388-448-0170	NEW-P	00-11-129	388-473-0020	NEW	00-15-053
388-436-0002	AMD-E	00-16-089	388-448-0170	NEW	00-16-113	388-473-0030	NEW-P	00-12-081
388-436-0002	AMD-P	00-19-043	388-448-0180	NEW-P	00-11-129	388-473-0030	NEW	00-15-053
388-436-0002	AMD	00-22-064	388-448-0180	NEW	00-16-113	388-473-0040	NEW-P	00-12-081
388-436-0010	REP-P	00-06-067	388-448-0190	NEW-P	00-11-129	388-473-0040	NEW	00-15-053
388-436-0010	REP	00-10-036	388-448-0190	NEW	00-16-113	388-473-0050	NEW-P	00-12-081
388-438-0110	PREP	00-14-043	388-448-0200	NEW-P	00-11-129	388-473-0050	NEW	00-15-053
388-438-0110	AMD-P	01-01-077	388-448-0200	NEW	00-16-113	388-473-0060	NEW-P	00-12-081
388-440	PREP	00-09-032	388-448-0210	NEW-P	00-11-129	388-473-0060	NEW	00-15-053
388-440-0001	AMD	00-03-034	388-448-0210	NEW	00-16-113	388-474-0001	AMD-P	00-17-084
388-440-0005	AMD	00-03-034	388-450	PREP	00-10-031	388-478	PREP	00-11-182
388-442-0010	AMD	00-05-007	388-450	PREP	00-11-182	388-478-0026	PREP	00-10-030
388-442-0010	PREP	00-19-029	388-450-0005	PREP	00-12-079	388-478-0026	NEW-P	00-17-054
388-444-0015	AMD	00-04-006	388-450-0015	PREP	00-03-060	388-478-0026	NEW	00-21-063
388-444-0020	AMD-P	00-17-102	388-450-0015	AMD-E	00-06-023	388-478-0050	PREP	00-08-053
388-444-0020	AMD	00-21-111	388-450-0015	AMD-P	00-09-081	388-478-0050	AMD-P	00-12-082
388-444-0035	AMD	00-04-006	388-450-0015	AMD-E	00-13-062	388-478-0050	AMD	00-15-052
388-444-0055	AMD	00-04-006	388-450-0015	AMD-W	00-22-075	388-478-0055	AMD-P	00-08-058
388-444-0065	AMD	00-04-006	388-450-0020	PREP	00-12-079	388-478-0055	AMD-E	00-08-059
388-444-0075	AMD	00-04-006	388-450-0035	AMD-E	00-02-062	388-478-0055	AMD	00-11-130
388-444-0075	AMD-E	00-21-112	388-450-0035	AMD-P	00-10-087	388-478-0055	PREP	00-13-035
388-444-0075	AMD-P	00-24-038	388-450-0035	AMD-E	00-10-088	388-478-0055	PREP	00-15-015
388-448-0001	PREP	00-08-055	388-450-0035	AMD	00-18-057	388-478-0055	AMD-P	00-17-155
388-448-0001	AMD-P	00-11-127	388-450-0045	PREP	00-17-152	388-478-0055	AMD	00-20-054
388-448-0001	AMD	00-15-018	388-450-0070	PREP	00-16-052	388-478-0055	AMD-E	00-24-079
388-448-0005	PREP	00-08-055	388-450-0150	PREP	00-12-079	388-478-0056	PREP	00-17-078
388-448-0005	REP-P	00-12-040	388-450-0190	AMD-E	00-19-075	388-478-0056	NEW-P	00-21-064
388-448-0005	REP	00-15-051	388-450-0195	AMD-P	00-19-072	388-478-0056	NEW	00-24-056
388-448-0010	NEW-P	00-11-129	388-450-0195	AMD	00-22-065	388-478-0060	AMD-P	00-19-097
388-448-0010	NEW	00-16-113	388-450-0210	PREP	00-12-079	388-478-0060	AMD-E	00-19-098
388-448-0020	NEW-P	00-11-129	388-450-0210	PREP	00-22-014	388-478-0060	AMD	00-23-013
388-448-0020	NEW	00-16-113	388-452-0005	PREP	00-16-053	388-478-0070	AMD-P	00-07-075
388-448-0030	NEW-P	00-11-129	388-452-0005	AMD-P	00-19-074	388-478-0070	AMD	00-10-095
388-448-0030	NEW	00-16-113	388-452-0005	AMD	00-22-087	388-478-0070	PREP	01-01-113
388-448-0035	NEW-P	00-11-129	388-454	PREP	00-11-182	388-478-0070	AMD-E	01-01-114
388-448-0035	NEW	00-16-113	388-454-0005	AMD-P	00-24-037	388-478-0075	PREP	00-07-054
388-448-0040	NEW-P	00-11-129	388-454-0010	AMD-P	00-24-037	388-478-0075	AMD-E	00-07-089
388-448-0040	NEW	00-16-113	388-458	PREP	00-17-002	388-478-0075	AMD-P	00-14-044
388-448-0050	NEW-P	00-11-129	388-466-0007	NEW-E	00-15-071	388-478-0075	AMD-E	00-15-041
388-448-0050	NEW	00-16-113	388-466-0015	REP-S	00-19-073	388-478-0075	AMD	00-17-085
388-448-0060	NEW-P	00-11-129	388-466-0015	REP	00-22-085	388-478-0080	AMD-P	00-07-075
388-448-0060	NEW	00-16-113	388-466-0020	REP-S	00-19-073	388-478-0080	AMD	00-10-095
388-448-0070	NEW-P	00-11-129	388-466-0020	REP	00-22-085	388-478-0080	PREP	01-01-113
388-448-0070	NEW	00-16-113	388-466-0025	REP-S	00-19-073	388-478-0080	AMD-E	01-01-114
388-448-0080	NEW-P	00-11-129	388-466-0025	REP	00-22-085	388-478-0085	PREP	00-07-054
388-448-0080	NEW	00-16-113	388-466-0030	NEW-P	00-16-087	388-478-0085	AMD-E	00-07-089
388-448-0090	NEW-P	00-11-129	388-466-0130	NEW-P	00-18-111	388-478-0085	AMD-P	00-14-044
388-448-0090	NEW	00-16-113	388-466-0130	NEW	00-21-065	388-478-0085	AMD-E	00-15-041
388-448-0100	NEW-P	00-11-129	388-466-0150	NEW-S	00-19-073	388-478-0085	AMD	00-17-085
388-448-0100	NEW	00-16-113	388-466-0150	NEW	00-22-085	388-480-0001	AMD	00-05-007
388-448-0110	NEW-P	00-11-129	388-470	PREP	00-12-078	388-484-0005	PREP	00-18-055
388-448-0110	NEW	00-16-113	388-470-0005	PREP	00-12-079	388-484-0005	AMD-P	00-24-039
388-448-0120	NEW-P	00-11-129	388-470-0020	PREP	00-12-079	388-484-0010	NEW-P	00-24-039
388-448-0120	NEW	00-16-113	388-470-0040	PREP	00-12-079	388-490-0005	AMD-P	00-04-092

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388-490-0005	AMD	00-08-091	388-511-1105	PREP	00-12-079	388-530-1350	PREP	00-07-087
388-492	PREP	00-08-088	388-511-1130	PREP	00-12-079	388-530-1350	AMD-P	00-17-056
388-500-0005	PREP	00-22-015	388-511-1130	AMD-P	00-17-083	388-530-1350	AMD-C	00-17-128
388-501-0050	PREP	00-10-032	388-511-1130	AMD	00-22-029	388-530-1350	AMD	01-01-029
388-501-0050	AMD-P	00-23-051	388-512-1210	REP-P	00-17-084	388-530-1400	PREP	00-07-087
388-501-0125	PREP	00-03-011	388-512-1215	REP-P	00-17-084	388-530-1400	AMD-P	00-17-056
388-501-0125	AMD-P	00-14-065	388-512-1220	REP-P	00-17-084	388-530-1400	AMD-C	00-17-128
388-501-0125	AMD	00-19-050	388-512-1225	REP-P	00-17-084	388-530-1400	AMD	01-01-029
388-501-0130	REP-P	00-17-161	388-512-1230	REP-P	00-17-084	388-530-1410	NEW-P	00-17-056
388-501-0130	REP	00-23-014	388-512-1230	AMD-XA	00-20-097	388-530-1410	NEW-C	00-17-128
388-501-0135	AMD-XA	00-20-097	388-512-1235	REP-P	00-17-084	388-530-1410	NEW	01-01-029
388-501-0150	REP-XR	00-09-038	388-512-1240	REP-P	00-17-084	388-530-1425	NEW-P	00-17-056
388-501-0150	REP	00-14-047	388-512-1245	REP-P	00-17-084	388-530-1425	NEW-C	00-17-128
388-501-0160	AMD	00-03-035	388-512-1250	REP-P	00-17-084	388-530-1425	NEW	01-01-029
388-501-0165	AMD	00-03-035	388-512-1255	REP-P	00-17-084	388-530-1450	PREP	00-07-087
388-501-0180	AMD-P	00-17-055	388-512-1260	REP-P	00-17-084	388-530-1450	AMD-P	00-17-056
388-501-0180	AMD	01-01-011	388-512-1265	REP-P	00-17-084	388-530-1450	AMD-C	00-17-128
388-501-0200	AMD-XA	00-07-044	388-512-1275	REP-P	00-17-084	388-530-1450	AMD	01-01-029
388-501-0200	AMD	00-11-141	388-513-1350	AMD-XA	00-20-097	388-530-1500	PREP	00-07-087
388-501-0213	RECOD	00-23-067	388-513-1365	AMD-XA	00-20-097	388-530-1500	AMD-P	00-17-056
388-501-0300	RECOD	00-23-052	388-513-1380	AMD-E	00-08-003	388-530-1500	AMD-C	00-17-128
388-502-0010	NEW-P	00-09-043	388-513-1380	AMD-P	00-13-107	388-530-1500	AMD	01-01-029
388-502-0010	NEW	00-15-050	388-513-1380	AMD	00-17-058	388-530-1550	PREP	00-07-087
388-502-0010	AMD-XA	00-18-033	388-515-1505	AMD-XA	00-19-071	388-530-1550	AMD-P	00-17-056
388-502-0010	AMD-P	00-24-078	388-515-1510	AMD-XA	00-19-071	388-530-1550	AMD-C	00-17-128
388-502-0020	NEW-P	00-09-043	388-515-1530	AMD-XA	00-19-071	388-530-1550	AMD	01-01-029
388-502-0020	NEW	00-15-050	388-517-0400	NEW-P	00-17-095	388-530-1600	AMD-P	00-17-056
388-502-0020	AMD-E	00-17-103	388-519-0100	PREP	00-12-079	388-530-1600	AMD-C	00-17-128
388-502-0020	AMD-XA	00-18-033	388-523-0100	PREP	00-22-014	388-530-1600	AMD	01-01-029
388-502-0020	AMD-P	00-24-078	388-526-2610	AMD-P	00-17-164	388-530-1625	NEW-P	00-17-056
388-502-0030	NEW-P	00-09-043	388-526-2610	AMD	00-21-062	388-530-1625	NEW-C	00-17-128
388-502-0030	NEW	00-15-050	388-527-2750	AMD-XA	00-20-097	388-530-1625	NEW	01-01-029
388-502-0100	NEW-P	00-09-043	388-527-2790	AMD-XA	00-20-097	388-530-1650	PREP	00-07-087
388-502-0100	NEW	00-15-050	388-529	PREP	00-18-056	388-530-1650	AMD-P	00-17-056
388-502-0110	NEW-P	00-09-043	388-529-0100	AMD-XA	00-20-097	388-530-1650	AMD-C	00-17-128
388-502-0110	NEW	00-15-050	388-529-2940	REP	00-05-039	388-530-1650	AMD	01-01-029
388-502-0120	AMD-XA	00-20-097	388-529-2950	REP	00-05-039	388-530-1700	PREP	00-07-087
388-502-0150	NEW-P	00-09-042	388-530-1000	PREP	00-07-087	388-530-1700	AMD-P	00-17-056
388-502-0150	NEW	00-14-067	388-530-1000	AMD-P	00-17-080	388-530-1700	AMD-C	00-17-128
388-502-0160	NEW-P	00-09-075	388-530-1000	AMD	01-01-028	388-530-1700	AMD	01-01-029
388-502-0160	NEW	00-14-069	388-530-1050	PREP	00-07-087	388-530-1750	PREP	00-07-088
388-502-0160	PREP	00-18-110	388-530-1050	AMD-P	00-17-080	388-530-1750	AMD-P	00-11-106
388-502-0160	AMD-P	00-24-055	388-530-1050	AMD	01-01-028	388-530-1750	AMD	00-14-071
388-502-0205	PREP	00-06-022	388-530-1100	PREP	00-07-087	388-530-1850	PREP	00-07-087
388-502-0205	REP-P	00-09-043	388-530-1100	AMD-P	00-17-080	388-530-1850	AMD-P	00-17-080
388-502-0205	REP	00-15-050	388-530-1100	AMD	01-01-028	388-530-1850	AMD	01-01-028
388-502-0210	AMD-P	00-10-064	388-530-1125	NEW-P	00-17-056	388-530-1900	PREP	00-07-087
388-502-0210	AMD	00-15-049	388-530-1125	NEW-C	00-17-128	388-530-1900	AMD-P	00-17-080
388-502-0230	PREP	00-09-037	388-530-1125	NEW	01-01-029	388-530-1900	AMD	01-01-028
388-502-0230	AMD-P	00-17-163	388-530-1150	PREP	00-07-087	388-530-1950	PREP	00-07-087
388-502-0230	AMD	00-22-017	388-530-1150	AMD-P	00-17-080	388-530-1950	AMD-P	00-17-080
388-502-0240	NEW-P	00-17-161	388-530-1150	AMD	01-01-028	388-530-1950	AMD	01-01-028
388-502-0240	NEW	00-23-014	388-530-1200	PREP	00-07-087	388-530-2050	AMD-P	00-17-080
388-502-0260	NEW-P	00-17-162	388-530-1200	AMD-P	00-17-080	388-530-2050	AMD	01-01-028
388-502-0260	NEW	00-22-016	388-530-1200	AMD	01-01-028	388-531-0050	NEW-P	00-12-080
388-505-0110	PREP	00-12-079	388-530-1250	PREP	00-07-087	388-531-0050	NEW	01-01-012
388-505-0210	PREP	00-20-047	388-530-1250	AMD-P	00-17-080	388-531-0100	NEW-P	00-12-080
388-505-0220	PREP	00-20-047	388-530-1250	AMD	01-01-028	388-531-0100	NEW	01-01-012
388-505-0540	AMD-XA	00-20-097	388-530-1300	PREP	00-07-087	388-531-0150	NEW-P	00-12-080
388-505-0595	PREP	00-12-078	388-530-1300	AMD-P	00-17-056	388-531-0150	NEW	01-01-012
388-505-0595	REP-P	00-17-126	388-530-1300	AMD-C	00-17-128	388-531-0200	NEW-P	00-12-080
388-506-0620	PREP	00-12-079	388-530-1300	AMD	01-01-029	388-531-0200	NEW	01-01-012

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-531-0250	NEW-P	00-12-080	388-531-1800	NEW-P	00-12-080	388-539-100	REP	00-14-070
388-531-0250	NEW	01-01-012	388-531-1800	NEW	01-01-012	388-539-150	REP-P	00-11-062
388-531-0300	NEW-P	00-12-080	388-531-1850	NEW-P	00-12-080	388-539-150	REP	00-14-070
388-531-0300	NEW	01-01-012	388-531-1850	NEW	01-01-012	388-542	PREP	00-23-050
388-531-0350	NEW-P	00-12-080	388-531-1900	NEW-P	00-12-080	388-542-0050	NEW-P	00-03-061
388-531-0350	NEW	01-01-012	388-531-1900	NEW	01-01-012	388-542-0050	NEW	00-07-103
388-531-0400	NEW-P	00-12-080	388-532	PREP	00-07-056	388-542-0100	NEW-P	00-03-061
388-531-0400	NEW	01-01-012	388-532	PREP	00-16-023	388-542-0100	NEW	00-07-103
388-531-0450	NEW-P	00-12-080	388-532-050	NEW-P	00-11-093	388-542-0125	NEW-P	00-03-061
388-531-0450	NEW	01-01-012	388-532-050	NEW	00-14-066	388-542-0125	NEW	00-07-103
388-531-0500	NEW-P	00-12-080	388-532-100	NEW-P	00-11-093	388-542-0150	NEW-P	00-03-061
388-531-0500	NEW	01-01-012	388-532-100	NEW	00-14-066	388-542-0150	NEW	00-07-103
388-531-0550	NEW-P	00-12-080	388-533-0300	NEW-P	00-09-041	388-542-0150	PREP	00-19-069
388-531-0550	NEW	01-01-012	388-533-0300	NEW	00-14-068	388-542-0200	NEW-P	00-03-061
388-531-0600	NEW-P	00-12-080	388-533-0350	NEW-P	00-17-082	388-542-0200	NEW	00-07-103
388-531-0600	NEW	01-01-012	388-533-0350	NEW	00-23-070	388-542-0250	NEW-P	00-03-061
388-531-0650	NEW-P	00-12-080	388-533-0400	NEW-P	00-14-064	388-542-0250	NEW	00-07-103
388-531-0650	NEW	01-01-012	388-533-0400	NEW	00-23-052	388-542-0275	NEW-P	00-03-061
388-531-0700	NEW-P	00-12-080	388-533-0500	NEW-P	00-14-064	388-542-0275	NEW	00-07-103
388-531-0700	NEW	01-01-012	388-533-0500	NEW-S	00-21-107	388-542-0300	NEW-P	00-03-061
388-531-0750	NEW-P	00-12-080	388-533-0500	NEW	00-24-054	388-542-0300	NEW	00-07-103
388-531-0750	NEW	01-01-012	388-533-0600	NEW-P	00-14-064	388-543-1000	NEW-P	00-13-008
388-531-0800	NEW-P	00-12-080	388-533-0600	NEW	00-23-052	388-543-1000	NEW	01-01-078
388-531-0800	NEW	01-01-012	388-533-1000	PREP	00-22-084	388-543-1100	NEW-P	00-13-008
388-531-0850	NEW-P	00-12-080	388-534-0100	RECOD	00-11-183	388-543-1100	NEW	01-01-078
388-531-0850	NEW	01-01-012	388-534-0100	AMD-XA	00-20-097	388-543-1200	NEW-P	00-13-008
388-531-0900	NEW-P	00-12-080	388-535	PREP	00-22-083	388-543-1200	NEW	01-01-078
388-531-0900	NEW	01-01-012	388-535-1050	AMD-XA	00-20-097	388-543-1300	NEW-P	00-13-008
388-531-0950	NEW-P	00-12-080	388-537-0100	AMD-XA	00-20-097	388-543-1300	NEW	01-01-078
388-531-0950	NEW	01-01-012	388-538-001	REP	00-04-080	388-543-1400	NEW-P	00-13-008
388-531-1000	NEW-P	00-12-080	388-538-050	AMD	00-04-080	388-543-1400	NEW	01-01-078
388-531-1000	NEW	01-01-012	388-538-060	AMD	00-04-080	388-543-1500	NEW-P	00-13-008
388-531-1050	NEW-P	00-12-080	388-538-065	NEW	00-04-080	388-543-1500	NEW	01-01-078
388-531-1050	NEW	01-01-012	388-538-066	NEW	00-04-080	388-543-1600	NEW-P	00-13-008
388-531-1100	NEW-P	00-12-080	388-538-070	AMD	00-04-080	388-543-1600	NEW	01-01-078
388-531-1100	NEW	01-01-012	388-538-080	AMD	00-04-080	388-543-1700	NEW-P	00-13-008
388-531-1150	NEW-P	00-12-080	388-538-090	REP	00-04-080	388-543-1700	NEW	01-01-078
388-531-1150	NEW	01-01-012	388-538-095	AMD	00-04-080	388-543-1800	NEW-P	00-13-008
388-531-1200	NEW-P	00-12-080	388-538-095	AMD-XA	00-20-097	388-543-1800	NEW	01-01-078
388-531-1200	NEW	01-01-012	388-538-100	AMD	00-04-080	388-543-1900	NEW-P	00-13-008
388-531-1250	NEW-P	00-12-080	388-538-110	AMD	00-04-080	388-543-1900	NEW	01-01-078
388-531-1250	NEW	01-01-012	388-538-120	AMD	00-04-080	388-543-2000	NEW-P	00-13-008
388-531-1300	NEW-P	00-12-080	388-538-130	AMD	00-04-080	388-543-2000	NEW	01-01-078
388-531-1300	NEW	01-01-012	388-538-140	AMD	00-04-080	388-543-2100	NEW-P	00-13-008
388-531-1350	NEW-P	00-12-080	388-538-150	REP	00-04-080	388-543-2100	NEW	01-01-078
388-531-1350	NEW	01-01-012	388-539	PREP	00-05-038	388-543-2200	NEW-P	00-13-008
388-531-1400	NEW-P	00-12-080	388-539	AMD-P	00-11-062	388-543-2200	NEW	01-01-078
388-531-1400	NEW	01-01-012	388-539	AMD	00-14-070	388-543-2300	NEW-P	00-13-008
388-531-1450	NEW-P	00-12-080	388-539-001	REP-P	00-11-062	388-543-2300	NEW	01-01-078
388-531-1450	NEW	01-01-012	388-539-001	REP	00-14-070	388-543-2400	NEW-P	00-13-008
388-531-1500	NEW-P	00-12-080	388-539-0200	NEW-P	00-11-062	388-543-2400	NEW	01-01-078
388-531-1500	NEW	01-01-012	388-539-0200	NEW	00-14-070	388-543-2500	NEW-P	00-13-008
388-531-1550	NEW-P	00-12-080	388-539-0300	NEW-P	00-17-082	388-543-2500	NEW	01-01-078
388-531-1550	NEW	01-01-012	388-539-0300	NEW	00-23-070	388-543-2600	NEW-P	00-13-008
388-531-1600	NEW-P	00-12-080	388-539-0350	NEW-P	00-17-082	388-543-2600	NEW	01-01-078
388-531-1600	NEW	01-01-012	388-539-0350	NEW	00-23-070	388-543-2700	NEW-P	00-13-008
388-531-1650	NEW-P	00-12-080	388-539-050	REP-P	00-11-062	388-543-2700	NEW	01-01-078
388-531-1650	NEW	01-01-012	388-539-050	REP	00-14-070	388-543-2800	NEW-P	00-13-008
388-531-1700	NEW-P	00-12-080	388-539-0500	RECOD	00-11-183	388-543-2800	NEW	01-01-078
388-531-1700	NEW	01-01-012	388-539-0550	RECOD	00-11-183	388-543-2900	NEW-P	00-13-008
388-531-1750	NEW-P	00-12-080	388-539-0550	AMD-XA	00-20-096	388-543-2900	NEW	01-01-078
388-531-1750	NEW	01-01-012	388-539-100	REP-P	00-11-062	388-543-3000	NEW-P	00-13-008

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-543-3000	NEW	01-01-078	388-547	PREP	00-03-010	388-700-0025	NEW-P	00-11-139
388-544-0050	NEW-P	00-17-097	388-548-0100	PREP	00-11-034	388-700-0025	NEW	00-24-014
388-544-0050	NEW	01-01-010	388-548-0500	PREP	00-11-034	388-700-0030	NEW-P	00-11-139
388-544-0100	NEW-P	00-17-097	388-548-0500	NEW-E	00-11-036	388-700-0030	NEW	00-24-014
388-544-0100	NEW	01-01-010	388-550-1050	PREP	00-19-049	388-700-0035	NEW-P	00-11-139
388-544-0150	NEW-P	00-17-097	388-550-1100	PREP	00-19-049	388-700-0035	NEW	00-24-014
388-544-0150	NEW	01-01-010	388-550-1100	AMD-XA	00-20-096	388-700-0040	NEW-P	00-11-139
388-544-0200	NEW-P	00-17-097	388-550-1400	PREP	00-19-049	388-700-0040	NEW	00-24-014
388-544-0200	NEW	01-01-010	388-550-1400	AMD-XA	00-20-096	388-700-0045	NEW-P	00-11-139
388-544-0250	NEW-P	00-17-097	388-550-1700	PREP	00-19-049	388-700-0045	NEW	00-24-014
388-544-0250	NEW	01-01-010	388-550-1700	AMD-XA	00-20-096	388-700-0050	NEW-P	00-11-139
388-544-0300	NEW-P	00-17-097	388-550-2200	AMD-XA	00-20-096	388-700-0050	NEW	00-24-014
388-544-0300	NEW	01-01-010	388-550-2501	PREP	00-19-030	388-710-0005	NEW-P	00-12-103
388-544-0350	NEW-P	00-17-097	388-550-2511	PREP	00-19-030	388-710-0005	NEW	00-16-032
388-544-0350	NEW	01-01-010	388-550-2521	PREP	00-19-030	388-710-0010	NEW-P	00-12-103
388-544-0400	NEW-P	00-17-097	388-550-2531	PREP	00-19-030	388-710-0010	NEW	00-16-032
388-544-0400	NEW	01-01-010	388-550-2541	PREP	00-19-030	388-710-0015	NEW-P	00-12-103
388-544-0450	NEW-P	00-17-097	388-550-2551	PREP	00-19-030	388-710-0015	NEW	00-16-032
388-544-0450	NEW	01-01-010	388-550-2561	PREP	00-19-030	388-710-0020	NEW-P	00-12-103
388-544-0500	NEW-P	00-17-097	388-550-2600	PREP	00-19-049	388-710-0020	NEW	00-16-032
388-544-0500	NEW	01-01-010	388-550-2700	PREP	00-19-049	388-710-0025	NEW-P	00-12-103
388-544-0550	NEW-P	00-17-097	388-550-2800	PREP	00-19-042	388-710-0025	NEW	00-16-032
388-544-0550	NEW	01-01-010	388-550-2900	PREP	00-19-049	388-710-0030	NEW-P	00-12-103
388-544-0600	NEW-P	00-17-097	388-550-3381	PREP	00-19-030	388-710-0030	NEW	00-16-032
388-544-0600	NEW	01-01-010	388-550-3401	PREP	00-19-030	388-710-0035	NEW-P	00-12-103
388-544-1010	NEW-P	00-17-165	388-550-3600	PREP	00-19-049	388-710-0035	NEW	00-16-032
388-544-1010	NEW	00-23-068	388-550-3700	PREP	00-19-042	388-710-0040	NEW-P	00-12-103
388-544-1100	NEW-P	00-17-165	388-550-4300	PREP	00-19-049	388-710-0040	NEW	00-16-032
388-544-1100	NEW	00-23-068	388-550-4400	PREP	00-19-049	388-720-0010	RECOD-P	00-17-187
388-544-1200	NEW-P	00-17-165	388-550-4500	AMD-W	00-06-046	388-720-0010	RECOD	00-22-019
388-544-1200	NEW	00-23-068	388-550-4800	PREP	00-19-042	388-720-0020	RECOD-P	00-17-187
388-544-1300	NEW-P	00-17-165	388-550-5900	PREP	00-19-049	388-720-0020	RECOD	00-22-019
388-544-1300	NEW	00-23-068	388-550-6000	PREP	00-19-042	388-720-0030	RECOD-P	00-17-187
388-544-1400	NEW-P	00-17-165	388-551-3000	NEW-P	00-17-079	388-720-0030	RECOD	00-22-019
388-544-1400	NEW	00-23-068	388-555-1150	AMD-XA	00-20-096	388-720-0040	RECOD-P	00-17-187
388-545-0500	PREP	00-08-020	388-555-1200	AMD-XA	00-20-096	388-720-0040	RECOD	00-22-019
388-545-300	AMD-XA	00-20-096	388-556-0100	NEW-P	00-14-045	388-720-0050	RECOD-P	00-17-187
388-545-500	NEW	00-04-019	388-556-0100	NEW	00-18-032	388-720-0050	RECOD	00-22-019
388-545-500	AMD-P	00-12-039	388-556-0200	NEW-P	00-11-138	388-730-0010	RECOD-P	00-17-187
388-545-500	AMD-W	00-17-113	388-556-0200	NEW	00-16-031	388-730-0010	RECOD	00-22-019
388-545-500	AMD-XA	00-20-096	388-556-0300	NEW-P	00-13-104	388-730-0015	RECOD-P	00-17-187
388-545-700	AMD-XA	00-20-096	388-556-0300	NEW	00-17-057	388-730-0015	RECOD	00-22-019
388-545-900	PREP	01-01-006	388-556-0400	RECOD	00-11-183	388-730-0020	RECOD-P	00-17-187
388-546-0001	NEW-P	00-17-125	388-556-0400	AMD-XA	00-20-096	388-730-0020	RECOD	00-22-019
388-546-0100	NEW-P	00-17-125	388-556-0500	NEW-P	00-17-053	388-730-0030	RECOD-P	00-17-187
388-546-0150	NEW-P	00-17-125	388-556-0500	NEW	01-01-009	388-730-0030	RECOD	00-22-019
388-546-0200	NEW-P	00-17-125	388-556-0600	NEW-P	00-21-109	388-730-0040	RECOD-P	00-17-187
388-546-0250	NEW-P	00-17-125	388-556-0600	NEW	00-24-053	388-730-0040	RECOD	00-22-019
388-546-0300	NEW-P	00-17-125	388-557-0100	NEW-W	00-10-078	388-730-0050	RECOD-P	00-17-187
388-546-0400	NEW-P	00-17-125	388-561-0001	NEW-P	00-17-126	388-730-0050	RECOD	00-22-019
388-546-0450	NEW-P	00-17-125	388-561-0100	NEW-P	00-17-126	388-730-0060	RECOD-P	00-17-187
388-546-0500	NEW-P	00-17-125	388-561-0200	NEW-P	00-17-126	388-730-0060	RECOD	00-22-019
388-546-0600	NEW-P	00-17-125	388-561-0300	NEW-P	00-17-126	388-730-0065	RECOD-P	00-17-187
388-546-0700	NEW-P	00-17-125	388-680	PREP	00-19-053	388-730-0065	RECOD	00-22-019
388-546-0800	NEW-P	00-17-125	388-700-0005	NEW-P	00-11-139	388-730-0070	RECOD-P	00-17-187
388-546-1000	NEW-P	00-17-125	388-700-0005	NEW	00-24-014	388-730-0070	RECOD	00-22-019
388-546-5000	NEW-P	00-17-096	388-700-0010	NEW-P	00-11-139	388-730-0080	RECOD-P	00-17-187
388-546-5100	NEW-P	00-17-096	388-700-0010	NEW	00-24-014	388-730-0080	RECOD	00-22-019
388-546-5200	NEW-P	00-17-096	388-700-0015	NEW-P	00-11-139	388-730-0090	RECOD-P	00-17-187
388-546-5300	NEW-P	00-17-096	388-700-0015	NEW	00-24-014	388-730-0090	RECOD	00-22-019
388-546-5400	NEW-P	00-17-096	388-700-0020	NEW-P	00-11-139	388-740-0010	RECOD-P	00-13-074
388-546-5500	NEW-P	00-17-096	388-700-0020	NEW	00-24-014	388-740-0010	RECOD	00-17-046

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-740-0030	RECOD-P	00-13-074	388-800-0070	NEW	00-16-077	388-805-100	NEW	00-23-107
388-740-0030	RECOD	00-17-046	388-800-0075	NEW-P	00-11-107	388-805-105	NEW-P	00-13-073
388-740-0040	RECOD-P	00-13-074	388-800-0075	NEW	00-16-077	388-805-105	NEW	00-23-107
388-740-0040	RECOD	00-17-046	388-800-0080	NEW-P	00-11-107	388-805-110	NEW-P	00-13-073
388-740-0060	RECOD-P	00-13-074	388-800-0080	NEW	00-16-077	388-805-110	NEW	00-23-107
388-740-0060	RECOD	00-17-046	388-800-0085	NEW-P	00-11-107	388-805-115	NEW-P	00-13-073
388-740-0070	RECOD-P	00-13-074	388-800-0085	NEW	00-16-077	388-805-115	NEW	00-23-107
388-740-0070	RECOD	00-17-046	388-800-0090	NEW-P	00-11-107	388-805-120	NEW-P	00-13-073
388-745-0020	RECOD	00-16-078	388-800-0090	NEW	00-16-077	388-805-120	NEW	00-23-107
388-745-0030	RECOD	00-16-078	388-800-0100	NEW-P	00-11-107	388-805-125	NEW-P	00-13-073
388-745-0040	RECOD	00-16-078	388-800-0100	NEW	00-16-077	388-805-125	NEW	00-23-107
388-745-0050	RECOD	00-16-078	388-800-0110	NEW-P	00-11-107	388-805-130	NEW-P	00-13-073
388-745-0060	RECOD	00-16-078	388-800-0110	NEW	00-16-077	388-805-130	NEW	00-23-107
388-750-010	NEW-P	00-18-048	388-800-0115	NEW-P	00-11-107	388-805-135	NEW-P	00-13-073
388-750-010	NEW	00-23-061	388-800-0115	NEW	00-16-077	388-805-135	NEW	00-23-107
388-750-020	NEW-P	00-18-048	388-800-0120	NEW-P	00-11-107	388-805-140	NEW-P	00-13-073
388-750-020	NEW	00-23-061	388-800-0120	NEW	00-16-077	388-805-140	NEW	00-23-107
388-750-030	NEW-P	00-18-048	388-800-0130	NEW-P	00-11-107	388-805-145	NEW-P	00-13-073
388-750-030	NEW	00-23-061	388-800-0130	NEW	00-16-077	388-805-145	NEW	00-23-107
388-750-040	NEW-P	00-18-048	388-800-0135	NEW-P	00-11-107	388-805-150	NEW-P	00-13-073
388-750-040	NEW	00-23-061	388-800-0135	NEW	00-16-077	388-805-150	NEW	00-23-107
388-750-050	NEW-P	00-18-048	388-800-0140	NEW-P	00-11-107	388-805-155	NEW-P	00-13-073
388-750-050	NEW	00-23-061	388-800-0140	NEW	00-16-077	388-805-155	NEW	00-23-107
388-750-060	NEW-P	00-18-048	388-800-0145	NEW-P	00-11-107	388-805-200	NEW-P	00-13-073
388-750-060	NEW	00-23-061	388-800-0145	NEW	00-16-077	388-805-200	NEW	00-23-107
388-750-070	NEW-P	00-18-048	388-800-0150	NEW-P	00-11-107	388-805-205	NEW-P	00-13-073
388-750-070	NEW	00-23-061	388-800-0150	NEW	00-16-077	388-805-205	NEW	00-23-107
388-750-080	NEW-P	00-18-048	388-800-0155	NEW-P	00-11-107	388-805-210	NEW-P	00-13-073
388-750-080	NEW	00-23-061	388-800-0155	NEW	00-16-077	388-805-210	NEW	00-23-107
388-750-090	NEW-P	00-18-048	388-800-0160	NEW-P	00-11-107	388-805-220	NEW-P	00-13-073
388-750-090	NEW	00-23-061	388-800-0160	NEW	00-16-077	388-805-220	NEW	00-23-107
388-750-100	NEW-P	00-18-048	388-800-0165	NEW-P	00-11-107	388-805-225	NEW-P	00-13-073
388-750-100	NEW	00-23-061	388-800-0165	NEW	00-16-077	388-805-225	NEW	00-23-107
388-750-110	NEW-P	00-18-048	388-805-001	NEW-P	00-13-073	388-805-230	NEW-P	00-13-073
388-750-110	NEW	00-23-061	388-805-001	NEW	00-23-107	388-805-230	NEW	00-23-107
388-800-0005	NEW-P	00-11-107	388-805-005	NEW-P	00-13-073	388-805-240	NEW-P	00-13-073
388-800-0005	NEW	00-16-077	388-805-005	NEW	00-23-107	388-805-240	NEW	00-23-107
388-800-0020	NEW-P	00-11-107	388-805-010	NEW-P	00-13-073	388-805-250	NEW-P	00-13-073
388-800-0020	NEW	00-16-077	388-805-010	NEW	00-23-107	388-805-250	NEW	00-23-107
388-800-0025	NEW-P	00-11-107	388-805-015	NEW-P	00-13-073	388-805-260	NEW-P	00-13-073
388-800-0025	NEW	00-16-077	388-805-015	NEW	00-23-107	388-805-260	NEW	00-23-107
388-800-0030	NEW-P	00-11-107	388-805-020	NEW-P	00-13-073	388-805-300	NEW-P	00-13-073
388-800-0030	NEW	00-16-077	388-805-020	NEW	00-23-107	388-805-300	NEW	00-23-107
388-800-0035	NEW-P	00-11-107	388-805-030	NEW-P	00-13-073	388-805-305	NEW-P	00-13-073
388-800-0035	NEW	00-16-077	388-805-030	NEW	00-23-107	388-805-305	NEW	00-23-107
388-800-0040	NEW-P	00-11-107	388-805-060	NEW-P	00-13-073	388-805-310	NEW-P	00-13-073
388-800-0040	NEW	00-16-077	388-805-060	NEW	00-23-107	388-805-310	NEW	00-23-107
388-800-0045	NEW-P	00-11-107	388-805-065	NEW-P	00-13-073	388-805-315	NEW-P	00-13-073
388-800-0045	NEW	00-16-077	388-805-065	NEW	00-23-107	388-805-315	NEW	00-23-107
388-800-0048	NEW-P	00-11-107	388-805-070	NEW-P	00-13-073	388-805-320	NEW-P	00-13-073
388-800-0048	NEW	00-16-077	388-805-070	NEW	00-23-107	388-805-320	NEW	00-23-107
388-800-0050	NEW-P	00-11-107	388-805-075	NEW-P	00-13-073	388-805-325	NEW-P	00-13-073
388-800-0050	NEW	00-16-077	388-805-075	NEW	00-23-107	388-805-325	NEW	00-23-107
388-800-0055	NEW-P	00-11-107	388-805-080	NEW-P	00-13-073	388-805-330	NEW-P	00-13-073
388-800-0055	NEW	00-16-077	388-805-080	NEW	00-23-107	388-805-330	NEW	00-23-107
388-800-0057	NEW-P	00-11-107	388-805-085	NEW-P	00-13-073	388-805-350	NEW-P	00-13-073
388-800-0057	NEW	00-16-077	388-805-085	NEW	00-23-107	388-805-350	NEW	00-23-107
388-800-0060	NEW-P	00-11-107	388-805-090	NEW-P	00-13-073	388-805-400	NEW-P	00-13-073
388-800-0060	NEW	00-16-077	388-805-090	NEW	00-23-107	388-805-400	NEW	00-23-107
388-800-0065	NEW-P	00-11-107	388-805-095	NEW-P	00-13-073	388-805-410	NEW-P	00-13-073
388-800-0065	NEW	00-16-077	388-805-095	NEW	00-23-107	388-805-410	NEW	00-23-107
388-800-0070	NEW-P	00-11-107	388-805-100	NEW-P	00-13-073	388-805-500	NEW-P	00-13-073

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-805-500	NEW	00-23-107	388-805-935	NEW	00-23-107	388-835-0225	NEW-P	00-23-108
388-805-510	NEW-P	00-13-073	388-825-226	AMD-P	00-05-107	388-835-0230	NEW-P	00-23-108
388-805-510	NEW	00-23-107	388-825-226	AMD	00-08-090	388-835-0235	NEW-P	00-23-108
388-805-520	NEW-P	00-13-073	388-825-226	AMD-P	00-20-021	388-835-0240	NEW-P	00-23-108
388-805-520	NEW	00-23-107	388-825-226	AMD	00-23-106	388-835-0245	NEW-P	00-23-108
388-805-530	NEW-P	00-13-073	388-825-228	AMD-P	00-05-107	388-835-025	REP-P	00-23-108
388-805-530	NEW	00-23-107	388-825-228	AMD	00-08-090	388-835-0250	NEW-P	00-23-108
388-805-540	NEW-P	00-13-073	388-825-228	AMD-P	00-20-021	388-835-0255	NEW-P	00-23-108
388-805-540	NEW	00-23-107	388-825-228	AMD	00-23-106	388-835-0260	NEW-P	00-23-108
388-805-550	NEW-P	00-13-073	388-825-238	AMD-P	00-20-021	388-835-0265	NEW-P	00-23-108
388-805-550	NEW	00-23-107	388-825-238	AMD	00-23-106	388-835-0270	NEW-P	00-23-108
388-805-600	NEW-P	00-13-073	388-825-254	AMD-P	00-05-107	388-835-0275	NEW-P	00-23-108
388-805-600	NEW	00-23-107	388-825-254	AMD	00-08-090	388-835-0280	NEW-P	00-23-108
388-805-610	NEW-P	00-13-073	388-825-254	AMD-P	00-20-021	388-835-0285	NEW-P	00-23-108
388-805-610	NEW	00-23-107	388-825-254	AMD	00-23-106	388-835-0290	NEW-P	00-23-108
388-805-620	NEW-P	00-13-073	388-835-0005	NEW-P	00-23-108	388-835-0295	NEW-P	00-23-108
388-805-620	NEW	00-23-107	388-835-0010	NEW-P	00-23-108	388-835-030	REP-P	00-23-108
388-805-630	NEW-P	00-13-073	388-835-0015	NEW-P	00-23-108	388-835-0300	NEW-P	00-23-108
388-805-630	NEW	00-23-107	388-835-0020	NEW-P	00-23-108	388-835-0305	NEW-P	00-23-108
388-805-640	NEW-P	00-13-073	388-835-0025	NEW-P	00-23-108	388-835-0310	NEW-P	00-23-108
388-805-640	NEW	00-23-107	388-835-0030	NEW-P	00-23-108	388-835-0315	NEW-P	00-23-108
388-805-700	NEW-P	00-13-073	388-835-0035	NEW-P	00-23-108	388-835-0320	NEW-P	00-23-108
388-805-700	NEW	00-23-107	388-835-0040	NEW-P	00-23-108	388-835-0325	NEW-P	00-23-108
388-805-710	NEW-P	00-13-073	388-835-0045	NEW-P	00-23-108	388-835-0330	NEW-P	00-23-108
388-805-710	NEW	00-23-107	388-835-0050	NEW-P	00-23-108	388-835-0335	NEW-P	00-23-108
388-805-720	NEW-P	00-13-073	388-835-0055	NEW-P	00-23-108	388-835-0340	NEW-P	00-23-108
388-805-720	NEW	00-23-107	388-835-0060	NEW-P	00-23-108	388-835-0345	NEW-P	00-23-108
388-805-730	NEW-P	00-13-073	388-835-0065	NEW-P	00-23-108	388-835-035	REP-P	00-23-108
388-805-730	NEW	00-23-107	388-835-0070	NEW-P	00-23-108	388-835-0350	NEW-P	00-23-108
388-805-740	NEW-P	00-13-073	388-835-0075	NEW-P	00-23-108	388-835-0355	NEW-P	00-23-108
388-805-740	NEW	00-23-107	388-835-0080	NEW-P	00-23-108	388-835-0360	NEW-P	00-23-108
388-805-750	NEW-P	00-13-073	388-835-0085	NEW-P	00-23-108	388-835-0365	NEW-P	00-23-108
388-805-750	NEW	00-23-107	388-835-0090	NEW-P	00-23-108	388-835-0370	NEW-P	00-23-108
388-805-800	NEW-P	00-13-073	388-835-0095	NEW-P	00-23-108	388-835-0375	NEW-P	00-23-108
388-805-800	NEW	00-23-107	388-835-010	REP-P	00-23-108	388-835-0380	NEW-P	00-23-108
388-805-810	NEW-P	00-13-073	388-835-0100	NEW-P	00-23-108	388-835-0385	NEW-P	00-23-108
388-805-810	NEW	00-23-107	388-835-0105	NEW-P	00-23-108	388-835-0390	NEW-P	00-23-108
388-805-815	NEW-P	00-13-073	388-835-0110	NEW-P	00-23-108	388-835-0395	NEW-P	00-23-108
388-805-815	NEW	00-23-107	388-835-0115	NEW-P	00-23-108	388-835-040	REP-P	00-23-108
388-805-820	NEW-P	00-13-073	388-835-0120	NEW-P	00-23-108	388-835-0400	NEW-P	00-23-108
388-805-820	NEW	00-23-107	388-835-0125	NEW-P	00-23-108	388-835-0405	NEW-P	00-23-108
388-805-830	NEW-P	00-13-073	388-835-0130	NEW-P	00-23-108	388-835-0410	NEW-P	00-23-108
388-805-830	NEW	00-23-107	388-835-0135	NEW-P	00-23-108	388-835-0415	NEW-P	00-23-108
388-805-840	NEW-P	00-13-073	388-835-0140	NEW-P	00-23-108	388-835-0420	NEW-P	00-23-108
388-805-840	NEW	00-23-107	388-835-0145	NEW-P	00-23-108	388-835-0425	NEW-P	00-23-108
388-805-850	NEW-P	00-13-073	388-835-015	REP-P	00-23-108	388-835-0430	NEW-P	00-23-108
388-805-850	NEW	00-23-107	388-835-0150	NEW-P	00-23-108	388-835-0435	NEW-P	00-23-108
388-805-900	NEW-P	00-13-073	388-835-0155	NEW-P	00-23-108	388-835-0440	NEW-P	00-23-108
388-805-900	NEW	00-23-107	388-835-0160	NEW-P	00-23-108	388-835-0445	NEW-P	00-23-108
388-805-905	NEW-P	00-13-073	388-835-0165	NEW-P	00-23-108	388-835-045	REP-P	00-23-108
388-805-905	NEW	00-23-107	388-835-0170	NEW-P	00-23-108	388-835-0450	NEW-P	00-23-108
388-805-910	NEW-P	00-13-073	388-835-0175	NEW-P	00-23-108	388-835-0455	NEW-P	00-23-108
388-805-910	NEW	00-23-107	388-835-0180	NEW-P	00-23-108	388-835-0460	NEW-P	00-23-108
388-805-915	NEW-P	00-13-073	388-835-0185	NEW-P	00-23-108	388-835-0465	NEW-P	00-23-108
388-805-915	NEW	00-23-107	388-835-0190	NEW-P	00-23-108	388-835-0470	NEW-P	00-23-108
388-805-920	NEW-P	00-13-073	388-835-0195	NEW-P	00-23-108	388-835-0475	NEW-P	00-23-108
388-805-920	NEW	00-23-107	388-835-020	REP-P	00-23-108	388-835-0480	NEW-P	00-23-108
388-805-925	NEW-P	00-13-073	388-835-0200	NEW-P	00-23-108	388-835-0485	NEW-P	00-23-108
388-805-925	NEW	00-23-107	388-835-0205	NEW-P	00-23-108	388-835-0490	NEW-P	00-23-108
388-805-930	NEW-P	00-13-073	388-835-0210	NEW-P	00-23-108	388-835-0495	NEW-P	00-23-108
388-805-930	NEW	00-23-107	388-835-0215	NEW-P	00-23-108	388-835-050	REP-P	00-23-108
388-805-935	NEW-P	00-13-073	388-835-0220	NEW-P	00-23-108	388-835-0500	NEW-P	00-23-108

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388-835-535	REP-P	00-23-108	388-860-300	RECOD	00-23-089	388-862-190	RECOD	00-23-089
388-835-540	REP-P	00-23-108	388-860-310	RECOD	00-23-089	388-862-200	RECOD	00-23-089
388-835-545	REP-P	00-23-108	388-860-315	RECOD	00-23-089	388-862-210	RECOD	00-23-089
388-835-550	REP-P	00-23-108	388-860-316	RECOD	00-23-089	388-862-220	RECOD	00-23-089
388-835-555	REP-P	00-23-108	388-860-317	RECOD	00-23-089	388-862-230	RECOD	00-23-089
388-835-560	REP-P	00-23-108	388-861-010	RECOD	00-23-089	388-862-240	RECOD	00-23-089
388-835-565	REP-P	00-23-108	388-861-020	RECOD	00-23-089	388-862-250	RECOD	00-23-089
388-853-010	RECOD	00-17-151	388-861-030	RECOD	00-23-089	388-862-260	RECOD	00-23-089
388-853-030	RECOD	00-17-151	388-861-040	RECOD	00-23-089	388-862-270	RECOD	00-23-089
388-853-035	RECOD	00-17-151	388-861-081	RECOD	00-23-089	388-862-275	RECOD	00-23-089
388-853-080	RECOD	00-17-151	388-861-090	RECOD	00-23-089	388-862-276	RECOD	00-23-089
388-855-0010	RECOD-P	00-17-157	388-861-110	RECOD	00-23-089	388-862-277	RECOD	00-23-089
388-855-0010	RECOD	01-01-007	388-861-115	RECOD	00-23-089	388-862-280	RECOD	00-23-089
388-855-0015	RECOD-P	00-17-157	388-861-131	RECOD	00-23-089	388-862-290	RECOD	00-23-089
388-855-0015	RECOD	01-01-007	388-861-141	RECOD	00-23-089	388-862-300	RECOD	00-23-089
388-855-0030	RECOD-P	00-17-157	388-861-151	RECOD	00-23-089	388-862-310	RECOD	00-23-089
388-855-0030	RECOD	01-01-007	388-861-161	RECOD	00-23-089	388-862-320	RECOD	00-23-089
388-855-0035	RECOD-P	00-17-157	388-861-171	RECOD	00-23-089	388-862-330	RECOD	00-23-089
388-855-0035	RECOD	01-01-007	388-861-181	RECOD	00-23-089	388-862-340	RECOD	00-23-089
388-855-0045	RECOD-P	00-17-157	388-861-191	RECOD	00-23-089	388-862-350	RECOD	00-23-089
388-855-0045	RECOD	01-01-007	388-861-201	RECOD	00-23-089	388-862-360	RECOD	00-23-089
388-855-0055	RECOD-P	00-17-157	388-861-211	RECOD	00-23-089	388-862-370	RECOD	00-23-089
388-855-0055	RECOD	01-01-007	388-861-221	RECOD	00-23-089	388-862-380	RECOD	00-23-089
388-855-0065	RECOD-P	00-17-157	388-861-231	RECOD	00-23-089	388-862-390	RECOD	00-23-089
388-855-0065	RECOD	01-01-007	388-861-241	RECOD	00-23-089	388-862-400	RECOD	00-23-089
388-855-0075	RECOD-P	00-17-157	388-861-261	RECOD	00-23-089	388-862-410	RECOD	00-23-089
388-855-0075	RECOD	01-01-007	388-861-263	RECOD	00-23-089	388-862-420	RECOD	00-23-089
388-855-0085	RECOD-P	00-17-157	388-861-271	RECOD	00-23-089	388-862-430	RECOD	00-23-089
388-855-0085	RECOD	01-01-007	388-861-281	RECOD	00-23-089	388-862-440	RECOD	00-23-089
388-855-0095	RECOD-P	00-17-157	388-861-291	RECOD	00-23-089	388-862-450	RECOD	00-23-089
388-855-0095	RECOD	01-01-007	388-861-293	RECOD	00-23-089	388-862-460	RECOD	00-23-089
388-855-0105	RECOD-P	00-17-157	388-861-295	RECOD	00-23-089	388-862-470	RECOD	00-23-089
388-855-0105	RECOD	01-01-007	388-861-297	RECOD	00-23-089	388-875-0010	RECOD-P	00-17-156
388-860-010	RECOD	00-23-089	388-861-301	RECOD	00-23-089	388-875-0010	RECOD	01-01-008
388-860-020	RECOD	00-23-089	388-861-341	RECOD	00-23-089	388-875-0020	RECOD-P	00-17-156
388-860-030	RECOD	00-23-089	388-861-351	RECOD	00-23-089	388-875-0020	RECOD	01-01-008
388-860-040	RECOD	00-23-089	388-861-361	RECOD	00-23-089	388-875-0030	RECOD-P	00-17-156
388-860-050	RECOD	00-23-089	388-861-363	RECOD	00-23-089	388-875-0030	RECOD	01-01-008
388-860-060	RECOD	00-23-089	388-861-365	RECOD	00-23-089	388-875-0040	RECOD-P	00-17-156
388-860-070	RECOD	00-23-089	388-861-367	RECOD	00-23-089	388-875-0040	RECOD	01-01-008
388-860-080	RECOD	00-23-089	388-861-371	RECOD	00-23-089	388-875-0050	RECOD-P	00-17-156
388-860-090	RECOD	00-23-089	388-861-400	RECOD	00-23-089	388-875-0050	RECOD	01-01-008
388-860-100	RECOD	00-23-089	388-861-401	RECOD	00-23-089	388-875-0060	RECOD-P	00-17-156
388-860-110	RECOD	00-23-089	388-861-402	RECOD	00-23-089	388-875-0060	RECOD	01-01-008
388-860-120	RECOD	00-23-089	388-862-010	RECOD	00-23-089	388-875-0070	RECOD-P	00-17-156
388-860-130	RECOD	00-23-089	388-862-020	RECOD	00-23-089	388-875-0070	RECOD	01-01-008
388-860-140	RECOD	00-23-089	388-862-030	RECOD	00-23-089	388-875-0080	RECOD-P	00-17-156
388-860-150	RECOD	00-23-089	388-862-040	RECOD	00-23-089	388-875-0080	RECOD	01-01-008
388-860-160	RECOD	00-23-089	388-862-050	RECOD	00-23-089	388-875-0090	RECOD-P	00-17-156
388-860-170	RECOD	00-23-089	388-862-060	RECOD	00-23-089	388-875-0090	RECOD	01-01-008
388-860-180	RECOD	00-23-089	388-862-070	RECOD	00-23-089	388-875-0100	RECOD-P	00-17-156
388-860-190	RECOD	00-23-089	388-862-080	RECOD	00-23-089	388-875-0100	RECOD	01-01-008
388-860-200	RECOD	00-23-089	388-862-090	RECOD	00-23-089	388-875-0110	NEW-P	00-17-156
388-860-210	RECOD	00-23-089	388-862-100	RECOD	00-23-089	388-875-0110	NEW	01-01-008
388-860-220	RECOD	00-23-089	388-862-110	RECOD	00-23-089	388-890-0735	NEW-W	00-02-065
388-860-230	RECOD	00-23-089	388-862-120	RECOD	00-23-089	388-890-0740	NEW-W	00-02-065
388-860-240	RECOD	00-23-089	388-862-130	RECOD	00-23-089	388-890-0865	NEW-W	00-02-065
388-860-250	RECOD	00-23-089	388-862-140	RECOD	00-23-089	390-05-400	AMD	00-04-058
388-860-260	RECOD	00-23-089	388-862-150	RECOD	00-23-089	390-13-010	PREP	00-16-137
388-860-270	RECOD	00-23-089	388-862-160	RECOD	00-23-089	390-13-010	AMD-P	00-19-121
388-860-280	RECOD	00-23-089	388-862-170	RECOD	00-23-089	390-13-010	AMD	00-22-057
388-860-290	RECOD	00-23-089	388-862-180	RECOD	00-23-089	390-14-026	NEW-P	00-19-122

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390-16-011	AMD-E	00-14-030	391-25-660	AMD-P	00-10-107	391-45-410	AMD	00-14-048
390-16-011	PREP	00-16-147	391-25-660	AMD	00-14-048	391-45-430	AMD-P	00-10-107
390-16-011	AMD-P	00-19-113	391-25-670	AMD-P	00-10-107	391-45-430	AMD	00-14-048
390-16-011	AMD	00-22-050	391-25-670	AMD	00-14-048	391-45-550	AMD-P	00-10-107
390-16-012	AMD-E	00-14-031	391-35-030	AMD-P	00-10-107	391-45-550	AMD	00-14-048
390-16-012	PREP	00-16-138	391-35-030	AMD	00-14-048	391-45-552	AMD-P	00-10-107
390-16-012	AMD-P	00-19-114	391-35-170	AMD-P	00-10-107	391-45-552	AMD	00-14-048
390-16-012	AMD	00-22-051	391-35-170	AMD	00-14-048	391-55-030	AMD-P	00-10-107
390-16-044	PREP	00-16-140	391-35-210	AMD-P	00-10-107	391-55-030	AMD	00-14-048
390-16-044	REP-P	00-19-118	391-35-210	AMD	00-14-048	391-55-350	AMD-P	00-10-107
390-16-044	REP	00-22-054	391-35-250	AMD-P	00-10-107	391-55-350	AMD	00-14-048
390-16-226	AMD-P	00-19-120	391-35-250	AMD	00-14-048	391-65-070	AMD-P	00-10-107
390-16-226	AMD	00-22-056	391-45	PREP	00-04-070	391-65-070	AMD	00-14-048
390-18-010	PREP	00-16-142	391-45-001	AMD-P	00-10-107	391-95	PREP	00-04-070
390-18-010	AMD-P	00-19-119	391-45-001	AMD	00-14-048	391-95-001	AMD-P	00-10-107
390-18-010	AMD	00-22-055	391-45-002	AMD-P	00-10-107	391-95-001	AMD	00-14-048
390-20-0101	PREP	00-16-139	391-45-002	AMD	00-14-048	391-95-010	AMD-P	00-10-107
390-20-0101	AMD-P	00-19-124	391-45-010	AMD-P	00-10-107	391-95-010	AMD	00-14-048
390-20-0101	AMD	00-22-060	391-45-010	AMD	00-14-048	391-95-030	AMD-P	00-10-107
390-20-0101	AMD	00-24-041	391-45-030	AMD-P	00-10-107	391-95-030	AMD	00-14-048
390-20-146	NEW-P	00-19-123	391-45-030	AMD	00-14-048	391-95-050	AMD-P	00-10-107
390-20-146	NEW	00-22-059	391-45-050	AMD-P	00-10-107	391-95-050	AMD	00-14-048
390-24-010	PREP	00-16-145	391-45-050	AMD	00-14-048	391-95-070	AMD-P	00-10-107
390-24-010	AMD-P	00-19-116	391-45-070	AMD-E	00-03-053	391-95-070	AMD	00-14-048
390-24-010	AMD	00-22-053	391-45-070	AMD-P	00-10-107	391-95-090	AMD-P	00-10-107
390-24-020	PREP	00-16-146	391-45-070	AMD-E	00-11-024	391-95-090	AMD	00-14-048
390-24-020	AMD-P	00-19-115	391-45-070	AMD	00-14-048	391-95-110	AMD-P	00-10-107
390-24-020	AMD	00-22-052	391-45-090	AMD-P	00-10-107	391-95-110	AMD	00-14-048
390-24-203	NEW-P	00-19-123	391-45-090	AMD	00-14-048	391-95-130	AMD-P	00-10-107
390-24-203	NEW	00-22-059	391-45-110	AMD-E	00-03-053	391-95-130	AMD	00-14-048
391-08	PREP	00-04-070	391-45-110	AMD-P	00-10-107	391-95-150	AMD-P	00-10-107
391-08-001	AMD-P	00-10-107	391-45-110	AMD-E	00-11-024	391-95-150	AMD	00-14-048
391-08-001	AMD	00-14-048	391-45-110	AMD	00-14-048	391-95-170	AMD-P	00-10-107
391-08-010	AMD-P	00-10-107	391-45-130	AMD-E	00-03-053	391-95-170	AMD	00-14-048
391-08-010	AMD	00-14-048	391-45-130	AMD-P	00-10-107	391-95-190	AMD-P	00-10-107
391-08-120	AMD-P	00-10-107	391-45-130	AMD-E	00-11-024	391-95-190	AMD	00-14-048
391-08-120	AMD	00-14-048	391-45-130	AMD	00-14-048	391-95-230	AMD-P	00-10-107
391-08-180	AMD-P	00-10-107	391-45-170	AMD-P	00-10-107	391-95-230	AMD	00-14-048
391-08-180	AMD	00-14-048	391-45-170	AMD	00-14-048	391-95-250	AMD-P	00-10-107
391-08-230	REP-P	00-10-107	391-45-190	AMD-P	00-10-107	391-95-250	AMD	00-14-048
391-08-230	REP	00-14-048	391-45-190	AMD	00-14-048	391-95-260	AMD-P	00-10-107
391-08-310	AMD-P	00-10-107	391-45-210	AMD-P	00-10-107	391-95-260	AMD	00-14-048
391-08-310	AMD	00-14-048	391-45-210	AMD	00-14-048	391-95-270	AMD-P	00-10-107
391-08-670	PREP	00-15-067	391-45-230	REP-P	00-10-107	391-95-270	AMD	00-14-048
391-08-670	AMD-P	00-20-089	391-45-230	REP	00-14-048	391-95-290	AMD-P	00-10-107
391-08-670	AMD	00-24-044	391-45-250	AMD-P	00-10-107	391-95-290	AMD	00-14-048
391-25-050	AMD-P	00-10-107	391-45-250	AMD	00-14-048	391-95-310	AMD-P	00-10-107
391-25-050	AMD	00-14-048	391-45-260	AMD-P	00-10-107	391-95-310	AMD	00-14-048
391-25-090	AMD-P	00-10-107	391-45-260	AMD	00-14-048	392-117-045	AMD-P	00-09-072
391-25-090	AMD	00-14-048	391-45-270	AMD-P	00-10-107	392-117-045	AMD	00-12-037
391-25-230	AMD-P	00-10-107	391-45-270	AMD	00-14-048	392-121-210	AMD-P	01-01-024
391-25-230	AMD	00-14-048	391-45-290	AMD-P	00-10-107	392-122-200	PREP	00-17-089
391-25-250	AMD-P	00-10-107	391-45-290	AMD	00-14-048	392-122-201	PREP	00-17-089
391-25-250	AMD	00-14-048	391-45-310	AMD-P	00-10-107	392-122-202	PREP	00-17-089
391-25-270	AMD-P	00-10-107	391-45-310	AMD	00-14-048	392-122-205	PREP	00-17-089
391-25-270	AMD	00-14-048	391-45-330	AMD-P	00-10-107	392-122-206	PREP	00-17-089
391-25-350	AMD-P	00-10-107	391-45-330	AMD	00-14-048	392-122-207	PREP	00-17-089
391-25-350	AMD	00-14-048	391-45-350	AMD-P	00-10-107	392-122-208	PREP	00-17-089
391-25-590	AMD-P	00-10-107	391-45-350	AMD	00-14-048	392-122-210	PREP	00-17-089
391-25-590	AMD	00-14-048	391-45-390	AMD-P	00-10-107	392-122-211	PREP	00-17-089
391-25-650	AMD-P	00-10-107	391-45-390	AMD	00-14-048	392-122-212	PREP	00-17-089

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392-122-220	PREP	00-17-089	392-140-600	AMD	00-03-015	392-140-728	REP	00-02-063
392-122-221	PREP	00-17-089	392-140-600	PREP	00-19-024	392-140-730	REP	00-02-063
392-122-225	PREP	00-17-089	392-140-600	AMD-P	01-01-098	392-140-731	REP	00-02-063
392-122-230	PREP	00-17-089	392-140-601	AMD	00-03-015	392-140-732	REP	00-02-063
392-122-235	PREP	00-17-089	392-140-601	PREP	00-19-024	392-140-733	REP	00-02-063
392-122-255	PREP	00-17-089	392-140-602	PREP	00-19-024	392-140-735	REP	00-02-063
392-122-265	PREP	00-17-089	392-140-605	AMD	00-03-015	392-140-736	REP	00-02-063
392-122-270	PREP	00-17-089	392-140-605	PREP	00-19-024	392-140-740	REP	00-02-063
392-122-275	PREP	00-17-089	392-140-605	AMD-P	01-01-098	392-140-741	REP	00-02-063
392-127-011	AMD	00-02-064	392-140-608	PREP	00-19-024	392-140-742	REP	00-02-063
392-127-015	AMD	00-02-064	392-140-609	PREP	00-19-024	392-140-743	REP	00-02-063
392-127-030	REP	00-02-064	392-140-609	AMD-P	01-01-098	392-140-744	REP	00-02-063
392-127-035	REP	00-02-064	392-140-610	PREP	00-19-024	392-140-745	REP	00-02-063
392-127-040	REP	00-02-064	392-140-613	AMD	00-03-015	392-140-746	REP	00-02-063
392-127-050	REP	00-02-064	392-140-613	PREP	00-19-024	392-140-747	REP	00-02-063
392-127-055	REP	00-02-064	392-140-613	AMD-P	01-01-098	392-140-900	NEW	00-02-063
392-127-060	REP	00-02-064	392-140-616	PREP	00-19-024	392-140-901	NEW	00-02-063
392-127-065	AMD	00-02-064	392-140-616	AMD-P	01-01-098	392-140-902	NEW	00-02-063
392-127-070	AMD	00-02-064	392-140-620	PREP	00-19-024	392-140-903	NEW	00-02-063
392-127-085	AMD	00-02-064	392-140-625	AMD	00-03-015	392-140-903	AMD-P	01-01-024
392-127-095	REP	00-02-064	392-140-625	PREP	00-19-024	392-140-905	NEW	00-02-063
392-127-101	REP	00-02-064	392-140-625	AMD-P	01-01-098	392-140-906	NEW	00-02-063
392-127-106	REP	00-02-064	392-140-626	NEW	00-03-015	392-140-907	NEW	00-02-063
392-127-111	AMD	00-02-064	392-140-626	PREP	00-19-024	392-140-908	NEW	00-02-063
392-127-112	NEW	00-02-064	392-140-626	AMD-P	01-01-098	392-140-910	NEW	00-02-063
392-127-810	REP	00-02-064	392-140-630	AMD	00-03-015	392-140-911	NEW	00-02-063
392-136	PREP	00-19-023	392-140-630	PREP	00-19-024	392-140-912	NEW	00-02-063
392-138	PREP	00-16-001	392-140-640	PREP	00-19-024	392-140-913	NEW	00-02-063
392-139-001	AMD-P	00-05-061	392-140-643	PREP	00-19-024	392-140-920	NEW-E	00-13-007
392-139-001	AMD	00-09-017	392-140-646	PREP	00-19-024	392-140-920	NEW-P	00-18-029
392-139-005	AMD-P	00-05-061	392-140-650	PREP	00-19-024	392-140-920	NEW	00-22-009
392-139-005	AMD	00-09-017	392-140-653	PREP	00-19-024	392-140-922	NEW-E	00-13-007
392-139-007	AMD-P	00-05-061	392-140-656	PREP	00-19-024	392-140-922	NEW-P	00-18-029
392-139-007	AMD	00-09-017	392-140-660	AMD	00-03-015	392-140-922	NEW	00-22-009
392-139-008	NEW-P	00-05-061	392-140-660	PREP	00-19-024	392-140-924	NEW-E	00-13-007
392-139-008	NEW	00-09-017	392-140-660	AMD-P	01-01-098	392-140-924	NEW-P	00-18-029
392-139-310	AMD-P	00-05-061	392-140-665	REP	00-03-015	392-140-924	NEW	00-22-009
392-139-310	AMD	00-09-017	392-140-670	PREP	00-19-024	392-140-925	NEW-E	00-13-007
392-139-320	AMD-P	00-05-061	392-140-675	AMD	00-03-015	392-140-925	NEW-P	00-18-029
392-139-320	AMD	00-09-017	392-140-675	PREP	00-19-024	392-140-925	NEW	00-22-009
392-139-605	REP-P	00-05-061	392-140-675	AMD-P	01-01-098	392-140-926	NEW-E	00-13-007
392-139-605	REP	00-09-017	392-140-680	AMD	00-03-015	392-140-926	NEW-P	00-18-029
392-139-610	AMD-P	00-05-061	392-140-680	PREP	00-19-024	392-140-926	NEW	00-22-009
392-139-610	AMD	00-09-017	392-140-685	PREP	00-19-024	392-140-927	NEW-E	00-13-007
392-139-615	AMD-P	00-05-061	392-140-700	REP	00-02-063	392-140-927	NEW-P	00-18-029
392-139-615	AMD	00-09-017	392-140-701	REP	00-02-063	392-140-927	NEW	00-22-009
392-139-620	AMD-P	00-05-061	392-140-702	REP	00-02-063	392-140-928	NEW-E	00-13-007
392-139-620	AMD	00-09-017	392-140-710	REP	00-02-063	392-140-928	NEW-P	00-18-029
392-139-622	REP-P	00-05-061	392-140-711	REP	00-02-063	392-140-928	NEW	00-22-009
392-139-622	REP	00-09-017	392-140-712	REP	00-02-063	392-140-929	NEW-E	00-13-007
392-139-623	REP-P	00-05-061	392-140-713	REP	00-02-063	392-140-929	NEW-P	00-18-029
392-139-623	REP	00-09-017	392-140-714	REP	00-02-063	392-140-929	NEW	00-22-009
392-139-625	AMD-P	00-05-061	392-140-715	REP	00-02-063	392-140-930	NEW-E	00-13-007
392-139-625	AMD	00-09-017	392-140-716	REP	00-02-063	392-140-930	NEW-P	00-18-029
392-139-660	AMD-P	00-05-061	392-140-720	REP	00-02-063	392-140-930	NEW	00-22-009
392-139-660	AMD	00-09-017	392-140-721	REP	00-02-063	392-140-935	NEW-E	00-13-007
392-139-661	REP-P	00-05-061	392-140-722	REP	00-02-063	392-140-935	NEW-P	00-18-029
392-139-661	REP	00-09-017	392-140-723	REP	00-02-063	392-140-935	NEW	00-22-009
392-139-670	AMD-P	00-05-061	392-140-724	REP	00-02-063	392-140-937	NEW-E	00-13-007
392-139-670	AMD	00-09-017	392-140-725	REP	00-02-063	392-140-937	NEW-P	00-18-029
392-139-676	AMD-P	00-05-061	392-140-726	REP	00-02-063	392-140-937	NEW	00-22-009

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392-140-938	NEW	00-22-009	415- 10-050	AMD	00-22-049	415-110-451	NEW	01-01-059
392-140-956	AMD-P	01-01-024	415- 10-080	AMD-P	00-16-155	415-110-453	NEW-P	00-22-076
392-151	PREP	00-23-063	415- 10-080	AMD	00-22-049	415-110-453	NEW	01-01-059
392-153	PREP	00-23-062	415- 10-100	AMD-P	00-16-155	415-110-455	NEW-P	00-22-076
392-172-030	PREP	01-01-065	415- 10-100	AMD	00-22-049	415-110-455	NEW	01-01-059
392-172-035	PREP	01-01-065	415- 10-110	NEW-P	00-16-155	415-110-456	NEW-P	00-22-076
392-172-107	NEW-W	00-06-045	415- 10-110	NEW	00-22-049	415-110-456	NEW	01-01-059
392-172-109	NEW-W	00-06-045	415-103-215	NEW-P	00-08-085	415-110-457	NEW-P	00-22-076
392-172-161	NEW-W	00-06-045	415-103-215	NEW	00-11-103	415-110-457	NEW	01-01-059
392-300-070	NEW-E	00-05-099	415-104-450	NEW-P	00-04-023	415-110-458	NEW-P	00-22-076
392-300-070	PREP	00-09-023	415-104-450	NEW	00-10-017	415-110-458	NEW	01-01-059
392-300-070	NEW-P	00-17-037	415-108-0109	AMD-P	00-22-076	415-110-459	NEW-P	00-22-076
392-300-070	NEW	00-21-077	415-108-0109	AMD	01-01-059	415-110-459	NEW	01-01-059
399- 10-010	PREP	00-21-005	415-108-315	NEW-P	00-04-024	415-110-463	NEW-P	00-22-076
399- 30-030	PREP	00-04-096	415-108-315	NEW	00-10-015	415-110-463	NEW	01-01-059
399- 30-030	AMD-E	00-04-097	415-108-710	AMD-W	00-12-027	415-110-464	NEW-P	00-22-076
399- 30-030	AMD-P	00-08-010	415-108-720	AMD-W	00-12-027	415-110-464	NEW	01-01-059
399- 30-030	PREP	00-21-005	415-108-726	AMD-P	00-22-076	415-110-465	NEW-P	00-22-076
399- 30-030	AMD-W	00-21-075	415-108-726	AMD	01-01-059	415-110-465	NEW	01-01-059
399- 30-040	PREP	00-21-005	415-108-728	AMD-P	00-22-076	415-110-466	NEW-P	00-22-076
399- 50-010	NEW-C	00-04-100	415-108-728	AMD	01-01-059	415-110-466	NEW	01-01-059
399- 50-010	NEW	00-11-021	415-110-010	NEW-P	00-22-076	415-110-467	NEW-P	00-22-076
399- 50-020	NEW-C	00-04-100	415-110-010	NEW	01-01-059	415-110-467	NEW	01-01-059
399- 50-020	NEW	00-11-021	415-110-0102	NEW-P	00-22-076	415-110-468	NEW-P	00-22-076
399- 50-030	NEW-C	00-04-100	415-110-0102	NEW	01-01-059	415-110-468	NEW	01-01-059
399- 50-030	NEW	00-11-021	415-110-0103	NEW-P	00-22-076	415-110-469	NEW-P	00-22-076
399- 50-040	NEW-C	00-04-100	415-110-0103	NEW	01-01-059	415-110-469	NEW	01-01-059
399- 50-040	NEW	00-11-021	415-110-0104	NEW-P	00-22-076	415-110-470	NEW-P	00-22-076
415- 02-010	AMD-P	00-04-025	415-110-0104	NEW	01-01-059	415-110-470	NEW	01-01-059
415- 02-010	AMD	00-10-016	415-110-0108	NEW-P	00-22-076	415-110-475	NEW-P	00-22-076
415- 02-020	AMD-P	00-04-025	415-110-0108	NEW	01-01-059	415-110-475	NEW	01-01-059
415- 02-020	AMD	00-10-016	415-110-0109	NEW-P	00-22-076	415-110-477	NEW-P	00-22-076
415- 02-030	AMD-P	00-04-025	415-110-0109	NEW	01-01-059	415-110-477	NEW	01-01-059
415- 02-030	AMD	00-10-016	415-110-0110	NEW-P	00-22-076	415-110-479	NEW-P	00-22-076
415- 02-040	REP-P	00-04-025	415-110-0110	NEW	01-01-059	415-110-479	NEW	01-01-059
415- 02-040	REP	00-10-016	415-110-0111	NEW-P	00-22-076	415-110-480	NEW-P	00-22-076
415- 02-050	AMD-P	00-04-025	415-110-0111	NEW	01-01-059	415-110-480	NEW	01-01-059
415- 02-050	AMD	00-10-016	415-110-020	NEW-P	00-22-076	415-110-482	NEW-P	00-22-076
415- 02-060	AMD-P	00-04-025	415-110-020	NEW	01-01-059	415-110-482	NEW	01-01-059
415- 02-060	AMD	00-10-016	415-110-030	NEW-P	00-22-076	415-110-483	NEW-P	00-22-076
415- 02-070	REP-P	00-04-025	415-110-030	NEW	01-01-059	415-110-483	NEW	01-01-059
415- 02-070	REP	00-10-016	415-110-040	NEW-P	00-22-076	415-110-484	NEW-P	00-22-076
415- 02-080	AMD-P	00-04-025	415-110-040	NEW	01-01-059	415-110-484	NEW	01-01-059
415- 02-080	AMD	00-10-016	415-110-315	NEW-P	00-22-076	415-110-485	NEW-P	00-22-076
415- 02-100	AMD-P	00-04-025	415-110-315	NEW	01-01-059	415-110-485	NEW	01-01-059
415- 02-100	AMD	00-10-016	415-110-320	NEW-P	00-22-076	415-110-487	NEW-P	00-22-076
415- 02-120	NEW-P	00-04-025	415-110-320	NEW	01-01-059	415-110-487	NEW	01-01-059
415- 02-120	NEW	00-10-016	415-110-324	NEW-P	00-22-076	415-110-488	NEW-P	00-22-076
415- 02-130	NEW-P	00-04-025	415-110-324	NEW	01-01-059	415-110-488	NEW	01-01-059
415- 02-130	NEW	00-10-016	415-110-326	NEW-P	00-22-076	415-110-491	NEW-P	00-22-076
415- 04	PREP	00-04-061	415-110-326	NEW	01-01-059	415-110-491	NEW	01-01-059
415- 08	PREP	00-04-061	415-110-340	NEW-P	00-22-076	415-110-550	NEW-P	00-22-076
415- 10	PREP	00-04-062	415-110-340	NEW	01-01-059	415-110-550	NEW	01-01-059
415- 10-010	AMD-P	00-16-155	415-110-400	NEW-P	00-22-076	415-110-560	NEW-P	00-22-076
415- 10-010	AMD	00-22-049	415-110-400	NEW	01-01-059	415-110-560	NEW	01-01-059
415- 10-020	AMD-P	00-16-155	415-110-441	NEW-P	00-22-076	415-110-570	NEW-P	00-22-076
415- 10-020	AMD	00-22-049	415-110-441	NEW	01-01-059	415-110-570	NEW	01-01-059
415- 10-030	AMD-P	00-16-155	415-110-443	NEW-P	00-22-076	415-110-679	NEW-P	00-22-076
415- 10-030	AMD	00-22-049	415-110-443	NEW	01-01-059	415-110-679	NEW	01-01-059
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415-110-690	NEW-P	00-22-076	415-112-4608	AMD	00-10-015	415-501-140	RECOD-P	00-08-092
415-110-690	NEW	01-01-059	415-112-471	AMD-P	00-04-024	415-501-140	RECOD	00-11-104
415-110-700	NEW-P	00-22-076	415-112-471	AMD	00-10-015	415-501-150	RECOD-P	00-08-092
415-110-700	NEW	01-01-059	415-112-473	AMD-P	00-04-024	415-501-150	RECOD	00-11-104
415-110-710	NEW-P	00-22-076	415-112-473	AMD	00-10-015	415-501-160	RECOD-P	00-08-092
415-110-710	NEW	01-01-059	415-112-475	AMD-P	00-04-024	415-501-160	RECOD	00-11-104
415-110-720	NEW-P	00-22-076	415-112-475	AMD	00-10-015	415-501-170	RECOD-P	00-08-092
415-110-720	NEW	01-01-059	415-112-477	AMD-P	00-04-024	415-501-170	RECOD	00-11-104
415-110-725	NEW-P	00-22-076	415-112-477	AMD	00-10-015	415-501-180	RECOD-P	00-08-092
415-110-725	NEW	01-01-059	415-112-510	REP-P	00-04-024	415-501-180	RECOD	00-11-104
415-110-728	NEW-P	00-22-076	415-112-510	REP	00-10-015	415-501-190	RECOD-P	00-08-092
415-110-728	NEW	01-01-059	415-112-540	AMD	00-11-053	415-501-190	RECOD	00-11-104
415-110-820	NEW-P	00-22-076	415-112-545	AMD	00-11-053	415-501-200	RECOD-P	00-08-092
415-110-820	NEW	01-01-059	415-112-548	NEW-W	00-12-027	415-501-200	RECOD	00-11-104
415-110-830	NEW-P	00-22-076	415-112-705	NEW-P	00-04-024	415-501-210	RECOD-P	00-08-092
415-110-830	NEW	01-01-059	415-112-705	NEW	00-10-015	415-501-210	RECOD	00-11-104
415-110-910	NEW-P	00-22-076	415-112-727	AMD-P	00-22-076	415-501-300	RECOD-P	00-08-092
415-110-910	NEW	01-01-059	415-112-727	AMD	01-01-059	415-501-300	RECOD	00-11-104
415-111-100	NEW-P	00-22-076	415-112-920	NEW-P	00-04-024	415-501-305	RECOD-P	00-08-092
415-111-100	NEW	01-01-059	415-112-920	NEW	00-10-015	415-501-305	RECOD	00-11-104
415-111-110	NEW-P	00-22-076	415-112-950	NEW-P	00-04-024	415-501-310	RECOD-P	00-08-092
415-111-110	NEW	01-01-059	415-112-950	NEW	00-10-015	415-501-310	RECOD	00-11-104
415-111-111	NEW-P	00-22-076	415-112-950	REP-P	00-22-076	415-501-315	NEW-P	00-08-092
415-111-111	NEW	01-01-059	415-112-950	REP	01-01-059	415-501-315	NEW	00-11-104
415-111-210	NEW-P	00-22-076	415-113-030	AMD-P	00-22-076	415-501-320	RECOD-P	00-08-092
415-111-210	NEW	01-01-059	415-113-030	AMD	01-01-059	415-501-320	RECOD	00-11-104
415-111-220	NEW-P	00-22-076	415-113-0302	AMD-P	00-22-076	415-501-330	RECOD-P	00-08-092
415-111-220	NEW	01-01-059	415-113-0302	AMD	01-01-059	415-501-330	RECOD	00-11-104
415-111-230	NEW-P	00-22-076	415-113-0303	AMD-P	00-22-076	415-501-340	RECOD-P	00-08-092
415-111-230	NEW	01-01-059	415-113-0303	AMD	01-01-059	415-501-340	RECOD	00-11-104
415-111-310	NEW-P	00-22-076	415-113-0310	AMD-P	00-22-076	415-501-350	RECOD-P	00-08-092
415-111-310	NEW	01-01-059	415-113-0310	AMD	01-01-059	415-501-350	RECOD	00-11-104
415-112	AMD-P	00-22-076	415-113-041	AMD-P	00-22-076	415-501-360	RECOD-P	00-08-092
415-112	AMD	01-01-059	415-113-041	AMD	01-01-059	415-501-360	RECOD	00-11-104
415-112-0167	AMD-P	00-22-076	415-113-042	AMD-P	00-22-076	415-501-370	RECOD-P	00-08-092
415-112-0167	AMD	01-01-059	415-113-042	AMD	01-01-059	415-501-370	RECOD	00-11-104
415-112-025	NEW-W	00-12-027	415-113-065	AMD-P	00-22-076	415-501-380	RECOD-P	00-08-092
415-112-125	AMD-P	00-04-024	415-113-065	AMD	01-01-059	415-501-380	RECOD	00-11-104
415-112-125	AMD	00-10-015	415-113-070	AMD-P	00-22-076	415-501-390	RECOD-P	00-08-092
415-112-130	AMD-P	00-22-076	415-113-070	AMD	01-01-059	415-501-390	RECOD	00-11-104
415-112-130	AMD	01-01-059	415-113-200	NEW-P	00-22-076	415-501-410	RECOD-P	00-08-092
415-112-135	AMD-P	00-22-076	415-113-200	NEW	01-01-059	415-501-410	RECOD	00-11-104
415-112-135	AMD	01-01-059	415-115-020	AMD-P	00-22-076	415-501-415	RECOD-P	00-08-092
415-112-140	AMD-P	00-04-024	415-115-020	AMD	01-01-059	415-501-415	RECOD	00-11-104
415-112-140	AMD	00-10-015	415-115-090	AMD-P	00-22-076	415-501-420	RECOD-P	00-08-092
415-112-145	AMD-P	00-04-024	415-115-090	AMD	01-01-059	415-501-420	RECOD	00-11-104
415-112-145	AMD	00-10-015	415-200-030	AMD-P	00-22-076	415-501-430	RECOD-P	00-08-092
415-112-155	AMD-P	00-04-024	415-200-030	AMD	01-01-059	415-501-430	RECOD	00-11-104
415-112-155	AMD	00-10-015	415-200-040	AMD-P	00-22-076	415-501-440	RECOD-P	00-08-092
415-112-155	AMD-P	00-22-076	415-200-040	AMD	01-01-059	415-501-440	RECOD	00-11-104
415-112-155	AMD	01-01-059	415-210-020	REP-P	00-22-076	415-501-450	RECOD-P	00-08-092
415-112-156	NEW-P	00-22-076	415-210-020	REP	01-01-059	415-501-450	RECOD	00-11-104
415-112-156	NEW	01-01-059	415-501-010	AMD-P	00-08-092	415-501-470	RECOD-P	00-08-092
415-112-330	AMD-P	00-04-024	415-501-010	AMD	00-11-104	415-501-470	RECOD	00-11-104
415-112-330	AMD	00-10-015	415-501-020	AMD-P	00-08-092	415-501-475	RECOD-P	00-08-092
415-112-415	AMD-XA	00-08-030	415-501-020	AMD	00-11-104	415-501-475	RECOD	00-11-104
415-112-415	AMD	00-13-001	415-501-110	RECOD-P	00-08-092	415-501-480	RECOD-P	00-08-092
415-112-460	AMD-P	00-04-024	415-501-110	RECOD	00-11-104	415-501-480	RECOD	00-11-104
415-112-460	AMD	00-10-015	415-501-120	RECOD-P	00-08-092	415-501-485	RECOD-P	00-08-092
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415-501-487	RECOD-P	00-08-092	415-504-110	AMD	00-11-104	415-512-087	AMD	00-11-104
415-501-487	RECOD	00-11-104	415-504-110	DECOD	00-11-104	415-512-087	DECOD	00-11-104
415-501-490	RECOD-P	00-08-092	415-508-010	AMD-P	00-08-092	415-512-090	AMD-P	00-08-092
415-501-490	RECOD	00-11-104	415-508-010	DECOD-P	00-08-092	415-512-090	DECOD-P	00-08-092
415-501-495	RECOD-P	00-08-092	415-508-010	AMD	00-11-104	415-512-090	AMD	00-11-104
415-501-495	RECOD	00-11-104	415-508-010	DECOD	00-11-104	415-512-090	DECOD	00-11-104
415-501-500	RECOD-P	00-08-092	415-508-020	DECOD-P	00-08-092	415-512-095	AMD-P	00-08-092
415-501-500	RECOD	00-11-104	415-508-020	DECOD	00-11-104	415-512-095	DECOD-P	00-08-092
415-501-510	RECOD-P	00-08-092	415-508-030	DECOD-P	00-08-092	415-512-095	AMD	00-11-104
415-501-510	RECOD	00-11-104	415-508-030	DECOD	00-11-104	415-512-095	DECOD	00-11-104
415-501-520	RECOD-P	00-08-092	415-508-040	DECOD-P	00-08-092	415-512-110	AMD-P	00-08-092
415-501-520	RECOD	00-11-104	415-508-040	DECOD	00-11-104	415-512-110	DECOD-P	00-08-092
415-501-530	RECOD-P	00-08-092	415-508-050	AMD-P	00-08-092	415-512-110	AMD	00-11-104
415-501-530	RECOD	00-11-104	415-508-050	DECOD-P	00-08-092	415-512-110	DECOD	00-11-104
415-501-540	RECOD-P	00-08-092	415-508-050	AMD	00-11-104	415-524-010	AMD-P	00-08-092
415-501-540	RECOD	00-11-104	415-508-050	DECOD	00-11-104	415-524-010	DECOD-P	00-08-092
415-501-550	RECOD-P	00-08-092	415-512-010	AMD-P	00-08-092	415-524-010	AMD	00-11-104
415-501-550	RECOD	00-11-104	415-512-010	DECOD-P	00-08-092	415-524-010	DECOD	00-11-104
415-501-560	RECOD-P	00-08-092	415-512-010	AMD	00-11-104	415-528-010	DECOD-P	00-08-092
415-501-560	RECOD	00-11-104	415-512-010	DECOD	00-11-104	415-528-010	DECOD	00-11-104
415-501-570	RECOD-P	00-08-092	415-512-015	AMD-P	00-08-092	415-532-010	AMD-P	00-08-092
415-501-570	RECOD	00-11-104	415-512-015	DECOD-P	00-08-092	415-532-010	DECOD-P	00-08-092
415-501-580	RECOD-P	00-08-092	415-512-015	AMD	00-11-104	415-532-010	AMD	00-11-104
415-501-580	RECOD	00-11-104	415-512-015	DECOD	00-11-104	415-532-010	DECOD	00-11-104
415-501-590	RECOD-P	00-08-092	415-512-020	AMD-P	00-08-092	415-532-020	AMD-P	00-08-092
415-501-590	RECOD	00-11-104	415-512-020	DECOD-P	00-08-092	415-532-020	DECOD-P	00-08-092
415-501-600	RECOD-P	00-08-092	415-512-020	AMD	00-11-104	415-532-020	AMD	00-11-104
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
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415-564-040	DECOD-P	00-08-092	419- 52-020	DECOD	00-17-140	420- 12-010	NEW-P	00-24-104
415-564-040	AMD	00-11-104	419- 52-030	AMD-XA	00-13-100	420- 12-020	NEW-P	00-24-104
415-564-040	DECOD	00-11-104	419- 52-030	DECOD-X	00-13-100	420- 12-030	NEW-P	00-24-104
415-564-050	AMD-P	00-08-092	419- 52-030	AMD	00-17-140	420- 12-040	NEW-P	00-24-104
415-564-050	DECOD-P	00-08-092	419- 52-030	DECOD	00-17-140	420- 12-050	NEW-P	00-24-104
415-564-050	AMD	00-11-104	419- 56-010	AMD-XA	00-13-100	420- 12-060	NEW-P	00-24-104
415-564-050	DECOD	00-11-104	419- 56-010	DECOD-X	00-13-100	420- 12-070	NEW-P	00-24-104
415-564-060	DECOD-P	00-08-092	419- 56-010	AMD	00-17-140	420- 12-075	NEW-P	00-24-104
415-564-060	DECOD	00-11-104	419- 56-010	DECOD	00-17-140	420- 12-080	NEW-P	00-24-104
415-568-010	DECOD-P	00-08-092	419- 56-020	AMD-XA	00-13-100	420- 12-085	NEW-P	00-24-104
415-568-010	DECOD	00-11-104	419- 56-020	DECOD-X	00-13-100	420- 12-090	NEW-P	00-24-104
415-568-020	DECOD-P	00-08-092	419- 56-020	AMD	00-17-140	434- 55-015	AMD-XA	00-16-118
415-568-020	DECOD	00-11-104	419- 56-020	DECOD	00-17-140	434- 55-015	AMD	00-21-083
419- 14-020	AMD-XA	00-13-100	419- 56-030	AMD-XA	00-13-100	434-110-020	AMD-XA	00-16-119
419- 14-020	DECOD-X	00-13-100	419- 56-030	DECOD-X	00-13-100	434-110-020	AMD	00-21-084
419- 14-020	AMD	00-17-140	419- 56-030	AMD	00-17-140	434-110-030	AMD-XA	00-16-119
419- 14-020	DECOD	00-17-140	419- 56-030	DECOD	00-17-140	434-110-030	AMD	00-21-084
419- 14-030	AMD-XA	00-13-100	419- 56-040	AMD-XA	00-13-100	434-110-040	AMD-XA	00-16-119
419- 14-030	DECOD-X	00-13-100	419- 56-040	DECOD-X	00-13-100	434-110-040	AMD	00-21-084
419- 14-030	AMD	00-17-140	419- 56-040	AMD	00-17-140	434-110-050	AMD-XA	00-16-119
419- 14-030	DECOD	00-17-140	419- 56-040	DECOD	00-17-140	434-110-050	AMD	00-21-084
419- 14-040	DECOD-X	00-13-100	419- 56-050	AMD-XA	00-13-100	434-120-015	AMD-XA	00-16-116
419- 14-040	DECOD	00-17-140	419- 56-050	DECOD-X	00-13-100	434-120-015	AMD	00-21-081
419- 14-050	DECOD-X	00-13-100	419- 56-050	AMD	00-17-140	434-130-020	AMD-XA	00-16-117
419- 14-050	DECOD	00-17-140	419- 56-050	DECOD	00-17-140	434-130-020	AMD	00-21-082
419- 14-060	DECOD-X	00-13-100	419- 56-060	AMD-XA	00-13-100	434-135-020	AMD-XA	00-16-120
419- 14-060	DECOD	00-17-140	419- 56-060	DECOD-X	00-13-100	434-135-020	AMD	00-21-085
419- 14-070	AMD-XA	00-13-100	419- 56-060	AMD	00-17-140	434-166-030	AMD-XA	00-16-121
419- 14-070	DECOD-X	00-13-100	419- 56-060	DECOD	00-17-140	434-166-030	AMD	00-21-086
419- 14-070	AMD	00-17-140	419- 56-070	AMD-XA	00-13-100	434-180-110	AMD-XA	00-16-122
419- 14-070	DECOD	00-17-140	419- 56-070	DECOD-X	00-13-100	434-180-110	AMD	00-21-087
419- 14-075	DECOD-X	00-13-100	419- 56-070	AMD	00-17-140	434-180-440	AMD-XA	00-17-173
419- 14-075	DECOD	00-17-140	419- 56-070	DECOD	00-17-140	434-180-440	AMD	00-22-041
419- 14-080	DECOD-X	00-13-100	419- 56-080	DECOD-X	00-13-100	434-219-020	AMD	00-03-003
419- 14-080	DECOD	00-17-140	419- 56-080	DECOD	00-17-140	434-219-120	AMD	00-03-003
419- 14-085	AMD-XA	00-13-100	419- 56-090	AMD-XA	00-13-100	434-219-160	AMD	00-03-003
419- 14-085	DECOD-X	00-13-100	419- 56-090	DECOD-X	00-13-100	434-219-160	AMD-E	00-03-036
419- 14-085	AMD	00-17-140	419- 56-090	AMD	00-17-140	434-219-165	NEW	00-03-003
419- 14-085	DECOD	00-17-140	419- 56-090	DECOD	00-17-140	434-219-170	NEW	00-03-003
419- 14-090	DECOD-X	00-13-100	419- 60-010	AMD-XA	00-13-100	434-219-180	AMD	00-03-003
419- 14-090	DECOD	00-17-140	419- 60-010	DECOD-X	00-13-100	434-219-185	NEW	00-03-003
419- 14-100	AMD-XA	00-13-100	419- 60-010	AMD	00-17-140	434-219-210	AMD	00-03-003
419- 14-100	DECOD-X	00-13-100	419- 60-010	DECOD	00-17-140	434-219-220	AMD	00-03-003
419- 14-100	AMD	00-17-140	419- 60-020	AMD-XA	00-13-100	434-219-230	AMD	00-03-003
419- 14-100	DECOD	00-17-140	419- 60-020	DECOD-X	00-13-100	434-219-240	AMD	00-03-003
419- 14-110	DECOD-X	00-13-100	419- 60-020	AMD	00-17-140	434-219-250	AMD	00-03-003
419- 14-110	DECOD	00-17-140	419- 60-020	DECOD	00-17-140	434-219-255	NEW	00-03-003
419- 14-120	AMD-XA	00-13-100	419- 60-030	AMD-XA	00-13-100	434-219-260	AMD	00-03-003
419- 14-120	DECOD-X	00-13-100	419- 60-030	DECOD-X	00-13-100	434-219-270	AMD	00-03-003
419- 14-120	AMD	00-17-140	419- 60-030	AMD	00-17-140	434-219-280	AMD	00-03-003
419- 14-120	DECOD	00-17-140	419- 60-030	DECOD	00-17-140	434-219-280	AMD-E	00-05-093
419- 14-135	DECOD-X	00-13-100	420- 04-010	NEW-P	00-24-104	434-219-285	NEW	00-03-003
419- 14-135	DECOD	00-17-140	420- 04-015	NEW-P	00-24-104	434-219-290	AMD	00-03-003
419- 14-140	DECOD-X	00-13-100	420- 04-020	NEW-P	00-24-104	434-219-300	NEW	00-03-003
419- 14-140	DECOD	00-17-140	420- 04-030	NEW-P	00-24-104	434-219-310	AMD	00-03-003
419- 52-010	AMD-XA	00-13-100	420- 04-040	NEW-P	00-24-104	434-219-320	AMD	00-03-003
419- 52-010	DECOD-X	00-13-100	420- 04-050	NEW-P	00-24-104	434-230-170	AMD-S	00-07-052
419- 52-010	AMD	00-17-140	420- 04-060	NEW-P	00-24-104	434-230-170	AMD	00-11-042
419- 52-010	DECOD	00-17-140	420- 04-070	NEW-P	00-24-104	434-230-210	AMD-S	00-07-052
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434-230-220	NEW-S	00-07-052	434-663-300	AMD-P	00-04-083	434-663-520	REP-P	00-04-083
434-230-220	NEW	00-11-042	434-663-300	AMD-S	00-13-108	434-663-520	REP-S	00-13-108
434-240-202	NEW-E	00-03-036	434-663-300	AMD	00-20-038	434-663-520	REP	00-20-038
434-257	AMD-E	00-04-010	434-663-305	NEW-P	00-04-083	434-663-530	AMD-P	00-04-083
434-257-010	AMD-E	00-04-010	434-663-305	NEW-S	00-13-108	434-663-530	AMD-S	00-13-108
434-257-020	AMD-E	00-04-010	434-663-305	NEW	00-20-038	434-663-530	AMD	00-20-038
434-257-030	AMD-E	00-04-010	434-663-310	AMD-P	00-04-083	434-663-600	AMD-P	00-04-083
434-257-050	REP-E	00-04-010	434-663-310	REP-S	00-13-108	434-663-600	AMD-S	00-13-108
434-257-070	AMD-E	00-04-010	434-663-310	REP	00-20-038	434-663-600	AMD	00-20-038
434-257-080	REP-E	00-04-010	434-663-315	NEW-S	00-13-108	434-663-610	AMD-P	00-04-083
434-257-090	AMD-E	00-04-010	434-663-320	AMD-P	00-04-083	434-663-610	REP-S	00-13-108
434-257-100	AMD-E	00-04-010	434-663-320	REP-S	00-13-108	434-663-610	REP	00-20-038
434-257-120	REP-E	00-04-010	434-663-320	REP	00-20-038	434-663-615	NEW-S	00-13-108
434-257-130	AMD-E	00-04-010	434-663-325	NEW-S	00-13-108	434-663-615	NEW	00-20-038
434-257-150	AMD-E	00-04-010	434-663-325	NEW	00-20-038	434-663-620	AMD-P	00-04-083
434-260-310	AMD-E	00-24-057	434-663-400	AMD-P	00-04-083	434-663-620	REP-S	00-13-108
434-262-080	AMD-P	00-05-095	434-663-400	DECOD-P	00-04-083	434-663-620	REP	00-20-038
434-262-080	AMD	00-10-010	434-663-400	AMD-S	00-13-108	434-663-640	NEW-P	00-04-083
434-262-110	AMD-P	00-05-095	434-663-400	DECOD-S	00-13-108	434-663-640	NEW-S	00-13-108
434-262-110	AMD	00-10-010	434-663-400	AMD	00-20-038	434-663-640	NEW	00-20-038
434-262-120	AMD-P	00-05-095	434-663-400	DECOD	00-20-038	434-663-700	RECOD-P	00-04-083
434-262-120	AMD	00-10-010	434-663-405	NEW-P	00-04-083	434-663-700	RECOD-S	00-13-108
434-334-090	AMD-P	00-05-094	434-663-405	AMD-W	00-17-088	434-663-700	RECOD	00-20-038
434-334-090	AMD	00-10-009	434-663-410	AMD-P	00-04-083	434-663-705	NEW-S	00-13-108
434-334-110	AMD-P	00-05-094	434-663-410	DECOD-P	00-04-083	434-663-705	NEW	00-20-038
434-334-110	AMD	00-10-009	434-663-410	AMD-S	00-13-108	434-663-710	RECOD-P	00-04-083
434-334-127	NEW-P	00-05-094	434-663-410	DECOD-S	00-13-108	434-663-710	RECOD-S	00-13-108
434-334-127	NEW	00-10-009	434-663-410	AMD	00-20-038	434-663-710	RECOD	00-20-038
434-334-140	AMD-P	00-05-094	434-663-410	DECOD	00-20-038	434-663-720	RECOD-P	00-04-083
434-334-140	AMD	00-10-009	434-663-420	AMD-P	00-04-083	434-663-720	RECOD-S	00-13-108
434-334-160	AMD-P	00-05-094	434-663-420	DECOD-P	00-04-083	434-663-720	RECOD	00-20-038
434-334-160	AMD	00-10-009	434-663-420	AMD-S	00-13-108	434-663-730	RECOD-P	00-04-083
434-334-165	AMD-P	00-05-094	434-663-420	DECOD-S	00-13-108	434-663-730	NEW-S	00-13-108
434-334-165	AMD	00-10-009	434-663-420	AMD	00-20-038	434-663-730	NEW	00-20-038
434-381	PREP	00-09-027	434-663-420	DECOD	00-20-038	434-663-740	RECOD-P	00-04-083
434-381-010	REP-E	00-09-028	434-663-430	AMD-P	00-04-083	434-663-740	NEW-S	00-13-108
434-381-020	REP-E	00-09-028	434-663-430	DECOD-P	00-04-083	434-663-740	NEW	00-20-038
434-381-030	REP-E	00-09-028	434-663-430	REP-S	00-13-108	434-663-750	RECOD-P	00-04-083
434-381-040	REP-E	00-09-028	434-663-430	REP	00-20-038	434-663-750	RECOD-S	00-13-108
434-381-050	REP-E	00-09-028	434-663-440	AMD-P	00-04-083	434-663-750	RECOD	00-20-038
434-381-060	REP-E	00-09-028	434-663-440	DECOD-P	00-04-083	434-663-760	RECOD-P	00-04-083
434-381-070	REP-E	00-09-028	434-663-440	REP-S	00-13-108	434-663-760	NEW-S	00-13-108
434-381-080	REP-E	00-09-028	434-663-440	REP	00-20-038	434-663-760	NEW	00-20-038
434-381-090	REP-E	00-09-028	434-663-450	DECOD-P	00-04-083	434-663-770	NEW-P	00-04-083
434-381-100	REP-E	00-09-028	434-663-450	DECOD-S	00-13-108	434-663-770	NEW-S	00-13-108
434-381-110	NEW-E	00-09-028	434-663-450	DECOD	00-20-038	434-663-770	NEW	00-20-038
434-381-120	NEW-E	00-09-028	434-663-460	REP-P	00-04-083	434-663-780	NEW-P	00-04-083
434-381-130	NEW-E	00-09-028	434-663-460	REP-S	00-13-108	434-663-780	NEW-S	00-13-108
434-381-140	NEW-E	00-09-028	434-663-460	REP	00-20-038	434-663-780	NEW	00-20-038
434-381-150	NEW-E	00-09-028	434-663-470	REP-P	00-04-083	437- 20-010	NEW-C	00-07-124
434-381-160	NEW-E	00-09-028	434-663-470	REP-S	00-13-108	437- 20-010	NEW-W	00-11-050
434-381-170	NEW-E	00-09-028	434-663-470	REP	00-20-038	437- 20-010	NEW-C	00-11-051
434-381-180	NEW-E	00-09-028	434-663-480	REP-P	00-04-083	437- 20-010	NEW	00-11-052
434-663-100	AMD-P	00-04-083	434-663-480	REP-S	00-13-108	440- 22-001	REP-P	00-13-073
434-663-100	AMD-S	00-13-108	434-663-480	REP	00-20-038	440- 22-001	REP	00-23-107
434-663-100	RECOD-S	00-13-108	434-663-490	AMD-P	00-04-083	440- 22-005	REP-P	00-13-073
434-663-100	AMD	00-20-038	434-663-490	DECOD-P	00-04-083	440- 22-005	REP	00-23-107
434-663-270	NEW-P	00-04-083	434-663-490	REP-S	00-13-108	440- 22-010	REP-P	00-13-073
434-663-270	NEW-S	00-13-108	434-663-490	REP	00-20-038	440- 22-010	REP	00-23-107
434-663-270	NEW	00-20-038	434-663-510	REP-P	00-04-083	440- 22-015	REP-P	00-13-073
434-663-280	NEW-P	00-04-083	434-663-510	REP-S	00-13-108	440- 22-015	REP	00-23-107
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440-22-020	REP	00-23-107	440-22-230	REP	00-23-107	440-22-520	REP	00-23-107
440-22-025	REP-P	00-13-073	440-22-240	REP-P	00-13-073	440-22-525	REP-P	00-13-073
440-22-025	REP	00-23-107	440-22-240	REP	00-23-107	440-22-525	REP	00-23-107
440-22-030	REP-P	00-13-073	440-22-250	REP-P	00-13-073	440-22-530	REP-P	00-13-073
440-22-030	REP	00-23-107	440-22-250	REP	00-23-107	440-22-530	REP	00-23-107
440-22-035	REP-P	00-13-073	440-22-253	REP-P	00-13-073	440-22-550	REP-P	00-13-073
440-22-035	REP	00-23-107	440-22-253	REP	00-23-107	440-22-550	REP	00-23-107
440-22-040	REP-P	00-13-073	440-22-255	REP-P	00-13-073	440-22-560	REP-P	00-13-073
440-22-040	REP	00-23-107	440-22-255	REP	00-23-107	440-22-560	REP	00-23-107
440-22-045	REP-P	00-13-073	440-22-257	REP-P	00-13-073	440-22-565	REP-P	00-13-073
440-22-045	REP	00-23-107	440-22-257	REP	00-23-107	440-22-565	REP	00-23-107
440-22-050	REP-P	00-13-073	440-22-260	REP-P	00-13-073	440-22-600	REP-P	00-13-073
440-22-050	REP	00-23-107	440-22-260	REP	00-23-107	440-22-600	REP	00-23-107
440-22-055	REP-P	00-13-073	440-22-270	REP-P	00-13-073	440-22-610	REP-P	00-13-073
440-22-055	REP	00-23-107	440-22-270	REP	00-23-107	440-22-610	REP	00-23-107
440-22-060	REP-P	00-13-073	440-22-280	REP-P	00-13-073	440-22-620	REP-P	00-13-073
440-22-060	REP	00-23-107	440-22-280	REP	00-23-107	440-22-620	REP	00-23-107
440-22-065	REP-P	00-13-073	440-22-300	REP-P	00-13-073	440-22-900	REP-P	00-13-073
440-22-065	REP	00-23-107	440-22-300	REP	00-23-107	440-22-900	REP	00-23-107
440-22-070	REP-P	00-13-073	440-22-310	REP-P	00-13-073	440-22-905	REP-P	00-13-073
440-22-070	REP	00-23-107	440-22-310	REP	00-23-107	440-22-905	REP	00-23-107
440-22-075	REP-P	00-13-073	440-22-320	REP-P	00-13-073	440-22-910	REP-P	00-13-073
440-22-075	REP	00-23-107	440-22-320	REP	00-23-107	440-22-910	REP	00-23-107
440-22-080	REP-P	00-13-073	440-22-325	REP-P	00-13-073	440-22-915	REP-P	00-13-073
440-22-080	REP	00-23-107	440-22-325	REP	00-23-107	440-22-915	REP	00-23-107
440-22-085	REP-P	00-13-073	440-22-330	REP-P	00-13-073	440-22-920	REP-P	00-13-073
440-22-085	REP	00-23-107	440-22-330	REP	00-23-107	440-22-920	REP	00-23-107
440-22-090	REP-P	00-13-073	440-22-335	REP-P	00-13-073	440-22-925	REP-P	00-13-073
440-22-090	REP	00-23-107	440-22-335	REP	00-23-107	440-22-925	REP	00-23-107
440-22-100	REP-P	00-13-073	440-22-350	REP-P	00-13-073	440-22-930	REP-P	00-13-073
440-22-100	REP	00-23-107	440-22-350	REP	00-23-107	440-22-930	REP	00-23-107
440-22-105	REP-P	00-13-073	440-22-355	REP-P	00-13-073	440-22-935	REP-P	00-13-073
440-22-105	REP	00-23-107	440-22-355	REP	00-23-107	440-22-935	REP	00-23-107
440-22-110	REP-P	00-13-073	440-22-400	REP-P	00-13-073	440-44-001	DECOD	00-23-088
440-22-110	REP	00-23-107	440-22-400	REP	00-23-107	440-44-002	DECOD	00-23-088
440-22-115	REP-P	00-13-073	440-22-405	REP-P	00-13-073	440-44-010	DECOD	00-23-088
440-22-115	REP	00-23-107	440-22-405	REP	00-23-107	440-44-010	DECOD	00-23-089
440-22-120	REP-P	00-13-073	440-22-406	REP-P	00-13-073	440-44-015	DECOD	00-23-088
440-22-120	REP	00-23-107	440-22-406	REP	00-23-107	440-44-015	DECOD	00-23-089
440-22-125	REP-P	00-13-073	440-22-410	REP-P	00-13-073	440-44-020	REP-P	00-13-073
440-22-125	REP	00-23-107	440-22-410	REP	00-23-107	440-44-020	REP	00-23-107
440-22-150	REP-P	00-13-073	440-22-420	REP-P	00-13-073	440-44-025	PREP	00-10-062
440-22-150	REP	00-23-107	440-22-420	REP	00-23-107	440-44-025	REP-P	00-17-127
440-22-155	REP-P	00-13-073	440-22-430	REP-P	00-13-073	440-44-026	PREP	00-10-061
440-22-155	REP	00-23-107	440-22-430	REP	00-23-107	440-44-026	REP-P	00-17-127
440-22-160	REP-P	00-13-073	440-22-450	REP-P	00-13-073	440-44-028	REP	00-07-045
440-22-160	REP	00-23-107	440-22-450	REP	00-23-107	440-44-090	DECOD	00-23-089
440-22-165	REP-P	00-13-073	440-22-455	REP-P	00-13-073	446-30-010	AMD	00-02-069
440-22-165	REP	00-23-107	440-22-455	REP	00-23-107	446-85-005	NEW-P	00-06-037
440-22-175	REP-P	00-13-073	440-22-460	REP-P	00-13-073	446-85-005	NEW	00-10-092
440-22-175	REP	00-23-107	440-22-460	REP	00-23-107	446-85-010	NEW-P	00-06-037
440-22-180	REP-P	00-13-073	440-22-465	REP-P	00-13-073	446-85-010	NEW	00-10-092
440-22-180	REP	00-23-107	440-22-465	REP	00-23-107	458-12-125	REP-XR	00-17-007
440-22-200	REP-P	00-13-073	440-22-500	REP-P	00-13-073	458-12-125	REP	00-22-036
440-22-200	REP	00-23-107	440-22-500	REP	00-23-107	458-12-315	REP-P	00-05-033
440-22-210	REP-P	00-13-073	440-22-505	REP-P	00-13-073	458-12-315	REP	00-09-003
440-22-210	REP	00-23-107	440-22-505	REP	00-23-107	458-12-320	AMD-P	00-05-033
440-22-220	REP-P	00-13-073	440-22-510	REP-P	00-13-073	458-12-320	AMD	00-09-003
440-22-220	REP	00-23-107	440-22-510	REP	00-23-107	458-12-390	REP-XR	00-17-007
440-22-225	REP-P	00-13-073	440-22-515	REP-P	00-13-073	458-12-390	REP	00-22-036
440-22-225	REP	00-23-107	440-22-515	REP	00-23-107	458-16-080	AMD-P	00-05-032
440-22-230	REP-P	00-13-073	440-22-520	REP-P	00-13-073	458-16-080	AMD	00-09-004

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
458-16-081	REP-P	00-05-032	458-30-275	PREP	00-05-074	458-40-624	REP	00-24-068
458-16-081	REP	00-09-004	458-30-275	AMD-P	00-11-026	458-40-626	PREP	00-13-116
458-16A-010	AMD-P	00-06-073	458-30-275	AMD-W	00-24-081	458-40-626	AMD-P	00-21-120
458-16A-010	AMD	00-09-086	458-30-285	PREP	00-05-074	458-40-626	AMD	00-24-068
458-16A-020	AMD-P	00-06-073	458-30-285	AMD-P	00-11-026	458-40-628	PREP	00-13-116
458-16A-020	AMD	00-09-086	458-30-285	AMD-W	00-24-081	458-40-628	AMD-P	00-21-120
458-18-220	AMD-XA	00-20-025	458-30-295	PREP	00-05-074	458-40-628	AMD	00-24-068
458-18-220	AMD	00-24-106	458-30-295	AMD-P	00-11-026	458-40-630	PREP	00-13-116
458-20-130	REP-XR	00-17-009	458-30-295	AMD-W	00-24-081	458-40-630	REP-P	00-21-120
458-20-130	REP	00-22-034	458-30-300	PREP	00-05-074	458-40-630	REP	00-24-068
458-20-135	AMD-E	00-04-026	458-30-300	AMD-P	00-11-026	458-40-632	PREP	00-13-116
458-20-135	AMD-P	00-04-029	458-30-300	AMD-W	00-24-081	458-40-632	REP-P	00-21-120
458-20-135	AMD	00-11-096	458-30-305	PREP	00-05-074	458-40-632	REP	00-24-068
458-20-13501	PREP	00-04-027	458-30-305	AMD-P	00-11-026	458-40-634	PREP	00-13-116
458-20-136	AMD-E	00-04-026	458-30-305	AMD-W	00-24-081	458-40-634	REP-P	00-21-120
458-20-136	AMD-P	00-04-029	458-30-310	PREP	00-05-074	458-40-634	REP	00-24-068
458-20-136	AMD	00-11-096	458-30-310	AMD-P	00-11-026	458-40-636	PREP	00-13-116
458-20-13601	NEW-E	00-04-026	458-30-310	AMD-W	00-24-081	458-40-636	REP-P	00-21-120
458-20-13601	NEW-P	00-04-029	458-30-315	PREP	00-05-074	458-40-636	REP	00-24-068
458-20-13601	NEW	00-11-096	458-30-325	PREP	00-05-074	458-40-640	PREP	00-13-116
458-20-161	REP-XR	00-17-008	458-30-325	AMD-P	00-11-026	458-40-640	AMD-P	00-22-092
458-20-161	REP	00-22-035	458-30-325	AMD-W	00-24-081	458-40-650	PREP	00-08-108
458-20-169	PREP	00-21-089	458-30-350	PREP	00-05-074	458-40-650	AMD-P	00-13-115
458-20-17802	PREP	01-01-142	458-30-580	REP-XA	00-20-107	458-40-650	AMD	00-19-067
458-20-18801	PREP	00-08-072	458-30-580	REP	00-24-107	458-40-660	PREP	00-06-053
458-20-190	PREP	00-13-040	458-30-590	AMD-XA	00-20-107	458-40-660	PREP	00-08-109
458-20-191	PREP	00-13-040	458-30-590	AMD	00-24-107	458-40-660	AMD-P	00-10-055
458-20-192	AMD-P	00-16-014	458-30-700	PREP	00-09-085	458-40-660	AMD-P	00-13-119
458-20-192	AMD	00-24-050A	458-30-710	PREP	00-09-085	458-40-660	AMD	00-14-011
458-20-195	PREP	00-08-110	458-40-500	PREP	00-13-116	458-40-660	PREP	00-18-096
458-20-195	AMD-P	00-12-075	458-40-500	REP-P	00-21-120	458-40-660	AMD	00-19-067
458-20-195	AMD	00-16-015	458-40-500	REP	00-24-068	458-40-660	AMD-P	00-22-093
458-20-213	REP-XR	00-17-009	458-40-510	PREP	00-13-116	458-40-670	PREP	00-13-116
458-20-213	REP	00-22-034	458-40-510	REP-P	00-21-120	458-40-670	AMD-P	00-21-120
458-20-217	PREP	00-05-073	458-40-510	REP	00-24-068	458-40-670	AMD	00-24-068
458-20-217	AMD-P	00-12-038	458-40-520	PREP	00-13-116	458-40-680	PREP	00-13-116
458-20-217	AMD	00-16-016	458-40-520	REP-P	00-21-120	458-40-680	AMD-P	00-21-120
458-20-228	AMD	00-04-028	458-40-520	REP	00-24-068	458-40-680	AMD	00-24-068
458-20-228	AMD-XA	00-17-010	458-40-530	PREP	00-13-116	458-40-682	PREP	00-13-116
458-20-228	AMD-P	00-23-035	458-40-530	AMD-P	00-21-120	458-40-682	REP-P	00-21-120
458-20-22802	PREP	00-21-088	458-40-530	AMD	00-24-068	458-40-682	REP	00-24-068
458-20-234	REP-XR	00-17-008	458-40-535	PREP	00-13-116	458-40-684	PREP	00-13-116
458-20-234	REP	00-22-035	458-40-535	REP-P	00-21-120	458-40-684	REP-P	00-21-120
458-20-237	REP-XR	00-17-009	458-40-535	REP	00-24-068	458-40-684	REP	00-24-068
458-20-237	REP	00-22-034	458-40-540	AMD-P	00-22-094	458-40-686	PREP	00-13-116
458-20-238	PREP	00-10-115	458-40-600	PREP	00-13-116	458-40-686	REP-P	00-21-120
458-20-238	AMD-P	00-18-007	458-40-600	REP-P	00-21-120	458-40-686	REP	00-24-068
458-20-238	AMD	00-23-003	458-40-600	REP	00-24-068	458-40-690	PREP	00-13-116
458-20-239	AMD-XA	00-05-015	458-40-610	PREP	00-13-116	458-40-690	AMD-P	00-21-120
458-20-239	AMD	00-09-092	458-40-610	AMD-P	00-21-120	458-40-690	AMD	00-24-068
458-20-24001	PREP	00-22-091	458-40-610	AMD	00-24-068	458-57-035	AMD-XA	00-14-028
458-20-260	PREP	00-15-004	458-40-615	PREP	00-13-116	458-57-035	AMD	00-19-012
458-20-261	AMD-XA	00-03-001	458-40-615	REP-P	00-21-120	458-57-045	AMD-XA	00-14-028
458-20-261	AMD	00-11-097	458-40-615	REP	00-24-068	458-57-045	AMD	00-19-012
458-20-264	PREP	00-13-027	458-40-620	PREP	00-13-116	458-61-230	AMD-P	00-04-055
458-20-264	NEW-P	00-20-023A	458-40-620	REP-P	00-21-120	458-61-230	AMD	00-09-002
458-20-264	NEW	00-23-117	458-40-620	REP	00-24-068	460-21C-005	NEW-P	00-02-068
458-30-200	PREP	00-05-074	458-40-622	PREP	00-13-116	460-21C-005	NEW	00-05-055
458-30-200	AMD-P	00-11-026	458-40-622	REP-P	00-21-120	460-21C-010	NEW-P	00-02-068
458-30-200	AMD-W	00-24-081	458-40-622	REP	00-24-068	460-21C-010	NEW	00-05-055
458-30-262	AMD-XA	00-20-024	458-40-624	PREP	00-13-116	460-21C-020	NEW-P	00-02-068
458-30-262	AMD	00-24-105	458-40-624	REP-P	00-21-120	460-21C-020	NEW	00-05-055

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
460-21C-030	NEW-P	00-02-068	468-38-290	AMD-E	00-05-087	480-15-010	AMD-P	00-09-079
460-21C-030	NEW	00-05-055	468-38-290	PREP	00-05-088	480-15-010	AMD	00-14-010
460-21C-040	NEW-P	00-02-068	468-38-290	AMD-P	00-08-047	480-15-020	AMD-P	00-09-079
460-21C-040	NEW	00-05-055	468-38-290	AMD	00-11-038	480-15-020	AMD	00-14-010
460-24A	PREP	00-17-019	468-38-290	AMD-E	00-12-022	480-15-030	REP-P	00-09-079
460-44A-500	AMD	00-04-094	468-38-290	AMD-XA	00-12-023	480-15-030	REP	00-14-010
460-44A-504	AMD	00-04-094	468-38-290	AMD	00-17-060	480-15-035	NEW-P	00-09-079
460-44A-504	AMD-XA	00-16-102	468-100-002	AMD-XA	00-17-061	480-15-035	NEW	00-14-010
460-44A-504	AMD	00-23-027	468-100-102	AMD-XA	00-17-061	480-15-260	AMD-P	00-09-079
460-46A-010	REP	00-04-095	468-100-203	AMD-XA	00-17-061	480-15-260	AMD	00-14-010
460-46A-020	REP	00-04-095	468-100-208	AMD-XA	00-17-061	480-15-490	AMD-P	00-09-079
460-46A-025	REP	00-04-095	468-100-209	NEW-XA	00-17-061	480-15-490	AMD	00-14-010
460-46A-030	REP	00-04-095	468-100-306	AMD-XA	00-17-061	480-15-560	AMD-P	00-09-079
460-46A-040	REP	00-04-095	468-300-010	PREP	00-04-086	480-15-560	AMD	00-14-010
460-46A-050	REP	00-04-095	468-300-010	AMD-P	00-20-088	480-15-570	AMD-P	00-09-079
460-46A-055	REP	00-04-095	468-300-010	AMD	00-24-050	480-15-570	AMD	00-14-010
460-46A-061	REP	00-04-095	468-300-010	PREP	01-01-111	480-15-570	AMD	00-14-010
460-46A-065	REP	00-04-095	468-300-020	PREP	00-04-086	480-15-620	AMD-P	00-09-079
460-46A-071	REP	00-04-095	468-300-020	AMD-P	00-20-088	480-15-620	AMD	00-14-010
460-46A-072	REP	00-04-095	468-300-020	AMD	00-24-050	480-15-620	AMD-P	00-09-079
460-46A-090	REP	00-04-095	468-300-020	PREP	01-01-111	480-15-620	AMD	00-14-010
460-46A-091	REP	00-04-095	468-300-040	PREP	00-04-086	480-15-650	AMD-P	00-09-079
460-46A-092	REP	00-04-095	468-300-040	AMD-P	00-20-088	480-15-650	AMD	00-14-010
460-46A-095	REP	00-04-095	468-300-040	AMD	00-24-050	480-15-660	AMD-P	00-09-079
460-46A-100	REP	00-04-095	468-300-040	PREP	01-01-111	480-15-660	AMD	00-14-010
460-46A-105	REP	00-04-095	468-300-220	PREP	00-04-086	480-15-740	AMD-P	00-09-079
460-46A-110	REP	00-04-095	468-300-220	PREP	01-01-111	480-15-740	AMD	00-14-010
460-46A-115	REP	00-04-095	474-02-010	AMD	00-11-084	480-60-010	AMD	00-04-011
460-46A-145	REP	00-04-095	474-02-020	AMD	00-11-084	480-60-012	NEW	00-04-011
460-46A-150	REP	00-04-095	478-116	PREP	00-22-069	480-60-014	NEW	00-04-011
460-46A-155	REP	00-04-095	478-132-010	AMD	00-04-038	480-60-020	AMD	00-04-011
460-46A-160	REP	00-04-095	478-132-030	AMD	00-04-038	480-60-030	AMD	00-04-011
460-46A-165	REP	00-04-095	478-136-030	PREP	01-01-034	480-60-035	NEW	00-04-011
468-14-010	REP-XR	00-07-027	478-250	PREP	00-20-060	480-60-040	AMD	00-04-011
468-14-010	REP	00-11-133	478-276	PREP	00-20-060	480-60-050	AMD	00-04-011
468-14-020	REP-XR	00-07-027	478-324-020	AMD	00-04-039	480-60-060	AMD	00-04-011
468-14-020	REP	00-11-133	478-324-030	AMD	00-04-039	480-60-070	REP	00-04-011
468-14-030	REP-XR	00-07-027	478-324-040	AMD	00-04-039	480-60-080	AMD	00-04-011
468-14-030	REP	00-11-133	478-324-045	NEW	00-04-039	480-60-090	AMD	00-04-011
468-14-040	REP-XR	00-07-027	478-324-050	REP	00-04-039	480-60-99002	REP	00-04-011
468-14-040	REP	00-11-133	478-324-060	AMD	00-04-039	480-60-99003	REP	00-04-011
468-14-050	REP-XR	00-07-027	478-324-070	AMD	00-04-039	480-62-010	REP-P	00-23-131
468-14-050	REP	00-11-133	478-324-090	AMD	00-04-039	480-62-020	REP-P	00-23-131
468-16-080	PREP	00-07-026	478-324-110	AMD	00-04-039	480-62-030	REP-P	00-23-131
468-16-080	AMD-P	00-11-134	478-324-120	AMD	00-04-039	480-62-040	REP-P	00-23-131
468-16-080	AMD	00-14-055	478-324-130	AMD	00-04-039	480-62-050	REP-P	00-23-131
468-16-100	PREP	00-07-026	478-324-140	AMD	00-04-039	480-62-060	REP-P	00-23-131
468-16-100	AMD-P	00-11-134	478-324-150	AMD	00-04-039	480-62-070	REP-P	00-23-131
468-16-100	AMD	00-14-055	478-324-170	AMD	00-04-039	480-62-080	REP-P	00-23-131
468-16-150	PREP	00-07-026	478-324-180	AMD	00-04-039	480-62-085	REP-P	00-23-131
468-16-150	AMD-P	00-11-134	478-324-190	AMD	00-04-039	480-62-090	REP-P	00-23-131
468-16-150	AMD	00-14-055	478-324-200	AMD	00-04-039	480-62-100	REP-P	00-23-131
468-38-070	PREP	00-04-068	478-324-210	AMD	00-04-039	480-62-120	REP-P	00-23-131
468-38-070	AMD-P	00-07-072	478-355	PREP	00-20-100	480-62-125	NEW-P	00-23-131
468-38-070	AMD	00-11-019	479-05-190	AMD-E	00-16-124	480-62-130	NEW-P	00-23-131
468-38-090	REP-P	00-07-072	479-05-190	AMD-P	00-18-114	480-62-135	NEW-P	00-23-131
468-38-090	REP	00-11-019	479-05-190	AMD	00-22-001	480-62-140	NEW-P	00-23-131
468-38-100	PREP	00-14-001	479-14-130	AMD-E	00-16-124	480-62-145	NEW-P	00-23-131
468-38-100	AMD-P	00-19-052	479-14-130	AMD-P	00-18-114	480-62-150	NEW-P	00-23-131
468-38-100	AMD-W	00-22-010	479-14-130	AMD	00-22-001	480-62-155	NEW-P	00-23-131
468-38-110	AMD-S	00-07-071	479-14-200	NEW-E	00-13-067	480-62-160	NEW-P	00-23-131
468-38-110	AMD	00-11-020	479-14-200	NEW-P	00-13-081	480-62-165	NEW-P	00-23-131
						480-62-170	NEW-P	00-23-131
						480-62-200	NEW-P	00-23-131
						480-62-205	NEW-P	00-23-131

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-62-210	NEW-P	00-23-131	480-70-030	REP-P	00-23-132	480-70-230	REP-P	00-23-132
480-62-215	NEW-P	00-23-131	480-70-031	NEW-P	00-23-132	480-70-231	NEW-P	00-23-132
480-62-220	NEW-P	00-23-131	480-70-036	NEW-P	00-23-132	480-70-236	NEW-P	00-23-132
480-62-225	NEW-P	00-23-131	480-70-040	REP-P	00-23-132	480-70-240	REP-P	00-23-132
480-62-230	NEW-P	00-23-131	480-70-041	NEW-P	00-23-132	480-70-241	NEW-P	00-23-132
480-62-235	NEW-E	00-12-009	480-70-046	NEW-P	00-23-132	480-70-245	REP-P	00-23-132
480-62-235	NEW-P	00-23-131	480-70-050	REP-P	00-23-132	480-70-246	NEW-P	00-23-132
480-62-240	NEW-P	00-23-131	480-70-051	NEW-P	00-23-132	480-70-250	REP-P	00-23-132
480-62-245	NEW-P	00-23-131	480-70-055	REP-P	00-23-132	480-70-251	NEW-P	00-23-132
480-62-250	NEW-P	00-23-131	480-70-056	NEW-P	00-23-132	480-70-256	NEW-P	00-23-132
480-62-300	NEW-P	00-23-131	480-70-060	REP-P	00-23-132	480-70-260	REP-P	00-23-132
480-62-305	NEW-P	00-23-131	480-70-061	NEW-P	00-23-132	480-70-261	NEW-P	00-23-132
480-62-310	NEW-P	00-23-131	480-70-066	NEW-P	00-23-132	480-70-266	NEW-P	00-23-132
480-62-315	NEW-P	00-23-131	480-70-070	REP-P	00-23-132	480-70-270	REP-P	00-23-132
480-62-320	NEW-P	00-23-131	480-70-071	NEW-P	00-23-132	480-70-271	NEW-P	00-23-132
480-62-325	NEW-P	00-23-131	480-70-076	NEW-P	00-23-132	480-70-276	NEW-P	00-23-132
480-62-999	NEW-P	00-23-131	480-70-080	REP-P	00-23-132	480-70-280	REP-P	00-23-132
480-66-010	REP	00-04-011	480-70-081	NEW-P	00-23-132	480-70-281	NEW-P	00-23-132
480-66-020	REP	00-04-011	480-70-086	NEW-P	00-23-132	480-70-286	NEW-P	00-23-132
480-66-030	REP	00-04-011	480-70-090	REP-P	00-23-132	480-70-290	REP-P	00-23-132
480-66-040	REP	00-04-011	480-70-091	NEW-P	00-23-132	480-70-291	NEW-P	00-23-132
480-66-050	REP	00-04-011	480-70-096	NEW-P	00-23-132	480-70-296	NEW-P	00-23-132
480-66-060	REP	00-04-011	480-70-100	REP-P	00-23-132	480-70-300	REP-P	00-23-132
480-66-070	REP	00-04-011	480-70-101	NEW-P	00-23-132	480-70-301	NEW-P	00-23-132
480-66-100	NEW	00-04-011	480-70-106	NEW-P	00-23-132	480-70-306	NEW-P	00-23-132
480-66-110	NEW	00-04-011	480-70-110	REP-P	00-23-132	480-70-310	REP-P	00-23-132
480-66-120	NEW	00-04-011	480-70-111	NEW-P	00-23-132	480-70-311	NEW-P	00-23-132
480-66-140	NEW	00-04-011	480-70-116	NEW-P	00-23-132	480-70-316	NEW-P	00-23-132
480-66-150	NEW	00-04-011	480-70-120	REP-P	00-23-132	480-70-320	REP-P	00-23-132
480-66-160	NEW	00-04-011	480-70-121	NEW-P	00-23-132	480-70-321	NEW-P	00-23-132
480-66-170	NEW	00-04-011	480-70-126	NEW-P	00-23-132	480-70-325	REP-P	00-23-132
480-66-200	NEW	00-04-011	480-70-130	REP-P	00-23-132	480-70-326	NEW-P	00-23-132
480-66-210	NEW	00-04-011	480-70-131	NEW-P	00-23-132	480-70-330	REP-P	00-23-132
480-66-220	NEW	00-04-011	480-70-136	NEW-P	00-23-132	480-70-331	NEW-P	00-23-132
480-66-230	NEW	00-04-011	480-70-140	REP-P	00-23-132	480-70-335	REP-P	00-23-132
480-66-300	NEW	00-04-011	480-70-141	NEW-P	00-23-132	480-70-336	NEW-P	00-23-132
480-66-310	NEW	00-04-011	480-70-146	NEW-P	00-23-132	480-70-340	REP-P	00-23-132
480-66-320	NEW	00-04-011	480-70-150	REP-P	00-23-132	480-70-341	NEW-P	00-23-132
480-66-330	NEW	00-04-011	480-70-151	NEW-P	00-23-132	480-70-346	NEW-P	00-23-132
480-66-400	NEW	00-04-011	480-70-155	REP-P	00-23-132	480-70-350	REP-P	00-23-132
480-66-410	NEW	00-04-011	480-70-156	NEW-P	00-23-132	480-70-351	NEW-P	00-23-132
480-66-420	NEW	00-04-011	480-70-160	REP-P	00-23-132	480-70-356	NEW-P	00-23-132
480-66-430	NEW	00-04-011	480-70-161	NEW-P	00-23-132	480-70-360	REP-P	00-23-132
480-66-440	NEW	00-04-011	480-70-166	NEW-P	00-23-132	480-70-361	NEW-P	00-23-132
480-66-450	NEW	00-04-011	480-70-170	REP-P	00-23-132	480-70-366	NEW-P	00-23-132
480-66-460	NEW	00-04-011	480-70-171	NEW-P	00-23-132	480-70-370	REP-P	00-23-132
480-66-470	NEW	00-04-011	480-70-176	NEW-P	00-23-132	480-70-371	NEW-P	00-23-132
480-66-480	NEW	00-04-011	480-70-180	REP-P	00-23-132	480-70-376	NEW-P	00-23-132
480-66-490	NEW	00-04-011	480-70-181	NEW-P	00-23-132	480-70-380	REP-P	00-23-132
480-66-500	NEW	00-04-011	480-70-186	NEW-P	00-23-132	480-70-381	NEW-P	00-23-132
480-66-510	NEW	00-04-011	480-70-190	REP-P	00-23-132	480-70-386	NEW-P	00-23-132
480-66-520	NEW	00-04-011	480-70-191	NEW-P	00-23-132	480-70-390	REP-P	00-23-132
480-66-600	NEW	00-04-011	480-70-196	NEW-P	00-23-132	480-70-391	NEW-P	00-23-132
480-66-620	NEW	00-04-011	480-70-200	REP-P	00-23-132	480-70-396	NEW-P	00-23-132
480-70-001	NEW-P	00-23-132	480-70-201	NEW-P	00-23-132	480-70-400	REP-P	00-23-132
480-70-006	NEW-P	00-23-132	480-70-206	NEW-P	00-23-132	480-70-401	NEW-P	00-23-132
480-70-010	REP-P	00-23-132	480-70-210	REP-P	00-23-132	480-70-405	REP-P	00-23-132
480-70-011	NEW-P	00-23-132	480-70-211	NEW-P	00-23-132	480-70-406	NEW-P	00-23-132
480-70-016	NEW-P	00-23-132	480-70-216	NEW-P	00-23-132	480-70-410	REP-P	00-23-132
480-70-020	REP-P	00-23-132	480-70-220	REP-P	00-23-132	480-70-411	NEW-P	00-23-132
480-70-021	NEW-P	00-23-132	480-70-221	NEW-P	00-23-132	480-70-416	NEW-P	00-23-132
480-70-026	NEW-P	00-23-132	480-70-226	NEW-P	00-23-132	480-70-420	REP-P	00-23-132

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480- 70-421	NEW-P	00-23-132	495A-120-070	REP	00-11-148	495A-121-060	NEW	00-11-147
480- 70-426	NEW-P	00-23-132	495A-120-080	REP	00-11-148	495A-121-061	NEW-P	00-05-017
480- 70-430	REP-P	00-23-132	495A-120-090	REP	00-11-148	495A-121-061	NEW	00-11-147
480- 70-431	NEW-P	00-23-132	495A-120-100	REP	00-11-148	495A-121-062	NEW-P	00-05-017
480- 70-436	NEW-P	00-23-132	495A-120-110	REP	00-11-148	495A-121-062	NEW	00-11-147
480- 70-440	REP-P	00-23-132	495A-120-120	REP	00-11-148	495A-121-063	NEW-P	00-05-017
480- 70-441	NEW-P	00-23-132	495A-120-130	REP	00-11-148	495A-121-063	NEW	00-11-147
480- 70-446	NEW-P	00-23-132	495A-120-135	REP	00-11-148	495A-121-064	NEW-P	00-05-017
480- 70-451	NEW-P	00-23-132	495A-120-140	REP	00-11-148	495A-121-064	NEW	00-11-147
480- 70-456	NEW-P	00-23-132	495A-120-150	REP	00-11-148	495A-121-065	NEW-P	00-05-017
480- 70-461	NEW-P	00-23-132	495A-120-160	REP	00-11-148	495A-121-065	NEW	00-11-147
480- 70-466	NEW-P	00-23-132	495A-120-170	REP	00-11-148	495A-121-066	NEW-P	00-05-017
480- 70-471	NEW-P	00-23-132	495A-120-180	REP	00-11-148	495A-121-066	NEW	00-11-147
480- 70-476	NEW-P	00-23-132	495A-120-190	REP	00-11-148	495A-121-070	NEW-P	00-05-017
480- 70-481	NEW-P	00-23-132	495A-120-200	REP	00-11-148	495A-121-070	NEW	00-11-147
480- 70-486	NEW-P	00-23-132	495A-121-010	NEW-P	00-05-017	495A-121-090	NEW-P	00-05-017
480- 70-500	REP-P	00-23-132	495A-121-010	NEW	00-11-147	495A-121-090	NEW	00-11-147
480- 70-510	REP-P	00-23-132	495A-121-011	NEW-P	00-05-017	495A-121-091	NEW-P	00-05-017
480- 70-510	REP-P	00-23-132	495A-121-011	NEW	00-11-147	495A-121-091	NEW	00-11-147
480- 70-530	REP-P	00-23-132	495A-121-011	NEW	00-11-147	495A-121-092	NEW-P	00-05-017
480- 70-540	REP-P	00-23-132	495A-121-012	NEW-P	00-05-017	495A-121-092	NEW	00-11-147
480- 70-540	REP-P	00-23-132	495A-121-012	NEW	00-11-147	495A-121-092	NEW	00-11-147
480- 70-550	REP-P	00-23-132	495A-121-012	NEW	00-11-147	495A-121-093	NEW-P	00-05-017
480- 70-560	REP-P	00-23-132	495A-121-020	NEW-P	00-05-017	495A-121-093	NEW	00-11-147
480- 70-570	REP-P	00-23-132	495A-121-020	NEW	00-11-147	495A-121-094	NEW-P	00-05-017
480- 70-700	REP-P	00-23-132	495A-121-021	NEW-P	00-05-017	495A-121-094	NEW	00-11-147
480- 70-710	REP-P	00-23-132	495A-121-021	NEW	00-11-147	495C-104-010	AMD-P	00-08-105
480- 70-720	REP-P	00-23-132	495A-121-022	NEW-P	00-05-017	495C-104-010	AMD	00-12-019
480- 70-730	REP-P	00-23-132	495A-121-022	NEW	00-11-147	495C-108-040	AMD-P	00-08-105
480- 70-740	REP-P	00-23-132	495A-121-023	NEW-P	00-05-017	495C-108-040	AMD	00-12-019
480- 70-750	REP-P	00-23-132	495A-121-023	NEW	00-11-147	495C-116-100	AMD-P	00-08-105
480- 70-760	REP-P	00-23-132	495A-121-024	NEW-P	00-05-017	495C-116-100	AMD	00-12-019
480- 70-770	REP-P	00-23-132	495A-121-024	NEW	00-11-147	495C-116-110	AMD-P	00-08-105
480- 70-780	REP-P	00-23-132	495A-121-025	NEW-P	00-05-017	495C-116-110	AMD	00-12-019
480- 70-790	REP-P	00-23-132	495A-121-025	NEW	00-11-147	495C-116-130	AMD-P	00-08-105
480- 70-999	NEW-P	00-23-132	495A-121-026	NEW-P	00-05-017	495C-116-130	AMD	00-12-019
480- 75	PREP	00-17-134	495A-121-026	NEW	00-11-147	495C-116-160	AMD-P	00-08-105
480- 80-335	AMD-P	00-11-044	495A-121-027	NEW-P	00-05-017	495C-116-160	AMD	00-12-019
480- 80-335	AMD	00-17-048	495A-121-027	NEW	00-11-147	495C-116-160	AMD	00-12-019
480-110-255	AMD-S	00-11-043	495A-121-028	NEW-P	00-05-017	495C-116-170	AMD-P	00-08-105
480-110-255	AMD	00-17-135	495A-121-028	NEW	00-11-147	495C-116-170	AMD	00-12-019
480-120-071	AMD-P	00-10-086	495A-121-028	NEW	00-11-147	495C-116-190	AMD-P	00-08-105
480-120-071	AMD-S	00-17-168	495A-121-029	NEW-P	00-05-017	495C-116-190	AMD	00-12-019
480-120-071	AMD	00-24-097	495A-121-029	NEW	00-11-147	495C-116-210	AMD-P	00-08-105
480-120-139	AMD	00-03-047	495A-121-040	NEW-P	00-05-017	495C-116-210	AMD	00-12-019
480-120-560	NEW-P	00-17-114	495A-121-040	NEW	00-11-147	495C-116-260	AMD-P	00-08-105
480-120-560	NEW	00-24-047	495A-121-041	NEW-P	00-05-017	495C-116-260	AMD	00-12-019
480-120-990	NEW-S	00-07-047	495A-121-041	NEW	00-11-147	495C-120-010	AMD-P	00-08-105
480-120-990	NEW-W	00-20-066	495A-121-042	NEW-P	00-05-017	495C-120-010	AMD	00-12-019
480-122	PREP	00-17-167	495A-121-042	NEW	00-11-147	495C-120-020	AMD-P	00-08-105
490-105-040	AMD-XA	00-16-127	495A-121-043	NEW-P	00-05-017	495C-120-020	AMD	00-12-019
490-105-040	AMD	00-21-037	495A-121-043	NEW	00-11-147	495C-120-040	AMD-P	00-08-105
490-105-080	AMD-XA	00-21-036	495A-121-044	NEW-P	00-05-017	495C-120-040	AMD	00-12-019
490-105-080	AMD	01-01-141	495A-121-044	NEW	00-11-147	495C-120-041	NEW-P	00-08-105
495A-120-010	REP	00-11-148	495A-121-045	NEW-P	00-05-017	495C-120-041	NEW	00-12-019
495A-120-020	REP	00-11-148	495A-121-045	NEW	00-11-147	495C-120-045	AMD-P	00-08-105
495A-120-030	REP	00-11-148	495A-121-046	NEW-P	00-05-017	495C-120-045	AMD	00-12-019
495A-120-040	REP	00-11-148	495A-121-046	NEW	00-11-147	495C-120-050	AMD-P	00-08-105
495A-120-041	REP	00-11-148	495A-121-047	NEW-P	00-05-017	495C-120-050	AMD	00-12-019
495A-120-042	REP	00-11-148	495A-121-047	NEW	00-11-147	495C-120-080	AMD-P	00-08-105
495A-120-043	REP	00-11-148	495A-121-048	NEW-P	00-05-017	495C-120-080	AMD	00-12-019
495A-120-043	REP	00-11-148	495A-121-048	NEW	00-11-147	495C-120-090	AMD-P	00-08-105
495A-120-045	REP	00-11-148	495A-121-048	NEW	00-11-147	495C-120-090	AMD	00-12-019
495A-120-050	REP	00-11-148	495A-121-049	NEW-P	00-05-017	495C-120-100	AMD-P	00-08-105
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			495A-121-060	NEW-P	00-05-017			

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495C-120-120	AMD-P	00-08-105	495C-280-090	REP-P	00-08-105	495D-280-010	AMD	00-20-007
495C-120-120	AMD	00-12-019	495C-280-090	REP	00-12-019	495D-280-015	AMD-P	00-16-098
495C-120-125	NEW-P	00-08-105	495C-280-100	REP-P	00-08-105	495D-280-015	AMD	00-20-007
495C-120-125	NEW	00-12-019	495C-280-100	REP	00-12-019	495D-280-020	AMD-P	00-16-098
495C-120-130	AMD-P	00-08-105	495C-280-110	REP-P	00-08-105	495D-280-020	AMD	00-20-007
495C-120-130	AMD	00-12-019	495C-280-110	REP	00-12-019	495D-280-030	AMD-P	00-16-098
495C-120-140	AMD-P	00-08-105	495C-280-120	REP-P	00-08-105	495D-280-030	AMD	00-20-007
495C-120-140	AMD	00-12-019	495C-280-120	REP	00-12-019	495D-280-040	AMD-P	00-16-098
495C-120-150	AMD-P	00-08-105	495D-120-010	AMD-P	00-16-098	495D-280-040	AMD	00-20-007
495C-120-150	AMD	00-12-019	495D-120-010	AMD	00-20-007	495D-280-050	AMD-P	00-16-098
495C-120-160	AMD-P	00-08-105	495D-120-020	AMD-P	00-16-098	495D-280-050	AMD	00-20-007
495C-120-160	AMD	00-12-019	495D-120-020	AMD	00-20-007	495D-280-060	AMD-P	00-16-098
495C-120-170	AMD-P	00-08-105	495D-120-030	AMD-P	00-16-098	495D-280-060	AMD	00-20-007
495C-120-170	AMD	00-12-019	495D-120-030	AMD	00-20-007	495D-280-070	REP-P	00-16-098
495C-120-180	AMD-P	00-08-105	495D-120-040	AMD	00-03-031	495D-280-070	REP	00-20-007
495C-120-180	AMD	00-12-019	495D-120-040	AMD-P	00-16-098	495D-280-080	AMD-P	00-16-098
495C-132-010	AMD-P	00-08-105	495D-120-040	AMD	00-20-007	495D-280-080	AMD	00-20-007
495C-132-010	AMD	00-12-019	495D-120-045	AMD-P	00-16-098	495D-280-090	AMD-P	00-16-098
495C-133-020	AMD-P	00-08-105	495D-120-045	AMD	00-20-007	495D-280-090	AMD	00-20-007
495C-133-020	AMD	00-12-019	495D-120-050	AMD-P	00-16-098	495D-280-100	AMD-P	00-16-098
495C-134-010	AMD-P	00-08-105	495D-120-050	AMD	00-20-007	495D-280-100	AMD	00-20-007
495C-134-010	AMD	00-11-108	495D-120-060	AMD-P	00-16-098	495D-280-110	AMD-P	00-16-098
495C-140-090	AMD-P	00-08-105	495D-120-060	AMD	00-20-007	495D-280-110	AMD	00-20-007
495C-140-090	AMD	00-12-019	495D-120-060	AMD	00-20-007	495D-280-120	AMD-P	00-16-098
495C-140-100	AMD-P	00-08-105	495D-120-070	AMD-P	00-16-098	495D-280-120	AMD	00-20-007
495C-140-100	AMD	00-12-019	495D-120-070	AMD	00-20-007	508-64	PREP	00-06-057
495C-168-020	AMD-P	00-08-105	495D-120-080	AMD-P	00-16-098	516-23	PREP	00-21-014
495C-168-020	AMD	00-12-019	495D-120-080	AMD	00-20-007	516-24	PREP	00-23-012
495C-168-040	AMD-P	00-08-105	495D-120-085	AMD-P	00-16-098	516-34	PREP	00-07-078
495C-168-040	AMD	00-12-019	495D-120-085	AMD	00-20-007	516-34	PREP	00-16-027
495C-276-030	AMD-P	00-08-105	495D-120-090	AMD-P	00-16-098	516-34-010	AMD-P	00-19-047
495C-276-030	AMD	00-12-019	495D-120-090	AMD	00-20-007	516-34-010	AMD	01-01-138
495C-276-040	AMD-P	00-08-105	495D-120-100	AMD-P	00-16-098	516-34-020	AMD-P	00-19-047
495C-276-040	AMD	00-12-019	495D-120-100	AMD	00-20-007	516-34-020	AMD	01-01-138
495C-276-060	AMD-P	00-08-105	495D-120-110	AMD-P	00-16-098	516-34-030	AMD-P	00-19-047
495C-276-060	AMD	00-12-019	495D-120-110	AMD	00-20-007	516-34-030	AMD	01-01-138
495C-276-080	AMD-P	00-08-105	495D-120-120	AMD-P	00-16-098	516-34-040	AMD-P	00-19-047
495C-276-080	AMD	00-12-019	495D-120-120	AMD	00-20-007	516-34-040	AMD	01-01-138
495C-276-100	AMD-P	00-08-105	495D-120-130	AMD-P	00-16-098	516-34-050	AMD-P	00-19-047
495C-276-100	AMD	00-12-019	495D-120-130	AMD	00-20-007	516-34-050	AMD	01-01-138
495C-276-120	AMD-P	00-08-105	495D-120-140	AMD-P	00-16-098	516-34-060	AMD-P	00-19-047
495C-276-120	AMD	00-12-019	495D-120-140	AMD	00-20-007	516-34-060	AMD	01-01-138
495C-276-140	REP-P	00-08-105	495D-120-150	REP-P	00-16-098	516-34-070	AMD-P	00-19-047
495C-276-140	REP	00-12-019	495D-120-150	REP	00-20-007	516-34-070	AMD	01-01-138
495C-280-010	REP-P	00-08-105	495D-120-160	REP-P	00-16-098	516-34-080	NEW-P	00-19-047
495C-280-010	REP	00-12-019	495D-120-160	REP	00-20-007	516-34-080	NEW	01-01-138
495C-280-015	REP-P	00-08-105	495D-120-170	AMD-P	00-16-098	516-35	PREP	00-07-078
495C-280-015	REP	00-12-019	495D-120-170	AMD	00-20-007	516-52	PREP	00-05-030
495C-280-020	REP-P	00-08-105	495D-120-180	AMD-P	00-16-098	516-52-010	AMD-P	00-08-065
495C-280-020	REP	00-12-019	495D-120-180	AMD	00-20-007	516-52-010	AMD-W	00-11-109
495C-280-030	REP-P	00-08-105	495D-120-190	AMD-P	00-16-098	516-52-010	AMD-P	00-16-043
495C-280-030	REP	00-12-019	495D-120-190	AMD	00-20-007	516-52-010	AMD	00-22-006
495C-280-040	REP-P	00-08-105	495D-120-200	AMD-P	00-16-098	516-60	PREP	00-16-002
495C-280-040	REP	00-12-019	495D-120-200	AMD	00-20-007	516-60-001	REP-P	00-19-046
495C-280-050	REP-P	00-08-105	495D-122-010	REP-XR	00-09-006	516-60-002	REP-P	00-19-046
495C-280-050	REP	00-12-019	495D-122-020	REP-XR	00-09-006	516-60-003	REP-P	00-19-046
495C-280-060	REP-P	00-08-105	495D-122-030	REP-XR	00-09-006	516-60-003	REP	01-01-137
495C-280-060	REP	00-12-019	495D-131-010	AMD-P	00-16-098	516-60-004	REP-P	00-19-046
495C-280-070	REP-P	00-08-105	495D-131-010	AMD	00-20-007	516-60-004	REP	01-01-137
495C-280-070	REP	00-12-019	495D-132-010	AMD-P	00-16-098	516-60-005	REP-P	00-19-046
495C-280-080	REP-P	00-08-105	495D-132-010	AMD	00-20-007	516-60-005	REP	01-01-137
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516-60-006	REP-P	00-19-046						
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